

MINUTES OF MEETING, ATHENS CITY COUNCIL, MAY 18, 2010

The Athens City Council met in regular session on Tuesday, May 18, 2010, 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.

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MINUTES

The Minutes of the regularly scheduled meeting on April 20, 2010 were submitted and approved by unanimous consent.

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COMMUNICATIONS

PRESENTATION OF VIVID AWARD

Vice Mayor Perkinson presented the *Very Important Volunteer Individual Award* for May 2010 to Tennessee Technology Center for its outstanding support of this community. Stewart Smith and Dianne Mitchell from the Tennessee Technology Center were present to accept the award on behalf of the school. Mr. Smith thanked the City Council for the award and recognized Dianne Mitchell for her work at the Center. He remarked that the Tennessee Technology Center of Athens, Tennessee stands alone in the support from the community and businesses in Athens.

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MISCELLANEOUS CORRESPONDENCE

Mayor Buttram acknowledged receipt of a letter from McMinn County High School to Captain Rob Davis of the Athens Police Department thanking him for his assistance with extra “presence” during their annual J-Teens community Easter dinner.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram opened the meeting for petitions and requests from the audience. Elaine Newman, Co-Chairperson of the National MooFest, invited the City Council to participate in Sparkle Day on Thursday, May 27<sup>th</sup> from 4:30 p.m. – 8:00 p.m. The purpose of this event is to clean up the downtown area in anticipation of the upcoming MooFest event scheduled for June 5<sup>th</sup> and 6<sup>th</sup>. In addition, Ms. Newman also reminded everyone that June 6<sup>th</sup> will be the 66<sup>th</sup>

anniversary of D-Day. A ceremony will be held downtown at 2:00 p.m. on the June 6<sup>th</sup> with a color guard and singer to recognize this solemn occasion. Ms. Newman also asked that if anyone hears any complaints about the MooFest to contact either Richard or Elaine Newman on her cell phone at 506-9301 as soon as they hear something so that they can correct the problem.

**6:18 P.M.....The Athens City Council recessed and reconvened as the Athens Beer Board**

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BEER BOARD

BEER APPLICATION – MI ISLA CAFÉ, 217 EAST WASHINGTON AVENUE

An application for a Restaurant Beer Permit at Mi Isla Café, 217 East Washington Avenue, was presented for consideration. The applicant, Mr. Andelmo Nieves, was not in attendance.

**A motion was made by Council Member Pelley, seconded by Vice Mayor Perkinson, to approve the beer application from Mi Isla Café as submitted.** Upon roll call, the motion was approved by the following vote:

AYES: Davis, Jackson, Pelley, Perkinson, Buttram

NAYS: None

**6:20 P.M.....The Athens Beer Board adjourned and reconvened as the Athens City Council**

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Brad Harris, Finance Director, presented the Finance Department Report for the month of April 2010. After brief comments, 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 April 2010. 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 April 2010. 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 *Athens Utilities Board budget* for Fiscal Year 2010/11;
- b.) Approve *Athens City Board of Education Budget Amendment* for Fiscal Year 2009/10;
- c.) Approve *Resolution No. 2010-10* authorizing the acceptance of a Byrne Justice Assistance Grant (JAG) program through the U.S. Department of Justice for Fiscal Year 2010;
- d.) Approve *Resolution No. 2010-11* authorizing the City Manager to execute an Interlocal Agreement with McMinn County to pursue a Justice Assistance Grant through the United States Department of Justice;
- e.) Approve *Resolution No. 2010-12* to adopt the first amendment to the City of Athens, Tennessee Pension Plan;
- f.) Approve *Resolution No. 2010-13* to contract with Tennessee Department of Transportation for mitigation work on the Oostanaula and tributaries;
- g.) Accept proposal from CEC Incorporated for TDOT Mitigation Work on Oostanaula Creek to include design, construction management, and monitoring;
- h.) Reappoint *Pasha Versa* to the *Council Advisory Committee*, term expires March 21, 2013.

**On motion by Vice Mayor Perkinson, seconded by Council Member Davis, 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. 987 – SECOND/FINAL READING – PUBLIC HEARING**  
**AN ORDINANCE TO AMEND CHAPTER 2 OF TITLE 8 OF THE ATHENS MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES TO ADD HOTELS AS PERMISSIBLE BEER PERMIT HOLDERS.**

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 Jackson, to approve Ordinance No. 987 on Second and Final Reading.** Upon roll call, Ordinance No. 987 was approved by the following vote:

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

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NEW BUSINESS

PROPOSED RETAIL AND TOURISM COMMITTEE

**RESOLUTION NO. 2010-14**  
**A RESOLUTION CREATING A RETAIL AND TOURISM COMMITTEE.**

The caption of Resolution No. 2010-14 was read by the recording clerk. **Motion was made by Council Member Davis, seconded by Council Member Jackson, to approve Resolution No. 2010-14.** Mayor Buttram credited Vice Mayor Perkinson for coming to Council with the recommendation to create a Retail and Tourism Committee. After discussion, the Resolution was approved by the following roll call vote:

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

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PROPOSED BUDGET FOR FY 2010/11

A proposed ordinance was presented to adopt the City's budget for fiscal year July 1, 2010 through June 30, 2011, as follows:

Fund	Projected Opening Balance	Revenues	Expenditures
General	\$7,000,000	\$12,173,200	\$12,173,200
Debt Service	\$2,500,000	\$ 805,000	\$ 769,000
Sanitation	\$ 50,000	\$ 809,000	\$ 747,800
Drug	\$ 100,000	\$ 33,800	\$ 33,800

It was noted that the proposed ordinance reflects the previously adopted property tax rate of \$1.1147 on each one hundred dollars of assessed value. The Public Hearing on the Budget Ordinance will be held during the regular meeting on June 15, 2010. The following ordinance was presented for consideration:

**ORDINANCE NO. 988 – FIRST READING**

**AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE IN THE AMOUNT OF \$1.1147 ON EACH ONE HUNDRED DOLLARS ASSESSED VALUE OF TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2010 THROUGH JUNE 30, 2011.**

The caption of the above-described Ordinance was read by the recording clerk. **Motion was made by Council Member Jackson, seconded by seconded by Vice Mayor Perkinson, to approve Ordinance No. 988 as presented on First Reading.** Council Member Pelley commended the City Manager and staff on the budget. He rose in opposition to the revenue line item for City Court Fines & Costs which he stated he discussed at length at work session. When you put \$400,000 in the budget for the collection of fines it looks like quotas. City Manager Moore explained that the projected revenue was based on a ten-year trend of revenues collected. **Vice Mayor Perkinson made a motion to amend the budget to increase the amount that will be given to the Athens Area Chamber of Commerce from \$4,000 to \$6,000 and to reduce the contingency from \$20,000 to \$18,000, seconded by Council Member Davis.** Mr. Perkinson stated that he felt the Chamber had raised a significant amount of its revenue from events and continues to make efforts to bring retail and other business to the area. A viable chamber of commerce is significant to our business sector stabilizing and moving forward. Council Member Davis noted that the Chamber was moving ahead with the hiring of a Tourism Director. Upon roll call, the amendment was approved by the following vote:

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

After additional comments and as discussion ended, Mayor Buttram called for the vote to approve Ordinance No. 988 as amended on the first reading. Upon roll call, the ordinance was approved by the following vote:

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

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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 and June. After brief comments, 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 7:20 p.m.

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R. HAL BUTTRAM, Mayor

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MITCHELL B. MOORE, City Manager