

MINUTES OF MEETING, ATHENS CITY COUNCIL, MAY 18, 2004

The Athens City Council met in regular session on Tuesday, May 18, 2004, at 6:00 P.M. with Mayor Perkinson presiding. As a special tribute, the pledge of allegiance along with the presentation of colors was given by Commander Jimmy Small of the American Legion Post #68 in Athens. After the invocation by Bill Stewart, Post Chaplain, Mr. Small reviewed local activities planned to honor World War II veterans on May 29. Also, Mr. Small acknowledged and expressed appreciation to all veterans in attendance, especially Council Member Witt who served during World War II. Council members expressed appreciation to the special guests who attended representing the American Legion Post #68. Upon roll call, the following members were present:

Myers, Pelley, Perkinson, Proffitt, Witt

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

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MINUTES

The Minutes of the regularly scheduled meeting held on April 20, 2004, were submitted. Upon motion by Vice Mayor Proffitt, seconded by Council Member Witt, said Minutes were unanimously approved.

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COMMUNICATIONS FROM THE MAYOR

PRESENTATION OF VIVID AWARD

Vice Mayor Proffitt presented the *Very Important Volunteer Individual Award* for May 2004 to Athens Insurance Agency for their continued sponsorship of the Athens Parks and Recreation's annual Kids All-American Fishing Derby. It was noted that Athens Insurance provides cash prizes for tagged fishes caught during competition. Co-owners, Allen Carter and Happy Powell, were present to receive the award on behalf of Athens Insurance.

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YOUTH COUNCIL AWARDS

Ms. Jennifer Homa of the Recreation Department, with the assistance of Mayor Perkinson, recognized this year's recipients of the Youth Council awards as follows: 1.) Danielle Harris to receive a \$1,000 savings bond as the graduating senior with the highest number of cumulative hours during membership (230 service hours); 2.) Sandra Swafford to receive a \$100 savings bond as the underclassman with the highest number of cumulative hours during membership (77 service hours). Both were present in receipt of these awards.

SPECIAL EMPLOYEE RECOGNITIONS

Mayor Perkinson acknowledged two full-time employees of the City of Athens Public Works Department, Greg Mason and Tim Matthews, as members of the National Guard 278th Armored Cavalry Regiment. It was noted that these employees have received orders for possible deployment to the Middle East later this year, and both are expected to leave Athens with the 278th Regiment in June 2004. The following resolutions are presented to acknowledge/support these employees in their mission and to pray for their prompt and safe return to the City of Athens :

RESOLUTION NO. 2004-26

“A RESOLUTION OF SUPPORT AND COMMENDATION FOR CITY EMPLOYEE GREGORY H. MASON DURING ACTIVE MILITARY DUTY WITH THE HHT1 278TH ARMORED CALVARY REGIMENT.”

Mayor Perkinson read Resolution No. 2004-26 in full. Motion was made by Council Member Myers, seconded by Council Member Pelley, to approve Resolution No. 2004-26, and upon voice vote, the Resolution was unanimously approved.

RESOLUTION NO. 2004-27

“A RESOLUTION OF SUPPORT AND COMMENDATION FOR CITY EMPLOYEE TIMOTHY L. MATTHEWS DURING ACTIVE MILITARY DUTY WITH THE HHT1 278TH ARMORED CALVARY REGIMENT.”

Mayor Perkinson read Resolution No. 2004-27 in full. Motion was made by Council Member Witt, seconded by Council Member Pelley, to approve Resolution No. 2004-27, and upon voice vote, the Resolution was unanimously approved.

MISCELLANEOUS CORRESPONDENCE

Mayor Perkinson acknowledged receipt of numerous letters and notes of appreciation for services performed by city staff members.

PETITIONS AND REQUESTS

AUDIENCE

Mayor Perkinson opened the meeting for petitions and requests from the audience. There were none presented at this time.

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REPORTS

FINANCE DEPARTMENT REPORT

Mr. Mike Keith presented the Finance Department Report for the month of April 2004. The report was accepted as presented.

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POLICE DEPARTMENT REPORT

Chief Chuck Ziegler presented the Police Department Report for the month of April 2004. The report was accepted as presented.

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FIRE DEPARTMENT REPORT

Chief Bob Miller presented the Fire Department Report for the month of April 2004. The report was accepted as presented.

