

MINUTES OF MEETING, ATHENS CITY COUNCIL, APRIL 19, 2011

The Athens City Council met in regular session on Tuesday, April 19, 2011, at 6:00 p.m. with Mayor Buttram presiding. The invocation was given by Vice Mayor Perkinson; and upon roll call, the following members were present:

Davis, Jackson, Perkinson, Buttram

Council Member Pelley 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 March 22, 2011 were submitted and approved by unanimous consent.

- 2 -

COMMUNICATIONS

PRESENTATION OF VIVID AWARD

Council Member Davis presented the *Very Important Volunteer Individual Award* for the month of April 2011 to W. H. "Rusty" Shultz, Jr. for his outstanding support of this community. Mr. Shultz was present to accept the award.

- 3 -

MISCELLANEOUS CORRESPONDENCE

Mayor Buttram acknowledged receipt of a letter of appreciation from Tennessee Valley Authority for services performed by the Recreation Department.

- 4 -

PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram stated that at their March 22, 2011 meeting, Mr. Michael Standridge addressed the Council regarding a drainage issue around his house and in his neighborhood. After discussion on this issue by the City Council at their April 11, 2011 work session, a letter was sent to Mr. Standridge expressing sympathy for his problem and letting him know that his problem was out of the City's control. Mayor Buttram opened the meeting for petitions and requests from the audience. There were none presented at this time.

- 5 -
REPORTS

FINANCE DEPARTMENT REPORT

Mayor Buttram stated that Mr. Brad Harris, Finance Director, was out of town. The report for the month of March 2011 was accepted as submitted.

- 6 -

POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of March 2011. After brief comments, the report was accepted as presented.

- 7 -

FIRE DEPARTMENT REPORT

Fire Chief Jim Dyer presented the Fire Department Report for the month of March 2011. After brief comments, the report was accepted as presented.

- 8 -

COMMUNITY DEVELOPMENT QUARTERLY REPORT

Mr. Anthony Casteel, Community Development Director, presented the Building Permit Quarterly Report for the City of Athens. After brief comments, the report was accepted as presented.

- 9 -

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 Resolution No. 2011-07 to adopt the second amendment to the City of Athens, Tennessee Pension Plan;
- b.) Approve Resolution No. 2011-08 to adopt the third amendment to the City of Athens, Tennessee Pension Plan;
- c.) Approve Resolution No. 2011-09 to execute contract with G.C.S. Turf Management for park maintenance/mowing – Section I (Cook Park, Knight Park, Veterans Park, and Market Park);
- d.) Approve Resolution No. 2011-10 to execute contract with Alpha Omega Lawn Care for park maintenance/mowing – Section II (Heritage Park, Knox Park, Fisher Field);

- e.) Approve Resolution No. 2011-11 to execute contract with Johnston's Lawn Care for park maintenance/mowing – Section III (Athens Municipal Building, City Park Pool, Fire Station II, Ingleside Recreation Complex, North City Pool, seven Welcome signs, Decatur Pike median/island);
- f.) Approve Resolution No. 2011-12 to execute contract with Johnston's Lawn Care for maintenance of Athens Municipal Building and downtown flower beds and mulching of tree wells downtown;
- g.) Approve Resolution No. 2011-13 to amend the Community Development Fee Schedule to include fees for Planned Unit Development (PUD); cell tower applications; hard copies of official zoning map, zoning code, and subdivision regulations; penalties for work done without a permit; and removal of all grave opening fees;
- h.) Reappoint Kenneth Grubb to serve another two-year term on the Tax Equalization Board, term expires April 1, 2013;
- i.) Appoint Robert Miller to serve a three-year term on the Council Advisory Committee, term expires March 21, 2014.

On motion by Council Member Jackson, seconded by Vice Mayor Perkinson, the Consent Agenda as stated above was approved by the following roll call vote:

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

- 10 -

NEW BUSINESS

AMENDED AND RESTATED PENSION PLAN

Mayor Buttram stated the City had just received notification from the Internal Revenue Service (IRS) that the agency had approved the amendments to the pension plan for the employees of the City of Athens. He presented a proposed resolution adopting an amended and restated the pension plan.

RESOLUTION NO. 2011-14

“A RESOLUTION TO OFFICIALLY ADOPT AN AMENDED AND RESTATED PENSION PLAN FOR THE EMPLOYEES OF THE CITY OF ATHENS, TENNESSEE.”

The caption of the above-described Resolution was read by the recording clerk. **Motion was made by Vice Mayor Perkinson, seconded by Council Member Davis, to approve Resolution No. 2011-14 as presented.** Upon roll call, the resolution was approved by the following vote:

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

RECOMMENDATION FROM PLANNING COMMISSION

ORDINANCE NO. 993

“AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE,’ SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE PROPERTY ON NEW ENGLEWOOD ROAD FROM R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) TO B-4 (HIGHWAY AND MAJOR ARTERIAL SERVING 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. **Motion was made by Council Member Davis, seconded by Vice Mayor Perkinson, to approve Ordinance No. 993 on First Reading.** Upon roll call, the first reading of Ordinance No. 993 was approved by the following vote:

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

ORDINANCE NO. 994

“AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2, SECTIONS 2.02, 3.04.04, 3.04.06, 3.04.09, 3.04.12 AND 3.04.13 BE AMENDED; TO ADD PERSONAL STORAGE UNITS AND MINI WAREHOUSES AS PERMITTED USES AND USES PERMITTED ON REVIEW IN CERTAIN DISTRICTS; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.”

The caption of the above-described Ordinance was read by the recording clerk. **Motion was made by Council Member Jackson, seconded by Council Member Davis, to approve Ordinance No. 994 on First Reading.** Upon roll call, the first reading of Ordinance No. 994 was approved by the following vote:

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

- 13 -
BEER BOARD

6:27 P.M.....The Athens City Council recessed and reconvened as the Athens Beer Board

RELINQUISHMENT OF BEER PERMITS – VALLEY MART #10 AND VALLEY MART #17

Mayor Buttram acknowledged receipt of a letter from Scott Shankle relinquishing the Package Beer Stores (Off Premises) Beer Permit at Valley Mart #10 located at 1405 Decatur Pike and the Grocery (Food Stores) Beer Permit at Valley Mart #17 located at 2619 Decatur Pike due to a change in ownership.

BEER APPLICATIONS – VALUE MART #3, 1405 DECATUR PIKE, AND VALUE MART #2, 2619 DECATUR PIKE

Applications for a Package Beer Stores (Off Premises) Beer Permit at Value Mart #3, 1405 Decatur Pike, and a Grocery (Food Stores) Beer Permit at Value Mart #3, 2619 Decatur Pike were presented for consideration. After brief discussion and comments, **motion was made by Board Member Perkinson, seconded by Board Member Davis, to approve the beer applications as submitted.** Upon roll call, the motion was approved by the following vote:

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

6:31 P.M.....The Athens Beer Board adjourned and reconvened as the Athens City Council

- 14 -

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 April and May. After brief comments, the report was accepted as presented.

- 15 -
ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 6:52 p.m.

R. HAL BUTTRAM, Mayor

MITCHELL B. MOORE, City Manager