

SPECIAL SESSION

NOVEMBER 19, 2008

The City Council of the City of Athens met in Special Session on Wednesday, November 19, 2008, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry Don Vaught
Carroll Maberry
Carol Barton
Randy Daniel, Mayor (Entered at 11:46 a.m.)

Pam Burton, City Administrator
Pam Watson, City Secretary

others present: Gary Crecelius, Glen Herriage, Buddy Hill, David Hopkins, Haven Cox, Elaine Coffman, Chris Weeks, Richard Haynie, Woody Webb and other interested citizens;

with the following member absent: Elaine Jenkins;

constituting a quorum at which time the following proceedings were enacted, to-wit:

The invocation was given by Police Chief Buddy Hill.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSULTING ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Chris Weeks, Velvin & Weeks Consulting Engineers

- 1) Final inspection of Impala Pt. Project performed on 11/04, online and working properly.
- 2) Bids for 18" water main project open on 12/04/08, with pre-bid conference being held on 11/28/08.
- 3) East & West Sewer improvement plans are 85% complete, will bid early next year.
- 4) 12" water main extension plans are 50% complete, should be ready early next year.

ATHENS ECONOMIC DEVELOPMENT CORPORATION REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Chris Potter, President & CEO of Athens Economic Development Corporation reported on current and proposed projects.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Gary Crecelius, Director of Planning & Development updated on the following:

- 1) Remodeling permit issued to Groom & Sons Hardware for north side of old Winn Dixie building.
- 2) Remodeling permit issued to Ivan Smith Furniture for south side of old Winn Dixie building.
- 3) Remodeling permit issued to Athens Independent School District for Science lab at 708 East College St.
- 4) Remodeling permit issued to Cinema 4 for concession stand.
- 5) McDonald's has remodeled inside of restaurant.
- 6) Brinson Ford is closing Fast Lube Service and will begin selling all-terrain vehicles.
- 7) Building permit has been issued for single-family residence on Edna St.
- 8) Plans have been provided for new Best Western, 3-story with approximately 63 rooms.

City Council Special Session

FINANCIAL REPORT

David Hopkins, Director of Finance presented the financials, informing the Council that sales tax is down for the months of October and November 2008.

Mayor Daniel entered the meeting at 11:46 a.m.

DISCUSS ITEMS FOR FUTURE AGENDAS;

- A) DISCUSS WAIVING LIENS FOR LOT 8B & 9, BLOCK 14, BISHOP HEIGHTS SUBDIVISION, AS REQUESTED BY VERNIS MCNEIL (213 WILLIAMS ST.)

City Administrator Pam Burton explained that Mr. McNeil has recently purchased this property and is requesting that the City waive liens totaling \$1,359.35. Mr. McNeil stated that he is planning to place a home on this property in the near future. He stated that he will be selling the property at 217 Williams St. and is withdrawing his previous request for liens to be waived for that property. The item will appear on the agenda on Monday, 11/24/08.

- B) DISCUSS AUTHORIZING VARIANCE TO BURN ORDINANCE AND AUTHORIZING WAIVING OF BURN PERMIT FEE FOR EAST TEXAS ARBORETUM & BOTANICAL SOCIETY

Bob McDonald explained that the Arboretum is planning to clear three (3) acres on the west side of their property to provide an area for overflow parking during events and they are requesting authorization to burn brush on-site for up to 10 days and to have the \$50 burn permit fee waived. The item will appear on the agenda Monday.

- C) DISCUSS RENEWING CONTRACT FOR MEDICAL, DENTAL AND LIFE/LTD INSURANCE FOR CITY OF ATHENS EMPLOYEES

Haven Cox, Director of Human Resources explained that insurance for City employees will renew 1/01/09, with Staff recommending that Medical insurance be renewed with UniCare and that Dental & Life/Ltd insurance be renewed with MetLife, due to renewal rates coming in under budget. The item will appear on the agenda Monday.

- D) DISCUSS REQUESTS FOR QUALIFICATIONS RECEIVED FOR PRODUCTS AND/OR SERVICES FOR FACILITY NEEDS ASSESSMENT

Ms. Burton stated that two (2) companies responded to the Requests for Qualifications for Products and/or Services for Facility Needs Assessment, recommending that the Council review both proposals and consider authorizing staff to negotiate a price with one of the companies. The item will appear on the agenda Monday.

- E) DISCUSS PUBLIC HEARING CONCERNING THE REZONING OF LOTS 52C & 52D, D. HARRISON LEAGUE FROM AGRICULTURE TO SINGLE-FAMILY ATTACHED RESIDENTIAL (TOWNHOMES), OWNED BY FRED NEELY (CORNER OF ROBBINS RD. & GIBSON RD.)

Mr. Crecelius explained that this property is being rezoned for townhomes. He stated that two (2) surrounding property owners were notified, no responses were received and the Zoning Commission approved the rezone on 11/18/08. Ms. Burton stated that the owner's intent is to provide owner-occupied townhomes, not rental property. The item will appear on the agenda Monday.

- F) DISCUSS/CONSIDER REPLAT OF LOT 1, BLOCK 38, ATHENS ORIGINAL TOWN, OWNED BY ATHENS INDEPENDENT SCHOOL DISTRICT (CORNER OF WEST COLLEGE ST. & HAWN ST.)

Mr. Crecelius explained that this property is being reconfigured to allow for sale of a portion of the property, with the Zoning Commission approving the replat on 11/18/08. The item will appear on the agenda Monday.

- G) DISCUSS PUBLIC HEARING CONCERNING THE REZONING OF LOT 1-B, BLOCK 38, OLD TOWN SUBDIVISION FROM OFFICE TO OFFICE SPECIFIC USE PROVISION, OWNED BY ATHENS INDEPENDENT SCHOOL DISTRICT (414 W. COLLEGE ST.)

Mr. Crecelius explained that this property is being rezoned at the request of a potential buyer to allow for a Community Center, with seven (7) surrounding property owners being notified. He stated that two (2) written objections were received and one (1) neighbor was present with concerns at the Zoning Commission meeting on 11/18/08, with the major objections being noise and traffic. He stated that the Zoning Commission approved the rezone with the following stipulations: 1) greenbelt required along West College side of the property; 2) hours of operation may not go past 1:00 a.m.; 3) no alcohol allowed; and 4) drive approach must be moved to the middle drive. Mr. Crecelius stated that Mr. Padron, the potential buyer, mentioned that some events could possibly be held outside, suggesting that the Council consider hours of operation for outside events. Mr. Crecelius also recommended that heavy insulation be placed inside the building to help with noise and energy conservation.

After discussion, Councilmember Barton and Councilmember Maberry expressed their opposition to this location for a Community Center. The item will appear on the agenda Monday.

- H) DISCUSS REPLAT OF LOTS 2A & 2B, BLOCK 74, ATHENS ORIGINAL TOWN, OWNED BY TINA TANNER (CORNER OF FRIZZELL ST. & WEST COLLEGE ST.)

Mr. Crecelius explained that this replat will reconfigure two (2) lots, with the Zoning Commission approving the replat on 11/18/08. The item will appear on the agenda Monday.

- I) DISCUSS REPLAT OF ATHENS CEMETERY, PHASE II, OWNED BY ATHENS CEMETERY ASSOCIATION (END OF COMANCHE ST.)

Mr. Crecelius explained that this replat will renumber burial plots and correct the numbering sequence, with the Zoning Commission approving the replat on 11/18/08. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;

- A) DISCUSS APPROVING MINUTES OF THE NOVEMBER 10, 2008 REGULAR SESSION

This item will appear on the Consent Agenda Monday.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 8TH DAY OF DECEMBER, 2008.

ATTEST:

Randy Daniel, Mayor

Pam Watson, City Secretary