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SPECIAL PRESENTATION – PUBLIC WORKS DEPARTMENT

Public Works Director Calvin Clifton gave a special report on efficiency and cost containment in his department. He advised that Public Works is a service-oriented operation stating, "Everything accomplished is for the good of the City and its citizenry." He stated that grants are sought for major capital improvement projects and reported that TDOT Optional Safety Grants have provided over \$200,000 in funding for local traffic signal installations, intersection improvements, and pavement markings. Additionally, he advised that USEPA provided grant funds in the amount of \$1,000,000 for stormwater improvements, which included funding for the Virginia Avenue and White Street projects. He stated that grants are pending for sidewalk installations, traffic signal installation at Congress Parkway/Velma Road, along with intersection improvements and possibly signalization at Congress Parkway/Rocky Mount Road. He commended Public Works staff members for their efficiency and containment of cost within the department as follows: developing computer databases by GIS Technician for public works and other departments throughout the city (estimated savings of thousands of dollars for purchase of such computer software programs); providing in-house maintenance of traffic signals (instead of using AUB or other contractors); conducting in-house traffic count data (instead of downtime and the expense of utilizing a consultant or TDOT representative). Additionally, he reported street construction/maintenance, through the process of pavement rejuvenation, crack sealing, surface milling, and in-house utility cut repair, has proven to be efficient and economical. Other cost saving programs include: enhanced brush pick up schedule, with brush being mulched and offered to the public free-of-charge (instead of being transported to landfill); in-house fleet maintenance/repairs on vehicles and equipment; sale of old truck tires (\$50 each) versus disposal at landfill; in-house maintenance/construction of buildings located on public works site (Animal Shelter expansion, re-roofing storage buildings, painting, plumbing, carpentry, etc.). He further reported savings through the

use of Humane Society volunteers at the Animal Shelter and increased overall efficiency of the sanitation program resulting in the prolonged life of the equipment and cost savings to the Fleet Replacement Fund. After other comments, Council expressed appreciation for an outstanding report and again acknowledged staff's continued efforts to reduce costs and to improve services to the citizens of Athens.

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CONSENT AGENDA

Mayor Perkinson advised that the following items were discussed during the recent work session and are presented as a part of the Consent Agenda:

- 1.) Approve **Resolution No. 2004-28** to authorize submission of grant application through the U.S. Department of Justice for the purpose of hiring a school resource officer in conjunction with the Athens City Schools.
- 2.) Approve **Resolution No. 2004-29** to amend the White Street Stormwater engineering contract with Gresham Smith & Partners to reflect an increase not to exceed \$25,000 for additional inspection administrative services as necessary to complete the project.

On motion by Vice Mayor Proffitt, seconded by Council Member Myers, the Consent Agenda as stated above was unanimously approved by voice vote.

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ORDINANCES

ORDINANCE NO. 918 – SECOND READING – PUBLIC HEARING

“AN ORDINANCE AMENDING ORDINANCE NO. 853 ENTITLED, ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, DATED 1999,’ SO AS TO REZONE THAT AREA LOCATED ON EAST MADISON AVENUE, DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM B-1 (LOCAL BUSINESS DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT) AND TO CHANGE THE ZONING MAP OF THE CITY OF ATHENS DATED MARCH 16, 1999, TO REFLECT AND SHOW SAID CHANGE IN ZONING MADE BY THIS ORDINANCE.”

After reading the caption of the above-described Ordinance, Mayor Perkinson opened the Public Hearing on Ordinance No. 918. There being no one present wishing to discuss the Ordinance, Public Hearing was closed. Motion was made by Council Member Myers, seconded by Council Member Witt, to approve Ordinance No. 918 on Second and Final Reading, and upon roll call, Ordinance No. 918 was approved by the following vote:

AYES: Myers, Pelley, Proffitt, Witt, Perkinson
NAYS: None
ABSENT: None

NEW BUSINESS

DOWNTOWN REVITALIZATION FUNDING

As discussed in recent work session, Council Member Pelley presented a resolution acknowledging the receipt of a FEMA grant for the potential procurement of Athens Supply, a local business which resides in a high flood-prone area in the Downtown Business District. Upon the purchase of this property by FEMA and the City of Athens, the following resolution authorizes the submission of a grant proposal to Congressman John Duncan, Jr. to secure federal funding for a downtown revitalization project, as approved by the City Council:

RESOLUTION NO. 2004-30

“A RESOLUTION TO AUTHORIZE SUBMISSION OF A GRANT APPLICATION FOR FUNDING IN CONJUNCTION WITH A DOWNTOWN REVITALIZATION PROJECT.”

Mayor Perkinson read the caption of Resolution No. 2004-30. Motion was made by Council Member Pelley, seconded by Council Member Witt, to approve Resolution No. 2004-30. Upon determining that an additional resolution would be required to submit a grant application for such a project in the future, Vice Mayor Proffitt questioned Council Member Pelley about this desire to table this action until after the actual purchase of the property. In response, Council Member Pelley declined. Mayor Perkinson stated that the adoption of this resolution is outside the sequence of what is normally done when submitting grant requests. Furthermore, he stated that the resolution limits the grant option to only one source instead of looking for multiple sources, as is traditional in the City’s grant efforts. Noting that the City does not own the property and does not have a plan for development at this time, Mayor Perkinson acknowledged that he would not support the passage of this resolution. In response, Council Member Pelley stated that this resolution does not preclude the Council from seeking all avenues of funding, it simply makes a statement that if the City does acquire the property, this is one of the directions from which grant funds can be sought. After additional comments and upon roll call vote (as requested by Council Member Pelley), the Resolution failed, with Pelley and Witt voicing aye votes and Myers, Proffitt, and Perkinson voicing nays.

