

ATHENS CITY COUNCIL
MINUTES OF MEETING

November 15, 2022

The Athens City Council met in regular session on Tuesday, November 15, 2022, at 6:00 p.m. with Mayor Perkinson presiding. The invocation was given by Council Member Lockmiller; 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

Council Member Pelley moved, Council Member Curtis seconded, to approve the Minutes of the October 18, 2022 regularly scheduled meeting. Roll call vote:

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

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CERTIFICATION OF ELECTION

The following official tabulation of the Athens City Election was presented by City Attorney Trew and is entered herein as a part of these minutes:

"We, the undersigned members of the McMinn County Election Commission, do hereby certify that we held a Municipal Election for the City of Athens on Tuesday, November 8, 2022, in the voting precincts in this city, according to law, for the purpose of electing the offices of Athens City Council & School Board, and that we have canvassed the returns of said election as required by law, and we do hereby certify that the following 3 pages of tabulation are a true, correct, and complete accounting of the results by precinct of said election as established by the canvassing of the returns, this 15th day of November, 2022."

McMinn County Commissioners of Election
/s/ Matthew Todd Watson, Chairman
/s/ Bobby Goodman, Secretary
/s/ Amber Robinson, Member
/s/ Brenda Ratledge, Member
/s/ Stephen Miller, Member

ATHENS CITY COUNCIL - (4 YEAR TERM) VOTE FOR THREE (3)

John Duggan	859
Larry Eaton	1410
Judy Hamilton	467
Mark Douglas Lockmiller	786
Jim O'Bringer	517
Dick Pelly	1126
William Bo Perkinson	800
Steven S. Sherlin	1088
Kay Simmons	947

Total Votes Cast 8000

ATHENS CITY SCHOOL BOARD - VOTE FOR THREE (3)

Jacquelyn Abigail Burke Carrol	1693
Johnny Coffman	2046
Write-In- George David Brown	295
Write-In- Emily Forest	696
Write-In- Colby Pilkey	1

Total Votes Cast- 4731

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SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS

The swearing in of the newly elected council members (Eaton, Pelley, and Sherlin) was conducted by City Attorney Trew. Upon the seating of the new council, followed by roll call, the following members were in attendance.

Curtis, Eaton, Pelley, Sherlin, Witt-McMahan

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REORGANIZATION OF COUNCIL

The method of selecting the mayor is determined by the Charter of the City of Athens (Article V; Sections 1 & 11), whereby the council members at the first regular meeting after each biennial election shall elect from one of their number a mayor and vice mayor to serve for a term of two years.

ELECTION OF MAYOR

To begin the reorganization of the Council, City Attorney Trew announced that he would accept nominations for the election of mayor. **Council Member Witt-McMahan moved, Council Member Curtis seconded, to nominate Council Member Sherlin to serve as Mayor.** There were no other nominations. Roll call vote:

AYES: Curtis, Eaton, Pelley, Sherlin, Witt-McMahan,
NAYS: None

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ELECTION OF VICE MAYOR

Mayor Sherlin requested nominations for the office of Vice Mayor. **Council Member Pelley moved, Council Member Witt-McMahan seconded, to nominate Council Member Eaton as Vice Mayor.** There were no other nominations. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Sherlin
NAYS: None
ABSTAIN: Eaton

Mayor Sherlin called the meeting back to order.

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

WESTSIDE ELEMENTARY SCHOOL UPDATE

Tracy Lee, the principal of Westside Elementary School expressed appreciation for what the council has provided and the recent Fire Prevention Week.

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CONSENT AGENDA

Mayor Sherlin advised the recording clerk to read the following items into record:

- a.) Approve contract extension for high mast lighting preventative maintenance and repair with Stansell Electric through October 31, 2023.
- b.) Approve contract extension for traffic signals maintenance and repair with Stansell Electric through October 31, 2023.
- c.) Approve recommendation to purchase police vehicle equipment from Trucker’s Lighthouse.
- d.) Approve recommendation to purchase stormwater drainage pipe from Contech Engineered Solutions.
- e.) Approve bid (Items 1, 2 and 3) in the amount of \$2,757,391.13 as submitted by Adams Contracting, LLC for Campus Transportation Improvements related to the construction of the new school.
- f.) Approve Resolution No. 2022-30 for the bid for the Public Safety Training Facility and funding from McMinn County.
- g.) Approve change order # 2 with Stantec for design services related to the Public Safety Training Facility.

- h.) Approve Resolution No. 2022-31 authorizing the purchase of property off Redfern Drive from Teresa Vincent.
- i.) Approve allocating ARPA funds for the City.
- j.) Approve Resolution No. 2022-32 authorizing bid acceptance for sewer system improvements funded in part by CDBG funds.
- k.) Approve Athens City Schools Budget Amendment No. 2 (General Purpose) for the Fiscal Year 2022-2023.

