



# ATHENS CITY COUNCIL REGULAR SESSION AGENDA

Tuesday, October 21, 2025, 6:00pm

Athens City Hall  
Burkett L. Witt Council Chambers

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

**IV. ROLL CALL**

**V. APPROVAL OF MINUTES**

(1 – 4) A. Tuesday, September 16, 2025 – Regular Session

(5 – 6) B. Thursday, September 25, 2025 – Called Session

(7 – 8) C. Thursday, October 2, 2025 – Called Session

(9) D. Tuesday, October 7, 2025 – Called Session

**VI. COMMUNICATIONS AND SPECIAL PRESENTATIONS**

A. Athens City Intermediate School – Student Presentations

(10) B. Proclamation – Athens City Middle School Lady Cougar Soccer Team

**VII. CITIZENS COMMENTS GERMANE TO THE AGENDA**

**VIII. CONSENT AGENDA**

(11) A. Approve Disposal of City-Owned Property on Tellico Avenue near the Intersection of Hammerhill Road.

(12) B. Approve Resolution 2025-27, a Resolution Authorizing the City of Athens to Participate in the Public Entity Partners James L. Richardson Driver Matching Grant.

(13) C. Approve Proposed Revision to Fee Schedule Parks & Recreation Miscellaneous Fees.

(14) D. Award Bid for RFP 25-12 to Tim's Fencing for New Electronic Gate at Regional Park (\$35,330).

(15) E. Approve Surplus QTAC EMS-R Skid.

## **IX. ORDINANCES**

- (16 – 18) A. 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).
- (19 – 20) B. 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.

## **X. OLD BUSINESS**

## **XI. NEW BUSINESS**

- (21 – 71) A. City Hall Renovations and Expansion.
- (72 – 77) B. 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.
- (78 -81) C. 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.
- (82 – 107) D. 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.
- (108 – 111) E. Public Hearing and Application Selection for Certificate of Compliance for Retail Package Store.
- (112 – 115) F. Bid Award of RFB 2025-15 for HVAC Replacement at Fire Station #2 and City Hall
- G. Authorization for Mediation with Glenn Whiting.

## **XII. REPORTS**

- (116 – 119) A. Community Development Quarterly Report
- (120 – 126) B. Finance Department Monthly Report
- (127 – 129) C. Fire Department Monthly Report
- (130 – 133) D. Police Department Monthly Report

**XIII. REPORT FROM THE CITY MANAGER**

(134 – 147)            A. Program of Work

**XIV. CITIZENS COMMENTS**

**XV. ADJOURNMENT**





# ATHENS CITY COUNCIL MINUTES OF REGULAR SESSION

The Athens City Council met in regular session on **Tuesday, September 16, 2025**, at 6:00 p.m. in the Athens City Hall Council Chambers, with Mayor Eaton presiding. Councilmember Duggan led the invocation. Vice Mayor Curtis led the Pledge of Allegiance.

**Roll call:**

**PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**ABSENT: None**

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

### APPROVAL OF MINUTES

**Vice Mayor Curtis moved to approve the minutes of Tuesday, August 19, 2025 – Regular Session; seconded by Councilmember Duggan.**

**APPROVED**

**Roll call vote:**

**YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**

### COMMUNICATIONS AND SPECIAL PRESENTATIONS

- A. Report - Athens City Middle School presentation
- B. Proclamation - Janice Hardaway, presented by Vice Mayor Curtis
- C. Proclamation - Arliss Douglas, recipient unable to attend
- D. Proclamation - Silas Millsaps, presented by Councilmember Duggan

### CITIZEN’S COMMENTS GERMANE TO THE AGENDA

- Elisa Howell commented on funding request for Mid-East Tennessee Community Chorus.
- Glenn Whiting commented on the pipes donated for the Veteran’s Park banners.

### CONSENT AGENDA

- A. Approve Athens City Schools FY 2025 – 26 Budget Amendment #1.
- B. Approve Allen & Hoshall to Proceed with Phase II of Renovating the House at Regional Park into the Parks & Recreation Offices.
- C. Approve RFB 25-11 Bid Award to Whaley Construction for Mt. Verd Industrial Park Improvements.
- D. Approve Resolution 2025-25, A Resolution to Amend Section 4, Article V of the Charter of the City of Athens, Tennessee, to Remove Fixed Salary Provisions for the Mayor and Councilmembers and to Authorize Future Compensation to be Established by Ordinance.
- E. Approve Resolution 2025-26, A Resolution Authorizing the City of Athens, Tennessee, to Apply for Funding Through the Atlanta Braves Foundation – Braves Park Project Grant Program for Field Renovations at Brody Ellis Field, Prof Powers Park.
- F. Approve Resolution 2025- 27, A Resolution of the City of Athens, Tennessee to Declare Certain Property as Surplus and to Authorize its Disposal.
- G. Approve Purchase of Equipment and Services for the Decatur Pike Corridor Traffic Signal Retiming Project (\$257,409.15 from Capital Improvement Fund).
- H. Appoint Abby Burke Carroll to the Council Advisory Board as Councilmember Pelley’s appointee.
- I. Reappoint Frances Witt-McMahan to the Athens Municipal Regional Planning Commission.

**Vice Mayor Curtis moved to approve the consent agenda as presented; seconded by Councilmember Pelley.**

**Councilmember Duggan moved to amend the consent agenda by moving item H and item I to New Business for further discussion. Vice Mayor Curtis withdrew the original motion and moved to approve items A – G and move item H and item I to New Business; Councilmember Duggan seconded.**

**PASSED**

**Roll call vote:**

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

**NAYS: None**

**ORDINANCES**

-None-

**OLD BUSINESS**

-None-

**NEW BUSINESS**

- A. First Reading of 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).

**Vice Mayor Curtis moved approval of first reading; seconded by Councilmember Duggan.**

**PASSED**

**Roll call vote:**

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

**NAYS: None**

- B. First Reading of an Ordinance to Amend Title 14, Chapter V, Sections 14-128 and 14-130 of the Athens City Code.

**Vice Mayor Curtis moved to approve first reading; seconded by Councilmember Duggan.**

**PASSED**

**Roll call vote:**

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

**NAYS: None**

- C. Phase II of Designing and Construction of Fire Station #3 (Wold Architect & Engineers)

**Vice Mayor Curtis moved to approve continuing to Phase II; seconded by Councilmember Pelley.**

**Mayor Eaton moved to amend the original motion by adding that the bid specifications include various alternatives, so that multiple options will be available for consideration at the time of the bid award. Vice Mayor Curtis withdrew the original motion. Vice Mayor Curtis then moved to approve proceeding with Phase II, specifying that various alternatives be offered during the bid process; seconded by Councilmember Pelley.**

**Councilmember Pelley moved to call the question. The motion was seconded by Mayor Eaton. The motion carried, and discussion ended.**

**PASSED (Amended Motion)**

**Roll call vote:**

**YEAS: Duggan, Pelley, Curtis, Eaton**

**NAYS: Sherlin**

D. Mid-East Tennessee Community Chorus (METCC) Funding Request.

**Councilmember Pelley moved to approve \$5,000 funding request from METCC to be paid from the General Fund; seconded by Vice Mayor Curtis.**

**PASSED**

**Roll call vote:**

**YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**  
**ABSTAIN: Sherlin**

E. RFB 25-13: Bid Award for ARP Stormwater Grant Construction Project.

**Vice Mayor Curtis moved to award the bid to the lowest bidder Wilson Construction Group, LLC; seconded by Councilmember Pelley.**

**PASSED**

**Roll call vote:**

**YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**

F. Consent Item H moved to New Business:

Appoint Abby Burke Carroll to the Council Advisory Board as Councilmember Pelley's appointee.

**Councilmember Pelley moved to approve appointment of Abby Burke Carroll to the Council Advisory Committee; seconded by Vice Mayor Curtis.**

**FAILED**

**Roll call vote:**

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

G. Consent Item I moved to New Business:

Reappoint Frances Witt-McMahan to the Athens Municipal Regional Planning Commission.

**Vice Mayor Curtis moved to approve reappointment of Frances Witt-McMahan to the AMRPC; seconded by Councilmember Sherlin.**

**PASSED**

**Roll call vote:**

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

H. Councilmember Pelley moved to authorize additional arbitration to address a settlement between the City of Athens and Glenn Whiting. Councilmember Sherlin seconded the motion.

**FAILED**

**Roll call vote:**

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

I. Councilmember Pelley moved to discuss the ruling by the Chancellor that found that the City's failure to produce the requested documents in a timely fashion was willful regarding Glenn Whiting v. City of Athens, Tennessee McMinn County Chancery Court No. 2024-cv-334. **The motion failed for lack of a second.**

- J. Councilmember Pelley moved to discuss the code of conduct and ethical standards for City Council members; seconded by Councilmember Sherlin.

**FAILED**

**Roll call vote:**

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

- K. Councilmember Pelley moved to discuss accountability standards for the department heads.  
**The motion failed for lack of a second.**

**REPORTS**

- A. Finance Department Monthly Report  
Director of Finance, Mike Keith
  
- B. Fire Department Monthly Report  
Fire Chief, Brandon Ainsworth
  
- C. Police Department Monthly Report  
Police Chief, Fred Schultz

**REPORT FROM THE CITY MANAGER**

- A. Program of Work  
City Manager, Randall Dowling

**CITIZENS COMMENTS**

Community members Jason Wright, Glenn Whiting, Dick Pelley, Chuck Burris, and John Coker commented on various topics.

Councilmember Duggan left the room during this time.

**ADJOURNMENT**

**Vice Mayor Curtis moved to adjourn; seconded by Mayor Eaton.**

**Roll call vote:**

**YEAS: Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**

**Adjournment: 8:45 p.m.**

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LARRY EATON, Mayor

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RANDALL DOWLING, City Manager



## ATHENS CITY COUNCIL MINUTES OF CALLED SESSION

The Athens City Council met in special called session on **Thursday, September 25, 2025**, at 5:30 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Councilmember Duggan led the invocation. Councilmember Pelley led the Pledge of Allegiance.

**Roll call:**

**PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton**

**ABSENT: None**

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

### **PUBLIC NOTICE SPECIAL CALLED SESSION**

Notice is hereby given to all residents of Athens, Tennessee, and to all interested persons, that a Special Called Session of the Athens City Council will be held at Athens City Hall, 815 North Jackson Street, Athens, Tennessee, beginning at 5:30 p.m. on Thursday, September 25, 2025.

The purpose of this meeting is to:

1. Act Upon Matters Relating to the City Judge Position in Accordance with Athens City Code, Title 3, Chapter I.
2. Appointment of an Interim City Judge.

Citizens will have the opportunity to provide public comments. Prior to the start of the meeting, all persons wishing to address the City Council must sign in on the sheet provided at the entrance to the Council Chambers. Speakers are required to comply with the adopted Public Comment Rules.

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

/s/

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

**POSTED: 9/23/2025, 3:30 PM**

### **CITIZEN'S COMMENTS GERMANE TO THE AGENDA**

-None-

### **NEW BUSINESS**

City Attorney Chris Caldwell addressed City Council and provided a summary of the City Charter, specifically Article XXII ("City Court"), and reviewed the codification history of the Athens City Code. Attorney Caldwell also referenced recent and prior case law, including *McNabb v. Harrison* (Supreme Court of Tennessee, filed March 7, 2025) and *Sitton v. Fulton* (Court of Appeals of Tennessee, February 15, 1978).

ATHENS CITY COUNCIL  
MINUTES OF CALLED SESSION  
Thursday, September 25, 2025

- A. Act Upon Matters Relating to the City Judge Position in Accordance with Athens City Code, Title 3, Chapter I.

**Councilmember Sherlin moved to establish an ordinance to remove the residency requirement from the City Code Title 3 “Municipal Court”, Chapter 3-I “City Judge”, Section (3) “Qualifications.” for the purpose of establishing consistency between the City Code and City Charter; seconded by Councilmember Pelley.**

Councilmember Pelley moved to call the question. The motion was seconded by Councilmember Sherlin. The motion failed, and discussion continued.

Councilmember Duggan moved to amend the Charter to include county residency requirement; seconded by Mayor Eaton.

**FAILED (amendment)**

**Roll call vote:**

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

**APPROVED (main motion)**

**Roll call vote:**

**YEAS: Pelley, Sherlin, Curtis**  
**NAYS: None**  
**ABSTAIN: Duggan, Eaton**

- B. Councilmember Pelley moved to allow the current City Judge, Derek Green, to continue his appointment; seconded by Councilmember Sherlin.

Councilmember Pelley called the question; seconded by Councilmember Sherlin. The motion failed, and discussion continued.

**APPROVED**

**Roll call vote:**

**YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**

**ADJOURNMENT**

Mayor Eaton asked for roll call to adjourn.

**Roll call vote:**

**YEAS: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**NAYS: None**

**Adjournment: 6:37 p.m.**

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LARRY EATON, Mayor

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RANDALL DOWLING, City Manager



# ATHENS CITY COUNCIL MINUTES OF CALLED SESSION

The Athens City Council met in special called session on **Thursday, October 2, 2025**, at 5:30 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Vice Mayor Curtis led the invocation. Councilmember Sherlin led the Pledge of Allegiance.

**Roll call:**

**PRESENT: Duggan, Pelley, Sherlin, Curtis, Eaton**  
**ABSENT: None**

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

**PUBLIC NOTICE  
SPECIAL CALLED SESSION**

Notice is hereby given to all residents of Athens, Tennessee, and to all interested persons, that a Special Called Session of the Athens City Council will be held at Athens City Hall, 815 North Jackson Street, Athens, Tennessee, beginning at 5:30 p.m. on Thursday, October 2, 2025.

The purpose of this meeting is to:

1. Authorize the City Manager for international travel from October 26, 2025 to November 1, 2025 to attend the SEUS Conference in Tokyo, Japan with the City Mayor, McMinn County Economic Development Authority, and Tennessee State Delegation; and travel to Isahaya, Japan to meet with city officials to strengthen the Sister Cities Program.

Citizens will have the opportunity to provide public comments. Prior to the start of the meeting, all individuals wishing to address the City Council must sign in on the sheet provided at the entrance to the Council Chambers.

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

/s/  
Larry Eaton, Mayor

**POSTED: 9/30/2025, 1:30 PM**

**CITIZEN’S COMMENTS GERMANE TO THE AGENDA**

1. Abbey Burke Carroll commented on the list of questions she had regarding the trip to Japan.
2. Dale Newman commented in opposition of the taxpayers paying for a trip to Japan.
3. Linda Long against the city paying for the trip and said funds could be used elsewhere.
4. Jerry Withrow wanted to know the “point of this”.
5. John Coker opposed to the trip to Japan.

**NEW BUSINESS**

- A. Authorize the City Manager for international travel from October 26, 2025 to November 1, 2025 to attend the SEUS Conference in Tokyo, Japan with the City Mayor, McMinn County Economic Development Authority, and Tennessee State Delegation; and travel to Isahaya, Japan to meet with city officials to strengthen the Sister Cities Program.

**Vice Mayor Curtis moved to authorize the City Manager’s international travel; seconded by Councilmember Duggan.**

ATHENS CITY COUNCIL  
MINUTES OF CALLED SESSION  
Thursday, October 2, 2025

Councilmember Pelley challenged the decision of the Chair to not allow a member of the audience to speak during discussion of a motion. The challenge was seconded by Councilmember Sherlin. Upon vote, the decision of the Chair was sustained.

**APPROVED (main motion)**

**Roll call vote:**

**YEAS: Duggan, Curtis, Eaton**

**NAYS: Pelley, Sherlin**

**ADJOURNMENT**

Mayor Eaton adjourned the meeting at 6:05 p.m.

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LARRY EATON, Mayor

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RANDALL DOWLING, City Manager



# ATHENS CITY COUNCIL MINUTES OF CALLED SESSION

The Athens City Council met in special called session on **Tuesday, October 7, 2025**, at 5:30 p.m. in the Athens City Hall Council Chambers with Mayor Eaton presiding. Vice Mayor Curtis led the invocation. Councilmember Pelley led the Pledge of Allegiance.

**Roll call:**

**PRESENT: Pelley, Curtis, Eaton**  
**ABSENT: Duggan, Sherlin**

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

**PUBLIC NOTICE  
SPECIAL CALLED SESSION**

Notice is hereby given to all residents of Athens, Tennessee, and to all interested persons, that a Special Called Session of the Athens City Council will be held at Athens City Hall, 815 North Jackson Street, Athens, Tennessee, beginning at 5:30 p.m. on Tuesday, October 7, 2025.

The purpose of this meeting is to:

1. Whiting v. City of Athens; McMinn Chancery 2024-cv-334

Consider going into executive discussion for input from legal counsel for the City regarding the above referenced lawsuit, and consider and potentially act upon a proposed settlement and resolution of the above referenced lawsuit.

Citizens will have the opportunity to provide public comments. Prior to the start of the meeting, all individuals wishing to address the City Council must sign in on the sheet provided at the entrance.

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

/s/ \_\_\_\_\_  
Larry Eaton, Mayor

**POSTED: 10/03/2025, 10:00 AM**

**CITIZEN’S COMMENTS GERMANE TO THE AGENDA  
-None-**

**NEW BUSINESS**

**Vice Mayor Curtis moved to resolve the case of Whiting v. City of Athens; McMinn Chancery 2024-cv-334 for an amount not to exceed \$20,000 and execution of any and all documents necessary to dispense of that matter; seconded by Councilmember Pelley.**

**APPROVED**

**Roll call vote:**

**YEAS: Pelley, Curtis, Eaton**  
**NAYS:**

**ADJOURNMENT**

Mayor Eaton adjourned the meeting at 5:34 p.m.

\_\_\_\_\_  
LARRY EATON, Mayor

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RANDALL DOWLING, City Manager





# PROCLAMATION

**WHEREAS**, the Athens City Middle School Lady Cougar Soccer Team has represented the City of Athens and Athens City Schools with exemplary sportsmanship, determination, and teamwork throughout the 2025 season; and

**WHEREAS**, through their hard work, skill, and perseverance, the Lady Cougars achieved an outstanding overall record of 16 wins and only 1 loss, demonstrating excellence both on and off the field; and

**WHEREAS**, the team finished 1st in their District and went on to win both the District and Sectional Championships, earning widespread respect and recognition across the region; and

**WHEREAS**, in the inaugural Middle School State Championship, competing in the highest division, the Lady Cougars proudly finished as State Runner-Up, marking an historic achievement for the program and setting a new standard of success; and

**WHEREAS**, the accomplishments of this remarkable team are a direct reflection of the dedication and leadership of Head Coach Jacqueline Traer, the coaching staff, the unwavering support of families, and the outstanding effort of each athlete representing Athens City Middle School with pride;

**NOW, THEREFORE**, I, Larry Eaton, Mayor of the City of Athens, Tennessee, do hereby proclaim recognition and commendation to the Athens City Middle School Lady Cougar Soccer Team for their remarkable 2025 season and for bringing honor to our community through their achievements, sportsmanship, and Cougar spirit.

**October 21, 2025**

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MAYOR





**Agenda Item**

VIII. A. 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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the Oct. 21, 2025 regular session consent agenda for approval.

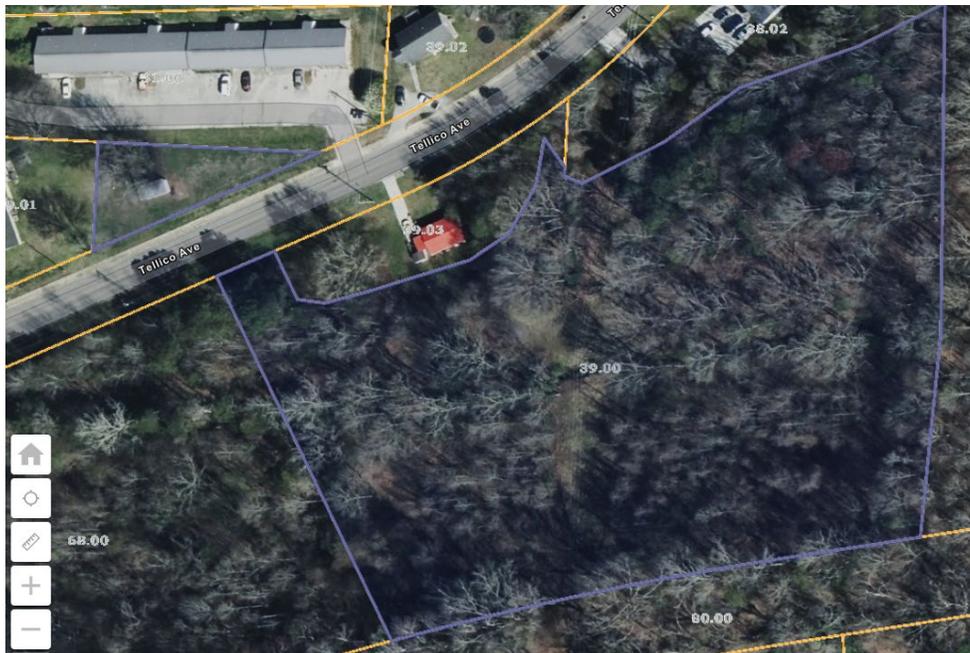
**Action to Consider**

A motion, second, and majority vote are needed to declare Lot 2 (0.19+/- acres) and any improvements as surplus city property, dispose of that property in accordance with state law, and authorize the city attorney to transfer the property to the adjacent property owners.

**Affected Departments**

Community Development

**Lots 2 and 5**







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### **Agenda Item**

VIII. B. 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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session consent agenda for approval.

### **Action to Consider**

A motion, second, and majority vote are needed to approve Resolution 2025-27.

### **Affected Departments**

Fire Department, Human Resources, Public Works





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### **Agenda Item**

VIII. C. 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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session consent agenda for approval.

### **Action to Consider**

A motion, second, and majority vote are needed to approve the Parks & Recreation Fee Schedule revisions as presented.

### **Affected Departments**

Parks & Recreation





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### **Agenda Item**

VIII. D. Award Bid for RFP 25-12 to Tim's Fencing for New Electronic Gate at Regional Park (\$35,330).

### **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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session consent agenda for approval.

### **Action to Consider**

A motion, second, and majority vote are needed to approve this bid award as presented. 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





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**Agenda Item**

VIII. E. 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 10, 2025.

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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session consent agenda for approval.

**Action to Consider**

A motion, second, and majority vote are needed to approve the above item as surplus city property and dispose of it in accordance with city policy.

**Affected Departments**

Fire Department





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### **Agenda Item**

IX. A. 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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under Ordinances for a second reading and public hearing.

### **Action to Consider**

Conduct a second reading and public hearing on Ordinance 1144 and then make a motion, second, and majority vote to consider the rezoning as presented above.

### **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:

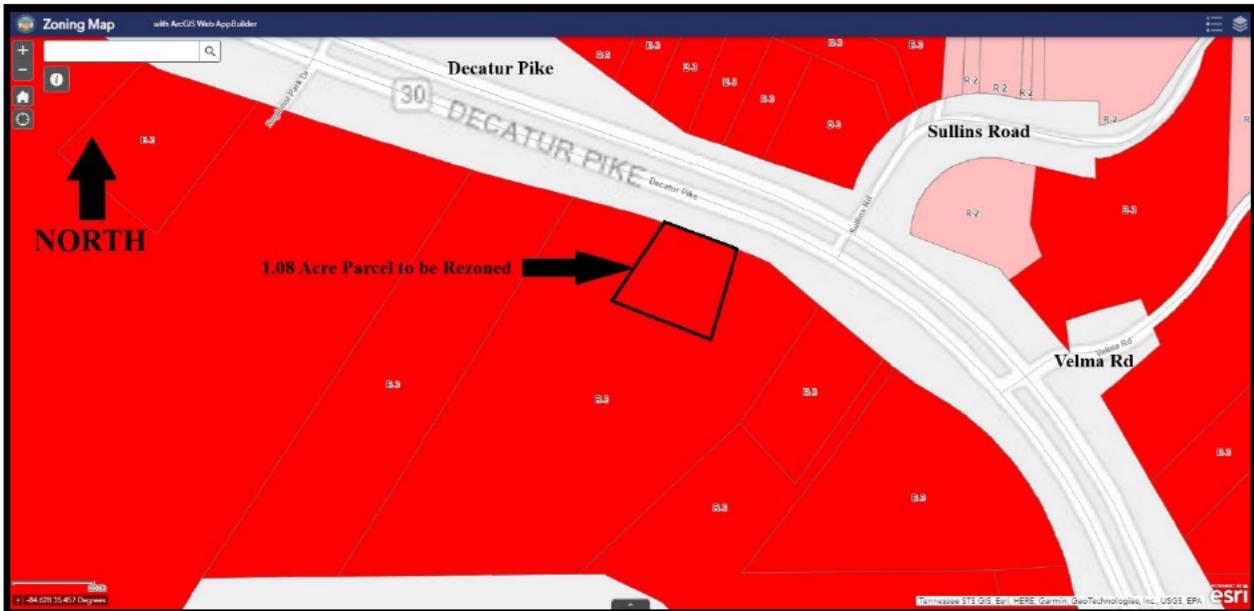
\_\_\_\_\_  
Christopher M. Caldwell, City Attorney

**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.

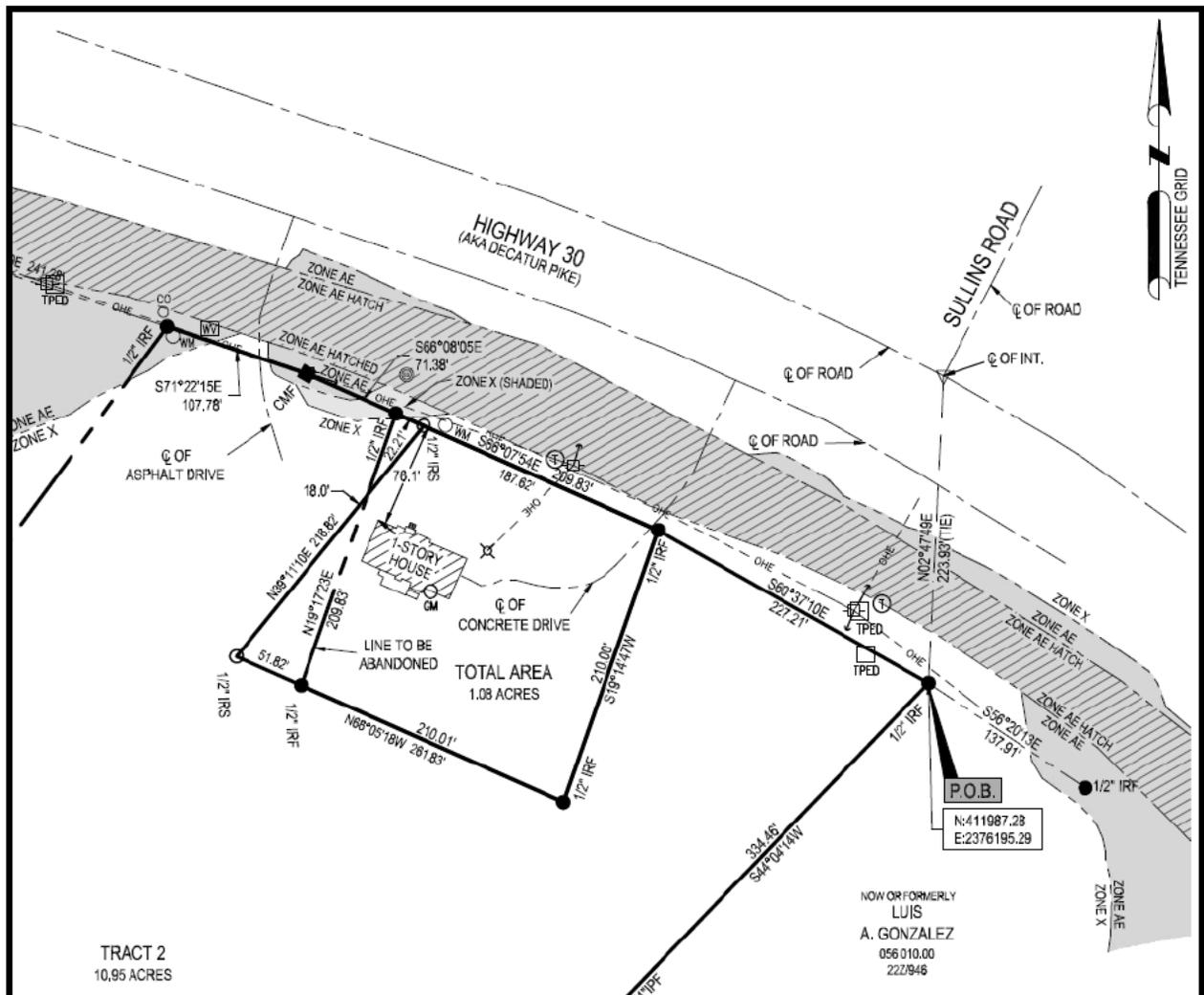
**Exhibit A**

Official Zoning Map of the City of Athens, Tennessee



**Exhibit B**

Portion of Recorded Subdivision Plat.







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### **Agenda Item**

IX. B. 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.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under Ordinances for a second reading and public hearing.

### **Action to Consider**

Conduct a second reading and public hearing on Ordinance 1145 and then make a motion, second, and majority vote to consider the ordinance amendments as presented above.

### **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

### XI. 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.

During the October 13, 2025 work session, representatives from Allen & Hoshall presented Options #9 and #10.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under New Business for further discussion.

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**

A motion, second, and majority vote are needed to continue this project.

### **Affected Departments**

All

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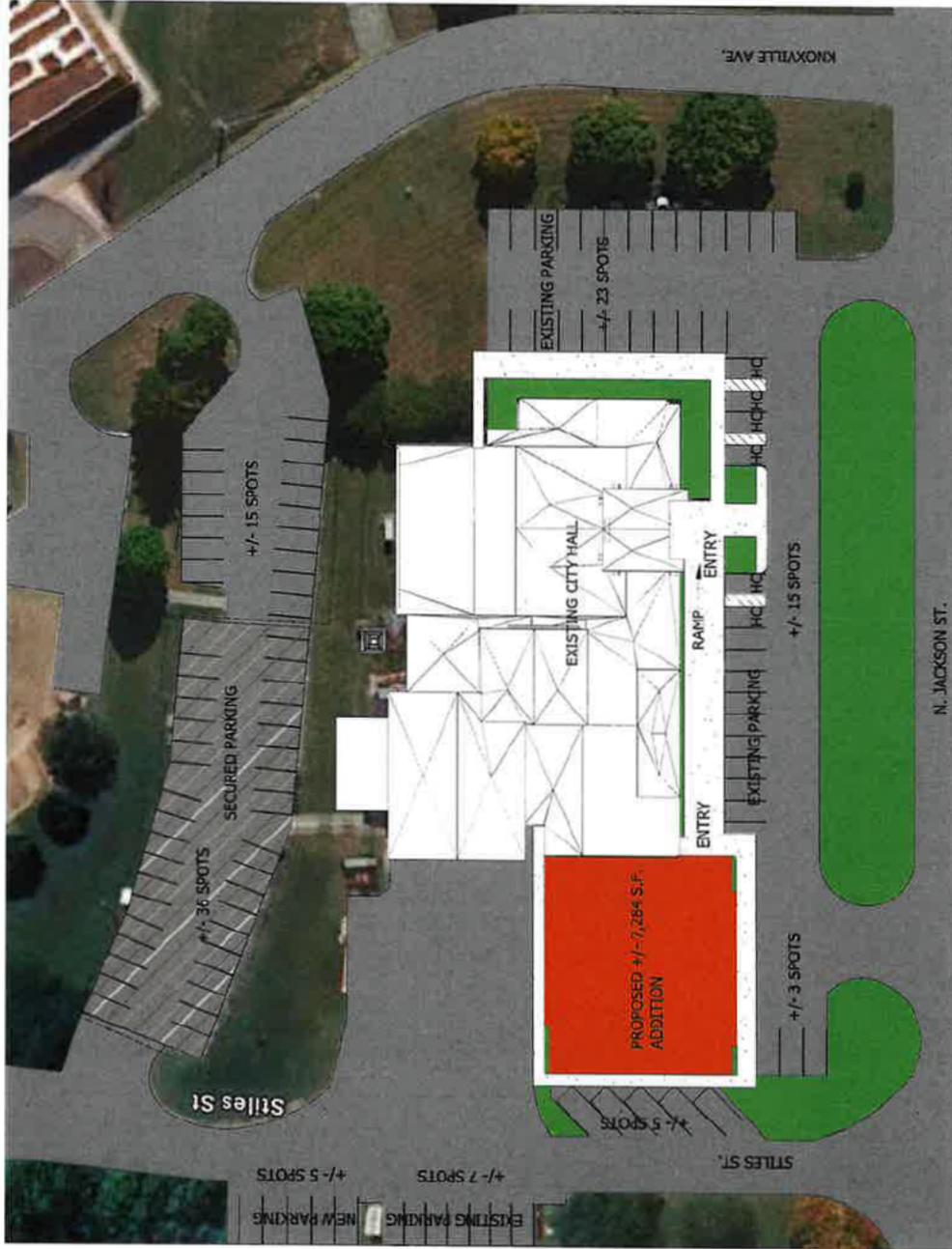
# **OPTION 10**

**Option 8 with all areas finished.**

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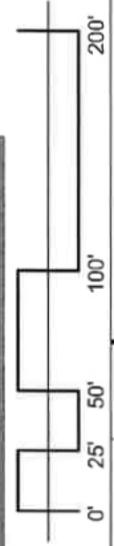
Option # 10

04 DE 5E 2 S20Z/11/6



**1 SITE PLAN - SCHEME REDUCED**

1" = 50'-0"

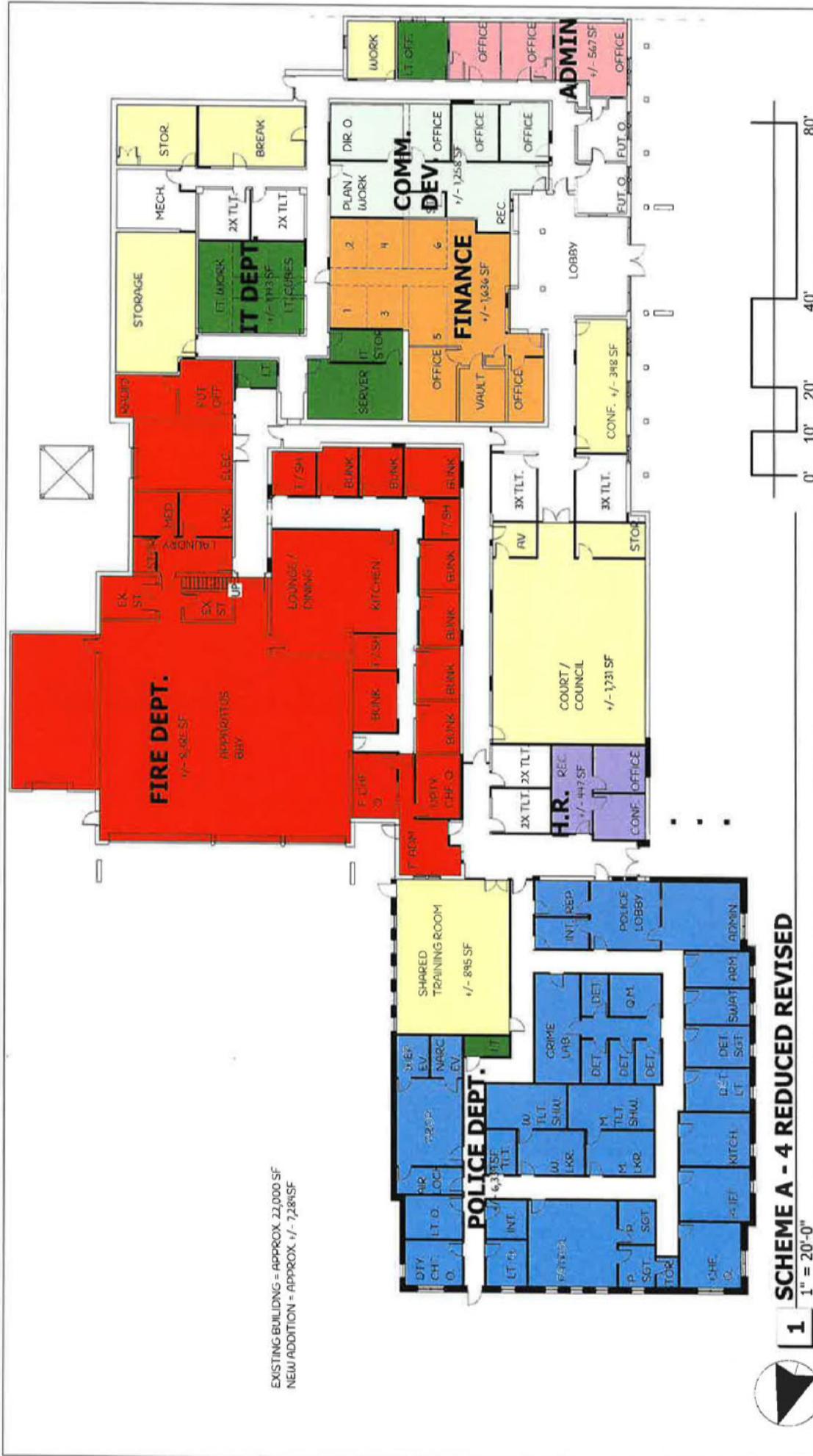


**ATHENS CITY HALL ADDITION & RENOVATION**  
 CITY OF ATHENS  
 815 N. Jackson St.  
 Athens, TN 37303

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

SITE PLAN - SCHEME A - REVISED	
Project number	63656
Date	9.11.25
Drawn by	ASB
Checked by	MS
No.	Date

**A0.02**



EXISTING BUILDING = APPROX. 22,000 SF  
 NEW ADDITION = APPROX. 17,284 SF

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

**ATHENS CITY HALL ADDITION & RENOVATION**

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

**Allen&Hoshall**  
 engineers-architects-surveys

**SCHEME A - 4 REDUCED REVISED**

Project number 63556  
 Date 9.11.25  
 Drawn by ASB  
 Checked by MS

**A1.1**

No.	Description	Date





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

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

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

**SCHEME A-4 COST PLAN**  
Project number 63656  
Date 9.11.25  
Drawn by ASB  
Checked by MS

No.	Description	Date

**A1.10**

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	
<b>Building Subtotal</b>		<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	
<b>Sitework Subtotal</b>		<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	
<b>Professional Services Subtotal</b>		<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	
<b>Subtotal</b>		<u>\$ 459,845.00</u>	
<b>Total Project Cost</b>		<b>\$ 8,245,013.00</b>	

Athens City Hall Remodel and Addition

9/22/25

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

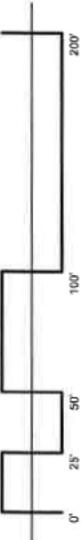
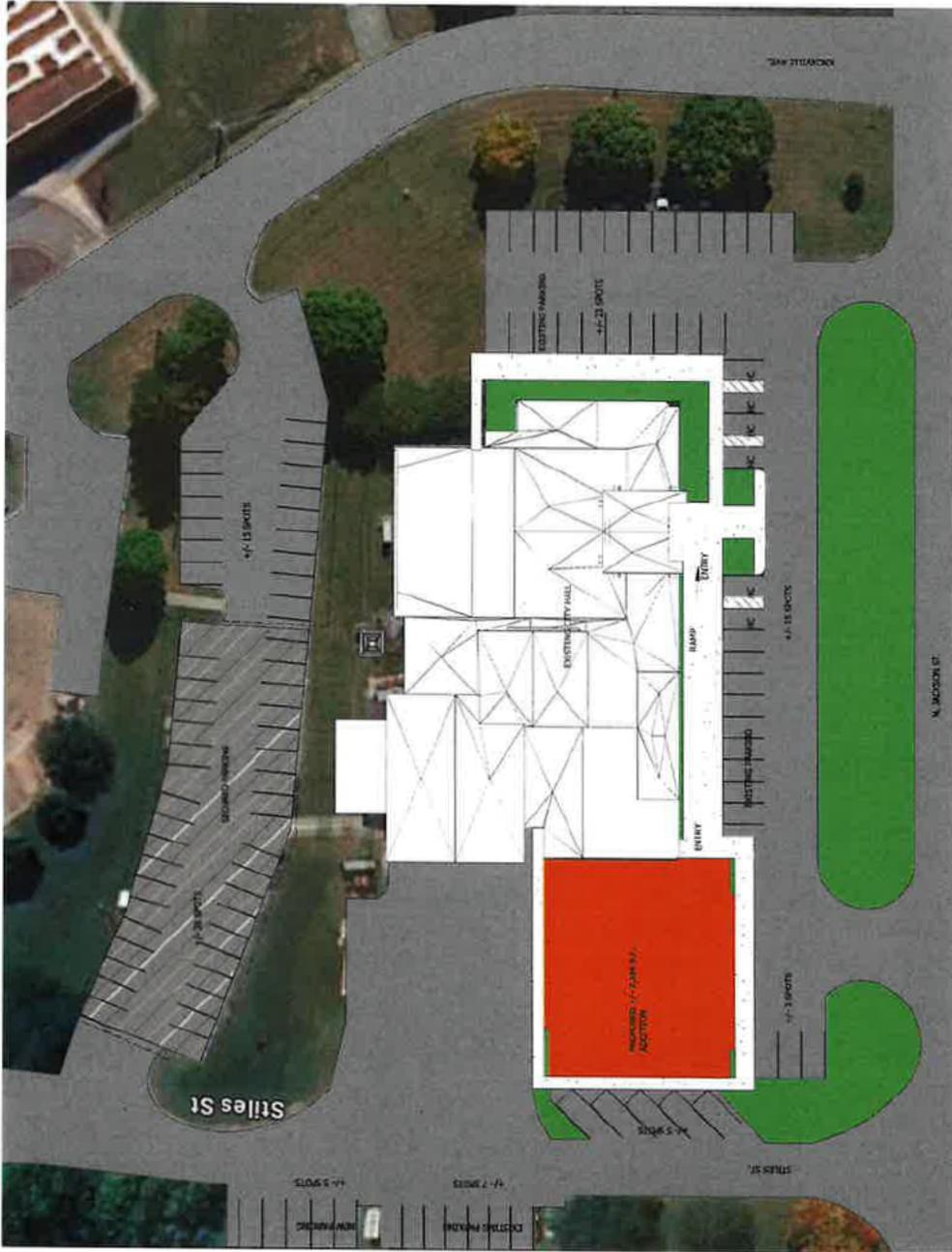
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# OPTION 9

