



## CITY COUNCIL

### AGENDA

Tuesday, December 20, 2022, 6:00 P.M.

**I. CALL TO ORDER**

**II. INVOCATION. VICE MAYOR EATON**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

**V. APPROVAL OF MINUTES**

- (1-2) a.) November 14, 2022 – Called Meeting
- (3-9) b.) November 15, 2022 – City Council Regular Meeting
- (10-11) c.) December 6, 2022 – Called Meeting

**VI. COMMUNICATIONS AND SPECIAL PRESENTATIONS**

- (12) a.) North City School Update. Angel Hardaway
- b.) Presentation of Proclamation to Mark Lockmiller. Frances Witt-McMahan
- c.) Presentation of Proclamation to Bo Perkinson. Jordan Curtis
- d.) Miscellaneous Correspondence
  - i. None

**VII. CONSENT AGENDA**

- a.) Appoint Perry McCowan (Witt-McMahan), term expires March 21, 2024 and Lisa Bloss-Johnson (Eaton), term expires March 21, 2025 to the Council Advisory Committee.
- (13-30) b.) Approve City of Athens Debt Management Policy, annual review by the Athens City Council. **MIKE KEITH**
- (31-32) c.) Approve Resolution No. 2022-34 authorizing the distribution of Athens Utilities Board's electrical in lieu of tax payments for fiscal year 2022/2023. **MIKE KEITH**
- (33) d.) Approve Resolution No. 2020-35 authorizing the distribution of Athens Utilities Board's gas in lieu of tax payments for fiscal year 2022/2023. **MIKE KEITH**
- (34-36) e.) Approve Resolution No. 2022-36 authorizing the application to the Appalachian Regional Commission for funding Mt. Verd Industrial Park site improvements. **MIKE KEITH**
- (37-39) f.) Approve Resolution No. 2022-37 authorizing the submission of a Violent Crime Intervention Fund grant in the amount of \$188,579. **JASON GARREN/KEVIN HELMS**

**VIII. ORDINANCES**

- a.) None

**IX. OLD BUSINESS**

- (40-46) a.) Consideration of renewing contractual agreement with Retail Strategies, LLC for professional retail development consultant services. **MIKE KEITH**

**X. NEW BUSINESS**

- (47-51) a.) Motions to approve appointing 2 alternates to the City Manager search committee.  
b.) Approve base bid in the amount of \$2,106,003 and Alternate 1 in the amount of \$154,716 (Alternate 1 to be funded by McMinn Regional Humane Society) as submitted by Robert Roberts, LLC for the Larry Dean Wallace, Sr. Animal Shelter and Adoption Center building. **BEN BURCHFIELD**
- (52-53) c.) Proposed ordinance to rescind and replace order of business of regular City Council meeting agenda. **MAYOR SHERLIN**
- (54) d.) Motion to approve new design for City Seal. **MAYOR SHERLIN**
- (55) e.) Approve Resolution No. 2022-38 to rescind the Code of Professionalism for the Athens City Council. **MAYOR SHERLIN**

**XI. REPORTS**

- (56-65) a.) Finance Department Report. **MIKE KEITH**
- (66-79) b.) Fire Department Report. **BRANDON AINSWORTH**
- (80-87) c.) Police Department Report. **FRED SCHULTZ**

**XII. REQUESTS FROM CITIZENS**

**XIII. REPORT FROM THE CITY MANAGER**

**XIV. ADJOURNMENT**

**BEER BOARD TO IMMEDIATELY FOLLOW THE CITY COUNCIL MEETING**

# ATHENS CITY COUNCIL

## MINUTES OF MEETING

Monday, November 14, 2022, 4:45 P.M.

The Athens City Council met in a called session on November 14, 2022 at 4:45 p.m. with Mayor Perkinson presiding. The invocation was given by Mayor Perkinson; and upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

The following decision was made and ordered made a part of the records of the Athens City Council.

The purpose of the meeting, as issued in the "Notice of Called Meeting" dated November 11, 2022, was read and made a part of these minutes:

### **NOTICE OF CALLED MEETING**

The Athens City Council will meet the 14th day of November 2022, at 4:45 p.m. in the regular Council Chambers at Athens City Hall at 815 North Jackson Street, Athens, Tennessee. This meeting of the Athens City Council is a Special Called Meeting, called by Mayor Perkinson and Council Member Witt-McMahan, limited to the business to be discussed as follows:

1. Approval of agreement with the City Manager
2. Appointment and compensation of interim staff

For more information, please contact the Office of the City Manager at (423)744-2700 Ext. 9

/s/

William Bo Perkinson, Mayor

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### **NEW BUSINESS**

#### **APPROVAL OF AGREEMENT WITH THE CITY MANAGER**

City Attorney Chris Trew presented the proposal from City Manager C. Seth Sumner and his attorney and alternative language that Attorney Trew proposed. City Attorney Trew handed out the proposals from both the City Manager's attorney and Attorney Trew's suggested changes. Attorney Trew recommended changes be made regarding lump sum payment, vacation leave payment, vehicle gas allowance, non-disparagement agreement, coverage of insurance policy regarding litigation and reimbursement for returning to work under the scope of city business. The City Manager Sumner agreed to the changes made to the proposal with the exception of requesting the compensation be a lump sum payment.

**Council Member Witt-McMahan moved, Vice Mayor Lockmiller seconded, to accept the terms of the document from the City Manager's attorney with the changes provided by City Attorney Trew for paragraphs 2 & 3 and pay a lump sum on November 15, 2022 if City Manager Sumner will submit his resignation effective on the evening of November 14, 2022.** During the discussion of the proposal, Council Member Pelley addressed questions to several sections of the proposed agreement. **Council Member Curtis moved, Council Member Witt-McMahan seconded, to call the question.** Roll call vote:

AYES: Curtis, Witt-McMahan, Lockmiller, Perkinson  
NAYS: Pelley

City Attorney Trew restated the original motion. Roll call vote:

AYES: Curtis, Witt-McMahan, Lockmiller, Perkinson  
NAYS: Pelley

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#### **APPOINTMENT AND COMPENSATION OF INTERIM STAFF**

**Council Member Curtis moved, Council Member Witt-McMahan seconded, to approve Mike Keith as the interim City Manager at the rate of pay as the current City Manager.** Council Member Pelley moved to table to motion, and the motion failed for the lack of a second. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson  
NAYS: None

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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 5:45 p.m.

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STEVEN S. SHERLIN, Mayor

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MICHAEL L. KEITH, Interim City Manager

## ATHENS CITY COUNCIL MINUTES OF MEETING

November 15, 2022

The Athens City Council met in regular session on Tuesday, November 15, 2022, at 6:00 p.m. with Mayor Perkinson presiding. The invocation was given by Council Member Lockmiller; and upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

The following decisions were made and ordered made a part of the records of the Athens City Council.

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### APPROVAL OF MINUTES

Council Member Pelley moved, Council Member Curtis seconded, to approve the Minutes of the October 18, 2022 regularly scheduled meeting. Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson  
**NAYS:** None

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### CERTIFICATION OF ELECTION

The following official tabulation of the Athens City Election was presented by City Attorney Trew and is entered herein as a part of these minutes:

*"We, the undersigned members of the **McMinn County Election Commission**, do hereby certify that we held a **Municipal Election** for the **City of Athens** on **Tuesday, November 8, 2022**, in the voting precincts in this city, according to law, for the purpose of electing the offices of **Athens City Council & School Board**, and that we have canvassed the returns of said election as required by law, and we do hereby certify that the following 3 pages of tabulation are a true, correct, and complete accounting of the results by precinct of said election as established by the canvassing of the returns, this 15th day of November, 2022."*

McMinn County Commissioners of Election  
/s/ Matthew Todd Watson, Chairman  
/s/ Bobby Goodman, Secretary  
/s/ Amber Robinson, Member  
/s/ Brenda Ratledge, Member  
/s/ Stephen Miller, Member

### **ATHENS CITY COUNCIL - (4 YEAR TERM) VOTE FOR THREE (3)**

John Duggan	859
<b>Larry Eaton</b>	<b>1410</b>
Judy Hamilton	467
Mark Douglas Lockmiller	786
Jim O'Bringer	517
<b>Dick Pelly</b>	<b>1126</b>

November 15, 2022

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William Bo Perkinson	800
<b>Steven S. Sherlin</b>	<b>1088</b>
Kay Simmons	947

Total Votes Cast 8000

#### **ATHENS CITY SCHOOL BOARD - VOTE FOR THREE (3)**

Jacquelyn Abigail Burke Carrol	1693
<b>Johnny Coffman</b>	<b>2046</b>
Write-In- George David Brown	295
<b>Write-In- Emily Forest</b>	<b>696</b>
Write-In- Colby Pilkey	1

Total Votes Cast- 4731

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#### SWEARING IN OF NEWLY ELECTED COUNCIL MEMBERS

The swearing in of the newly elected council members (Eaton, Pelley and Sherlin) was conducted by City Attorney Trew. Upon the seating of the new council, followed by roll call, the following members were in attendance.

Curtis, Eaton, Pelley, Sherlin, Witt-McMahan

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#### REORGANIZATION OF COUNCIL

The method of selecting the mayor is determined by the Charter of the City of Athens (Article V; Sections 1 & 11), whereby the council members at the first regular meeting after each biennial election shall elect from one of their number a mayor and vice mayor to serve for a term of two years.

#### ELECTION OF MAYOR

To begin the reorganization of the Council, City Attorney Trew announced that he would accept nominations for the election of mayor. **Council Member Witt-McMahan moved, Council Member Curtis seconded, to nominate Council Member Sherlin to serve as Mayor.** There were no other nominations. Roll call vote:

<b>AYES:</b>	Curtis, Eaton, Pelley, Sherlin, Witt-McMahan,
<b>NAYS:</b>	None

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#### ELECTION OF VICE MAYOR

Mayor Sherlin requested nominations for the office of Vice Mayor. **Council Member Pelley moved, Council Member Witt-McMahan seconded, to nominate Council Member Eaton as Vice Mayor.** There were no other nominations. Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Sherlin  
**NAYS:** None  
**ABSTAIN:** Eaton

Mayor Sherlin called the meeting back to order.

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COMMUNICATIONS AND SPECIAL PRESENTATIONS

WESTSIDE ELEMENTARY SCHOOL UPDATE

Tracy Lee, the principal of Westside Elementary School expressed appreciation for what the council has provided and the recent Fire Prevention Week.

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CONSENT AGENDA

Mayor Sherlin advised the recording clerk to read the following items into record:

- a.) Approve contract extension for high mast lighting preventative maintenance and repair with Stansell Electric through October 31, 2023.
- b.) Approve contract extension for traffic signals maintenance and repair with Stansell Electric through October 31, 2023.
- c.) Approve recommendation to purchase police vehicle equipment from Trucker's Lighthouse.
- d.) Approve recommendation to purchase stormwater drainage pipe from Contech Engineered Solutions.
- e.) Approve bid (Items 1, 2 and 3) in the amount of \$2,757,391.13 as submitted by Adams Contracting, LLC for Campus Transportation Improvements related to the construction of the new school.
- f.) Approve Resolution No. 2022-30 for the bid for the Public Safety Training Facility and funding from McMinn County.
- g.) Approve change order # 2 with Stantec for design services related to the Public Safety Training Facility.
- h.) Approve Resolution No. 2022-31 authorizing the purchase of property off Redfern Drive from Teresa Vincent.
- i.) Approve allocating ARPA funds for the City.
- j.) Approve Resolution No. 2022-32 authorizing bid acceptance for sewer system improvements funded in part by CDBG funds.
- k.) Approve Athens City Schools Budget Amendment No. 2 (General Purpose) for the Fiscal Year 2022-2023.

Council Member Pelley moved, Council Member Witt-McMahan seconded motion to approve the consent agenda. Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None

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ORDINANCES

ORDINANCE NO. 1113 – SECOND READING/PUBLIC HEARING

ORDINANCE AMENDING ZONING ORDINANCE TO REZONE PROPERTY ON DUPITT STREET FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)

The caption of the above-described Ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **Council Member Witt-McMahan moved, Vice Mayor Eaton seconded motion to approve the Ordinance No. 1113 on Second and Final Reading.** Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None

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ORDINANCE NO. 1114 – SECOND READING/PUBLIC HEARING

ORDINANCE AMENDING ZONING ORDINANCE TO REZONE PROPERTY ON DENSO DRIVE FROM I-2 (HEAVY INDUSTRIAL DISTRICT) TO R-3 (HIGH DENSITY RESIDENTIAL DISTRICT)

The caption of the above-described Ordinance was read by the recording clerk. Mayor Sherlin opened the public hearing. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. **Vice Mayor Eaton moved, Council Member Curtis seconded motion to approve Ordinance No. 1114 on Second and Final Reading.** Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None

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OLD BUSINESS

APPROVE RESOLUTION NO. 2022-33 NAMING THE ANIMAL SHELTER BUILDING FOR LARRY DEAN WALLACE.

**Vice Mayor Eaton moved, Mayor Sherlin seconded motion to approve.** Council Member Witt-McMahan read Resolution No. 2022-33 and presented it to members of the Wallace family. Roll call vote:

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None



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NEW BUSINESS

APPROVE RENEWAL OF CONTRACTUAL AGREEMENT WITH RETAIL STRATEGIES, LLC FOR PROFESSIONAL RETAIL DEVELOPMENT CONSULTANT SERVICES.

**Vice Mayor Eaton moved, Council Member Pelley seconded to postpone discussion until December 12 work session. Roll call vote:**

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None

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APPROVE A 3% PAY INCREASE AND A 3% PAY RANGE INCREASE FOR THE PAYROLL DATED DECEMBER 9, 2022.

**Vice Mayor Eaton moved, Council Member Pelley seconded to postpone discussion until December 12 work session. Roll call vote:**

**AYES:** Curtis, Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None

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DISCUSSION OF CITY MANAGER'S EMPLOYMENT AGREEMENT AND ANY ACTION, IF NECESSARY.

No action was necessary for this item as action was taken at the called meeting on November 14, 2022.

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**Council Member Pelley moved, Vice Mayor Eaton seconded, a motion that the contractual agreement will be ceased with the City Attorney at the end of the meeting. Council Member Pelley called for question, question was accepted. Roll call vote:**

**AYES:** Pelley, Eaton, Sherlin  
**NAYS:** Curtis, Witt-McMahan

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**Vice Mayor Eaton moved, Council Member Pelley seconded, to appoint attorney Bill Buckley as interim City Attorney for up to 3 months. Roll call vote:**

**AYES:** Pelley, Witt-McMahan, Eaton, Sherlin  
**NAYS:** None  
**ABSTAIN:** Curtis

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**Vice Mayor Eaton moved, Council Member Pelley seconded, to make a motion to livestream all City Council meetings and Study Sessions on Facebook. Roll call vote:**

**AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin**

**NAYS: None**

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**Vice Mayor Eaton moved, Council Member Pelley seconded, a motion all city council personnel go through the City Manager to get information requests. Roll call vote:**

**AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin**

**NAYS: None**

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**Mayor Sherlin appointed council members to city Boards and Committees as follows:**

Vice Mayor Eaton- Athens Utilities Board

Council Member Pelley- Economic Development Authority, McMinn County Senior Citizens Center, Friendly City Sister Cities

Council Member Witt-McMahan- Planning Commission, McMinn County Juvenile Services, Athens Parks Foundation

Council Member Curtis- Planning Commission, Historic Preservation

Mayor Sherlin- Board of Zoning Appeals

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#### REPORTS

##### FINANCE DEPARTMENT REPORT

Finance Director Mr. Mike Keith presented the Finance Department Report for October 2022. The report was accepted as presented.

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##### FIRE DEPARTMENT REPORT

Fire Chief Brandon Ainsworth presented the Fire Department Report for October 2022. The report was accepted as presented.

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##### POLICE DEPARTMENT REPORT

Police Chief Fred Schultz presented the Police Department Report for October 2022. The report was accepted as presented.

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REQUESTS FROM CITIZENS

John Duggan, 1002 Towanda Trail, requested the council to move the requests from citizens to the beginning of the meeting. Dale Newman, 1816 Cherokee Street, stated that Veterans Park was a mess before Pumpkintown and is willing to volunteer his time to clean up Veterans Park. Glenn Whiting, 237 County Road 655, addressed concerns on pickleball courts. Linda Long, 302 Kilgore Street, addressed concerns on road conditions, Cook Park, neighborhood lighting, Hammerhill Road, and Cook Drive. Lisa Blos-Johnson, 1112 Springfield Place, requests City Council to allow citizens to volunteer and presented the mayor a letter.

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REPORT FROM THE CITY MANAGER

Interim City Manager Mike Keith presented an update on activities and events in the City.

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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 8:15 p.m.

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STEVEN S. SHERLIN, Mayor

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MICHAEL L. KEITH, Interim City Manager

# ATHENS CITY COUNCIL

## MINUTES OF MEETING

December 6, 2022

The Athens City Council met in called session on December 6, 2022, at 5:00 p.m. with Mayor Sherlin presiding. The invocation was given by Mayor Sherlin and upon roll call the following members were present:

Curtis, Pelley, Witt-McMahan, Eaton, Sherlin

The following decision was made and ordered made a part of the records of the Athens City Council.

The purpose of the meeting, as issued in the "Notice of Called Meeting" dated November 30, 2022, was read and made a part of these minutes:

### **NOTICE OF SPECIAL CALLED MEETING**

There will be a called meeting of the Athens City Council at the Athens Municipal Building Conference Room located at 815 N. Jackson Street, Athens, Tennessee, commencing at 5:00 p.m. on Tuesday, December 6, 2022.

The purpose of this meeting is to:

1. Discuss the process for hiring a City Manager.
2. Approve any action necessary regarding the process for hiring a City Manager.

Any interested citizen is invited to be present.

/s/ \_\_\_\_\_  
Steven Sherlin, Mayor

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### **NEW BUSINESS**

Discuss the process for hiring a City Manager.

Mayor Sherlin introduced Beth Jones from the Southeast Tennessee Development District. Ms. Jones expressed her appreciation for being asked to help in the search process and stated that she is available to assist in whatever way council needed her help. Ms. Jones asked the council to discuss and determine the soft and hard skills that the next City Manager should possess. Each council member submitted their thoughts on the various skills that were important for the position. After further discussion regarding the skills and the process, **Vice Mayor Eaton moved, Council Member Witt-McMahan seconded, to create a committee of 5 people, with 2 alternate members, to serve as the search committee.** Each council member will appoint

**1 person for the committee and the entire council will approve the 2 alternates at the next City Council meeting. The person appointed by the Mayor will serve as the chairperson for the committee.** It was stated that the committee will review the applications submitted and make a recommendation to the City Council for those to be interviewed.

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Approve any action necessary regarding the process for hiring a City Manager.

After further discussion regarding the skills and the process, **Vice Mayor Eaton moved, Council Member Witt-McMahan seconded, to create a committee of 5 people, with 2 alternate members, to serve as the search committee. Each council member will appoint 1 person for the committee and the entire council will approve the 2 alternates at the next City Council meeting. The person appointed by the Mayor will serve as the chairperson for the committee.** It was stated that the committee will review the applications submitted and make a recommendation to the City Council for those to be interviewed. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Eaton, Sherlin

NAYS: None

The following representatives were named to the committee. Council Member Pelley named Bob Roseberry, Vice Mayor Eaton named Richard Brogan, Council Member Witt-McMahan named Lisa Dotson and Mayor Sherlin named Jeff Cunningham. Council Member Curtis stated he would provide a name at the December 12 Study Session. The two alternates will be selected at the December 20 Council meeting.

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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 6:40 p.m.

