

SPECIAL SESSION

FEBRUARY 22, 2012

The City Council of the City of Athens met in Special Session on Wednesday, February 22, 2012, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Randy Daniel, Mayor  
Jerry Don Vaught  
Carol Barton  
Aubrey Jones

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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Brian Malone, Tyler Hendrickson, Gene Keenon, Jean Riggs and other interested citizens;

with the following member absent: Elaine Jenkins;

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

The invocation was given by Mayor Daniel.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSULTING ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Tyler Hendrickson, Velvin & Weeks Consulting Engineers

- 1) Updated on Wood St. Project; pre-bid meeting was held with 9 bidders being present, bids will be opened on Tuesday, 2/28/12.

CAIN CENTER REPORT

A) STATUS REPORT ON CAIN CENTER OPERATIONS

Jean Riggs, Executive Director of the Cain Center updated the Council on the following:

- 1) January financials
- 2) Successful Membership Drive
- 3) New events and classes
- 4) New email address is caincenterinc.org

ATHENS ECONOMIC DEVELOPMENT CORPORATION REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Brian Malone, President & CEO of Athens Economic Development Corporation updated the Council on the following:

- 1) Budget/Financials
- 2) Athens Partnership Center Grand Opening held on January 17
- 3) Upcoming & Recent Marketing Events
- 3) Changing website address to include "Texas"
- 4) Projects/Prospects

**DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT**

**A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS**

Gary Crecelius, Director of Planning & Development updated on the following projects:

- 1) East Texas Medical Center, finalized remodel & expansion.
- 2) Athens Independent School District addition and remodel at Bel Air Elementary is underway.
- 3) Pools are currently being installed at residences on Rosedale and Penny Lane.
- 4) MUD Technology expanding facility.
- 5) New residential construction at 707 W. College, St. Thomas, Impala Point and Timber Hills Estates.
- 6) 9-1-1 Office being constructed at 621 S. Palestine

**B) STATUS REPORT ON ZONING BOARD OF ADJUSTMENTS**

Mr. Crecelius informed the Council that the Zoning Board of Adjustments approved the following variances on 2/14/12:

- 1) Family Peace Project, located at 720 East Corsicana St., received a 25 ft. fence setback variance for the Matthews St. (west) side of the property to allow for placement of a six ft. (6') black chain link fence.
- 2) Steve Sparkman's tenant (Fred Kurlander) at 222 East Tyler St., received a variance to allow for a permanent outside display, to be limited to new outdoor/patio furniture only.

**DISCUSS ITEMS FOR FUTURE AGENDAS;**

**A) PRESENTATION BY ATHENS NH HOUSING, LP REGARDING REHABILITATION OF NEW HAVEN APARTMENTS**

Chris Akbari appeared before the Council and stated that Athens NH Housing, LP is planning to purchase the New Haven Apartments in the next 30-45 days. He explained that they are seeking Texas Department of Housing and Community Affairs (TDHCA) tax credits and HOME funds for the purpose of rehabilitating the apartments and they are asking for the Council's support of the application, as well as authorization of a Revitalization Plan. The item will appear on the agenda Monday, February 27, 2012.

**B) DISCUSS A RESOLUTION AUTHORIZING SPHINX DEVELOPMENT CORPORATION TO APPLY FOR HOME FUNDS FROM TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS (TDHCA) FOR "ROBBINS VILLAS" APPLICATION; AND ADOPTING THE "ROBBINS AND FULLER COMMUNITY REVITALIZATION PLAN"**

City Administrator Pam Burton explained that a Resolution authorizing Sphinx Development to apply for HOME funds from TDHCA for the "Robbins Villas" application and the adoption of a Revitalization Plan will appear on the agenda Monday.

**C) DISCUSS AN ORDINANCE ADOPTING REGULATIONS PROHIBITING SMOKING**

Ms. Burton explained that two (2) public hearings concerning the Smoking Ordinance have now been held, recommending Council's guidance.

There was discussion concerning assisted living facilities/nursing homes and the definition of bars based upon the percentage of alcohol sold. An updated draft will be prepared for discussion at the next Special Session.

D) DISCUSS A RESOLUTION ESTABLISHING POLICY CONCERNING THE  
RELEASE OF LIENS

Ms. Burton explained that she has prepared a draft Resolution, based upon direction from the City Council, that establishes a Policy that no liens filed by the City be waived or reduced and they not be released without payment in full being made to the City. The item will appear on the agenda Monday.

E) DISCUSS AUTHORIZING CONTRACT WITH ALPHA-LEE ENTERPRISES,  
INC. FOR JULY 4, 2012 FIREWORKS DISPLAY

Ms. Burton explained that this Contract is for the Annual July 4<sup>th</sup> Fireworks Display at a total contract price of \$10,500.00, with the funds to be raised by the Light Up Athens Committee, however, the City is responsible for funding should there be a shortfall in donations. The item will appear on the agenda Monday.

F) DISCUSS SITE PLAN AMENDMENT FOR LOT 1, ATHENS CENTERS  
ECKERDS, OWNED BY EAST TEXAS ONE LP (702 EAST TYLER ST.)

Mr. Crecelius explained that CVS Pharmacy is amending their site plan to allow for the installation of a 31" x 94" electronic reader board sign to replace the existing manual reader board sign on the two (2) existing 25 ft. detached signs. He stated that fifteen (15) surrounding property owners were notified and no objections were received, with the Zoning Commission approving the site plan amendment on Tuesday, 2/21/12. The item will appear on the agenda Monday.

G) DISCUSS SITE PLAN AMENDMENT AND REZONING OF LOT 26C, B.C.  
WALTERS SURVEY FROM COMMERCIAL-PLANNED DEVELOPMENT TO  
COMMERCIAL-PLANNED DEVELOPMENT (SPECIFIC USE PROVISION),  
OWNED BY JOHN H. BROWN (6051 US HWY. 175 WEST)

Mr. Crecelius explained that this site plan is being amended and the property is being rezoned to allow for the sale of portable buildings. He stated that two (2) surrounding property owners were notified and no objections were received, with the Zoning Commission approving the site plan amendment and rezoning on 2/21/12. The item will appear on the agenda Monday.

H) DISCUSS CREATION OF SITE PLAN AND REZONING OF LOT 26N, B.C.  
WALTERS SURVEY FROM COMMERCIAL TO COMMERCIAL (SPECIFIC  
USE PROVISION), OWNED BY TERESA LEVIN (1150 US HWY. 175 WEST)

Mr. Crecelius explained that this site plan is being created and the property is being rezoned to allow for portable building/cabin sales. He stated that six (6) surrounding property owners were notified and no objections were received, with the Zoning Commission approving the site plan and rezoning on 2/21/12. The item will appear on the agenda Monday.

I) DISCUSS REPLAT OF LOTS 4 & 5B, BLOCK 3, HAWN ADDITION, OWNED  
BY MAMIE STAFFORD (709 MULBERRY DR.)

Mr. Crecelius explained that this will replat two (2) lots into one (1) lot to allow for construction of a single-family residence, with the Zoning Commission approving the replat on 2/21/12. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;

A) DISCUSS APPROVING MINUTES OF THE FEBRUARY 8, 2012 SPECIAL  
SESSION AND FEBRUARY 13, 2012 REGULAR SESSION

These items will appear on the Consent Agenda.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 12<sup>TH</sup> DAY OF MARCH, 2012.

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Randy Daniel, Mayor

ATTEST:

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Pam Watson, City Secretary