

MINUTES OF MEETING, ATHENS CITY COUNCIL, SEPTEMBER 20, 2016

The Athens City Council met in regular session on Tuesday, September 20, 2016, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Council Member Pelley; and upon roll call, the following members were present:

Burris, Pelley, Raper, Perkinson, Davis

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

- 1 -
MINUTES

The Minutes of the regularly scheduled meeting of August 16, 2016 and the called meeting of September 12, 2016 were submitted and approved by unanimous consent.

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COMMUNICATIONS

PRESENTATION - CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Mayor Davis announced that the City had received the Government Finance Officers Association "Certificate of Achievement for Excellence in Financial Reporting" for fiscal year ended June 30, 2015. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by government and its management. This marked the 24th consecutive year the City has received this award. Mike Keith, Finance Director, thanked the City Council for their support of the Finance Department, City Manager Moore for pressing his department to do things very well, his staff and the City auditors, Neal, Scouten & McConnell, who audit the City's books and prepare the financial statements as well as work with the Finance Department to make sure things are done correctly.

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PRESENTATION OF 2015 LIFE SAFETY ACHIEVEMENT AWARD TO THE CITY OF ATHENS FIRE DEPARTMENT

Mayor Davis presented Fire Chief Dyer with the 2015 Life Safety Achievement Award from the National Association of State Fire Marshals (NASFM) Fire Research and Education Foundation in partnership with Grinnell Mutual Reinsurance Company. The Life Safety Achievement Award recognizes fire departments for their fire prevention programs that have been proven to save lives year after year. The Athens Fire Department is one of 160 fire departments across the United States to receive the award this year for recording zero fire deaths in 2015 or reducing fire deaths by at least 10 percent during the year. In addition, Athens Fire Department is recognized for its documented active and effective fire prevention programs as well as its clear commitment to reducing the number of house fires in the community.

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MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of a letter from Peyton Eastman and Mitzi Osborne at the E.G. Fisher Public Library thanking Austin Fesmire for the pool passes donated to their summer reading program.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Eric Morrow, 1400 Bell Street, spoke in response to a statement Council Member Raper made at the

September 12th Work Session regarding the use of cell phones during public meetings. Mr. Morrow felt the City Council should embrace live streaming as most of the major metropolitan cities have already done as well as several smaller cities such as Gallatin, Cookeville and Lebanon. He asked the City Council to consider live streaming of the City Council meetings on the City's Facebook account so the citizens that cannot attend meetings could have the opportunity to view local government in action. Kikki White, 157 South Jackson Street, spoke in opposition to giving the City Manager a raise. Ms. White provided each member of the Council with information on the salaries of city managers in other areas and a copy of an article on Cleveland City Council's process for finding a city manager. Ms. White questioned the City's bidding process and felt the citizens should see all bids before and after to ensure all standard operating procedures have been followed. Larry Eaton, 279 Sweetfield Valley Road, stated he was opposed to giving the City Manager a pay raise. He felt the City should instead be giving its city workers a pay raise. Mr. Eaton stated he was upset by Council Member Raper's comments regarding cell phone usage. Mr. Eaton asked the Council if they were aware that the 911 system was not working. He knew of two calls where the Sheriff's Department responded to the call before the Athens Police Department. He stated the 911 system had not been recording the City of Athens calls since August 23rd. Elizabeth Luttrell, 607 Shoemaker Street, deferred her time to Larry Eaton. Mr. Eaton asked if there were any lawsuits the City was involved in that the citizens did not know about. Doug Luttrell, 607 Shoemaker Street, commented that over the years the Athens City Council has given the citizens many things. Some of them have been a success and some of them have not. Others have not had the opportunity to live up to their anticipated expectations. The City Council has given them Athens Regional Park, a park that is the envy of many of these surrounding communities; the Wetlands, an area where you can learn and enjoy Eastern Tennessee's nature at its finest; Veterans Park, the crown jewel of our area parks honoring those who have sacrificed so much for our country; E.G. Fisher Public Library; Farmers Market; Rails to Trails that will, in the not too distance future, truly become an asset to us and the surrounding communities; hobbit house; recycle center; and Museum. The City Council has also given the community a reputation for arrogance, division, intimidation, hostility and corruption. Athens is ranked number five in the state as one of the most dangerous places to be after dark. The one thing the Council has not given to the citizens is the opportunity to vote for its own mayor. Mr. Luttrell presented a petition with the names of local citizens agreeing that they would like to see the position of mayor be elected at large. Kathy Dougherty, 125 County Road 401, representing the McMinn County Education Foundation, talked about the "Get Caught Reading" campaign and read the book "No Matter What". Laura Sullivan, 19 Shawnee Trail, complained about the trashy and dangerous homes and properties in the city that were reducing the property values of the surrounding homes. She mentioned two houses located on Cedar Springs. Ms. Sullivan did not feel anything was being done to correct the situation. Mayor Davis asked Ms. Sullivan to provide the City Manager with a list of the addresses for the houses and properties. Ms. Sullivan stated she would provide the list by Monday, September 26, 2016. Mayor Davis asked City Manager Moore to place this item on the October Work Session agenda.

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REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Dr. Melanie Miller, Superintendent of Athens City Schools, presented the City Council with her quarterly update. She covered topics on Enrollment and Attendance, Facility Planning, Employee Professional Development, Activities, Special Recognitions/Activities, Family/Community Connection and Let's Read 2. Dr. Miller noted there was no assessment data available at this time and the bus driver shortage had been resolved.