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STEVEN S. SHERLIN, Mayor

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MICHAEL L. KEITH, Interim City Manager

## Leslie McKee

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**From:** Angel Hardaway <ahardaway@athensk8.net>  
**Sent:** Monday, December 12, 2022 11:45 PM  
**To:** Leslie McKee  
**Subject:** City Council Meeting

\*\*\* EXTERNAL \*\*\*

Hello Leslie! If I'm too late to submit an update, I completely understand. If you're able to add the update, it's below:

Things are going well at North City School! Here's a quick update on our school and our partnership with the City. We are gearing up for Christmas break with students dismissing on Friday at 12:20. It'll be Spring Break before we know it!

We want to give a BIG thank you to our wonderful firefighters for presenting another wonderful Fire Prevention Program for our kids! It's something we look forward to each year.

We also want to thank Mr. Fesmire, Mr. Travis, Mrs. Scudder, Mrs. Cardin, our firefighters, and what seemed like the entire City of Athens employees who joined us last week to present a Christmas movie to our students. As the students watched the movie, the firefighters and several others popped up the most delicious popcorn I've had in a while! The kids LOVED the movie, and the adults appreciated the gift of time! Thank you for taking time out of your busy schedules to come spread some holiday cheer!

As always, we want to thank Officer Hensley who is such a wonderful asset to our school system. She does a wonderful job of bonding with our students, and she's great at communicating with our schools.

Finally, thank you to all of you and how hard you work for our city. Your diligent work is appreciated! Thank you for your support of Athens City Schools!

*Angel Hardaway, Ed.S*

Principal, North City School

1601 Palos St.

Athens, TN 37303

Phone: 423.745.4210 | Fax: 423.745.9306 | Email: [ahardaway@athensk8.net](mailto:ahardaway@athensk8.net)

**"Education is the most powerful weapon which you can use to change the world."**

**~Nelson Mandela**



## FINANCE DEPARTMENT

### MEMORANDUM

TO: C. Seth Sumner, City Manager  
FROM: Mike Keith, Director of Finance  
DATE: November 7, 2022  
SUBJECT: Annual Review of Debt Management Policy

I have reviewed the debt management policy and request that it be placed on the December agenda for the study session and Council meeting. This is required to be reviewed annually by the City Council. I do not recommend any changes to the policy at the present time.

Please let me know if you have any questions or need any additional information.



## **DEBT MANAGEMENT POLICY**

Original Adoption by City Council: December 20, 2011

Reviewed by City Council: December 20, 2022



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## INTRODUCTION

This Debt Management Policy (the “Debt Policy”) is a written guideline with parameters that affect the amount and type of debt that can be issued by the City of Athens, Tennessee (the “City”), the issuance process and the management of the City’s debt. The purpose of this Debt Policy is to improve the quality of management and legislative decisions and to provide justification for the structure of debt issuances consistent with the Debt Policy’s goals while demonstrating a commitment to long-term capital planning. It is also the intent of the City that this Debt Policy will signal to credit rating agencies, investors and the capital markets that the City is well managed and will always be prepared to meet its obligations in a timely manner. This Debt Policy fulfills the requirements of the State of Tennessee regarding the adoption of a formal debt management policy on or before January 1, 2012.

This Debt Policy provides guidelines for the City to manage its debt and related annual costs within both current and projected available resources while promoting understanding and transparency for our citizens, taxpayers, rate payers, businesses, investors and other interested parties.

The City may, from time to time, review this Debt Policy and make revisions and updates, if warranted.

## **CITY OF ATHENS, TENNESSEE DEBT MANAGEMENT POLICY**

### **I. INTRODUCTORY STATEMENT**

In managing its Debt (defined herein as tax-exempt/taxable bonds, capital outlay notes, other notes, capital leases, interfund loans or notes and loan agreements); it is the City's policy to:

- Achieve the lowest cost of capital within acceptable risk parameters
- Maintain or improve credit ratings
- Assure reasonable cost access to the capital markets
- Preserve financial and management flexibility
- Manage interest rate risk exposure within acceptable risk parameters

### **II. GOALS AND OBJECTIVES**

Debt policies and procedures are tools that ensure that financial resources are adequate to meet the City's long-term capital planning objectives. In addition, the Debt Management Policy (the "Debt Policy") helps to ensure that financings undertaken by the City have certain clear, objective standards which allow the City to protect its financial resources in order to meet its long-term capital needs.

The Debt Policy formally establishes parameters for issuing debt and managing a debt portfolio which considers the City's specific capital improvement needs; ability to repay financial obligations; and, existing legal, economic, and financial market conditions. Specifically, the policies outlined in this document are intended to assist in the following:

- To guide the City in policy and debt issuance decisions
- To maintain appropriate capital assets for present and future needs
- To promote sound financial management
- To protect the City's credit rating
- To ensure the City's debt is issued legally under applicable state and federal laws
- To promote cooperation and coordination with other parties in the financing
- To evaluate debt issuance options

### **III. PROCEDURES FOR ISSUANCE OF DEBT**

#### **1) Authority**

- a) The City will only issue Debt by utilizing the statutory authorities provided by *Tennessee Code Annotated* as supplemented and revised ("TCA") and the Internal Revenue Code (the "Code").
- b) The City will adhere to any lawfully promulgated rules and regulations of the State and those promulgated under the Code.
- c) The City consists of three separate units; the City of Athens, the Athens City School system and the Athens Utilities Board. Each has its own board, but all debt for each of these three entities must be formally adopted by resolution of the City's Legislative Body. For the purposes of this Debt Policy, it is understood that the City of Athens and the Athens City School system will adopt this policy, while the Athens Utilities will adopt its own separate policy to be approved by its board as well as the City Council.

#### **2) Transparency**

- a) It is recognized that the issuance of Debt must have various approvals and on occasion, written reports provided by the State of Tennessee Comptroller's office either prior to adoption of resolutions authorizing such Debt, prior to issuance and/or following issuance. The City, in conjunction with any professionals (including, but not limited to, financial advisors, underwriters, bond counsel, etc. which may individually or collectively be referred to herein as "Financial Professionals") will ensure compliance with TCA, the Code and all federal and State rules and regulations. Such State compliance will include, but not be limited to, compliance with all legal requirements regarding adequate public notice of all meetings of the City related to consideration and approval of Debt. In the interest of transparency, all costs (including interest, issuance, continuing and one-time) shall be disclosed to its legislative body, citizens and other interested parties in a timely manner. Additionally, the City shall provide the Tennessee Comptroller's office sufficient information on the Debt to not only allow for transparency regarding the issuance, but also assuring that the Comptroller's office has sufficient information to adequately report or approve any formal action related to the sale and issuance of Debt. The City will also make this information available to its legislative body, citizens and other interested parties.
- b) The City will file its Audited Financial Statements and any Continuing Disclosure document prepared by the City or its Dissemination Agent. To promote transparency and understanding, these documents should be furnished to

members of the Legislative Body and made available electronically or by other usual and customary means to its citizens, taxpayers, rate payers, businesses, investors and other interested parties by posting such information on-line or in other prominent places.

#### **IV. CREDIT QUALITY AND CREDIT ENHANCEMENT**

The City's Debt management activities will be conducted in order to maintain or receive the highest possible credit ratings. The City Manager and Finance Director in conjunction with any Financial Professionals that the City may chose to engage will be responsible for maintaining relationships and communicating with one or more rating agencies.

The City will consider the use of credit enhancements on a case-by-case basis, evaluating the economic benefit versus cost for each case. Only when clearly demonstrable savings can be shown shall an enhancement be considered. The City will consider each of the following enhancements as alternatives by evaluating the cost and benefit of such enhancements:

##### **1) Insurance**

The City may purchase bond insurance when such purchase is deemed prudent and advantageous. The predominant determination shall be based on such insurance being less costly than the present value of the difference in the interest on insured bonds versus uninsured bonds.

##### **2) Letters of Credit**

The City may enter into a letter-of-credit ("LOC") agreement when such an agreement is deemed prudent and advantageous. The City or its Financial Professionals, if any, may seek proposals from qualified banks or other qualified financial institutions pursuant to terms and conditions that are acceptable to the City.

#### **V. AFFORDABILITY**

The City shall consider the ability to repay Debt as it relates to the total budget resources, the wealth and income of the community and its property tax base and other revenues available to service the Debt. The City may consider debt ratios and other benchmarks compared to its peers when analyzing its Debt including materials published by the nationally recognized credit rating agencies.

#### **VI. DEBT STRUCTURE**

The City shall establish all terms and conditions relating to the issuance of Debt and will invest all bond proceeds pursuant to the terms of its investment policy, if any. Unless otherwise authorized by the City, the following shall serve as the Debt Policy for determining structure:

### **1) Term**

All capital improvements financed through the issuance of Debt will be financed for a period not to exceed the useful economic life of the improvements and in consideration of the ability of the City to absorb such additional debt service expense. The term of Debt shall be determined by, but not limited to, the economic life of the assets financed, conditions in the capital markets, the availability of adequate revenue streams to service the Debt and the existing pattern of Debt payable from such identifiable fund or enterprise activity, but in no event will the term of such Debt exceed forty (40) years.

### **2) Capitalized Interest**

From time to time, certain financings may require the use of capitalized interest from the date of issuance until the City is able to realize beneficial use and/or occupancy of the financed project. Interest may be capitalized through a period permitted by federal law and TCA if it is determined that doing so is beneficial to the financing by the Legislative Body and is appropriately memorialized in the legislative action authorizing the sale and issuance of the Debt.

### **3) Debt Service Structure**

General Obligation debt issuance shall be planned to achieve relatively net level debt service or level principal amortization considering the City's outstanding debt obligations, while matching debt service to the useful economic life of facilities. Absent events or circumstances determined by its Legislative Body, the City shall avoid the use of bullet or balloon maturities (with the exception of sinking fund requirements required by term bonds) except in those instances where such maturities serve to make existing overall debt service level or match specific income streams. Debt which is supported by project revenues and is intended to be self-supporting should be structured to achieve level proportional coverage to expected available revenues.

### **4) Call Provisions**

In general, the City's Debt should include a call feature no later than ten (10) years from the date of delivery of the bonds. The City will avoid the sale of long-term debt which carries longer redemption features unless a careful evaluation has been conducted by the City Manager and Finance Director and/or Financial Professionals, if any, with respect to the value of the call option.

### **5) Original Issuance Discount/Premium**

Debt with original issuance discount/premium will be permitted.

## **6) Deep Discount Bonds**

Deep discount debt may provide a lower cost of borrowing in certain capital markets. The City Manager and Finance Director and/or Financial Professionals, if any, should carefully consider their value and effect on any future refinancing as a result of the lower-than-market coupon.

## **VII. DEBT TYPES**

When the City determines that Debt is appropriate, the following criteria will be utilized to evaluate the type of debt to be issued.

### **1) Security Structure**

#### **a) General Obligation Debt**

The City may issue Debt supported by its full faith, credit and unlimited ad valorem taxing power ("General Obligation Debt"). General Obligation Debt may be used to finance capital projects that do not have significant independent creditworthiness or significant on-going revenue streams or as additional credit support for revenue-supported Debt, if such support improves the economics of the Debt and is used in accordance with these guidelines.

#### **b) Revenue Debt**

The City may issue Debt supported exclusively with revenues generated by a project or enterprise fund ("Revenue Debt"), where repayment of the debt service obligations on such Revenue Debt will be made through revenues generated from specifically designated sources. Typically, Revenue Debt will be issued for capital projects which can be supported from project or enterprise-related revenues.

#### **c) Capital Leases**

The City may use capital leases to finance projects assuming the City Manager and Finance Director and/or Financial Professionals, if any, determine that such an instrument is economically feasible.

#### **d) Tax Increment Financing**

The City may use tax increment financing (TIF) to finance projects as allowed under Tennessee guidelines.

## 2) Duration

### a) Long-Term Debt

The City may issue long-term Debt when it is deemed that capital improvements should not be financed from current revenues or short-term borrowings. Long-term Debt will not be used to finance current operations or normal maintenance. Long-term Debt will be structured such that financial obligations do not exceed the expected useful economic life of the project(s) financed.

- i. *Serial and Term Debt.* Serial and Term Debt may be issued in either fixed or variable rate modes to finance capital infrastructure projects;
- ii. *Capital Outlay Notes ("CONs").* CONs may be issued to finance capital infrastructure projects with an expected life up to twelve years; or
- iii. *Capitalized Leases.* Capitalized Leases may be issued to finance infrastructure projects or equipment with an expected life not greater than its expected useful life.

### b) Short-Term Debt

Short-term borrowing may be utilized for:

- i. Financing short economic life assets;
- ii. The construction period of long-term projects;
- iii. For interim financing; or
- iv. For the temporary funding of operational cash flow deficits or anticipated revenues subject to the following policies:
  1. *Bond Anticipation Notes ("BANs").* BANs, including commercial paper notes issued as BANs, may be issued instead of capitalizing interest to reduce the debt service during the construction period of a project or facility. The BANs shall not mature more than 2 years from the date of issuance. BANs can be rolled in accordance with federal and state law. BANs shall mature within 6 months after substantial completion of the financed facility.



2. *Revenue Anticipation Notes ("RANs") and Tax Anticipation Notes (TANs)".* RANs and TANS shall be issued only to meet cash flow needs consistent with a finding by bond counsel that the sizing of the issue fully conforms to federal IRS and state requirements and limitations.
  3. *Lines of Credit.* Lines of Credit shall be considered as an alternative to other short-term borrowing options. A line of credit shall only be structured to federal and state requirements.
- 3) *Other Short-Term Debt.* Other Short-Term Debt including commercial paper notes, BANs, Capitalized Leases and CONs may be used when it provides an interest rate advantage or as interim financing until market conditions are more favorable to issue debt in a fixed or variable rate mode. The City will determine and utilize the most advantageous method for short-term borrowing. The City may issue short-term Debt when there is a defined repayment source or amortization of principal.

### **Interest Rate Modes**

#### **a) Fixed Rate Debt**

To maintain a predictable debt service schedule, the City may give preference to debt that carries a fixed interest rate.

#### **b) Variable Rate Debt**

The City recognizes the value of variable rate debt obligations in certain circumstances and that cities have benefitted from the use of variable rate debt in the financing of infrastructure and capital improvements. The City also recognizes that there are inherent risks associated with the use of variable rate debt. To mitigate these risks, the City will:

- i. Monitor historical and projected interest rates for variable rate debt
- ii. Reasonably limit the total outstanding variable rate debt in relation to total debt. Management will monitor interest rates and take appropriate steps to fix interest rates in the event of increasing interest costs. The analysis of variable rate debt costs will take into consideration the amount and investment strategy of the City's operating cash. Long term financial planning will consider the possible impact of increasing interest costs associated with variable rate debt.

## **VIII. USE OF DERIVATIVES**

As of 7/1/2011, the City has no outstanding derivatives with its debt portfolio. The City has no plans to use derivatives or other similar financial structures in the future. Prior to any reversal of this provision:

- 1) A written management report prepared by the City Manager, Finance Director and/or Financial Professionals, if any, outlining the potential benefits and consequences of utilizing these structures must be submitted to the City Council; and
- 2) City Council must adopt a specific amendment to this policy concerning the use of derivatives or interest rate agreements that complies with the State Funding Board guidelines.

## **IX. REFINANCING OUTSTANDING DEBT**

The City may refund debt when it is in the best financial interest of the City to do so. The City Manager and Finance Director, in conjunction with Financial Professionals, if any, shall have the responsibility to analyze outstanding Debt for refunding opportunities. The decision to refinance must be explicitly approved by the City Council, and all plans for current or advance refunding of debt must be in compliance with all state laws and regulations.

The City Manager and Finance Director will consider the following issues when analyzing possible refunding opportunities:

### **1) Onerous Restrictions**

Debt may be refinanced to eliminate onerous or restrictive covenants contained in existing debt documents.

### **2) Restructuring for economic purposes**

The City may also refund Debt when it is in its best financial interest to do so. Such a refunding will be limited to restructuring to meet unanticipated revenue expectations, achieve cost savings, mitigate irregular debt service payments, release reserve funds or remove unduly restrictive bond covenants or any other reason approved by the Legislative Body in its discretion.

### **3) Term of Refunding Issues**

Normally, the City will refund Debt equal to or within its existing term. However, the City Manager and Finance Director may consider maturity extension, when necessary to achieve desired outcomes, provided that such extension is legally

permissible and it is approved by the Legislative Body. The City Manager and Finance Director may also consider shortening the term of the originally issued debt to realize greater savings. The remaining useful economic life of the financed facility and the concept of inter-generational equity should guide these decisions.

#### **4) Escrow Structuring**

The City shall utilize the least costly securities available in structuring refunding escrows. In the case of open market securities, a certificate will be provided by a third party agent, who is not a broker-dealer stating that the securities were procured through an arms-length, competitive bid process, that such securities were more cost effective than State and Local Government Obligations (SLGS), and that the price paid for the securities was reasonable within Federal guidelines. In cases where taxable Debt is involved, the City Manager and Finance Director, with the approval of bond counsel, may make a direct purchase as long as such purchase is the most efficient and least costly. Under no circumstances shall an underwriter, agent or any Financial Professionals sell escrow securities involving tax-exempt Debt to the City from its own account.

#### **5) Arbitrage**

The City shall take all necessary steps to optimize escrows and to avoid negative arbitrage in its refunding. Any positive arbitrage will be rebated as necessary according to Federal guidelines.

### **X. METHODS OF ISSUANCE**

The City Manager and Finance Director may consult with a Financial Professional regarding the method of sale of Debt. Subject to approval by the Legislative Body, the City Manager and Finance Director will determine the method of issuance of Debt on a case-by-case basis consistent with the options provided by prevailing State law.

#### **1) Competitive Sale**

In a competitive sale, the City's Debt will be offered in a public sale to any and all eligible bidders. Unless bids are rejected, the Debt shall be awarded to the bidder providing the lowest true interest cost as long as the bid adheres to the requirements set forth in the official notice of sale.

In a competitive sale, a financial advisor may bid on an issue for which they are providing advisory services only if:

- a) Authorized by the rules and regulations of the Municipal Securities Rulemaking Board (the "MSRB"), including Rule G-23, as may be amended and modified;

- b) The Legislative Body or designated official grants in writing specific authority on a transaction by transaction basis;
- c) Such sale is properly carried out through a widely and publicly advertised sale, during normal bond sale hours, and through an industry standard, electronic bidding platform; and
- d) The financial advisory fee is separately disclosed and billed from the underwriting fee.

## **2) Negotiated Sale**

The City recognizes that some securities are best sold through a negotiated sale with an underwriter or group of underwriters. The City shall assess the following circumstances in determining whether a negotiated sale is the best method of sale:

- a) State requirements on negotiated sales;
- b) Debt structure which may require a strong pre-marketing effort such as those associated with a complex transaction generally referred to as a "story" bond;
- c) Size or structure of the issue which may limit the number of potential bidders;
- d) Market conditions including volatility wherein the City would be better served by the flexibility afforded by careful timing and marketing such as is the case for Debt issued to refinance or refund existing Debt;
- e) Whether the Debt is to be issued as variable rate obligations or perhaps as Zero Coupon Debt;
- f) Whether an idea or financing structure is a proprietary product of a single firm;
- g) In a publicly offered or privately placed, negotiated sale, a financial advisor, if any, shall not be permitted to resign as the financial advisor in order to underwrite or privately place an issue for which they are or have been providing advisory services;
- h) The underwriter shall clearly identify itself in writing as an underwriter and not as a financial advisor from the earliest stages of its relationship with the City with respect to the negotiated issue. The underwriter must clarify its primary role as a purchaser of securities in an arm's length commercial transaction and that it has financial and other interests that differ from those of the City. The underwriter in a publicly offered, negotiated sale shall be required to provide pricing

information both as to interest rates and to takedown per maturity to the Legislative Body (or its designated official) in advance of the pricing of the debt.

