



ATHENS CITY COUNCIL WORK SESSION

Monday, August 11, 2025, 5:00pm

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. COMMUNICATIONS AND SPECIAL PRESENTATIONS

- (1 – 4) A. Lauren Brown – Executive Director, Athens Area Council for the Arts & The Arts Center
- (5 – 7) B. Patti Greek – Chair, Council Advisory Committee
- (8 – 14) C. Wold Architects & Engineers – Fire Station 3

IV. DISCUSSION

- (15 -18) A. Installation of Poles and Banners at Veterans Park
- (19 – 32) B. Disposal of Real Property Located at 2201 Decatur Pike
- (33 – 41) C. Award of RFB 25-09 for Construction Services to Renovate Heritage Park & Approve Purchase of Site Amenities through RFP 24-09
- (42 – 59) D. Bid Award of RFB 25-10 to Resurface 9 City Streets (3.94 miles)
- (60 – 64) E. Certificate of Compliance Application for Retail Package Store
- (65 – 70) F. Potential Acquisition of Downtown Property for Parking and Garbage Dumpster Consolidation
- (71 – 73) G. Public Hearing and Second Reading of Ordinance 1143
Amending Athens City Code Title 3 (Court Costs & Litigation Tax)
- (74 – 75) H. Resolution 2025-20
Declaring Certain Fire Hose Equipment as Surplus Property and Authorizing its Sale Through GovDeals
- (76 – 77) I. Resolution 2025-21
Authorizing the City of Athens to Submit a Grant Application to the BlueCross Healthy Places Program

- (78 – 79) J. Resolution 2025-22
Authorizing the City of Athens to Participate in the 2025-2026 Judy Housley Safety Partners Matching Grant Program Through Public Entity Partners.
- (80 -82) K. Resolution 2025-23
Authorizing the City of Athens to Participate in the 2025-2026 Property Conservation Matching Grant Program Through Public Entity Partners
- (83 – 86) L. Hammerhill Road Sidewalk Project Survey Results
- (87 – 88) M. Purchase of Replacement Garbage Dumpsters for Sanitation Fund
- (89) N. Councilmember Items
- (90 – 93) a. Mayor Eaton
 - i. Council Advisory Committee Appointments
 - ii. Streetlights on West Street
 - iii. Amending Athens City Charter Article XX
- (94 – 111) b. Councilmember Sherlin
 - i. Weather Warning Sirens
 - ii. Cedar Grove Cemetery Signage Improvements
- (112 – 117) c. Councilmember Duggan
 - i. Athens City Charter - Article IV (Elections)

V. NEW BUSINESS

VI. BOARDS & COMMITTEES

- A. Consideration of Reita Witt's request to move from Councilmember Duggan's Council Advisory Committee Appointee and be appointed to fill the vacancy for Vice Mayor Curtis.

VII. ADJOURNMENT



Agenda Item

III. A. Lauren Brown – Executive Director, Athens Area Council for the Arts & The Arts Center

Overview

Ms. Brown will be sharing some highlights from last fiscal year for the Athens area Council for the Arts and The Arts Center's. An annual impact report, summarizing FY 2024–2025 activities is attached.

Action to Consider

Information Only

Affected Departments

THE ARTS CENTER '24-'25 YEAR IN REVIEW

**4 MUSICALS, 3 PLAYS,
6 LOCAL CONCERTS +
2 PROFESSIONAL
CONCERTS**

13

**STATES IN
AUDIENCE**

AL, CA, CT, FL, GA, IN, KY,
LA, ME, NC, OH, TN, VA

\$158,771

**LOCAL SPENDING GENERATED
AS A RESULT OF TICKETED
EVENTS**



HOUSE BLEND CONCERT SERIES

73
volunteers

**PERFORMERS FROM
BRADLEY, HAMILTON,
KNOX, MCMINN, MEIGS,
MONROE, POLK**

38% MAKING DEBUT
PERFORMANCE

AUDIENCE

**4 STATES
16 COUNTIES
33 CITIES**

21%
from outside
McMinn

ATHENS COMMUNITY THEATRE

132
volunteers

**PERFORMERS FROM
BRADLEY, MCMINN,
MEIGS, MONROE,
RHEA, KNOX,
LOUDON**

45% MAKING DEBUT
PERFORMANCE

AUDIENCE

**9 states
39 counties
73 cities**

29%
from outside
McMinn



EXHIBITIONS

12
exhibits

**OF PAINTINGS,
DRAWINGS, MIXED-MEDIA,
TEXTILES & PHOTOGRAPHY**

58
artists

**FROM TN COUNTIES BLOUNT,
BRADLEY, HAMILTON, KNOX,
LOUDON, MEIGS, MCMINN,
MONROE; KY AND GA**



CLASSES

38
options

**TO WORK WITH CLAY,
WATERCOLOR, ACRYLIC,
DRAWING, STAINED
GLASS, TEXTILES & MORE**

**STUDENTS CAME FROM BRADLEY,
MEIGS, MCMINN, POLK COUNTIES**

THE ARTS CENTER '24-'25 YEAR IN REVIEW

Our mission is to enrich the quality of life and make a difference for our community by providing opportunities for the expression and appreciation of the arts.



NOTEWORTHY EVENTS

200 45TH ANNIVERSARY
attendees & GRAND OPENING
OF OUR EXPANSION

MURAL INSTALLATION:
"GATHERING RELEASE"
BY JONATHAN BIDWELL
FUNDED BY LYNDHURST **100**
sq. ft. of
public art

\$1,420 RAISED AT 1ST
in Scholarships ANNUAL KID-LED
GRAND BALL

ARTS ACCESS FOR YOUTH

11 PERFORMANCES AND
residencies INTERACTIVE PROJECTS WITH
PERFORMING & VISUAL ARTISTS

1,185 PRE-K TO 8TH GRADE **7**
students served STUDENTS IN ATHENS & MCMINN DISTRICTS schools

\$7,475 NEED-BASED AID FOR 28% OF
scholarships CAMPERS IN EIGHT WEEKS OF
SUMMER ARTS LEARNING

FUNDING PARTNERS: KIWANIS CLUB OF ATHENS
MAYFIELD FAMILY FOUNDATION
MCMINN COUNTY EDUCATION FOUNDATION



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Please visit our website
for a full list of our
members, grant funders,
and corporate sponsors
who make this, and
more, possible.

COMMUNITY ARTS EXPERIENCES

500 CREATED ART (AT NO COST) DURING PUMPKINTOWN,
families OLD FASHIONED DOWNTOWN CHRISTMAS,
CULTURE CRAWL & AACA CRAFT DAYS

8 AACA STAFF PARTICIPATED IN CAREER DAYS,
partners TRICK OR TREAT AT THE WETLANDS & SUMMER
READING, SUPPORTED PUBLIC ART PROJECTS, AND
LED LUNCH & LEARNS TO ADVOCATE FOR ARTS
PARTICIPATION.

COMMUNITY PARTNERS: ATHENS CITY SCHOOLS, CITY OF ATHENS,
DISCOVER MCMINN, E.G. FISHER LIBRARY, FRIENDLY CITY FESTIVALS,
MAIN STREET ATHENS, LIVING HERITAGE MUSEUM,
MCMINN COUNTY SCHOOLS

THE ARTS CENTER '24-'25 YEAR IN REVIEW



SPECIAL RECOGNITION

AWARD FOR OUTSTANDING SUPPORT PRESENTED TO MEREDITH WILLSON (WILLSONTHROPIC, INC. + FRIENDLY CITY FESTIVALS) AND MRS. MINTIE C. WILLSON

VOLUNTEER OF THE YEAR AWARD PRESENTED TO JIMMY JACOBS

\$400,00+

Estimated value of total volunteer service

THANK YOU TO THESE VOLUNTEERS WHO PERFORM, BUILD, LIFT, PLAN, CREATE, ORGANIZE + MORE...

Adalyn Brogden	Caroline Schreck	Joe Littleton	Marissa Tinsman	Sandy Brown
Addy Young	Cashton McConkey	Joel Webb	Mason Headrick	Sarah Hinkle
Alan Payne	Celia Kelley	John Crook	Matt Dannel	Sarah Offutt
Alex King	Charity Lawson	John David Harrison	Matthew Crabtree	Sauni Rinehart
Alex Sharp	Charleigh Peaden-Crabtree	Josefina Amick	Matthieu Riojas	Savannah Guffey
Alexandra Lauterbach	Chloe Harrison	Josh Boggess	Melonie Carideo	Scarlett Duggan
Alice Kelley	Chris Ingram	Josh Bragg	Meredith Willson	Scott McPherson
Alice Tumlin	Chris Schreck	Joyce Wright	Mia Duggan	Scottie Mayfield
Alley hubdon	Chrissy Baker	Julie Offutt	Mia Matias	Sean McCracken
Allyson Kirkland	Christen Webb	Kaden McNabb	Miah Baker	Selah Smith
Amanda Reynolds	Christopher Gillenwaters	Kalli Elliot	Micah Hurst	Shelley Griffith
Amber Hansen	City of Athens Parks & Rec	Karen Siklosi	Michael Kimble	Silas King
Amelia Lauterbach	Claire Brown	Karrington Dills	Michael Stevenson	Silas Smith
Amy Sullins	Cody Frasure	Kathleen Payne	Michael Webb	Simeon Smith
Ander King	Cody Hensley Sharp	Kathryn Hunter	Michelle Dannel	Skylar Roush
Andi Moses	Cody Rutland	Katie Sumner	Michelle Wright	Sloane Shepherd
Andrew Auther	Colby Pilkey	Katie Trew	Mike Dannel	Sophia Lauterbach
Andrew Kimball	Cooper Delph	Kay Frank	Mike Leonesio	Steven Higgins
Andrew Owen	Cooper Howard	Kay Simmons	Mollie Bea Grimmet	Summer Poteet
Angel Hardaway	Creed & Howard Transfer Co	Keely Kessler	Mollie Roderick	Sylas McNabb
Anne Murray	Crystal Hall	Kelby Stillwell	Morgan Shamblyn	Sylvia Gossett
Annette Dufty	Cydney Torbett	Kelly Borwick	Morgan Yates	Tallulah Borwick
April Randolph	Cynthia McCowan	Keshawn Hampton	Myra Patterson	Tanisha La Guardia
Art Kimball	Dana Grissom	Kieryn Mecherle	Nahla Hanks	Taylor Rae Kimball
Ashley Smith	Dana Tumlin	Kimberly Rolan	Nancy Kyzer	Theodore Nelson
Audrey Ambrosetti	Daniel Howell	Kinley Hill	Natalie Leonesio	Thomas Harris
Autumn Lowry	Dann B. Black	Kinslee Melhorn	Natalie Martin	Tim Frazier
Ava Hall	Dave Siklosi	Kyle Littleton	Nathan Crisp	Traci McKenzie
Ava Wilson	Debbie Allmon	Lauren Brown	Ollie Harris	Trevis Orr
Avery Stamey	Devin Arnwine	Lauren Duggan	Pam Thigpen	Trey Ivins
Bailey Dufty	Dustin Nadeau	Layna Delph	Pam Wilburn	Trinity Ridenour
Barbara Ensley	Eli Morrow	Leslie Arnold	Patti Greek	Trinity Riedel
Ben Smith	Elijah Buck	Letha Cyr	Paxton Dunn	Troy Jelley
Blake Chastain	Eliza Nordstrom	Lila Swafford	Penn Murray	Tyler Jacobs
Bob Borwick	Ella Jacobs	Lindsey Kimball	Rachel Brannen	Tyler Peaden
Bonita Montgomery	Ella Parker	Lisa Mayfield	Rachel Shales	V. Holcomb
Brad Mckenzie	Ella Rose Jacobs	Liz Axley	Rachel Willhite	Walt Alexander
Bradyn Crowder	Ellen Kimball	Liz Schreck	Raegan Graves	Will Murray
Brant Helms	Ellie Shales	Liz Thigpen Schreck	Rayleigh Hawkins	Wren Alexander
Brayden Madrano	Emerson McKenzie	Lori Royal	Renee Grayson	Zaida Gilliard
Brenda Mitchell	Emily Duggan	Louie Royal	Rev Alexander	Zoe Randolph
Brian Reynolds	Emily Forrest	Lu Kimball	Rick Parker	Zyan Kirkland
Brianna Baker	Emily Offutt	Lydia McGraw	Rick Thigpen	
Brittany Duggan	Emma Hester	Macey Garkovich	Rowan Powers	
Bryan Vasquez	Emma Stratton	Maddie Harrison	Rusty Patterson	
C. Seth Sumner	Emmy McKenzie	Madison McDonald	Samantha DeGrace	
Caitlin Thomas	Erabella Williams	Madison Watts	Samuel Smith	
Carl Mason Sumner	Eric Yates	Maisie Donegan	Samuel Warren	
Carly Stewart	Ersa Henry	Marissa Tillman	Sandra Kinney	

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Agenda Item

III. B. Patti Greek – Chair, Council Advisory Committee

Overview

The Council Advisory Committee met on Monday, July 21, 2025 (report attached).

Topics of Discussion:

- City Sidewalks
- Downtown Parking
- Election of the Mayor
- Increasing Council Members

Action to Consider

Information Only

Affected Departments

City Council

Advisory Committee Meeting July 21, 2025

Attendees:

Anne Marie Schaffer, Shawn McKeenan, Frances Witt-McMahan, James Fries,
Jo Lundy, Reita Witt, Bill Wilson Report by Patti Greek

Guests: Former Mayor Margaret Mahery

Bridget Roberts, Executive Assistant to the City Manager

We were given several topics to discuss.

1. **Sidewalks around the City.** Currently there are plans for more sidewalks on Dennis Street. The mayor asked if we knew if any other sidewalks should be added—not residential, but on major roads.

Several streets came up; however they were in neighborhoods.

Committee-- no additional streets were added to the list.

2. **Downtown parking.** This is not about the current parking. Taking out the inside lane and adding 16 spaces will help with parking.

Currently we have a police officer “metering parking by photos”.

Thinking years ahead, should we have pre-paid parking? If so, how and where should we put the “box or panel”?

We had an open discussion. All the landlords have enough parking for all the tenants; it is up to the tenants to move their cars off the street during busy times. There are several areas that continue to be busy---by CVS, Apartments and a few retail shops on Washington Ave. I did explain when Officer Queen begins his “metering”, he begins usually at Market Park, corner of North Jackson and Madison. He goes around the square and down the arteries. I believe it takes him about 2 hours to go around the square. Some customers may even receive a bit more time.

It was decided to discuss this project when or if Officer Queen decides if there is an issue.

3. **Election of the Mayor/Changing the number of Council members.**

I asked former Mayor Margaret Mahery to attend this meeting. She was Mayor 20+ years ago and continued working with the State of Tennessee Municipal League of Mayors in Nashville. She knows what it takes to change the charter of a city. So that we can all discuss and be on the “same page”, I made sure the committee had the article from the DPA. And I had the following questions for our discussion:

- Add (1) person to the Council PLUS a Mayor position.
- Athens would need to have “districts”.
- Would this be for the 2026 or 2028 elections?
- A person would need to run ONLY FOR mayor—not City Council—specifically for Mayor. Example the current mayor would run for Mayor not as City Council.
- Councilman Sherlin wanted me to make sure that he and the other councilmen DO NOT want to change the government or limit the City Council.

Discussion began in our group.

First question/statement:

- If this is working why change it?
- This size works (5 Council members), would the vote need to be 5 to 0 in order for it to go to Nashville and change the charter?
- We do not need to have “districts”. Currently if it was one person per district, there are probably 2 council in the same district.
- We do not need more than 5 people.
- We would have to add more money to the budget by adding positions. Plus, costs of travel and training.
- Margaret Mahery added an interesting thought—currently people vote thinking their candidate could be mayor. Because every 2 years a vote takes place after each election.

After discussion—the vote was taken 8 to 0.

Leave the City Council and the Charter as it stands.

The next topic: Pay for Council and Mayor.

Should pay for the Councilmembers and the Mayor be moved from the City Charter and made into an ordinance?

There was a discussion that the council members give many extra hours to answer questions 24/7 to all the citizens. Pay should not be the reason for a person to run, however, in this day and time, maybe they should receive more than \$200 per month.

After discussion, it was voted 8-0 to see if this can be moved to an ordinance and removed from the charter.

I will be at the next work session, August 11th with attendance of the Advisory Committee this year. Our next meeting will be Monday, October 20, 2025, at 6pm.





Agenda Item

III. C. Design and Construction of Fire Station #3 Presentation by Wold

Overview

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

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

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

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

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

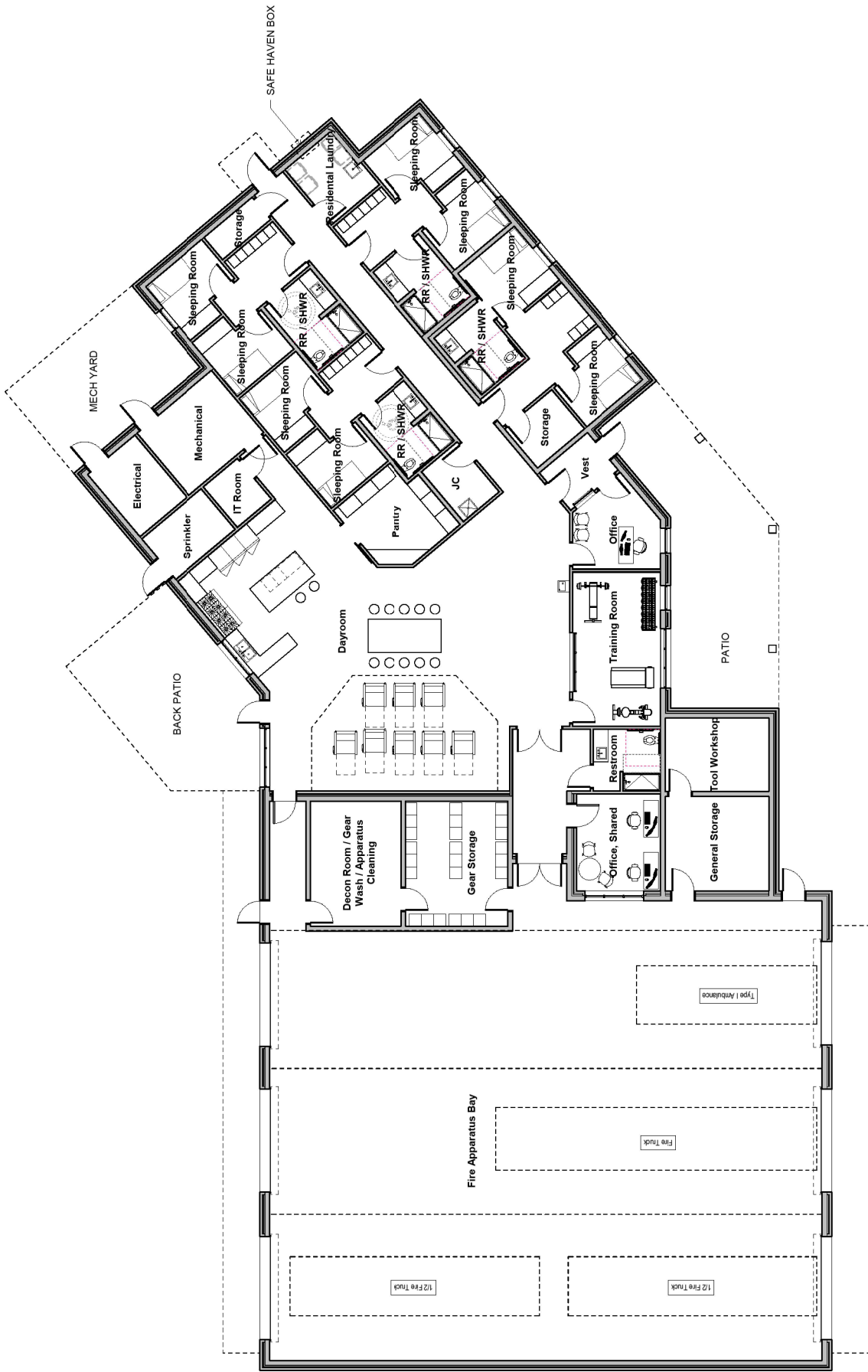
Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Fire Department

Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03



Athens Fire Station No. 03





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

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

Estimated Annual Operational Cost for Fire Station #3

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

Note: these costs do not include additional fire trucks

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





Agenda Item

IV. A. Installation of Poles and Banners at Veterans Park

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

Overview

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

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

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

Since July 7, 2025, staff has developed a city-sponsored program consisting of acquiring decorative 12-foot-high metal poles with hanger attachments that are in concert with the established design standards for the downtown area and are bolted to a concrete pad, determining pole locations, and determining pole installation cost performed by a private contractor using the city's established purchasing policies.

In addition to the poles, the banners would be 18 x 36-inch double-sided all-weather banners showing an individual's photo, name, rank, military branch, dates served, and logo of military branch. This program would be similar to the brick program whereby the Parks & Recreation Dept. would prepare an application and market this program through social media, McMinn County Veteran Services, American Legion, VFW, and other interested organizations. Interested parties would pay the city \$50 per double-sided banner, provide all the information for the banner as needed, and the city would install the banners for one year. After one year, the banners would be returned to their original owner. Estimated costs are below:

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

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.
This project was not budgeted.

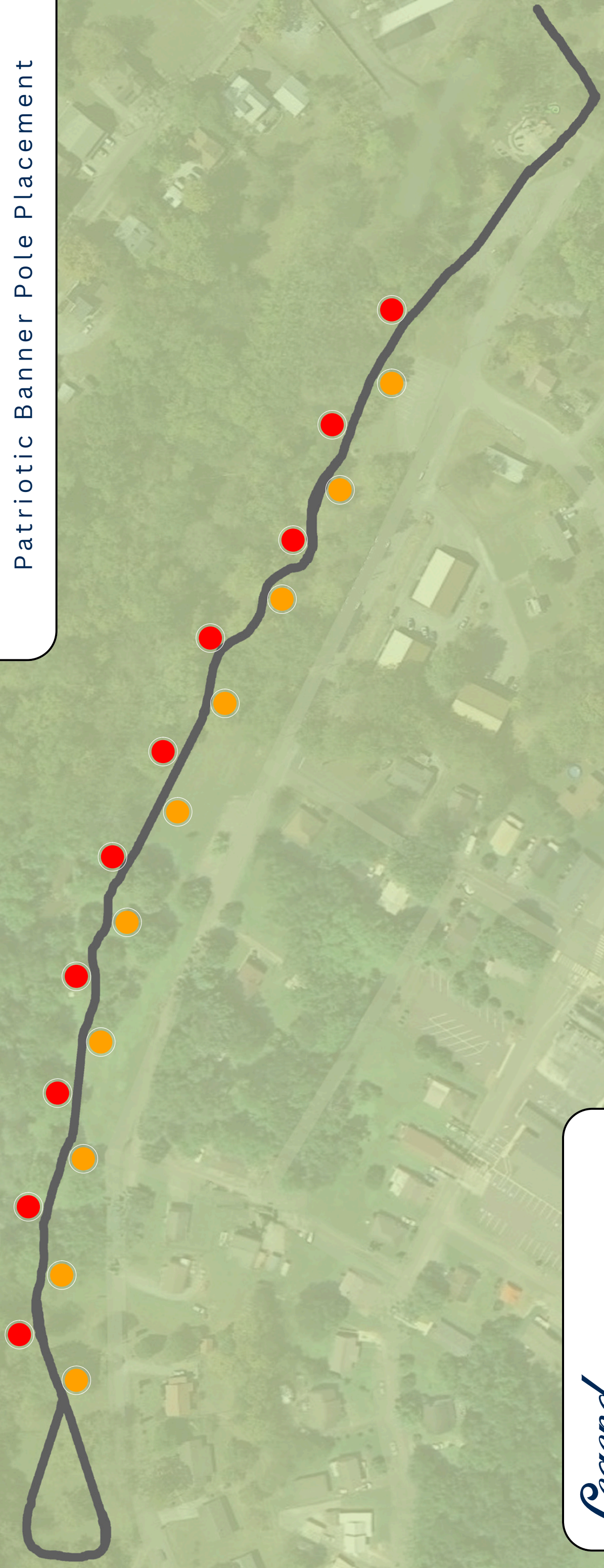
Affected Departments

Parks & Recreation



Veteran's Park

Walking Trail with Loop
Patriotic Banner Pole Placement



Legend

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

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



Veterans Park Memorial Banners



Proof of Concept
Double Sided Banners
Located in 25 Yard intervals

Banners to be returned to
soldier after 1 Year of Display





Agenda Item

IV. B. Disposal of Real Property Located at 2201 Decatur Pike

Overview

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

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

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

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

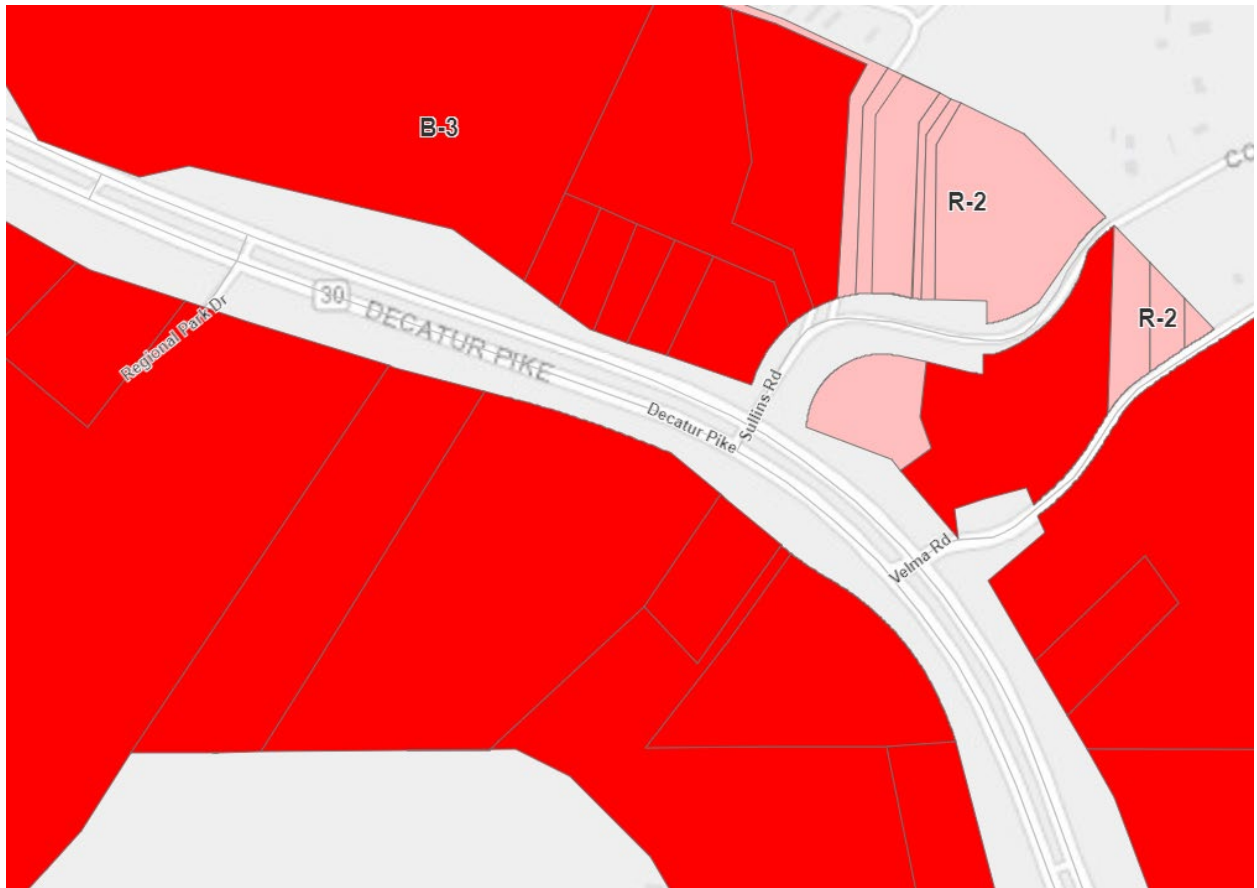
Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Parks & Recreation

Zoning Map

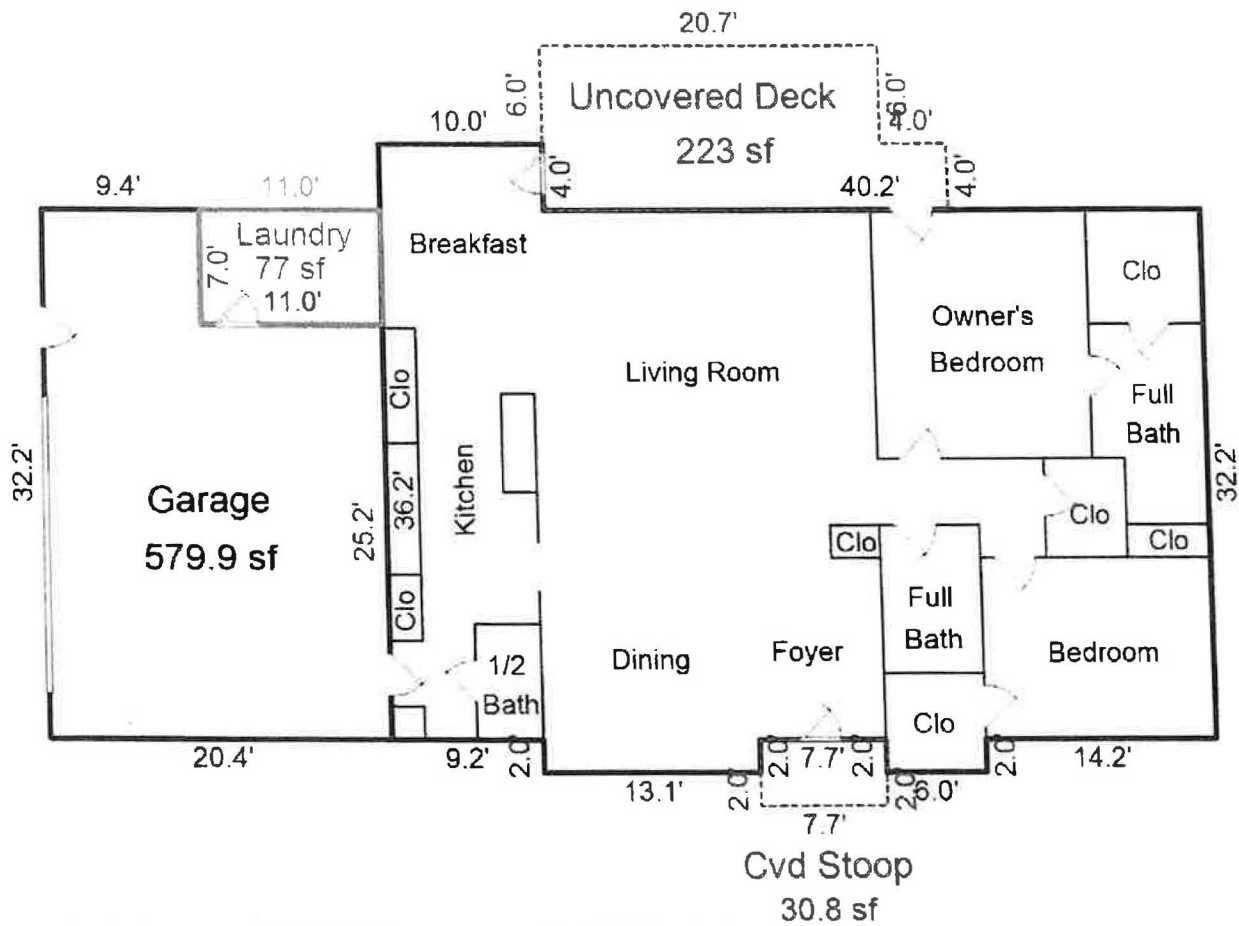


FLOORPLAN SKETCH

Client: Estate of Patricia Hutsell Parker
 Property Address: 2201 Decatur Pike
 City: Athens

File No.: BC33875Current
 Case No.:
 State: TN Zip: 37303

First Floor 1694.6 sf



Sketch by Ape Sketch

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

McMinn (054) Jan 1 Overview DECATUR PIKE-2201 Current Owner Ctl Map Group Parcel Pl: SU 000

Tax Year 2025 | Reappraisal 2023

ATHENS CITY OF
815 N JACKSON ST
ATHENS TN 37003

Value Information

Land Market Value: \$815,700
Improvement Value: \$215,400
Total Market Appraisal: \$331,100
Assessment Percentage: 0%
Assessment: 50

Additional Information

01 053 053 06703 000

R BALL SURV 591

General Information

Class: 02 - City
City #: 033
Special Service District 1: 000
District: 01
Number of Buildings: 1
Utilities - Water/Sewer: 01 - PUBLIC / PUBLIC
Utilities - Gas/Gas Type: 01 - PUBLIC - NATURAL GAS
City: ATHENS
Special Service District 2: 000
Neighborhood: 001
Number of Mobile Homes: 0
Utilities - Electricity: 01 - PUBLIC
Zoning: B-4

Outbuildings & Yard Items

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

Sale Information

Long Sale Information list on subsequent pages

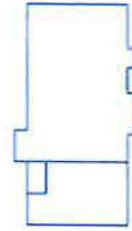
Land Information

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

Residential Building #: 1

Improvement Type:
01 - SINGLE FAMILY
Exterior Wall:
IN - SIDING AVERAGE
Heat and AC:
B - HEAT AND COOLING PKG
Quality:
1 - AVERAGE
Square Feet of Living Area:
1078
Foundation:
02 - CONTINUOUS FOOTING
Roof Framing:
02 - GABLEHIP
Cabinets/Millwork:
03 - AVERAGE
Interior Finish:
10 - PANEL-PLAST DRYWALL
Bath Tiles:
00 - NONE
Shape:
02 - L-SHAPED

Building Sketch



Building Areas

Areas	Square Feet
BAS - BASE	1,078
UTF - UTILITY FINISHED	60
OPF - OPEN PORCH FINISHED	32
GRF - GARAGE FINISHED	560

Sale Information

Sale Date	Price	Book	Page	Vacant/Improved	Type Instrument	Qualification
11/22/2024	\$0	24J	872		WD - WARRANTY DEED	
8/7/1992	\$0	120	445			
8/1991	\$5,000	11J	572	V - VACANT	WD - WARRANTY DEED	B - FAMILY SALE

3.04.03. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

A. District Description:

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

B. Uses Permitted:

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

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

C. Uses Permitted on Review:

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

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

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

D. Uses Prohibited:

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

E. Dimensional Regulations:

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

1. Front Yard:

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

2. Rear Yard:

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

3. Side Yard:

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

4. **Land Area:**

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

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

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

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

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

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

5. **Maximum Lot Coverage:**

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

6. **Lot Width:**

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

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

7. **Height Requirement:**

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

F. **Parking Space Requirement:**

As regulated in Section 4.03 of these regulations.