Council Member Pelley moved, Council Member Witt-McMahan seconded motion to approve the consent agenda. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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ORDINANCES

ORDINANCE NO. 1113 – SECOND READING/PUBLIC HEARING
ORDINANCE AMENDING ZONING ORDINANCE TO REZONE PROPERTY ON DUPITT STREET FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)

The caption of the above-described Ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **Council Member Witt-McMahan moved, Vice Mayor Eaton seconded motion to approve the Ordinance No. 1113 on Second and Final Reading.** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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ORDINANCE NO. 1114 – SECOND READING/PUBLIC HEARING
ORDINANCE AMENDING ZONING ORDINANCE TO REZONE PROPERTY ON DENSO DRIVE FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)

The caption of the above-described Ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **Vice Mayor Eaton moved, Council Member Curtis seconded motion to approve Ordinance No. 1114 on Second and Final Reading.** Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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OLD BUSINESS

APPROVE RESOLUTION NO. 2022-33 NAMING THE ANIMAL SHELTER BUILDING FOR LARRY DEAN WALLACE.

Vice Mayor Eaton moved, Mayor Sherlin seconded motion to approve. Council Member Witt-McMahan read Resolution No. 2022-33 and presented it to members of the Wallace family. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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NEW BUSINESS

APPROVE RENEWAL OF CONTRACTUAL AGREEMENT WITH RETAIL STRATEGIES, LLC FOR PROFESSIONAL RETAIL DEVELOPMENT CONSULTANT SERVICES.

Vice Mayor Eaton moved, Council Member Pelley seconded to postpone discussion until December 12 work session. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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APPROVE A 3% PAY INCREASE AND A 3% PAY RANGE INCREASE FOR THE PAYROLL DATED DECEMBER 9, 2022.

Vice Mayor Eaton moved, Council Member Pelley seconded to postpone discussion until December 12 work session. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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DISCUSSION OF CITY MANAGER'S EMPLOYMENT AGREEMENT AND ANY ACTION, IF NECESSARY.

No action was necessary for this item as action was taken at the called meeting on November 14, 2022.

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Council Member Pelley moved, Vice Mayor Eaton seconded, a motion that the contractual agreement will be ceased with the City Attorney at the end of the meeting. Council Member Pelley called for question, question was accepted. Roll call vote:

AYES: Pelley, Eaton, Sherlin
NAYS: Curtis, Witt-McMahan

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Vice Mayor Eaton moved, Council Member Pelley seconded, to appoint attorney Bill Buckley as interim City Attorney for up to 3 months. Roll call vote:

AYES: Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None
ABSTAIN: Curtis

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Vice Mayor Eaton moved, Council Member Pelley seconded, to make a motion to livestream all City Council meetings and Study Sessions on Facebook. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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Vice Mayor Eaton moved, Council Member Pelley seconded, a motion all city council personnel go through the City Manager to get information requests. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin
NAYS: None

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Mayor Sherlin appointed council members to city Boards and Committees as follows:

Vice Mayor Eaton- Athens Utilities Board
Council Member Pelley- Economic Development Authority, McMinn County Senior Citizens Center, Friendly City Sister Cities
Council Member Witt-McMahan- Planning Commission, McMinn County Juvenile Services, Athens Parks Foundation
Council Member Curtis- Planning Commission, Historic Preservation
Mayor Sherlin- Board of Zoning Appeals

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REPORTS

FINANCE DEPARTMENT REPORT

Finance Director Mr. Mike Keith presented the Finance Department Report for October 2022. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

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

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POLICE DEPARTMENT REPORT

Police Chief Fred Schultz presented the Police Department Report for October 2022. The report was accepted as presented.

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REQUESTS FROM CITIZENS

John Duggan, 1002 Towanda Trail, requested the council to move the requests from citizens to the beginning of the meeting. Dale Newman, 1816 Cherokee Street, stated that Veterans Park was a mess before Pumpkintown and is willing to volunteer his time to clean up Veterans Park. Glenn Whiting, 237 County Road 655, addressed concerns on pickleball courts. Linda Long, 302 Kilgore Street, addressed concerns on road conditions, Cook Park, neighborhood lighting, Hammerhill Road, and Cook Drive. Lisa Blos-Johnson, 1112 Springfield Place, requests City Council to allow citizens to volunteer and presented the mayor a letter.

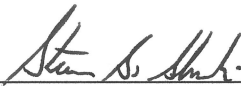
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REPORT FROM THE CITY MANAGER

Interim City Manager Mike Keith presented an update on activities and events in 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 8:15 p.m.


MICHAEL L. KEITH, Interim City Manager


STEVEN S. SHERLIN, Mayor