### **3) Private Placement**

From time to time, the City may elect to privately place its Debt. Such placement shall only be considered if this method is demonstrated to be advantageous to the City.

## **XI. PROFESSIONALS**

### **1) Financial Professionals**

As needed, the City may select Financial Professionals to assist in its Debt issuance and administration processes. In selecting Financial Professionals, consideration should be given with respect to:

- a) relevant experience with municipal government issuers and the public sector;
- b) indication that the firm has a broadly based background and is therefore capable of balancing the City's overall needs for continuity and innovation in capital planning and Debt financing;
- c) experience and demonstrated success as indicated by its experience;
- d) the firm's professional reputation;
- e) professional qualifications and experience of principal employees; and
- f) the estimated costs, but price should not be the sole determining factor.

### **2) Miscellaneous**

#### **a) Written Agreements**

- i. Any Financial Professionals engaged by the City shall enter into written agreements including, but not limited to, a description of services provided and fees and expenses to be charged for the engagement.
- ii. The City shall enter into an engagement letter agreement with each lawyer or law firm representing the City in a debt transaction. No engagement letter is required for any lawyer who is an employee of the City or lawyer or law firm which is under a general appointment or contract to serve as counsel to the City. The City does not need an engagement letter with counsel not representing the City, such as underwriters' counsel.

- iii. The City shall require all Financial Professionals engaged in the process of issuing debt to clearly disclose all compensation and consideration received related to services provided in the debt issuance process by both the City and the lender or conduit issuer, if any. This includes “soft” costs or compensations in lieu of direct payments.
- iv. If the City chooses to hire financial advisors, the City will enter into a written agreement with each person or firm serving as financial advisor for debt management and transactions. Whether in a competitive sale or negotiated sale, the Financial Advisor will not be permitted to bid on, privately place or underwrite an issue for which they are or have been providing advisory services for the issuance.
- v. If there is an Underwriter, the City will require the Underwriter to clearly identify itself in writing (e.g., in a response to a request for proposals or in promotional materials provided to an issuer) as an Underwriter and not as a Financial Advisor from the earliest stages of its relationship with the City with respect to that issue. The Underwriter must clarify its primary role as a purchaser of securities in an arm’s-length commercial transaction and that it has financial and other interests that differ from those of the City. The Underwriter in a public offered, negotiated sale will be required to provide pricing information both as to interest rates and to takedown per maturity to the Legislative Body in advance of the pricing of the debt.

**b) Conflict of Interest**

- i. Financial Professionals involved in a debt transaction hired or compensated by the City shall be required to disclose to the City existing client and business relationships between and among the professionals to a transaction (including but not limited to financial advisors, swap advisors, bond counsel, swap counsel, trustee, paying agent, underwriter, counterparty, and remarketing agent), as well as conduit issuers, sponsoring organizations and program administrators. This disclosure shall include that information reasonably sufficient to allow the City to appreciate the significance of the relationships.
- ii. Financial Professionals who become involved in the debt transaction as a result of a bid submitted in a widely and publicly advertised competitive sale conducted using an industry standard, electronic bidding platform are not subject to this disclosure. No disclosure is required that would violate any rule or regulation of professional conduct.

## **XII. COMPLIANCE**

### **1) Continuing Annual Disclosure**

Normally at the time Debt is delivered, the City will execute a Continuing Disclosure Certificate in which it will covenant for the benefit of holders and beneficial owners of the publically traded Debt to provide certain financial information relating to the City by not later than twelve months after each of the City's fiscal years, (the "Annual Report and provide notice of the occurrence of certain enumerated events. The Annual Report (and audited financial statements, if filed separately) will be filed with the MSRB through the operation of the Electronic Municipal Market Access system ("EMMA") and any State Information Depository established in the State of Tennessee (the "SID"). If the City is unable to provide the Annual Report to the MSRB and any SID by the date required, notice of each failure will be sent to the MSRB and any SID on or before such date. The notices of certain enumerated events will be filed by the City with the MSRB through EMMA and any SID. The specific nature of the information to be contained in the Annual Report or the notices of significant events is provided in each Continuing Disclosure Certificate. These covenants are made in order to assist underwriters in complying with SEC Rule 15c2-12(b) (the "Rule").

### **2) Arbitrage Rebate**

The City will also maintain a system of record keeping and reporting which complies with the arbitrage rebate compliance requirements of the Internal Revenue Code (the "Code").

### **3) Records**

The City will also maintain records required by the Code including, but not limited to, all records related to the issuance of the debt including detailed receipts and expenditures for a period up to 6 years following the final maturity date of the Debt or as required by the Code.

## **XIII. DEBT POLICY REVIEW**

### **1) General Guidance**

The guidelines outlined herein are only intended to provide general direction regarding the future issuance of Debt. The City maintains the right to modify this Debt Policy and may make exceptions to any of its guidelines at any time to the extent that the execution of such Debt achieves the goals of the City as long as such exceptions or changes are consistent with TCA and any rules and regulations promulgated by the State.

This Debt Policy should be reviewed from time to time as circumstances, rules and regulations warrant.

**2) Designated Official**

The City Manager and Finance Director are responsible for ensuring substantial compliance with this Debt Policy.



**RESOLUTION NO. 2022-34**

**A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE  
ATHENS UTILITIES BOARD'S ELECTRICAL IN LIEU OF TAX PAYMENTS  
FOR FISCAL YEAR 2022/2023.**

**WHEREAS**, the Legislature for the State of Tennessee enacted Public Chapter No. 84 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on electrical systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

**WHEREAS**, in Section 5(d) of said Act, the legislative body of the municipality and/or governing agency agrees that the electric system subject to said Act, is to pass a Resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 20th day of December, 2022, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its electrical in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens and McMinn County, the sum of \$851,386.71 in accordance with the following schedule for the fiscal year 22/23 as follows:

McMinn	-	\$191,562.01
Athens	-	\$659,824.70

or a total amount of \$851,386.71.

The City of Athens will make distributions to McMinn County as required by law.

**BE IT FURTHER RESOLVED** that the Athens Utilities Board will distribute to the following municipalities and Monroe County, which it serves and owns property, in accordance with the following schedules:

Englewood	-	\$ 6,930.04
Niota	-	\$11,107.48
Monroe	-	\$ 1,350.38

or a total amount of \$19,387.90.

**BE IT FURTHER RESOLVED** that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the 20<sup>th</sup> day of July 2022, and the same day of each month thereafter for this fiscal year.

**BE IT FURTHER RESOLVED** by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

**ON MOTION BY** \_\_\_\_\_, **SECONDED BY** \_\_\_\_\_, said Resolution was approved by roll call vote.

/s/  
STEVEN S. SHERLIN, Mayor

/s/  
MICHAEL L. KEITH, Interim City Manager

APPROVED AS TO FORM:

/s/  
WILLIAM A. BUCKLEY, JR, City Attorney

**RESOLUTION NO. 2022-35**

**A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE  
ATHENS UTILITIES BOARD'S NATURAL GAS IN LIEU OF TAX PAYMENTS  
FOR FISCAL YEAR 2022/2023.**

**WHEREAS**, the Legislature for the State of Tennessee enacted Public Chapter No. 39 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on gas systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

**WHEREAS**, in TCA 7-39 et seq. provides that the legislative body of the municipality will pass a resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 20th day of December, 2022, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its gas in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens, the sum of \$226,084.96.

**BE IT FURTHER RESOLVED** that the Athens Utilities Board will distribute to the following municipalities, which it serves and owns property, in accordance with the following schedules:

Niota	-	\$706.62
Calhoun	-	\$195.18

**BE IT FURTHER RESOLVED** that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the 20th day of July 2022, and the same day of each month thereafter for this fiscal year.

**BE IT FURTHER RESOLVED** by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

**ON MOTION BY** \_\_\_\_\_, **SECONDED BY** \_\_\_\_\_, said Resolution was approved by roll call vote.

/s/ \_\_\_\_\_  
STEVEN S. SHERLIN, Mayor

/s/ \_\_\_\_\_  
MICHAEL L. KEITH, Interim City Manager

APPROVED AS TO FORM:

/s/ \_\_\_\_\_  
WILLIAM A. BUCKLEY, JR, City Attorney

**RESOLUTION NO. 2022-36**

**A RESOLUTION OF THE CITY OF ATHENS, TENNESSEE, AUTHORIZING THE  
MAYOR AND CITY MANAGER TO MAKE AN APPLICATION TO THE APPALACHIAN  
REGIONAL COMMISSION FOR FUNDING MT VERD INDUSTRIAL PARK SITE  
IMPROVEMENTS IN COOPERATION WITH MCMINN COUNTY**

**WHEREAS**, the City and County have jointly participated in the development of the Mt. Verd Industrial Park; and,

**WHEREAS**, the Appalachian Regional Commission has funding up to \$1,000,000 available for site improvements at the Park with matching funds in the same amount as the grant award; and,

**WHEREAS**, this grant will provide funds for dirt work and tree removal in order to make the site more desirable for business and industrial recruitment; and,

**WHEREAS**, McMinn County has agreed to participate jointly with the City on this project and provide up to \$500,000 in matching funds subject to the City agreeing to provide an equal amount up to \$500,000; and,

**WHEREAS**, the City of Athens, Tennessee, desires for the Southeast Tennessee Development District to assist in making the application for said funds up to \$1,000,000 (with up to \$1,000,000 in matching funds shared equally between the City of Athens and McMinn County).

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 20th day of December, 2022, that the Mayor and City Manager are hereby authorized, empowered, and directed to submit a grant application for the purpose of securing funding as provided above.

**BE IT FURTHER RESOLVED** that upon award of the grant, the Mayor and City Manager are hereby authorized to execute all documents necessary for the acceptance of this grant on behalf of the City of Athens.

**BE IT FURTHER RESOLVED** by the Athens City Council that this resolution shall take effect immediately from and after its passage, the welfare of the Municipality requiring it.

**ON MOTION BY** \_\_\_\_\_, **SECONDED BY** \_\_\_\_\_, said Resolution was approved by roll call vote.

\_\_\_\_\_  
/s/ STEVEN S. SHERLIN, Mayor

\_\_\_\_\_  
/s/ MICHAEL L. KEITH, Interim City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
/s/ WILLIAM A. BUCKLEY, JR, City Attorney



## OFFICE OF THE MAYOR

December 7, 2022

Mr. Logan McCoy  
ARC Program Coordinator, TN Economic & Community Development  
Tennessee Tower, 27<sup>th</sup> Floor  
312 Rosa L. Parks Avenue  
Nashville, TN 37243

**Re: ARC Pre-application – Mt. Verd Site Improvements**

Dear Mr. McCoy:

This letter is written in support of the above referenced ARC pre-application for \$1,000,000 to help finance site development improvements at the Mt. Verd Industrial Park. As you may know, Mt. Verd Industrial Park is comprised of 223 prime acres of land located adjacent to I-75 at Exit 52. The industrial park, located within the corporate limits, is publicly owned by the McMinn County EDA. The site is strategically located between Chattanooga and Knoxville with easy access to major airports and the Appalachian Regional Intermodal Port. Athens Utilities Board has all utilities including electric power, natural gas, water and sewer to the site. Ready Fiber is available from either AUB or AT & T. Adler Pelzer Group is currently the only tenant.

As an investor in the McMinn County EDA, the City of Athens has financially supported all efforts to make this site more competitive for business and industry recruitment. As such the EDA has leveraged funding and partners to complete all due diligence studies on the property. TVA has completed both a Conceptual Site and Grading Plan. Although these efforts have been undertaken to mitigate time and risk for locating companies and many projects have visited the site it continues to be eliminated. The readiness of the site is the number one concern. The amount of dirt that needs to be moved and trees to take down to get to construction is overwhelming.

In order to make the site more competitive, the City of Athens is pleased to submit this pre-application to ARC for consideration and will obligate \$500,000, subject to Council approval, towards matching grant funds needed to complete the necessary site improvements. McMinn County has agreed to match our

local funds to complete this project. Creating jobs and leveraging private capital investment is a top priority for the City of Athens. We trust our pre-application will be given the strongest possible consideration. Please don't hesitate to contact me if you have any questions or need any additional information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steven Sherlin".

Steven Sherlin, Mayor

Cc: Honorable John Gentry  
Lindsey Ferguson, McMinn County

RESOLUTION NO. 2022-37

A RESOLUTION AUTHORIZING THE SUBMISSION  
OF GRANT APPLICATION WITH THE STATE OF TENNESSEE  
FOR THE VIOLENT CRIME INTERVENTION FUND

**WHEREAS**, the State of Tennessee has appropriated \$100 million dollars for the Violent Crime Intervention Fund to provide funding for local law enforcement agencies to implement evidence-based programs for reducing violent crime in communities; and,

**WHEREAS**, a part of this program provides a formula-based award to each community; and,

**WHEREAS**, under this program, the City of Athens is eligible to apply for grant funds in the amount of \$188,579 to pay for overtime, software and equipment that meet the guidelines of the program; and

**WHEREAS**, this grant requires no matching funds by the local jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 20th day of December, 2022, that the Mayor and City Manager are hereby authorized, empowered, and directed to submit an application through the Violent Crime Intervention Fund as provided herein.

**BE IT FURTHER RESOLVED** that upon award of a grant, the Mayor and City Manager are hereby authorized to enter into an agreement and execute documents for the acceptance of the grant on behalf of the City of Athens.

**BE IT FURTHER RESOLVED** by the Athens City Council that this resolution shall take effect immediately from and after its passage, the welfare of the Municipality requiring it.

**ON MOTION BY** \_\_\_\_\_, **SECONDED BY**  
\_\_\_\_\_, said Resolution was approved by roll call vote.

\_\_\_\_\_  
STEVEN S. SHERLIN, Mayor

\_\_\_\_\_  
MICHAEL L. KEITH, Interim City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
WILLIAM A. BUCKLEY, JR, City Attorney



## PUBLIC WORKS

**TO:** Mike Keith, Interim City Manager

**FROM:** Kevin L. Helms, Project Manager

**Cc:** Fred Schultz, Police Chief  
Jason Garren, Deputy Chief  
Ben Burchfield, Public Works Director

**DATE:** December 5, 2022

**SUBJECT:** Violent Crime Intervention Fund

### **Background**

The State of Tennessee appropriated \$100 million in the FY23 Budget for the Violent Crime Intervention Fund (VCIF), which provides grant funding for local law enforcement agencies to implement evidence-based programs, technology, and strategies that will reduce violent crime in communities. The grant fund is broken into two components each of which has separate funding allocations. The first is a formula-based award where a specific formula developed by the State was applied to each community and based upon the outcome a specific amount of funding was set aside for the community. The second allocation is for a competitive collaborative program where law enforcement agencies must partner with at least one other agency and compete for the funding based upon the best applications submitted.

The Athens Police Department wishes to apply for the formula-based funding which has been set aside for the City of Athens. The amount available to the City is \$188,579 and no matching local funds are required to receive the grant. It is our understanding if an application is submitted by the Department outlining proposed approved uses for the funding, then award of funding is guaranteed.

### **Process**

There is a two-part application process for this grant program. A non-binding Letter of Intent to apply must be submitted by December 15, 2022. A final application for the grant funding must be submitted by January 16, 2023. The total amount of funds available to the City is \$188,579 but these funds have been allocated over a three-year span, so all funds do not have to be spent until June 30, 2025.





## PUBLIC WORKS

Although the State realizes some categories of expenditures will need to be structured over the course of the full three years, the State does want the funding to be spent as quickly as possible for items which can be put to immediate use. For those items which can be quickly put to use, the State strongly recommends local governments use State Purchasing Contracts and/or Purchasing Cooperatives rather than bidding these items on their own. By using these options, the equipment can be used sooner with the goal of quickly reducing violent crime, there will be some standardization of equipment across various agencies, and equipment will be purchased which has already been tested and proven to be reliable.

The Athens Police Department would like to utilize the funding on the following items:

- Replace all firearms (pistols, rifles, shotguns)
- Ballistic Vests
- Crime Scene Lighting
- Cameras for Use in Investigations
- Laptops for Vehicles
- SWAT Team Equipment, particularly communications equipment
- Whooster Investigative Software
- Clearview Facial Recognition Software
- Overtime for Directed Patrols to saturate areas experiencing an increase in violent crimes

The State has contracted with the University of Tennessee Institute for Public Service to assist agencies with preparing these grant applications. We have submitted the above list to them for review to be sure all the proposed items meet the funding criteria. Based upon the information they provide and once we have the actual cost of the proposed equipment, the Police Department will develop a budget allocating certain amounts of funding to the various items to be purchased. This information will also dictate the quantities of each to be purchased. As a result, the final list of items to be funded may vary slightly from those shown above.

### **Action Item**

The Athens Police Department is requesting permission to make application for the VCIF Formula Based Grant in the amount of \$188,579. No local funding will be required as a match to this grant as the grant provides 100% funding for eligible items and activities. The City has already submitted a non-binding Letter of Intent to apply and will only submit a final binding application if approved by City Council.

## PROFESSIONAL SERVICES AGREEMENT TO PROVIDE CONSULTING SERVICES

This Professional Services Agreement to Provide Consulting Services (this “Agreement”) sets forth the mutual understanding of (the “Client”) City of Athens, Tennessee and Retail Strategies, LLC, an Alabama limited liability company (the “Consultant”) on this \_\_\_\_\_ day of \_\_\_\_\_ 2022 (the “Execution Date”), for the provision of professional consulting services as more fully set forth below.

### R E C I T A L S:

The Consultant possesses a high degree of professional skill and experience and is a unique provider of professional consulting services in retail recruitment.

The Client desires to hire the Consultant to provide professional consulting services because of its professional skill and experience.

**NOW, THEREFORE**, in consideration of the foregoing and the mutual covenants and agreements set forth in this Agreement, the Client and the Consultant, intending to be legally bound, do hereby agree as follows:

1. **CONSULTING SERVICES.** The Consultant agrees to provide the following professional consulting services to the Client (the “Services”):

- A. **Research.** The Consultant will identify the Client’s retail trade area using a blend of demographics, political boundaries, drive times and/or custom boundaries. The Consultant will perform market and retail analysis based on current industry standards at the time such reports are run. The Consultant will map retail locations and analyze opportunities given local and macro retail trends.
- B. **In-Market Real Estate Analysis.** The Consultant will analyze existing shopping centers and retail corridors and actively reach out to local brokers and real estate owners. The Consultant will identify, evaluate and catalogue priority commercial properties for development or redevelopment based on their highest-and-best-use. The Consultant will identify priority business categories to expand locally and to recruit to the area.
- C. **Retail Recruitment.** The Consultant will proactively recruit businesses for targeted zones through the contact of a minimum of 30 retailers, restaurants, brokers or developers. The Consultant will regularly update the Client Representative on retail recruitment efforts via email, telephone and the Consultant’s client web portal known as “Basecamp.” One market visit per calendar year is included in this agreement, additional travel outside of this agreement and requested by the Client shall be approved and paid for by the Client. The Consultant will represent the Client at International Council of Shopping Center conferences and provide updates according to the yearly conference schedule.
- D. **Updates.** The Consultant will provide the Client Representative with updates within three business days of receipt of a request from the Client Representative (as defined in Section 4 below).