G. **Access Control:**

As regulated in Section 4.01 of these regulations.

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

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

3.04.08. B-3 INTENSIVE BUSINESS DISTRICT.

A. District Description:

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

B. Uses Permitted:

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

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

C. Uses Permitted on Review:

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

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

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

D. Uses Prohibited:

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

E. Dimensional Regulations:

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

1. **Lot Area:**

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

2. **Front Yard:**

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

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

3. **Side Yard:**

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

4. **Rear Yard:**

Twenty (20) feet minimum.

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

5. **Lot Width:**

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

6. **Height Restriction:**

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

F. **Off-Street Parking:**

As regulated in Section 4.03 of these regulations.

G. Off-Street Loading and Unloading:

As regulated in Section 4.04 of these regulations.

H. Access Control:

As regulated in Section 4.01 of these regulations.

I. Landscape and Buffer Requirements:

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



Agenda Item

IV. C. Award of RFB 25-09 for Construction Services to Renovate Heritage Park & Approve Purchase of Site Amenities through RFP 24-09

Overview

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

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

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

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

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

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

If approved, this project is anticipated to be completed during early 2026.

A memo from the city's Project Manager is attached offering additional details.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Public Works, Parks and Recreation



PUBLIC WORKS

TO: Randall Dowling, City Manager

FROM: Kevin L. Helms, Project Manager

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

DATE: August 6, 2025

SUBJECT: Heritage Park LPRF Grant Improvements

Background

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

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

Request for Proposals #24-09

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

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

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



PUBLIC WORKS

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

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

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

Request for Bids #25-09

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

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

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

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

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



PUBLIC WORKS

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

Summary

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

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

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

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

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



PUBLIC WORKS

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

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

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

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

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

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

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

Action Item

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

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

SITE DATA:

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



SITE LEGEND

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

LOSET #18056

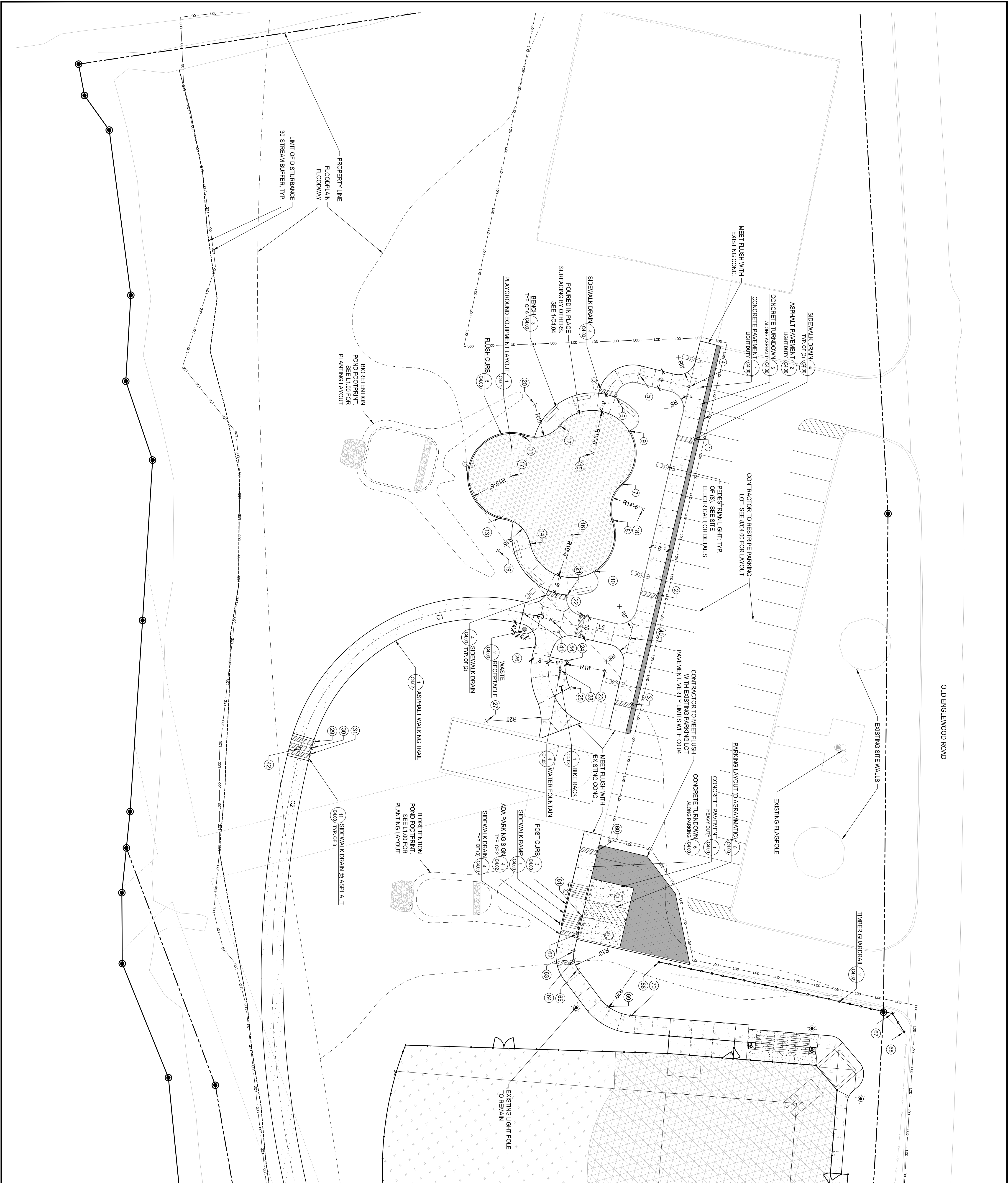


HERITAGE PARK - ADA RENOVATION

CONCEPTUAL SITE PLAN

MCMINN COUNTY, TENNESSEE

FALL 2020



OLD ENGLEWOOD ROAD

EXISTING SITE WALLS

EXISTING FLAGPOLE

PARKING LAYOUT (DIAGRAMATIC)

CONTRACTOR TO MEET FLUSH WITH EXISTING PARKING LOT PAVEMENT. VERIFY LIMITS WITH C004

CONTRACTOR TO RESTRIPE PARKING LOT. SEE 804.00 FOR LAYOUT

PEDESTRIAN LIGHT. TYP. OF (8). SEE SITE ELECTRICAL FOR DETAILS

POURED IN PLACE SURFACING BY OTHERS. SEE (ICADA)

SIDEWALK DRAIN. TYP. OF (3) (C4.00)

BENCH. TYP. OF (3) (C4.00)

PLAYGROUND EQUIPMENT LAYOUT

FLUSH CURB. TYP. OF (3) (C4.00)

BIORETENTION POND FOOTPRINT. SEE L100 FOR PLANTING LAYOUT

PROPERTY LINE FLOODPLAIN FLOODWAY

LIMIT OF DISTURBANCE 30' STREAM BUFFER TYP.

TIMBER GUARDRAIL

CONCRETE TURNDOWN, 1

CONCRETE TURNDOWN, 2

CONCRETE TURNDOWN, 3

CONCRETE TURNDOWN, 4

CONCRETE TURNDOWN, 5

CONCRETE TURNDOWN, 6

CONCRETE TURNDOWN, 7

CONCRETE TURNDOWN, 8

CONCRETE TURNDOWN, 9

CONCRETE TURNDOWN, 10

CONCRETE TURNDOWN, 11

CONCRETE TURNDOWN, 12

CONCRETE TURNDOWN, 13

CONCRETE TURNDOWN, 14

CONCRETE TURNDOWN, 15

CONCRETE TURNDOWN, 16

CONCRETE TURNDOWN, 17

CONCRETE TURNDOWN, 18

CONCRETE TURNDOWN, 19

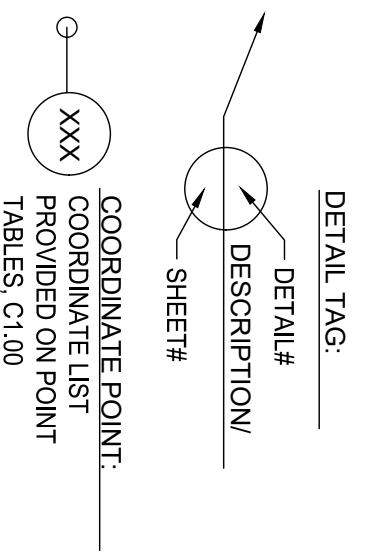
CONCRETE TURNDOWN, 20

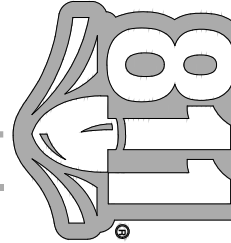
LAYOUT NOTES:

- SEE SHEET C001 FOR GENERAL NOTES
- CONTRACTOR TO TAKE ALL PRECAUTIONS TO FIND AND MARK ALL UTILITIES. ALL UTILITIES ARE NOT SHOWN ON THIS PLAN. VERIFY LOCATIONS AND DEPTHS WHEN ESTIMATING.
- ALL PAVEMENT MARKING AND TRAFFIC CONTROL DEVICES SHALL BE INSTALLED PER THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD), LATEST EDITION, UNLESS OTHERWISE NOTED.
- ALL ANGLES ARE 90° UNLESS NOTED OTHERWISE.
- ALL RADI ARE 9' UNLESS NOTED OTHERWISE.

HATCH LEGEND:

- ASPHALT - LIGHT DUTY (20C4.00)
- ASPHALT - HEAVY DUTY (20C4.00)
- CONCRETE PAVEMENT - LIGHT DUTY (10C4.00)
- CONCRETE PAVEMENT - HEAVY DUTY (10C4.00)
- PIP SURFACING (20C4.04)





Know what's below.
Call before you dig.



0 20' 40' 60'

SCALE: 1" = 20'



LOSE DESIGN
SPACES FOR LIFE.



THE SEALING AND THE CARRYING ON OF THE PROFESSION OF ENGINEERING IS THE PROPERTY OF THE BOARD OF REGISTRATION OF PROFESSIONAL ENGINEERS. NO OTHER PERSON SHALL BE PERMITTED TO USE THE SEALING OR ANY PART THEREOF FOR ANY PURPOSE.

HERITAGE PARK ADA IMPROVEMENTS
1102 OLD ENGLEWOOD ROAD

CITY OF ATHENS TN

SUBMITTALS / REVISIONS		
NO.	DATE	DESCRIPTION
1	05/22/2025	ISSUED TO BID
2		
3		
4		
5		
6		
7		
8		
9		
10		

CONSTRUCTION DOCUMENTS	
SHEET TITLE	
LAYOUT PLAN	

PROJECT NO.	DATE
23131	05/22/2025
DRAWN BY	SCALE
MB	1" = 20'
CHECKED BY	
MB	
SHEET NO.	

C1.01

Proposal



Prepared by:

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

July 24, 2025

This proposal is valid for 30 days

Proposal number:

072425 Bid Heri

Proposal prepared for:

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

Terms:

net 30

Heritage Park Playground and site furnishing Products

Athens Sourcewell Number 26649

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

PLEASE PROVIDE TAX EXEMPT CERTIFICATE WITH ORDER

Payment is due within 30 days after receipt of product. Past due amounts will incur finance charges.

Your Eastern Tennessee

Playground Consultant is: Tracy Stypa 423-329-7735

Representative Signature:

