

MINUTES OF MEETING, ATHENS CITY COUNCIL, AUGUST 20, 2013

The Athens City Council met in regular session on Tuesday, August 20, 2013, at 6:00 p.m. with Mayor Buttram presiding. Boy Scout Troop 315 led the Pledge of Allegiance. The invocation was given by Council Member Burris; and upon roll call, the following members were present:

Burris, Pelley, Perkinson, Davis, 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 of July 16, 2013 and the Called Meeting of July 23, 2013 were submitted and approved by unanimous consent.

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COMMUNICATIONS

EMPLOYEE OF THE QUARTER

Mr. Austin Fesmire, Parks and Recreation Director, presented the "Employee of the Quarter" award for the period ending June 30, 2013. Karen Johnson, Secretary in the Parks and Recreation Department, was recognized for her outstanding service to the City of Athens. As in the past, the recipient of this award receives a \$50 savings bond and becomes eligible for the "Employee of the Year" award, which is given annually to recognize significant service to the City of Athens. Ms. Johnson said she was flattered to be chosen for this award and thanked everyone.

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PETITIONS AND REQUESTS

AUDIENCE

Mayor Buttram opened the meeting for petitions and requests from the audience. Annette Burger, 2130 Breckenridge Street, stated she wanted to be counted in the 70% opposed to a sales tax increase. She was not opposed to the tax hike because it was a tax hike but because of the needless, reckless and worthless spending by the Council. Ms. Burger stated she was told the City was building an earthen sheltered building to be used as a Welcome Center at Regional Park now it is sitting at the Recycle Center. The City has spent \$500,000 total of taxpayer money as its part of this boondoggle and she wanted to know how much more money was going to be spent to finish it. It was going to be built in a berm and would be a draw for travelers off I-75. Now the building is located at the Recycle Center on property the City does not own and was ugly. She remarked that this alone was reason not to trust them with any more of their money. In addition, she criticized the \$300,000 spent on the bathrooms and the \$1,000,000 spent on the Taj Mahal pavilion at Market Park. Grants are tax dollars but the maintenance begins and that is never included in the cost when they are trying to justify additional spending of tax dollars. The Council has spent \$60,000 on studies on Rails to Trail project and they can't begin to calculate how much it is going to cost to maintain six miles of trails. Ms. Burger felt the Council needed to be better stewards of the taxpayers' money before asking for a sales tax increase.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Michael Keith, Finance Director, presented the Finance Department Report for the month of July 2013. 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 July 2013. 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 July 2013. The report was accepted as presented.

Mayor Buttram recognized Vice Mayor Davis. Ms. Davis announced that members of the Cemeteries of Athens Preservation Association had received an environmental award from the Woodmen of the World. Members of this group work to clean up the cemeteries, repair and straighten stones and devote a tremendous amount of time to maintain them. She recognized Mullie and Laura LeNoir, and Tom Biddle who have spearheaded the efforts. In addition, Vice Mayor Davis recognized the contributions of Yvonne Raper and Anthony Casteel.

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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 Resolution No. 2013-31 to adopt an amended and restated pension plan for the employees of the City of Athens, Tennessee;
- b.) Approve Resolution No. 2013-32 to accept into the street system and name new industrial access road off Congress Parkway as "Heil Way";
- c.) Approve Resolution No. 2013-33 to participate in the TML Risk Management Pool "Driver Safety" Loss Control Matching Grant Program;
- d.) Approve Resolution No. 2013-34 to participate in the TML Risk Management Pool "Safety Partners" Loss Control Matching Grant Program;
- e.) Accept proposal from Lose and Associates, Inc. (Bid No. 1591) for professional services related to North Mouse Creek Trail project;
- f.) Reappoint John Ray McKeehan to serve another term on the Athens Regional Planning Commission, term expires August 18, 2016;
- g.) Reappoint William Biddle to serve another term on the Health & Education Facilities Board, term expires September 7, 2019;
- h.) Appoint Scott Zedde to serve on the Board of Adjustments & Appeals, term expires April 21, 2017.

Council Member Pelley moved to approve the Consent Agenda as stated above with the exception of Item E, seconded by Council Member Burris. The motion failed by the following roll call vote:

AYES: Burris, Pelley
NAYS: Perkinson, Davis, Buttram

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

AYES: Perkinson, Davis, Buttram
NAYS: Burris, Pelley

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ORDINANCES

ORDINANCE NO. 1021 – SECOND/FINAL READING – PUBLIC HEARING

AN ORDINANCE AND MAP ESTABLISHING REVISED COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF ATHENS, TENNESSEE, AND PROVIDING FOR THE ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF, IN ACCORDANCE WITH THE PROVISIONS OF TENNESSEE CODE ANNOTATED SECTION 13-7-201 ET SEQ., AND FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith.

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 Vice Mayor Davis, to approve Ordinance No. 1021 on Second and Final Reading.** Ordinance No. 1021 was approved by the following roll call vote:

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

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NEW BUSINESS

CONSIDERATION OF REQUEST FROM HABITAT FOR HUMANITY

A motion was made by Vice Mayor Davis, seconded by Council Member Perkinson, to waive fees in the amount of \$2,666.66 which represented the cost to demolish and clear the property located at 500 Walthall Street. Council Member Perkinson stated he had served on the fundraising group for Habitat for Humanity but had not served on the Board of Directors so he would not have a conflict of interest on this item. Mayor Buttram explained the request was to waive the \$2,666.66 owed to the City for the tear down and cleanup of the property. The City could not forgive the taxes owed on the property. Council Member Perkinson stated that this item had been discussed at great length at Work Session and he felt waiving the fees was the right thing to do. Mayor Buttram remarked that taking this action would allow this piece of property to be improved and put back on the tax rolls. Upon roll call, the motion was approved by the following vote:

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

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CONSIDERATION OF FUNDING FOR “SOUNDS OF SUMMER” FINAL PERFORMANCE

A motion was made by Council Member Pelley, seconded by Council Member Perkinson, to fund the final “Sounds of Summer” performance at Market Park in the amount of \$1,500. Upon roll call, the motion was approved by the following vote:

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

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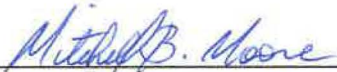
MANAGER'S REPORT

City Manager Moore presented the Manager's Report. He reviewed the progress of current city projects/meetings scheduled during the months of August and September. 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 6:50 p.m.



MITCHELL B. MOORE, City Manager



R. HAL BUTTRAM, Mayor