



ATHENS CITY COUNCIL REGULAR SESSION AGENDA

Tuesday, August 19, 2025, 6:00pm

Athens City Hall
Burkett L. Witt Council Chambers

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. ROLL CALL

V. APPROVAL OF MINUTES

(1 – 5) A. Tuesday, July 15, 2025 – Regular Session

(6 – 8) B. Thursday, July 31, 2025 – Special Session

VI. COMMUNICATIONS AND SPECIAL PRESENTATIONS

(9) A. VIVID Award – The Late Randy Sliger

VII. CITIZENS COMMENTS GERMANE TO THE AGENDA

VIII. CONSENT AGENDA

(10 – 18) A. Award RFB 25-09 to Wilson Construction Group, LLC for Construction Services to Renovate Heritage Park & Approve Purchase of Site Amenities from Bluegrass Recreation Sales through RFP 24-09.

(19 – 22) B. Approve Bid Award of RFB 25-10 to Rogers Group, Inc for Resurfacing 9 City Streets (3.94 miles).

(23 – 25) C. Approve Resolution 2025-20, Declaring Certain Fire Hose Equipment as Surplus Property and Authorizing its Sale Through GovDeals.

(26 – 27) D. Approve Resolution 2025-21, Authorizing the City of Athens to Submit a Grant Application to the BlueCross Healthy Places Program.

(28 – 29) E. Approve Resolution 2025-22, Authorizing the City of Athens to Participate in the 2025-2026 Judy Housley Safety Partners Matching Grant Program Through Public Entity Partners.

- (30 – 31) F. Approve Resolution 2025-23, Authorizing the City of Athens to Participate in the 2025-2026 Property Conservation Matching Grant Program Through Public Entity Partners.
- (32 -35) G. Approve Purchase of Replacement Garbage Dumpsters from WasteQuip using the Sanitation Fund.
- (36 – 49) H. Certificate of Compliance Application for Retail Package Store
 - 1) Approve Application Period of Monday, September 8, 2025 to Friday, September 19, 2025.
 - 2) Approve a Lottery Selection Method in Case of Multiple Applicants.
 - 3) Approve Tuesday, October 21, 2025 for the Public Hearing and Selection Date for New Retail Package Store Certificate of Compliance

IX. ORDINANCES

- (50 – 55) A. Public Hearing and Second Reading of Ordinance 1143, An Ordinance to Amend Title 3, Chapter II of the Athens City Code, Relative to the Imposition of Penalties and Court Costs in Athens Municipal Court.

X. OLD BUSINESS

XI. NEW BUSINESS

- (56 – 62) A. Design and Construction of Fire Station #3
- (63 – 66) B. Installation of Poles and Banners at Veterans Park
- (67 – 80) C. Disposal of Real Property Located at 2201 Decatur Pike
- (81 – 85) D. Potential Acquisition of Downtown Property for Parking and Garbage Dumpster Consolidation
- (86 – 91) E. Hammerhill Road Sidewalk Project Survey Results
- (92 – 93) F. Council Advisory Committee Appointments
- (94 – 97) G. Amending Athens City Charter Article XX
- (98 – 100) H. Resolution 2025-24, A Resolution to Authorize the Submission of a Downtown Improvement Grant for Main Street.
- (101 – 102) I. Request for Funds from the Commemorative Air Force
- J. Resignation of Reita Witt from Councilmember Duggan’s Advisory Committee seat and appointment to Vice Mayor Curtis’s seat.

XII. REPORTS

- (103 – 109) A. Finance Department Monthly Report
Director of Finance, Mike Keith
- (110 – 117) B. Fire Department Monthly Report
Fire Chief, Brandon Ainsworth
- (118 – 121) C. Police Department Monthly Report
Police Chief, Fred Schultz

XIII. REPORT FROM THE CITY MANAGER

- (122 – 134) A. Program of Work
City Manager, Randall Dowling

XIV. CITIZENS COMMENTS

XV. ADJOURNMENT



ATHENS CITY COUNCIL MINUTES OF REGULAR SESSION

The Athens City Council met in regular session on **Tuesday, July 15, 2025**, at 6:00 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Councilmember Duggan led the invocation. Councilmember Pelley led the Pledge of Allegiance.

Roll call:

PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton

ABSENT: None

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

APPROVAL OF MINUTES

Vice Mayor Curtis moved to approve the minutes of Tuesday, June 17, 2025 – Regular Session; Councilmember Duggan seconded.

APPROVED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

COMMUNICATIONS AND SPECIAL PRESENTATIONS

A. The VIVID Award honoring the late Randy Sliger was postponed until August 19, 2025.

CITIZEN'S COMMENTS GERMANE TO THE AGENDA

- Joseph Latner – Commented on his support for installing turf fields at Athens Regional Park on behalf of the parents of the children participating in the little league program.
- Ronnie Starr – Commented on his support for the artificial turf at Athens Regional Park and noted that the splash pad at Cook Park has not been on the Recreation Advisory Board agenda.
- Glenn Whiting - Commented on veteran banners at Veterans Park.

CONSENT AGENDA

- A. Approve Purchase of Needed Property for the ARP Funded Stormwater Project and Resolution No. 2025-17.
- B. Approve Proposal from Gresham Smith Engineers to Design and Prepare Construction Drawings to Connect View Street.
- C. Approve Proposal to Purchase IT Equipment and Services to Update/Refresh the City's Information Technology Infrastructure.
- D. Approve Proposal from Kimley Horn to Build Upon the Previously Prepared Downtown Master Plan by Preparing Schematic Designs, Developing a Pattern Book, and Refining Priorities/Phases.
- E. Approve Proposal to Add Three Additional Monuments at Veterans Park.
- F. Approve School Resource Officer (SRO) Program Grant Application and Resolution 2025-18.
- G. Approve Acquisition of Five New Vehicles for the Police Department from the Fleet Management Fund, Surplus of Assets #4068 and #4325 and Resolution 2025-19.
- H. Approve Acquisition of Two Replacement Vehicles for the Public Works Department from the Fleet Management Fund, Surplus of Assets #4307 and #4471 and Resolution 2025-19.

Councilmember Duggan moved to approve the consent agenda as presented; Vice Mayor Curtis seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

ORDINANCES

A. Amending Athens City Code Title 7 (Fire Codes) & Title 12 (Building Codes)

Public Hearing & Second Reading of Ordinance 1142

AN ORDINANCE TO AMEND THE ATHENS CITY CODE, TITLE 7 ENTITLED "FIRE PROTECTION AND FIREWORKS" AND TITLE 12 ENTITLED "BUILDING AND CONSTRUCTION" TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL CODES FOR FIRE (IFC), BUILDING (IBC), PLUMBING (IPC), FUEL GAS (IFGC), MECHANICAL (IMC), ENERGY CONSERVATION (IECC), AND EXISTING BUILDING (IEBC); AND CREATE CHAPTER 12-XI ENTITLED "EXISTING BUILDING CODE".

Mayor Eaton opened the Public Hearing. One citizen spoke during the public hearing, asking for unspecified amendments. Mayor Eaton closed the Public Hearing.

Vice Mayor Curtis moved approval of the second reading of Ordinance 1142; Councilmember Duggan seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

OLD BUSINESS

A. Cook Park Splash Pad

Councilmember Pelley moved to install a splash pad at Cook Park, Councilmember Sherlin seconded for discussion.

Councilmember Sherlin moved to amend the original motion by sending the request for a splash pad at Cook Park to be added to the next Recreation Advisory Board agenda so they may provide a recommendation and have the City Manager include it in the long-term strategic plan; Councilmember Pelley seconded.

Amendment PASSED - Original motion remained on the floor.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

Original motion as amended. - **PASSED**

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

NEW BUSINESS

A. Proposal from Allen & Hoshall to Prepare Design Plans and Construction Drawings to Renovate the House at Regional Park for Parks & Recreation Offices

Vice Mayor Curtis moved approval of the proposal; Councilmember Duggan seconded.

PASSED

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

B. Proposal from Baseline Sports Construction to Design and Install Artificial Turf on the Five Infields at Regional Park

Vice Mayor Curtis moved approval of the proposal; Councilmember Duggan seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

C. Amending Athens City Code Title 3 (Court Costs & Litigation Tax) First Reading of Ordinance 1143

AN ORDINANCE TO AMEND TITLE 3, CHAPTER II OF THE ATHENS CITY CODE, RELATIVE TO THE IMPOSITION OF PENALTIES AND COURT COSTS IN ATHENS MUNICIPAL COURT.

Councilmember Duggan moved to approve Ordinance 1143 as presented; Vice Mayor Curtis seconded.

Councilmember Sherlin moved to amend the original motion to increase the fee to \$105 instead of \$120. The motion died for a lack of a second.

Councilmember Pelley moved to amend the original motion to increase the court costs to \$100 instead of the \$120; Councilmember Sherlin seconded.

Motion to Amend - FAILED

Roll call vote:

YEAS: Pelley, Sherlin

NAYS: Duggan, Curtis, Eaton

Original Motion - PASSED

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

D. Annexation & R-3 Zoning Request

Vice Mayor Curtis moved to approve the request to proceed with the annexation and rezoning process for property located on Lee Drive (47K A 022.00); Councilmember Pelley seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

E. Hammerhill Road Sidewalks: Conduct A Right-of-Way Impact and Willingness Survey

Councilmember Pelley moved to conduct a survey of Hammerhill Road residents; Vice Mayor Curtis seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

F. Bench Installation at Cook Drive, Veterans Park, and Ingleside Park

Councilmember Pelley moved to authorize the City Manager to complete the installation of benches; Mayor Eaton seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

G. Installation of Banners at Veterans Park

Councilmember Duggan moved to postpone item G to the August 11, 2025 Work Session; Vice Mayor Curtis seconded.

PASSED

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

H. Reappointment of Sam Stephens to the Athens Municipal Regional Planning Commission

Vice Mayor Curtis moved to approve reappointment of Sam Stephens; Councilmember Sherlin seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

I. Amendments to Athens City Charter

J. Amendments to the Athens City Code: 13-III Dilapidated and Unfit Structures and Areas

Councilmember Sherlin requested item I and item J be removed because both items are now included on the special session agenda scheduled for July 31, 2025; Mayor Eaton agreed. No further discussion or action was taken on these items.

Councilmember Sherlin moved to change the time of the Beer Board from 5:30pm to immediately following the City Council meeting; Councilmember Pelley seconded.

FAILED

Roll call vote:

YEAS: Pelley, Sherlin

NAYS: Duggan, Curtis, Eaton

Mayor Eaton moved that the Work Session time be changed from 5:00pm to 6:00pm. The motion died for a lack of a second.

Councilmember Duggan moved to livestream the July 31, 2025 meeting; Vice Mayor Curtis seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

REPORTS

- A. Community Development 2nd Quarter Building Report
Director of Community Development, Anthony Casteel
- B. Finance Department Monthly Report
Director of Finance, Mike Keith
- C. Fire Department Monthly Report
Fire Chief, Brandon Ainsworth

- D. Police Department Monthly Report
Police Chief, Fred Schultz

REPORT FROM THE CITY MANAGER

- A. Program of Work
City Manager, Randall Dowling

CITIZENS COMMENTS

- Charlie Senn - Commented on his discontent with the “Big Beautiful Bill Act” and his disapproval of certain elected state officials.
- Glenn Whiting - Commented on past litigation with the City of Athens.

ADJOURNMENT

Mayor Eaton asked for a vote to adjourn the meeting. The meeting adjourned at 8:15 pm.

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton
NAYS:

LARRY EATON, Mayor

RANDALL DOWLING, City Manager



ATHENS CITY COUNCIL MINUTES OF CALLED SESSION

The Athens City Council met in called session on **Thursday, July 31, 2025**, at 5:30 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Vice Mayor Curtis led the invocation. Councilmember Duggan led the Pledge of Allegiance.

Roll call:

PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton

ABSENT: None

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

The purpose of the meeting, as issued in the "Notice of Special Session" dated July 11, 2025, is made a part of these minutes:

PUBLIC NOTICE

NOTICE OF SPECIAL SESSION

Notice is hereby given to all residents of Athens, Tennessee, and to all persons interested, that a special session of the Athens City Council will be held at the Athens City Hall located at 815 North Jackson Street, Athens, Tennessee, commencing at 5:30 p.m. on Thursday, July 31, 2025.

The purpose of this meeting is to:

1. Conduct a public hearing for a proposed retail package store located at 312 Congress Parkway S.;
2. Act on the issuance of a certificate of compliance for the above-referenced application;
3. Discuss and potentially act upon proposed updates to Article V City Council of the Athens City Charter;
4. Discuss and potentially act upon proposed updates to Article XX Department of Education of the Athens City Charter;
5. Discuss and potentially act upon proposed amendments to Title 13-111 Dilapidated and Unfit Structures and Areas of the Athens City Code.

There will be an opportunity for citizens to comment. Prior to commencement of the meeting, all citizens intending to address the city council must sign in on the sheet located at the entrance of the council chambers. The speaker must abide by the Public Comment Rules.

For more information, please contact the Office of the City Manager at (423) 744-2702.

/s/ _____

Larry Eaton, Mayor

CITIZEN'S COMMENTS GERMANE TO THE AGENDA

- Abby Burke Carol – Commented on Amending Article XX, specifically speaking against term limits for the Board of Education.
- Tyler Boyd – Commented on Amending Article XX and Amending Article V.
- Keith Bright – Commented on the certificate of compliance application, specifically about the non-compliant plans submitted.

NEW BUSINESS

- A. Conduct a public hearing for a proposed retail package store located at 312 Congress Parkway S.

Mayor Eaton opened the public hearing regarding the proposed retail package store. With no comments received, the public hearing was closed.

- B. Act on the issuance of a certificate of compliance for the above-referenced application.

Vice Mayor Curtis moved to approve the certificate of compliance contingent upon compliant site plans being submitted and approved by staff before the 45-day deadline (August 15th); Mayor Eaton seconded. Upon discussion, the motion was withdrawn by Vice Mayor Curtis.

Councilmember Sherlin moved to deny certificate of compliance; Councilmember Pelley seconded.

PASSED

Roll call vote:

YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton

NAYS:

- C. Discuss and potentially act upon proposed updates to Article V - City Council of the Athens City Charter.

Councilmember Sherlin moved to amend Section 4 Article V of the Athens City Charter to remove the fixed salary provisions for the Mayor and Councilmembers, authorize all future changes in compensation to be established by ordinance, and have the city attorney to write the amendment; Mayor Eaton seconded the motion.

PASSED

Roll call vote:

YEAS: Duggan, Sherlin, Curtis, Eaton

NAYS: Pelley

- D. Discuss and potentially act upon proposed updates to Article XX - Department of Education of the Athens City Charter.

Vice Mayor Curtis moved to postpone item D to August 11, 2025 Work Session; Mayor Eaton seconded.

PASSED

Roll call vote:

YEAS: Duggan, Curtis, Eaton

NAYS: Pelley, Sherlin

- E. Discuss and potentially act upon proposed amendments to Title 13-III - Dilapidated and Unfit Structures and Areas of the Athens City Code.

Councilmember Sherlin moved to amend Athens City Code 13-61 to include the terminology that requires the code enforcement officer to be certified / licensed by the proper authority. Upon discussion Councilmember Sherlin withdrew the motion.

Discussion began regarding 13-64, 13-65, 13-67, 13-69, and 13-70 of the Athens City Code.

Councilmember Duggan moved point of order.

ATHENS CITY COUNCIL
MINUTES OF CALLED SESSION
Thursday, July 31, 2025

Mayor Eaton called the meeting to order.

Councilmember Pelley Challenged the Chair; Councilmember Sherlin seconded.

FAILED

Roll call vote:

YEAS: Pelley, Sherlin

NAYS: Duggan, Curtis, Eaton

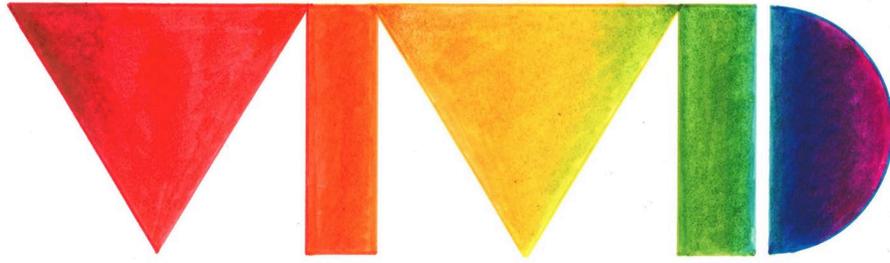
No further action was taken on 13-64, 13-65, 13-67, 13-69, and 13-70 of the Athens City Code.

ADJOURNMENT

Mayor Eaton adjourned the meeting at 6:58 pm.

LARRY EATON, Mayor

RANDALL DOWLING, City Manager



VERY IMPORTANT VOLUNTEER INDIVIDUAL OFFICIAL NOMINATION FORM

Nominee: Randy Sliger

Nominated By: Mayor Larry Eaton

Date: June 18, 2025

Reason for Nomination:

The City of Athens proudly honors the late Randall “Randy” Ward Sliger with the VIVID Award in recognition of a life lived with visionary commitment, incomparable service, and unwavering dedication to the community he loved and uplifted.

Randy Sliger’s voice was not just a sound on the radio—it was the heartbeat of Athens for more than four decades. As a second-generation broadcaster, he carried forward the legacy of community-focused radio through his work at WJSQ FM and WLAR AM. His leadership transformed WLAR into one of the first AM stereo stations in East Tennessee, and his founding of WYGO Y-99.5 ensured Athens remained connected, informed, and proud of its hometown talent.

Through thousands of local broadcasts, sports events, election night coverages, and on-the-scene reporting, Randy didn't just cover the news—he was a trusted voice who wove the stories of Athens into the fabric of its daily life.

Yet his contributions went far beyond the airwaves. Randy was a man deeply rooted in civic service. He gave generously of his time and heart, mentoring individuals in recovery, supporting The Grace House, and faithfully serving the Elks Lodge for over 30 years in various leadership roles. His presence was also a familiar one at the McMinn County Regional Airport, reflecting his passion for aviation and community connectivity.

Randy Sliger embodied entrepreneurial spirit, compassionate mentorship, and a lifelong devotion to community service. His influence reached far beyond the airwaves, leaving a lasting imprint on Athens that will resonate for generations to come.

In presenting this award, the City of Athens honors a man whose legacy reflects the very best of our town’s values. Randy didn’t just report on Athens—he shaped it, strengthened it, and helped it thrive.



Agenda Item

VIII. A. Award RFB 25-09 to Wilson Construction Group, LLC for Construction Services to Renovate Heritage Park & Approve Purchase of Site Amenities from Bluegrass Recreation Sales through RFP 24-09

Overview

The city applied for a state Local Parks and Recreation Fund (LPRF) grant during October, 2020 and accepted the grant during July, 2021 to renovate Heritage Park, specifically, construct a new walking trail, renovate the baseball field, remove and replace the playground, add pedestrian lighting, and address ADA non-compliance issues. Lose Designs prepared the renovation design, developed an opinion of probable cost, and the state eventually approved the design.

Bid documents were then prepared and distributed. On the deadline date of July 31, 2025, three bids were received with Wilson Construction Group being the low bidder at \$1,410,247 and a contingency amount of \$70,512.35 for a total of \$1,480,759.35. The contingency will only be used if necessary and any unused portion will remain with the city.

The total cost of this project is set forth below: (These are costs going forward and do not include costs incurred to date.)

- Wilson Construction Group: \$1,410,247.
 - Site Amenities Installation by Wilson: \$4,000.
 - Contingency to Wilson if needed: \$70,512.35
 - Site Amenities (RFP 24-09) (playground, water fountain, bike rack, benches, trash cans): \$128,577.64
 - Construction Administration/Inspections: \$25,000 allowance
 - Specialized Testing: \$15,000 allowance
 - Paving: \$75,000
- Total: \$1,728,336.99

This project was budgeted in the FY 2025-26 approved Capital Improvement Fund budget at \$1,175,000, or \$553,336.99 over budget.

LPRF grant funds are \$587,500 and city funds from the Capital Improvement Fund are \$1,140,836.99.

If approved, this project is anticipated to be completed during early 2026. A memo from the city's Project Manager is attached offering additional details.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to award RFB 25-09 and approve purchase of site amenities through RFP 24-09 as presented.

Affected Departments

Public Works, Parks and Recreation



PUBLIC WORKS

TO: Randall Dowling, City Manager

FROM: Kevin L. Helms, Project Manager

Cc: Ben Burchfield, Public Works Director
Angela Robbins, Purchasing Assistant
Matt Siniard, Parks & Recreation Director

DATE: August 6, 2025

SUBJECT: Heritage Park LPRF Grant Improvements

Background

The city recently opened bids and proposals for the Heritage Park LPRF Grant Improvements Project. The project is being funded through a combination of LPRF Grant funds and local funds. There are several different activities included as part of this project which are as follows:

- Construct a new walking trail
- Remove and replace almost all components related to the baseball ballfield
- Remove and replace the existing playground
- Add pedestrian lighting
- Address ADA non-compliance issues

Request for Proposals #24-09

A Request for Proposals was issued on December 21, 2024, for the acquisition of site amenities which are to be owner supplied and contractor installed as part of the project. Proposals were due on January 28, 2025, at which time they were opened. Due to the high level of customization associated with playground equipment a Request for Bids is not well suited for procuring this equipment. The vendors' proposals included a conceptual plan and budget for the associated plan.

A committee comprised of the Parks and Recreation Director, Purchasing Officer, Finance Director, and Project Manager reviewed the proposals and evaluated them based upon the following criteria:

- Function, durability, and design of proposed playground
- The number of play features included
- Ability to coordinate the design of features and amenities now and in the future
- Proven ability with similar projects
- History and years of experience
- Ability of the City to inspect and repair equipment
- Capacity to perform the required work in the timeframe allotted
- Overall cost of proposal



PUBLIC WORKS

After reviewing all proposals meeting the minimum requirements, the committee selected Bluegrass Recreation Sales and Installation LLC to be the supplier for this project. In February 2025 Council approved staff's recommendation to award the project to Bluegrass Recreation.

Staff continued to work with Bluegrass Recreation to develop specific designs for the site amenities. Once these decisions were finalized an updated cost was provided by the vendor. The product information and designs were provided to the project architects who included them in the plans which were subsequently reviewed and approved by TDEC. These plans were then let for bid to select a General Contractor to perform construction and installation services on the project.

The site amenities include playground equipment, water fountain, bike rack, benches, trash receptacles, and a pre-manufactured structure for the ballfield scorer's shelter. The estimated cost of these items is \$128,577.64 but the final amount could change slightly based upon the actual quantities installed during construction. We anticipate some small variation in quantities based upon site conditions which will not be known until construction begins in the field.

Request for Bids #25-09

Following TDEC's review and approval of the project plans, a Request for Bids was issued on June 27, 2025, to select a General Contractor to perform construction services including installation of the site amenities discussed above. The scope of work in this RFB also includes some items whose quantities may vary based upon field conditions. The bid totals shown below include:

- Lump Sum Base Bid
- A 5% contingency
- Unit Costs for Installation of Site Amenities Based Upon Quantity Estimates

The city received three bids which were opened on July 31st and are as follows:

- | | |
|-------------------------------------|----------------|
| • Wilson Construction Group, LLC | \$1,484,759.35 |
| • Baseline Sports Construction, LLC | \$1,721,667.50 |
| • Skilled Services | \$1,902,675.00 |

After review, the architect and city staff deem Wilson Construction Group, LLC to be the lowest and best bid. Therefore, the recommendation is to award the project to Wilson Construction Group, LLC, in the amount shown above. There is a slight difference between the bid amount above and the amount in the architect's recommendation letter which is due to their totals not including the unit costs for installation of site amenities.



PUBLIC WORKS

Staff are currently working with the architect to identify options to reduce the overall cost of the project which could provide us with additional contingency in the event it is needed. If additional savings are realized and not needed for additional contingency, the savings will be returned to the fund balance.

Summary

In addition to the costs discussed above, the city will also incur costs associated with Construction Engineering Inspection services provided by the project architect, Lose Design. This amount is estimated to be \$25,000 but will be based upon the actual number of hours required to provide these services. There will also be additional costs associated with specialized testing services for items such as compaction testing, materials sampling, and Head Injury Criterion testing of the playground safety surface. The estimated cost of the specialized inspections is \$15,000. The city will procure these services directly from a vendor and the cost will be based upon the total number of trips and tests required for the scope of work. In addition to the original scope of work requested in the grant application, the FY26 budget includes \$75,000 to pave the remainder of the parking lot, which is outside the limits of disturbance.

The total estimated cost to complete the project is \$1,728,336.99. This amount includes site amenities from Bluegrass Recreation, lump sum construction bid from the General Contractor, estimated site amenity installation costs based upon unit prices from the General Contractor, estimated cost for CEI, estimated costs for specialized testing, and estimated cost for additional paving.

Budgeted funds available for this project are \$1,175,000, including \$587,500 in LPRF Grant funding. The required grant match from the city is also \$587,500 and as mentioned the city also budgeted \$75,000 for additional paving. Based upon these estimated revenues and expenditures, the project is approximately \$553,336.99 over budget.

Approximately \$55,000 of the budget overage is due to the decision to add the removal and replacement of the playground to the project scope while offsetting a portion of these costs by reusing four of the six ballfield light poles. However, the exact amount cannot be determined because portions of this work are included in the contractor's lump sum bid. Originally, the city planned to replace the playground using grant funds from a Blue Cross grant, but after not being funded in two consecutive years the decision was made to add this to the LPRF grant project scope of work.

Because the initial budget was prepared in 2020 and the intervening years have had historically high levels of inflation, it isn't surprising the bids are greater than the original budget. However, the architect provided an Opinion of Probable Cost in September 2024 which was \$1,157,616. While I am sure there have been some price increases during the past year, inflation alone would not account for the differential between the bid/proposal amount and the Opinion of Probable Cost, so I asked the architect to provide insight as to why they believe the differential is so large. Their response was as follows:



PUBLIC WORKS

“The \$455,000 difference on Heritage matches a pattern we have been seeing on a lot of projects this spring and early summer, though 39% is on the high side. Lately, we have heard from several contractors that steel prices have jumped, mostly because folks are being extra cautious with tariff risks. The bigger issue we have run into is a real shortage of earthwork contractors.

On our recent bid for Pellissippi State Community College, the winning contractor said they had to beg earthwork crews to even price the job. That kind of situation drives prices up fast. I cannot

say for sure it played out the exact same way here, but a smaller job like Heritage can be harder to get subs to commit to, and that usually means higher numbers.

All in all, the bidding climate has been bumpy this year, and contractors seem to be building in more cushion than usual to cover their risks.”

Given the bid deadline was recently extended for the site work at Mt. Verd Industrial Park due to a lack of interested bidders, including the omission of companies which almost always bid on government projects in McMinn County, it is plausible that this same situation is occurring locally and has contributed to the higher-than-expected bids. As mentioned above, staff are working with the architect to identify potential cost cutting measures. Once a contractor has been awarded the bid, we will include them in these discussions to get additional input as to how the project costs might be reduced. If we can cut costs while complying with the grant requirements and maintaining a quality product, we will do so.

The following items are included with this memo as additional attachments:

- Bluegrass Recreation Sales and Installation LLC quote for RFP #24-09
- Proposed Contract with Wilson Construction
- Bid Evaluation and Recommendation Letter from Lose Design

Action Item

City Council to approve purchase of site amenities from Bluegrass Recreation Sales and Installation through RFP 24-09 which was previously awarded to the company.

City Council to award RFB 25-09 to Wilson Construction Group LLC for construction services related to the Heritage Park LPRF Grant Project.

SITE DATA:

ADDRESS: Heritage Park,
1102 Old Englewood Rd,
Athens, TN 37303
OWNER: City of Athens
MAP: 066G PARCEL: 001.00
CLINCH RIVER MILE 53.91



SITE LEGEND

- 1 ADA PARKING MODIFICATIONS (DEMOLITION OF EXISTING PAVEMENT, MODIFIED CURBING, CONCRETE RE-SURFACE AND STORMWATER IMPROVEMENTS TO IMPROVE DRAINAGE)
- 2 ADA ACCESS PATHS (ADA COMPLIANT ACCESS PATHS TO EXISTING AND PROPOSED PARK ELEMENTS)
- 3 YOUTH BASEBALL / SOFTBALL FIELD IMPROVEMENTS (DEMOLITION AND REPLACEMENT OF EXISTING FENCING, LIGHTING AND PAVEMENT INCLUDING ADA ACCESSIBLE OUGHOITS)
- 4 TREES TO BE REMOVED AS REQUIRED FOR EXISTING FENCE DEMOLITION
- 5 APPROXIMATE 11-100 LF, 7'8" WIDE ADA COMPLIANT HARD SURFACE WALKING TRAIL

LOSE #19056



FALL 2020

HERITAGE PARK - ADA RENOVATION
MCMINN COUNTY, TENNESSEE
CONCEPTUAL SITE PLAN



Proposal



Prepared by:
Bluegrass Recreation Sales
and Installation, LLC
434 Quirks Run Rd
Danville KY 40422
PH: 423-329-7735

July 24, 2025

Proposal number:
072425 Bid Heri

This proposal is valid for 30 days

Proposal prepared for:

Terms:

City of Athens Attention: Angela Robbins - Purchasing Agent
815 North Jackson Street
Athens, TN 37303

net 30

Heritage Park Playground and site furnishing Products

Athens Sourcewell Number 26649	Unit Price:	Qty.:	Ext. Price:
PB24-73935 Playground structure with Birch Roofs	\$17,648.00	1	\$17,648.00
NRG24-73929 Promo NRG Climbers	\$33,813.00	1	\$33,813.00
PB24-73934 Promo Playbuilder with shade different panel & climber	\$41,233.00	1	\$41,233.00
Revolution spinner 200203413	\$5,621.00	1	\$5,621.00
Combo Overhead Climber 200203413 with 4 posts 200202616	\$ 2,635.00	1	\$ 2,635.00
Rock on See Saw 200203923	\$13,599.00	1	\$13,599.00
Discounting Free Freight and promo & Sourcewell Discounting LT 010521-LTS-4	-\$29,802.36	1	-\$29,802.36
12x12' Hiproof Multi-rib metal building 8 eave and 4 electrical for lights and power	\$17,494.00	1	\$17,494.00
PP 6' expanded metal plastic coated benches with back 934-302 direct bury	\$265.00	4	\$2,260.00
PP 2 Loop Db bike rack for 3-5 bikes 997-203	\$360.00	1	\$360.00
PP 6' expanded metal plastic coated Trash receptacle w/lid and liner DB Kit	\$555.00	2	\$1,110.00
First Team 21' DB bench TEM-FX21 Players Bench	\$1,480.00	2	\$2,960.00
MDF-2440SMSS SS ADA hi-lo water fountain with bottle filler and hose bib	\$7,800.00	1	\$7,800.00
BGR Discounting Premium customer discount	-\$2,133.00	1	-\$2,133.00
stamped engineering for Scoring Shelter	\$800.00	1	\$800.00
Stamped engineered drawings for playground only if needed	\$7,500.00	1	\$7,500.00
		1	
Freight		1	\$5,680.00
Total:			\$128,577.64

PLEASE PROVIDE TAX EXEMPT CERTIFICATE WITH ORDER	Payment is due within 30 days after receipt of product. Past due amounts will incur finance charges.
Your Eastern Tennessee	Customer
Playground Consultant is: Tracy Stypa 423-329-7735	Acceptance: _____
Representative Signature: _____	Date: _____

Credit card payments will incur a 3% processing fee on the total of the order

Installation charges assume no rock that cannot be reasonably removed with common hand tools. If heavy rock is encountered, additional charges may apply. Deposit may be required.