2. **TERM.** The Consultant's engagement and provision of Services will commence upon the Execution Date as set forth above. The Consultant's engagement and this Agreement will terminate automatically on the third anniversary of the Execution Date (the "Term") unless earlier terminated as provided in Section 6 below. At the end of the Term, the Client, acting by and through the Client Representative, may extend the Term at its option for successive one year periods on such terms and conditions as the Client Representative, acting for and on behalf of the Client, and the Consultant may agree upon in writing.

3. **CONSULTING FEE.**

A. **Consulting Fee.** In consideration for providing the Services, the Client agrees to pay the Consultant a consulting fee (the "Consulting Fee") in an amount equal to \$35,000. The Consulting Fee will be paid in installments of immediately available funds as follows:

Contract Period	Payment Date	Payment Amount
Year One	Upon execution of this agreement	\$35,000
Year Two	On or before the 1st anniversary of the Execution Date	\$35,000
Year Three	On or before the 2 <sup>nd</sup> anniversary of the Execution Date	\$35,000

B. **Payment Default.** If the Client fails to pay any portion of the Consulting Fee on the requisite payment date, the Consultant will immediately cease all Services, including but not limited to: (1) negotiation of incentive agreements; (2) all recruiting and marketing efforts; (3) representation of the Client at trade shows; (4) booking meetings for the Client with prospective retailers; and (5) including the Client in marketing materials.

4. **CLIENT INFORMATION AND ACCESS.**

A. To the extent permitted by law, the Client will provide the Consultant with access to relevant personnel, facilities, records, reports and other information (including any information specified in the Consultant's proposal to the Client) accessible by the Client that the Consultant may reasonably request from time-to-time during the Term. The Client acknowledges and agrees that the Consultant's scheduled delivery of the Services is dependent upon the timely access to such personnel, facilities, records, reports and other requested information.

B. To facilitate such access and Consultant's delivery of the Services, the Client designates the City Manager (the "Client Representative"), currently Seth Sumner. The Client Representative will serve as the primary liaison between the Consultant and the Client. The Client Representative will have responsibility for regular communications between the Client and the Consultant, including providing updates in a timely manner through Basecamp. The Client Representative's communications to the Consultant will include information regarding retail growth and development, such as actual and prospective business openings and closings, changes in economic drivers (e.g., significant increases or

decreases in workforce of major employers, school enrollments, housing or healthcare services) and changes in the ownership of targeted real estate (e.g., transfers of real estate or changes in the finances of ownership). The Client Representative will also be responsible for disseminating updates relative to consultants' activities related to scope of work to members of local stakeholder groups of the Client (e.g. City Council, Economic Development Boards, and Chamber of Commerce etc.).

- C. The Client hereby authorizes the Client Representative (i) to act on behalf of the Client in the day-to-day administration and operation of this Agreement and the arrangements it contemplates and (ii) to execute and deliver, on behalf of the Client, such notices, approvals, consents, instruments, amendments or other documents as may be necessary or desirable to facilitate or assist the Consultant with the provision of the Services.

5. **INTELLECTUAL PROPERTY.** As part of the Services, the Consultant will prepare periodic and final reports including demographic and other research reports that will become the property of the Client upon delivery from the Consultant. Any other reports, memoranda, electronic mail, facsimile transmissions or other written documents prepared or used by the Consultants in connection with the Services will remain the property of the Consultant. With the Consultant's prior permission, the Client may use other information provided by the Consultant, such as specifics related to retailers, developers, site information or other "confidential information" for internal purposes while taking reasonable steps to so limit the use of such materials and maintain its confidentiality.

6. **TERMINATION.**

- A. **By the Client At-Will.** The Client may terminate this Agreement at any time for any or no reason upon delivery of 30 days' prior written notice to the Consultant. Any portion of the Consulting Fee paid prior to such termination of this Agreement is earned when paid and nonrefundable.
- B. **By the Client Upon the Consultant's Default.** The Client may notify the Consultant within 90 days of the day that the Client knows or should have known that the Consultant breached this Agreement. The Consultant will have 30 days following receipt of such notice to cure any alleged breach. If the Consultant fails to cure any alleged breach within that 30-day period, then the Client may terminate this Agreement. Within 30 days of such termination of this Agreement, the Consultant will refund a pro rata portion of the installment of the Consulting Fee previously paid for the contract period during which such termination occurs based upon the number of days remaining in such contract period.
- C. **By the Consultant At-Will.** The Consultant may terminate this Agreement at any time for any or no reason upon delivery of 30 days' prior written notice to the Client. Within 30 days of such termination of this Agreement, the Consultant will refund a pro rata portion of the installment of the Consulting Fee previously paid for the period during which such termination occurs based upon the number of days remaining in such period.
- D. **By the Consultant Upon the Client's Default.** The Consultant may notify the Client within 90 days of the day that the Consultant knows or should have known that the Client breached this Agreement. The Client will have 30 days following receipt of such notice to cure any alleged breach. If the Client fails to cure any alleged breach within that 30-day

period, then the Consultant may terminate this Agreement. Any portion of the Consulting Fee paid prior to such termination of this Agreement is earned when paid and nonrefundable.

7. **NOTICES.** Any notice or communication in connection with this Agreement will be in writing and either delivered personally, sent by certified or registered mail, postage prepaid, delivered by a recognized overnight courier service, or transmitted via facsimile or other electronic transmission, addressed as follows:

Client: City of Athens, TN  
815 N. Jackson St.  
Athens, TN 37303  
Email: citymanager@athenstn.gov  
Attention: Seth Sumner, City Manager

Consultant: Retail Strategies, LLC  
2200 Magnolia Ave. South, Suite 100  
Birmingham, AL 35205  
Email: sleara@retailstrategies.com  
Fax: (205) 313-3677  
Attention: Stephen P. Leara, Esq – EVP | General Counsel

or to such other address as may be furnished in writing by either party in the preceding manner. Notice shall be deemed to have been properly given for all purposes: (i) if sent by a nationally recognized overnight carrier for next business day delivery, on the first business day following deposit of such notice with such carrier, (ii) if personally delivered, on the actual date of delivery, (iii) if sent by certified U.S. Mail, return receipt requested postage prepaid, on the third business day following the date of mailing, or (iv) if sent by facsimile or email of a PDF document (with confirmation of transmission), then on the actual date of delivery if sent prior to 5 p.m. Central Time, and on the next business day if sent after such time.

8. **INDEPENDENT CONTRACTOR.** The Consultant, in its capacity as a professional consultant to the Client, is and will be at all times an independent contractor. The Consultant does not have the express, implied or apparent authority either (A) to act as the Client's agent or legal representative or (B) to legally bind the Client, its officers, agents or employees.

9. **STANDARD TERMS.**

- A. **Affiliated Services:** The Client acknowledges that certain affiliates of the Consultant provide real estate brokerage and management services for which they are paid brokerage, development, leasing, management and similar fees. In connection with the Services and with the prior written permission of the Client, such affiliates may be engaged to provide such services in consideration for the payment of such fees.
- B. **Applicable Laws:** The Consultant will abide by all laws, rules and regulations applicable to the provision of the Services.

- C. **Insurance:** The Consultant will carry all employee insurance necessary to comply with applicable state and federal laws.
- D. **Third Party Beneficiaries:** This Agreement is for the sole benefit of the parties to this Agreement and their permitted successors and assigns. Nothing in this Agreement, whether express or implied, is intended to or will confer upon any other person or entity any legal or equitable right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.
- E. **Publicity:** The Client agrees that the Consultant may, from time-to-time, use the Client's name, logo and other identifying information on the Consultant's website and in marketing and sales materials.
- F. **Entire Agreement:** This Agreement, together with any exhibits or amendments hereto, constitutes the entire agreement of the parties, as a complete and final integration thereof with respect to its subject matter. Any prior written or oral understandings and agreements between the parties are merged into this Agreement, which alone fully and completely expresses their understanding. No representation, warranty, or covenant made by any party which is not contained in this Agreement or expressly referred to herein has been relied on by any party in entering into this Agreement.
- G. **Further Assurances:** Each party hereby agrees to perform any further acts and to execute and deliver any documents which may be reasonably necessary to carry out the provisions of this Agreement.
- H. **Force Majeure:** Neither party to this Agreement will hold the other party responsible for damages or delay in performance caused by acts of God, strikes, lockouts or other circumstances beyond the reasonable control of the other or the other party's employees, agents or contractors.
- I. **Limitation on Liability; Sole Remedy:** Each party's liability to the other party arising out of or related to this Agreement or the Services will not exceed the amount of the Consulting Fee. The Client's sole remedy in the event of any alleged breach of this Agreement by the Consultant will be the notice, cure and refund provisions of Section 6(B) of this Agreement.
- J. **Amendment in Writing:** This Agreement may not be amended, modified, altered, changed, terminated, or waived in any respect whatsoever, except by a further agreement in writing, properly executed by a duly authorized officer of the Consultant and the Client Representative, acting for and on behalf of the Client.
- K. **Binding Effect:** This Agreement will bind the parties and their respective successors and assigns. If any provision in this Agreement will be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions will not in any way be affected or impaired thereby.
- L. **Captions:** The captions of this Agreement are for convenience and reference only, are not a part of this Agreement and in no way define, describe, extend, or limit the scope or intent of this Agreement.

- M. **Construction:** This Agreement will be construed in its entirety according to its plain meaning and will not be construed against the party who provided or drafted it.
- N. **Prohibition on Assignment:** No party to this Agreement may assign its interests or obligations hereunder without the written consent of the other party obtained in advance of any such assignment. No such assignment will in any manner whatsoever relieve any party from its obligations and duties hereunder and such assigning party will in all respects remain liable hereunder irrespective of such assignment.
- O. **Waiver:** Non-enforcement of any provision of this Agreement by either party will not constitute a waiver of that provision, nor will it affect the enforceability of that provision or of the remaining terms and conditions of this Agreement.
- P. **Survival:** Section 5 and Section 9(H) will survive termination of this Agreement.
- Q. **Counterparts; Electronic Transmission:** This Agreement may be executed in counterparts, each of which will be deemed to be an original, and such counterparts will, together, constitute and be one and the same instrument. A signed copy of this Agreement delivered by telecopy, electronic transmission or other similar means will be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

[SIGNATURE PAGES FOLLOW]

IN WITNESS WHEREOF, the Client and the Consultant have caused this Agreement to be executed by their duly authorized officers to be effective as of the Effective Date.

**CLIENT:**

CITY OF ATHENS, TN

By: \_\_\_\_\_  
Name:  
Title:  
Date:

**CONSULTANT:**

RETAIL STRATEGIES, LLC

By: \_\_\_\_\_  
Name:  
Title:  
Date





## PUBLIC WORKS

**TO:** Mike Keith, Interim City Manager  
**FROM:** Kevin L. Helms, Project Manager  
**Cc:** Ben Burchfield, Public Works Director  
**DATE:** December 6, 2022  
**SUBJECT:** Animal Shelter Project

### Summary

At the time of my hiring in August of 2021, the City had completed an analysis to construct a new Animal Shelter and determined it was not the most feasible route to pursue. This analysis also determined the former Daily Post Athenian Building to be a more feasible option and the City was in the process of finalizing the purchase of the existing building. Remodeling this location would meet our needs and cost less than new construction. On August 23, 2021, an agreement was signed with Allen & Hoshall (AH) to conduct the needed architectural and design work to convert this facility into a new Animal Shelter housing animal intake and holding, animal adoption, a veterinary clinic, and with minimal space left for another undetermined use. The City would be financially responsible for the construction needed to house the animal intake and holding services along with the animal adoption area. The City finalized the purchase of the facility on September 3, 2021.

On September 10<sup>th</sup>, design work began in earnest. The City provided AH with a rough layout of our vision of the facility, while noting some specific design points which needed to be incorporated into the final design. On September 16<sup>th</sup>, we advised AH the McMinn Regional Humane Society (MRHS) had some concerns about our original layout, and we scheduled a meeting with them the following week to try and better incorporate their ideas into the rough layout. We advised we would be sending an updated rough layout following the meeting. On the 23<sup>rd</sup>, we notified AH the differences were more significant than we anticipated, and we needed to assess the facility to see if these ideas were feasible before getting too far into design. A meeting was scheduled for October 6<sup>th</sup> with City staff, MRHS representatives, and AH personnel to review firsthand the needs of MRHS which yielded an updated floorplan on October 8<sup>th</sup> intended to include as many of the items from the prior meeting as were feasible.

A series of design changes developed through sending draft floorplans for review and comment via electronic means, as well as some in person meetings continued into late December and yielded several different iterations of the facility. As the design was beginning to approach a final rough draft, the City and MRHS approved a Memorandum of Understanding in December to be sure all parties understood



## PUBLIC WORKS

their role in the project. Additionally, this final rough draft was approved by all parties which allowed us to begin full design plans to be used for bidding the project.

In January of 2022, City staff began to focus particularly on kennel design as it had now been determined modular kennels would be the best option for the facility. This process included contacting several kennel manufacturers to develop specific layout options, construction types, construction timeframe, and cost. Staff was also working on finding a suitable floor covering for the facility. The kennel designs continued to change over time as other information regarding the existing building limitations and areas available for use changed as the overall floorplan evolved. Therefore, the kennels which are to be acquired from Mason Company were one of the last items to be finalized.

Once the Public Works Building was demolished, several personnel relocated to the shelter building on a temporary basis. During this time, the City learned the sanitary sewer lines coming out of the building did not work properly. Therefore, it was eventually decided all new lines would be needed rather than installing lines just for newly added facilities.

On May 20<sup>th</sup>, we received what was intended to be a final set of plans to be used for bidding the project. These were distributed to City staff and MRHS representatives for review. The architect wanted to proceed to bidding the same month with the thought we could issue a bid addendum for anything we found during final review which needed to be corrected. Based upon our experience with the Public Works Building where several pieces of contradictory or missing information led to multiple change orders, Ben and I felt a detailed review was needed before we put the project out to bid. We felt a similarly rushed schedule on the Public Works Building bid process was the main contributor to these issues and we did not want to repeat the same mistakes at this facility. While this review was taking place, AH began to assemble the bid specifications book.

Our review did indeed identify several similar issues which we corrected before the project was let for bid. After seeing how much more other projects were bidding at compared to the original projected budgets, Ben also took this time to remove any items from the scope which were not deemed necessary as we realized any unnecessary additions would not be financially feasible at this time. Therefore, other than the alternate items included in the bid documents we believe everything else to be the minimum scope necessary to meet the needs of the Animal Shelter operations for both intake and adoption purposes. This information was returned to AH on July 22<sup>nd</sup>.

The requested changes were returned to us in time to have the item placed on the City Council agenda for the August meeting. The floorplan was substantially complete and Council authorized staff to proceed with bidding the project, realizing there could be some minor alterations made throughout the



## PUBLIC WORKS

bid process. Following the approval in August as all the documents were being finalized, it was determined a change would be needed to the kennel construction materials. This resulted in us needing to have the Mason Company update their plans and pricing for the new layout which took them a few weeks to complete. The change was made because the architect believed the new approach would be less expensive to construct, easier to maintain, and maximize the kennel size.

The project went to bid on September 21<sup>st</sup> with bids to be opened on October 20<sup>th</sup>. During the pre-bid meeting, a flooring contractor identified three small areas of flooring which he believed could contain asbestos. As a result, we engaged a company to perform a Hazardous Materials Survey on the building. During their walkthrough of the building, they identified some other items needing to be tested and one of these had the potential to significantly impact the project. Therefore, we did not move forward with taking any action on the opened bids until it could be determined the extent these materials would have on the project scope. We learned on November 22<sup>nd</sup> the material tests indicated only a very small amount of hazardous materials which needed to be abated and the cost of doing so would be minor. It was at this point we decided to move forward with bringing the item to Council and we have now authorized a contractor to begin the abatement process.

The City received three bids on the project which are as follows:

- Integrated Properties
  - Base Bid - \$2,334,000
  - Alternate 1 - \$183,000 (MRHS)
  - Alternate 2 - \$101,000
  - Alternate 3 - \$176,000
- Wilson Construction
  - Base Bid - \$2,254,000
  - Alternate 1 - \$205,000 (MRHS)
  - Alternate 2 - \$115,000
  - Alternate 3 - \$110,000
- Robert Roberts, LLC.
  - Base Bid - \$2,106,003
  - Alternate 1 - \$154,716 (MRHS)
  - Alternate 2 - \$113,832
  - Alternate 3 – Aluminum \$111,820: Steel \$233,746

### **Action Item**

Based upon the analysis of the bids, Robert Roberts, LLC. has submitted the lowest and best bid for this project. Staff believes moving forward with the Base Bid without Alternates 2 or 3 is the best course of action to keep this project moving forward. Although this is more than the project was initially expected



## PUBLIC WORKS

to cost, we do not believe there are any alternatives to keep the project moving forward while achieving the intended outcomes. The project costs have increased due to supply chain issues and an overall increase in building materials and construction costs.

As per the agreed upon Memorandum of Understanding, the MRHS is responsible for funding Alternate #1 if it is to be constructed. Therefore, we recommend accepting this alternate only if they choose to go forward with this portion of the project.

It is also important to note a decision must be reached by the regular City Council meeting on December 20<sup>th</sup> if we are to move forward utilizing these bid prices. As is typical for bids of this type, a period of sixty days was specified as the period during which the contractors must honor their bid. Our sixty-day period expires about three days prior the City Council meeting, but we have worked with Robert Roberts to get him to agree to hold the price until December 21<sup>st</sup> at which time we must either provide him with a notice of award or the bids will be invalid. Therefore, if Council chooses not to accept the low bid it needs to take action to reject all bids.

If the discussion during the study session seems to indicate there is a chance the project will be approved, Mr. Roberts will begin preparing all the paperwork needed to place orders for the materials required for the project. Because most price increases are implemented at the first of the year, he must get all items ordered before year end to honor the current bid price. His plan is to have all purchase orders written and ready to submit to the suppliers between December 22<sup>nd</sup> and December 31<sup>st</sup> if the bid is awarded.

Staff has discussed several alternatives to find a way to reduce the cost of construction to bring it more in line with the budgeted amount. These range from design changes to trying to forecast whether construction prices will decrease in the short term. However, we do not feel there will be any significant decrease in construction costs in the short term. Additionally, the only design change we know of which would result in cost reduction would be the elimination of the indoor/outdoor kennels. However, this would not be an ideal environment for the animals in the shelter and we would lose needed kennel space. Additionally, this was one of the primary requests of the MRHS representatives who worked with us on the design.

We recently found a news article where Monroe County is raising funds to construct a new animal shelter. They have identified a funding goal of \$4,100,000 for their project. While this number may seem high given our initial projection was approximately \$2,200,000 for a new facility, the price for the project given the current economy seems to be within the range of current construction costs. Using the projected budget for the Public Works Construction Project versus actual costs, we believe the Monroe County budget to be reasonable. We have thoroughly evaluated the facility and the design



## PUBLIC WORKS

plans to avoid any cost increases beyond the contingency amount already included in the bid price. However, our greatest concern is regarding the sanitary sewer in the building as most of it is currently non-functional and the pipes are in the slab so the extent to which we could investigate this issue was limited.

Therefore, the approximate all-in cost of \$3,200,000 for our project is still less than we would anticipate a new facility to cost at today's prices. Additionally, our project will benefit from having more square footage available in the remodeled facility at a lesser cost than a new facility. The estimated all-in cost includes the building purchase, the base bid, design fees, and approximately \$50,000 in various accessory items which will be needed before the building is fully operational. However, it does not include an expense offset in an approximate amount of \$285,000 comprised of funds contributed by McMinn County and raised by MRHS.

It is important to note this all-in cost includes the building purchase, design fees, hazardous materials survey, asbestos abatement, and some miscellaneous other expenses already incurred. Therefore, the current authorization request is for the base bid amount, plus up to \$50,000 in miscellaneous accessories which will be needed for operations, many of which were identified in the bid specifications as to be owner supplied and contractor installed.

We developed the recommendation to award the base bid with Alternate #1 should MRHS choose to fund the alternate project based upon all the information outlined above provided Council wishes to keep the project moving forward to meet the original needs identified for this facility. Any other option will result in significant delays and design changes which will not allow the facility to meet all the goals established and, in the end, may not achieve additional savings either.

**ORDINANCE NO.**  
**ORDINANCE TO AMEND THE ATHENS MUNICIPAL CODE**  
**TO ALTER THE ORDER OF BUSINESS OF REGULAR CITY COUNCIL MEETINGS**

**WHEREAS**, Section 1-102 of the Athens Municipal Code establishes the order of business for council meetings; and

**WHEREAS**, it now appears that the interest of the City of Athens, Tennessee, will be served if the order of business is amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:**

SECTION 1. That Title 1, Chapter 1, Section 102 entitled "Order of business" be amended by deleting the numbers and words "(1) Call to Order

2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Minutes
6. Communications and Special Presentations
7. Consent Agenda
8. Ordinances
9. Old Business
10. New Business
11. Reports
12. Requests from Citizens
13. Report from the City Manager
14. Adjournment"

and inserting in lieu thereof the numbers and words "1. Call to Order

2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Minutes
6. Communications and Special Presentations
7. Requests from Citizens
8. Consent Agenda
9. Ordinances
10. Old Business
11. New Business
12. Reports
13. Report from the City Manager
14. Adjournment"

SECTION 2: Any Ordinance, Resolution, Motion or parts thereof in conflict herewith are hereby repealed and superseded. If any sentence, clause, phrase, or paragraph of this Ordinance is declared to be unconstitutional by any Court of competent jurisdiction, such holding will not affect any other portion of this Ordinance.

SECTION 3: BE IT FURTHER ORDAINED that this Ordinance shall take effect from and after its passage, the public welfare requiring it.

**PASSED ON FIRST READING:** \_\_\_\_\_

**PASSED ON SECOND READING:** \_\_\_\_\_

**DATE OF PUBLIC HEARING:** \_\_\_\_\_

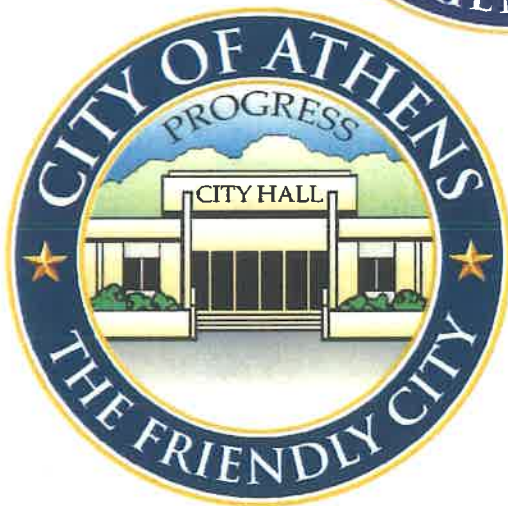
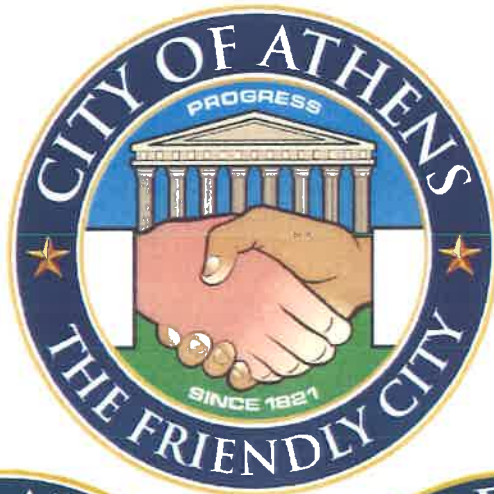
\_\_\_\_\_  
STEVEN S. SHERLIN, Mayor

\_\_\_\_\_  
MICHAEL L KEITH, Interim City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
WILLIAM A. BUCKLEY JR., City Attorney







**RESOLUTION NO. 2022-38**

**A RESOLUTION TO RESCIND THE CODE OF PROFESSIONALISM FOR THE ATHENS CITY COUNCIL**

**WHEREAS**, in February 2009 the City Council approved Resolution No. 2009-11 which adopted a Code of Professionalism for the Athens City Council; and,

**WHEREAS**, the current City Council has determined that the code is no longer necessary due to already existing Federal and State laws and guidelines for elected officials.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session this 20th day of December, 2022, the passage of this resolution rescinds Resolution 2009-11 which provided for the adoption of a Code of Professionalism for the Athens City Council.

**BE IT FURTHER RESOLVED** by the Athens City Council that this resolution shall take effect immediately from and after its passage, the welfare of the Municipality requiring it.

**ON MOTION BY** \_\_\_\_\_, **SECONDED BY**

\_\_\_\_\_, said Resolution was approved by roll call vote.

\_\_\_\_\_  
STEVEN S. SHERLIN, Mayor

\_\_\_\_\_  
MICHAEL L. KEITH, Interim City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
WILLIAM A. BUCKLEY, JR, City Attorney

**CITY OF ATHENS, TENNESSEE**  
**Narrative on Financial Analysis**  
**November, 2022**

This narrative will discuss various aspects of the financial data presented to the city council for the above-referenced month. July, and 2 or 3 subsequent months will be above the normal percentages, primarily on the expenditure side because of several factors, as discussed below.

General Fund

Overall, we collected about \$408,000 more through November this year, primarily because we received \$400,000 more in sales tax, \$143,000 less in property taxes, \$168,000 less from the direct appropriation grant from the State, \$84,000 more in AUB in lieu of taxes, \$46,000 more in state sales tax and \$89,000 more in interest revenue. As a percentage we collected 1.08% more than the budgeted revenues for last year.

PLEASE NOTE: On the financial spreadsheet that accompanies this report, at the top you will see General Fund revenues. I have only broken out major sources of revenue such as property taxes and sales taxes. The "total revenues" amount includes smaller items that I did not show in detail. A complete listing of all revenue accounts can be found on your computer-generated report titled "Statement of Actual and Estimated Revenues".

Expenditures are always going to show high in the early budget months, primarily due to the retirement contribution being paid in July and the fleet management transfer.

Another factor that makes the percentage spent look high is the fact that we set up annual purchase orders for known or recurring monthly expenses. For example, in the City Council division we pay for the monthly taping of council meetings. To avoid having to prepare a purchase order every month, we prepare one for the entire year and pay off of it monthly. This total PO is included in the "expended & encumbered" percentage.

Expenditures and encumbrances for this year are \$441,000 more than this time last year, showing 52.60% this year. The variance is due to the fund balance transfer to the capital projects fund being \$400,000 more than the amount in the previous year and the debt service transfer being \$109,000 more than this time last year.

Sanitation

Revenues and expenditures are comparable to the prior year.

Please let me know if I can provide additional information.

(Unaudited)

57

(Unaudited)

**Expenditures:**

CITY OF ATHENS  
 FINANCIAL REPORT  
 CASH BALANCES AND INVESTMENT SHEET  
 2022-2023

	JUL	AUG	SEPT	OCT	NOV
GENERAL	15,516,000	12,607,000	12,525,000	12,798,000	13,153,000
EMP MED BENEFIT	380,000	381,000	382,000	383,000	384,000
SCHOOL DEBT SER	2,850,000	3,251,000	3,448,000	3,638,000	3,845,000
CITY DEBT SER	19,000	18,000	18,000	18,000	18,000
CAP IMP	9,382,000	12,427,000	11,681,000	13,344,000	13,103,000
FLEET <sup>9</sup>	7,000,000	7,012,000	7,020,000	7,030,000	7,091,000
SAN	1,362,000	1,407,000	1,428,000	1,250,000	1,263,000
DRUG	107,000	113,000	114,000	125,000	129,000
CONFERENCE	51,000	52,000	55,000	59,000	62,000
SCHOOL CONST	3,737,000	3,257,000	1,985,000	1,925,000	3,826,000
2021 GO BOND	7,280,000	7,292,000	7,277,000	7,268,000	7,287,000
HOTEL/MOTEL TAX	299,000	292,000	323,000	251,000	298,000
TOTAL CASH & INV	47,983,000	48,109,000	46,256,000	48,089,000	50,459,000



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council

## Account Summary

For Fiscal: 2022-2023 Period Ending: 11/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 01 - GENERAL FUND							
Revenue							
<a href="#">01-0000-4110</a>	CURRENT PROPERTY TAXES	6,225,000.00	6,225,000.00	172,020.00	693,101.00	-5,531,899.00	11.13 %
<a href="#">01-0000-4115</a>	PRIOR YEAR PROPERTY TAXES	150,000.00	150,000.00	2,528.00	46,208.00	-103,792.00	30.81 %
<a href="#">01-0000-4120</a>	DELINQUENT PROPERTY TAXES C&	80,000.00	80,000.00	5,270.00	33,911.00	-46,089.00	42.39 %
<a href="#">01-0000-4125</a>	PUBLIC UTILITIES	85,000.00	85,000.00	0.00	0.00	-85,000.00	0.00 %
<a href="#">01-0000-4130</a>	INTEREST & PENALTY PY	20,000.00	20,000.00	338.18	4,740.42	-15,259.58	23.70 %
<a href="#">01-0000-4135</a>	INTEREST & PENALTY C&M	25,000.00	25,000.00	1,530.03	13,940.47	-11,059.53	55.76 %
<a href="#">01-0000-4145</a>	AUB ELECTRIC	640,000.00	640,000.00	67,814.78	339,073.90	-300,926.10	52.98 %
<a href="#">01-0000-4150</a>	AUB GAS	240,000.00	240,000.00	22,325.49	111,627.45	-128,372.55	46.51 %
<a href="#">01-0000-4165</a>	LOCAL SALES TAX	7,800,000.00	7,800,000.00	726,924.97	3,542,607.61	-4,257,392.39	45.42 %
<a href="#">01-0000-4170</a>	WHOLESALE BEER TAX	530,000.00	530,000.00	40,368.33	228,672.42	-301,327.58	43.15 %
<a href="#">01-0000-4171</a>	WHOLESALE LIQUOR TAX	280,000.00	280,000.00	23,446.04	90,093.85	-189,906.15	32.18 %
<a href="#">01-0000-4176</a>	BUSINESS LICENSE APPLICATION FE	1,000.00	1,000.00	45.00	450.00	-550.00	45.00 %
<a href="#">01-0000-4177</a>	BUSINESS TAX-ST CLERK FEE	40,000.00	40,000.00	1,299.18	6,968.18	-33,031.82	17.42 %
<a href="#">01-0000-4178</a>	BUSINESS TAX-ST COLLECTED	400,000.00	400,000.00	11,813.04	61,274.03	-338,725.97	15.32 %
<a href="#">01-0000-4184</a>	FLEA MARKET FEES	0.00	0.00	0.00	22.00	22.00	0.00 %
<a href="#">01-0000-4205</a>	CABLE TV FRANCHISE TAX-COMCAS	160,000.00	160,000.00	39,274.87	39,980.82	-120,019.18	24.99 %
<a href="#">01-0000-4210</a>	CABLE TV FRANCHISE TAX-AT&T	10,000.00	10,000.00	0.00	2,146.14	-7,853.86	21.46 %
<a href="#">01-0000-4310</a>	TAXI/WRECKER/SOLICITORS	1,000.00	1,000.00	0.00	0.00	-1,000.00	0.00 %
<a href="#">01-0000-4315</a>	BEER PERMITS	12,000.00	12,000.00	250.00	1,793.00	-10,207.00	14.94 %
<a href="#">01-0000-4320</a>	ANIMAL CONTROL	1,000.00	1,000.00	40.00	165.00	-835.00	16.50 %
<a href="#">01-0000-4325</a>	BUILDING LICENSES & PERMITS	50,000.00	50,000.00	25,834.00	91,405.65	41,405.65	182.81 %
<a href="#">01-0000-4410</a>	TVA PAYMENTS IN LIEU OF TAX	150,000.00	150,000.00	42,369.99	42,369.99	-107,630.01	28.25 %
<a href="#">01-0000-4412</a>	TVA IMPACT PYMTS	0.00	0.00	47,851.69	47,851.69	47,851.69	0.00 %
<a href="#">01-0000-4415</a>	HOUSING AUTHORITY IN LIEU OF T	60,000.00	60,000.00	0.00	0.00	-60,000.00	0.00 %
<a href="#">01-0000-4420</a>	STATE LAW/FIRE GRANTS	43,000.00	43,000.00	0.00	0.00	-43,000.00	0.00 %
<a href="#">01-0000-4425</a>	STATE SALES TAX	1,550,000.00	1,550,000.00	140,792.56	692,438.50	-857,561.50	44.67 %
<a href="#">01-0000-4430</a>	STATE INCOME TAX	0.00	0.00	0.00	2,153.39	2,153.39	0.00 %
<a href="#">01-0000-4435</a>	STATE BEER TAX	6,000.00	6,000.00	0.00	3,497.77	-2,502.23	58.30 %
<a href="#">01-0000-4440</a>	STATE MIXED DRINK TAX	60,000.00	60,000.00	6,430.00	33,401.00	-26,599.00	55.67 %
<a href="#">01-0000-4445</a>	STATE GAS INSPECTION TAX	28,000.00	28,000.00	2,150.17	10,752.31	-17,247.69	38.40 %
<a href="#">01-0000-4450</a>	STATE EXCISE TAX	40,000.00	40,000.00	0.00	0.00	-40,000.00	0.00 %
<a href="#">01-0000-4455</a>	STATE SPORTSBETTING TAX	8,000.00	8,000.00	4,893.77	8,350.84	350.84	104.39 %
<a href="#">01-0000-4460</a>	REIMB OTHER GOVERNMENTS	80,000.00	80,000.00	0.00	82,315.49	2,315.49	102.89 %
<a href="#">01-0000-4465</a>	STATE GAS & MOTOR FUEL TAX	480,000.00	480,000.00	42,631.39	211,155.35	-268,844.65	43.99 %
<a href="#">01-0000-4475</a>	REIMB:HIGHWAY MAINTENANCE	20,000.00	20,000.00	0.00	13,004.94	-6,995.06	65.02 %
<a href="#">01-0000-4530</a>	GRANTS - POLICE DEPT.	0.00	0.00	1,081.80	2,917.73	2,917.73	0.00 %
<a href="#">01-0000-4620</a>	ACCIDENT REPORT CHARGES	0.00	0.00	161.34	689.04	689.04	0.00 %
<a href="#">01-0000-4625</a>	REPAIR DAMAGES AUB	25,000.00	25,000.00	3,705.44	8,148.01	-16,851.99	32.59 %
<a href="#">01-0000-4630</a>	CEMETERY LOTS	1,000.00	1,000.00	-50.00	700.00	-300.00	70.00 %
<a href="#">01-0000-4635</a>	CEDAR GROVE EXPANSION	5,000.00	5,000.00	-200.00	1,980.00	-3,020.00	39.60 %
<a href="#">01-0000-4665</a>	POOLS INGLESIDE	10,000.00	10,000.00	0.00	3,816.50	-6,183.50	38.17 %
<a href="#">01-0000-4675</a>	RECREATION CONCESSIONS	30,000.00	30,000.00	0.00	16,765.20	-13,234.80	55.88 %
<a href="#">01-0000-4690</a>	GENERAL CLASSES	30,000.00	30,000.00	3,206.27	13,264.78	-16,735.22	44.22 %
<a href="#">01-0000-4700</a>	YOUTH SPORTS ACTIVITIES	15,000.00	15,000.00	12,134.00	13,056.00	-1,944.00	87.04 %
<a href="#">01-0000-4705</a>	LEASE/RENTAL BALLFIELDS	3,000.00	3,000.00	58.18	1,534.81	-1,465.19	51.16 %
<a href="#">01-0000-4710</a>	LEASE/RENTAL PICNIC SHEL	3,000.00	3,000.00	80.00	3,427.50	427.50	114.25 %
<a href="#">01-0000-4740</a>	FOUNDATION REVENUE	0.00	0.00	436.82	2,043.19	2,043.19	0.00 %
<a href="#">01-0000-4810</a>	CITY COURT FINES & COSTS	150,000.00	150,000.00	9,918.25	46,959.71	-103,040.29	31.31 %
<a href="#">01-0000-4835</a>	FALSE ALARM FEES	1,000.00	1,000.00	0.00	0.00	-1,000.00	0.00 %
<a href="#">01-0000-4910</a>	INTEREST INCOME	30,000.00	30,000.00	29,592.57	92,834.75	62,834.75	309.45 %

## Monthly Rev and Exp Reports for Council

For Fiscal: 2022-2023 Period Ending: 11/30/2022

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<a href="#">01-0000-4920</a> SALE OF CITY PROPERTY	0.00	0.00	0.00	4,637.77	4,637.77	0.00 %
<a href="#">01-0000-4930</a> DISCOUNTS EARNED	0.00	0.00	14.44	194.23	194.23	0.00 %
<a href="#">01-0000-4935</a> THIRD PARTY CONTRIBUTIONS	0.00	0.00	0.00	855.00	855.00	0.00 %
<a href="#">01-0000-4999</a> MISCELLANEOUS INCOME	20,000.00	20,000.00	2,698.75	18,639.02	-1,360.98	93.20 %
Revenue Total:	19,598,000.00	19,598,000.00	1,491,079.34	6,687,935.45	-12,910,064.55	34.13 %
Fund: 01 - GENERAL FUND Total:	19,598,000.00	19,598,000.00	1,491,079.34	6,687,935.45	-12,910,064.55	34.13 %
Report Total:	19,598,000.00	19,598,000.00	1,491,079.34	6,687,935.45	-12,910,064.55	34.13 %



