

SPECIAL SESSION

MAY 19, 2016

The City Council of the City of Athens met in Special Session on Thursday, May 19, 2016, 5:30 p.m. in the Cain Room at the Cain Center, 915 South Palestine St., Athens, Texas with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Monte Montgomery, Mayor Pro-Tem  
Tres Winn  
Joe Whatley  
Ed McCain

Philip Rodriguez, City Manager  
Bonnie Hambrick, City Secretary  
Blake Armstrong, City Attorney

others present: Ed McCain, Buddy Hill, Lawrence Cutrone, Becky Roseberry, Barbara Holly, Yadira Chairez, John McQueary, Lisa Denton, Yadira Chairez, Kyle Henderson, Steve Barksdale, Carol Morton, Kelly Morgan, Mike and Pam Burton, Sissy Geddie, Allison McCain, Warren McCain, Buck Kelly, Haven Cox, Chet Patel, Renee Marcum, Debbie Hancock, Jana Livingston, Tiffany Rodriguez, Chris Tinsley, D.J. Warren, Rich Flowers, and other interested citizens;

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

The invocation was given by Jason Smith.

DECLARATION OF CONFLICT OF INTEREST

Mayor Pro-Tem Montgomery filed a Conflict of Interest for the following items: Proclamation for the Farmers Market Day and agenda items 6, 7, 8, 9 and 13.1. Councilmember Montgomery stated he would not be participating in the motion or vote.

OATHS OF OFFICE

City Secretary Bonnie Hambrick administered the Oath of Office to newly re-elected City Council Member, Place 2 – Joe Whatley and City Council Member Place 4 – Tres Winn, and to newly elected Council Member Place 3 – Ed McCain

ELECTION OF MAYOR PRO TEM

A motion was made by Councilmember McCain, seconded by Councilmember Montgomery to elect Councilmember Winn as Mayor Pro Tem. The motion carried unanimously.

PROCLAMATION MOTORCYCLE AWARENESS MONTH- NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA)

Mayor Vaught read aloud a Proclamation for Motorcycle Awareness Month- National Highway Traffic Safety Administration (NHTSA)

PROCLAMATION FARMERS MARKET DAY IN ATHENS

Mayor Vaught read aloud a Proclamation for Farmers Market Day in Athens.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN RELATING TO THE CITY OF ATHENS

Buck Kelly addressed the City Council regarding City Manager Philip Rodriguez.

HEAR PRESENTATION FROM BUREAU VERITAS REGARDING FEE  
STRUCTURE FOR DEVELOPMENT SERVICES

Lee Swain from Bureau Veritas presented a comparison of fee structures for peer cities as they compare to Athens' Development Services.

DISCUSS/CONSIDER FIRST READING OF AN ORDINANCE REPEALING  
ALL ORDINANCES PREVIOUSLY RELATED TO THE CITY OF ATHENS  
FEE STRUCTURE FOR DEVELOPMENT SERVICES SUBJECT TO THE  
APPROVAL OF AN ORDINANCE UPDATING THE CITY OF ATHENS FEE  
STRUCTURE

Barbara Holly, Interim Director of Planning and Development explained the Ordinance is to repeal all Ordinances related to the City of Athens fee structure that will allow for a new fee structure that more accurately reflects the true cost of services.

Ms. Hambrick read the Ordinance aloud.

A motion was made by Councilmember Whatley, seconded by Councilmember McCain to approve first reading of an Ordinance repealing all Ordinances previously related to the City of Athens Fee Structure for Development Services subject to the approval of an Ordinance updating the City of Athens Fee Structure.

The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Winn, McCain, and Whatley. Nays: None, Abstained: Councilmember Montgomery.

DISCUSS/CONSIDER FIRST READING OF ORDINANCE AUTHORIZING  
THE CITY OF ATHENS FEE STRUCTURE FOR DEVELOPMENT SERVICES

Ms. Holly explained that the City's current fee structure is outdated and does not capture the value of services provided. She stated four peer cities' development fees were evaluated and compared to Athens' current fees. She stated the cities are similar in size to Athens.

Ms. Hambrick read the Ordinance aloud.

A motion was made by Councilmember Winn, seconded by Councilmember Whatley to approve first reading of an Ordinance authorizing the City of Athens Fee Structure for Development Services.

The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Winn, McCain, and Whatley. Nays: None, Abstained: Councilmember Montgomery.

STATUS REPORT ON EXTERIOR MAINTENANCE NEEDS FOR THE CAIN  
CENTER

Thanasis Kombos, Community Development Manager presented a status report on exterior maintenance needs for the Cain Center.

Mr. Kombos stated the City's contractual obligation in regards to maintaining the Cain Center is the roof and exterior walls.

After discussion, Staff was directed to obtain recommendations for re-roofing of the low slope roof at the Cain Center and present the report to the City Council during the June 13, 2016 meeting.

**DISCUSS/CONSIDER A RESOLUTION CHANGING SIGNATORY FOR BANK DEPOSITORY**

Philip Rodriguez, City Manager explained since David Hopkins retired, the City needs to remove his signature from all bank accounts and add Interim Director of Finance, Rebecca Roseberry as authorized signatory.

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve a Resolution changing the signatory for bank depository. The motion carried unanimously.

**DISCUSS/CONSIDER BUDGET AMENDMENT IN THE AMOUNT OF \$10,905 FOR THE LANE STREET GROUND STORAGE TANK REHABILITATION**

Lawrence Cutrone, Interim Director of Public Works explained the budget amendment in the amount of \$10,905 is to remove and repair the effluent pipping system, concrete spall on the roof, and replace twelve (12) bolts at the Lane Street Ground Storage Tank

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve the budget amendment in the amount of \$10,905 for the Lane Street Ground Storage Tank Rehabilitation.

The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Winn, McCain, and Whatley. Nays: None, Abstained: Councilmember Montgomery.

**EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE:**

**a) CITY MANAGER**

The City Council adjourned to Executive Session at 6:14 p.m.

The City Council returned to Special Session at 6:54 p.m.

**CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.074 (PERSONNEL MATTERS; CLOSED SESSION): TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE:**

**a) CITY MANAGER**

Mayor Vaught made a motion regarding a vote of confidence for City Manager, Philip Rodriguez, the motion was seconded by Councilmember McCain,

The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Winn, McCain, and Whatley. Nays: Councilmember Montgomery, Abstained: None.

**MAYOR AND CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS**

There were no request for future agenda items from the Mayor or City Council.

**CITY MANAGER UPDATE**

Mr. Rodriguez thanked the Council for their support.

**MAYOR AND COUNCIL UPDATE**

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Councilmember McCain stated Mr. Rodriguez arranged for him to meet with Department heads. He stated he was impressed with the team and the vision they have for the City. He further stated there are real issues within the City that need to be addressed.

Councilmember Montgomery thanked Rich Flowers for the article in the newspaper. He stated he was hurt by the accusations. He further stated he has done his best for the City.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 27<sup>th</sup> DAY OF JUNE, 2016.

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Jerry D. Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary