



ATHENS CITY COUNCIL WORK SESSION AGENDA

Monday, January 13, 2025, 5:00pm

**Athens Municipal Building
Burkett L. Witt Council Chambers**

I. INVOCATION

II. PLEDGE OF ALLEGIANCE

III. DISCUSSION

- (1 - 4) **a. Christmas Lights at Regional Park**
- (5) **b. Reconsideration of North City School Property**
- (6 - 9) **c. Intersection of Crestway Drive and Matlock Avenue**
- (10 - 11) **d. RESOLUTION 2025-01:**
 A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE
 ATHENS UTILITIES BOARD'S NATURAL GAS IN LIEU OF TAX PAYMENTS
 FOR FISCAL YEAR 2024/2025
- (12 - 13) **e. RESOLUTION 2025-02:**
 A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE
 ATHENS UTILITIES BOARD'S ELECTRICAL IN LIEU OF TAX PAYMENTS
 FOR FISCAL YEAR 2024/2025
- (14 - 15) **f. FY 2024-2025 Fund Balance Transfer**
- (16 - 20) **g. Final Close-Out Document for the USDA Rural Development Loan for the School
 Building Project**
- (21 - 22) **h. RESOLUTION 2025-03**
 A RESOLUTION TO DECLARE THE WEEK OF JANUARY 26-31, 2025,
 ATHENS FLOOD AWARENESS WEEK
- (23 - 26) **i. ORDINANCE NO. 1136:**
 AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE,
 TITLE 14, CHAPTER 2 OF THE ZONING ORDINANCE, BE AMENDED BY REVISING SECTION 3.04.14 SO AS
 TO ADD SUBSECTION "G" THAT ESTABLISHES THE H-2 HISTORIC OVERLAY DISTRICT LIMITS AS BOUNDED
 BY COLLEGE STREET, GREEN STREET, PARK STREET AND HILL STREET; AND PROVIDING THAT THE
 OFFICIAL ZONING MAP IS AMENDED SO AS TO ATTACH THE H-1 HISTORIC OVERLAY DISTRICT AS
 DESCRIBED HEREIN AND ON THE ATTACHED MAP; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND
 AN EFFECTIVE DATE .
- (27) **j. Discussion of the Appraisal Results of a Downtown Building to be Used as a City Hall**

(28 - 29)

k. City Councilmember's Items

Mayor Larry Eaton Items

- a) July 4th Event and Other Community Events
- b) Event Safety
- c) Downtown Street Cleaning
- d) Completion of Animal Shelter
- e) Purchasing Policies and Food Policies
- (30) f) Requesting the McMinn County Emergency Communications District Board to Have an Appointed City Representative on its Board

Councilmember Steve Sherlin's Items

- (31 - 40) a) Elimination of Patio Homes from the Zoning Code

Councilmember John Duggan's Items

- a) Residential Streets Speed Limit
- b) Current Building Codes and Contractor Licenses

Councilmember Dick Pelley's Items

- (41 - 43) a) Concerns

IV. NEW BUSINESS

V. BOARDS & COMMITTEES

- (44) **a. Appointment to the McMinn County Library Board**
 - 1. Jacob Burnette
 - 2. Amy Sullins
- (45) **b. Resignation from the Council Advisory Committee (Pelley)**
 - 1. James Fries
- (46) **c. Vacancy**
 - 1. Council Advisory Committee (Pelley) **X3**
 - 2. Council Advisory Committee (Duggan) **X2**
- (47) **d. Appointment to Council Advisory Committee (Duggan)**
 - 1. James Fries



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III a. Discussion of Christmas Lights at Regional Park

Overview

Christmas lights at Regional Park have been a topic of discussion for some time. City staff has researched this issue and found a company from Chattanooga that offers a Christmas light event, Nooga Lights, LLC. As a general overview, this company would install and operate a 5,280 linear foot drive-through light display with music around Regional Park daily during late November through late December for a fixed rate per vehicle (\$20+/-) with the proceeds being shared with the city. The city's responsibilities would be to market the event on a regional basis, provide electric services through perhaps rented generators, pay the event's electric bill, and incur a small amount of personnel overtime to coordinate the event. The city's expenses would come from the Hotel/Motel Tax Fund.

Nooga Lights has conducted similar successful drive-through and walk-through Christmas light shows in Soddy Daisy and Chattanooga. Attached is their proposal and a proposed route at Regional Park. The owner, John Haustein, will attend the January 13, 2025 work session to offer more details of his proposal and answer questions and concerns.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration. If approved, a Memorandum of Agreement will be prepared detailing each party's responsibilities.

Affected Departments

Parks & Recreation



January 9, 2026

City of Athens, Tennessee
Mr. Frank Clark
815 North Jackson Street
Athens, TN 37303

Dear Mr. Clark

Thank you for considering NoogaLights as your winter special-event partner for the Athens and McMinn communities. NoogaLights is a prominent holiday lighting specialist based in Chattanooga, TN, providing seasonal installations to residential, commercial, institutional, and municipal clients.

The Athens Regional Park appears to be a fantastic host site for a dynamic venue that is possibly underutilized during the winter months. Developing a plan for a successful event begins with understanding the intent of the event host and the capabilities, limitations, and shared responsibilities of the two parties. An initial review of the property yields that much of the improved facilities can remain accessible to the general public while the outer routes and fields are taken "offline" during the extent of the holiday event. This partial closure accommodates many of the regulations established in federal or state funding requirements; however, this needs to be confirmed by the event host.

NoogaLights proposes to deploy a majority of the latest lighting technology and is synchronized to music broadcast via FM transmitters. This technology is at the higher end of drive-thru venues and requires highly skilled technicians and props to implement. The results are greater customer satisfaction, the ability to redesign exhibit pieces quickly (they can change appearance in milli seconds versus being the same outline for the duration of the event), and the opportunity to be programmed for alternative nights (perhaps a Rock N Roll night versus traditional Christmas which encourages repeat visitors). NoogaLights also proposes applying for a Guinness World Record length tunnel and an appearance on ABC's Great Christmas Light fight. *Both of these need to be discussed in depth with the event hosts.*

There are three traditional arrangements for an event as being proposed. They are:

1. Contracted Equipment Provider

- 1.1. The event host hires NoogaLights to install and operate exhibits for a fixed rate.
- 1.2. All other operational aspects from marketing to nightly staff to ticket sales are the responsibility of the event host.

2. Co-Hosted

- 2.1. Specific tasks are assigned to each host according to their viability of success and expertise.
- 2.2. Typically a shared revenue stream
- 2.3. Deposit required and percentage of the "gate"

3. Full Venue Host

- 3.1. The majority of the operational tasks and decisions are the responsibility of NoogaLights
- 3.2. Minimal shared responsibilities
- 3.3. A percentage of the "gate" is paid to the event host site.



Items to be discussed to determine the final hosting arrangement and costs:

Athens Managed



NoogaLights Managed

3 year minimum commitment

Deposit requirement and reimbursment schedule

Power supply; temporary power (generators) or permanent power

Staffing needs

Park closure period

Traffic control at Congress Parkway

Profit Sharing

Vender management; food trucks, craft venders, etc.

Year 2 and 3 expansion plans; walk-thru, village, etc.

