

# ATHENS CITY COUNCIL MINUTES OF MEETING

January 17, 2023

The Athens City Council met in regular session on Tuesday, January 17, 2023, at 6:00 p.m. with Mayor Sherlin presiding. The invocation was given by Council Member Curtis; and upon roll call, the following members were present:

Curtis, Pelley, Eaton, Sherlin

Council Member Witt-McMahan was absent.

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 December 20, 2022 regularly scheduled meeting were submitted and approved. **Council Member Pelley moved, Council Member Eaton seconded.** Roll call vote:

**AYES:** Curtis, Pelley, Eaton, Sherlin

**NAYS:** None

**ABSENT:** Witt-McMahan

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## COMMUNICATIONS AND SPECIAL PRESENTATIONS

### PRESENTATION OF PROCLAMATION – SCHOOL BOARD APPRECIATION WEEK

Council Member Curtis read a proclamation recognizing the week of January 22-28, 2023 as “School Board Appreciation Week”. Chairman Chris Adams of the Athens City Schools Board of Education was present to accept the proclamation on behalf of the School Board. Board Members Johnny Coffman and Emily Forrest, Director of Schools Robert Greene, and Principal Kristine Walden were also in attendance.

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### PRESENTATION OF VIVID AWARD – FOOD CITY #686

Council Member Pelley presented the Very Important Volunteer Individual (VIVID) Award for the month of January 2023 to Food City #686 for its continued dedication and commitment to Athens. Store Manager Rusty Rollins and employees Ashley Frye and Macy Parker were present to accept the award on behalf of Food City.

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## CONSENT AGENDA

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

- a.) Approve Resolution No. 2023-01 authorizing submission of an application for FEMA Staffing for Adequate Fire and Emergency Response (SAFER) Grant.
- b.) Approve Resolution No. 2023-02 declaring the week of January 22-28, 2023 as Flood Awareness Week.
- c.) Approve Resolution No. 2023-03 authorizing Quitclaim Deed to Mary Catherine Knox Et Vir, Don A. Knox for property along rear lot lines of Lots 40, 41, 42, 43, 44, and 45 of the F.M. Wofford Subdivision.
- d.) Approve Resolution No. 2023-04 approving the change of trustee services for Cemetery Trust Fund.
- e.) Acceptance of Comprehensive Financial Audit (City/AUB/ACS).

**Council Member Pelley moved, Council Member Eaton seconded, that the Consent Agenda as stated above be approved.** Roll call vote:

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

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ORDINANCES

ORDINANCE AMENDING THE ORDER OF BUSINESS OF REGULAR CITY COUNCIL MEETINGS

ORDINANCE NO. 1115 – SECOND READING/PUBLIC HEARING

ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE TO ALTER THE ORDER OF BUSINESS OF REGULAR CITY COUNCIL MEETINGS.

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 Pelley seconded, to approve Ordinance No. 1115 on the Second and Final Reading.** Roll call vote:

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

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OLD BUSINESS

MOTION TO RENEW CONTRACTUAL AGREEMENT WITH RETAIL STRATEGIES, LLC FOR PROFESSIONAL RETAIL DEVELOPMENT CONSULTANT SERVICES

**Council Member Curtis moved, seconded by Vice Mayor Eaton, to postpone this item since there were only four members of the Council present.** Vice Mayor Eaton stated that he had received an email from Retail Strategies asking for a meeting with the Council before a decision was made regarding the renewal of their contract. Council Member Pelley disagreed with Vice Mayor Eaton. He felt they had discussed this issue enough and there was nothing they could say that would change his mind regarding not renewing their contract. Mayor Sherlin felt that they should not postpone this decision and should deal with the issue at this meeting. The motion failed by the following roll call vote:

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

**Council Member Pelley moved, Vice Mayor Eaton seconded, not to renew the contractual agreement with Retail Strategies, LLC. Roll call vote:**

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

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DISCUSSION REGARDING DATES FOR INTERVIEWING CITY ATTORNEY APPLICANTS

Mayor Sherlin opened the floor for discussion. There were three applications for the position of City Attorney. He asked the Council if they wanted to deal with this issue in a Study Session or have a Called Meeting. The consensus of the Council was to have a Called Meeting.

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MOTION REGARDING REDESIGN OF CITY SEAL

**Vice Mayor Eaton moved, Council Member Pelley seconded, to remove the current City logo displayed for the Athens city government and replace it with the redesigned official City logo shown on the Study Session drawings on the bottom center.** Council Member Curtis stated he would like to keep the current branding logo because he likes what it communicates as far as the values of the City. Roll call vote:

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

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NEW BUSINESS

**Vice Mayor Eaton moved, Council Member Pelley seconded, for the City to join MTAS retail recruitment for \$5,000 per year which are non-binding dues.** This is a new venture of MTAS, and the fee is based on the size of the City. Roll call vote:

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

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**Vice Mayor Eaton moved, seconded by Mayor Sherlin, that the Council Advisory Board's policy and procedures be changed from five appointments for each of the City Council members to three and that the terms run concurrently with the City Council elections.** This change would start at the passing of the motion. Council Member Pelley disagreed. Council Member Curtis felt that they needed to talk about

this issue more and suggested moving this item to the February Study Session agenda. He was in favor of looking at a smaller group but felt they may need to consider in addition to making it a smaller group also changing the overall mission of the group by taking a more holistic approach instead of just changing the numbers. Vice Mayor Eaton withdrew his motion, and the item was moved to the February Study Session agenda.

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**Vice Mayor Eaton moved, Council Member Pelley seconded, to extend the take-home vehicles, if the City has the vehicles, to be Countywide and no City vehicles to be taken home outside the County.** Vice Mayor Eaton felt this would be a good recruiting tool for the Police Department. Council Member Curtis stated he was neither for nor against this item because this issue has not been discussed previously and he has no information on which to base his decision. He would like to discuss this issue with input from Mike Keith and Fred Schultz and to find out what the policies are for take-home vehicles. Council Member Pelley clarified that this motion would pertain to any take-home vehicle, not just the Police Department. Interim City Manager Keith stated the current policy is the employee must live within 10 miles of the City Hall. Police Chief Schultz stated he saw a couple of issues with the motion. One involved on-call status and the other involved location citing that if an employee lived in Sweetwater, he could be closer to the City than an employee who lives in the County. He suggested they work out some issues before the Council takes a vote on this item. Vice Mayor Eaton withdrew his motion, and the item was moved to the February Study Session agenda.

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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

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

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#### FIRE DEPARTMENT REPORT

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

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#### POLICE DEPARTMENT REPORT

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

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REQUESTS FROM CITIZENS

None

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REPORT FROM THE CITY MANAGER

Interim City Manager Keith presented an update on upcoming events, sales tax, and leaf season.

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ADJOURNMENT

There being no further business to come before the meeting, the meeting adjourned at 7:15 p.m.

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STEVEN S. SHERLIN, Mayor

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MICHAEL L. KEITH, Interim City Manager