

MINUTES OF MEETING, ATHENS CITY COUNCIL, MARCH 17, 2015

The Athens City Council met in regular session on Tuesday, March 17, 2015, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Council Member Raper; 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 February 17, 2015 was submitted and approved by unanimous consent.

- 2 -  
PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Mr. Andy Watkins, 113 Ray Street, voiced his concerns regarding the activities of the Widowmakers motorcycle club.

- 3 -

CONSIDERATION OF RESOLUTION TO SUPPORT LEGISLATION TO ALLOW LOCAL DETERMINATION OF BROADBAND AND INTERNET SERVICES

RESOLUTION NO. 2015-11  
A RESOLUTION SUPPORTING LEGISLATION TO ALLOW LOCAL DETERMINATION OF BROADBAND AND INTERNET SERVICES.

Mr. Eric Newberry, Athens Utilities Board General Manager, explained the purpose of the proposed resolution and the necessity to expedite approval in order to get it before the legislature adjourned the session. He stated the resolution before them was a pared down version of the resolution approved by the City of Cleveland, Tennessee. Basically the resolution was in support of municipalities and municipal utilities providing broadband services. It was non-binding and not exclusive to AUB. It basically sends a message of support to the legislature. Mr. Newberry stated that AUB was already in the business of providing broadband support to one customer, H. P. Pelzer, and they were looking at some other business accounts. The caption of Resolution No. 2015-11 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Burris, to approve Resolution No. 2015-11.** Upon roll call, the resolution was approved by the following vote:

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

- 4 -  
REPORTS

FINANCE DEPARTMENT REPORT

Mayor Davis announced that Finance Director Michael Keith's father passed away earlier in the day and City Manager Moore would be presenting the Finance Department Report for the month of February 2015. The report was accepted as presented.

- 5 -

POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of February 2015. The report was accepted as presented.

- 6 -

FIRE DEPARTMENT REPORT

Chief Dyer presented the Fire Department Report for the month of February 2015. The report was accepted as presented.

- 7 -

ORDINANCES

ORDINANCE NO. 1035 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE TO AMEND TITLE 8 OF THE ATHENS MUNICIPAL CODE, ENTITLED ‘ALCOHOLIC BEVERAGES’, BY RENUMBERING THE EXISTING CHAPTER 2, ENTITLED ‘BEER’, AS CHAPTER 3 AND ADDING A NEW CHAPTER 2, ENTITLED ‘LIQUOR STORES’.

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 Pelley, seconded by Council Member Raper, to approve Ordinance No. 1035 on Second and Final Reading.** Ordinance No. 1035 was approved by the following roll call vote:

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

City Manager Moore stated the application packets would not be available until Monday, March 23<sup>rd</sup> in the office of the City Manager.

- 8 -

ORDINANCE NO. 1036 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE SO AS TO AMEND TITLE 14, CHAPTER 2, SECTION 4.12.B. WHICH PROHIBITS DIGITAL AND/OR ELECTRONIC BILLBOARDS TO ALLOW DIGITAL AND/OR ELECTRONIC BILLBOARDS.

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 Pelley, seconded by Vice Mayor Perkinson, to approve Ordinance No. 1036 on Second and Final Reading.** Ordinance No. 1036 was approved by the following roll call vote:

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

- 9 -

NEW BUSINESS

ATHENS CITY SCHOOLS PROPOSED BUDGET AMENDMENT #3 – FY 2014 - 2015

**A motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve Athens City Schools Budget Amendment #3 for fiscal year 2014 - 2015.** The motion was approved by the following roll call vote:

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

- 10 -

CITY OF ATHENS PROPOSED BUDGET AMENDMENT #1 – FY 2014 - 2015

A motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve City of Athens Budget Amendment #1 for fiscal year 2014 - 2015. City Manager Moore stated the two amendments, which were discussed at their annual Council Planning Retreat, were to allow a \$1,000,000 additional contribution into the employee defined benefit plan and transfer of \$1,200,000 into the capital project fund which is being depleted. The motion was approved by the following roll call vote:

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

- 11 -

CONSIDERATION OF RESOLUTION DESIGNATING FAIR HOUSING MONTH IN THE CITY OF ATHENS

RESOLUTION NO. 2015-07

A RESOLUTION DESIGNATING FAIR HOUSING MONTH IN THE CITY OF ATHENS.

