

MINUTES OF MEETING, ATHENS CITY COUNCIL, NOVEMBER 15, 2016

The Athens City Council met in regular session on Tuesday, November 15, 2016, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Mayor Davis; 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 October 18, 2016 was submitted and approved by unanimous consent.

- 2 -
COMMUNICATIONS

TENNESSEE ASA COMPLEX OF THE YEAR

Mayor Davis announced that the Tennessee Amateur Softball Association, Inc. had informed Austin Fesmire, Director of Parks and Recreation, that the Athens Regional Park Complex had been nominated and selected as the Tennessee ASA Complex of the Year.

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PRESENTATION OF CERTIFICATE OF APPRECIATION

Mayor Davis presented a Certificate of Appreciation from the Tennessee Municipal League Risk Management Pool to the City of Athens for thirty five years of membership.

- 4 -

DISTINGUISHED SERVICE AWARD

Mayor Davis acknowledged the recent resignation of Public Works Shawn Lindsey, effective December 2, 2016. In honor of his years of service (since January 31, 2005), the City Council recognized his tremendous contributions to this community through the presentation of a *Distinguished Service Award*.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Laura LeNoir, 922 Woodward Avenue, stated she was with the Cemeteries of Athens Preservation Association (COAPA). On behalf of the members of the Association, thanked Mayor Davis for creating the organization. In 2009, Mayor Davis met with a group of concerned citizens who were worried about the condition of the cemeteries in the city of Athens. Mayor Davis set about creating the association. The group learned to properly reset and repair grave stones as well as researched and addressed endangered stones. To date, the group has addressed approximately 250 stones. They are preserving history one stone at a time thanks to Mayor Davis. Larry Eaton, 279 Sweetfield Valley Road, stated he believed the city has seen a change this election and felt there were issues that needed to be addressed. Mr. Eaton explained that the FOIA requests he had been submitting had been to seek the truth of government expenses. He urged the new city council to have an open and transparent government. Mr. Eaton commented that since Mayor Davis had been in office a lot of great things had been accomplished. Patti Greek, 102 Forrest Avenue, President of the Downtown Business Association and Chairman of the Athens Main Street Board, stated in February of 2015, Mayor Davis gathered several members of the

Downtown Business Association to look at the Main Street as a program and to see if they could bring it to Athens. With her guidance, help and encouragement, they brought this program to the City Council and asked for their support. Normally the program takes 12 to 18 months to prepare the application and another six months for the State to review and approve it. They were able to complete the entire process in seven months. Ms. Greek stated she felt without the Mayor's guidance and support they could not have accomplished what they did to become a Main Street community. On behalf of the Downtown Business Association and Main Street, she thanked Mayor Davis for all of her time, energy and support. Laura Sullivan, 19 Shawnee Trail, commented on her observations since she started to attend the meetings of the City Council. She stated council members sign an oath that states they shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the City Council, boards, committees, staff or the public. Ms. Sullivan felt that Mayor Davis and Vice Mayor Perkinson had broken this oath when they got up and left the October meeting while Council Member Pelley was speaking. Ms. Sullivan stated that although she had a problem with the Mayor's behavior she wished Mayor Davis well. Stewart Smith, 1801 Cherokee Street, Executive Director of Tennessee College of Applied Technology at Athens, expressed his appreciation to Mayor Davis for her efforts in local workforce development and industrial recruitment. Mr. Smith stated Mayor Davis had been integral in developing initiatives and programs to expand McMinn County's industrial base and skilled labor pool. Jordan Curtis, 502 Lynn Avenue, congratulated the winners of the election. He stated there was a lot of energy in this election and urged everyone to use that energy in a positive means and move forward. There is a lot of great work that they can do and asked everyone to come together and work on it to make Athens the place that they know it is and aspire to be as great as it possibly can. Whitney Kimball Coe, 1111 Guille Street, expressed her appreciation to Shawn Lindsey and Mayor Davis for their service to the community. Ms. Coe commented that she felt that both Jordan Curtis and she were voices of the next generation of leadership that could come and serve the City at some point in the near future. They want to see more of the access and connection for their families, young people and professionals. It was her hope that the Council going forward would take a broad look at the future in 20 or 30 years which should include a more diverse economy, small businesses, young professionals and how the city can make it more accessible for them to start their businesses. A lot of that will have to do with broadband. The schools are also important to the community as they are the foundation of all they do. Public education is the bedrock that they build the city on. Several members of the City Council thanked Mayor Davis for service to the community and hoped she would stay involved in workforce development and the Main Street program.

