

# ATHENS CITY COUNCIL MINUTES OF MEETING

February 16, 2021

The Athens City Council met in regular session on Tuesday, February 16, 2021, at 6:00 p.m. with Mayor Perkinson presiding. This meeting was held pursuant to Governor Bill Lee's Executive Order # 71, allowing the virtual attendance of council members, and CDC/White House guidelines limiting the number of the group present. The City of Athens upholds its citizens right to witness their legislative body in action and provided this meeting by livestream and the ability to physically attend. The invocation was given by Council Member Witt-McMahan; and upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

*City Manager Sumner attended the meeting virtually.*

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 19, 2021 regularly scheduled meeting and the February 2, 2021 called meeting were submitted and approved by unanimous consent.

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## COMMUNICATIONS AND SPECIAL PRESENTATIONS

### ATHENS CITY MIDDLE SCHOOL UPDATES

Mike Simmons, Principal at Athens City Middle School, presented the City Council and City Manager with packages from the students at City Park School. Mr. Simmons highlighted in his report the unsung heroes of his school, specifically the Instructional Aides, Cafeteria Staff, and Custodians. He also recognized Trey Ivins, Instructional Coach, who was named Teacher of the Year for Athens City Middle School and the district overall. Mr. Simmons was also recognized for being named Principal of the Year.

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### MISCELLANEOUS CORRESPONDENCE

Mayor Perkinson acknowledged receipt of an email from Rob Preston, Athens Area Chamber of Commerce, to City Manager Sumner thanking him and City staff for their presentation to the Leadership McMinn class and a thank you from the United States Census Bureau for the City's efforts in making the 2020 Census Community Partnership and Engagement Program a success.

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## CONSENT AGENDA

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

- a.) Approve purchasing agreement with Wm. S. Trimble Company, Inc. for restroom electronic lock installation.

- b.) Approve purchase of scoreboard replacements for Athens Regional Park from Electro-Mech Scoreboard Company.
- c.) Approve one-year extension of contract with East Tennessee Construction Services, Inc. for concrete sidewalk construction, curbs, gutters, and handicap access ramps.
- d.) Athens City Schools Budget Amendment No. 3 (General Purpose) for Fiscal Year 2020-2021.
- e.) Approve recommendation to declare assorted items as surplus property and sold, disposed of, or recycled.

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

**AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson**

**NAYS: None**

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ORDINANCES

None

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OLD BUSINESS

None

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NEW BUSINESS

ORDINANCE TO REZONE PROPERTY LOCATED AT 412 CONGRESS PARKWAY – REQUEST BY TIM DAUGHERTY

ORDINANCE NO. 1099 – 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 AT 412 SOUTH CONGRESS PARKWAY FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL 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. **Council Member Pelley moved, Council Member Curtis seconded, to approve Ordinance No. 1099 on first reading.** Roll call vote:

**AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson**

**NAYS: None**

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INITIAL RESOLUTION AUTHORIZING ISSUANCE OF GENERAL OBLIGATION BONDS

RESOLUTION NO. 2021-06

INITIAL RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED FIVE MILLION DOLLARS (\$5,000,000) OF GENERAL OBLIGATION BONDS OF THE CITY OF ATHENS, TENNESSEE.

The caption of Resolution No. 2021-06 was read by the recording clerk. **Council Member Pelley moved, Council Member Witt-McMahan seconded, to approve Resolution No. 2021-06.** Roll call vote:

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

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RESOLUTION AUTHORIZING APPLICATION TO USDA RURAL DEVELOPMENT FOR COMMUNITY FACILITIES LOAN PROGRAM

RESOLUTION NO. 2021-07

A RESOLUTION AUTHORIZING APPLICATION TO USDA RURAL DEVELOPMENT COMMUNITY FACILITIES LOAN PROGRAM

The caption of Resolution No. 2021-07 was read by the recording clerk. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve Resolution No. 2021-07.** Roll call vote:

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

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Mike Keith, Finance Director, presented the Finance Department Report for the month of January 2021. 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 2021. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Police Chief Cliff Couch presented the Police Department Report for the month of January 2021. The report was accepted as presented.

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REQUESTS FROM CITIZENS

Glen Whiting, 237 County Road 655, started that he was at last month's meeting to discuss the Charter and was told it would be on the next Study Session agenda. He commented that what was discussed at Study Session was not what he discussed at the Council meeting. The first issue he had brought up at the

Council meeting was regarding the Charter and whether a witness testifying about the integrity of a structure should be qualified to do so. In his opinion, even though by law the City is not required to do so, an expert should be hired to determine the integrity of a structure. His second issue was with the language in the Charter as it relates to residency requirements of Council. He stated that the Charter states that if you move outside the City you must vacate the seat. Mr. Whiting said the Council should correct the wording in the Charter to state that a Councilman shall immediately vacate the seat when no longer residing in the City. He stated that if the Council knows that a Councilman has moved out of the City but has not resigned, the Charter states the Council cannot do anything about it and only the Election Commission can investigate it. The Election Commission stated that they have no authority to do so. He stated that the language needed to be cleaned up because legally the Council has the authority.

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REPORT FROM THE CITY MANAGER

City Manager Sumner reviewed his 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 6:37 p.m.

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WILLIAM BO PERKINSON, Mayor

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C. SETH SUMNER, City Manager