



# ATHENS CITY COUNCIL WORK SESSION

Monday, October 13, 2025, 5:00pm

**I. INVOCATION**

**II. PLEDGE OF ALLEGIANCE**

**III. COMMUNICATIONS AND SPECIAL PRESENTATIONS**

**IV. DISCUSSION**

- (1 – 51) A. City Hall Renovations and Expansion.
- (52 – 59) B. Disposal of City-Owned Property on Tellico Avenue near the Intersection of Hammerhill Road.
- (60 – 62) C. Public Hearing & Second Reading of an Ordinance 1144 to Amend the Zoning Ordinance of the City of Athens, Tennessee, and the Official Zoning Map to Rezone Property Located Within the Corporate Limits of Athens, Tennessee at 2201 Decatur Pike (A Portion of McMinn County Tax Map 056, Parcel 009.00) from B-3 (Intensive Business District) to R-2 (Medium Density Residential District).
- (63 – 64) D. Public Hearing & Second Reading of Ordinance 1145, An Ordinance to Amend Title 14, Chapter V “Stormwater Management”, Section 14-128 and Section 14-130 of the Athens City Code.
- (65 – 70) E. First Reading of Ordinance 1146, An Ordinance to Amend Chapter 13-III, “Dilapidated and Unfit Structures and Areas,” of the Athens City Code by Adding a Requirement that City Staff Engaged in Actions Under this Chapter be Qualified in Residential or Commercial Building Code Inspections.
- (71 – 74) F. First Reading of Ordinance 1147, An Ordinance to Amend Title 3 “Municipal Court”, Chapter I, Section 3, of the Athens City Code, by Removing the Requirement that the City Judge be a Resident of the County.
- (75 – 100) G. First Reading of Ordinance 1148, An Ordinance Amending the City of Athens, Tennessee Municipal Zoning Ordinance Regulating Development within the Corporate Limits of Athens, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Maintain Eligibility for Participation in the National Flood Insurance Program.
- (101) H. Public Hearing and Application Selection for Certificate of Compliance for Retail Package Store.

- (102 – 103) I. Resolution 2025-27, a Resolution Authorizing the City of Athens to Participate in the Public Entity Partners James L. Richardson Driver Matching Grant.
- (104 – 105) J. Proposed Revision to Fee Schedule Parks & Recreation Miscellaneous Fees.
- (106 – 114) K. Bid Award of RFP 25-12 for New Electronic Gate at Regional Park
- (115 – 117) L. Bid Award of RFB 2025-15 for HVAC Replacement at Fire Station #2 and City Hall
- (118 – 128) M. Five-Year Capital Improvement Plan
- (129 – 130) N. Surplus QTAC EMS-R skid
- O. Councilmember Items
  - (131 – 138) a. Councilmember Duggan
    - i. Out of State Travel Notice

**V. NEW BUSINESS**

**VI. BOARDS & COMMITTEES**

- (139 – 141) A. Historic Planning Commission - Vacancy

**VII. ADJOURNMENT**



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## Agenda Item

### IV. A. City Hall Renovations and Expansion

#### Overview

City Hall conditions, capacity, new construction, renovations, expansions, ADA compliance, HVAC replacement, and purchase of other buildings to be used as a City Hall have all been discussed since at least 2019. During 2019, conceptual floor plans were prepared by Allen & Hoshall adding a new 3,800 +/- square foot addition to south side of the building (**Option #1** – see attachment). However, this plan was never implemented.

During the December 9, 2024 work session, this item was discussed further. During the December 17, 2024 regular session, the City Council authorized the City Manager to obtain a commercial appraisal of the former BBT building to be used as a potential City Hall. The appraisal was received, and this item was further discussed during the January 13, 2025 work session and the January 21, 2025 regular session. No action was taken (**Option #2**).

During a special called meeting on February 27, 2025, the City Council authorized the City Manager to begin negotiations for the purchase of the Robert E. Lee Hotel to be used as a potential City Hall with a maximum expenditure of \$1.35M (**Option #3**). During the March 10, 2025 work session, the consensus was to place this item on the March 18, 2025 regular session under Old Business for further discussion. During the March 18, 2025 regular session, the City Council voted to cease all negotiations with both property owners.

During the April 7, 2025 work session, City Hall renovations were further discussed. In particular, constructing a new 6,000 square foot City Hall annex on the existing City Hall site to house a detached Police Department and renovating the existing City Hall including cost estimates, funding sources, and general time schedule (**Option #4**). This item was also discussed during the April 15, 2025 regular session and a majority of the City Council voted to “authorize the City Manager to engage architects Allen & Hoshall to design plans and refine cost estimates for an annex and renovation to the current City Hall.” However, it was discovered that the NE corner of the city-owned property where this proposed annex would be sited was under a 2009 joint venture agreement with the YMCA for parking until 2029 and not available for use.

However, to keep in concert with the City Council directive of April 15, 2025, Allen & Hoshall prepared additional options and presented those during the May 12, 2025 work session. **Option #5** was to construct a 7,200 square foot detached Public Safety Complex consisting of the Fire Station and Police Station on the existing City Hall campus. **Option #6** was to expand the existing City Hall by adding expansions on both sides of the building with one side (4,000 square

feet) being administrative offices/IT offices/Council Chambers and the other side (4,000 square feet) being Police and Fire Department expansion areas. **Option #7** was to add an 8,000 square foot addition to the south side of the existing City Hall. Lastly, **Option #8**, which was a derivative of Option #5, was to add a 9,670 square foot addition in the existing Police Department parking area to be an attached Police Department (recently reduced to 8,421 square feet). By relocating the entire Police Department to its own facility, that would allow all other remaining departments to expand their operations within the existing City Hall. At the end of the May 12, 2025 work session, the consensus was to place this item on the May 20, 2025 regular session under New Business for further discussion.

During the May 20, 2025 regular session, the City Council approved a \$40,000 contract with Allen & Hoshall to prepare a conceptual floor plan, site plan, renderings, and cost estimates. Based on that contract, Allen & Hoshall meet with all departments as a group and individually to obtain their space needs. Based on those needs, a proposed plan of action to add additional capacity and renovate the existing City Hall has been prepared and ready for presentation. That presentation is attached. Representatives from Allen & Hoshall attended the September 8, 2025 work session to present their plan.

During the September 8, 2025 work session, the Council authorized Allen & Hoshall to present additional options and bring those back to the October 13, 2025 work session for consideration. **Option #9** is attached, which is basically a shrunken version of Option 8 and unfinished areas and **Option #10** (attached) which is the same version of Option 8 with all areas finished.

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 7.5% of the final construction cost. The construction documents preparation schedule would be about six months and the construction schedule would be an additional 12 months. If all goes well, City Hall could be fully renovated during late 2027.

Similar to the Fire Station #3 project, the Council could authorize Allen and Hoshall to prepare the actual construction documents of a selected option and assist with bidding to obtain real construction cost without authorizing construction. Those services would cost \$373,701 assuming the construction cost was \$7,176,900.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for consideration to approve one of the concepts, continue the design process, and determine funding sources. The funding sources discussion is also attached from the September 8, 2025 work session.

### **Affected Departments**

All

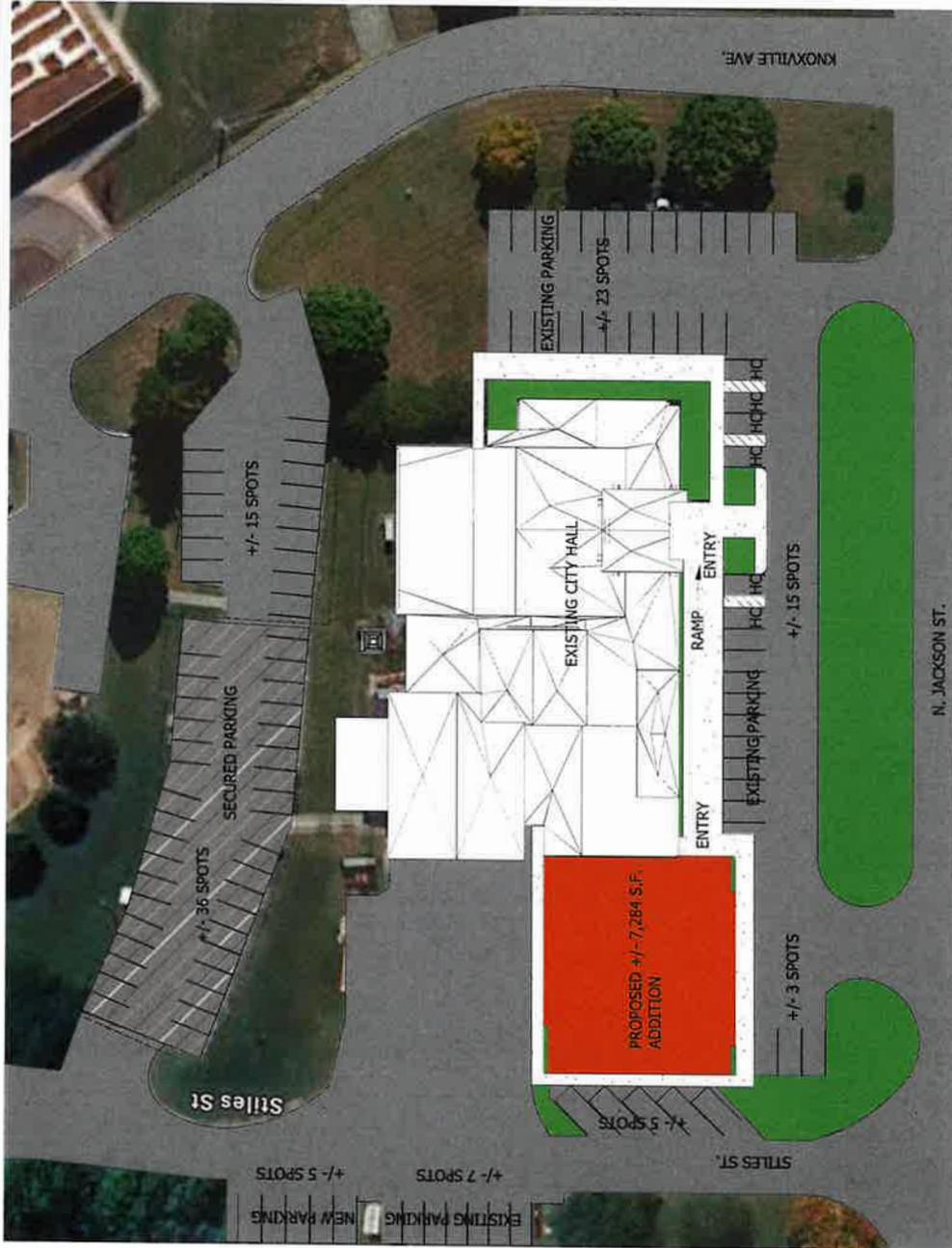
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# **OPTION 10**

**Option 8 with all areas finished.**

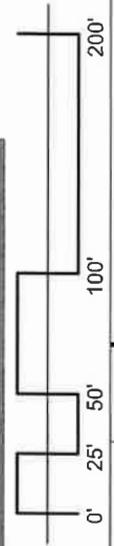
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Option # 10



**1 SITE PLAN - SCHEME REDUCED**

1" = 50'-0"



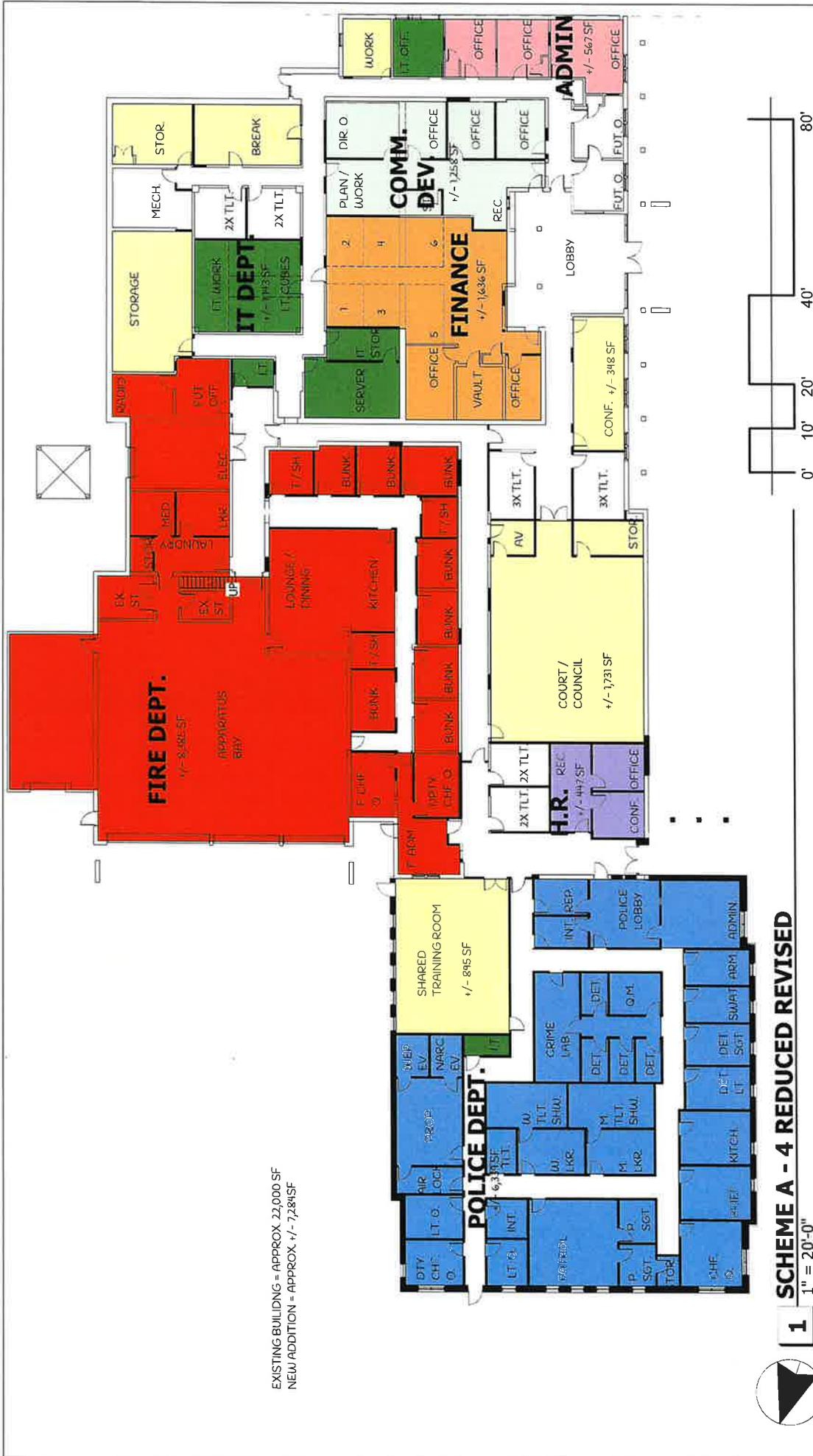
ATHENS CITY HALL ADDITION & RENOVATION  
 CITY OF ATHENS  
 815 N. Jackson St.  
 Athens, TN 37303

**Allen&Hoshall**  
 engineers-architects-surveyors

SITE PLAN - SCHEME A - REVISED  
 Project number 63656  
 Date 9.11.25  
 Drawn by ASB  
 Checked by MS

**A0.02**

No	Description	Date



EXISTING BUILDING = APPROX. 22,000 SF  
 NEW ADDITION = APPROX. +/- 7,284 SF

**ATHENS CITY HALL ADDITION & RENOVATION**

CITY OF ATHENS  
 815 N. Jackson St.  
 Athens, TN 37303

**Allen&Hoshall**  
 engineers-architects-survevors

**SCHEME A - 4 REDUCED REVISED**

Project number 63656  
 Date 9.11.25  
 Drawn by ASB  
 Checked by MS

**A1.1**

No.	Description	Date



- LIGHT +/- 7,135 SF
- MEDIUM +/- 6,424 SF
- HEAVY +/- 1,615 SF
- STRUCTURAL +/- 1,452 SF

**1** **SCHEME A - 4 - COST PLAN**  
1" = 20'-0"

<b>ATHENS CITY HALL ADDITION &amp; RENOVATION</b>	<b>SCHEME A-4 COST PLAN</b>	
CITY OF ATHENS 815 N. Jackson St. Athens, TN 37303	Project number 63656 Date 9.11.25 Drawn by ASB Checked by MS	<b>A1.10</b>
<b>Allen&amp;Hoshall</b> engineers-architects-surveyors	Description No.	Date

Budget Estimate Notes – Scheme A-4 (9/16/25)

1. Light Remodel to include - removal and repair/replacement of existing materials such as damaged wall board, damaged flooring, damaged ceiling elements, wall coverings/ finishes, floor finishes/coverings, ceiling materials and finishes. Also includes replacement of existing equipment and fixtures which serve the same purpose.
2. Medium Remodel to include – (In addition to the elements listed above) reconfiguration of space including the addition doors, walls, windows, existing HVAC, lighting, and electrical systems.
3. Heavy Remodel to include - (In addition to the elements listed above) the reconfiguration of plumbing system elements as well as the extension of HVAC, electrical, plumbing systems and additional equipment installation.
4. Council/ Court remodeling to include – (in addition to the elements listed above) potential structural modification to achieve open span across the space as well as higher level of finishes as appropriate for Court and Council Chambers.
5. Estimate for remodel construction as follows:
  - a. Light -\$150/ SF
  - b. Medium - \$200/ SF
  - c. Heavy - \$250/ SF
  - d. Council/ Court - \$350/SF
  - e. Building Addition -\$475/SF
6. Mechanical system repair/ replacement serving same purpose included in remodeling costs.
7. Potential structural modification to the existing facility as required due to potential long span across Council/ Court room in remodel effort.
8. Estimate to address areas where HVAC units are replaced and any existing areas of repair. Existing roof to be surveyed by roofing consultant for potential repairs/ alterations.
9. Site development for limited site work grading, drainage, paving on building addition site. Proposed addition is located over existing parking area – minimal water retention anticipated due to existing configuration water run-off.
10. Budget to alter existing front stairs to include handicap accessible ramp in this location.
11. Budget to replace existing apron in front of existing fire station drive area.
12. Architectural/ Engineering services set at standard 7 1/2% of estimated construction cost.
13. Topographic survey to include site topography, utilities sizes, locations and inverts and boundary legal survey and road access.
14. Soils geotechnical report for existing site soils strength and building foundation requirements
15. Costs for independent testing for concrete, soils, concrete block, steel, etc.
16. Cost for potential hazardous materials testing.
17. Local review fees if required. The City may potentially reduce or waive these fees.
18. Furniture and office equipment estimate set at \$5/ SF.
19. Construction contingency set between at approx. 4.5%-5% of estimated construction cost.

# DRAFT - Preliminary Capital Budget - Scheme A - 4 - Rev.

## Athens City Hall Remodel - Addition

Athens, TN

September 16, 2025

		Remodel Area	Remodel Budget
<b>Building Remodel Areas</b>			
1	Light	7,135	1,070,250
2	Medium	6,924	1,384,800
3	Heavy	1,615	403,750
4, 7	Council/ Court	1,452	508,200
	Police Center Addition	7,284	3,459,900
	Fire Station Bay Extention	0	0
		<u>24,410</u>	<u>6,826,900</u>
<b>Design and Construction Costs</b>			
Building Construction			
5,6	Remodel Construction	\$ 3,367,000.00	
	Addition Construction	\$ 3,459,900.00	
	Special Building Features		
8	Roofing Repair	\$ 50,000.00	
	<u>Building Subtotal</u>	<u>\$ 6,876,900.00</u>	
Site Development			
9	General Site Development	\$ 150,000.00	
10	Front Ramp/ Stairs	\$ 100,000.00	
11	Fire Station Apron Repair	\$ 50,000.00	
	<u>Sitework Subtotal</u>	<u>\$ 300,000.00</u>	
	<b>Total Construction Costs</b>	<b>\$ 7,176,900.00</b>	
Professional Services			
12	Architectural and Engineering @ 7.5% (Allen & Hoshall)	\$ 538,268.00	
13	Topographical Survey - (TBD)	\$ 15,000.00	
14	Geotechnical Engineer/Soils Report - (TBD)	\$ 10,000.00	
15	3rd Party Testing - (TBD)	\$ 30,000.00	
16	Hazardous Material Testing- (TBD)	\$ 15,000.00	
	<u>Professional Services Subtotal</u>	<u>\$ 608,268.00</u>	
	<b>Design and Construction Subtotal</b>	<b>\$ 7,785,168.00</b>	
Miscellaneous Costs			
17	Design Review Fee ( if required and typically owner paid)	\$ 1,000.00	
18	Furniture and Office Equipment	\$ 100,000.00	
19	Construction Contingency Allowance (Owner changes/ hidden cond/etc)	\$ 358,845.00	
	<u>Subtotal</u>	<u>\$ 459,845.00</u>	
	<b>Total Project Cost</b>	<b>\$ 8,245,013.00</b>	

Scheme A-4 Rev Budget/ Fee Information

Fee Breakdown by design phase prior to Construction Admin

Schematic Design 15%

Design Development 25%

Construction Docs 30%

Bidding 5%

Sub-total 75%

If we use the Scheme A-4 Rev Budget - the A/E design fees for the next phase in the AIA B-101 contract through the Bidding phase:

Construction amount budget	\$7,176,900 at 7 1/2% =	\$538,268
Less Feasibility Study Fees	\$40,000	\$498,268
75% Through Bidding		\$373,701

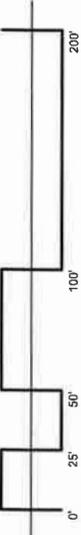
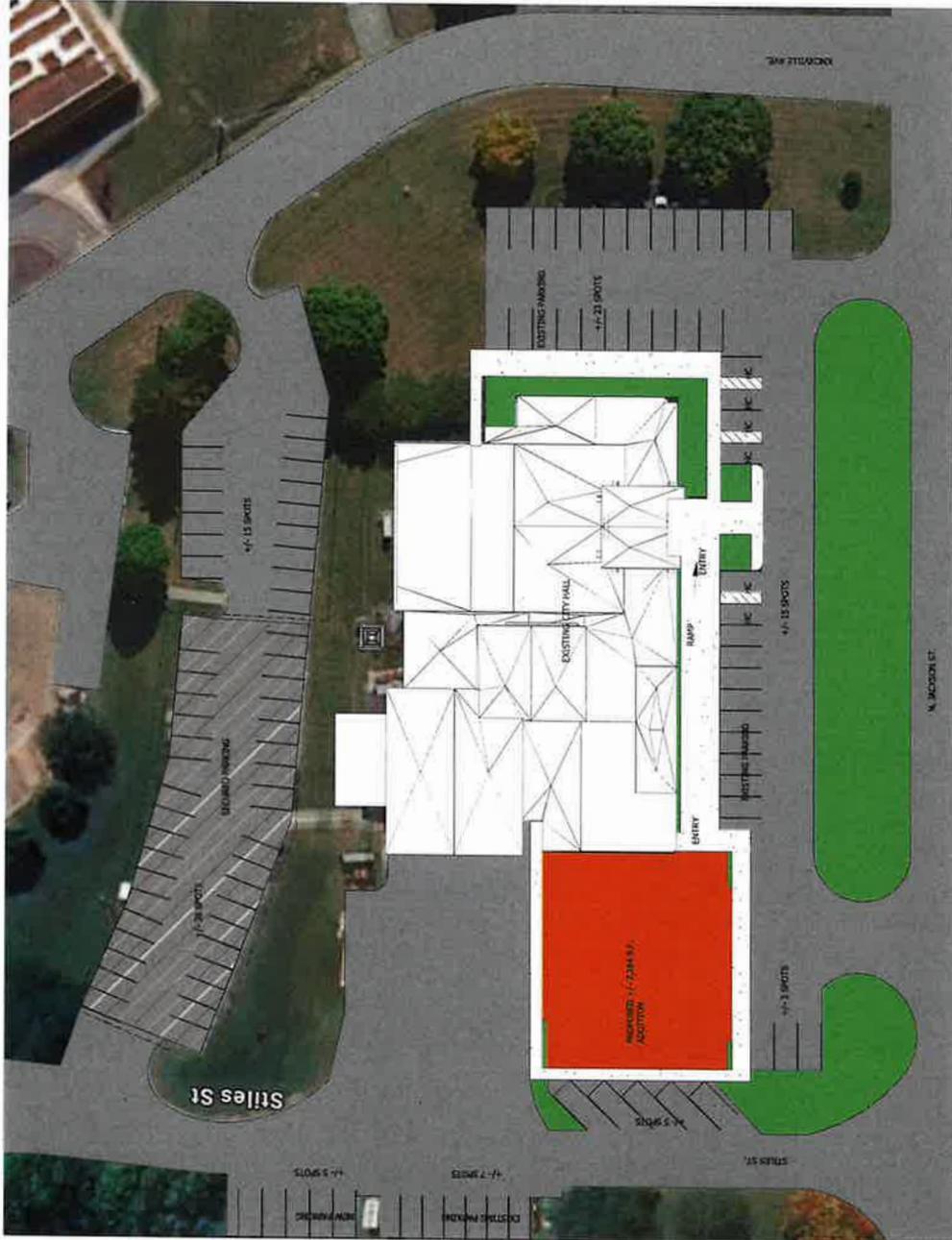
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# **OPTION 9**

**Basically a shrunken version of Option 8 and unfinished areas.**

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option #9



SITE PLAN - SCHEME REDUCED

1 1" = 50'-0"

ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
815 N. Jackson St.  
Athens, TN 37133

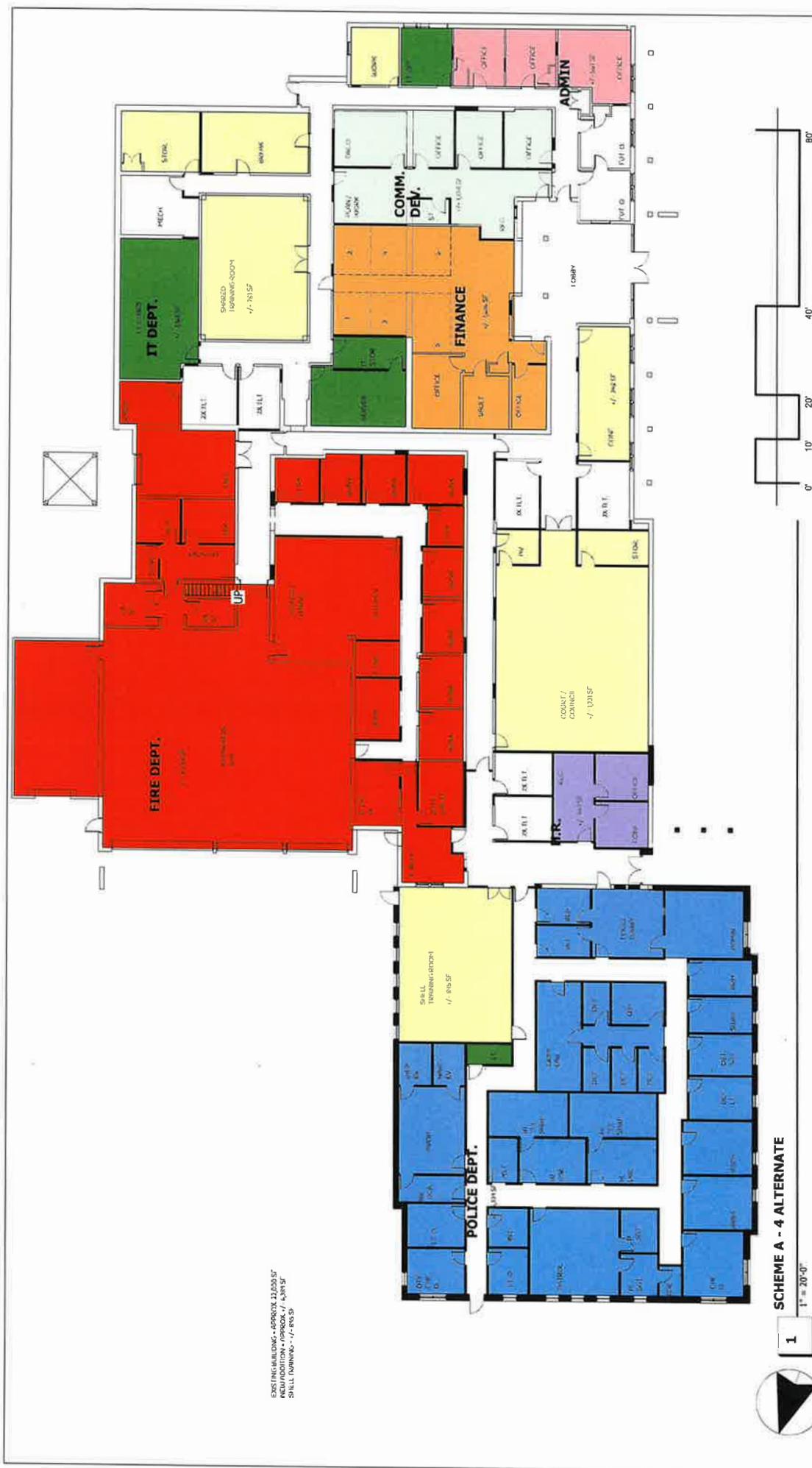
No	Description	Date

SITE PLAN - SCHEME A - REVISED

Project number	63556
Date	9.16.25
Drawn by	ASB
Checked by	MS
AG.02	



**Allen & Hoshall**  
engineers-architects-surveyors



**ATHENS CITY HALL ADDITION & RENOVATION**

**City of Athens**  
 815 N. Jackson St.  
 Athens, TN 37903

**Allen & Hoshall**  
 engineers-architects-surveyors

**1**

**SCHEME A - 4 ALTERNATE**

No.	Description	Date

**SCHEME A - 4 ALTERNATE**

Project number	63656
Date	9.16.25
Drawn by	ASB
Checked by	MS

**A1.1**



**1** **SCHEME A-4 - COST PLAN**

ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
815 N. Jackson St.  
Athens, TN 37803

