

REGULAR SESSION

APRIL 27, 2015

The City Council of the City of Athens met in Regular Session on Monday, April 27, 2015, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor
Monte Montgomery, Mayor Pro-Tem
Charles Elliott
Joe Whatley
Tres Winn

Philip Rodriguez, City Administrator
Bonnie Hambrick, City Secretary

others present: David Hopkins, Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Corey Frentress, Michael Hannigan, Rich Flowers, Terry Hill, Mike Coston, Angie Traynham, Tim Anderson, David Thomas, Carolyn McClure, Martin Bennett, Robert Sullivan, Deborah Deas, Kerry Locke, Susan Johnson, and Steve Grant;

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

The invocation was given by Councilmember Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

READING OF PROCLAMATION FOR 2015 TRAVEL AND TOURISM WEEK

Mayor Vaught asked Sherri Skeeters, Tourism Coordinator and members from East Texas Arboretum to stand as he read aloud the Proclamation recognizing 2015 Travel and Tourism Week.

READING OF PROCLAMATION FOR 2015 MOTORCYCLE SAFETY AWARENESS MONTH

Mayor Vaught asked members of the Zealots Motorcycle Club to stand as he read aloud the Proclamation recognizing 2015 Motorcycle Safety Awareness month.

INTRODUCTION OF ATHENS CHAMBER OF COMMERCE PRESIDENT MIKE COSTON AND HEAR UPDATE ON CHAMBER ACTIVITIES

Mike Coston, Chamber of Commerce President presented an update on Chamber activities:

- 1) Rodeo was a great success with 30-50 volunteers, good rodeo stock
- 2) Farm and Ranch Tour will be held on May 19, 2015
- 3) Lakes, Clays and Fairways, a new program that allows for golfing, shooting and fishing, will include a 4 person team, shoot 100 clays, play 9 holes of golf and to the shooting range; followed by fishing. All fish caught will be cooked and then there will be an awards Banquet with 1st, 2nd, and 3rd place prizes
- 4) "Don't Cook Tuesdays" in June. Mr. Coston explained Tuesday evenings are the slowest days for restaurants. If citizens spend \$10 or more at a restaurant, receipts can be dropped off at the Chamber and at the end of June there will be a drawing for prizes
- 5) Contest for shopping locally in August
- 6) Chamber and AEDC working closely together
- 7) Chamber working with Small Business Development Center
- 8) Chamber working with Tourism Coordinator

Mayor Vaught thanked Mr. Coston and the Partnership Center for hosting the Meet and Greet for Philip Rodriguez and his family. Mayor Vaught stated that the City of Athens is here to support the Chamber of Commerce and would like to encourage the Chamber to look at bringing back the Black-Eyed Pea Festival.

PUBLIC HEARING CONCERNING CREATION OF SITE PLAN AND REZONING OF LOT (S) 5A & 5B, BLOCK 3, ATHENS ORIGINAL TOWN FROM CENTRAL BUSINESS DISTRICT TO CENTRAL BUSINESS DISTRICT SPECIFIC USE PROVISION, OWNED BY CLOVIS PIERCE (101 & 103 EAST TYLER.)

Gary Crecelius, Director of Planning & Development explained that a site plan is being created and this property is being rezoned to allow for a Micro-Brewery, restaurant, office space and wine processing. He stated 15 surrounding property owners were notified, no objections were received, and the Zoning Commission approved the rezone on 4/21/15. The public hearing was closed.

CONSIDER FIRST READING OF AN ORDINANCE CREATING SITE PLAN AND REZONING OF LOT (S) 5A & 5B, BLOCK 3, ATHENS ORIGINAL TOWN FROM CENTRAL BUSINESS DISTRICT TO CENTRAL BUSINESS DISTRICT SPECIFIC USE PROVISION, OWNED BY CLOVIS PIERCE (101 & 103 EAST TYLER.)

City Secretary, Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve an Ordinance creating site plan and rezoning of Lot (s) 5A & 5B, Block 3, Athens Original Town from Central Business District to Central Business District Specific Use Provision, owned by Clovis Pierce (101 & 103 East Tyler.) The motion carried unanimously.

DISCUSS/CONSIDER REQUEST FOR VOLUNTARY DEANNEXATION OF PROPERTY LOCATED AT TRACT 2A TRIMBLE SURVEY ABSTRACT 766 (2442 BEAR CREEK), REQUESTED BY JOHN S. TAYLOR AND ANNE TAYLOR AND CONSIDER FIRST READING OF DEANNEXATION ORDINANCE REGARDING THE SUBJECT PROPERTY.

Gary Crecelius explained Lot 2A was purchased from Athens Municipal Water Authority (A.M.W.A.) by John and Anne Taylor and all property owned by AMWA is in the City and the Taylors are requesting deannexation of the Lot 2A.

Martin Bennett explained it was simply a mistake when the survey was performed when the property was sold to A.M.W.A. in 1964. He stated Mr. Taylor has plans to build a house and combine the lots and form one (1) lot. Mr. Bennett presented a plat and copy of the deeds that showed the survey mistake.

Mayor Vaught asked if the deannexation of the property would set any type of precedence for any property inside the City or City limits, with Mr. Bennett responding no precedence would be set.

Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Winn, seconded by Councilmember Elliott to approve first reading of Ordinance to deannex property located at Tract 2A Trimble Survey Abstract 766 (2442 Bear Creek), requested by John S. Taylor and Anne Taylor. The motion carried unanimously.

DISCUSS/CONSIDER SECOND AND FINAL READING OF AN ORDINANCE REPEALING ORDINANCE NUMBERS A-934, A-990, 29-89, O-10-97 AND O-31-08 WATER AND SEWER FEES AND CHARGES

Ms. Hambrick read the Ordinance aloud.

David Hopkins, Director of Finance explained these Ordinances will align the City rates with the true cost of service. Mr. Hopkins stated the higher rates are not only needed to make revenues cover the operating costs, but it will also allow for needed improvements such as replacing cast iron pipes.

A motion was made by Councilmember Elliott, seconded by Councilmember Montgomery to approve second and final reading of an Ordinance repealing Ordinance Numbers A-934, A-990, 29-89, O-10-97 and O-31-08 water and sewer fees and charges. The motion carried unanimously.

DISCUSS/CONSIDER SECOND AND FINAL READING OF AN ORDINANCE
ESTABLISHING WATER AND SEWER FEES AND CHARGES

Ms. Hambrick read the Ordinance aloud.

Councilmember Elliott expressed his feelings in wanting the Citizens of Athens to know the Council has to raise water and sewer rates in an effort to keep the City viable in the water and sewer business.

Councilmember Whatley stated if water and sewer rates are not raised it could adversely affect the City's Bond ratings.

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to approve second and final reading of an Ordinance Establishing Water and Sewer Fees and Charges. The motion carried unanimously.

DISCUSS/CONSIDER SECOND AND FINAL READING OF ORDINANCE
REPEALING ORDINANCE NUMBERS O-30-08, 33-90, O-06-03 AND O-28-10
REGARDING RESIDENTIAL AND COMMERCIAL WATER AND
WASTEWATER RATES AND BULK WATER RATES

Ms. Hambrick read the Ordinance aloud. A motion was made by Councilmember Montgomery, seconded by Councilmember Winn to approve second and final reading of Ordinance repealing Ordinance Numbers O-30-08, 33-90, O-06-03 and O-28-10 regarding Residential and Commercial Water and Wastewater Rates and Bulk Water Rates. The motion carried unanimously.

DISCUSS/CONSIDER SECOND AND FINAL READING OF ORDINANCE
ESTABLISHING RESIDENTIAL AND COMMERCIAL WATER AND
WASTEWATER RATES AND BULK WATER RATES

Ms. Hambrick read the Ordinance aloud. A motion was made by Councilmember Winn, seconded by Councilmember Elliott to approve second and final reading of Ordinance Establishing Residential and Commercial Water and Wastewater Rates and Bulk water rates. The motion carried unanimously.

DISCUSS/CONSIDER RESOLUTION AUTHORIZING PHILIP RODRIGUEZ,
CITY ADMINISTRATOR AND DAVID HOPKINS, DIRECTOR OF FINANCE
AS SIGNATORY AGENTS FOR ALL CITY OF ATHENS BANK ACCOUNTS

Mr. Hopkins explained the Resolution will authorize City Administrator Philip Rodriguez and Director of Finance David Hopkins as the signatory agents for all City of Athens bank accounts.

A motion was made by Councilmember Whatley, seconded by Councilmember Elliott to authorize Philip Rodriguez, City Administrator and David Hopkins, Director of Finance as signatory agents for all City of Athens bank accounts. The motion carried unanimously.

CONSENT AGENDA;

A) CONSIDER APPROVING MINUTES OF THE APRIL 8, 2015 SPECIAL
SESSION, AND APRIL 13, 2015 REGULAR SESSION

A motion was made by Councilmember Montgomery seconded by Councilmember Winn to approve the Consent Agenda. The motion carried unanimously.

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

There was no discussion.

CITY ADMINISTRATOR'S UPDATE

1. Philip Rodriguez, City Administrator thanked Mr. Coston for updating the Council on Chamber of Commerce activities.
2. Reminded Council members and staff of the Vision and Planning Session scheduled for April 30, 2015 at Hart-Morris Conservation Center of the Texas Freshwater Fisheries Center.

MAYOR AND COUNCIL UPDATE

There was no update.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 11th DAY OF MAY, 2015.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary