

A G E N D A

ATHENS CITY COUNCIL

TUESDAY, JANUARY 20, 2004, 6:00 P.M.

- I. CALL TO ORDER** – Vice Mayor John Proffitt, Jr.

- II. PLEDGE OF ALLEGIANCE**

- III. INVOCATION** – Council Member Witt

- IV. ROLL CALL**

- V. * MINUTES** – December 16, 2003

- VI. COMMUNICATIONS FROM THE MAYOR**
 - * a.) Presentation of VIVID Award – William P. Biddle, III
 - * b.) Miscellaneous Correspondence

- VII. PETITIONS AND REQUESTS**
 - a.) Requests from Audience

- VIII. REPORTS**
 - * a.) Finance Department Report
 - * b.) Police Department Report
 - * c.) Fire Department Report
 - * d.) Community Development Quarterly Report

IX. CONSENT AGENDA

- * a.) Adopt **Resolution No. 2004-01** to declare the week of January 26-30, 2004, Athens Flood Awareness Week;
- * b.) Adopt **Resolution No. 2004-02** to authorize the submission of a CDBG grant in the amount of \$500,000 for extension of water service to unserved areas within McMinn County;
- * c.) Adopt **Resolution No. 2004-03** to extend contracts with Total Lawn Care for park maintenance/mowing of city-owned properties designated in bid specifications as Sections I and III;
- * d.) Approve revised structure of **International Relations Committee** to increase number of members from nine to ten and to designate council representative as ex-officio board member.

X. ORDINANCES

XI. OLD BUSINESS

XII. NEW BUSINESS

- * a.) Proposed purchase of street sweeper – Sansom Equipment Company
- * b.) Recommendations from Planning Commission:
 - 1.) Rezoning request (from B-2 to B-3) – Park Street, as proposed by Carl Lay
 - 2.) Officially adopt and implement City of Athens Land Use Plan
- c.) International Relations Committee Appointments: *(To designate length of term, names were randomly selected.)*
 - Ex-officio Member – Athens City Council
 - Representative of TWC – Heather Gordon, *term expires January 20, 2005*
 - Representative of Athens City School System – Becky Simpson, *term expires January 20, 2005*
 - Representative of McMinn County School System – Melody Armstrong, *term expires January 20, 2007*
 - Representative of local industry – Robert Tennyson, *term expires January 20, 2006*
 - Representative of local business – Jim Greek, *term expires January 20, 2007*
 - Representative of local cultural/arts – Ann Davis, *term expires January 20, 2006*
 - Representative At Large (county Resident) – William R. Brakebill, *term expires January 20, 2006*
 - Representatives (2) At Large (city Residents) – Beth Jackson (*term expires January 20, 2007*) and Allan Gentry (*term expires January 20, 2005*)
- d.) Manager's Report

**Police Department Report to City Manager
Offense Statistics**

Classification of Offenses

Offenses Reported

Part I - Crimes Against Persons	This Month	This Year	Last Year to Date
1. Homicide	0	1	0
2. Sex Offense	3	19	29
3. Robbery	1	22	20
4. Assault	22	332	316
Part II - Crime Against Property			
5. Burglary	12	208	226
6. Theft	54	821	672
7. Motor Vehicle Theft	3	47	41
Moving Violations	382	3416	3820
Drugs	9	129	127
Arrests	69	1039	855

Traffic Accident Statistics

Accidents

Injuries

	This Month	This Year	Last Year to Date		This Month	This Year	Last Year to Date	
Vehicle	60	857	828		13	231	167	
Pedestrian	1	9	6		1	5	6	
Other	7	137	107		4	49	18	
Total	68	1003	941		18	285	191	