**Allen&Hoshall**  
engineers-architects-surveyors

PROJECT NUMBER: 03656  
DATE: 9.16.25  
DRAWN BY: ASB  
CHECKED BY: MS

**A1.10**

No.	Description	Date

SCHEME A-1 COST PLAN

Budget Estimate Notes – Scheme A-4 Fut Training Rm (9/16/25)

1. Light Remodel to include - removal and repair/replacement of existing materials such as damaged wall board, damaged flooring, damaged ceiling elements, wall coverings/ finishes, floor finishes/coverings, ceiling materials and finishes. Also includes replacement of existing equipment and fixtures which serve the same purpose.
2. Medium Remodel to include – (In addition to the elements listed above) reconfiguration of space including the addition doors, walls, windows, existing HVAC, lighting, and electrical systems.
3. Heavy Remodel to include - (In addition to the elements listed above) the reconfiguration of plumbing system elements as well as the extension of HVAC, electrical, plumbing systems and additional equipment installation.
4. Council/ Court remodeling to include – (in addition to the elements listed above) potential structural modification to achieve open span across the space as well as higher level of finishes as appropriate for Court and Council Chambers.
5. Training Room Shell – Concrete slab, open stud walls with exterior insulation, electrical and comm. receptacle rough-ins, ceiling open to structure, no interior finishes, tempered HVAC, 4 hung 2x4 light fixtures.
6. Estimate for remodel construction as follows:
  - a. Light -\$150/ SF
  - b. Medium - \$200/ SF
  - c. Heavy - \$250/ SF
  - d. Council/ Court - \$350/SF
  - e. Building Addition -\$475/SF
  - f. Training Shell - \$250/SF
7. Mechanical system repair/ replacement serving same purpose included in remodeling costs.
8. Potential structural modification to the existing facility as required due to potential long span across Council/ Court room in remodel effort.
9. Estimate to address areas where HVAC units are replaced and any existing areas of repair. Existing roof to be surveyed by roofing consultant for potential repairs/ alterations.
10. Site development for limited site work grading, drainage, paving on building addition site. Proposed addition is located over existing parking area – minimal water retention anticipated due to existing configuration water run-off.
11. Budget to alter existing front stairs to include handicap accessible ramp in this location.
12. Budget to replace existing apron in front of existing fire station drive area.
13. Architectural/ Engineering services set at standard 7 1/2% of estimated construction cost.
14. Topographic survey to include site topography, utilities sizes, locations and inverts and boundary legal survey and road access.
15. Soils geotechnical report for existing site soils strength and building foundation requirements
16. Costs for independent testing for concrete, soils, concrete block, steel, etc.
17. Cost for potential hazardous materials testing.
18. Local review fees if required. The City may potentially reduce or waive these fees.
19. Furniture and office equipment estimate set at \$5/ SF.
20. Construction contingency set between at approx. 4.5%-5% of estimated construction cost.

# DRAFT - Preliminary Capital Budget - Scheme A - 4 - Rev. Fut. Training

## Athens City Hall Remodel - Addition

Athens, TN

September 16, 2025

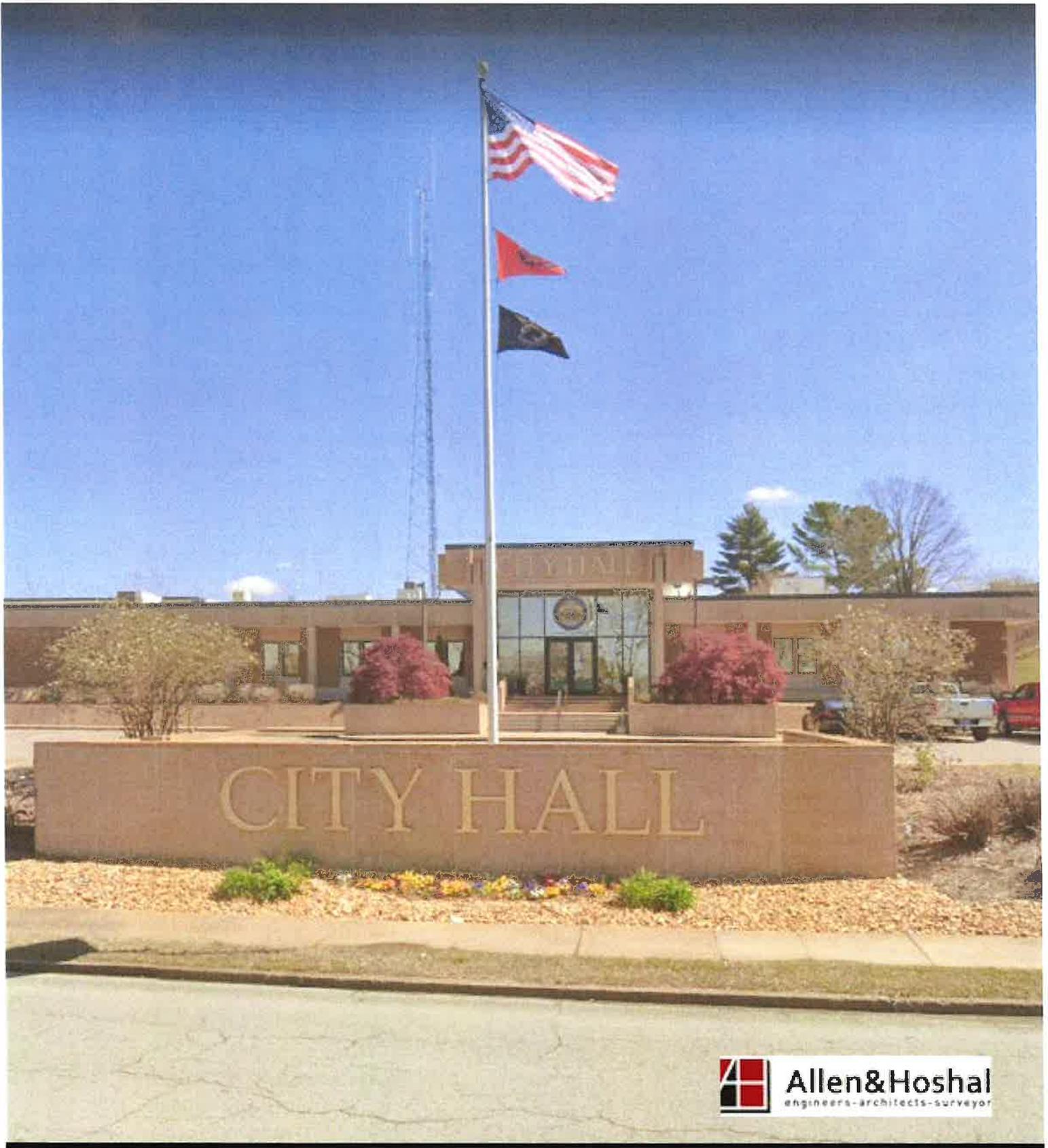
		Remodel Area	Remodel Budget
<b>Building Remodel Areas</b>			
1	Light	7,142	1,071,300
2	Medium	6,866	1,373,200
3	Heavy	1,636	409,000
4, 8	Council/ Court	1,452	508,200
	Police Center Addition	6,389	3,034,775
5	Training Shell	895	201,375
		<u>24,380</u>	<u>6,597,850</u>
<b>Design and Construction Costs</b>			
Building Construction			
6,7	Remodel Construction	\$ 3,361,700.00	
	Addition Construction	\$ 3,034,775.00	
	Special Building Features	\$ 201,375.00	
9	Roofing Repair	\$ 50,000.00	
	<u>Building Subtotal</u>	<u>\$ 6,647,850.00</u>	
Site Development			
10	General Site Development	\$ 150,000.00	
11	Front Ramp/ Stairs	\$ 100,000.00	
12	Fire Station Apron Repair	\$ 50,000.00	
	<u>Sitework Subtotal</u>	<u>\$ 300,000.00</u>	
	<b>Total Construction Costs</b>	<b>\$ 6,947,850.00</b>	
Professional Services			
13	Architectural and Engineering @ 7.5% (Allen & Hoshall)	\$ 521,089.00	
14	Topographical Survey - (TBD)	\$ 15,000.00	
15	Geotechnical Engineer/Soils Report - (TBD)	\$ 10,000.00	
16	3rd Party Testing - (TBD)	\$ 30,000.00	
17	Hazardous Material Testing- (TBD)	\$ 15,000.00	
	<u>Professional Services Subtotal</u>	<u>\$ 591,089.00</u>	
	<b>Design and Construction Subtotal</b>	<b>\$ 7,538,939.00</b>	
Miscellaneous Costs			
18	Design Review Fee ( if required and typically owner paid)	\$ 1,000.00	
19	Furniture and Office Equipment	\$ 100,000.00	
20	Construction Contingency Allowance (Owner changes/ hidden cond/etc)	\$ 347,393.00	
	<u>Subtotal</u>	<u>\$ 448,393.00</u>	
	<b>Total Project Cost</b>	<b>\$ 7,987,332.00</b>	

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# **OPTION 8**

**Presented during the September 8, 2025 work session. This option adds 9,670 square foot in the existing Police Department parking area to be an attached Police Department (recently reduced to 8,421 square feet). By relocating the entire Police Department to its own facility, that would allow all other remaining departments to expand their operations within the existing City Hall.**

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## **ATHENS CITY HALL ADDITION**

**City Council Meeting**  
*815 North Jackson Street*  
*Athens, Tennessee 37303*

**Date 9.8.25**



<b>TABLE OF CONTENTS`</b>	<b>3</b>
<b>Survey of Existing Conditions</b>	<b>4</b>
<b>1.0 Architectural</b>	<b>4</b>
1.1 Background and Purpose of Study	4
<b>Existing Plan</b>	<b>5</b>
<b>Scheme A-4 Reduced</b>	<b>6</b>
Scheme A-4 Reduced - Floor Plan	7
Scheme A-4 Reduced - Cost Plan	8
<b>Site Plans</b>	<b>9</b>
<b>Exterior Renders - Scheme A</b>	<b>11</b>
<b>Exterior Renders - Scheme B</b>	<b>13</b>



## Survey of Existing Conditions

### 1.0 Architectural

#### 1.1 Background / Purpose of Study

The existing City Hall Building is a one story building that was originally constructed in 1973. The facility then had a two story addition constructed more recently, located approximately in northwest corner of the Fire Department.

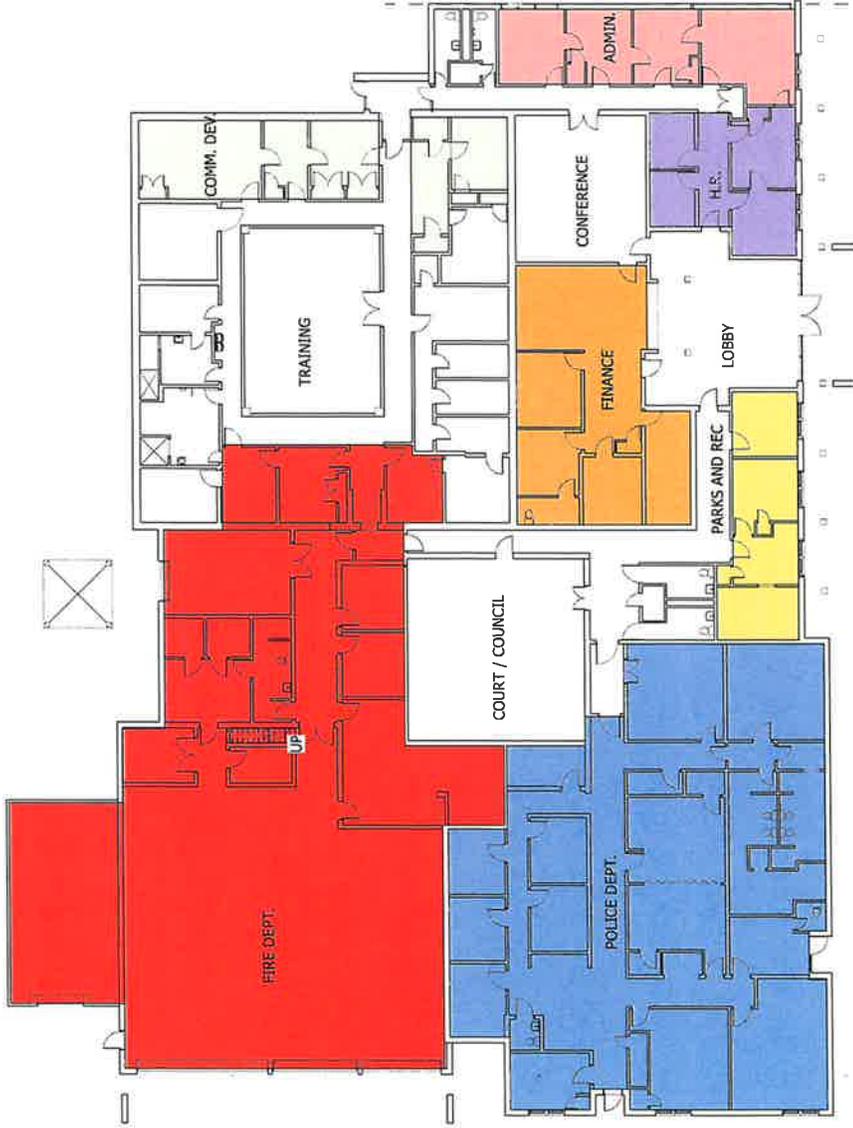
This facility has been previously renovated a couple of times to modernize a few departments within the facility and to provide needed rooms. Within this facility there are the following departments: Public Common Area, Human Resources, Meeting Rooms, I.T. / Communications, Community Development, Police, Fire Department, Finance, Parks and Recreation, and Administration. Additionally, there are miscellaneous rooms to accompany each department such as storage rooms, meeting rooms, break rooms, etc.

This report will concentrate on the assessment of the existing Athens City Hall Facility, with a particular focus on the feasibility of the Preliminary Plans provided with this study.

Each of these departments are shown on the attached Existing Facility Drawings and the areas for each portion by department are:

Public Common Area	1,503 SF
Human Resources	543 SF
Administration	1,035 SF
Meeting Rooms	2,808 SF
Finance	2,015 SF
Park and Recreation	725 SF
I.T. / Communications	234 SF
Community Development	1,521 SF
Fire Department	7,517 SF
Police Department	4,186 SF

Each of the departments are shown on the attached existing facility drawings.



Public Common Area	1,503 SF
Human Resources	543 SF
Administration	1,035 SF
Meeting Rooms	2,808 SF
Finance	2,015 SF
Park and Recreation	725 SF
I.T. / Communications	234 SF
Community Development	1,521 SF
Fire Department	7,517 SF
Police Department	4,186 SF

**GROUND FLOOR**  
Scale 1/20" = 1'-0"



## Summary of Scheme A-4 Reduced

### Scheme A-4 Reduced Organization

Scheme A-4 provides an approximately 8,421 SF addition to the north end of the existing City Hall Building. This addition will accommodate the Police Department, and a shared Training Room. The Court / Council Room will be situated in the previous location of the Police Department Administrative Offices. The Fire Department will also benefit from the Police Addition and is able to expand into the previous Police Department footprint. A new Public Lobby will provide access to the H.R. Department, Police Lobby, Training Room, Public Toilets, and to the Fire Department Administrative Offices. Off of the existing lobby will be Public Access to a Public Conference Room, the Court / Council Room, the Finance Department, and the Community Development Department.

### Scheme A-4 Reduced Circulation

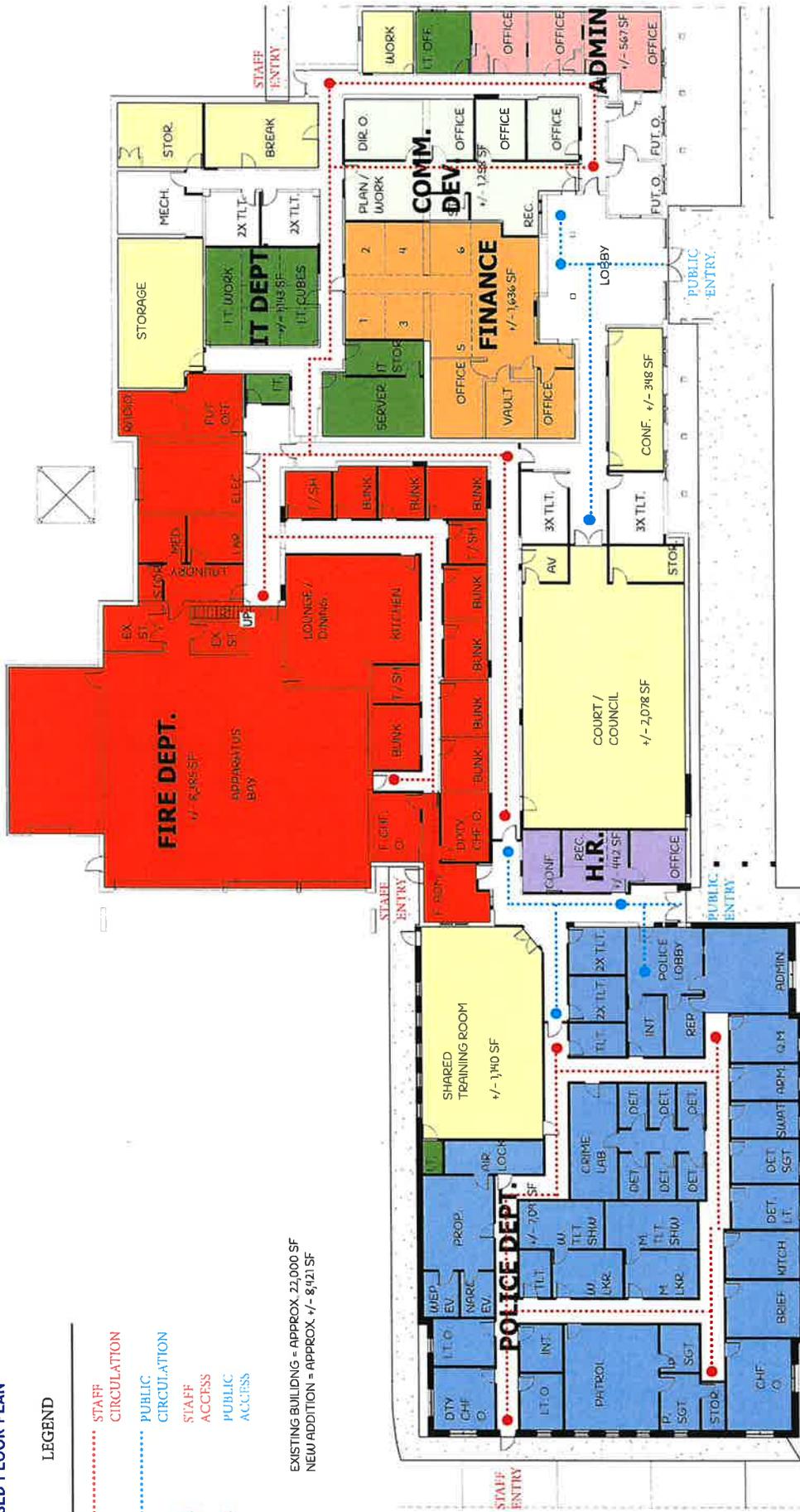
By reorganizing the existing offices, the parts of the building become more clearly aligned into separate departments. This also delineates between public access circulation and Private internal (staff) circulation. The public can be stopped at credentialed doors, and will only be allowed to proceed when escorted by authorized city personnel.

**PROPOSED FLOOR PLAN**

**LEGEND**

- ..... STAFF CIRCULATION
- ..... PUBLIC CIRCULATION
- STAFF ACCESS
- PUBLIC ACCESS

EXISTING BUILDING = APPROX. 22,000 SF  
 NEW ADDITION = APPROX. +/- 8,421 SF



**SCHEME A - 4 REDUCED**  
 Scale 1/20" = 1'-0"

PROPOSED FLOOR PLAN - COST

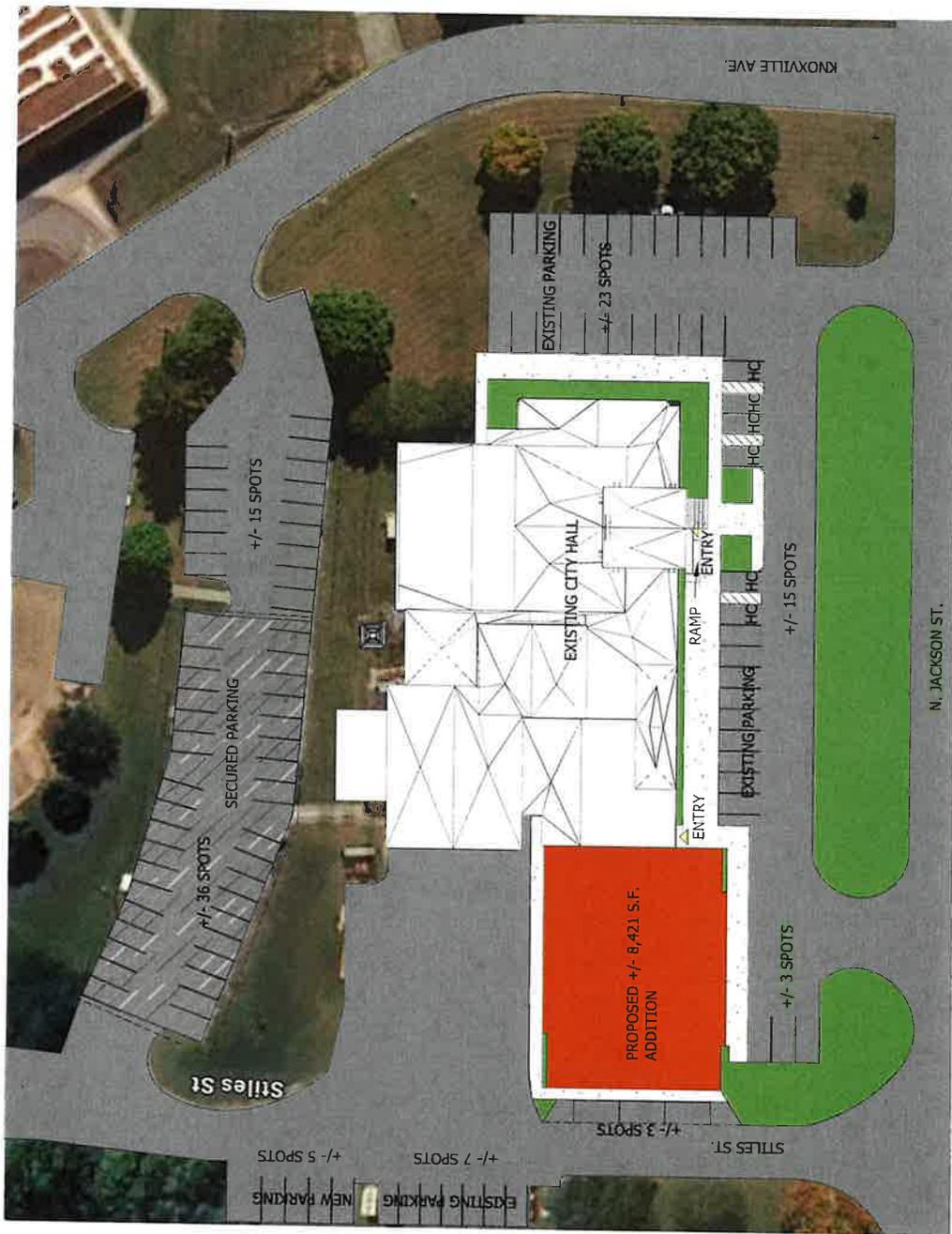
-  LIGHT +/- 7,141 SF
-  MEDIUM +/- 6,856 SF
-  HEAVY +/- 1,359 SF
-  STRUCTURAL +/- 1,798 SF

EXISTING BUILDING = APPROX. 22,000 SF  
 NEW ADDITION = APPROX. +/- 8,421 SF

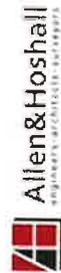


 SCHEME A - 4  
 Scale 1/20" = 1'-0"

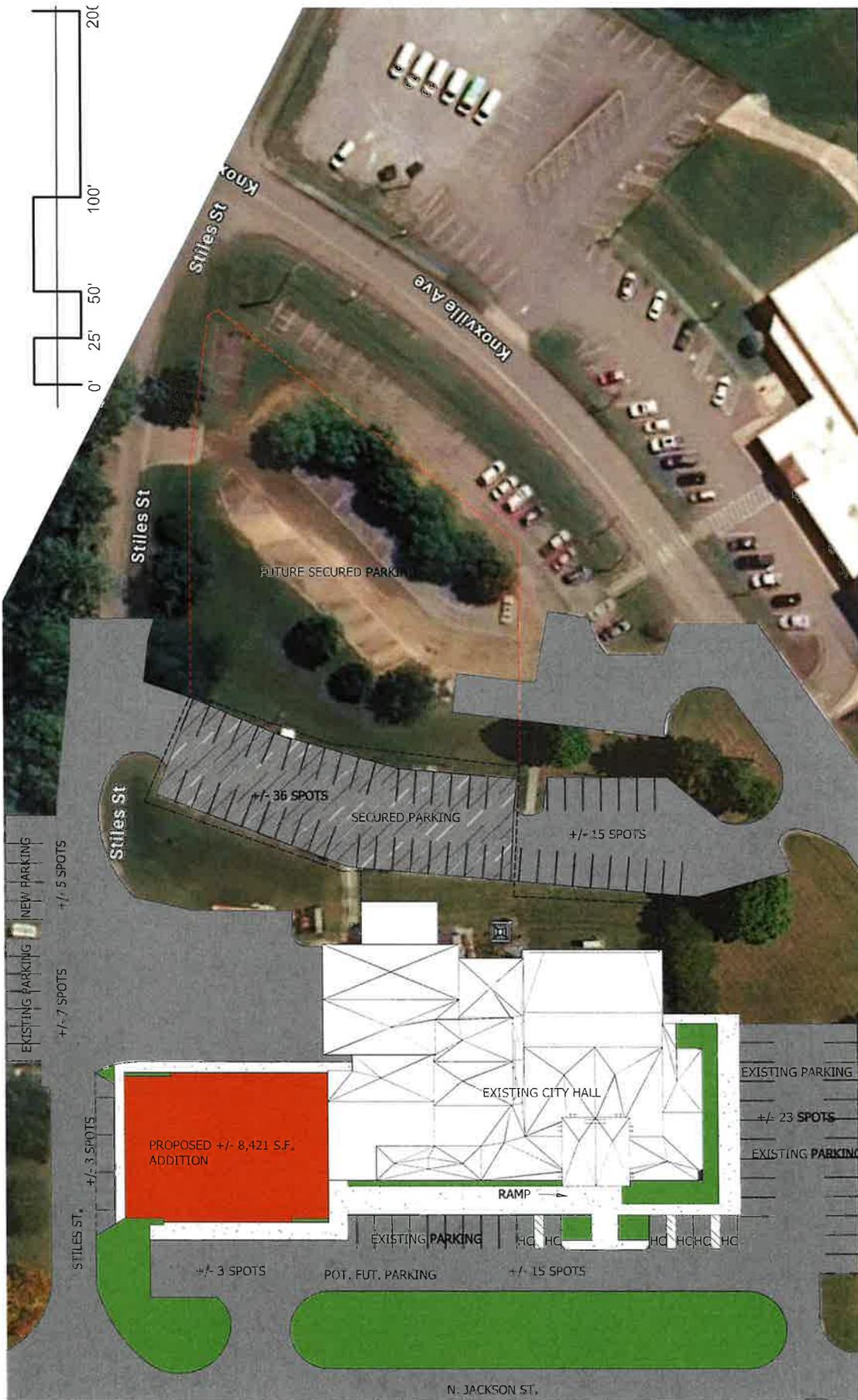




PROPOSED SITE PLAN  
SCALE: 1" = 50'-0"



Allen & Hoshall  
ARCHITECTS



PROPOSED SITE PLAN  
 SCALE: 1" = 50'-0"  
**Alleng & Hoshall**  
 ENGINEERS ARCHITECTS AND PLANNERS



## Summary of Scheme A

### Scheme A

Scheme A employs a similar traditional design to the existing building of the Athens City Hall. It is proposed to use similar brick color that is inset between two sections of split face block. Along the roof line, the use of fiber cement panels to unify the front face of the building and to replicate the rhythm of the existing building roof line.

