

SPECIAL SESSION

MARCH 20, 2013

The City Council of the City of Athens met in Special Session on Wednesday, March 20, 2013, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Carol Barton  
Elaine Jenkins  
Aubrey Jones  
Monte Montgomery

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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Wayne Weeks, Dee Purselley 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

Mayor Vaught filed a Conflict of Interest concerning 1) Creation of site plan for Lot 3, Block 117, Athens Original Town.

Councilmember Jones filed a Conflict of Interest concerning 1) Creation of site plan and rezoning of Lot 21A, A.G. Clark Survey and Lot 4A2, E. Holland Survey.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

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

- 1) Pizza Hut, open for business
- 2) Mooyah Burgers, open for business
- 3) JD Tenders, open for business
- 4) Dollar General, open for business
- 5) Seven (7) residences under construction
- 6) 150 Medical Circle, remodel underway
- 7) Arabella, 413 Gibson Rd, pouring concrete
- 8) Oakwood Place, nearing completion
- 9) John Deere Dealership, project underway
- 10) Brookshires, \$1.4 million dollar remodel underway
- 11) Bacon Chevrolet, presented plans for \$150,000 renovation

FINANCIAL REPORT

No report was provided.

DISCUSS ITEMS FOR FUTURE AGENDAS;

- A) DISCUSS PUBLIC HEARING AND FIRST READING OF ORDINANCE CREATING SITE PLAN AND REZONING TRACT 254, T. PARMER SURVEY FROM OFFICE TO MULTI-FAMILY RESIDENTIAL-5 (SPECIFIC USE PROVISION), OWNED BY BABIT, LLC (405 LINDSEY)

Mr. Crecelius explained that a site plan is being created and this property is being rezoned to allow for an independent and assisted living center, per City of Athens Zoning Ordinance definitions. He stated that 32 surrounding property owners were notified, no objections were received, and the Zoning Commission approved the rezoning on 3/19/13, with the stipulation that 1) Certificate of Occupancy shall not be issued until receiving approval by all federal, state, and local authorities maintaining jurisdiction and authority over the facility, including, but not limited to, the Texas Department of Aging and Disability Services; and 2) facility shall not be used for drug rehabilitation or mental facility. The item will appear on the agenda Monday, 3/25/13.

- B) DISCUSS PUBLIC HEARING AND FIRST READING OF ORDINANCE CREATING SITE PLAN FOR LOT 3, BLOCK 117, ATHENS ORIGINAL TOWN, OWNED BY JERRY R. VAUGHT (909 EAST TYLER ST.)

Mr. Crecelius explained that a site plan is being created to allow for the construction of an office and retail center, with the site plan including a 20' H x 14' W sign to be located 25' off of the property line. He stated that eight (8) surrounding property owners were notified and no objections were received, with the Zoning Commission approving the item on 3/19/13. The item will appear on the agenda Monday.

- C) DISCUSS PUBLIC HEARING AND FIRST READING OF ORDINANCE CREATING SITE PLAN AND REZONING LOT 21A, G. CLARK SURVEY AND LOT 4A2, E. HOLLAND SURVEY FROM PLANNED DEVELOPMENT-1, AGRICULTURE TO PLANNED DEVELOPMENT-1, AGRICULTURE (SPECIFIC USE PROVISION), OWNED BY DEBORAH WALKER (2621 U.S. HWY. 175 EAST)

Mr. Crecelius explained that this property is being leased by Athens Christian Preparatory with the option to purchase, and a site plan is being created and the property is being rezoned to allow for a private education facility and associated school activities. He explained that the site plan includes eight (8) phases, with interim use allowing for the placement of temporary classrooms. He stated that two (2) surrounding property owners were notified and no objections were received, with the Zoning Commission approving the item on 3/19/13. The item will appear on the agenda Monday.

- D) DISCUSS AUTHORIZING DESIGNATION FORM APPOINTING CITY SECRETARY AS FAIR HOUSING/EQUAL OPPORTUNITY/SECTION 504 STANDARDS OFFICER FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

City Administrator Pam Burton explained that appointment of the City Secretary as Fair Housing/Equal Opportunity/Section 504 Standards Officer is required to be in compliance with the Sewer Grant. The item will appear on the agenda Monday.

- E) DISCUSS AUTHORIZING USE OF CITY PARKING LOT FOR 2013 ATHENS FARMERS MARKET, AS REQUESTED BY D.J. WARREN, MARKET MANAGER

Ms. Burton explained that D.J. Warren, Market Manager, is requesting additional dates for the 2013 Athens Farmers Market, with the item appearing on the agenda Monday.

- F) DISCUSS AUTHORIZING LEASE AGREEMENT WITH CARLON DOWELL FOR AREA 3B, LOT 6 AT ATHENS MUNICIPAL AIRPORT

Mr. Crecelius stated that Royce Bane constructed this hangar and would like to sell it to Carlon Dowell for purposes other than storage of aircraft. He explained that the Airport Advisory Board was informed of Mr. Dowell's intentions, however, they recommended approval of the Lease Agreement.

Mr. Dowell explained that he moved back to Athens after retiring from the Airport business, he owns 16 hangars, and feels that he has a lot to bring to the Airport, stating that this hangar will allow him to primarily have a place to work out of and promote the Airport.

Mayor Vaught expressed his concerns with other tenants recently having stored items removed from their hangar, feeling that the hangars should be used for the storage of aircraft.

Councilmember Montgomery expressed his feelings that additional hangars are needed and other locations are available for Mr. Dowell's purpose.

Councilmember Jones announced a Conflict of Interest concerning this item.

The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;

- A) DISCUSS APPROVING MINUTES OF THE FEBRUARY 6, 2013 SPECIAL SESSION, FEBRUARY 20, 2013 SPECIAL SESSION, FEBRUARY 25, 2013 REGULAR SESSION AND MARCH 6, 2013 SPECIAL SESSION

These items will appear on the Consent Agenda.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
SECTION 551.087. DELIBERATION REGARDING ECONOMIC  
DEVELOPMENT NEGOTIATIONS

The City Council adjourned to Executive Session at 11:50 a.m.

The City Council returned to Special Session at 12:13 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

No action was taken.

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

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 8<sup>TH</sup> DAY OF APRIL, 2013.

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Jerry D. Vaught, Mayor

ATTEST:

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Pam Watson, City Secretary