August 4, 2025

Mr. Kevin Helms, City Project Manager
City of Athens
815 North Jackson Street
Athens, TN 37303

Re: Bid Evaluation and Recommendation for Heritage Park ADA
Improvements

Dear Mr. Helms,

After receipt and evaluation of contractor submitted bids for construction of the Heritage Park ADA Improvements, City of Athens Bid# RFB 25.09, we the project architect and designer recommend acceptance of the lowest bid submitted by **Wilson Construction Group, LLC.** with a base bid amount of one-million, four-hundred ten thousand, two hundred forty-seven dollars and no cents (**\$1,410,247.00**) and a contingency of seventy thousand, five hundred twelve dollars and thirty-five cents (**\$70,512.35**).

We look forward to working with both Wilson Construction Group and the City of Athens. Please feel free to contact us if you need any additional information or wish to discuss next steps.

Sincerely,

LOSE DESIGN

Kenny Townsend



Agenda Item

VIII. B. Approve Bid Award of RFB 25-10 to Rogers Group, Inc for Resurfacing 9 City Streets (3.94 miles).

Overview

The FY 2025-26 approved budget contains \$1,862,000 to resurface nine city streets totaling 3.94 miles. Those nine city streets consist of:

- Mt. Verd Rd. from Clearwater Rd to city limits (.34)
- Sharp Rd. from Velma Rd. to Railroad Ave (.21)
- Tellico Ave. from Congress to Astrid St (.83)
- Dennis St. from Congress to Decatur Pike (.62 of full depth reclamation)
- Woodward Ave. from N. Jackson St. to Ingleside Ave (1.07)
- Forrest Ave. from Ingleside Ave. to Madison Ave (.29 of full depth reclamation)
- Guille St. from Ingleside Ave. to Eastanallee Ave (.12)
- Glendale Ave. from Park St. to Cedar Springs Rd (.29)
- Cedar Springs Rd. from Glendale Ave. to Elizabeth St (.17)

Bid documents were prepared and distributed. On the deadline date of July 23, 2025 three responses were received. Attached are a memorandum from the Public Works Department, bid tabulation sheet, and vendor contract.

The lowest and most responsive bidder was Rogers Group, Inc. (Knoxville) with a total bid of \$1,683,300, \$178,700 under the construction budget. Funding for this project was budgeted in the Capital Improvement Fund using \$999,446 (59.4%) from the Surface Transportation Block Grant-Local funds and \$683,854 (40.6%) from city funds for construction.

In addition to the construction amount, the city is also required to fund construction testing and inspection services at a cost of \$204,802 bringing the total cost of the project to \$1,888,102 (\$999,446 grant funds – 52.9% and \$888,656 city funds – 47.1%), still \$178,898 below the total budget amount of \$2,067,000.

TDOT has concurred with the city’s documentation. This project is anticipated to be completed by November 2025.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to award this bid to Rogers Group, Inc.

Affected Departments

Public Works



PUBLIC WORKS

TO: Randall Dowling, City Manager

FROM: Kevin L. Helms, Project Manager

Cc: Ben Burchfield, Public Works Director
Angela Robbins, Purchasing Assistant

DATE: August 5, 2025

SUBJECT: STBG-L Paving

Background

The city recently opened bids for the STBG-L Paving Project which will repair and repave portions of nine city streets. This project is being funded through a combination of the city's annual FHWA funding allocation along with local funds. The city received three bids which were opened on July 23rd and are as follows:

- Rogers Group \$1,683,300.00
- Wright Brothers \$2,015,831.75
- Duracap \$2,313,133.55

The low bid listed above is less than the engineer's opinion of probable cost which is \$1,991,326. The current project budget in the city's contract with TDOT also includes \$204,802.00 for construction testing and inspection services. Therefore, the estimated total cost of construction is \$1,888,102 versus a budgeted amount of \$2,067,000. Available grant funding for the construction phase is approximately \$999,446 and any overage must come from local funds.

It is important to note that these amounts are estimates with the actual cost likely to change. The bids were submitted using unit prices and the total cost has been calculated by multiplying the unit prices by estimated quantities provided by the engineer. Payment will be made based upon actual quantities used during the project so the final amount may be more or less than the bid amounts listed above. The price could also change from month to month based upon fluctuations in the Basic Bituminous Materials Index as developed by TDOT.

On July 28th, all documentation was forwarded to TDOT for their review and concurrence regarding the bidding process and award of the bid and earlier today we received a response from TDOT that they concur with the bid award recommendation. Once the bid is approved by City Council, a Notice of Award will be issued to Rogers Group. After the Notice of Award, Rogers Group will obtain documentation to provide the city which includes among other things a Payment & Performance Bond, Certificate of



PUBLIC WORKS

Insurance, and Executed Contract. After verifying the documentation, the city will schedule a pre-construction meeting with Rogers Group followed by issuance of a Notice to Proceed.

For your reference, the following items are also included with this memo:

- Bid tabulation
- Letter requesting TDOT concurrence with the bid award to Rogers Group
- Proposed contract between the city and Rogers Group

Action Item

Motion and second by City Council to award the bid to Rogers Group and authorize the mayor to execute all necessary documents including a contract with Rogers Group.

PIN 132258.00 Resurfacing of Various Streets in Athens, Tennessee

Item	Description	Unit	Quantity	Engineer		Rogers		Wright Brothers		Duracap	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	C.Y.	2800	\$45.00	\$126,000.00	\$31.25	\$87,500.00	\$44.30	\$124,040.00	\$147.49	\$412,972.00
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	3786	\$50.00	\$189,300.00	\$45.00	\$170,370.00	\$55.75	\$211,069.50	\$59.70	\$226,364.94
307-01-08	ASPHALT CONCRETE MIX (PG#4-22) (BPM#B-HM), GRADING BM-2	TON	1276	\$145.00	\$185,020.00	\$120.00	\$153,120.00	\$155.50	\$198,478.00	\$148.72	\$189,766.72
402-01	BITUMINOUS MATERIAL FOR PRIME COAT (PC)	TON	11	\$950.00	\$10,450.00	\$1,800.00	\$19,800.00	\$973.00	\$10,703.00	\$1,250.00	\$13,750.00
402-02	AGGREGATE FOR COVER MATERIAL (PC)	TON	39	\$175.00	\$6,825.00	\$520.00	\$20,280.00	\$93.00	\$3,627.00	\$150.00	\$5,850.00
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	TON	24	\$1,400.00	\$33,600.00	\$1,050.00	\$25,200.00	\$973.00	\$23,352.00	\$1,250.00	\$30,000.00
411-01-10	ACS MIX (PG#4-22) GRADING D	TON	4798	\$175.00	\$839,650.00	\$154.00	\$738,892.00	\$166.00	\$796,488.00	\$164.08	\$787,255.84
415-01-02	COLD PLANING BITUMINOUS PAVEMENT	S.Y.	3293	\$38.00	\$125,134.00	\$48.00	\$158,064.00	\$50.60	\$166,625.80	\$62.05	\$204,330.65
701-02-01	CONCRETE CURB RAMP (RE-TROFIT)	S.F.	875	\$45.00	\$39,375.00	\$70.00	\$61,250.00	\$75.75	\$66,281.25	\$56.10	\$49,087.50
701-02-03	CONCRETE CURB RAMP	S.F.	340	\$35.00	\$11,900.00	\$65.00	\$22,100.00	\$110.00	\$37,400.00	\$78.10	\$26,554.00
712-01	TRAFFIC CONTROL	LS	1	\$90,000.00	\$90,000.00	\$70,000.00	\$70,000.00	\$99,020.00	\$99,020.00	\$114,798.00	\$114,798.00
712-02-10	PORTABLE BARRIER RAIL (MASH TL3)	L.F.	850	\$110.00	\$93,500.00	\$14.60	\$12,410.00	\$67.25	\$57,162.50	\$90.00	\$76,500.00
712-04-01	FLEXIBLE DRUMS (CHANNELIZING)	EACH	300	\$45.00	\$13,500.00	\$42.25	\$12,675.00	\$45.00	\$13,500.00	\$44.00	\$13,200.00
712-06	SIGNS (CONSTRUCTION)	S.F.	224	\$10.00	\$2,240.00	\$7.90	\$1,769.60	\$9.50	\$1,904.00	\$8.25	\$1,848.00
713-16-01	CHANGEABLE MESSAGE SIGN UNIT	EACH	2	\$11,000.00	\$22,000.00	\$6,860.00	\$13,720.00	\$7,280.00	\$14,560.00	\$7,150.00	\$14,300.00
716-02-04	PLASTIC PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	3	\$60.00	\$180.00	\$26.40	\$79.20	\$31.40	\$94.20	\$33.00	\$99.00
716-02-05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	427	\$12.00	\$5,124.00	\$12.65	\$5,401.55	\$13.50	\$5,764.50	\$12.10	\$5,166.70
716-02-06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EACH	13	\$175.00	\$2,275.00	\$264.00	\$3,432.00	\$196.00	\$2,548.00	\$181.50	\$2,359.50
716-02-09	PLASTIC PAVEMENT MARKING (LONGITUDINAL CROSS-WALK)	L.F.	462	\$34.00	\$15,708.00	\$24.30	\$11,226.60	\$28.00	\$12,936.00	\$25.85	\$11,942.70
716-03-01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EACH	3	\$200.00	\$600.00	\$212.00	\$636.00	\$252.00	\$756.00	\$330.00	\$990.00
716-04-01	PLASTIC PAVEMENT MARKING (STRAIGHT-TURN ARROW)	EACH	2	\$270.00	\$540.00	\$370.00	\$740.00	\$252.00	\$504.00	\$209.00	\$418.00
716-04-05	PLASTIC PAVEMENT MARKING (STRAIGHT ARROW)	EACH	2	\$250.00	\$500.00	\$158.00	\$316.00	\$196.00	\$392.00	\$165.00	\$330.00
716-13-02	SPRAY THERMO PVMT MKRNG (60 mli) (6IN LINE)	L.M.	7	\$3,300.00	\$23,100.00	\$3,855.00	\$26,985.00	\$4,200.00	\$29,400.00	\$4,125.00	\$28,875.00
716-13-03	SPRAY THERMO PVMT MKRNG (60 mli) (8IN BARRIER LINE)	L.F.	1170	\$1.50	\$1,755.00	\$1.10	\$1,287.00	\$1.50	\$1,755.00	\$1.00	\$1,170.00
717-01	MOBILIZATION	LS	1	\$130,000.00	\$130,000.00	\$49,646.05	\$49,646.05	\$49,200.00	\$49,200.00	\$88,280.00	\$88,280.00
791-07-20	ADJUST EXISTING VALVE BOX	EACH	6	\$650.00	\$3,900.00	\$700.00	\$4,200.00	\$1,471.00	\$8,826.00	\$125.00	\$750.00
795-12-20	ADJUST EXISTING VALVE BOXES	EACH	11	\$650.00	\$7,150.00	\$460.00	\$5,060.00	\$1,475.00	\$16,225.00	\$125.00	\$1,375.00
797-07-60	ADJUST EXISTING MANHOLE	EACH	12	\$1,000.00	\$12,000.00	\$595.00	\$7,140.00	\$5,275.00	\$63,300.00	\$400.00	\$4,800.00

Total = \$1,991,326.00 **\$1,683,300.00** **\$2,015,831.75** **\$2,313,133.55**

Certified Correct:  **\$2,017,511.75**
 I certify that this tabulation is a correct and true representation of the bids received at the bid opening on July 23, 2024 at 2:00 PM
 Used Incorrect Qty for Item No. 716-



Agenda Item

VIII. C. Approve Resolution 2025-20, Declaring Fire Hose as Surplus Property and Authorizing its Sale Through GovDeals.

Overview

The Athens Fire Department has approximately 25 sections of fire hose that exceeds its 20-year service life and/or failed the annual pressure testing and needs to be declared as surplus city property and disposed of in accordance with city policies, specifically through a public electronic auction on Govdeals.com.

A memo from the Fire Department is attached.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to approve Resolution 2025-20.

Affected Departments

Fire Department



FIRE DEPARTMENT

To: Randy Dowling, City Manager
From: Brandon Ainsworth, Fire Chief
Date: July 24, 2025
Subject: Fire Hose Retirement and Surplus Request

This memo is to inform you that the Athens Fire Department has identified approximately 25 sections of fire hose that must be retired and replaced. These hoses either:

- Exceed the 20-year service life recommended by the National Fire Protection Association (NFPA), or
- Failed the department's annual pressure testing, as required by NFPA standards and department policy.

Maintaining properly functioning fire hose is critical for the safety of our personnel and the effectiveness of our emergency response operations. In accordance with NFPA standards and our departmental hose testing policy, these sections of hose are no longer safe for emergency operations and must be removed from service. We are requesting authorization to declare these hoses as surplus for Gov Deals and proceed with proper disposal in compliance with city policy.

Please let us know if any additional documentation or steps are needed to move forward with this request.

BRANDON AINSWORTH
FIRE CHIEF
BAINSWORTH@ATHENSTN.GOV

815 NORTH JACKSON STREET
ATHENS, TENNESSEE 37303
(423) 744-2760

RESOLUTION NO. 2025-20

A RESOLUTION DECLARING CERTAIN FIRE HOSE EQUIPMENT AS SURPLUS PROPERTY AND AUTHORIZING ITS SALE THROUGH GOVDEALS

WHEREAS, the City of Athens Fire Department has conducted its annual hose testing and inspection in accordance with departmental policy and National Fire Protection Association (NFPA) standards; and

WHEREAS, the Fire Chief has determined that approximately twenty-five (25) sections of fire hose are no longer safe for use in emergency operations due to having exceeded the NFPA’s recommended 20-year service life or having failed the department’s required pressure testing; and

WHEREAS, the City of Athens has procedures in place for disposing of surplus property in compliance with state law and local policy, including the use of online auction platform GovDeals;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE, that:

1. The aforementioned fire hose sections are hereby declared surplus property due to age and condition as verified by the Fire Chief.
2. The Fire Chief is authorized to dispose of the surplus fire hoses through GovDeals.
3. Any proceeds from the sale shall be deposited into the appropriate City account and reported accordingly.

ON MOTION BY _____

SECONDED BY _____

said Resolution was approved by roll call vote on the 19th day of **August, 2025**.

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

VIII. D. Approve Resolution 2025-21, Authorizing the City of Athens to Submit a Grant Application to the BlueCross Healthy Places Program.

Overview

The City of Athens has the opportunity to pursue funding through the BlueCross Healthy Place program, a competitive grant initiative aimed at improving public spaces to promote health and wellness. Staff recommends applying for this grant to support enhancements at the Ingleside Recreation Complex. The BlueCross Healthy Place program funds capital improvements to community spaces that support active living, inclusive play, and neighborhood connectivity.

To be considered, the City must be the legal titleholder of the property, provide a recent land survey and metes and bounds documentation, and demonstrate community input in selecting the project priorities. The City currently meets the ownership criteria and can provide the necessary legal documentation. Parks & Recreation will coordinate public input to guide design and prioritize features that reflect community interest.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to approve Resolution 2025-21.

Affected Departments

Parks and Recreation Department

RESOLUTION NO. 2025-21

A RESOLUTION AUTHORIZING THE CITY OF ATHENS, TENNESSEE TO PARTICIPATE IN THE BLUECROSS HEALTHY PLACES PROGRAM.

WHEREAS, the City of Athens recognizes the value of high-quality outdoor spaces that promote health, wellness, accessibility, and community engagement; and

WHEREAS, the BlueCross BlueShield of Tennessee Foundation works with government entities and non-profit organizations across the state to fund and build BlueCross Healthy Places, fully financing the design, construction, and long-term maintenance of public recreational projects; and

WHEREAS, the Foundation accepts proposals from August 1, 2025 to August 31, 2025, and evaluates them based on demonstrated community need, site viability, and local commitment; and

WHEREAS, the City of Athens proposes to partner with the Foundation to enhance the Ingleside Recreation Complex; and

WHEREAS, the City acknowledges and agrees to the Foundation’s key project conditions, including ensuring the site will be free and open to the public, providing evidence of community input and benefit, submitting a project implementation timeline, and granting exclusive BlueCross Healthy Place branding and naming rights.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

1. That the above recitals are true and correct and are hereby adopted by reference.
2. That the City Council authorizes application to the BlueCross BlueShield of Tennessee Foundation for the BlueCross Healthy Places Grant, specifically for improvements at the Ingleside Recreation Complex.
3. That, if selected, the Mayor and City Manager are hereby authorized to:
 - Execute all required agreements, contracts, and documentation; and
 - Collaborate with Foundation staff throughout the design, public engagement, and construction process.
4. That the City affirms its ownership and control of the Ingleside Recreation Complex and fully supports the enhancement of its public amenities in partnership with the BlueCross Healthy Places program.

ON MOTION BY _____

SECONDED BY _____

said Resolution was approved by roll call vote on the **19th** day of **August, 2025**.

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

VIII. E. Approve Resolution 2025-22, Authorizing the City of Athens to Participate in the 2025-2026 Judy Housley Safety Partners Matching Grant Program Through Public Entity Partners.

Overview

- **Type:** 50/50 Matching Grant
- **Administered by:** Public Entity Partners (PEP)
- **Max. Reimbursement / Funding Eligibility:** Tied to the earned workers' compensation premium for 2024–2025 (Athens – Class III, up to \$2,000)
- **For purchase of:** Three (3); 3M Scott Vision C5 Facepiece with Radio Direct Interface and Bone Conduction Headphone Motorola compatible for confine space and IDLH atmospheres

The required 50% match of \$2,000 and any amount exceeding the maximum reimbursable amount has been planned for in the FY 2025-26 General Fund Budget.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to approve Resolution 2025-22.

Affected Departments

Fire Department

RESOLUTION NO. 2025-22

A RESOLUTION AUTHORIZING THE CITY OF ATHENS, TENNESSEE TO PARTICIPATE IN THE 2025-2026 JUDY HOUSLEY SAFETY PARTNERS MATCHING GRANT PROGRAM THROUGH PUBLIC ENTITY PARTNERS.

WHEREAS, the safety and well-being of the employees of the City of Athens is of the greatest importance; and

WHEREAS, all efforts shall be made to provide a safe and hazard-free workplace for the City of Athens employees; and

WHEREAS, Public Entity Partners seeks to encourage the establishment of a safe workplace by offering a “Safety Partners” Matching Grant Program; and

WHEREAS, the City of Athens now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

SECTION 1.

The City of Athens is hereby authorized to apply for the **2025-2026 Judy Housley Safety Partners Matching Grant** through Public Entity Partners.

SECTION 2.

That the City of Athens is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

ON MOTION BY _____

SECONDED BY _____

said Resolution was approved by roll call vote on the **19th** day of **August, 2025**.

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

VIII. F. Approve Resolution 2025-23, Authorizing the City of Athens to Participate in the 2025-2026 Property Conservation Matching Grant Program Through Public Entity Partners.

Overview

- **Type:** 50/50 Matching Grant
- **Administered by:** Public Entity Partners (PEP)
- **Max. Reimbursement / Funding Eligibility:** Tied to the property coverage classification levels for 2024–2025 (Athens – Class II, up to \$4,000)
- **For purchase of –** Six (6); Verkada CD42-E network surveillance cameras & pole mounts for Ingleside Park (4) and Heritage Park (2).

The required 50% match of \$4,000 and any amount exceeding the maximum reimbursable amount has been planned for in the FY 2025-26 General Fund Budget.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to approve Resolution 2025-23.

Affected Departments

Information Technology, Parks & Recreation

RESOLUTION NO. 2025-23

A RESOLUTION AUTHORIZING THE CITY OF ATHENS, TENNESSEE TO PARTICIPATE IN THE 2025-2026 PROPERTY CONSERVATION MATCHING GRANT PROGRAM THROUGH PUBLIC ENTITY PARTNERS.

WHEREAS, the citizens of the City of Athens have entrusted this administration with the care and custody of city-owned property; and

WHEREAS, all efforts shall be made to protect city-owned property from various perils that may arise; and

WHEREAS, Public Entity Partners seeks to encourage members with property coverage to develop and implement a property conservation program by offering the **PROPERTY CONSERVATION MATCHING GRANT PROGRAM**; and

WHEREAS, the City of Athens now seeks to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE:

SECTION 1.

The City of Athens is hereby authorized to apply for the **2025-2026 Property Conservation Matching Grant** through Public Entity Partners.

SECTION 2.

That the City of Athens is further authorized to provide a matching sum to serve as a match for any monies provided by this grant.

ON MOTION BY _____

SECONDED BY _____

said Resolution was approved by roll call vote on the **19th** day of **August, 2025**.

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

VIII. G. Approve Purchase of Replacement Garbage Dumpsters from WasteQuip using the Sanitation Fund.

Overview

The FY 2025-26 Sanitation Fund approved budget contains \$64,000 to purchase replacement garbage totes, lids, and dumpsters. Attached is a quote from WasteQuip for 28 4-yard containers and 18 8-yard containers for a total cost of \$44,313 including shipping. These items are being purchased from the Sourcewell Cooperative Purchasing Agreement which is an authorized type of purchase in the city's Procurement Policies and Procedures.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

A motion, second, and majority vote are needed to approve this purchase.

Affected Departments

Public Works



PUBLIC WORKS

MEMORANDUM

TO: Randy Dowling, City Manager

FROM: Ben Burchfield, Public Works Director

DATE: August 6, 2025

SUBJECT: Purchase of Replacement Refuse Containers for Sanitation Division.

The Public Works Department is requesting Council approval for purchase of replacement commercial refuse containers for the Sanitation division. The attached quote from Wastequip includes 28 4-yard containers and 18 8-yard containers. With shipping, the total is \$44,313.00.

This competitive price has already been negotiated through Sourcewell Contract #010825-WQI, so an individual bid by the City is not needed. The Sanitation fund is budgeted for \$64,000.00 under fixed assets for replacement of commercial and residential containers.

If you have any questions, let me know.



395 South Main Street, Eagleville, TN, 37060

PHONE: 800-643-8713 FAX: 615-274-2636

WQ-10355666

Sourcewell

Awarded Contract

Contract #010825-WQI

Sell To:

Bill To Name	City of Athens TN	Ship To Name	City of Athens TN
Bill To	PO Box 849 Athens, TN 37371-0849 USA	Ship To	219 Alford St Athens, TN 37303-4668 USA
Email	a Robbins@athensn.gov	Quick Ship	<input type="checkbox"/>
Phone	423-744-2780		

Quote Information

Salesperson	Steve Swanson	Expiration Date	8/16/2025
Salesperson Email	sswanson@wastequip.com	Quote Number	WQ-10355666 Please Reference Quote Number on all Purchase Orders

Product	Product Description	Quantity	Sales Price	Total Price
Container - TN - 125533	4 Cubic Yard Standard Duty Flat Front Load Container, Floor: 10 gauge, Walls: 12 gauge, Pockets: Heavy Duty with Three Way Fork Entry Guide, Interlocking Top Channels with formed 10 gauge Bottom Runners, Primed and Painted Any Standard Color	28.00	\$726.00	\$20,328.00
Container - TN - 125537	8 Cubic Yard Standard Duty Flat Front Load Container - Floor: 10 gauge, Walls: 12 gauge with Horizontal V-Crimps for Added Strength, Doors: (2) 30"x 30" Sliding, Pockets: Heavy Duty with Three Way Fork Entry Guide, Top Channels: Interlocking, Bottom Runners: 2 1/2" Tall Formed, Primed and Painted Any Standard Color	18.00	\$1,100.00	\$19,800.00

Payment Terms	Net 30 Days if credit has been established	Subtotal	\$40,128.00
Shipping Terms	FOB Origin	Shipping	\$4,185.00
		Tax	\$0.00
		Grand Total	\$44,313.00

Additional Information

Additional Terms Our Quote serves as an offer to provide Products and/or services at the quantities and prices shown and is a good faith estimate, based on our understanding of your needs. By signing below, you indicate your acceptance of our offer which is expressly subject to the Wastequip Terms & Conditions of Sale ("Wastequip's Terms") located at: <https://www.wastequip.com/terms-conditions-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. Wastequip's Terms may be updated from time to time and are available by hard copy upon request. Any changes or deviations to the terms of this Quote, including any different terms in an Order submitted by you, must be agreed upon in writing by both parties.

Additional Information Pricing is based on your acceptance prior to the expiration of this Quote, including product specifications, quantities, and timing. Any differences to your Order may result in different pricing, freight or other costs. Due to volatility in petrochemical, steel and related Product material markets, actual prices and freight, are subject to change. We reserve the right, by providing notice to you at any time before beginning Product manufacturing, to increase the price of the Product(s) to reflect any increase in the cost to us which is due to any factor beyond our control (such as, without



395 South Main Street, Eagleville, TN, 37060

PHONE: 800-643-8713 FAX: 615-274-2636

WQ-10355666

Sourcewell 

Awarded Contract

Contract #010825-WQI

limitation, any increase in the costs of labor, materials, or other costs of manufacture or supply). Unless otherwise stated, materials and container sizes indicated on sales literature, invoices, price lists, quotations and delivery tickets are nominal sizes and representations – actual volume, Products and materials are subject to manufacturing and commercial variation and Wastequip’s practices, and may vary from nominal sizes and materials. All prices are in US dollars; this Quote may not include all applicable taxes, brokerage fees or duties. If customer is not tax exempt, final tax calculations are subject to change. Pursuant to California Section 26275 of the Health and Safety Code, certain trash receptacles and storage containers must be marked with reflectors. Customers must disclose if such receptacles and containers are intended for use in California – if not disclosed, the receptacles and containers are not intended for use in California.

Special Contract Information

Sourcewell-Pricing & Product offerings are based on the Sourcewell Co-Operative Contract with Wastequip Manufacturing Company LLC (#010825-WQI, eff. 05/29/2025) and such Contract terms & conditions are incorporated herein by reference. Pricing & Product (& related) changes may occur at any time with proper documentation, & subject to Sourcewell approval; therefore, offerings may change without written prior notice. Wastequip Product Limited Warranties, Disclaimers, Limitation of Liability & Remedies, & Limited Warranty Provisions apply to all purchases thereunder.

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



Agenda Item

VIII. H. Approve 1) Monday, September 8, 2025 to Friday, September 19, 2025 as the Application Period, 2) a Lottery Selection Method in Case of Multiple Applicants, and 3) Public Hearing and Selection Date for New Retail Package Store Certificate of Compliance

Overview

Ordinance 1139 was approved during the regular City Council session on May 20, 2025, increasing the number of retail package stores allowed in the City of Athens from two (2) to three (3). At that same meeting, Council approved the following motions:

1. Set the application period from June 20, 2025 to July 7, 2025.
2. Approved a lottery as the method for selecting an applicant in the event of multiple submissions.
3. Scheduled a special session for July 31, 2025 at 5:30 PM for the public hearing and action on the issuance of certificate of compliance.

Outcome of the July 31, 2025 Special Session:

Only one application for a certificate of compliance was received by the deadline date. Since the city's building official determined that the submitted plan did not meet the necessary standards at the time of review, the City Council denied the application due to deficiencies in the site plan that rendered it non-compliant under applicable regulations.

To reopen the application process, the following motions are proposed for consideration during the August 19, 2025 regular session:

1. Motion to Set a New Application Period
 - Proposed Dates: Monday, September 8, 2025 to Friday, September 19, 2025, 5:00 p.m.
 - These dates fall within 45 days of the next regular session on October 21, 2025, in accordance with Athens Code § 8-49(5).
2. Motion to Confirm Application Selection Method
 - Reaffirm or modify the previous method: lottery to be used only in the case of multiple applicants.
3. Motion to Set Public Hearing and Selection Date
 - Proposed Date: Tuesday, October 21, 2025, during the regular City Council session.
 - This will serve as the public hearing and the meeting for certificate of compliance selection.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session consent agenda for approval.

Action to Consider

Motion, second, and majority vote are needed to approve: 1) application period, 2) selection method, and 3) public hearing date as presented.

Affected Departments

City Manager's Office

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

8-35 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alcoholic beverage means and includes alcohol, spirits, liquor, wine and every liquid containing alcohol, spirits, and wine capable of being consumed by a human being other than medicine or beer where the latter contains an alcohol content of five percent by weight or less. The term "alcoholic beverage" also includes any liquid product containing distilled alcohol capable of being consumed by a human being, manufactured or made with distilled alcohol, irrespective of alcoholic content. Products or beverages, including beer, containing less than one-half percent alcohol by volume, other than wine as defined in this section, shall not be considered an alcoholic beverage and shall not be subject to regulation or taxation pursuant to this chapter unless specifically provided.

Applicant means a person applying for a local liquor store privilege license or a certificate of compliance, as the context provides.

Applicant group means more than one person joining together to apply for a local liquor store privilege license or certificate of compliance, as the context provides, to operate a single liquor store pursuant to the same application.

Application means the form or other information an applicant or applicant group is required to file with the city in order to attempt to obtain a local liquor store privilege license or certificate of compliance, as the context provides.

Certificate of compliance means the certificate required in T.C.A. § 57-3-208 and subject to the provisions set forth in this chapter for issuance of such a certificate.

Co-licensees means persons who together hold a single liquor store privilege license for a single liquor store.

Federal statutes means the statutes of the United States now in effect or as they may hereafter be changed or amended.

Inspection fee means the monthly fee a licensee is required by this chapter to pay, the amount of which is determined by a percentage of the gross purchase price of all alcoholic beverages acquired by the licensee for retail sale from any wholesaler or any other source. In the event of co-licensees holding a local liquor store privilege license for a single liquor store, such inspection fee shall be the same as if the local liquor store privilege license were held by a single licensee.

License fee means the annual fee a licensee is required by this chapter to pay prior to the time of the issuance or renewal of a local liquor store privilege license. In the event of co-licensees holding a local liquor store privilege license for a single liquor store, only one license fee is required.

Licensee means the holder of a local liquor store privilege license. In the event of co-licensees, each person who receives a certificate of compliance and liquor store privilege license shall be a licensee subject to rules and regulations herein.

Liquor store means the building or part of a building where a licensee conducts any of the business authorized by the local liquor store privilege license and state liquor license held by such licensee.

Local liquor store privilege license means a local liquor store privilege license issued under the provisions of this chapter for the purpose of authorizing the holder thereof to engage in the business of selling alcoholic beverages at retail in the city at a liquor store. Such a local liquor store privilege license

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

will only be granted to a person who has a valid state liquor retailer's license. One local liquor store privilege license is necessary for each liquor store to be operated in the city.

Manufactured building means a structure or building substantially or wholly made at a manufacturing plant for installation or assembly at a building site, whether referred to as a mobile home, modular home, manufactured home, panelized home, prefab home, factory-built home, or otherwise. The term "manufactured building" includes any structure transportable in one or more sections built or placed on a permanent chassis designed to be used with or without a permanent foundation.

Person means any natural person as well as any corporation, limited liability company, partnership, firm or association or any other legal entity recognized by state law.

Retail sale and sale at retail mean the sale to a consumer or to any person for any purpose other than for resale.

State law, rules and regulations means all applicable state laws, rules and regulations applicable to alcoholic beverages as now in effect or as they may hereafter be changed or amended, including, without limitation, the local option liquor rules and regulations of the state alcoholic beverage commission.

State liquor retailer's license means a license issued by the state alcoholic beverage commission pursuant to T.C.A. § 57-3-201 et seq., permitting its holder to sell alcoholic beverages at retail in the state.

Wholesaler means any person who sells at wholesale any beverage for the sale of which a license is required under the provisions of this chapter.

Wine means the product of normal alcoholic fermentation of juice of fresh, sound, ripe grapes, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine, and seasonal conditions, including champagne, sparkling and fortified wine of an alcoholic content not to exceed 21 percent by volume.

(Ord. No. 1035, § 1(8-201), 3-17-2015)

8-36 Selling And Distribution Generally

It is unlawful for any person to engage in the business of selling or distributing alcoholic beverages within the corporate limits of the city except as provided by T.C.A. title 57 and by the rules and regulations promulgated thereunder and as provided under this title.

(Ord. No. 1035, § 1(8-202), 3-17-2015)

8-37 Licenses Required For Sale Of Alcoholic Beverages At Retail

It shall be lawful for a licensee to sell alcoholic beverages at retail in a liquor store, provided that such sales are made in strict compliance with all federal statutes, all state laws, rules and regulations, and all provisions of this chapter and any other applicable chapter and the Charter of the city, and provided that such licensee has a valid and duly issued state liquor retailer's license and a valid and duly issued local liquor store privilege license from the city permitting the licensee to sell alcoholic beverages at retail. Transfer of any ownership right or interest in a license is prohibited. Possession of any alcoholic beverage by a licensee in any manner other than by retail sale is prohibited.

(Ord. No. 1035, § 1(8-203), 3-17-2015)

**ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES**

8-38 Licensee Responsible For Officers And Agents

Each licensee shall be responsible for all acts of such licensee, as well as the acts of a co-licensee, and acts of the licensee's officers, employees, agents and representatives so that any violation of this Code or the city Charter, or of any state or federal law concerning alcoholic beverages by any co-licensee, officer, employee, agent or representative of a licensee shall constitute a violation of this chapter by such licensee.

(Ord. No. 1035, § 1(8-204), 3-17-2015)

8-39 Location Of Liquor Store

- 1) It is unlawful for any person to operate or maintain a liquor store for the retail sale of alcoholic beverages in the city unless at a location approved by city council. All such stores shall only be located within a B-2 or B-3 business district.
- 2) Moreover, in no event shall such store be located within 500 feet of any building used as a school or church. The minimum distance requirement from a church shall only be applicable provided a church service is held at the church premises at least on one day of each week.
- 3) The minimum distance requirement from a school shall only relate to any public school operated by the city or county or a private school, provided such school is licensed and accredited by the state to provide and is providing a kindergarten, elementary, or secondary education to students at the premises.
- 4) Excepting any existing buildings currently subject to previous requirements, the minimum distance requirement in this section from certain buildings shall be measured in a straight line between the middle of the main entrance of the building proposed to sell alcoholic beverages and the front door of the building from which there must be a minimum distance.
- 5) The minimum distance requirement in this section from certain buildings shall not be applicable with respect to the building of a local liquor store privilege licensee located within the downtown business district, which is defined as that area within the interior of the boundaries of Baxter Street, College Street, Hill Street, and Park Street. No liquor store shall be located where the operation of a liquor store at the premises contemplated by an application would unreasonably interfere with public health, safety, or morals.

(Ord. No. 1035, § 1(8-205), 3-17-2015; Ord. No. 1116, § 1, 5-16-2023)

8-40 Requirements For Building Containing Liquor Store

- 1) No liquor store shall be located within a manufactured building as defined in ACC 8-35. All liquor stores shall be located within a newly constructed building or within an existing building to be renovated or refurbished. The plans for any new building or for the renovation or refurbishing of an existing building must be approved by the city community development office and the city council.
- 2) The front of the building must have a brick facade.
- 3) All liquor stores shall have night light surrounding the outside of the premises and shall be equipped with a functioning burglar alarm system on the inside of the premises.
- 4) The liquor store display area shall be at least 1,800 square feet, except for stores in the downtown business district as defined in ACC 8-39, which shall have a display area at least 900 square feet.

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

- 5) Full, free and unobstructed vision shall be afforded to and from the street, public highway or parking lot to the interior of the liquor store by way of large windows in the front and to the extent practical to the sides of the building containing the liquor store.
- 6) No liquor store shall be located except on the ground floor of the building, and it shall have one main entrance opening on a public street, and such place of business shall have no other entrance for use by the public. All liquor stores shall be subject to applicable zoning, land use, building and safety regulations, as adopted within this Code, unless specifically stated otherwise herein.

(Ord. No. 1035, § 1(8-206), 3-17-2015)

8-41 Restrictions Generally

- 1) ***Certain devices and non-employee seating forbidden.*** No pool tables, televisions for viewing by customers, pinball machines, arcade gaming devices, including video games, jukeboxes or similar devices shall be permitted in any liquor store. No seating facilities, other than for employees of the liquor store, shall be permitted in any liquor store.
- 2) ***Time and days of operation.*** No liquor store shall sell or give away any alcoholic beverage between 11:00 p.m. on Saturday and 8:00 a.m. on Monday of each week (no Sunday sales). No liquor store shall sell, give away, or otherwise dispense alcoholic beverages except between the hours of 8:00 a.m. and 11:00 p.m. on Monday through Saturday. The store may not be open to the general public except during regular business hours. No liquor store shall be open for business on Thanksgiving Day, Christmas Day, New Year's Day, Labor Day, or the Fourth of July.
- 3) ***Selling or furnishing to persons below the age of 21 years, etc.*** It is unlawful for any licensee to sell, furnish or give away any alcoholic beverage to a person below the age of 21 years, to a person visibly intoxicated, or to any person accompanied by a person who is visibly intoxicated. It is unlawful for any person under the age of 21 years or a person who is visibly intoxicated to enter or remain in a liquor store or to loiter in the immediate vicinity of a liquor store. Employees with appropriate employee permits issued pursuant to state law who are age 18 years and older are permitted in a liquor store for the purpose of engaging in paid employment only. It is unlawful for a person below the age of 21 years to misrepresent his or her age in an attempt to gain admission to a liquor store or in an attempt to buy any alcoholic beverage from a licensee. Any person selling alcoholic beverages within the city shall be required to have produced to the person selling the alcoholic beverages a facially valid government-issued identification showing that the age of the prospective purchaser of the alcoholic beverage is 21 years of age or older. If such identification is not produced by the prospective purchaser, the alcoholic beverage shall not be sold. Such identification shall be required prior to the sale of alcoholic beverages, regardless of the apparent age of the prospective purchaser.
- 4) ***Consumption on premises of liquor store.*** It is unlawful for any licensee to sell any alcoholic beverage for consumption in such licensee's liquor store or on the premises used by the licensee in connection therewith. It is unlawful for any person who is not an employee of the liquor store to consume any alcoholic beverage in the liquor store or in the immediate vicinity of the liquor store. Any consumption of an alcoholic beverage by an employee shall be limited solely to the circumstances permitted and set forth in the rules of the state alcoholic beverage commission and any applicable federal law.
- 5) ***Advertising.*** There shall be no advertising signs of any kind whatsoever outside the building containing a liquor store, either for the liquor store or to advertise any matter pertaining to alcoholic beverages sold at liquor stores, except as set forth herein. There may be placed on the

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

front of a liquor store, but not extending therefrom over 12 inches, a sign setting out the name of the liquor store. Such sign shall not exceed 20 square feet in dimension. No such sign shall contain letters of neon or tube lighting so as to produce lighting within letters. No reader board or changeable copy signs shall be permitted. One freestanding sign shall be allowed on the premises not to exceed 144 square feet. No off-premises signs related to a liquor store shall be allowed within the city. No banner or temporary or permanent sign or other material shall be placed on or inside a liquor store so that it obstructs free and clear vision of the interior of the liquor store from outside of the liquor store. The foregoing notwithstanding, one banner advertising the grand opening of the liquor store shall be permitted for up to two weeks when a liquor store is first opened for business, provided a sign permit for such banner is obtained from the city. In addition, all liquor store signage shall be subject to applicable zoning, building, and safety regulations, as adopted within this Code, unless specifically stated otherwise herein.

- 6) ***Off-premises business.*** All retail sales of alcoholic beverages shall be confined to the premises of the liquor store. No curb service is permitted, nor shall drive-in window service be permitted. A licensee shall not deliver or cause to be delivered any alcoholic beverage from the store premises to the residence or place of business of a consumer. No licensee shall employ any canvasser, agent, solicitor or other representative for the purpose of receiving an order from a consumer for any alcoholic beverages at the residence or place of business of such consumer nor shall any such licensee receive or accept any such order which shall have been solicited and received at the residence or place of business of such consumer. This subsection shall not be construed as to prohibit the solicitation by a state licensed wholesaler of any order from any licensed retailer at the licensed premises.

(Ord. No. 1035, § 1(8-207), 3-17-2015)

8-42 Fees

- 1) ***Inspection fee.*** Pursuant to T.C.A. § 57-3-501, there is levied on each licensee an inspection fee of eight percent on the wholesale price of any alcoholic beverages acquired by the licensee from any wholesaler or any other source. In the event the population of the county exceeds 60,000 according to any subsequent federal census, the inspection fee shall be reduced to five percent on the wholesale price of any alcoholic beverages acquired by the licensee from any wholesaler or any other source. In the event of any subsequent amendments of T.C.A. § 57-3-501, the inspection fee shall be the maximum allowed by T.C.A. § 57-3-501.
- 2) ***Collection.*** Collection of such inspection fee shall be made by the wholesaler or other source vending to the licensee from the licensee at the time the sale is made to the licensee or at the time the retailer makes payment for the delivery of the alcoholic beverages. The licensee shall create and maintain all records specified in the state rules and regulations related to the purchase and sale of alcoholic beverages and preserve these records for a period of at least 15 months unless the city manager gives the licensee written permission to dispose of such records at an earlier time. In the event of co-licensees holding a single license, one set of records per liquor store satisfies the requirements of this subsection.
- 3) ***Reports.*** The city manager shall prepare and make available to each wholesaler and other source vending alcoholic beverages to licensees sufficient forms for the monthly report of inspection fees payable by such licensee making purchase from such wholesaler or other source. Each wholesaler making sales to licensees located within the city shall furnish the city a report monthly, which report shall contain a list of the alcoholic beverages sold to each retailer located within the city,

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

the wholesale price of the alcoholic beverages sold to each licensee, the amount of tax due, and such other information as may be required by the city. The monthly report shall be furnished the city not later than the 20th of the month following which the sales were made. The inspection fees collected by the wholesaler from the licensee shall be paid to the city at the time the monthly report is made. Wholesalers collecting and remitting the inspection fee to the city shall be entitled to reimbursement for this collection service a sum equal to five percent of the total amount of inspection fees collected and remitted, such reimbursement to be deducted and shown on the monthly report to the city. Failure to collect or timely report and/or pay the inspection fee collected shall result in a civil penalty of ten percent of the fee due the city, which shall be payable to the city. The city shall have the authority to audit the records of wholesalers reporting to it in order to determine the accuracy of such reports. The city shall have the authority to audit the records of the licensee in order to determine the accuracy of such reports related to the inspection fees. Nothing herein shall relieve the licensee of the obligation of payment of the inspection fee, and it shall be the licensee's duty to see that the payment of the inspection fee for the licensee's liquor store is made to the city on or before the 20th day of each calendar month for the preceding month.

- 4) ***Failure to pay fees.*** The failure of the wholesaler to pay the inspection fees and to make the required reports accurately and within the time required by this chapter may result in the suspension or revocation of the licensee's liquor store privilege license if it is determined by the city that the conduct of the licensee has resulted in the failure of the wholesaler to pay the inspection fees and to make the required reports.
- 5) ***Use of fees.*** All funds derived from inspection fees imposed herein shall be used to defray expenses in connection with the enforcement of this chapter, including particularly the payment and compensation of officers, employees, and other representatives of the city in investigating and inspecting licensees and applicants and in seeing that all provisions of this chapter are observed. The city council finds and declares that the amount of these inspection fees is reasonable and that the funds expected to be derived from these inspection fees will be reasonably required for such purposes.

(Ord. No. 1035, § 1(8-208), 3-17-2015)

8-43 Records Kept By Licensee

- 1) ***Required records.*** In addition to any records specified in the state rules and regulations, each licensee shall keep on file, at such licensee's liquor store, the following records:
 - a) The original invoices of all alcoholic beverages bought by the licensee;
 - b) The original receipts for any alcoholic beverages returned by such licensee to any wholesaler;
 - c) A current daily record of the gross sales by such licensee with evidence of cash register receipts for each day's sales;
 - d) An accurate record of all alcoholic beverages lost, damaged, or disposed of other than by sale and showing for each such transaction the date thereof, the quantity and brands of alcoholic beverages involved and the name of the person receiving the same.
- 2) ***Duration.*** All such records shall be preserved for a period of at least 15 months unless the city manager gives the licensee written permission to dispose of such records at an earlier time. In the event of co-licensees holding a single license, one set of records per liquor store satisfies the requirements of this subsection.

(Ord. No. 1035, § 1(8-209), 3-17-2015)

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

8-44 Inspections Generally

The city manager, the city finance director, the chief of police or the authorized representatives or agents of any of them are authorized to examine the premises, books, papers and records of any liquor store at any time the liquor store is open for business for the purpose of determining whether the provisions of this chapter are being observed. Refusal to permit such examination shall be a violation of this chapter and shall constitute sufficient reason for revocation of the local liquor store privilege license of the offending licensee or for the refusal to renew the local liquor store privilege license of the offending licensee.

(Ord. No. 1035, § 1(8-210), 3-17-2015)

8-45 Enforcement, Violations And Penalties

Any violation of the provisions of this chapter shall be punishable under ACC 1-13 and in the discretion of the city council, by any combination of a civil penalty of up to \$500.00 per violation, or temporary suspension or permanent revocation of the local liquor store privilege license where appropriate. Enforcement provisions are also applicable as found under state law. In addition to the above, the city council may direct that the city manager notify the state alcoholic beverage commission of any violation of this chapter, together with a petition that the state liquor license be revoked, pursuant to T.C.A. § 57 - 3-101 et seq., and the rules and regulations of the commission.

(Ord. No. 1035, § 1(8-211), 3-17-2015)

8-46 Certificate Of Compliance

As a condition precedent to the issuance of a state liquor retailer's license by the state alcoholic beverage commission, the city council may authorize the issuance of certificates of compliance by the city according to the terms contained herein.

(Ord. No. 1035, § 1(8-212), 3-17-2015)

8-47 Application For Certificate Of Compliance And Local Liquor Store Privilege License

- 1) ***Filing and content.*** An applicant or applicant group for a liquor store shall file with the city manager a completed written application on a form to be provided by the city manager which shall contain all of the following information and whatever additional information the city council or city manager may require:
 - a) The name and street address of each person to have an interest, direct or indirect, in the liquor store as an owner, partner, stockholder or otherwise. In the event that a corporation, partnership, limited liability company or other legally recognized entity is an applicant or member of an applicant group, each person with an interest therein must be disclosed and must provide the information on the application provided by the city;
 - b) The name of the liquor store proposed;
 - c) A statement that the applicant has secured a location for the liquor store business which complies with all of the restrictions and conditions within this chapter and that the liquor store business is not prohibited at this location because of some other provision of this Code or state law. As a part of this statement, the applicant shall provide the address of the proposed liquor store and its zoning designation;

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

- d) The statement that an individual applicant either resides within and has resided within the state and the urban growth boundaries of the city for at least two years immediately prior to the time the application is filed or is a resident of the county and has been so for at least two years immediately prior to the time the application is filed and who owns at least a 50 percent interest in developable land in the city. The statement, if the applicant is an applicant group, whether a partnership, corporation, or limited liability company, that at least 51 percent of the ownership shares or interests in such partnership, corporation, or limited liability company are owned by a natural person who either resides and has resided within the state and the urban growth boundaries of the city for at least two years prior to the time the application is filed, or that at least 51 percent of the ownership shares or interests in such partnership, corporation, or limited liability company are owned by a natural person who resides within the county and has been so for at least two years immediately prior to the time the application is filed and who owns at least a 50 percent interest in developable land in the city;
 - e) A statement that the persons receiving the requested license, to the best of their knowledge, if awarded the certificate of compliance, could comply with all the requirements for obtaining the required licenses under state law and the provisions of this chapter for the operation of a liquor store in the city; and
 - f) The agreement of each applicant or each member of an applicant group, as appropriate, to comply with all applicable laws and ordinances and with the rules and regulations of the state alcoholic beverage commission with reference to the sale of alcoholic beverages and the agreement of each applicant or each member of an applicant group as to the validity and the reasonableness of these regulations, inspection fees, and taxes provided in this title with reference to the sale of alcoholic beverages.
- 2) ***Further documentation.*** The application form shall be accompanied by a copy of each questionnaire form and other material to be filled out by the applicant or each member of the applicant group with the state alcoholic beverage commission in connection with an application for a state liquor retailer's license and, with respect to the store location and building thereon, shall be accompanied by five copies of a scale plan, drawn to a scale of not less than one inch equals 20 feet, giving the following information:
- a) The shape, size and location of the lot upon which the liquor store is to be operated under the license;
 - b) The shape, size, height and location of all buildings, whether they are to be erected, altered, moved or are existing upon the lot;
 - c) The off-street parking space and off-street loading and unloading space to be provided, including the vehicular access to be provided from these areas to a public street; and
 - d) The identification of every parcel of land within 500 feet of the lot upon which the liquor store is to be operated indicating the ownership thereof and the location of any structures thereon and the use being made of every such parcel.
- 3) ***Signatures.*** The application form shall be signed and verified by each person to have any interest in the liquor store either as an owner, partner, LLC member, stockholder or otherwise.
- 4) ***Misrepresentation, concealment of fact and duty to amend.*** If any applicant, member of an applicant group, or licensee misrepresents or conceals any material fact in any application form or as to any other information required to be disclosed by this chapter, such applicant, member of an applicant group, or licensee shall be deemed to have violated the provisions of this chapter and his or her application may be disregarded or his or her license restricted or revoked as deemed appropriate by the city council. Further, no sale, transfer or gift of any interest of any nature, either

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

financial or otherwise, in a liquor store shall be made without first obtaining a replacement license from the city upon the approval of the city council.

- 5) **Fee.** Each application shall be accompanied by a nonrefundable \$500.00 investigation fee. One application fee per applicant group is sufficient.

(Ord. No. 1035, § 1(8-213), 3-17-2015)

8-48 State-Required Certificate Of Compliance

Pursuant to T.C.A. § 57-3-208, an applicant for a state liquor retailer's license, as a condition precedent to the issuance of such license, shall submit with the application to the state alcoholic beverage commission a certificate of compliance containing the information as stated in T.C.A. § 57-3-208. In issuing any certificate of compliance, the city council and city manager will follow and comply with the guidelines and requirements as stated in T.C.A. § 57-3-208. The city council will not consider any application until publication, at the applicant's expense, in a newspaper of general circulation in the county of the notice required by Tenn. Comp. Rules and Regs. 0100-03-.09(10)--(11) has occurred.

(Ord. No. 1035, § 1(8-214), 3-17-2015)

8-49 Restrictions Upon Issuance

- 1) **Certificates of compliance.** The city council shall not issue a certificate of compliance unless the applicant has complied with all the requirements of state liquor statutes, the rules and regulations of the alcoholic beverage commission (Tenn. Comp. Rules and Regs. 0100-03), and this chapter.
- 2) **No violations of chapter.** No certificate of compliance shall be issued unless a license issued on the basis thereof can be exercised without violating any provisions of this chapter.
- 3) **Prerequisites of issuance.** The city manager, upon approval of city council, shall not sign any certificate of compliance for any applicant or applicant group until:
 - a) An application has been filed with the city manager which complies with this chapter and a showing has been made that the applicant has met all the conditions for a certificate of compliance as stated in T.C.A. § 57-3-208;
 - b) The notice required by Tenn. Comp. Rules and Regs. 0100-03-.09(10)--(11) has been published and the public hearing noticed therein has been conducted;
 - c) The location stated in the certificate has been approved by the city council as a suitable location for the operation of a liquor store; and
 - d) The application has been considered at a public meeting of the city council and approved by a vote of at least three members thereof.
- 4) **Time periods for action.** Any applicant or applicant group who has obtained a certificate of compliance as provided herein must open a liquor store in the city within six months or, unless an extension is granted by city council, the certificate will be revoked by the passage of this amount of time, and a certification thereof will be sent to the state alcoholic beverage commission, and the application for a local liquor store privilege license shall be considered canceled and revoked.
- 5) **Granting or denial.** The city council shall decide, within 45 days of request, whether to grant the certificate of compliance.

(Ord. No. 1035, § 1(8-215), 3-17-2015)

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

8-50 Consideration Of Applications For Certificate Of Compliance

In issuing certificates of compliance to enable the licensing of liquor stores in the city as presently permitted by this chapter, the city council will consider all applications filed before a closing date to be fixed by city council and select from such applications the applicants deemed by city council in its sole discretion to have the qualifications required by law and this chapter and the most suitable circumstances for the lawful operation of a liquor store within the city without regard to the order of time in which the applications are filed. Applications can only be submitted to the city during the timeframe the city council has set for receipt of such applications. Applications and all matters submitted with or as a part of such applications at the time they are submitted are the sole and exclusive property of the city.

(Ord. No. 1035, § 1(8-216), 3-17-2015)

8-51 License From City To Operate Liquor Store

After an applicant or applicant group receives a license from the state alcoholic beverage commission to operate a retail liquor store pursuant to T.C.A. § 57-3-101 et seq., in the city, the applicant or applicant group shall apply to the city manager for a local liquor store privilege license to operate a retail liquor store pursuant to the terms, conditions, and restrictions in ACC 8-52 and 8-53.

(Ord. No. 1035, § 1(8-217), 3-17-2015)

8-52 Restrictions On Local Liquor Store Privilege Licenses

- 1) ***Number of licenses.*** The number of local liquor store privilege licenses issued within the city shall be limited to two.
- 2) ***Term renewal.*** Each license shall expire on December 31 of each year. A license shall be subject to renewal each year by compliance with all applicable federal and state law, rules and regulations and the provisions of this chapter.
- 3) ***Display.*** A licensee shall display and post and keep displayed and posted licensee's license in a conspicuous place in the licensee's liquor store at all times.
- 4) ***Transfer.*** A licensee or co-licensee shall not sell, assign or transfer his or her license or any ownership interest therein. No license shall be transferred from one location to another location without the express permission of the city council.
- 5) ***Fees.*** A license fee of \$500.00 is due at the time of application for a local liquor store privilege license and annually prior to January 1 each year thereafter. The initial license shall remain in effect for the remainder of the calendar year when it is first issued so that the first year may not be a full year period. The license fee shall be paid to the city manager before any license shall be issued.

(Ord. No. 1035, § 1(8-218), 3-17-2015; Ord. No. 1124, § 1, 11-21-2023)

8-53 Qualifications For And Restrictions Upon Licensees And Employees

- 1) ***Initial qualification.*** To be eligible to apply for or to receive a local liquor store privilege license, an applicant, or, in the case of an applicant group, each member of the applicant group, must satisfy all of the requirements and conditions, which must be shown and stated in the application submitted to the city council, to request a certificate of compliance with the requirements and conditions in ACC 8-47 incorporated herein by reference and form a part of the qualifications

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

which must be met by an applicant before receiving a local liquor store privilege license. In addition, before an applicant is eligible to receive a local liquor store privilege license, the applicant, or, in the case of an applicant group, each member of the applicant group, must satisfy all of the other requirements of this chapter, the requirements of the state alcoholic beverage commission, and all applicable state law, rules and regulations for the holder of a liquor retailer's license.

- 2) ***Public officers and employees.*** No license shall be issued to a person who is a holder of a public office, either appointed or elected, or who is a public employee, either national, state, county or city. It is unlawful for any such person to have any interest in such liquor store, either directly or indirectly, either proprietary or by means of a loan or participation in the profits of any such business. This prohibition shall not apply, however, to uncompensated, appointed members of boards or commissions who have no duties covering the regulation of alcoholic beverages or beer.
- 3) ***Felons.*** No licensee shall be a person who has been convicted of a felony within ten years prior to the time he or she or the legal entity with which he or she is connected shall receive a license, provided that this provision shall not apply to any person who has been so convicted but whose rights of citizenship have been restored or judgment of infamy has been removed by a court of competent jurisdiction. In case of such conviction occurring after a license has been issued and received, the license shall immediately be revoked if such convicted felon is an individual licensee and, if not, the partnership, corporation, limited liability company or association with which he or she is connected shall immediately discharge him or her and he or she shall have no further interest therein or else such license shall be immediately revoked.
- 4) ***Employee felons.*** No licensee shall employ in the storage, sale, or distribution of alcoholic beverages any person who, within ten years prior to the date of his or her employment, shall have been convicted of a felony. In the case that an employee is convicted of a felony while he or she is employed by a licensee at a liquor store, he or she shall be immediately discharged after his or her conviction, provided that this provision shall not apply to any person who has been so convicted but whose rights of citizenship have been restored or judgment of infamy has been removed by a court of competent jurisdiction.
- 5) ***Liquor offenses.*** No license shall be issued to any person who, within ten years preceding application for such license or permit, shall have been convicted of any offense under the laws of the state or any state or the United States regulating the sale, possession, transportation, storing, manufacturing, or otherwise handling of alcoholic beverages or beer.
- 6) ***Disclosure of interest.*** It is unlawful for any person to have ownership in or participate in, either directly or indirectly, the profits of any liquor store unless his or her interest in such business and the nature, extent and character thereof shall appear on the application or if the interest is acquired after the issuance of a license unless it is fully disclosed to the city manager and approved by him or her in a timely manner.
- 7) ***Age.*** No licensee shall be a person under the age of 21 years, and it is unlawful for any licensee to employ any person under the age of 18 years for the physical storage, sale or distribution of alcoholic beverages or to permit any such person under such age in his or her place of business to engage in the storage, sale or distribution of alcoholic beverages.
- 8) ***Interest in only one liquor store.*** A person shall have an interest, either direct or indirect, in no more than one liquor store licensed under this chapter in the city.

(Ord. No. 1035, § 1(8-219), 3-17-2015)

**ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES**

8-54 Nature Of License; Suspension Or Revocation

The issuance of a license does not vest a property right in the licensee but is a privilege subject to revocation or suspension. Any license shall be subject to suspension or revocation by the city council for any violation of this Code by the licensee or by any person for whose acts the licensee is responsible. The licensee shall be given reasonable notice and an opportunity to be heard before the city council suspends or revokes a license for any violation unless provided otherwise specifically herein. If the licensee is convicted of a violation of this chapter by a final judgment in any court and the operation of the judgment is not suspended by an appeal, upon written notice to the licensee, the city manager may immediately suspend the license for a period not to exceed 60 days, and the city council may revoke or suspend the license on the basis of such conviction thereafter. A license shall be subject to revocation or suspension without a hearing whenever such action is expressly authorized by other provisions of this chapter stating the effect of specific violations.

(Ord. No. 1035, § 1(8-220), 3-17-2015)

CITY OF ATHENS, TENNESSEE

TIMELINE: CERTIFICATE OF COMPLIANCE (COC) APPLICATION

1. Ordinance No. 1139: Adopted Tuesday, May 20, 2025

- Amends the City Code to limit the number of local liquor store privilege licenses issued within the city shall be limited to three (3).

2. Ordinance Effective Date: Thursday, June 19, 2025

3. Start of Application Period: Monday, September 8, 2025, at 8:00 AM

- Applications will only be accepted during this period.
- **\$500 non-refundable investigation fee due at time of application** (per § 8-47(5)).

4. End of Application Period: Monday, September 19, 2025, at 5:00 PM

- Length: 12 calendar days

5. Public Hearing: Tuesday, October 21, 2025, at 6:00 PM (City Council Regular Session)

- The Athens City Council will not consider any application until publication, at the applicant's expense, in a newspaper of general circulation (Athens City Code § 8-48). The public notice should be published at least 14 days before the scheduled public hearing date. Proof of publication must be submitted before the public hearing.
- Public Hearing to obtain community input.