A higher roof above the new entry to City Hall Annex, is an homage to the main entrance of the City Hall building and to create an emphasis of the new entry. There will be new signage on the front of the new roof line to signify the new entry as well.



CONCEPTUAL EXTERIOR ELEVATION A



CONCEPTUAL EXTERIOR ELEVATION A - CLOSE UP  
Scale 3/32" = 1'-0"



## Summary of Scheme B

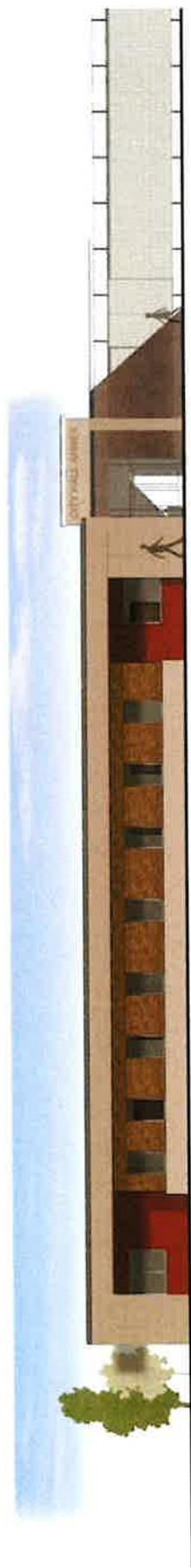
### Scheme B

Scheme B employs a more modern aesthetic that still harmonizes with the existing building. Through the use of different materials, such as; wood panels, brick, split face block and fiber cement panels, the City Hall Annex becomes more of a prominent addition to the building. Brick is between wood panels that is followed by the Nichiha Panels that creates more dimension and visual interest.

A higher roof above the new entry to City Hall Annex, is an homage to the main entrance of the City Hall building and to create an emphasis of the new entry. There will be new signage on the front of the new roof line to signify the new entry as well.



CONCEPTUAL EXTERIOR ELEVATION B



CONCEPTUAL EXTERIOR ELEVATION B - CLOSE UP  
Scale 3/32" = 1'-0"

Budget Estimate Notes – Scheme A-4 (9/8/25)

1. Light Remodel to include - removal and repair/replacement of existing materials such as damaged wall board, damaged flooring, damaged ceiling elements, wall coverings/ finishes, floor finishes/coverings, ceiling materials and finishes. Also includes replacement of existing equipment and fixtures which serve the same purpose.
2. Medium Remodel to include – (In addition to the elements listed above) reconfiguration of space including the addition doors, walls, windows, existing HVAC, lighting, and electrical systems.
3. Heavy Remodel to include - (In addition to the elements listed above) the reconfiguration of plumbing system elements as well as the extension of HVAC, electrical, plumbing systems and additional equipment installation.
4. Council/ Court remodeling to include – (in addition to the elements listed above) potential structural modification to achieve open span across the space as well as higher level of finishes as appropriate for Court and Council Chambers.
5. Estimate for remodel construction as follows:
  - a. Light - \$150/ SF
  - b. Medium - \$200/ SF
  - c. Heavy - \$250/ SF
  - d. Council/ Court - \$350/SF
  - e. Building Addition - \$450 - \$500/ SF
6. Fire Station Apparatus Bay extension 8 ft. under existing soffit to face of existing fascia.
7. Mechanical system repair/ replacement serving same purpose included in remodeling costs.
8. Potential structural modification to the existing facility as required due to potential long span across Council/ Court room in remodel effort.
9. Estimate to replace all existing windows with double insulating glass on existing City Hall building.
10. Estimate to address areas where HVAC units are replaced and any existing areas of repair. Existing roof to be surveyed by roofing consultant for potential repairs/ alterations.
11. Site development for limited site work grading, drainage, paving on building addition site. Proposed addition is located over existing parking area – minimal water retention anticipated due to existing configuration water run-off.
12. Budget to alter existing front stairs to include handicap accessible ramp in this location.
13. Budget to replace existing apron in front of existing fire station drive area.
14. Construction contingency set between at approx. 4.5%-5% of estimated construction cost.
15. Architectural/ Engineering services set at standard 7 1/2% of estimated construction cost.
16. Topographic survey to include site topography, utilities sizes, locations and inverts and boundary legal survey and road access.
17. Soils geotechnical report for existing site soils strength and building foundation requirements
18. Costs for independent testing for concrete, soils, concrete block, steel, etc.
19. Cost for potential hazardous materials testing.
20. Local review fees if required. The City may potentially reduce or waive these fees.
21. Estimated legal and accounting fees. The City may have access to City services and these may be provided without additional cost.
22. Furniture and office equipment estimate set at \$5/ SF.

**DRAFT - Preliminary Capital Budget - Scheme A - 4 - Rev.**

**Athens City Hall Remodel - Addition**

**Athens, TN**

September 8, 2025

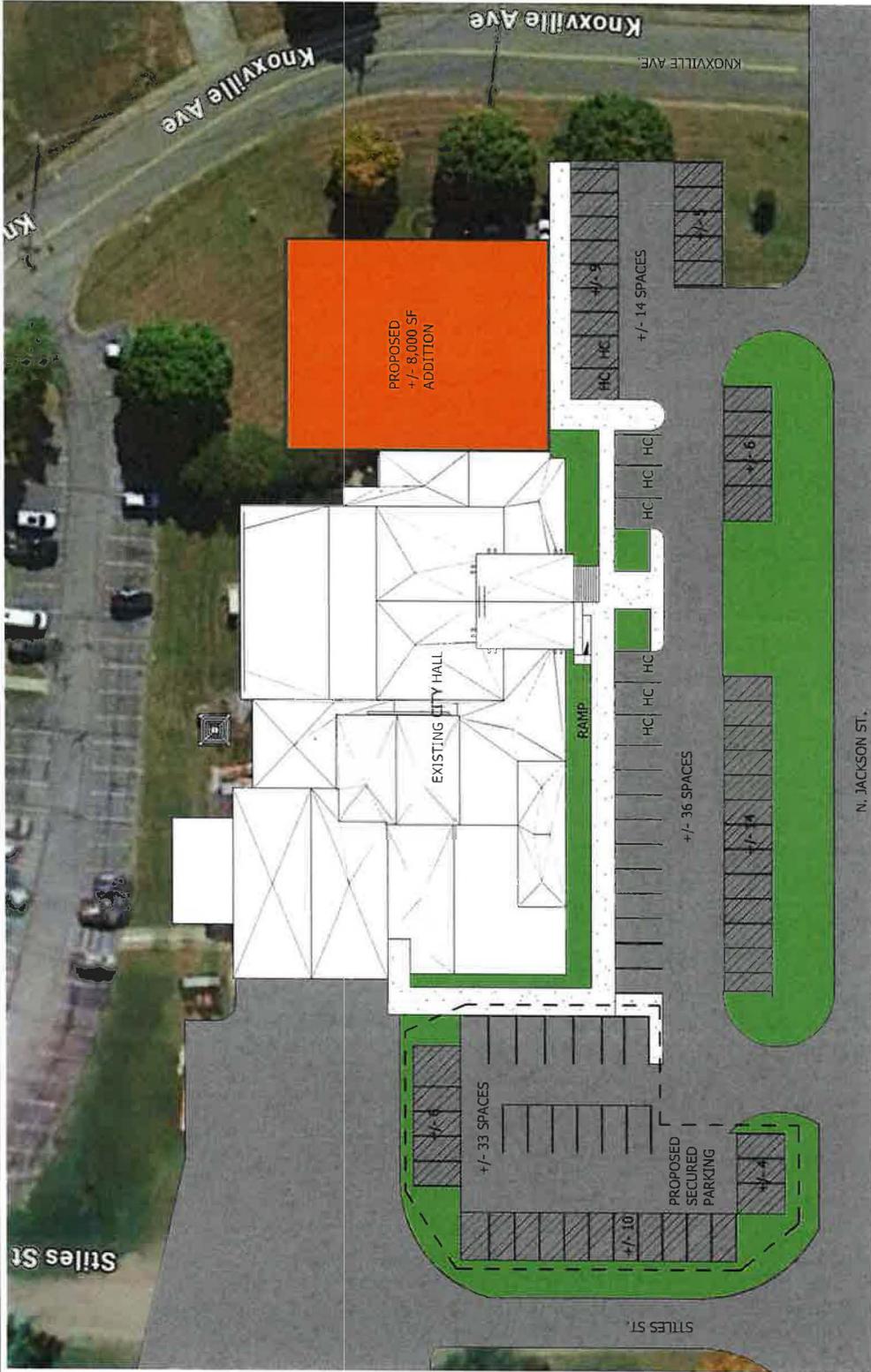
		Remodel Area	Remodel Budget
<b>Building Remodel Areas</b>			
1	Light	7,141	1,071,150
2	Medium	6,856	1,371,200
3	Heavy	1,359	339,750
4, 8	Council/ Court	1,748	611,800
	Police Center Addition	8,421	3,999,975
	Fire Station Bay Extention	0	0
		<hr/>	<hr/>
		25,525	7,393,875
<b>Design and Construction Costs</b>			
Building Construction			
5,7	Remodel Construction	\$ 3,393,900.00	
	Addition Construction	\$ 3,999,975.00	
	Special Building Features		
10	Roofing Repair	\$ 50,000.00	
	Building Subtotal	<hr/>	<hr/>
		\$ 7,443,875.00	
Site Development			
11	General Site Development	\$ 150,000.00	
12	Front Ramp/ Stairs	\$ 100,000.00	
13	Fire Station Apron Repair	\$ 50,000.00	
	Sitework Subtotal	<hr/>	<hr/>
		\$ 300,000.00	
<b>Total Construction Costs</b>		<b>\$ 7,743,875.00</b>	
Professional Services			
15	Architectural and Engineering @ 7.5% (Allen & Hoshall)	\$ 580,790.63	
16	Topographical Survey - (TBD)	\$ 15,000.00	
17	Geotechnical Engineer/Soils Report - (TBD)	\$ 10,000.00	
18	3rd Party Testing - (TBD)	\$ 30,000.00	
19	Hazardous Material Testing- (TBD)	\$ 15,000.00	
	<b>Professional Services Subtotal</b>	<hr/>	<hr/>
		\$ 650,790.63	
<b>Design and Construction Subtotal</b>		<b>\$ 8,394,665.63</b>	
Miscellaneous Costs			
20	Design Review Fee ( if required and typically owner paid)	\$ 1,000.00	
22	Furniture and Office Equipment	\$ 100,000.00	
14	Construction Contingency Allowance (Owner changes/ hidden cond/etc)	\$ 400,000.00	
	<b>Subtotal</b>	<hr/>	<hr/>
		\$ 501,000.00	
<b>Total Project Cost</b>		<hr/>	<hr/>
		<b>\$ 8,895,665.63</b>	

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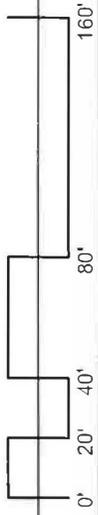
# **OPTION 7**

**Add an 8,000 square foot addition to the south side of the existing City Hall.**

---



1 SITE PLAN SCHEME C  
1" = 40'-0"



ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
815 N. Jackson St.  
Athens, TN 37303

SITE PLAN - SCHEME C

Project number 63656  
Date 07.02.25  
Drawn by ASB  
Checked by MS

A0.04

No.	Description	Date:

**Allen&Hoshall**  
engineers-architects-surveyors



---

# **OPTION 6**

**Expand the existing City Hall by adding expansions on both sides of the building with one side (4,000 square feet) being administrative offices/IT offices/Council Chambers and the other side (4,000 square feet) being Police and Fire Department expansion areas.**

---

# Option 6



**1 SITE PLAN SCHEME B**  
1" = 40'-0"

No.	Description	Date

ATHENS CITY HALL ADDITION & RENOVATION  
 CITY OF ATHENS  
 815 N. Jackson St.  
 Athens, TN 37203

**1** SITE PLAN - SCHEME B  
 Project number 63656  
 Date 07.02.25  
 Drawn by ASB  
 Checked by MS

A0.03



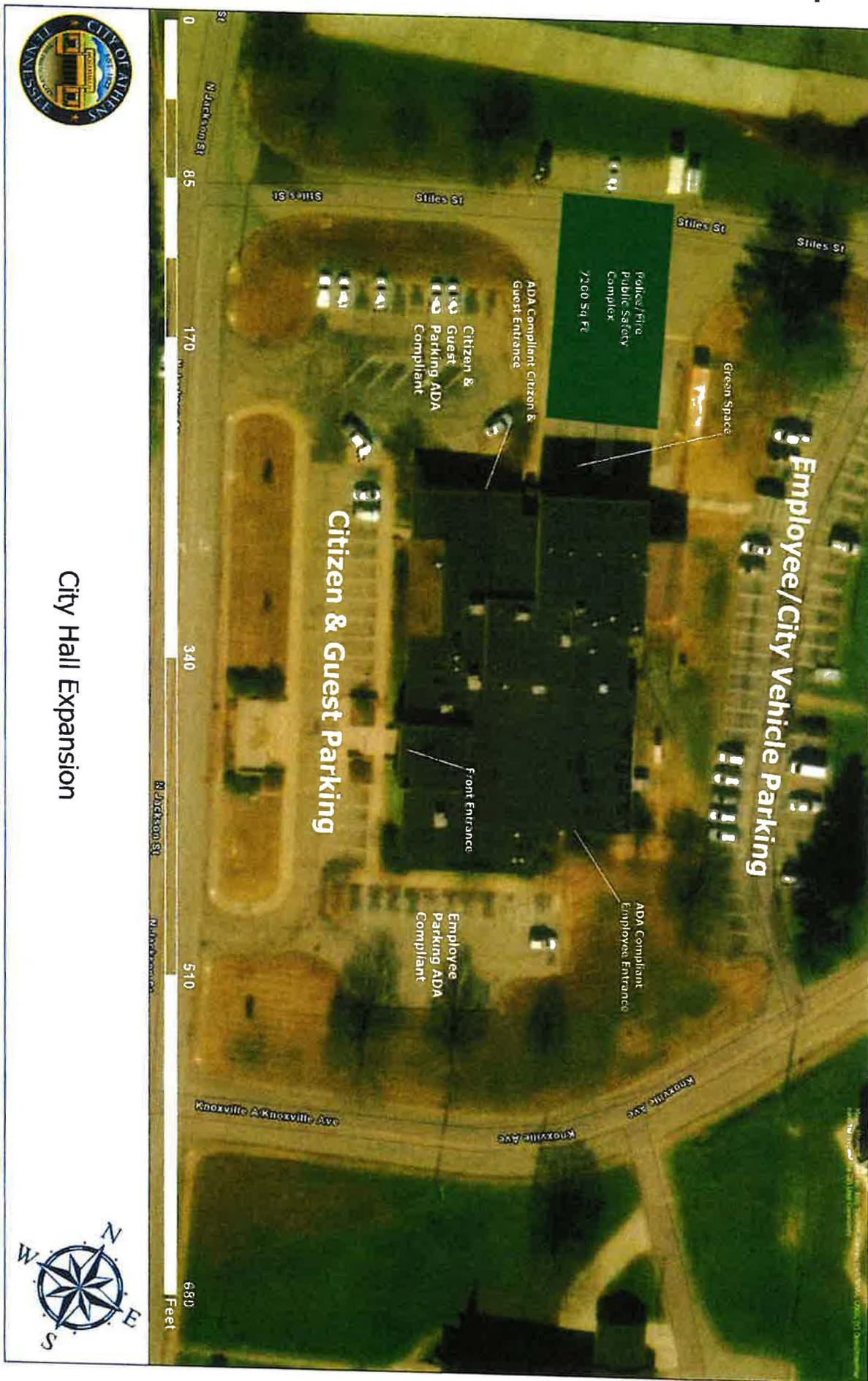
**Allen & Hoshall**  
 engineers-architects-surveyors

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# **OPTION 5**

**Construct a 7,200 square foot detached Public Safety Complex consisting of the Fire Station and Police Station on the existing City Hall campus.**

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City Hall Expansion

Employee/City Vehicle Parking

Citizen & Guest Parking

Option #5

---

# OPTION 4

**Adding 6,000 square foot City Hall annex on the existing City Hall site to house a detached Police Department and renovating the existing City Hall. City Council authorized the City Manager to engage architects Allen & Hoshall to design plans and refine cost estimates for an annex and renovation to the current City Hall. However, it was discovered that the NE corner of the city-owned property where this proposed annex would be sited was under a 2009 joint venture agreement with the YMCA for parking until 2029 and not available for use.**

# Option 4



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# **OPTION 3**

**February 2025: City Council authorized the City Manager to begin negotiations for the purchase of:**

**Former Robert E Lee Hotel building  
1 North Jackson Street  
Parcel ID 056M D 058.00**

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---

# **OPTION 2**

**December 2024: City Council authorized the City Manager to obtain a commercial appraisal of the former BBT building.**

**Former BB&T building  
204 Washington Ave  
Parcel ID 056M B 072.00**

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# OPTION 1

**2019: Conceptual floor plans were prepared by Allen & Hoshall adding a new 3,800 +/- square foot addition to south side of the building.**

---

McMinn County - Parcel: 056E A 046.00



Date: February 25, 2021  
 County: McMinn  
 Owner: ATHENS CITY OF  
 Address: JACKSON ST N-815  
 Parcel Number: 056E A 046.00  
 Deeded Acreage: 0  
 Calculated Acreage: 5.5  
 Date of Imagery: 2018

Esri, HERE, Garmin, and OpenStreetMap contributors  
 TN Comptroller OLG  
 TDO  
 State of Tennessee, Comptroller of the Treasury, Office of Local Government  
 (OLG)

The property lines are compiled from information maintained by your local county Assessor's office but are not conclusive evidence of property ownership. It is your right of law

option #1

1000 N. W. 10th St.  
Fort Lauderdale, FL 33304  
Tel: 754.366.1100

**CONFIDENTIAL**  
This document is the property of Allen & Hoshall and is not to be distributed outside the project team.

**ATHENS CITY HALL  
ADDITION & RENOVATION**

Project Address  
City, State Zip

CITY OF ATHENS

DATE	DESCRIPTION

SCHEME 2 - TWO STORY  
FIRST FLOOR

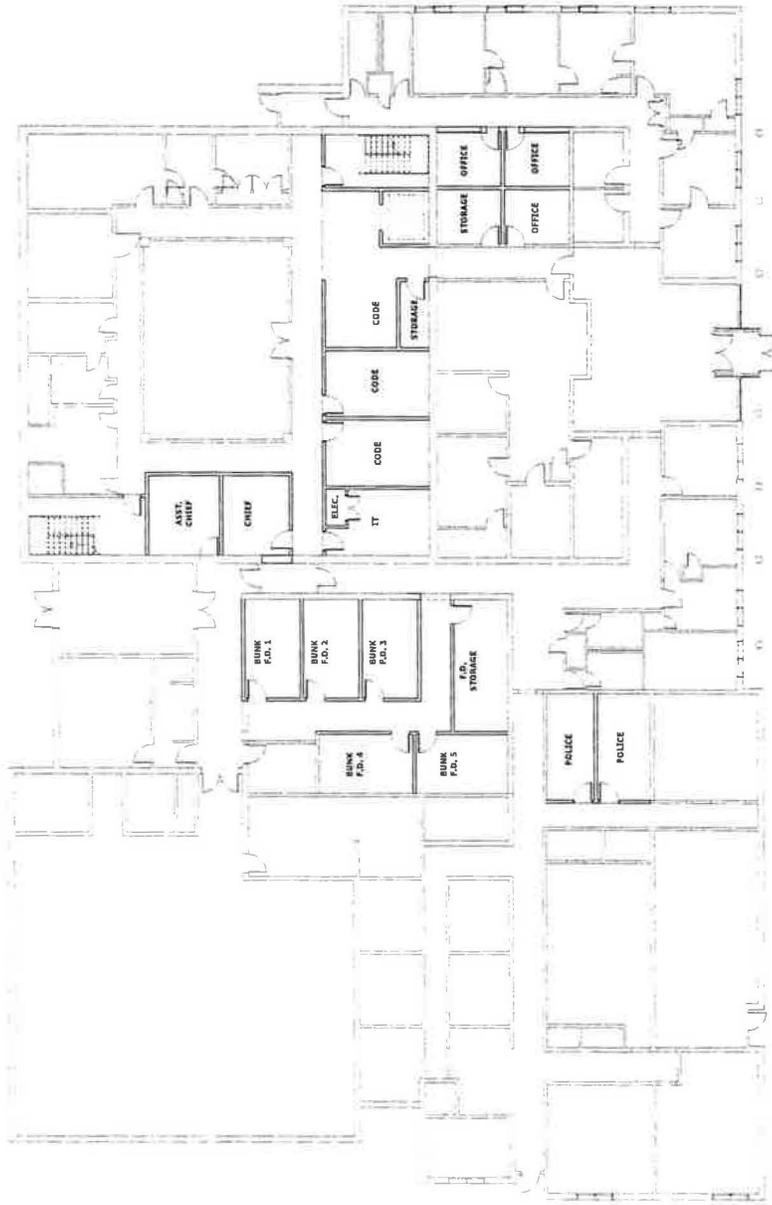
DATE: 03/08  
DRAWN BY: JAW  
CHECKED BY: JAW

NOT FOR  
CONSTRUCTION

SCHEMATIC DESIGN

**A1.1 B**

Option #1



1 FIRST FLOOR - FLOOR PLAN

**Notes:**  
1. All dimensions are in feet and inches unless otherwise noted.  
2. All work is to be in accordance with the City of Athens specifications.  
3. All work is to be in accordance with the City of Athens specifications.

**ATHENS CITY HALL  
ADDITION & RENOVATION**  
Project Address  
City, State Zip

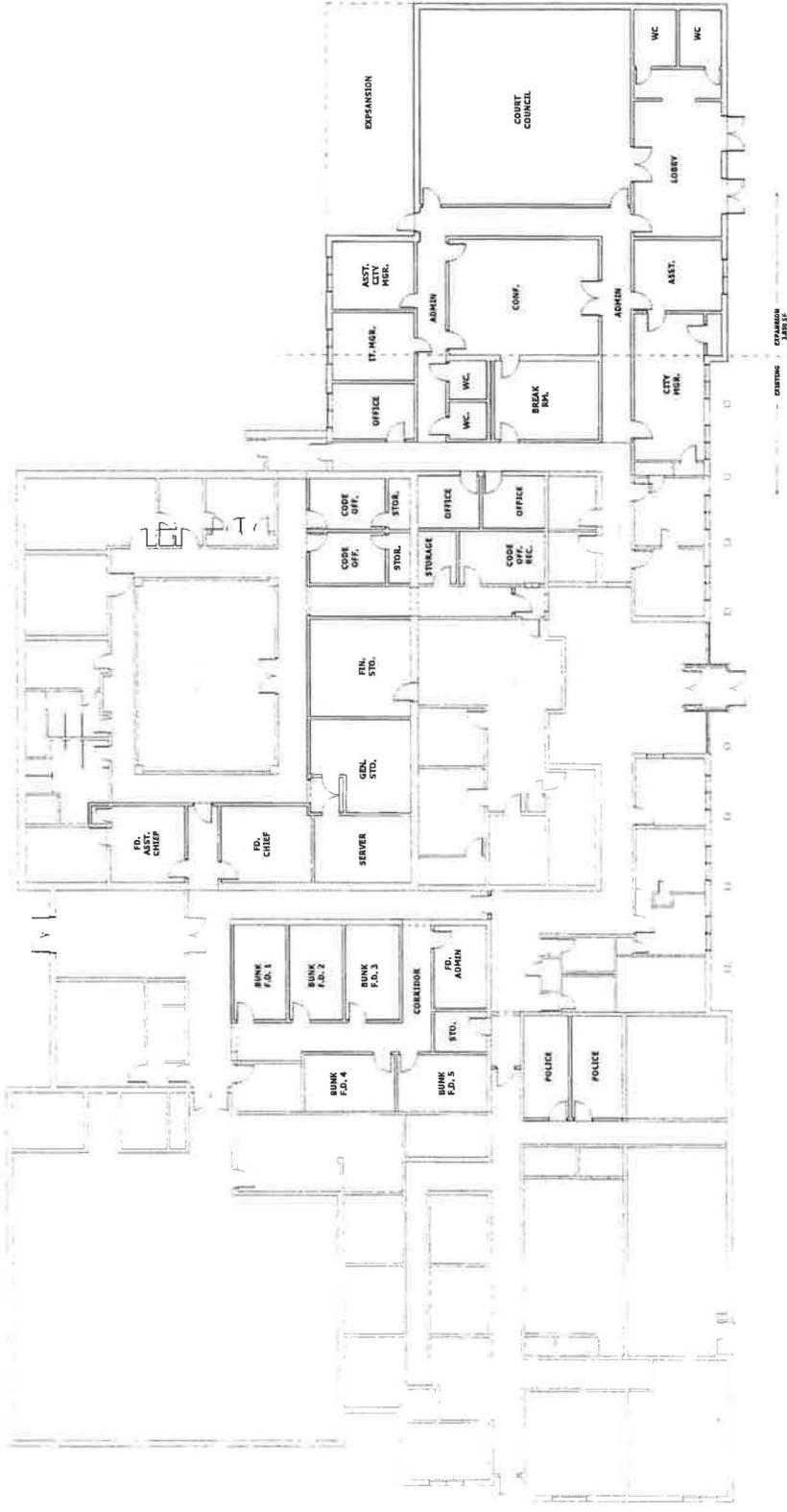
CITY OF ATHENS

JOB NO. 00000  
DATE 02/20/07  
DRAWN ZAW  
CHECKED US

NOT FOR CONSTRUCTION

Project Status  
**A1.1 A**

*option #1*



1 FIRST FLOOR - FLOOR PLAN  
1/8" = 1'-0"





## FINANCE DEPARTMENT

### MEMORANDUM

TO: Randy Dowling, City Manager  
FROM: Mike Keith, Director of Finance  
DATE: September 6, 2025  
SUBJECT: Financing Fire Station Number 3 and City Hall Improvements

You requested that I provide various information for financing the construction of fire station 3, financing City Hall renovations and funding the \$800,000 annual operation costs for the new fire station. This included borrowing \$3,900,000 for station 3 construction and \$8,300,000 for City Hall, which totals \$12,200,000 to be borrowed and be repaid over 15 years. The request included how much the property tax would need to be increased in order to fund these three items.

I have looked at current interest rates for general obligation bonds and what issuers are anticipating rates will be for debt issued over the next year. I have used 5% for my calculations but I am confident, based upon current market conditions, that the rates will be in the range of 4.25% to 4.5%. The difference in the interest rates will make a very small difference (less than 1.25 cents) in the tax rate needed to repay the debt, so using 5% is the more conservative approach. Each penny of the property tax rate brings in \$65,000 annually, so this will be used to calculate any increase in the tax rate needed.

If we borrow \$3,900,000 for the new fire station for 15 years, it will require \$375,000 annually to service the debt. This will require an increase of 5.77-cents in the tax rate (taking the current rate of 1.0078 to 1.0655, which is a 5.72% increase).

As was stated previously at the August work session, \$800,000 for the operating costs of the new station can not be covered by normal revenue growth in our budget. It will require a property

tax increase of 12.31 cents in addition to the increase needed to build the station. This will increase the tax rate from 1.0655 to 1.1886 to build and staff the new station.

If we borrow \$8,300,000 for City Hall renovations, it will require \$800,000 annually to service the debt for 15 years. This is an additional 12.31 cents in property tax needed to repay the debt, taking the tax rate from 1.1886 to 1.3117 if all three of these items are funded.

Here are some additional comments to consider. I looked at extending the term of the debt to 20 years rather than 15 years. This would decrease the total tax increase by 3 cents from 1.3117 to 1.2817.

We still have approximately \$1,000,000 leftover from the 2021 bond issue. As we have discussed, there may be arbitrage payable to the IRS since the interest rates increased shortly after the debt was issued. This means that the interest rates on the money we invested temporarily were higher than the rate we paid on the debt and the excess earnings may have to be paid to the IRS. This will have to be calculated in 2026 as that is five years after the debt was issued. I will work with Cumberland Securities to calculate this amount once they say it can be calculated. This money could be used to decrease the amount to be borrowed for the new fire station. If the entire amount is available to reduce the amount borrowed, it would decrease the 5.77 tax increase to 4.31 cents.

Some may say that we can use reserves to make up the difference on the fire station. We will have some funds to transfer to Capital from the General Fund this year, but I do not feel comfortable making that recommendation at this time. We have a number of projects currently being worked on. Some of these have already been determined that they will cost more than budgeted, plus we continue to get additional requests for more projects which do not have any funding allocated for them.

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

# LONG TERM DEBT SCHEDULE

## USDA COMMUNITY FACILITIES LOAN

Debt Type	Acquisition Date	Fiscal Year Due	Principal	Interest	Total
School consolidation building program, 2.125%-2.250%  Funded by a \$1,000,000 transfer from the General Fund (LOST) to the Debt Service Fund and a \$700,000 reimbursement from the City Board of Education.	3/2024 & 12/2024	FY 2025-26	669,420	858,492	1,527,912
		FY 2026-27	684,240	843,603	1,527,843
		FY 2027-28	697,150	830,657	1,527,807
		FY 2028-29	714,920	812,877	1,527,797
		FY 2029-30	730,750	796,974	1,527,724
		Fy 2030-31	747,070	780,718	1,527,788
		FY 2031-32	761,610	766,195	1,527,805
		FY 2032-33	780,620	747,158	1,527,778
		FY 2033-34	798,030	729,792	1,527,822
		FY 2034-35	815,790	712,039	1,527,829
		FY 2035-36	832,000	695,792	1,527,792
		FY 2036-37	852,400	675,381	1,527,781
		FY 2037-38	871,350	656,419	1,527,769
		FY 2038-39	890,740	637,033	1,527,773
		FY 2039-40	908,960	618,904	1,527,864
		FY 2040-41	930,780	596,993	1,527,773
		FY 2041-42	951,540	576,284	1,527,824
		FY 2042-43	972,680	555,113	1,527,793
		FY 2043-44	992,860	534,929	1,527,789
		FY 2044-45	1,016,410	511,381	1,527,791
		FY 2045-46	1,039,000	488,766	1,527,766
		FY 2046-47	1,062,140	465,648	1,527,788
		FY 2047-48	1,084,540	443,218	1,527,758
		FY 2048-49	1,109,920	417,881	1,527,801
		FY 2049-50	1,134,580	393,184	1,527,764
		FY 2050-51	1,159,860	367,937	1,527,797
		FY 2051-52	1,184,690	343,056	1,527,746
		FY 2052-53	1,211,970	315,765	1,527,735
		FY 2053-54	1,238,990	288,795	1,527,785
		FY 2054-55	1,266,510	261,223	1,527,733
FY 2055-56	1,294,080	233,664	1,527,744		
FY 2056-57	1,323,500	204,240	1,527,740		
FY 2057-58	1,352,930	174,786	1,527,716		
FY 2058-59	1,383,050	144,677	1,527,727		
FY 2059-60	1,413,580	114,191	1,527,771		
FY 2060-61	1,321,090	82,768	1,403,858		
FY 2061-62	1,099,540	56,569	1,156,109		
FY 2062-63	1,124,300	31,795	1,156,095		
FY 2063-64	743,870	7,990	751,860		
FY 2064-65	77,060	411	77,471		
<b>Total USDA Community Facilities Loan Debt</b>			<b>\$ 39,244,520</b>	<b>\$ 18,773,297</b>	<b>\$ 58,017,817</b>

# LONG TERM DEBT SCHEDULE

## GENERAL OBLIGATION BOND, SERIES 2021

Debt Type	Acquisition Date	Fiscal Year Due	Principal	Interest	Total
Construction of a new animal shelter, fire training facility, street improvements related to the new school, public works facility, and city hall renovations, 2-3%.  Funded by a transfer from the General Fund to the Debt Service Fund.	10/2021	FY 2025-26	240,000	140,415	380,415
		FY 2026-27	245,000	133,215	378,215
		FY 2027-28	255,000	125,865	380,865
		FY 2028-29	260,000	118,215	378,215
		FY 2029-30	270,000	110,415	380,415
		FY 2030-31	275,000	105,015	380,015
		FY 2031-32	280,000	99,515	379,515
		FY 2032-33	285,000	93,915	378,915
		FY 2033-34	290,000	88,215	378,215
		FY 2034-35	300,000	82,415	382,415
		FY 2035-36	305,000	76,415	381,415
		FY 2036-37	310,000	70,315	380,315
		FY 2037-38	315,000	64,115	379,115
		FY 2038-39	320,000	57,815	377,815
		FY 2039-40	330,000	51,415	381,415
		FY 2040-41	335,000	44,815	379,815
		FY 2041-42	340,000	38,115	378,115
		FY 2042-43	350,000	30,975	380,975
		FY 2043-44	355,000	23,625	378,625
		FY 2044-45	365,000	16,170	381,170
FY 2045-46	370,000	8,140	378,140		
<b>Total General Obligation Bond, Series 2021 Debt</b>			<b>\$ 6,395,000</b>	<b>\$ 1,579,115</b>	<b>\$ 7,974,115</b>

### Total Debt Payments for FY 2025-26

Principal	Interest	Total
\$909,420	\$998,907	\$1,908,327

### Total Debt Outstanding

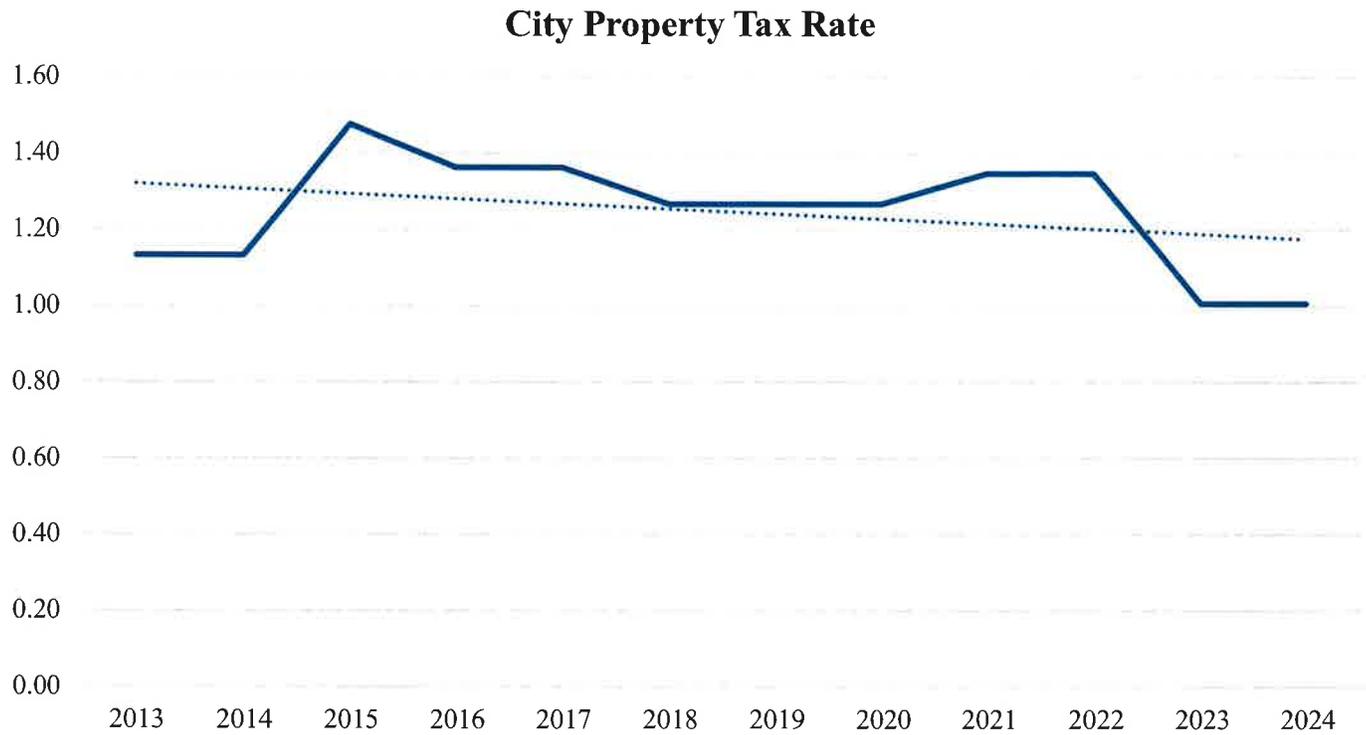
Principal	Interest	Total
\$45,639,520	\$20,352,412	\$65,991,932

### Debt per Capita

Total Debt	Population	Debt per Capita
\$65,991,932	\$14,731	\$4,480

Note: Tennessee does not impose a legal debt margin on municipalities.

# CITY PROPERTY TAX RATE



<b>Tax Year</b>	<b>City Property Tax Rate</b>
2013	1.1328
2014	1.1328
2015	1.4770
2016	1.3628
2017	1.3628
2018	1.2676
2019	1.2676
2020	1.2676
2021	1.3476
2022	1.3476
2023	1.0078
2024	1.0078

Source: Annual Audit





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### **Agenda Item**

IV. B. Disposal of City-Owned Property on Tellico Avenue near the Intersection of Hammerhill Road

### **Overview**

The city acquired 2.93+/- acres of land (Lots 2 and 5) that is not buildable from Habitat for Humanity (Parcel 048P C 039.00) during 2023. Lot 2 on the north side of Tellico Avenue consists of 0.19+/- acres and is not of any use to the city and Lot 5 on the south side of Tellico Avenue consists of 2.74+/- acres and will be used as regional detention pond and stormwater use. See attached plat and map. According to the official tax records, the 2.93+/- acres has a total market value of \$30,700 (land and improvements). See attached parcel details. The neighboring landowners are interested in acquiring Lot 2.

Transfer of real property is governed by state law, namely TCA 12-2-501, and city policy. See attached email from the city attorney.

### **Action to Consider**

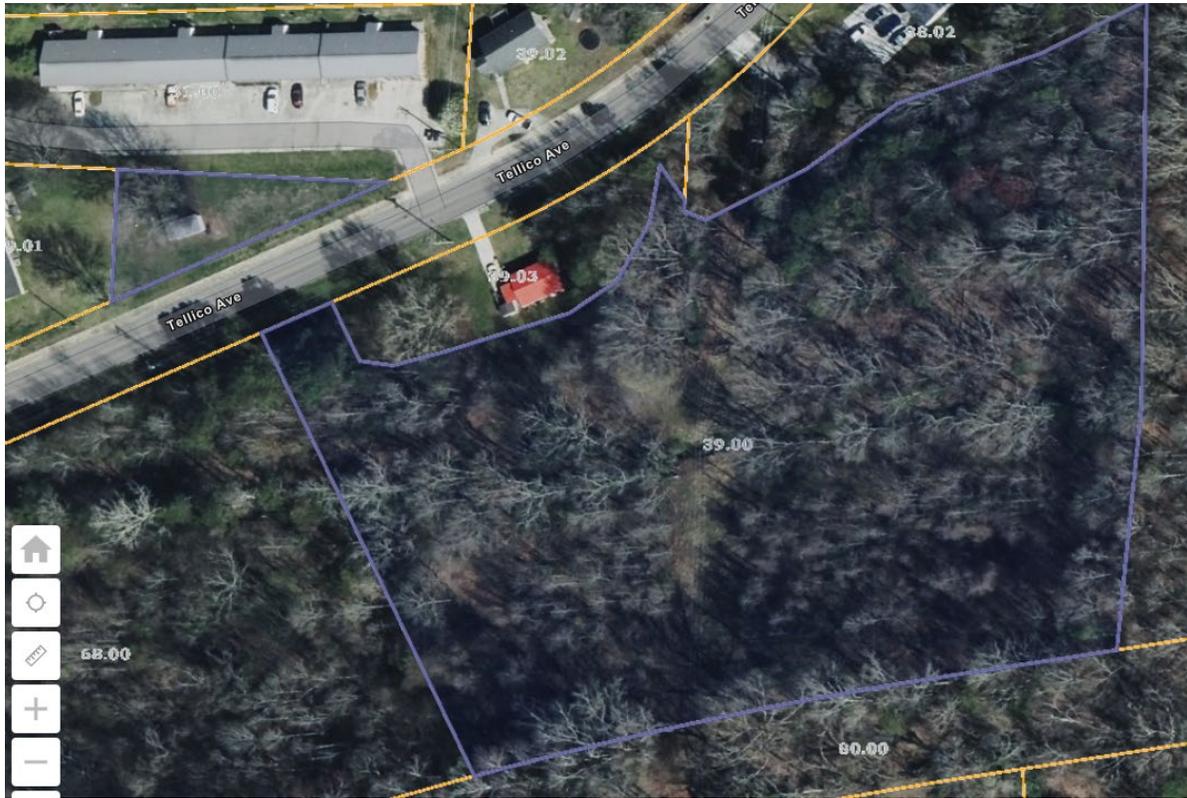
Consider declaring Lot 2 (0.19+/- acres) and any improvements as surplus city property, disposing of that property in accordance with state law, and authorizing the city attorney to transfer the property to the adjacent property owners as outlined in the city attorney email dated Sept. 11, 2025.

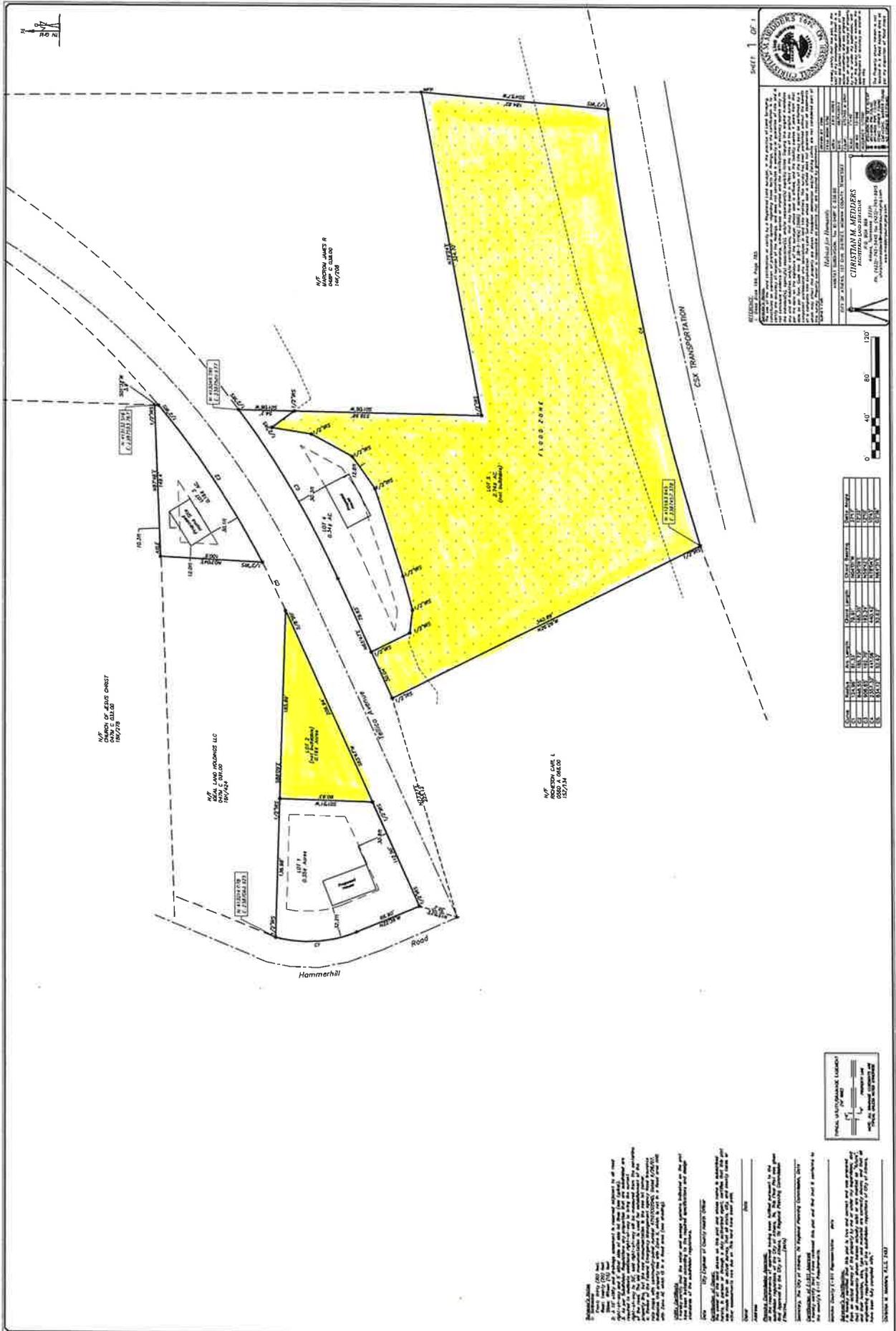
Consensus is needed to move this item to the October 21, 2025 regular session for consideration.

### **Affected Departments**

Community Development

Lots 2 and 5





SHEET 1 OF 1  
  
**CHRISTIAN M. MEDDERS**  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 12488, State of North Carolina  
 1000 S. W. 10th St., Suite 100  
 Ft. Lauderdale, FL 33304  
 Phone: (954) 571-1111  
 Fax: (954) 571-1112  
 www.christianmedders.com



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITTING	11/11/11	CM
2	REVISED PER PERMITTING	11/11/11	CM
3	REVISED PER PERMITTING	11/11/11	CM
4	REVISED PER PERMITTING	11/11/11	CM
5	REVISED PER PERMITTING	11/11/11	CM
6	REVISED PER PERMITTING	11/11/11	CM
7	REVISED PER PERMITTING	11/11/11	CM
8	REVISED PER PERMITTING	11/11/11	CM
9	REVISED PER PERMITTING	11/11/11	CM
10	REVISED PER PERMITTING	11/11/11	CM

THE INFORMATION CONTAINED HEREIN IS THE PROPERTY OF CHRISTIAN M. MEDDERS, P.E. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CHRISTIAN M. MEDDERS, P.E.

THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A duly Licensed Professional Engineer in the State of North Carolina. I am a member in good standing of the North Carolina State Board of Engineering and Surveying.

I hereby certify that the information furnished on this plan is true and correct to the best of my knowledge and belief, and that I am a duly Licensed Professional Engineer in the State of North Carolina.

Christian M. Medders  
 Registered Professional Engineer  
 No. 12488, State of North Carolina



# Parcel Details

MCMINN COUNTY, TN | TAX YEAR 2025

## County Information

County Number: 054

Reappraisal Year: 2023

## Property Owner and Mailing Address

**January 1 Owner**  
ATHENS CITY OF  
815 N JACKSON ST  
ATHENS TN 37303

## Property Location

Address: TELLICO AVE

<b>Control Map:</b>	<b>Group:</b>	<b>Parcel:</b>	<b>Property Identifier:</b>	<b>Special Interest:</b>
048P	C	039.00		000

## Value Information

**Land Market Value:** \$29,700  
**Improvement Value:** \$1,000  
**Total Market Appraisal:** \$30,700  
**Assessment Percentage:** 0%  
**Assessment:** \$0

## Subdivision Data

**Subdivision:**  
**Plat Book:** K    **Plat Page:** 6    **Block:**    **Lot:** 5R

## Additional Information

01 054B E 054B 02300 000  
 MW SURV 6/90 DODSON TRACTS

## General Information

**Class:** 02 - City  
**City #:** 033  
**Special Service District 1:** 000  
**District:** 01  
**Number of buildings:** 0  
**Utilities - Water/Sewer:** 01 - PUBLIC / PUBLIC  
**Utilities - Gas/Gas Type:** 01 - PUBLIC - NATURAL GAS

**City:** ATHENS  
**Special Service District 2:** 000  
**Neighborhood:** D01  
**Number of mobile homes:** 0  
**Utilities - Electricity:** 01 - PUBLIC  
**Zoning:**

Outbuildings & Yard Items

Building/Card#	Type	Description	Area/Units
1	SHD - SHED		64

Sale Information

Sale Date	Price	Book	Page	Vacant/Improved	Type Instrument ?	Qualification
5/15/2023	\$0	23Q	108		QC - QUITCLAIM DEED	-
11/19/2019	\$0	22A	181		-	-
2/19/2013	\$20,000	195	241	V - VACANT	WD - WARRANTY DEED	A - ACCEPTED
12/30/2010	\$0	19A	785		-	-
7/26/1990	\$0	11N	232		-	-

Land Information

<b>Deed Acres:</b> 4.31	<b>Calculated Acres:</b> 0	<b>Total Land Units:</b> 4.31
Land Code	Soil Class	Units
04 - IMP SITE		4.31

Parcel Photos

Division of Property Assessments      Comptroller of the Treasury      State of Tennessee



**Our Mission: Make Government Work Better**

## Randall Dowling

---

**From:** Chris Caldwell <ccaldwell@plegaltn.com>  
**Sent:** Thursday, September 11, 2025 2:16 PM  
**To:** Anthony Casteel  
**Cc:** Randall Dowling; Chris Caldwell  
**Subject:** RE: UNBUILDABLE Land on Tellico

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

Anthony & Randy,

I would recommend we place this on the Agenda for CC next week under “New Biz” if you like or in October, depending on the outcome of your conversation w/the other landowner.

This is how I recommend we proceed based upon TCA, our Charter, and relevant case law:

1. T.C.A. 12-2-501 states as follows:

Notwithstanding any rule, regulation or other law to the contrary, any county, metropolitan government, municipality or other political subdivision of this state, **upon majority vote of the local legislative body**, may dispose of real property or personal property by private negotiation and sale where:

- (1) The real or personal property is significant for its architectural, archaeological, artistic, cultural or historical associations, or significant for its relationship to other property significant for architectural, archaeological, artistic, cultural or historical associations, **or significant for its natural, scenic or open condition;**  
[emphasis added]

[the other two paragraphs discuss disposal to non-profits, trusts and are not relevant to this situation]

2. The Charter for COA [Art III Corporate Powers] states as follows under Para. 9:

Acquisition and Disposition of Property: To acquire or receive and hold, maintain, improve, sell, lease, mortgage, pledge or otherwise dispose of property, real or personal, and any estate or interest therein, within or without the city or state.

3. *State ex rel. Association for Preservation of Tennessee Antiquities v. Jackson* 573 S.W.2d 750 at 755 (1978) addresses the powers of a municipality as follows:

Where the properties are held in a “governmental capacity,” we are of the opinion that each case must be examined in the light of its own facts and circumstances. Obviously cities must be and legally are free, within their charter provisions, to dispose of outmoded, surplus or unprofitable properties, where these are not held under a grant imposing a specific trust or other limitation upon ownership of use.

Therefore, due to the nature & “uselessness” of this lot I would agree that we “sell” it to the neighboring lot owner for \$1.00 upon approval of counsel and execute a Quit Claim Deed over to said owner, pending their approval of same.

Let me know if you have any questions or other concerns – Thanks!  
Chris

Christopher M. Caldwell – Managing Partner

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**From:** Anthony Casteel <[acasteel@athenstn.gov](mailto:acasteel@athenstn.gov)>  
**Sent:** Tuesday, August 12, 2025 4:15 PM  
**To:** Chris Caldwell <[ccaldwell@pclegaltn.com](mailto:ccaldwell@pclegaltn.com)>  
**Cc:** Randall Dowling <[rdowling@athenstn.gov](mailto:rdowling@athenstn.gov)>  
**Subject:** FW: UNBUILDABLE Land on Tellico

Chris,

We received a written request, that Mitchell wrote about below, last year for the city to give this lot back to the landowner on the corner of Tellico and Hammerhill. I unfortunately dropped the ball and forgot all about reaching out to you to find out if what we proposing was the legal way to proceed. We were going to remove the building and abandoned the unbuildable lot to them though a resolution and let them pay any associated cost for the survey. Just like we would do when we abandon alleys.

This land cannot be built on and can only benefit the adjacent landowners or the city. And the city has no use for this portion of Parcel 048P C 039.00, but we will retain the remaining acreage (shown as lot 5 on the plat) across the street for regional detention and stormwater use. We have an adopted policy about transferring city owned land, but it does not address this unique situation and wanted to get advice as to how we may get this acreage back onto the tax rolls again.

It was quit claimed deeded to the city per Habitat for Humanity (tax card attached). I have also attached the plat and a drawing showing the way we suggest giving this back to the adjacent landowners (Yellow 0.95-acre section goes to lot on corner-Purple 0.95-acre section to the apartment complex). Unlike an alley that would require a public hearing per TCA Section 54-10-202 because of historical access issues that may exist, this land would not require that because it was never part of any roadway system. Please let me know the legal way to proceed with this request before I reach out to the apartment landowner to see if they want a portion or not. If the landowner of the apartment doesn't wish to take part, then we propose to grant it all to the lot on the corner of Hammerhill and Tellico.

Thanks for all your help with this



**Anthony Casteel, AICP**  
Director of Community Development  
Office: (423) 744-2750  
Fax: (423) 744-2781  
<http://www.athenstn.gov>  


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**From:** Larry Eaton <[leaton@athenstn.gov](mailto:leaton@athenstn.gov)>  
**Sent:** Tuesday, July 2, 2024 11:03 AM  
**To:** Mitchell Moore <[mmoore@athenstn.gov](mailto:mmoore@athenstn.gov)>



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### **Agenda Item**

IV. C. Public Hearing & Second Reading of Ordinance 1144, An Ordinance to Amend the Zoning Ordinance of the City of Athens, Tennessee, and the Official Zoning Map to Rezone Property Located Within the Corporate Limits of Athens, Tennessee at 2201 Decatur Pike (A Portion of McMinn County Tax Map 056, Parcel 009.00) from B-3 (Intensive Business District) to R-2 (Medium Density Residential District).

