

MINUTES OF MEETING, ATHENS CITY COUNCIL, JUNE 21, 2016

The Athens City Council met in regular session on Tuesday, June 21, 2016, at 6:00 p.m. with Mayor Davis presiding. Council Member Raper asked Shawn Lindsey, Public Works Director, to give the invocation; and upon roll call, the following members were present:

Burris, Raper, Perkinson, Davis

Council Member Pelley was out of town and did not attend the meeting.

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 May 17, 2016 was submitted and approved by unanimous consent.

- 2 -

COMMUNICATIONS

PRESENTATION OF PROCLAMATION – MCMINN COUNTY HIGH SCHOOL GIRLS RUGBY TEAM

Mayor Davis presented a proclamation to the McMinn County High School Tribe Rugby Football Club – Ladies Team for an outstanding season and being named the Tennessee Rugby Association State Champions. Coach Buck Billings, members of the team, their families and friends were present. Coach Billings thanked the City Council for recognizing the team. He was extremely proud of his team and all their accomplishments.

- 3 -

PRESENTATION OF PROCLAMATION – NATIONAL MODEL AVIATION DAY

Council Member Burris presented a proclamation to the McMinn County Radio Control Association proclaiming July 4, 2016 as National Model Aviation Day. Thomas Fortsch, President along with officers and members of the Association were present to accept the proclamation.

- 4 -

PRESENTATION OF PROCLAMATION – SMALL CITIES MONTH

Vice Mayor Perkinson presented a proclamation proclaiming June 2016 as Small Cities Month in Athens, Tennessee.

- 5 -

TML MUNICIPAL ACHIEVEMENT AWARD FOR EXCELLENCE IN FIRE SAFETY

Council Member Raper presented Fire Chief Dyer with the Tennessee Municipal League (TML) Achievement Award for Excellence in Fire Safety. The award was originally presented to the Athens Fire Department on June 14, 2016 during TML's 77th Annual Conference in Gatlinburg. Chief Dyer thanked the City Council, City Manager and community for their support of the Athens Fire Department.

- 6 -

COALITION FOR RECREATIONAL TRAILS – THE TOM PETRI ANNUAL ACHIEVEMENT AWARD FOR EUREKA TRAIL

The Coalition for Recreational Trails chose the Eureka Trail project for the annual achievement award for outstanding use of Recreation Trails Program funds in the Engaging

Public Sector Partners category. Mayor Davis displayed the Tom Petri Annual Achievement Award presented by the Coalition to County Mayor John Gentry and Mayor Davis on June 8, 2016 in Washington, D.C. McMinn County, the Town of Englewood, the City of Athens, the State of Tennessee and two congressmen, John J. Duncan, Jr. and Chuck Fleishmann, were recognized by the Coalition.

Council Member Raper announced that the Tennessee Municipal League had recently presented Mayor Davis with the Distinguished Woman of the Year in Leadership and Government award.

- 7 -

MISCELLANEOUS CORRESPONDENCE

Mayor Davis acknowledged receipt of letters of appreciation from Christ's Legacy Academy and TVA thanking Fire Chief Jim Dyer and the Athens Fire Department for their support.

- 8 -

PETITIONS AND REQUESTS

AUDIENCE

Mayor Davis opened the meeting for petitions and requests from the audience. Tim Hughes, 714 James Street, noted this was the fourth summer for the Sounds of Summer and they had all of their sponsors in place for the season. He thanked members of the City Council for individually sponsoring the Sounds of Summer. They did not use City funds but provided their own personal money to support the program. He also thanked City Manager Moore and the Parks & Recreation and Public Works staff for their assistance. Bobby Williams, 614 Virginia Avenue, stated he has been a seasonal employee with the City of Athens Parks and Recreation Department for the past nine years. Mr. Williams stated he was before the Council because he loves Athens Parks and Recreation and was upset by some negative comments he had read in Sound Off about the parks. He stated people from outside of Athens visit the Athens Regional Park every day and praise the park and comment to him on how they wish they had a park like it in their town. The seasonal workers at the parks work very hard and receive very little recognition. He asked everyone to take the time when they were at the park to stop a worker, shake his hand and thank him for the work he was doing at the park. Larry Eaton, 279 Sweetfield Valley Road, stated he felt the membership to Springbrook needed to be removed from the budget. He questioned how a non-revenue department can have a \$300,000 to \$400,000 revenue. Vice Mayor Perkinson responded that he did not know where the revenue was that Mr. Eaton was referring to but they should look into it and discuss it at their next work session. City Manager Moore stated that he assumed Mr. Eaton was referring to the Police Department but was not sure. Mr. Eaton confirmed City Manager Moore was correct and that he was referring to the Police Department.

- 9 -

REPORTS

ATHENS CITY SCHOOLS QUARTERLY REPORT

Dr. Melanie Miller, Superintendent of Athens City Schools, presented the City Council with her quarterly update and gave each of them a bullet point sheet. She covered topics on Enrollment, Facility Assessment, Special Recognitions/Activities, Family/Community Connection, Summer Activities, the forming of new partnerships, BEP funding and new student registration. Dr. Miller noted that the Strategic Plan had been completed and will be available online starting August 1st.

- 10 -

FINANCE DEPARTMENT REPORT

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

- 11 -

POLICE DEPARTMENT REPORT

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

- 12 -

FIRE DEPARTMENT REPORT

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

- 13 -

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 Athens Utilities Board budget for Fiscal Year 2016/17;
- b.) Approve Athens City Schools Proposed Budget Amendment #2 (Federal Programs Fund) and Budget Amendments #3 and # 4 (General Purpose Fund) for FY 2015/2016;
- c.) Approve \$250,000 contribution to the Center for Advanced Manufacturing and Business Innovation (CAMBI) for construction of an industrial training facility/business incubator;
- d.) Accept bid (Bid No. 1631 dated May 19, 2016) as submitted by Advanced Athletic Surface (AAS) for tennis court resurfacing;
- e.) Accept bid (Bid No. 1632 dated May 19, 2016) as submitted by Rubber Designs for rubber mulch;
- f.) Accept bid (Bid No. 1633 dated May 19, 2016) as submitted by Trugreen for fertilization services;
- g.) Accept bid (Bid No. 1634 dated May 31, 2016) as submitted by Stephens Excavating for demolition and site clearing of four (4) condemned structures and two (2) downed structures;
- h.) Reappoint Stan Harrison to the Athens Utilities Board, term expires June 30, 2020;
- i.) Reappoint Mary Scudder to the Recreation Advisory Board, term expires June 30, 2020.

City Manager Moore noted that item g.) also included accepting the bid by On Site Development for item 1 on Bid No. 1634. **On motion by Vice Mayor Perkinson, seconded by Council Member Burris, the Consent Agenda was approved by the following roll call vote:**

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

- 14 -
ORDINANCES

ORDINANCE NO. 1050 – SECOND/FINAL READING – PUBLIC HEARING

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. 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. 1050 on Second and Final Reading.** Ordinance No. 1050 was approved by the following roll call vote:

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

- 15 -

ORDINANCE NO. 1051 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, TO AMEND 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. 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 Vice Mayor Perkinson, seconded by Council Member Burris, to approve Ordinance No. 1051 on Second and Final Reading.** Ordinance No. 1051 was approved by the following roll call vote:

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

- 16 -

ORDINANCE NO. 1052 – SECOND/FINAL READING – PUBLIC HEARING

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. Mayor Davis opened the public hearing. Larry Eaton asked Mayor Davis to explain the ordinance as he did not understand it. Mayor Davis responded that the Council was in essence voting on the budget. There being no one else present wishing to discuss the Ordinance, Public Hearing was closed. Mayor Davis asked City Manager Moore to make a few comments on the budget. City Manager Moore reminded the City Council of the comments he had made regarding the budget at their May meeting when they were having the first reading of the ordinance. They started the budget process with requests of \$566,400 more for expenses than they had revenue. The budget was now in balance and it was where departments could live with it. The proposed tax rate was \$1.3628 which is \$.1142 lower than the present tax rate of \$1.4770. This reduction was due to the Athens City Schools System not needing the City to go into debt at this time as they had pulled back and were restudying all the facilities and buildings to make sure they do not miss anything and to see what their needs are for the future. City Manager Moore felt everyone should understand that it could be that Athens City Schools may have more of a need than was anticipated when the City set the tax rate a year ago for the debt. They do not know at this point how much money the Athens City Schools System will be need for capital but what they were doing at this time was correct. When they are done, everyone will know the number and there will be a five year plan going forward. City Manager Moore suggested whenever they have the