6. Applicant Selection: Tuesday, October 21, 2025, at 6:00 PM

- The City Council selects an applicant to receive CoC via established method.
 - lottery/random drawing
- The City Council issues the Certificate of Compliance

7. Act on the Certificate of Compliance: Tuesday, October 21, 2025, at 6:00 PM

- Aligns with:
 - Athens Code § 8-49(5) – Council must act within 45 days.
 - TCA § 57-3-208(f)(1) – State must act within 60 days, or application is granted by default.

8. Post-Selection

- The selected applicant submits CoC to Tennessee Alcoholic Beverage Commission (TABC).
- Upon TABC approval, the applicant pays a **\$500 city license fee**, due annually before January 1 for the local liquor store privilege license.
- Contact Community Development regarding any permits that may be required: 423-744-2752.
- Contact Finance Department for Business Tax License



Agenda Item

IX. A. Public Hearing and Second Reading of Ordinance 1143, An Ordinance to Amend Title 3, Chapter II of the Athens City Code, Relative to the Imposition of Penalties and Court Costs in Athens Municipal Court.

Overview

The Tennessee General Assembly recently enacted Public Chapter No. 459 which addresses funding for the training and continuing education of municipal court judges and clerks. To fund that training, the new legislation specifically amends Tennessee Code Annotated §16-18-304(a) increasing court cost fees from \$1.00 to \$2.00 effective July 1, 2025.

The City's current ordinance (Ord. No. 1028, last amended in June 2014) sets court costs at \$1.00. To be in compliance with the new state law, a city ordinance amendment is needed to update the court cost from \$1.00 to \$2.00.

In addition to addressing the court cost increase, it is also being recommended that the overall court cost be increased from \$90.00 to \$120.00 to more accurately reflect current administrative expenses.

Following approval of first reading during the July 15, 2025 regular session, the public hearing and second reading was advertised for the August 19, 2025 regular session.

Action to Consider

After conducting the public hearing and second reading of the ordinance, a motion, second, and majority vote are needed to approve Ordinance No. 1143. If approved, the new fees will go into effect immediately.

Affected Departments

Police Department

ORDINANCE NO. 1143

AN ORDINANCE TO AMEND TITLE 3, CHAPTER II OF THE ATHENS CITY CODE, RELATIVE TO THE IMPOSITION OF PENALTIES AND COURT COSTS IN ATHENS MUNICIPAL COURT.

WHEREAS, the Athens City Council finds it necessary and appropriate to revise the court costs imposed in City Court to better reflect current administrative costs and statutory obligations; and

WHEREAS, the current court cost structure was last amended in June 2014 by Ordinance No. 1028, and the Athens City Council now deems it necessary to update said costs; and

WHEREAS, the Tennessee General Assembly enacted Senate Bill 1089 / House Bill 748 (2025 Public Chapter Number 459), amending Tennessee Code Annotated, Section 16-18-304(a), to increase the municipal court training fee from one dollar (\$1.00) to two dollars (\$2.00) effective July 1, 2025;

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

SECTION 1.

That Title 3, Chapter II, Section 3-26 of the Athens City Code is hereby amended by deleting the following in its entirety:

3-26 Imposition Of Penalties And Costs

- 1) All penalties and costs shall be imposed by the city judge and recorded by the court clerk on the city court clerk docket in open court.
- 2) In all cases heard and determined by him, the city judge shall impose court costs in the amount of \$90.00. From the court costs, \$1.00 shall be forwarded by the court clerk to the state treasurer to be used by the administrative office of the courts for training and continuing education courses for municipal court judges and municipal court clerks (Reference: TCA § 16-18-304).
- 3) Defendants who are designated to appear in court and fail to do so shall be imposed an additional court cost of \$20.00. Additionally, the state litigation tax (Reference: TCA § 16-18-305) is imposed and included in the \$90.00 court costs.

and substituting with the following:

3-26 Imposition of Penalties and Costs

- 1) All penalties and costs shall be imposed by the city judge and recorded by the court clerk on the city court clerk docket in open court.
- 2) In all cases heard and determined by the city judge, the city judge shall impose court costs in the amount of one hundred twenty dollars (\$120.00). From the court costs, two dollars (\$2.00) shall be forwarded by the court clerk to the state treasurer to be used by the administrative office of the courts for training and continuing education courses for municipal court judges and municipal court clerks in accordance with Tennessee Code Annotated § 16-18-304.
- 3) Defendants who are designated to appear in court and fail to do so shall be imposed an additional court cost of twenty dollars (\$20.00).
- 4) A state privilege tax on litigation of thirteen dollars and seventy-five cents (\$13.75) shall be imposed in accordance with Tennessee Code Annotated § 16-18-305(a). This tax shall be collected by the municipal court clerk, remitted to the State Department of Revenue, and included in the total court costs.

ORDINANCE NO. 1143

- a) When a defendant pays fines and costs before appearing in court this payment is treated as a "cash bond." If the defendant fails to appear, the bond is forfeited. In such cases, instead of the standard litigation tax, a "Cash Bond Forfeiture Fee" of \$13.75 is collected. This fee is reported separately to the Tennessee Department of Revenue and is distinct from the litigation tax.
- b) If a defendant appears in court and is found guilty the standard litigation tax of \$13.75 is imposed. This tax is collected by the court clerk and remitted to the Tennessee Department of Revenue.

SECTION 2. Conflict and Repeal.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. Severability.

If any section, sentence, clause, or provision of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, the invalidity of such section, sentence, clause, or provision shall not affect any of the remaining parts of this ordinance.

SECTION 4. Effective Date.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective upon final passage, the public welfare requiring it.

FIRST READING: July 15, 2025
PUBLIC HEARING NOTICE: July 23, 2025
DATE OF PUBLIC HEARING: August 19, 2025
SECOND READING: August 19, 2025

ATTEST:

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney



Municipal Court

Fee Schedule

Item	Fee
Court Cost	\$120 less \$2 for municipal court judge and clerks training, less \$13.75 for litigation tax
Failure to Appear	\$20 additional
Credit Card Convenience Fee	\$4.50 flat fee plus 3%
Return Check Fee	\$45
Municipal court cost established by city ordinance.	
Contact: City Manager's Office 423-744-2702	

City Council Updated/Adopted on June 17, 2025

Current Breakdown of Court Costs in Athens, TN

Standard Court Cost: \$90.00

- **Flat Rate:** For all cases heard by the city judge, the court imposes a flat fee of **\$90.00** as court costs.
- **State Litigation Tax: (\$13.75)**
 - Required by TCA § 16-18-305.
- **Administrative Office of the Courts (AOC) / Training: (\$1.00)**
- Goes to the State Treasurer
 - Specifically earmarked for training and continuing education for municipal court judges and clerks (required by TCA § 16-18-304).

Failure to Appear Penalty: +\$20.00

- If a defendant fails to appear in court when required, an additional **\$20.00** in court costs is imposed.

Retained by City: $\$90.00 - \$13.75 - \$1.00 = \underline{\$75.25}$

Proposed Breakdown of Court Costs in Athens, TN

Standard Court Cost: \$120.00

- **Flat Rate:** For all cases heard by the city judge, the court imposes a flat fee of **\$120.00** as court costs.
- **State Litigation Tax: (\$13.75)**
 - Required by TCA § 16-18-305.
- **Administrative Office of the Courts (AOC) / Training: (\$2.00)**
- Goes to the State Treasurer
 - Specifically earmarked for training and continuing education for municipal court judges and clerks (required by TCA § 16-18-304).

Failure to Appear Penalty: +\$20.00

- If a defendant fails to appear in court when required, an additional **\$20.00** in court costs is imposed.

Retained by City: $\$120.00 - \$13.75 - \$2.00 = \underline{\$104.25}$

16-18-304. Court costs as prescribed by municipal law or ordinance — Allocation of fees — Training and continuing education for judges and clerks — Fees when exercising concurrent general sessions court jurisdiction.

(a) Notwithstanding any law to the contrary, municipal court costs shall be set and collected in the amount prescribed by municipal law or ordinance. From such amount, one dollar (\$1.00) shall be forwarded by the municipal court clerk to the state treasurer for deposit and shall be credited to the account for the administrative office of the courts (AOC) for the sole purpose of defraying the administrative director's expenses in providing training and continuing education courses for municipal court judges and municipal court clerks. The AOC shall allocate fifty percent (50%) of such funds exclusively for the purpose of providing training and continuing education for municipal court clerks. The AOC is authorized to contract with qualified persons, entities or organizations in order to provide required training or continuing education for municipal court judges. The AOC shall contract with the municipal technical advisory service of the University of Tennessee institute for public service in order to provide required training or continuing education for municipal court clerks and may contract with other qualified persons, entities or organizations to provide additional or alternate training to municipal court clerks.

(b) Notwithstanding any law to the contrary, to the extent that a municipal court is exercising its duly conferred, concurrent general sessions court jurisdiction in a given case, this section does not apply and costs in such case shall be assessed, collected and distributed in the same manner as such costs are assessed, collected and distributed in the court of general sessions.

- New legislation (SB1089/HB748) amends § 16-18-304(a) by increasing that remittance from \$1 to \$2 per case
- This amendment was passed in the 2025 session and goes into effect on July 1, 2025

16-18-305. Levy of state privilege tax on litigation — Collection — Liability for failure to collect or disburse tax — Tax when exercising concurrent general sessions court jurisdiction.

(a) Notwithstanding § 67-4-602, or any other law to the contrary, there is levied a state privilege tax on litigation of thirteen dollars and seventy-five cents (\$13.75) in all cases in a municipal court. All taxes levied pursuant to this subsection (a) shall be collected in accordance with § 67-4-603 and shall be paid into the state treasury and allocated in accordance with § 67-4-606.

(b) There is also levied a state privilege tax on litigation of one dollar (\$1.00) for each and every violation of any municipal law or ordinance governing use of a public parking space. The tax is due and shall be collected even if the offender does not appear before the court. Notwithstanding this section or any other law to the contrary, the only litigation privilege tax collected for a violation of any municipal law or ordinance governing the use of a public parking space shall be the one dollar (\$1.00) litigation tax levied by this subsection (b). The revenue generated by the privilege tax levied by this subsection (b) shall be apportioned in accordance with § 67-4-606.

(c) Notwithstanding § 67-4-602, or any other law to the contrary, no other state privilege tax on litigation shall be levied or collected with respect to litigation in a municipal court; provided, however, that this section shall not be construed to repeal existing authority for the levy of a municipal litigation tax, nor shall this section be construed to grant new authority for the levy of a municipal litigation tax.

(d) Any state privilege tax imposed pursuant to this section that the clerk of the court fails to collect and pay over to the department of revenue shall be a debt of the clerk. Any clerk of the court failing or refusing to collect and pay over to the department state litigation taxes imposed pursuant to this section shall be liable for the taxes and the clerk's official bondsman shall also be liable for the taxes, and the commissioner or the commissioner's delegate may collect the amount of the tax from the clerk or the clerk's official bondsman pursuant to title 67, chapter 1, part 14.

(e) Notwithstanding any law to the contrary, to the extent that a municipal court is exercising its duly conferred concurrent general sessions jurisdiction in a given case, this section does not apply and litigation taxes in the case shall be levied and collected in the same manner as taxes are levied and collected in the general sessions court.

(f) For receiving and paying over all privilege taxes on litigation, the clerk of a municipal court is entitled to a commission of two percent (2%).



Agenda Item

XI. A. Design and Construction of Fire Station #3

Overview

The City Council authorized the City Manager to begin planning for the design and future construction of an additional fire station on Elizabeth Street during the January 21, 2025 regular session. Based on that directive, a RFQ was prepared and distributed, Wold Architects were hired on May 20, 2025, several design meetings were held with Fire Department staff, and a floor plan, site plan, renderings, construction cost estimate, and annual operating costs have been prepared. The anticipation of a future ambulance service has been incorporated into the plans.

Wold attended the August 11, 2025 work session and presented their design and cost estimates for the new fire station construction and city staff presented estimated annual operating costs (attached).

If approved, this project would move into Phase II consisting of preparing the actual construction documents, assisting with bidding and bid evaluations, and providing construction administration for 6.5% of the final construction cost. The construction documents preparation schedule would be about six months, and the construction schedule would be an additional 10 months. If all goes well, a new fire station could be operational during early 2027 in time for the delivery of the new fire truck anticipated during late 2027 or early 2028.

The FY 2025-26 approved Capital Improvement Fund budget contains \$3,200,000 for this project with the remaining expenses coming from the FY 2026-27 budget and/or use of debt.

City staff are also working on the city hall renovation project. If that project is to go forward, these two projects, if performed at the same time, would need additional funding sources beyond the Capital Improvement Fund such as new debt, property tax increase, or a combination of both.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session under New Business for further discussion.

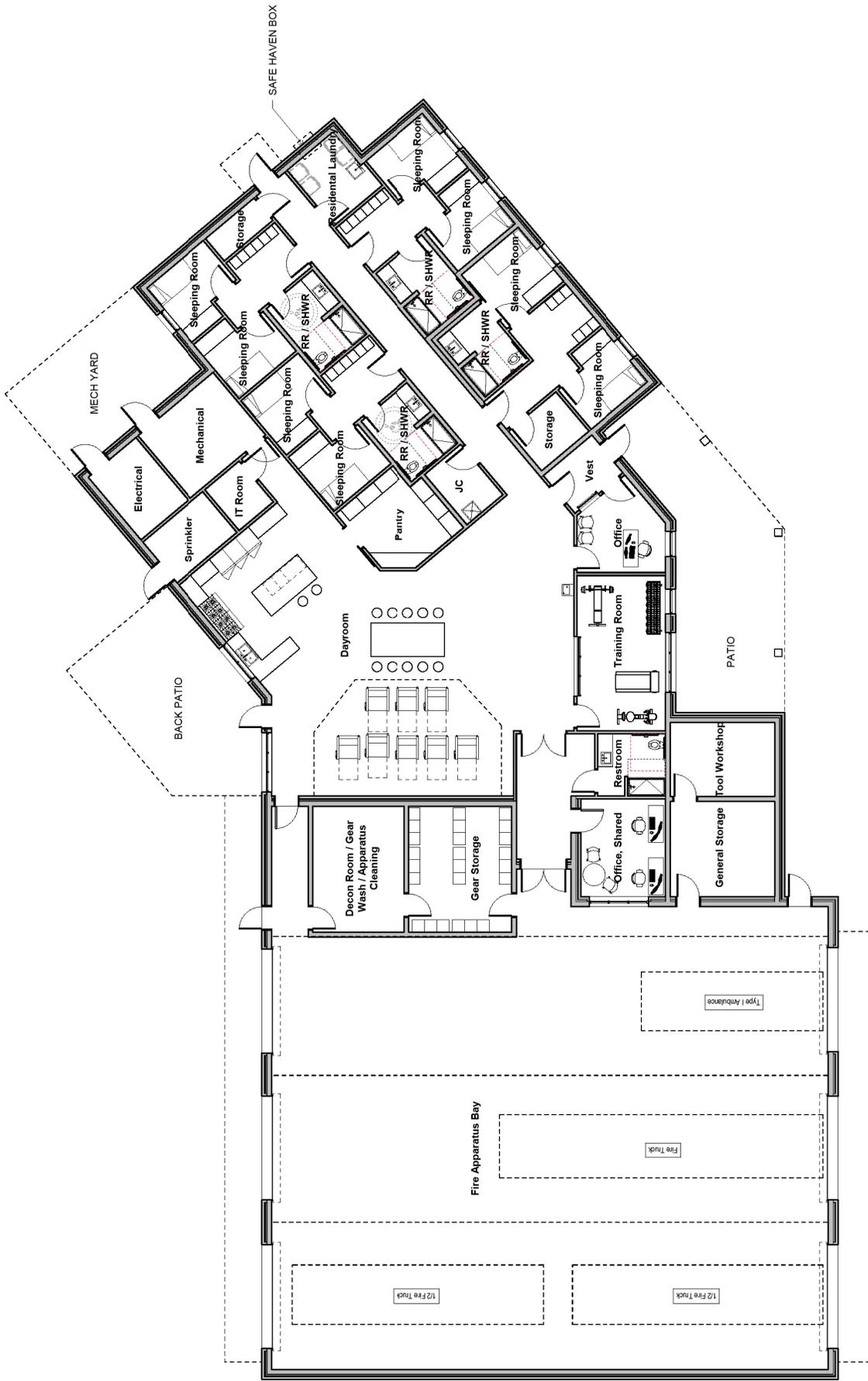
Action to Consider

Motion, second, and majority vote are needed to continue the design process and bring back alternative designs that are less costly for the Sept. 8, 2025 work session.

Affected Departments

Fire Department

Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03 - Programmatic/Conceptual Design Opinion of Probable Construction and Various Project Costs

Construction Estimate		Other Factors
Site		Furniture
Earthwork	\$430,000	\$350,000
Ext. Improvements	\$760,000	Special Inspections
Utilities	\$700,000	\$25,000
Total Site Cost	\$1,890,000	Other Factors Estimate Total
		\$375,000
Building		Designer Fee
Square Footage	11,400	Designer Fee Phase I
Cost per Square Foot	\$500	Designer Fee Phase II
Total Building Cost	\$5,700,000	6.5% of Construction Cost
		Designer Fee Estimate Total
Contingency		\$587,100
Design Contingency	\$500,000	Grand Total
Contractors Contingency	\$250,000	
Total Contingency Cost	\$750,000	Total Project Estimated Cost
Construction Estimate Total	\$8,340,000	\$9,302,100

Estimated Annual Operational Cost for Fire Station #3

Annual Operational Cost Items	Estimated Costs
9 Fire Fighters Salary and Benefits	\$652,000
Physicals	3,000
Utilities	11,000
Telephone	2,000
Repairs/Maintenance	4,000
Uniforms/Gear	20,000
Property & Liability Insurance	10,000
Supplies	5,000
Lawn Care	5,000
Gasoline/Diesel	7,500
Vehicle Maintenance	5,000
Tires	2,500
Fleet Replacement Cost	60,000
Total Estimated Annual Operational Costs	\$787,000
Source: City Staff	

Note: these costs do not include additional fire trucks

The 100' Aerial ladder truck for this station was ordered in June 2024. Expected delivery early 2028.



Agenda Item

XI. B. Installation of Poles and Banners at Veterans Park

Councilmember Sherlin: "Install Flag Poles and Veteran Flags along trail at Veterans Park that was approved by the Council more than a year ago."

Overview

Councilmember Sherlin requested discussion regarding the installation of poles for veteran banners. This matter was previously reviewed during the October 9, 2023 work session and was formally approved by City Council at the October 17, 2023 regular session. However, despite the approval, the installation was ultimately not carried out due to significant controversy surrounding the project and lack of written details. This discussion is intended to revisit the issue and consider potential next steps.

Following discussion during the July 7, 2025 work session, the consensus was to place this item on the July 15, 2025 regular session agenda under New Business for further discussion.

During the July 15, 2025 regular session, the Council voted to place this item on the August 11, 2025 work session for further discussion.

Since July 7, 2025, staff has developed a city-sponsored program consisting of acquiring decorative 12-foot-high metal poles with hanger attachments that are in concert with the established design standards for the downtown area and are bolted to a concrete pad, determining pole locations, and determining pole installation cost performed by a private contractor using the city's established purchasing policies. In addition to the poles, the banners would be 18 x 36-inch double-sided all-weather banners showing an individual's photo, name, rank, military branch, dates served, and logo of military branch.

This program would be similar to the brick program whereby the Parks & Recreation Dept. would prepare an application and market this program through social media, McMinn County Veteran Services, American Legion, VFW, and other interested organizations. Interested parties would pay the city \$50 per double-sided banner, provide all the information for the banner as needed, and the city would install the banners for one year. After one year, the banners would be returned to their original owner. Estimated costs are below:

- Pole/Hanger Cost: \$625 each x 20 poles = \$12,500 (each pole would have two banners for a total of 40 banners)
- Pole Installation (20) by Private Contractor: \$7,500
- Total One-Time Pole and Installation Cost: \$20,000

- 18 x 36 Inch All-Weather Banner Cost (double sided): \$25 each

Attached is a graphic of Veterans Park and pole/banner locations and banner template.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session under New Business for further discussion.

Action to Consider

Motion, second, and majority vote are needed to approve this new program. Once approved, this new program will be implemented and marketed. This project was not budgeted.

Affected Departments

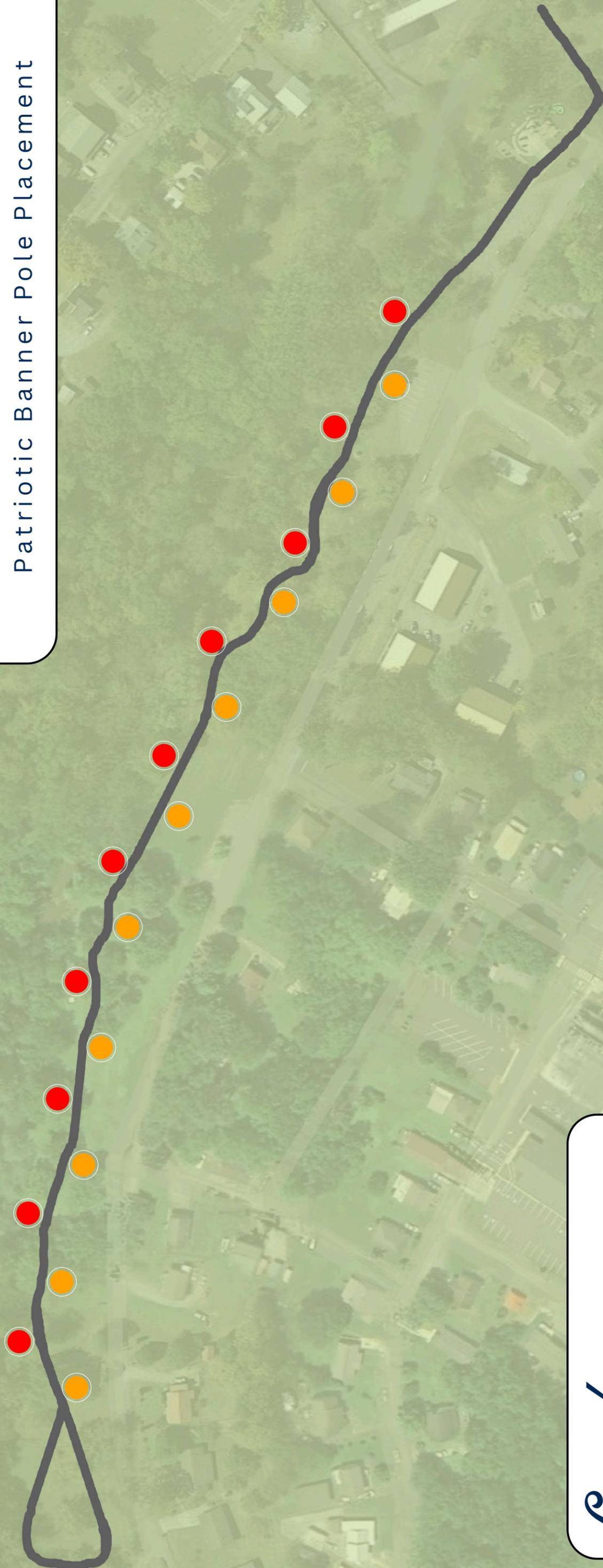
Parks & Recreation



Veteran's Park

Walking Trail with Loop

Patriotic Banner Pole Placement



Legend

Poles Spaced at 25 Yard / 75 Ft
Alternating Trail Side Placement

-  Right Side headed towards loop
-  Left Side headed towards loop



Veterans Park Memorial Banners



Proof of Concept
Double Sided Banners
Located in 25 Yard intervals

Banners to be returned to
soldier after 1 Year of Display





Agenda Item

XI. C. Disposal of Real Property Located at 2201 Decatur Pike

Overview

The city recently acquired about 15 acres of land during 2024 to expand Regional Park. On that acreage is a 2,258 square foot single family house built in 1991 and located in a B-3 zoning district (Intensive Business District). Those uses are attached. The city does not need the house and is interested in disposing of the house and sufficient land through an advertised competitive sealed bid, advertised public auction, or other legal means. Attached are a plat of the house on 1.08 acres (Lot 1) that was surveyed during June 2025, a floor plan, assessment data indicating the house has a value of \$215,400, and a zoning map.

This matter was discussed during the April 7, 2025 work session and the April 15, 2025 regular session. During the April 15, 2025 regular session, the council voted to approve a resolution to declare the house and 1.08 acres of land as surplus city property and authorized city staff to dispose of the property through an advertised competitive sealed bid with a minimum bid of \$275,000 based on a May 2025 appraisal.

The bid was issued on June 20, 2025, a pre-bid meeting held on July 8, 2025 with only one person attending, and the bid deadline was July 22, 2025. On the bid deadline date, no bids were received. Since no interest was shown in this commercial property, other options exist to dispose of this unneeded property including:

- 1) Retain the B-3 zoning, decrease the minimum bid amount, and allow a real estate professional to market the property for maximum exposure.
- 2) Consider rezoning the property from B-3 to R-2 (Medium Density Residential District-uses attached), decrease the minimum bid amount, and conduct another competitive sealed bid or allow a real estate professional to market the residential property for maximum exposure. The rezoning process would take about 3 months and be ready to sell during October.
- 3) Keep the property and demolish the house.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session under New Business for further discussion.

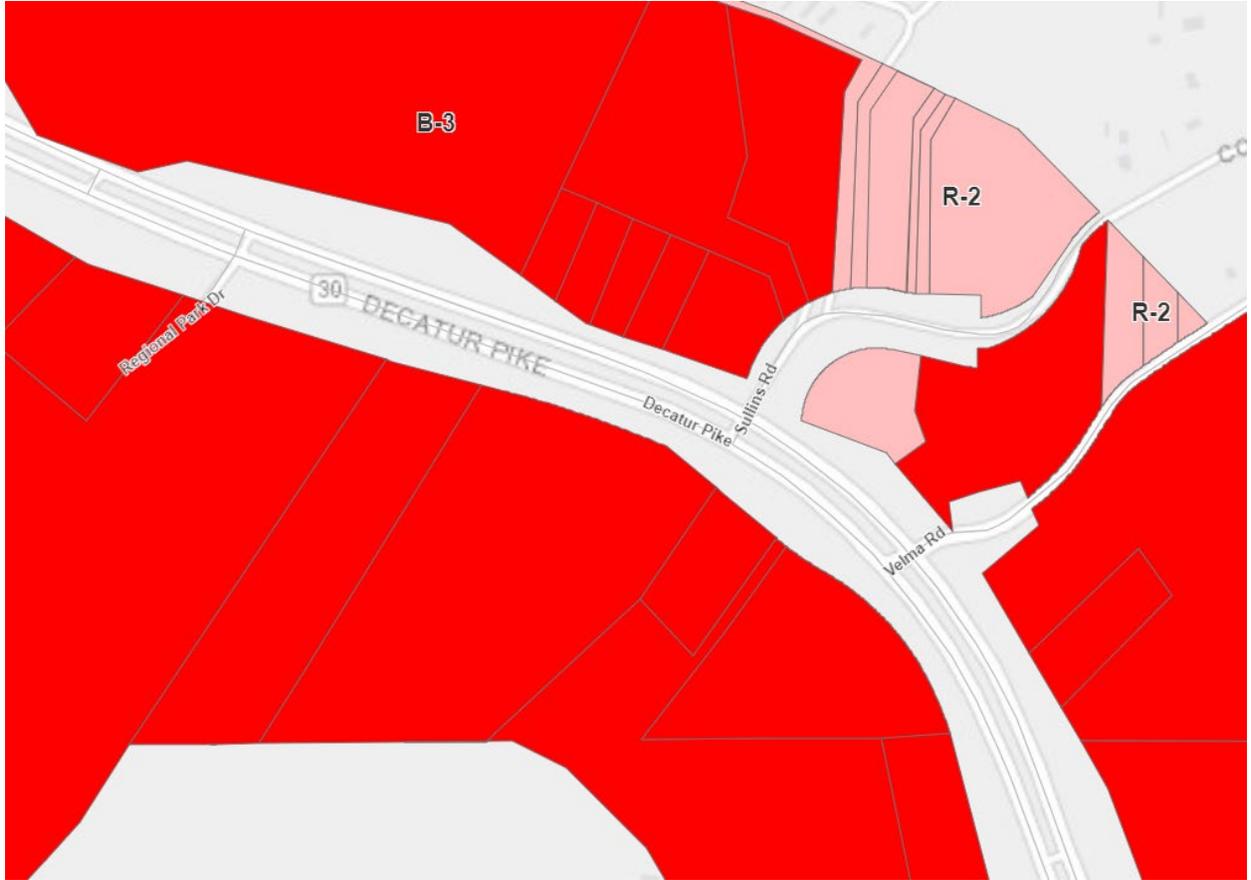
Action to Consider

Motion, second, and majority vote are needed to dispose of this real property using one of the three options presented above.