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council Group Summary

For Fiscal: 2022-2023 Period Ending: 11/30/2022

Division	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 01 - GENERAL FUND</b>							
<b>Department: 01 - Administration</b>							
0101 - City Manager's Office	356,400.00	356,400.00	97,508.39	247,135.14	4,934.32	104,330.54	70.73 %
0102 - City Council	60,700.00	60,700.00	3,216.76	31,239.40	4,868.50	24,592.10	59.49 %
0103 - City Judge	13,000.00	13,000.00	1,076.50	5,382.50	0.00	7,617.50	41.40 %
0104 - City Attorney	40,000.00	40,000.00	1,420.00	24,305.00	0.00	15,695.00	60.76 %
0105 - Special Appropriations	371,700.00	371,700.00	17,500.00	133,900.00	0.00	237,800.00	36.02 %
0106 - Athens City Schools	2,421,000.00	2,421,000.00	241,117.72	1,176,292.02	0.00	1,244,707.98	48.59 %
0107 - Athens Utilities Board	480,000.00	480,000.00	44,051.42	230,115.46	10,000.00	239,884.54	50.02 %
<b>Department: 01 - Administration Total:</b>							<b>49.91 %</b>
	<b>3,742,800.00</b>	<b>3,742,800.00</b>	<b>405,890.79</b>	<b>1,848,369.52</b>	<b>19,802.82</b>	<b>1,874,627.66</b>	
<b>Department: 02 - Finance</b>							
0201 - Finance	499,300.00	499,300.00	30,594.38	205,930.08	4,394.30	288,975.62	42.12 %
<b>Department: 02 - Finance Total:</b>							<b>42.12 %</b>
	<b>499,300.00</b>	<b>499,300.00</b>	<b>30,594.38</b>	<b>205,930.08</b>	<b>4,394.30</b>	<b>288,975.62</b>	
<b>Department: 03 - Human Resources</b>							
0301 - Human Resources	231,300.00	231,300.00	14,157.19	87,797.25	3,385.53	140,117.22	39.42 %
<b>Department: 03 - Human Resources Total:</b>							<b>39.42 %</b>
	<b>231,300.00</b>	<b>231,300.00</b>	<b>14,157.19</b>	<b>87,797.25</b>	<b>3,385.53</b>	<b>140,117.22</b>	
<b>Department: 04 - Administrative Services</b>							
0401 - Administration	185,100.00	185,100.00	12,778.37	57,155.99	300.00	127,644.01	31.04 %
0402 - City Hall	187,800.00	187,800.00	11,542.03	79,369.61	38,844.02	69,586.37	62.95 %
0403 - Information Technology	320,900.00	320,900.00	25,522.97	157,877.68	15,546.77	147,475.55	54.04 %
<b>Department: 04 - Administrative Services Total:</b>							<b>50.32 %</b>
	<b>693,800.00</b>	<b>693,800.00</b>	<b>49,843.37</b>	<b>294,403.28</b>	<b>54,690.79</b>	<b>344,705.93</b>	
<b>Department: 05 - Community Development</b>							
0501 - Administration	186,800.00	186,800.00	12,244.28	82,170.76	200.90	104,428.34	44.10 %
0502 - Codes Enforcement	309,300.00	309,300.00	17,934.30	150,756.61	5,680.00	152,863.39	50.58 %
0503 - Cemeteries	33,400.00	33,400.00	3,000.00	12,030.52	24,500.00	-3,130.52	109.37 %
<b>Department: 05 - Community Development Total:</b>							<b>52.00 %</b>
	<b>529,500.00</b>	<b>529,500.00</b>	<b>33,178.58</b>	<b>244,957.89</b>	<b>30,380.90</b>	<b>254,161.21</b>	
<b>Department: 06 - Police</b>							
0601 - Administration	325,900.00	325,900.00	18,334.65	117,626.55	3,083.12	205,190.33	37.04 %
0602 - Patrol	2,447,000.00	2,447,000.00	134,295.67	1,078,042.52	15,746.96	1,353,210.52	44.70 %
0603 - Special Services	579,100.00	579,100.00	15,812.33	198,591.62	200.00	380,308.38	34.33 %
<b>Department: 06 - Police Total:</b>							<b>42.15 %</b>
	<b>3,352,000.00</b>	<b>3,352,000.00</b>	<b>168,442.65</b>	<b>1,394,260.69</b>	<b>19,030.08</b>	<b>1,938,709.23</b>	
<b>Department: 07 - Fire</b>							
0701 - Administration	195,300.00	195,300.00	11,918.71	86,252.24	1,111.58	107,936.18	44.73 %
0702 - Prevention	116,100.00	116,100.00	12,459.25	54,253.59	208.46	61,637.95	46.91 %



Monthly Rev and Exp Reports for Council

For Fiscal: 2022-2023 Period Ending: 11/30/2022

Division	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
0703 - Suppression	2,333,600.00	2,333,600.00	163,643.05	1,193,556.03	17,670.83	1,122,373.14	51.90 %
Department: 07 - Fire Total:	2,645,000.00	2,645,000.00	188,021.01	1,334,061.86	18,990.87	1,291,947.27	51.16 %
Department: 08 - Parks and Recreation							
0801 - Administration	257,500.00	257,500.00	14,830.30	100,797.79	365.30	156,336.91	39.29 %
0802 - Maintenance	748,700.00	748,700.00	53,950.92	340,142.30	67,980.25	340,577.45	54.51 %
0803 - Swimming Pools	46,200.00	46,200.00	1,916.69	23,619.77	3,559.33	19,020.90	58.83 %
0804 - Program Planning	317,100.00	317,100.00	11,646.80	115,374.53	25,361.45	176,364.02	44.38 %
Department: 08 - Parks and Recreation Total:	1,369,500.00	1,369,500.00	82,344.71	579,934.39	97,266.33	692,299.28	49.45 %
Department: 09 - Public Works							
0901 - Administration	369,400.00	369,400.00	24,398.43	162,668.90	7,481.00	199,250.10	46.06 %
0902 - Traffic Control	234,000.00	234,000.00	5,193.90	58,051.15	18,597.18	157,351.67	32.76 %
0903 - Street Maintenance	1,003,900.00	1,003,900.00	25,477.50	203,453.57	81,982.46	718,463.97	28.43 %
0904 - Street Construction	596,100.00	596,100.00	32,104.85	238,577.95	42,082.92	315,439.13	47.08 %
0905 - Street Cleaning	972,100.00	972,100.00	45,792.59	512,525.05	25,967.81	433,607.14	55.39 %
0906 - Fleet Maintenance	329,900.00	329,900.00	20,569.26	126,644.38	8,972.83	194,282.79	41.11 %
0908 - Animal Control	191,100.00	191,100.00	12,133.70	78,823.97	3,644.99	108,631.04	43.15 %
Department: 09 - Public Works Total:	3,696,500.00	3,696,500.00	165,670.23	1,380,744.97	188,729.19	2,127,025.84	42.46 %
Department: 10 - Communications/Dispatch							
1004 - Communications/Dispatch	313,300.00	313,300.00	0.00	156,230.32	0.00	157,069.68	49.87 %
Department: 10 - Communications/Dispatch Total:	313,300.00	313,300.00	0.00	156,230.32	0.00	157,069.68	49.87 %
Department: 11 - Transfers							
1101 - Non-Departmental	2,525,000.00	5,425,000.00	198,076.06	3,867,043.57	4,077.95	1,553,878.48	71.36 %
Department: 11 - Transfers Total:	2,525,000.00	5,425,000.00	198,076.06	3,867,043.57	4,077.95	1,553,878.48	71.36 %
Fund: 01 - GENERAL FUND Total:	19,598,000.00	22,498,000.00	1,336,218.97	11,393,733.82	440,748.76	10,663,517.42	52.60 %
Report Total:	19,598,000.00	22,498,000.00	1,336,218.97	11,393,733.82	440,748.76	10,663,517.42	52.60 %



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council

## Account Summary

For Fiscal: 2022-2023 Period Ending: 11/30/2022

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 12 - SANITATION</b>							
<b>Revenue</b>							
<u>12-0000-4648</u>	REFUSE PENALTY	4,000.00	4,000.00	472.32	1,569.41	-2,430.59	39.24 %
<u>12-0000-4650</u>	IND/COMMERCIAL REFUSE CHARG	420,000.00	420,000.00	29,348.00	185,663.72	-234,336.28	44.21 %
<u>12-0000-4658</u>	REFUSE COLLECTION CHARGES	540,000.00	540,000.00	48,616.70	234,104.43	-305,895.57	43.35 %
<u>12-0000-4750</u>	RECYCLING CENTER	2,000.00	2,000.00	0.00	2,304.86	304.86	115.24 %
<u>12-0000-4910</u>	INTEREST INCOME	1,000.00	1,000.00	3,139.89	11,230.97	10,230.97	1,123.10 %
<u>12-0000-4930</u>	DISCOUNTS EARNED	0.00	0.00	2.48	27.83	27.83	0.00 %
<u>12-0000-4999</u>	MISCELLANEOUS INCOME	3,000.00	3,000.00	0.00	135.57	-2,864.43	4.52 %
<b>Revenue Total:</b>		<b>970,000.00</b>	<b>970,000.00</b>	<b>81,579.39</b>	<b>435,036.79</b>	<b>-534,963.21</b>	<b>44.85 %</b>
<b>Fund: 12 - SANITATION Total:</b>		<b>970,000.00</b>	<b>970,000.00</b>	<b>81,579.39</b>	<b>435,036.79</b>	<b>-534,963.21</b>	<b>44.85 %</b>
<b>Report Total:</b>		<b>970,000.00</b>	<b>970,000.00</b>	<b>81,579.39</b>	<b>435,036.79</b>	<b>-534,963.21</b>	<b>44.85 %</b>



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council Group Summary

For Fiscal: 2022-2023 Period Ending: 11/30/2022

Division	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Encumbrances	Variance Favorable (Unfavorable)	Percent Used
Fund: 12 - SANITATION	970,000.00	970,000.00	44,509.78	470,688.18	9,451.67	489,860.15	49.50 %
Department: 09 - Public Works	970,000.00	970,000.00	44,509.78	470,688.18	9,451.67	489,860.15	49.50 %
0907 - Sanitation	970,000.00	970,000.00	44,509.78	470,688.18	9,451.67	489,860.15	49.50 %
Report Total:	970,000.00	970,000.00	44,509.78	470,688.18	9,451.67	489,860.15	49.50 %

Department: 09 - Public Works Total:

Fund: 12 - SANITATION Total:

Report Total:

# City of Athens Fire Dept

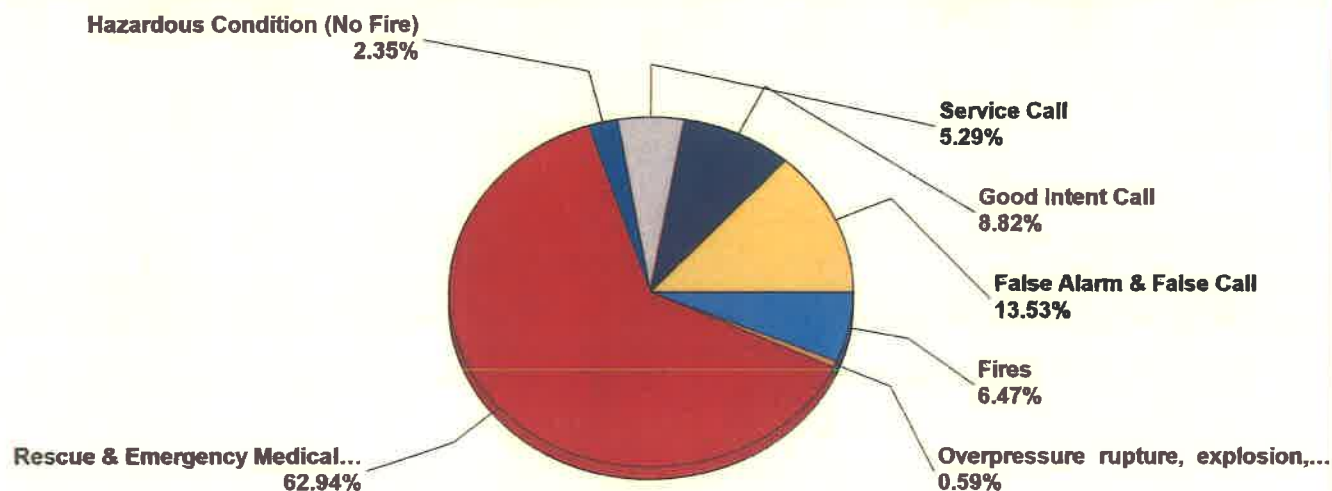
Athens, TN

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 11/01/2022 | End Date: 11/30/2022



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	11	6.47%
Overpressure rupture, explosion, overheating - no fire	1	0.59%
Rescue & Emergency Medical Service	107	62.94%
Hazardous Condition (No Fire)	4	2.35%
Service Call	9	5.29%
Good Intent Call	15	8.82%
False Alarm & False Call	23	13.53%
<b>TOTAL</b>	<b>170</b>	<b>100%</b>

1070 Employee Training hours  
Downtown Halloween  
Fall Festival First Baptist Church  
2 at TEMA All Hazards Task Force Strike Team Leader Course  
TN Special Olympics - Bowling  
EMS Conference Gatlinburg  
3 - Truck Ops Class in Dalton, GA  
Helped put up Christmas tree in Market Park  
1 State Inspection  
Old Fashion Christmas  
Hosted Tri-State Mutual Aid Meeting  
Hosted State Commission Testing - 7 took various tests  
Various Fire Prevention Presentations with small groups

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	4	2.35%
115 - Incinerator overload or malfunction, fire confined	1	0.59%
138 - Off-road vehicle or heavy equipment fire	1	0.59%
140 - Natural vegetation fire, other	3	1.76%
142 - Brush or brush-and-grass mixture fire	1	0.59%
143 - Grass fire	1	0.59%
251 - Excessive heat, scorch burns with no ignition	1	0.59%
311 - Medical assist, assist EMS crew	95	55.88%
321 - EMS call, excluding vehicle accident with injury	1	0.59%
322 - Motor vehicle accident with injuries	8	4.71%
324 - Motor vehicle accident with no injuries.	3	1.76%
412 - Gas leak (natural gas or LPG)	3	1.76%
462 - Aircraft standby	1	0.59%
551 - Assist police or other governmental agency	3	1.76%
552 - Police matter	1	0.59%
553 - Public service	1	0.59%
561 - Unauthorized burning	4	2.35%
611 - Dispatched & cancelled en route	8	4.71%
622 - No incident found on arrival at dispatch address	1	0.59%
632 - Prescribed fire	1	0.59%
651 - Smoke scare, odor of smoke	4	2.35%
652 - Steam, vapor, fog or dust thought to be smoke	1	0.59%
710 - Malicious, mischievous false call, other	1	0.59%
743 - Smoke detector activation, no fire - unintentional	1	0.59%
744 - Detector activation, no fire - unintentional	20	11.76%
745 - Alarm system activation, no fire - unintentional	1	0.59%
<b>TOTAL INCIDENTS:</b>	<b>170</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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# City of Athens Fire Dept

Athens, TN

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## Property Values versus Loss and Save per Incident for Date Range

Start Date: 11/01/2022 | End Date: 11/30/2022

INCIDENT #	PRE-INCIDENT VALUE	LOSSES	SAVED
2022-1927	\$3,000.00	\$3,000.00	\$0.00
2022-1951	\$8,020.00	\$8,020.00	\$0.00
2022-2001	\$210,000.00	\$30,000.00	\$180,000.00
2022-2005	\$72,600.00	\$45,000.00	\$27,600.00
2022-2019	\$110,000,000.00	\$40,000.00	\$109,960,000.00
2022-2020	\$130,000.00	\$65,000.00	\$65,000.00
2022-2059	\$81,100.00	\$15,000.00	\$66,100.00
<b>Totals:</b>	<b>\$110,504,720.00</b>	<b>\$206,020.00</b>	<b>\$110,298,700.00</b>

Both the PRE-INCIDENT VALUE and LOSSES columns are the summation of the respective Property and Contents fields as recorded on the Basic Info 5 screen of an incident. Only REVIEWED incidents included. EMS incidents excluded.



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# City of Athens Fire Dept

Athens, TN

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## Losses for Date Range

Start Date: 11/01/2022 | End Date: 11/30/2022

TOTAL INCIDENTS	TOTAL PROPERTY LOSS	TOTAL CONTENT LOSS	TOTAL LOSSES	AVERAGE LOSS
7	\$131,000.00	\$75,020.00	\$206,020.00	\$29,431.00

INCIDENT NUMBER	DATE	Incident Type	PROPERTY LOSS	CONTENT LOSS	TOTAL	% of Total
2022-1927	11/05/2022	140 - Natural vegetation fire, other	\$3,000.00	\$0.00	\$3,000.00	1.46%
2022-1951	11/09/2022	138 - Off-road vehicle or heavy equipment fire	\$8,000.00	\$20.00	\$8,020.00	3.89%
2022-2001	11/18/2022	111 - Building fire	\$20,000.00	\$10,000.00	\$30,000.00	14.56%
2022-2005	11/19/2022	111 - Building fire	\$30,000.00	\$15,000.00	\$45,000.00	21.84%
2022-2019	11/21/2022	115 - Incinerator overload or malfunction, fire confined	\$0.00	\$40,000.00	\$40,000.00	19.42%
2022-2020	11/21/2022	111 - Building fire	\$60,000.00	\$5,000.00	\$65,000.00	31.55%
2022-2059	11/29/2022	111 - Building fire	\$10,000.00	\$5,000.00	\$15,000.00	7.28%

Only REVIEWED incidents included



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# City of Athens Fire Dept

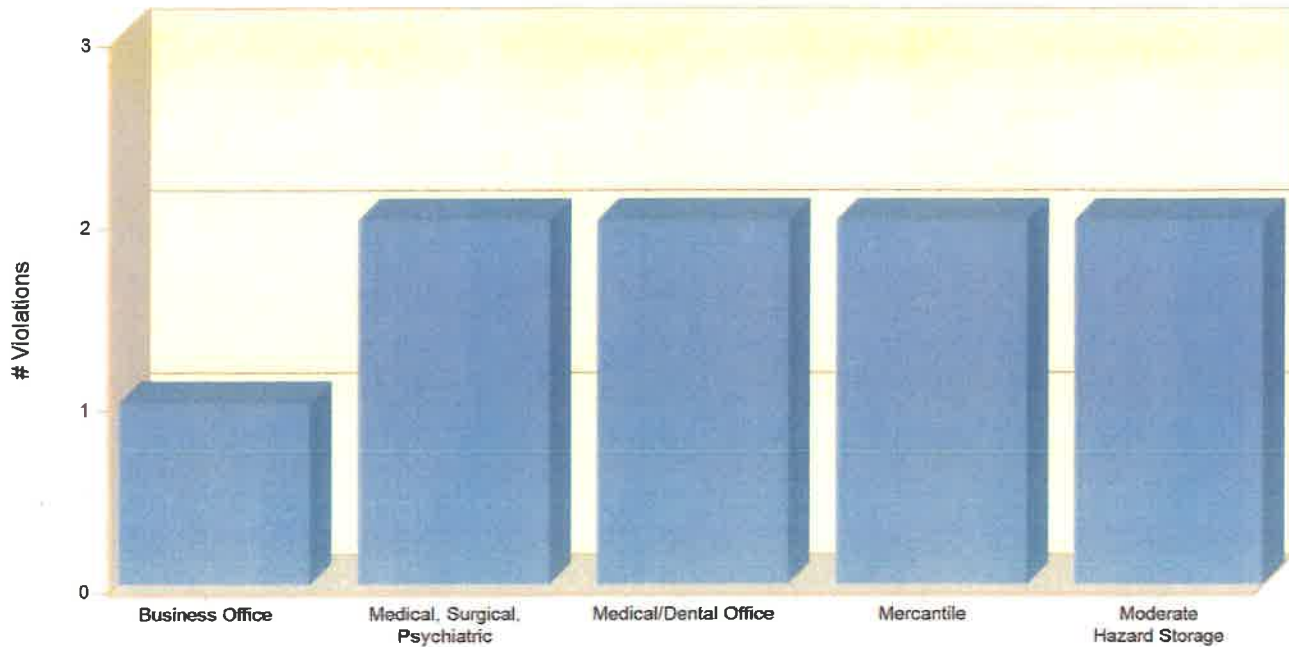
Athens, TN

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## Count of Violations per Occupancy Type for Inspection Date Range

Inspection Observations: FAIL | Start Date: 11/01/2022 | End Date: 11/30/2022



OCCUPANCY TYPE	# VIOLATIONS
Business Office	1
Medical, Surgical, Psychiatric	2
Medical/Dental Office	2
Mercantile	2
Moderate Hazard Storage	2
Total of Violations:	9

Total number of violations for LOCKED inspections that took place for the DATE RANGE provided for each Occupancy Type.