Fatality

This Month	0
This Year	4

Prepared:
Amy B. Arnwine
City Clerk/Records
Clerk

Submitted:
Charles T. Ziegler

Chief of Police

ATHENS FIRE DEPARTMENT

TYPE OF CALL	MONTH OF		DECEMBER	2003
	THIS MONTH	LAST YEAR	TYTD	LYTD
RESIDENTIAL	2	4	51	32
COMMERCIAL	1	0	10	5
INDUSTRIAL	0	0	1	2
GRASS	0	0	10	29
VEH FIRES	3	1	35	29
TRASH FIRES	2	1	12	6
VEH ACC	1	2	30	33
AUTO ALARMS	7	7	76	68
FALSE ALARMS	0	1	20	35
OTHERS	6	4	96	92
MUTUAL AID	0	0	0	1
TOTAL CALLS	22	20	341	332

LOSSES

RESIDENTIAL	\$10,250	\$12,100	\$1,115,150	\$54,950
COMMERCIAL	\$0	\$0	\$1,200	\$200
INDUSTRIAL	\$0	\$0	\$275,000	\$1,015,000
VEHICLE	\$2,000	\$500	\$67,000	\$64,700
MISC	\$0	\$0	\$1,750	\$0
TOTALS	\$12,250	\$12,600	\$1,460,100	\$1,134,850

FIRE PREVENTION INSPECTIONS

COMMERCIAL	9	14	129	150
INDUSTRIAL	10	11	107	97
RESIDENTIAL	12	17	208	196
TOTALS	31	42	444	443
Violations	14	12	121	130
CORRECTED	9	8	79	113

FIREFIGHTER TRAINING

FULL TIME ACADEMIC	207	221	2331	2,433
FULL TIME PRACTICAL	81	97	1733	2,037
VOLUNTEER ACADEMIC	5	0	153	15
VOLUNTEER PRACTICAL	5	0	119	21

PERSONNEL

FULL TIME
VOLUNTEERS

ALLOWANCE

20
25

EMPLOYED

20
20

PREPARED BY:
FIREFIGHTER II, JERRY L. TATE

SUBMITTED BY:
FIRE CHIEF, ROBERT G. MILLER

RESOLUTION NO. 2004-01

A RESOLUTION TO DECLARE THE WEEK OF JANUARY 26-30, 2004, ATHENS FLOOD AWARENESS WEEK.

WHEREAS, the City of Athens, Tennessee is composed of areas of designated flood hazard as determined by the Federal Emergency Management Agency; and

WHEREAS, these areas of Athens, Tennessee are subject to damages and losses due to flood waters; and

WHEREAS, the City of Athens, Tennessee is a program participant in the National Flood Insurance Program having applied for and complied with program guidelines; and

WHEREAS, many owners of properties located in flood prone areas of Athens, Tennessee do not have supplemental flood insurance policies; and

WHEREAS, the City of Athens seeks to inform all of its residents that flood insurance is available to cover structures and their contents; and

WHEREAS, the City of Athens, Tennessee has a responsibility to keep its citizens fully advised of governmental activities and programs.

NOW, THEREFORE, BE IT RESOLVED by the Athens City Council, meeting in regular session on January 20, 2004, that the week of January 26-30, 2004, is hereby declared to be "Flood Awareness Week" for the City of Athens, Tennessee.

BE IT FURTHER RESOLVED, by this body that all citizens of Athens, Tennessee are hereby urged to learn more about the National Flood Insurance Program benefits as they can apply to their property.

ON MOTION BY _____, SECONDED
BY _____ said Resolution was unanimously approved
this _____ 20 th _____ day of _____ January _____, 2004.

WILLIAM BO PERKINSON, MAYOR

MITCHELL B. MOORE, CITY MANAGER

APPROVED AS TO FORM:

CHRIS TREW, CITY ATTORNEY

RESOLUTION NO. 2004-02

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE TENNESSEE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT THROUGH THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, residents of McMinn County, adjacent to Athens, are experiencing widespread and continuing problems with their wells and would like to have access to safe and reliable public water; and

WHEREAS, the State of Tennessee has competitive Community Development Block Grant funds available to assist with resolving problems of this nature; and

WHEREAS, the City of Athens is eligible to apply for up to \$500,000 in Community Development Block Grant funds to extend water lines of the Athens Utility Board; and

WHEREAS, McMinn County is willing to assist in the project and has funding available to provide the necessary local matching funds.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Athens, Tennessee, meeting in regular session this 16th day of December, 2003, that the Mayor and City Manager is hereby authorized to request up to \$500,000 in CDBG grant funds for the extension of water service to unserved areas.

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into agreements necessary for the successful implementation of this resolution.

ON MOTION BY _____, **SECONDED BY** _____, said Resolution was unanimously approved this 20th day of January, 2004.

WILLIAM BO PERKINSON, Mayor

MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:

CHRIS TREW, City Attorney

RESOLUTION NO. 2004-03

“A RESOLUTION AUTHORIZING THE EXTENSION OF CONTRACTS BETWEEN THE CITY OF ATHENS, TENNESSEE, AND TOTAL LAWN CARE FOR PARK MAINTENANCE/MOWING OF CITY-OWNED PROPERTIES DESIGNATED IN BID SPECIFICATIONS AS SECTIONS I AND III.”

WHEREAS, the City of Athens, Tennessee, has entered into contracts with Total Lawn Care, thereby furnishing labor, materials, supplies, tools, and equipment necessary to perform all work and services required for mowing and trimming designated city-owned properties; and

WHEREAS, the contract terms, which were extended through October 31, 2003, provide for automatic renewal upon consent by both parties; and

WHEREAS, it is the desire of the City of Athens and Total Lawn Care to extend the bid prices (Section I - \$5,620; Section III - \$6,640) and other provisions/specifications of the bid for an additional year, with the mowing season to begin on or about April 1, 2004 and to conclude on or about October 31, 2004.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Athens, Tennessee, meeting in regular session this 20th day of January 2004, that the above referenced contract is hereby extended through the 2004 mowing season as provided in the attached correspondence agreed upon and executed by both parties.

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 unanimously approved this 20th day of January 2004.

WILLIAM BO PERKINSON, Mayor

MITCHELL B. MOORE, City Manager

APPROVED AS TO FORM:

CHRIS TREW, City Attorney

INTERNATIONAL RELATIONS COMMITTEE

TERM OF OFFICE: Three (3) years (original terms to be staggered with three members having one-year terms; three members having two-year terms; and three members having three-year terms), with exception of council representative who shall serve as an ex-officio member for a two-year term to expire in conjunction with re-organization of city council.

NUMBER OF MEMBERS: Ten (10)

APPOINTED BY: Athens City Council

MEETS: To meet a minimum of six (6) times per year, with other meetings being called as needed.

APPOINTMENT: There is hereby established a board to be called the International Relations Committee. This committee shall consist of ten (10) members, with the membership being composed as follows:

- Representative of Athens City Council (Ex-officio Member)
- Representative of Tennessee Wesleyan College
- Representative of Athens City Schools
- Representative of McMinn County Schools
- Representative of local industry
- Representative of local business
- Representative of cultural/arts community
- Representative At Large (McMinn County resident)
- Representatives (2) At Large (City of Athens residents)

PURPOSE: The purpose of the International Relations Committee shall be to facilitate and to provide guidance toward our relationships and appreciation of the international influence in our area.

ORDINANCE NO. _____

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 PARK STREET, DESCRIBED IN THE BODY OF THIS ORDINANCE, FROM B-2, SHOPPING CENTER DISTRICT, TO B-3, CENTRAL BUSINESS 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.

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

SECTION 1. That Ordinance No. 853 and the Zoning Map of Athens dated March 16, 1999, identified and referred to in Section 3-020 of said Zoning Ordinance to be changed to show that the following described property be rezoned and changed from B-2 to B-3:

Beginning at a point, said point being the northwestern corner of parcel 8, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97, said point further described as being the intersection of the eastern right-of-way of Hill Street and the southern right-of-way of Park Street; thence proceeding in a northeasterly direction following along the northern property line of said parcel 8, and parcel 9, Group "D": of McMinn County Tax map Number 63-B, dated 2/97 for a distance of 130.5' to a point, said point described as being the northeastern corner of said parcel 9; thence, projecting a straight line in a northeasterly direction across an unnamed alley for a distance of 15' to a point, said point described as being the northwestern corner of parcel 10, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97; thence, proceeding in a northeasterly direction following along the northern property line of said parcel 10, and parcels 11 and 4.0, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97 for a distance of 201' to a point, said point described as being the northeastern corner of said parcel 4.0, said point further described as being the intersection of the southern right-of-way of said Park Street and the western right-of-way of Glendale Avenue; thence, proceeding in a meandering southeasterly and southwesterly direction following along the eastern property line of said parcel 4.0 and parcel 5, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97 and following along the western right-of-way of said Glendale Avenue for a distance of 387' to a point, said point described as being the southwestern corner of said parcel 5; thence, projecting a straight line in a southwesterly direction across said unnamed alley for a distance of 15' to a point, said point described as being the southeastern corner of parcel 6, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97; thence, proceeding in a southwesterly direction following along the southern property line of said parcel 6 and parcel 7, Group "D" of McMinn County Tax Map Number 63-B, dated 2/97 for a distance of 140' to a point, said point described as being the southwestern corner of said parcel 7, said point further described as being the intersection of the eastern right-of-way of said Hill Street and the northern right-of-way of said Glendale Avenue; thence, proceeding in a northerly direction following along the western property line of said parcels 7 and 8 and following along the

eastern right-of-way of said Hill Street for a distance of 329' to a point, said point being the point of beginning.

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 as provided by law. As required by TENNESSEE CODE ANNOTATED, Section 13-7-203, Public Hearing on fifteen day's notice and the requirements of TENNESSEE CODE ANNOTATED, Section 13-7-201 through 13-7-210 have all been complied with, including the approval of all necessary agencies.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

WILLIAM BO PERKINSON, MAYOR

MITCHELL B. MOORE, CITY MANAGER

APPROVED AS TO FORM:

CHRIS TREW, CITY ATTORNEY

RESOLUTION NO. _____

A RESOLUTION TO ADOPT THE ATHENS LAND USE AND TRANSPORTATION POLICY PLAN 2004-2014

WHEREAS, in accordance with Tennessee Code Annotated 13-4-201, it is the function and duty of a municipal-regional planning commission to make and to adopt a general plan for the physical development of the municipality, including areas outside of the corporate limits; and

WHEREAS, based on state law, the Athens Municipal-Regional Planning Commission has completed a study and has prepared a general plan for the purpose of guiding and accomplishing a coordinated, adjusted, efficient and economically sound means of development for the City of Athens, Tennessee; and

WHEREAS, based on the recommendation of the Athens Municipal-Regional Planning Commission, the Athens Land Use and Transportation Policy Plan 2004-2014 with accompanying maps, charts, and descriptive matter, shall best promote the health, safety, morals, order, convenience, prosperity, and welfare of the inhabitants, as well as providing efficiency and economy in the process of the development, in accordance with present and future needs and resources; and

WHEREAS, the Athens Municipal-Regional Planning Commission has prepared the Athens Land Use and Transportation Policy Plan 2004-2014, including a set of Goals, Objective's and Policies, for the purpose of guiding the future growth and development of the City and the identified growth area/planning region; and

WHEREAS, the Athens Land Use and Transportation Policy Plan shall serve as a guide and shall not take precedence over ordinances of the City of Athens.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Athens, Tennessee, meeting in regular session this 20th day of January 2004, that the Athens Land Use and Transportation Policy Plan 2004-2014 is hereby adopted with the full understanding that additional amendments shall be recommended by the Athens Municipal-Regional Planning Commission as future economic, physical, or social changes indicate the need thereof.

ON MOTION BY _____, SECONDED BY _____
_____, said Resolution was unanimously approved this 20th day of
JANUARY, 2004.

WILLIAM BO PERKINSON, MAYOR

MITCHELL B. MOORE, CITY MANAGER

APPROVED AS TO FORM:

CHRIS TREW, CITY ATTORNEY