The caption of Resolution No. 2015-07 was read by the recording clerk. **Motion was made by Council Member Burris, seconded by Council Member Raper, to approve Resolution No. 2015-07.** Upon roll call, the resolution was approved by the following vote:

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

- 12 -

CONSIDERATION OF RESOLUTION EXTENDING CONTRACTUAL AGREEMENT WITH HUGGINS LAWN CARE FOR CEMETERY MAINTENANCE OF DESIGNATED CITY CEMETERIES THROUGH MARCH 30, 2016

RESOLUTION NO. 2015-08

A RESOLUTION AUTHORIZING EXTENSION OF A CONTRACTUAL AGREEMENT BETWEEN THE CITY OF ATHENS, TENNESSEE, AND HUGGINS LAWN CARE FOR CEMETERY MAINTENANCE OF DESIGNATED CITY CEMETERIES.

The caption of Resolution No. 2015-08 was read by the recording clerk. **Motion was made by Council Member Pelley, seconded by Council Member Burris, to approve Resolution No. 2015-08.** Upon roll call, the resolution was approved by the following vote:

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

- 13 -

CONSIDERATION OF RESOLUTION EXTENDING CONTRACTUAL AGREEMENT WITH CHILHOWEE GREENHOUSE FOR MAINTENANCE OF FLOWER BEDS DOWNTOWN AND AT THE ATHENS MUNICIPAL BUILDING THROUGH MARCH 30, 2016

RESOLUTION NO. 2015-09

A RESOLUTION AUTHORIZING EXTENSION OF A CONTRACTUAL AGREEMENT BETWEEN THE CITY OF ATHENS, TENNESSEE, AND CHILHOWEE GREENHOUSE FOR MAINTENANCE OF FLOWER BEDS DOWNTOWN AND AT THE ATHENS MUNICIPAL BUILDING.

The caption of Resolution No. 2015-09 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Resolution No. 2015-09.** Upon roll call, the resolution was approved by the following vote:

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

- 14 -

REVIEW AND AWARD OF BID FOR REGIONAL PARK SIGNAGE

A motion was made by Council Member Burris, seconded by Council Member Pelley, to award bid for color board on Athens Regional Park sign to Hacker Sign Company in the amount of \$36,500. The motion was approved by the following roll call vote:

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

- 15 -

PROPOSED RENAMING OF KNOX PARK

RESOLUTION NO. 2015-10

A RESOLUTION AUTHORIZING THE RENAMING OF KNOX PARK TO PROF POWERS PARK.

The caption of Resolution No. 2015-10 was read by the recording clerk. **Motion was made by Council Member Burris, seconded by Council Member Raper, to approve Resolution No. 2015-10.** Council Member Pelley rose in opposition to the renaming of Knox Park but stated he was not opposed to Prof Powers. He felt the park had been abused for the past fifteen or twenty years. It was now being reclaimed by the City and he did not feel it was necessary to rename the park. Council Member Burris stated he grew up playing in Knox Park but felt with a new name it will be a new vision and new start for the park. He suggested the pavilion be named after Mr. Knox. Council Member Pelley stated for many years people with an alternative lifestyle have chosen to use the park. People felt that by changing the park name it would deter those individuals but he felt the changes being made at the park would be enough of a deterrent. A name change was unnecessary even if the Recreation Advisory Board/Tree Board had unanimously recommended it. City Manager Moore stated that they had researched the original naming of the park and discovered there were two fire chiefs with the name of Bill Knox. The Bill Knox that most people associate with Knox Park is not the Fire Chief the park was actually named for and there was nothing in the history to explain why the park was named Knox Park. Upon roll call, the resolution was approved by the following vote:

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

- 16 -

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 March and April. Mr. Moore commented that while he has been city manager he has never closed city hall because of snow. They made sure that city hall was open during the recent snow events so the public could pay their property taxes. He commended not just Public Works but all the employees from the city that made the effort to come to work. Mr. Moore warned everyone that the recent snow events would have a terribly bad effect on the streets and they were already having a tremendous impact on streets. The report was accepted as presented.

- 17 -  
ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:01 p.m.

  
\_\_\_\_\_  
ANN S. DAVIS, Mayor

  
\_\_\_\_\_  
MITCHELL B. MOORE, City Manager