

REGULAR SESSION

MAY 14, 2012

The City Council of the City of Athens met in Regular Session on Monday, May 14, 2012, 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  
Elaine Jenkins  
Carol Barton  
Aubrey Jones

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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, David Hopkins, Haven Cox, Gene Keenon, 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.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSIDER FIRST READING OF AN ORDINANCE ESTABLISHING A CHARGE FOR COLLECTION OF SOLID WASTE TO BE CHARGED FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS

City Secretary Pam Watson read the Ordinance aloud. City Administrator Pam Burton explained that Allied Waste is proposing a 3.6% rate increase, as allowed by contract, however, they are proposing the increase for commercial accounts only. After discussion, a motion was made by Councilmember Barton, seconded by Councilmember Vaught to approve FIRST READING OF AN ORDINANCE ESTABLISHING A CHARGE FOR COLLECTION OF SOLID WASTE TO BE CHARGED FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS. The motion carried unanimously.

CONSIDER FIRST READING OF AN ORDINANCE GRANTING TAXICAB FRANCHISE TO CITY CAB OF ATHENS, AS REQUESTED BY DENNIS KUYKENDALL

Ms. Watson read the Ordinance aloud. City Administrator Pam Burton stated that Mr. Kuykendall is requesting renewal of his taxicab franchise for another five (5) year period. She explained that he is adjusting the rates due to fuel and operating costs, and amending his request to include one (1) vehicle. A motion was made by Councilmember Jenkins, seconded by Councilmember Jones to approve FIRST READING OF AN ORDINANCE GRANTING TAXICAB FRANCHISE TO CITY CAB OF ATHENS. The motion carried unanimously.

CONSENT AGENDA;

- A) CONSIDER APPROVING MINUTES OF THE APRIL 18, 2012 SPECIAL SESSION AND APRIL 23, 2012 REGULAR SESSION
- B) CONSIDER CANCELING MAY 28, 2012 REGULAR SESSION IN OBSERVANCE OF MEMORIAL DAY
- C) CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR 2012 SEAL COAT PROGRAM

A motion was made by Councilmember Vaught, seconded by Councilmember Jones to approve the Consent Agenda. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

1. Richard Dean, 1506 W. Corsicana #105

Expressed his feelings that the recently adopted Smoking Ordinance needs readdressed and abolished, and smoking should be a choice for the business owners.

2. May Malcom, 407 Magnolia

Discussed concerns with airborne diseases and alcohol, while expressing her feelings that establishments should be allowed to make their own decision concerning smoking.

3. James D. Cleveland, 718 Mulberry Dr.

Stated that he is against a blanket smoking ban and enjoys going to the Pitt Grill Restaurant every morning and smoking, suggesting a waiver be considered for certain individuals.

4. Eva Shumate, 5160 FM 2494

Stated that the City allowed alcohol and there are issues resulting from alcohol and does not understand why smoking has been banned because a lot of people have smoked all of their life and they are still here.

Mayor Daniel clarified that the City Council did not allow the sale of alcohol in the City of Athens, explaining that this was the result of an election. He also stated that the Council has been reviewing the Smoking Ordinance for several months due to the interest of public health.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
SECTION 551.074 PERSONNEL MATTERS; DELIBERATION CONCERNING  
EMPLOYMENT AND DUTIES OF MUNICIPAL COURT JUDGE

The Council adjourned to Executive Session.

The Council returned to Regular Session.

CONSIDER ACTION RESULTING FROM DELIBERATION IN EXECUTIVE  
SESSION CONCERNING EMPLOYMENT AND DUTIES OF MUNICIPAL  
COURT JUDGE

No action was taken.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 11<sup>TH</sup> DAY OF JUNE, 2012.

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Randy Daniel, Mayor

ATTEST:

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Pam Watson, City Secretary