

MINUTES OF MEETING, ATHENS CITY COUNCIL, MAY 17, 2016

The Athens City Council met in regular session on Tuesday, May 17, 2016, at 6:00 p.m. with Mayor Davis presiding. The invocation was given by Vice Mayor Perkinson; 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 April 19, 2016 was submitted and approved by unanimous consent.

- 2 -  
COMMUNICATIONS

MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of letters of appreciation to Public Works Director Shawn Lindsey and Fire Chief Jim Dyer.

- 3 -  
PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. There were none presented at this time.

- 4 -  
REPORTS

FINANCE DEPARTMENT REPORT

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

- 5 -

POLICE DEPARTMENT REPORT

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

- 6 -

FIRE DEPARTMENT REPORT

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

- 7 -

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 2015-2016;
- b.) Approve termination of Ocoee Services mowing contract;
- c.) Approve Resolution No. 2016-13 authorizing the execution of a contractual agreement with Huggins Lawn Care for park maintenance/mowing;
- d.) Approve Resolution No. 2016-14 to authorize extension of a contract with the Tennessee Department of Transportation (TDOT) for maintenance of state rights-of-way within the City of Athens for the period of time beginning July 1, 2016 and ending June 30, 2017;
- e.) Approve Resolution No. 2016-15 authorizing the application and acceptance of funds in the FY 2016 Bulletproof Vest Partnership (BVP) Program;
- f.) Approve Medical Insurance Renewal as submitted by Blue Cross Blue Shield for year beginning July 1, 2016;
- g.) Reappoint Randy Heafner and Russell Thress to Board of Adjustments and Appeals, terms expire June 3, 2020.

**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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NEW BUSINESS

PROPOSED ORDINANCE TO REZONE PROPERTY ON EAST MADISON AVENUE FROM B-1 TO R-2 – REQUEST OF CHRIST’S LEGACY ACADEMY, INC.

ORDINANCE NO. 1050 – FIRST READING

AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,’ SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE A PORTION OF THE PROPERTY LOCATED ON CORNER OF EAST MADISON AND DAVIS PLACE DRIVE 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. A **motion was made by Council Member Pelley, seconded by Council Member Raper, to approve Ordinance No. 1050 on First Reading.** The motion was approved by the following roll call vote:

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

- 9 -

PROPOSED ORDINANCE TO AMEND THE ZONING CODE WITH REGARD TO CHILD-CARE FACILITIES AS ACCESSORY USES TO CHURCHES

ORDINANCE NO. 1051 – FIRST READING

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, TO AMEND THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2, SECTION 4.24. CHILD CARE FACILITIES REQUIREMENTS, TO DELETE SECTION 4.24.01 CHILD-CARE FACILITIES AS ACCESSORY USES TO CHURCHES AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

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. 1051 on First Reading.** The motion was approved by the following roll call vote:

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

- 10 -

CERTIFICATE OF COMPLIANCE APPLICATION FOR RETAIL FOOD STORE WINE LICENSE FOR INGLES MARKETS INC. #88 – 917 DECATUR PIKE

A **motion was made by Council Member Pelley, seconded by Council Member Burris, to approve a Certificate of Compliance for a Retail Food Store Wine License for Ingles Markets Inc. # 88, located at 916 Decatur Pike.** The motion was approved by the following roll call vote:

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

- 11 -

CERTIFICATE OF COMPLIANCE APPLICATION FOR RETAIL FOOD STORE WINE LICENSE FOR WALMART #663 – 1815 DECATUR PIKE

A **motion was made by Vice Mayor Perkinson, seconded by Council Member Pelley, to approve a Certificate of Compliance for a Retail Food Store Wine License for Walmart #663, located at 1815 Decatur Pike.** The motion was approved by the following roll call vote:

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

- 12 -

PROPOSED BUDGET ORDINANCE FOR FISCAL YEAR 2016-17

ORDINANCE NO. 1052 – FIRST READING

AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE ON TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2016 THROUGH JUNE 30, 2017.

The caption of the above-described Ordinance was read by the recording clerk. A **motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Ordinance No. 1052 on First Reading.** City Manager Moore noted the budget included a 2% market adjustment with a possible 1% merit increase for all full time employees. The proposed tax rate is \$1.3628 which is \$.1142 lower than the present tax rate of \$1.477. This reduction is due to the Athens City School System reevaluating their possible consolidation plans and proposing no new debt repayment. He advised the City Council that a possible tax increase may be needed in the future for the Athens City Schools whether by consolidation or possible renovations of existing structures. In addition, the Tennessee Legislature is discussing the possible future elimination of the Hall Income Tax. In the last days of this year's Tennessee Legislature, the start of this reduction began with a loss of 1% of the 6%. At this time, there is no proposed offsetting or hold harmless revenue for local government that would make up for the loss of that revenue. There is no proposed sanitation fee increase for this fiscal year. City Manager Moore reminded everyone the second reading of the ordinance and public hearing will be held on Tuesday, June 21, 2016 at the City Council's regular monthly meeting. The motion 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 announced the City of Athens had been awarded the 2016 TDEC Sustainable Transportation Award for its Green Ways Initiative program started in 2013 to provide environmentally friendly methods of advancing commuting infrastructure. Athens has increased the total city sidewalk and walkway length by two percent annually. Several of the walkways are now surfaced with pervious pavers, beneath which are detention ponds. The City has added nine miles of new multi-use trails and repaired their roads with a more environmentally friendly method. The McMinn County Economic Development Authority received national recognition in Site Selection Magazine. They were awarded the 2015 Mac Conway Award for Excellence in Economic Development, which is awarded to the top U.S. economic development groups. McMinn County EDA was recognized as the top micropolitan group for a record year in economic development announcements.

The Manager's Report was presented and the progress of current city projects/meetings scheduled during the months of May/June was reviewed. 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 6:32 p.m.

  
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MITCHELL B. MOORE, City Manager

  
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ANN S. DAVIS, Mayor