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FINANCE DEPARTMENT REPORT

Finance Director Michael Keith presented the Finance Department Report for the month of August 2016. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of August 2016. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of August 2016. The report was accepted as presented.

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CONSENT AGENDA

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

- a.) Approve City of Athens Budget Amendment No. 2 for Fiscal Year 2016-2017;
- b.) Accept bid (Bid No. 1640 dated September 6, 2016) as submitted by East Tennessee Construction Services for sidewalk construction;
- c.) Accept proposal from Parham and Associates (RFQ No. 1641) for professional services related to High Definition Stream Survey;
- d.) Accept bid (Bid No. 1642 dated September 6, 2016) as submitted by Apex Computer Systems for server equipment and onsite warranty;
- e.) Approve staff's recommendation to declare assorted items as surplus property and authorize sale on GovDeals as detailed in memorandum from Matthew Marshall, Director of Purchasing dated September 7, 2016;
- f.) Appoint Larry Rhodes to fill vacancy on the Council Advisory Committee, term expires March 21, 2017.

On motion by Vice Mayor Perkinson, seconded by Council Member Raper, the Consent Agenda as stated above was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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OLD BUSINESS

CONSIDERATION OF PROPOSED ORDINANCE TO ADDRESS UNSIGHTLY VEHICLES PARKED OR STORED ON PRIVATE PROPERTY ZONED RESIDENTIAL

ORDINANCE NO. 1056 – FIRST READING

AN ORDINANCE TO ADD A CHAPTER 7 TO TITLE 13 OF THE ATHENS MUNICIPAL CODE RELATING TO THE PARKING OR STORING OF AN UNSIGHTLY VEHICLE ON CERTAIN PRIVATE PROPERTY.

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. 1056 on First Reading.** Council Member Burris asked if enforcement of this

ordinance would be on a call in basis. City Manager Moore responded enforcement would be on a complaint basis. The motion was approved by the following roll call vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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NEW BUSINESS

CONSIDERATION OF PROPOSED RESOLUTION TO OFFICIALLY CLOSE PORTIONS OF AVALON STREET AND HIGHPOINT DRIVE

RESOLUTION NO. 2016-21

A RESOLUTION TO OFFICIALLY CLOSE PORTIONS OF AVALON STREET AND HIGHPOINT DRIVE DESCRIBED WITHIN THE BODY OF THIS RESOLUTION AND SHOWN ON THE ATTACHED SURVEY WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE.

The caption of Resolution No. 2016-21 was read by the recording clerk. **Motion was made by Council Member Pelley, seconded by Council Member Raper, to approve Resolution No. 2016-21.** Upon roll call, the resolution was approved by the following vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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CITY MANAGER EVALUATION AND MERIT RAISE

Vice Mayor Perkinson stated City Manager Moore had asked for an annual evaluation when he was hired as City Manager approximately 17 years ago. This year employees of the City of Athens received a 2.5% across the board increase and were eligible for a 1% merit increase. The City Manager received an average of 4.2 out of five possible points on his yearly evaluation. Last year, the City Manager received approximately the same point total but the Council did not, for whatever reason, discuss giving him a merit increase even though there were funds allocated in the budget for one. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to provide City Manager Moore with a 1% merit increase from July 1, 2016 to December 31, 2016.** Council Member Pelley rose in opposition to the motion. He felt Vice Mayor Perkinson painted a good picture, but a skewed picture. Since 2010, the City Manager's salary had increased 4%. He felt the City Manager's salary was too high and did not feel the Council should be giving him any raise. Council Member Burris stated the review was grossly inflated because his evaluation was not received by the Municipal Technical Advisory Service in time to be included in the final tally. After a brief discussion, **a motion was made by Council Member Raper, seconded by Vice Mayor Perkinson, to table consideration of a merit raise for the City Manager until the October meeting in order for Council Member Burris' evaluation to be included in the tally.** Mayor Davis asked Council Member Pelley if he would be submitting an evaluation. Council Member Pelley responded that he did not feel it was necessary to submit an evaluation for someone who would be retiring in December. Upon roll call, the motion was approved by the following vote:

AYES: Burris, Raper, Perkinson, Davis
NAYS: Pelley

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ESTABLISHMENT OF CITY MANAGER SEARCH COMMITTEE

Mayor Davis stated the City Council had made a decision to have each of the council members appoint one person to a citizens committee that would be a part of the city manager search. This committee would be working with the Council to narrow down the applications to a certain number. At that point, the Council will be making the final decision in accordance with the City Charter. The citizens appointed to the committee were Hal Buttram, appointed by Vice Mayor Perkinson; Patti Greek, Chairman of the Council Advisory Committee, appointed by Mayor Davis; Caitie Sindlinger, President of the Athens Area Youth Council, appointed as youth

representative; Larry Wallace, appointed by Council Member Burris; Richard Newman, appointed by Council Member Pelley; and Dr. Harley Knowles, appointed by Council Member Raper. **Motion was made by Council Member Raper, seconded by Vice Mayor Perkinson, to accept the appointments to the committee.** Upon roll call, the motion was approved by the following vote:

AYES: Burris, Pelley, Raper, Perkinson, Davis
NAYS: None

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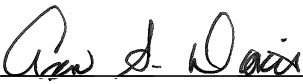
MANAGER'S REPORT

City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of September/October. The report was accepted as presented.

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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 7:30 p.m.



ANN S. DAVIS, Mayor



MITCHELL B. MOORE, City Manager