

ATHENS CITY COUNCIL MINUTES OF MEETING

September 15, 2020

The Athens City Council met in regular session on Tuesday, September 15, 2020, at 6:00 p.m. with Mayor Burris presiding. The invocation was given by Council Member Lockmiller; and upon roll call, the following members were present:

Dotson, Lockmiller, Pelley, Perkinson, Burris

The following decisions were made and ordered made a part of the records of the Athens City Council.

- 1 -

APPROVAL OF MINUTES

The Minutes of the August 18, 2020 regularly scheduled meeting were submitted and approved by unanimous consent.

- 2 -

COMMUNICATIONS AND SPECIAL PRESENTATIONS

MISCELLANEOUS CORRESPONDENCE

Mayor Burris welcomed Angel Hardaway, North City Elementary School Principal. Ms. Hardaway began her new position as principal of North City School on July 1. An email was received from Ms. Hardaway and included in the Council's folders thanking the City for the police presence in the mornings at drop off and pick up in the afternoons. She noted Officer Gray was a wonderful asset to their school system assisting with taking temperatures on the mornings she is at the school and hanging out with the students during lunch time. A big thank you was given to the Fire Department for conducting their drills.

- 3 -

CONSENT AGENDA

Mayor Burris 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.) Appoint Council Member Lockmiller to fill vacancy on Athens Regional Planning Commission, term expires November 17, 2020.
- b.) Appoint Richy Huston to fill vacancy on Board of Adjustments and Appeals, term expires June 3, 2024.
- c.) Appoint Council Member Pelley to fill vacancy on Board of Zoning Appeals, term expires November 17, 2020.
- d.) Approve purchase of two (2) new fire engines.
- e.) Approve recommendation to declare 2000 F-550 Rescue Truck (Asset 3081) as surplus property and to be placed on GovDeals for sale.

City Manager Sumner requested Item e.) be removed from the Consent Agenda. Council Member Lockmiller stated that because Item a.) directly related to him, he would be abstaining from voting on that item. **On motion by Council Member Pelley, seconded by Council Member Dotson, the Consent Agenda as amended and noted was approved by the following roll call vote:**

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 4 -

ORDINANCES

ORDINANCE NO. 1092 – SECOND/FINAL READING - PUBLIC HEARING

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 708 KNIGHT ROAD 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. Mayor Burris opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed.

A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve Ordinance No. 1092 on Second and Final Reading. Ordinance No. 1092 was approved by the following roll call vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 5 -

ORDINANCE NO. 1093 – SECOND/FINAL READING - PUBLIC HEARING

AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,’ SO AS TO AMEND THE OFFICIAL ZONING MAP TO INCLUDE AND ZONE PROPERTY ALONG KEITH LANE AND CEDAR SPRINGS ROAD 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. Mayor Burris opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Council Member Pelley, seconded by Council Member Lockmiller, to approve Ordinance No. 1093 on Second and Final Reading.** Ordinance No. 1093 was approved by the following roll call vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 6 -

OLD BUSINESS

None

- 7 -

NEW BUSINESS

ORDINANCE TO REZONE PROPERTY LOCATED AT 202 OAK STREET – REQUEST BY JOSH THURMAN

ORDINANCE NO. 1094 – 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 202 OAK STREET FROM I-1 (LIGHT INDUSTRIAL 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. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve Ordinance No. 1094 on First Reading.** The motion was approved by the following roll call vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 8 -

ORDINANCE TO REZONE PROPERTY ON VIEW STREET – REQUEST BY JOSH THURMAN

ORDINANCE NO. 1095 – 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 VIEW STREET FROM R-E (RESIDENTIAL ESTATE 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. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve Ordinance No. 1095 on First Reading.** The motion was approved by the following roll call vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 9 -

ORDINANCE TO REZONE PROPERTY AT 2580 INGLESIDE AVENUE – REQUEST BY DAVID AND SANDRA WILKEY

ORDINANCE NO. 1096 – 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 2580 INGLESIDE AVENUE FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO B-3 (INTENSIVE BUSINESS 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. **A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve Ordinance No. 1096 on First Reading.** The motion was approved by the following roll call vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 10 -

LOAN RESOLUTION AUTHORIZING INCURRENCE OF DEBT FOR SCHOOL BUILDING PROJECT

RESOLUTION NO. 2020-39

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE, AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS SCHOOL BUILDING – NEW CONSTRUCTION FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE.

The caption of Resolution No. 2020-39 was read by the recording clerk. **Motion was made by Council Member Pelley, seconded by Council Member Lockmiller, to approve Resolution No. 2020-39.** City Manager Sumner noted this was a required resolution by the USDA for the loan the City will be taking on for the Phase 1 of the school building program. This resolution was reviewed by the City Attorney. There were some concerns raised with the resolution, but it is standard federal language and they did not perceive any issues with it. Upon roll call, the resolution was approved by the following vote:

AYES: Dotson, Lockmiller, Pelley, Perkinson, Burris
NAYS: None

- 11 -
REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Mr. Robert Greene, Superintendent of the Athens City Schools, presented the City Council with his quarterly update.

- 12 -

FINANCE DEPARTMENT REPORT

Mr. Mike Keith, Finance Director, presented the Finance Department Report for the month of August 2020. The report was accepted as presented.

- 13 -

FIRE DEPARTMENT REPORT

Fire Chief Ainsworth presented the Fire Department Report for the month of August 2020. The report was accepted as presented.

- 14 -

POLICE DEPARTMENT REPORT

Police Chief Cliff Couch presented the Police Department Report for the month of August 2020. The report was accepted as presented.

- 15 -

REQUESTS FROM CITIZENS

Ray Priest, 2423 Colonial Drive, stated he had heard some disturbing news that the City was being sued by Glenn Whiting and City Attorney Trew and City Manager Sumner were also being personally sued in the lawsuit and represented by Public Entity Partners (PEP) attorneys. Mr. Priest did not feel PEP should be representing the two individuals personally and that they should be doing that themselves. Mayor Burris stated the Council could not discuss this lawsuit. City Manager Sumner stated that either Mr. Priest could contact the attorney from Public Entity Partners directly or he could contact the attorney and have him contact Mr. Priest with the answer to his question. Judith Bosowski, 218 Kenneth Street, stated she was representing the residents on Kenneth Street. She stated the problem they were having was with a tract of land approximately 12.5 acres. The owners of that property have decided to log the property, which is their right. The problem is they are using Kenneth Street to bring their logging trucks in and out of the property along the full length of the street to Haines Road. In the thirteen years she has lived on Kenneth Street, there has been no maintenance on Kenneth Street. Children play in the street and people walk in the street because there are no sidewalks. They felt an access road could be opened on the property onto Million instead of Kenneth. The residents wanted to know if the City could do something to encourage the property owners to open an access road on Million Street to alleviate this situation.

- 16 -

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.

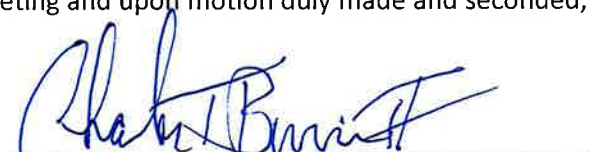
- 17 -

ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 6:58 p.m.



C. SETH SUMNER, City Manager



CHARLES T. BURRIS, II, Mayor