COMMITTEE APPOINTMENTS – BOARD OF ADJUSTMENTS & APPEALS

As discussed in recent work session, the terms of Hal Buttram and Don Schultz on the Board of Adjustments and Appeals will expire on June 3, 2004. Based on the current committee appointment policy, both are eligible and have expressed a desire to serve another four year term to expire June 3, 2008. Upon discussion, Council Member Pelley voiced his disapproval for a policy (1993 Committee Appointment Policy) which would allow members to serve up to 24 consecutive years on a committee, such as Mr. Buttram and Mr. Schultz have. It was noted by city staff that this committee meets on call or as needed and has not met in about eleven years. After additional comments, motion was made by Vice Mayor Proffitt, seconded by Council Member Myers, to reappoint Mr. Buttram and Mr. Schultz to serve another term on the Board of Adjustment and Appeals. Upon roll call vote (as requested by Vice Mayor Proffitt), the motion was approved by a vote of four ayes/one nay, with Council Member Pelley voicing the nay vote.

COMMITTEE APPOINTMENT – SE TN TRADE & CONFERENCE CENTER

Mayor Perkinson advised that Mike Wollerman’s term on the SE TN Trade & Conference Center Board will expire on May 21, 2004. He further advised that Mr. Wollerman has declined reappointment for another three-year term. As noted in the Bylaws, this appointment represents local industry and must be filled by an individual who has industrial ties within the community. It was further noted that this committee appointee does not have to reside within the municipal boundaries, as other appointments do. For Council’s review and consideration, Mayor Perkinson presented an application dated May 17, 2004, from Mr. Herb Bradshaw, Plant Manager at Thomas & Betts. City Manager Moore advised that two applications remain on file for this board, however, neither are affiliated with local industry. After additional discussion, motion was made by Council Member Pelley, seconded by Council Member Myers, to appoint Mr. Bradshaw to serve a three-year term, which will expire on May 21, 2007. Upon voice vote, the motion was unanimously approved.

PROPOSED CITY OF ATHENS BUDGET – FISCAL YEAR 2004/05

A proposed ordinance was presented to adopt the City’s budget for fiscal year July 1, 2004 through June 30, 2005, as follows:

<u>Fund</u>	<u>Projected Opening Balance</u>	<u>Revenues</u>	<u>Expenditures</u>
General	\$2,500,000	\$11,116,000	\$11,116,000
Debt Service	1,200,000	1,010,000	685,000
Sanitation	150,000	746,000	828,000
Drug	115,000	30,000	30,000

City Manager Moore advised that this ordinance proposes no increases in the property tax rate (\$1.29 on each one hundred dollars of assessed value) or sanitation fees (\$6.50 residential; \$18 commercial/business). In comparing this budget to previous budgets, he noted that the fiscal year 2003/04 budget was reduced by 2.75% due to budget cuts for local governments at the state level. He further advised that the 2004/05 budget proposes a 4.61% increase in the current budget, reflecting only a slight increase of 1.86% over the past two budget years. He added that inflation is expected to reach as high as 4.2% this year and recommended approval of the following budget ordinance:

ORDINANCE NO. 919 – FIRST READING

“AN ORDINANCE TO ADOPT A BUDGET AND SET THE TAX RATE IN THE AMOUNT OF \$1.29 ON EACH ONE HUNDRED DOLLARS ASSESSED VALUE OF TAXABLE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2004, THROUGH JUNE 30, 2005.”

Mayor Perkinson read the caption of the above-described Ordinance. Motion was made by Council Member Myers, seconded by Vice Mayor Proffitt, to approve Ordinance No. 919 on First Reading. Upon discussion, Council Member Pelley expressed appreciation for the City’s quality workforce but reported he would like to see the budget reduced to a 2.5% to 3% increase for the coming

year. He indicated the 4.61% increase seemed too high when considering options for funding school renovations. One such cut Council Member Pelley recommended was to limit salary increases to only those employees under the levels of City Manager and department heads. Based on these issues, he noted that he would rise in opposition to this budget at this time. Vice Mayor Proffitt questioned Council Member Pelley regarding the amounts associated with this cut and others needed to reduce the budget to his desired level. In response, Council Member Pelley indicated no specific line items to be targeted but suggested that the budget be referred back to work session to consider further reductions. Mayor Perkinson spoke in support of the budget noting that \$606,000 had already been cut from capital requests. He stated that the average salary increase of three percent for staff members (including city manager and department heads) is reasonable and further expressed his belief that this is a budget of which the City can be proud. Also, in support of the budget, Council Member Myers expressed his appreciation to the City Manager and department heads for their hard work and encouraged salary increases for city employees, especially the department heads. Upon roll call, Ordinance No. 919 was approved by the following vote:

AYES: Myers, Proffitt, Witt, Perkinson
NAYS: Pelley
ABSENT: None

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MANAGER'S REPORT

City Manager Moore presented the Manager's Report. He reviewed progress of current city projects/meetings scheduled during the months of May and June. He advised that a joint meeting with the Utilities Board has been scheduled for Thursday, June 3, at 6:00 p.m. After additional discussion, the report was accepted as presented.

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ADJOURNMENT

There being no further business to come before the meeting and upon motion duly made and seconded, the meeting adjourned at 7:35 p.m.

WILLIAM BO PERKINSON, Mayor

MITCHELL B. MOORE, City Manager