

REGULAR SESSION

JANUARY 25, 2010

The City Council of the City of Athens met in Regular Session on Monday, January 25, 2010, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Randy Daniel, Mayor  
Jerry Don Vaught  
Carroll Maberry  
Carol Barton  
Elaine Jenkins

Pam Burton, City Administrator  
Pam Watson, City Secretary  
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, John McQueary, Haven Cox, David Hopkins, Lauren Ricks, Joe Whatley, Brian Malone, Nancy Duff, Tyler Hendrickson and other interested citizens;

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

The invocation was given by Councilmember Jenkins.

CONSIDER APPOINTMENT TO ATHENS CITY COUNCIL, PLACE 3, TO FILL  
VACANCY CREATED BY RESIGNATION

Mayor Daniel read aloud a letter of resignation from Councilmember, Place 3, Carroll Maberry, including Mr. Maberry's recommendation to appoint Aubrey Jones to serve the remainder of his term. Mayor Daniel stated that Councilmember Maberry has been a very involved member of the City Council and has served as the conscience of the Council. He presented Councilmember Maberry with a gold watch, on behalf of the City of Athens, in appreciation for the 17 years he has served on the City Council.

Councilmember Maberry stated that he has enjoyed the 17 years, 8 months and 25 days that he has been allowed to serve the citizens of Athens.

After Ms. Burton and each Councilmember expressed their feelings and appreciation to Councilmember Maberry, a motion was made by Councilmember Vaught and seconded by Councilmember Barton to appoint Aubrey Jones to the Athens City Council, Place 3, to fill the vacancy created by Councilmember Maberry's resignation. The motion carried unanimously.

City Secretary Pam Watson administered the Oath of Office to newly appointed Councilmember, Place 3, Aubrey Jones.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

PUBLIC HEARING CONCERNING REZONING OF LOT 4N, R.A. CLARK  
SURVEY FROM COMMERCIAL TO INDUSTRIAL, OWNED BY CITADEL  
ATHENS, LTD. (1411 EAST TYLER ST.)

Gary Crecelius, Director of Planning & Development explained that this property is being rezoned to allow for the sale of portable storage buildings, carports, gazebos, etc. He stated that six (6) surrounding property owners were notified and no responses were received, with the Zoning Commission approving the rezone on 1/19/10.

Randy Dyess presented pictures of the inventory that he plans to place on the property, explaining that he plans to lease the property for at least six (6) months.

Councilmember Vaught expressed his concern with the presentation and location of the inventory, feeling that this type of business should not be inside the city limits and a site plan should be required.

After discussion, the public hearing was closed.

CONSIDER FIRST READING OF AN ORDINANCE REZONING LOT 4N,  
R.A. CLARK SURVEY FROM COMMERCIAL TO INDUSTRIAL, OWNED BY  
CITADEL ATHENS, LTD. (1411 EAST TYLER ST.)

Ms. Watson read the Ordinance aloud. A motion was made by Councilmember Vaught, seconded by Councilmember Jenkins to approve FIRST READING OF AN ORDINANCE REZONING LOT 4N, R.A. CLARK SURVEY FROM COMMERCIAL TO INDUSTRIAL, contingent upon a site plan being presented and approved. The motion carried unanimously.

CONSIDER FIRST READING OF AN ORDINANCE AMENDING ORDINANCE  
#O-40-07, ADOPTING THE INTERNATIONAL BUILDING CODE;  
PROHIBITING THE USE OF WOOD SHINGLES AND WOOD SHAKES

Ms. Burton explained that the Fire Marshall has recommended the adoption of an Ordinance that would prohibit the use of wood shingles in the City of Athens. Ms. Watson read the Ordinance aloud. A motion was made by Councilmember Barton, seconded by Councilmember Jenkins to approve FIRST READING OF AN ORDINANCE AMENDING ORDINANCE #O-40-07, ADOPTING THE INTERNATIONAL BUILDING CODE; PROHIBITING THE USE OF WOOD SHINGLES AND WOOD SHAKES. The motion carried unanimously.

CONSIDER FIRST READING OF AN ORDINANCE AMENDING ORDINANCE  
#O-42-07, ADOPTING THE INTERNATIONAL RESIDENTIAL CODE;  
PROHIBITING THE USE OF WOOD SHINGLES AND WOOD SHAKES

Ms. Watson read the Ordinance aloud. A motion was made by Councilmember Vaught, seconded by Councilmember Barton to approve FIRST READING OF AN ORDINANCE AMENDING ORDINANCE #O-42-07, ADOPTING THE INTERNATIONAL RESIDENTIAL CODE; PROHIBITING THE USE OF WOOD SHINGLES AND WOOD SHAKES. The motion carried unanimously.

DISCUSS/CONSIDER APPROVING ATHENS ECONOMIC DEVELOPMENT  
CORPORATION'S PERFORMANCE AGREEMENT FOR HOWARD  
MEASUREMENT COMPANY, INC.

After discussion, a motion was made by Councilmember Jenkins, seconded by Councilmember Barton to approve Athens Economic Development Corporation's Performance Agreement for Howard Measurement Company, Inc. The motion carried unanimously.

CONSIDER A RESOLUTION IN SUPPORT OF ATHENS ECONOMIC  
DEVELOPMENT CORPORATION APPLYING TO UNITED STATES  
DEPARTMENT OF AGRICULTURE FOR RURAL BUSINESS ENTERPRISE  
GRANT AND INTERMEDIARY RELENDING PROGRAM

After discussion, a motion was made by Councilmember Vaught, seconded by Councilmember Jones to approve A RESOLUTION IN SUPPORT OF ATHENS ECONOMIC DEVELOPMENT CORPORATION APPLYING TO UNITED STATES DEPARTMENT OF AGRICULTURE FOR RURAL BUSINESS ENTERPRISE GRANT AND INTERMEDIARY RELENDING PROGRAM. The motion carried unanimously.

DISCUSS/CONSIDER WAIVING LIENS ON LOT 16, BLOCK 37, ORIGINAL TOWN SUBDIVISION, AS REQUESTED BY FIRST STATE BANK (411 WEST COLLEGE ST.)

After discussion, a motion was made by Mayor Daniel to waive liens on Lot 16, Block 37, Original Town Subdivision, totaling \$1,060.12. The motion died for lack of a second.

A motion was made by Councilmember Vaught, seconded by Councilmember Jones to table the item. The motion carried unanimously.

DISCUSS/CONSIDER APPOINTMENT TO ZONING BOARD OF ADJUSTMENTS

Ms. Burton stated that Mamie Stafford has volunteered to serve on the Zoning Board of Adjustments. A motion was made by Councilmember Jones, seconded by Councilmember Jenkins to appoint Mamie Stafford to serve on the Zoning Board of Adjustments. The motion carried unanimously.

CONSENT AGENDA;

- A) CONSIDER APPROVING MINUTES OF THE JANUARY 6, 2010 SPECIAL SESSION AND JANUARY 11, 2010 REGULAR SESSION
- B) CONSIDER FINAL READING OF AN ORDINANCE AUTHORIZING PLACEMENT OF STOP SIGN ON YORK STREET AT THE INTERSECTION OF WALKER STREET, AS REQUESTED BY DISCIPLES CLINIC OF ATHENS
- C) CONSIDER FINAL READING OF AN ORDINANCE REZONING LOT 1, BLOCK 9, PARK HIGHLANDS SUBDIVISION FROM RETAIL TO SINGLE-FAMILY RESIDENTIAL-5, OWNED BY KENNETH HARCROW (701 ST. THOMAS)

Ms. Watson read the Ordinances aloud. A motion was made by Councilmember Vaught, seconded by Councilmember Barton to approve the Consent Agenda. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 8<sup>TH</sup> DAY OF FEBRUARY, 2010.

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Randy Daniel, Mayor

ATTEST:

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Pam Watson, City Secretary