### **Overview**

Due to a lack of interest in the 1.08-acre city-owned property located at 2201 Decatur Pike at Regional Park which is presently zoned B-3 (Intensive Business District), Council approved to rezone this property to R-2 (Medium Density Residential District) during the August 19, 2025 regular session to generate additional interest.

The Athens Municipal Regional Planning Commission, at its meeting on September 2, 2025, unanimously voted to recommend approval of the proposed rezoning.

The first reading of the rezoning ordinance was during the September 16, 2025 regular session and a second reading and public hearing was advertised for the October 21, 2025 regular session. If the rezoning is successful, staff will revise the minimum bid amount that is reflected in an updated appraisal and conduct another competitive sealed bid process to dispose of this unwanted city-owned property.

### **Action to Consider**

Consensus to conduct the public hearing and second reading of Ordinance 1144 during the October 21, 2025 regular session, as advertised.

### **Affected Departments**

Community Development

**ORDINANCE NO. 1144**

**AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE’, SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE AT 2201 DECATUR PIKE (A PORTION OF MCMINN COUNTY TAX MAP 056, PARCEL 009.00) FROM B-3 (INTENSIVE BUSINESS DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL DISTRICT).**

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

**SECTION 1.**

That the Official Zoning Map of Athens, Tennessee, identified and referred to in Section 3.02 of said Zoning Ordinance, be amended to show the following described property and zoning designation.

**Area Description (B-3 to R-2)**

The parcel to be rezoned from B-3 to R-2 is shown on Tennessee Property Assessment Data - Property Viewer as Part of Tax Map 056 Parcel 009.00. as described within this ordinance and further described on the attached illustrations:

Exhibit A - Official Zoning Map of the City of Athens, Tennessee

Exhibit B - Portion of Recorded Subdivision Plat.

**SECTION 2.**

That all ordinances, resolutions, motions, or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict only. If any sentence, clause, phrase, or paragraph of this Ordinance shall be declared unconstitutional or invalid by a court of competent jurisdiction, such holding shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect.

**SECTION 3.**

As required by T.C.A. § 13-7-203, a public hearing subject to twenty-one (21) calendar days’ notice has been held, and the ordinance meets the requirements of T.C.A. § 13-7-201 through 13-7-210, including the approval of all necessary agencies.

**SECTION 4.**

That this Ordinance shall take effect upon final passage and as provided by law.

**First Reading: September 16, 2025 Passed**  
**Public Hearing Notice: September 27, 2025 Published**  
**Date of Public Hearing: October 21, 2025**  
**Second Reading: October 21, 2025**

ATTEST:

\_\_\_\_\_  
Larry Eaton, Mayor

\_\_\_\_\_  
Randall Dowling, City Manager

APPROVED AS TO FORM:

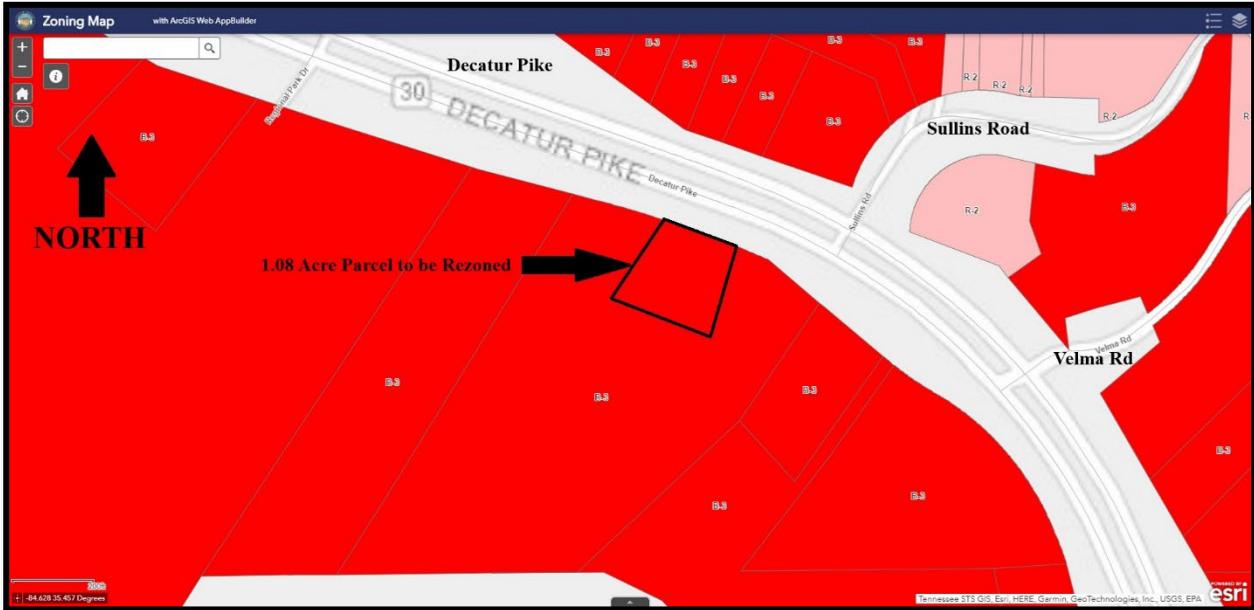
\_\_\_\_\_  
Christopher M. Caldwell, City Attorney

**ORDINANCE NO. 1144**

Rezoning Request for City of Athens for Property located at 2201 Decatur Pike, Part of Tax Map 056 Parcel 009.00, from B-3 Intensive Business District to R-2 Medium Density Residential District.

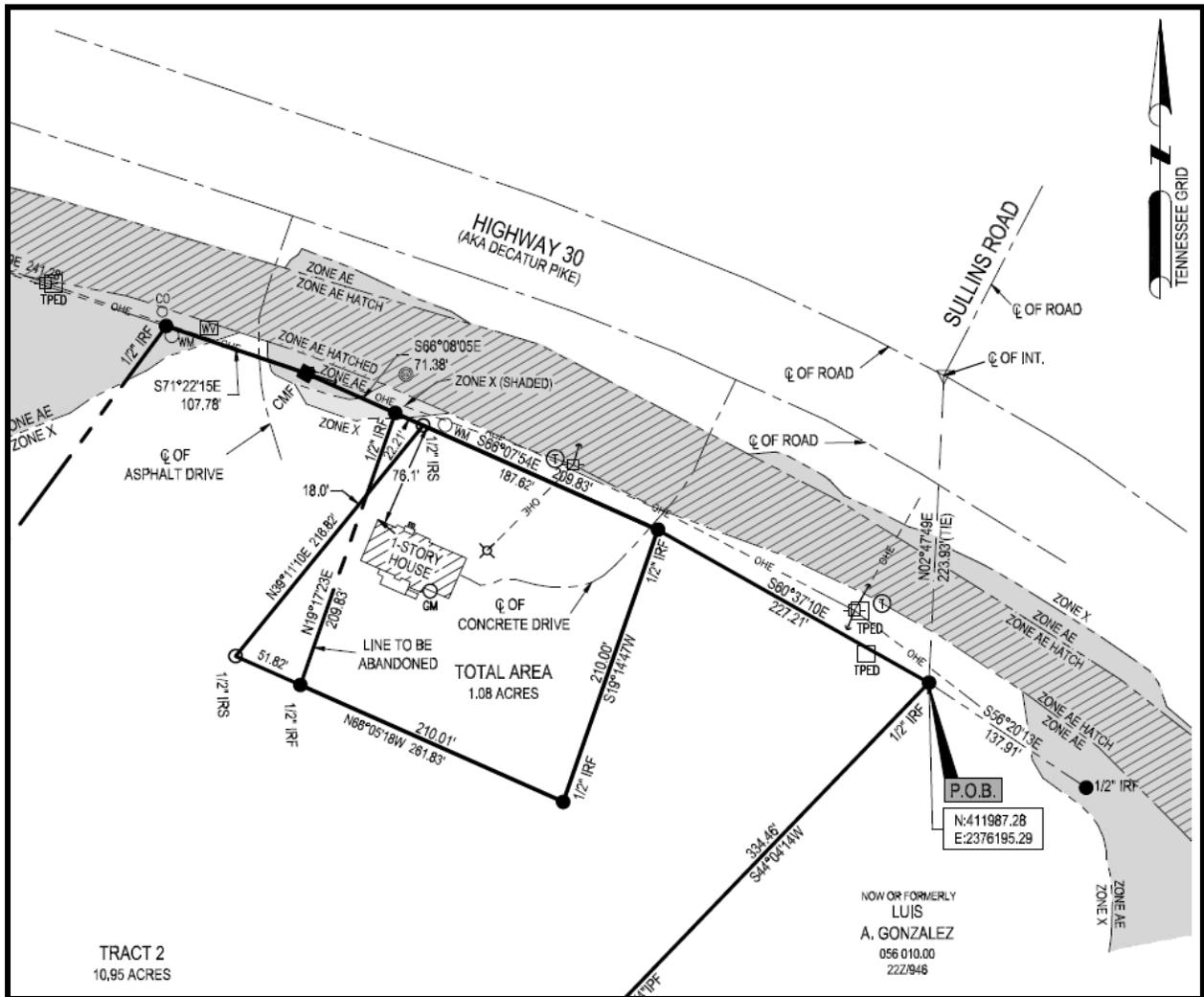
**Exhibit A**

Official Zoning Map of the City of Athens, Tennessee



**Exhibit B**

Portion of Recorded Subdivision Plat.







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### **Agenda Item**

IV. D. Public Hearing & Second Reading of Ordinance 1145, An Ordinance to Amend Title 14 , Chapter V “Stormwater Management”, Section 14-128 and Section 14-130 of the Athens City Code.

### **Overview**

The City of Athens is required to comply with the Tennessee Department of Environment and Conservation (TDEC) National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit. TDEC has recently clarified its requirements concerning manufactured treatment devices (MTDs) and stormwater quality standards.

Ordinance 1145 (attached) amends Athens City Code, Title 14, Chapter V, Section 14-130(4), to align the City Code with updated TDEC requirements, maintain compliance with the MS4 General Permit, and ensure stormwater management designs reflect current environmental and engineering standards. The ordinance had a first reading on September 16, 2025 and a second reading and public hearing are scheduled for the October 21, 2025 regular session.

### **Action to Consider**

Consensus to conduct a public hearing and second reading during the October 21, 2025 regular session, as advertised.

### **Affected Departments**

Public Works

**ORDINANCE NO. 1145**

**AN ORDINANCE TO AMEND TITLE 14, CHAPTER V “STORMWATER MANAGEMENT”, SECTION 14-128 AND SECTION 14-130 OF THE ATHENS CITY CODE.**

**WHEREAS**, the City of Athens is required to comply with the Tennessee Department of Environment and Conservation (TDEC) National Pollutant Discharge Elimination System (NPDES) Small Municipal Separate Storm Sewer System (MS4) General Permit; and

**WHEREAS**, TDEC has clarified its requirements concerning manufactured treatment devices (MTDs) and total suspended solids (TSS) removal standards, including recognition of certification programs and the prohibition of sequential “treatment-train” designs for hydrodynamic separator devices; and

**WHEREAS**, it is necessary to amend the City Code to maintain compliance with state regulations and ensure the City’s stormwater management program reflects current standards;

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

**SECTION 1.**

That Title 14, Chapter V, Section 14-128 of the Athens City Code is hereby amended to include the following two definitions, and that the definitions be renumbered accordingly:

**14-128 Definitions**

- (26) New Jersey Department of Environmental Protection (NJDEP) - is the state agency responsible for managing New Jersey’s natural resources. Its Division of Water Quality tests and certifies proprietary manufactured treatment devices (MTDs) used for stormwater quality treatment and is recognized nationally for its testing standards certified MTD list.
- (52) Washington State Department of Ecology (WSDOE) - is the state agency responsible for managing Washington State’s natural resources. It is responsible for the Technology Assessment Protocol – Ecology, or TAPE, that tests and certifies proprietary manufactured treatment devices (MTDs) used for stormwater quality treatment, and is recognized nationally for its testing standards and certified MTD list.

**SECTION 2.**

That Title 14, Chapter V, Section 14-130(4) of the Athens City Code is hereby amended to read as follows:

**14-130 Permanent Stormwater Management: Design and Construction Inspection**

- (4) Total suspended solids (TSS) removal rate shall be the City’s recognized metric for the reduction of pollutants in stormwater effluent. Design TSS removal rates for approved MTDs shall be established by a 3rd party certification program recognized by the City. The two certification programs currently recognized by the City include NJDEP and WSDOE; additionally, use of sequential MTDs, e.g. a treatment train of two or more HDS units, in an attempt to cumulatively meet the 80% TSS requirements are not recognized as achieving such and shall not be permissible in permanent SCM design(s).

**SECTION 3.**

That this Ordinance shall take effect from and after its adoption, the public welfare requiring it.

<b>First Reading:</b>	<b>September 16, 2025</b>	<b>Passed</b>
<b>Public Hearing Notice:</b>	<b>September 27, 2025</b>	<b>Published</b>
<b>Date of Public Hearing</b>	<b>October 21, 2025</b>	
<b>Second Reading:</b>	<b>October 21, 2025</b>	

ATTEST:

\_\_\_\_\_  
Larry Eaton, Mayor

\_\_\_\_\_  
Randall Dowling, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher M. Caldwell, City Attorney



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### **Agenda Item**

IV. E. First Reading of Ordinance 1146, An Ordinance to Amend Chapter 13-III, “Dilapidated and Unfit Structures and Areas,” of the Athens City Code by Adding a Requirement that City Staff Engaged in Actions Under this Chapter be Qualified in Residential or Commercial Building Code Inspections.

### **Overview**

During the July 7, 2025 work session, Councilmember Sherlin initiated discussion regarding a potential amendment to Title 13, Chapter III of the Athens City Code, which addresses dilapidated and unfit structures within the city limits.

During the August 19, 2025 regular session, Councilmember Sherlin moved to Amend Athens City Code, Title 13-III, to include any person on staff who are involved in dilapidated buildings be qualified in residential and/or commercial building code inspections; seconded by Councilmember Pelley. Motion was approved.

Based on that approval, Ordinance 1146 has been prepared and will have its first reading during the regular session on October 21, 2025. If approved, a second reading and public hearing will occur at the November 18, 2025 regular session.

### **Action to Consider**

Consensus is needed to move Ordinance 1146 to the October 21, 2025 regular session for its first reading.

### **Affected Departments**

Community Development Department

**ORDINANCE NO. 1146**

**AN ORDINANCE TO AMEND CHAPTER 13-III, "DILAPIDATED AND UNFIT STRUCTURES AND AREAS," OF THE ATHENS CITY CODE BY ADDING A REQUIREMENT THAT CITY STAFF ENGAGED IN ACTIONS UNDER THIS CHAPTER BE QUALIFIED IN RESIDENTIAL OR COMMERCIAL BUILDING CODE INSPECTIONS.**

**WHEREAS**, The City of Athens desires to ensure that all personnel involved in the inspection, evaluation, and enforcement of standards for dilapidated and unfit structures are appropriately qualified to perform such duties; and

**WHEREAS**, The Athens City Council finds it necessary to amend Chapter 13-III of the Athens City Code to ensure that city staff engaged in these activities shall possess qualifications in residential or commercial building code inspections, as applicable.

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

That Title 13, Chapter 13-III, Section 13-61 of the Athens City Code is amended as follows:

13-61 Code Enforcement Officer Designated To Act

The code enforcement officer is designated as the officer of the city who is to exercise the powers herein prescribed. Any code enforcement officer or other city staff engaged in inspections, evaluations, or enforcement under this chapter shall, where appropriate to the duties performed, be duly qualified in residential or commercial building code inspections, as each case may so require.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage as provided by law.

<b>First Reading:</b>	<b>October 21, 2025</b>	<input type="checkbox"/> Pass <input type="checkbox"/> Fail
<b>Public Hearing Notice:</b>	<b>October 25, 2025</b>	<b>Proposed</b>
<b>Date of Public Hearing:</b>	<b>November 18, 2025</b>	<b>Proposed</b>
<b>Second Reading:</b>	<b>November 18, 2025</b>	<b>Proposed</b>

ATTEST:

\_\_\_\_\_  
Larry Eaton, Mayor

\_\_\_\_\_  
Randall Dowling, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher M. Caldwell, City Attorney

## **CHAPTER 13-III DILAPIDATED AND UNFIT STRUCTURES AND AREAS**

### **13-59 Definitions**

#### **13-60 Existence Of Structures Unfit For Human Habitation**

#### **13-61 Code Enforcement Officer Designated To Act**

#### **13-62 Institution Of Action And Notification By City Manager**

#### **13-63 Determination Of And Further Notice By City Manager**

#### **13-64 Failure Of Owner To Comply To Vacate And Repair**

#### **13-65 Failure Of Owner To Remove Or Demolish**

#### **13-66 Creation Of Lien And Payment Into Court**

#### **13-67 Conditions Rendering Structure Unfit For Human Habitation And Use**

#### **13-68 Service Of Complaints Or Orders**

#### **13-69 Enjoining Enforcement Of Order**

#### **13-70 Powers Given The City Manager**

### **13-59 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:

*Owner* means the holder of the title in fee simple and every mortgagee of record.

*Parties in interest* means all individuals, associations, corporations and others who have interests of record in a structure and any who are in possession thereof.

*Public authority* means any officer who is in charge of any department or branch of government of the city or state relating to health, fire, building regulations, or other activities concerning structures in the city.

*Public officer* means the city manager or his designated agent who is authorized by this chapter to exercise the powers prescribed by this chapter.

*Structure* means any building or structure, or part thereof, used and occupied for human habitation or by the public in general or intended to be so used and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith.

(Code 1972, § 4-802; Code 1995, § 13-302)

### **13-60 Existence Of Structures Unfit For Human Habitation**

There exists in the city structures which are unfit for human habitation due to dilapidation; defects increasing the hazards of fire, accident or other calamities; lack of ventilation, light or sanitary facilities; or due to other conditions rendering such structures unsafe or unsanitary or dangerous or detrimental to the welfare of the residents of the city.

(Code 1972, § 4-803; Code 1995, § 13-303)

### **13-61 Code Enforcement Officer Designated To Act**

The code enforcement officer is designated as the officer of the city who is to exercise the powers herein prescribed.

(Code 1972, § 4-804; Code 1995, § 13-304)

### **13-62 Institution Of Action And Notification By City Manager**

When a petition is filed with the city manager by a public authority or by at least five residents of the city charging that any structure is unfit for human habitation, or use in general, or when it appears to the city manager (on his own motion) that any structure is unfit for human habitation or use, the code enforcement officer shall, if, after making a preliminary investigation, such investigation discloses a basis for such charges, issue and cause to be served upon the owner of the parties in interest of such structure a complaint stating the charges in that respect and containing a notice that a hearing will be held before the city manager (or his designated agent) at a time and place therein fixed not less than ten days nor more than 30 days after the serving of the complaint; that the owners and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the city manager or his designated agent. As contained herein, the term "public authority" means any officer who is in charge of any department or branch of the government of the city or the state relating to health, fire, building regulations, or other activities concerning structures in the city.

(Code 1972, § 4-805; Code 1995, § 13-305)

### **13-63 Determination Of And Further Notice By City Manager**

- (1) If, after such notice and hearing as prescribed in ACC 13-62, the city manager determines that the structure under consideration is unfit for human habitation or public use, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof:
  - (a) If the repair, alteration, or improvement of the structure (not exceeding 50 percent of the reasonable value) can be made at a reasonable cost in relation to the value of the structure, an order requiring the owner, within the time specified in the order, to repair, alter, or improve such structure to render it fit for human habitation or public use or if not adequately repaired, altered or improved within the time specified in the order to vacate and close the structure as a human habitation; or
  - (b) If the repair, alteration or improvement of the structure cannot be made at a reasonable cost in relation to the value of the structure, an order requiring the owner, within the time specified in the order, to remove or demolish such structure. Rebuilding in violation of existing zoning ordinances will not be permitted.
- (2) The code enforcement officer shall determine the value of the structure in question existing on the land and the value of the land, itself, not to be considered, and, if the structure can be made to conform to such standards as will make it properly habitable by an expenditure of not more than 50 percent of the value, the order referred to in subsection (1) of this section shall contain the alternative in subsection (1)(a) of this section. If an expenditure of more than 50 percent of the value just referred to would be necessary to make the structure properly habitable, the order in subsection (1) of this section shall contain the alternative in subsection (1)(b) of this section.

(Code 1972, § 4-806; Code 1995, § 13-306)

### **13-64 Failure Of Owner To Comply To Vacate And Repair**

If the owner fails to comply with the order under ACC 13-63(a), the city manager may cause such structure to be repaired, altered or improved or be vacated and closed and, in such event, the city manager may cause to be posted on the main entrance of any structure so closed a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(Code 1972, § 4-807; Code 1995, § 13-307)

### **13-65 Failure Of Owner To Remove Or Demolish**

If the owner fails to comply with an order as set forth in ACC 13-63(b), the city manager may cause such structure to be removed or demolished.

(Code 1972, § 4-808; Code 1995, § 13-308)

### **13-66 Creation Of Lien And Payment Into Court**

The amount of the cost of such repairs, alterations or improvements or vacating and closing or removal or demolition by the city manager shall be a lien against the real property on which such cost was incurred. If the structure is removed or demolished by the city manager, he shall sell the materials of such structure and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the chancery court by the city manager, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the person found to be entitled thereto by final order or decree of such court; provided, however, that nothing in this section shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

(Code 1972, § 4-809; Code 1995, § 13-309)

### **13-67 Conditions Rendering Structure Unfit For Human Habitation And Use**

In addition to the other standards set forth in this chapter, the city manager or his authorized agent may determine that a structure is unfit for human habitation or public use if he finds that conditions exist in such structure which are dangerous or injurious to the health, safety or morals of the occupants of such structures, the occupants of neighboring dwellings or other residents of the city; such conditions may include the following (but without limiting the generality of the foregoing): defects in increasing the hazards of fire, accident or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation; disrepair; structural defects; and uncleanliness.

(Code 1972, § 4-810; Code 1995, § 13-310)

### **13-68 Service Of Complaints Or Orders**

Complaints or orders issued by the city manager pursuant to the requirements of this chapter shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons are unknown and the same cannot be ascertained by the city manager in the exercise of reasonable diligence and the city manager or his authorized agent shall make affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing the same once each week for two consecutive weeks in a newspaper printed and published in the city. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed for record in the county register's office in which the structure is located and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

(Code 1972, § 4-811; Code 1995, § 13-311)

### **13-69 Enjoining Enforcement Of Order**

- (1) Any person affected by an order issued by the city manager or his authorized agent may file a bill in the chancery court for an injunction restraining the manager from carrying out the provisions of the order and the court may, upon the filing of such bill, issue a temporary injunction restraining the manager pending the final disposition of the cause; provided, however,

that within 60 days after the posting and service of the order of the city manager, such persons shall file such bill in the court.

- (2) The remedies herein provided shall be exclusive remedies and no person affected by an order of the city manager shall be entitled to recover any damages for action taken pursuant to any order of the city manager or because of noncompliance by such person with any order of the city manager.

(Code 1972, § 4-812; Code 1995, § 13-312)

### **13-70 Powers Given The City Manager**

The city manager is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this chapter including the following powers in addition to others herein granted:

- (1) To investigate or have investigated the condition of structures in the city in order to determine which structures therein are unfit for human habitation.
- (2) To administer oaths and affirmations, examine witnesses and receive evidence.
- (3) To enter upon premises for the purposes of making examinations, provided that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession.
- (4) To appoint and fix the duties of such officers, agents and employees as he deems necessary to carry out the purposes of this chapter.
- (5) To delegate any of his functions and powers under this chapter to such officers and agents as he may designate.

(Code 1972, § 4-813; Code 1995, § 13-313)



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### **Agenda Item**

IV. F. First Reading of Ordinance 1147, An Ordinance to Amend Title 3 “Municipal Court”, Chapter I, Section 3, of the Athens City Code, by Removing the Requirement that the City Judge be a Resident of the County.

### **Overview**

Based on the results of a special called meeting held on September 25, 2025, Council approved staff to prepare an ordinance deleting the county residency requirement for the City Judge.

The proposed ordinance amends Title 3, Chapter I, Section 3 of the Athens City Code by removing the county residency requirement for the City Judge. Under the current Athens City Code that was updated during March 2025, the City Judge must reside within the county, and relocation outside the county automatically creates a vacancy. This amendment deletes that requirement so that the only qualification will be that the City Judge is licensed to practice law in Tennessee. The purpose is to align the City Code with the City Charter, which does not require county residency.

The ordinance is scheduled for a first reading during the October 21, 2025 regular session. If approved, a public hearing notice will be published on October 25, 2025 to notify the public of the second reading and public hearing during the November 18, 2025 regular session.

### **Action to Consider**

Consensus is needed to move Ordinance 1147 to the October 21, 2025 regular session for a first reading.

### **Affected Departments**

Municipal Court, City Council, Police Dept.

**ORDINANCE NO. 1147**

**AN ORDINANCE TO AMEND TITLE 3 “MUNICIPAL COURT”, CHAPTER I, SECTION 3, OF THE ATHENS CITY CODE, BY REMOVING THE REQUIREMENT THAT THE CITY JUDGE BE A RESIDENT OF THE COUNTY.**

**WHEREAS**, Title 3, Chapter I, Section 3 of the Athens City Code currently requires that the city judge be a resident of the county, and provides that removal of the judge’s domicile from the county shall remove him or her from office and create a vacancy; and

**WHEREAS**, the City Council of the City of Athens, Tennessee, desires to remove this residency requirement in order to broaden eligibility and bring the ordinance into alignment with the City Charter;

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

**SECTION 1.**

Title 3, Chapter I, Section (3), of the Athens City Code is hereby amended by deleting the following language:

*“and shall be a resident of the county. Removal of the judge's domicile from the county shall remove him or her from office and create an immediate vacancy in the office of city judge.”*

**SECTION 2.**

As amended, Title 3, Chapter I, Section (3) shall read as follows:

(3) *Qualifications.* The city judge shall be licensed to practice law in the State of Tennessee.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect upon final passage as provided by law.

<b>First Reading:</b>	<b>October 21, 2025</b>	<input type="checkbox"/> <b>Passed</b>	<input type="checkbox"/> <b>Failed</b>
<b>Public Hearing Notice:</b>	<b>October 25, 2025</b>	<b>Proposed</b>	
<b>Date of Public Hearing</b>	<b>November 18, 2025</b>	<b>Proposed</b>	
<b>Second Reading:</b>	<b>November 18, 2025</b>	<b>Proposed</b>	

ATTEST:

\_\_\_\_\_  
Larry Eaton, Mayor

\_\_\_\_\_  
Randall Dowling, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher Caldwell, City Attorney

## **ARTICLE XXII City Court**

Section 1. Be it further enacted, that the City Council shall appoint a City Judge who shall be an attorney at law entitled to practice in the courts of the state and who shall serve at the will of the City Council. The City Judge shall have jurisdiction in and over all cases arising under the laws and ordinances of the City. The compensation of the City Judge shall be fixed by the City Council. In the event the City Judge shall be absent or unable to attend any session of City Court, he is empowered to designate a qualified person to hold session of the Court in his stead; provided, however, that the person so designated shall not be a member of the City Council. [As amended by Priv. Acts 1967, ch. 390, § 1; and replaced by Priv. Acts 2004, ch. 92, § 12]

Section 2. Be it further enacted, That the City Judge shall have power and authority to impose civil penalties, costs, and forfeitures, and to punish by civil penalty for violation of city ordinances; to preserve and enforce order in his court; to enforce the collection of all such civil penalties, costs, and forfeitures imposed by him; provided that no civil penalty shall exceed five hundred dollars (\$500) or the maximum allowable under general state law, and that civil penalties may be paid in installments in such manner as may be provided by ordinance. The City Judge may remit with or without condition, civil penalties and costs imposed for violation of any ordinance or charter provision. [As amended by Priv. Acts 1967, ch. 390, § 2; Priv. Acts 1994, ch. 180, §§ 4 and 5; and replaced by Priv. Acts 2002, ch. 114, § 3]

Section 3. Be it further enacted, That any person dissatisfied with the judgment of the City Judge in any case or cases heard and determined by the City Judge, may, within ten (10) days thereafter, Sundays exclusive, appeal to the next Circuit Court of the county, upon giving bond with good and sufficient security and approved by the City Judge for the person's appearance or the faithful prosecution of the appeal, provided, however, that in prosecutions for violations of the city ordinances the bond shall not exceed five hundred dollars (\$500). [As replaced by Priv. Acts 2002, ch. 114, § 3]

Section 4. Be it further enacted, That only one warrant shall be issued for the same offense, said warrant to embrace all the parties charged with the same offense. No arrest shall be made except with a warrant duly issued, unless the offense is committed in the presence of the officer making the arrest, or unless in a case of felony. The affidavit upon which the warrant is issued shall especially state the offense charged.

