

MINUTES OF MEETING, ATHENS CITY COUNCIL, AUGUST 16, 2011

The Athens City Council met in regular session on Tuesday, August 16, 2011, at 6:00 p.m. with Mayor Buttram presiding. The invocation was given by Council Member Davis; and upon roll call, the following members were present:

Davis, Jackson, Pelley, Perkinson, Buttram

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 July 19, 2011 were submitted and approved by unanimous consent.

- 2 -

COMMUNICATIONS

PRESENTATION OF SOAP BOX DERBY PROCLAMATIONS

Council Member Pelley presented a proclamation honoring Jacob Whiting (Local Stock Division Champion), Council Member Jackson presented a proclamation honoring Morgan Fesmire (Local Super Stock Division Champion), and Vice Mayor Perkinson presented a proclamation honoring Hamilton Hacker (Super Kids Champion) for their participation in the 2011 All-American World Championship Soap Box Derby in Akron, Ohio. Austin Fesmire, Director of Parks and Recreation, was commended for his involvement with the Soap Box Derby for the past seventeen (17) years.

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PRESENTATION OF VIVID AWARD

Council Member Davis presented the *Very Important Volunteer Individual Award* for August 2011 to Debbie Mayfield for her outstanding support of this community. Ms. Mayfield thanked the Council and her husband Rob and stated that it was a treat to be recognized by the City for doing something that you love.

- 4 -

MISCELLANEOUS CORRESPONDENCE

Mayor Buttram acknowledged receipt of letters of appreciation for services performed by city staff.

- 5 -

PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram opened the meeting for petitions and requests from the audience. There were no petitions or requests presented at this time.

- 6 -

REPORTS

FINANCE DEPARTMENT REPORT

Mr. Brad Harris, Finance Director, presented the Finance Department Report for the month of July 2011. After brief comments, the report was accepted as presented.

- 7 -

POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of July 2011. After brief comments, the report was accepted as presented.

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FIRE DEPARTMENT REPORT

Fire Chief Jim Dyer presented the Fire Department Report for the month of July 2011. After brief comments, the report was accepted as presented.

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CONSENT AGENDA

Mayor Buttram 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 Resolution No. 2011-26 to authorize an Interlocal Agreement with McMinn County to pursue a Justice Assistance Grant through the United States Department of Justice;
- b.) Accept sole bid (Bid No. 1542 dated July 21, 2011) as submitted by Worldwide Equipment Leasing Inc. for axial driveline retarder system;
- c.) Accept low bid (Bid No. 1543 dated July 28, 2011) as submitted by Dooley Tractor Company for a slope mower;
- d.) Accept bid (Bid No. 1544 dated August 1, 2011) as submitted by Jen-Hill Construction Materials for an erosion control blanket.

**On motion by Council Member Pelley, seconded by Council Member Jackson, the Consent Agenda as stated above was approved by the following roll call vote:**

**AYES: Davis, Jackson, Pelley, Perkinson. Buttram**  
**NAYS: None**

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ORDINANCES

**ORDINANCE NO. 999 – SECOND/FINAL READING**

AN ORDINANCE TO AMEND 'THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,' SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE PROPERTY ON ELIZABETH STREET, LONG MILL ROAD AND WHITE STREET; FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT), FROM B-4 (HIGHWAY AND MAJOR ARTERIAL SERVING BUSINESS DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT), FROM R-1 (LOW DENSITY RESIDENTIAL DISTRICT) TO B-4 (HIGHWAY AND MAJOR ARTERIAL SERVING BUSINESS DISTRICT) AND FROM R-3 (HIGH DENSITY RESIDENTIAL DISTRICT) TO B-4 (HIGHWAY AND MAJOR ARTERIAL SERVING 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. Mayor Buttram 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 Davis, to approve Ordinance No. 999 on Second and Final Reading.** Ordinance No. 999 was approved by the following roll call vote:

**AYES: Davis, Jackson, Pelley, Perkinson, Buttram**  
**NAYS: None**  
**ABSENT: None**

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**ORDINANCE NO. 1000 – SECOND/FINAL READING**

AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,’ SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE PROPERTY AT 809 AND 813 INGLESIDE AVENUE FROM B-1 (LOCAL 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 Buttram opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Davis, to approve Ordinance No. 1000 on Second and Final Reading.** Ordinance No. 1000 was approved by the following roll call vote:

**AYES: Davis, Jackson, Pelley, Perkinson, Buttram**  
**NAYS: None**  
**ABSENT: None**

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**NEW BUSINESS**

**CONSIDERATION OF 911 MERGER**

Mayor Buttram presented to the City Council for their review a resolution along with a draft of an agreement with McMinn County Emergency Communications District. He stated that he had asked City Manager Moore to prepare these documents for the Council’s consideration. The agreement before them was similar to the Etowah agreement. The big blank is the dollars that the Council would put in for the next two years. The agreement would run until June 30, 2013 at which time all agency agreements that are serviced by E-911 would be renewed.

**RESOLUTION NO. 2011-27**

**A RESOLUTION TO AUTHORIZE THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT WITH MCMINN COUNTY EMERGENCY COMMUNICATIONS DISTRICT TO BECOME A USER OF THEIR EMERGENCY COMMUNICATIONS NETWORK.**

The caption of the above-described Resolution was read by the recording clerk. **Motion was made by Council Member Pelley, seconded by Council Member Jackson, to approve Resolution No. 2011-27 and to pay \$247,000 per year for services over the period from August 16, 2011 to June 30, 2013 to be paid on a quarterly basis in the amount of \$61,750 pro-rated for the first year.** Council Member Pelley stated that in 2010 they began the search for a fair and equitable rate with the 911 Board and he felt that it was long overdue. In 2009, he asked for the creation a neutral committee to move forward with the consolidation. Vice Mayor Perkinson stated that he could not agree with the \$247,000 and had several concerns about the amount. He felt a lesser amount should be paid for these services and also voiced his concerns about the quality of service. Council Member Jackson asked if this item could be placed on the September Work Session agenda. City Manager Moore stated that it would not be a problem to defer this item until that meeting. Council Member Pelley stated that he felt the dollar amount was reasonable. **Motion was made by Council Member Jackson to defer this item until the September Work Session.** Council Member Pelley rose in opposition to the deferral and expressed his disappointment that the agreement before them contained blanks. He stated that he did not feel that this item needed to be deferred and that the \$247,000 was a reasonable price. Council Member Davis stated that she was for the consolidation but they were dealing with taxpayers’ money and she felt they needed an opportunity to review the agreement before them

and ask additional questions. Council Member Pelley stated that everyone on the Council was aware of the issues and that they were not always going to have all the answers on issues before they voted. Vice Mayor Perkinson questioned what would happen September 1<sup>st</sup> if they did not enter into a contract with E-911. City Manager Moore stated that there were two choices. The E-911 Center could directly dispatch the calls by radio or they could choose to call Communications via telephone. Council Member Jackson withdrew his motion to defer this item. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Jackson, to amend the original motion to reduce the amount paid to \$225,000 per year.** Upon roll call, the amendment to the motion was approved by the following vote:

**AYES: Davis, Perkinson, Buttram**  
**NAYS: Jackson, Pelley**  
**ABSENT: None**

Council Member Davis stated that she had spoken to Mr. Kelley and was assured that City employees would be given first priority when hiring. After further discussion and upon roll call, the motion as amended was approved by the following vote:

**AYES: Davis, Jackson, Pelley, Perkinson, Buttram**  
**NAYS: None**  
**ABSENT: None**

**Motion was made by Vice Mayor Perkinson, seconded by Council Member Davis, that recommendations from the users group be taken to the full 911 Board at their next appropriate meeting be included in the agreement.** Upon roll call, the motion was approved by the following vote:

**AYES: Davis, Perkinson, Buttram**  
**NAYS: Jackson, Pelley**  
**ABSENT: None**

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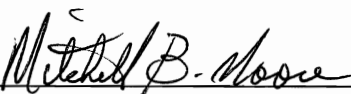
MANAGER'S REPORT

In presentation of the City Manager's Report, Mr. Moore introduced and welcomed Matthew Marshall, the new Director of Purchasing/Risk Management. Also, he reviewed progress of current city projects/meetings scheduled during the months of August and September. After brief discussion and comments, the report was accepted.

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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 7:37 p.m.

  
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MITCHELL B. MOORE, City Manager

  
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R. HAL BUTTRAM, Mayor