Customer

Acceptance: _____

Date: _____

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

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

August 4, 2025

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

Re: Bid Evaluation and Recommendation for Heritage Park ADA
Improvements

Dear Mr. Helms,

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

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

Sincerely,

LOSE DESIGN

Kenny Townsend





Agenda Item

IV. D. Bid Award of RFB 25-10 to Resurface 9 City Streets (3.94 miles)

Overview

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

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

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

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

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Public Works



PUBLIC WORKS

TO: Randall Dowling, City Manager

FROM: Kevin L. Helms, Project Manager

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

DATE: August 5, 2025

SUBJECT: STBG-L Paving

Background

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

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

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

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

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



PUBLIC WORKS

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

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

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

Action Item

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

PIN 132258.00 Resurfacing of Various Streets in Athens, Tennessee

Item	Description	Unit	Quantity	Engineer		Rogers		Wright Brothers		Duracap	
				Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total
203-01	ROAD & DRAINAGE EXCAVATION (UNCLASSIFIED)	C.Y.	2800	\$45.00	\$126,000.00	\$31.25	\$87,500.00	\$44.30	\$124,040.00	\$147.49	\$412,972.00
303-01	MINERAL AGGREGATE, TYPE A BASE, GRADING D	TON	3786	\$50.00	\$189,300.00	\$45.00	\$170,370.00	\$55.75	\$211,069.50	\$59.79	\$226,364.94
307-01.08	ASPHALT CONCRETE MIX (PG64-22) (BPMB-HM), GRADING BM-2	TON	1276	\$185.020	\$236,020.00	\$120.00	\$153,120.00	\$155.50	\$198,418.00	\$148.72	\$189,766.72
402-01	BITUMINOUS MATERIAL FOR PRIME COAT (PC)	TON	11	\$950.00	\$10,450.00	\$1,800.00	\$19,800.00	\$973.00	\$10,703.00	\$1,250.00	\$13,750.00
402-02	AGGREGATE FOR COVER MATERIAL (PC)	TON	39	\$175.00	\$6,825.00	\$520.00	\$20,280.00	\$93.00	\$3,627.00	\$150.00	\$5,850.00
403-01	BITUMINOUS MATERIAL FOR TACK COAT (TC)	TON	24	\$1,400.00	\$33,600.00	\$1,050.00	\$25,200.00	\$973.00	\$23,352.00	\$1,250.00	\$30,000.00
411-01.10	ACS MIX (PG64-22) GRADING D	TON	4798	\$175.00	\$839,650.00	\$154.00	\$738,892.00	\$166.00	\$796,488.00	\$164.08	\$787,255.84
415-01.02	COLD PLANING BITUMINOUS PAVEMENT	S.Y.	3293	\$38.00	\$125,134.00	\$48.00	\$158,064.00	\$50.60	\$166,625.80	\$62.05	\$204,330.65
701-02.01	CONCRETE CURB RAMP (RE-TROFIT)	S.F.	875	\$45.00	\$39,375.00	\$70.00	\$61,250.00	\$75.75	\$66,281.25	\$56.10	\$49,087.50
701-02.03	CONCRETE CURB RAMP	S.F.	340	\$35.00	\$11,900.00	\$65.00	\$22,100.00	\$110.00	\$37,400.00	\$78.10	\$26,554.00
712-01	TRAFFIC CONTROL	LS	1	\$90,000.00	\$90,000.00	\$70,000.00	\$70,000.00	\$99,020.00	\$99,020.00	\$114,798.00	\$114,798.00
712-02.01	PORTABLE BARRIER RAIL (MASH TL3)	L.F.	850	\$110.00	\$93,500.00	\$14.60	\$12,410.00	\$67.25	\$57,162.50	\$90.00	\$76,500.00
712-04.01	FLEXIBLE DRUMS (CHANNELIZING)	EACH	300	\$45.00	\$13,500.00	\$42.25	\$12,675.00	\$45.00	\$13,500.00	\$44.00	\$13,200.00
712-06	SIGNS (CONSTRUCTION)	S.F.	224	\$10.00	\$2,240.00	\$7.90	\$1,769.60	\$8.50	\$1,904.00	\$8.25	\$1,848.00
713-16.01	CHANGEABLE MESSAGE SIGN UNIT	EACH	2	\$11,000.00	\$22,000.00	\$6,860.00	\$13,720.00	\$7,280.00	\$14,560.00	\$7,150.00	\$14,300.00
716-02.04	PLASTIC PAVEMENT MARKING (CHANNELIZATION STRIPING)	S.Y.	3	\$60.00	\$180.00	\$26.40	\$79.20	\$31.40	\$94.20	\$33.00	\$99.00
716-02.05	PLASTIC PAVEMENT MARKING (STOP LINE)	L.F.	427	\$12.00	\$5,124.00	\$12.65	\$5,401.55	\$13.50	\$5,764.50	\$12.10	\$5,166.70
716-02.06	PLASTIC PAVEMENT MARKING (TURN LANE ARROW)	EACH	13	\$175.00	\$2,275.00	\$284.00	\$3,692.00	\$196.00	\$2,548.00	\$181.50	\$2,359.50
716-02.09	PLASTIC PAVEMENT MARKING (LONGITUDINAL CROSS-WALK)	L.F.	462	\$34.00	\$15,708.00	\$24.30	\$11,226.60	\$28.00	\$12,936.00	\$25.85	\$11,942.70
716-03.01	PLASTIC WORD PAVEMENT MARKING (ONLY)	EACH	3	\$200.00	\$600.00	\$212.00	\$636.00	\$252.00	\$756.00	\$330.00	\$990.00
716-04.01	PLASTIC PAVEMENT MARKING (STRAIGHT-TURN ARROW)	EACH	2	\$270.00	\$540.00	\$370.00	\$740.00	\$252.00	\$504.00	\$209.00	\$418.00
716-04.05	PLASTIC PAVEMENT MARKING (STRAIGHT ARROW)	EACH	2	\$250.00	\$500.00	\$158.00	\$316.00	\$196.00	\$392.00	\$165.00	\$330.00
716-13.02	SPRAY THERMO PVMT MRKNG (60 mil) (6IN LINE)	L.M.	7	\$3,300.00	\$23,100.00	\$3,855.00	\$26,985.00	\$4,200.00	\$29,400.00	\$4,125.00	\$28,875.00
716-13.03	SPRAY THERMO PVMT MRKNG (60 mil) (8IN BARRIER LINE)	L.F.	1170	\$1.50	\$1,755.00	\$1.10	\$1,287.00	\$1.50	\$1,755.00	\$1.00	\$1,170.00
717-01	MOBILIZATION	LS	1	\$130,000.00	\$130,000.00	\$49,646.05	\$49,646.05	\$49,200.00	\$49,200.00	\$88,280.00	\$88,280.00
719-07.20	ADJUST EXISTING VALVE BOX	EACH	6	\$650.00	\$3,900.00	\$700.00	\$4,200.00	\$1,471.00	\$8,826.00	\$125.00	\$750.00
795-12.20	ADJUST EXISTING VALVE BOXES	EACH	11	\$650.00	\$7,150.00	\$460.00	\$5,060.00	\$1,475.00	\$16,225.00	\$125.00	\$1,375.00
797-07.60	ADJUST EXISTING MANHOLE	EACH	12	\$1,000.00	\$12,000.00	\$595.00	\$7,140.00	\$5,275.00	\$63,300.00	\$400.00	\$4,800.00

Certified Correct: _____
 I certify that this tabulation is a correct and true representation of the bids received at the bid opening on July 23, 2024 at 2:00 PM

Total = \$1,991,326.00

\$1,683,300.00

\$2,015,831.75
~~\$2,017,511.75~~
 Total on Bid Form.
 Used Incorrect Qty
 for Item No. 716-

\$2,313,133.55



Agenda Item

IV. E. Certificate of Compliance Application for Retail Package Store

Overview

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

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

Outcome of the July 31, 2025 Special Session:

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

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

City Manager's Office

ATHENS CITY CODE
CHAPTER 8-II LIQUOR STORES

8-35 Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8-36 Selling And Distribution Generally

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

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

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

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

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

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8-38 Licensee Responsible For Officers And Agents

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

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

8-39 Location Of Liquor Store

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

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

8-40 Requirements For Building Containing Liquor Store

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

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

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

8-41 Restrictions Generally

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

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

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

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

8-42 Fees

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

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

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

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

8-43 Records Kept By Licensee

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

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

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8-44 Inspections Generally

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

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

8-45 Enforcement, Violations And Penalties

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

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

8-46 Certificate Of Compliance

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

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

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

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

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

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

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

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

8-48 State-Required Certificate Of Compliance

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

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

8-49 Restrictions Upon Issuance

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

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

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8-50 Consideration Of Applications For Certificate Of Compliance

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

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

8-51 License From City To Operate Liquor Store

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

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

8-52 Restrictions On Local Liquor Store Privilege Licenses

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

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

8-53 Qualifications For And Restrictions Upon Licensees And Employees

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

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

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

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

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8-54 Nature Of License; Suspension Or Revocation

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

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

CITY OF ATHENS, TENNESSEE

TIMELINE: CERTIFICATE OF COMPLIANCE (COC) APPLICATION

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

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

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

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

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

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

- Length: 12 calendar days

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

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

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

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

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

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

8. Post-Selection

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



Agenda Item

IV. F. Potential Acquisition of Downtown Property for Parking and Garbage Dumpster Consolidation

Overview

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Public Works



McMinn biddle

Property Detail

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

PROPERTY ASSESSMENT DATA

CLICK HERE IF YOU HAVE A CONCERN ABOUT THIS PROPERTY

Parcel Highlight

PRINT

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Area

8,143.147 sq ft

UNIT

Sq. Feet

CLEAR

Value Information	
Land Market Value:	\$32,500
Improvement Value:	\$2,300
Total Market Appraisal:	\$34,800
Assessment Percentage:	40%
Assessment:	\$13,920

Subdivision Data	
Subdivision:	
ATHENS	
Plat Book:	Plat Page:
	Block:
	Lot:
	PT97

Additional Information	
01 054OCK 054OC01900 000	
General Information	
Class: 08 - Commercial	
City #: 033	City: ATHENS
Special Service District 1: 000	Special Service District 2: 000
District: 01	Neighborhood: D01
Number of Buildings: 0	Number of Mobile Homes: 0
Utilities - Water/Sewer: 01 - PUBLIC / PUBLIC	Utilities - Electricity: 01 - PUBLIC
Utilities - Gas/Gas Type: 01 - PUBLIC - NATURAL	Zoning:
GAS	

Outbuildings & Yard Items		
Building #	Type	Description
1	CNC - CONCRETE PAVING	Area/Units 4,900

Sale Information	
Long Sale Information list on subsequent pages	
Land Information	
Deed Acres: 0	Calculated Acres: 0
Land Code	Soil Class
10 - COM	Units 0.20

Sale Information

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





Agenda Item

IV. G. Public Hearing and Second Reading of Ordinance 1143
Amending Athens City Code Title 3 (Court Costs & Litigation Tax)

An Ordinance to Amend Title 3, Chapter II of the Athens City Code, Relative to the Imposition of Penalties and Court Costs in Athens Municipal Court.

Overview

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

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

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for a second reading and public hearing. If approved, the new fees will go into effect immediately.

Affected Departments

Police Department

ORDINANCE NO. 1143

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

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

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

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

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

SECTION 1.

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

3-26 Imposition Of Penalties And Costs

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

and substituting with the following:

3-26 Imposition of Penalties and Costs

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

ORDINANCE NO. 1143

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

SECTION 2. Conflict and Repeal.

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

SECTION 3. Severability.

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

SECTION 4. Effective Date.

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

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

ATTEST:

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney



Municipal Court

Fee Schedule

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

City Council Updated/Adopted on June 17, 2025

City Council Updated/Adopted on Aug. 19, 2025

Current Breakdown of Court Costs in Athens, TN

Standard Court Cost: \$90.00

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

Failure to Appear Penalty: +\$20.00

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

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

Proposed Breakdown of Court Costs in Athens, TN

Standard Court Cost: \$120.00

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

Failure to Appear Penalty: +\$20.00

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

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

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

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

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

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

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

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

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

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

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

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

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



Agenda Item

IV. H. Resolution 2025-20, Declaring Fire Hose as Surplus Property and Authorizing its Sale Through GovDeals.

Overview

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

A memo from the Fire Department is attached.

Action to Consider

Consensus to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Fire Department



FIRE DEPARTMENT

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

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

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

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

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

BRANDON AINSWORTH
FIRE CHIEF
BAINSWORTH@ATHENSTN.GOV

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

RESOLUTION NO. 2025-20

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

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

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

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

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

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

ON MOTION BY _____

SECONDED BY _____

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

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney





Agenda Item

- IV. I. Resolution 2025-21
Authorizing the City of Athens to Submit a Grant Application to the BlueCross Healthy Places Program

Overview

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

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

Action to Consider

Consensus is needed to move Resolution 2025-21 to the August 19, 2025 regular session for consideration.

Affected Departments

Parks and Recreation Department

RESOLUTION NO. 2025-21

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

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

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

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

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

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

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

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

ON MOTION BY _____

SECONDED BY _____

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

ATTEST:

Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

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

Overview

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Fire Department

RESOLUTION NO. 2025-22

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

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

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

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

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

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

SECTION 1.

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

SECTION 2.

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

ON MOTION BY _____

SECONDED BY _____

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

ATTEST: _____
Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

IV. K. Resolution 2025-23
Authorizing the City of Athens to Participate in the 2025-2026 Property Conservation Matching Grant Program Through Public Entity Partners

Overview

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Information Technology, Parks & Recreation

RESOLUTION NO. 2025-23

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

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

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

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

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

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

SECTION 1.

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

SECTION 2.

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

ON MOTION BY _____

SECONDED BY _____

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

ATTEST: _____
Larry Eaton, Mayor

Randall Dowling, City Manager

APPROVED AS TO FORM:

Christopher M. Caldwell, City Attorney



Agenda Item

IV. L. Hammerhill Road Sidewalk Project Survey Results

Overview

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

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

Of the 40 letters distributed, the city received only five responses. The results of the survey are attached.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration. This project was not budgeted.

Affected Departments

Public Works



OFFICE OF THE CITY MANAGER

July 25, 2025

Dear Hammerhill Road Property Owner:

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

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

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

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

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

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

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



Property Address: HAMMERHILL ROAD
Parcel: 67

Survey Code: 100

Start time	1	2	3	4	Please list any concerns, questions, or suggestions you have regarding this project.
7/29/25 11:40:21	Yes	Not Sure	Own	Yes	Interested in selling depending the price.
7/29/25 15:18:07	Yes	Yes	Own	Yes	Water meter
7/30/25 10:32:15	Yes	Not Sure	Own	Yes	Would like to see how, the side walk will effect the front of my property
7/30/25 21:01:29	No	Not Sure	Own	Yes	
8/5/25 11:21:11	Yes	Yes	Own	Yes	

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

Yes: 4
No: 1

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

Yes: 2
No: 0
Not Sure: 3

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

Own: 5
Rent: 0

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

Yes: 5
No: 0
Not Sure: 0
Do not own the property: 0





Agenda Item

IV. M. Purchase of Replacement Garbage Dumpsters for Sanitation Fund

Overview

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Public Works



PUBLIC WORKS

MEMORANDUM

TO: Randy Dowling, City Manager

FROM: Ben Burchfield, Public Works Director

DATE: August 6, 2025

SUBJECT: Purchase of Replacement Refuse Containers for Sanitation Division.

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

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

If you have any questions, let me know.



395 South Main Street, Eagleville, TN, 37060

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

WQ-10355666

Sourcewell

Awarded Contract

Contract #010825-WQI

Sell To:

Bill To Name	City of Athens TN	Ship To Name	City of Athens TN
Bill To	PO Box 849 Athens, TN 37371-0849 USA	Ship To	219 Alford St Athens, TN 37303-4668 USA
Email	arobbins@athenstn.gov	Quick Ship	☐
Phone	423-744-2780		

Quote Information

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

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

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

Additional Information

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

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



395 South Main Street, Eagleville, TN, 37060

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

WQ-10355666

Sourcewell 

Awarded Contract

Contract #010825-WQI

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

Special Contract
Information

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

Signatures

Accepted By: _____

Company Name: _____

Date: _____

Purchase Order: _____

Please Reference Quote Number on all Purchase Orders



Agenda Item

IV. N. a. i. Council Advisory Committee Appointments

Overview

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

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

Timeline of Motions regarding the Council Advisory Committee:

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

A current member list is attached.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

City Council

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



Agenda Item

IV. N. a. ii. Streetlights on West Street

Overview

Community Development Director, Anthony Casteel has been in direct communication with Athens Utilities Board Engineering Tech, Daniel Canter, regarding proposed streetlight improvements on West Street.

- The plan includes four (4) lights.
- No new poles are expected to be needed - existing poles will be field-verified.
- Placement is based on better-target lighting without requiring new infrastructure.

The projected increase to the City's monthly streetlight utility bill is approximately \$82.00. The installation of the four lights has been approved by the Community Development Director and will be installed by AUB.

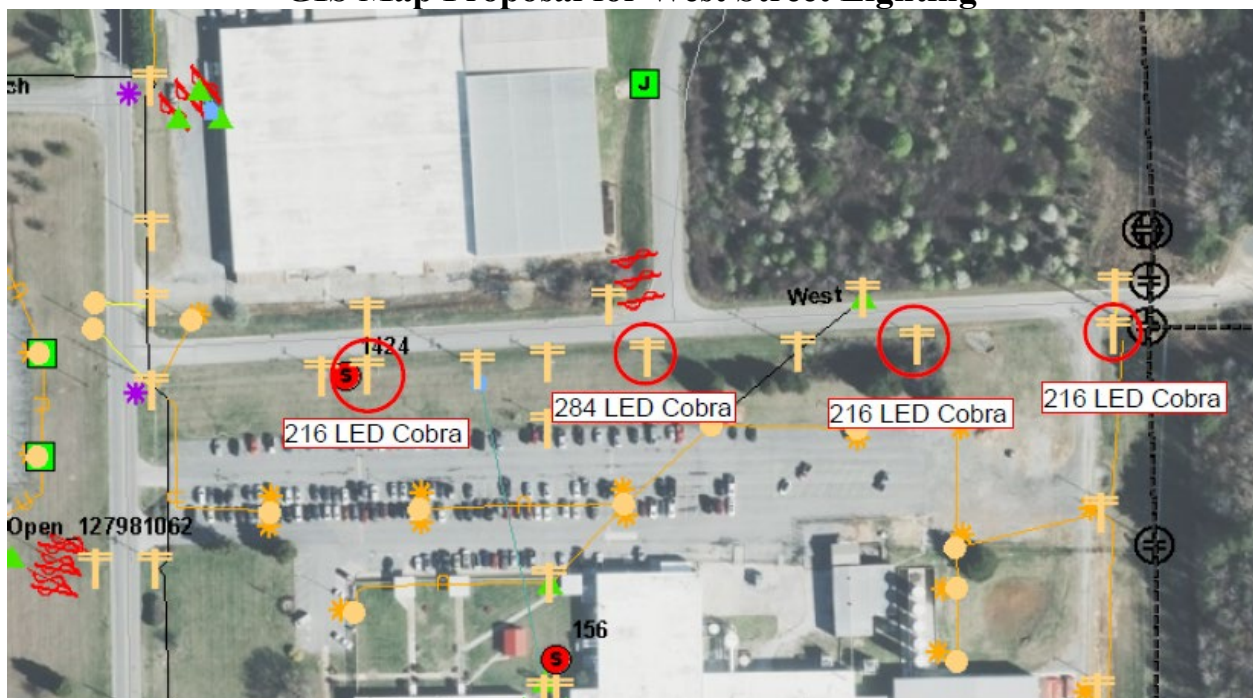
Action to Consider

Information Only

Affected Departments

Public Works & Community Development

GIS Map Proposal for West Street Lighting







Agenda Item

IV. N. a. iii. Amending Athens City Charter Article XX

Overview

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

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

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

City Council

ARTICLE XX Department Of Education

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



Agenda Item

IV. N. b. i. Weather Warning Sirens

Overview

Councilmember Steven Sherlin requested that weather warning sirens be placed on the August 11, 2025 work session for further discussion. This issue was discussed during the summer of 2024. Attached is information, maps, and costs from that previous discussion. This item was not budgeted.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Fire Department



FIRE DEPARTMENT

TO: Deb Wallace, City Manager
Mike Keith, Finance Director

FROM: Brandon Ainsworth, Fire Chief

DATE: May 9, 2024

SUBJECT: Severe Weather tornado sirens

As it was requested by the City Council, I have done some research into tornado sirens for the city limits of Athens. Tornado Sirens, often referred to as weather sirens, are a critical part of emergency warning systems, especially in areas prone to tornadoes. Athens and McMinn County aren't frequently prone to tornadoes as often as other areas in middle and west Tennessee. We generally see severe thunderstorms capable of producing tornadic activity.

Purpose and Functioning:

1. **Warning:** The primary purpose of tornado sirens is to warn people who are outdoors that a tornado is imminent, urging them to seek shelter indoors immediately.
2. **Activation:** Tornado sirens are typically activated by the fire department or local emergency management when a tornado warning is issued by the National Weather Service (NWS) or when a tornado is spotted by reliable sources (like storm spotters or law enforcement). These systems are most often set up to automatically activate when the warning is issued.
3. **Sound:** The sound of a tornado siren is unmistakable. It is usually a loud, wailing tone that oscillates in pitch. Most systems are designed to be heard outdoors to alert those who may not have immediate access to other forms of communication.

Testing and Maintenance:

- Tornado sirens are tested regularly to ensure they are working correctly. These tests are often conducted on a specific day of the week at a designated time and usually emit a shorter or different tone to distinguish from an actual tornado alert.
- Typically, routine maintenance and inspections are performed annually.

Limitations:

1. **Range:** The sound range can be limited, depending on the siren's power and the local geography. People indoors or in noisy environments most likely will not hear the siren. Athens would require several sirens to cover the whole city.
2. **False Sense of Security:** People might rely solely on sirens for warnings, ignoring other notification systems like weather apps, radios, or television, which can provide more comprehensive information.

3. **Malfunctions:** Like any mechanical system, sirens can fail or malfunction, leading to lack of warning. Power and internet outages play a vital role in these devices operating as they are designed to. No matter how many times we test these devices, they can still fail in the event they are needed.

Modern Alternatives and Supplements:

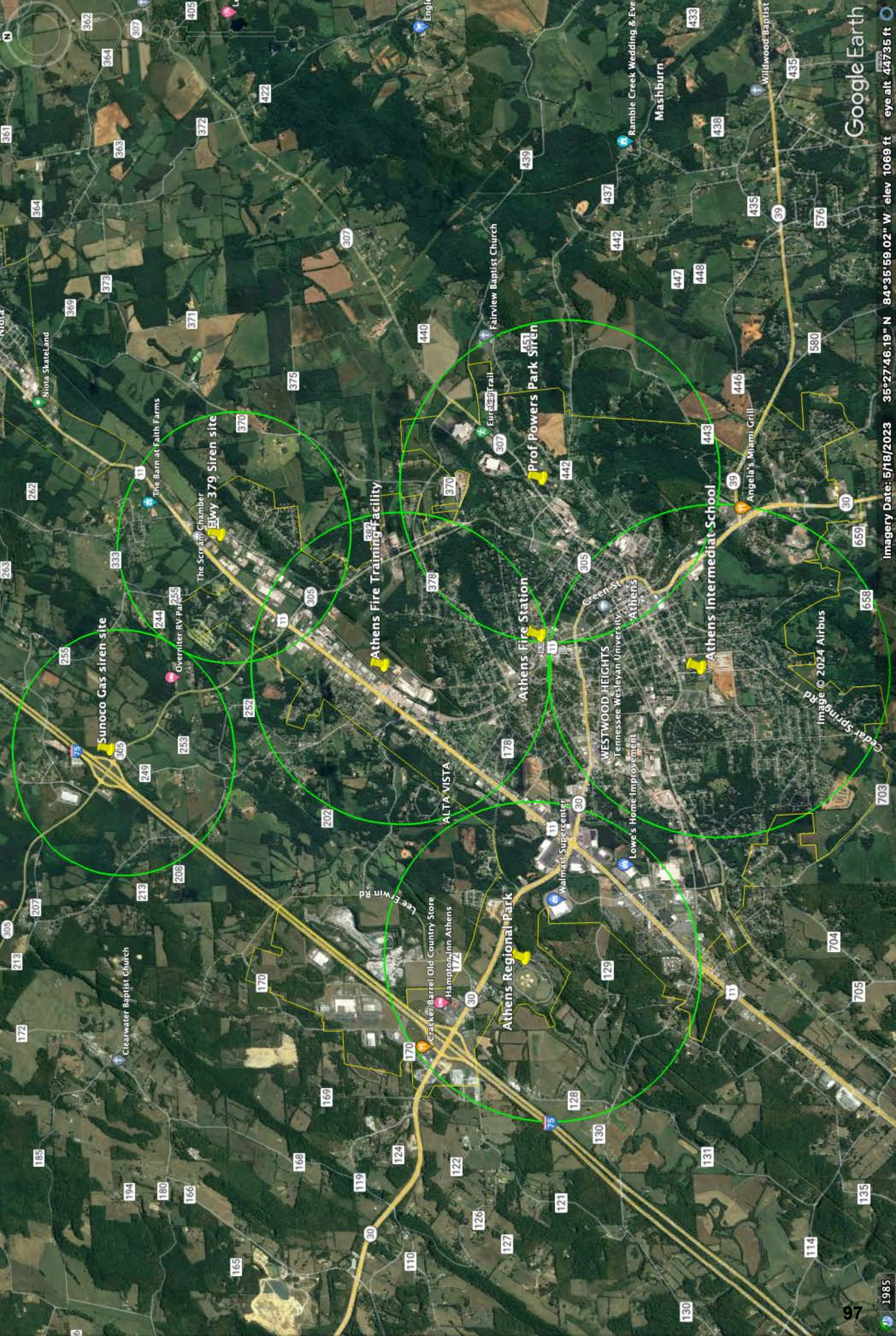
- Many communities supplement sirens with other warning systems, such as text message alerts, automated phone calls, and notifications via television and radio broadcasts. McMinn County offers the Regroup notification system at no cost to citizens of Athens and McMinn County.
- Smartphones and dedicated weather radios equipped with the National Oceanic and Atmospheric Administration (NOAA) Weather Radio service can provide detailed alerts and updates directly to individuals.
- Smartphones and electronic devices are much more reliable than sirens that are controlled by power and ethernet cable for internet.

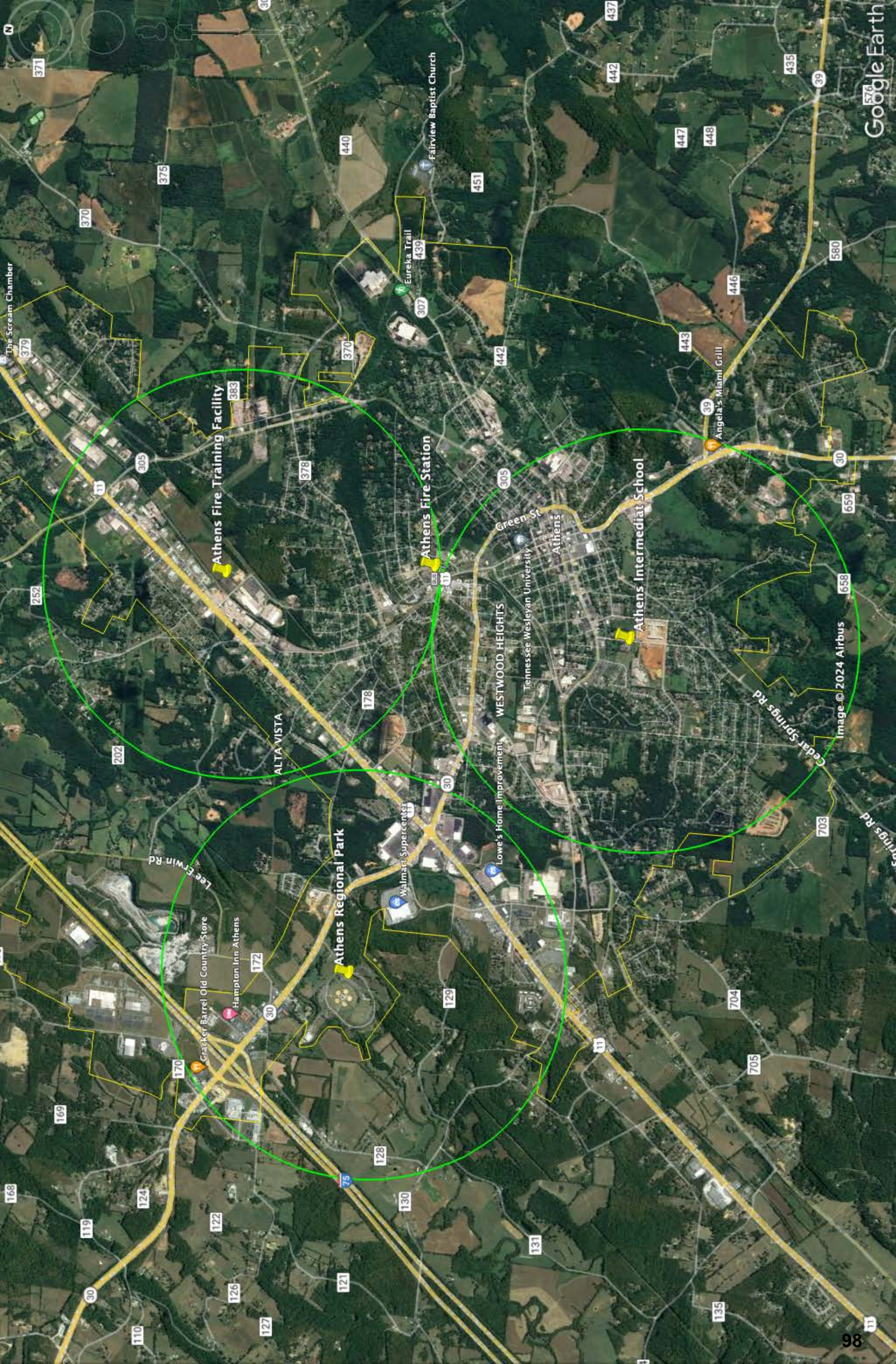
McMinn County Emergency Management offers the Regroup Emergency Notification System. They have multiple ways you can join. This system is free to anyone that lives within McMinn County.

1. Text “join McMinn” to 66893
2. For additional control visit [TN-McMinn county.app.regroup.com](https://tn-mcminn-county.app.regroup.com)
3. Register your address for additional alerting notifications or evacuation instructions.

Here is some updated data that I received from McMinn County EMA Director Tom Trotter. Based off the most current census, McMinn County’s population is 54,719. Currently, we have 11,469 people signed up for the emergency notification system to date. If you look at the census number of households for McMinn County, that number is 21,230. If you look at it based off households and the 11,469 signed up possibly being in different households, then the numbers look pretty good.

Tornado sirens remain a vital part of the warning system, particularly for those outside or in rural areas where other forms of communication might be less accessible. However, they work best when used in conjunction with other alert systems to ensure maximum coverage and safety. Our community currently offers a system that is free. Receiving these notifications right away to devices seems to align with the current technology. These siren notification systems are becoming a thing of the past now that technology allows the notification to be in the palm of our hand. When you research these, the siren device seems inexpensive. However, there are many other costs and liabilities associated with these. Just to mention a few, it requires poles to mount on, land, internet, power, and more. I have yet to receive quotes back for a system like this. Based off the research thus far, this will be a costly investment.





Whelen WPS2900 series Sirens and capabilities

- 1) Omni directional sirens will produce sound in 360° simultaneously. This allows for better penetration and distance with sound.
- 2) Whelen WPS series sirens are all electronic and have zero moving parts. This is more cost-effective in maintenance for the future.
- 3) WPS series sirens have the ability to offer pre-recorded voice messages. This allows you to notify the public of what type of event you are warning for. Also, it helps alert visitors to the city that may not know what a siren tone is for.
- 4) WPS series sirens operate 100% on batteries. We also use solar panels to keep those batteries to a constant charged state. This also allows us to place the sirens where they are most needed and not have to rely on an AC power source.
- 5) Silent test feature – this feature can be used as often as necessary. From the activation device (encoder) a signal can be sent to each siren site to do a health check, that health check is performed at each site silently and then reported back to the activation device (encoder) and a report is then generated. From this report, you can know the battery voltages, the status of the amplifiers and the speaker drivers in each siren. This report can be automatically emailed to individuals designated to keep the system maintained.
- 6) Computer-based activation device (encoder) – this device can be connected directly to the national weather service (NWS). If the city of Athens falls within a polygon that the national weather service issues for a tornado warning, sirens can be automatically activated directly from the national weather service. You will always have the ability to manually activate the sirens at any time, if you choose not to connect to the NWS.
- 7) We typically activate siren systems via RF or radio frequency. If the city does not currently have a free available frequency, we can apply to the FCC for a frequency to accomplish this.



PREMIER DEALER
30377 HWY 278 WEST
Aberdeen, MS 39730



P.O. BOX 298 - AMORY, MS. 38821

Quote / ESTIMATE

NAME:

PHONE:

423/744-2760

EMAIL:

bainsworth@athensin.gov

SHIPPING ADDRESS:

CITY

STATE

ZIP

PURCHASE ORDER

DB #

DATE: 6/6/24
NAME: City of Athens
ATTN: BRANDON AINSWORTH
BILING ADDRESS:
CITY
STATE
ZIP

ITM #	QTY	MODEL #	DESCRIPTION	PRICE EA	EXTENDED
1	4	WPS2910A	Ten Cell 4000 Watt Omni Directional High Power Voice and Siren	\$ 42,183.00	\$ 168,732.00
2	2	WPS2907A	Seven Cell 2800 Watt Omni-Directional High Power Voice and Siren	\$ 31,014.00	\$ 62,028.00
3	6	C2030NV	Two Way 10 Digit DTMF Narrow Band VHF 144-174 MHz Radio Option	\$ 2,430.00	\$ 14,580.00
4	6	STATUS	Cabinet Window LED Status Indicator	\$ 432.00	\$ 2,592.00
5	8	MSGPROG	Custom Message Programming	\$ 234.00	\$ 1,872.00
6	24	WPSBATT	Set of batteries. (4 per siren)	\$ 198.00	\$ 4,752.00
7	6	SBC280	WPS 80 Watt Solar Option (Includes (2) 80 Watt Panels and regulator	\$ 3,510.00	\$ 21,060.00
8	6	WDPOLE	60 Foot class 2 wood pole	\$ 1,325.00	\$ 7,950.00
9				\$ -	\$ -
10			Base Radio for computer based encoder	\$ -	\$ -
11	1	RADPKG	45 watt radio, power supply, antenna and line kit, and iterface cable	\$ 3,268.00	\$ 3,268.00
12				\$ -	\$ -
13			Centralert Computer based Encoder (activation device)	\$ -	\$ -
14	1	CDAC-SD	Standard Model Computer, with local Guardian license and one Core Module Includes map overlay,	\$ 10,333.00	\$ 10,333.00
15			10 email/N.P. text contacts and up to 2-hours remote tech support	\$ -	\$ -
16			Siren Control Module	\$ -	\$ -
17	1	SOS001	Single Communications Link, Serial Input, Analog Radio Output	\$ -	\$ -
18	1	SCL-S-A	C-DAC Aware Module License	\$ 1,158.00	\$ 1,158.00
19	1	C-DAC Aware		\$ -	\$ -
20			ANNUAL FEES	\$ -	\$ -
21				\$ -	\$ -
22	1	CA-Elite-1	CentrAlert Elite Support for one CPU (Includes 24/7 Software Support, Online Video Training, Service and upgrade discounts, and Remote Diagnostics). Renews Annually.	\$ 1,595.00	\$ 1,595.00
23				\$ -	\$ -
24				\$ -	\$ -
25	1	C-DAC Aware	NOAA CAP Server Subscription (connection to the NWS)	\$ 295.00	\$ 295.00
26				\$ -	\$ -
27				\$ -	\$ -
28				\$ -	\$ -
29				\$ -	\$ -
30				\$ -	\$ -
31				\$ -	\$ -
32			Customer to supply VHF frequencies for operation	\$ -	\$ -
33				\$ -	\$ -
34				\$ -	\$ -
35				\$ -	\$ -
36				\$ -	\$ -
37				\$ -	\$ -
38				\$ -	\$ -
39				\$ -	\$ -
40				\$ -	\$ -
41				\$ -	\$ -

SPECIAL INSTRUCTIONS:

If paying by Credit Card, there will be a 3% fee on total Order.
Invoices are to be paid no later than 30 days after receipt. Payment Payments not made within 30 days will incur a 5% late fee each month until the invoice is paid. Customer agrees to pay all of Precision Communications' costs of collection, including attorney fees, incurred as a result of nonpayment.

SYSTEM SUB TOTAL

\$ 300,215.00

TAX

SHIPPING

\$ 7,800.00

LABOR/INTALLATION/OPTIMIZATION

\$ 105,750.00

SYSTEM TOTAL

\$ 413,765.00

Accepted By:

Date:

Authorized Customer Representative



WPS2900 Series



Mass Notification Warning Product

ALERT and INFORM

*The basic purpose of a Mass Notification Product is the ability to **ALERT** through a tone and **INFORM** through voice. If your siren system is producing only a tone, then it's only doing half it's job!*

The most effective way to warn the public is to issue a tone warning and follow it with a clear, deliberate and powerful voice message. This two step approach, *ALERT* and *INFORM*, will eliminate confusion, restore order and most importantly, save lives.

Our WPS2900 Series accomplishes this in two ways. One is to *ALERT*, the other is to *INFORM* through omnidirectional voice and tone warning.

The WPS2900 Series delivers voice warning and broadcasting of unequalled clarity at uniform power levels (+/- 1dB) throughout 360°.

 **WARNING:** These products may contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. For more information, visit whelen.com/regulatory.

Ten models serve a wide variety of applications as shown here in ratio to a person's size.



WPS2905



TYPE III
ELECTRONIC
CABINET



TYPE II
ELECTRONIC
CABINET

WPS2900 Series

WHELEN®

Public and Industrial Warning for Every Application

WHELEN EZ-PULL™ SPEAKER DRIVER



Notice in these photos how easy it is to remove a 2900 Series speaker driver. Each speaker cell uses one **EZ-PULL** 400 watt driver, eliminating distortion and power loss that occurs from mixing the outputs of multiple speaker drivers in a cell - as found in competitive products. The EZ-PULL driver is Whelen Engineering's latest innovation. A handled plate connected to our 400 watt driver is an industry first.

Serviceability has never been easier!



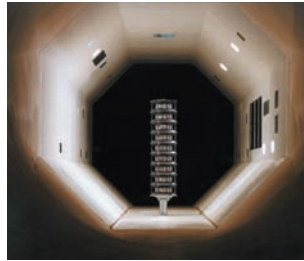
WHELEN'S 2900 SERIES



Whelen 400 Watt Speaker Driver shown with Standard 100 Watt Speaker Driver.



Whelen WPS2910 installed on site in Columbus, Georgia.



Whelen WPS2900 Series products are wind-tunnel tested to insure performance and reliability in the most trying conditions.



Whelen 2900 Type III Cabinet with "SLIDEOUT" battery trays.



Type II Electronics Assembly detail.

PRODUCT FEATURES

- Choice of one to ten omni-directional speaker cells assembled in a vertical column
- Ten models, 400 Watts to 4,000 Watts
- All WPS2900 speaker cells include our high efficiency 400 watt **EZ-PULL** speaker drivers
- 50' (15.24m) cable included
- Pole top mounting bracket included
- Two or three compartment natural finish aluminum cabinet or stainless steel
- Public address capability, live voice and pre-recorded messages
- Battery powered, minimum of 30 minutes of full power output with batteries of our recommendation
- AC temperature compensated "tri-mode" 10 amp battery charger
- Local controls or remote controls
- Independent power amplifiers, one per 400 watt speaker driver
- Electronic controller
- Tone generator timer
- Local control push buttons
- **SLIDEOUT™** battery tray
- **RDVM1G** - Digital voice 1-28 message capability
- Battery switch

PRODUCT OPTIONS

- **L31H*F4** - Top Cell of 2900 Series high dome warning beacon, 24 VDC
- **VALERT*** - VisuAlert™ omni-directional visual LED warning lighting
- **SBC280** - Solar power ¹
- Alternate tone set
- **WPSBATT** - Delco S2000 or Interstate Workaholic 31-MHD batteries
- **WPSNCMIC** - Noise cancelling microphone



L31LRF4



VALERT Visual Warning

SBC280 Solar Power Option

NOTES:

- Solar power option includes Two - 80 watt panels, mounting bracket and regulator
- * Specify color **A**=Amber, **B**=Blue, **R**=Red, **C**=White/Clear
BLUE type in the "callout" indicates a Whelen model number

SIX STANDARD WARNING TONES

tone	tone symbol	frequency	sweep rate
WAIL		410 - 675	4 sec/1 sec
ALERT		560	Steady
HI/LO		465/650	.8 sec/.8 sec
ATTACK		410 - 490	1 sec/1 sec
AIR HORN		465 - 650	Modulated/1.6 sec
WHOOOP		300 - 465	3

WARNING: These products may contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. For more information, visit whelen.com/regulatory.



ACTIVATION CONTROLS

Our VHF High and UHF activation control packages include the following:

- Radio
- Radio interface
- Tone or digital squelch
- 3-5dB Gain omni-directional antenna with bracket
- 35' (10.67m) of RG58 antenna cable
- Polyphaser
- SI TEST®
- Low battery alarm (two-way only)

Other features are dependant upon one or two-way controls. Whelen equipment can be interfaced with many different types of two-way radio communications products and systems from ACE, Motorola's MOSCAD, FSK, including 800Mhz trunking, Narrow-Band and VHF. The following is available as standard options. Contact factory for special applications.

ONE-WAY CONTROLS

- **AUXIN** - Auxiliary board for contact closure activation
- **D2030LL** - 10 digit DTMF landline activation
- **D2030NV** - 10 digit DTMF VHF High-Band Narrow-Band / 138-174 Mhz
- **D2030NU** - 10 digit DTMF UHF Narrow-Band / 450-470 Mhz
- **WPSTTU** - Two-tone sequential option

TWO-WAY CONTROLS

- **AUXCS** - Two-way contact closure activation and status board
- **C2030LL** - Two-way landline activation
- **C2030NV** - 10 Digit DTMF VHF High-Band Narrow-Band / 138-174 Mhz
- **C2030NU** - 10 digit DTMF UHF Narrow-Band 450-470 Mhz

OPTIONS:

- **STATUS** - Cabinet window LED Status Indicator
- **PGINT** - Paging interface to interface Whelen audio, voice and tones with existing paging systems
- **INTRUWPS** - Intrusion alarm (available with two-way only)

LIVE PUBLIC ADDRESS AND PRE-RECORDED MESSAGES

ALERT and INFORM! This two-step procedure is accomplished through live public address and pre-recorded voice messages. Notify YOUR community, base or campus with messages specific to YOUR needs.

- Live public address standard
- From 1 to 28 verbal messages and musical renditions of varying lengths may be programmed into all modules
- Variable length messaging standard

SI TEST

Only Whelen's diagnostic silent test, SI TEST, fully exercises the system without disturbing the public. Diagnostic SI TEST information includes the following:

- AC power On/Off
- DC power at operational levels
- Partial speaker driver / power amplifier operation
- Full speaker driver / power amplifier operation

Whelen products are pre-assembled, pre-wired and tested at our facility to ensure product quality and reliability!



Testing Station



2900 Series Speakers Assembly



Type II Cabinet Assembly



Type III Cabinet Assembly



Repair Facility



WPS2900 Series



Specifications

PRODUCT SUPPORT

At Whelen Engineering, we not only design and manufacture the best warning products available, we stand behind every product we make. For a copy of our warranty, write to us at our main office in Chester, Connecticut.

If you're interested in the most reliable, the most up-to-date warning products -- and the service that comes with it -- give us a call. Find out why Whelen Engineering is "The First Name In Mass Notification".

A product specification sheet with installation details is available for each WPS2900 Series Mass Notification Product.

MASS NOTIFICATION PRODUCTS

Whelen Engineering Company, Inc.

51 Winthrop Road

Chester, Connecticut 06412-0684

860-526-9504

800-637-4736

www.whelen.com

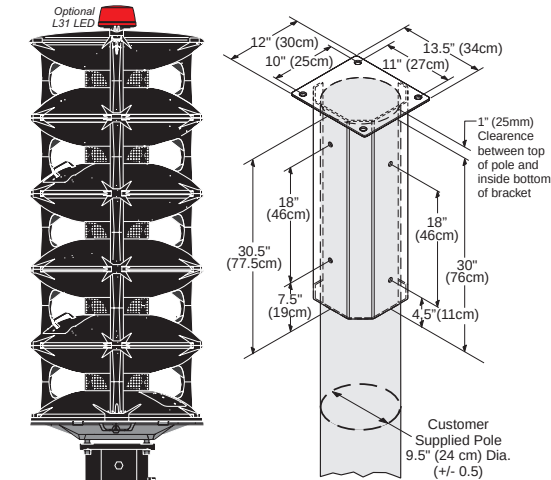
iowsales@whelen.com

Whelen Engineering Company, Inc. reserves the right to upgrade its products with design improvements without notification.

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117901 - 09/27/19

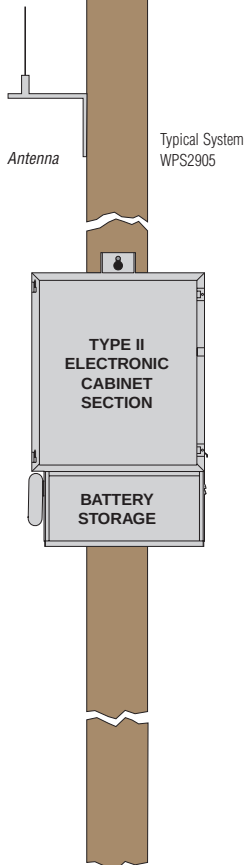


*"Our Mass Notification Products
Speak for Themselves"™*



POLE TOP BRACKET

The pole top bracket for the WPS2900 Series is furnished in a natural finish, core-ten steel. The pole top bracket will accept a utility pole having up to a 10" top diameter.



WPS2900 Series Specifications

MODEL	SYSTEM WATTAGE		HEIGHT Inches (CM)	WIDTH Inches (CM)	DEPTH Inches (CM)	SPEAKER ASSEMBLY WEIGHT lbs. (KG)	ELECTRONIC CABINET WEIGHT lbs. (KG) ⁴	ELECTRONIC CABINET TYPE
	tone AUDIO	voice AUDIO						
WPS2901	400	500	18.8 (47.75)	33.4 (84.8)	—	119 (53.97)	132 (59.9) ²	Type II
WPS2902	800	1000	31.2 (79.24)	33.4 (84.8)	—	168 (76.20)	139 (63.1) ²	Type II
WPS2903	1200	1500	43.6 (110.74)	33.4 (84.8)	—	217 (98.42)	147 (66.7) ²	Type II
WPS2904	1600	2000	56.0 (142.24)	33.4 (84.8)	—	266 (120.65)	154 (69.9) ²	Type II
WPS2905	2000	2500	68.4 (173.73)	33.4 (84.8)	—	315 (142.88)	162 (73.4) ²	Type II
WPS2906	2400	3000	80.8 (205.23)	33.4 (84.8)	—	388 (175.99)	171 (77.5) ³	Type III
WPS2907	2800	3500	93.2 (236.72)	33.4 (84.8)	—	437 (198.22)	218 (98.9) ³	Type III
WPS2908	3200	4000	105.6 (268.22)	33.4 (84.8)	—	487 (220.89)	225 (102.1) ³	Type III
WPS2909	3600	4500	118.0 (299.72)	33.4 (84.8)	—	535 (242.67)	233 (105.7) ³	Type III
WPS2910	4000	5000	130.4 (331.21)	33.4 (84.8)	—	584 (264.89)	240 (108.9) ³	Type III
Electronics Cabinet Type II ¹ (Aluminum) ⁴ (WPS2901 to 5)	—	—	60.50 (153.67)	33.20 (84.33)	12.0 (30.50)	—	—	—
Electronics Cabinet Type III ¹ (Aluminum) ⁵ (WPS2906 to 10)	—	—	74.5 (189.23)	33.20 (84.33)	12.0 (30.50)	—	—	—
Pole Top Bracket	—	—	30.5 (77.47)	12.0 (30.50)	13.5 (34.30)	—	—	—

Equipment is configured for 120 VAC input power, other input voltages supplied upon request.

¹ A 6.00" wide mounting channel adds 3.50" in height and 2.00" in depth.

² Batteries for Type II Cabinet add 115 lbs. (52.16 kg) ³ Batteries for Type III Cabinet add 230 lbs. (104.32 kg) ⁴ Type II stainless cabinet option adds 58 lbs. (26.30 kg)

⁵ Type III stainless cabinet option adds 80 lbs. (36.29 kg) Pallets, boxes and skids add weight. Check with Whelen if a freight quote is needed.

WARNING: These products may contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. For more information, visit whelen.com/regulatory.

WPS2905 Five Cell



Mass Notification Warning Product

Whelen's Mass Notification WPS2900 Series omni-directional voice product delivers clear, powerful voice communication.

SYSTEM FEATURES

- **WPS2905** – Five omni-directional speaker cells assembled in a vertical column
- Two compartment (Type II) natural finish aluminum or stainless steel cabinet
- Speaker cell includes five high efficiency 400 watt EZ-PULL™ speaker drivers
- 50' (15.24m) cable included
- Pole top mounting bracket included
- Public address and pre-recorded voice message capability
- AC temperature compensated "tri-mode" 10 amp battery charger
- Local or remote controls available
- Battery powered
- Five power amplifiers
- Electronic controller
- Tone Generator Timer
- Local control push-buttons
- Battery switch
- **RDVM1G** – digital voice 1-28 message capable
- SI TEST*
- SLIDEOUT™ battery tray
- Lightning arrestor
- Six standard warning tones – Wail, Whoop, Alert, Attack, Hi-Lo, Airhorn

SYSTEM OPTIONS

- Solar option – 2 each 80 watt panels, with brackets and solar regulator
- Batteries – 2 each Delco S2000 or Interstate Workaholic 31-MHD Batteries. Check Whelen's web site, www.whelen.com, for other recommended batteries
- Microphone – for use at the cabinet (locally) or at the control point (remotely)
- VisuAlert™ – Omni-Directional visual warning Model **VALERT*** for 2900 Series
- **L31H*F4** – Top mount high dome beacon for 2900 Series, 24 VDC

ACTIVATION CONTROLS

Our VHF and UHF radio narrow-band control packages feature Whelen protocol COMM/STAT™ and include the following:

- Radio
- Radio interface
- Tone or digital squelch
- 3-5 dB gain omni-directional antenna with bracket
- 35' (10.67m) of RG58 antenna cable
- Polyphaser
- SI TEST
- Low battery alarm (two-way only)

Other features are dependent upon one or two-way controls. Whelen equipment can be interfaced with many different types of two-way radio communications products and systems, from ACE, MOSCAD and FSK.

The following is available as standard options. **BLUE BOLD** indicates the Whelen Model:

ONE-WAY CONTROLS

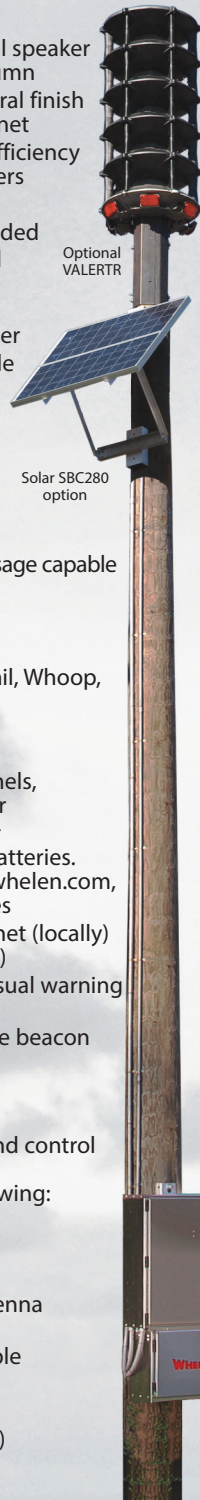
- **AUXIN** – Auxilliary board for contact closure activation
- **D2030LL** – 10 digit DTMF Landline
- **D2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/ 138-174 MHz
- **D2030NU** – 10 digit DTMF UHF Narrow-Band /450-470 MHz
- **WPSTT** – Two-tone sequential option (one-way radio package must be ordered from above options)

TWO-WAY CONTROLS

- **AUXCS** – Two-way contact closure activation and status board
- **C2030LL** – Two-way landline activation
- **C2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/ 138-174 MHz
- **C2030NU** – 10 digit DTMF UHF Narrow-Band /450-470 MHz

OPTIONS

- **STATUS** – Cabinet window LED status indicator
- **PGINT** – Paging interface
- **INTRUWPS** – Intrusion alarm



WHELEN®

Component	Height Inches (CM)	Width Inches (CM)	Depth Inches (CM)	Weight Lbs. (kg)
WPS2905 Speaker	68.4 (173.73)	33.4 (84.84)	-	315 (142.88)
Electronics Cabinet Type II (aluminum)*	60.5 (153.67)	33.2 (84.33)	12 (30.5)	162 (73.50)
Pole Top Bracket	30.5 (77.47) (with top plate)	12.0 (30.50) x 13.5 (34.30)	See Drawing	71 (32.20)

106

WPS2907 Seven Cell



Mass Notification Warning Product

Whelen's Mass Notification WPS2900 Series omni-directional voice product delivers clear, powerful voice communication.

SYSTEM FEATURES

- **WPS2907** – Seven omni-directional speaker cells assembled in a vertical column
- Three compartment (Type III) natural finish aluminum or stainless steel cabinet
- Speaker cell includes seven high efficiency 400 watt EZ-PULL™ speaker drivers
- 50' (15.24m) cable included
- Pole top mounting bracket included
- Public address and pre-recorded voice message capability
- AC temperature compensated "tri-mode" 10 amp battery charger
- Local or remote controls available
- Battery powered
- Seven power amplifiers
- Electronic controller
- Tone Generator Timer
- Local control push-buttons
- Battery switch
- **RDVM1G** – digital voice 1-28 message capable
- SI TEST*
- SLIDEOUT™ battery tray
- Lightning arrestor
- Six standard warning tones – Wail, Whoop, Alert, Attack, Hi-Lo, Airhorn

SYSTEM OPTIONS

- Solar option – Two each 80 watt panels, with brackets and solar regulator
- Batteries – Four each Delco S2000 or Interstate Workaholic 31-MHD Batteries. Check Whelen's web site, www.whelen.com, for other recommended batteries
- Microphone – for use at the cabinet (locally) or at the control point (remotely)
- VisuAlert™ – Omni-Directional visual warning Model **VALERT*** for 2900 Series
- **L31H*F4** – Top mount high dome beacon for 2900 Series, 24 VDC

ACTIVATION CONTROLS

Our VHF and UHF radio narrow-band control packages feature Whelen protocol COMM/STAT and include the following:

- Radio
- Radio interface
- Tone or digital squelch
- 3-5 dB gain omni-directional antenna with bracket
- 35' (10.67m) of RG58 antenna cable
- Polyphaser
- SI TEST
- Low battery alarm (two-way only)

Other features are dependent upon one or two-way controls. Whelen equipment can be interfaced with many different types of two-way radio communications products and systems, from ACE, MOSCAD and FSK.

The following is available as standard options. **BOLD BLUE** indicates the Whelen Model:

ONE-WAY CONTROLS

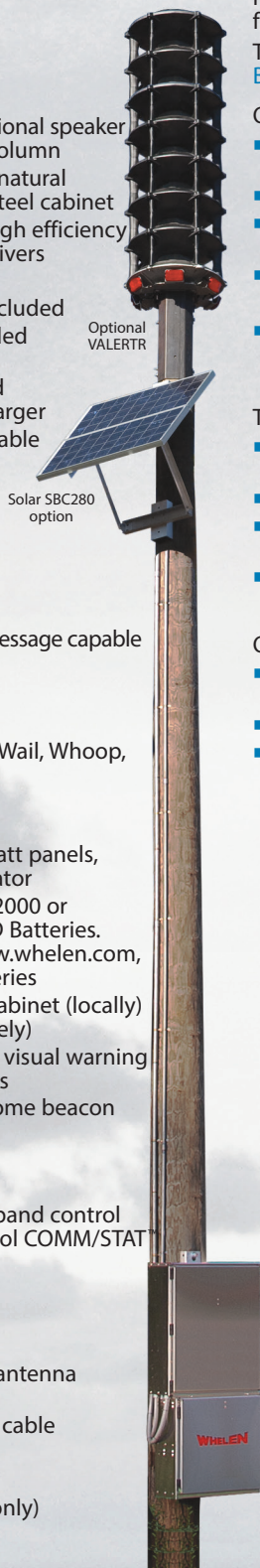
- **AUXIN** – Auxilliary board for contact closure activation
- **D2030LL** – 10 digit DTMF Landline
- **D2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/138-174MHz
- **D2030NU** – 10 digit DTMF UHF Narrow-Band /450-470MHz
- **WPSTT** – Two-tone sequential option (one-way radio package must be ordered from above options)

TWO-WAY CONTROLS

- **AUXCS** – Two-way contact closure activation and status board
- **C2030LL** – Two-way landline activation
- **C2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/138-174MHz
- **C2030NU** – 10 digit DTMF UHF Narrow-Band /450-470MHz

OPTIONS

- **STATUS** – Cabinet window LED status indicator
- **PGINT** – Paging interface
- **INTRUWPS** – Intrusion alarm



WPS2907 Seven Cell



Specifications

Component	Height Inches (CM)	Width Inches (CM)	Depth Inches (CM)	Weight Lbs. (kg)
WPS2907 Speaker	93.2 (236.72)	33.4 (84.84)	-	437 (198.22)
Electronics Cabinet Type III (Aluminum)*	74.5 (189.23)	33.2 (84.33)	12 (30.5)	218 (98.9)
Pole Top Bracket	30.5 (77.47) (with top plate)	12.0 (30.50) x 13.5 (34.30)	See Drawing	71 (32.20)

Batteries add 230 lbs. (104.32 kg) *Stainless cabinet option adds 80 lbs. (36.29 kg)
Pallets, boxes and skids add weight. Check with Whelen if a freight quote is needed.

Electrical

- Battery Charger Input: 120VAC, 60Hz, 7A fuse (240VAC 50/60 Hz available)
- Battery Charger Output: 28VDC, 10A (nominal)
- Batteries: (4) 12V, 115AH lead calcium
- Standby Current: 82mA, 24VDC
- Operating Current: 155A, 24VDC
- Power Amplifier Output Power: Tone: 2800 Watts, Voice: 3500 Watts

Environmental

- Operating Temperature: -35°C to +60°C
- Storage Temperature: -65°C to +125°C
- Humidity, Non Condensing: 0 to 95%

Ordering Information

BASIC SYSTEM INCLUDES THE FOLLOWING

- **WPS2907** – Speaker assembly with 50' (15.24m) cable & electronics cabinet with all the standard components including voice board for 1-28 pre-recorded messages and Pole Top Bracket

OPTIONS

- **AUXIN** (one-way) / **AUXCS** (two-way) – Auxiliary boards for contact closure activation
- **D2030LL/D2030NV/D2030NU** – One-way controls
- **C2030LL/C2030NV/C2030NU** – Two-way controls
- **WPSTT** – Two-tone sequential
- **STATUS** – Cabinet window LED status indicator
- **PGINT** – Paging interface
- **INTRUWPS** – Intrusion alarm (two-way only)
- **MSGPROG** – Custom pre-recorded messages
- **MSGPROGL** – Whelen library messages
- **WPSNCMIC** – Microphone for public address use at the cabinet
- **WPSBATT** – One pair of Whelen approved batteries
- **RTM** – Roof top mount
- **SBC280** – Solar option

OPTIONAL LIGHTING ACCESSORIES

- **VALERT*** – VisuAlert™ lighting accessory
- **L31H*F4** – L31 LED, 24VDC
- **LCWPS** – LED controller with mounting plate, hardware and harnessing for L31
- **LEDCTRL** – LED controller only

* Specify color A=Amber, B=Blue, R=Red, C=White/Clear

Acoustic Performance

Wattage: 2800 watts

Estimated 70dB Range: 5,100 ft / 1555 m

Weather, terrain and other structures may impact the range. Each siren within the system may have a decreased or increased range depending on conditions beyond our control.

WARNING: This product may contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. For more information, visit whelen.com/regulatory.

MASS NOTIFICATION PRODUCTS

Whelen Engineering Company, Inc.
51 Winthrop Road
Chester, Connecticut 06412-0684
860-526-9504
800-637-4736
www.whelen.com
iowsales@whelen.com

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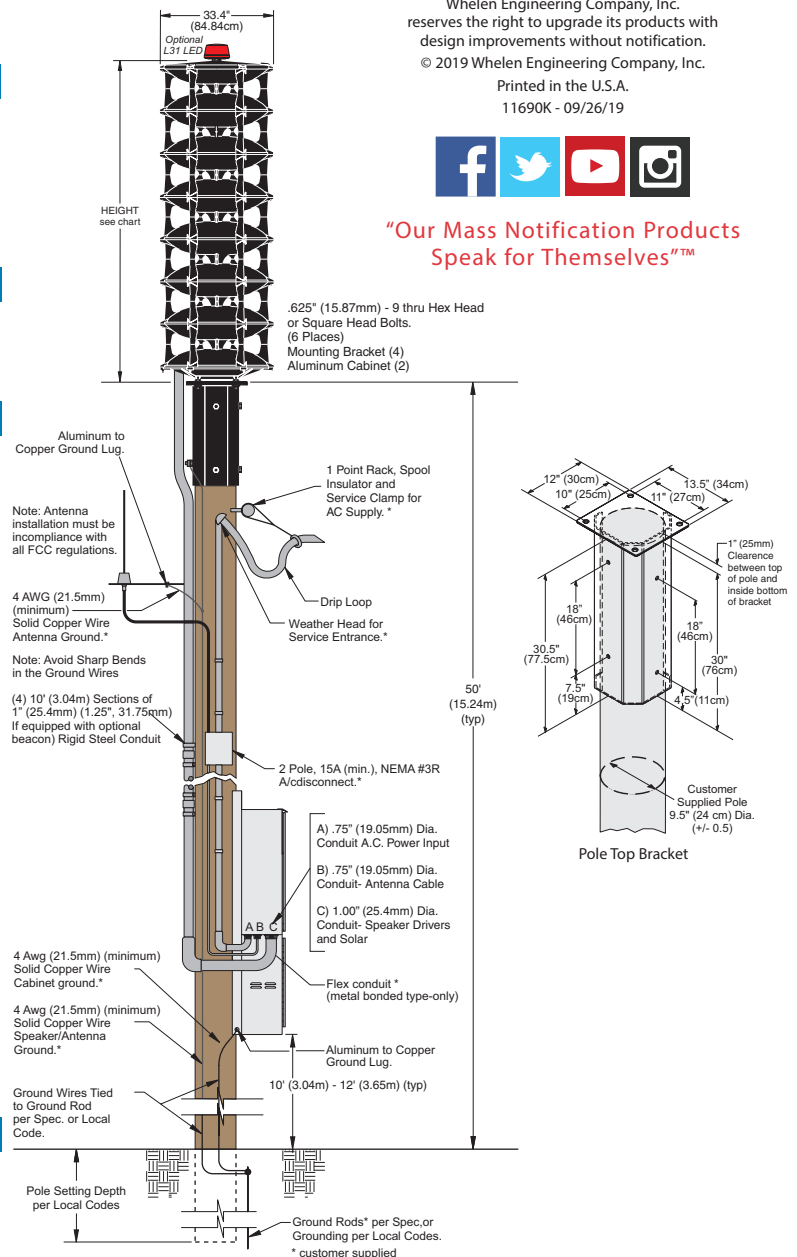
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11690K - 09/26/19



"Our Mass Notification Products
Speak for Themselves"™



WPS2910 Ten Cell



Mass Notification Warning Product

Whelen's Mass Notification WPS2900 Series omni-directional voice product delivers clear, powerful voice communication.

SYSTEM FEATURES

- **WPS2910** – Ten omni-directional speaker cells assembled in a vertical column
- Three compartment (Type III) natural finish aluminum or stainless steel cabinet
- Speaker cell includes ten high efficiency 400 watt **EZ-PULL™** speaker drivers
- 50' (15.24m) cable included
- Pole top mounting bracket included
- Public address and pre-recorded voice message capability
- AC temperature compensated "tri-mode" 10 amp battery charger
- Local or remote controls available
- Battery powered
- Ten power amplifiers
- Electronic controller
- Tone Generator Timer
- Local control push-buttons
- Battery switch
- **RDVM1G** – digital voice 1-28 message capable
- **SI TEST®**
- **SLIDEOUT™** battery tray
- Lightning arrestor
- Six standard warning tones – Wail, Whoop, Alert, Attack, Hi-Lo, Airhorn

SYSTEM OPTIONS

- **Solar option** – Two each 80 watt panels, with brackets and solar regulator
- **Batteries** – Four each Delco S2000 or Interstate Workaholic 31-MHD Batteries. Check Whelen's web site, www.whelen.com, for other recommended batteries
- **Microphone** – for use at the cabinet (locally) or at the control point (remotely)
- **VisuAlert™** – Omni-Directional visual warning Model **VALERT*** for 2900 Series
- **L31H*F4** – Top mount high dome beacon for 2900 Series, 24 VDC

ACTIVATION CONTROLS

Our VHF and UHF radio narrow-band control packages feature Whelen protocol COMM/STAT™ and include the following:

- Radio
- Radio interface
- Tone or digital squelch
- 3-5 dB gain omni-directional antenna with bracket
- 35' (10.67m) of RG58 antenna cable
- Polyphaser
- SI TEST
- Low battery alarm (two-way only)

Other features are dependent upon one or two-way controls. Whelen equipment can be interfaced with many different types of two-way radio communications products and systems, from ACE, MOSCAD and FSK.

The following is available as standard options. **BOLD BLUE** indicates the Whelen Model:

ONE-WAY CONTROLS

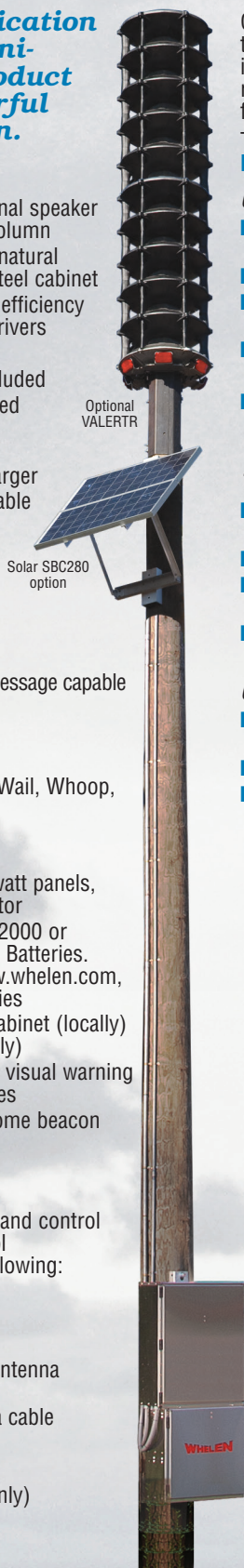
- **AUXIN** – Auxilliary board for contact closure activation
- **D2030LL** – 10 digit DTMF Landline
- **D2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/138-174MHz
- **D2030NU** – 10 digit DTMF UHF Narrow-Band /450-470MHz
- **WPSTT** – Two-tone sequential option (one-way radio package must be ordered from above options)

TWO-WAY CONTROLS

- **AUXCS** – Two-way contact closure activation and status board
- **C2030LL** – Two-way landline activation
- **C2030NV** – 10 digit DTMF VHF High-Band Narrow-Band/138-174MHz
- **C2030NU** – 10 digit DTMF UHF Narrow-Band /450-470MHz

OPTIONS

- **STATUS** – Cabinet window LED status indicator
- **PGINT** – Paging interface
- **INTRUWPS** – Intrusion alarm



WPS2910 Ten Cell

WHELEN®

Specifications

Component	Height Inches (CM)	Width Inches (CM)	Depth Inches (CM)	Weight Lbs. (kg)
WPS2910 Speaker	130.4 (331.21)	33.4 (84.84)	—	584 (264.89)
Electronics Cabinet Type III (Aluminum)*	74.5 (189.23)	33.2 (84.33)	12 (30.5)	240 (108.9)
Pole Top Bracket	30.5 (77.47) (with top plate)	12.0 (30.5) x 13.5 (34.3)	See Drawing	71 (32.20)

Batteries add 230 lbs. (104.32 kg) *Stainless cabinet option adds 80 lbs. (36.29 kg)
Pallets, boxes and skids add weight. Check with Whelen if a freight quote is needed.

Electrical

- **Battery Charger Input:** 120VAC, 60Hz, 7A fuse (240VAC 50/60 Hz available)
- **Battery Charger Output:** 28VDC, 10A (nominal)
- **Batteries:** (4) 12V, 115AH lead calcium
- **Standby Current:** 70mA, 24VDC
- **Operating Current:** 221A, 24VDC
- **Power Amplifier Output Power:** Tone: 4000 watts, Voice: 5000 watts

Environmental

- **Operating Temperature:** -35°C to +60°C
- **Storage Temperature:** -65°C to +125°C
- **Humidity, Non Condensing:** 0 to 95%

Ordering Information

BASIC SYSTEM INCLUDES THE FOLLOWING

- **WPS2910** – Speaker assembly with 50' (15.24m) cable and electronics cabinet with all the standard components including voice board for 1-28 pre-recorded messages and Pole Top Bracket

OPTIONS

- **AUXIN** (one-way) / **AUXCS** (two-way) – Auxiliary boards for contact closure activation
- **D2030LL / D2030NV / D2030NU** – One-way controls
- **C2030LL / C2030NV / C2030NU** – Two-way controls
- **WPSTT** – Two-tone sequential
- **STATUS** – Cabinet window LED status indicator
- **PGINT** – Paging interface
- **INTRUWPS** – Intrusion alarm (two-way only)
- **MSGPROG** – Custom pre-recorded messages
- **MSGPROGL** – Whelen library messages
- **WPSNCMIC** – Microphone for public address use at the cabinet
- **WPSBATT** – One pair of Whelen approved batteries
- **RTM** – Roof top mount
- **SBC280** – Solar option

OPTIONAL LIGHTING ACCESSORIES

- **VALERT*** – VisuAlert™ lighting accessory
- **L31H*F4** – L31 LED, 24VDC
- **LCWPS** – LED controller with mounting plate, hardware and harnessing for L31
- **LEDCTRL** – LED controller only

* Specify color **A**=Amber, **B**=Blue, **R**=Red, **C**=White/Clear

Acoustic Performance

Wattage: 4000 watts

Estimated 70dB Range: 6,100 ft / 1859 m

Weather, terrain and other structures may impact the range. Each siren within the system may have a decreased or increased range depending on conditions beyond our control.

WARNING: This product may contain chemicals known to the State of California to cause cancer and birth defects or other reproductive harm. For more information, visit whelen.com/regulatory.

MASS NOTIFICATION PRODUCTS

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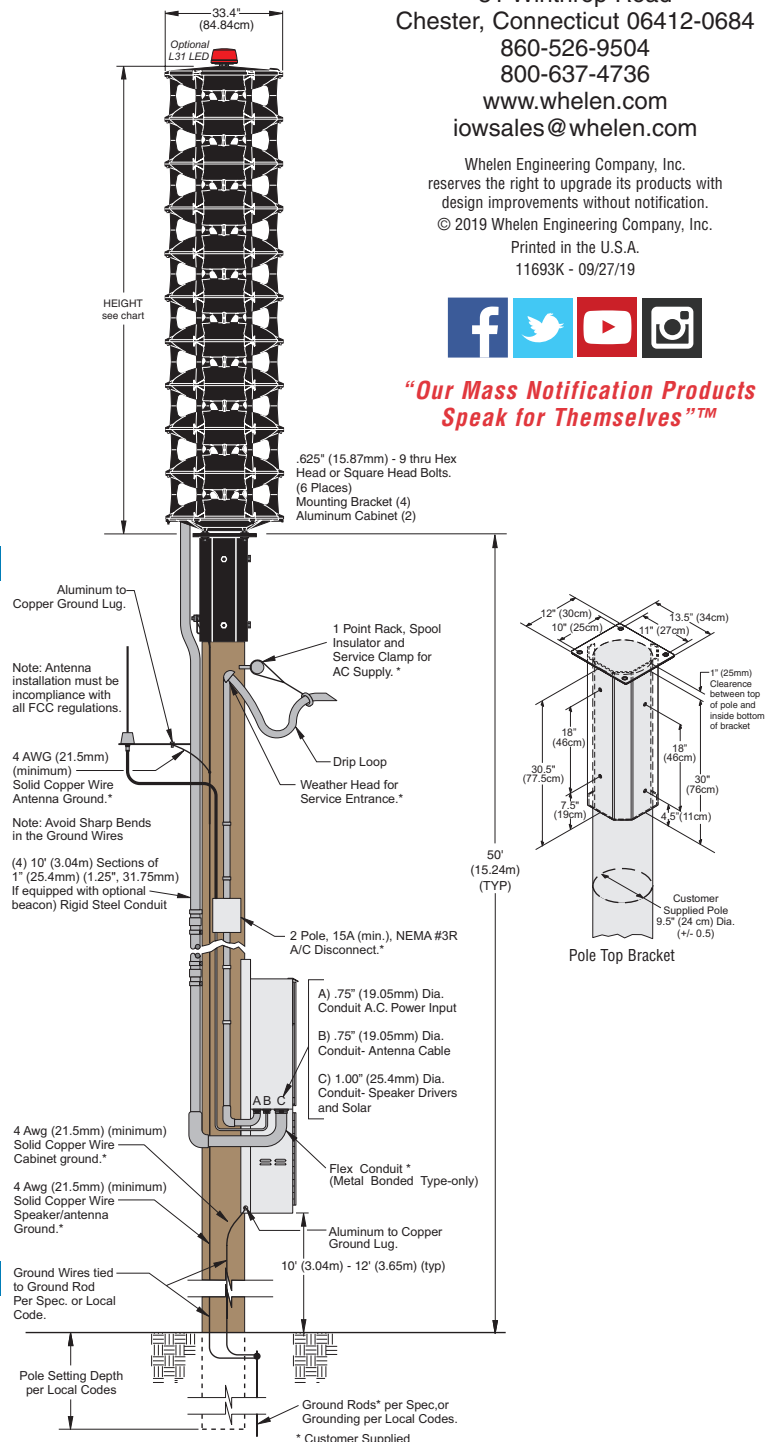
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11693K - 09/27/19



**"Our Mass Notification Products
Speak for Themselves"™**







Agenda Item

IV. N. b. ii. Cedar Grove Cemetery Signage Improvements

Overview

Councilmember Steven Sherlin requested signage be improved at Cedar Grove Cemetery. *“The info board needs to be refurbished and updated.”-email 8/1/25 10:33am*

Community Development Director, Anthony Casteel addressed this issue in an email on July 22, 2025. stating: *“In Cedar Grove, we have a sign board that was never manageable, or legible for anyone to use to find loved ones. It took days to update it and was only done once a year. It was not a good system and needed modernization. An electronic kiosk was not a good option because of the cost and maintenance of such a system. Therefore, we have been working on a new system that is cost effective and easier to manage.”*

As of Thursday, July 31, 2025 a new map that shows the sections and a link to visit for access to the directory along with a QR code have been posted on the billboard. This will give visitors quick access to a searchable document containing the interment list. Community Development also has section signage that will be installed as soon as possible.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

Community Development







Agenda Item

IV. N. c. i. Athens City Charter - Article IV (Elections)

Overview

Councilmember Duggan requested discussion regarding non-resident voting rights for business owners.

Attached is the full text for Athens City Charter: Article IV and an MTAS opinion.

Action to Consider

Consensus is needed to move this item to the August 19, 2025 regular session for consideration.

Affected Departments

City Council

ARTICLE IV Elections

Section 1. Be it further enacted, That elections of Councilpersons under this charter shall be held under the same provisions of the State law under which elections are prescribed to be held for such officials as Sheriff or Trustee of McMinn County, in all things except as to the time and date thereof, upon legal notice of the same, published in one or more of the newspapers of general circulation in the city.

Section 2. Be it further enacted, That all candidates shall be eligible to have their names placed on ballots only on the same conditions and in the same manner prescribed for the placing on the ballot of the names of candidates for such offices as Trustee and Sheriff of McMinn County.

Section 3. Be it further enacted, That all city elections, including all elections respecting bond issues, shall be held under the supervision of the County Board of Election Commissioners, and in accordance with the law governing all State and County elections, as hereinbefore set out.

This section may be enforced by appropriate ordinance.

All persons living within the limits of such corporation who shall be qualified to vote for members of the Legislature of this state, and who shall have been a resident of the city for thirty (30) days preceding such elections, or any qualified voter living in McMinn County who owns fifty percent (50%) interest in developable land in the city shall be entitled to vote in the precinct where such person resides or owns land and to have their vote counted in such election. The Council may authorize the ballots for these non-resident property owners to be cast by mail only, pursuant to procedures approved by the State Coordinator of Elections. [As amended by Priv. Acts 1992, ch. 215, § 1; Priv. Acts 2000, ch. 83, § 1; and Priv. Acts 2002, ch. 114, § 1]

Section 4. Be it further enacted, That the terms of all City councilpersons shall begin on the third Tuesday in November following the date of their election. [As replaced by Priv. Acts 1998, ch. 164, § 1; and as amended by Priv. Acts 2024, ch. 60, § 3]

Section 5. Be it further enacted, That a non-partisan municipal election shall be held in the City on the first Tuesday following the first Monday in November of each even-numbered year. The incumbent councilpersons whose terms expire in July of 1999 shall have their terms extended to the third Tuesday in November of 2000. The incumbent councilpersons whose terms expire in July 2001 shall have their terms extended to the third Tuesday in November of 2002. Ties will be resolved by a flip of the coin. The councilpersons shall be elected to terms of four (4) years or until their successors are elected and qualified. [As replaced by Priv. Acts 1998, ch. 164, § 1; and as amended by Priv. Acts 2024, ch. 60, § 3]

Section 6. Be it further enacted, That no informalities in conducting any election held under this charter shall invalidate it if such election is conducted fairly and in substantial conformity with the requirements of this article.

Section 7. Be it further enacted, That any person holding an elective office of the City, whether by election, succession, or appointment to fill a vacancy, shall be subject to removal from office at a recall election in the manner provided herein.

- (1) A recall of an incumbent of an elective office shall be initiated upon petition signed by the registered voters of the City of Athens. All councilpersons currently in office or hereafter elected shall be subject to recall and the petition shall contain signatures equal in number to at least twenty percent (20%) of the registered voters for the City of Athens on the date of the city election preceding the filing of the petition. Every recall petition shall name the officer against whom it is directed.

- (2) Each elector signing a recall petition shall add to his signature his occupation, his residence, and the date of signing. Signatures on a recall petition may be on separate sheets but each sheet shall have appended to it the affidavit of some person, not necessarily a signer of the petition, that to the best of the affiant's knowledge and belief the persons whose signatures appear on the sheet are registered voters of the city.
- (3) ¹ A recall petition shall be tendered for filing to the McMinn County Commissioners of Elections. Those persons filing a recall petition shall also file a cash bond with the McMinn County Election Commission, equal to the cost of the proposed recall election. The cash bond or the unused portion thereof shall be refunded to those persons if the recall petition is determined to be invalid, the incumbent resigns before the Election Commission calls the recall election, or before the election is held. If the vote for recall is successful and the named incumbents are removed from office, the cost of the election shall become an obligation of the City and the cash bond shall be refunded. The Election Commission shall examine the petition to see whether it contains a sufficient number of apparently genuine signatures. The board may question the genuineness of any signature or signatures appearing on the recall petition and if it shall find that any such signature or signatures are not genuine, it shall disregard them in determining whether the petition contains a sufficient number of signatures. It shall also disregard any signature dated more than sixty (60) days before the date of the petition was tendered for filing. The board shall eliminate any sheet of the petition which is not accompanied by the required affidavit. The invalidity of any sheet of the petition shall not affect the validity of the petition if a sufficient number of signatures remains after eliminating such an invalid sheet. The board shall complete its examination of the petition within fifteen (15) days and shall thereupon file the petition if valid or reject it if invalid.
- (3) As soon as the Commissioners of Elections of McMinn County have accepted a recall petition for filing, the chairman of the board shall notify the incumbent named in the petition that the petition has been filed. Upon receipt of such notice the incumbent may resign from his office and thereupon the recall proceedings shall terminate.
- (4) If the incumbent against whom a recall petition is directed does not resign from his office within ten days after notice of the filing of such petition shall have been given to him, the McMinn County Commissioners of Elections shall arrange a recall election. If a regular or special election is to be held not less than thirty days nor more than ninety days after the ten days have expired, the recall question shall be placed before the voters at such an election. Otherwise a special recall election shall be fixed for a date not earlier than thirty days nor later than ninety days after the ten days have expired. The incumbent against whom a recall petition is directed may resign at any time prior to the recall election and thereupon the election shall not be held.
- (5) The following question shall be presented to each elector in a recall election:--"Shall (name of officer) be recalled and removed from the office of (name of office)?" The above question shall appear as to every officer whose recall is to be voted upon and provision shall be made for the elector to vote "Yes" or "No" in the question.
- (6) If a majority of the registered voters who vote on the question at a recall election shall vote "Yes," the incumbent shall be deemed recalled and removed from office, but if a majority of the registered voters shall vote "No," he shall remain in office.
- (7) No person who has been removed from an elective office by a recall election or who has resigned from such an office after a recall petition directed to him has been filed, shall be eligible for election or appointment to any office of the city within two years after his removal or resignation.
- (8) No recall petition shall be filed against any incumbent of an elective office within the first year or the last six months of the term of his office or within six months after an unsuccessful recall election against him but an officer who has been re-elected for a successive term shall be

subject to recall also during the first year of such term. [As amended by Priv. Acts 1959, ch. 105; Priv. Acts 1998, ch. 164, § 2; and Priv. Acts 2024, ch. 60, § 1]

¹Priv. Acts 1953, chapter 455 provided for two subsections (3) of Article IV, section 7. When Priv. Acts 1998, chapter 164 amended subsection (3) of Article IV, section 7, in the judgment of the compiler, it was in reference to this subsection.

From: Rogers, Honna <honna.rogers@tennessee.edu>

Sent: Thursday, August 7, 2025 8:17 AM

To: Bridget Roberts <admin@athenstn.gov>

Good morning,

Please see below from our legal consultant, Melissa Ashburn:

Nonresident voting rights in Tennessee are tied to ownership of real property only and cannot extend to business ownership. City authority to permit such voting cannot be gained by private act charter amendment. Tennessee laws recognize municipal charter authority to grant nonresident property owners the right to vote in city elections, but no other nonresidents are permitted voting rights in our state.

Athen's Charter has this language:

Section 3. Be it further enacted, That all city elections, including all elections respecting bond issues, shall be held under the supervision of the County Board of Election Commissioners, and in accordance with the law governing all State and County elections, as hereinbefore set out. This section may be enforced by appropriate ordinance. All persons living within the limits of such corporation who shall be qualified to vote for members of the Legislature of this state, and who shall have been a resident of the city for thirty (30) days preceding such elections, *or any qualified voter living in McMinn County who owns fifty percent (50%) interest in developable land in the city shall be entitled to vote in the precinct where such person resides or owns land and to have their vote counted in such election.* The Council may authorize the ballots for these non-resident property owners to be cast by mail only, pursuant to procedures approved by the State Coordinator of Elections.

[As amended by Priv. Acts 1992, ch. 215, § 1; Priv. Acts 2000, ch. 83, § 1; and Priv. Acts 2002, ch. 114, § 1]

Pursuant to this language, a resident of McMinn County who owns 50% interest in real property in Athen's city limits may vote in city elections. Authority is limited to those McMinn County residents. A charter amendment would be required to extend these rights to nonresident property owners living elsewhere.

[For those cities without charter authority to permit nonresident property owners to vote in municipal elections, there is a state law authorizing several based on population brackets found at *Tenn. Code Ann.* § 6-53-102.]

This is our state law governing registration of a nonresident voting in municipal elections, where authorized by charter, and limiting the number of persons who may vote per parcel:

(a)(1) A person shall be registered as a voter of the precinct in which the person is a resident, and, if provided for by municipal charter or general law, may also be registered in a municipality in which the person owns real property in order to participate in that municipality's elections.

(2) Notwithstanding any provision of this title to the contrary, if a person's residence is located on real property which is located in both a municipality and in an unincorporated area in the county in which the municipality is located, then such person shall be eligible to vote in municipal elections if municipal taxes are assessed on the portion of real property located within the municipality. In a county having a metropolitan form of government, "unincorporated area," as used in this subdivision (a)(2), includes an area outside the boundaries of any of the smaller cities within the metropolitan government.

(3) Notwithstanding any law to the contrary, if a municipal charter provides for property rights voting, no more than two (2) persons shall be entitled to vote based upon the ownership of an individual tract of property regardless of the number of property owners.

Tenn. Code Ann. § 2-2-107

The above language is the only statute in our state that permits a voter to vote in a location where they do not reside, if permitted by municipal charter. There is no right under the voter registration law to register to vote in a city where the person does not live or own real property. Business owners who do not reside in city limits cannot gain the right to vote through a simple charter change due to this limitation imposed by state law.

This is the law authorizing cities to require absentee voting by nonresident voters:

In the case of individuals who, pursuant to § 2-2-107(a) are registered to vote in a municipality as nonresident property owners, the municipal legislative body may, by ordinance, direct such voters to cast the municipal ballots as absentee by mail ballots. Any municipal ordinance adopted pursuant to this section must be adopted and filed with the county election commission office no later than sixty (60) days before the election. Upon the filing of the municipal ordinance, a nonresident property owner may not thereafter vote in the election except by absentee ballot. No later than forty-five (45) days before the election, the election commission shall mail a notice to each voter registered as a nonresident property owner of the municipality advising the voter of the voting process and include an application for ballot for the municipal election. The election commission shall maintain a record of the municipal ordinance and shall not require a municipality to adopt subsequent ordinances, unless the municipality has repealed such ordinance since the last election.

Tenn. Code Ann. § 2-6-205

There is no statutory framework creating a legal pathway to permit business owners to vote in municipal elections. Only those business owners who reside in McMinn County and own real property in Athens may cast such votes.

End opinion

Please reach out with any additional questions.

Honna

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