Hayride capabilities

Marketing

Sponsor(s)

Downtown lighting projects - tree wraps, building lighting, and decorations

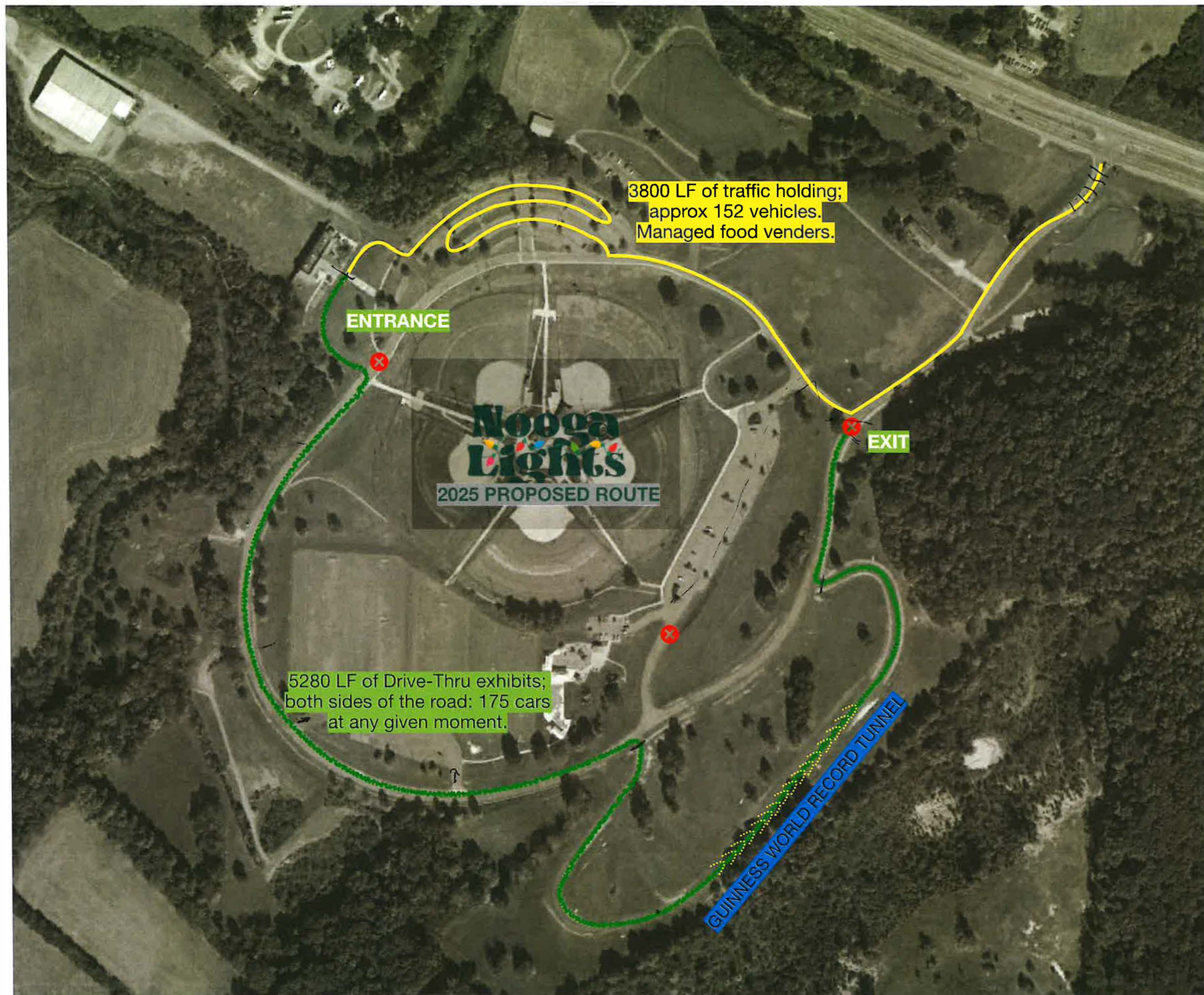
Timing of implentation of a contract

Again, thank you for allowing NoogaLights the opportunity to be considered for such a community-centric project. We look forward to answering any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Haustein", with a long, sweeping horizontal line extending to the right.

John Haustein
NoogaLights Llc
(423) 593-8538 cell/text
(423) 498-XMas desk





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III b. Discussion of Reconsidering Demolishing North City School

Overview

During the December 17, 2024 regular session, the Council voted to demolish North City School. Based on that approval, city staff is preparing a bid package to distribute to interested companies to obtain competitive bids to perform this work. Once the bids are received, they will be presented to Council for consideration.

A Councilmember has requested that the demolition of North City School be reconsidered.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Purchasing





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III c. Discussion of the Intersection at Crestway Drive and Matlock Avenue

Overview

During a recent Council meeting, the Council directed staff to further study the intersection of Crestway Drive and Matlock Avenue to determine if additional traffic control enhancements are warranted, more specifically modification from a 2-way controlled stop intersection to a 4-way controlled stop intersection.

The Public Works Department evaluated the intersection in accordance with established traffic control standards and guidelines and determined that modifications to this intersection from a 2-way controlled stop design to a 4-way controlled stop design is not warranted at this time. The Public Works Department's entire analysis is attached.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Public Works Department



PUBLIC WORKS

TO: Randy Dowling, City Manager
FROM: Ben Burchfield, Public Works Director
DATE: December 27, 2024
SUBJECT: Crestway Dr & S Matlock S Intersection Study Update

BACKGROUND

Earlier this year in September 2024 an accident occurred involving two motor vehicles and multiple injuries at the intersection of Crestway Dr and S Matlock Ave. There was considerable public discussion and concern over the incident as well as the broader safety concerns of the intersection. Public Works investigated the intersection immediately following the incident and proceeded to complete multiple low-cost improvements to enhance safety in an effort to be proactive. Improvements included vegetation removal to increase intersection sight distance, addition of advance stop notification signage for EB vehicles on Crestway Dr and refreshing thermoplastic stop bars at the intersection. Based on the MVA report, these items were not precipitating causes to the accident, excess speed and failure to yield were the root cause of the incident.

Despite this, Public Works was requested to perform additional study of the intersection of Crestway Dr and S Matlock Ave to see if further enhancements are warranted; more specifically, modification of the intersection from a 2-way stop controlled intersection to a 4-way stop controlled intersection.

METHODOLOGY

There is a standardized process for evaluating intersections for this outlined in the Manual of Uniform Traffic Control Devices (MUTCD). Intersection Rights-of-Way, generally, are governed by Section 2B.04. Multi-Way Stop Applications, which is more specific and relates directly to this request, are covered under Section 2B.07, hereunder incorporated for reference:

Section 2B.07 Multi-Way Stop Applications

Support:

01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

03 *The decision to install multi-way stop control should be based on an engineering study.*

04 *The following criteria should be considered in the engineering study for a multi-way STOP sign installation:*

A. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.

B. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

C. Minimum volumes:

1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and,

2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but,

3. If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.

D. Where no single criterion is satisfied, but where Criteria B, C.1, and C.2 are all satisfied to 80 percent of the minimum values. Criterion C.3 is excluded from this condition.

Option:

05 Other criteria that may be considered in an engineering study include:

A. The need to control left-turn conflicts;

B. The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;

C. Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and

D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Traffic Data for the engineering study was collected by both Athens Police Department as well as Public Works within the past 2 months:

1. APD collected speed and traffic volume data for S Matlock Ave from 11.22.2024 to 12.2.2024
2. Public Works collected average daily traffic volumes (ADT) for all 4 sides of the intersection on Crestway Dr and S Matlock Ave from 12.9.2024 to 12.13.2024.
3. Public Works also collected and reviewed 5 years of motor vehicle accident (MVA) data, far beyond the MUTCD period of 12-months, as an added layer of scrutiny for the study.