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

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option #9



1 SITE PLAN - SCHEME REDUCED  
1" = 50'-0"

ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
815 N. Jackson St.  
Athens, TN 37003

PROJECT NUMBER: 03126  
DATE: 5/18/25  
DRAWN BY: ASB  
CHECKED BY: MS

ABJ.02

No.	Description	Date

ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
815 N. Jackson St.  
Athens, TN 37003

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





- LIGHT / 10' x 10' SF
- MEDIUM / 10' x 14' SF
- HEAVY / 14' x 14' SF
- STRUCTURE / 10' x 14' SF

**1**  
**1" = 25'-0"**  
**SCHEME A-4 - COST PLAN**

ATHENS CITY HALL ADDITION & RENOVATION

CITY OF ATHENS  
 815 N. Jackson St.  
 Athens, TN 37103

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



**SCHEME A-1 COST PLAN**

Project number	42556
Date	9.15.25
Drawn by	AGB
Checked by	MS
	<b>A1.10</b>

No.	Description	Date

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

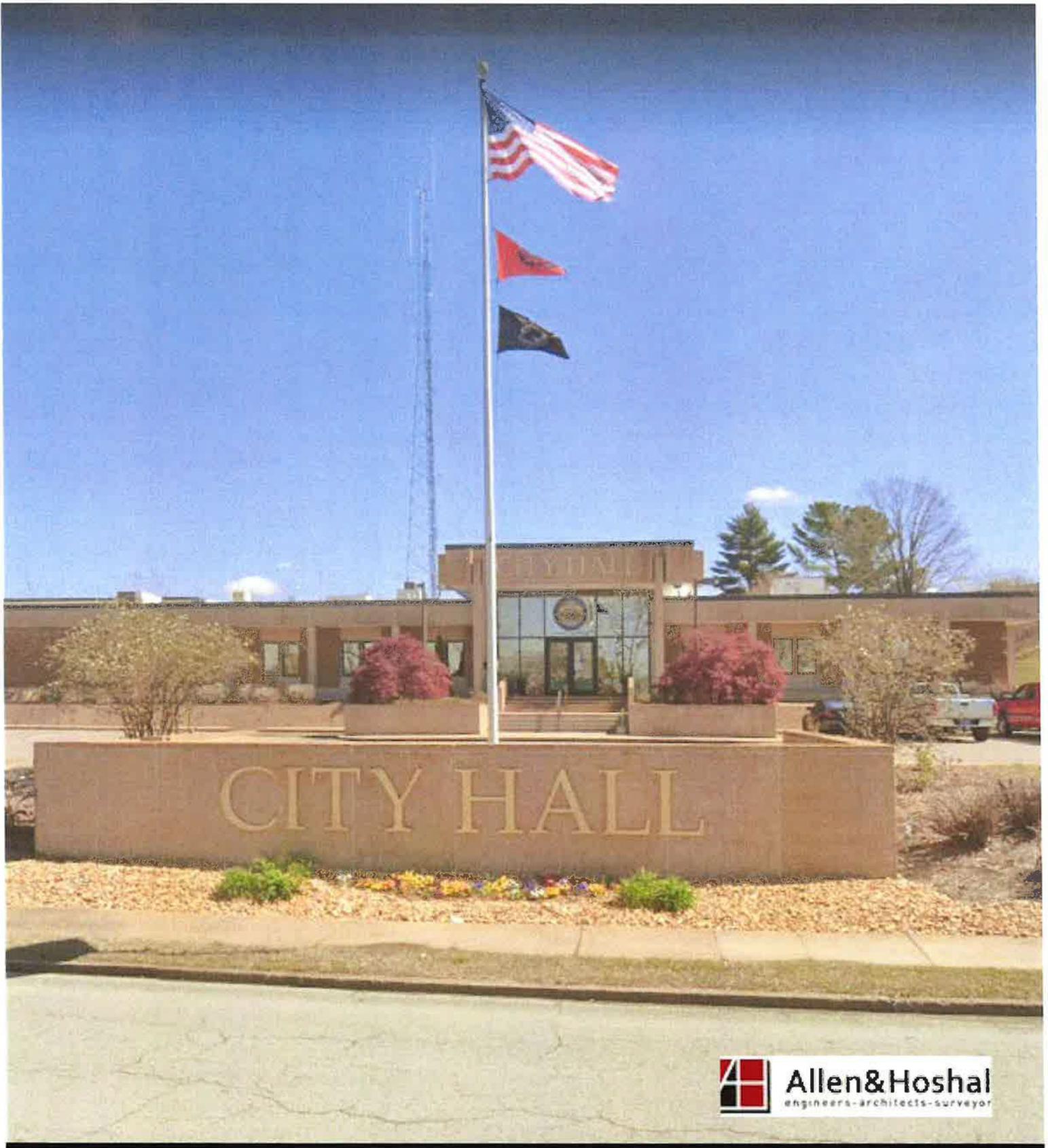
	Remodel Area	Remodel Budget
<b>Building Remodel Areas</b>		
1 Light	7,142	1,071,300
2 Medium	6,866	1,373,200
3 Heavy	1,636	409,000
4, 8 Council/ Court	1,452	508,200
Police Center Addition	6,389	3,034,775
5 Training Shell	895	201,375
	24,380	6,597,850
<b>Design and Construction Costs</b>		
Building Construction		
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	
Building Subtotal	\$ 6,647,850.00	
Site Development		
10 General Site Development	\$ 150,000.00	
11 Front Ramp/ Stairs	\$ 100,000.00	
12 Fire Station Apron Repair	\$ 50,000.00	
Sitework Subtotal	\$ 300,000.00	
<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	
<b>Professional Services Subtotal</b>	<b>\$ 591,089.00</b>	
<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	
<b>Subtotal</b>	<b>\$ 448,393.00</b>	
<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.**

---



## **ATHENS CITY HALL ADDITION**

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

**Date 9.8.25**



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## 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.

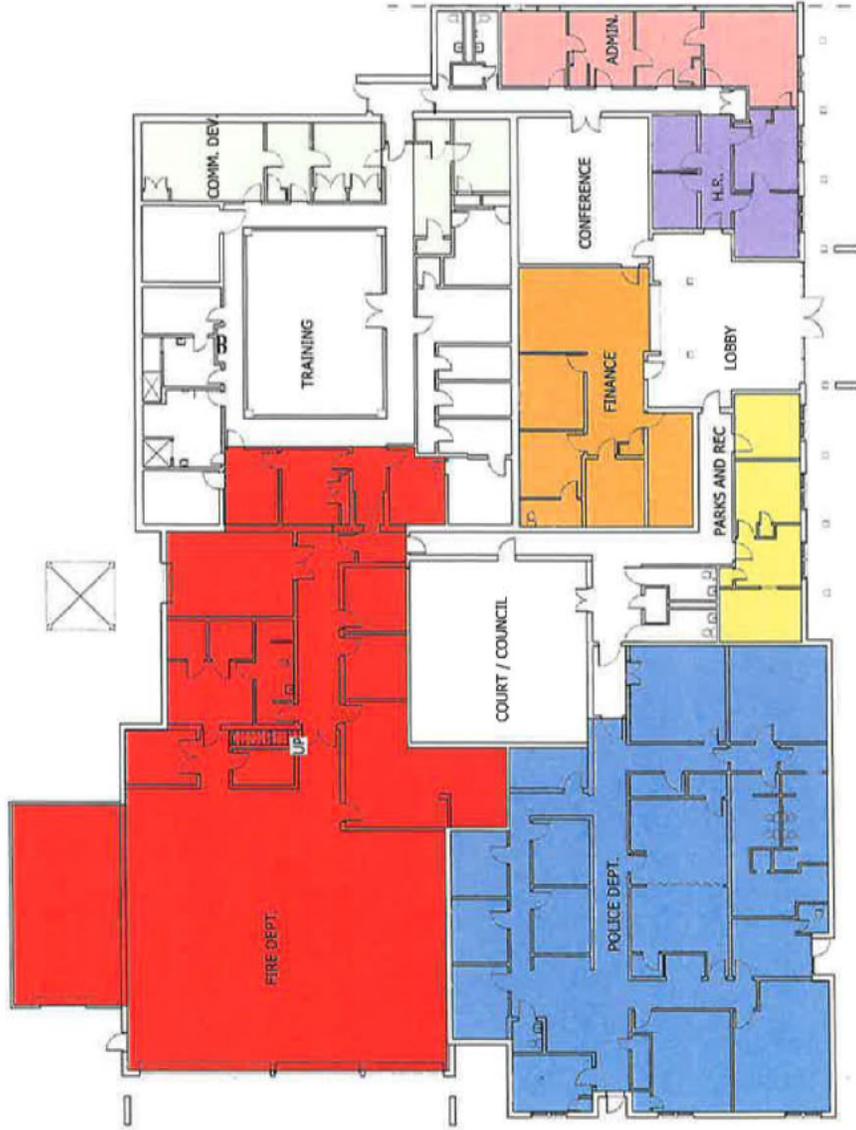
This facility has been previously renovated a couple of times to modernize a few departments within the facility and to provide needed rooms. Within this facility there are the following departments: Public Common Area, Human Resources, Meeting Rooms, I.T. / Communications, Community Development, Police, 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 - COST

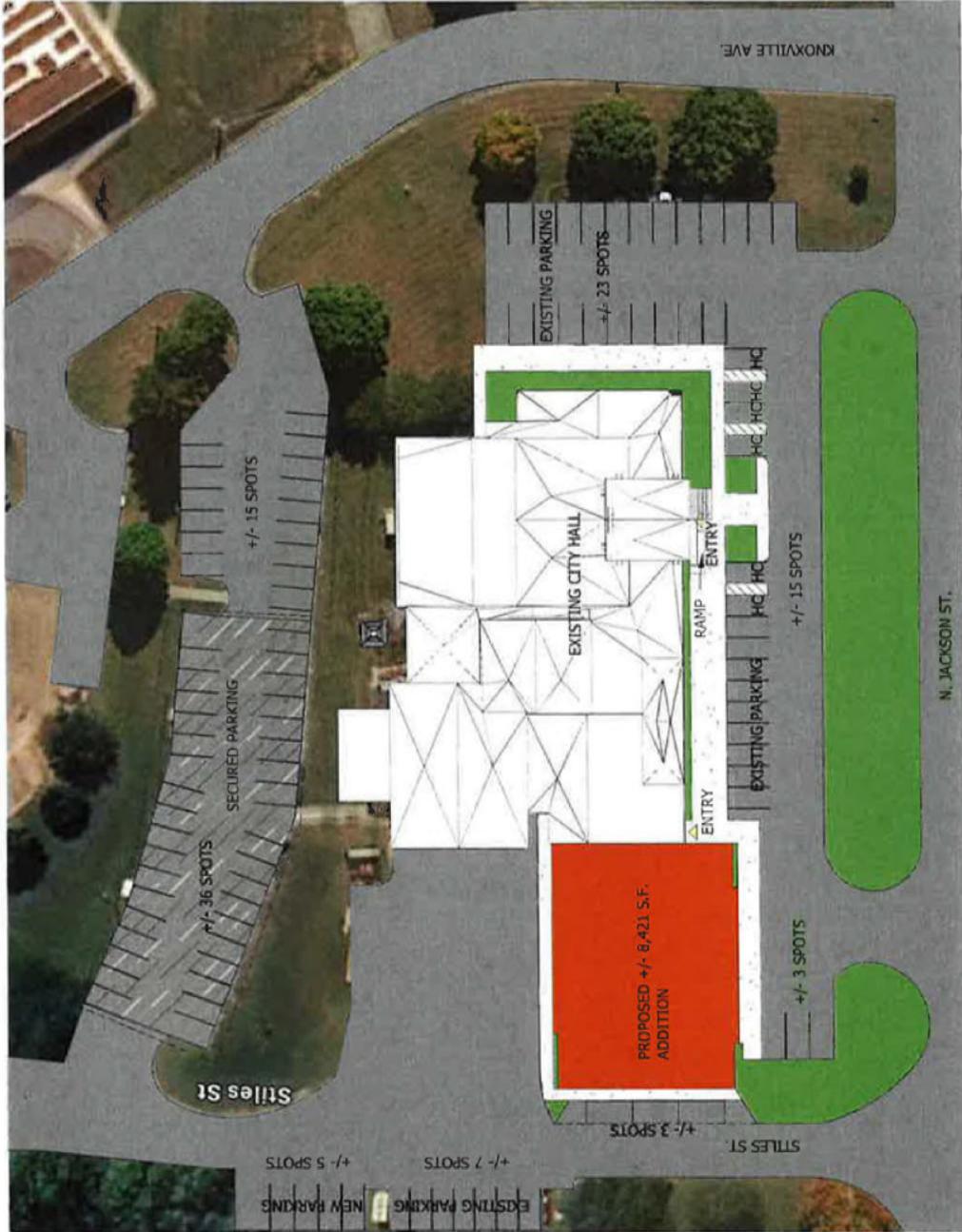
-  LIGHT +/- 7,141 SF
-  MEDIUM +/- 6,856 SF
-  HEAVY +/- 1,351 SF
-  STRUCTURAL +/- 1,798 SF

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

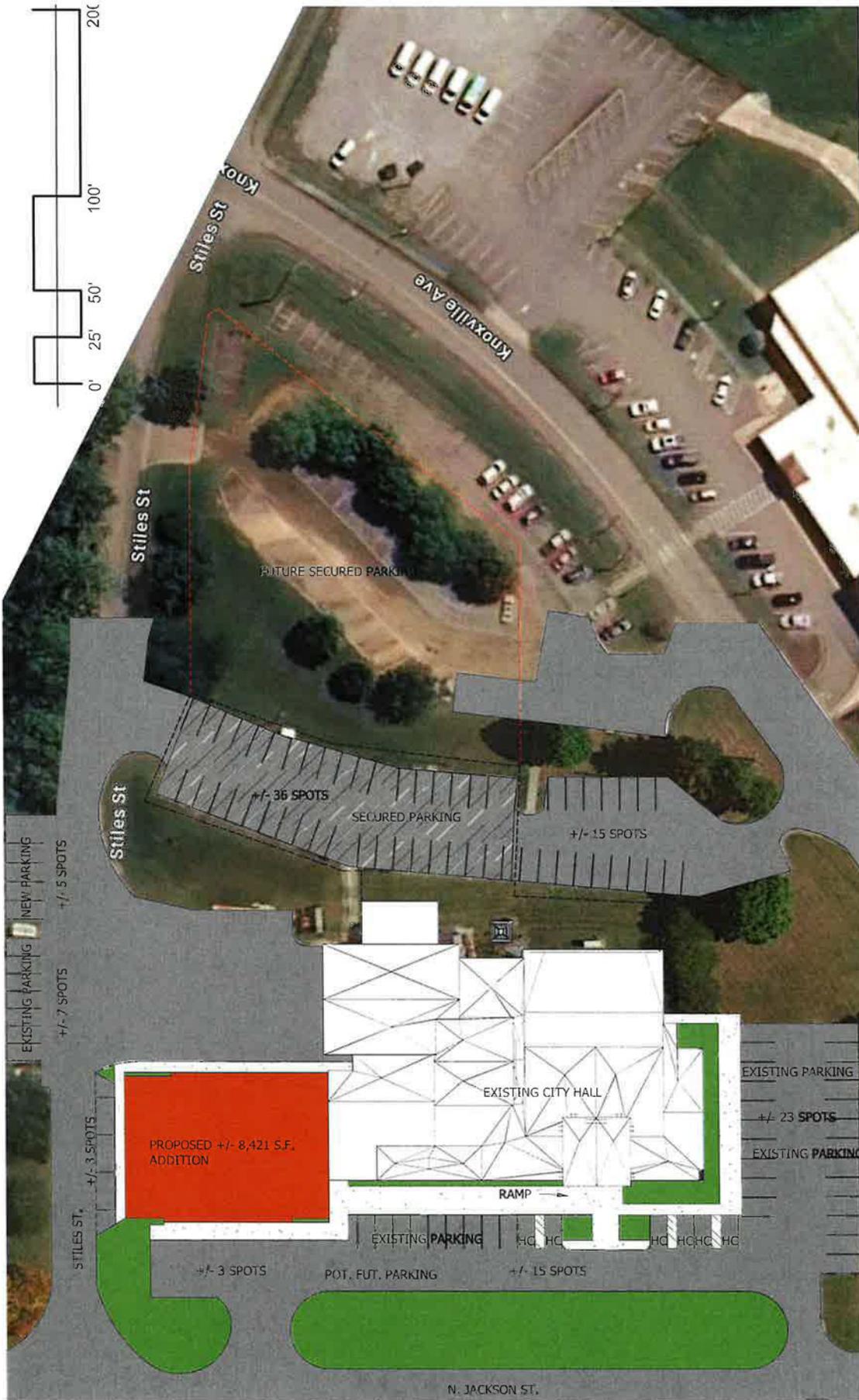


SCHEME A - 4  
 Scale 1/20" = 1'-0"





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



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

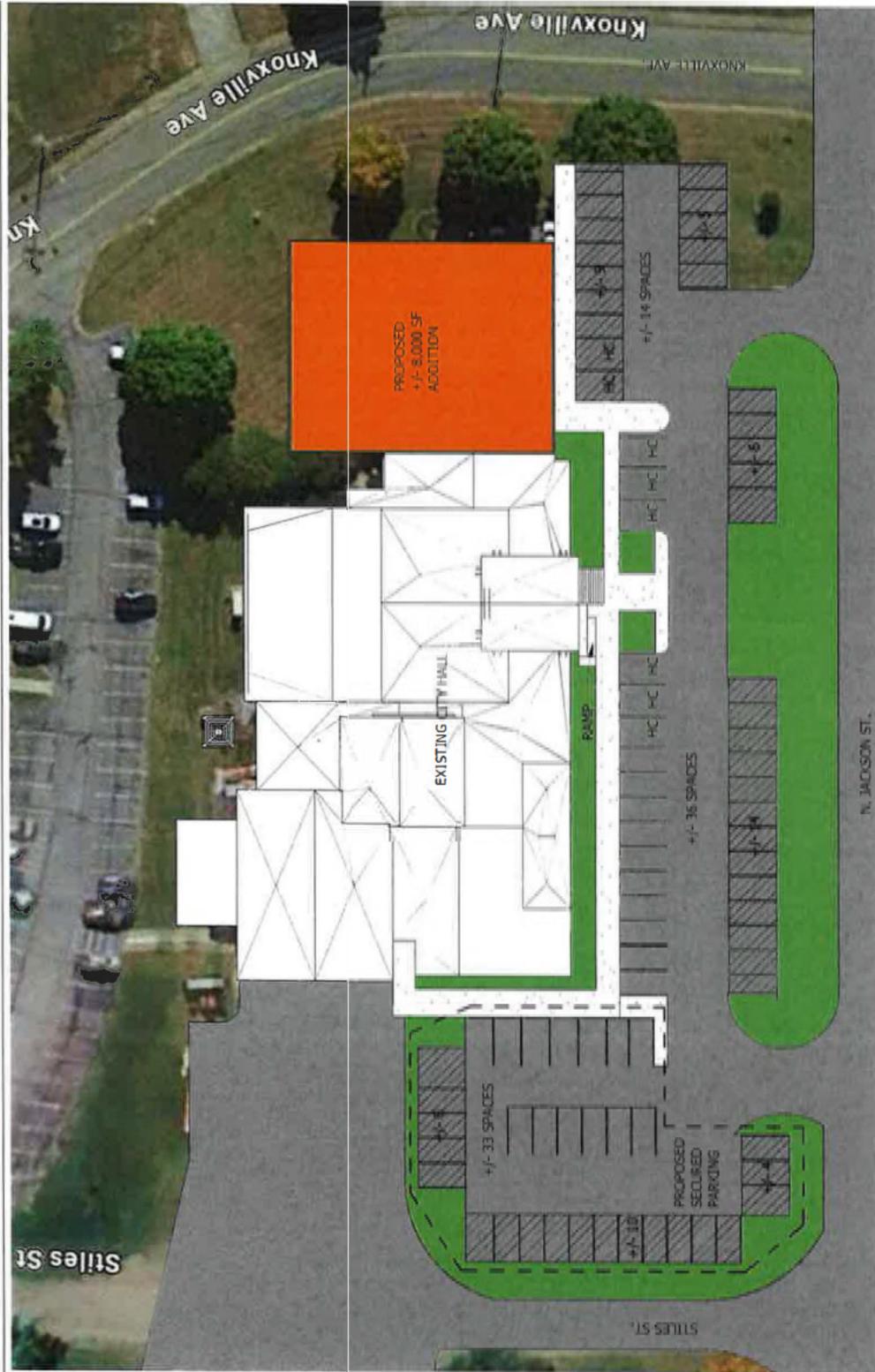
		Remodel Area	Remodel Budget
<b>Building Remodel Areas</b>			
1	Light	7,141	1,071,150
2	Medium	6,856	1,371,200
3	Heavy	1,359	339,750
4, 8	Council/ Court	1,748	611,800
	Police Center Addition	8,421	3,999,975
	Fire Station Bay Extension	0	0
		<hr/>	<hr/>
		25,525	7,393,875
<b>Design and Construction Costs</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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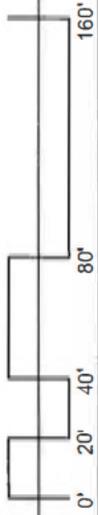
# **OPTION 7**

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

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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

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



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# 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.**

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# Option 6



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

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

No.	Description	Date

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



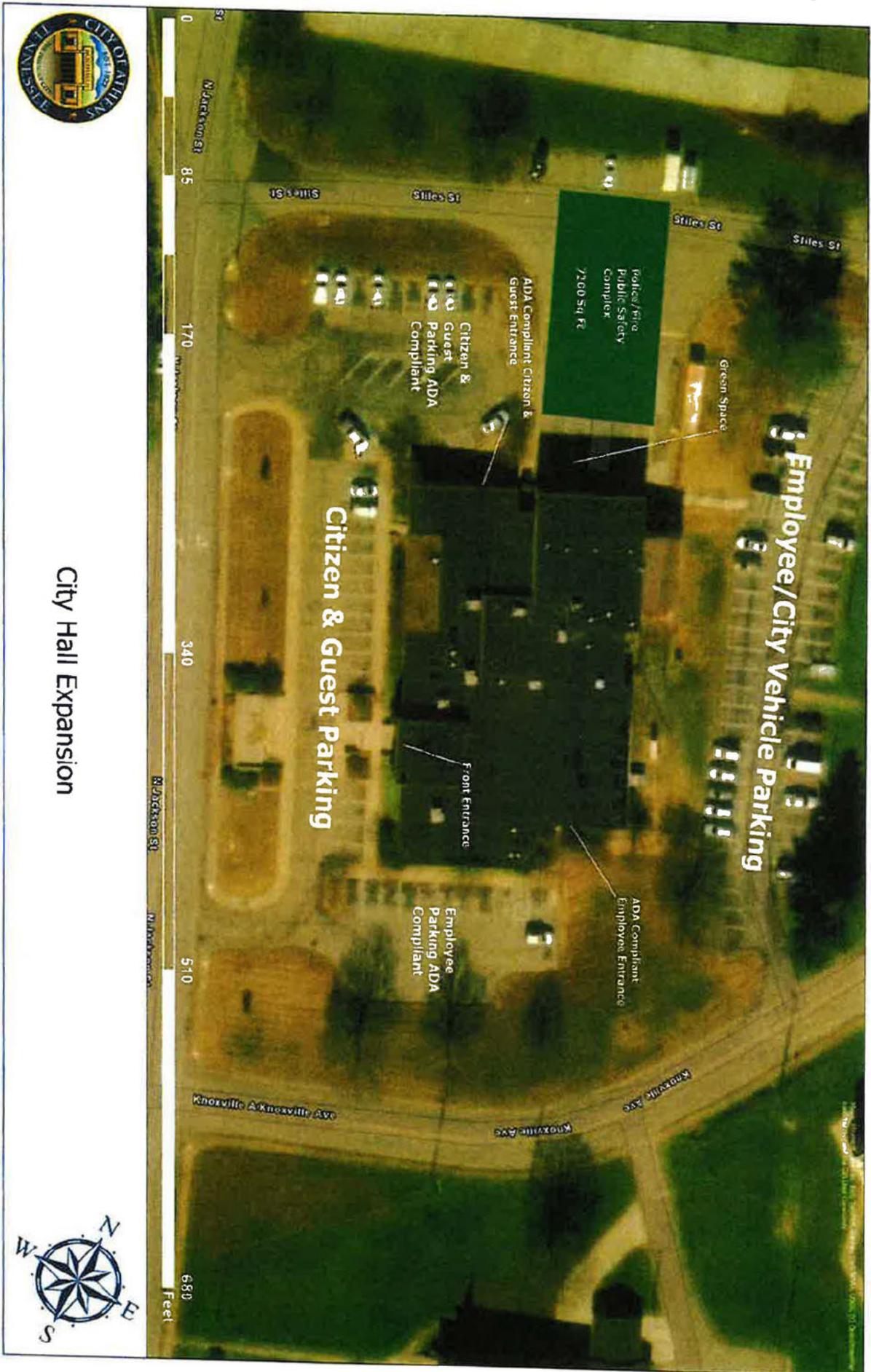
**SITE PLAN - SCHEME B**  
Project number 63656  
Date 07.02.25  
Drawn by ASB  
Checked by MS  
**A0.03**

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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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Option #5

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# 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.**



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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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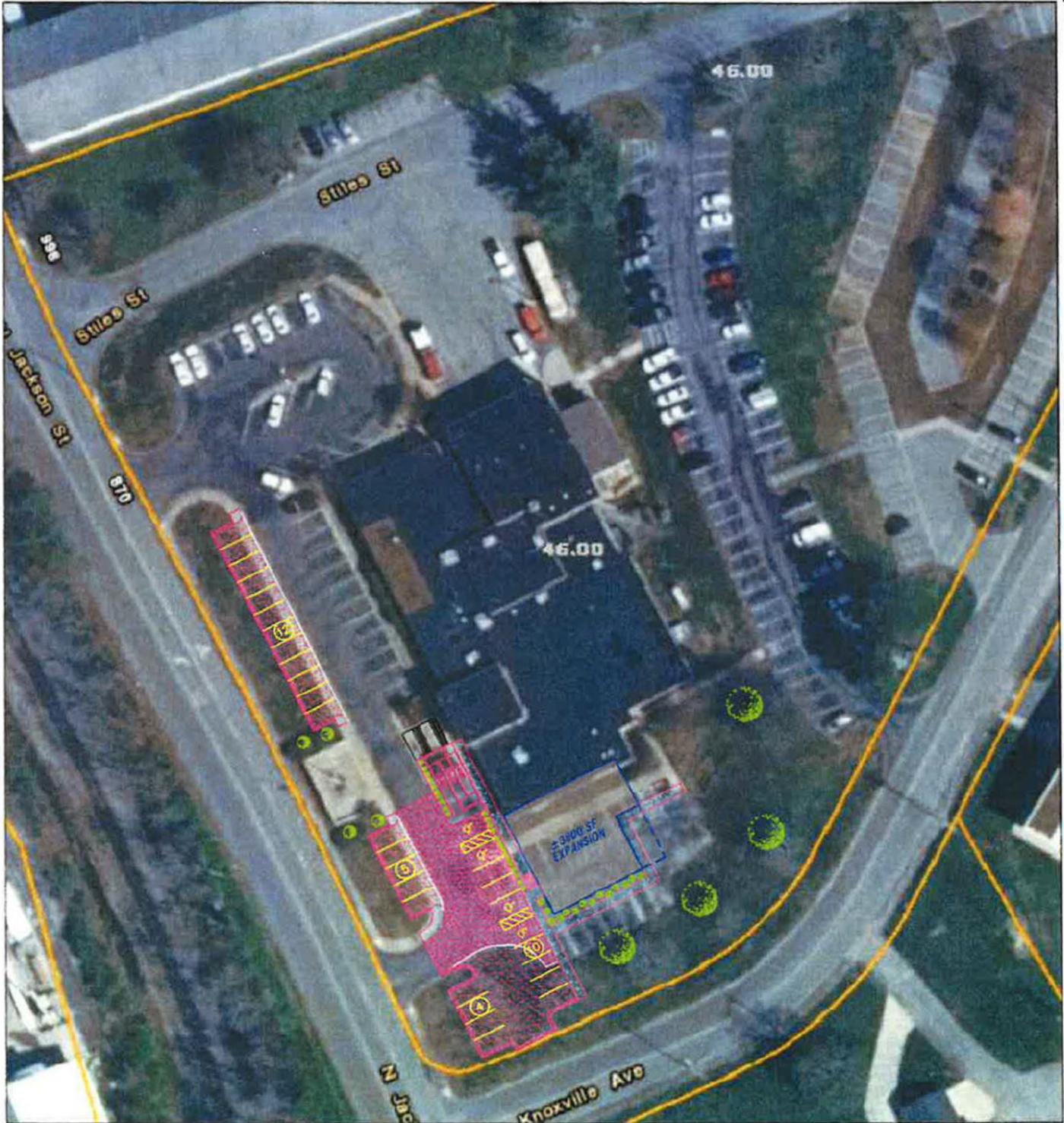
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# OPTION 1

**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, Mapbox, OpenStreetMap contributors,  
 TN, CompuLink, DLG  
 TBC  
 State of Tennessee, Comptroller of the Treasury, Office of Local Governments  
 (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 responsibility to verify.

option #1



Project Name  
ATHENS CITY HALL  
ADDITION & RENOVATION

Project Address  
City, State Zip

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

CITY OF ATHENS

DATE	DESCRIPTION

SCHEME 1 - SINGLE  
STORY

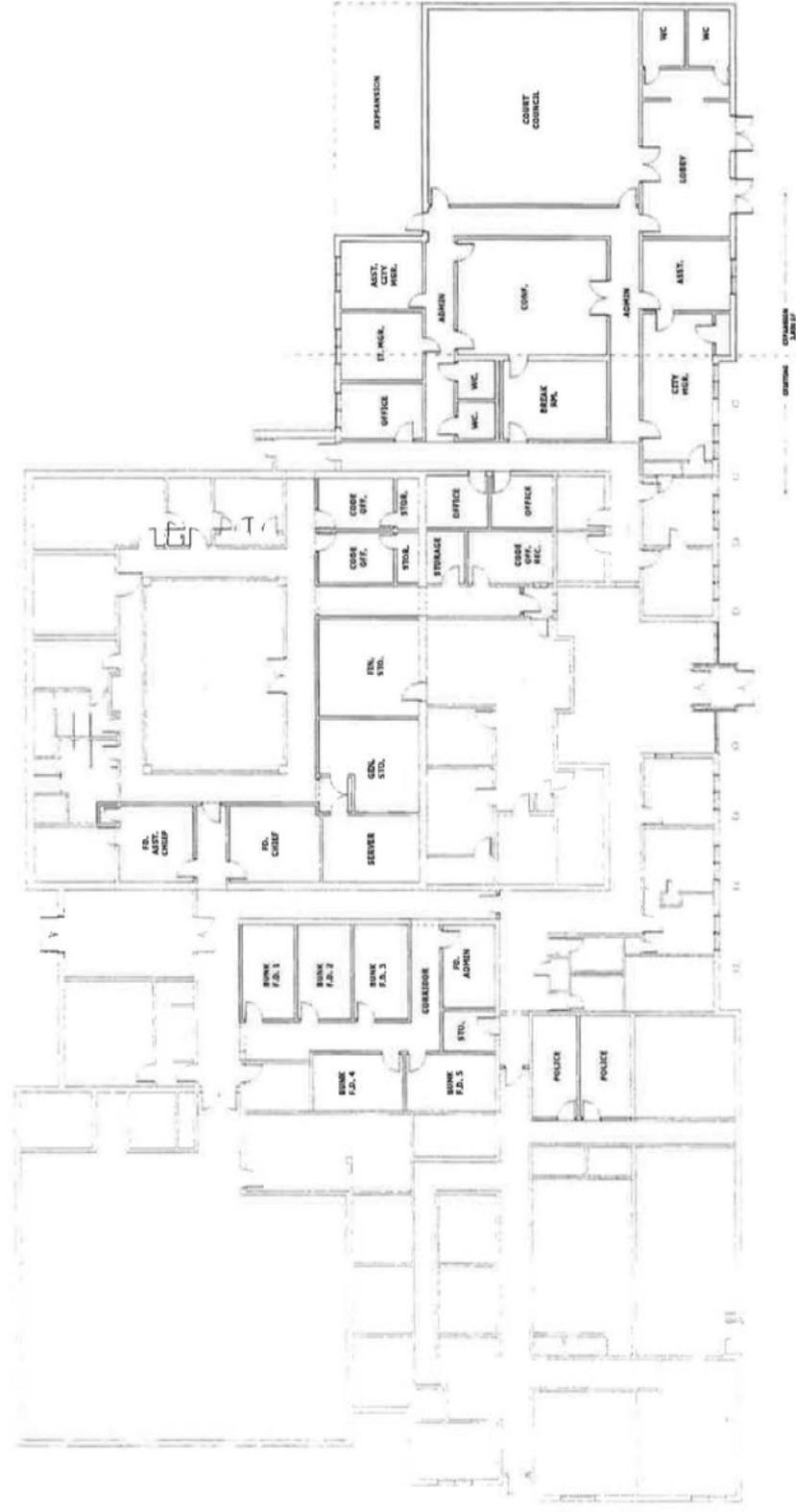
JOB NO. 0000  
DATE 01/24/11  
DRAWN ZAW  
CHECKED US

NOT FOR  
CONSTRUCTION

Project Status

**A1.1A**

*option #1*



1 FIRST FLOOR - FLOOR PLAN





## 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>

# 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

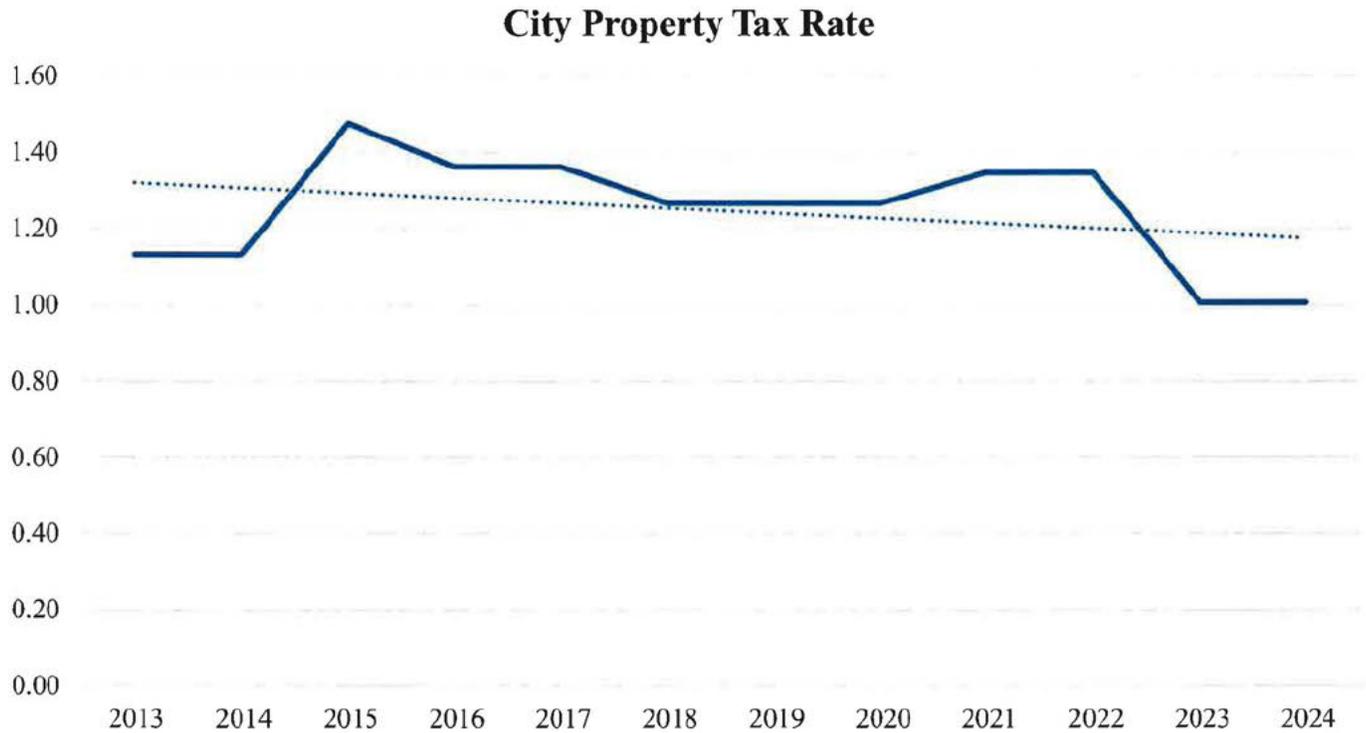
Principal	Interest	Total
\$45,639,520	\$20,352,412	\$65,991,932

### 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**

XI. B. First Reading of Ordinance 1146, as Revised, 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 Certified in Residential and 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 certified in residential and commercial building code inspections; seconded by Councilmember Pelley. Motion was approved.

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

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under New Business for first reading.

### **Action to Consider**

Conduct the first reading of the ordinance. If approved, the second reading and public hearing will be conducted during the November 18, 2025 regular session.

### **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**

XI. C. 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 and a second reading and public hearing during the November 18, 2025 regular session.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under New Business for first reading.

### **Action to Consider**

Conduct the first reading of the ordinance. If approved, the second reading and public hearing will be conducted during the November 18, 2025 regular session.

### **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**

XI. D. 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.

Adoption of the revisions must be completed before November 28, 2025 to avoid suspension from the NFIP.

Following discussion during the October 13, 2025 work session, the consensus was to place this item on the October 21, 2025 regular session under new Business for first reading.

### **Action to Consider**

Conduct the first reading of the ordinance. If approved, the second reading and public hearing will be conducted during the November 18, 2025 regular session.

### **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**

XI. E. 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 meeting for certificate of compliance selection.

Only one application was received by the deadline date.

Following discussion during the October 13, 2025 work session, consensus was to place this item on October 21, 2025 regular session agenda for public hearing.

### **Action to Consider**

Conduct a public hearing and consider 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

# Certificate of Compliance Staff Review Checklist

## City of Athens, Tennessee

### I. Applicant Qualifications

- Complete Application Submitted.
- \$500 Nonrefundable Investigation Fee Paid.
- Applicant(s) Disclosed:
  - All persons with ownership interest listed (direct or indirect).
  - If the entity (LLC/Corp.), all individual stakeholders disclosed.
- Affirmation signed agreeing to:
  - Abide by all federal/state/local liquor laws.
  - Compliance with zoning, building, and safety codes.
  - Ability to comply with ABC licensing rules & ACC Title 8-II.
- Residency Requirement: *134 Dupitt Circle - Purchased June 2025*
  - Individual: Must reside in Tennessee and Athens UGB or McMinn County or own 50% of developable land in city (for 2+ years)
  - Entity: 51% ownership by natural person meeting above residency/ownership.
- 10-year felony check:
  - Athens Police Department conducted a detailed search for the applicant and all other persons with at least 10% ownership in the business.

Comments:

*PD Memo - Attached*

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*Staff Review - Attached*

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### II. Location Requirements

- Located in B-2 or B-3 zoning district
- Not within 500 feet of:
  - A school (public/private K-12 licensed by state).
  - A church (that holds at least weekly services).
  - Distance measured in straight line between entrances.
- Exemption applies (Downtown Business District) *N/A*

### III. Building Requirements

Site Plan that complies with the following:

- Not a manufactured building
- Brick façade required on front.
- At least 1,800 sq ft display area (or 900 sq ft for downtown location).
- Unobstructed visibility to interior from public view (front and side windows).
- Located on ground floor only.
- One main public entrance from public street.
- Lighting and burglar alarm system installed.
- Other City Code
- Zoning Ordinance

Comments:

*Staff Review - Attached*

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**CITY OF ATHENS, TENNESSEE**  
**STAFF REVIEW – RETAIL PACKAGE STORE CERTIFICATE OF COMPLIANCE**

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

- No Findings (Has NOT been convicted of a felony within ten years prior to application.)
- Findings

Memorandum Attached

Remarks: Approved

  
Chief of Police

9-29-25  
Date

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As Building Official / Building Inspector of the City of Athens, Tennessee, I hereby certify that I have investigated the premises mentioned above and that it:

- Does meet applicable zoning, land use, building and safety regulations, as adopted within this Code
- Does not meet applicable zoning, land use, building and safety regulations, as adopted within this Code

*See Remarks*

As Building Official / Building Inspector of the City of Athens, Tennessee, I hereby certify that I have investigated the scale plan drawn to a scale of not less than one (1) inch equals twenty (20) feet, giving the following information:

- a) The shape, size and location of the lot upon which the liquor store is to be operated under the license;
- b) The shape, size, height and location of all buildings, whether they are to be erected, altered, moved or are
- c) existing upon the lot;
- d) The off-street parking space and off-street loading and unloading space to be provided, including the vehicular access to be provided from these areas to a public street; and
- e) The identification of every parcel of land within 500 feet of the lot upon which the liquor store is to be operated indicating the ownership thereof and the location of any structures thereon and the use being made of every such parcel.

and that it:

- Does meet applicable zoning, land use, building and safety regulations, as adopted within this Code
- Does not meet applicable zoning, land use, building and safety regulations, as adopted within this Code

Memorandum Attached

Remarks: THIS APPROVAL IS FOR THE DRAWING'S ONLY, PREMISES WILL BE INSPECTED WHEN COMPLETED.