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REPORTS

FINANCE DEPARTMENT REPORT

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

Mayor Davis asked Mr. Keith to explain the sales tax collection process. Mr. Keith stated sales tax is collected by the businesses and forwarded to the State by the 20th of the following month. The State distributes the City's share no later than the 20th of the following month. The State keeps 7% and 2% goes to the City. Athens City Schools receives from the City approximately half of the 2%. In the end, the City receives 1% of the 9% collected two months after the revenue is collected.

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POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of October 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 October 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 2017 Sounds of Summer Concert Series Request at Market Park;
- b.) Accept bid (Bid No. 1643 dated October 31, 2016) as submitted by East Tennessee Construction Services for Safe Routes to Schools sidewalk construction;
- c.) Approve extension of contract with Mobile Container Services for dumpster repair through June 30, 2017;
- d.) Approve staff's recommendation to declare assorted items as surplus property and authorize sale on GovDeals or sold as scrap as detailed in memorandum from Mike Keith, Director of Finance, dated November 2, 2016;
- e.) Approve Resolution No. 2016-23 to participate in the Tennessee Municipal League Risk Management Pool's Property Conservation Matching Grant Program;
- f.) Appoint Eric Morrow to fill vacancy on the Council Advisory Committee, term expires March 21, 2019.

On motion by Vice Mayor Perkinson, seconded by Council Member Burris, 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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ORDINANCES

ORDINANCE NO. 1057 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE TO AMEND TITLE 12 OF THE ATHENS MUNICIPAL CODE ENTITLED 'BUILDING, UTILITY, ETC. CODES' TO ADOPT THE INTERNATIONAL ENERGY CONSERVATION CODE, 2009 EDITION.

The caption of the above-described Ordinance was read by the recording clerk. Mayor Davis 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 Burris, seconded by Council Member Raper, to approve Ordinance No. 1057 on Second and Final Reading.** Ordinance No. 1057 was approved by the following roll call vote:

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

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OLD BUSINESS

GRANT APPROVAL TO MARATHON REALTY CORPORATION'S TAX INCREMENTAL FINANCING APPLICATION

RESOLUTION NO. 2016-24

A RESOLUTION TO GRANT APPROVAL TO MARATHON REALTY CORPORATION'S TAX INCREMENTAL FINANCING APPLICATION.

The caption of Resolution No. 2016-24 was read by the recording clerk. **Motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve Resolution No. 2016-24.** Upon roll call, the resolution was approved by the following vote:

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

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NEW BUSINESS

DISCUSSION OF A POTENTIAL INTERIM CITY MANAGER

City Manager Moore stated he was given two names to contact with regard to the interim city manager position. One of those individuals said he would call back and, for whatever reason, did not call him back. M. Michael (Mike) Tallent was asked if he would consider the position. Mr. Tallent stated that he was willing to serve as the interim city manager with one caveat that he be allowed to work with City Manager Moore for one week. City Manager commented that he has had a 20-year professional relationship with Mr. Tallent. He felt he was very capable and if he didn't know something he was not afraid to ask. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to appoint M. Michael (Mike) Tallent as interim city manager effective January 1, 2017 with a monthly salary of \$8,000 and approval to work with City Manager Moore for one week.** The motion was approved by the following roll call 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 November/December. City Manager Moore noted the monthly Local Option Sales Tax report had not been received from the State. As soon as it has been received, it will be stamped and placed in the City Council mailboxes at City Hall. The report was accepted as presented.

City Manager Moore and members of the Athens City Council shared their memories of working with Shawn Lindsey, Public Works Director, and wished him much success on this new position as Executive Director of the Southwest Regional Recreation Authority, which oversees the trail system.

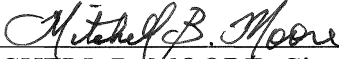
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ADJOURNMENT

There being no further business to come before the meeting, the meeting adjourned at 7:15 p.m.



ANN S. DAVIS, Mayor



MITCHELL B. MOORE, City Manager