Section 5. Be it further enacted, That all civil penalties imposed by the City Judge for violations of the city ordinances shall belong to and be paid into the treasury of the city. [As amended by Priv. Acts 1994, ch. 180, § 6; and replaced by Priv. Acts 2002, ch. 114, § 3]

Section 6. Be it further enacted, That the City Judge in all cases heard or determined by him for offenses against the corporate laws and ordinances shall tax in the bill of costs, the same amounts and for the same items allowed in courts of justices of the peace for similar work in state cases. He shall certify to the chief of police for collection, all civil penalties, costs, and forfeitures imposed by him for offenses against the laws and ordinances of the city. Costs in favor of any person paid a fixed salary by the city shall belong to the city and be paid into its treasury; and it shall be the duty of the City Judge to collect and receipt of all civil penalties imposed by him, and he shall render a monthly report to the Council of all costs and civil penalties collected by him, and of all assessed and uncollected. [As amended by Priv. Acts 1994, ch. 180, § 6]

Section 7. Be it further enacted, That the City Judge shall keep or cause to be kept a court docket or dockets embodying completed detailed records of all cases handled by him.

## **CHAPTER 3-I CITY JUDGE**

[3-1 Appointment; Qualification; Vacancies; Judge Pro Tem](#)

[3-2 Jurisdiction](#)

[3-3 Absence](#)

### **3-1 Appointment; Qualification; Vacancies; Judge Pro Tem**

- (1) *Appointment.* The city judge designated by the Charter to handle judicial matters within the city shall be appointed by and shall serve at the pleasure of the city council.
- (2) *Vacancies in office.* Vacancies in the office of the city judge arising from resignation, disqualification, or other reason shall be filled in the same manner as prescribed for the appointment of a city judge.
- (3) *Qualifications.* The city judge shall be licensed to practice law in the state and shall be a resident of the county. Removal of the judge's domicile from the county shall remove him or her from office and create an immediate vacancy in the office of city judge.
- (4) *Judge pro tem.* During the absence of the city judge from his duties or the office of the city judge is vacant, the city council may appoint a city judge pro tem to serve until the city judge returns to his duties or the office of city judge is no longer vacant. The city judge pro tem shall have all the required qualifications and shall have all the powers of the city judge.

### **3-2 Jurisdiction**

The city judge shall have the authority to try persons charged with the violation of this Code and other municipal ordinances and to punish persons convicted of such violations by levying a civil penalty under [ACC 1-13](#).

### **3-3 Absence**

When the city judge is absent or unavailable to preside over the city court, an acting city judge, designated in accordance with the provisions of [art. XXII, § 1](#), of the Charter, shall preside over the city court.

(Code 1972, § 1-701; Code 1995, § 3-101)



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### **Agenda Item**

IV. G. First Reading of Ordinance 1148, An Ordinance Amending the City of Athens, Tennessee Municipal Zoning Ordinance Regulating Development within the Corporate Limits of Athens, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Maintain Eligibility for Participation in the National Flood Insurance Program.

### **Overview**

The proposed revisions are required to keep the City of Athens in compliance with FEMA and the National Flood Insurance Program (NFIP) regulations. The primary changes include adopting the new Flood Insurance Rate Maps (FIRM) effective November 28, 2025, updating elevation standards, and clarifying requirements for manufactured homes, recreational vehicles, subdivisions, and unmapped streams. These updates will ensure continued eligibility for federally backed flood insurance.

If the first reading is approved, a second reading and public hearing will be scheduled for the November 18, 2025 regular session. Adoption of the revisions must be completed before November 28, 2025 to avoid suspension from the NFIP.

### **Action to Consider**

Consensus is needed to move Ordinance 1148 to the October 21, 2025 regular session for its first reading.

### **Affected Departments**

Community Development

ORDINANCE NO. \_\_\_\_\_

**MUNICIPAL FLOODPLAIN ZONING ORDINANCE**

**AN ORDINANCE ADOPTED FOR THE PURPOSE OF AMENDING THE CITY OF ATHENS, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.**

**ARTICLE I. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

**Section A. Statutory Authorization**

The Legislature of the State of Tennessee has in Sections 13-7-201 through 13-7-210, Tennessee Code Annotated delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of Athens, Tennessee, Mayor and the Athens City Council, do ordain as follows:

**Section B. Findings of Fact**

1. The City of Athens, Tennessee, Mayor and the Athens City Council wishes to MAINTAIN eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3.
2. Areas of the City of Athens, Tennessee are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

**Section C. Statement of Purpose**

It is the purpose of this Ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Ordinance is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;

2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

**Section D. Objectives**

The objectives of this Ordinance are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodprone areas;
6. To help maintain a stable tax base by providing for the sound use and development of floodprone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a floodprone area;
8. To MAINTAIN eligibility for participation in the NFIP.

**ARTICLE II. DEFINITIONS**

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application given its stated purpose and objectives.

**"Accessory Structure"** means a subordinate structure to the principal structure on the same lot and, for the purpose of this Ordinance, shall conform to the following:

1. Accessory structures shall only be used for parking of vehicles and storage.
2. Accessory structures shall be designed to have low flood damage potential.
3. Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters.

4. Accessory structures shall be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures.
5. Utilities and service facilities such as electrical and heating equipment shall be elevated or otherwise protected from intrusion of floodwaters.

**"Addition (to an existing building)"** means any walled and roofed expansion to the perimeter or height of a building.

**"Appeal"** means a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

**"Area of Shallow Flooding"** means a designated AO or AH Zone on a community's Flood Insurance Rate Map (FIRM) with one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate; and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**"Area of Special Flood-related Erosion Hazard"** is the land within a community which is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the FIRM, Zone E may be further refined.

**"Area of Special Flood Hazard"** see **"Special Flood Hazard Area"**.

**"Base Flood"** means the flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one (1)-percent annual chance flood.

**"Basement"** means any portion of a building having its floor subgrade (below ground level) on all sides.

**"Building"** see **"Structure"**.

**"Development"** means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

**"Elevated Building"** means a non-basement building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**"Emergency Flood Insurance Program"** or **"Emergency Program"** means the program as implemented on an emergency basis in accordance with Section 1336 of the Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial FIRM.

**"Erosion"** means the process of the gradual wearing away of land masses. This peril is not "per se" covered under the Program.

**"Exception"** means a waiver from the provisions of this Ordinance which relieves the applicant from the requirements of a rule, regulation, order, or other determination made or issued pursuant to this Ordinance.

**"Existing Construction"** means any structure for which the "start of construction" commenced before the effective date of the initial floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"Existing Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management code or ordinance adopted by the community as a basis for that community's participation in the NFIP.

**"Existing Structures"** see **"Existing Construction"**.

**"Expansion to an Existing Manufactured Home Park or Subdivision"** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**"Flood" or "Flooding"**

(a) A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

(b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**"Flood Elevation Determination"** means a determination by the Federal Emergency Management Agency (FEMA) of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.

**"Flood Elevation Study"** means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

**"Flood Hazard Boundary Map (FHBM)"** means an official map of a community, issued by FEMA, where the boundaries of areas of special flood hazard have been designated as Zone A.

**"Flood Insurance Rate Map (FIRM)"** means an official map of a community, issued by FEMA, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

**"Flood Insurance Study"** is the official report provided by FEMA, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

**"Floodplain" or "Floodprone Area"** means any land area susceptible to being inundated by water from any source (see definition of "flooding").

**"Floodplain Management"** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**"Flood Protection System"** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**"Floodproofing"** means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities and structures and their contents.

**"Flood-related Erosion"** means the collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

**"Flood-related Erosion Area" or "Flood-related Erosion Prone Area"** means a land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

**"Flood-related Erosion Area Management"** means the operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works and floodplain management regulations.

**"Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**"Freeboard"** means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge or culvert openings, and the hydrological effect of urbanization of the watershed.

**"Functionally Dependent Use"** means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship

building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**"Highest Adjacent Grade"** means the highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

**"Historic Structure"** means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Tennessee inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on the City of Athens, Tennessee inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  - a. By the approved Tennessee program as determined by the Secretary of the Interior or
  - b. Directly by the Secretary of the Interior.

**"Letter of Map Change (LOMC)"** means an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

**"Letter of Map Amendment (LOMA)"** An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property or structure is not located in a special flood hazard area.

**"Conditional Letter of Map Revision Based on Fill (CLOMR-F)"** A determination that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.

**"Letter of Map Revision Based on Fill (LOMR-F)"** A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and

placed in accordance with the community's floodplain management regulations.

**"Conditional Letter of Map Revision (CLOMR)"** A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA, to revise the effective FIRM.

**"Letter of Map Revision (LOMR)"** Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM), and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.

**"Levee"** means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

**"Levee System"** means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**"Lowest Floor"** means the lowest floor of the lowest enclosed area, including a basement. An unfinished or flood resistant enclosure used solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.

**"Manufactured Home"** means a structure, transportable in one or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "Manufactured Home" does not include a "Recreational Vehicle".

**"Manufactured Home Park or Subdivision"** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**"Map"** means the Flood Hazard Boundary Map (FHBM) or the Flood Insurance Rate Map (FIRM) for a community issued by FEMA.

**"Mean Sea Level"** means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of

1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

**"National Geodetic Vertical Datum (NGVD)"** means, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

**"New Construction"** means any structure for which the "start of construction" commenced on or after the effective date of the initial floodplain management Ordinance and includes any subsequent improvements to such structure.

**"New Manufactured Home Park or Subdivision"** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of this ordinance or the effective date of the initial floodplain management ordinance and includes any subsequent improvements to such structure.

**"North American Vertical Datum (NAVD)"** means, as corrected in 1988, a vertical control used as a reference for establishing varying elevations within the floodplain.

**"100-year Flood"** see **"Base Flood"**.

**"Person"** includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

**"Reasonably Safe from Flooding"** means base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

**"Recreational Vehicle"** means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck;
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**"Regulatory Floodway"** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**"Regulatory Flood Protection Elevation"** means the "Base Flood Elevation" plus the "Freeboard." In "Special Flood Hazard Areas" where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus one (1) foot. In "Special Flood Hazard Areas" where no BFE has been established, this elevation shall be at least three (3) feet above the highest adjacent grade.

**"Riverine"** means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**"Special Flood Hazard Area"** is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

**"Special Hazard Area"** means an area having special flood, mudslide (i.e., mudflow) and/or flood-related erosion hazards, and shown on an FHBM or FIRM as Zone A, AO, A1-30, AE, A99, or AH.

**"Start of Construction"** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**"State Coordinating Agency"** the Tennessee Emergency Management Agency, State NFIP Office, as designated by the Governor of the State of Tennessee at the request of FEMA to assist in the implementation of the NFIP for the State.

**"Structure"** for purposes of this Ordinance, means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

**"Substantial Damage"** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

**"Substantial Improvement"** means any reconstruction, rehabilitation, addition, alteration or other improvement of a structure in which the cost equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the initial improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The market value of the structure should be (1) the appraised value of the structure prior to the start of the initial improvement, or (2) in the case of substantial damage, the value of the structure prior to the damage occurring.

The term does not, however, include either: (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or; (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

**"Substantially Improved Existing Manufactured Home Parks or Subdivisions"** is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds fifty percent (50%) of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

**"Variance"** is a grant of relief from the requirements of this Ordinance.

**"Violation"** means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification, or other evidence of compliance required in this Ordinance is presumed to be in violation until such time as that documentation is provided.

**"Water Surface Elevation"** means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, where specified, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

### **ARTICLE III. GENERAL PROVISIONS**

#### **Section A. Application**

This Ordinance shall apply to all areas within the incorporated area of the City of Athens, Tennessee.

#### **Section B. Basis for Establishing the Areas of Special Flood Hazard**

The Areas of Special Flood Hazard identified on the City of Athens, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM), Community Panel Numbers 47107C0182D, 47107C0184D, 47107C0192D, 47107C0201D, 47107C0202D, 47107C0203D, 47107C0204D, 47107C0211D, 47107C0212D, 47107C0225D, dated September 28, 2007 and 47107C0125E and 47107CIND0C dated November 28, 2025, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

#### **Section C. Requirement for Development Permit**

A development permit shall be required in conformity with this Ordinance prior to the commencement of any development activities.

#### **Section D. Compliance**

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations.

#### **Section E. Abrogation and Greater Restrictions**

This Ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this Ordinance conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

**Section F. Interpretation**

In the interpretation and application of this Ordinance, all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under Tennessee statutes.

**Section G. Warning and Disclaimer of Liability**

The degree of flood protection required by this Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that land outside the Areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Athens, Tennessee or by any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made hereunder.

**Section H. Penalties for Violation**

Violation of the provisions of this Ordinance or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by Tennessee statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City of Athens, Tennessee from taking such other lawful actions to prevent or remedy any violation.

**ARTICLE IV. ADMINISTRATION**

**Section A. Designation of Ordinance Administrator**

The Building Official and Community Development Director are hereby appointed as the Administrator to implement the provisions of this Ordinance.

**Section B. Permit Procedures**

Application for a development permit shall be made to the Administrator on forms furnished by the community prior to any development activities. The development permit may include, but is not limited to the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application stage
  - a. Elevation in relation to mean sea level of the proposed lowest floor, including basement, of all buildings where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.

- b. Elevation in relation to mean sea level to which any non-residential building will be floodproofed where Base Flood Elevations are available, or to certain height above the highest adjacent grade when applicable under this Ordinance.
- c. A FEMA Floodproofing Certificate from a Tennessee registered professional engineer or architect that the proposed non-residential floodproofed building will meet the floodproofing criteria in Article V, Sections A and B.
- d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- e. In order to determine if improvements or damage meet the Substantial Improvement or Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:
  - An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
  - Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
  - A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
  - A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor, including the value of the owner's labor.

2. Construction Stage

Within AE Zones, where Base Flood Elevation data is available, any lowest floor certification made relative to mean sea level shall be prepared by or under the direct supervision of, a Tennessee registered land surveyor and certified by same. The Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

Within approximate A Zones, where Base Flood Elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The

Administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a non-residential building, said certification shall be prepared by, or under the direct supervision of, a Tennessee registered professional engineer or architect and certified by same.

For all new construction and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.

Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The Administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

3. Finished Construction Stage

A final Finished Construction Elevation Certificate is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

**Section C. Duties and Responsibilities of the Administrator**

Duties of the Administrator shall include, but not be limited to, the following:

1. Review all development permits to assure that the permit requirements of this Ordinance have been satisfied, and that proposed building sites will be reasonably safe from flooding.
2. Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
3. Notify adjacent communities and the Tennessee Emergency Management Agency, State NFIP Office, prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA.
4. For any altered or relocated watercourse, submit engineering data/analysis within six (6) months to FEMA to ensure accuracy of community FIRM's through the Letter of Map Revision process.
5. Assure that the flood carrying capacity within an altered or relocated portion of any watercourse is maintained.
6. Record the elevation, in relation to mean sea level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with Article IV, Section B.

7. Record the actual elevation, in relation to mean sea level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Article IV, Section B.
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a Tennessee registered professional engineer or architect, in accordance with Article IV, Section B.
9. Where interpretation is needed as to the exact location of boundaries of the Areas of Special Flood Hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance.
10. When Base Flood Elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the City of Athens, Tennessee FIRM meet the requirements of this Ordinance.
11. Maintain all records pertaining to the provisions of this Ordinance in the office of the Administrator and shall be open for public inspection. Permits issued under the provisions of this Ordinance shall be maintained in a separate file or marked for expedited retrieval within combined files.
12. A final Finished Construction Elevation Certificate (the latest edition of FEMA Elevation Certificate Form) is required after construction is completed and prior to Certificate of Compliance/Occupancy issuance. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to Certificate of Compliance/Occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a Certificate of Compliance/Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

## **ARTICLE V. PROVISIONS FOR FLOOD HAZARD REDUCTION**

## **Section A. General Standards**

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of Tennessee and local anchoring requirements for resisting wind forces;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Ordinance, shall meet the requirements of "new construction" as contained in this Ordinance;
10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provision of this Ordinance, shall be undertaken only if said non-conformity is not further extended or replaced;
11. All new construction and substantial improvement proposals shall provide copies of all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
12. All subdivision proposals and other proposed new development proposals shall meet the standards of Article V, Section B;
13. When proposed new construction and substantial improvements are partially located in an area of special flood hazard, the entire structure shall meet the standards for new construction;

14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple Base Flood Elevations, the entire structure shall meet the standards for the most hazardous flood hazard risk zone and the highest Base Flood Elevation.

## **Section B. Specific Standards**

In all Areas of Special Flood Hazard, the following provisions, in addition to those set forth in Article V, Section A, are required:

1. Residential Structures

In AE Zones where Base Flood Elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than two (2) feet above the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures."

Within approximate A Zones where Base Flood Elevations have not been established and where alternative data is not available, the administrator shall require the lowest floor of a building to be elevated to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures."

2. Non-Residential Structures

In AE Zones, where Base Flood Elevation data is available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than two (2) feet above the level of the Base Flood Elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures."

In approximate A Zones, where Base Flood Elevations have not been established and where alternative data is not available, new construction and substantial improvement of any commercial, industrial, or non-residential building, shall have the lowest floor, including basement, elevated or floodproofed to no lower than three (3) feet above the highest adjacent grade (as defined in Article II). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of this section: "Enclosures."

Non-Residential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and

are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A Tennessee registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the Administrator as set forth in Article IV, Section B.

3. Enclosures

All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a Tennessee professional engineer or architect or meet or exceed the following minimum criteria.
  - 1) Provide a minimum of two openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding;
  - 2) The bottom of all openings shall be no higher than one (1) foot above the finished grade;
  - 3) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- b. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access.
- c. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Article V, Section B.

4. Standards for Manufactured Homes and Recreational Vehicles

- a. All manufactured homes placed, or substantially improved, on: (1) individual lots or parcels, (2) in expansions to existing manufactured home parks or subdivisions, or (3) in new or substantially improved manufactured home parks or subdivisions, must meet all the requirements of new construction.
- b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
  - 1) In AE Zones, with Base Flood Elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than two (2) feet above the level of the Base Flood Elevation or

- 2) In approximate A Zones, without Base Flood Elevations, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three (3) feet in height above the highest adjacent grade (as defined in Article II).
  - c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Article V, Sections A and B.
  - d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
  - e. All recreational vehicles placed in an identified Special Flood Hazard Area must either:
    - 1) Be on the site for fewer than 180 consecutive days;
    - 2) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions), or;
    - 3) The recreational vehicle must meet all the requirements for new construction.
5. Standards for Subdivisions and Other Proposed New Development Proposals

Subdivisions and other proposed new developments, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.

- a. All subdivision and other proposed new development proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision and other proposed new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision and other proposed new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- d. In all approximate A Zones require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data (See Article V, Section E).

**Section C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations and With Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, floodway width or base flood discharge provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12;
3. ONLY if Article V, Section C, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial improvements, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community;
2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a Conditional Letter of Map Revision (CLOMR) from FEMA prior to the start of construction. Upon completion of the project, the applicant shall apply for a Letter of Map Revision (LOMR) from FEMA. Submittal requirements and fees shall be the responsibility of the applicant as established under the provisions of § 65.12;

3. ONLY if Article V, Section D, provisions (1) through (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

**Section E. Standards for Streams without Established Base Flood Elevations and Floodways (A Zones)**

Located within the Special Flood Hazard Areas established in Article III, Section B, where streams exist, but no base flood data has been provided and where a Floodway has not been delineated, the following provisions shall apply:

1. The Administrator shall obtain, review, and reasonably utilize any Base Flood Elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2 below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Article V, Sections A and B.
2. Require that all new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals Base Flood Elevation data.
3. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three (3) feet above the highest adjacent grade (as defined in Article II). All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Article IV, Section B. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Article V, Section B.
4. Within approximate A Zones, where Base Flood Elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to three (3) times the width of the stream or sixty feet (60), whichever is greater, measured from the top of the stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the City of Athens, Tennessee. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Article V, Sections A and B. Within approximate A Zones, require that those subsections of Article V Section B dealing with the alteration or relocation of a watercourse, assuring watercourse carrying capacities are maintained and manufactured homes provisions are complied with as required.

**Section F. Standards For Areas of Shallow Flooding (Zone AO)**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one (1) to three (3) feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one (1) foot above the highest adjacent grade; or at least three (3) feet above the highest adjacent grade, if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Article V, Section F(1) so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Article 4, Section B(1) (c) and Article V, Section B(2).
3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**Section G. Standards For Areas of Shallow Flooding (Zone AH)**

Located within the Special Flood Hazard Areas established in Article III, Section B, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one (1) to three (3) feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Article V, Sections A and B, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

**Section H. Standards For Areas Protected by Flood Protection System (A-99 Zones)**

Located within the Areas of Special Flood Hazard established in Article III, Section B, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Article IV and Article V shall apply.

**Section I. Standards for Unmapped Streams**

Located within the City of Athens, Tennessee, are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a Tennessee registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the locality.
2. When a new flood hazard risk zone, and Base Flood Elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Articles IV and V.
3. ONLY if Article V, Section I, provisions (1) and (2) are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Article V, Sections A and B.

## **ARTICLE VI. VARIANCE PROCEDURES**

### **Section A. Municipal Board of Zoning Appeals**

#### 1. Authority

The City of Athens, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.

#### 2. Procedure

Meetings of the Municipal Board of Zoning Appeals shall be held at such times, as the Board shall determine. All meetings of the Municipal Board of Zoning Appeals shall be open to the public. The Municipal Board of Zoning Appeals shall adopt rules of procedure and shall keep records of applications and actions thereof, which shall be a public record. Compensation of the members of the Municipal Board of Zoning Appeals shall be set by the Athens City Council.

#### 3. Appeals: How Taken

An appeal to the Municipal Board of Zoning Appeals may be taken by any person, firm or corporation aggrieved or by any governmental officer, department, or bureau affected by any decision of the Administrator based in whole or in part upon the provisions of this Ordinance. Such appeal shall be taken by filing with the Municipal Board of Zoning Appeals a notice of appeal, specifying the grounds thereof. In all cases where an appeal is made by a property owner or other interested party, a fee of 500.00 dollars for the cost of publishing a notice of such hearings shall be paid by the appellant. The Administrator shall transmit to the Municipal Board of Zoning Appeals all papers constituting the record upon which the appeal action was taken. The Municipal Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as

due notice to parties in interest and decide the same within a reasonable time which shall not be more than 30 days from the date of the hearing. At the hearing, any person or party may appear and be heard in person or by agent or by attorney.

4. Powers

The Municipal Board of Zoning Appeals shall have the following powers:

a. Administrative Review

To hear and decide appeals where it is alleged by the applicant that there is error in any order, requirement, permit, decision, determination, or refusal made by the Administrator or other administrative official in carrying out or enforcement of any provisions of this Ordinance.

b. Variance Procedures

In the case of a request for a variance the following shall apply:

- 1) The City of Athens, Tennessee Municipal Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this Ordinance.
- 2) Variances may be issued for the repair or rehabilitation of historic structures as defined, herein, upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Ordinance to preserve the historic character and design of the structure.
- 3) In passing upon such applications, the Municipal Board of Zoning Appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this Ordinance, and:
  - a) The danger that materials may be swept onto other property to the injury of others;
  - b) The danger to life and property due to flooding or erosion;
  - c) The susceptibility of the proposed facility and its contents to flood damage;
  - d) The importance of the services provided by the proposed facility to the community;
  - e) The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
  - f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;

- g) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - h) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - i) The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  - j) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
- 4) Upon consideration of the factors listed above, and the purposes of this Ordinance, the Municipal Board of Zoning Appeals may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Ordinance.
  - 5) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**Section B. Conditions for Variances**

- 1. Variances shall be issued upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Article VI, Section A.
- 2. Variances shall only be issued upon: a showing of good and sufficient cause, a determination that failure to grant the variance would result in exceptional hardship; or a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
- 3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the Base Flood Elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the Base Flood Elevation increases risks to life and property.
- 4. The Administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

**ARTICLE VII. LEGAL STATUS PROVISIONS**

**Section A. Conflict with Other Ordinances**

In case of conflict between this Ordinance or any part thereof, and the whole or part of any existing or future Ordinance of the City of Athens, Tennessee, the most restrictive shall in all cases apply.

**Section B. Severability**

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision, or portion of this Ordinance which is not of itself invalid or unconstitutional.

**Section C. Effective Date**

This Ordinance shall become effective on November 28, 2025, in accordance with the Charter of the City of Athens, Tennessee, and the public welfare demanding it.

Approved and adopted by the City of Athens, Tennessee, Mayor and the Athens City Council.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mayor of Athens, Tennessee

Attest: \_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Date of Public Hearing

1st Reading \_\_\_\_\_

2nd Reading \_\_\_\_\_

\_\_\_\_\_  
Date of Publication of  
Caption and Summary



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### **Agenda Item**

IV. H. Public Hearing and Application Selection for Certificate of Compliance for Retail Package Store

### **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.

The following motions were approved during the August 19, 2025 regular session:

1. Motion to Set a New Application Period
  - Monday, September 8, 2025 to Friday, September 19, 2025.
  - 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 a Lottery Selection Method in the case of multiple applicants.
3. Motion to Set Public Hearing and Selection Date
  - Tuesday, October 21, 2025 during the City Council regular session.
  - This date will serve as the public hearing and the meeting for certificate of compliance selection.

Only one application was received by the deadline date.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for a public hearing and consideration of granting the applicant a certificate of compliance. If approved, the applicant has six months to get their retail package store license from the Tennessee Alcoholic Beverage Commission, comply with the approved site plan, and obtain the City of Athens Local Liquor Store Privilege License.

### **Affected Departments**

City Manager's Office





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### **Agenda Item**

IV. I. Resolution 2025-27, a Resolution Authorizing the City of Athens to Participate in the Public Entity Partners James L. Richardson Driver Matching Grant.

### **Overview**

Resolution 2025-27 authorizes the City of Athens to apply for the Public Entity Partners James L. Richardson Driver Matching Grant. The grant is a 50/50 reimbursement program designed to support training and promote safety for employees who operate city vehicles. Based on our insurance premium level, Athens qualifies for up to \$2,500 in grant reimbursement.

If awarded, the funds will support essential safety and compliance needs across various city departments. The Human Resources Department will use approximately \$400 toward annual Motor Vehicle Reports (MVR) for employees who operate city vehicles. The Public Works Department will invest an estimated \$2,000 in sending an employee to Commercial Driver's License (CDL) training. The Fire Department will purchase seventy-five (75) TDOT-approved 36" traffic cones with reflective striping cones that totals approximately \$2,100 and ten (10) TDOT-approved five-point tear-away safety vests totaling \$550.

### **Action to Consider**

Consensus is needed to move Resolution 2025-27 to the October 21, 2025 regular session for consideration .