  
Building Official / Building Inspector

10-15-2025  
Date



## POLICE DEPARTMENT

### MEMORANDUM

# APPLICATION FOR BEER/WINE PERMIT FINDINGS

Date: 9/26/2025

Investigator: Lieutenant Blake Witt- Special Services Division

Applicant: Amar Mahendra Kumar Patel

Proposed Business: Athens Wine & Liquor 312 Congress Parkway S (Athens, TN)

Other person(s) with at least a 10% business interest:

#### Findings:

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

#### Applicant:

Amar Mahendra Kumar Patel:

THOR, TN Criminal Justice Portal search yielded no findings.

Tyler RMS: No findings

Eagent: Valid License- No History

TN Property Viewer: [REDACTED] Street ([REDACTED] Subdivision) Property Assessment Data attached to Memo. Name on Deed.

#### Control of Business:

n/a

 #104

Lieutenant Blake Witt  
Special Services Division  
Athens Police Department



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### **Agenda Item**

XI. F. 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, **revised** bid tabulation sheet, and vendor contract. After the bid opening and the October 13, 2025 work session, it was discovered that one of the bidders, Tennessee Home Solutions, made a series of errors in their bid calculations.

Based on the submitted and re-evaluated 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.

Following discussion during the October 13, 2025 work session, consensus was to place this item on the October 21, 2025 regular session under New Business for further discussion.

### **Action to Consider**

A motion, second, and majority vote are needed to award this bid to Webb Plumbing, Heating, and Electrical as presented.

### **Affected Departments**

Fire Department, City Hall



## PURCHASING DEPARTMENT MEMORANDUM

**To:** Mike Keith, Finance Director  
**From:** Angela Robbins, Purchasing Assistant  
**Date:** October 15, 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 and Base Bid B reflected a mathematical error for Fire Station 2.

**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 RFB called for replacement of two units at Fire Station 2. Tennessee Home Solution's worksheet priced one unit and didn't multiply the pricing, which is why their apparent low price was not correct. Webb's P&H submitted a complete, responsive price for the full Fire Station 2 scope and is the lowest responsible, compliant bidder on that basis.

**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, Fire Station 2's correct total pricing 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: \$36,222.66\*(Corrected amount after multiplying the unit price by number of units). All required affidavits, addendum acknowledgement, insurance, and licensing were submitted.



**PURCHASING DIVISION  
CORRECTED - 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@webbphecorp.com">jayson@webbphecorp.com</a>	<a href="mailto:vpowers.heatandair@gmail.com">vpowers.heatandair@gmail.com</a>	<a href="mailto:bgooch@tn-homesolutions.com">bgooch@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	\$36,222.66***
Bid Bond	Y	Y	Y

**7.1B Base Bid B – Turn-Key HVAC Replacement at Fire Station 2**

Provide prices for a complete, operational project as specified. Include rigging/crane, curb adapters, electrical, controls, start-up, TAB, permits, and warranties.

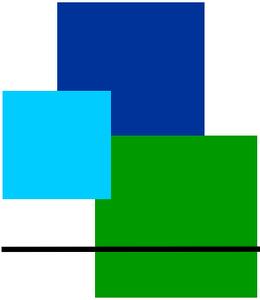
Item	Description	Qty*	Unit Price	Extended
1	RTU – 3-ton (complete)	[ 2 ]	\$17887.60	<del>\$35775.20</del> 35,775.20
2	Controls Integration Allowance (include programming & graphics)	1	\$122.46	\$122.46
3	Electrical/Disconnects Allowance	1	\$125.00	\$125.00
4	TAB by AABC/NEBB	1	\$N/A	\$N/A
5	Owner Training (min. 4 hrs)	1	\$200	\$200
BASE BID B TOTAL				<del>\$18335.06</del> 36,222.66

Bidders may provide an optional combined price discount if awarded both Base Bids: \$ \_\_\_\_\_ (optional)

**7.2 Unit Pricing (as applicable)**

Premium crane day rate (if required by City schedule constraints): \$ 1800.00 / day (calculated in Base Bid A total)

Duct modification per linear foot: \$ 600.00 / LF total



# City of Athens

## 3rd Quarter Building Report

(July—September 2025)

### Community Development Department

Anthony Casteel - Director

Prepared by: Mary Scudder



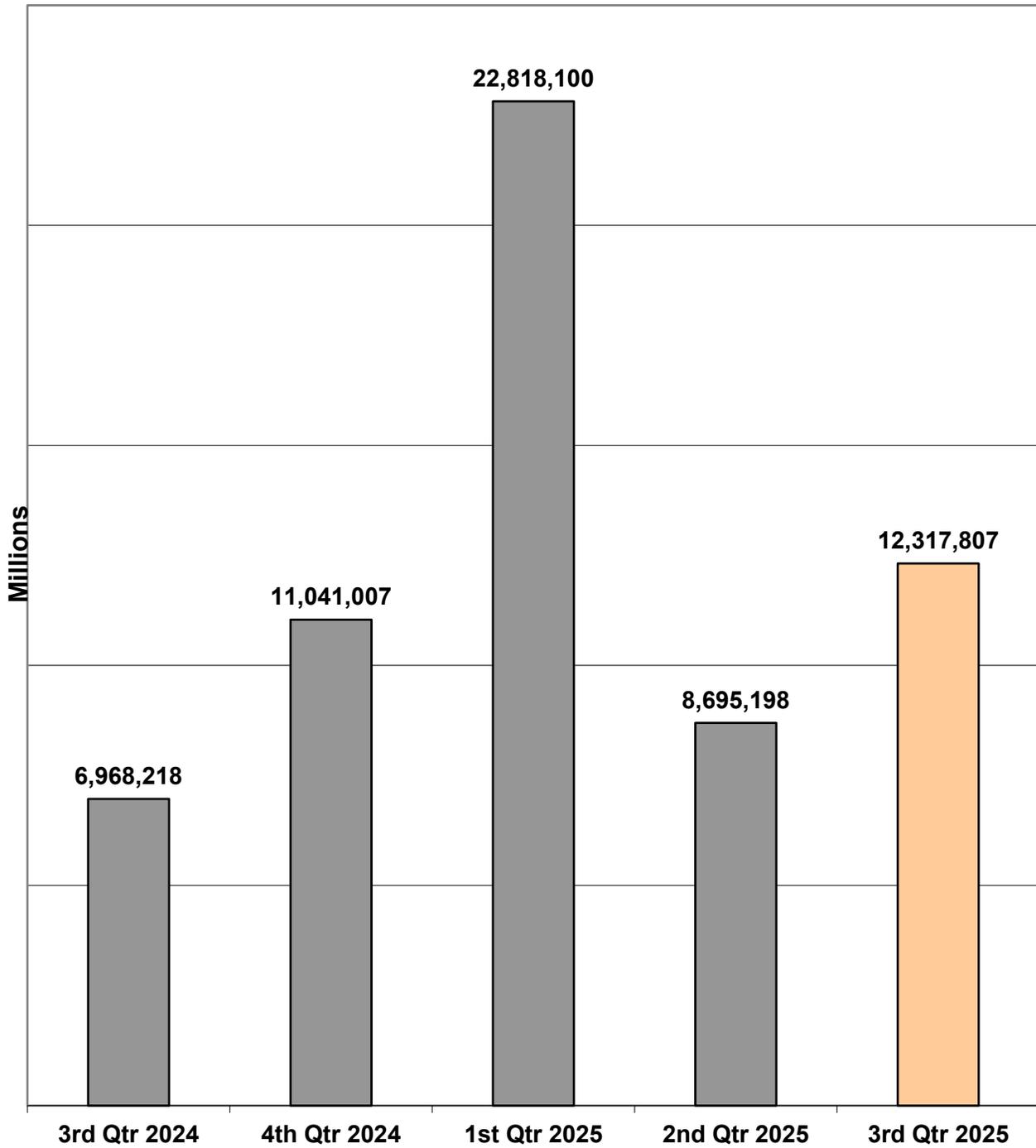
## Community Development Department

### Total Construction 2015-2025

Year	Permits	Total Construction
*2025	298	\$ 43,831,105.00
2024	307	\$ 35,325,664.00
2023	688	\$ 59,217,960.00
2022	491	\$ 49,227,153.00
2021	292	\$ 41,678,733.00
2020	298	\$ 30,358,571.00
2019	338	\$ 10,223,215.00
2018	376	\$ 19,151,511.00
2017	376	\$ 30,402,534.00
2016	322	\$ 23,200,545.00
2015	337	\$ 43,154,683.00
<b>TOTAL</b>		<b>\$ 385,771,674.00</b>

\*Signifies Cumulative Quarterly Totals For Current Year  
3rd Quarter Total: \$12,317,807.00 Permit Totals: 105

**City of Athens**  
Community Development Department  
3rd Quarter Building Permit Report  
July - September 2025



## PROJECT CODE RECAP FROM: 7/1/2025 TO 9/30/2025

## ALL PERMITS

Description	# of Permits	Fees	Est Value
ADDITION RESIDENTIAL	4	190.00	25,400
DEMOLITION OF BUILDING	1	50.00	30,000
ELECTRIC	39	3,985.00	3,223,765
MECHANICAL	16	875.00	296,492
NEW COMMERCIAL	2	7,465.00	2,533,112
NEW GARAGE/STORAGE SHED	3	975.00	251,000
NEW RESIDENTIAL	9	9,632.00	2,790,500
PLUMBING	14	1,755.00	668,664
POOL INGROUND/ABOVE GROUND	2	611.00	122,000
REMODEL/REPAIR COMMERCIAL	5	8,220.00	2,150,966
REMODEL/REPAIR RESIDENTIAL	2	798.00	167,000
SIGNS / BILLBOARDS	8	405.00	58,908
<b>TOTALS:</b>	<b>105</b>	<b>34,961.00</b>	<b>12,317,807</b>

**CITY OF ATHENS, TENNESSEE**  
**Narrative on Financial Analysis**  
**September, 2025**

This narrative will discuss various aspects of the financial data presented to the city council for the above-referenced month. July, and 2 or 3 subsequent months will be above the normal percentages, primarily on the expenditure side because of several factors. Expenditures are always going to show high in the early budget months, primarily due to the retirement contribution being paid in July and the fleet management transfer. Another factor that makes the percentage spent look high is the fact that we set up annual purchase orders for known or recurring monthly expenses.

General Fund

Overall, we collected about \$768,000 more through September this year. It was primarily due to the \$225,000 SRO grant funds received in August last year not received yet for this year and the local sales tax and state shared taxes that were received in September this year but were not received until October 1 in the prior year. As a percentage we collected 3.04% more than the budgeted revenues for last year.

PLEASE NOTE: The information in the packet will look a little different than in previous years. On the financial spreadsheet that accompanies this report, at the top you will see General Fund revenues. I have only broken out major sources of revenue such as property taxes and sales taxes. The "total revenues" amount includes smaller items that I did not show in detail. A complete listing of all General Fund and Sanitation Fund revenue accounts can be found behind the "Cash Balance and Investment Sheet" in this report.

Expenditures and encumbrances for this year are \$690,480 more than this time last year, showing 36.69% this year. The variance is due to the new servers being purchased by IT and equipment and other contracts in Police Patrol.

Sanitation

Revenues and expenditures are comparable to the prior year, except for the dumpsters and totes in the current year and the front loader garbage truck purchase that is included in the current year balance. This truck was ordered in June of 2024 and was finally delivered in September of this year.

Please let me know if I can provide additional information.

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

	Prior Year		Current Year	Increase (Decrease) From	% Collected	Variance from Current Yr. to Prior Yr.	12-Month Variance (1/12=8.33%)
	9/30/2024	% Received	9/30/2025	Prior Year			
<b>GENERAL FUND</b>							
Property Taxes	400,643	6.05%	461,209	60,566	7.27%	1.22%	-1.06%
AUB In-Lieu of Taxes	269,400	28.81%	222,783	(46,617)	23.09%	-5.72%	14.76%
Local Sales Taxes	1,572,105	17.86%	2,270,901	698,796	24.68%	6.82%	16.35%
Wholesale Beer Taxes	139,791	26.38%	135,814	(3,977)	25.63%	-0.75%	17.30%
Wholesale Liquor Taxes	51,374	18.35%	44,479	(6,895)	14.35%	-4.00%	6.02%
Gross Receipt Taxes	55,021	10.17%	29,081	(25,940)	4.42%	-5.75%	-3.91%
State Sales Taxes	311,876	18.35%	444,612	132,736	25.05%	6.70%	16.72%
Gas and Motor Fuel Taxes	86,094	17.94%	128,369	42,275	26.20%	8.26%	17.87%
Court Fines/Costs	21,098	21.10%	59,857	38,759	59.86%	38.76%	51.53%
Interest Income	151,922	30.38%	117,963	(33,959)	21.45%	-8.93%	13.12%
<b>Total Revenues/% of Budget</b>	<b>3,459,502</b>	<b>15.91%</b>	<b>4,227,489</b>	<b>767,987</b>	<b>18.95%</b>	<b>3.04%</b>	<b>10.62%</b>
<b>Sales Tax</b>							
	<b>2024</b>	<b>2025</b>	<b>Difference</b>	<b>% Change</b>			
August	1,572,105	1,534,101	(38,004)	-2.42%			
September	1,572,105	2,270,901	698,796	44.45%			
<b>SANITATION</b>							
<b>Revenues:</b>							
Industrial/Commercial	106,309	25.03%	106,842	533	25.44%	0.41%	17.11%
Residential	145,619	26.51%	135,579	(10,040)	24.21%	-2.30%	15.88%
<b>Total Revenues</b>	<b>272,368</b>		<b>272,728</b>	<b>360</b>			
<b>Percent of total budget</b>		<b>26.54%</b>			<b>26.22%</b>	<b>-0.32%</b>	<b>17.89%</b>

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

	Prior Year		Current Year			Variance	12-Month
	9/30/2024		9/30/2025			from	Variance
	Actual	% Expended & Encumbered	Actual	Outstanding PO's	% Expended & Encumbered	Current Yr. to Prior Yr.	(1/12=8.33%)
<b>GENERAL FUND DEPARTMENTS</b>							
City Council	36,606	26.99%	38,519	144	27.45%	0.46%	19.12%
City Hall	159,275	79.52%	66,093	52,552	53.71%	-25.81%	45.38%
City Manager's Office	89,028	27.49%	97,660	3,650	26.36%	-1.13%	18.03%
Community Dev - Administration	64,509	30.76%	66,434	2,298	27.91%	-2.85%	19.58%
Community Dev - Cemeteries	46,962	30.96%	12,740	44,500	109.65%	78.69%	101.32%
Community Dev - Code Enforcement	125,268	32.18%	116,227	12,600	32.48%	0.30%	24.15%
Finance	177,030	30.71%	161,154	4,076	26.55%	-4.16%	18.22%
Finance - Purchasing	33,725	24.19%	30,275	500	32.95%	8.76%	24.62%
Fire Department - Administration	72,618	31.37%	74,816	1,400	31.03%	-0.34%	22.70%
Fire Department - Prevention	45,638	34.37%	48,290	300	32.05%	-2.32%	23.72%
Fire Department - Suppression	1,131,511	39.24%	1,149,292	106,335	40.47%	1.23%	32.14%
Human Resources	72,069	25.95%	68,790	1,542	25.22%	-0.73%	16.89%
Information Technology	143,904	21.08%	281,409	123,971	45.14%	24.06%	36.81%
Parks and Rec - Administration	73,218	29.26%	72,419	1,042	30.52%	1.26%	22.19%
Parks and Rec - Maintenance	383,365	46.68%	295,517	154,352	49.89%	3.21%	41.56%
Parks and Rec - Pools	35,855	71.57%	36,499	3,635	65.15%	-6.42%	56.82%
Parks and Rec - Programming	146,559	38.27%	155,339	29,009	43.74%	5.47%	35.41%
Police Department - Administration	103,236	30.62%	103,287	5,698	30.87%	0.25%	22.54%
Police Department - Detectives	264,718	32.42%	187,153	2,432	31.25%	-1.17%	22.92%
Police Department - Patrol	1,055,685	33.85%	1,261,384	60,966	36.49%	2.64%	28.16%
Public Works - Administration	157,193	9.70%	150,383	7,734	35.61%	25.91%	27.28%
Public Works - Animal Shelter	89,354	33.87%	76,925	19,229	31.09%	-2.78%	22.76%
Public Works - Fleet Maintenance	121,177	30.82%	122,079	21,392	35.23%	4.41%	26.90%
Public Works - Street Cleaning	447,857	41.61%	435,264	40,477	44.17%	2.56%	35.84%
Public Works - Street Construction	256,418	36.17%	234,030	60,201	43.65%	7.48%	35.32%
Public Works - Street Maintenance	266,898	24.75%	191,662	62,809	23.00%	-1.75%	14.67%
Public Works - Traffic Control	114,934	30.77%	126,211	93,658	58.98%	28.21%	50.65%
Inventory Supplies and Variance	6,510	-	(83)	7,163	-	-	-
<b>Total General Fund Departments</b>	<b>5,721,120</b>		<b>5,659,768</b>	<b>923,665</b>	<b>31.99%</b>	<b>31.99%</b>	<b>23.66%</b>
<b>GENERAL FUND OTHER AGENCIES</b>							
Athens City Board of Education	522,867	21.60%	754,969	-	31.18%	9.58%	22.85%
Athens Utilities Board	140,378	26.49%	147,605	-	27.85%	1.36%	19.52%
McMinn County Emergency Comm	91,786	25.20%	94,815	-	25.08%	-0.12%	16.75%
<b>Total Other Agencies</b>	<b>755,031</b>		<b>997,389</b>	<b>-</b>	<b>29.96%</b>	<b>29.96%</b>	<b>21.63%</b>
<b>GENERAL FUND OUTSIDE AGENCIES</b>							
	86,025	21.82%	87,375	-	19.94%	-1.88%	11.61%
<b>GENERAL FUND TRANSFERS</b>							
Transfer to Debt Service Fund	1,034,878	73.92%	619,337	-	44.24%	-29.68%	35.91%
Transfer to Capital Project Fund	-	-	-	-	-	-	-
<b>Total Transfers</b>	<b>1,034,878</b>		<b>619,337</b>	<b>-</b>	<b>44.24%</b>	<b>44.24%</b>	<b>35.91%</b>
<b>Total General Fund Expenditures</b>	<b>7,597,054</b>	<b>28.90%</b>	<b>7,363,869</b>	<b>923,665</b>	<b>36.69%</b>	<b>7.79%</b>	<b>28.36%</b>
Increase (Decrease)		690,480		8,287,534			
<b>Sanitation:</b>							
<b>Expenditures:</b>	<b>413,099</b>	<b>33.33%</b>	<b>812,934</b>	<b>25,839</b>	<b>67.68%</b>	<b>34.35%</b>	<b>59.35%</b>



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council

## Account Summary

For Fiscal: 2025-2026 Period Ending: 09/30/2025

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 01 - GENERAL FUND</b>							
<b>Revenue</b>							
<u>01-0000-4110</u>	CURRENT PROPERTY TAXES	6,100,000.00	6,100,000.00	301,650.00	301,650.00	-5,798,350.00	4.95 %
<u>01-0000-4115</u>	PRIOR YEAR PROPERTY TAXES	100,000.00	100,000.00	42,443.00	115,697.00	15,697.00	115.70 %
<u>01-0000-4120</u>	DELINQUENT PROPERTY TAXES C&	100,000.00	100,000.00	4,998.00	28,782.00	-71,218.00	28.78 %
<u>01-0000-4125</u>	PUBLIC UTILITIES	100,000.00	100,000.00	0.00	0.00	-100,000.00	0.00 %
<u>01-0000-4130</u>	INTEREST & PENALTY PY	20,000.00	20,000.00	4,235.91	10,161.20	-9,838.80	50.81 %
<u>01-0000-4135</u>	INTEREST & PENALTY C&M	25,000.00	25,000.00	1,526.50	4,918.69	-20,081.31	19.67 %
<u>01-0000-4145</u>	AUB ELECTRIC	730,000.00	730,000.00	56,054.35	168,163.05	-561,836.95	23.04 %
<u>01-0000-4150</u>	AUB GAS	235,000.00	235,000.00	18,206.57	54,619.71	-180,380.29	23.24 %
<u>01-0000-4165</u>	LOCAL SALES TAX	9,200,000.00	9,200,000.00	736,799.73	2,270,900.89	-6,929,099.11	24.68 %
<u>01-0000-4170</u>	WHOLESALE BEER TAX	530,000.00	530,000.00	43,502.26	135,813.78	-394,186.22	25.63 %
<u>01-0000-4171</u>	WHOLESALE LIQUOR TAX	310,000.00	310,000.00	21,317.57	44,478.95	-265,521.05	14.35 %
<u>01-0000-4176</u>	BUSINESS LICENSE APPLICATION FE	1,000.00	1,000.00	210.00	450.00	-550.00	45.00 %
<u>01-0000-4177</u>	BUSINESS TAX-ST CLERK FEE	60,000.00	60,000.00	578.51	2,680.89	-57,319.11	4.47 %
<u>01-0000-4178</u>	BUSINESS TAX-ST COLLECTED	590,000.00	590,000.00	5,275.11	25,949.61	-564,050.39	4.40 %
<u>01-0000-4183</u>	TRANSIENT VENDOR FEE	0.00	0.00	50.00	50.00	50.00	0.00 %
<u>01-0000-4205</u>	CABLE TV FRANCHISE TAX-COMCAS	120,000.00	120,000.00	0.00	31,477.72	-88,522.28	26.23 %
<u>01-0000-4210</u>	CABLE TV FRANCHISE TAX-AT&T	6,000.00	6,000.00	0.00	0.00	-6,000.00	0.00 %
<u>01-0000-4310</u>	TAXI/WRECKER/SOLICITORS	1,000.00	1,000.00	0.00	640.00	-360.00	64.00 %
<u>01-0000-4315</u>	BEER PERMITS	12,000.00	12,000.00	750.00	3,800.00	-8,200.00	31.67 %
<u>01-0000-4320</u>	ANIMAL CONTROL	1,000.00	1,000.00	70.00	435.00	-565.00	43.50 %
<u>01-0000-4325</u>	BUILDING LICENSES & PERMITS	75,000.00	75,000.00	7,148.00	36,842.50	-38,157.50	49.12 %
<u>01-0000-4410</u>	TVA PAYMENTS IN LIEU OF TAX	170,000.00	170,000.00	0.00	0.00	-170,000.00	0.00 %
<u>01-0000-4412</u>	TVA IMPACT PYMTS	45,000.00	45,000.00	0.00	0.00	-45,000.00	0.00 %
<u>01-0000-4415</u>	HOUSING AUTHORITY IN LIEU OF T	100,000.00	100,000.00	0.00	0.00	-100,000.00	0.00 %
<u>01-0000-4420</u>	STATE LAW/FIRE GRANTS	60,000.00	60,000.00	0.00	16,000.00	-44,000.00	26.67 %
<u>01-0000-4425</u>	STATE SALES TAX	1,775,000.00	1,775,000.00	130,424.98	444,612.08	-1,330,387.92	25.05 %
<u>01-0000-4435</u>	STATE BEER TAX	6,000.00	6,000.00	0.00	0.00	-6,000.00	0.00 %
<u>01-0000-4440</u>	STATE MIXED DRINK TAX	90,000.00	90,000.00	7,021.39	23,531.03	-66,468.97	26.15 %
<u>01-0000-4445</u>	STATE GAS INSPECTION TAX	26,000.00	26,000.00	2,132.55	6,408.41	-19,591.59	24.65 %
<u>01-0000-4450</u>	STATE EXCISE TAX	50,000.00	50,000.00	0.00	0.00	-50,000.00	0.00 %
<u>01-0000-4455</u>	STATE SPORTSBETTING TAX	25,000.00	25,000.00	0.00	7,063.67	-17,936.33	28.25 %
<u>01-0000-4460</u>	REIMB OTHER GOVERNMENTS	30,000.00	30,000.00	0.00	24,203.46	-5,796.54	80.68 %
<u>01-0000-4465</u>	STATE GAS & MOTOR FUEL TAX	490,000.00	490,000.00	43,528.44	128,369.45	-361,630.55	26.20 %
<u>01-0000-4467</u>	STATE TRASPORTATION MODERNIZ	6,000.00	6,000.00	684.00	1,956.74	-4,043.26	32.61 %
<u>01-0000-4475</u>	REIMB:HIGHWAY MAINTENANCE	25,000.00	25,000.00	0.00	3,833.10	-21,166.90	15.33 %
<u>01-0000-4520</u>	GRANT FUNDS	0.00	0.00	21,000.00	21,000.00	21,000.00	0.00 %
<u>01-0000-4530</u>	GRANTS - POLICE DEPT.	225,000.00	225,000.00	7,516.24	7,516.24	-217,483.76	3.34 %
<u>01-0000-4620</u>	ACCIDENT REPORT CHARGES	0.00	0.00	99.19	188.89	188.89	0.00 %
<u>01-0000-4625</u>	REPAIR DAMAGES AUB	25,000.00	25,000.00	55,877.01	65,223.89	40,223.89	260.90 %
<u>01-0000-4630</u>	CEMETERY LOTS	2,000.00	2,000.00	-140.00	1,100.00	-900.00	55.00 %
<u>01-0000-4635</u>	CEDAR GROVE EXPANSION	9,000.00	9,000.00	7,280.00	8,260.00	-740.00	91.78 %
<u>01-0000-4665</u>	POOLS INGLESIDE	15,000.00	15,000.00	-120.00	9,563.77	-5,436.23	63.76 %
<u>01-0000-4675</u>	RECREATION CONCESSIONS	30,000.00	30,000.00	3,748.50	18,121.57	-11,878.43	60.41 %
<u>01-0000-4680</u>	TENNIS	0.00	0.00	300.00	300.00	300.00	0.00 %
<u>01-0000-4690</u>	GENERAL CLASSES	50,000.00	50,000.00	204.00	2,599.44	-47,400.56	5.20 %
<u>01-0000-4700</u>	YOUTH SPORTS ACTIVITIES	45,000.00	45,000.00	0.00	0.00	-45,000.00	0.00 %
<u>01-0000-4705</u>	LEASE/RENTAL BALLFIELDS	3,000.00	3,000.00	725.00	2,365.00	-635.00	78.83 %
<u>01-0000-4710</u>	LEASE/RENTAL PICNIC SHEL	8,000.00	8,000.00	3,580.00	6,800.00	-1,200.00	85.00 %
<u>01-0000-4740</u>	FOUNDATION REVENUE	0.00	0.00	1.00	0.00	0.00	0.00 %
<u>01-0000-4810</u>	CITY COURT FINES & COSTS	100,000.00	100,000.00	19,331.96	59,856.69	-40,143.31	59.86 %

Monthly Rev and Exp Reports for Council

For Fiscal: 2025-2026 Period Ending: 09/30/2025

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<u>01-0000-4910</u>						
INTEREST INCOME	550,000.00	550,000.00	36,162.82	117,963.48	-432,036.52	21.45 %
<u>01-0000-4920</u>						
SALE OF CITY PROPERTY	0.00	0.00	225.00	315.00	315.00	0.00 %
<u>01-0000-4925</u>						
INSURANCE RECOVERIES	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00 %
<u>01-0000-4930</u>						
DISCOUNTS EARNED	0.00	0.00	119.56	212.65	212.65	0.00 %
<u>01-0000-4999</u>						
MISCELLANEOUS INCOME	30,000.00	30,000.00	5,671.53	11,613.16	-18,386.84	38.71 %
<b>Revenue Total:</b>	<b>22,306,000.00</b>	<b>22,306,000.00</b>	<b>1,591,188.68</b>	<b>4,227,488.71</b>	<b>-18,078,511.29</b>	<b>18.95%</b>
<b>Fund: 01 - GENERAL FUND Total:</b>	<b>22,306,000.00</b>	<b>22,306,000.00</b>	<b>1,591,188.68</b>	<b>4,227,488.71</b>	<b>-18,078,511.29</b>	<b>18.95%</b>
<b>Report Total:</b>	<b>22,306,000.00</b>	<b>22,306,000.00</b>	<b>1,591,188.68</b>	<b>4,227,488.71</b>	<b>-18,078,511.29</b>	<b>18.95%</b>



City of Athens, Tennessee

# Monthly Rev and Exp Reports for Council Account Summary

For Fiscal: 2025-2026 Period Ending: 09/30/2025

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Used
<b>Fund: 12 - SANITATION</b>						
<b>Revenue</b>						
<u>12-0000-4648</u>	REFUSE PENALTY	4,000.00	4,000.00	299.39	1,289.68	-2,710.32 32.24 %
<u>12-0000-4650</u>	IND/COMMERCIAL REFUSE CHARG	420,000.00	420,000.00	29,859.00	106,841.50	-313,158.50 25.44 %
<u>12-0000-4658</u>	REFUSE COLLECTION CHARGES	560,000.00	560,000.00	47,257.33	135,578.77	-424,421.23 24.21 %
<u>12-0000-4750</u>	RECYCLING CENTER	5,000.00	5,000.00	397.97	1,525.93	-3,474.07 30.52 %
<u>12-0000-4910</u>	INTEREST INCOME	50,000.00	50,000.00	9,081.71	23,469.87	-26,530.13 46.94 %
<u>12-0000-4930</u>	DISCOUNTS EARNED	0.00	0.00	12.54	30.24	30.24 0.00 %
<u>12-0000-4999</u>	MISCELLANEOUS INCOME	1,000.00	1,000.00	71.20	3,991.98	2,991.98 399.20 %
	<b>Revenue Total:</b>	<b>1,040,000.00</b>	<b>1,040,000.00</b>	<b>86,979.14</b>	<b>272,727.97</b>	<b>-767,272.03 26.22%</b>
	<b>Fund: 12 - SANITATION Total:</b>	<b>1,040,000.00</b>	<b>1,040,000.00</b>	<b>86,979.14</b>	<b>272,727.97</b>	<b>-767,272.03 26.22%</b>
	<b>Report Total:</b>	<b>1,040,000.00</b>	<b>1,040,000.00</b>	<b>86,979.14</b>	<b>272,727.97</b>	<b>-767,272.03 26.22%</b>

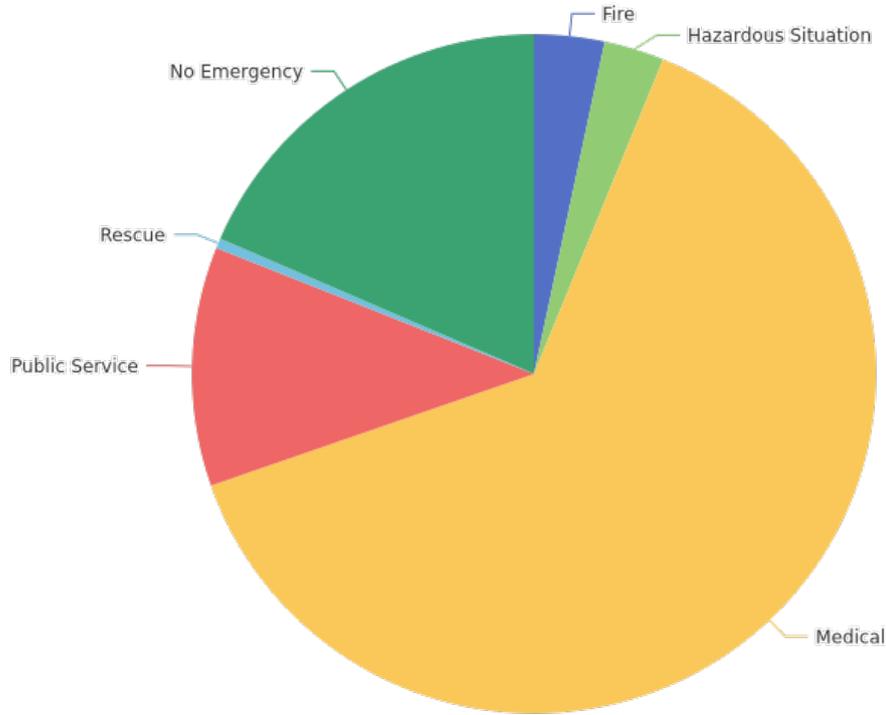
CITY OF ATHENS  
 FINANCIAL REPORT  
 CASH BALANCES AND INVESTMENT SHEET  
 2025-2026

	JUL	AUG	SEPT
GENERAL	15,865,000	15,280,000	15,019,000
EMP MED BENEFIT	305,000	306,000	307,000
SCHOOL DEBT SER	4,142,000	4,237,000	4,324,000
CITY DEBT SER	114,000	114,000	114,000
CAP IMP	13,936,000	13,924,000	13,869,000
FLEET	8,433,000	7,176,000	7,050,000
SAN	1,474,000	2,736,000	2,413,000
DRUG	208,000	186,000	190,000
CONFERENCE	168,000	172,000	174,000
SCHOOL CONST	0	0	0
2021 GO BOND	1,077,000	1,081,000	1,085,000
HOTEL/MOTEL TAX	954,000	973,000	1,001,000
TOTAL CASH & INV	46,676,000	46,185,000	45,546,000





**Incident Count by Primary Incident Group NERIS - Last Calendar Month**



PRIMARY INCIDENT GROUP	COUNT OF INCIDENTS	PERCENTAGE OF TOTAL INCIDENTS
Rescue	1	0.47%
Hazardous Situation	6	2.84%
Fire	7	3.32%
Public Service	24	11.37%
No Emergency	39	18.48%
Medical	134	63.51%
<b>Total</b>	<b>211</b>	<b>100.00%</b>

**Description:** This report provides a count of incidents by incident type series group Time frame is last calendar month.

**Criteria:** Dispatch Notified Date/Time from 2025-09-01 00:00:00 to 2025-10-01 00:00:00 AND Incident Reporting Status equal Authorized



## Report summary by Primary Incident Type NERIS -Last Calendar Month

PRIMARY INCIDENT TYPE	TOTAL
Fire - Outside Fire - Trash / Rubbish Fire	1
Fire - Outside Fire - Wildfire - Wildland	1
Fire - Structure Fire - Structural Involvement	2
Fire - Structure Fire - Room and Contents Fire	1
Fire - Structure Fire - Confined Cooking / Appliance Fire	1
Fire - Transportation Fire - Vehicle Fire - Passenger	1
Hazardous Situation - Hazard Non-Chemical - Electrical Hazard / Short Circuit	1
Hazardous Situation - Hazardous Materials - Fuel Spill / Fuel Odor	1
Hazardous Situation - Hazardous Materials - Gas Leak / Gas Odor	1
Hazardous Situation - Hazardous Materials - Hazardous Material Release (Chemical from Transportation)	1
Hazardous Situation - Investigation - Odor	1
Hazardous Situation - Investigation - Smoke Investigation	1
Medical - Illness - Abdominal Pain / Problems	4
Medical - Illness - Allergic Reaction / Stings	3
Medical - Illness - Back Pain (Non-Trauma)	1
Medical - Illness - Breathing Problems	14
Medical - Illness - Cardiac Arrest	3
Medical - Illness - Chest Pain (Non-Trauma)	15
Medical - Illness - Convulsions / Seizures	6
Medical - Illness - Diabetic Problems	4
Medical - Illness - Heart Problems	2
Medical - Illness - Overdose / Poisoning	6
Medical - Illness - Sick Case	7
Medical - Illness - Stroke / CVA	4
Medical - Illness - Unconscious Victim	6
Medical - Illness - Well Person Check	1
Medical - Illness - Altered Mental Status	7
Medical - Illness - Unknown Problem	4
Medical - Illness - No Appropriate Choice	5
Medical - Injury / Trauma - Assault	1

# Report summary by Primary Incident Type NERIS -Last Calendar Month

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



PRIMARY INCIDENT TYPE	TOTAL
Medical - Injury / Trauma - Choking	1
Medical - Injury / Trauma - Fall	17
Medical - Injury / Trauma - Motor Vehicle Collision	16
Medical - Injury / Trauma - Hemorrhage / Laceration	4
Medical - Injury / Trauma - Other Traumatic Injury	1
Medical - Other - Medical Alarm	1
Medical - Other - Airmedical Transport	1
Public Service - Citizen Assist - Lost Person	1
Public Service - Citizen Assist - Person In Distress	1
Public Service - Citizen Assist - Lift Assist	15
Public Service - Alarms (Non Medical) - Fire / Smoke Alarm	5
Public Service - Disaster / Weather - Weather Response	1
Public Service - Other - Standby	1
Rescue - Structure - Elevator / Escalator Rescue	1
No Emergency - False Alarm - Intentional False Alarm	2
No Emergency - False Alarm - Malfunctioning Alarm	2
No Emergency - False Alarm - Accidental Alarm	16
No Emergency - False Alarm - Other False Call	2
No Emergency - Good Intent - No Incident Found Upon Arrival / Location Error	6
No Emergency - Good Intent - Controlled Burning (Authorized)	1
No Emergency - Cancelled	10
<b>Total</b>	<b>211</b>

Criteria: Dispatch Notified Date/Time from 2025-09-01 00:00:00 to 2025-10-01 00:00:00 AND Incident Reporting Status equal Authorized

- 960 Employee training hours
- 9 CPR classes - 77 students
- Fire House Tour - home schoolers
- 1 State inspection
- Touch A Truck - Mars Hill Pres. Preschool and Keith Preschool
- Tri-State meeting - Ootlewah
- 2 Smoke alarm installs
- Emergency Plan Meeting with HP Pelzer
- United Way Day of Caring
- Tools Day - Athens City Primary School
- Commission Testing - Gable & Jimenez FD Instructor 1
- McMinn County 8th Grade Career Day - National Guard Armory
- Fire Prevention - Athens City Intermediate School
- Total incident number - year to date - 1777



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

**Classification of Offenses**

**Offenses Reported**

Part I - Crimes Against Persons	This Month	This Year	Last Year to Date
1. Homicide	0	1	1
2. Sex Offense	0	13	11
3. Robbery	0	5	7
4. Assault	27	175	166
<b>Part II - Crime Against Property</b>			
5. Burglary	7	38	54
6. Theft	26	249	387
7. Motor Vehicle Theft	1	17	46
Traffic Stops	553	4,279	1,403
Citations	227	1,900	503
Warnings	340	2,596	734
Drugs	19	195	207
Arrests	100	952	944
<b>Total calls for service</b>	<b>1,758</b>	<b>17,303</b>	<b>13,056</b>

**Traffic Accident Statistics**

**Accidents**

**Injuries**

	This Month	This Year	Last Year to Date		This Month	This Year	Last Year to Date
Vehicle	57	603	566		12	117	109

**Fatality**

This Month	0
This Year	1
Last Year	0

**Employment**

Authorized Sworn Positions	36
Current Sworn Positions Filled	35
Police Dept. Vacancies	0

Prepared:  
Jason B. Garren  
Deputy Chief

Submitted:  
Fred K. Schultz  
Chief of Police

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

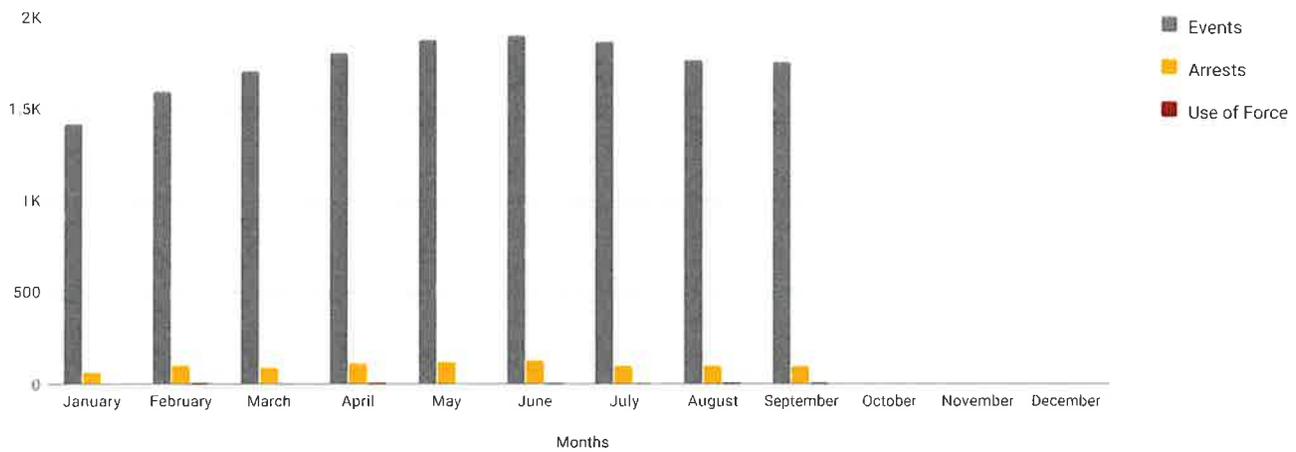


## Athens Police Department

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

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

Event vs. Arrests vs. Use of Force Comparison



#### 2025 Events vs. Use Of Force

Total Events: 15707  
Use of Force Incidents: 33 | **0.21%**

#### 2025 Arrests vs. Use Of Force

Total Arrests: 939  
Use of Force Incidents: 33 | **3.51%**

MONTHS	TOTAL EVENTS	USE OF FORCE	%
January	1420	1	0.07%
February	1596	5	0.31%
March	1709	3	0.18%
April	1808	6	0.33%
May	1879	1	0.05%
June	1902	4	0.21%
July	1868	3	0.16%
August	1767	5	0.28%
September	1758	5	0.28%
October	0	0	0.00%
November	0	0	0.00%
December	0	0	0.00%

MONTHS	TOTAL ARRESTS	USE OF FORCE	%
January	67	1	1.49%
February	104	5	4.81%
March	93	3	3.23%
April	116	6	5.17%
May	123	1	0.81%
June	131	4	3.05%
July	102	3	2.94%
August	103	5	4.85%
September	100	5	5.00%
October	0	0	0.00%
November	0	0	0.00%
December	0	0	0.00%

# Monthly Overtime Report for Patrol Division September 2025

## **Late Shift: 44.75 hours**

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

## **Manpower: 17.00 hours**

(fill in for sick leave, vacations, training)

## **Court: 3.50 hours**

General Sessions: 00.00

City: 00.00

Criminal: 00.00

Civil: 00.00

Juvenile: 00.00

Grand Jury: 3.50

## **Training: 117.25 hours**

## **Special Assignments: 71.50 hours**

Meeting: 6.00

THSO: 33.50

Carwash: 9.00

Charlie Kirk Event: 23.00

**Total hours for the month: 254.00 hours**

**Total expenditure for patrol overtime for the month: \$5,620.68**

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

Athens Municipal Court  
**DISPOSITION COUNT**

09/01/2025 to 09/30/2025

<u>Disp. Code Id</u>	<u>Disp. Code Name</u>	
(9)	Dismissed	<u>21</u>
(10)	Dismissed after Drv Safety Course	<u>4</u>
(11)	Dismissed upon payment of cost w/time to pay	<u>3</u>
(19)	Paid in Full	<u>160</u>
(21)	Plea Guilty/ as charged	<u>30</u>
(25)	Plea Not Guilty, set for trial	<u>1</u>
Total Dispositions:		<u>219</u>



# CITY OF ATHENS

## FY 2025-26 PROGRAM OF WORK

*Updated October 15, 2025*

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>City Manager's Office</b>			
1	Prepare a five-year Capital Improvement Plan (CIP) to plan/coordinate future projects/costs.	City Manager / Dept. Heads	On Oct. 13, 2025 work session for review. On Oct. 20, 2025 City Council Advisory Committee meeting for feedback, and on Oct. 23, 2025 Rec. Advisory Board meeting for feedback.
2	Prepare for and conduct the annual strategic summit tentatively scheduled for Fri. Feb. 20, 2026, 9:00 am to 4:00 pm, at McMinn Higher Education Center, facilitated by SETD.	City Manager / Dept. Heads	Booked, and waiting for the summit.
3	Plan the renovation and expansion of the current City Hall facility, \$40,000 for planning and \$580,000 for HVAC replacement using Capital Improvement Funds.	City Manager / Project Manager	Council consented during Dec. 9, 2024 work session and approved during Dec. 17, 2024 regular session to obtain an appraisal of a downtown building. Appraisal was discussed during the Jan. 13, 2025 work session and Jan. 21, 2025 regular session. No action taken. This topic was discussed during the Feb. 10, 2025 work session and authorized staff to bring back additional data. Council voted to cease all further negotiations with both property owners on March 18, 2025. Discussed further during April 7, 2025 work session and April 15, 2025 regular session and approved to hire architect to begin the planning of new construction and renovations. Discussed further during the May 12, 2025 work session and May 20, 2025 regular session. Approved Allen & Hoshall to prepare planning documents for renovations and expansion. Initial meetings were held collectively and individually on June 4, 2025. Floor plans and renderings were discussed further during Aug. 20, 2025 staff meeting. On Sept. 8, 2025 work session and Oct. 13, 2025 work session for further discussion. On Oct. 21, 2025 regular session for further discussion.

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>City Manager's Office (continued)</b>			
4	Have a feasibility study prepared to complete/expand the SE TN Trade & Conference Center using Hotel/Motel Tax Funds, \$60,000.	City Manager	RFQ prepared, bid deadline was Sept. 23, 2025. Reviewing 4 responses.
5	Develop a citizen satisfaction survey and a Parks & Recreation amenities survey in-house to obtain citizen sentiment/comments about city provided services and wanted recreational amenities.	City Manager's Office	Preparing.
6	Keep the website updated to include retail marketing and retirement information.	City Manager / Communications Coordinator	Go live was Aug. 22, 2025. Fine tuning.
<b>Community Development</b>			
7	Complete creating the downtown historic overlay district.	Community Dev. Director	HPB has discussed this topic previously, their regular meeting on Aug. 7, 2025 had a speaker from Sweetwater, HPB <i>may</i> make recommendations in the future.
8	Continue dilapidated/unfit structure enforcement per city code 13-302.	Community Dev. Director / City Manager	<p>Completing two enforcement orders previously approved (206 Stansberry St. and 2019 Hammerhill Rd. in Court) and began 9 additional structure enforcements (815 Central Ave, 102 Euclid Ave, 206 Rose Dr, 121 Sage St, 206 Sharp St., 1110 Old Ingleside Rd, 512 Tellico, 1217 Clayton, and 104 Frankfort).</p> <p>Council discussed changing the hearing process on July 31, 2025. Made clarification of who is certified.</p> <p>City attorney prepared and distributed the 9 hearing notices. Hearings were held on Sept. 9, and Oct. 7, 2025.</p> <p>City attorney mailed the 9 orders. In the 90-day waiting period to have owners clean up or demolish, or early Jan. 2026.</p> <p>Began an additional 7 structure enforcements (1506 Adams St, 12 Alford St, 507 Bank St, 704 Haley St, 1504 View St, 408 Pope Ave, and 1402 Hammerhill Rd). Hearings are scheduled for Nov. 19, 2025.</p>

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Fire Department</b>			
9	Prepare design plans, develop construction drawings, bid out, and begin construction of Fire Station #3 using Capital Improvement Funds, \$3,200,000.	Fire Chief / Project Manager	Council authorized staff during Jan. 21, 2025 regular session to hire architect to design fire station #3. RFQ prepared and distributed. Received 12 proposals on deadline date of April 3, 2025. Proposals evaluated and the top 4 selected for in-person interviews. Interviews held on April 23, 2025 and a top firm selected (Wold). On May 12, 2025 work session for award consideration and May 20, 2025 regular session for contract approval. Approved Wold. Initial planning meeting was June 17, 2025, second planning meeting held June 23, 2025, third meeting was July 28, 2025. On Aug. 11, 2025 work session and Aug. 19 regular session for consideration. On September 8, 2025 work session and Sept. 16, 2025 regular session for further discussion. Approved proceeding with construction documents and bidding.
10	Replace the HVAC system at Fire Station #2 using Capital Improvement Funds, \$20,000.	Fire Chief	Bid opening was Sept. 29, 2025. On Oct. 13, 2025 work session for consideration and Oct. 21, 2025 regular session for approval.
11	Replace garage door openers at Fire Station HQ.	Fire Chief	<b>Completed.</b>
12	Acquire water tank skid, radio chargers, trailer, uniform cabinets, cabinet for trucks, and 4-way hydrant valve.	Fire Chief	Water tank ordered, radio chargers/batteries delivered, trailer delivered, uniform cabinets delivered, truck cabinet in design, hydrants ordered.
13	Acquire replacement Sparky costume.	Fire Chief	<b>Completed.</b>
14	Acquire signage for new training facility per city sign design standards.	Fire Chief	
<b>Hotel/Motel Tax Fund</b>			
15	Assist Nooga Lights, LLC in hosting/advertising a Christmas light show event at Regional Park, \$30,000 and installing new electrical connections for the event using Capital Improvement Funds, \$15,000.	Communications Coordinator	AUB installing new electrical connections needed for this event at Regional Park. Nooga Lights will not be able to fulfill the 2025 terms due to a lack and delay of supplies from overseas manufacturers. Instead, will install static displays at Market Park and Cook Park.
16	Develop a city branding strategy/logo for tourism promotion, \$20,000.	Communications Coordinator	Being prepared by Kellum Creek.
17	Develop a sign standard and design/install welcome and wayfinding signs throughout the city, \$85,000.	Communications Coordinator	Sign standards being prepared by Kellum Creek.

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Information Technology</b>			
18	Purchase various computer equipment and services to update the city's IT network (\$285,000).	IT Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Installation ongoing.
19	Add/replace security cameras at various parks including Regional Park, Ingleside Park, and Heritage Park, replace the outdated government access channel equipment, and replace computer equipment in various offices (\$147,000).	IT Director	Ordered security cameras, Ingleside completed. Received PEP grant for cameras.
<b>Parks &amp; Recreation Department</b>			
20	Install artificial turf on the 5 infields at Regional Park using Hotel/Motel Tax Funds (\$200,000) and Capital Improvement Funds (\$1,300,000).	Parks & Rec. Director / Project Manager	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued July 21, 2025. Completion early 2026.
21	Renovate the house at Regional Park for Parks & Recreation offices using Capital Improvement Funds, \$275,000.	Parks & Rec. Director / Project Manager	Proposal from Allen & Hoshall on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued July 17, 2025. On Sept. 8, 2025 work session and Sept. 16 regular session for consideration. Approved to proceed with construction drawings and bidding. Bidding during November. Anticipated completion Spring 2026.
22	Improve Heritage Park including renovation of baseball field, adding walking trail, ADA compliance, and install replacement playground, \$1,175,000 using LPRF grant (50%) and city funds (50%).	Parks & Rec. Director / Project Manager	State approved construction plans. Bid deadline was July 31, 2025. On Aug.11, 2025 work session for consideration and approved on Aug. 19, 2025 regular session. NTP issued on Sept. 22, 2025. Construction has begun. Anticipated completion is Summer 2026.
23	Replace the main gate at Regional Park with an electric gate using Capital Improvement Funds, \$35,000.	Parks & Rec. Director	Gate specifications prepared, bid deadline was Sept. 9, 2025. On Oct. 13, 2025 work session for consideration and Oct. 21, 2025 regular session for approval.
24	Complete Market Park per the master plan using Capital Improvement Funds, \$250,000 and install Level 2 EV chargers from a TVA grant.	Parks & Rec. Director / Project Manager	Kimley Horn is working on schematic designs, updated layout, priority phases, and cost estimates. Plan was reviewed by Recreation Advisory Board, Main Street, and Friendly City Festivals on Aug. 14, 2025. Continue to work on design.
25	Replace the blue metal roof of the concession stand/restrooms at Regional Park using Capital Improvement Funds, \$40,000.	Parks & Rec. Director	Preparing bid specs.
26	Replace tennis/pickleball court lighting fixtures and add pedestrian lighting at Ingleside Park using Capital Improvement Funds, \$195,000.	Parks & Rec. Director / Project Manager	Obtaining quotes from purchasing cooperatives for the Nov. 10, 2025 regular session and Nov. 18, 2025 regular session.

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Parks &amp; Recreation Department (continued)</b>			
27	Acquire trailer, bushhog, air compressor, paint machine, chalk machine, bases, new tables for Cook Park, pitching screens, and park signage per the city's sign design standards.	Parks & Rec. Director	All items have been delivered except for park signage.
28	Acquire a replacement slide for Ingleside Pool, \$6,000.	Parks & Rec. Director	
29	Acquire a replacement pick-up truck using Fleet Management Funds, \$40,000.	Parks & Rec. Director	
30	Perform general repairs and cleaning to the SE TN Trade & Conference Center, \$125,000.	Parks & Rec. Director	
31	Acquire floor cleaning machine and replacement tables for the SE TN Trade & Conference Center, \$12,500.	Parks & Rec. Director	
32	Obtain cost estimates/wording/location for Revolutionary War, WWI, and WWII memorials for Veterans Park.	Parks & Rec. Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Memorials installed during Oct. 2025. <b>Completed.</b>
33	Install new park benches on Cook Drive (3), Veterans Park (7), and Ingleside Park (3), \$15,000.	Parks & Rec. Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. All concrete poured and 13 benches have been installed. <b>Completed.</b>
<b>Police Department</b>			
34	Acquire five new police vehicles using Fleet Management Funds, \$400,000.	Police Chief	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. 3 vehicles delivered and in service, waiting for delivery of the other 2.
35	Acquire the equipment needed for the five new police cars (\$80,000) and acquire new in-vehicle printers (\$24,000).	Police Chief	See #34 above.
36	Acquire 360-degree crime scene scanner using Drug Funds, \$18,000.	Police Chief	<b>Completed.</b>
37	Determine feasibility of constructing a firing range or having a contract with the local gun club's range.	Police Chief	Under consideration.
<b>Public Works Department</b>			
38	Prepare design and construction drawings to connect and pave View Street using Capital Improvement Funds, \$305,000.	Public Works Director / Project Manager	Proposal from Gresham Smith Engineers to design/prepare construction drawings on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued on July 18, 2025. Will bid with N. Jackson Street paving in late 2025 and completion during Spring 2026.

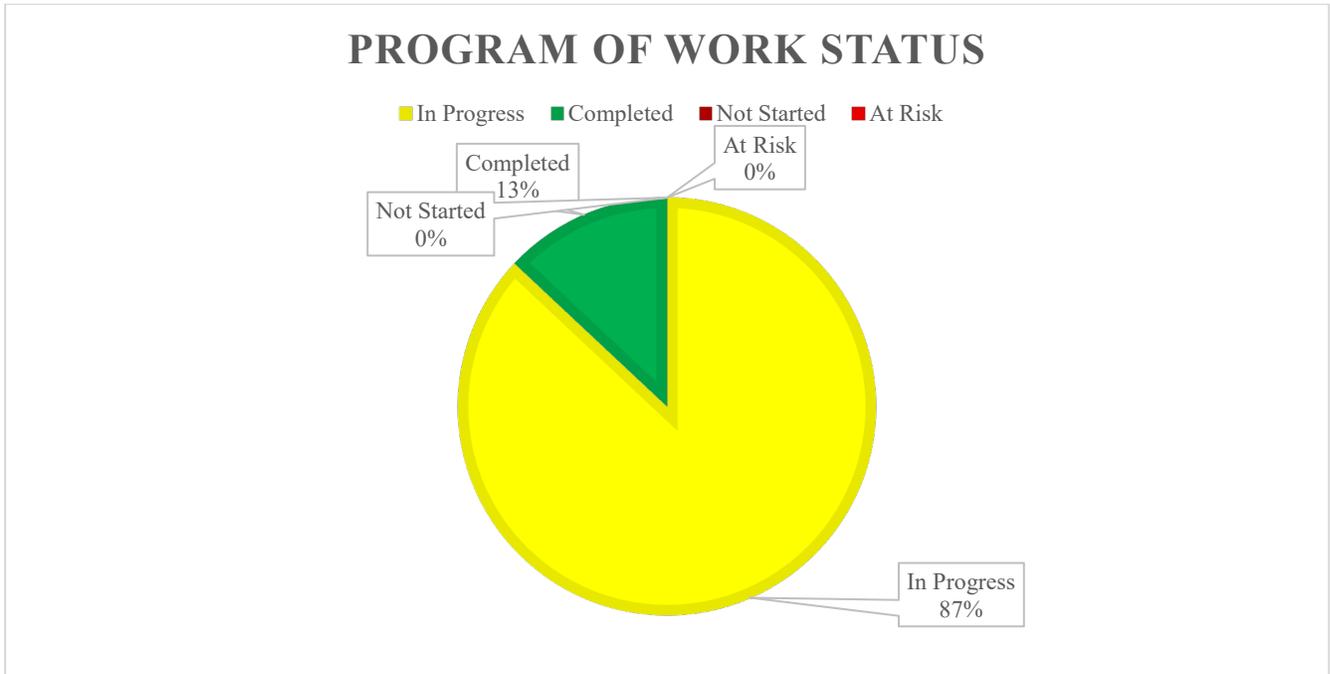
No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Public Works Department (continued)</b>			
39	Resurface 9 city streets totaling 3.94 miles using STBG-L funds, \$999,000 and Capital Improvement Funds, \$1,068,000 for a total of \$2,067,000. <ul style="list-style-type: none"> <li>• Mt. Verd Rd. from Clearwater Rd to city limits (.34)</li> <li>• Sharp Rd. from Velma Rd. to Railroad Ave (.21)</li> <li>• Tellico Ave. from Congress to Astrid St (.83)</li> <li>• Dennis St. from Congress to Decatur Pike (.62)</li> <li>• Woodward Ave. from N. Jackson St. to Ingleside Ave (1.07)</li> <li>• Forrest Ave. from Ingleside Ave. to Madison Ave (.29)</li> <li>• Guille St. from Ingleside Ave. to Eastanallee Ave (.12)</li> <li>• Glendale Ave. from Park St. to Cedar Springs Rd (.29)</li> <li>• Cedar Springs Rd. from Glendale Ave. to Elizabeth St (.17).</li> </ul>	Public Works Director / Project Manager	City Council approved the 9 list of streets during April 2022, Gresham Smith Engineers completed final design/construction drawings and submitted to TDOT for approval. TDOT approved during June, 2025. Bid deadline was July 23, 2025, 3 bids received. On Aug. 11, 2025 work session for consideration and approved on Aug. 19, 2025 regular session. Preconstruction meeting held Sept. 12, 2025. Completion of Mt. Verd Road and Forrest Avenue Oct. 2025, remaining streets anticipated Spring 2026
40	Improve/stabilize/realign N. Jackson St. in front of City Hall using Capital Improvement Funds, \$480,000.	Public Works Director / Project Manager	Gresham Smith Engineers has conducted geotechnical analysis, prepared design plans, and construction cost estimates. Will bid with View Street paving.
41	Have Stancell Electric implement Decatur Pike corridor traffic signal retiming study using Capital Improvement Funds, \$193,000.	Public Works Director / Project Manager	Equipment purchase and installation on Sept. 8, 2025 work session for consideration and approved on Sept. 16, 2025 regular session. Equipment ordered.
42	Improve the road and railroad intersection of W. Madison, Rocky Mount, and Old Riceville Road using Railroad Grade Crossing Program Grant, \$600,000.	Public Works Director / Project Manager	Design completed. Project contract received and executed by city and TDOT. Preparing bid documents.
43	Prepare an electronic inventory/data base of major city storm water assets of location, size, and condition to determine stormwater needs. Then design and construct needed improvements, \$2,503,000 using ARPA grant funds (85% grant/15% local). This study is a precursor to creating a storm water utility.	Public Works Director / Project Manager	Gresham Smith Engineers has collected all data. Bid opening was Sept. 9, 2025, Bid approved on Sept. 16, 2025 regular session. Project must be completed by Sept. 2026. Precon meeting held Oct. 10, 2025.
44	Improve intersection of Ingleside Ave. / Tellico Ave. using state Rural Safety Action grant, \$927,000.	Public Works Director / Project Manager	Waiting for TDOT to approve funding.
45	Purchase/install routing software/hardware for garbage trucks, \$44,948 over three years.	Public Works Director / Sanitation Coordinator	Council consented during Dec. 9, 2024 work session and approved during Dec. 17, 2024 regular session. Vendor is configuring software and all data being validated. Deployment during Fall 2025.

No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Public Works Department (continued)</b>			
46	Purchase replacement leaf vacuum machine, \$146,000 using Fleet Management Fund.	Public Works Director	On March 10, 2025 work session for consideration and approved during March 18, 2025 regular session. Machine ordered. Waiting for delivery.
47	Acquire replacement pick-up truck using Fleet Management Funds, \$45,000,	Public Works Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Truck ordered. Waiting for delivery.
48	Acquire replacement flatbed truck using Fleet Management Funds, \$75,000.	Public Works Director	On July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. Truck delivered. <b>Completed.</b>
49	Acquire two traffic signal controllers and trailer mounted sign board for Traffic Control Division, \$33,000.	Public Works Director	Sign board has been purchased/delivered.
50	Continue the design of Green Street improvements including sidewalks, pedestrian crossings, retiming of traffic signals for pedestrian safety using TDOT MMAG grant, \$117,000 and Capital Improvement Funds, \$13,000.	Public Works Director / Project Manager	RFQ was prepared for engineering services, 5 responses received, 3 were asked for full proposals. Recommended firm on March 10, 2025 work session for consideration and approved during March 18, 2025 regular session. Currently obtaining environmental clearance. Construction is expected to begin in 2026 and be completed in 2027.
51	Complete the last 2,000 feet of sidewalk construction around MCHS.	Public Works Director	Obtaining 3 construction easements and eliminating 1 obstruction.
52	Acquire a floor cleaning machine for the Animal Shelter, \$3,500.	Public Works Director	
53	Acquire replacement garbage totes, lids, and dumpsters for Sanitation, \$64,000.	Public Works Director	On Aug. 11, 2025 work session for consideration and approved on Aug. 19, 2025 regular session. Dumpsters delivered, waiting for delivery of totes and lids.
54	Survey Hammerhill Road property owners to determine feasibility of donating or selling their property for new sidewalk.	Public Works Director	Obtained list of legal property owners, prepared survey, and distributed. Survey closed on Aug. 5, 2025. 10 responses received. Results presented during Aug. 11, 2025 work session. Placing in the CIP.
55	Develop schematic designs for the downtown area and priorities using Capital Improvement Funds, \$50,000.	Capital Projects Manager / City Manager	Proposal from Kimley Horn on July 7, 2025 work session for consideration and approved on July 15, 2025 regular session. NTP issued on July 17, 2025. Kick off meeting was Aug. 21, 2025. On-going.

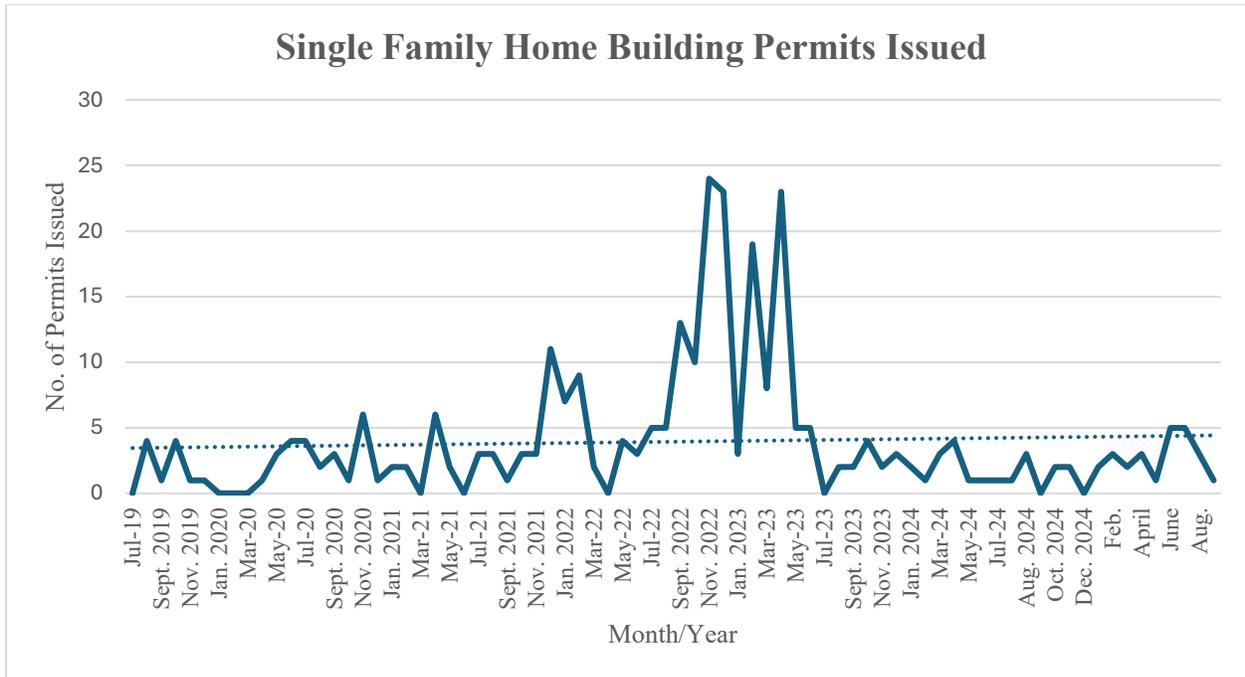
No.	Program/Cost/Funding Source	Responsible Party	Status
<b>Other Projects</b>			
56	Contribute \$35,000 to the city Board of Education for a playground at the new school complex using Capital Improvement Funds.	Finance Director	Received invoice (\$34,819.50) from City Board of Education and paid. <b>Completed.</b>
57	Demolish North City School using Capital Improvement Funds, \$360,000.	City Manager	Council discussed selling, demolishing, leasing property Dec. 9, 2024 work session and approved demolition during Dec. 17, 2024 regular session. Council discussed rescinding demolition vote during Jan. 13, 2025 work session and Jan. 21, 2025 regular session. Motion failed. This topic was discussed on Feb. 10, 2025 work session and Feb. 18, 2025 regular session. Approved to demolish. Bid opening was April 29, 2025 and ten bids received. On May 12, 2025 work session for award consideration and May 20, 2025 regular session for bid approval. Approved E. Luke Green to demolish. Project start date was July 14, 2025 and completion by Fall 2025.
58	Complete Mt. Verd Industrial Park improvements using city, county, and ARC funds, \$1,900,000.	EDA Director	Bid opening was Aug. 14 2025. On Sept 8, 2025 work session for consideration and approved on Sept. 16, 2025 regular session. EDA Director gave an update on July 7, 2025. Precon meeting held Oct. 7, 2025, NTP issued Nov. 3, 2025. Anticipated completion is Spring 2026.
59	Acquire the 2.93-acre property for the entrance to the Redfern Industrial Park as authorized by Resolution 2022-31 using Capital Improvement Funds. Road design and construction drawings, bid out, and build will be in next budget year.	Public Works Director / Project Manager	City Attorney acquired property. <b>Completed.</b>
60	Sell the 1.08-acre Parker Property located on Decatur Pike, \$275,000 minimum bid.	Purchasing Assistant	Bid deadline was July 22, 2025. No bids received. On Aug. 11, 2025 work session and Aug. 19, 2025 regular session for further discussion. Approved to rezone property from B-3 to R-2 and re-market. Going through rezoning process and making repairs. Advertise for sale during Nov. 2025.
61	Acquire downtown property for Market Park expansion.	City Manager	Council approved acquisition during Aug. 19, 2025 regular session, obtained appraisal and Phase I environmental assessment. Found environmental issues.
62	Conduct quarterly blood drives.	Communications Coordinator	Blood drive was July 18, 2025 at City Hall sponsored by MEDIC, 11 units collected. Next blood drive is Oct.

## Key

Status	No. of Projects/Total Projects	Percentage
In Progress	54/62	87%
Completed	8/62	13%
Not Started	0/62	0%
At Risk	0/62	0%



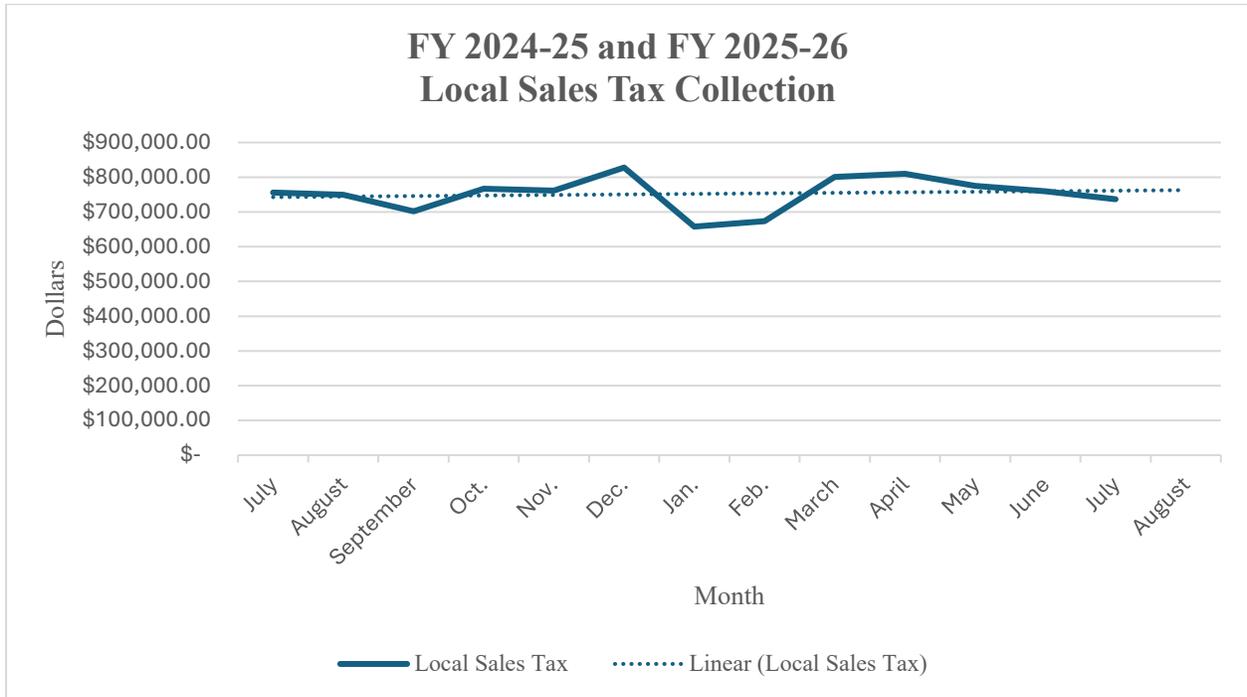
# SINGLE FAMILY HOME BUILDING PERMITS ISSUED



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

Source: Community Development Dept.

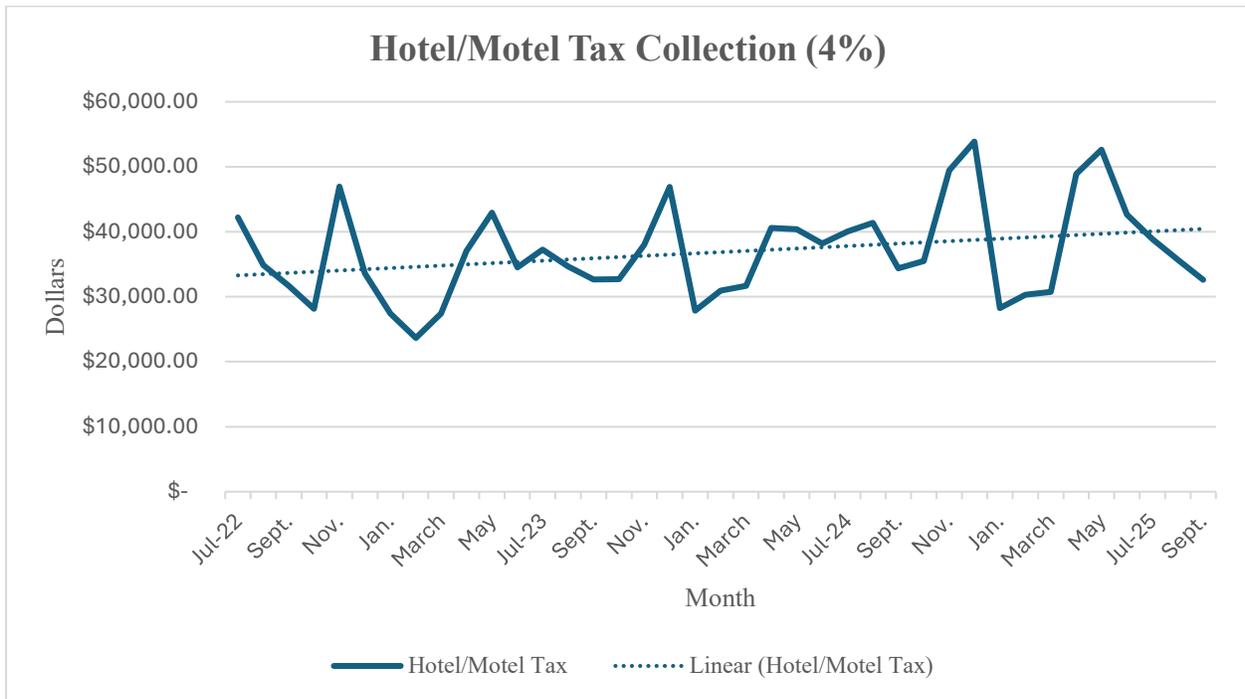
# LOCAL SALES TAX COLLECTION



Month	FY 2024-25	Percentage Change from Previous Month	FY 2025-26	Percentage Change from Previous Month/Year
July	755,777		736,800	(2.97%) / (2.5%)
August	749,676	(0.81%)		
Sept.	701,633	(6.41%)		
Oct.	766,762	9.28%		
Nov.	761,494	(0.68%)		
Dec.	827,792	8.7%		
Jan.	657,793	(20.5%)		
Feb.	673,300	2.3%		
March	800,607	18.9%		
April	809,852	1.2%		
May	774,784	(4.3)		
June	759,317	(2.0%)		
<b>Total Collected</b>	<b>\$9,038,787</b>		<b>736,800</b>	
<b>Budgeted</b>	<b>\$8,800,000</b>		<b>\$9,200,000</b>	
<b>% Collected</b>	<b>102.7%</b>		<b>8.0%</b>	
<b>Avg. Per Month</b>	<b>\$753,232</b>		<b>736,800</b>	

Source: Tennessee Dept. of Revenue

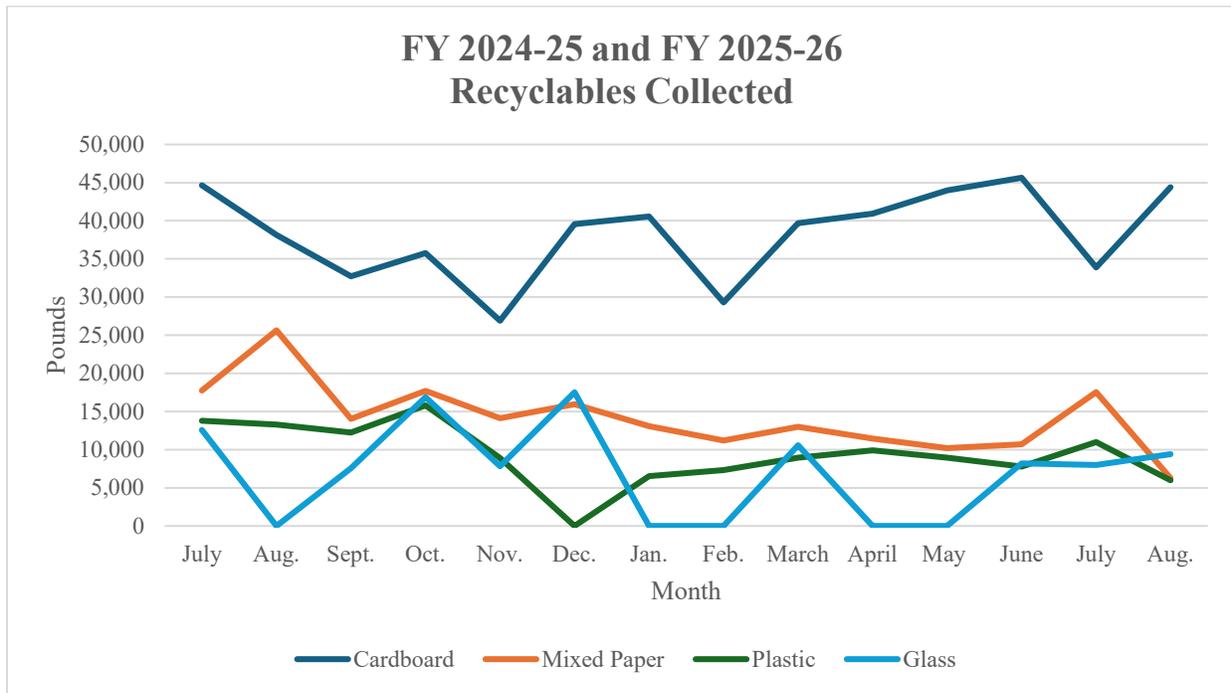
# HOTEL/MOTEL TAX COLLECTION



Month	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26
July	\$42,213	\$37,261	\$40,027	\$38,892
August	34,852	34,639	41,377	35,665
Sept.	31,695	32,663	34,385	32,589
Oct.	28,144	32,705	35,469	
Nov.	46,946	37,985	49,470	
Dec.	33,579	46,923	53,880	
Jan.	27,417	27,836	28,248	
Feb.	23,656	30,932	30,317	
March	27,421	31,681	30,751	
April	37,083	40,571	48,902	
May	42,955	40,408	52,623	
June	34,490	38,176	42,622	
<b>Annual Total</b>	<b>\$410,451</b>	<b>\$431,780</b>	<b>\$488,071</b>	<b>\$107,146</b>
<b>Avg. Per Month</b>	<b>\$34,204</b>	<b>\$35,982</b>	<b>\$40,673</b>	<b>\$35,715</b>

Source: Athens Finance Department

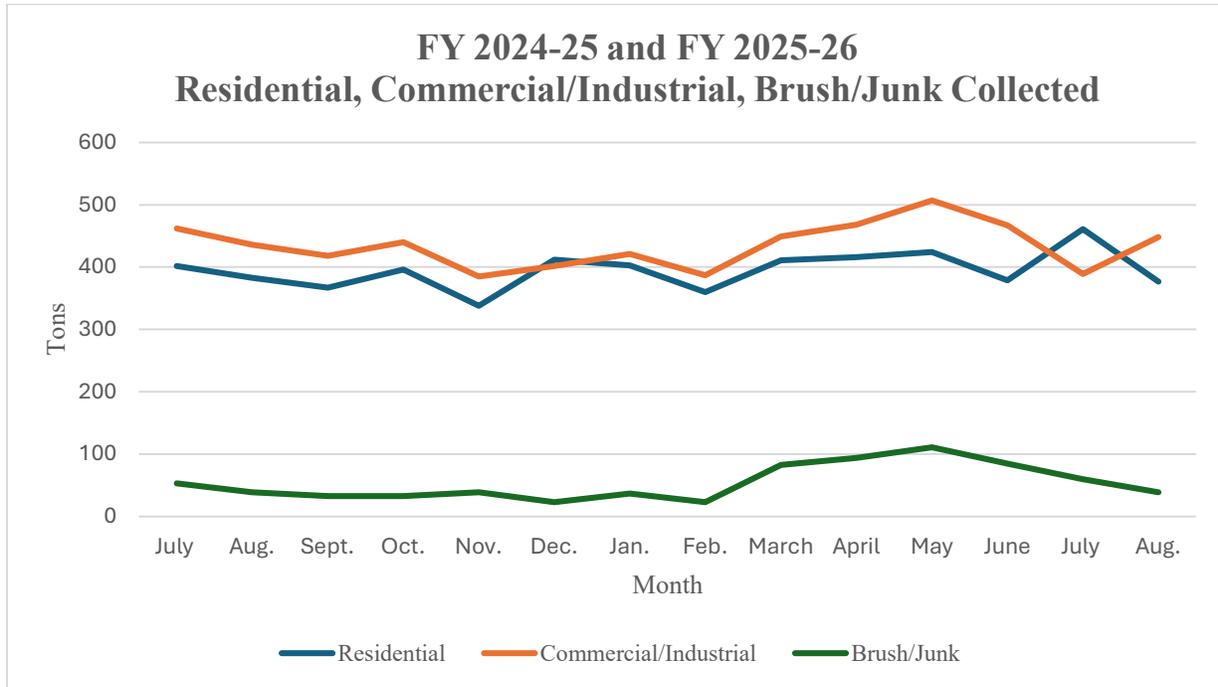
# RECYCLABLES COLLECTED



Month	FY 2024-25				FY 2025-26			
	Cardboard	Mixed Paper	Plastic	Glass	Cardboard	Mixed Paper	Plastic	Glass
July	44,660	17,740	13,800	12,560	33,900	17,560	11,000	7,980
August	38,160	25,640	13,280	0	44,380	6,280	6,000	9,420
Sept.	32,740	14,040	12,260	7,560				
Oct.	35,780	17,720	15,800	16,880				
Nov.	26,900	14,140	8,920	7,840				
Dec.	39,540	15,940	0	17,520				
Jan.	40,560	13,060	6,540	0				
Feb.	29,300	11,180	7,320	0				
March	39,690	12,980	8,960	10,560				
April	40,920	11,440	9,900	0				
May	43,960	10,200	8,960	0				
June	45,640	10,700	7,780	8,200				
<b>Total Pounds Collected</b>	<b>413,890</b>	<b>164,580</b>	<b>104,560</b>	<b>81,120</b>	<b>78,280</b>	<b>23,840</b>	<b>17,000</b>	<b>17,400</b>
<b>Avg. Pounds Per Month</b>	<b>34,491</b>	<b>13,715</b>	<b>8,713</b>	<b>6,760</b>	<b>39,140</b>	<b>11,920</b>	<b>8,500</b>	<b>8,700</b>

Source: Public Works Dept.

# SANITATION COLLECTED



Month	FY 2024-25			FY 2025-26		
	Residential	Commercial/Industrial	Brush/Junk	Residential	Commercial/Industrial	Brush/Junk
July	402	462	53	461	389	60
August	383	436	39	377	448	39
Sept.	367	418	33			
Oct.	396	440	33			
Nov.	338	385	39			
Dec.	412	402	23			
Jan.	403	421	37			
Feb.	360	387	23			
March	411	449	83			
April	416	468	94			
May	424	507	111			
June	379	467	85			
<b>Total Tons Collected</b>	<b>4,691</b>	<b>5,242</b>	<b>653</b>	<b>838</b>	<b>837</b>	<b>99</b>
<b>Avg. Tons Per Month</b>	<b>391</b>	<b>437</b>	<b>54</b>	<b>419</b>	<b>419</b>	<b>50</b>

Source: Public Works Dept.