

ATHENS CITY COUNCIL

MINUTES OF MEETING

May 16, 2023

The Athens City Council met in regular session on Tuesday, May 16, 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, Witt-McMahan, Eaton, Sherlin

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 April 18, 2023 regularly scheduled meeting were submitted and approved. **Council Member Curtis moved, Council Member Pelley seconded.** Roll call vote:

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

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

None

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REQUESTS FROM CITIZENS

Blake Witt and Casey Patterson, employees within the Athens Police Department addressed the Council concerning issues within the department. Judy Ferguson of Harris Circle spoke about flooding concerns on her property. Lisa Blos-Johnson addressed the Council about not being able to find the meeting agenda and the live streams of the previous meeting on the City Website, fireworks and spending of tourism dollars. Ford Ector addressed the Council about fireworks. Glenn Whiting addressed employee raises, fireworks, that he was shorted on the amount of time he was allowed to speak at the last meeting and requested to know if an investigation of Leslie McKee had been completed. Chris Trew discussed the agenda item about the proposed lawsuit settlement and requested that the Council be transparent about the matter it concerned and that the Council disclose the amount paid to settle the Larry Eaton lawsuit.

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CONSENT AGENDA

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

- a.) Approve Resolution No 2023-12 for Safe Streets for All grant.
- b.) Approve Health Insurance Renewal as submitted by BlueCross BlueShield of Tennessee for the year beginning July 1, 2023.
- c.) Approve bid as submitted by Rogers Group for asphalt services.
- d.) Approve City of Athens Budget Amendment for Fiscal Year 2022-2023.
- e.) Reappoint Sam Stephens, Jr. to the Board of Adjustments and Appeals, term expires June 3, 2027.
- f.) Appoint Craig Hardin to the McMinn County Library Board, term expires June 30, 2026.

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

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

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ORDINANCES

ORDINANCE TO ALTER THE METHOD OF MEASURING THE MINIMUM DISTANCE REQUIREMENTS FOR LIQUOR STORES

ORDINANCE NO. 1116 – SECOND READING/PUBLIC HEARING
AN ORDINANCE TO ALTER THE METHOD OF MEASURING THE MINIMUM DISTANCE REQUIREMENTS FOR LIQUOR STORES

The caption of the above described ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one wishing to speak, the public hearing was closed.

Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1116 on Second Reading. Roll call vote:

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

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ORDINANCE TO ALTER THE METHOD OF MEASURING THE MINIMUM DISTANCE REQUIREMENTS FOR VARIOUS TYPES OF BEER PERMIT HOLDERS

ORDINANCE NO. 1117 – SECOND READING/PUBLIC HEARING

AN ORDINANCE TO ALTER THE METHOD OF MEASURING THE MINIMUM DISTANCE REQUIREMENTS FOR VARIOUS TYPES OF BEER PERMIT HOLDERS

The caption of the above described ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one wishing to speak, the public hearing was closed. **Council Member Curtis moved, Council Member Pelley seconded, to approve Ordinance No. 1117 on Second Reading.** Roll call vote:

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

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OLD BUSINESS

None

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NEW BUSINESS

SUBMISSION OF GRANT FOR HIRING SRO'S FOR ATHENS CITY SCHOOLS

RESOLUTION NO. 2023-13

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION WITH THE STATE OF TENNESSEE FOR FUNDING SCHOOL RESOURCE OFFICERS FOR ATHENS CITY SCHOOLS.

The caption of Resolution No. 2023-13 was read by the recording clerk. **Council Member Pelley moved, Vice Mayor Eaton seconded, to approve Resolution No. 2023-13.** Roll call vote:

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

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ORDINANCE TO REZONE PROPERTY ON SHORT STREET TO R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

ORDINANCE NO. 1118 – FIRST READING

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 SHORT STREET FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.

The caption of the above-described ordinance was read by the recording clerk. **Council Member Pelley moved, Council Member Curtis seconded, to approve Ordinance No. 1118 on first reading.** Roll call vote:

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

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ORDINANCE TO REZONE PROPERTY ON DECATUR PIKE TO R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT

ORDINANCE NO. 1119 – FIRST READING

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 DECATUR PIKE FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.

The caption of the above-described ordinance was read by the recording clerk. **Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1119 on first reading.** Roll call vote:

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

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PROPOSED BUDGET ORDINANCE FOR FISCAL YEAR 2023-2024

ORDINANCE NO. 1120 – FIRST READING

AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE ON TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE FOR THE FISCAL YEAR JULY 1, 2023 THROUGH JUNE 30, 2024.

The caption of the above-described ordinance was read by the recording clerk. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve Ordinance No. 1120 on first reading.** Vice Mayor Eaton moved, Council Member Pelley seconded, to amend the motion by removing the funding for Mainstreet and the Arts Council that is included in the Hotel/Motel Tax Fund. Roll call vote:

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

Council Member Pelley moved that the three percent cost of living adjustment in the proposed budget not be given to the City Manager and the department heads. The motion failed due to the lack of a second. Vice Mayor Eaton moved, Council Member Pelley seconded, a motion that in place of the three percent cost of living adjustment, a \$1,500 increase be given to all full time employees hired prior to April 1, 2023. Roll call vote:

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

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APPOINT PATTI GREEK TO THE ATHENS UTILITIES BOARD, TERM EXPIRES JUNE 30, 2027.

Council Member Curtis moved, Council Member Pelley seconded, to appoint Patti Greek to the Athens Utilities Board with a term expiration of June 30, 2027. Roll call vote:

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

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PROPOSED LEGAL SETTLEMENT

Council Member Pelley moved, Vice Mayor Eaton seconded, to authorize the interim city manager and the city attorney to resolve legal matters involving Glenn Whiting against the City of Athens, taking into account proceeds from the insurance carrier. Roll call vote:

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

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REPORTS

FINANCE DEPARTMENT REPORT

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

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FIRE DEPARTMENT REPORT

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

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POLICE DEPARTMENT REPORT

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

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REPORT FROM THE CITY MANAGER

Interim City Manager Keith presented an update on various projects and programs taking place in May and June. The report was accepted as presented.

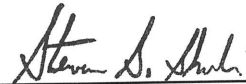
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ADJOURNMENT

There being no further business to come before the meeting, the meeting adjourned at 8:00 p.m.



Michael L. Keith, Interim City Manager



STEVEN S. SHERLIN, Mayor