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Doc Id: 886

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# City of Athens Fire Dept

Athens, TN

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## Completed Inspections per Inspection Type for Date Range

Occupancy Status: All | Start Date: 11/01/2022 | End Date: 11/30/2022

ID	OCCUPANCY	ADDRESS	DATE	INSPECTOR	RESULT	NOTES
<b>Inspection Type: Alarm System Test</b>						
243	City Park School	203 Keith LN Athens, TN 37303	11/16/2022	Ingram, Jack	Passed	
66	Athens City Middle School	200 Keith LN Athens, TN 37303	11/16/2022	Ingram, Jack	Passed	
465	Ingleside Elementary School	200 Guille ST Athens, TN 37303	11/16/2022	Walker, Rodney S	Passed	
638	North City School	1601 Palos ST Athens, TN 37303	11/16/2022	Walker, Rodney S	Passed	
380	Christ's Legacy Academy	625 Matlock AVE Athens, TN 37303	11/16/2022	Ingram, Jack	Passed	
973	Westside School	700 Westside AVE Athens, TN 37303	11/16/2022	Ingram, Jack	Passed	
890	Tri County Center	3030 Lee HWY Athens, TN 37303	11/16/2022	Walker, Rodney S	Passed	
596	McMinn County Alternative School	1775 Overland DR Athens, TN 37303	11/16/2022	Walker, Rodney S	Passed	
602	McMinn County Career Technical School	2103 S Congress PKY Athens, TN 37303	11/16/2022	Ingram, Jack	Passed	

Total # Inspections for Alarm System Test

9

<b>Inspection Type: Annual</b>						
1109	Audibel	586 S Congress PKY Athens, TN 37303	11/08/2022	Martin, Dustin R	Passed with Comments	
1108	Edward Jones	582 S Congress PKY Athens, TN 37303	11/08/2022	Martin, Dustin R	Passed	

Includes LOCKED inspections for both archived and unarchived occupancy records.

**EMERGENCY REPORTING**  
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ID	OCCUPANCY	ADDRESS	DATE	INSPECTOR	RESULT	NOTES
<b>Inspection Type: Annual</b>						
	MCMINN COUNTY COMMUNICATION CENTER	1107 S Congress PKY Athens, TN 37303	11/08/2022	Eaton, Mike	Passed with Comments	
	AMR STATION 1	1107 S Congress PKY Athens, TN 37303	11/08/2022	Eaton, Mike	Passed	
723	Ag-Pro	1109 S Congress PKY Athens, TN 37303 1	11/08/2022	Eaton, Mike	Passed	
372	First Baptist Church Pre School	305 Ingleside AVE Athens, TN 37303	11/09/2022	Fling, Jason R	Passed	
936	Keith Children's Academy	600 W Madison AVE Athens, TN 37303	11/11/2022	Key, Quintin G	Passed	
716	Rehab Works	915 S Congress PKY #100 Athens, TN 37303	11/30/2022	Fling, Jason R	Passed	
448	Holston Gasses Inc	917 N Congress PKY Athens, TN 37303	11/30/2022	Fling, Jason R	Passed with Comments	
782	Social Security	921 N Congress PKY Athens, TN 37303	11/30/2022	Fling, Jason R	Passed	
593	Michaels Fine Dinning	925 N Congress PKY Athens, TN 37303	11/30/2022	Fling, Jason R	Passed	

Total # Inspections for Annual: 11

<b>Inspection Type: Outside Inspection Only (Vacant)</b>						
971	Vacant	915 N Congress PKY #300 Athens, TN 37303	11/30/2022	Fling, Jason R	Passed	
17	Vacant	913 N Congress PKY #300 Athens, TN 37303	11/30/2022	Fling, Jason R	Passed	

Total # Inspections for Outside Inspection Only (Vacant): 2

**TOTAL # INSPECTIONS: 22**

Includes LOCKED inspections for both archived and unarchived occupancy records.

# City of Athens Fire Dept

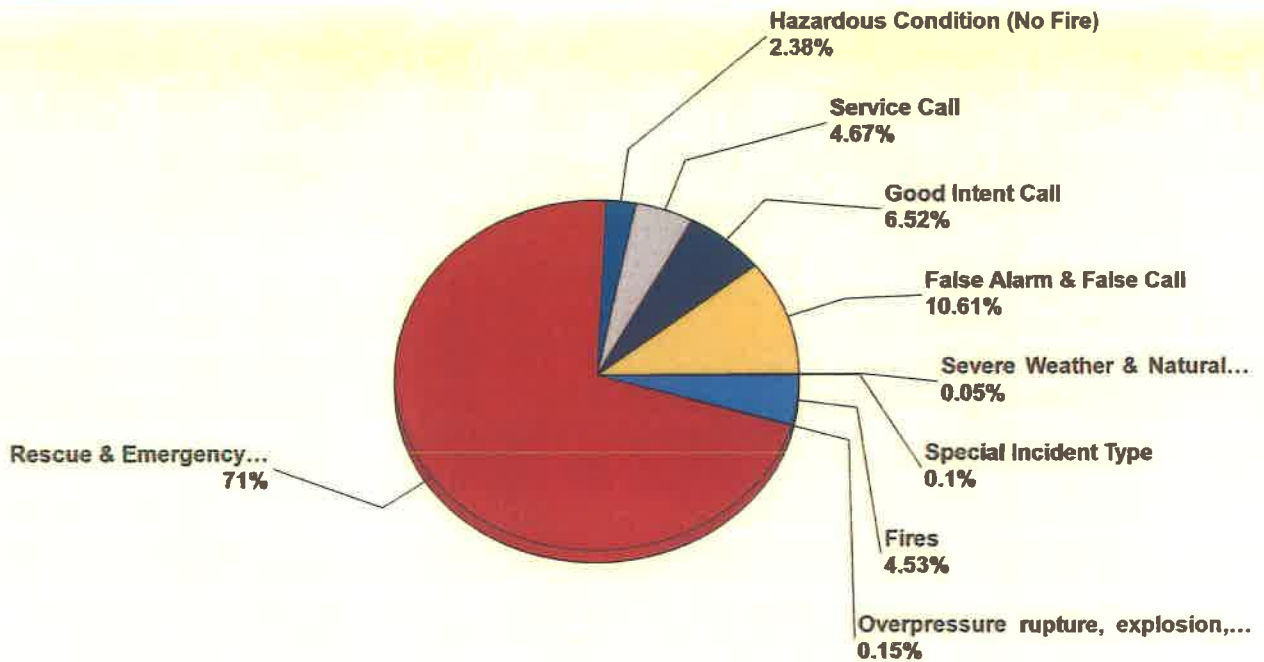
Athens, TN

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## Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 01/01/2022 | End Date: 11/30/2022



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	93	4.53%
Overpressure rupture, explosion, overheating - no fire	3	0.15%
Rescue & Emergency Medical Service	1459	71%
Hazardous Condition (No Fire)	49	2.38%
Service Call	96	4.67%
Good Intent Call	134	6.52%
False Alarm & False Call	218	10.61%
Severe Weather & Natural Disaster	1	0.05%
Special Incident Type	2	0.1%
<b>TOTAL</b>	<b>2055</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.

### Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
100 - Fire, other	4	0.19%
111 - Building fire	18	0.88%
112 - Fires in structure other than in a building	1	0.05%
113 - Cooking fire, confined to container	5	0.24%
115 - Incinerator overload or malfunction, fire confined	1	0.05%
116 - Fuel burner/boiler malfunction, fire confined	2	0.1%
118 - Trash or rubbish fire, contained	7	0.34%
121 - Fire in mobile home used as fixed residence	1	0.05%
122 - Fire in motor home, camper, recreational vehicle	1	0.05%
123 - Fire in portable building, fixed location	1	0.05%
131 - Passenger vehicle fire	14	0.68%
132 - Road freight or transport vehicle fire	1	0.05%
138 - Off-road vehicle or heavy equipment fire	3	0.15%
140 - Natural vegetation fire, other	8	0.39%
141 - Forest, woods or wildland fire	2	0.1%
142 - Brush or brush-and-grass mixture fire	6	0.29%
143 - Grass fire	3	0.15%
150 - Outside rubbish fire, other	2	0.1%
151 - Outside rubbish, trash or waste fire	3	0.15%
154 - Dumpster or other outside trash receptacle fire	3	0.15%
160 - Special outside fire, other	3	0.15%
162 - Outside equipment fire	2	0.1%
170 - Cultivated vegetation, crop fire, other	2	0.1%
251 - Excessive heat, scorch burns with no ignition	3	0.15%
311 - Medical assist, assist EMS crew	1306	63.55%
320 - Emergency medical service, other	1	0.05%
321 - EMS call, excluding vehicle accident with injury	1	0.05%
322 - Motor vehicle accident with injuries	127	6.18%
324 - Motor vehicle accident with no injuries.	17	0.83%
340 - Search for lost person, other	1	0.05%
341 - Search for person on land	1	0.05%
350 - Extrication, rescue, other	2	0.1%
351 - Extrication of victim(s) from building/structure	1	0.05%
352 - Extrication of victim(s) from vehicle	1	0.05%
353 - Removal of victim(s) from stalled elevator	1	0.05%
411 - Gasoline or other flammable liquid spill	1	0.05%
412 - Gas leak (natural gas or LPG)	14	0.68%
423 - Refrigeration leak	1	0.05%
424 - Carbon monoxide incident	3	0.15%
440 - Electrical wiring/equipment problem, other	3	0.15%
441 - Heat from short circuit (wiring), defective/worn	1	0.05%
442 - Overheated motor	2	0.1%
444 - Power line down	4	0.19%
445 - Arcing, shorted electrical equipment	8	0.39%
461 - Building or structure weakened or collapsed	1	0.05%
462 - Aircraft standby	9	0.44%
480 - Attempted burning, illegal action, other	2	0.1%
500 - Service Call, other	1	0.05%
510 - Person in distress, other	1	0.05%
520 - Water problem, other	1	0.05%
522 - Water or steam leak	1	0.05%
531 - Smoke or odor removal	1	0.05%
540 - Animal problem, other	1	0.05%
542 - Animal rescue	1	0.05%
550 - Public service assistance, other	2	0.1%

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
551 - Assist police or other governmental agency	41	2%
552 - Police matter	2	0.1%
553 - Public service	7	0.34%
561 - Unauthorized burning	34	1.65%
571 - Cover assignment, standby, moveup	3	0.15%
600 - Good intent call, other	4	0.19%
611 - Dispatched & cancelled en route	69	3.36%
622 - No incident found on arrival at dispatch address	15	0.73%
631 - Authorized controlled burning	6	0.29%
632 - Prescribed fire	1	0.05%
650 - Steam, other gas mistaken for smoke, other	1	0.05%
651 - Smoke scare, odor of smoke	30	1.46%
652 - Steam, vapor, fog or dust thought to be smoke	2	0.1%
653 - Smoke from barbecue, tar kettle	2	0.1%
671 - HazMat release investigation w/no HazMat	4	0.19%
710 - Malicious, mischievous false call, other	2	0.1%
730 - System malfunction, other	1	0.05%
733 - Smoke detector activation due to malfunction	1	0.05%
736 - CO detector activation due to malfunction	3	0.15%
740 - Unintentional transmission of alarm, other	1	0.05%
743 - Smoke detector activation, no fire - unintentional	7	0.34%
744 - Detector activation, no fire - unintentional	200	9.73%
745 - Alarm system activation, no fire - unintentional	2	0.1%
746 - Carbon monoxide detector activation, no CO	1	0.05%
813 - Wind storm, tornado/hurricane assessment	1	0.05%
900 - Special type of incident, other	2	0.1%
<b>TOTAL INCIDENTS:</b>	<b>2055</b>	<b>100%</b>

Only REVIEWED and/or LOCKED IMPORTED incidents are included. Summary results for a major incident type are not displayed if the count is zero.



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# City of Athens Fire Dept

Athens, TN

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## Property Values versus Loss and Save per Incident for Date Range

Start Date: 01/01/2022 | End Date: 11/30/2022

INCIDENT #	PRE-INCIDENT VALUE	LOSSES	SAVED
2022-96	\$16,000.00	\$16,000.00	\$0.00
2022-163	\$10,000.00	\$2,000.00	\$8,000.00
2022-164	\$500.00	\$500.00	\$0.00
2022-172	\$650,000.00	\$500.00	\$649,500.00
2022-202	\$950,000.00	\$125,000.00	\$825,000.00
2022-213	\$10,200.00	\$200.00	\$10,000.00
2022-271	\$500.00	\$500.00	\$0.00
2022-390	\$59,200.00	\$28,000.00	\$31,200.00
2022-465	\$10,000.00	\$9,000.00	\$1,000.00
2022-552	\$8,000.00	\$2,500.00	\$5,500.00
2022-566	\$24,000.00	\$18,000.00	\$6,000.00
2022-589	\$1,500.00	\$1,000.00	\$500.00
2022-624	\$200.00	\$200.00	\$0.00
2022-688	\$140,000.00	\$50,000.00	\$90,000.00
2022-700	\$1,137,100.00	\$5,000.00	\$1,132,100.00
2022-728	\$8,000.00	\$5,000.00	\$3,000.00
2022-818	\$30,000.00	\$800.00	\$29,200.00
2022-857	\$113,300.00	\$100.00	\$113,200.00
2022-921	\$500.00	\$500.00	\$0.00
2022-967	\$2,100,000.00	\$12,000.00	\$2,088,000.00
2022-994	\$1,000,000.00	\$22,000.00	\$978,000.00
2022-1010	\$233,000.00	\$50,400.00	\$182,600.00
2022-1025	\$100,600.00	\$1,500.00	\$99,100.00
2022-1029	\$84,600.00	\$500.00	\$84,100.00
2022-1037	\$82,400.00	\$65,000.00	\$17,400.00
2022-1148	\$927,400.00	\$400.00	\$927,000.00
2022-1187	\$1,000.00	\$250.00	\$750.00
2022-1352	\$230,000.00	\$50.00	\$229,950.00
2022-1368	\$3,400.00	\$250.00	\$3,150.00
2022-1428	\$2,400.00	\$2,400.00	\$0.00
2022-1481	\$5,500.00	\$2,500.00	\$3,000.00
2022-1496	\$4,000.00	\$4,000.00	\$0.00
2022-1632	\$7,500,000.00	\$70,000.00	\$7,430,000.00
2022-1662	\$50,000.00	\$500.00	\$49,500.00
2022-1668	\$3,100.00	\$3,000.00	\$100.00
2022-1677	\$500,000.00	\$300.00	\$499,700.00
2022-1692	\$12,500.00	\$500.00	\$12,000.00
2022-1776	\$95,000.00	\$10,000.00	\$85,000.00

Both the PRE-INCIDENT VALUE and LOSSES columns are the summation of the respective Property and Contents fields as recorded on the Basic Info 5 screen of an incident. Only REVIEWED incidents included. EMS incidents excluded.



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INCIDENT #	PRE-INCIDENT VALUE	LOSSES	SAVED
2022-1782	\$7,500.00	\$7,500.00	\$0.00
2022-1790	\$1,050,000.00	\$4,000.00	\$1,046,000.00
2022-1822	\$50.00	\$50.00	\$0.00
2022-1852	\$180,000.00	\$180,000.00	\$0.00
2022-1854	\$30,000,000.00	\$50,000.00	\$29,950,000.00
2022-1857	\$15,000.00	\$1,000.00	\$14,000.00
2022-1927	\$3,000.00	\$3,000.00	\$0.00
2022-1951	\$8,020.00	\$8,020.00	\$0.00
2022-2001	\$210,000.00	\$30,000.00	\$180,000.00
2022-2005	\$72,600.00	\$45,000.00	\$27,600.00
2022-2019	\$110,000,000.00	\$40,000.00	\$109,960,000.00
2022-2020	\$130,000.00	\$65,000.00	\$65,000.00
2022-2059	\$81,100.00	\$15,000.00	\$66,100.00
<b>Totals:</b>	<b>\$157,861,170.00</b>	<b>\$958,920.00</b>	<b>\$156,902,250.00</b>

Both the PRE-INCIDENT VALUE and LOSSES columns are the summation of the respective Property and Contents fields as recorded on the Basic Info 5 screen of an incident. Only REVIEWED incidents included. EMS incidents excluded.

# City of Athens Fire Dept

Athens, TN

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## Incident Detail for Aid Given and Received for Incident Type Range for Date Range

Incident Type Range: 100 - 911 | StartDate: 11/01/2022 | EndDate: 11/30/2022

INCIDENT DATE	INCIDENT #	ADDRESS	INCIDENT TYPE	SHIFT
<b>AID TYPE: Mutual aid given</b>				
11/20/2022	2022-2010	1301 RIVER RD	551 - Assist police or other governmental agency	ST1 - Athens Fire Station 1
11/21/2022	2022-2017	235 COUNTY RD 436	142 - Brush or brush-and-grass mixture fire	ST1 - Athens Fire Station 1

Percentage of Total Incidents: 1.18%

<b>AID TYPE: Mutual aid received</b>				
11/21/2022	2022-2020	501 CENTRAL AV	111 - Building fire	ST1 - Athens Fire Station 1

Percentage of Total Incidents: 0.59%

Displays all incidents with aid given or received, and excludes incidents with neither. Percentages calculated from total number of incidents for parameters provided. Only REVIEWED incidents included.



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## FIRE DEPARTMENT

### EMS RESPONSE REPORT

November 2022

<u>Date</u>	<u>CAD #</u>	<u>EMS Response Location</u>
11/01/2022	2022-1905	Riceville
11/02/2022	2022-1910	Riceville
11/02/2022	2022-1911	Niota
11/08/2022	2022-1942	Etowah
11/12/2022	2022-1967	Riceville
11/13/2022	2022-1974	Riceville
11/15/2022	2022-1986	Niota
11/17/2022	2022-1998	Riceville
11/21/2022	2022-2014	Niota
11/24/2022	2022-2034	900 only
11/26/2022	2022-2040	Riceville
11/27/2022	2022-2046	Etowah
11/30/2022	2022-2065	Riceville
11/30/2022	2022-2067	Riceville
11/30/2022	2022-2069	Englewood Fire Department
11/30/2022	2022-2070	None Available

City of Athens Fire Department responded to 95 Medical Calls. EMS responded from outside the City of Athens 16 times.



## Police Department Report to City Manager

November ▾

2022 ▾

	This Month	This Year	Last Year to Date
<b>Homicide</b>	0	0	2
<b>Sex Offense</b>	3	17	15
<b>Robbery</b>	0	8	5
<b>Assault</b>	21	300	175
<b>Burglary</b>	4	136	112
<b>Theft</b>	68	603	561
<b>MV Theft</b>	9	91	84

<b>Moving Violations</b>	248	2119	2653
<b>Citations</b>	122	1046	N/A
<b>Warnings</b>	126	1068	N/A
<b>Drugs</b>	35	366	338
<b>Arrests</b>	126	1465	1180
<b>Total Calls for Service</b>	1571	16.98K	19,191



## Police Department Report to City Manager

November ▾

2022 ▾

**This Month**

**This Year**

**Last Year to Date**

<b>Vehicle Accidents</b>	45	525	668
<b>Pedestrian</b>	0	2	4
<b>Private Property</b>	20	358	289
<b>Total</b>	65	884	961
<b>Injuries</b>	7	118	157
<b>Fatalities</b>	0	1	1

<b>Authorized Sworn Positions</b>	34
<b>Current Sworn Positions Filled</b>	27
<b>Police Department Vacancies</b>	7

Prepared:

Jason B. Garren

Deputy Chief

Submitted:

Fred K. Schultz

Chief of Police

Date

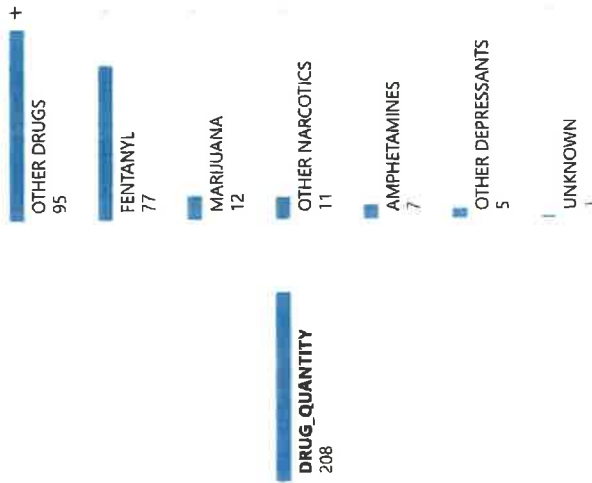
10/1/2022 11/30/2022

MEASUREMENT

DOSAGE UNITS

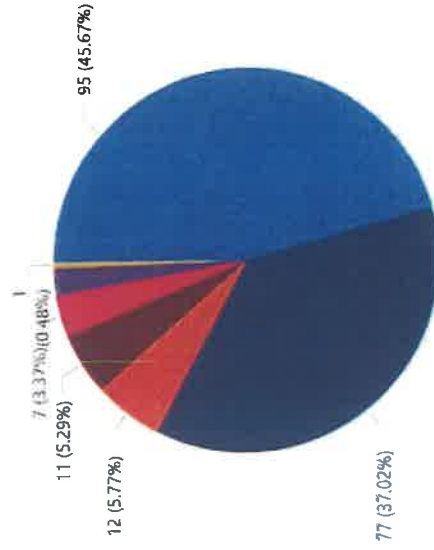
### DRUG\_QUANTITY by DRUG\_TYPE

DRUG\_TYPE x



DRUG\_TYPE

- OTHER DRUGS
- FENTANYL
- MARIJUANA
- OTHER NARCOTICS
- AMPHETAMINES
- OTHER DEPRESSANTS
- UNKNOWN



Date

10/1/2022 11/30/2022

MEASUREMENT

GRAMS

### DRUG\_QUANTITY by DRUG\_TYPE

DRUG\_TYPE x



DRUG\_TYPE

- MARIJUANA
- METHAMPHETAMINES
- FENTANYL
- COCAINE
- UNKNOWN
- HEROIN
- OTHER NARCOTICS

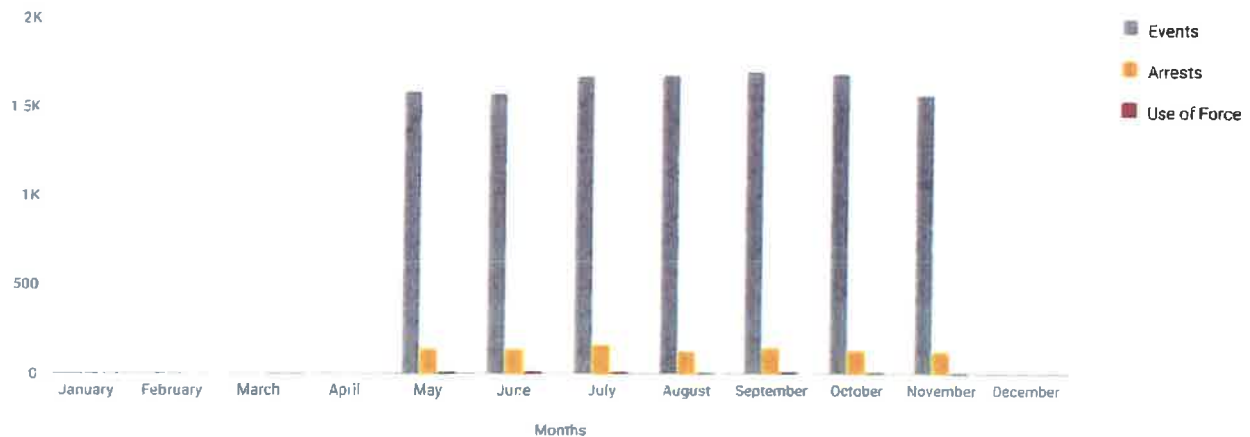


## Athens Police Department

### USE OF FORCE VS. EVENT COMPARISON (RESULT FOR YEAR 2022)

#### USE OF FORCE VS. EVENT COMPARISON SUMMARY BY MONTH

Event vs Arrests vs. Use of Force Comparison



#### 2022 Events vs. Use Of Force

Total Events:  
Use of Force Incidents:

11489  
55

**0.48%**

#### 2022 Arrests vs. Use Of Force

Total Arrests:  
Use of Force Incidents:

982  
55

**5.60%**

MONTHS	TOTAL EVENTS	USE OF FORCE	%
January	0	0	0.00%
February	0	0	0.00%
March	0	0	0.00%
April	0	0	0.00%
May	1589	7	0.44%
June	1577	12	0.76%
July	1678	8	0.48%
August	1683	5	0.30%
September	1702	10	0.59%
October	1689	8	0.47%
November	1571	5	0.32%
December	0	0	0.00%

MONTHS	TOTAL ARRESTS	USE OF FORCE	%
January	0	0	0.00%
February	0	0	0.00%
March	0	0	0.00%
April	0	0	0.00%
May	141	7	4.96%
June	141	12	8.51%
July	165	8	4.85%
August	128	5	3.91%
September	148	10	6.76%
October	133	8	6.02%
November	126	5	3.97%
December	0	0	0.00%

## **Monthly Overtime Report for Patrol Division November 2022**

### **Late Shift: 38.50 hours**

(reports, late arrests, late calls, early shift calls, raids, assignments)

### **Manpower: 70.50 hours**

(fill in for sick leave, vacations, training)

### **Court: 15.00 hours**

General Sessions: 5.00

City: 2.50

Criminal: 00.00

Civil: 2.00

Juvenile: 00.00

Grand Jury: 5.50

### **Training: 49.00 hours**

### **Special Assignments: 13.00 hours**

Meeting: 5.00

THSO: 8.00

**Total hours for the month: 186.00 hours**

**Total expenditure for patrol overtime for the month: \$5,125.65**

**Total budgeted for patrol overtime for the month: \$5,416.66**

## Athens Municipal Court

**DISPOSITION COUNT**

11/01/2022 to 11/30/2022

<u>Disp. Code Id</u>	<u>Disp. Code Name</u>	
(9)	Dismissed	<u>18</u>
(10)	Dismissed after Drv Safety Course	<u>3</u>
(11)	Dismissed upon payment of cost w/time to pay	<u>6</u>
(4)	Guilty - Trial by Judge	<u>1</u>
(19)	Paid in Full	<u>70</u>
(21)	Plea Guilty/ as charged	<u>21</u>
(25)	Plea Not Guilty, set for trail	<u>5</u>
Total Dispositions:		<u>124</u>



**Athens Police Department**

**Amber Harrell**

**False Alarm Sheet**  
**November 2022**

**There were 38 alarms this month.**

**were not charged. This leaves only 0 chargeable.**

**This month 38    Last year this month 41**

**MONEY COLLECTED FOR FINANCE ON WARRANTS**

**This month \$00.00**



## BEER BOARD

### AGENDA

Tuesday, December 20, 2022, 6:00 P.M.

**I. CALL TO ORDER**

**II. ROLL CALL**

(1-2) **III. MINUTES** – August 16, 2022 – Regular Meeting

**IV. OLD BUSINESS**

a.) None

**V. NEW BUSINESS**

(3-11) a.) Restaurant Beer Permit Application – BSTRONG Enterprises, LLC/The R.E.L. Prohibition Pub, 3 North Jackson Street

**VI. ADJOURNMENT**

## ATHENS BEER BOARD MINUTES OF MEETING

August 16, 2022

The Athens City Council, sitting as the Athens Beer Board, met in regular session on Tuesday, August 16, 2022, at 7:33 p.m. with Chairman Perkinson presiding. Upon roll call, the following members were present:

Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

The following decisions were made and ordered made a part of the records of the Athens Beer Board.

- 1 -

### MINUTES

Board Member Pelley moved, Board Member Curtis seconded, to approve the Minutes of the June 21, 2022 regularly scheduled meeting. Roll call vote:

AYES: Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson

NAYS: None

- 2 -

### OLD BUSINESS

None

- 3 -

### NEW BUSINESS

#### GROCERY (FOOD STORES) BEER PERMIT APPLICATION – ALDI INC. (TENNESSEE) DBA ALDI #79, 1518 DECATUR PIKE

An application for a Grocery (Food Stores) Beer Permit from Aldi Inc. (Tennessee) dba Aldi #79, 1518 Decatur Pike, was presented for consideration. Walter Taylor, a representative for Aldi #79, was present at the meeting. Mike Keith, Finance Director, stated that the application was properly completed and executed, the investigation by the Chief of Police, and the inspection of the facility by the Building Official revealed all requirements for issuance of a permit had been met. Chairman Perkinson emphasized the importance of training employees to make sure they do not sell to minors. Mr. Taylor stated that Aldi's goes through the Tennessee Alcoholic Beverage Commission training since they also provide wine. They key in the birth date at the register. Chairman Perkinson asked for a motion. **Board Member Curtis moved, Board**

**Member Pelley seconded, to approve the beer application as submitted.** Upon roll call, the motion was approved by the following vote:

AYES:	Curtis, Pelley, Witt-McMahan, Lockmiller, Perkinson
NAYS:	None

- 4 -

ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:40 p.m.

---

STEVEN S. SHERLIN, Chairman

---

MICHAEL L. KEITH, Interim City Manager

FOR OFFICE USE ONLY:

Date Application Received:

11-7-22

Received By:

*Mull*  
*C. Wyatt*

Time Received:

1:31

Fee (\$250) Received By:

*Connie Wyatt*

Receipt #:

34578

Date:

11-7-22

Action Taken:

Date:

CITY OF ATHENS, TENNESSEE  
APPLICATION FOR BEER PERMIT

Application for (check one):



**Caterers:** A business engaged in offering food and beverage service for a fee at various locations, which (i) operates a permanent catering hall on an exclusive basis; (ii) has a complete and adequate commercial kitchen facility; and (iii) is licensed as a caterer by the Tennessee Department of Health.

☐ **Club:** A Club shall mean a non-profit association as defined and described in TCA §57-4-102(7) (A) and (B), for consumption on the premises only.

☐ **Golf Course:** Beer may be sold for consumption on the premises only with the premises defined as any clubhouse, pro shop, restaurant, or the playing course itself. No consumption shall be permitted in or on the parking lot.

☐ **Grocery (Food Stores):** Establishments 10,000 square feet or more with the inventory of beer being 20% or less, than the total inventory. Beer **shall not** be sold for consumption on the premises of grocery store.

☐ **Grocery (Food Stores):** Establishments with less than 10,000 square feet with the inventory of beer being 20% or less than the total inventory. Beer **shall not** be sold for consumption on the premises of grocery store.

☐ **Hotels:** Establishments located within a radius of one (1) mile from Highway 30 and the entrance ramp to the northbound lanes of Interstate 75 which has available for occupancy sixty (60) or more interior corridor rooms for paid lodging by guests on a short-term basis, not to exceed seven (7) consecutive days by a guest.

☐ **Package Beer Stores (Off Premises):** Establishments where beer is sold to be consumed off the premises. Beer **shall not be consumed** on the premises of these establishments.



**Restaurants:** Establishments whose primary business is the sale of prepared food to be consumed on the premises.

☐ **Wholesaler/Distribution (Off Premises):** "Separate permits shall be required for selling at retail, storing, distributing, and manufacturing." Beer **shall not be sold or consumed** on the wholesaler's premises.

I hereby make application for a permit to sell, store, manufacture, or distribute beer or other beverages authorized to be sold, stored, manufactured or distributed under the provisions of the *Tennessee Code Annotated* 57-5-101 et seq. and the *Municipal Code of the City of Athens, Tennessee*, Title 8, Chapter 2, and base my application upon the answers to the following questions:

1. Full name of applicant (Owner) BLAIR LEROY STRONG
- Person      Firm      Corporation      Joint-stock Company       
Syndicate      Association      LLC X
2. List all persons, firms, corporations, joint-stock companies, syndicates, or associations having at least a 10% ownership interest in the business (attach additional sheet, if needed).
- ONE YANG KIM STRONG
3. What is your present home address? 3 N JACKSON STREET Athens TN 37303
4. Previous address(es) within last five years SAME
5. Date of birth.      Home telephone:
6. Driver's License No.      Business telephone: 423-744-3020
7. Under what name will this business operate? BSTRONG ENT. LLC / THE R.E.L. PROHIBITION PUB
8. Location of business by street address or other geographical description and phone number of the business:
- 3 N JACKSON street Athens TN 37303
9. Specify the identity and address of the person to receive annual privilege tax notices and any other communication from the City:
- BLAIR STRONG 3 N JACKSON ST 37303 OWNER
10. Give name and address of property owner, if other than business owner:
- Blair N/A

11. Will the permit be used to operate two or more restaurants or other businesses under the same permit as permitted by Section 57-5-103(a)(4) within the same building? Yes   ; No X. If so, please specify number   . List the names of the restaurants or other businesses and describe their location (attach additional sheet, if needed): (Please note that if operator has separate locations, a permit will be required for each location.)

12. Give name, date of birth, and address of any manager other than applicant:

ONE YANG STRONG

3 N JACKSON ST ATHENS TN 37303

13. The Owner hereby appoints the manager as his legal agent to receive notices, legal processes, etc. on behalf of the owner/license holder.

14. Has any person having at least a 10% ownership interest, any of the managers listed in question 11, or any other employee of the business, been convicted of any violation of the beer or alcoholic beverage laws or any crime (other than minor traffic violations) within the last five (5) years? NO If so, give particulars of each charge, court, and date convicted.

15. Has this owner or the owner's organization had a beer permit revoked, suspended, or denied in the State of Tennessee? Yes X; No   . If so, specify where, when, and why:

ATHENS TN 2016

SERVING UNDER AGE I think

16. Give the name, relationship to applicant (if applicable) and address of the former beer permittee at this location:

N/A

17. What is the name and address of the church, school, or other place of public gathering nearest to your business?

SAINT PAULS

131 SOUTH JACKSON ST

ATHENS TN 37303

(The City of Athens has adopted a rule forbidding the sale, storage and manufacture of beer and like beverages within a certain distance of schools, churches, and other places of public gathering. For designated distances, please see Section 8-211 of the City of Athens beer regulations.)

18. What is the name and address of the owner of the nearest residential dwelling to your business?

~~JOSEPH~~ JOSEPH GORDON

#18 W MADISON AVE

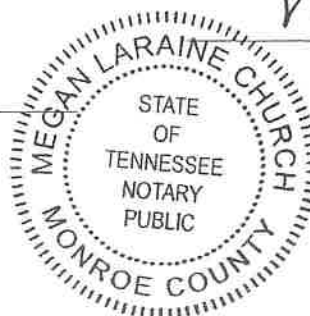
ATHENS TN 37303

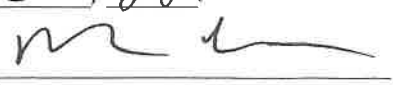
I am knowledgeable of the laws prohibiting the sale of beer to minors. I hereby certify that no person having at least a 10% ownership interest, nor any person to be employed in the distribution or sale of beer in my establishment has been convicted of any violation of the beer or alcoholic beverage laws or any crime involving moral turpitude within the past five years. I am also aware that I shall not be issued a permit or my permit shall be revoked if my business location causes traffic congestion or interferes with schools, churches, or other places of public gathering, or otherwise interferes with public health, safety and morals.

  
Signature of Applicant/Owner  
(or Authorized Corporate Officer)

Sworn to and subscribed before me this 7 day of November, 2020.

My Commission Expires: 03/05/23



  
Notary Public



APPLICATION FOR BEER PERMIT

CITY OF ATHENS, TENNESSEE

Page 5

NOTICE: A non-refundable \$250 fee must accompany this application. If the application is approved, you are required to provide documentation of sales tax registration to the city within ten (10) days of approval. Any applicant making false statement in this application shall forfeit his permit and shall not be eligible to receive any permit for a period of ten years.

A privilege tax of \$100 is imposed on the business of selling, distributing, storing or manufacturing beer in this state, effective January 1, 1994, and each successive January 1. Any holder of a beer permit issued after January 1, 1994, shall pay a pro rata portion of this annual tax when the permit is issued.

(This section to be filled out by City of Athens.)

THE FOLLOWING ACTION WAS TAKEN UPON THIS APPLICATION:

By:



## APPROVAL FORM

As Building Official/Building Inspector of the City of Athens, Tennessee, I hereby certify that I have investigated the premises of BSTRONG Enterprises, LLC/The R.E.L. Prohibition Pub located at 3 North Jackson Street and that it       /       does;        does not; meet the minimum requirements as provided by law.

(Attach a copy of Inspection Report)

*Dee May*  
Building Official/Building Inspector

As Chief of Police of the City of Athens, Tennessee, I hereby certify that I have reviewed the application and have conducted the necessary investigation as to the applicant's (Blair Strong) background in compliance with the minimum requirements established by law and have found the following:

Attached is the previous history  
with the applicant.

✓ Recommend Approval

       Do Not Recommend Approval

*Blair Strong*  
Chief of Police

11-22-22  
Date

**CITY OF ATHENS  
BUILDING INSPECTION DEPARTMENT  
(423) 744-2752  
BEER APPLICATION BUILDING CHECKLIST**

ITEMS	OK	SPECIFY IF REPAIRS NEEDED	
Ingress - Egress	X		
Exit Signs	X		
Emergency Lighting	X		
General Lighting	X		
Electrical System	X		
Plumbing System	X		
Handicap Facility	X		
H.V.A.C. System	X		
Basement	NA		
Windows	X		
Floors	X		
Ceilings	X		
Interior Stairs	NA		
Exterior Steps	NA		
Exterior Condition	X		
Building Numbers	X		
<b>GENERAL CONDITIONS – INTERIOR AND EXTERIOR</b>			
Property Address:	3 N. Jackson Street		
Property Owner:	Blair Leroy Strong		
Name of Business:	The R.E.L Prohibition Pub	Owner:	BStrong Ent. LLC
Date:	12-06-2022	Inspector:	Gene McConkey



## POLICE DEPARTMENT

### MEMORANDUM

#### APPLICATION FOR BEER PERMIT FINDINGS

Date: 11/09/2022

Investigator: Lieutenant Blake Witt- Special Services Division

Applicant: Blair Leroy Strong

Other person with at least a 10% business interest: Oneyang Kim Strong

#### **Findings:**

A detailed search was conducted on the applicant and all other persons with at least a 10% ownership interest in the business. The findings are as follows:

#### **Blair Leroy Strong**

Criminal Justice Portal Search- No TOMIS Record

RMS Athens Police Records Search-

Incident # 2009-14150 (11/24/2009) Citation for sale of alcoholic beverage to an intoxicated person (Dismissed 3/25/2020)

Incident # 2009-13854 (11/16/2009) Citation for sale of alcoholic beverage to an intoxicated person (Found guilty paid in full 7/09/2010)

Oneyang Kim Strong

Criminal Justice Portal Search- No TOMIS Record \*Active Gun Permit Status\*

RMS Athens Police Records Search-

Incident # 2012-8336 (Date 5/03/2012) Citation for Underage sale of alcohol to a minor (Dismissed on 7/27/2012)

Incident # 2015-2749 (Date 2/14/2015) Officers observed Ms. Strong selling alcohol and receiving cash for the transaction.

Incident # 2015-3197 (Date 2/21/2015) Officers observed Ms. Strong selling customers alcohol and receiving payment for the transaction.

 #104

Lieutenant Blake Witt  
Special Services Division  
Athens Police Department