

MINUTES OF MEETING, ATHENS CITY COUNCIL, DECEMBER 18, 2012

The Athens City Council met in regular session on Tuesday, December 18, 2012, at 6:00 p.m. with Mayor Buttram presiding. The invocation was given by Vice Mayor Davis; and upon roll call, the following members were present:

Burris, Perkinson, Davis, Buttram

*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 November 20, 2012 was submitted and approved by unanimous consent.

- 2 -  
COMMUNICATIONS

PRESENTATION OF VIVID AWARD

Vice Mayor Davis presented the *Very Important Volunteer Individual Award* for December 2012 to Sonny and Christine Farner for their outstanding support of this community.

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MISCELLANEOUS CORRESPONDENCE

Mayor Buttram acknowledged receipt of letters of appreciation for services performed by City staff.

Council Member Burris responded to comments in the Daily Post-Athenian's "Sound Off" regarding Council Member Pelley and him passing notes during the November City Council meeting. He read aloud the contents of the note stating that he felt the Council and citizens deserved an answer.

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BEER BOARD

**6:11 P.M.....The Athens City Council recessed and reconvened as the Athens Beer Board**

BEER APPLICATION – MEXICAN CUISINE RESTAURANT, 1012 EAST MADISON AVENUE

An application for a Restaurant Beer Permit from Marco Cifuentes, owner of Mexican Cuisine Restaurant, 1012 East Madison Avenue, was presented for consideration. **A motion was made by Board Member Perkinson, seconded by Board Member Davis, to approve the beer application as submitted.** Upon roll call, the motion was approved by the following vote:

**AYES: Burris, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: Pelley**

**6:13 P.M.....The Athens Beer Board adjourned and reconvened as the Athens City Council**

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram opened the meeting for petitions and requests from the audience. Teresa Anderson, 2220 Hammerhill Road, presented the City Council with a copy of a letter addressed to Mitchell Moore, City Manager, dated March 19, 2012 concerning excessive noise from Jonathan Matthew Shredding Business and a copy of letter from City Attorney Trew dated October 24, 2012 in response to her letter. Ms. Anderson asked the Council to get her answers to her questions in her letter. There were no other petitions or requests presented at this time.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of November 2012 and distributed an Analysis of Property Tax Changes for Denso to the City Council and City Manager. In addition to his monthly report, he discussed the impact of the Denso property tax changes to the City. The decrease in all Denso taxes for 2010, 2011 and 2012 is \$91,492.

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POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of November 2012. 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 November 2012. 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 Travelers Car Show Request for the 2013 Downtown Cruise In at Market Park;
- b.) Approve Resolution No. 2012-37 authorizing submission of conversion paperwork to the Tennessee Department of Environment and Conservation requesting release of acreage at the Athens Regional Park from the notification of limitation of use deed restriction;
- c.) Approve Resolution No. 2012-38 authorizing the Mayor and City Manager to sign a proposal with Tennessee Department of Transportation for the State Route 30 project from near Park Street to East of Knight Road in Athens road improvement project;
- d.) Approve City of Athens Budget Amendment No. 1 for Fiscal Year 2012/2013;
- e.) Approve City of Athens Debt Management Policy, annual review by the Athens City Council.

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

**AYES: Burriss, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: Pelley**

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ORDINANCES

**ORDINANCE NO. 1012 – SECOND/FINAL READING – PUBLIC HEARING**  
**AN ORDINANCE TO UPDATE THE ATHENS MUNICIPAL CODE TO REFLECT CURRENT CITY OF ATHENS POLICIES AND PROCEDURES.**

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 Perkinson, seconded by Vice Mayor Davis, to approve Ordinance No. 1012 on Second and Final Reading.** Ordinance No. 1012 was approved by the following roll call vote:

**AYES: Burriss, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: Pelley**

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**ORDINANCE NO. 1013 – SECOND/FINAL READING – PUBLIC HEARING**  
**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, SO AS TO AMEND TITLE 14, CHAPTER 2, SECTION 3.04.08, CENTRAL BUSINESS DISTRICT, TO ADD REGULATIONS THAT ADDRESS PERSONAL STORAGE UNITS IN THE B-3 CENTRAL BUSINESS DISTRICT AS USES PERMITTED ON REVIEW; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

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 Vice Mayor Davis, seconded by Council Member Burriss, to approve Ordinance No. 1013 on Second and Final Reading.** Ordinance No. 1013 was approved by the following roll call vote:

**AYES: Burriss, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: Pelley**

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**ORDINANCE NO. 1014 – 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 PROPERTY ON ROCKY MOUNT ROAD FROM I-1 (LIGHT INDUSTRIAL 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 Buttram 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 Davis, seconded by Council Member Perkinson, to approve Ordinance No. 1014 on Second and Final Reading.** Ordinance No. 1014 was approved by the following roll call vote:

**AYES: Burriss, Perkinson, Davis, Buttram**  
**NAYS: None**  
**ABSENT: Pelley**

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NEW BUSINESS


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 December and January. 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 7:05 p.m.

  
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R. HAL BUTTRAM, Mayor

  
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MITCHELL B. MOORE, City Manager

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