Affected Departments

Parks & Recreation

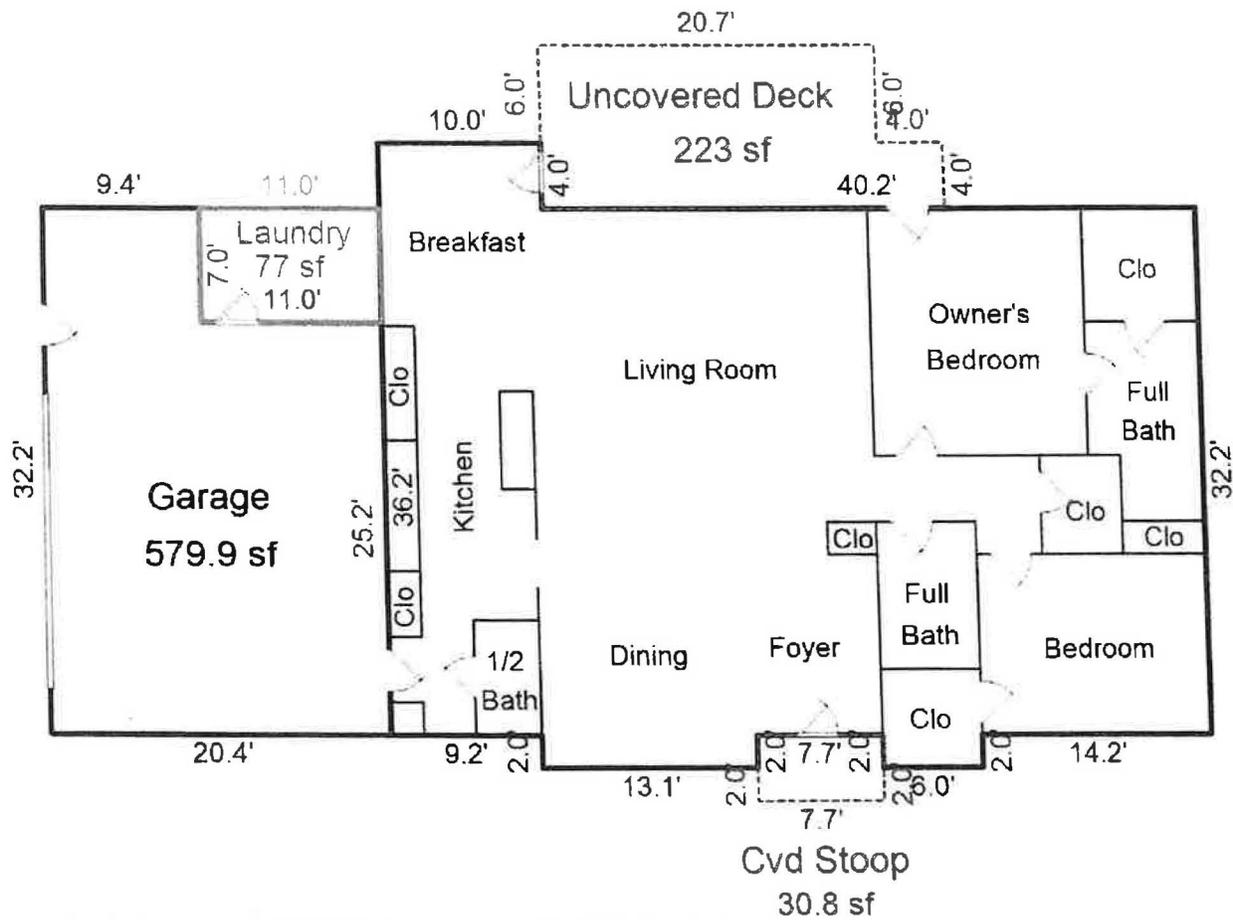
Zoning Map



FLOORPLAN SKETCH

Client: Estate of Patricia Hutsell Parker	File No.: BC33875Current
Property Address: 2201 Decatur Pike	Case No.:
City: Athens	State: TN Zip: 37303

First Floor
1694.6 sf



Sketch by Ape Sketch

AREA CALCULATIONS SUMMARY					AREA CALCULATIONS BREAKDOWN					
Code	Description	Factor	Net Size	Perimeter	Net Totals	Name	Base x	Height x	Width =	Area
GLA1	First Floor	1.0	1694.6	180.8	1694.6	First Floor	6.0 x	2.0 =		12.0
GAR	Garage	1.0	579.9	105.2	579.9		13.1 x	2.0 =		26.2
OTH	Laundry	1.0	77.0	36.0	77.0		50.2 x	32.2 =		1616.4
P/P	Uncovered Deck	1.0	223.0	69.4			10.0 x	4.0 =		40.0

Tennessee Property Assessment Data - Parcel Details Report - <https://assessors.state.tn.gov>

McMinn (054)
 Tax Year 2025 | Reappraisal 2023

Current Owner
 JEFF I OWEN
 ATHENS CITY OF
 815 N JACKSON ST
 ATHENS, TN 37103

DECATUR PIKE-2201
 Ctlr Map: 056 Group: 009 00 Pl: 000 SU: 000

Value Information

Land Market Value: \$815,700
 Improvement Value: \$215,400
 Total Market Appraisal: \$331,100
 Assessment Percentage: 0%

Additional Information

01 053 053 06703 000

General Information

Class: 02 - City
 City #: 033
 Special Service District 1: 000
 District: 01
 Number of Buildings: 1
 Utilities - Water/Sewer: 01 - PUBLIC / PUBLIC
 Utilities - Gas/Gas Type: 01 - PUBLIC - NATURAL GAS

Outbuildings & Yard Items

Building #	Type	Description	Area/Units
1	WDR - WOOD DECK	10X20	200

Sale Information

Long Sale Information list on subsequent pages

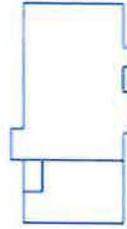
Land Information

Land Code	Soil Class	Units
04 - IMP SITE	A	0.50
52 - WOODLAND 2		14.87
Total Land Units:		15.37
Calculated Acres:		0

Residential Building #: 1

Improvement Type: 01 - SINGLE FAMILY
 Exterior Wall: IN - SIDING AVERAGE
 Heat and AC: B - HEAT AND COOLING PKG
 Quality: 1 - AVERAGE
 Square Feet of Living Area: 1678
 Foundation: 02 - CONTINUOUS FOOTING
 Roof Framing: 02 - GABLE/HIP
 Cabinetry/Work: 03 - AVERAGE
 Interior Finish: 10 - PANEL-PLAST-DRYWALL
 Bath Tiles: 00 - NONE
 Shape: 02 - L-SHAPED

Building Sketch



Building Areas

Areas	Square Feet
BAS - BASE	1,678
UTL - UTILITY FINISHED	60
OPF - OPEN PORCH FINISHED	32
GRF - GARAGE FINISHED	560

Sale Information

Sale Date	Price	Book	Page	Vacant/Improved	Type Instrument	Qualification
11/22/2024	\$0	24J	872		WD - WARRANTY DEED	
8/7/1992	\$0	120	485			
8/1/1991	\$5,000	18J	572	V - VACANT	WD - WARRANTY DEED	B - FAMILY SALE

3.04.03. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

A. District Description:

This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for urban residence in areas which by location and character are appropriate for occupancy by moderate density, single-family and selected multiple-family dwellings. One of the important purposes of this district is to create adequate standards of residential development in order to prevent overcrowded and unhealthy conditions. The intensity of land use should not be so great as to cause congestion of buildings or traffic or overload existing sanitary facilities. Densities should be limited to provide adequate light, air, and usable open space for the residents and adequate space for all related facilities.

B. Uses Permitted:

In the R-2 Medium Density Residential District, the following uses and their accessory uses are permitted:

1. Single-family detached dwellings, but not including mobile homes.
2. Churches or similar places of worship, but not including temporary missions, revival tents, or church camps.
3. Utility facilities necessary for the provision of public services.
4. Two-family dwellings (duplexes).
5. Home occupations, as regulated in Section 4.06 of these regulations.

C. Uses Permitted on Review:

In the R-2 Medium Density Residential District, the following uses and their accessory uses may be permitted subject to review and approval by the Board of Zoning Appeals in accordance with the provisions of Section 6.07.

1. Zero-lot line townhouses on twenty (20) foot wide minimum lots (see Section 4.20 in Chapter 4 for requirements).
2. Patio homes on fifty (50) foot wide minimum lots (see Section 4.20 for requirements).
3. Planned unit development, subject to the provisions of Section 4.09.01 of these regulations.

4. Group Child Care Homes, Family Day Care Homes, and Child Care Centers subject to the provisions of Section 4.24 of these regulations.
5. Schools, colleges, and other educational institutions.
6. Golf courses, parks, country clubs, and swimming pools, and other recreational facilities associated with residential development.
7. Family Care Facilities.
8. Telecommunication Structures, subject to the provisions of Section 4.16 of these regulations.
9. Bed and Breakfast facilities, subject to the provisions of Section 4.26 of these regulations.
10. Garage Apartments on non-duplex lots. Garage apartments may be located in the rear yard, but shall not be located closer than fifteen (15) feet to the rear property line.

D. Uses Prohibited:

In the R-2 Medium Density Residential District all uses except those uses or their accessory uses specifically permitted or permitted upon review and approval by the Athens Municipal-Regional Planning Commission are prohibited.

E. Dimensional Regulations:

All uses permitted in the R-2 Medium Density Residential District shall comply with the following requirements except as provided in Chapter 5 and in Chapter 4, Section 4.20 for townhouses and patio homes.

1. **Front Yard:**

The minimum depth of the front yard shall be thirty (30) feet.

2. **Rear Yard:**

The minimum depth of the rear yard shall be twenty (20) feet for the principal structure and fifteen (15) feet for any permitted accessory structure.

3. **Side Yard:**

The side yards shall be a minimum of fifteen (15) feet for one- and two-story structures, plus five (5) additional feet of side yard for each additional story over two. An additional five (5) feet of side yard shall be required on lots whose side yard abuts a public street.

4. **Land Area:**

No lot or parcel of land shall be reduced in size to provide separate lots of building sites of less than 10,000 square feet in area, except where sanitary sewer service is available, in which case the minimum lot area shall be 8,000 square feet.

Detention facilities, access roads, parking spaces, and interior circulation drives will not be considered as open land space in determining the density of a Planned Unit (Residential) Development.

On lots or parcels of land where DUPLEXES are constructed, the following area requirements shall apply for each duplex:

With public water and sanitary sewers.....10,000 sq. feet

With public water but without sanitary sewers...20,000 sq. feet

However, where there is an existing lot of record of less than 8,000 square feet, at the time of adoption of this ordinance, this lot may be utilized for the construction of one (1) single-family dwelling, providing the lot in question has a public water supply and sanitary sewer service, and has sufficient area as determined by the Board of Zoning Appeals to accommodate the structure with no adverse effects to the health, safety and welfare of the landowner or the City.

5. **Maximum Lot Coverage:**

On any lot or parcel of land, the area occupied by all buildings including accessory buildings shall not exceed fifty-five (55) percent of the total area of such lot or parcel.

6. **Lot Width:**

No lot shall have less than fifty (50) feet of street frontage and a minimum of seventy-five (75) feet of frontage at the building set back line except lots of record shall have a minimum of fifty (50) feet at building set back line, and lots of record less than 8,000 square feet in area may have a lesser width if it is determined by the

Board of Zoning Appeals that a less width is adequate as put forth under Section 3.04.03.F.4.

7. **Height Requirement:**

No building shall exceed three (3) stories or forty (40) feet in height, except as provided in Section 5.03 of these regulations.

F. **Parking Space Requirement:**

As regulated in Section 4.03 of these regulations.

G. **Access Control:**

As regulated in Section 4.01 of these regulations.

H. **Landscape, Screening and Buffer Yard Requirements:**

Landscaping, screening and buffer yard requirements of Athens City Landscape Ordinance shall apply.

3.04.08. B-3 INTENSIVE BUSINESS DISTRICT.

A. District Description:

This district is established to provide areas for those businesses that require high volume transportation facilities. It is intended that such areas have properties with lot sizes, yards, performance and development standards sufficient to insure that activities performed on any one lot will not unduly impede the flow of traffic, will not adversely affect activities of adjoining zones, and will not infringe on the efficiency of activities or customer attractiveness to adjacent lots.

B. Uses Permitted:

1. Retail and other commercial establishments intended to serve the general population of the city and the region. Examples of such establishments include those that depend on high traffic volume and serve the regional traveler or cater to local residents in vehicles, such as shopping centers, building materials, equipment rental, farm equipment and supplies, fencing, machinery, auto parts and supplies, drugstores and pharmacies.
2. Private service establishments intended to serve the general population of the city and the region. Examples of such establishments include banks and similar financial institutions, hotels and motels, funeral homes and mortuaries, dry cleaners, and Libraries, art galleries, museums, and like uses.
3. Restaurants, including drive through restaurants.
4. Tourist services, including tourist information centers, souvenir/gift shops and hunting/fishing/boating/camping supply shops.
5. Ambulance and other emergency services.
6. Establishments for the sale, service or rental of passenger, travel, and recreation vehicles.
7. Churches and similar places of worship.
8. Public or private golf courses.
9. Outdoor recreation facilities.
10. Signs and billboards as regulated in Section 4.12 of these regulations.

11. Utility facilities necessary for the provisions of public services.
12. Convenience Stores/Gasoline and Motor Fuel Sales, subject to the provisions of Section 4.10 of these regulations.
13. Municipal, county, state and federal uses.
14. General Professional and business Offices; doctors, dentists, lawyers, architects, artists, engineers, and the like.
15. Manufacturing, fabricating, and processing ice.
16. Public and semi-public uses including public parks and public recreational facilities, auditoriums, theaters, and museums with or without tours.
17. Offsite dormitory or barracks related to a state, regional, or federal accredited educational institution and a National Collegiate Athletic Association (NCAA) sanctioned and/or sponsored sports training facility, which can include essential services (i.e. group kitchen and group bathroom facilities) and a separate housing unit facility (inclusive or exclusive) for the manager of the dormitory or barrack.

C. Uses Permitted on Review:

In the B-3 Intensive Business District, the following uses and their accessory uses may be permitted subject to review and approval of the Board of Zoning Appeals in accordance with the provisions of Section 6.07:

1. Truck Stops.
2. Amusement parks, amphitheaters, ballparks, or stadiums, fairgrounds, and group picnic grounds.
3. Auto, go-cart, or similar racetrack or drag strip.
4. Indoor Rifle or other gun firing range or shooting course and archery ranges.
5. Zoos.
6. Airports.
7. Planned unit development, subject to the provisions of Section 4.09.02

8. Auditoriums, exhibit halls, field houses, gymnasiums, theaters, private clubs, lodges and indoor recreation facilities.
9. Kennels/Veterinary Clinics with or without outdoor runs.
10. Group Child Care Homes, and Child Care Centers, subject to the provisions of section 4.24 of these regulations.
11. Telecommunications Structures, subject to the provisions of Section 4.16 of these regulations.
12. Mini Warehouses
13. Outdoor dining and sidewalk dining.
14. Rebuilding an existing Single-Family Home in areas of the city annexed after August 2012 if the structure is determined to be at least 51% destroyed (by fire or natural disaster) by the City of Athens Building Official.
15. Golf courses, parks, country clubs, and swimming pools, and other recreational facilities
16. Residential housing quarters for the property owner or lessee of the property that meet all adopted life safety and fire codes.
17. Personal Storage Units
18. Apartment Complex's with a minimum of six (6) independent living units

D. Uses Prohibited:

All uses, except those uses or their accessory uses specifically permitted or permitted upon review and approved by the Athens Municipal-Regional Planning Commission or permitted by special exception by the Planning Commission, are prohibited.

E. Dimensional Regulations:

The following requirements shall apply to all uses permitted in this district:

1. **Lot Area:**

- a. For those areas served by a sanitary sewer system, there shall be a minimum lot area of not less than ten thousand (10,000) square feet.
- b. For those areas not served by a sanitary sewer system, the lot area requirements shall be determined by the Planning Commission based on recommendations of the Health Department, but in no case shall be less than twenty thousand (20,000) square feet.

2. **Front Yard:**

The depth of the front yard shall be fifty (50) feet from any right-of-way.

- a. Corner lots: lots that have frontage on two or more streets shall maintain a minimum setback of fifty (50) feet from all rights of way.

3. **Side Yard:**

The width of any side yard which abuts a residence district shall be not less than twenty-five (25) feet. In all other cases each side yard shall be not less than twenty (20) feet.

4. **Rear Yard:**

Twenty (20) feet minimum.

Thirty (30) feet minimum if a truck loading/unloading area is located in the rear setback area or if the property abuts a residential zone.

5. **Lot Width:**

Each lot shall have a width of not less than one-hundred (100) feet at the building setback line.

6. **Height Restriction:**

No building or structure shall exceed three (3) stories or forty (40) feet, except as provided in Section 5.03 of these regulations.

F. **Off-Street Parking:**

As regulated in Section 4.03 of these regulations.

G. Off-Street Loading and Unloading:

As regulated in Section 4.04 of these regulations.

H. Access Control:

As regulated in Section 4.01 of these regulations.

I. Landscape and Buffer Requirements:

Landscaping, screening and buffer yard requirements of Athens City Ordinance Number 895, entitled Landscape Ordinance shall apply.



Agenda Item

XI. D. Potential Acquisition of Downtown Property for Parking and Garbage Dumpster Consolidation

Overview

It is a well-known fact that the downtown area needs additional parking. Vacant property adjacent to Market Park appears to be available and would be a perfect site for additional parking as well as a site to consolidate the city's downtown garbage dumpsters. A map and additional information of the 8,500+/- square foot property that is zoned B-2 (Central Business District) is attached. If approved to move forward with acquisition, an appraisal and environmental assessment would be needed to determine fair market value. Once a value has been determined, approach the property owner with an offer. This item is not budgeted but funds would come from the Capital Improvement Fund.

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session under New Business for further discussion.

Action to Consider

Motion, second, and majority vote are needed to authorize staff to obtain an appraisal of this property to determine fair market value, obtain a Phase I environmental assessment to determine if any environmental issues are present on the site, and make an offer to the owner based on the appraised value. If successful, the City Attorney can close the transaction. This purchase was not budgeted but would come from the Capital Improvement Fund.

Affected Departments

Public Works



Property Detail

County	MCMINN
Owner	BIDDLE WILLIAM P III ETUX, JUDY
Property Address	MADISON AVE- 117
Parcel ID	056M D 075,00
Deeded Acreage	0
Subdivision	ATHENS
Subdivision Lot	PT97

PROPERTY ASSESSMENT DATA

CLICK HERE IF YOU HAVE A CONCERN ABOUT THIS PROPERTY

Parcel Highlight

PRINT

The content contained herein is made available by the Tennessee Comptroller of the Treasury as a public service. It is provided for informational purposes only and should not be relied upon as evidence of property ownership. Any questions regarding content on this site should be directed to the Assessor of Property for the county in which the property is located. The user hereby acknowledges that the content on this site is dynamic and in a constant state of maintenance, correction, and revision and cannot be guaranteed. The Tennessee Comptroller of the Treasury makes no warranty, express or implied, and assumes no legal liability or responsibility for the ability of the user to fulfill their intended purposes in accessing or using information or for omissions in content.



Sale Information

Sale Date	Price	Book	Page	Vacant/Improved	Type Instrument	Qualification
1/31/2017	\$0	20Z	317		TE - TNNCY BY ENTIRETIES DEED	-
7/8/2004	\$0	16U	378		-	-
12/24/1993	\$0	12Q	112		-	-
1/1/1982	\$28,000	9G	287	I - IMPROVED	WD - WARRANTY DEED	L - LIMITED



Agenda Item

XI. E. Hammerhill Road Sidewalk Project Survey Results

Overview

The construction of new sidewalks on Hammerhill Road from Tellico Avenue to Towanda Trail, a total of 2,200 linear feet, has been discussed for some time. This topic was discussed recently during the July 7, 2025 work session and the July 15, 2025 regular session. During the July 15, 2025 regular session, City Council approved city staff to conduct a survey of impacted property owners along Hammerhill Road to assess their interest in and willingness to donate or sell any needed right of way regarding the potential construction of a new sidewalk.

A brief and simple introductory letter (attached) and a five-question survey were prepared and mailed to all 40 property owners on both sides of Hammerhill Road on July 25, 2025, inviting them to respond via an online survey or call in their responses no later than 5:00 p.m. on Monday, August 4, 2025.

Of the 40 letters distributed, the city received 10 responses. The results of the survey are attached. *Updated from the August 11, 2025 work session.*

Following discussion during the August 11, 2025 work session, the consensus was to place this item on the August 19, 2025 regular session under New Business for further discussion.

Action to Consider

Motion, second, and majority vote are needed to proceed with this project. This project was not budgeted. Estimated costs are attached.

Affected Departments

Public Works



OFFICE OF THE CITY MANAGER

July 25, 2025

Dear Hammerhill Road Property Owner:

The City of Athens is considering constructing a new sidewalk on Hammerhill Road between Tellico Avenue and Towanda Trail to improve pedestrian safety and neighborhood walkability.

More specifically, the new sidewalk would be five feet wide and located adjacent to the existing curb and gutter. The city may have to acquire a small amount of property from some of the impacted property owners to install the new sidewalk.

To properly plan this project, the city is seeking input from Hammerhill Road property owners to determine their interest in this project and if they are willing to donate or sell a small amount of their property to the city, if needed for this project. The new sidewalk will be funded through the city's Capital Improvement Fund.

The city values your voice and concerns regarding this potential public improvement and invites you, as a property owner, to complete a short survey to assist us in determining interest and feasibility.

Please visit <https://forms.office.com/r/3L0wEFEhYd> or use the QR code below to complete a short one-minute survey. The survey will be opened until 5:00 p.m. Monday, August 4, 2025.

If you do not have access to a computer and want to participate in this survey or want to have someone contact you about this project, please call Bridget Roberts, Executive Assistant, at 423-744-2702, Monday through Friday, 8:00 a.m. to 5:00 p.m. to register your responses.

Thank you for your time and being a part of making Athens a safer and more walkable community.



Property Address: HAMMERHILL ROAD

Parcel: 67

Survey Code: 100

1	2	3	4
Start time	Please list any concerns, questions, or suggestions you have regarding this project.		
7/29/25 11:40:21	Yes	Not Sure	Own
7/29/25 15:18:07	Yes	Yes	Own
7/30/25 10:32:15	Yes	Not Sure	Own
7/30/25 21:01:29	No	Not Sure	Own
8/5/25 11:21:11	Yes	Own	Yes
8/11/25 9:08:58	Yes	Own	Yes
8/11/25 10:12:11	Yes	Not Sure	Own
8/11/25 10:14:28	Yes	Not Sure	Own
8/12/25 12:53:02	Yes	Yes	Own
8/12/25 12:59:54	Yes	Yes	Own

Interested in selling depending the price.

Water meter

Would like to see how, the side walk will effect the front of my property

pls take into consideration the ADA community in this area for accessibility, thank you.

I would like to know the exact specifications of how the 5 feet wide sidewalk will effect my property.

I would like to know the exact specifications of how much of my property this project will effect.

none

Will the sell price be fair market

1. Are you aware the City of Athens is considering constructing a new sidewalk on Hammerhill Road between Tellico Avenue and Towanda Trail?

Yes: 9

No: 1

2. Do you support the construction of a new five-foot sidewalk along Hammerhill Road between Tellico Avenue and Towanda Trail?

Yes: 5

No: 0

Not Sure: 5

3. Do you own or rent the property on Hammerhill Road?

Yes: 10

No: 0

4. As a property owner, would you be willing to donate or sell a small portion of your property to the city or sidewalk construction, if needed?

Yes: 8

No: 0

Not Sure: 2

Do not own the property: 0

Hammerhill Sidewalk Project Tellico Avenue to Towanda Trail

Construction Cost Only

without surveys, ROW acquisition, engineering, or utility relocations
= \$500,000 total

City Of Athens Opinion of Probable Construction Cost. 12/9/2024					Assumptions
	Unit	Quantity	Unit Cost (TDOT)	Cost	
Concrete Sidewalk (4 ")	SF	10800	\$ 15.00	\$ 162,000.00	Existing Curb to remain with no additional Curb
Concrete Driveway	SF	3840	\$ 20.00	\$ 76,800.00	ROW cost to be determined by City
Curb Ramp	Each	3	\$ 45.00	\$ 135.00	Sidewalk 5 ft with no grass buffer. Avg Driveway Length 12 ft (16 drives) (20 ft tie down ft)
Earthwork/Drainage	LS	1	\$ 50,000.00	\$ 50,000.00	Project Length approximately 2200 LF of Sidewalk/Drives
Traffic Control	LS	1	\$ 15,000.00	\$ 15,000.00	No CEI Cost
EPSC	LS	1	\$ 5,000.00	\$ 5,000.00	Use TDOT 2024 Avg Unit Prices for non-lump sum options. Lump Sum Engineering Judgement.
Sub Total				\$ 308,935.00	
20% Contingency				\$ 61,787.00	
			TOTAL	\$ 370,722.00	



Pedestrian Projects

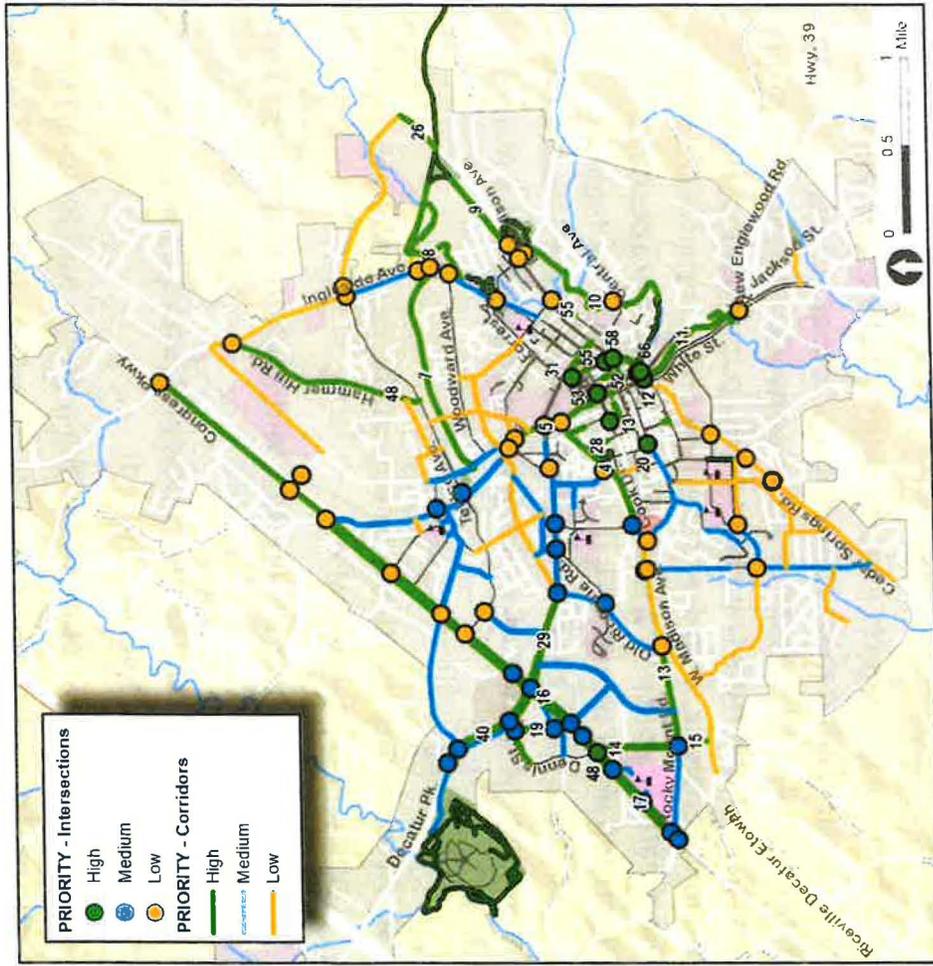


Figure 6.2: Priority pedestrian and intersection projects.

High-Priority Pedestrian Projects

ID	PROJECT NAME From / To	LENGTH (Miles)	RECOMMENDED FACILITY
11	Oostanula Creek Trail From S White St to Jackson St	0.95	Greenway
19	Congress-Decatur Connector From Congress Pkwy to Dennis St	0.84	Greenway
9	Eureka Trail Extension SOUTHWEST From Slack Rd to the Eureka Trail	0.59	Greenway
55	Madison Avenue From Blount St to Guille St	0.17	Sidewalk (Both sides)
8	Eureka Trail Extension WEST From Ingleside Ave to the Eureka Trail	1.29	Greenway
10	Parks Connector From Veteran's Memorial Park to Knox Park	1.20	Greenway
26	Madison Avenue From the Eureka Trail to Tellico Ave	0.27	Sidewalk (One side)
7	Northside Greenway From Jackson St to Ingleside Ave	1.33	Greenway
48	Hammerhill Road From Tellico Ave to Ingleside Ave	1.13	Sidewalk (One side)
28	Downtown Sidewalks Various Streets	1.42	Sidewalk (Varies)
27	Green Street From Jackson St to Madison Ave	0.16	Sidewalk (One side)
5	Jackson Street From White St to Stiles St	0.44	Sidewalk (One side)
4	Cook Drive From Frye St to Jackson St	0.72	Sidewalk (One side)
29	Decatur Pike From Congress Pkwy to Maple St	0.55	Sidewalk (One side)
40	Decatur Pike From Sullins Rd to Congress Pkwy	0.78	Sidewalk (One side)
15	Dennis Street From Madison Ave to Congress Pkwy	0.63	Sidewalk (One side)
14	Dennis Street From Rocky Mount Rd to Congress Pkwy	0.44	Sidewalk (One side)
17	Congress Parkway From Rocky Mount Rd to Clearwater Rd	2.66	Sidewalk (One side)
13	Rocky Mount Road From Dennis St to Old Riceville Rd	0.56	Sidewalk (One side)
16	Congress Parkway From Rocky Mount Rd to Ingleside Ave	3.82	Sidewalk (One side)

Table 6.3: High-priority pedestrian projects.



Agenda Item

XI. F. Council Advisory Committee Appointments

Overview

Mayor Eaton requested discussion regarding reducing CAC appointments from five (5) per council member to three (3).

Established in 1995, the Council Advisory Committee (CAC) serves as an advisory body to the Athens City Council. The CAC's primary function is to study critical community issues and provide recommendations to the Council for consideration. Each Council member currently retains five (5) appointments, and committee membership terms are linked to the terms of the appointing council member.

Timeline of Motions regarding the Council Advisory Committee:

- October 16, 2001 – *Resolution 2001-49* was approved, officially recognizing the CAC and establishing its initial guidelines and procedures.
- January 17, 2023 – Vice Mayor Eaton proposed reducing CAC appointments from five (5) per council member to three (3). The discussion was postponed to February, again to March, and ultimately left unresolved.
- February 21, 2023 – Dr. Burkett Witt was appointed as a lifetime honorary member of the CAC, with full voting rights.
- February 21, 2023 – A motion was made to have CAC member terms coincide exactly with the terms of the council members who appointed them. *The motion failed.*
- March 21, 2023 – A motion was approved to align CAC members' terms of office with the terms of the council members who appointed them.

A current member list is attached.

Action to Consider

Motion, second, and majority vote are needed to reduce the number of appointments per councilmember.

Affected Departments

City Council

Term Expiration	Role	First Name	Last Name	Councilmember
11/1/2028		Amy	Sullins	Curtis
11/1/2028		Barbara	Peck	Curtis
11/1/2028		Hugh	Willson	Curtis
11/1/2028		Jo	Lundy	Curtis
11/1/2028		Vacancy		Curtis
11/1/2028		C. Shawn	McKeehan	Duggan
11/1/2028		James	Fries	Duggan
11/1/2028		Perry	McCowan	Duggan
11/1/2028		Reita	Witt	Duggan
11/1/2028		Vacancy		Duggan
11/1/2026		Anne Marie	Schaffer	Eaton
11/1/2026		Frances	Witt-McMahan	Eaton
11/1/2026		Vacancy		Eaton
11/1/2026		Vacancy		Eaton
11/1/2026		Vacancy		Eaton
11/1/2026		William (Bill)	Wilson	Pelley
11/1/2026		Vacancy		Pelley
11/1/2026		Vacancy		Pelley
11/1/2026		Vacancy		Pelley
11/1/2026		Vacancy		Pelley
11/1/2026		Bob	Roseberry	Sherlin
11/1/2026		Elaine	Newman	Sherlin
11/1/2026		John	Proffitt	Sherlin
11/1/2026	Chair	Patti	Greek	Sherlin
11/1/2026		Vacancy		Sherlin



Agenda Item

XI. G. Amending Athens City Charter Article XX

Overview

Mayor Eaton requested consideration of term limits for the Board of Education.

Attached is the full text for Athens City Charter: Article XX - Department of Education.

Action to Consider

Motion, second, and majority vote are needed to begin the charter change process.

Affected Departments

City Council

ARTICLE XX Department Of Education

Section 1. Be it further enacted, That the City of Athens is hereby created a separate school district, and there is hereby created a Board of Education of and for the City of Athens, which shall consist of six members, which board shall be a body corporate and may sue and be sued, contract and be contracted with, in its own name. The general school laws of the State in regard to common schools shall apply to the City of Athens so far as the same are not modified herein, and the said district shall be entitled to all sums of money from the public school fund that it would be entitled to receive if the district were organized under the general laws of the State.

Section 2. Be it further enacted, That except as herein otherwise provided, said Board of Education shall have full and exclusive power and authority as trustees or directors, to manage, control and regulate the public or city schools; to maintain and adequately insure all school property; to elect or employ competent and qualified teachers and a Superintendent of Schools; and prescribe all needful rules and regulations for the government, control and operation of said schools and the teachers and superintendent thereof. Said Board of Education shall also adopt and prescribe all necessary rules and regulations for its own conduct, and the dispatch of its business.

Section 3. Be it further enacted, That the qualifications of the members of the Board of Education shall be the same as the qualifications of City Councilpersons as provided in Article V of this Act, and no person shall be eligible as a member of the Board of Education who is a candidate for or a member of the City Council of the City of Athens. The members of said Board shall be elected at the same time and in the same manner as members of the City Council.

Section 4. Be it further enacted, That there are hereby named as members of said Board of Education as follows:

Colmar Allen and Clyde Burns to serve until the first Monday in July, 1953;

Mrs. Henry Boyd and Rufus Houser to serve until the first Monday in July, 1955;

Emory Hamby and Reed Shell to serve until the first Monday in July, 1957.

Section 5. Be it further enacted, That at the regular election for the City Council for the City of Athens on the first Tuesday following the first Monday in November of each even-numbered year three (3) members of the Board of Education shall be elected for terms of four (4) years and until their successors are elected and qualified. The incumbent Board of Education members whose terms expire in July of 1999 shall have their terms extended to the third Tuesday in November of 2000. The incumbent Board of Education members whose terms expire in July of 2001 shall have their terms extended to the third Tuesday in November 2002. The newly elected Board of Education members shall be sworn in and assume their official duties at the first Board of Education meeting following the official certification of the election. [As replaced by Priv. Acts 1997, ch. 25, § 1; and Priv. Acts 1998, ch. 164, § 4; and amended by Priv. Acts 2001, ch. 16, § 1]

Section 6. Be it further enacted, That the Board of Education, in the event of a vacancy shall occur in the membership of said board, caused by death, resignation, removal from the city, or otherwise, shall have the power to provide an incumbent for said office until the next regular city election coming thereafter, at which time, the qualified voters of the City of Athens shall fill said office for the unexpired term.

Section 7. Be it further enacted, That said Board of Education shall, at its first meeting after the official certification of each general city election elect from its number for a one-year term, a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer. Upon the expiration of these one-year terms, the Board of Education shall elect from its number a Chairperson, a Vice-Chairperson, a Secretary, and a

Treasurer to serve for a one-year term or until the official certification of a General City Election at which time these offices shall be elected again for a one-year term; provided, however, that the board in its discretion, may combine the latter two (2) officers and may appoint the Superintendent of Schools as its Secretary or Treasurer, either or both. Said Board of Education shall keep minutes of all its proceedings in a well bound book, signed by the Chairperson and attested by the Secretary--said book to constitute a permanent and public record. The Treasurer shall receive and hold all school money for the City of Athens, from whatever source (until disbursed on checks signed by himself and countersigned by the Chairperson); provided, that the Treasurer of said board shall, before entering upon the duties of his office, file a bond with the head of the Department of Finance of the City of Athens, in the minimum sum of five thousand dollars (\$5,000.00), or such other and additional amount as the board may require, endorsed by a responsible indemnity corporation, costs for which shall be paid by check issued by said board conditioned upon the faithful discharge of his duties, which bond shall be approved by the Board of Education.

Checks shall be issued only when adequate funds are available for the purpose and where the particular expenditure is authorized by the school budget hereinafter referred to. (Said Treasurer shall submit a periodic financial statement to the City Council.) [As amended by Priv. Acts 2007, ch. 3, § 2, and replaced by Priv. Acts 2019, ch 7, § 2]

Section 8. Be it further enacted, That the county trustee, the county court clerk of McMinn County, or any other tax collector shall pay over to the Treasurer of the Board of Education of the City of Athens out of all moneys collected by them for school purposes from any sources such portion as by law is applicable to the schools of the City of Athens.

Section 9. Be it further enacted, That salaries of superintendent, principals, teachers and others employed by the schools shall be fixed by the board before their election, and said salary schedule shall be written into the minutes of said Board of Education.

Section 10. Be it further enacted, That the Board of Education shall keep within and shall not at any time exceed the budget provided and authorized by the City Council of the city, with respect to the expense of operating the city school system. The Board of Education shall each year prepare and submit to the City Manager a proposed budget for the ensuing year. Said budget shall be prepared on forms as prescribed in Article XVII, and contain information consistent with that requirement by the State Department of Education, including a detailed estimate of incoming revenue and proposed expenditures. Whenever the funds required for the operation of schools shall exceed the estimated revenues from all other sources, such as State and Federal aid, then the City Council shall provide such funds by the tax levy; provided, however, that if the funds required by said budget from the city shall, in the judgment of the City Council, require a sum greater than can reasonably be furnished by the city, then said Council shall notify the Board of Education. Thereafter, and as soon as practicable, the Board of Education and the City Council shall confer together and, if possible, arrive at a figure to the mutual satisfaction of both. If no such satisfactory figure can be agreed upon, then the Council shall immediately call a referendum. Said referendum shall propose the question of whether the city shall provide the funds required by the proposed budget of the Board of Education or whether the city shall provide such amount as in its judgment can be practically and reasonably provided, such amount to be indicated on the ballot and the voters given a choice between the two amounts. If a majority of the qualified voters of the city voting on said question shall vote for the figure proposed by the Board of Education, then said figure shall be provided by the Council through tax levy; if such majority shall vote for the figures set by the Council, then this latter amount shall be furnished by the city and the Board of Education shall accordingly revise its budget.

Section 11. Be it further enacted, that whenever the Board of Education shall deem advisable the construction of new school buildings, the renovation of existing buildings, or the purchase of real estate for school purposes, it shall present to the City Council the plans for said buildings and/or a description of said real estate, together with the estimated cost of the same. The City Council shall provide the necessary funds by the issuance of bonds as authorized in this Act or any subsequent enabling Act, or

from other available funds; if in the judgment of said Council the necessary funds cannot be reasonably provided, then it shall, by ordinance, provide for submitting the question of whether such funds shall be raised by any authorized issuance of bonds or by other means, to the qualified voters of the city, and if a majority of said voters voting at said election shall vote for providing such sum, then the same shall be provided in the manner and on the conditions named and prescribed in the proposition voted upon. Provided, further, that in the event of construction of school buildings, it shall be the duty and responsibility of the Board of Education to secure plans and specifications and the duty of the Board of Education to let contracts for construction and supervise and carry out the same. [As amended by Priv. Acts 2004, ch. 92, § 9]

Section 12. Be it further enacted, That the Board of Education of the City of Athens, through its Chairman and Secretary-Treasurer, is authorized and empowered to borrow money to operate and maintain schools in said city and to issue interest bearing notes at the lowest interest rates available as an evidence of such moneys so borrowed, in anticipation of the collection of current school funds. [As amended by Priv. Acts 1977, ch. 60, § 3]

Section 13. Be it further enacted, That no purchase or contract involving over the state-adopted maximum as provided in Tennessee Code Annotated, Title 6, Chapter 56, Part 3 shall be made or entered into by the Board of Education or its duly authorized representatives without first having received competitive bids, but no purchase shall be made at any one time in an amount which in the aggregate will exceed the state-adopted maximum as provided in Tennessee Code Annotated, Title 6, Chapter 56, Part 3, unless bids have been requested and award made on bid most advantageous to the city. When the lowest bid is not awarded, the reason for such action shall be given in writing in the minutes of said board. [As amended by Priv. Acts 1986, ch. 121, § 2; Priv. Acts 1992, ch. 215, § 12; Priv. Acts 2002, ch. 114, § 2, and Priv. Acts 2019, ch. 7, § 3]

Section 14. Be it further enacted, That prior to the end of each fiscal year the Board of Education shall designate a certified public accountant who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the City Board of Education and shall submit their report to the Board of Education and to the City Council. Said report shall be entered and become a permanent part of the minutes of a regular meeting of the Board of Education and of the City Council. This audit may be conducted on an annual, a quarterly, or continuous basis. Such certified public accountant shall have no personal interest, direct or indirect, in the fiscal affairs of the Board of Education or any of its officers.

Section 15. Be it further enacted, That this Act shall in no wise relieve the governing body of said city of the responsibility of furnishing suitable school buildings, equipment and supplies for the operation of the schools.



Agenda Item

XI. H. Resolution 2025-24, A Resolution to Authorize the Submission of a Downtown Improvement Grant for Main Street.

Overview

The City of Athens is partnering with Main Street Athens to apply for the Tennessee Main Street Downtown Improvement Grant. This grant supports revitalization efforts that preserve Athens' historic character while boosting economic vitality. The proposal is strategically aligned with the nationally recognized Four-Point Approach, with a strong focus on design and economic vitality. If awarded, the grant will leverage both public and private funding to make \$625,000 worth of improvements downtown, with the City's direct cost being only \$62,500. This strategic investment will not only beautify downtown but also stimulate long-term economic growth and community pride.

The Downtown Improvement Grant is \$500,000, with an out the door valuation of \$625,000 in full due to it being a 75/25% match. This is very strategic in development as \$250,000 is required to be downtown façade improvements (a total of \$312,5000 worth of improvements to downtown businesses) and the rest can be used to improve placemaking infrastructure through various means. For the City, this will include park improvements, wayfinding signage, and streetscapes (for the total of a \$312,500 worth of improvements to downtown publicly owned property).

The money for the cities portion of the project was previously approved in the 2025-2026 fiscal budget under the Capital Projects Fund with \$250,000 allotted to Market Park, as well as some additional funding coming from the \$85,000 approved in the budget under Hotel/Motel Tax Fund to assist in the wayfinding and placemaking signage for downtown and the park.

The City will be responsible for financial coordination of this project, as well as working in tandem with SETD and Main Street Athens to administer the grant. The project will follow our procurement and purchasing policy, and the city finance department's disbursement schedule.

Action to Consider

Motion, second, and majority vote are needed to authorize partnership with Main Street.

Affected Departments

Administration, Finance, Parks and Recreation, Public Works

RESOLUTION NO. 2025-24

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A DOWNTOWN IMPROVEMENT GRANT FOR MAIN STREET.

WHEREAS, the City of Athens wishes to enhance and preserve its historic downtown, making it an attractive location for citizens, businesses, and tourists; and,

WHEREAS, grant funding is available for downtown improvements in an amount of \$500,000, with a minimum of \$250,000 being used for facade improvements, with 25 percent matching funds being required from those receiving the facade improvements, with 100 percent payment and 75 percent disbursement; and,

WHEREAS, the remaining funds spent on eligible grant items require the same matching funds according to grant policy; and,

WHEREAS, the Southeast Tennessee Development District will assist in writing the grant and administering the grant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, TENNESSEE: 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 **19th** day of **August, 2025**, that the Mayor and City Manager are hereby authorized, empowered, and directed to submit a grant application 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.

ON MOTION BY _____

SECONDED BY _____

said Resolution was approved by roll call vote on the **19th** day of **August, 2025**.

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney

Downtown Improvement Grant Program

Overview

Eligibility

Timeline

Process

Evaluation
Criteria

Design
Guidelines

Application

Reporting

Past
Recordings
and
Materials

Overview

Tennessee Main Street Programs and communities that have participated in the Tennessee Downtowns program in Rounds 1-8 and have an active Design Committee are eligible for a grant from the Tennessee Department of Economic and Community Development (TNECD) for downtown improvements. Grants of up to \$500,000 will be awarded to organizations that can illustrate the need for improvements and the ability to execute an effective design plan for eligible properties in their downtown district. Improvement can include:

- Building Façade Improvements (At least 50% of the proposed total grant project must be for façade improvements)
- Downtown Gateway Improvements on publicly owned property
- Streetscape Improvements on publicly owned property
- Downtown Courtyard Improvements-on publicly owned property
- Downtown/Wayfinding Signage
- Electric Vehicle Charging Stations
- Safety and Stability Improvements to include roofs and sprinkler systems at a percentage of total project
- Entertainment Venue Improvements to include stages (Eligibility must be approved by TNECD)

For additional information on the Downtown Improvement Grant program, see the **Past Recordings and Materials Tab**



Dr. Randy Dowling
City Manager, Athens Tennessee
815 N. Jackson Street
Athens, TN. 37303

Dear Dr. Dowling,

My name is Bob Roseberry. I am a resident of our great city and an active member of the Commemorative Air Force. I currently am assigned to the B 29/24 Squadron based in Dallas Texas. I am also attached to Airbase Georgia in Peachtree City, Georgia.

I am honored to be able to tour our WWII aircraft all over the United States as we promote the history of many of the aircraft used in WWII to liberate the world from aggression of the Nazi Regime and Japanese Imperialism. We are in short a flying museum.

I am in the process of precuring only one of approximately 6 remaining flight worthy SBD 6 Dauntless Dive Bombers and a T-6 Mosquito Trainer, better know as a Texas T-6 , to appear at the McMinn County Airport in support of the USS Ware reunion scheduled on Friday, October 10, 2025. The aircraft will arrive at our location at 10 a.m. and will depart at approximately 3 p.m. the same day. People will be able to reserve a spot on both aircraft to experience a 20 minute wheels up wheels down flight experience. It also is to honor a former resident of Athens who took part in the battle of Midway in June of 1942, Lt. Charles Ware. Lt. Ware was assigned to the aircraft carrier Enterprise and led a squadron to attack the Japanese carrier Akagi which his squadron successfully sank. Upon his return Lt. Ware encountered a squadron of Zero's which indicated another Japanese flat top was nearby.

Lt. Ware sent his remaining squadron back to the Enterprise as he and one other SBD 6 began an attack on the Zero's. After radioing back to his base operation his position and knowing he was low on both fuel and ammo, he took the fight to the Japanese. Unfortunately Lt. Ware was lost in the attack but due to his historic action an additional 3 Japanese carriers were sunk during the battle of Midway.

Lt. Ware was awarded Posthumously the Navy Cross and in 1945 the U.S. Navy named a ship after Lt. Ware. His mother was honored by christening the ship that bore her sons name.

Although Lt. Ware's body was never recovered his name is listed at the Navel Base in Pearl Harbor as killed in action and listing his home town, Athens, Tennessee.

I have talked to three city council members, with their support, as I need assistance in defraying the cost of bringing these two WWII aircraft to our community in helping celebrate the actions of Lt. Ware and the crew that served on the USS Ware. It's an estimated cost of \$7,500.00 to bring both planes covering the cost of fuel, oil, and maintenance as well as a \$1,500.00 appearance fee. I am respectfully asking the City of Athens to assist me in this effort with a donation of \$4,000.00. We will help kickoff the Pumpkin Town festival in downtown Athens on the 12th of October.

I believe that we will attract many people from the surrounding area to attend the event of being able to not only get up close to vintage WWII aircraft but to experience what it was like in 1942 to fly on a dive bomber and what the young soldiers who flew them experienced in flight.

Thank you for your attention to a bit lengthy letter but one that gives you an overview of what Lt. Ware did for our country and to celebrate and honor our local hero.

Respectfully yours,

Bob Roseberry

CITY OF ATHENS, TENNESSEE
Narrative on Financial Analysis
July, 2025

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. 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.

General Fund

Overall, we collected about \$10,000 more in July this year. It was a combination of many line items that were either more or less than the prior year. As a percentage we collected .10% less than the budgeted revenues for last year.

PLEASE NOTE: The information in the packet will look a little different than in previous years. 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 General Fund and Sanitation Fund revenue accounts can be found behind the "Cash Balance and Investment Sheet" in this report.

Expenditures and encumbrances for this year are \$662,047 more than this time last year, showing 20.68% this year. The variance is due to the new servers being purchased by IT and equipment and other contracts in Police Patrol.

Sanitation

Revenues and expenditures are comparable to the prior year.

Please let me know if I can provide additional information.

CITY OF ATHENS, TENNESSEE
Financial Analysis for July, 2025
(Unaudited)

	Prior Year		Current Year	Increase (Decrease) From	% Collected	Variance from Current Yr. to Prior Yr.	12-Month Variance (1/12=8.33%)
	7/31/2024	% Received	7/31/2025	Prior Year			
GENERAL FUND							
Property Taxes	33,844	0.51%	39,832	5,988	0.63%	0.12%	-7.70%
AUB In-Lieu of Taxes	89,800	9.60%	74,261	(15,539)	7.69%	-1.91%	-0.64%
Local Sales Taxes	785,262	8.92%	774,784	(10,478)	8.42%	-0.50%	0.09%
Wholesale Beer Taxes	46,143	8.71%	45,883	(260)	8.66%	-0.05%	0.33%
Wholesale Liquor Taxes	0	0.00%	0	0	0.00%	0.00%	-8.33%
Gross Receipt Taxes	38,079	7.04%	8,555	(29,524)	1.31%	-5.73%	-7.02%
State Sales Taxes	152,760	8.99%	156,827	4,067	8.84%	-0.15%	0.51%
Gas and Motor Fuel Taxes	43,112	8.98%	43,810	698	8.94%	-0.04%	0.61%
Court Fines/Costs	4,309	4.31%	21,105	16,796	21.10%	16.79%	12.77%
Interest Income	15,551	3.11%	42,653	27,102	7.76%	4.65%	-0.57%
Total Revenues/% of Budget	1,287,108	5.92%	1,297,825	10,717	5.82%	-0.10%	-2.51%
Sales Tax							
	2024	2025	Difference	% Change			
June	8,968,363	9,102,748	134,385	1.50%			
July	785,262	774,784	(10,478)	-1.33%			
SANITATION							
Revenues:							
Industrial/Commercial	46,910	11.17%	47,168	258	11.23%	0.06%	2.90%
Residential	45,913	8.50%	39,447	(6,466)	7.04%	-1.46%	-1.29%
Total Revenues	101,194		94,053	(7,141)			
Percent of total budget		9.92%			9.04%	-0.88%	0.71%

CITY OF ATHENS, TENNESSEE
Financial Analysis for July, 2025
(Unaudited)

	Prior Year		Current Year			Variance from Current Yr. to Prior Yr.	12-Month Variance (1/12=8.33%)
	7/31/2024		7/31/2025				
	Actual	% Expended & Encumbered	Actual	Outstanding PO's	% Expended & Encumbered		
GENERAL FUND DEPARTMENTS							
City Council	8,081	6.67%	3,661		12.20%	5.53%	3.87%
City Hall	109,896	54.87%	25,285	60,222	38.71%	-16.16%	30.38%
City Manager's Office	43,111	13.31%	38,580	2,516	10.69%	-2.62%	2.36%
Community Dev - Administration	27,839	13.28%	28,155	800	11.76%	-1.52%	3.43%
Community Dev - Cemeteries	40,752	26.86%	8	48,500	92.93%	66.07%	84.60%
Community Dev - Code Enforcement	72,604	18.65%	60,223	15,500	19.09%	0.44%	10.76%
Finance	66,801	11.59%	66,122	4,008	11.44%	-0.15%	3.11%
Finance - Purchasing	19,439	13.94%	11,980	500	13.36%	-0.58%	5.03%
Fire Department - Administration	34,175	14.76%	34,746	1,400	14.72%	-0.04%	6.39%
Fire Department - Prevention	20,288	15.28%	23,437	1,037	16.14%	0.86%	7.81%
Fire Department - Suppression	697,664	24.19%	678,596	69,873	24.13%	-0.06%	15.80%
Human Resources	32,699	11.76%	29,494	2,374	11.43%	-0.33%	3.10%
Information Technology	77,031	11.28%	183,430	135,341	35.49%	24.21%	27.16%
Parks and Rec - Administration	35,534	14.20%	32,518	1,100	13.97%	-0.23%	5.64%
Parks and Rec - Maintenance	274,087	33.37%	112,301	232,628	38.25%	4.88%	29.92%
Parks and Rec - Pools	19,670	39.26%	17,811	5,583	37.98%	-1.28%	29.65%
Parks and Rec - Programming	89,110	23.27%	86,031	37,478	29.30%	6.03%	20.97%
Police Department - Administration	49,453	14.67%	44,905	5,240	14.21%	-0.46%	5.88%
Police Department - Detectives	128,471	15.73%	111,703	1,496	18.66%	2.93%	10.33%
Police Department - Patrol	573,247	18.38%	631,640	119,839	20.73%	2.35%	12.40%
Public Works - Administration	68,500	16.83%	55,510	8,822	14.49%	-2.34%	6.16%
Public Works - Animal Shelter	43,602	16.53%	29,800	19,752	16.02%	-0.51%	7.69%
Public Works - Fleet Maintenance	60,809	15.47%	49,109	24,868	18.17%	2.70%	9.84%
Public Works - Street Cleaning	327,668	30.44%	290,388	41,869	30.85%	0.41%	22.52%
Public Works - Street Construction	200,434	28.27%	136,869	71,279	30.88%	2.61%	22.55%
Public Works - Street Maintenance	186,894	17.33%	102,283	79,545	16.43%	-0.90%	8.10%
Public Works - Traffic Control	80,093	18.39%	66,506	105,727	46.20%	27.81%	37.87%
Inventory Supplies and Variance	7,102	-	-	8,903	-	-	-
Total General Fund Departments	3,395,054	20.70%	2,951,091	1,106,200	21.74%	1.04%	13.41%
GENERAL FUND OTHER AGENCIES							
Athens City Board of Education	261,189	10.79%	257,641	-	10.64%	-0.15%	2.31%
Athens Utilities Board	46,286	8.73%	48,352	-	9.12%	0.39%	0.79%
McMinn County Emergency Comm	90,666	24.89%	94,815	-	25.08%	0.19%	16.75%
Total Other Agencies	398,141	12.01%	400,808	-	12.04%	0.03%	3.71%
GENERAL FUND OUTSIDE AGENCIES							
	2,000	0.51%	2,000	-	0.46%	-0.05%	-7.87%
GENERAL FUND TRANSFERS							
Transfer to Debt Service Fund	214,162	21.42%	211,305	-	21.13%	-0.29%	12.80%
Transfer to Capital Project Fund	-	-	-	-	-	-	-
Total Transfers	214,162	21.42%	211,305	-	15.09%	-6.33%	6.76%
Total General Fund Expenditures	4,009,357	18.43%	3,565,204	1,106,200	20.68%	2.25%	12.35%
Increase (Decrease)			662,047	4,671,404			
Sanitation:							
Expenditures:	261,013	23.30%	245,621	15,731	22.13%	-1.17%	13.80%

CITY OF ATHENS
 FINANCIAL REPORT
 CASH BALANCES AND INVESTMENT SHEET
 2025-2026

	JUL
GENERAL	15,865,000
EMP MED BENEFIT	305,000
SCHOOL DEBT SER	4,142,000
CITY DEBT SER	114,000
CAP IMP	13,936,000
FLEET	8,433,000
SAN	1,474,000
DRUG	208,000
CONFERENCE	168,000
SCHOOL CONST	0
2021 GO BOND	1,077,000
HOTEL/MOTEL TAX	954,000
TOTAL CASH & INV	46,676,000



City of Athens, Tennessee

Monthly Rev and Exp Reports for Council Account Summary

For Fiscal: 2025-2026 Period Ending: 07/31/2025

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 01 - GENERAL FUND							
Revenue							
<u>01-0000-4110</u>	CURRENT PROPERTY TAXES	6,100,000.00	6,100,000.00	0.00	0.00	-6,100,000.00	0.00 %
<u>01-0000-4115</u>	PRIOR YEAR PROPERTY TAXES	100,000.00	100,000.00	25,741.00	25,741.00	-74,259.00	25.74 %
<u>01-0000-4120</u>	DELINQUENT PROPERTY TAXES C&	100,000.00	100,000.00	11,952.00	11,952.00	-88,048.00	11.95 %
<u>01-0000-4125</u>	PUBLIC UTILITIES	100,000.00	100,000.00	0.00	0.00	-100,000.00	0.00 %
<u>01-0000-4130</u>	INTEREST & PENALTY PY	20,000.00	20,000.00	1,922.65	1,922.65	-18,077.35	9.61 %
<u>01-0000-4135</u>	INTEREST & PENALTY C&M	25,000.00	25,000.00	216.06	216.06	-24,783.94	0.86 %
<u>01-0000-4145</u>	AUB ELECTRIC	730,000.00	730,000.00	56,054.35	56,054.35	-673,945.65	7.68 %
<u>01-0000-4150</u>	AUB GAS	235,000.00	235,000.00	18,206.57	18,206.57	-216,793.43	7.75 %
<u>01-0000-4165</u>	LOCAL SALES TAX	9,200,000.00	9,200,000.00	774,783.76	774,783.76	-8,425,216.24	8.42 %
<u>01-0000-4170</u>	WHOLESALE BEER TAX	530,000.00	530,000.00	45,883.17	45,883.17	-484,116.83	8.66 %
<u>01-0000-4171</u>	WHOLESALE LIQUOR TAX	310,000.00	310,000.00	0.00	0.00	-310,000.00	0.00 %
<u>01-0000-4176</u>	BUSINESS LICENSE APPLICATION FE	1,000.00	1,000.00	105.00	105.00	-895.00	10.50 %
<u>01-0000-4177</u>	BUSINESS TAX-ST CLERK FEE	60,000.00	60,000.00	787.80	787.80	-59,212.20	1.31 %
<u>01-0000-4178</u>	BUSINESS TAX-ST COLLECTED	590,000.00	590,000.00	7,662.06	7,662.06	-582,337.94	1.30 %
<u>01-0000-4205</u>	CABLE TV FRANCHISE TAX-COMCAS	120,000.00	120,000.00	0.00	0.00	-120,000.00	0.00 %
<u>01-0000-4210</u>	CABLE TV FRANCHISE TAX-AT&T	6,000.00	6,000.00	0.00	0.00	-6,000.00	0.00 %
<u>01-0000-4310</u>	TAXI/WRECKER/SOLICITORS	1,000.00	1,000.00	640.00	640.00	-360.00	64.00 %
<u>01-0000-4315</u>	BEER PERMITS	12,000.00	12,000.00	2,000.00	2,000.00	-10,000.00	16.67 %
<u>01-0000-4320</u>	ANIMAL CONTROL	1,000.00	1,000.00	165.00	165.00	-835.00	16.50 %
<u>01-0000-4325</u>	BUILDING LICENSES & PERMITS	75,000.00	75,000.00	14,147.00	14,147.00	-60,853.00	18.86 %
<u>01-0000-4410</u>	TVA PAYMENTS IN LIEU OF TAX	170,000.00	170,000.00	0.00	0.00	-170,000.00	0.00 %
<u>01-0000-4412</u>	TVA IMPACT PYMTS	45,000.00	45,000.00	0.00	0.00	-45,000.00	0.00 %
<u>01-0000-4415</u>	HOUSING AUTHORITY IN LIEU OF T	100,000.00	100,000.00	0.00	0.00	-100,000.00	0.00 %
<u>01-0000-4420</u>	STATE LAW/FIRE GRANTS	60,000.00	60,000.00	16,000.00	16,000.00	-44,000.00	26.67 %
<u>01-0000-4425</u>	STATE SALES TAX	1,775,000.00	1,775,000.00	156,827.17	156,827.17	-1,618,172.83	8.84 %
<u>01-0000-4435</u>	STATE BEER TAX	6,000.00	6,000.00	0.00	0.00	-6,000.00	0.00 %
<u>01-0000-4440</u>	STATE MIXED DRINK TAX	90,000.00	90,000.00	8,151.47	8,151.47	-81,848.53	9.06 %
<u>01-0000-4445</u>	STATE GAS INSPECTION TAX	26,000.00	26,000.00	2,143.32	2,143.32	-23,856.68	8.24 %
<u>01-0000-4450</u>	STATE EXCISE TAX	50,000.00	50,000.00	0.00	0.00	-50,000.00	0.00 %
<u>01-0000-4455</u>	STATE SPORTSBETTING TAX	25,000.00	25,000.00	0.00	0.00	-25,000.00	0.00 %
<u>01-0000-4460</u>	REIMB OTHER GOVERNMENTS	30,000.00	30,000.00	23,758.75	23,758.75	-6,241.25	79.20 %
<u>01-0000-4465</u>	STATE GAS & MOTOR FUEL TAX	490,000.00	490,000.00	43,810.02	43,810.02	-446,189.98	8.94 %
<u>01-0000-4467</u>	STATE TRASPORTATION MODERNIZ	6,000.00	6,000.00	646.53	646.53	-5,353.47	10.78 %
<u>01-0000-4475</u>	REIMB:HIGHWAY MAINTENANCE	25,000.00	25,000.00	0.00	0.00	-25,000.00	0.00 %
<u>01-0000-4530</u>	GRANTS - POLICE DEPT.	225,000.00	225,000.00	0.00	0.00	-225,000.00	0.00 %
<u>01-0000-4620</u>	ACCIDENT REPORT CHARGES	0.00	0.00	44.80	44.80	44.80	0.00 %
<u>01-0000-4625</u>	REPAIR DAMAGES AUB	25,000.00	25,000.00	0.00	0.00	-25,000.00	0.00 %
<u>01-0000-4630</u>	CEMETERY LOTS	2,000.00	2,000.00	680.00	680.00	-1,320.00	34.00 %
<u>01-0000-4635</u>	CEDAR GROVE EXPANSION	9,000.00	9,000.00	580.00	580.00	-8,420.00	6.44 %
<u>01-0000-4665</u>	POOLS INGLESIDE	15,000.00	15,000.00	7,861.77	7,861.77	-7,138.23	52.41 %
<u>01-0000-4675</u>	RECREATION CONCESSIONS	30,000.00	30,000.00	7,667.25	7,667.25	-22,332.75	25.56 %
<u>01-0000-4690</u>	GENERAL CLASSES	50,000.00	50,000.00	271.00	271.00	-49,729.00	0.54 %
<u>01-0000-4700</u>	YOUTH SPORTS ACTIVITIES	45,000.00	45,000.00	0.00	0.00	-45,000.00	0.00 %
<u>01-0000-4705</u>	LEASE/RENTAL BALLFIELDS	3,000.00	3,000.00	605.00	605.00	-2,395.00	20.17 %
<u>01-0000-4710</u>	LEASE/RENTAL PICNIC SHEL	8,000.00	8,000.00	1,555.00	1,555.00	-6,445.00	19.44 %
<u>01-0000-4740</u>	FOUNDATION REVENUE	0.00	0.00	-1.00	-1.00	-1.00	0.00 %
<u>01-0000-4810</u>	CITY COURT FINES & COSTS	100,000.00	100,000.00	21,104.50	21,104.50	-78,895.50	21.10 %
<u>01-0000-4910</u>	INTEREST INCOME	550,000.00	550,000.00	42,653.25	42,653.25	-507,346.75	7.76 %
<u>01-0000-4920</u>	SALE OF CITY PROPERTY	0.00	0.00	12.00	12.00	12.00	0.00 %
<u>01-0000-4930</u>	DISCOUNTS EARNED	0.00	0.00	49.48	49.48	49.48	0.00 %

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<u>01-0000-4999</u>						
MISCELLANEOUS INCOME	30,000.00	30,000.00	3,137.81	3,137.81	-26,862.19	10.46 %
Revenue Total:	22,306,000.00	22,306,000.00	1,297,824.54	1,297,824.54	-21,008,175.46	5.82%
Fund: 01 - GENERAL FUND Total:	22,306,000.00	22,306,000.00	1,297,824.54	1,297,824.54	-21,008,175.46	5.82%
Report Total:	22,306,000.00	22,306,000.00	1,297,824.54	1,297,824.54	-21,008,175.46	5.82%



City of Athens, Tennessee

Monthly Rev and Exp Reports for Council Account Summary

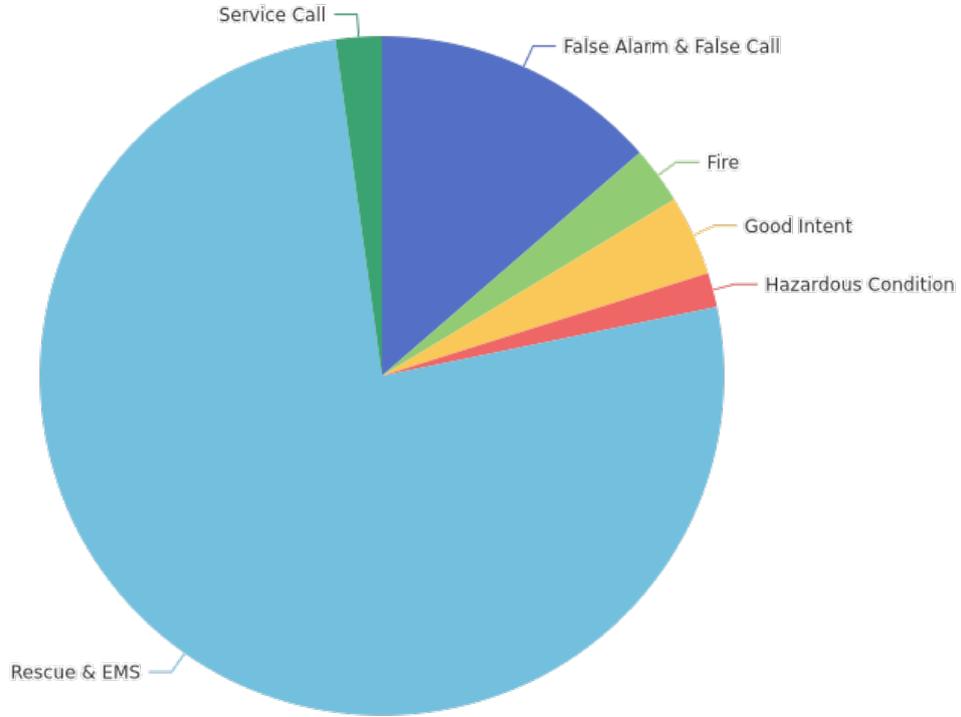
For Fiscal: 2025-2026 Period Ending: 07/31/2025

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
Fund: 12 - SANITATION						
Revenue						
<u>12-0000-4648</u>						
REFUSE PENALTY	4,000.00	4,000.00	593.12	593.12	-3,406.88	14.83 %
<u>12-0000-4650</u>						
IND/COMMERCIAL REFUSE CHARG	420,000.00	420,000.00	47,167.50	47,167.50	-372,832.50	11.23 %
<u>12-0000-4658</u>						
REFUSE COLLECTION CHARGES	560,000.00	560,000.00	39,447.36	39,447.36	-520,552.64	7.04 %
<u>12-0000-4750</u>						
RECYCLING CENTER	5,000.00	5,000.00	392.36	392.36	-4,607.64	7.85 %
<u>12-0000-4910</u>						
INTEREST INCOME	50,000.00	50,000.00	4,887.31	4,887.31	-45,112.69	9.77 %
<u>12-0000-4930</u>						
DISCOUNTS EARNED	0.00	0.00	13.28	13.28	13.28	0.00 %
<u>12-0000-4999</u>						
MISCELLANEOUS INCOME	1,000.00	1,000.00	1,551.60	1,551.60	551.60	155.16 %
Revenue Total:	1,040,000.00	1,040,000.00	94,052.53	94,052.53	-945,947.47	9.04%
Fund: 12 - SANITATION Total:	1,040,000.00	1,040,000.00	94,052.53	94,052.53	-945,947.47	9.04%
Report Total:	1,040,000.00	1,040,000.00	94,052.53	94,052.53	-945,947.47	9.04%



Incident Count by Incident Type Series Name - Last Calendar Month-copy

July 2025 Fire Report



INCIDENT TYPE SERIES NAME (NFIRS)	COUNT OF INCIDENTS	PERCENTAGE OF TOTAL INCIDENTS
Rescue & EMS	140	76.09%
False Alarm & False Call	25	13.59%
Good Intent	7	3.80%
Fire	5	2.72%
Service Call	4	2.17%
Hazardous Condition	3	1.63%
Total	184	100.00%

Description: This report provides a count of incidents by incident type series name (100 - 900). Time frame is last calendar month.

Criteria: PSAP Call Date/Time from 2025-07-01 00:00:00 to 2025-08-01 00:00:00 AND Incident Reporting Status equal Authorized



Report summary by Incident type - Last Calendar Month

INCIDENT TYPE (NFIRS)	TOTAL
118 - Trash or rubbish fire, contained	2
131 - Passenger vehicle fire	1
151 - Outside rubbish, trash or waste fire	1
154 - Dumpster or other outside trash receptacle fire	1
311 - Medical assist, assist EMS crew	119
320 - Emergency medical service incident, other	9
321 - EMS call, excluding vehicle accident with injury	1
322 - Motor vehicle accident with injuries	6
323 - Motor vehicle/pedestrian accident (MV Ped)	1
324 - Motor vehicle accident with no injuries.	4
445 - Arcing, shorted electrical equipment	3
510 - Person in distress, other	2
522 - Water or steam leak	1
561 - Unauthorized burning	1
611 - Dispatched & canceled en route	6
651 - Smoke scare, odor of smoke	1
700 - False alarm or false call, other	12
711 - Municipal alarm system, malicious false alarm	1
730 - System malfunction, other	1
731 - Sprinkler activation due to malfunction	1
733 - Smoke detector activation due to malfunction	2
735 - Alarm system sounded due to malfunction	2
736 - CO detector activation due to malfunction	1
741 - Sprinkler activation, no fire - unintentional	1
744 - Detector activation, no fire - unintentional	1
745 - Alarm system activation, no fire - unintentional	3
Total	184

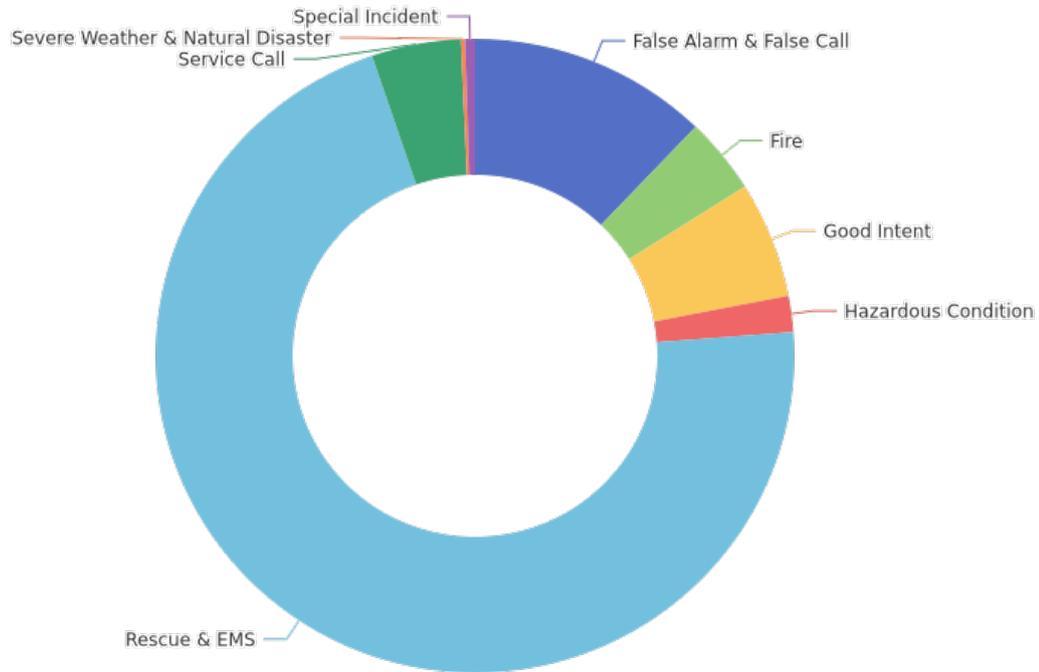
Description: This report provides a count of incidents by incident type name (100 - 900). Time frame is last calendar month.

Criteria: PSAP Call Date/Time from 2025-07-01 00:00:00 to 2025-08-01 00:00:00 AND Incident Reporting Status equal Authorized

747 Employee training hours
2 CPR classes – 14 students
4th of July Fireworks
TVA Graded Exercises
Touch-A-Truck – Bright Beginnings Day Care
1 State inspection
2 in Pump school at TFACA
TN Fire Chief's Conference
Crusin' Car Show – Market Park
Japanese High School Visitors
2 meeting with Wold Architects



Incident Count by Incident Type Series Name - YTD



INCIDENT TYPE SERIES NAME (NFIRS)	COUNT OF INCIDENTS	PERCENTAGE OF TOTAL INCIDENTS
Rescue & EMS	1005	70.97%
False Alarm & False Call	172	12.15%
Good Intent	84	5.93%
Service Call	64	4.52%
Fire	55	3.88%
Hazardous Condition	26	1.84%
Special Incident	7	0.49%
Severe Weather & Natural Disaster	3	0.21%
Total	1416	100.00%

Description: This report provides a count of incidents by incident type series name (100 - 900). Time frame is YTD.



Report summary by Incident type - YTD

INCIDENT TYPE (NFIRS)	TOTAL
111 - Building fire/Structure Fire	14
113 - Cooking fire, confined to container	1
114 - Chimney or flue fire, confined to chimney or flue	2
116 - Fuel burner/boiler malfunction, fire confined	1
118 - Trash or rubbish fire, contained	6
122 - Fire in motor home, camper, recreational vehicle	1
130 - Mobile property (vehicle) fire, other	3
131 - Passenger vehicle fire	2
132 - Road freight or transport vehicle fire	2
137 - Camper or recreational vehicle (RV) fire	1
140 - Natural vegetation fire, other	3
141 - Forest, woods or wildland fire	1
142 - Brush or brush-and-grass mixture fire	7
143 - Grass fire	3
150 - Outside rubbish fire, other	2
151 - Outside rubbish, trash or waste fire	3
154 - Dumpster or other outside trash receptacle fire	2
160 - Special outside fire, other	1
300 - Rescue, EMS incident, other	1
311 - Medical assist, assist EMS crew	838
320 - Emergency medical service incident, other	38
321 - EMS call, excluding vehicle accident with injury	16
322 - Motor vehicle accident with injuries	60
323 - Motor vehicle/pedestrian accident (MV Ped)	4
324 - Motor vehicle accident with no injuries.	40
331 - Lock-in (if lock out , use 511)	2
340 - Search for lost person, other	1
341 - Search for person on land	1
342 - Search for person in water	1
350 - Extrication, rescue, other	1
351 - Extrication of victim(s) from building/structure	1

Report summary by Incident type - YTD

City of Athens FD TN
Address: 815 N Jackson St, Athens, TN,
37303



INCIDENT TYPE (NFIRS)	TOTAL
381 - Rescue or EMS standby	1
400 - Hazardous condition, other	1
412 - Gas leak (natural gas or LPG)	5
440 - Electrical wiring/equipment problem, other	6
442 - Overheated motor	3
444 - Power line down	2
445 - Arcing, shorted electrical equipment	5
451 - Biological hazard, confirmed or suspected	1
461 - Building or structure weakened or collapsed	1
462 - Aircraft standby	1
480 - Attempted burning, illegal action, other	1
510 - Person in distress, other	2
511 - Lock-out	1
520 - Water problem, other	1
522 - Water or steam leak	2
531 - Smoke or odor removal	2
550 - Public service assistance, other	7
551 - Assist police or other governmental agency	17
552 - Police matter	3
553 - Public service	4
554 - Assist invalid	1
561 - Unauthorized burning	23
571 - Cover assignment, standby, moveup	1
611 - Dispatched & canceled en route	51
622 - No incident found on arrival at dispatch address	17
631 - Authorized controlled burning	5
632 - Prescribed fire	1
650 - Steam, other gas mistaken for smoke, other	1
651 - Smoke scare, odor of smoke	8
652 - Steam, vapor, fog or dust thought to be smoke	1
700 - False alarm or false call, other	68
711 - Municipal alarm system, malicious false alarm	6
714 - Central station, malicious false alarm	2

Report summary by Incident type - YTD

City of Athens FD TN
 Address: 815 N Jackson St, Athens, TN,
 37303

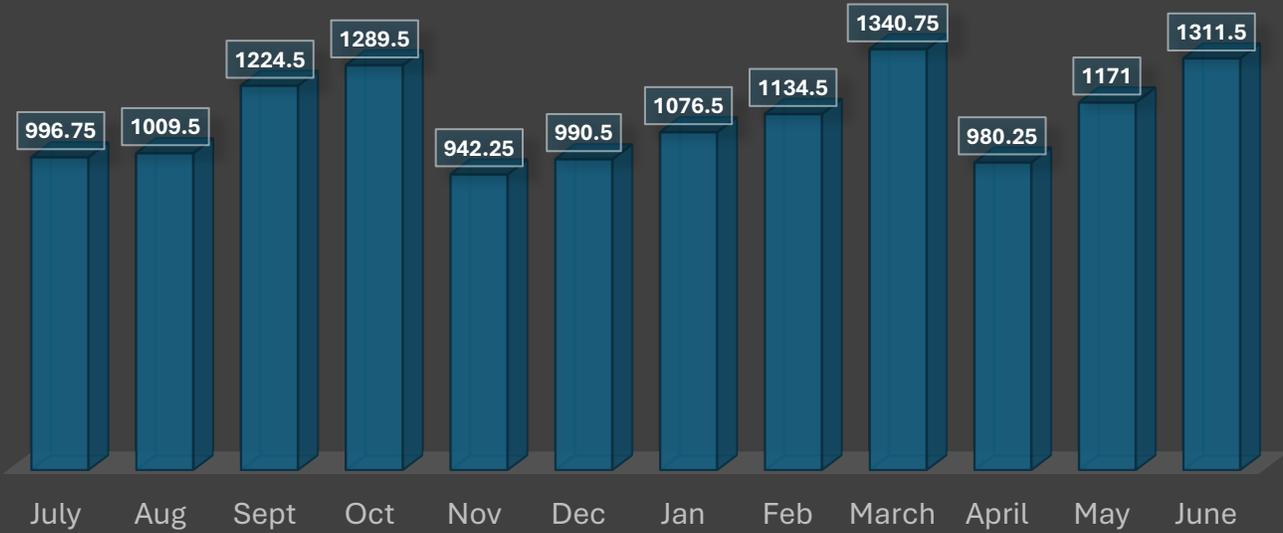


INCIDENT TYPE (NFIRS)	TOTAL
730 - System malfunction, other	1
731 - Sprinkler activation due to malfunction	2
733 - Smoke detector activation due to malfunction	9
735 - Alarm system sounded due to malfunction	11
736 - CO detector activation due to malfunction	2
740 - Unintentional transmission of alarm, other	3
741 - Sprinkler activation, no fire - unintentional	3
743 - Smoke detector activation, no fire - unintentional	7
744 - Detector activation, no fire - unintentional	7
745 - Alarm system activation, no fire - unintentional	46
746 - Carbon monoxide detector activation, no CO	5
813 - Wind storm, tornado/hurricane assessment	2
814 - Lightning strike (no fire)	1
900 - Special type of incident, other	4
911 - Citizen complaint	3
Total	1416

Description: This report provides a count of incidents by incident type name (100 - 900). Time frame is YTD

Criteria: PSAP Call Date/Time from 2025-01-01 00:00:00 to 2025-08-14 00:00:00 AND Incident Reporting Status equal Authorized

ATHENS FIRE TRAINING 2024-25



Total Department Training Numbers: 13,556.5

521 Average Hours per Firefighter.



CPR and First Aid Training

In 2024-25, we taught 43 classes, certifying over 300 students. Since the program's inception in 2020, more than 1,500 citizens have been certified or re-certified.

**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	0	0
2. Sex Offense	1	11	7
3. Robbery	0	4	6
4. Assault	20	136	124
Part II - Crime Against Property			
5. Burglary	1	28	47
6. Theft	21	174	294
7. Motor Vehicle Theft	2	11	28
Traffic Stops	642	3,264	1,045
Citations	286	1,476	312
Warnings	346	1,951	567
Drugs	12	150	177
Arrests	102	745	756
Total calls for service	1,868	13,778	9,977

Traffic Accident Statistics

Accidents

Injuries

	This Month	This Year	Last Year to Date		This Month	This Year	Last Year to Date	
Vehicle	61	478	423		13	79	76	

Fatality

This Month	0
This Year	1
Last Year	0

Employment

Authorized Sworn Positions	36
Current Sworn Positions Filled	36
Police Dept. Vacancies	0

Prepared:
Jason B. Garren
Deputy Chief

Submitted:
Fred K. Schultz
Chief of Police

**** Private Property accidents/injuries are included in above totals.**

Monthly Overtime Report for Patrol Division July 2025

Late Shift: 28.00 hours

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

Manpower: 00.00 hours

(fill in for sick leave, vacations, training)

Court: 17.25 hours

General Sessions: 12.00

City: 3.25

Criminal: 00.00

Civil: 00.00

Juvenile: 00.00

Grand Jury: 2.00

Training: 14.00 hours

Special Assignments: 157.25 hours

Meeting: 7.00

THSO: 87.00

Carwash: 13.25

4th @ Park: 50.00

Total hours for the month: 216.50 hours

Total expenditure for patrol overtime for the month: \$2,245.38

Total budgeted for patrol overtime for the month: \$7,083.33

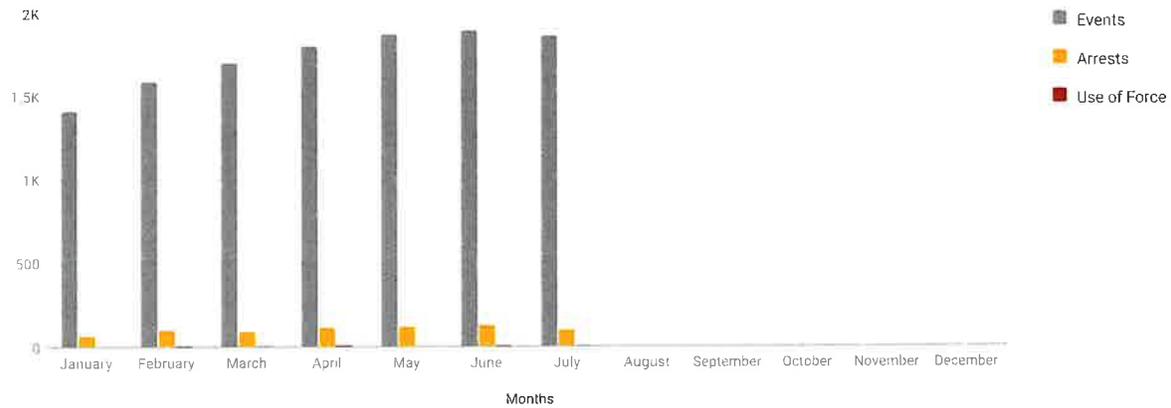


Athens Police Department

USE OF FORCE VS. EVENT COMPARISON (RESULT FOR YEAR 2025)

USE OF FORCE VS. EVENT COMPARISON SUMMARY BY MONTH

Event vs. Arrests vs. Use of Force Comparison



2025 Events vs. Use Of Force

Total Events:	12182	0.19%
Use of Force Incidents:	23	

2025 Arrests vs. Use Of Force

Total Arrests:	736	3.13%
Use of Force Incidents:	23	

MONTHS	TOTAL EVENTS	USE OF FORCE	%
January	1420	1	0.07%
February	1596	5	0.31%
March	1709	3	0.18%
April	1808	6	0.33%
May	1879	1	0.05%
June	1902	4	0.21%
July	1868	3	0.16%
August	0	0	0.00%
September	0	0	0.00%
October	0	0	0.00%
November	0	0	0.00%
December	0	0	0.00%

MONTHS	TOTAL ARRESTS	USE OF FORCE	%
January	67	1	1.49%
February	104	5	4.81%
March	93	3	3.23%
April	116	6	5.17%
May	123	1	0.81%
June	131	4	3.05%
July	102	3	2.94%
August	0	0	0.00%
September	0	0	0.00%
October	0	0	0.00%
November	0	0	0.00%
December	0	0	0.00%

Athens Municipal Court
DISPOSITION COUNT

07/01/2025 to 07/31/2025

<u>Disp. Code Id</u>	<u>Disp. Code Name</u>	
(9)	Dismissed	<u>25</u>
(10)	Dismissed after Drv Safety Course	<u>9</u>
(11)	Dismissed upon payment of cost w/time to pay	<u>3</u>
(4)	Guilty - Trial by Judge	<u>7</u>
(19)	Paid in Full	<u>203</u>
(21)	Plea Guilty/ as charged	<u>28</u>
(25)	Plea Not Guilty, set for trial	<u>4</u>
Total Dispositions:		<u>279</u>



CITY OF ATHENS

FY 2025-26 PROGRAM OF WORK

Updated August 15, 2025

No.	Program/Cost/Funding Source	Responsible Party	Status
City Manager's Office			
1	Prepare a five-year Capital Improvement Plan (CIP) to plan/coordinate future projects/costs.	City Manager / Dept. Heads	Preparing.
2	Prepare for and conduct the annual strategic summit tentatively scheduled for Fri. Feb. 20, 2026, 9:00 am to 4:00 pm, at McMinn Higher Education Center, facilitated by SETD.	City Manager / Dept. Heads	Booked, and waiting for the summit.
3	Plan the renovation and expansion of the current City Hall facility, \$40,000 for planning and \$580,000 for HVAC replacement using Capital Improvement Funds.	City Manager / Project Manager	Council consented during Dec. 9, 2024 work session and approved during Dec. 17, 2024 regular session to obtain an appraisal of a downtown building. Appraisal was discussed during the Jan. 13, 2025 work session and Jan. 21, 2025 regular session. No action taken. This topic was discussed during the Feb. 10, 2025 work session and authorized staff to bring back additional data. Council voted to cease all further negotiations with both property owners on March 18, 2025. Discussed further during April 7, 2025 work session and April 15, 2025 regular session and approved to hire architect to begin the planning of new construction and renovations. Discussed further during the May 12, 2025 work session and May 20, 2025 regular session. Approved Allen & Hoshall to prepare planning documents for renovations and expansion. Initial meeting was June 4, 2025. Preparing floor plans. Staff meeting to discuss floor plan scheduled for Aug. 20, 2025. On Sept. 8, 2025 work session and Sept. 16, 2025 regular session for consideration.
4	Have a feasibility study prepared to complete/expand the SE TN Trade & Conference Center using Hotel/Motel Tax Funds, \$60,000.	City Manager	Preparing RFQ.

No.	Program/Cost/Funding Source	Responsible Party	Status
City Manager's Office (continued)			
5	Develop a citizen satisfaction survey and a Parks & Recreation amenities survey in-house to obtain citizen sentiment/comments about city provided services and wanted recreational amenities.	City Manager's Office	Preparing.
6	Keep the website updated to include retail marketing and retirement information.	City Manager / Communications Coordinator	Updating. Go live scheduled for Aug. 15, 2025.
Community Development			
7	Complete creating the downtown historic overlay district.	Community Dev. Director	HPB has discussed this topic previously, their regular meeting on Aug. 7, 2025 had a speaker from Sweetwater, HPB may make recommendations in the future.
8	Continue dilapidated/unfit structure enforcement per city code 13-302.	Community Dev. Director / City Manager	Completing two enforcement orders previously approved (206 Stansberry St. and 2019 Hammerhill Rd.) and beginning five additional structures (815 Central Ave, 102 Euclid Ave, 206 Rose Dr, 121 Sage St, and 206 Sharp St.). Council talked about changing the hearing process on July 31, 2025. No changes.
Fire Department			
9	Prepare design plans, develop construction drawings, bid out, and begin construction of Fire Station #3 using Capital Improvement Funds, \$3,200,000.	Fire Chief / Project Manager	Council authorized staff during Jan. 21, 2025 regular session to hire architect to design fire station #3. RFQ prepared and distributed. Received 12 proposals on deadline date of April 3, 2025. Proposals evaluated and the top 4 selected for in-person interviews. Interviews held on April 23, 2025 and a top firm selected (Wold). On May 12, 2025 work session for award consideration and May 20, 2025 regular session for contract approval. Approved Wold. Initial planning meeting was June 17, 2025, second planning meeting held June 23, 2025, third meeting was July 28, 2025. On Aug. 11, 2025 work session for review.
10	Replace the HVAC system at Fire Station #2 using Capital Improvement Funds, \$20,000.	Fire Chief	
11	Replace garage door openers at Fire Station HQ.	Fire Chief	
12	Acquire water tank skid, radio chargers, trailer, uniform cabinets, cabinet for trucks, and 4-way hydrant valve.	Fire Chief	
13	Acquire replacement Sparky costume.	Fire Chief	
14	Acquire signage for new training facility per city sign design standards.	Fire Chief	

No.	Program/Cost/Funding Source	Responsible Party	Status
Hotel/Motel Tax Fund			
15	Assist Nooga Lights, LLC in hosting/advertising a Christmas light show event at Regional Park, \$30,000 and installing new electrical connections for the event using Capital Improvement Funds, \$15,000.	Communications Coordinator	AUB installing new electrical connections needed for this event at Regional Park.
16	Develop a city branding strategy/logo for tourism promotion, \$20,000.	Communications Coordinator	Being prepared by Kellum Creek.
17	Develop a sign standard and design/install welcome and wayfinding signs throughout the city, \$85,000.	Communications Coordinator	Sign standards being prepared by Kellum Creek.
Information Technology			
18	Purchase various computer equipment and services to update the city's IT network (\$285,000).	IT Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Installation soon.
19	Add/replace security cameras at various parks including Regional Park, Ingleside Park, Heritage Park, and Market Park, replace the outdated government access channel equipment, and replace computer equipment in various offices (\$147,000).	IT Director	Ordered security cameras, will have contractor install when delivered this month at Ingleside.
Parks & Recreation Department			
20	Install artificial turf on the 5 infields at Regional Park using Hotel/Motel Tax Funds (\$200,000) and Capital Improvement Funds (\$1,300,000).	Parks & Rec. Director / Project Manager	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued July 21, 2025. Completion early 2026.
21	Renovate the house at Regional Park for Parks & Recreation offices using Capital Improvement Funds, \$275,000.	Parks & Rec. Director / Project Manager	Proposal from Allen & Hoshall on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued July 17, 2025. On Sept. 8, 2025 work session and Sept. 16 regular session for consideration. Anticipated completion is Spring 2026.
22	Improve Heritage Park including renovation of baseball field, adding walking trail, ADA compliance, and install replacement playground, \$1,175,000 using LPRF grant (50%) and city funds (50%).	Parks & Rec. Director / Project Manager	State approved the construction plans. Bid deadline was July 31, 2025. On Aug.,11, 2025 work session for consideration and Aug. 19, 2025 regular session for approval. Anticipated completion is Summer 2026.
23	Replace the main gate at Regional Park with an electric gate using Capital Improvement Funds, \$35,000.	Parks & Rec. Director	Gate specifications prepared, on bid, bid deadline is Sept. 9, 2025. On Oct. 13, 2025 work session and Oct. 21, 2025 regular session for consideration.

No.	Program/Cost/Funding Source	Responsible Party	Status
Parks & Recreation Department (continued)			
24	Complete Market Park per the master plan using Capital Improvement Funds, \$250,000 and install Level 2 EV chargers from a TVA grant.	Parks & Rec. Director / Project Manager	Kimley Horn is working on schematic designs, updated layout, priority phases, and cost estimates. Once plan is reviewed by Recreation Advisory Board, Main Street, City Council and approved, proceed to construction drawings, bidding, and actual construction.
25	Replace the blue metal roof of the concession stand/restrooms at Regional Park using Capital Improvement Funds, \$40,000.	Parks & Rec. Director	
26	Replace tennis/pickleball court lighting fixtures and add pedestrian lighting at Ingleside Park using Capital Improvement Funds, \$195,000.	Parks & Rec. Director / Project Manager	NTP issued to Lose Designs on July 18, 2025 to prepare specs. and bid documents.
27	Acquire trailer, bushhog, air compressor, paint machine, chalk machine, bases, new tables for Cook Park, pitching screens, and park signage per the city's sign design standards.	Parks & Rec. Director	
28	Acquire a replacement slide for Ingleside Pool, \$6,000.	Parks & Rec. Director	
29	Acquire a replacement pick-up truck using Fleet Management Funds, \$40,000.	Parks & Rec. Director	
30	Perform general repairs and cleaning to the SE TN Trade & Conference Center, \$125,000.	Parks & Rec. Director	
31	Acquire floor cleaning machine and replacement tables for the SE TN Trade & Conference Center, \$12,500.	Parks & Rec. Director	
32	Obtain cost estimates/wording/location for Revolutionary War, WWI, and WWII memorials for Veterans Park.	Parks & Rec. Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Memorials ordered, waiting for installation in Oct. 2025.
33	Install new park benches on Cook Drive (3), Veterans Park (7), and Ingleside Park (3), \$15,000.	Parks & Rec. Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Benches, ordered, waiting for delivery.
Police Department			
34	Acquire five new police vehicles using Fleet Management Funds, \$400,000.	Police Chief	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Vehicles ordered, waiting for delivery.
35	Acquire the equipment needed for the five new police cars (\$80,000) and acquire new in-vehicle printers (\$24,000).	Police Chief	See #34 above.
36	Acquire 360-degree crime scene scanner using Drug Funds, \$18,000.	Police Chief	Completed.

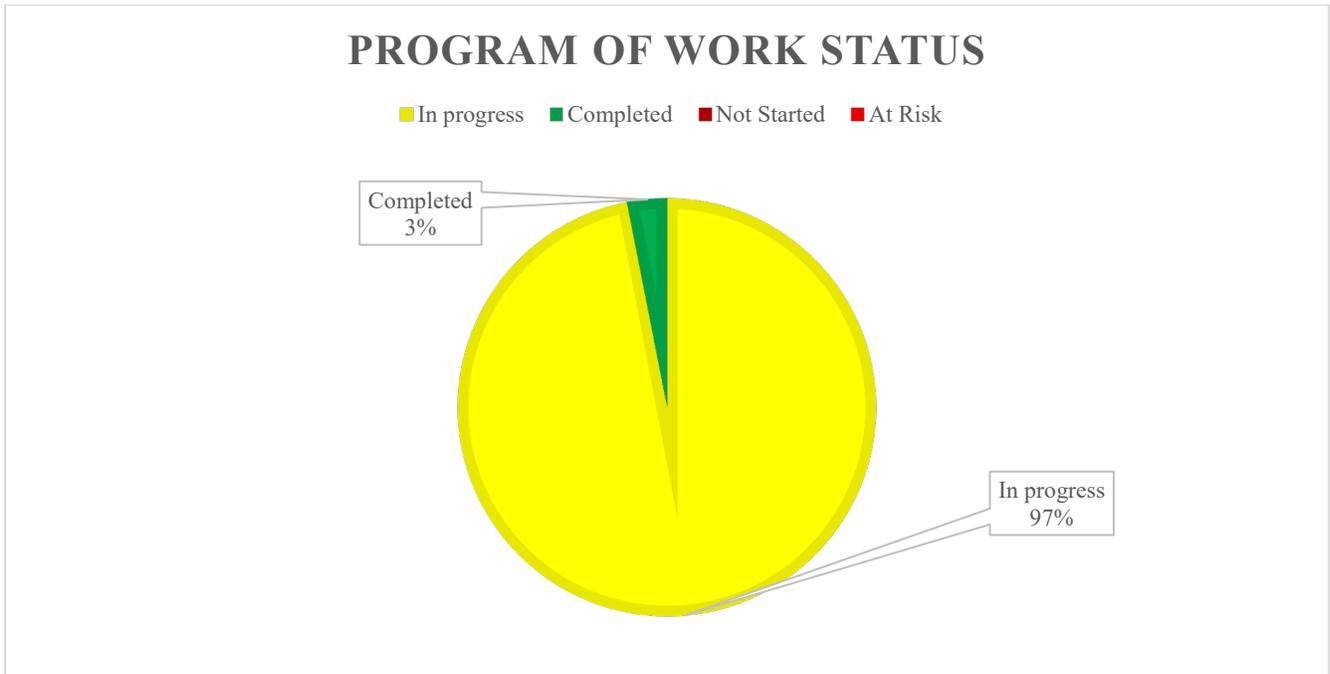
No.	Program/Cost/Funding Source	Responsible Party	Status
Public Works Department			
37	Prepare design and construction drawings to connect and pave View Street using Capital Improvement Funds, \$305,000.	Public Works Director / Project Manager	Proposal from Gresham Smith Engineers to design/prepare construction drawings on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Will bid with N. Jackson Street paving. NTP issued on July 18, 2025.
38	Resurface 9 city streets totaling 3.94 miles using STBG-L funds, \$999,000 and Capital Improvement Funds, \$1,068,000 for a total of \$2,067,000. <ul style="list-style-type: none"> • Mt. Verd Rd. from Clearwater Rd to city limits (.34) • Sharp Rd. from Velma Rd. to Railroad Ave (.21) • Tellico Ave. from Congress to Astrid St (.83) • Dennis St. from Congress to Decatur Pike (.62) • Woodward Ave. from N. Jackson St. to Ingleside Ave (1.07) • Forrest Ave. from Ingleside Ave. to Madison Ave (.29) • Guille St. from Ingleside Ave. to Eastanallee Ave (.12) • Glendale Ave. from Park St. to Cedar Springs Rd (.29) • Cedar Springs Rd. from Glendale Ave. to Elizabeth St (.17). 	Public Works Director / Project Manager	City Council approved the 9 list of streets during April 2022, Gresham Smith Engineers completed final design/construction drawings and submitted to TDOT for approval. TDOT approved during June, 2025. Bid deadline was July 23, 2025, 3 bids received. On Aug. 11, 2025 work session for consideration and Aug. 19, 2025 regular session for approval. Completion anticipated Nov. 2025.
39	Improve/stabilize/realign N. Jackson St. in front of City Hall using Capital Improvement Funds, \$480,000.	Public Works Director / Project Manager	Gresham Smith Engineers has conducted geotechnical analysis, prepared design plans, and construction cost estimates. Will bid with View Street paving.
40	Have Stancell Electric implement Decatur Pike corridor traffic signal retiming study using Capital Improvement Funds, \$193,000.	Public Works Director / Project Manager	Equipment purchase and installation on Sept. 8, 2025 work session for consideration and Sept. 16, 2025 regular session for approval.
41	Improve the road and railroad intersection of W. Madison, Rocky Mount, and Old Riceville Road using Railroad Grade Crossing Program Grant, \$600,000.	Public Works Director / Project Manager	Design completed. Project contract received and executed during July, 2025. Moving to construction phase after October 1, 2025.
42	Prepare an electronic inventory/data base of major city storm water assets of location, size, and condition to determine stormwater needs. Then design and construct needed improvements, \$2,503,000 using ARPA grant funds (85% grant/15% local). This study is a precursor to creating a storm water utility.	Public Works Director / Project Manager	Gresham Smith Engineers has collected all data. System modeling underway. Design is almost complete. Bid project during August 2025, award during Sept. 2025. Project must be completed by Sept. 2026.
43	Improve intersection of Ingleside Ave. / Tellico Ave. using state Rural Safety Action grant, \$927,000.	Public Works Director / Project Manager	Waiting for TDOT to approve funding.

No.	Program/Cost/Funding Source	Responsible Party	Status
Public Works Department (continued)			
44	Purchase/install routing software/hardware for garbage trucks, \$44,948 over three years.	Public Works Director / Project Manager	Council consented during Dec. 9, 2024 work session and approved during Dec. 17, 2024 regular session. Vendor is configuring software and all data being validated. Deployment during Fall 2025.
45	Purchase replacement leaf vacuum machine, \$146,000 using Fleet Management Fund.	Public Works Director / Project Manager	On March 10, 2025 work session for consideration and approved during March 18, 2025 regular session. Machine ordered. Waiting for delivery.
46	Acquire replacement pick-up truck using Fleet Management Funds, \$45,000,	Public Works Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Truck ordered. Waiting for delivery.
47	Acquire replacement flatbed truck using Fleet Management Funds, \$75,000.	Public Works Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Truck ordered. Waiting for delivery.
48	Acquire two traffic signal controllers and trailer mounted sign board for Traffic Control Division, \$33,000.	Public Works Director	Sign board has been purchased/delivered.
49	Continue the design of Green Street improvements including sidewalks, pedestrian crossings, retiming of traffic signals for pedestrian safety using TDOT MMAG grant, \$117,000 and Capital Improvement Funds, \$13,000.	Public Works Director / Project Manager	RFQ was prepared for engineering services, 5 responses received, 3 were asked for full proposals. Recommended firm on March 10, 2025 work session for consideration and approved during March 18, 2025 regular session. Currently obtaining environmental clearance. Construction is expected to begin in 2026 and be completed in 2027.
50	Complete the last 2,000 feet of sidewalk construction around MCHS.	Public Works Director	Expected completion during late Summer 2025.
51	Acquire a floor cleaning machine for the Animal Shelter, \$3,500.	Public Works Director	
52	Acquire replacement garbage totes, lids, and dumpsters for Sanitation, \$64,000.	Public Works Director	On Aug. 11, 2025 work session for consideration and Aug. 19, 2025 regular session for approval.
53	Survey Hammerhill Road property owners to determine feasibility of donating or selling their property for new sidewalk.	Public Works Director	Obtained list of legal property owners, prepared survey, and distributed. Survey closed on Aug. 5, 2025. 5 responses received. Results presented during Aug. 11, 2025 work session.
Other Projects			
54	Develop schematic designs for the downtown area and priorities using Capital Improvement Funds, \$50,000.	Capital Projects Manager / City Manager	Proposal from Kimley Horn on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued on July 17, 2025.

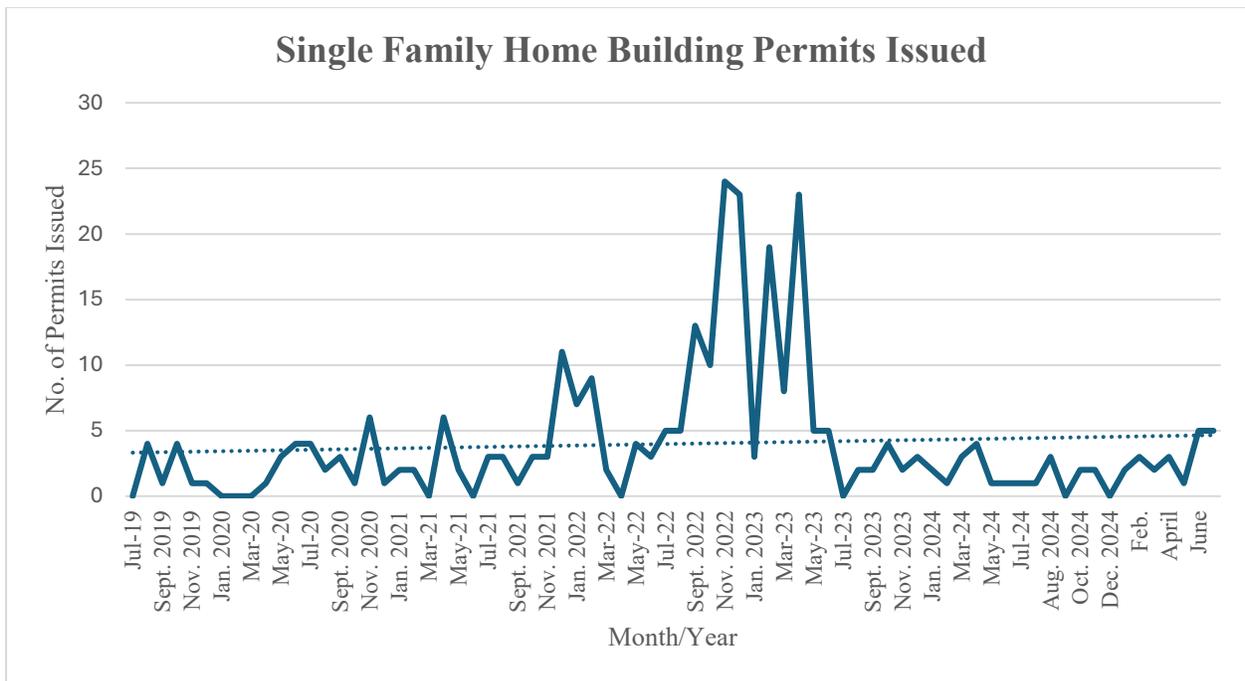
No.	Program/Cost/Funding Source	Responsible Party	Status
Other Projects (continued)			
55	Contribute \$35,000 to the city Board of Education for a playground at the new school complex using Capital Improvement Funds.	Finance Director	Received invoice (\$34,819.50) from City Board of Education and paid. Completed.
56	Demolish North City School using Capital Improvement Funds, \$360,000.	City Manager	Council discussed selling, demolishing, leasing property Dec. 9, 2024 work session and approved demolition during Dec. 17, 2024 regular session. Council discussed rescinding demolition vote during Jan. 13, 2025 work session and Jan. 21, 2025 regular session. Motion failed. This topic was discussed on Feb. 10, 2025 work session and Feb. 18, 2025 regular session. Approved to demolish. Bid opening was April 29, 2025 and ten bids received. On May 12, 2025 work session for award consideration and May 20, 2025 regular session for bid approval. Approved E. Luke Green to demolish. Project start date was July 14, 2025 and completion by Fall 2025.
57	Complete Mt. Verd industrial park improvements using city, county, and ARC funds, \$1,900,000.	EDA Director	On bid, bid opening is Aug. 14, tentatively on Sept 8, 2025 work session for consideration and Sept. 16, 2025 regular session for approval. Anticipated completion is Spring 2026. EDA Director gave an update on July 7, 2025.
58	Acquire the 2.93-acre property for the entrance to the Redfern Industrial Park as authorized by Resolution 2022-31 using Capital Improvement Funds. Then prepare the road design and construction drawings, bid out, build.	Public Works Director / Project Manager	City Attorney acquiring property.
59	Sell the 1.08-acre Parker Property located on Decatur Pike, \$275,000 minimum bid.	Purchasing Assistant	Bid deadline was July 22, 2025. No bids received. On Aug. 11, 2025 work session for further discussion.
60	Conduct quarterly blood drives.	Communications Coordinator	Blood drive was July 18, 2025 at City Hall sponsored by MEDIC, 11 units collected. Next drive is Oct.

Key

Status	No. of Projects/Total Projects	Percentage
In Progress	58/60	97%
Completed	2/60	3%
Not Started	0/60	
At Risk	0/60	



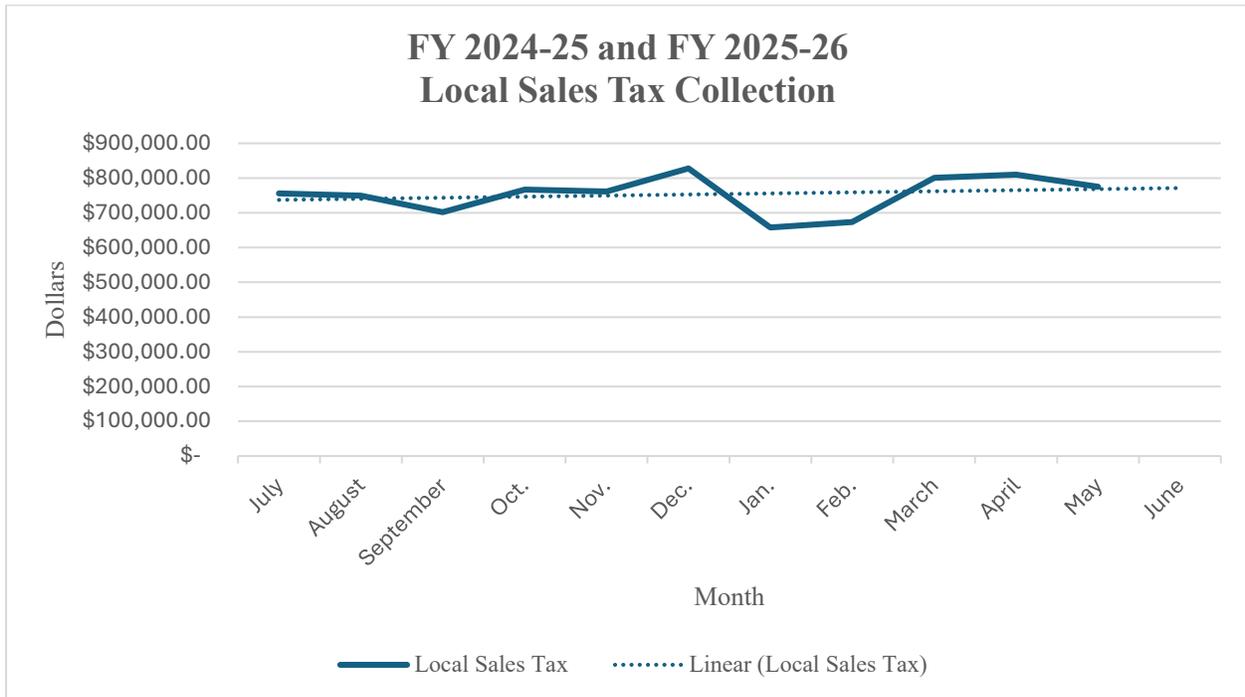
SINGLE FAMILY HOME BUILDING PERMITS ISSUED



Month	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
July	0	4	2	5	0	1	5
Aug.	4	2	3	5	2	3	
Sept.	1	3	1	13	2	0	
Oct.	4	1	3	10	4	2	
Nov.	1	6	3	24	2	2	
Dec.	1	1	11	23	3	0	
Jan.	0	2	7	3	2	2	
Feb.	0	2	9	19	1	3	
Mar.	0	0	2	8	3	2	
Apr.	1	6	0	23	4	3	
May	3	2	4	4	1	1	
June	4	0	3	5	1	5	
Total	19	29	48	142	25	24	5

Source: Community Development Dept.

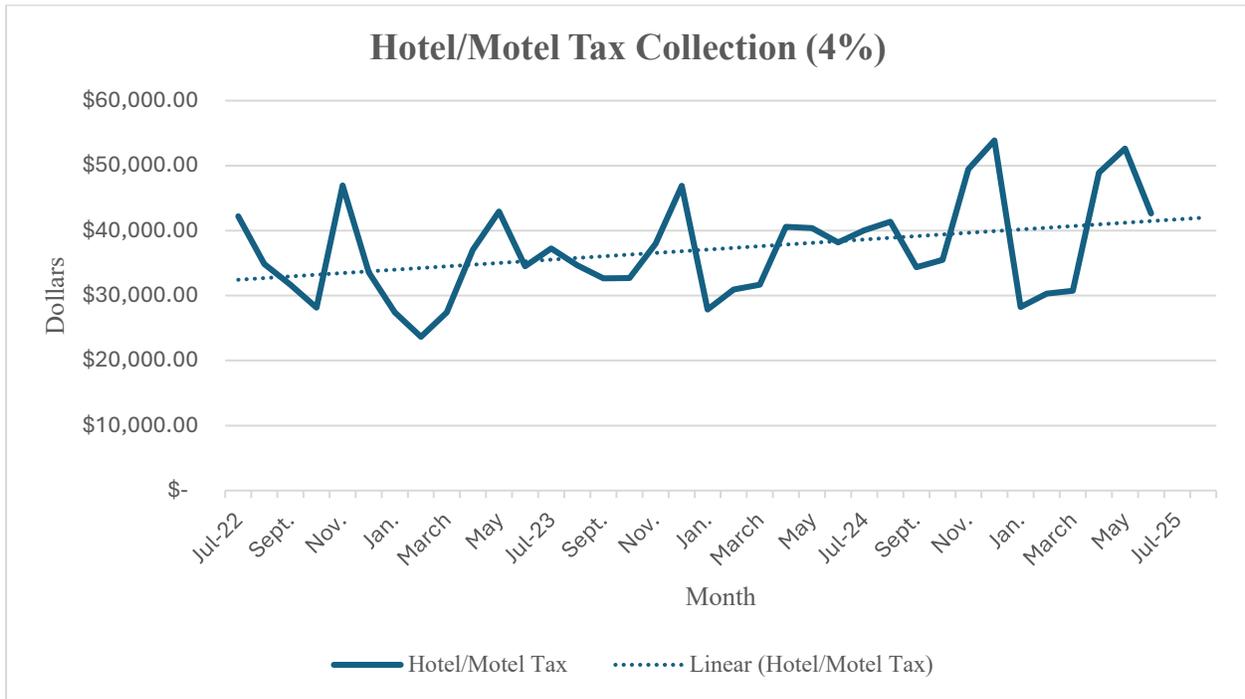
LOCAL SALES TAX COLLECTION



Month	FY 2024-25	Percentage Change	FY 2025-26	Percentage Change
July	755,777			
August	749,676	(0.81%)		
Sept.	701,633	(6.41%)		
Oct.	766,762	9.28%		
Nov.	761,494	(0.68%)		
Dec.	827,792	8.7%		
Jan.	657,793	(20.5%)		
Feb.	673,300	2.3%		
March	800,607	18.9%		
April	809,852	1.2%		
May	774,784	(4.3)		
June				
Total Collected	\$8,279,470			
Budgeted	\$8,800,000			
% Collected	94%			
Avg. Per Month	\$752,679			

Source: Tennessee Dept. of Revenue

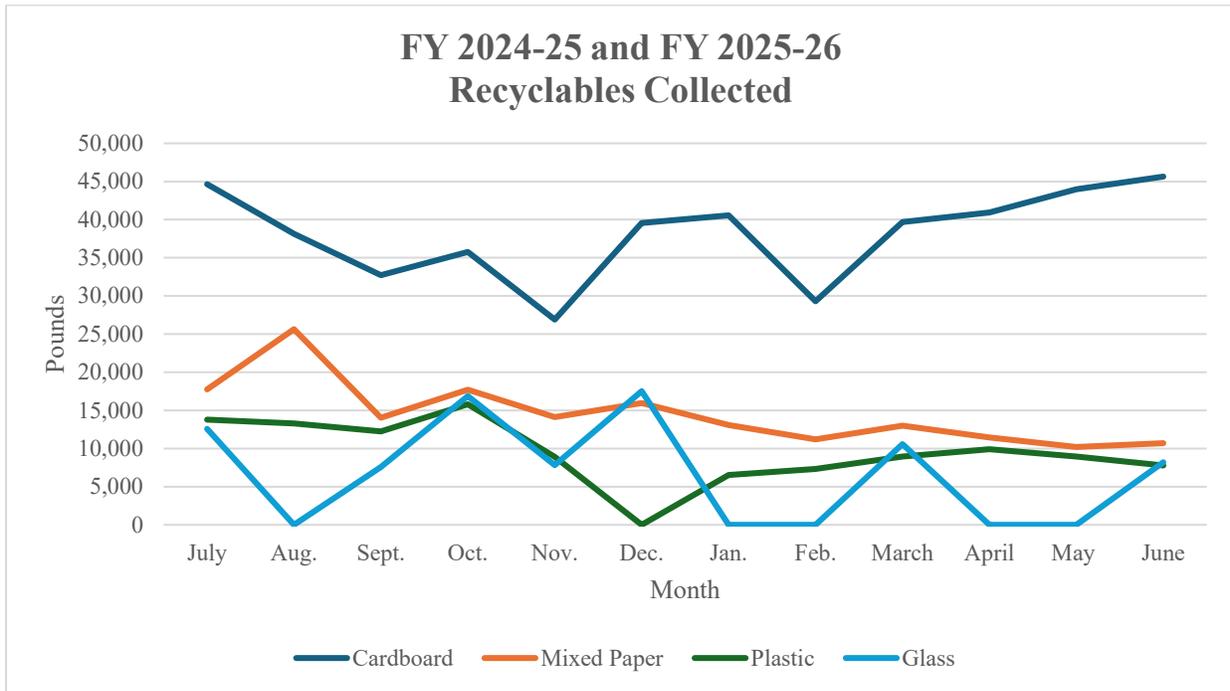
HOTEL/MOTEL TAX COLLECTION



Month	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
July	\$42,213	\$37,261	\$40,027	
August	34,852	34,639	41,377	
Sept.	31,695	32,663	34,385	
Oct.	28,144	32,705	35,469	
Nov.	46,946	37,985	49,470	
Dec.	33,579	46,923	53,880	
Jan.	27,417	27,836	28,248	
Feb.	23,656	30,932	30,317	
March	27,421	31,681	30,751	
April	37,083	40,571	48,902	
May	42,955	40,408	52,623	
June	34,490	38,176	42,622	
Annual Total	\$410,451	\$431,780	\$488,071	
Avg. Per Month	\$34,204	\$35,982	\$40,673	

Source: Athens Finance Department

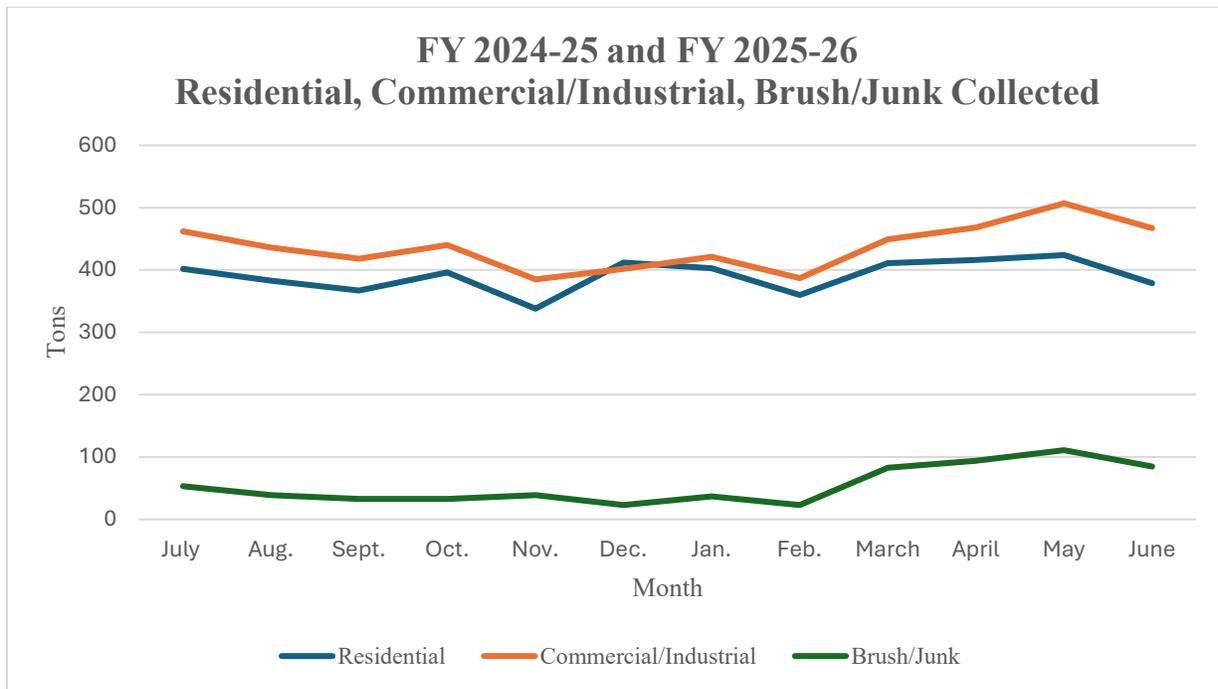
RECYCLABLES COLLECTED



Month	FY 2024-25				FY 2025-26			
	Cardboard	Mixed Paper	Plastic	Glass	Cardboard	Mixed Paper	Plastic	Glass
July	44,660	17,740	13,800	12,560				
August	38,160	25,640	13,280	0				
Sept.	32,740	14,040	12,260	7,560				
Oct.	35,780	17,720	15,800	16,880				
Nov.	26,900	14,140	8,920	7,840				
Dec.	39,540	15,940	0	17,520				
Jan.	40,560	13,060	6,540	0				
Feb.	29,300	11,180	7,320	0				
March	39,690	12,980	8,960	10,560				
April	40,920	11,440	9,900	0				
May	43,960	10,200	8,960	0				
June	45,640	10,700	7,780	8,200				
Total Pounds Collected	413,890	164,580	104,560	81,120				
Avg. Pounds Per Month	34,491	13,715	8,713	6,760				
Total Pounds Previous FY	449,580	200,020	166,940	98,980				
% of Previous FY	92%	82%	63%	82%				

Source: Public Works Dept.

SANITATION COLLECTED



Month	FY 2024-25			FY 2025-26		
	Residential	Commercial/Industrial	Brush/Junk	Residential	Commercial/Industrial	Brush/Junk
July	402	462	53			
August	383	436	39			
Sept.	367	418	33			
Oct.	396	440	33			
Nov.	338	385	39			
Dec.	412	402	23			
Jan.	403	421	37			
Feb.	360	387	23			
March	411	449	83			
April	416	468	94			
May	424	507	111			
June	379	467	85			
Total Tons Collected	4,691	5,242	653			
Avg. Tons Per Month	391	437	54			
Total Tons Previous FY	4,627	5,417	598			
% of Previous FY	101%	97%	109%			

Source: Public Works Dept.