

# ATHENS CITY COUNCIL MINUTES OF MEETING

February 15, 2022

The Athens City Council met in regular session on Tuesday, February 15, 2022, at 6:00 p.m. with Mayor Perkinson presiding. The invocation was given by Mayor Perkinson; and upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

The following decisions were made and ordered made a part of the records of the Athens City Council.

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## APPROVAL OF MINUTES

The Minutes of the November 24, 2021 called meeting and the January 18, 2022 regularly scheduled meeting were submitted and approved by unanimous consent.

Council Member Pelley raised a Point of Personal Privilege. He stated that at the February 7, 2022 City Council Study Session he raised his voice and some members of the Council felt he was attacking them. He apologized for raising his voice but said it was raised in frustration for not being able to get his items on the agenda.

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## COMMUNICATIONS AND SPECIAL PRESENTATIONS

### WESTSIDE SCHOOL UPDATE

Tracy Lee, Principal at Westside School, provided an update on the school's projects and events including a Sock Hop, raising funds for the Isaiah 117 House by the Kiwanis Kids, Math Night at Westside on February 17, 2022 in conjunction with Tennessee Wesleyan University, and Literacy Night on March 3, 2022. Ms. Lee encouraged the Council to come to Math and Literacy Nights.

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### MISCELLANEOUS CORRESPONDENCE

None

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## CONSENT AGENDA

Mayor Perkinson advised that the following items were discussed during the recent study session and are presented as part of the Consent Agenda. The recording clerk read the following items into the record:

- a.) Reappoint Tyler Forrest, Jo Lundy, Jay Hacker, Charles Senn, Alex Mora, Shanda Wade, Skylar Dean, Whitney Coe, and William Wilson to the Council Advisory Committee, terms expire March 21, 2025.
- b.) Appoint Elaine Newman to the Council Advisory Committee (Perkinson), term expires March 21, 2025.
- c.) Appoint Council Member Pelley to serve as Council representative on the McMinn Senior Citizens Board of Directors.
- d.) Approve purchase of Training Tower for the Athens Fire Training Facility from Fire Facilities, Inc. & Tactical Training Systems (using a cooperative purchasing agreement).
- e.) Approve recommendation to declare a 2018 Ford Taurus (Asset # 4418) surplus and sold on GovDeals.

Mayor Perkinson asked for a motion. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, that the Consent Agenda as stated above be approved.** Roll call vote:

<b>AYES:</b>	<b>Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson</b>
<b>NAYS:</b>	<b>None</b>

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ORDINANCESORDINANCE TO REZONE PARCEL LOCATED ON WEST MADISON AVENUE – ANDREAS D. MONTGOMERY ON BEHALF OF JOHNATHON AND ELIZA MIRABILEORDINANCE NO. 1108 – SECOND READING/PUBLIC HEARING

AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,' SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED ON WEST MADISON AVENUE FROM R-3 (HIGH DENSITY RESIDENTIAL) TO I-1 (LIGHT INDUSTRIAL DISTRICT) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Perkinson opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. Mayor Perkinson asked for a motion. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Ordinance No. 1108 on Second and Final Reading.** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson  
NAYS: None

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OLD BUSINESSMCMINN REGIONAL HUMANE SOCIETY (MRHS) MOU AMENDMENT

Mayor Perkinson asked for a motion. **Vice Mayor Lockmiller moved, Council Member Pelley seconded, to approve the amendment to the McMinn Regional Humane Society (MRHS) Memorandum of Understanding (MOU).** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson  
NAYS: None

Council Member Witt-McMahan was not feeling well and left the meeting at 6:13 p.m.

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NEW BUSINESSACCEPTANCE OF COMPREHENSIVE FINANCIAL AUDIT (City/AUB/ACS)

The Comprehensive Annual Financial Report for the year ended June 30, 2021 was presented. Mayor Perkinson asked for a motion. **Council Member Curtis moved, seconded by Vice Mayor Lockmiller, to accept the Comprehensive Annual Financial Report for the year ended June 30, 2021 as presented.** Roll call vote:

AYES: Curtis, Pelley, Lockmiller, Perkinson  
NAYS: None  
ABSENT: Witt-McMahan

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ALLOCATING AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR THE CITY

Mayor Perkinson referred Council to Finance Director Mike Keith's memorandum of January 31, 2022 recommending the allocation of American Rescue Plan Act (ARPA) funds for four (4) projects: Animal Shelter Building - \$600,000; Public Works Building - \$2,500,000; Fire Training Tower - \$600,000; and City Hall Renovations - \$1,000,000 and asked for a motion. **Vice Mayor Lockmiller moved, Council Member Curtis seconded, to approve the allocation of ARPA funds as recommended.** The motion was approved by the following roll call vote:

AYES: Curtis, Pelley, Lockmiller, Perkinson  
NAYS: None  
ABSENT: Witt-McMahan

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PURCHASE OF RIGHT-OF-WAY FOR REDFERN DRIVE PROPERTY

RESOLUTION NO. 2022-04

A RESOLUTION TO NEGOTIATE AND PURCHASE A PORTION OF PROPERTY FOR RIGHT-OF-WAY CONNECTION TO REDFERN DRIVE.

The caption of Resolution No. 2022-04 was read by the recording clerk. **Vice Mayor Lockmiller moved, Council Member Curtis seconded, to approve Resolution No. 2022-04.** The motion was approved by the following roll call vote:

<b>AYES:</b>	<b>Curtis, Pelley, Lockmiller, Perkinson</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Witt-McMahan</b>

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SALE OF TWO (2) ACRES OF REDFERN DRIVE PROPERTY TO AUB

RESOLUTION NO. 2022-05

A RESOLUTION AUTHORIZING THE SALE OF CITY-OWNED LAND LOCATED AT 2115 REDFERN DRIVE.