### **Affected Departments**

Fire, Human Resources, Public Works

**RESOLUTION NO. 2025-27**

**A RESOLUTION AUTHORIZING THE CITY OF ATHENS TO PARTICIPATE IN THE PUBLIC ENTITY PARTNERS JAMES L. RICHARDSON DRIVER MATCHING GRANT**

**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 City of Athens employees; and

**WHEREAS**, Public Entity Partners address training needs and safety concerns for employees who operate city or agency vehicles; and

**WHEREAS**, Public Entity Partners seeks to encourage the establishment of a safe workplace by offering the James L. Richardson Driver Matching Grant (50/50); 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 AS FOLLOWS:**

**SECTION 1.**

That the City of Athens is hereby authorized to apply for the James L. Richardson Driver Matching Grant through Public Entity Partners.

**SECTION 2.**

That the City of Athens is further authorized to provide matching funds in an amount not to exceed \$2,500 to serve as the required match for any monies provided by this grant.

**ON MOTION BY** \_\_\_\_\_

**SECONDED BY** \_\_\_\_\_

said Resolution was adopted and approved by roll call vote on the **21st** day of **October, 2025**.

ATTEST:

\_\_\_\_\_  
Larry Eaton, Mayor

\_\_\_\_\_  
Randall Dowling, City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
Christopher M. Caldwell, City Attorney



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### **Agenda Item**

IV. J. Proposed Revisions to the Parks & Recreation Fee Schedule (Miscellaneous Fees) to Reflect the Installation of New Artificial Turf at Regional Park

### **Overview**

The Parks & Recreation fee schedule (Miscellaneous Fees) needs to be updated to reflect the installation of new artificial turf at Regional Park to recoup the city's investment. Those revisions are attached. Specifically, the tournament fees are being streamlined and updated. If approved, the new fees will take effect January 1, 2026, the beginning of the tournament season.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for consideration.

### **Affected Departments**

Parks & Recreation



# PARKS & RECREATION

## CURRENT FEE SCHEDULE:

### Miscellaneous Fees

Item	Fee
Tournament Deposit	\$200
Tournament Field Lights	\$5
Tournament Local/Invitational 1-10 Teams	\$25
Tournament Local/Invitational 11-20 Teams	\$20
Tournament Local/Invitational 21+ Teams	\$5
Tournament Foundation Team	\$2
Tournament Additional Field Prep	\$35
Tournament Qualifier/Championship 11-20 Teams	\$10
Tournament Qualifier/Championship 21+ Teams	\$5
Tournament Sure Dry	\$10 per bag
Field Lights	\$20 per hour
Extended Close	\$50 flat fee
Festival Power Pedestal	\$200, \$100 each additional pedestal
Athens Park Foundation Rentals	\$5
Soap Box Derby T-Shirt	\$12
Credit Card Convenience Fee	3%
Return Check Fee	\$45
Contact: Parks & Recreation Department 423-744-2704	

## PROPOSED FEE SCHEDULE:

### Miscellaneous Fees

Item	Fee
Tournament Deposit	\$500 per day
Tournament Field Lights	\$15 per Hour
Umpire Room Clean-up Fee (If left in unsanitary condition.)	\$50 per incident
Turf / Facility Clean-up Fee (food/drink/gum/seeds/tobacco violations)	\$200 per incident
Soap Box Derby T-Shirt	\$12
Credit Card Convenience Fee	3%
Return Check Fee	\$45
Contact: Parks & Recreation Department 423-744-2704	



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### **Agenda Item**

IV. K Bid Award of RFP 25-12 for New Electronic Gate at Regional Park

### **Overview**

The FY 2025-26 approved Capital Improvement Fund budget contains \$35,000 to replace the broken manual gate at the entrance to Regional Park with an electric gate for better security.

Bid documents were prepared and distributed. On the deadline date of September 9, 2025, three responses were received. Attached are the memorandum from the Purchasing Assistant, graphic of the gate, warranty information, bid tabulation sheet, and vendor contract.

Based on the submitted bids, the lowest and most responsive bidder was Tim's Fencing (Knoxville), who also installed the fencing around Cedar Grove Cemetery, for a bid of \$35,330, right at the approved budget.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for consideration. If approved, the gate is scheduled for installation around March 2026 after the stormwater improvements and artificial turf have been installed to minimize conflicts with those contractors.

### **Affected Departments**

Parks & Recreation



## PURCHASING DEPARTMENT MEMORANDUM

**To:** Mike Keith, Finance Director

**From:** Angela Robbins, Purchasing Assistant

**Date:** October 8, 2025

**Re:** RFP 25-12 – Athens Regional Park Entrance Gate

Following the close of RFP 25-12, I led the evaluation of the three proposals received. While Kings Development Group submitted the lowest base bid, my recommendation is based on overall responsiveness to the City's requirements and the completeness of the submittal. Tim's Fencing, Inc. provided a clear, compliant proposal that aligns with the specifications and acknowledges the issued addenda. On that basis, I recommend awarding the contract to Tim's Fencing, Inc. for a total of \$35,330.

The project scope is the installation of a single 28' cantilever slide gate at the end of the existing guardrail entering the park. The gate will feature a reflective, full-color City seal centered on the panel to enhance visibility and provide a uniform civic appearance.

From a safety and operations standpoint, the proposed system addresses the core features called for in the RFP. These include obstruction detection to prevent movement when the path is blocked; photo-eye monitoring across the opening and vehicle detection at the exit for predictable operation; battery backup to allow a safe open/close cycle during a power interruption; and an audible alert to caution pedestrians and motorists when the gate is in motion. For emergency access, the control approach enables authorized first responders to open the gate rapidly and securely from the field, supporting reliable ingress during incidents while maintaining day-to-day site security.

Please let me know if you need additional information. I will include the manufacturer cut-sheets with the purchasing packet for your file.



**PURCHASING DIVISION  
 BID TABULATION SHEET**

Bid Opening: Tuesday, September 9 , 2025

BID NUMBER: 25-12

REQUESTING DEPARTMENT: Parks and Recreation

PROJECT NAME: Athens Regional Park Entrance Gate

	<b>Bidder 1</b>	<b>Bidder 2</b>	<b>Bidder 3</b>
Company Name	Stanley Fencing	Tim's Fencing, Inc.	Kings Development Group
Company Address	1939 Newport Hwy Sevierville, TN 37876	4237 Greenway Drive Knoxville, TN 37918	6606 Babelay Rd Knoxville, TN 37924
Company Contact	Kristin Parrish	Les Janow	Dianna Bernal
Phone Number	865-254-3844	865-556-4413	865-250-9187
Email Address	<a href="mailto:stanleyfence64@yahoo.com">stanleyfence64@yahoo.com</a>	<a href="mailto:lesjanow-timsfencing@outlook.com">lesjanow-timsfencing@outlook.com</a>	<a href="mailto:kdgroupntn@gmail.com">kdgroupntn@gmail.com</a>
Terms & Conditions	Y	Y	Y
Non-Collusion Affidavit	Y	Y	Y
No-Contact Affidavit	Y	Y	Y
Addendum 1	N	Y	Y
Addendum 2	N	Y	Y
References	N	Y	Y
Sub-Contractors Listed	N	Y	N/A
Graphic Intuded	N	Y	N
Warranty Information	N	Y	N
Base Price	\$42,460.00	\$35,330.00	\$32,000.00
Alternate A - 2 Leaf Swing	No Bid	\$37,855.00	\$26,000.00
Alternate B - 1 Leaf Swing	No Bid	\$31,010.00	No Bid



## Process



Iron World powder coats all pickets, channels and posts loose rather than assembled to ensure 100 percent powder coating coverage of all parts.



We package all panels, posts, and gates on skids with vinyl clips in between each panel to ensure no scratching. Then we wrap and heat shrink it to ensure your product gets to you damage free.

Iron World Mfg. warrants to the original owner that all of our products will be free of manufacturing and material defects. Our powder coating finish on our aluminum fences will not peel, crack, chip, or blister for as long as you own the fence.

This warranty does not cover damages caused by improper use, application, or installation; abuse; alterations; negligence; vandalism; or acts of God. The warranty also does not extend to the normal weathering, slight discoloration, or chalking caused by prolonged exposure to the elements, mildew, or air pollution. There is no other express warranty except that stated herein.

This lifetime warranty is intended to cover original owners only and is not transferable. The original owner is covered by the warranty for as long as he owns and resides in the property on which the product was first installed. In the event of commercial or otherwise non-residential use, Iron World limits this product warranty to 20 years with a starting date of the original day of installation.

In case of a warranty claim, the owner must provide Iron World a written notice specifying the nature of the defect, along with proof of purchase, within 20 days of the failure. Iron World reserves the right to inspect the material in question to determine the validity of the claim. Defective material must be shipped to Iron World's facility for inspection freight pre-paid. If the product fails to conform to this warranty, Iron World will replace or repair the defective material at its discretion. Iron World shall not be liable or responsible for labor charges or other expenses whatsoever in connection with removal or installation of either the original or replacement product.

The above constitutes the complete limited lifetime warranty by Iron World and no other agreement, written or implied, is valid. No person is authorized to change or modify this warranty. Recoveries for consequential or incidental damages are hereby excluded.



# ALL-O-MATIC

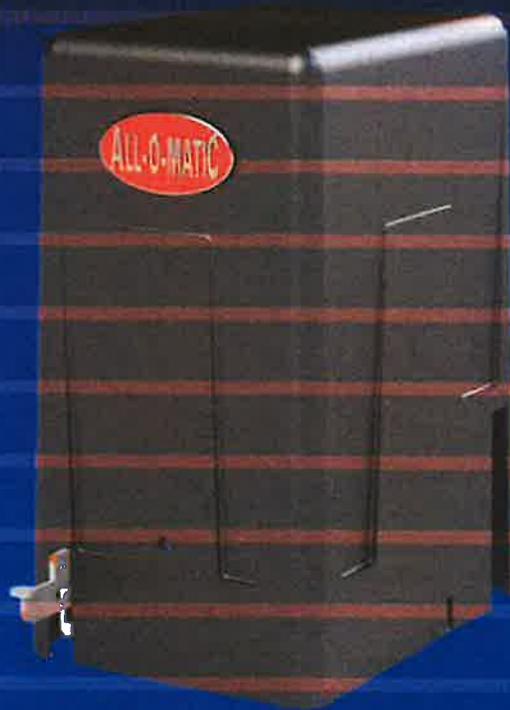


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## SL-100DC FP PRO

SLIDE GATE OPERATOR



## ALL-BLDC PRO CONTROL BOARD



### ALL-BLDC PRO FEATURES

- ✓ LCD DISPLAY WITH ON BOARD DIAGNOSTICS
- ✓ AUTO CLOSE TIMER & OBSTRUCTION SENSING DIGITAL ADJUSTMENTS
- ✓ INTEGRATED WIRELESS PRIMARY/SECONDARY
- ✓ PARTIAL OPEN OPTION
- ✓ PROGRAMMABLE AUXILIARY INPUTS
- ✓ USB PORT TO EXTRACT DIAGNOSTIC DATA AND FIRMWARE UPDATES
- ✓ BUILT-IN VOLT METER THROUGH LCD DISPLAY
- ✓ CYCLE COUNTER AND MUCH MORE



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FOOT PEDAL  
RELEASE



AOM-RED EYE  
INCLUDED



RESIDENTIAL



COMMERCIAL

**SLIDERS | SWINGERS | OVERHEADS**

The standard by which all other automatic gate operators are measured.

SCAN FOR  
PRODUCT  
INFORMATION



UL 325 2018  
COMPLIANT

UL 991  
COMPLIANT

CSA C22.2 #247

# ALL-O-MATIC



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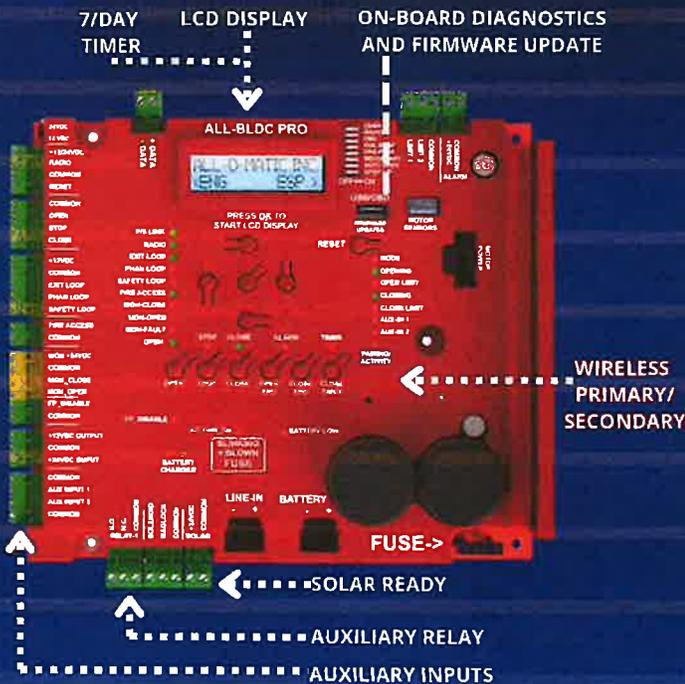
SCAN FOR  
PRODUCT  
INFORMATION

## SL-100DC FP PRO

### SLIDE GATE OPERATOR

## SPECS

<b>Max Gate Weight</b>	2,000 lbs.
<b>Max Gate Length</b>	50 feet
<b>Warranty</b>	7 year residential - 5 year commercial
<b>Motor</b>	24 VDC brushless - 1/2 HP motor
<b>Gate Speed</b>	Adjustable 6" - 12" per second
<b>Power Options</b>	115/230 VAC single phase and 24 VDC solar panel
<b>Duty Cycle</b>	Continuous
<b>Battery Backup</b>	Integrated with (2) 7Ah 12VDC batteries
<b>Battery Backup Capacity</b>	80 cycles on a 1,000 lb. gate
<b>Temperature Range</b>	-40 to 160°
<b>Gearbox Ratio</b>	20:1 with internal disconnect
<b>Width X Length X Height</b>	12" X 17.5" X 23.5"
<b>Shipping Weight</b>	130 lbs.
<b>Emergency Release</b>	Mechanical foot pedal release
<b>Belt Size</b>	4L-260 (AX24)
<b>Main Sprocket Size</b>	41B22X7/8
<b>Chain Size</b>	41NP (20" included)
<b>Gearbox Sprocket</b>	41B12X7/8
<b>Limit Shaft Sprocket</b>	41B15X5/8
<b>Breaker Requirement</b>	20 amp dedicated
<b>Gearbox Pulley</b>	2 1/2" with 5/8" bore
<b>Motor Pulley</b>	2" with 5/8" bore



### AVAILABLE ACCESSORIES



V-Groove  
Wheels



GUIDE  
Rollers



Fire  
Boxes



24V  
Solar  
Panel



PRIME VD-1  
Loop Detector

The Warrantor warrants the SL-100FP PRO DC Gate Operator. ALL-O-MATIC INC warrants its gate openers for a period of five (5) years in commercial installations, and for a period of seven (7) years in residential installation to be free from defects in circuitry, motor, gear box and workmanship. This warranty applies from the date of purchase to the original owner. Warrantor will repair or, at its option, replace any device which it finds to require service. This device must be sent to the warrantor at the consumer's expense. The warrantor will return the repaired or replaced unit to the customer at the consumer's expense. Labor charges for dealer service or replacement are the responsibility of the owner. These warranties are in lieu of all other warranties either expressed or implied, and ALL-O-MATIC INC shall not be liable for consequential damage. All implied warranties of merchantability and/or fitness for a particular purpose are hereby disclaimed and excluded. This limitation is not valid in jurisdictions which do not allow limitation of incidental or consequential damages or limitation of warranty periods. Caution in order to obtain this policy, please complete the registration card and send it by mail within 30 days of purchasing from ALL O-MATIC INC. or your INSTALLER. If not registered only a one year warranty on all parts will be provided.

The standard by which all other automatic gate operators are measured.

UL 325 2018 COMPLIANT    UL 991 COMPLIANT

CSA C22.2 #247

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- ✦ Gates and Doors Should NOT Delay Your Response

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- PROGRAMMABLE TIME DELAY ON MAIN GATE CONTROL RELAY
- SOFTWARE INTERFACE FOR EASY PROGRAMMING
- OPERATES IN SUB-ZERO TEMPERATURES
- CAPABLE OF OPERATING WITH CTCSS (PL & DPL) PRIVATE LINE CODING
- BRIGHT ACTIVATION AND POWER LEDS
- DUAL DRY CONTACT RELAY OUTPUTS
- RELAYS CAN BE INDEPENDENTLY CONTROLLED VIA CHIP FIRMWARE
- ACTIVATION HISTORY DATA LOGGING FOR EXPORT TO COMPUTER FILE
- ENCLOSURE NEMA 4X RATED
- REFLECTIVE FRONT IDENTIFICATION LABEL TO SUPPORT FASTER NIGHTTIME IDENTIFICATION

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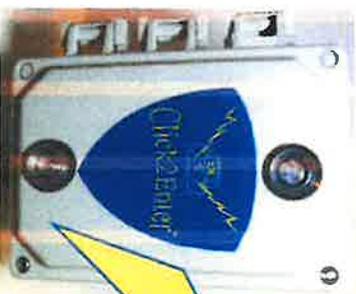
No cost to the public safety agency, because they already possess the access control device [KEY]— Their own radio transceiver.

Don't risk untimely delays during an emergency response. Every second counts so forcing the emergency responder to STOP their vehicle to enter a code, activate a key, or not get in at all can have a catastrophic outcome.

Operate both gates and doors for a comprehensive overlay emergency access response.

Features and benefits of the NEW Click2Enter-1.V4:

- ★ Mutual Aid Control
- ★ Stealth Operation
- ★ Improved Response Time
- ★ Officer Safety Friendly
- ★ Provides Increased Security Over Light & Siren Systems







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### **Agenda Item**

IV. L. Bid Award of RFB 25-15 for HVAC Replacement at Fire Station #2 and City Hall

### **Overview**

The FY 2025-26 approved Capital Improvement Fund budget contains \$20,000 to replace the HVAC units (no internal duct work) at Fire Station #2 and \$580,000 to replace the external HVAC roof-top units (no internal duct work) at City Hall. These HVAC units are at the end of their useful life.

Bid documents were prepared and distributed. On the deadline date of September 29, 2025, three responses were received. Attached are the memorandum from the Purchasing Assistant, bid tabulation sheet, and vendor contract.

Based on the submitted bids, the lowest and most responsive bidder was Webb Plumbing, Heating, and Electrical (Athens) with a bid of \$24,440 for Fire Station #2 and \$174,999 for the City Hall. Installation is expected during December 2025.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for consideration.

### **Affected Departments**

Fire Department, City Hall



## PURCHASING DEPARTMENT MEMORANDUM

**To:** Mike Keith, Finance Director  
**From:** Angela Robbins, Purchasing Assistant  
**Date:** October 8, 2025  
**Re:** RFB 25-15 – Athens City Hall & Fire Station 2 HVAC

Following the close of RFB 25-15, I led the evaluation of the bids received for Athens City Hall and Fire Station 2. While Webb's Plumbing, Heating & Electric (Webb's P&H) did not appear to be the lowest at the opening, subsequent review confirmed that Tennessee Home Solutions' Base Bid A price reflected an incorrect unit count for City Hall. Because the City solicited separate pricing for the two locations, the evaluation distinguishes between those scopes accordingly.

**Base Bid A – City Hall:** The RFB called for replacement of multiple rooftop units and one split system at City Hall. Tennessee Home Solutions' worksheet priced fewer units than required for this base bid, which is why their apparent low price was not comparable. Webb's P&H submitted a complete, responsive price for the full City Hall scope and is the lowest responsible, compliant bidder on that basis.

**Base Bid B – Fire Station 2:** The Fire Station 2 work is a separate base bid and was evaluated independently. Webb's P&H provided a responsive price that meets the specifications and schedule requirements.

**Recommendation:** In the City's best interest and consistent with the solicitation's provision for separate awards, I recommend awarding to Webb's P&H as follows: Base Bid A (City Hall) and Base Bid B (Fire Station 2). This recommendation recognizes the corrected comparison for City Hall quantities and Webb's complete, compliant bid for both scopes.

For the record, the bid tabulation reflects the base prices submitted at opening: Webb's P&H — City Hall: \$174,999.00; Fire Station 2: \$24,440.00. Tennessee Home Solutions — City Hall: \$69,611.06 (based on an incorrect unit count); Fire Station 2: \$18,335.06. All required affidavits, addendum acknowledgement, insurance, and licensing were submitted.

Please let me know if you need any additional information. I will attach the vendor submittals and cut-sheets to the purchasing packet for your file.



**PURCHASING DIVISION  
 BID TABULATION SHEET**

Bid Opening: Monday, September 29, 2025

BID NUMBER: 25-15

REQUESTING DEPARTMENT: ADMINISTRATION

PROJECT NAME: ATHENS CITY HALL & FIRE STATION 2 HVAC

	<b>Bidder 1</b>	<b>Bidder 2</b>	<b>Bidder 3</b>
Company Name	Webb Plumbing, Heating, & Electric	Powers Heating and Air, LLC	Tennessee Home Solutions
Company Address	PO Box 847 Athens, TN 37371	1116 Highway 64 Ocoee, TN 37361	475 Hwy 431 Martin, TN 38237
Company Contact	Jayson Vicars	Timothy O'Michael Powers	Bradley Gooch
Phone Number	423-745-3590	404-358-0706	731-587-9005
Email Address	<a href="mailto:jayson@webbphcorp.com">jayson@webbphcorp.com</a>	<a href="mailto:tpowers.heatandair@gmail.com">tpowers.heatandair@gmail.com</a>	<a href="mailto:bxgooch@tn-homesolutions.com">bxgooch@tn-homesolutions.com</a>
Terms & Conditions	Y	Y	Y
Non-Collusion Affidavit	Y	Y	Y
No-Contact Affidavit	Y	Y	Y
Drug-Free Affidavit	Y	Y	Y
Boycott of Israel Affidavit	Y	Y	Y
E-Verify Affidavit	Y	Y	Y
W-9	Y	Y	Y
Addendum 1	Y	Y	Y
Proof of Insurance	Y	Y	Y
Contractor & Business License	Y	Y	Y
Base Price - City Hall	\$174,999.00	\$212,483.24	\$69,611.06**
Base Price - Fire Station 2	\$24,440.00	\$36,783.06	\$18,335.06
Bid Bond	Y	Y	Y





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### **Agenda Item**

IV. M. Five-Year Capital Improvement Plan

### **Overview**

A capital improvement plan (CIP) is an important element of sound financial management and long-term planning for all local governments. A CIP outlines a recommended schedule of needed public facility improvements to be made over a multi-year time frame, typically five years including associated costs and funding sources.

For the previous few months, city staff has discussed a CIP and collectively prepared the attached document for Council consideration using many resources including previously completed master plans.

The proposed CIP will be presented to the City Council Advisory Committee during their Oct. 20, 2025 quarterly meeting for feedback and to the Parks & Recreation Advisory Committee during their regular Oct. 23, 2025 meeting for feedback.

Once approved, the CIP is a living document and should be reviewed annually in conjunction with the annual budget preparation process to ensure the listed capital projects are still the city's top priorities.

### **Action to Consider**

Consensus is needed to move this item to the November 10, 2025 work session for further discussion after receiving feedback from the City Council Advisory Committee and the Parks & Recreation Advisory Committee.

### **Affected Departments**

All



**FIVE YEAR  
CAPITAL IMPROVEMENT PROGRAM  
FY 2026-27 to FY 2030-31**

# **CAPITAL IMPROVEMENT PROGRAM**

---

## **Benefits of Having a Capital Improvement Program**

A comprehensive and well-crafted capital improvement program (CIP) is an important element of sound financial management and long-term planning for all local governments. Specifically, a CIP, simply outlines a recommended schedule of needed public facility improvements to be made over a multi-year time frame such as five years, their associated costs, and funding sources. The benefits of developing and maintaining a CIP are numerous including:

- Providing for the orderly and planned replacement of major capital facilities and equipment for the benefit of citizens, industry, and visitors.
- Ensuring continuity that major capital facilities and equipment will be replaced in the face of changing political and managerial leadership.
- Strengthening long-range financial planning by knowing when expensive capital projects are to be budgeted.
- Assisting in proper planning and timing of capital projects so projects can be coordinated and the right people and consultants in place to design and construct the projects.
- Enhancing the city's credit rating by demonstrating to the rating agencies the city has engaged in long-term capital planning.
- Providing the city with a positive public relations tool to show the taxpayers that their local government has carefully and proactively planned for the future replacement of public facilities and equipment.

## **Resources Used to Create the City's CIP**

This CIP was created from previously completed master plans and in-depth city staff input regarding their capital needs for the upcoming five fiscal years. Specifically, those completed master plans consist of the following:

- City of Athens Signal Timing & Operations Study (2019)
- Downtown Master Plan (2020)
- Comprehensive 20 Year Master Plan 2017-2037 (2020)
- City of Athens Mobility Plan (CMP) (2021)
- McMinn County Recreation Master Plan including the Cities of Athens, Etowah, Niota and the Towns of Calhoun and Englewood (2021)
- City of Athens Strategic Plan (2022)
- Athens Bike & Pedestrian Master Plan (2023)
- City of Athens Traffic Safety Action Plan (TSAP) (2025)

The CIP should be reviewed annually in conjunction with the annual budget preparation process to ensure the capital projects as listed remain the city's top priorities.

