

ATHENS CITY COUNCIL

MINUTES OF MEETING

February 21, 2023

The Athens City Council met in regular session on Tuesday, February 21, 2023, at 6:00 p.m. with Mayor Sherlin presiding. The invocation was given by Council Member Witt-McMahan; and upon roll call, the following members were present:

Curtis, Witt-McMahan, Eaton, Sherlin

Council Member Pelley 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 January 17, 2023 regularly scheduled meeting and January 23, 2023 called meeting were submitted and approved. **Council Member Curtis moved, Council Member Witt-McMahan seconded.** Roll call vote:

AYES: Curtis, Witt-McMahan, Eaton, Sherlin

NAYS: None

ABSENT: Pelley

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

ATHENS MIDDLE SCHOOL UPDATE

Dr. Ivins gave an update on the Athens Middle School and the activities taking place at the school.

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ATHENS CITY SCHOOLS QUARTERLY REPORT

Mr. Robert Greene, Superintendent of the Athens City Schools, presented his quarterly update on their current projects and activities, including an update on construction of the new school at the City Park location.

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MISCELLANEOUS CORRESPONDENCE

Mayor Sherlin acknowledged the receipt of a letter from the Arbor Day Foundation naming Athens as a 2022 Tree City USA.

REQUESTS FROM CITIZENS

Shaun Thompson from the Athens Police Department spoke about the situation in the department due to the number of vacancies in patrol positions. He informed the Council that the two primary conditions issues are pay and take-home vehicles.

CONSENT AGENDA

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

- a.) Approve the recommendation to declare 6 4-yard, 10 6-yard, and 14 8-yard dumpsters as surplus and authorize the disposal of dumpsters as scrap metal.
- b.) Approve Resolution No 2023-05 to amend the Community Development Fee Schedule.
- c.) Reappoint James Kinard to the Athens Housing Authority, term expires on March 6, 2028.
- d.) Reappoint Linda Long (Witt-McMahan), Kyla Martin (Pelley), and Hugh Willson (Curtis) to the Council Advisory Committee, terms expire March 21, 2026.
- e.) Appoint Jay Hacker (Sherlin) to the Council Advisory Committee, term expires on March 21, 2025.

Council Member Witt-McMahan moved, Council Member Curtis seconded, that the Consent Agenda as stated above be approved. Roll call vote:

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

ORDINANCES

None

OLD BUSINESS

None

NEW BUSINESS

MOTION TO REJECT THE BID FROM ROBERT ROBERTS, LLC FOR THE LARRY DEAN WALLACE, SR. ANIMAL SHELTER AND ADOPTION CENTER BUILDING AND APPROVE THE NEXT LOWEST BIDDER, WILSON CONSTRUCTION, IN THE AMOUNT OF \$2,459,000 FOR THEIR BASE BID AND ALTERNATE #1.

Vice Mayor Eaton moved, seconded by Council Member Witt-McMahan, to approve the motion to reject the bid from Robert Roberts, LLC and approve the bid from Wilson Construction. Roll call vote:

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

MOTION TO APPROVE THE PURCHASE OF PLAYGROUND EQUIPMENT FOR COOK PARK IN THE AMOUNT OF \$28, 217.83.

Council Member Witt-McMahan moved, seconded by Council Member Curtis, to approve the motion to purchase playground equipment for Cook Park. Roll call vote:

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

MOTION TO FUND THE PURCHASING ASSISTANT POSITION AND ELIMINATE FUNDING FOR THE ASSISTANT TO THE CITY MANAGER FOR THE REMAINDER OF FISCAL YEAR 2023.

Council Member Curtis, seconded by Vice Mayor Eaton, to approve the motion to fund the purchasing assistant position and eliminate funding for the assistant to the city manager for the remainder of fiscal year 2023. Roll call vote:

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

MOTION TO APPOINT DR. BURKETT WITT A LIFETIME HONORARY MEMBER OF THE COUNCIL ADVISORY COMMITTEE WITH FULL VOTING RIGHTS.

Vice Mayor Eaton moved, seconded by Council Member Witt-McMahan, to approve the motion to appoint Dr. Burkett Witt as a lifetime honorary member of the Council Advisory Committee with full voting rights. Roll call vote:

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

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MOTION TO HAVE TERMS OF OFFICE FOR COUNCIL ADVISORY COMMITTEE MEMBERS COINCIDE WITH THE TERM OF OFFICE OF THE COUNCIL MEMBERS, EFFECTIVE IMMEDIATELY.

Vice Mayor Eaton moved, seconded by Mayor Sherlin, to approve the motion to have the terms of office for Council Advisory Committee members coincide with the term of office of the council members. Vice Mayor Eaton stated that the terms should coincide with the council member who appointed them so that when a new council member is elected, they would be able to appoint their own representatives to the Committee. Roll call vote:

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

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MOTION TO REDUCE FROM 5 TO 3 THE NUMBER OF APPOINTEES BY EACH COUNCIL MEMBER TO THE COUNCIL ADVISORY COMMITTEE.

Vice Mayor Eaton requested that this item be moved to the March Study Session agenda.

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MOTION TO APPROVE CHANGES TO THE STUDY SESSION GUIDELINES.

Council Member Curtis moved, seconded by Council Member Witt-McMahan, to approve changes to the Study Session guidelines. Roll call vote:

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

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RECEIVE RECOMMENDATIONS FROM CITY MANAGER SEARCH COMMITTEE AND TAKE ANY ACTIONS NECESSARY FOR THE CITY COUNCIL TO MOVE FORWARD WITH THE CITY MANAGER SELECTION.

Mayor Sherlin presented a memorandum from the City Manager Search Committee members outlining the work that they had performed in reviewing the 44 resumes received for the City Manager position. They deemed five of these to be highly qualified individuals and scheduled interviews via Zoom on February 20. One of the candidates withdrew prior to the interviews. After interviewing the four remaining candidates, the Committee unanimously voted to submit their names for further review and consideration. The candidates were not ranked by the committee and the names were submitted in alphabetical order. The candidates are: Corey Divel, David Johnston, Richard Olson and Deb Wallace. Upon further discussion by the Council, March 2 was determined to be a date that all council members were available to meet for a called council meeting. The Mayor stated he would schedule a called meeting on that day and the agenda would include a review of the four resumes, setting a time to interview candidates and reviewing a proposed employment agreement.

PROPOSED LEGAL SETTLEMENT

Council Member Curtis moved, seconded by Council Member Witt-McMahan, to authorize the Interim City Manager to resolve the case of Eaton vs The City of Athens, taking into account any proceeds from the City's insurance carrier. Council member Curtis explained that this motion was being made based upon advice from the City's legal representatives and that resolving this case was in the best interest of the City. Roll call vote:

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

REPORTS

FINANCE DEPARTMENT REPORT

Finance Director Mr. Mike Keith presented the Finance Department Report for January 2023. The report was accepted as presented.

FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for January 2023. The report was accepted as presented.

POLICE DEPARTMENT REPORT

Police Chief Fred Schultz presented the Police Department Report for January 2023. The report was accepted as presented.

REPORT FROM THE CITY MANAGER

Interim City Manager Keith presented an update on upcoming events, current projects and appreciation for the work done by City employees and by Interim City Attorney, Bill Buckley.

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ADJOURNMENT

There being no further business to come before the meeting, the meeting adjourned at 7:41 p.m.

STEVEN S. SHERLIN, Mayor

MICHAEL L. KEITH, Interim City Manager