The caption of Resolution No. 2022-05 was read by the recording clerk. **Vice Mayor Lockmiller moved, Council Member Curtis seconded, to approve Resolution No. 2022-05.** The motion was approved by the following roll call vote:

<b>AYES:</b>	<b>Curtis, Lockmiller, Perkinson</b>
<b>NAYS:</b>	<b>Pelley</b>
<b>ABSENT:</b>	<b>Witt-McMahan</b>

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RESOLUTION IN SUPPORT OF RESTORING REVENUE SHARING RELATIONSHIP AND TO RETURN LOCAL SHARE OF SINGLE ARTICLE CAP TO LOCAL GOVERNMENTS

RESOLUTION NO. 2022-06

A RESOLUTION TO SUPPORT RESTORING THE HISTORIC REVENUE SHARING RELATIONSHIP BETWEEN THE STATE OF TENNESSEE AND ITS LOCAL GOVERNMENTS AND TO RETURN THE LOCAL SHARE OF THE SINGLE ARTICLE CAP TO LOCAL GOVERNMENTS.

The caption of Resolution No. 2022-06 was read by the recording clerk. **Council Member Curtis moved, Vice Mayor Lockmiller seconded, to approve Resolution No. 2022-06.** The motion was approved by the following roll call vote:

<b>AYES:</b>	<b>Curtis, Pelley, Lockmiller, Perkinson</b>
<b>NAYS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>Witt-McMahan</b>

Council Member Pelley raised a Point of Order and moved to suspend the rules. Mayor Perkinson asked Council Member Pelley to state the purpose for suspending the rules. Council Member Pelley stated he was not required to state his purpose. Mayor Perkinson stated that according to Robert's Rules of Order the motion was not well taken. Council Member Pelley moved to challenge the ruling by the chair, seconded by Vice Mayor Lockmiller. The motion failed by the following roll call vote:

<b>AYES:</b>	<b>Pelley, Lockmiller</b>
<b>NAYS:</b>	<b>Curtis, Perkinson</b>
<b>ABSENT:</b>	<b>Witt-McMahan</b>

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REPORTS

COMMUNITY DEVELOPMENT QUARTERLY/ANNUAL REPORTS

Mr. Anthony Casteel, Community Development Director, presented the Building Permit Quarterly/Annual Report for the City of Athens. The report was accepted as presented.

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FINANCE DEPARTMENT REPORT

Mr. Mike Keith, Finance Director, presented the Finance Department Report for the month of January 2022. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for the month of January 2022. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Deputy Chief Jason Garren presented the Police Department Report for the month of January 2022. The report was accepted as presented.

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REQUESTS FROM CITIZENS

Dan Anderson, 2307 County Road 700, Riceville, asked for City Manager Sumner to apologize publicly to him and Council Member Pelley and state the accusations regarding the woman left in the hotel were untrue. Mr. Anderson acknowledged receipt of a letter of apology by mail. Glenn Whiting, 237 County Road 655, Athens, asked to be put on the next Study Session agenda to set up a set of rules for citizens and the City Council to follow when they are speaking at a Council meeting. Cynthia McCowan, 617 Walnut Boulevard, Athens, stated the Bicentennial is coming up in March and Free Hill is not part of the celebration as far as she is aware. The Free Hill community has 120 years of history and should be included. Ms. McCowan asked for feedback when an individual makes a request. She had made a request about cleaning up the slave cemetery at Prof Powers Park and was told it would be put on the agenda, but she never heard anything more about her request. She had also requested having teen activities during the summer. It could be an everyday program for approximately two months to engage the teens. She had talked to Austin Fesmire, but the item has not been placed on the agenda. The teens do not get engaged when programs are not held every day because the parents cannot get them to those types of programs. It needs to be a program where the parents can drop the teens off in the morning and pick them up in the evening, not just a babysitting program but one that provides valuable programming. Ms. McCowan also felt there needed to be a well-defined process for citizen input. In her opinion, if she asks for an item to be placed on the Study Session agenda, then she should be allowed to participate in the discussion at that meeting as she may have more information than the Council on the topic and could provide clarification if needed. She understood that if everyone in the audience were allowed to speak it could take all night but felt the individual making the request should be allowed to participate in the discussion. She also felt the Study Session agenda should be posted so the public can know what is going to be discussed. There should be a process for a citizen to engage with the Council if they have any questions or comments on a specific item.

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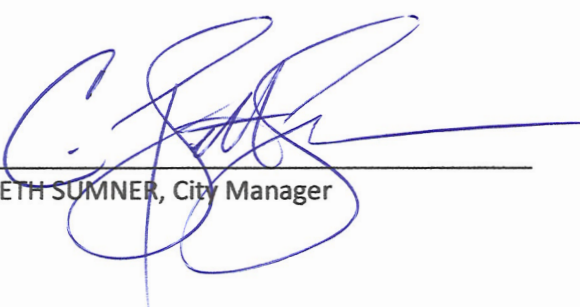
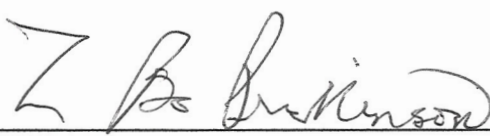
REPORT FROM THE CITY MANAGER

City Manager Sumner reviewed the monthly report including the various Parks and Recreation and Public Works projects and activities going on throughout the city.

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ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:15 p.m.

  
C. SETH SUMNER, City Manager  
WILLIAM BO PERKINSON, Mayor