

REGULAR SESSION

OCTOBER 27, 2014

The City Council of the City of Athens met in Regular Session on Monday, October 27, 2014, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

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

Pam Burton, City Administrator
Bonnie Hambrick, City Secretary

others present: Glen Herriage, Gary Crecelius, John McQueary, Haven Cox, Sherri Skeeters, David Hopkins, Rich Flowers, Michael Hannigan, Tyler Hendrickson, Davey Dowdy, James Fielden, Alechia Sims and other interested citizens;

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.

DISCUSS/CONSIDER AUTHORIZING WATER AND WASTEWATER RATE STUDY

Councilmember Whatley explained that the Water and Wastewater Rate Study is needed however; he has concerns with the new contract at the Surface Water Plant and the uncertainty of maintaining the plant. He further stated the City should wait until next year to perform the study.

Glen Herriage, Director of Utilities explained the operational cost will not change; City employees operate the plant currently.

Mayor Vaught explained two companies submitted bids to perform the rate study and David Hopkins has recommended using NewGen Strategies and Solutions.

After discussion, a motion was made by Councilmember Montgomery, seconded by Councilmember Winn authorizing Water and Wastewater Rate Study to be performed by NewGen Strategies and Solutions. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmember Winn, Councilmember Montgomery. Nays: Councilmember Whatley, Councilmember Elliott.

Mayor Vaught asked Councilmember Whatley and Councilmember Montgomery to work with Staff on the study; with both members agreeing to work with Staff.

DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH ALPHA-LEE ENTERPRISES, INC. FOR JULY 4, 2015 FIREWORKS DISPLAY, AND CONSIDER AUTHORIZING FUNDING

City Administrator, Pam Burton explained that this Contract is for the Annual July 4th Fireworks Display. The City works with a KAB Committee in their soliciting of donations for fireworks. The City contributes \$2,000 if needed. The total contract price is \$11,250, and the City is responsible for the full funding should there be a shortfall in donations.

A motion was made by Councilmember Elliott and seconded by Councilmember Whatley to authorize the contract with Alpha-Lee Enterprises Inc. for July 4, 2014 fireworks display and any possible funding necessary up to \$2,000 if needed.

DISCUSS/CONSIDER CREATING PLAT OF TRACT 118A C.M. WALTERS SURVEY, OWNED BY MERRILL JENSEN

Gary Crecelius, Director of Planning & Development, explained the property was never platted, and therefore creating the plat was necessary for the lot to be established. He explained the property meets all the requirements for the present zoning it is in and the Zoning Commission approved the rezone on October 21, 2014.

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to approve creating plat of tract 118A C.M. Walters Survey, owned by Merrill Jensen. The motion carried unanimously.

PUBLIC HEARING CONCERNING THE REZONING OF TRACT 118A C.M. WALTERS SURVEY, FROM AGRICULTURE TO INDUSTRIAL, OWNED BY MERRILL JENSEN (2680 HWY 31 WEST)

Gary Crecelius, Director of Planning & Development, explained that the property was purchased by Mr. Jensen for future development and the construction of a 60 x 100 ft. building to make Vessels used in the Petroleum Industry. He stated four (4) surrounding property owners were notified, no responses were received and the Zoning Commission approved the rezone on October 21, 2014

After discussion the public hearing was closed.

DISCUSS/CONSIDER FIRST READING OF AN ORDINANCE CONCERNING THE REZONING OF TRACT 118A C.M. WALTERS SURVEY, FROM AGRICULTURE TO INDUSTRIAL, OWNED BY MERRILL JENSEN (2680 HWY 31 WEST)

City Secretary Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve the rezoning of tract 118A C.M. Walters Survey from Agriculture to Industrial. The motion carried unanimously.

PUBLIC HEARING CONCERNING THE REZONING AND SITE PLAN AMENDMENT OF LOT 15C, J.B. ATWOOD SURVEY FROM COMMERCIAL PLANNED DEVELOPMENT -2 TO COMMERCIAL PLANNED DEVELOPMENT-2 SPECIFIC USE PROVISION, OWNED BY JOHN H. BROWN (601 N.E. LOOP 7).

Gary Crecelius, Director of Planning & Development, explained this property is located on the North Loop and has been vacant for 1 ½ years. The property is being rezoned to allow for a Commercial Wrecker Operation Impound Facility, with a six (6) foot tall screen fence on front of building. One (1) surrounding property owner being notified and no responses were received and the Zoning Commission approved the rezone on 10/21/14.

After discussion, the public hearing was closed.

DISCUSS/CONSIDER FIRST READING OF AN ORDINANCE CONCERNING THE REZONING AND SITE PLAN AMENDMENT OF LOT 15C, J.B. ATWOOD SURVEY FROM COMMERCIAL PLANNED DEVELOPMENT -2 TO COMMERCIAL PLANNED DEVELOPMENT-2 SPECIFIC USE PROVISION, OWNED BY JOHN H. BROWN (601 N.E. LOOP 7).

City Secretary Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve the rezoning and site plan amendment of Lot 15C, J.B. Atwood Survey from Commercial Planned Development -2 to Commercial Planned Development-2 Specific Use Provision, to include the screening of the front and two (2) sides with dark mesh screening. The motion carried unanimously.

CONSENT AGENDA;

- A) DISCUSS APPROVING MINUTES OF THE OCTOBER 8, 2014 SPECIAL SESSION.
- B) DISCUSS AUTHORIZING STAFF TO ADVERTISE FOR (1) NEW NON-USED FULL SIZE SUV FOR USE IN THE CITY'S FIRE DEPARTMENT AND (2) NEW NON-USED ½ TON PICK-UPS FOR USE IN THE CITY'S PUBLIC HEALTH AND SAFETY DEPARTMENT AND LINE MAINTENANCE DEPARTMENT.

Councilmember Elliott stated the bid specs for vehicles should be written as "New Non-Titled".

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

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

1. Alecia Sims, 1001 North Hamlett, Athens, expressed concern with District Attorney Scott McKee's office.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.071 CONSULTATION WITH ATTORNEY; CONSULTATION REGARDING PENDING OR CONTEMPLATED LITIGATION

The City Council did not enter into Executive Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION REGARDING PENDING OR CONTEMPLATED LITIGATION

No Action was taken.

ADJOURN

PASSED AND APPROVED THIS THE 10TH DAY OF NOVEMBER, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary