

SPECIAL SESSION

MAY 7, 2014

The City Council of the City of Athens met in Special Session on Wednesday, May 7, 2014, 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
Monte Montgomery
Aubrey Jones

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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Sherri Skeeters, Rich Flowers, Tyler Hendrickson, Nancy Pitts, Reginald Westbrook 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.

DISCUSS ITEMS FOR FUTURE AGENDAS;

A) DISCUSS CLOSING A PORTION OF PRAIRIEVILLE ST. ON JULY 4, 2014, AS REQUESTED BY FISHER HIGH SCHOOL CLASS OF 1960

Waylan Wallace, Co-Chair of Fisher High Alumni Association, explained that they are planning the upcoming School Reunion, to be sponsored by the Class of 1960, and are requesting permission to close a portion of Prairieville St. to allow for a Blues Concert to be held on the west side of the downtown square on July 4 from 2PM to 5PM. He explained that the event will highlight 1960 Fisher High School Graduate, Bobby Blackmon, along with his band. He stated that they have obtained liability insurance for the event and Henderson County Judge Sanders has approved use of the west side of the square. He stated that this event will be a historical event open to the entire City and will hopefully become an annual event.

After discussion, City Administrator Pam Burton stated that Athens Police Department will provide security for the event and the item will be placed on the agenda Monday, May 12, 2014.

B) DISCUSS EXTENSION OF WATER LINE, AS REQUESTED BY NANCY PITTS

Ms. Burton stated that Ms. Pitts owns a 17 tenant trailer park located at 803 W. Larkin St., which is currently on a master meter for utility billing purposes. She explained that Ms. Pitts is requesting that the water lines be extended to the property to allow each tenant to be placed on separate meters and to have their own individual utility account.

Ms. Burton explained that the City can install the line and Ms. Pitts has committed to pay the cost of the line and meters totaling \$12,598.36, so there would be no expense to the City.

After discussion, it was determined that the item will appear on the agenda Monday.

C) DISCUSS AUTHORIZING CONTRACT WITH J.U.G.S. FOR USE OF O.D. BAGGETT PARK

Ms. Burton explained that this is renewal of the Contract with J.U.G.S. for use of O.D. Baggett Park. The item will appear on the agenda Monday.

D) DISCUSS AUTHORIZING CONTRACT WITH ATHENS TEENAGE BASEBALL ASSOCIATION FOR USE OF COLEMAN PARK

Ms. Burton explained that this is renewal of the Contract with Athens Teenage Baseball Association for use of Coleman Park, with there being minor changes concerning signage. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;

- A) DISCUSS APPROVING MINUTES OF THE APRIL 23, 2014 SPECIAL SESSION AND APRIL 28, 2014 REGULAR SESSION**
- B) DISCUSS FINAL READING OF AN ORDINANCE REZONING LOT 29D, B.C. WALTERS SURVEY FROM AGRICULTURE TO SINGLE-FAMILY RESIDENTIAL-7, OWNED BY DORA CERRILLO (1105 MAGNOLIA)**

These items will appear on the Consent Agenda on Monday.

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

There was no discussion.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074 PERSONNEL MATTERS; DELIBERATION REGARDING THE EMPLOYMENT, EVALUATION, OR DUTIES, OF CITY SECRETARY; AND DELIBERATION REGARDING THE EMPLOYMENT, EVALUATION, OR DUTIES OF CITY ADMINISTRATOR; AND SECTION 551.071 CONSULTATION WITH ATTORNEY; CONSULTATION REGARDING PENDING LITIGATION IN CAUSE NO. 2013A-1145, ATHENS MUNICIPAL WATER AUTHORITY V. CITY OF ATHENS IN THE 173RD JUDICIAL DISTRICT COURT, HENDERSON COUNTY, TEXAS; AND CASE NO. 12-14-00017, THE CITY OF ATHENS, TEXAS, A MUNICIPAL CORPORATION OF THE COUNTY OF HENDERSON, TEXAS V. ATHENS MUNICIPAL WATER AUTHORITY, A MUNICIPAL UTILITY DISTRICT AND POLITICAL SUBDIVISION OF THE STATE OF TEXAS, IN THE TWELFTH COURT OF APPEALS, TYLER, TEXAS

The City Council adjourned to Executive Session.

The City Council returned to Special Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION REGARDING EMPLOYMENT, EVALUATION, OR DUTIES OF CITY SECRETARY

City Administrator Pam Burton stated that on April 21, 2014, she received a letter from Pam Watson announcing her Notice of Retirement from the City of Athens, with her effective date of retirement being September 30, 2014. Ms. Burton stated that it is with mixed emotions and a lot of regret that Ms. Watson's Notice of Retirement be accepted, stating that she has been an excellent employee and will be missed by all.

A motion was made by Councilmember Jenkins, seconded by Councilmember Barton to accept the Letter of Retirement from Pam Watson, Assistant City Administrator/City Secretary, effective September 30, 2014, and to authorize the payment of up to 720 hours of accrued unused sick leave and any unused vacation time. The motion carried unanimously.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION REGARDING EMPLOYMENT, EVALUATION, OR DUTIES OF CITY
ADMINISTRATOR

City Administrator Pam Burton stated that it is with regret that she provides her intent to resign her position as City Administrator, and per her Contract, she is providing ample time to hire a replacement, with her effective date of resignation being December 31, 2014.

Ms. Burton stated that it has been a very rough time over the past several months for all employees, and she is not resigning due to lawsuits or personal attacks, but wants this to get back to what it is all about, and not about her personally. She stated that she cares about this Community and the City and wants the incumbents to be faced with an election that is about the issues and their service in office, and to stop making it about her. She expressed her feelings that she is making the right decision for the Community and it is the right thing to do for Athens.

Mayor Vaught stated that it is with regret that Ms. Burton is resigning. He expressed his feelings that she does an outstanding job for the City, and he commended her for the ability to stand up to the mudslinging that should have never happened, stating that this was about water issues.

A motion was made by Mayor Vaught, seconded by Councilmember Jenkins to accept the Letter of Resignation from Pam Burton, City Administrator, to become effective December 31, 2014, and per Ms. Burton's Employment Agreement, Ms. Burton is to receive six (6) months severance pay and payment of any accrued unused sick leave and vacation time. The motion carried unanimously.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION REGARDING PENDING LITIGATION IN CAUSE NO. 2013A-1145,
ATHENS MUNICIPAL WATER AUTHORITY V. CITY OF ATHENS IN THE
173RD JUDICIAL DISTRICT COURT, HENDERSON COUNTY, TEXAS; AND
CASE NO. 12-14-00017, THE CITY OF ATHENS, TEXAS, A MUNICIPAL
CORPORATION OF THE COUNTY OF HENDERSON, TEXAS V. ATHENS
MUNICIPAL WATER AUTHORITY, A MUNICIPAL UTILITY DISTRICT AND
POLITICAL SUBDIVISION OF THE STATE OF TEXAS, IN THE TWELFTH
COURT OF APPEALS, TYLER, TEXAS

No action was taken.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 9TH DAY OF JUNE, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Pam Watson, City Secretary