# **CAPITAL IMPROVEMENT PROGRAM**

**FY 2026-27**

<b>Department</b>	<b>Capital Item</b>	<b>New or Replacement</b>	<b>Estimated Cost</b>	<b>Funding Sources</b>
<b>General Fund</b>				
City Hall	City Hall Renovation & Expansion - Phase I Including Update/Modernization of CAT 6 Wiring and Council Chambers Livestream/Video Conferencing Capabilities.	R	\$4,000,000	Capital Improvement Fund, Debt
Community Development	Repair Hammond Cemetery Drive	R	45,000	Capital Improvement Fund
Fire Dept.	Complete Fire Station #3 Construction	N	4,500,000	Capital Improvement Fund, Debt
Fire Dept.	Service Truck	R	60,000	Fleet Fund
Fire Dept.	Pumper	R	900,000	Fleet Fund
Information Technology	Replace End of Life Network Switches and End User Hardware Refresh	R	110,000	General Funds/Capital Improvement Funds
Information Technology	Virtual Server Software Migration	R	20,000	General Funds/Capital Improvement Funds
Information Technology	Add Security Cameras at 3 Parks	N	40,000	Grants/General Funds/Capital Improvement Funds
Information Technology	Expand E-government Services Like E-sign Documents, E-forms, and E-procurement Platform	R	25,000	General Funds
Information Technology	Implement USB Encryption Software	N	8,000	General Funds
Information Technology	Upgrade Point of Sale Equipment at Regional Park	R	15,000	General Funds
Information Technology	Add Security Cameras at Rear of Public Works Facility	N	10,000	General Funds
Information Technology	Implement New Municipal Court Software	R	5,000	General Funds
Information Technology	Implement Tracking Software for Certificate of Insurances	N	6,000	General Funds
Parks & Recreation	Complete Market Park Improvements - Phase II Including Level 2 EV Chargers	N	700,000	Grants, Capital Improvement Fund
Parks & Recreation	Install Artificial Turf and Lights on Soccer Fields at Regional Park	N	4,500,000	Capital Improvement Fund, Hotel/Motel Tax Fund
Parks & Recreation	Extend Eureka Trail to Prof Powers Park	N	350,000	Grants, Capital Improvements Fund, County Funds
Parks & Recreation	Resurface Lake Loop Trail at Regional Park	N	75,000	Grants, Capital Improvement Fund
Parks & Recreation	Install Aerator at Large Lake at Regional Park to Improve Water Quality	N	25,000	Capital Improvement Fund

# CAPITAL IMPROVEMENT PROGRAM

## **FY 2026-27 (continued)**

Department	Capital Item	New or Replacement	Estimated Cost	Funding Sources
<b>General Fund</b>				
Parks & Recreation	Acquire/Install Holiday Light Decorations on Decatur Pike and Congress Parkway Utility Poles	N	\$100,000	Grants, General Funds
Parks & Recreation	Plant Additional Shade Trees at Cook Park per Recreation Master Plan	N	75,000	General Fund
Parks & Recreation	Improve Knight Park / N. White St. / N. Jackson St. / College St.	R	1,750,000	CDBG, Capital Improvement Fund, Grant Funds
Parks & Recreation	Prepare / Update Prof Powers Park Master Plan	R	20,000	Capital Improvement Fund, Grants
Parks & Recreation	Improve the Intersection at Decatur Pike and Regional Park Drive by Widening the Entrance/Exit to Have Three Travel Lanes and an Accel/Decel Lane on Decatur Pike and Replace the Entrance Guardrail.	N	300,000	Capital Improvement Fund
Parks & Recreation	Prepare a Plan to Use the Recently Acquired 12 Acres of Land at Regional Park	N	7,500	General Funds
Police Dept.	Vehicles (5)	R	400,000	Fleet Fund
Public Works	Complete Green Street Improvements Per Grant Application	R	400,000	MMAG Grant, Capital Improvement Fund
Public Works	Complete Mayfield Stormwater Project Per Grant Application	N	700,000	ARP Funds, Capital Improvement Funds
Public Works	Create Storm Water Utility Fund & Fee Schedule	N	10,000	ARP Funds, General Fund
Public Works	Install Downtown Street / Pedestrian / Sidewalk / Signage / Landscaping Improvements Per Master Plan - Phase 1	R	500,000	Grants, Capital Improvement Fund
Public Works	Annual Sidewalk Installation / Repair Program: MCHS Loop and Eastanalle Ave. Construction, Congress Parkway and W. Madison Ave. Engineering	N	500,000	Grants, Capital Improvement Fund
Public Works	Traffic Signal Upgrades @ Alford, Park, Velma, and Dupitt	R	100,000	Capital Improvement Fund
Public Works	Leveck St. Stormwater Pipe Replacement	R	150,000	Storm Water Utility Fund
Public Works	Leeboy Paver for Street Maintenance	N	100,000	Fleet Management Fund
Public Works	Decatur Pike Improvements from W. of Dennis St. to Dupitt St. Per TSAP	R	4,000,000	Grants, Capital Improvement Fund
Public Works	Local Resurfacing Program	R	1,000,000	Capital Improvement Fund
<b>Total for FY 2026-27</b>			<b>25,506,500</b>	

# CAPITAL IMPROVEMENT PROGRAM

**FY 2027-28**

Department	Capital Item	New or Replacement	Estimated Cost	Funding Source
<b>General Fund</b>				
City Hall	City Hall Renovation & Expansion - Phase II including Training Room and Conference Room Multi-Media Enhancements	R	\$4,000,000	Debt, Capital Improvement Fund
Community Development	Resurface Driveway at Sullins Cemetery	R	20,000	Capital Improvement Fund
Fire Dept.	Equipment For New Aerial Truck	N	200,000	Fleet Fund
Fire Dept.	LifePak Cardiac Monitors/AED	N	120,000	General Fund
Information Technology	Implement Text Message Retention Software	N	15,000	General Fund
Information Technology	Replace End of Life Network Switches	R	7,000	General Fund
Information Technology	Add Security Cameras at 3 Parks	N	30,000	Grants, General Funds
Information Technology	End of Life End User Hardware Refresh	R	15,000	General Funds
Information Technology	Implement Employee Intranet	N	18,000	General Funds
Parks & Recreation	Renovate Skate Park at Ingleside Park	R	750,000	Grants, Capital Improvement Fund
Parks & Recreation	Replace Swimming Pool at Ingleside Park	R	2,000,000	Grants, Capital Improvement Fund
Parks & Recreation	Extend Eureka Trail to Library along the Ostanala Creek	N	1,000,000	Grants, Capital Improvements Fund
Parks & Recreation	Renovate Prof Powers Park	R	3,000,000	Grants, Capital Improvement Fund
Parks & Recreation	Design a Centralized Community Center	N	250,000	Capital Improvement Fund
Police Dept.	Vehicles (5)	R	400,000	Fleet Funds
Public Works	Install Downtown Street / Pedestrian / Sidewalk / Signage / Landscaping Improvements Per Master Plan - Phase 2	R	500,000	Grants, Capital Improvement Fund
Public Works	Obtain Necessary Permits from TDOT, Design Landscape / Hardscape Improvements at the City's Gateway on I-75, Exit 49	N	50,000	Grants, Hotel/Motel Tax Fund
Public Works	Congress Parkway Improvements from Decatur Pike to Railroad Ave. Per TSAP	R	500,000	Coordinate with TDOT
Public Works	Annual Sidewalk Installation / Repair Program: Maple Street and Rocky Mount Road Construction and Dupitt Street, Congress Parkway, W. Madison Ave. Engineering	N	500,000	Grant, Capital Improvement Fund

# CAPITAL IMPROVEMENT PROGRAM

## FY 2027-28 *(continued)*

Department	Capital Item	New or Replacement	Estimated Cost	Funding Source
<b>General Fund</b>				
Public Works	Design Redfern Industrial Park Entrance and Internal Road	N	400,000	Capital Improvement Fund
Public Works	Traffic Signal Upgrades @ Ingleside and S. Jackson	R	100,000	Capital Improvement Fund
Public Works	Relocate Recycle Center from Rocky Mount Rd. to Public Works Campus	N	750,000	Grants, Capital Improvement Fund
Public Works	Acquire Property for Regional Stormwater Detention	N	300,000	Storm Water Utility Fund
Public Works	Bank Street Stormwater Regional Detention	N	150,000	Storm Water Utility Fund
<b>Enterprise Fund</b>				
SE TN Trade & Conference Center Fund	Design Conference Center Expansion / Improvements including WIFI upgrades	N	1,000,000	Debt, Capital Improvement Fund, Public/Private Partnership
<b>Total for FY 2027-28</b>			<b>16,075,000</b>	

# CAPITAL IMPROVEMENT PROGRAM

**FY 2028-29**

Department	Capital Item	New or Replacement	Estimated Cost	Funding Source
<b>General Fund</b>				
Community Development	Resurface Driveway at Cedar Grove Cemetery	R	\$125,000	Capital Improvement Fund
Fire Dept.	Complete Training Room Storage at Fire Training Facility	N	500,000	Capital Improvement Fund
Information Technology	End of Life End User Hardware Refresh	R	10,000	Capital Improvement Fund
Parks & Recreation	Install Artificial Turf on 5 Outfields at Regional Park	N	3,500,000	Capital Improvement Fund, Hotel/Motel Fund
Parks & Recreation	Construct a Centralized Community Center - Phase I	N	4,000,000	Grants, Capital Improvement Fund, Debt
Parks & Recreation	Add Security Lighting at Eco Park for Safety	N	7,500	General Fund
Parks & Recreation	Design / Install Landscape / Hardscape Improvements at the City's Gateway on I-75, Exit 49	N	400,000	Grants, Capital Improvement Fund
Parks & Recreation	Install Additional Pickleball Courts at Ingleside Park	N	1,600,000	Grants, Capital Improvement Fund
Parks & Recreation	Refresh the Gravel on Eureka Trail	R	50,000	Capital Improvement Fund
Police Dept.	Vehicles (5)	R	425,000	Fleet Fund
Public Works	Install Downtown Street / Pedestrian / Sidewalk / Signage / Landscaping Improvements Per Master Plan - Phase 3	R	500,000	Grants, Capital Improvement Fund
Public Works	Dennis Street Improvements from W. Madison to Decatur Pike Per TSAP	R	300,000	Grants, Capital Improvement Fund
Public Works	Annual Sidewalk Installation / Repair Program: Dupitt St. and Congress Parkway Construction, W. Madison Ave. ROW, and Oostanaula Greenway Pilot Engineering	N	500,000	Capital Improvement Fund
Public Works	Construct Redfern Industrial Park Entrance and Internal Road	N	850,000	Capital Improvement Fund
Public Works	Traffic Signal Upgrades @ Rocky Mount Rd. (2)	R	100,000	Capital Improvement Fund
Public Works	Stormwater Improvements on Layman Road	N	350,000	Stormwater Utility Fund
Public Works	Local Resurfacing Program	R	1,000,000	Capital Improvement Fund
<b>Enterprise Fund</b>				
SE TN Trade & Conference Center Fund	Conference Center Improvements - Phase I	N	5,000,000	Capital Improvement Fund, Debt, Public/Private Partnership
<b>Total for FY 2028-29</b>			<b>19,217,500</b>	

# CAPITAL IMPROVEMENT PROGRAM

**FY 2029-30**

Department	Capital Item	New or Replacement	Estimated Cost	Funding Source
<b>General Fund</b>				
Fire Dept.	Staff Vehicle	R	\$65,000	Fleet Fund
Information Technology	End of Life End User Hardware Refresh	R	15,000	General Funds
Parks & Recreation	Construct a Centralized Community Center - Phase 2	N	4,000,000	Grants, Capital Improvement Fund, Debt
Parks & Recreation	Construct Dug Out Covers @ Regional Park	N	95,000	Capital Improvement Fund
Police Dept.	Vehicles (5)	R	425,000	Fleet Fund
Public Works	Install Downtown Street / Pedestrian / Sidewalk / Signage / Landscaping Improvements Per Master Plan - Phase 4	R	500,000	Grants, Capital Improvement Fund
Public Works	Street Resurfacing Program	R	1,500,000	STBL, Capital Improvement Fund
Public Works	Annual Sidewalk Installation / Repair Program: Hammerhill Engineering, Oostanala Greenway Construction, Congress Parkway and W. Madison Construction	N	500,000	Grants, Capital Improvement Fund
Public Works	Design Eureka Trail Extension from Prof Powers Park to Veterans Park along Ostanala Creek	N	100,000	Grants, Capital Improvement Fund
Public Works	Improve Redfern Industrial Park for Better Marketability	N	1,000,000	Grants
Public Works	Improve Congress Parkway from Railroad Ave. to Dollar General Parking Lot Per TSAP	R	750,000	Grants, Capital Improvement Fund
Public Works	Traffic Signal Upgrades @ McMinn, Keith, and Cook	R	100,000	Capital Improvement Fund
Public Works	Tellico Ave. Regional Detention	N	250,000	Storm Water Utility Fund
<b>Enterprise Fund</b>				
SE TN Trade & Conference Center Fund	Conference Center Improvements - Phase II	N	7,000,000	Debt, Capital Improvement Fund, Public/Private Partnership
<b>Total For FY 2029-30</b>			<b>16,300,000</b>	

# CAPITAL IMPROVEMENT PROGRAM

## FY 2030-31

Department	Capital Item	New or Replacement	Estimated Cost	Funding Source
<b>General Fund</b>				
Fire Dept.	Fire Truck	R	\$1,500,000	Fleet Fund
Fire Dept.	Staff Vehicle	R	65,000	Fleet Fund
Information Technology	End of Life End User Hardware Refresh	R	10,000	Capital Improvement Fund
Information Technology	End of Life Data Center Hardware Replacement	R	300,000	Capital Improvement
Parks & Recreation	Design and Implement an Attraction at Regional Park's Overlook Hill	N	300,000	Grants, Capital Improvement Fund
Parks & Recreation	Install Water Feature at Cook Park	N	1,000,000	Grants, Capital Improvement Fund
Parks & Recreation	Add Parking at Cook Park	N	100,000	Grant, Capital Improvement Fund
Police Dept.	Vehicles (5)	R	450,000	Fleet Fund
Public Works	Install Downtown Street / Pedestrian / Sidewalk / Signage / Landscaping Improvements Per Master Plan - Phase 5	R	500,000	Grants, Capital Improvement Fund
Public Works	Old Riceville Road Improvements from W. Madison to Decatur Pike Per TSAP	R	500,000	Grants, Capital Improvement Fund
Public Works	Annual Sidewalk Installation / Repair Program: Oostanaula Greenway Construction, Hammerhill Engineering and Construction	N	500,000	Grants, Capital Improvement Fund
Public Works	Acquire ROW and Extend Eureka Trail from Prof Powers Park to Veterans Park – Phase I	N	500,000	Grants, Capital Improvement Fund
Public Works	Traffic Signal Upgrades @ Dennis (2), Layman, and Lowes	R	100,000	Capital Improvement Fund
Public Works	East Ave. Regional Detention	N	200,000	Stormwater Utility Fund
<b>Total for FY 2030-31</b>			<b>6,025,000</b>	
<b>Grand Total for All Five Years</b>			<b>83,004,000</b>	

Updated: Oct. 10, 2025



815 N. Jackson Street  
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### **Agenda Item**

IV. N. Surplus QTAC EMS-R skid

### **Overview**

A QTAC EMS-R skid is a compact, removable emergency medical services unit designed to be mounted on a UTV. Funding was approved in the current fiscal year's General Fund budget to upgrade to a new QTAC 85EMS-C skid, which is scheduled for delivery on October 10th.

Authorization is requested to declare the QTAC EMS-R skid as surplus, list it on GovDeals, and proceed with the sale in accordance with City policy.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session for consideration.

### **Affected Departments**

Fire Department



## FIRE DEPARTMENT

**To:** Randy Dowling, City Manager  
**From:** Brandon Ainsworth, Fire Chief  
**Date:** October 8, 2025  
**Subject:** EMS Skid unit surplus

This memo is to inform you that the Athens Fire Department is requesting approval to surplus the EMS skid that was purchased with our UTV. This is a QTAC EMS-R skid.

This fiscal budget year, we submitted a request to upgrade this skid to the QTAC 85EMS-C. This budget request was funded. The unit was purchased within the guidelines of the city's purchasing policies. It is scheduled for delivery on October 10<sup>th</sup>. This skid includes a poly water tank, pump, and platform for a rescue basket. The new unit allows us to better serve the needs of our community as well as surrounding areas.

We are requesting authorization to declare the EMS-R skid as surplus for Gov Deals and proceed with proper sale 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



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### **Agenda Item**

IV. O. a. i. Out of State Travel Notice

### **Overview**

Councilmember Duggan requested:

*“Discussion for city council and administrative out of state travel for the city and paid by the city, must be brought forth and informed to the council and the public, through and by the study sessions or regular schedule meetings. This is before travel is to take place. Not for approval, that is an administrative decision and considered requirements of the position. This is for transparency and clarity due to the outcries of the public. And then a brief follow up report to the council and public is given after said travel is complete, for full disclosure of productivity of all trips.” – email 10/3/2025*

Current travel policy is attached.

### **Action to Consider**

Consensus is needed to move this item to the October 21, 2025 regular session.

### **Affected Departments**

City Council

# TRAVEL POLICY

**TRAVEL POLICY  
FEBRUARY 1, 2000**

**I. Purpose**

Stated herein are the City's policy and necessary rules and regulations for payment of expenses related to travel. It is the intent of this policy to assure fair and equitable treatment to all individuals traveling on City business at City expense. It is the purpose of these regulations to provide a reasonable and systematic means by which the cost of travel may be estimated for budget preparation and controlled for purposes of economy.

**II. Scope**

The policy and procedures contained in this document will apply to (1) all City employees, (2) City Council members, and (3) any person traveling in an official capacity for the City with prior approval from the City Manager.

**III. Definitions**

- A. Authorized Signature - Those individuals with the authority to permit travel on City business. On official travel forms, authorized signatures include the City Manager and Department Heads.
- B. Authorized Trips -Travel on City business which has been approved by the City Council and/or City Manager in the budget process.
- C. Automobile Allowance - Monthly payments to designated City employees and officials for using a privately-owned vehicle for business use in lieu of a City vehicle.
- D. Travel Advance - Money given in advance of travel when estimated expenditures are to be more than \$50.
- E. Travel Advance Form - A request for check prepared by the traveler indicating dates of departure and return, destination, purpose and justification of trip, and amount requested.
- F. Traveler -The individual representing the City on an authorized trip.
- G. Travel Expense Report -The form prepared by the traveler upon conclusion of the authorized trip for reimbursement of travel expenses.

**IV. General Policy**

- A. Travel on city business includes trips to conferences, conventions, workshops, seminars, educational and training courses, forums, and other City related business meetings. For employees who do not receive an auto allowance, travel on City business includes trips outside a 15 miles radius of the municipal building. For employees who receive an auto allowance, auto expenses will only be reimbursed for trips outside a 65 mile radius of the municipal building.
- B. All travel authorizations, advances, and reimbursements shall be made only with the authorization of the Department Head and approval of the City Manager. However, the approving authority will never be the person requesting the travel. Department Heads will obtain approval from the next highest authority.
- C. Employees authorized to travel may secure an advance of funds to cover the cost of travel, not to exceed \$50.00 per day. All travel advances should be presented to the Finance Director's office in sufficient time to allow the check to be used the Monday prior to departure. Employees cannot obtain advances for co-workers or other employees. Employees requesting a travel advance are advised that all funds advanced must be accounted for and funds not utilized must be returned to the Finance Department at the time the final claim is submitted. Travel advances outstanding more than 45 days may be deducted from the employee's paycheck.
- D. Employees should make provisions with their department before they leave for a forwarding address or place where they can be contacted if the need arises while they are away.
- E. It is the responsibility of the traveler to prepare the Travel Expense Report for reimbursement of expenses incurred. It is also the traveler's responsibility to submit the Travel Expense Report to the Finance Department no later than 30 days from the date of return from the trip. If reimbursement is claimed later than 30 days, it may be disallowed, unless previous authorization has been given by the Finance Department.
- F. Travel Expense Reports submitted to the Finance Department will be verified by accounts payable. Accounts payable may change any claim or reimbursement that does not conform to the rules and regulations stated in this policy.
- G. Any expense considered excessive will be disallowed.
- H. Travelers who receive an allowance or reimbursement by means of a false claim will be liable for the amount of the overpayment and will repay the fund from which the claim was originally paid (and will be subject to disciplinary action in accordance with Personnel Rules and Regulations). Travel will be controlled by line item at the department level. The employee is responsible for the legality and accuracy of his/her claims.
- I. The Director of Finance may institute any rules and regulations and provide any forms for travel reimbursement he/she deems necessary in order to effectuate this policy.

J. The City Manager may make any necessary exceptions to this policy in the event that circumstances fail to address or ineffectively address the given situation.

## V. Travel Expenses

### A. Transportation

1. All travel must be by the usually traveled or most direct route. Persons traveling by an indirect route for their own convenience must bear any extra costs, and reimbursement for expenses will be based only on the charges that would normally have occurred. This approving authority will determine the most economical method of travel for each trip. In general, the City will reimburse for travel the coach airfare when available or the current mileage rate, not to exceed the cost of coach airfare.

#### 2. Mode of Transportation

##### a. City Vehicles

- (1) City vehicles should be used whenever available for official business.
- (2) Reimbursement for gasoline, parking, tolls and justifiable repairs to the City vehicle will be provided if documented with accurate receipts. If possible, gasoline and service should be obtained prior to leaving.
- (3) Travelers may use a City credit card for gas purchases while traveling in a City vehicle. Gas credit cards will be signed-out in the Finance Department on a first-come, first-serve basis.

##### b. Auto Allowances

- (1) Employees whose job requirements justify an auto allowance will receive the allowance in a periodic basis determined by the City Manager in accordance with IRS Rules and Regulations. This allowance will include the following expenses: (1) all vehicle maintenance and repairs, (2) all applicable insurance, and (3) all gasoline required for travel within a 65 mile radius of the municipal building.

##### c. Private Automobile

- (1) If other means of transportation are not feasible or the use of a private automobile better serves the City's purposes, then use of an employee's private automobile may be authorized.
- (2) For the use of his/her private car, the traveler will be reimbursed at the current IRS approved mileage rate plus parking and toll fees if documented with receipts.
- (3) An employee assigned a City vehicle may only use his/her private vehicle for City travel if approved in advance by the City Manager.

##### d. Commercial Aircraft

- (1) If air travel is feasible, the fare for commercial air transportation should not exceed the regular coach fare.
- (2) All air travel should be approved in advance by the City Manager.
- (3) The travel agency should bill the City whenever possible.

e. Other Public Conveyance

- 1) Rail, bus, or travel by other public conveyance will be allowed if travel by such means is necessary and the cost does not exceed other means of travel.

B. Lodging

- 1. All City employees are expected to stay in a moderately priced hotel or motel located reasonably close and convenient to the place where business will be transacted.
- 2. Expenditures for lodging must be reasonable. It is recognized that expenditures will vary by geographic location; the City will pay the prevailing single room rate per employee at the place of lodging.
- 3. When two or more employees of the same sex are attending the same event, the sharing of quarters is encouraged. When quarters are shared, the double room rate will be reimbursed.

C. Meal Allowance

- 1. Meal allowances, except for overnight travel to those localities designated in IRS Publication 1542, will be reimbursed at the IRS Standard meal allowance if the criteria in 2 and 3 are met. For those localities listed in Publication 1542, reimbursement for overnight travel will be at the rates listed for each location.
- 2. The following time schedule for departure and return shall determine eligibility for reimbursement for meals at the various meal allowance amounts.

	<u>Breakfast</u>	<u>Lunch</u>	<u>Dinner</u>
If departure before	7:00 AM	11:00 AM	5:00 PM
If return after	8:00 AM	1:30 PM	7:00 PM
\$51 Meal Allowance	\$ 11.00	\$ 14.00	\$26.00
\$54 Meal Allowance	\$ 13.00	\$15.00	\$26.00
\$59 Meal Allowance	\$ 14.00	\$17.00	\$28.00
\$64 Meal Allowance	\$16.00	\$18.00	\$30.00
\$69 Meal Allowance	\$17.00	\$19.00	\$33.00
\$74 Meal Allowance	\$18.00	\$20.00	\$36.00

These amounts are per diem allowances and do not need to be supported by receipts. Any meal allowance not shown in the schedule above will be allocated by the Department of Finance in a manner similar to the above schedule.

- 3. The hour and date of departure must be shown on the travel expense report.

4. Tips and gratuities are included in the meal allowance.
5. All claims against per diem begin at the time the employee commences travel away from the normal place of employment and ends when the employee returns to the place of departure.
6. Departments will be furnished revised information from Publication 1542 as it is updated by the IRS.

#### **D. Other Travel Expenses**

1. Charges for long distance and local business calls will be allowed.
2. Tips (other than for meals, which is included in the per diem) are considered as a proper item of traveling expenses, provided the amounts are in proportion to the services rendered. They should be listed separately on the Travel Expense Report.
3. Conference and registration fees will be paid directly by the City.

#### **E. Non-Reimbursable Items**

1. Personal expenses such as haircut, valet, laundry and beauty parlor are not reimbursable.
2. Self-entertainment activities such as paid TV movies, night clubs, sporting events, health clubs, dinner theaters, alcoholic beverages, or other social activities are not reimbursable.
3. Snacks outside and in addition to meal allowances are not reimbursable.
4. The cost of traveler's checks or money orders is not a reimbursable item.
5. Loss of funds or personal belongings while traveling is the responsibility of the employee and will not be reimbursed.
6. Expenses of books, supplies, postage, stenographic help, VCR and computer tapes and diskettes and other items that do not constitute actual traveling expenses should not be made a part of the travel claim.
7. Employees will not be reimbursed for any fines for traffic violations, parking tickets, or costs incurred because of accidents.
8. Additional costs incurred due to the employee being accompanied by a spouse or other individuals not involved in City business are not allowable costs. Such costs would include the additional expense of a double room, extra meal costs, etc.
9. No additional allowance will be permitted for meals included in registration and conference fees. If lodging is included, it cannot be claimed twice.
10. Travelers will not be allowed either mileage or transportation expense when they are transported gratuitously by another person or when they are transported by another traveler who is entitled to mileage or transportation expense.

#### **VI. Entertainment Expenses**

- A. For reimbursement, all entertainment expenses must be approved in advance by the City Manager.

- B. When an official or employee believes that it is in the best interest of the City of Athens to have a guest join him/her for a meal, such person may obtain reimbursement for such meal and associated expenses provided that a receipt noting the guest's name and professional affiliation is submitted with the Travel Expense Report. The expense report must include the IRS substantiation requirements of date, time, place, and business purpose. The per diem meal allowance for the meal cannot also be claimed.
- C. The regulations noted directly above apply whether the expense is incurred while traveling or within the City limits.



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### **Agenda Item**

VI. A. Historic Preservation Commission – Vacancy

### **Overview**

During the regular session on September 17, 2024, Mayor Sherlin appointed Justin White to fill the expired term of William Houston for the Historic Preservation Commission. Council confirmed that appointment with a 4-1 vote. Since December 5, 2024, Mr. White has not attended any meetings. Under the City’s Committee Appointment Policy (attached), three consecutive unexcused absences result in automatic removal.

Currently, there are no applications on file for the Historic Preservation Commission.

### **Action to Consider**

Information Only

### **Affected Departments**

City Council



## COMMITTEE APPOINTMENT POLICY

The City Council shall have as its policy that no individual citizen shall serve on any board or commission to which the Mayor or City Council appoints a member:

- more than two (2) consecutive five 5-year terms,
- more than three (3) consecutive four 4-year terms,
- more than four (4) consecutive three 3-year terms,
- more than six (6) consecutive two 2-year terms,
- or exceed a total of twelve (12) consecutive years regardless of term length.

(An unexpired term does not constitute a full term and shall not be considered when defining the policy.) Nothing in this policy precludes a City Council Member from serving more than the maximum allowed consecutive terms on any board or commission to which a City Council representative must be appointed. Further, nothing in this policy precludes the City Council from replacing an individual at the conclusion of any of his/her terms. Citizens will be able to regain eligibility to serve on a board or commission after two years. For City committees without a previously adopted absenteeism policy, any committee member with three (3) consecutive unexcused absences shall automatically be removed from office.”

Approved by Athens City Council on April 21, 2020

**Clarification** – an “unexpired” term occurs when a member resigns or is removed from a board or commission prior to his/her term expiring.



## Historic Preservation Commission

Term	Name	Expiration	
1	Justin White	10/1/2029	
1	Shawn McKeehan	10/1/2029	
-	Jordan Curtis	11/19/2024	Council Representative
1	Kim Cochran-Graham	3/1/2030	
See ARPC	Jona McKeehan Garrett	8/18/2026	ARPC Representative
1	Laura LeNoir	10/1/2026	
1	Timberly Guffey	10/1/2027	

- Term of Office:** Five (5) years
- Term Limit:** Two (2) consecutive terms or Twelve (12) consecutive years
- Number of Members:** Seven (7) members
- Appointed by:** Mayor (subject to confirmation by council)
- Meets:** 1st Thursday of each month at 3:30 p.m.
- Location:** Municipal Building – Council Chambers
- Absenteeism Policy:** three (3) consecutive unexcused absences
- TCA Reference:** 13-7-403 4-11-106
- Creation:** (Zoning 3.04-14) Ordinance No. 943 (7/18/2006)
- City Council Report:**

Purpose

The Athens Historic Preservation Commission, hereinafter referred to as “AHPC,” is authorized to preserve, promote, and develop the city’s historic resources and to advise the City on the designation of Local Historic Overlay Districts and Local Conservation Overlay Districts and Local Landmarks and to perform such other functions as may be provided by law.

Creation and Appointment. In accordance with TCA 13-7-403, a Historical Preservation Commission is hereby established. The Athens City Council shall create a seven (7) member Historical Preservation Commission. The AHPC shall consist of a representative of:

- a local patriotic or historical organization
- an architect, if available
- an Athens City Council member
- a current member of the Athens Municipal-Regional Planning Commission

The Planning Commission representative shall remain a member on the AHPC only while he/she is an active member of the Planning Commission. The remaining members to be appointed shall reside within the corporate boundaries of the City of Athens. AHPC members shall be appointed by the Mayor, subject to confirmation by the Athens City Council. Appointments to membership on the AHPC shall be arranged so that the term of no more than two members shall expire each year and his/her successor(s) shall be appointed in like manner in terms of five (5) years, and members shall serve a maximum of two consecutive terms. All members shall serve without compensation.