meeting to discuss the executive summary, City Council members should, if at all possible, attend the meeting so that both boards can hear that explanation at the same time. The Hall Income Tax was going to be reduced this year by one percent. By the year 2022, if everything goes as it was laid out; the Hall Income Tax will be eliminated. This could mean a loss of revenue anywhere between \$100,000 and \$300,000 as the amount fluctuates. This year it is projected to be approximately \$130,000 and on the tax rate that would be about 3.5 cents. City Manager Moore noted they had already discussed the ISO rating. He commented that the Fire Department had done a great job. He also commended the Athens Utilities Board and Athens Utilities Board water system because without them the City would not be a Class 2. As discussed at the June Work Session, the Council was now talking about a 2.5% market adjustment for all full time employees, a potential 1% merit increase and a \$500 one-time bonus for those employees who were employed on June 30, 2016 through December of this coming year. Bonuses would be given in December. **A motion was made by Council Member Raper, seconded by Council Member Burris, to approve Ordinance No. 1052 as presented on Second and Final Reading.** Council Member Burris commented on the property tax reduction. He felt it was a show of good faith to the community that if the City Council did not need the money then they would give it back to the citizens. He thanked the City Manager and Finance Director for taking that action. Council Member Burris also noted that since he had been on the City Council, this budget included the best raise for City employees and they deserve it. At the conclusion of discussion and upon roll call, Ordinance No. 1052 was approved by the following roll call vote:

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

- 17 -

NEW BUSINESS

CONSIDERATION OF PROPOSED ORDINANCE TO REZONE A PARCEL LOCATED AT 1414 RAILROAD AVENUE FROM B-1 TO R-2 – REQUEST BY MISSY FORD

ORDINANCE NO. 1053 – 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 THE PROPERTY LOCATED AT 1414 RAILROAD 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. **A motion was made by Vice Mayor Perkinson, seconded by Council Member Raper, to approve Ordinance No. 1053 on First Reading.** The motion was approved by the following roll call vote:

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

- 18 -

CONSIDERATION OF PROPOSED ORDINANCE TO REZONE A PARCEL LOCATED AT 1307 E. MADISON AVENUE FROM B-1 TO R-2 – REQUEST BY CITY OF ATHENS

ORDINANCE NO. 1054 – 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 THE PROPERTY LOCATED AT 1307 EAST MADISON 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. **A motion was made by Council Member Burris, seconded by Council Member Raper, to approve**

Ordinance No. 1054 on First Reading. The motion was approved by the following roll call vote:

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

- 19 -

CONSIDERATION OF PROPOSED ORDINANCE TO REZONE A PARCEL LOCATED AT 1022 KNIGHT ROAD FROM R-3 TO B-3 – REQUEST BY DON MCCOURT

ORDINANCE NO. 1055 – 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 THE PROPERTY LOCATED AT 1022 KNIGHT ROAD FROM R-3 (HIGH DENSITY RESIDENTIAL DISTRICT) TO B-3 (INTENSIVE 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. **A motion was made by Council Member Raper, seconded by Vice Mayor Perkinson, to approve Ordinance No. 1055 on First Reading.** The motion was approved by the following roll call vote:

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

- 20 -

CERTIFICATE OF COMPLIANCE APPLICATION FOR RETAIL FOOD STORE WINE LICENSE FOR HOUCHENS PRICELESS IGA #43 – 1312 DECATUR PIKE

A motion was made by Vice Mayor Perkinson, seconded by Council Member Burris, to approve a Certificate of Compliance for a Retail Food Store Wine License for Houchens Priceless IGA #43, located at 1312 Decatur Pike. The motion was approved by the following roll call vote:

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

- 21 -

CERTIFICATE OF GOOD MORAL CHARACTER FOR SUSAN FERRELL, ATHENS TN LODGE #1927 of the BPOE

A motion was made by Council Member Raper, seconded by Vice Mayor Perkinson, to approve a Certificate of Good Moral Character for Susan Ferrell, Athens TN Lodge #1927 of the BPOE. The motion was approved by the following roll call vote:

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

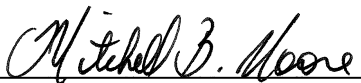
- 22 -

MANAGER’S REPORT

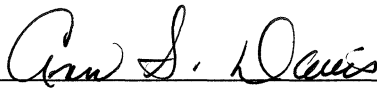
City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of June/July. The report was accepted as presented.

- 23 -
ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:41 p.m.



MITCHELL B. MOORE, City Manager



ANN S. DAVIS, Mayor