

MINUTES OF MEETING, ATHENS CITY COUNCIL, APRIL 19, 2016

The Athens City Council met in regular session on Tuesday, April 19, 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 March 15, 2016 was submitted and approved by unanimous consent.

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COMMUNICATIONS

MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of a letter of appreciation from Cindy Studdard Moses, McMinn County High School J-Teens Sponsor, thanking Captain Rob Davis from the Athens Police Department for his continued help with their annual J-Teens community Easter dinner.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Andy Watkins, 1279 County Road 130, Riceville, stated he had come before the Council in the past with his concerns about the Widowmakers Motorcycle Club. Mr. Watkins felt this was a dangerous gang and although he was happy to see they had moved out of Athens he was still concerned because they now reside in the county. Larry Eaton, 279 Sweetfield Valley Road, Athens, made several comments regarding the City of Athens Open Records Policy.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of March 2016. He noted budget amendments will be presented to Council at their next work session. Mr. Keith reported that along with property taxes they also have a property tax relief program for elderly and low income. Last year there were 200 people in the program. There are special exemptions for veterans. This year Finance received 28 new applications for assistance. Council Member Pelley inquired as to how this information was made available to the public. Mr. Keith responded that the City issued a press release annually, there were brochures on the counter in Finance, and his staff tries to advise everyone that might be eligible about the program. In addition, the County also issues public notices. 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 March 2016. He noted there had been a rash of vehicle break-ins around town and most of the vehicles involved had not locked their doors. He urged everyone to lock their doors. Council Member

Raper asked how the Police Department determines whether or not to charge for a false alarm. Chief Ziegler responded that generally they did not charge for a false alarm if it was related to a storm. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Chief Jim Dyer presented the Fire Department Report for the month of March 2016. After brief comments, the report was accepted as presented.

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COMMUNITY DEVELOPMENT QUARTERLY REPORT

Mr. Anthony Casteel, Community Development Director, presented the Building Permit Quarterly Report for the City of Athens. He stated this was another good quarter. There were five residential permits issued, four for single family homes and one for a duplex. The total quarterly valuation included one permit with a valuation of \$6,000,000. 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.) Accept bids (Bid No. 1627 dated April 6, 2016) as submitted by Rogers Group (price per ton in place) and Talley Construction (price per ton picked up) for asphalt paving and materials;
- b.) Accept bids (Bid No. 1630 dated April 6, 2016) as submitted by Hertz Rental Equipment and Neff Rental Equipment for equipment rental;
- c.) Approve staff's recommendation to declare assorted items as surplus property and authorize sale as detailed in memorandum from Matthew Marshall, Director of Purchasing dated April 4, 2016;
- d.) Approve Resolution No. 2016-10 to adopt an amended and restated pension plan for the employees of the City of Athens, Tennessee;
- e.) Appoint Charles Senn 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. 1048 – SECOND/FINAL READING – PUBLIC HEARING
AN ORDINANCE AMENDING TITLE 8 OF THE ATHENS MUNICIPAL CODE BY ADDING CHAPTER 4, SALE OF WINE IN RETAIL FOOD 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. 1048 on Second and Final Reading.
Ordinance No. 1048 was approved by the following roll call vote:

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

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ORDINANCE NO. 1049 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2, SECTION 4.07.E. IN-FILL-DEVELOPMENT SETBACK REQUIREMENTS BE AMENDED TO ADD LANGUAGE THAT CLARIFIES THE PROCESS TO ESTABLISH SETBACKS ON IN-FILL LOTS AND SECTION 5.03 EXCEPTIONS TO HEIGHT LIMITATIONS BE AMENDED TO ADD LANGUAGE THAT ALLOWS GREATER HEIGHT STANDARDS IN CERTAIN ZONING DISTRICTS; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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 Burris, to approve Ordinance No. 1049 on Second and Final Reading.** Ordinance No. 1049 was approved by the following roll call vote:

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

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NEW BUSINESS

LOCAL PARKS AND RECREATION FUND GRANT (LPRF) TO CONSTRUCT A SPLASH PAD AT REGIONAL PARK

RESOLUTION NO. 2016-11

A RESOLUTION TO APPLY FOR AND ACCEPT FUNDING FOR A GRANT FROM THE LOCAL PARKS AND RECREATION FUND (LPRF) BEING ADMINISTERED THROUGH THE STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR CONSTRUCTION OF A SPLASH PAD.

The caption of Resolution No. 2016-11 was read by the recording clerk. **Motion was made by Council Member Burris, seconded by Council Member Raper, to approve Resolution No. 2016-11.** Council Member Burris stated he had visited splash pads in other communities and they had a profound impact on him. He watched children in wheelchairs and on crutches having a great time and contrasted it to their experience with a conventional pool. Council Member Pelley felt the City already had a challenge maintaining the parks. In addition to the increased maintenance costs, he objected to the location at Regional Park. He preferred the splash pad to be located in the downtown area as he believed it would be more accessible to the residents. Council Member Burris agreed that it would be more desirable to have the splash pad downtown but the Federal Emergency Management Agency (FEMA) would not allow it. Council Member Pelley stated he would like to see a FEMA representative meet with the Council because he would like to challenge that ruling. Upon conclusion of the discussion, the resolution was approved by the following roll call vote:

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

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RECREATIONAL TRAILS PROGRAM (RTP) JOINT APPLICATION TO COMPLETE EUREKA TRAIL

RESOLUTION NO. 2016-12

A RESOLUTION AUTHORIZING THE CITY OF ATHENS TO MAKE A JOINT APPLICATION WITH MCMINN COUNTY TO THE STATE OF TENNESSEE RECREATIONAL TRAILS PROGRAM (RTP) TO COMPLETE EUREKA TRAIL.

The caption of Resolution No. 2016-12 was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Resolution No. 2016-12.** After brief discussion, the resolution was approved by the following roll call vote:

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

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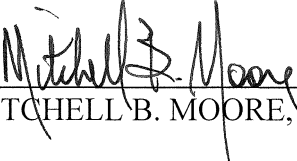
MANAGER'S REPORT

City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of May/June. Mr. Moore noted that typically February was the worst month of the year for sales tax collections; however, this February was the best February on record for the City. The report was accepted as presented.

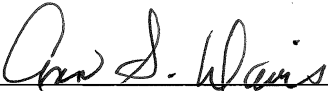
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ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:12 p.m.



MITCHELL B. MOORE, City Manager



ANN S. DAVIS, Mayor