



# ATHENS CITY COUNCIL WORK SESSION

City Hall Conference Room  
Monday, April 13, 2026, 5:00 p.m.

## I. CALL TO ORDER

## II. INVOCATION

## III. PLEDGE OF ALLEGIANCE

## IV. COMMUNICATIONS AND SPECIAL PRESENTATIONS

A. Statewide Organization for Community eMpowerment (SOCM)

## V. DISCUSSION

- (1-2) A. Bid Award of RFP 26-02 for a Drive-Thru Christmas Light Show at Regional Park
- (3-4) B. Surplus Pride Car Equipment
- (5-8) C. Relocation of the Parks & Recreation Offices from City Hall to the SE TN Trade & Conference Center Small Classroom
- (9-27) D. Amendment to the Professional Services Agreement Between the City and Gresham Smith for Services Related to the ARP Stormwater Project.
- (28-30) E. A Resolution Designating May as Fair Housing Month in the City of Athens.
- (31-33) F. Second Reading of Ordinance 1150, An Ordinance to Amend 'The Zoning Ordinance Of The City Of Athens, Tennessee, so as to Amend the Official Zoning Map to Rezone the Property Located on the Corner of Hicks Street and Eastanallee Avenue from I-1 (Light Industrial District) to R-2 (Medium Density Residential) Said Area Being Located Within the Corporate Limits of Athens, Tennessee.
- (34-38) G. An Ordinance of the City of Athens, Tennessee, Amending Title 8, Chapter III (Beer), to Add "Craft Beer Restaurant" as a Classification of Beer Permit and Amending the Athens Zoning Ordinance to Add a Craft Beer Restaurant Land Use and to Permit Accessory On-Site Beer Manufacturing in Certain Business Districts Subject to Standards
- (39-44) H. An Ordinance to Amend Title 17, Chapter II, Sections 17-43 and 17-44 per the Athens City Code Relative to Refuse Collection and Disposal Service Charges and the Method of Collecting Service Charges.

- (45-48) I. An Ordinance of The City of Athens, Tennessee, Providing That the Athens Municipal Code, Title 14, Chapter 2 (“Zoning Ordinance”), be Amended by Revising Section 3.04.14 So As To Add Subsection "G" That Establishes the H-2 Historic Overlay District Limits as Bounded by College Street/East Hornsby Street, Green Street, Sunset Drive/South Jackson/Green Street/Bank Street, and Church Street; and Providing That the Official Zoning Map is Amended so as to Attach the H-2 Historic Overlay District as Described Herein and on the Attached Map; and Providing for Conflicts, Severability and an Effective Date
- (49-54) J. An Ordinance of the City Of Athens, Tennessee, Amending the Municipal Zoning Ordinance of the City Of Athens, Tennessee, Section 4.03.03, Commercial Land Uses (Minimum), and Section 4.03.07, Commercial Land Uses (Maximum), to add Off-Street Parking Requirements for a Drive-Thru Oil Change Facility with Minor Auto Service Without Overnight Storage of Vehicles
- (55-58) K. An Ordinance to Amend the Budget for the City of Athens, Tennessee, for the Fiscal Year July 1, 2025 through June 30, 2026
- L. Councilmember Items
- (59) 1. Councilmember McCowan
  - i. Additional Parking at Cook Park

## **VI. NEW BUSINESS**

## **VII. BOARDS & COMMITTEES**

- A. No Applications on File.
  - 1. Board of Adjustments & Appeals – 1 Vacancy (alternate)
  - 2. Historic Preservation Commission – 1 Vacancy (an architect, if available (MZO 3.04.14(B)))
- B. Expiring in June 2026
  - 1. Athens Utilities Board (1)
  - 2. McMinn County Library Board (1)
  - 3. Recreation Advisory Board (3)

## **VIII. ADJOURNMENT**



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## **Agenda Item**

V. A. Bid Award of RFP 26-02 for a Drive-Thru Christmas Light Show at Regional Park

## **Overview**

The City Council is wanting to have a drive-thru Christmas Light Show at Regional Park. To that end, the city prepared bid documents last year and selected a company to conduct the light show. However, due to many circumstances, the selected company failed to perform. Therefore, another bid was prepared and distributed to locate another company to conduct the drive-thru light show. On the bid deadline date of March 26, 2026, only one bid was received. Attached is a memo from the Purchasing Assistant detailing the bid response.

In general, the RFP document was written to have a vendor provide, staff, and operate a Christmas light show and recover its investment through the collection of gate fees with no direct/minimal involvement from the city. However, the bid submitted by Outdoor Lighting Perspectives from Lenoir City deviated from the RFP document and was designed to have them provide/lease a synchronized light show with interactive elements and themed sections for a cost of \$678,295 to be paid by the city and city staff would have substantial involvement with operating the event.

City staff and the city budget are not equipped to conduct this large of an event and is recommending City Council reject the bid and discontinue the search for a vendor to host a Christmas light show at Regional Park. An alternative could be to purchase a variety of Christmas decorations to install on utility poles along Decatur Pike and Congress Parkway, the main travel ways in the city.

## **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for consideration.

## **Affected Departments**

Parks & Recreation



## PURCHASING DEPARTMENT MEMORANDUM

**To:** Randall Dowling, City Manager

**From:** Angela Robbins, Purchasing Assistant

**DATE:** April 2, 2026

**SUBJECT:** Bid Opening Results – RFP #26-2 Drive-Thru Christmas Light Show

Sealed proposals for RFP #26-2, Drive-Thru Christmas Light Show at Athens Regional Park, were publicly opened on March 26, 2026 at 3:00 PM. The City received one (1) proposal from Outdoor Lighting Perspectives.

Outdoor Lighting Perspectives submitted a total project cost of \$678,295 and proposed a synchronized light show with interactive elements and themed sections throughout Athens Regional Park.

Several differences were noted between the requirements outlined in the RFP and the proposal submitted. The RFP anticipated that the contractor would provide the show and recover its investment through collection of gate fees, resulting in no direct cost to the City for the light show. However, the proposal includes a stated project cost of \$678,295 while recommending a \$25 per vehicle admission fee, creating a difference in how the project would be funded.

Additionally, the RFP specifies that the contractor will be responsible for all aspects of operations, including staffing, traffic management, and payment collection; however, the proposal anticipates involvement from the City, particularly requesting the use of off-duty police officers for traffic control and security.



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**Agenda Item**

V. B. Surplus Pride Car Equipment

**Overview**

The Public Works Department is requesting the City Council to surplus four Pride cars and authorize their disposal according to established city policies. A memo from the Public Works Director is attached for additional information.

**Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for consideration.

**Affected Departments**

Public Works



## PUBLIC WORKS

### MEMORANDUM

TO: Randy Dowling, City Manager  
Mike Keith, Finance Director

FROM: Ben Burchfield, Public Works Director

DATE: 4/2/2026

SUBJECT: Pride Car Assets Liquidation

The Public Works Department is requesting Council approval to dispose of multiple pride car assets. As a reminder, the Pride Car program was stopped during the onset of the pandemic in 2020 and bulky household items/junk and brush pick-up that were provided via Pride Car were shifted to the knuckleboom collection routes for continuation of service delivery.

There were six trailers purchased at the beginning of the program. Assets to be impacted include the following:

1. Asset #3426
2. Asset #3428
3. Asset #3430
4. Asset #3431

Two of the six trailers are to be kept by Public Works. One is currently in use at the Recycle Center for collection and transportation of aluminum cans, and the other has been repurposed for transporting garbage totes during festivals/events hosted downtown.

The above four assets are to be listed and sold on GovDeals. The City will not be replacing these assets from the fleet fund.



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### **Agenda Item**

V. C. Relocation of Parks & Recreation Offices from City Hall to the SE TN Trade & Conference Center Small Classroom

### **Overview**

The current Capital Improvement Fund budget contains \$275,000 to renovate the house at Regional Park into Parks & Recreation offices. Renovation plans were completed at a cost of \$40,000 leaving a balance of \$235,000, the project was bid out, and during the January 20, 2026 regular session, the City Council rejected all bids and authorized staff to proceed with the alternate plan to relocate the Parks & Recreation offices to the SE TN Trade & Conference Center small classroom.

Based on that directive, below is the estimated cost of the alternate plan:

#### **One-time expenses:**

- Repairs to interior wall, additional electrical work, install emergency lighting in both restrooms, and upgrade interior door to a fire rated door: \$16,000.
- Installation of IT infrastructure: \$15,000.
- Purchase/delivery/installation of modular furnishings: \$45,000  
Total estimated one-time cost: \$76,000 + 10% contingency for unforeseen items (\$7,600) = \$83,600, well below the balance of funds.

#### **On-going expenses:**

- Copier rental: \$400 per year.
- Increase Internet speed: \$2,400 per year.  
Total estimated on-going expenses: \$2,800 per year.

By relocating the four-person Parks & Recreation staff from City Hall to the SE TN Trade & Conference Center small classroom, the parks staff will be closer to the city's largest and most active park and will free up space at City Hall. On the flip side, the small classroom will not be available for rent after mid-June, 2026. This project is anticipated to be completed by mid-June, 2026.

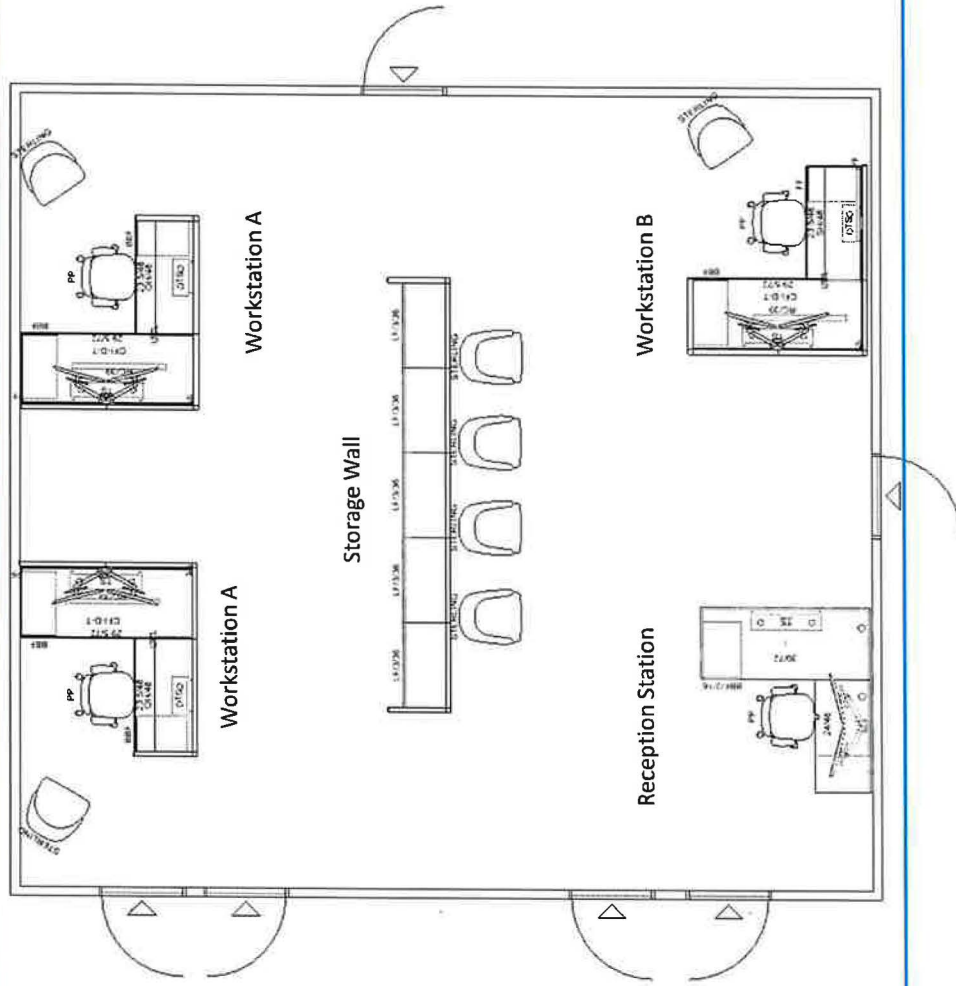
### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for consideration.

### **Affected Departments**

Parks & Recreation, IT

# City of Athens – Office Layout - Furniture Plan

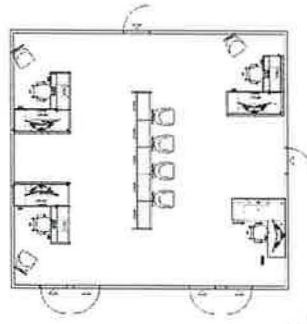
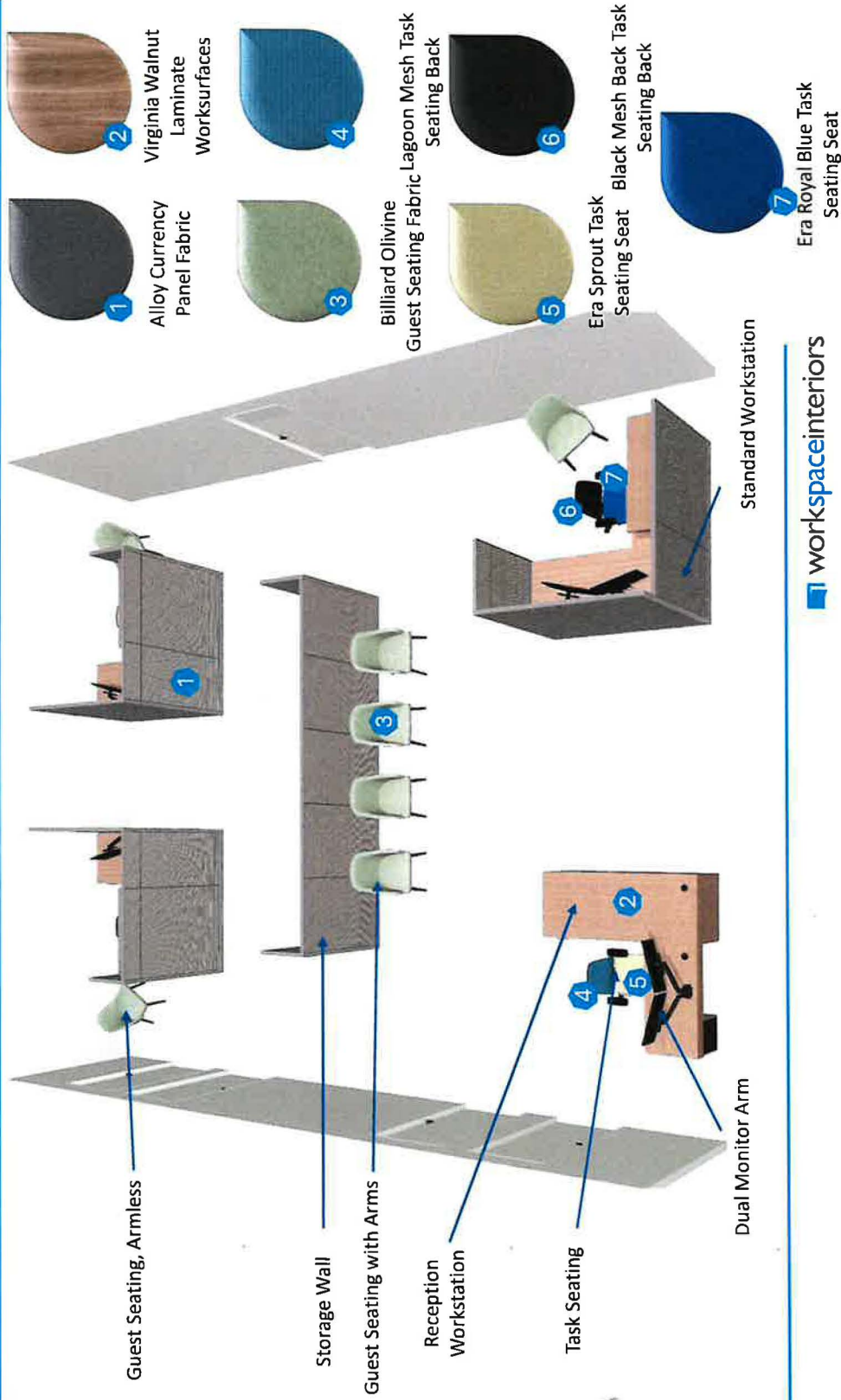


PLAN VIEW

# City of Athens – Office Layout– Front View

## Typical Features

- 6' x 6" Workstations
- 78" High Fabric Panels in Standard Workstations
- Freestanding Desk and Return in Reception
- Station
- BBF and FF Pedestal Storage
- Powered Panels
- 36" wide 3 Drawer Lateral Files in Storage Wall – 66" High Panels
- Dual Monitor Arms

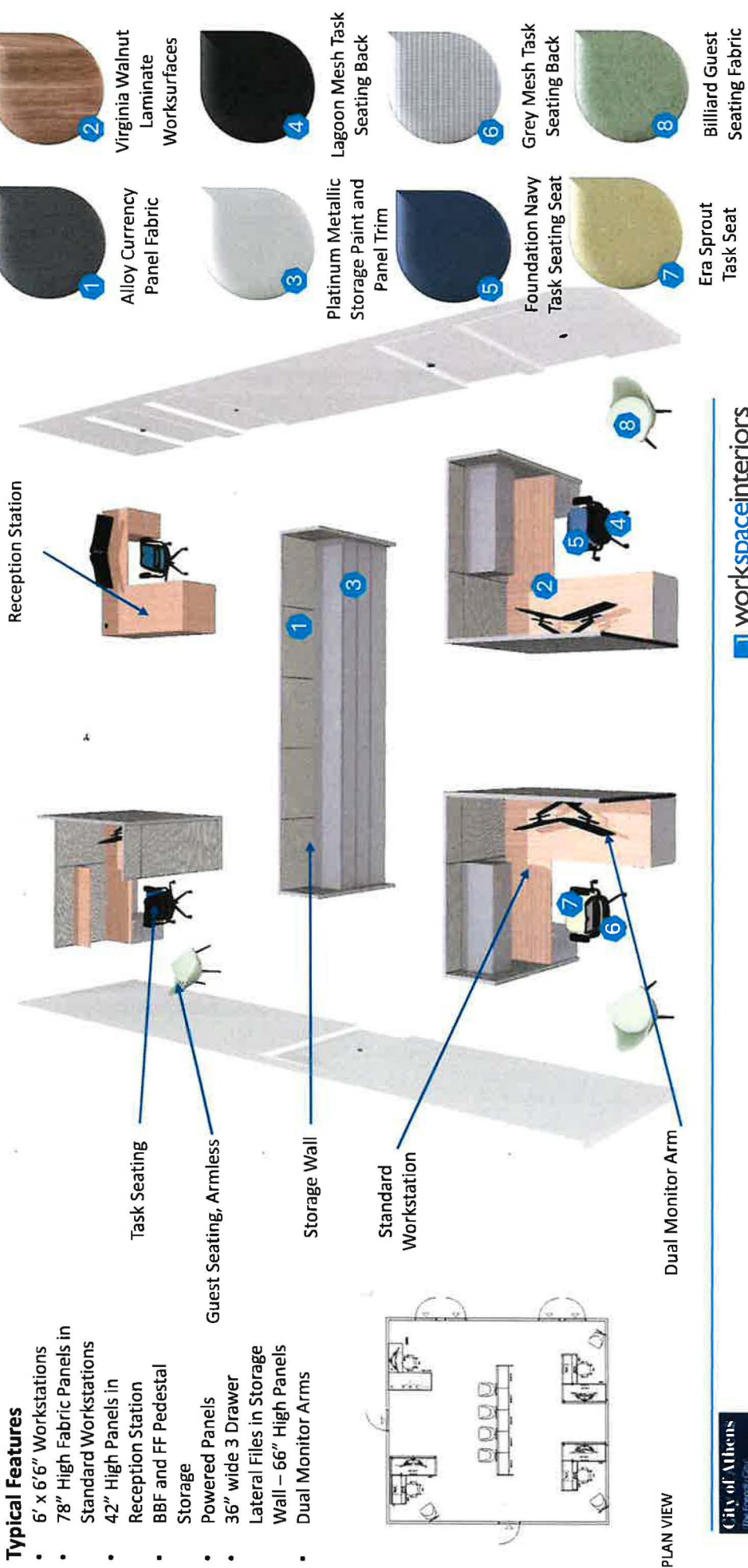


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# City of Athens – Office Layout – Rear View

## Typical Features

- 6' x 6'6" Workstations
- 78" High Fabric Panels in Standard Workstations
- 42" High Panels in Reception Station
- BBF and FF Pedestal Storage
- Powered Panels
- 36" wide 3 Drawer Lateral Files in Storage Wall – 66" High Panels
- Dual Monitor Arms



1 Alloy Currency Panel Fabric



2 Virginia Walnut Laminate Worksurfaces



3 Platinum Metallic Storage Paint and Panel Trim



4 Lagoon Mesh Task Seating Back



5 Foundation Navy Task Seating Seat



6 Grey Mesh Task Seating Back



7 Era Sprout Task Seat



8 Billiard Guest Seating Fabric

PLAN VIEW



workspaceinteriors



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### **Agenda Item**

V. D. Amendment to the Professional Services Agreement Between the City and Gresham Smith for Services Related to the ARP Stormwater Project.

### **Overview**

During 2023, the city received a grant from the Tennessee Dept. of Environmental and Conservation funded by federal American Rescue Plan (ARP) funds to prepare a city-wide storm water management plan to determine storm water needs and construct a project based on those needs. The grant award was \$2,371,902 (85%). With the city match of 15%, the total project budget is \$2,727,688. Of the total project budget, \$502,000+/- was allocated to the preparation of the storm water management plan and \$2,225,688+/- was allocated for the storm water construction project. The construction project portion of the plan is to create a type of manmade wetland along the Oostanaula Creek at the corner of Forrest Avenue and Ingleside Avenue to improve water quality in the creek while also reducing downstream flooding during heavy rain events.

After a Request for Qualifications (RFQ) process, Gresham Smith Engineers was selected to develop the storm water management plan and oversee the construction project during July 2023. Gresham Smith has completed most of the storm water management plan and that plan is expected to be fully completed and presented to the city council by June 2026.

To begin the construction portion of the project, the City Council approved a proposal from Gresham Smith during the April 15, 2025 work session to perform various services including surveying, wetland delineation, permitting, design, assisting with bidding, and providing construction administration services for a cost of \$115,100.

While the project was being designed, the project scope was enlarged beyond the corner of Forrest Avenue and Ingleside Avenue to consist of additional storm water work including dredging the upper pond at Regional Park to remove accumulated sediment and restore original design capacity and improving the detention pond on Cook Drive/N. Jackson Street.

Bid documents were prepared and distributed. The City Council approved Wilson Construction to perform the construction work for a price of \$2,031,554.99 during the September 16, 2025 regular session. The project is on-going and must be completed by September 2026.

Since the scope of the project was enlarged, additional survey work needs to be performed at a cost of \$17,050 and additional design and construction services are needed at a cost of \$144,300 for a total additional cost of \$161,350.

A memo from the Public Works Department is attached for additional information.

**Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for consideration and approve Task Order No. 1, Revision 1 (additional survey work \$17,050) and Task Order No. 2, Revision 1 (additional design and construction services \$144,300). Funds will come from the grant and/or the city's Capital Improvement Fund.

**Affected Departments**

Public Works



## PUBLIC WORKS

**TO:** Randall Dowling, City Manager  
**FROM:** Kevin L. Helms, Project Manager  
**Cc:** Ben Burchfield, Public Works Director  
**DATE:** April 8, 2026  
**SUBJECT:** ARP Stormwater Project – Amendments to Professional Services Agreement

### **Summary**

This memo requests approval of two amendments totaling \$161,350 to support expanded survey work and construction design services related to the ARP Stormwater Project.

### **Background**

- In 2023, the City received ARP funding for stormwater projects and issued RFQ 23-08 to select an engineering firm.
- Gresham Smith was selected and approved by Council in July 2023.
- The initial agreement was executed in September 2023 for planning services (Task Order 1) in an amount not to exceed \$502,000. Work under this task order is ongoing.
- In April 2025, Council approved design, bidding, and construction phase services (Task Order 2) in the amount of \$115,100 for work at the Mayfield site.

### **Current Request**

Staff is requesting approval of two amendments to the professional services agreement with Gresham Smith, one for each task order.

- Amendment 1 – Task Order 1 (Survey Work)
  - Amount: \$17,050
  - Reason: The number of stormwater structures requiring survey increased from an estimated 200 to 343.
  - Impact: This work is necessary to complete a comprehensive and accurate inventory of the City's stormwater system, which is a primary objective of the project.
  - Cost Sharing: The engineer will absorb approximately half of the total overage within the existing not-to-exceed budget.
- Amendment 2 – Task Order 2 (Additional Design and Construction Services)
  - Amount: \$144,300
  - Reason: After completion of the opinion of probable cost for the Mayfield site, it was determined that available construction funding could support additional project locations.



## PUBLIC WORKS

- Scope of Work:
  - Replacement of a structure at the Cook Drive detention pond to improve capacity and operational efficiency of the existing pond.
  - Dredging the upper pond at Regional Park to remove accumulated sediment and restore original design capacity.

### **Financial Impact**

A portion of the additional expenses related to the two amendments will be covered by existing project funding. If the maximum amount approved within these not to exceed amounts are eventually expended, some additional local funding will be required.

- Funding is available to cover the \$17,050 needed for work associated with Task Order 1.
- At least \$53,218.19 is available to cover costs associated with Task Order 2.
- If the full approved amount is expended, \$30,762 in additional local funding will be required.
- Final construction costs are dependent on unit pricing and will be determined as the project progresses, so the total amount of available funds is not known at this time.

### **Action Item**

Approve task order amendments to the Gresham Smith agreement for professional services as follows:

- Task Order 1 amendment in the amount of \$17,050.
- Task Order 2 amendment in the amount of \$144,300.

# **ARP Funded Stormwater Projects**

## **Task Order No. 1, Revision 1**

### **Condition Assessment, Master Planning & Stormwater Utility Fee Development**

**for the**

**City of Athens, Tennessee**

**January 9, 2026**



## 1 Change in Scope of Services

The original survey fee provided by Robert G. Campbell and Associates ("Subconsultant") was based on an estimated number of stormwater assets (manholes, inlets, pipes, etc.). Subconsultant located and surveyed additional stormwater assets beyond the original estimated amount. The amount over the original estimates are:

- Pipes greater than 24"- 343 total (143 over initial estimate)
- Bridges/Culverts- 21 (Bridge estimate accurate but no initial estimate on culverts)

## 2 Compensation

To cover the cost of the additional work performed by Subcontractor is \$17,050.00.

# **ARP Funded Stormwater Projects**

## **Task Order No. 2, Revision 1**

### **Mayfield Dairy Stormwater Design**

**for the**

**City of Athens, Tennessee**

**January 9, 2026**



## 1 General

The following additional services are requested for the identified project. Delivery of services for this amendment will be governed under the existing Agreement between Gresham Smith and the City of Athens, TN dated September 19, 2023, with the exception of hourly rates, which have been updated and are presented in Attachment A-1. A summary of the proposed additional services is presented in the following paragraphs.

## 2 Scope of Services

Gresham Smith (“Engineer”) will provide professional and technical services for the Mayfield Dairy Stormwater Improvements project (“the Project”) for the City of Athens, TN (“City” or “Owner”) as described herein. Our proposed scope of services is presented in the following paragraphs. The project originally included one project site (“Mayfield Dairy”) but has been expanded to include two additional sites identified as “Regional Park” and “Cook Street Pond,” respectively.

Engineer will provide engineering services for Owner as required to develop construction plans and specifications for stormwater improvements as described herein.

The services generally will include the following:

- Project Management & Meetings
- Surveying Services
- Permitting Applications
- Final Design Deliverables (100%)
- Bid Phase Services
- Construction Phase Services

A general description for engineering services for the project is provided below. Detailed information is provided in subsequent sections.

### 2.1 General

#### 2.1.1 *Regional Park*

- Provide design services for stormwater infrastructure improvements on the Regional Park site. The Project generally includes the dredging of the existing detention pond and the disposal of dredged material. The project site is shown on Exhibit A.
- Prepare an Aquatic Resources Alternation Permit (ARAP) application suitable for submittal to the Tennessee Department of Environment and Conservation (TDEC). Engineer will develop the ARAP application and supporting documentation and submit on behalf of Owner. The application fee will be paid by Engineer and be reimbursed by Owner. Two ARAPs will be required: Maintenance Activities and Repair of Eroding Banks and Shorelines. It is assumed all improvements will qualify for coverage under the State of Tennessee’s General ARAP.
- Prepare an application for coverage under TDEC General Permit for Discharges of Stormwater Associated with Construction Activities (CGP). As part of the supporting documents for the application, a Stormwater Pollution Prevention Plan (SWPPP) will be developed. Engineer will

develop CGP application and supporting documentation and submit on behalf of Owner. The application fee will be paid by Engineer and reimbursed by Owner.

- Preparing Record Drawings showing appropriate record information based on Project annotated record documents received from Contractor, and furnishing such Record Drawings to Owner.
- Bid phase services as listed below.
- Construction phase services as listed below.
- Exclusions as listed in Section 2.7 below.

### 2.1.2 *Cook Street Pond*

- Provide design services for stormwater infrastructure improvements on the Cook Street Pond site. The Project generally includes the removal and replacement of the outlet structure. The project site is shown in Exhibit A.
- Preparing Record Drawings showing appropriate record information based on Project annotated record documents received from Contractor, and furnishing such Record Drawings to Owner.
- Bid phase services as listed below.
- Construction phase services as listed below.
- Exclusions as listed in Section 2.7 below.

### 2.1.3 *Mayfield Dairy*

- Provide, in accordance with agency requirements, stamped and sealed utility plans, specifications, and supporting documentation to TDEC Division of Water Resources (DWR) for review and approval.
- Preparing Record Drawings showing appropriate record information based on Project annotated record documents received from Contractor, and furnishing such Record Drawings to Owner.

## 2.2 Project Management, Meetings, and Coordination

- a. Engineer will provide the services of a qualified Project Manager and support staff to manage the Project and team from notice to proceed (NTP) through close-out. Project management will include coordination between Engineer and Owner, as well as coordination between Engineer and its Subconsultants.
- b. Design review meetings will be held after each design submittal. Owner will review submittal documents and the design review meeting will be used to discuss review comments with Engineer. All meetings will be virtual. Anticipated meetings for this project include one 100% Design Review Meeting.

## 2.3 100% Design Submittal

The plans will be prepared in conformance with applicable City of Athens Standards, Policies, and Criteria. Plans will be prepared in a form suitable for advertisement for construction bids.

### 2.3.1 *Regional Park Dredging*

- a. Prepare final construction plans and other items as listed below:
  - Cover Sheet
  - General Notes Sheet(s)
  - Existing Conditions Plan
  - Proposed Conditions Plan
  - Erosion Control Plan(s)
  - Construction Details(s)

- b. Prepare an estimate of construction quantities and develop an AACE Class 1 Opinion of Probable Construction Cost (OPCC).
- c. Provide electronic PDF format set of plans to Owner for internal coordination.
- d. Submit ARAP application and supporting documentation.
- e. Submit CGP application and SWPPP.
- f. Assumed City internal review duration of two days and one round of correlated comments will be provided to the Engineer.
- g. Initial 100% Construction Drawings will be stamped "Not for Construction". After review and approval by OWNER, final submittal will be signed and sealed. Final Construction Drawing deliverable will be one signed and sealed full size set of drawings and electronic PDF of signed and sealed drawings.
- h. Submit to TDEC for ARPA review and address comments.

#### 2.3.1.1 Deliverables

- 100% design Construction Documents in electronic pdf format.
- Draft technical specifications in electronic pdf format.
- AACE Class 2 OPCC in electronic pdf format.
- ARAP applications and supporting documents in electronic pdf format (Regional Park site only).
- CGP application and supporting documents (SWPPP) in electronic pdf format (Regional Park site only).

#### 2.3.2 Cook Street Detention

- a. Prepare final construction plans and other items as listed below:
  - Cover Sheet
  - General Notes Sheet(s)
  - Existing Conditions Plan
  - Site Layout Plan
  - Grading & Drainage Plan(s)
  - Erosion Control Plan(s)
  - Cut/Fill Sheet(s)
  - Planting Plans(s)
  - Low Flow Channel Stabilization Plan(s)
  - Construction Details(s)
- b. Prepare an estimate of construction quantities and develop a AACE Class 1 OPCC.
- c. Provide electronic PDF format set of plans to Owner for internal coordination.
- d. Assumed City internal review duration of two (2) days and one round of correlated comments will be provided to the Engineer.
- e. Initial 100% Construction Drawings will be stamped "Not for Construction". After review and approval by OWNER, final submittal will be signed and sealed. Final Construction Drawing deliverable will be one signed and sealed full size set of drawings and electronic PDF of signed and sealed drawings.

#### 2.3.2.1 Deliverables

- 100% design Construction Documents in electronic pdf format.
- Draft technical specifications in electronic pdf format.
- AACE Class 1 OPCC in electronic pdf format.

## 2.4 Bid Phase Services

During the bid phase of the project, Engineer will:

- a. Assist Owner with the development of bid advertisement and any other documents needed to publish bid advertisement.
- b. Attend Pre-Bid Meeting and record questions asked during pre-bid meeting for inclusion in addenda.
- c. Respond to Bid phase questions from prospective Bidders and provide information to Owner as may be required to publish addenda as appropriate to clarify, correct, or change the Bidding Documents or to provide supplemental information.
- d. Assist with the creating of addenda as needed during the bid phase. Coordinate with Owner staff for addenda publication.
- e. Attend bid opening. If certified bid tab is required, compile bid tab information and provide a Recommendation to Award.

## 2.5 Construction Phase Services

- a. *Commencement and Duration:* The Construction Phase will commence with the execution of the Construction Contract for the Project or any part thereof and will terminate upon final payment to Contractor by Owner.
- b. *Pre-Construction Conference:* Engineer's Project Manager and Project Engineer will participate in a Pre-Construction Conference prior to commencement of Work at the Site.
- c. *Schedules:* Engineer will receive, review, and determine the acceptability of any schedules that Contractor is required to submit to Engineer, including the Progress Schedule, Schedule of Submittals, and Schedule of Values.
- d. *Visits to Site and Observation of Construction:* In connection with observations of Contractor's Work while it is in progress, Engineer will make visits to the Site approximately once a month to observe as an experienced and qualified design professional the progress of Contractor's executed Work. It is anticipated there will be a total of nine (9) site visits. Such visits and observations by Engineer are not intended to be exhaustive or to extend to every aspect of Contractor's Work in progress or to involve detailed inspections of Contractor's Work in progress beyond the responsibilities specifically assigned to Engineer in this Agreement and the Contract Documents, but rather are to be limited to spot checking, selective sampling, and similar methods of general observation of the Work based on Engineer's exercise of professional judgment. Based on information obtained during such visits and observations, Engineer will determine in general if the Work is proceeding in accordance with the Contract Documents, and Engineer will keep Owner informed of the progress of the Work via telephone and/or email communication.

The purpose of Engineer's visits to the Site will be to enable Engineer to better carry out the duties and responsibilities assigned to and undertaken by Engineer during the Construction Phase, and, in addition, by the exercise of Engineer's efforts as an experienced and qualified design professional, to provide for Owner a greater degree of confidence that the completed Work will conform in general to the Contract Documents and that Contractor has implemented and maintained the integrity of the design concept of the completed Project as a functioning whole as indicated in the Contract Documents. Engineer shall not, during such visits or as a result of such observations of Contractor's Work in progress, supervise, direct, or have control over Contractor's Work, nor shall Engineer have authority over or

responsibility for the means, methods, techniques, sequences, or procedures of construction selected or used by Contractor, for security or safety at the Site, for safety precautions and programs incident to Contractor's Work, nor for any failure of Contractor to comply with Laws and Regulations applicable to Contractor's furnishing and performing the Work. Accordingly, Engineer neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish or perform the Work in accordance with the Contract Documents.

- e. *Contractor Payment Applications:* Based on Engineer's observations as an experienced and qualified design professional and on review of Applications for Payment and accompanying supporting documentation, Engineer will determine the amounts that Engineer recommends Contractor be paid. Such recommendations of payment will be in writing and will constitute Engineer's representation to Owner, based on such observations and review, that, to the best of Engineer's knowledge, information and belief, Contractor's Work has progressed to the point indicated, the Work is generally in accordance with the Contract Documents (subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, to the results of any subsequent tests called for in the Contract Documents, and to any other qualifications stated in the recommendation), and the conditions precedent to Contractor's being entitled to such payment appear to have been fulfilled in so far as it is Engineer's responsibility to observe Contractor's Work. In the case of unit price work, Engineer's recommendations of payment will include final determinations of quantities and classifications of Contractor's Work (subject to any subsequent adjustments allowed by the Contract Documents).

By recommending any payment, Engineer shall not thereby be deemed to have represented that observations made by Engineer to check the quality or quantity of Contractor's Work as it is performed and furnished have been exhaustive, extended to every aspect of Contractor's Work in progress, or involved detailed inspections of the Work beyond the responsibilities specifically assigned to Engineer in this Agreement and the Contract Documents. Neither Engineer's review of Contractor's Work for the purposes of recommending payments nor Engineer's recommendation of any payment including final payment will impose on Engineer responsibility to supervise, direct, or control Contractor's Work in progress or for the means, methods, techniques, sequences, or procedures of construction or safety precautions or programs incident thereto, or Contractor's compliance with Laws and Regulations applicable to Contractor's furnishing and performing the Work. It will also not impose responsibility on Engineer to make any examination to ascertain how or for what purposes Contractor has used the moneys paid on account of the Contract Price, or to determine that title to any portion of the Work in progress, materials, or equipment has passed to Owner free and clear of any liens, claims, security interests, or encumbrances, or that there may not be other matters at issue between Owner and Contractor that might affect the amount that should be paid.

Site visits for this item shall coincide with site visits as described in Item d above. A total of nine (9) site visits will be performed.

- f. *Defective Work:* Engineer shall inform Owner immediately if, on the basis of Engineer's observations, Engineer believes that such Work (a) is defective under the standards set forth in the Contract Documents, (b) will not produce a completed Project that conforms to the

- Contract Documents, or (c) will imperil the integrity of the design concept of the completed Project as a functioning whole as indicated by the Contract Documents.
- g. *Clarifications and Interpretations:* Field Orders: Engineer will, if requested by Owner, issue necessary clarifications and interpretations of the Contract Documents as appropriate to the orderly completion of Contractor's work. Such clarifications and interpretations will be consistent with the intent of and reasonably inferable from the Contract Documents. Subject to any limitations in the Contract Documents, Engineer may recommend that Owner issue field orders authorizing minor variations in the Work from the requirements of the Contract Documents.
  - h. *Change Orders and Work Change Directives:* Engineer will, if requested by Owner, review change requests and recommend change orders and work change directives to Owner, as appropriate.
  - i. *Shop Drawings and Samples:* Engineer will review and approve or take other appropriate action with respect to Shop Drawings and Samples and other information the Contractor is required to submit, but only for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed Project as a functioning whole as indicated by the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions and programs incident thereto. Engineer shall meet Contractor's submittal schedules that Engineer has accepted.
  - j. *Substitutes and "or-equal":* Engineer will, if requested by Owner, evaluate and determine the acceptability of substitute or "or-equal" materials and equipment proposed by Contractor.
  - k. *Disagreements between Owner and Contractor:* Engineer will render formal written decisions on all duly submitted issues relating to the acceptability of Contractor's work or the interpretation of the requirements of the Contract Documents pertaining to the execution, performance, or progress of Contractor's Work; review each duly submitted Claim by Owner or Contractor, and in writing either deny such Claim in whole or in part, approve such Claim, or decline to resolve such Claim if Engineer in its discretion concludes that to do so would be inappropriate.
  - l. *Substantial Completion:* Engineer will, upon request of Owner, accompany Owner on a visit to the Project site to determine if the Work is substantially complete and provide an opinion as to substantial completion and/or necessary repairs or corrections to the Work.
  - m. *Record Drawings:* Engineer will furnish electronic CADD files of the final Design documents (non-conformed to Contractor's redlines) to Owner under the terms of Engineer's standard "hold harmless" agreement stipulating limitations of re-use or reproduction of said files.
  - n. *Limitation of Responsibilities:* Engineer shall not be responsible for the acts or omissions of any Contractor, Subcontractor or Supplier, or other individuals or entities performing or furnishing any of the Work, for safety or security at the Site, or for safety precautions and programs incident to Contractor's Work, during the Construction Phase or otherwise. Engineer shall not be responsible for the failure of any Contractor to perform or furnish the Work in accordance with the Contract Documents.

## 2.6 Assumptions

- Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on directives by Owner personnel and the information known to Engineer at this time and represent only

Engineer's judgment as a design professional familiar with the construction industry. Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs.

- Owner will provide Division 01 and other "front-end" technical specifications for incorporation by Engineer into the Bid Documents.

## 2.7 Additional Services

The following items are not included in the Scope of Services but can be provided if needed and requested by Owner. No Additional Services will be performed unless approved in writing by Owner.

- Hydrologic and hydraulic modeling
- US Army Corps of Engineers Permit application
- City of Athens Permit(s)
- Additional gravity stormwater evaluation and/or design services beyond what is specified herein.
- Changes to the project layout after the 60% Submittal.
- Additional permitting beyond what is specified herein.
- Geotechnical services.
- Additional survey outside original scope.
- More than nine site visits during the Construction Phase.
- Providing construction surveys and staking to enable Contractor to perform its work, and any type of property surveys or related engineering services needed for the transfer of interests in real property; and providing other special field surveys.
- Providing assistance in responding to the presence of any "Constituent of Concern" at the Site, in compliance with current Laws and Regulations.
- Preparing to serve or serving as a consultant or witness for Owner in any litigation, arbitration, or other dispute resolution process related to the Project.
- Services in connection with work change directives and change orders to reflect changes requested by Owner.
- Additional or extended services during construction made necessary by (i) emergencies or acts of God endangering the Work (advance notice not required), (ii) the presence at the Site of any Constituent of Concern or items of historical or cultural significance, (iii) Work damaged by fire or other cause during construction, (iv) a significant amount of defective, neglected, or delayed work by Contractor, (v) acceleration of the progress schedule involving services beyond normal working hours, or (vi) default by Contractor.
- Reviewing a Shop Drawing more than three times, as a result of repeated inadequate submissions by Contractor.
- Providing the services of a Resident Project Representative to observe and document the work of the Contractor.
- Preparing a "Final Notice of Acceptability of the Work" or other construction contract close-out documentation.
- Preparing or assisting Owner in preparing O&M manuals.
- Post-construction phase services, including warranty period site visits and providing opinions regarding acceptability of work or corrections needed.
- Other services performed or furnished by Engineer not otherwise provided for in this Agreement.
- Permitting beyond that which is listed in Section 2.3.

- Surveying services
- Environmental services, including jurisdictional waters/wetlands identification and delineation

### 3 Compensation

Engineer will complete the Scope of Services described herein for compensation calculated on a “time and materials” basis up to a maximum not-to-exceed fee of \$144,300.00.

A compensation schedule with hourly rates for Engineer’s personnel by classification is included herewith as Attachment A-1. In the event Owner requests additional services beyond those included in this document, Engineer will provide a written proposal and amendment request. Engineer will proceed with additional services only after receipt of written authorization from Owner.

The compensation amount shown above includes Gresham Smith and subconsultants. Table 3-1 shows the contract value for each project phase.

*Table 3-1: Compensation Summary*

<b>Project Phase</b>	<b>Compensation</b>
Project Management, Meetings, and Coordination	\$14,000
100% Design Submittal	\$45,000
Bid Phase Services	\$20,000
Construction Phase Services	\$59,000
Estimated Reimbursable Expenses	\$6,300
<b>TOTAL</b>	<b>\$144,300</b>

**Attachment A-1 – 2025 Compensation Schedule  
Mayfield Dairy Stormwater Design – Task Order No. 2**

Personnel Classification	Hourly Rate
Senior Principal	\$280
Principal	\$260
Senior Engineer II	\$250
Project Manager	\$250
Senior Engineer I	\$225
Senior Landscape Architect/Planner	\$200
Project Engineer	\$190
Project Landscape Architect/Planner	\$160
Intern Engineer	\$150
Intern Landscape Architect	\$125
Senior Civil Designer	\$190
Senior CADD Technician	\$140
Civil Technician	\$105
Specification Writer	\$120
Asst. Project Manager	\$130
Sr. Administrative Asst.	\$160
Administrative Asst.	\$115

Reimbursable expenses, including printing and copying charges, specialized equipment rental, and project related travel expenses, shall be invoiced at cost with no mark-up. Automobile mileage will be invoiced at the prevailing federal reimbursement rate. Subconsultant fees will be invoiced at cost.

# EXHIBIT A

## Site Vicinity Maps



Cook Drive Site



Regional Park Site





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**Agenda Item**

V. E. A Resolution Designating May as Fair Housing Month in the City of Athens.

**Overview**

The city has adopted and incorporated Fair Housing Laws into its municipal codes and fully supports fair housing for all. The city has traditionally designated a month as Fair Housing Month to encourage all citizens to be aware of and support fair housing. The resolution and poster are attached.

**Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for consideration.

**Affected Departments**

Community Development

**RESOLUTION NO. 2026-##**

**A RESOLUTION DESIGNATING  
FAIR HOUSING MONTH IN THE CITY OF ATHENS.**

**WHEREAS**, the strength of our nation, and all of its cities and states, flows from the promise of individual equality and freedom of choice; and

**WHEREAS**, the **58th anniversary** of the enactment of Title VIII of the Civil Rights Act of 1968, the Federal Fair Housing Law, during the month of April, is an occasion for Americans - individual and collectively -- to rededicate themselves to the principal of freedom of choice and to participate in efforts to eliminate vestiges of housing discrimination wherever they exist. This law guarantees for each citizen that critical, personal element of freedom of choice and the selection of the home; and

**WHEREAS**, the City of Athens passed Ordinance No. 577 on June 5, 1979, adopting the Fair Housing Law into its Municipal Code; and

**WHEREAS**, the City of Athens fully endorses the concept behind the Fair Housing Law and pledges to enforce the provisions of its Municipal Code dealing with the implementation of fair housing laws.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Athens, Tennessee, as follows:

That the recitals above are true and accurate and form a part of this Resolution; and

That meeting in regular session duly assembled this **21st** day of **April 2026**, that the month of May be designated **FAIR HOUSING MONTH** and that the citizens of this community are hereby encouraged to obey and support fair housing laws.

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

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

said Resolution was approved by roll call vote on the **21st** day of **April 2026**.

ATTEST:

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

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

APPROVED AS TO FORM:

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

May is Fair Housing Month in Athens, Tennessee!



**FAIR**

**HOUSING**

**MONTH**



**FAIR HOUSING IS MORE THAN A REQUIREMENT—IT'S A PROFESSIONAL STANDARD.**

The National Association of REALTORS leads the industry in advancing fair housing through advocacy, education and high ethical standards. By promoting fairness in every transaction, REALTORS® help protect consumers, expand opportunity and strengthen communities nationwide.

REALTORS® are members of the National Association of REALTORS®.







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### **Agenda Item**

V. F. Second Reading of Ordinance 1150, an Ordinance To Amend ‘The Zoning Ordinance Of The City Of Athens, Tennessee, So As To Amend The Official Zoning Map To Rezone The Property Located On The Corner Of Hicks Street And Eastanallee Avenue From I-1 (Light Industrial District) To R-2 (Medium Density Residential) Said Area Being Located Within The Corporate Limits Of Athens, Tennessee.

### **Overview**

Scott Underwood requests that a combined 1.16-acre property at 613 Eastanallee Avenue at the corner of Hicks Street and Eastanallee Avenue (Tax Map 057I Group D Parcels 020.00, 021.00, and 022.00) be rezoned from I-1 (Light Industrial) to R-2 (Medium Density Residential), citing that the tract is not large enough for substantial industrial uses and is adjacent to existing R-2 zoning to the west and across the street; the applicant intends to remove the existing structures (a demo permit has been issued) and redevelop the site for duplex-style multi-family housing, with discussion indicating the site could accommodate up to five duplexes (ten units).

The Athens Municipal-Regional Planning Commission considered the request on March 2, 2026, noted the surrounding residential zoning and that the request would not constitute spot zoning while helping resolve a substandard industrial lot, and voted unanimously to recommend approval; staff likewise recommends approval, and City Council is asked to consider adopting the ordinance amending the Official Zoning Map to rezone the property from I-1 to R-2.

The first reading of the rezoning ordinance was conducted during the March 17, 2026 regular session and a public hearing and second reading has been advertised for the April 21, 2026 regular session.

### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for the public hearing and second reading.

### **Affected Departments**

Community Development Department

**ORDINANCE NO. 1150**

**AN ORDINANCE TO AMEND ‘THE ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, SO AS TO AMEND THE OFFICIAL ZONING MAP TO REZONE THE PROPERTY LOCATED ON THE CORNER OF HICKS STREET AND EASTANALLEE AVENUE FROM I-1 (LIGHT INDUSTRIAL DISTRICT) TO R-2 (MEDIUM DENSITY RESIDENTIAL) SAID AREA BEING LOCATED WITHIN THE CORPORATE LIMITS OF ATHENS, TENNESSEE.**

**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 as described within the body of this ordinance and shown on the attached illustration titled; “Rezoning Request for Scott Underwood to change a parcel identified as a combined lot including Tax Map 057I Group D Parcels 020.00, 021.00 and 022.00 located at on the corner of Hicks Street and Eastanallee Avenue from I-1 Light Industrial District to R-2 Medium Density Residential District” said property being within the corporate limits of Athens, Tennessee:

**Area Description (I-1 to R-2)**

The parcel to be rezoned from I-1 to R-2 is shown on Tennessee Property Assessment Data - Property Viewer as Tax Map 057I Group D Parcels 020.00, 021.00 and 022.00. The parcel is further described in the attached illustration that has been created from the Official Zoning Map of the City of Athens, Tennessee (Exhibit A).

**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.

<b>First Reading:</b>	<b>March 17, 2026</b>	<b>Passed</b>
<b>Public Hearing Notice:</b>	<b>March 21, 2026</b>	<b>Published</b>
<b>Second Reading:</b>	<b>April 21, 2026</b>	
<b>Date of Public Hearing</b>	<b>April 21, 2026</b>	

ATTEST:

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

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

APPROVED AS TO FORM:

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

## ORDINANCE NO. 1150

Rezoning Request for Scott Underwood to change a parcel identified as a combined lot including Tax Map 057I Group D Parcels 020.00, 021.00 and 022.00 located at on the corner of Hicks Street and Eastanallee Avenue from I-1 Light Industrial District to R-2 Medium Density Residential District

### Exhibit A

Official Zoning Map of the City of Athens, Tennessee







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### **Agenda Item**

V. G. An Ordinance of the City of Athens, Tennessee, Amending Title 8, Chapter III (Beer), to Add “Craft Beer Restaurant” as a Classification of Beer Permit and Amending the Athens Zoning Ordinance to Add a Craft Beer Restaurant Land Use and to Permit Accessory On-Site Beer Manufacturing in Certain Business Districts Subject to Standards

### **Overview**

City Council first discussed the possibility of allowing brewpubs, microbreweries, and taprooms within the city limits during the December 8, 2025 work session, after Main Street Athens asked the City to consider whether such uses could serve as an economic development tool.

The Athens Municipal Regional Planning Commission then considered the issue at its January 5, 2026 meeting. After discussion, the Planning Commission concluded that additional research and further discussion were necessary before moving forward.

At the January 12, 2026 work session, City Council heard a presentation from Matt Altobell, Executive Director of the Tennessee Craft Brewers Guild. The presentation was followed by discussion among Council and staff, along with comments from a potential applicant. The consensus at that meeting was for staff to continue researching the issue and to prepare proposed amendments for future consideration.

Since that time, City staff have developed proposed amendments to both the Athens City Code and the Athens Zoning Code to allow craft beer restaurants.

During that review, staff also determined that Title 8 of the Athens City Code should be reviewed and updated to better align with current state law, improve consistency throughout the Code, and reevaluate the existing beer permit classifications and business types.

### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for the first reading of an ordinance to amend Title 8, Chapter III of the Athens City Code and sections 3.04.06, 3.04.07, and 3.04.08 of the Athens Zoning Ordinance.

If approved, the public hearing and second reading of the ordinance will occur during the May 19, 2026 regular session.

### **Affected Departments**

City Manager’s Office, Community Development, and Police Department

**ORDINANCE NO. ####**

**AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, AMENDING TITLE 8, CHAPTER III (BEER), TO ADD “CRAFT BEER RESTAURANT” AS A CLASSIFICATION OF BEER PERMIT AND AMENDING THE ATHENS ZONING ORDINANCE TO ADD A CRAFT BEER RESTAURANT LAND USE AND TO PERMIT ACCESSORY ON-SITE BEER MANUFACTURING IN CERTAIN BUSINESS DISTRICTS SUBJECT TO STANDARDS**

**WHEREAS**, the City of Athens, Tennessee (the “City”) is authorized to regulate the sale, storage, distribution, and manufacture of beer pursuant to Tennessee Code Annotated Title 57 and other applicable law; and

**WHEREAS**, Athens City Code (“ACC”) Title 8, Chapter 8-III establishes a Beer Board and local beer permitting requirements; and

**WHEREAS**, the City further desires to ensure that beer permits issued under ACC Title 8 do not authorize any location or activity prohibited by the Athens Zoning Ordinance or other applicable city regulations; and

**WHEREAS**, the City Council is further authorized to adopt and amend zoning regulations pursuant to Tennessee Code Annotated Title 13, including T.C.A. §§ 13-7-201 et seq.; and

**WHEREAS**, the City has adopted the Athens Zoning Ordinance, which establishes zoning districts, permitted uses, and development standards; and

**WHEREAS**, it is necessary to amend the Zoning Ordinance to clearly identify and regulate the land use characteristics of a Craft Beer Restaurant and to coordinate zoning standards with the amended beer regulations;

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

**SECTION 1.**

Athens City Code section 8-92(2)(a) is amended to read as follows:

(1) *Minimum distance requirement.*

(a) The minimum distance requirement for the various types of permit holders is as follows:

- (i) Caterer: 300 feet.
- (ii) Craft Beer Restaurant: 300 feet.
- (iii) Golf course: 300 feet.
- (iv) Grocery store (10,000 square feet or more): 300 feet.
- (v) Grocery store (under 10,000 square feet): 500 feet.
- (vi) Package store: 500 feet.
- (vii) Restaurant: 300 feet.

**SECTION 2.**

Athens City Code section 8-92(2)(d) is amended to read as follows:

The minimum distance requirement from certain buildings in subsection (2)(a) of this section shall not be applicable with respect to the building of a restaurant permit holder or craft beer restaurant permit holder located within the downtown business district, which is defined as that area within the interior of the boundaries of Baxter Street, Green Street, College Street, Hill Street and Park Street as shown on the map of the city attached to the ordinance from which this section is derived and incorporated herein by reference.

**ORDINANCE NO. ####**

**SECTION 3.**

Athens City Code section 8-92(3) is amended by adding a new subsection (i) to read as follows:

“Craft beer restaurant.

There shall be no limitation on the number of beer permits issued to craft beer restaurants. The term ‘craft beer restaurant’ means an eating and drinking establishment having a minimum indoor seating capacity of forty (40), providing prepared food for purchase and consumption by patrons on the permitted premises during the permittee’s posted hours of operation, and owned or operated by, or under common ownership or control with, a manufacturer authorized to manufacture beer under applicable federal and state law. The restaurant establishment and any beer manufacturing operation conducted on the premises shall meet all applicable federal, state, and local licensing, permitting, zoning, building, fire, health, and land use requirements, including Tennessee Code Annotated, section 57-5-101, as amended. Any manufacturing, production, storage, service, or sale of beer authorized under this subsection shall be subject to all applicable provisions of the Athens Zoning Ordinance and this Code.

A craft beer restaurant permit may authorize both on-premises consumption and off-premises retail sale of beer; provided, however, that off-premises sales shall be limited to beer manufactured on the permitted premises, no off-premises sale of guest beer shall be authorized under this classification, off-premises beer shall be sold only in sealed containers, and beer sold for off-premises consumption shall not be opened or consumed within the permitted premises, including any approved outdoor serving area.

A craft beer restaurant shall not have monthly gross beer sales greater than forty-nine percent (49%) of the monthly gross sales of food. Exceeding this ratio for two (2) consecutive months, or for any three (3) months in any calendar year, shall constitute grounds for suspension or revocation of the permit. Food sales, for the purpose of this subsection, shall include the sale of food and non-alcoholic beverages and shall not include the sale of beer, wine, liquor, or any other alcoholic beverage. In addition, gross sales of sealed beer sold for off-premises consumption pursuant to this subsection shall be excluded from the gross beer sales ratio calculation under this subsection.

Food service for a craft beer restaurant may be provided through an on-site kitchen or through one (1) or more partner food providers. The term ‘partner food provider’ means a food service establishment properly permitted or licensed by the Tennessee Department of Health or other applicable authority to prepare and serve food, which provides prepared food for purchase and consumption by patrons on the permitted premises pursuant to a written agreement with the permittee and which provides such food service during the permittee’s posted hours of operation. The term shall not include vending machines or the sale of prepackaged snack items only.

A permittee utilizing one (1) or more partner food providers shall maintain written agreements with each partner food provider, shall maintain records sufficient to verify food sales for purposes of this chapter, and shall make such agreements and records available to the city or beer board upon request. There shall be no limit on the number of partner food providers used by a craft beer restaurant, and partner food providers may operate simultaneously.

Any outdoor dining or serving area in which beer is sold, served, or consumed under a craft beer restaurant permit shall comply with the Athens Zoning Ordinance and all applicable provisions of Title 14 of the Athens City Code, including site plan approval under ACC 14-96 where applicable. The permittee shall comply with any production, retail sale, and self-distribution limits applicable under Tennessee law.”

**SECTION 4.**

Athens City Code section 8-92(4) is amended to read as follows:

“Each permit hereafter issued shall specify the classification of permit along with the kind of establishment as herein set forth. No beer sales other than the class designated shall be permitted except as stated herein. At establishments with permits allowing on-the-premises consumption, it shall be lawful for beer to be consumed on the premises only; provided, however, that a craft beer restaurant permit holder may also engage in off-premises sales to the extent expressly authorized in subsection 8-92(3)(i). No on-the-premises consumption shall be legal where the establishment has been granted an off-premises permit.”

**ORDINANCE NO. ####**

**SECTION 5.**

Athens City Code section 8-94(4) is amended to read as follows:

“With the exception of a beer license classified as a restaurant or craft beer restaurant, pool or billiard playing will not be permitted in the same room where beer is sold and/or consumed.”

**SECTION 6.**

Athens City Code section 8-101(2) is amended, and the first sentence thereof shall read as follows:

“Notwithstanding subsection (1) of this section, for restaurant beer permit holders and craft beer restaurant permit holders, no sign, advertisement, or display indicating that beer may be purchased on the premises shall be erected or maintained on the exterior of the premises or on the interior of the premises if visible from the exterior.”

**SECTION 7.**

**AMENDMENT TO SECTION 3.04.06 (B-1 LOCAL BUSINESS DISTRICT).**

Section 3.04.06(C), “Uses Permitted on Review,” of the Athens Zoning Ordinance is hereby amended by adding a new item to the list of uses permitted on review to read as follows:

“Craft Beer Restaurant”

**SECTION 8.**

**AMENDMENT TO SECTION 3.04.07 (B-2 CENTRAL BUSINESS DISTRICT).**

Section 3.04.07(B), “Uses Permitted,” of the Athens Zoning Ordinance is hereby amended by adding a new item to the list of uses permitted to read as follows:

“Craft Beer Restaurant”

**SECTION 9.**

**AMENDMENT TO SECTION 3.04.08 (B-3 INTENSIVE BUSINESS DISTRICT).**

Section 3.04.08(B), “Uses Permitted,” of the Athens Zoning Ordinance is hereby amended by adding a new item to the list of uses permitted to read as follows:

“Craft Beer Restaurant”

**SECTION 10.**

**CODIFICATION AUTHORITY.**

The City Manager or designee is authorized to make non-substantive formatting, numbering, typographical, and cross-reference corrections necessary to codify this ordinance, including updating internal references affected by renumbering, provided that no substantive meaning or legislative intent is changed.

**REPEALER.**

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

**SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**EFFECTIVE DATE.**

This ordinance shall take effect upon final passage, the public welfare requiring it.

**First Reading: April 21, 2026**  
**Public Hearing Notice:**  
**Second Reading:**  
**Date of Public Hearing**

**ORDINANCE NO. ####**

ATTEST:

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

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

APPROVED AS TO FORM:

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





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### **Agenda Item**

V. H. An Ordinance to Amend Title 17, Chapter II, Sections 17-43 and 17-44 per the Athens City Code Relative to Refuse Collection and Disposal Service Charges and the Method of Collecting Service Charges.

### **Overview**

City Code, Title 17, Chapter II, Sections 43 and 44 (attached) requires the City Council to establish minimum monthly commercial/industrial/institutional and residential refuse collection and disposal service charges through the annual budget process. The sanitation fee schedule, as approved by the City Council during the most recent annual budget process, is attached as adopted on June 17, 2025 and currently in force.

Residential garbage collection conducted by the city is mandatory for all city residents. Commercial/industrial/institutional garbage collection is on a subscription basis. Commercial customers can select the city or a private provider to collect their waste.

Athens City Code 17-43 also stipulates that those city property owners that qualify for state property tax relief and have only one tote will be eligible to receive a credit of 100% for the service. The city has about 225 property owners receiving this credit every year worth \$25,650 per year (225 x \$9.50 per month). The city does not receive any reimbursement from the state on this credit, the city absorbs this cost.

The city is currently implementing garbage truck routing software and conducting a deep dive into the number of totes that are physically being picked up at each commercial/industrial/institutional and residential site as compared to what is being billed. Discrepancies are being found including:

- Some residential sites receive solid waste services but are not on the billing system due to utilities being turned on/off/on and garbage service not added, new construction that somehow acquired a tote, or properties associated with former tax relief. As of March 26, 2026, about 40% of all accounts have been evaluated by the city and 138 accounts are in this category worth \$15,732 per year. At this rate, the city anticipates that about 300 accounts may be in this category of receiving free garbage service worth about \$34,200 per year. These 138 accounts have been added to the billing system.
- Some residential sites have two or more totes but only pay for one tote. As of March 26, 2026, about 40% of all accounts have been evaluated by the city and 120 accounts are in this category worth \$12,240 per year. At this rate, the city anticipates that about 240 accounts may be in this category worth about \$24,480 per year. These 120 accounts will be added to the billing system soon or the totes taken back, whatever the property owner wants.
- Two very large commercial customers receive a 20% discounted rate worth a total of \$5,340 per year but discounts are not specifically authorized by city code, agreement, or through the adopted fee schedule. These two commercial customers will be notified in mid-April that their discounts will be eliminated effective July 1, 2026 so they can get prepared.

- One very large public institutional customer is receiving a discounted rate worth \$33,500 per year but discounts are not specifically authorized by city code, agreement, or through the adopted fee schedule. This customer should be paying \$4,592 per month but only paying \$1,800 per month for garbage service. This institutional customer will be notified in mid-April that their discount will be eliminated effective July 1, 2026 so they can get prepared.

Combined total loss to the city's Sanitation Enterprise Fund is estimated to be \$97,520+ per year, not counting the state property tax relief program discount of \$25,650 for a total estimated loss amount of \$123,170 per year.

Since the city's Sanitation Enterprise Fund budget, which should be self-sustaining, is projected to have \$200,000 more expenses than revenues for the current fiscal year and expenses such as employee costs, fuel, landfill tipping fees, and recycling costs have been and are increasing, it is being recommended that the following changes be made to keep the cost for sanitation services low for everyone at the \$9.50 per month residential rate:

- Free garbage service that is tied to the state property tax relief program be eliminated to raise \$25,650 per year and eliminate the minimum monthly fee for commercial/industrial/institutional customers since minimums are not used. This action would take an ordinance amendment (proposed amendment is attached). The first reading would be during the April 21, 2026 regular session and the second reading and adoption would be during the May 19, 2026 regular session.

Total New Revenue: \$123,170+ per year (\$25,650 + \$34,200 + \$24,480 + \$5,340 + \$33,500). These actions would partially erase the current deficit and the growing deficit going forward.

### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for first reading of an ordinance to amend Title 17 of the Athens City Code.

If approved, the public hearing and second reading of the ordinance will occur during the May 19, 2026 regular session.

### **Affected Departments**

Sanitation Fund

**ORDINANCE NO. #####**

**AN ORDINANCE AMENDING TITLE 17, CHAPTER II, SECTION 17-43 AND 17-44 OF THE ATHENS CITY CODE RELATIVE TO REFUSE COLLECTION AND DISPOSAL SERVICE CHARGES AND THE METHOD OF COLLECTING SUCH CHARGES.**

**WHEREAS**, the City of Athens provides refuse collection and disposal services within the city; and

**WHEREAS**, the City Council desires to revise the provisions of the Athens City Code governing refuse collection and disposal service charges and the method of collecting such charges;

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

**SECTION 1.**

That Title 17, Chapter II, Section 17-43 of the Athens City Code is hereby amended in its entirety to read as follows:

**17-43 Refuse Collection and Disposal Service Charges**

- (1) Institutional, professional, industrial, fraternal, commercial, and business establishments operating within the city that receive city refuse collection and disposal service shall pay a monthly fee established for the applicable service determined by the city council and adopted through its annual budget.
- (2) All residences within the city shall pay a monthly fee for residential refuse service, as determined by city council and adopted through its annual budget. Those residents needing more than one container, as determined by the city, will pay the rate set by the city council, plus additional charges based on the number of additional containers.

**SECTION 2.**

That Title 17, Chapter II, Section 17-44 of the Athens City Code is hereby amended in its entirety to read as follows:

**17-44 Method Of Collecting Service Charges**

- (1) Institutional, professional, industrial, fraternal, or commercial service charges shall be billed through procedures prescribed by the city manager. A penalty of five percent per month on the unpaid balance shall be imposed and collected on all delinquent refuse accounts.
- (2) Waste Disposal Documentation; Authority to Deny Collection
  - (a) Commercial, industrial, institutional, professional, fraternal, and business establishments and contractors, including those generating demolition waste, that do not utilize the City for waste disposal shall, upon written request of the Public Works Director or their designee, provide written documentation demonstrating proper disposal of such waste. Failure to provide documentation within thirty (30) days after the date of written request shall authorize the City to initiate services to ensure proper disposal, and assess billing for said services, in addition to any applicable penalties as authorized by this code.
  - (b) The city may elect to deny waste collection to commercial, industrial, institutional, professional, fraternal, and business establishments and contractors (including demolition wastes) due to waste being hazardous, causing damage to city equipment or inadequate equipment to properly handle the waste.
- (3) All institutional, professional, industrial, fraternal, commercial, and business establishments and contractors requiring special handling or special rates due to unusual

### **17-43 Refuse Collection And Disposal Service Charges**

- (1) Institutional, professional, industrial, fraternal, commercial or business establishments operated within the city shall pay a minimum monthly fee as determined by city council and adopted through its annual budget, plus an additional amount for receipt of services as determined by the department of sanitation; however, businesses operating out of their residences or vehicles may be eligible for a credit of 100 percent for the service, as determined by the supervisor of the city's sanitation department.
- (2) All residences within the city shall pay a minimum monthly fee for residential refuse service, as determined by city council and adopted through its annual budget. Those residents needing more than one container, as determined by the city, will pay the minimum rate set by the city council, plus additional charges based on the number of additional containers, and shall not be eligible for tax relief services. However, those citizens who qualify for property tax relief and citizens who would otherwise qualify for property tax relief but do not own their residences, and who use only one city-issued container, will be eligible for a credit of 100 percent for the service.
- (3) The city council may establish service boundaries limiting the daily refuse pickup service to customers within the boundaries. Proper notice may be given to customers outside the boundaries by publishing a map in a local newspaper on three successive days in sufficient notice that the service cannot be provided on a daily basis.

(Code 1972, § 8-114; Code 1995, § 17-113; Ord. No. 777, 6-15-1993; Ord. No. 805, 6-20-1995; Ord. No. 917, 4-20-2004; Ord. No. 982, 2-16-2010)

## **17-44 Method Of Collecting Service Charges**

- (1) Institutional, professional, industrial, fraternal, or commercial service charges shall be billed through procedures prescribed by the city manager. A penalty of five percent per month on the unpaid balance shall be imposed and collected on all delinquent refuse accounts.
- (2) *Privately licensed waste haulers.*
  - (a) Commercial, industrial, institutional, professional, fraternal, and business establishments and contractors (including demolition waste) electing to utilize a privately licensed waste hauler must provide evidence of a paid invoice on a quarterly basis to the city sanitation foreman for the minimum billing to be waived. If proper evidence is not provided, minimum billing along with any penalties are due to the city.
  - (b) The city may elect to deny waste collection to commercial, industrial, institutional, professional, fraternal, and business establishments and contractors (including demolition wastes) due to waste being hazardous, causing damage to city equipment or inadequate equipment to properly handle the waste.
- (3) All institutional, professional, industrial, fraternal, commercial, and business establishments and contractors requiring special handling or special rates due to unusual situations that prevent the charges from being placed on the utility statement will be billed and collected by the director of finance.

(Code 1972, § 8-115; Code 1995, § 17-114; Ord. No. 805, 6-20-1995; Ord. No. 917, 4-20-2004)



## Public Works Department Sanitation Fee Schedule

Item	Fee
Residential	<p style="text-align: center;">\$9.50 per month for one tote            \$18.00 per month for two totes            \$27.00 per month for three totes            Each tote is 96 gallons            Once per week collection on AUB bill</p>
Commercial/Industrial  No Contracts	<p style="text-align: center;">\$44 per month, 4-cubic yard, \$44 per day for each additional collection up to six per week            \$66 per month, 6-cubic yard, \$66 per day for each additional collection up to six per week            \$88 per month, 8-cubic yard, \$88 per day for each additional collection up to six per week            Once a week collection</p>
Commercial Shared Dumpsters	Range from \$28.50 to \$81 quarter, rate depends on waste quantity
Late Fee	5% per month
Credit Card Convenience Fee	3%
Return Check Fee	\$45
Back door residential service is available at no additional charge with doctor's note.	
In accordance with City Code 17-43, those citizens who qualify for the state's property tax relief and citizens who would otherwise qualify for the state's property tax relief but do not own their own residences, and who use only one city-issued container, will be eligible for a credit of 100% for the service.	
Contact: Public Works Department 423-744-2745	

City Council Updated/Adopted on June 17, 2025



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### **Agenda Item**

V. I. An Ordinance of The City of Athens, Tennessee, Providing that the Athens City Code, Title 14, Chapter 2 (“Zoning Ordinance”), be Amended by Revising Section 3.04.14 so as to Add Subsection "G" That Establishes the H-2 Historic Overlay District Limits as Bounded by College Street/East Hornsby Street, Green Street, Sunset Drive/South Jackson/Green Street/Bank Street, and Church Street; and Providing That the Official Zoning Map is Amended so as to Attach the H-2 Historic Overlay District as Described Herein and on the Attached Map; and Providing for Conflicts, Severability and an Effective Date

### **Overview**

The Athens Historic Preservation Commission (AHPC) has been studying a proposed historic overlay district for the downtown area for some time. Here is a general recap of events:

- The AHPC discussed this topic during their November 7, 2024 meeting.
- The AHPC conducted a public workshop during their December 5, 2024 meeting. During that meeting, the AHPC recommended approval to the Regional Planning Commission that a historic overlay district be put in place in the downtown area with a specific boundary.
- The Regional Planning Commission recommended to the City Council that a commercial historic overlay district with a specific boundary be adopted during their January 6, 2025 meeting.
- The City Council conducted a first reading of the ordinance that would establish the H-2 Historic Overlay District for the downtown area during their January 21, 2025 regular meeting.
- The City Council further discussed the downtown overlay district during their February 10, 2025 work session.
- The city Council conducted a public hearing and second reading of the ordinance during their February 18, 2025 regular meeting. At that time, motions failed to approve the ordinance.
- Since that time, the AHPC and city staff conducted outreach and meetings, reviewed public feedback, and revised the proposed boundary.
- The AHPC recommended approval to the Regional Planning Commission that a historic overlay district be put in place in the downtown area with a revised boundary during their January 8, 2026 meeting.
- The Regional Planning Commission recommended to the City Council that a historic overlay district be adopted during their April 6, 2026 meeting.

The proposed ordinance and boundary map that would establish the H-2 Historic Overlay District for the downtown area are attached. If approved, the properties within the overlay district would be subject to the Historic Preservation Commission’s Design Review Guidelines that were established in 2019.

### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for the first reading of the ordinance to amend Title 14, Chapter 2 of the Athens City Code.

If approved, the public hearing and second reading of the ordinance will occur during the May 19, 2026 regular session.

### **Affected Departments**

Community Development

**ORDINANCE NO. #####**

**AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2 (“ZONING ORDINANCE”), BE AMENDED BY REVISING SECTION 3.04.14 SO AS TO ADD SUBSECTION “G” THAT ESTABLISHES THE H-2 HISTORIC OVERLAY DISTRICT LIMITS AS BOUNDED BY COLLEGE STREET/EAST HORNSBY STREET, GREEN STREET, SUNSET DRIVE/SOUTH JACKSON/GREEN STREET/BANK STREET, AND CHURCH STREET; AND PROVIDING THAT THE OFFICIAL ZONING MAP IS AMENDED SO AS TO ATTACH THE H-2 HISTORIC OVERLAY DISTRICT AS DESCRIBED HEREIN AND ON THE ATTACHED MAP; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE**

**WHEREAS**, Since early 2025 the Athens Historic Preservation Commission (AHPC) has studied the creation of a historic overlay district in downtown Athens, conducted public outreach, held informational meetings for property owners and the public, reviewed comments and survey responses, and revised the proposed district boundary; and

**WHEREAS**, on January 8, 2026, the AHPC voted to recommend to the Athens Municipal Regional Planning Commission the creation of a Historic Overlay District in the downtown Central Business District; and

**WHEREAS**, the Athens Municipal Regional Planning Commission considered the proposed H-2 Historic Overlay in the B-2 Central Business District at its April 6, 2026 meeting and recommended approval to the City Council; and

**WHEREAS**, the City Council finds that adoption of the H-2 Historic Overlay District is in the public interest and consistent with the preservation of the historic character of downtown Athens.

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

**SECTION 1.**

Title 14, Chapter 2, of the Athens City Code is hereby amended by adding a new subsection “G” to Section 3.04.14 of the Athens City Zoning Code read as follows:

**G. H-2 HISTORIC OVERLAY DISTRICT**

There is hereby established the H-2 Historic Overlay District in the B-2 Central Business District of the City of Athens, Tennessee, the boundaries shown on **Exhibit A**, attached hereto and incorporated herein by reference.

The H-2 District is an overlay zoning district to be applied to the official zoning map pursuant to the zoning map amendment process. The H-2 District is an overlay district, meaning that the underlying zoning classification of property to which the overlay is applied shall remain unchanged. Permitted uses, conditional uses, setbacks, and other property development standards established by the underlying zoning district shall remain in effect except to the extent that exterior alterations, new construction, demolition, or other matters are subject to review by the Athens Historic Preservation Commission under Section 3.04.14 and any adopted design guidelines applicable thereto.

**SECTION 2.**

The official zoning map of the City of Athens, Tennessee, is hereby amended to apply the H-2 Historic Overlay District to the properties identified inside the outline boundary on the attached map and incorporated herein.

**SECTION 3.**

**CODIFICATION AUTHORITY.**

The City Manager or designee is authorized to make non-substantive formatting, numbering, typographical, and cross-reference corrections necessary to codify this ordinance, including updating internal references affected by renumbering, provided that no substantive meaning or legislative intent is changed.

**REPEALER.**

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

**SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**EFFECTIVE DATE.**

This ordinance shall take effect upon final passage, the public welfare requiring it.

**First Reading: April 21, 2026**  
**Public Hearing Notice:**  
**Second Reading:**  
**Date of Public Hearing**

ATTEST:

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

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

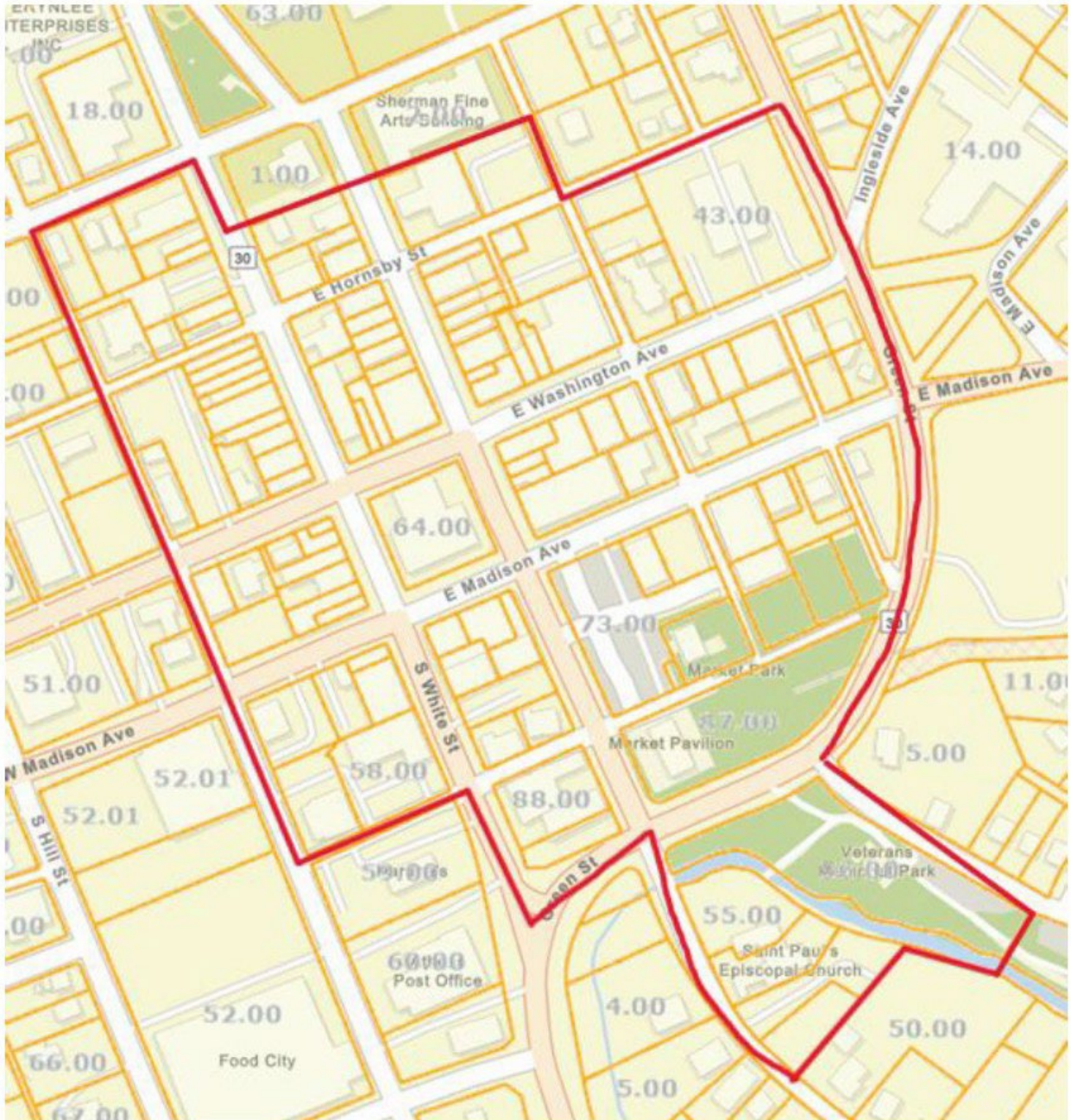
APPROVED AS TO FORM:

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

# Exhibit A

H-2 Historic Preservation Overlay

Bounded by College Street/East Hornsby Street, Green Street, Sunset Drive/South Jackson/Green Street/Bank Street, and Church Street.





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### **Agenda Item**

V. J. An Ordinance of the City Of Athens, Tennessee, Amending the Municipal Zoning Ordinance of the City Of Athens, Tennessee, Section 4.03.03, Commercial Land Uses (Minimum), and Section 4.03.07, Commercial Land Uses (Maximum), to add Off-Street Parking Requirements for a Drive-Thru Oil Change Facility with Minor Auto Service Without Overnight Storage of Vehicles

### **Overview**

The attached staff report explains the proposed zoning text amendment to add minimum and maximum parking requirements for a drive-thru oil change facility with minor auto service and no overnight vehicle storage. It outlines staff's research of comparable standards in other Tennessee municipalities and provides the recommended parking formulas for this new use.

The attached Planning Commission minutes reflect the discussion of the proposed amendment at the April 6, 2026 meeting and show that the Planning Commission recommended approval to City Council.

### **Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for the first reading of an ordinance to amend the zoning code.

If approved, the public hearing and second reading of the ordinance will occur during the May 19, 2026 regular session.

### **Affected Departments**

Community Development

**ORDINANCE NO. ####**

**AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, AMENDING THE MUNICIPAL ZONING ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, SECTION 4.03.03, COMMERCIAL LAND USES (MINIMUM), AND SECTION 4.03.07, COMMERCIAL LAND USES (MAXIMUM), TO ADD OFF-STREET PARKING REQUIREMENTS FOR A DRIVE-THRU OIL CHANGE FACILITY WITH MINOR AUTO SERVICE WITHOUT OVERNIGHT STORAGE OF VEHICLES**

**WHEREAS**, the City of Athens has adopted the Municipal Zoning Ordinance of the City of Athens, Tennessee; and

**WHEREAS**, Section 4.03 of the Zoning Ordinance establishes minimum and maximum off-street parking requirements for land uses within the City; and

**WHEREAS**, the Planning Commission, at its meeting on April 6, 2026, reviewed and recommended an amendment to add a new parking category for a drive-thru oil change facility with minor auto service bays and no overnight storage of vehicles; and

**WHEREAS**, the Planning Commission found that this use is not specifically addressed in the current Zoning Ordinance and recommended that the City Council amend the Ordinance to establish appropriate parking requirements for such use; and

**WHEREAS**, the City Council finds that establishing a specific parking standard for this use promotes the public health, safety, and welfare and provides clearer development standards for future applications;

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

**SECTION 1.**

That Section **4.03.03. Commercial Land Uses (MINIMUM)** of the Municipal Zoning Ordinance of the City of Athens, Tennessee, is hereby amended by adding the following new facility type and minimum parking requirement in proper alphabetical order:

**Facility Type:**

Drive-Thru Oil Change Facility with Minor Auto Service Without Overnight Storage of Vehicles

**Minimum Spaces Required:**

One (1) space for each oil change or service bay, plus two (2) spaces for each minor auto service bay, plus two (2) queue spaces for each oil change bay.

**SECTION 2.**

That Section **4.03.07. Commercial Land Uses (MAXIMUM)** of the Municipal Zoning Ordinance of the City of Athens, Tennessee, is hereby amended by adding the following new facility type and maximum parking allowance in proper alphabetical order:

**Facility Type:**

Drive-Thru Oil Change Facility with Minor Auto Service Without Overnight Storage of Vehicles

**Maximum Spaces Allowed:**

One (1) space for each oil change or service bay, plus two (2) spaces for each minor auto service bay, plus two (2) queue spaces for each oil change bay.

**SECTION 3.**

**CODIFICATION AUTHORITY.**

The City Manager or designee is authorized to make non-substantive formatting, numbering, typographical, and cross-reference corrections necessary to codify this ordinance, including updating internal references affected by renumbering, provided that no substantive meaning or legislative intent is changed.

**ORDINANCE NO. 1154**

**REPEALER.**

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

**SEVERABILITY.**

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

**EFFECTIVE DATE.**

This ordinance shall take effect upon final passage, the public welfare requiring it.

**First Reading: April 21, 2026**  
**Public Hearing Notice:**  
**Second Reading:**  
**Date of Public Hearing**

ATTEST:

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

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

APPROVED AS TO FORM:

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

- 2. Public Comments and Review and Recommendation for a Zoning Code amendment to add minimum and maximum parking requirements for a drive through oil change facility with light auto services bays and no overnight storage of vehicles.**

Mr. Casteel said this is a “New Use”, that they do not address in their zoning code. Instead of going to the BZA and asking them to rule on it, they just want to go ahead and take it through the legislative process and have it added to the Zoning Code. (He said he researched it and presented it on page five of the packet.) The oil change facilities are kind of the same as drive thru car wash. They are sort of the same model. Yes, it takes a little longer to do oil than to wash a car. It still should be similar in what it takes to make sure that all the traffic this use generates can be facilitated on the site. Because they are doing service, they must have spaces for the vehicles they are working on and for people that are waiting to be worked on. This is not a full service like C&D and Matlock where you must have outdoor storage spaces for these cars and more parking. The way he approached this was by doing a hybrid between those two uses. Based on that he made a recommendation. Mr. Burchfield did some research and said what Mr. Casteel is recommending is being done nationwide for these. Mr. Casteel is recommending they add to the Zoning District section a “Parking” to address this whenever it comes up. The “Use” would be in the Minimum Parking, the “Use” will be a “Drive Thru Oil Change Facility With Minor Auto Service Without Overnight Storage of Vehicles”. If there is a business like that, this is the parking they will require: One space for each bay, oil change or service, regardless of what it is, plus two spaces to the bay dedicated to the service, and two cue spaces for each oil place bay. If they have three bays, they will need six cue spaces. If they have five service bays and three bays, they need eight spaces for the oil change plus two spaces for the ten, so they would need like eighteen. Right now, according to the current code, they would need like forty and that is way too much parking. They do have a limit on how much parking they can have.

Mr. Burchfield said when they looked at this numbers-wise from the ICE manual, this combined use is not a thing, so they had to look at it from two separate uses. There is a specific use for a Quick Lube and then there is a Light Service Automotive. They combined them between the minimum and maximum.

Mr. Proffitt asked about the new facility planning on coming to Athens and how many bays they would have.

Mr. Casteel said the plans they saw were five service and three oil change bays.

There was further discussion and a motion was made.

MOTION: To recommend to Council to put this in the current Zoning Code.

MADE: Sam Stephens

SECOND: Ryan Droke

VOTE: Unanimous 4-0

MOTION PASSES

**2. Public Comments and Review and Recommendation for a Zoning Code amendment to add minimum and maximum parking requirements for a drive through oil change facility with light auto services bays and no overnight storage of vehicles.**

Staff approached this new use as a cross between light automobile service, and a drive through carwash. This new use is compatible with the carwash model, in that the patrons stay in the vehicle for the oil change just like they do for a drive through carwash. And the light service bays would be similar but less intensive than a conventional auto service shop that stores vehicles to provide multi-day services that are more intensive than what would be provided by this use. Below is research of other Tennessee municipalities and what they do to address these uses.

Nashville - TN

Carwash-Two spaces per bay or stall plus one per employee.

Oil Change- 4 spaces per 4 stalls (16 total) plus 1 for each addition stall over 4

Knoxville - TN

Vehicle Repair/Service – Minor - Two per bay.

Carwash-1/2 per employee of largest shift

Clarksville - TN

Vehicle Repair/Service – Minor -One (1) space per employee, plus stacking for three (3) vehicles for each bay.

Carwash- 4 staking spaces per bay, plus 1 per employee of largest shift

Murfreesboro – TN

Carwash- three spaces plus 3 queuing spaces for each bay

Vehicle Repair/Service – Minor - 2 per stall

Chattanooga, TN

Carwash- One space per bay plus 3 queuing spaces for each bay

Vehicle Repair/Service – Minor - 4 per bay

Mt Juliet, TN

Vehicle Repair/Service – Minor – 1 per 500 square feet of gross floor

Oil Change- 4 queuing spaces per Bay

Car Wash- 5 queuing spaces per Bay

Spring Hill, TN

Carwash- One space per bay

Vehicle Repair/Service – Minor - 2 per bay

Morristown, TN

Carwash- 3 queuing spaces for each bay plus 1 per employee

Vehicle Repair/Service – Minor - 2 per bay plus 1 per 300 square feet of gross floor

**Based on the information gathered above, Staff recommends the follow amendment to the Commercial Minimum and Maximum Parking standards in Section 4.03.03 an Section 4.03.07.**

Minimum

USE- Drive through oil change facility with minor auto service without overnight storage of vehicles

STANDARD-1 space for each bay (oil change and/or service) plus 2 spaces per bay dedicated to minor service, plus 2 queue spaces for each oil change bay.

Maximum

USE- Drive through oil change facility with minor auto service without overnight storage of vehicles

STANDARD -1.5 space for each bay (oil change and/or service) plus 2.5 spaces per bay dedicated to minor service, plus 3 queue spaces for each oil change bay.



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**Agenda Item**

V. K. An Ordinance to Amend the Budget for the City of Athens, Tennessee, for the Fiscal Year July 1, 2025 through June 30, 2026

**Overview**

The purpose of the attached budget amendment for FY 2025-26 is to address necessary adjustments in expenditures and revenues, cover unanticipated costs, and reallocate funds based on updated financial activity and operational needs across city departments.

A memorandum from the Finance Director is also attached.

**Action to Consider**

Consensus is needed to move this item to the April 21, 2026 regular session for the first reading of an ordinance to amend the FY 2025-26 Budget.

If approved, the public hearing and second reading of the ordinance will occur during the May 19, 2026 regular session.

**Affected Departments**

Finance

**ORDINANCE NO. ####**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF ATHENS, TENNESSEE, FOR THE FISCAL YEAR JULY 1, 2025 THROUGH JUNE 30, 2026**

**WHEREAS**, the Council for the City of Athens, Tennessee, after much consideration and study of the budget prepared and submitted by the City Manager, approved Ordinance No. 1141 for the 2025-2026 budget and tax rate for the fiscal year ending June 30, 2026 and has determined that an amendment is now necessary.

**SECTION 1. NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF ATHENS, TENNESSEE, AS FOLLOWS:**

That the budget is hereby amended based upon the detail listing below showing the original budget, amended budget and increase or decrease in the budget for the current year.

**Part I: To Increase Miscellaneous Line items in the General Fund**

<b>ACCOUNT NO.</b>	<b>DESCRIPTION</b>	<b>ORIGINAL BUDGET</b>	<b>REVISED BUDGET</b>	<b>INCREASE (DECREASE)</b>
<b>GENERAL FUND REVENUES:</b>				
01-0000-4115	Prior Year Property Taxes	100,000	190,000	90,000
01-0000-4165	Local Sales Tax	9,200,000	9,300,000	100,000
01-0000-4625	Repair Damages AUB	25,000	95,000	70,000
01-0000-4810	City Court Fines & Costs	100,000	180,000	80,000
01-0000-7020	Transfer From Emp Med Ben	0	300,000	300,000
Increase in Revenues				<u>640,000</u>
<b>GENERAL FUND EXPENDITURES:</b>				
01-0101-5710	Liability Insurance	6,500	76,500	70,000
01-0102-5110	Salaries: Regular	20,000	24,000	4,000
01-0104-5260	Legal Services	70,000	85,000	15,000
01-0107-5250	Street Lighting	530,000	540,000	10,000
01-0201-5110	Salaries: Regular	328,000	340,000	12,000
01-0401-5626	Other Contracts	1,500	9,500	8,000
01-0402-5710	Liability Insurance	9,300	15,300	6,000
01-0502-5290	Machinery & Equip Rental	25,000	45,000	20,000
01-0503-5626	Other Contracts	48,000	56,000	8,000
01-0602-5142	Group Life & Health Ins	338,000	380,000	42,000
01-0602-6090	Fixed Assets	104,000	154,000	50,000
01-0703-5274	R&M Buildings & Grounds	4,000	24,000	20,000
01-0703-6090	Fixed Assets	37,000	61,000	24,000
01-0802-5274	R&M Buildings & Grounds	50,000	125,000	75,000
01-0802-6055	Maintenance Projects	0	21,000	21,000
01-0803-5118	Salaries: Seasonal	31,000	39,000	8,000
01-0804-5118	Salaries: Seasonal	55,000	65,000	10,000
01-0804-5142	Group Life & Health Ins	32,000	38,000	6,000
01-0804-5298	Program Expenses	30,000	85,000	55,000
01-0804-5330	Concession Supplies	30,000	50,000	20,000
01-0804-6040	Fourth of July Expenditures	50,000	110,000	60,000
01-0901-5264	Engineering & Landscaping	0	5,000	5,000
01-0902-5626	Other Contracts	102,000	127,000	25,000
01-0905-5414	Sand & Salt	10,000	30,000	20,000
01-0905-5520	Vehicle & Equipment Parts	46,000	76,000	30,000
01-0906-5626	Other Contracts	7,000	17,000	10,000
01-0906-6090	Fixed Assets	0	6,000	6,000
Increase in Expenditures				<u>640,000</u>

**ORDINANCE NO. ####**

Change in Fund Balance \_\_\_\_\_ 0

**Part II: To Transfer Excess Fund Balance from General Fund to Capital Projects Fund**

01-11-01-7245 Transfer to Capital Proj Fund \_\_\_\_\_ 0 1,700,000 1,700,000

Decrease in Fund Balance in General Fund \_\_\_\_\_ 1,700,000

**SECTION 2.** BE IT FURTHER ORDAINED that all Ordinances, and parts of Ordinances in conflict with this Ordinance shall be, and the same are, hereby repealed and superseded.

**SECTION 3.** BE IT FURTHER ORDAINED that if any section, paragraph, clause, or sentence of this Ordinance shall be held invalid by a Court of competent jurisdiction, such holding shall not affect the remaining sections, paragraphs, clauses, and sentences.

**SECTION 4.** BE IT FURTHER ORDAINED this Ordinance is declared to be an emergency ordinance to take effect from and after its passage.

**First Reading:  
Public Hearing Notice:  
Second Reading:  
Date of Public Hearing**

ATTEST:

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

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

APPROVED AS TO FORM:

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



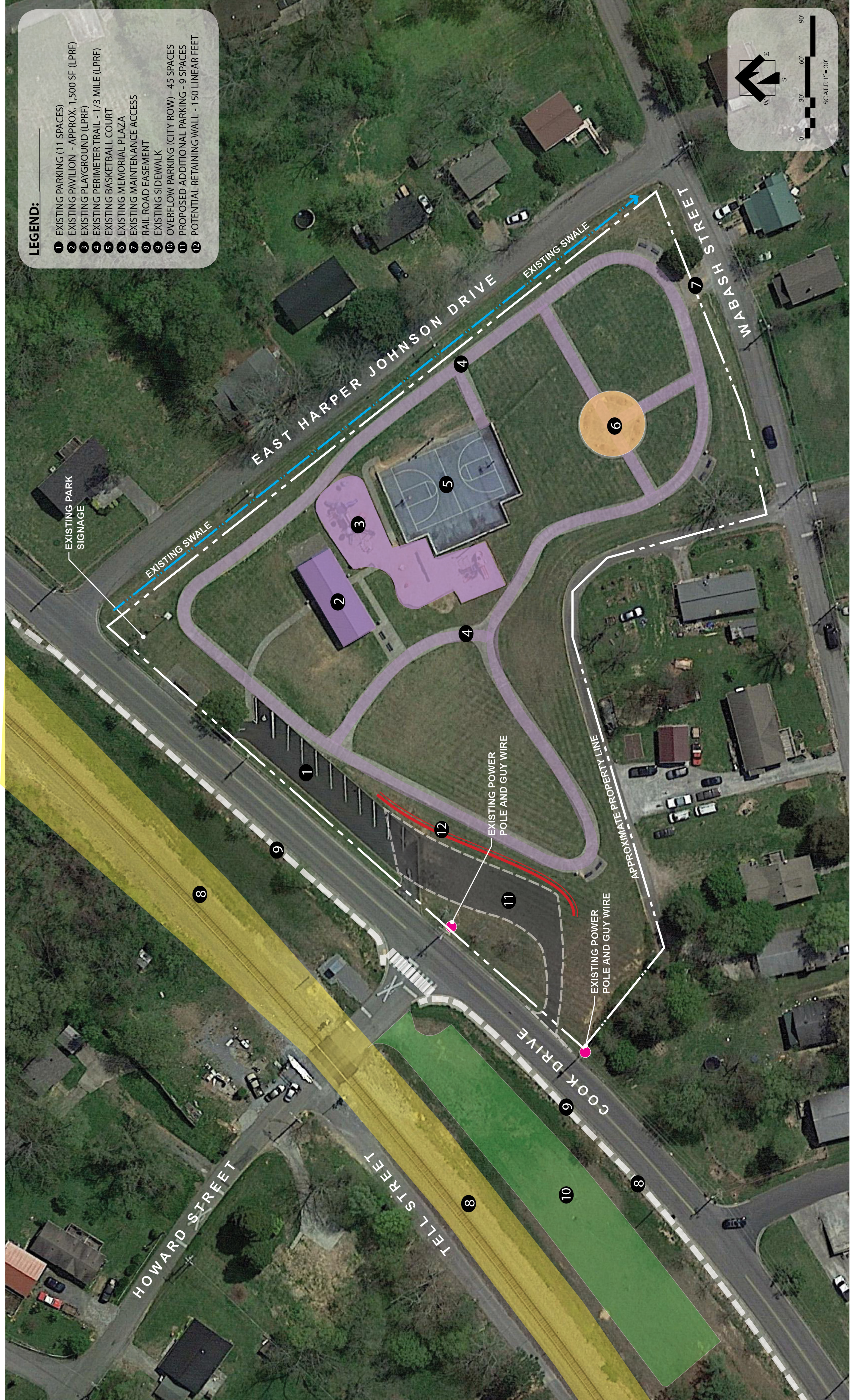
## FINANCE DEPARTMENT

### MEMORANDUM

TO: Randy Dowling, City Manager  
FROM: Mike Keith, Finance Director  
DATE: April 8, 2026  
SUBJECT: 2025-2026 Budget Amendment

I respectfully submit the attached budget amendment. I believe most of the items are self-explanatory based on the line items, but I will elaborate on some of the items in part I. The first liability insurance item is related to the deductible for two public records lawsuits filed against the City and the second liability insurance is for a general increase allocated to City Hall. The first salary increase is for the payment to Dick Pelley and the other salary line items are to adjust to the expected actual amount for the year. Legal services are for increased attorney fees. Machinery & Equipment Rental is the cost related to demolishing condemned houses. Most of the fixed asset lines are increased for police and fire grants. Maintenance projects increased for the new monuments at Veterans Park. Program and Concessions items are increased to coincide with the number of registrations and tournaments. The Fourth of July is to go ahead and pay a deposit on the drone and fireworks show to decrease the cost in the FY27 budget. A deposit is typically paid for the fireworks each year. The Transfer to the Capital Projects Fund is for the excess fund balance transfer.

Please let me know if you need any additional information regarding this amendment.



**LEGEND:**

- 1 EXISTING PARKING (11 SPACES)
- 2 EXISTING PAVILION - APPROX. 1,500 SF (LPRF)
- 3 EXISTING PLAYGROUND (LPRF)
- 4 EXISTING PERIMETER TRAIL - 1/3 MILE (LPRF)
- 5 EXISTING BASKETBALL COURT
- 6 EXISTING MEMORIAL PLAZA
- 7 EXISTING MAINTENANCE ACCESS
- 8 RAIL ROAD EASEMENT
- 9 EXISTING SIDEWALK
- 10 OVERFLOW PARKING (CITY ROW) - 45 SPACES
- 11 PROPOSED ADDITIONAL PARKING - 9 SPACES
- 12 POTENTIAL RETAINING WALL - 150 LINEAR FEET