After collecting, processing, and evaluating the traffic data with respect to Section 2B.07 of the MUTCD, Public Works has established the following:

1. Maximum combined 24-hour approach ADT for Matlock is 2091 vehicles. Max combined approach ADT for Crestway is 1404 vehicles, or 67% of the volume of Matlock; therefore, volume is not approximately equal and there is not a concern of level-of-service imbalance.
2. The 5-year analysis of MVAs yielded 1 incident at this intersection – the incident that occurred on September 23, 2024; therefore, the threshold of 5 potentially correctable MVAs in a 12-month period were not met per MUTCD.
3. Maximum single approach 24-hour ADT approaching the intersection for Crestway Dr was 842 vehicles from the east. Maximum single approach 24-hour ADT for S Matlock Ave was 1097 vehicles from the north.
4. Neither Matlock approach met minimum volume approaches of over 300 vehicles per hour for an 8-hour duration as the “major street” for a single hour. Highest single hourly volume was 151 vehicles from 07:15a – 08:15a from the north on 12/12/2024.
5. Neither Crestway approach met minimum “minor street” volume approaches of over 200 vehicles per hour for the same 8-hours, for a single hour. Highest was 147 vehicles from the east between 2:45p – 3:45p on 12/12/2024.
6. Peak hour minor street vehicle delay of 30+ seconds was not calculated for this study as an intersection turning movement count (TMC) and queue study was not conducted; instead, initial ADT data was collected to determine if a TMC was even warranted based on volumes. It was not.
7. APD speed data determined the 85th percentile speed of vehicles on S Matlock Ave to be 34-mph which does not exceed the 40-mph threshold in the MUTCD to reduce vehicular volume percentages to 70%. Because vehicles are coming to a complete stop on Crestway Dr already, 85th percentile speed correction factor is omitted.
8. Neither S Matlock Ave nor Crestway Dr has been functionally classified in accordance with FHWA guidelines, but based on functional uses, geometric designs, AADT, among other factors, it is a logical assumption that they both would be rated as minor collectors; albeit on the low end of the spectrum at this point in time.

ACTION ITEM

Based on the data collected and subsequent assessment in accordance with MUTCD guidelines, it is Public Work’s determination that modification of the intersection from a 2-way stop control design to a 4-way stop control design is ***not warranted***. There are not significant safety issues or incidents present at this intersection, there are not intersection efficiency issues due to oversaturation during peak periods, and intersection approach volumes are not equally balanced potentially resulting in vehicular delays.

Further urban development may necessitate reevaluation at a future date, but at this time, the Department recommends no action be taken.



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III d. Discussion of a Resolution Authorizing the Distribution of the Athens Utilities Board's Electrical In Lieu of Tax Payments for FY 2024-25.

Overview

The Finance Department is requesting the Council approve the attached resolution authorizing the Athens Utilities Board to distribute their Electrical in Lieu of Tax Payments to various public entities as outlined in the resolution for FY 2024-25.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Finance Department

RESOLUTION NO. 2025-01

**A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE
ATHENS UTILITIES BOARD’S ELECTRICAL IN LIEU OF TAX PAYMENTS
FOR FISCAL YEAR 2024/2025.**

WHEREAS, the Legislature for the State of Tennessee enacted Public Chapter No. 84 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on electrical systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

WHEREAS, in Section 5(d) of said Act, the legislative body of the municipality and/or governing agency agrees that the electric system subject to said Act, is to pass a Resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

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

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

That meeting in regular session this **21st** day of **January 2025**, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its electrical in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens and McMinn County, the sum of \$959,322.68 in accordance with the following schedule for the fiscal year 24/25 as follows:

McMinn	-	\$215,847.60
Athens	-	\$743,475.08

or a total amount of \$959,322.68.

The City of Athens will make distributions to McMinn County as required by law.

BE IT FURTHER RESOLVED that the Athens Utilities Board will distribute to the following municipalities and Monroe County, which it serves and owns property, in accordance with the following schedules:

Englewood	-	\$ 7,369.51
Niota	-	\$10,912.53
Monroe	-	\$ 1,258.79

or a total amount of \$19,540.83.

BE IT FURTHER RESOLVED that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the 20th day of July 2024, and the same day of each month thereafter for this fiscal year.

BE IT FURTHER RESOLVED by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

ON MOTION BY _____,

SECONDED BY _____,

said Resolution was approved by roll call vote.

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

- III e. Discussion of a Resolution Authorizing the Distribution of the Athens Utilities Board's Gas In Lieu of Tax Payments for FY 2024-25.

Overview

The Finance Department is requesting the Council approve the attached resolution authorizing the Athens Utilities Board to distribute their Gas in Lieu of Tax Payments to various public entities as outlined in the resolution for FY 2024-25.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Finance Department

RESOLUTION NO. 2025-02

**A RESOLUTION AUTHORIZING THE DISTRIBUTION OF THE
ATHENS UTILITIES BOARD’S NATURAL GAS IN LIEU OF TAX PAYMENTS
FOR FISCAL YEAR 2024/2025.**

WHEREAS, the Legislature for the State of Tennessee enacted Public Chapter No. 39 during its 1987 session, which Act provided for a uniform formula to pay tax equivalents on gas systems to the respective cities and counties served by the Athens Utilities Board in accordance with the respective property tax rates set by said governing bodies; and

WHEREAS, in TCA 7-39 et seq. provides that the legislative body of the municipality will pass a resolution outlining the amount to be paid to each respective jurisdiction served by the utilities, using the current tax rate by the respective governing body.

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

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

That meeting in regular session this 21st day of January, 2025, that the Athens Utilities Board is hereby authorized, directed and empowered to distribute its gas in lieu of tax payments (tax equivalent) to the City of Athens, Tennessee, for the City of Athens, the sum of \$240,891.42.

BE IT FURTHER RESOLVED that the Athens Utilities Board will distribute to the following municipalities, which it serves and owns property, in accordance with the following schedules:

Niota	-	\$644.20
Calhoun	-	\$201.00

BE IT FURTHER RESOLVED that the Athens Utilities Board will pay the sum to the City of Athens in monthly installments beginning the 20th day of July 2024, and the same day of each month thereafter for this fiscal year.

BE IT FURTHER RESOLVED by the Athens City Council that this resolution shall take effect immediately from and after its passage, the public welfare requiring it.

ON MOTION BY _____,

SECONDED BY _____,

said Resolution was approved by roll call vote.

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III f. Discussion of the FY 2024-25 Fund Balance Transfer

Overview

The city's established General Fund unassigned fund balance policy is to maintain an amount equal to 75% of General Fund expenditures. Based on the current budget, that amount would total \$16.3M. Currently, the General Fund has excess funds in reserves and needs to transfer \$1.7M to the Capital Project Fund to fund future capital projects. The Finance Director's memo is attached.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Finance Department



FINANCE DEPARTMENT

MEMORANDUM

TO: Randy Dowling, City Manager
FROM: Mike Keith, Director of Finance
DATE: December 19, 2024
RE: FY2025 Fund Balance Transfer

Our fund balance policy for the unassigned fund balance in the General Fund is to maintain an amount equal to 75% of budgeted expenditures. For the FY2025 budget, that amount should be \$16,312,500. I am recommending that we transfer \$1,700,000 of excess fund balance to the Capital Projects Fund in January. This will leave us with a fund balance of approximately \$17,000,000 in the General Fund. I realize it is above the target but this will put us at the estimated fund balance needed for the FY2026 budget and it may allow us to transfer more next year as we begin to get some more projects scheduled in the future.

Please let me know if you have any questions or need any additional items for this memo.



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III g. Discussion of the Final Close-Out Document for the USDA Rural Development Loan for the School Building Project.

Overview

To close out the USDA Rural Development loan for the school building project, the Tennessee Comptroller of the Treasury requires the City Council to approve a Report on Debt Obligations (attached) regarding the school project.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Finance Department



Jason E. Mumpower
Comptroller

Report On Debt Obligation

Receipt Date: 12/13/2024

Entity and Debt Information

Entity Name

City of Athens

Entity Address

815 North Jackson Street Athens, Tennessee 37303

Debt Issue Name

General Obligation Bond, Series 2021

Series Year

2021

Debt Issue Face Amount

\$5,000,000.00

Face Amount Premium or Discount?

N/A

Tax Status

Tax - Exempt

Interest Type

True Interest Cost (TIC)

True Interest Cost (TIC)

2.125%

Debt Obligation

Bond

Moody's Rating

Unrated

Standard & Poor's Rating

Unrated

Fitch Rating

Unrated

Other Rating Agency Name

N/A

Other Rating Agency Rating

N/A

Security

General Obligation

Type of Sale Per Authorizing Document

State or Federal Loan Program

Loan Program Name

USDA Rural Development

Dated Date

12/13/2024

Issue/Closing Date

12/13/2024

Final Maturity Date

12/13/2064

Debt Purpose

Purpose	Percentage	Description
Education	100%	Improvements to school buildings and facilities
General Government	0%	N/A
Other	0%	N/A
Refunding	0%	N/A
Utilities	0%	N/A

Cost of Issuance and Professionals

Does your Debt Issue have costs or professionals?

Yes

Description	Amount	Recurring Portion	Firm Name
Legal Fees - Bond Counsel	\$15,000.00	N/A	Bass, Berry & Sims PLC
TOTAL COSTS	\$15,000.00		

Maturity Dates, Amounts, and Interest Rates

Comments

The City will make 480 consecutive monthly payments of principal and interest in the amount of \$15,500, commencing on January 13, 2025, and on the same day of each month thereafter until the maturity date of December 13, 2064.

Year	Amount	Interest Rate
2064	\$5,000,000.00	2.125
TOTAL AMOUNT	\$5,000,000.00	

See final page for Submission Details and Signatures

Submission Details and Signatures

Is there an official statement or disclosure document, as applicable, that will be posted to EMMA: <https://emma.msrb.org/>?

Not Applicable

Signature - Chief Executive or Finance Officer of the Public Entity

Name

Larry Eaton

Title/Position

Mayor

Email

leaton@athenstn.gov

Alternate Email

mkeith@athenstn.gov

Signature - Preparer (Submitter) of This Form

Name

Lillian M. Blackshear

Title/Position

Member

Email

lblackshear@bassberry.com

Alternate Email

alex.samber@bassberry.com

Relationship to Public Entity

Bond Counsel

Organization

Bass, Berry & Sims PLC

Verification of Form Accuracy

By checking the box below as the signing of this form, I attest the following:

1. I certify that to the best of my knowledge the information in this form is accurate.
2. The debt herein complies with the approved Debt Management Policy of the public entity.
3. If the form has been prepared by someone other than the CEO or CFO, the CEO or CFO has authorized the submission of this document.

☒ Verify Form Accuracy

Date to be Presented at Public Meeting

01/21/2025

Date to be emailed/mailed to members of the governing body

N/A

Final Confirmation:

I hereby submit this report to the Division of Local Government Finance of the Tennessee Comptroller of the Treasury and understand my legal responsibility to: File this report with the members of the governing body no later than 45 days after the issuance or execution of the debt disclosed on this form. The Report is to be delivered to each member of the Governing Body and presented at a public meeting of the body. If there is not a scheduled public meeting of the governing body within forty-five (45) days, the report will be delivered by email or regular US mail to meet the 45-day requirement and also presented at the next scheduled meeting.





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III h. Discussion of a Resolution to Declare the Week of January 26-31, 2025 as Athens Flood Awareness Week.

Overview

The city participates in the National Flood Insurance Program and must keep its citizens informed of the program's activities and benefits. One of the many ways to keep citizens informed of this program is to designate the week of January 26-31, 2025 as Flood Awareness Week. The Community Development Department has prepared a resolution to that effect (attached). In addition, the city will prepare benefits of this program and post to the city's social media platforms.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

Community Development

RESOLUTION NO. 2025-03

**A RESOLUTION TO DECLARE THE WEEK OF JANUARY 26-31, 2025,
ATHENS FLOOD AWARENESS WEEK**

WHEREAS, the City of Athens, Tennessee is composed of areas of designated flood hazard as determined by the Federal Emergency Management Agency; and,

WHEREAS, these areas of Athens, Tennessee are subject to damages and losses due to flood waters; and,

WHEREAS, the City of Athens, Tennessee is a program participant in the National Flood Insurance Program having applied for and complied with program guidelines; and,

WHEREAS, many owners of properties located in flood prone areas of Athens, Tennessee do not have supplemental flood insurance policies; and,

WHEREAS, the City of Athens seeks to inform all of its residents that flood insurance is available to cover structures and their contents; and

WHEREAS, the City of Athens, Tennessee has a responsibility to keep its citizens fully advised of governmental activities and programs.

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

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

That meeting in regular session this **21st** day of **January 2025**, that the week of January 26-31, 2025, is hereby declared to be "Flood Awareness Week" for the City of Athens, Tennessee; and

BE IT FURTHER RESOLVED, by this body that all citizens of Athens, Tennessee are hereby urged to learn more about the National Flood Insurance Program benefits as they can apply to their property.

ON MOTION BY _____,

SECONDED BY _____,

said Resolution was approved by roll call vote.

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III i. Discussion of a Historic Overlay District for Downtown

Overview

The city's Historic Preservation Commission, during their November 7, 2024 meeting, discussed a historic overlay be put in place in the downtown area. The Historic Preservation Commission also conducted a public workshop during their December 5, 2024 meeting on the proposed boundary. During that meeting, the Commission approved to recommend to the Regional Planning Commission that a historic overlay be put in place in the downtown area with a specific boundary.

The city's Regional Planning Commission, during their January 6, 2025 meeting, recommended to the City Council that a downtown commercial historic overlay district with a specific boundary (attached) be adopted.

Attached is a proposed ordinance that would establish the H-2 Historic Overlay District for the downtown area. If approved, the properties within the overlay district would be subject to the Historic Preservation Commission's Design Review Guidelines that were established in 2019.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration. If approved, the first reading of the Ordinance No. 1136 (attached) would be January 21, 2025, the required public hearing notice would be published on January 25, 2025, and the second reading, public hearing, and adoption would be February 18, 2025.

Affected Departments

Community Development

ORDINANCE NO. 1136

AN ORDINANCE OF THE CITY OF ATHENS, TENNESSEE, PROVIDING THAT THE ATHENS MUNICIPAL CODE, TITLE 14, CHAPTER 2 OF THE ZONING ORDINANCE, BE AMENDED BY REVISING SECTION 3.04.14 SO AS TO ADD SUBSECTION "G" THAT ESTABLISHES THE H-2 HISTORIC OVERLAY DISTRICT LIMITS AS BOUNDED BY COLLEGE STREET, GREEN STREET, PARK STREET AND HILL STREET; AND PROVIDING THAT THE OFFICIAL ZONING MAP IS AMENDED SO AS TO ATTACH THE H-1 HISTORIC OVERLAY DISTRICT AS DESCRIBED HEREIN AND ON THE ATTACHED MAP; AND PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Athens, Tennessee created the Athens Historic Preservation Commission, hereinafter "AHPC", by Ordinance 973, and charged the AHPC with the duty of studying boundaries for an historic overlay district and other duties including the determination of appropriateness of proposed construction and demolition within the historic overlay district and;

WHEREAS, the AHPC has considered potential historic overlay district boundaries and conducted a public workshop at their December 5, 2024 regular meeting on the proposed boundary prior to making a recommendation to the Athens Municipal Regional Planning Commission, hereinafter "AMRPC" on the proposed boundaries, and;

WHEREAS, the AMRPC met in an open public meeting on January 6, 2024 and recommended the AHPC Historic Overlay District boundary as described herein.

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

SECTION 1. The Athens Municipal Code Title 14, Chapter 2, be amended by revising Section 3.04.14 by adding subsection "G" as follows:

G. H-2 HISTORIC OVERLAY DISTRICT

The established district is bound by College Steet, Green Street, park Street and Hill Street.

The H-2 District is an overlay zone that is to be attached to the official zoning map in following the process for a zoning map amendment. The H-2 District is an overlay district, meaning that the underlying zoning designation of the property prior to the attachment of the overlay zone is unchanged by the attachment of the zoning overlay district. Permitted uses, conditional uses, setbacks, and other property development rights and requirements affected by zoning are not affected by the H-2 District except as provided within the authority of the Athens Historic Preservation Commission established by Section 3.04.14.

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

SECTION 3. That all Ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent necessary to implement this ordinance.

SECTION 4: In the event that any part of this ordinance is invalidated by a court of competent jurisdiction, all other parts, shall remain in full force and effect unless otherwise lawfully repealed or amended.

SECTION 5: This ordinance shall take effect immediately upon passage on second reading, the public necessity requiring it.

ORDINANCE NO. 1136

FIRST READING: **January, 21 2025**
SECOND READING:
DATE OF PUBLIC HEARING:

ATTEST:

LARRY EATON, Mayor

RANDALL DOWLING, City Manager

APPROVED AS TO FORM:

CHRISTOPHER M. CALDWELL, City Attorney

ORDINANCE NO. 1136





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III j. Discussion of the Appraisal Results of a Downtown Building to be Used as a City Hall

Overview

During the December 17, 2024 work session, the Council directed staff to obtain a commercial appraisal of a downtown building to be used as a city hall. If the Council is interested in acquiring this building based on the appraisal, the next step would be to authorize the city manager and city attorney to negotiate with the property owner for the purchase.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

As of 9:30am on Friday, January 10, 2025, the appraisal has not been received. Consensus to remove this item from the agenda may be required if the appraisal has not been submitted before City Council Work Session on Monday, January 13, 2025.

Affected Departments

All





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

III k. City Councilmembers' Items to Discuss

Overview

Mayor Larry Eaton's Items

- a. July 4th Event and Other Community Events
The Purchasing Division is preparing/distributing a competitive bid to acquire a company to conduct a 20 minute, \$45,000 +/- firework show at Regional Park for the July 4th holiday. Once bids are received, they will be presented to Council for consideration.
- b. Event Safety
- c. Downtown Sidewalk Cleaning
The Public Works Department is obtaining quotes from companies to pressure wash selected downtown sidewalks to eradicate previous chalked markings. Once quotes are obtained, a company will be selected to perform the work.
- d. Completion of the Animal Shelter
The last few items needed to be completed for the Animal Shelter are the exterior building sign, security cameras, and fencing for dog runs. The exterior building sign has been ordered with a delivery/installation date of late January. The security cameras have been ordered. The fencing materials have been delivered and are in the process of being installed by city crews.
- e. Purchasing Policies and Food Policies
Staff is currently updating its purchasing policies and food purchase policies and should have those policies ready for Council review during the February meeting.
- f. Requesting the McMinn County Emergency Communications District Board to Have a Appointed City Representative on its Board
Attached is the establishing resolution for this Board.

Councilmember Steve Sherlin's Items

- a. Elimination of Patio Homes from the Zoning Code
Patio homes are included in the R-1 (Low Density Residential District), R-2 (Medium Density Residential District), and R-3 (High Density Residential District) zoning classifications. Those zoning classifications are attached.

Councilmember John Duggan's Items

- a. Residential Streets Speed Limits
- b. Current Building Codes and Contractor Licenses

Councilmember Dick Pelley's Items

- a. Concerns

Action to Consider

Consensus to move any of these items to the January 21, 2025 regular meeting for consideration.

Affected Departments

City Council

MCMINN COUNTY, TENNESSEE

RESOLUTION NUMBER 177

TITLE: A RESOLUTION TO ESTABLISH AN EMERGENCY COMMUNICATIONS DISTRICT ("DISTRICT") TO INCLUDE ALL OF MCMINN COUNTY, TO ESTABLISH AND APPOINT MEMBERS TO A BOARD OF DIRECTORS, AND TO SET THE TERMS OF SUCH MEMBERS.

WHEREAS, Chapter 867 of the 1984 Tennessee Public Acts ("Communications Law") authorized counties to establish a District for the purpose of providing 9-1-1 service; and,

WHEREAS, by prior action, this legislative body proposed the establishment of such a District, subject to referendum, which referendum has been held and which referendum was approved by the voters of McMinn County, authorizing the establishment of such a District; and,

November
1988

WHEREAS, to carry out the desires of the people of McMinn County, it is necessary to establish such a District, create a Board of Directors, appoint members thereto, and fix the terms of the members thereof.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THIS COUNTY LEGISLATIVE BODY, IN SESSION ASSEMBLED THIS 19th DAY OF DECEMBER, 1988:

1. That we do hereby establish an Emergency Communications District in accordance with the provisions of the Communications Law. The boundaries of such a District shall be the boundaries of McMinn County, including all parts thereof, whether incorporated or unincorporated.

2. That we do hereby establish a Board of Directors for the District, which Board shall be composed of eight (8) members. The members of the Board of Directors shall be the persons listed herein below. The initial terms of the members shall be as shown; however, upon expiration of the initial terms, the terms of all members shall thereafter be four (4) years:

<u>NOMINEE</u>	<u>INITIAL TERM</u>
Quay Morgan	4 years
Jeff Cunningham	4 years
Bob Lamb	3 years
Johnny Lipps	3 years
Calvin Farmer	3 years
Bill Brakebill	2 years
George Jorgensen	2 years
Ron Banks	2 years

3. That the Board of Directors shall be governed by the provisions of the Communications Law. The Clerk shall forthwith notify each of the above-named persons of their appointment thereto.

BE IT FURTHER RESOLVED THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.

This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

As regulated in Section 4.03 of these regulations.

G. Access Control:

As regulated in Section 4.01 of these regulations.
(Ord. of 2-17-2016, § 3.04.01)

3.04.02 R-1 LOW DENSITY RESIDENTIAL DISTRICT.

A. District Description:

This residential district is intended to be used for single-family residential areas with fairly low population densities. Additional permitted uses include uses and facilities normally required to provide the basic elements of a balanced and attractive residential area. These areas are intended to be defined and protected from the encroachment of uses not performing a function necessary to the residential environment. Internal stability, attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and open space for dwellings and related facilities and through consideration of the proper functional relationship of each element.

B. Uses Permitted:

In the R-1 Low Density Residential District, the following uses and their accessory uses are permitted:

1. Single-family detached dwellings, but not including mobile homes.
2. Utility facilities necessary for the provision of public services.
3. Home occupations as regulated in Section 4.06 of these regulations.

C. Uses Permitted on Review:

In the R-1 Low Density Residential District, the following uses and their accessory uses may be permitted subject to review and approval of the Planning Commission in accordance with the provisions of Section 6.07 of these regulations.

1. Zero-lot line townhouses on twenty-four (24) foot wide minimum lots (see Section 4.18 in Chapter 4 for requirements).
2. Patio homes on sixty (60) foot wide minimum lots (see Section 4.18 for requirements).

This is an unedited draft.
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- 1 3. Golf courses, parks, country clubs, and swimming pools.
- 2
- 3 4. Schools, colleges, and other educational institutions.
- 4
- 5 5. Lodge halls, civic organizations, and private clubs, except clubs in which the chief
- 6 activity is customarily carried on as a business.
- 7
- 8 6. Planned unit development, subject to the provisions of Section 4.09.
- 9
- 10 7. Churches or similar places of worship, but not including temporary missions or revival
- 11 tents or church camps.
- 12
- 13 8. Family Day Care Homes, and Group Child Care Homes subject to the provisions of
- 14 Section 4.24 of these regulations.
- 15
- 16 9. Cemeteries, subject to the provisions of Section 4.14 of these regulations.
- 17
- 18 10. Family Care Facilities
- 19
- 20 11. Telecommunication Structures, subject to the provisions of Section 4.16 of these
- 21 regulations.
- 22
- 23 12. Bed and Breakfast Facilities subject to the provisions of Section 4.24 of these regulations.
- 24
- 25 13. Garage apartments may be located in the rear yard, but shall not be located closer than
- 26 fifteen (15) feet to the rear property line.
- 27
- 28 E. Uses Prohibited:
- 29
- 30 In the R-1 Low Density Residential District all uses except those uses or their accessory uses
- 31 specifically permitted or permitted upon review and approval by the city Municipal-Regional
- 32 Planning Commission are prohibited.
- 33
- 34 F. Dimensional Regulations:
- 35
- 36 All uses permitted in the R-1 Low Density Residential District shall comply with the following
- 37 requirements except as provided in Chapter 5 and in Chapter 4, Section 4.18 of these regulations
- 38 for townhouses and patio homes.
- 39
- 40
- 41 1. Front Yard:
- 42

This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

- 1 The minimum depth of the front yard shall be thirty (30) feet.
2
3
- 4 2. Rear Yard:
5
- 6 The minimum depth of the rear yard shall be twenty (20) feet for the principal structure and
7 fifteen (15) feet for any permitted accessory structure.
8
9
- 10 3. Side Yard:
11
- 12 The side yards shall be a minimum of fifteen (15) feet for one- and two-story structures, plus five
13 (5) additional feet of side yard for
14
15 each additional story over two. An additional five (5) feet of side yard shall be required for all lots
16 whose side yards abut a public street.
17
18
- 19 4. Land Area:
20
- 21 No lot or parcel of land shall be reduced in size to provide separate lots or building sites of less
22 than 20,000 square feet in area, except where sanitary sewer service is available, in which case
23 the minimum lot area shall be 10,000 square feet. However, where there is an existing lot of
24 record of less than 10,000 square feet, at the time of adoption of this title, this lot may be utilized
25 for the construction of one (1) single-family dwelling, providing the lot in question has a public
26 water supply and sanitary sewer service, and has sufficient area as determined by the Board of
27 Zoning Appeals to accommodate the structure with no adverse effects to the health, safety and
28 welfare of the landowner or the City.
29
- 30 Access roads, parking spaces, and interior circulation drives will not be considered as open land
31 space in determining the density of a Planned Unit (Residential) Development.
32
33
- 34 5. Maximum Lot Coverage:
35
- 36 On any lot or parcel of land, the area occupied by all buildings including accessory buildings
37 shall not exceed forty-five (45) percent of the total area of such lot or parcel.
38
39
- 40 6. Lot Width:
41

This is an unedited draft.
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1 No lot shall have less than fifty (50) feet of street frontage and a minimum of one hundred (100)
2 feet of width at the building set back line except lots of record shall have a minimum of seventy-
3 five (75) feet of width at building set back line unless determined by the Board of Zoning Appeals
4 that a less width is adequate as put forth under Section 3.04.02.F.4.

5
6 7. Height Requirement:

7
8 No building shall exceed three (3) stories or forty (40) feet in height, except as provided in
9 Section 5.03 of these regulations.

10
11 G. Parking Space Requirements:

12
13 As regulated in Section 4.03 of these regulations.

14
15 H. Access Control:

16
17 As regulated in Section 4.01 of these regulations.
18 (Ord. of 2-17-2016, § 3.04.02)

19
20 **3.04.03. R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.**

21
22 A. District Description:

23
24 This residential district is intended to promote and encourage the establishment and maintenance
25 of a suitable environment for urban residence in areas which by location and character are
26 appropriate for occupancy by moderate density, single- family and selected multiple-family
27 dwellings. One of the important purposes of this district is to create adequate standards of
28 residential development in order to prevent overcrowded and unhealthy conditions. The intensity
29 of land use should not be so great as to cause congestion of buildings or traffic or overload
30 existing sanitary facilities. Densities should be limited to provide adequate light, air, and usable
31 open space for the residents and adequate space for all related facilities.

32
33 B. Uses Permitted:

34
35 In the R-2 Medium Density Residential District, the following uses and their accessory uses are
36 permitted:

- 37
38
39 1. Single-family detached dwellings, but not including mobile homes.
40
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This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

- 1 2. Churches or similar places of worship, but not including temporary missions, revival
2 tents, or church camps.
3
- 4
- 5 3. Utility facilities necessary for the provision of public services.
6
- 7
- 8 4. Two-family dwellings (duplexes).
9
- 10
- 11 5. Home occupations, as regulated in Section 4.06 of these regulations.
12
- 13 C. Uses Permitted on Review:
14
- 15 In the R-2 Medium Density Residential District, the following uses and their accessory uses may
16 be permitted subject to review and approval by the city Municipal-Regional Planning commission
17 in accordance with the provisions of Section 6.07.
18
- 19
- 20 1. Zero-lot line townhouses on twenty (20) foot wide minimum lots (see Section 4.18 in
21 Chapter 4 for requirements).
22
- 23
- 24 2. Patio homes on fifty (50) foot wide minimum lots (see Section 4.18 for requirements).
25
- 26
- 27 3. Planned unit development, subject to the provisions of Section 4.09 of these regulations.
28
- 29
- 30 4. Group Child Care Homes, Family Day Care Homes, and Child Care Centers subject to
31 the provisions of Section 4.24 of these regulations.
32
- 33
- 34 5. Schools, colleges, and other educational institutions.
35
- 36
- 37 6. Golf courses, parks, country clubs, and swimming pools, and other recreational facilities
38 associated with residential development.
39
- 40 7. Family Care Facilities.
41
- 42 8. Telecommunication Structures, subject to the provisions of Section

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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 city 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 4.18 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.

This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

1
2 4. Land Area:
3

4 No lot or parcel of land shall be reduced in size to provide separate lots of building sites of less
5 than 10,000 square feet in area, except where sanitary sewer service is available, in which case
6 the minimum lot area shall be 8,000 square feet.
7

8 Detention facilities, access roads, parking spaces, and interior circulation drives will not be
9 considered as open land space in determining the density of a Planned Unit (Residential)
10 Development.
11

12 On lots or parcels of land where DUPLEXES are constructed, the following area requirements
13 shall apply for each duplex:
14

15 With public water and sanitary sewers 10,000 sq. feet
16

17 With public water but without sanitary sewers...20,000 sq. feet
18

19 However, where there is an existing lot of record of less than 8,000 square feet, at the time of
20 adoption of this title, this lot may be utilized for the construction of one (1) single-family
21 dwelling, providing the lot in question has a public water supply and sanitary sewer service, and
22 has sufficient area as determined by the Board of Zoning Appeals to accommodate the structure
23 with no adverse effects to the health, safety and welfare of the landowner or the City.
24
25

26 5. Maximum Lot Coverage:
27

28 On any lot or parcel of land, the area occupied by all buildings including accessory buildings
29 shall not exceed fifty-five (55) percent of the total area of such lot or parcel.
30
31

32 6. Lot Width:
33

34 No lot shall have less than fifty (50) feet of street frontage and a minimum of seventy-five (75)
35 feet of frontage at the building set back line except lots of record shall have a minimum of fifty
36 (50) feet at building set back line, and lots of record less than 8,000 square feet in area may have
37 a lesser width if it is determined by the Board of Zoning Appeals that a less width is adequate as
38 put forth under Section 3.04.03.F.4.
39

40 7. Height Requirement:
41

This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

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

3
4 F. Parking Space Requirement:

5
6 As regulated in Section 4.03 of these regulations.

7
8 G. Access Control:

9
10 As regulated in Section 4.01 of these regulations.

11
12 H. Landscape, Screening and Buffer Yard Requirements:

13
14 Landscaping, screening and buffer yard requirements of this title shall apply.
15 (Ord. of 2-17-2016, § 3.04.03)

16
17 **3.04.04. R-3 HIGH DENSITY RESIDENTIAL DISTRICT.**

18
19 A. District Description:

20
21 This residential district is intended to promote and encourage the establishment of a suitable
22 environment for high density residential use in areas which by location and character are
23 considered appropriate. The intent of the provisions of this district is to create adequate standards
24 for such residential development. The intensity of land use should not be so great as to cause
25 congestion of buildings or traffic or to overload existing sanitary facilities.

26
27 B. Uses Permitted:

28
29 In the R-3 High Density Residential District, the following uses and their accessory uses are
30 permitted:

- 31
32
- 33 1. Single-family dwellings, but not including mobile homes.
 - 34
35
 - 36 2. Two-family dwellings (duplexes).
 - 37
38
 - 39 3. Apartment units in existing residential structures.
 - 40
41
 - 42 4. Multi-family dwellings (that is, apartment buildings).

This is an unedited draft.
Editing and proofreading occur prior to production of the final draft.

- 1
- 2
- 3 5. Zero-lot line townhouses on eighteen (18) foot wide minimum lots (see Section 4.18 in
- 4 Chapter 4 of these regulations for requirements).
- 5
- 6
- 7 6. Patio homes on fifty (50) foot wide minimum lots (see Section 4.18 of these regulations
- 8 for requirements).
- 9
- 10 7. Churches or similar places of worship, but not including temporary missions, revival
- 11 tents, or church camps.
- 12
- 13 8. Recreation facilities associated with housing and residential development.
- 14
- 15 9. Utility facilities necessary for the provision of public services.
- 16
- 17 10. Assisted Living Facilities, Nursing Homes and the like.
- 18
- 19 11. Home occupations as regulated in Section 4.06 of these regulations.
- 20
- 21 C. Uses Permitted On Review:
- 22
- 23 In the R-3 High Density Residential District, the following uses and their accessory uses may be
- 24 permitted subject to review and approval by the city Municipal- Regional Planning Commission
- 25 in accordance with the provisions of Section 6.07 of these regulations.
- 26
- 27
- 28 1. Group quarters or dormitories where public sewerage is available.
- 29
- 30
- 31 2. General Professional or business offices; for doctors, dentists, lawyers, architects, artists,
- 32 engineers, and the like.
- 33
- 34
- 35 3. Planned unit development, subject to the provisions of Section 4.09 of these regulations.
- 36
- 37
- 38 4. Schools, colleges, and other educational institutions.
- 39
- 40
- 41 5. Family Day Care Homes, Group Child Care Homes, and Child- Care Centers, subject to
- 42 the provisions of Section 4.24 of these regulations.

This is an unedited draft.
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3 6. Convenience stores.
4
5 7. Family Care Facilities.
6
7 8. Bed and Breakfast facilities subject to the provisions of Section 4.26 of these regulations.
8
9 9. Telecommunications Structures, subject to the provisions of Section
10
11
12 4.16 of these regulations.
13
14 10. Garage Apartments are permitted upon review for detached single- family home lots only.
15 Garage apartments may be located in the rear yard, but shall not be located closer than fifteen
16 (15) feet to the rear property line.
17
18 11. Mini Warehouses
19
20 12. Personal Storage Units
21
22 D. Uses Prohibited:
23
24 In the R-3 High Density Residential District all uses except those uses or their accessory uses
25 specifically permitted or permitted upon review and approval by the city Municipal-Regional
26 Planning Commission are prohibited.
27
28 E. Dimensional Regulations:
29
30 All uses permitted in the R-3 High Density Residential district shall comply with the following
31 requirements except as provided in Chapter 5 and in Chapter 4, Section 4.18 of these regulations
32 for townhouses and patio homes.
33
34
35 1. Front Yard:
36
37 The minimum depth of the front yard shall be thirty (30) feet.
38
39
40 2. Rear Yard:
41

Items for the SS agenda Jan 2025

1. I want to have a discussion about the homeless people and what things we might want to try. This is part of what I learned from the conference in Tampa. I also want to address Larry claiming that I refused to supply anything and claimed I wasted taxpayer money by going to Tampa. Larry claimed I did not come back with anything to share. Larry knew I was in both the hospital and rehab center yet chose to say I was a little under the weather. Larry's comments were meant to make it appear like I could have done something. Now that I am back let's look into what I did learn at the conference.
2. I want to discuss other option for the school instead of having it removed. We have a nice Gym and room to house homeless when needed. We have room for storage or rentable space. Before taking it down let's look at all options. I have heard Larry say there might be lead in the building. Let's discuss this before using it to justify doing the wrong thing. This might be a great location to have city hall. Could move one of the fire departments to the same location. Let's have lots more talk about this and maybe have a called meeting for the public's input before doing anything.
3. I want to know why after the mayor instructed Chris to look into Larry's claim that he watched Mr. Whiting hand me the notes I was reading from outside city hall this was not done right away. This would take less than 10 minutes to prove that Larry lied. I also want a discussion as to if it's ok with the council if while we are in a meeting we intentionally lie about citizens or each other to cause disbelief in them or harm. I want a set of standards set to stop this from happening. Within this discussion I want to know if our city attorney is ok telling a council member to look up law themselves. Chris in these meetings more than once has accused Mr. Whiting of harassing city employees and also did so under oath. He said the writing on the wall was an example of harassment. Mr. Whiting claims he's going to sue the city for these comments if we don't correct that claim. I asked Chris to give me the legal definition. He testified that law and the court would agree that the writing on the wall is harassment. As a council member I want to know before we get sued if we are correct. I am not an attorney so when I ask Chris it's to know we as a city are in good standing to accuse Mr. Whiting of harassment before a lawsuit exists. I want to know if the writing on the wall is harassment and if it is then why have we done nothing about it being there. Can 1st amendment activity be actually harassment under the law as Chris is claiming it is. I want him to explain this to the council. He made the claim I want him to explain his claim.
4. Mr. Whiting has shown myself evidence to prove Nina Edmond intentionally lied during her testimony. I want the council to look at the evidence to see if we need to have this investigated. I do not want to be part of covering up the truth. I want to know why she lied and whom all knew she was lying before she did it. I want to have Mr. Whiting present this evidence to the council so we understand it. This is not about the present case and we need to find out why our HR director is covering up information

5. Nina testified that officer Jason Garret was refusing to communicate with then Chief Couch. She was asked if he was investigating or disciplined. Nina confirmed that there was nothing done about this. What she is saying is it was ok with the HR department for an employee to refuse to work with his superior officers and there would be nothing done about this. I want to have a discussion that we require the council be notified by either the city manager or HR when problems such as this exist.
6. Nina claimed **“What I’m saying there is that there is a culture in the department in which this situation exists”**. Nina was talking about how bad things were inside the police department. I want to know why she as head of the department did nothing to investigate this and why there is no record of this with the HR department. Is this not part of Ninas job? As a council member if things are so bad that officers are allowed to refuse to speak to their superiors then I want to know while it is happening. Not after we end up in lawsuits. I want to require that the council is made aware of these issues.
7. I want to know why when a citizen makes a complaint it is not investigated. Also, I want to know why when a council member makes a complaint it is not investigated. Mr. Whiting and myself both have complaints that have not been looked into.
8. I want a discussion as to why Matt believed it was OK to go against what the council voted to have done with the banners and why this is still not being done. Even though the city refuses to look into why Matt did this we still need to know why we approved this to be done and yet there has been nothing done. I know this council hates myself as seen by it’s actions but that should not stop the project that has already been approved. There has been no vote to stop this so why are the veterans being punished because of your hatred towards myself.
9. As we all know the last council at the last minute moved the citizens to the back of the meeting that was held at 1 in the afternoon. I could not get an answer as to why we needed to do this as a called meeting instead of how we always have done it openly and in a regular council meeting. I am wanting for the sake of transparency to require the mayor or if its two council members state in writing why something needs to be a called meeting. I want to make sure we don’t start doing business to where the public is kept in the dark.
10. The last month of the old council they voted to cut citizens time to speak. It was approved 3 to 2 with Larry and myself voting against it. We have a new council now and I want to allow Council member Duggan again the chance to give is opinion. We know he spoke as a citizen about why he wanted to be on the council was partly due to the way the council was attempting to silence the citizens.
 - a. Our attorney Chris stated in two different emails that he was told the new owners of the Pope building had submitted a complete plan on how they were going to bring this building up to code. This ended up being no true. I want the city to look into why Chris lied about this and I want to know as a council member why we are allowing new owners to fix this building after we refused to allow Mr. Whiting the right to fix it. The public has the right to know the truth. Each council member

claims to be a Christian man so let's not cover up the truth claiming it protects the city. The truth is always the best way to proceed. Larry admitted in his depo before becoming one of the good old boys that he would have liked to fix the building if the city would have allowed it.

- b. Our inspector admitted that right after Mr. Whiting got control of the building, he asked for permission to get power to fix the building.
- c. If Mr. Whiting was not trying to fix his building, what do you all believe he spent over \$400,000 dollars fighting us for.
- d. We paid an Expert to say this building had zero value and could not be fixed

11. I want the citizens to be able to challenge the mayors' decisions for example when the mayor stops a citizen and tells them to sit down when they still have time on the clock, I want them to be able to call for a vote by the council. Same with getting additional time the mayor said it was up to him yet I want it to be by vote of the council so the citizens know who's in favor of stopping citizens from speaking. Two months ago Mr. Whiting was stopped by Larry and also interrupted by Frances. He asked to reclaim his time but was refused by Larry. I want to have it where if the citizen is stopped the time clock also stops.

12. I want to have the council look into why Emails from both myself and then mayor Sherlin about supplying Mr. Whiting the exhibits. There were first asked for on May 1, 2024 and still does not have them. Chris implied he was working on them so Mr. Whiting had agreed to not sue us again if Chris would supply what he already had done. We both asked and he never responded as to why he could not supply what was ready. I personally don't believe he did any of it at that time and did not want to admit he was not doing what was required by law. Why are we allowing our attorney to refuse even responding to us. This is like allowing an officer tell his superiors he refusing to speak to them. This city is really screwed up because we are not holding personal to any standards. If our HR department and our city attorney is not required to be held to any standards, how will we ever fix this city. You want to remove me for what you claim violating policy after over 20 years yet we don't want any standard for anyone else.



ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

V a. Appointment to the McMinn County Library Board

Overview

Currently, the city has one vacancy on the McMinn County Library Board out of its three city appointed members due to the resignation of John Duggan.

Two city residents have submitted applications for the one vacancy, Jacob Burnette and Amy Sullins, to fill Mr. Duggan's unexpired 3-year term until June 30, 2026. Please refer to the committee notebook to view applications.

This item was discussed during the December 17, 2024 regular session but no decision was made.

Action to Consider

Consensus to move this item to the January 21, 2025 regular meeting for consideration.

Affected Departments

City Council





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

V b. Resignation from the Council Advisory Committee (Pelley)

Summary

1/6/2025 Email:

“Good afternoon Bridget,

I had called you a few weeks prior to inquire about the appropriate process to ultimately change my Citizens Advisory Committee appointment with the present councilman to that of a different councilman who currently has an appointment opening for Citizens Advisory Committee.

*Pursuant to that, **I hereby formally submit my resignation from the Citizens Advisory Committee appointee for Councilman Dr. Dick Pelley effective immediately.** The reason for which being that my principals and convictions no longer align with those demonstrated by the Councilman.*

Immediately upon my resignation, I would like to apply as an appointee for another Councilman having an available opening to the Citizens Advisory Committee position. I am of the understanding that such an opening currently exists and that my application is still available on file. Please let me know if there is anything further I must do to initiate this process.

Thank you so much for your help and assistance in this matter.

James R. Fries”

Action To Consider

Consensus to move this item to the regular meeting on January 21, 2025 for consideration.

Affected Departments

City Council





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

V c. Vacancy

Summary

Upon acceptance of James R. Fries resignation, as Councilmember Pelley's appointee on the Council Advisory Committee, Councilmember Pelley will have three (3) vacancies.

Councilmember Duggan currently has two (2) vacancies on the Council Advisory Committee.

Action To Consider

Consensus to move this item to the regular meeting on January 21, 2025 for consideration.

Affected Departments

City Council





ATHENS CITY COUNCIL WORK SESSION

Monday, January 13, 2025

Agenda Item

V d. Appointment to Council Advisory Committee (Duggan)

Summary

Application on file (committee notebook).

1/6/2025 Email:

“Good afternoon Bridget,

*I had called you a few weeks prior to inquire about the appropriate process to ultimately change my Citizens Advisory Committee appointment with the present councilman to that of a different councilman who currently has an appointment opening for Citizens Advisory Committee. Pursuant to that, I hereby formally submit my resignation from the Citizens Advisory Committee appointee for Councilman Dr. Dick Pelley effective immediately. The reason for which being that my principals and convictions no longer align with those demonstrated by the Councilman. **Immediately upon my resignation, I would like to apply as an appointee for another Councilman having an available opening to the Citizens Advisory Committee position.** I am of the understanding that such an opening currently exists and that my application is still available on file. Please let me know if there is anything further I must do to initiate this process.*

Thank you so much for your help and assistance in this matter.

James R. Fries”

Action To Consider

Consensus to move this item to the regular meeting on January 21, 2025 for consideration.

Affected Departments

City Council

