

REGULAR SESSION

NOVEMBER 25, 2013

The City Council of the City of Athens met in Regular Session on Monday, November 25, 2013, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

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

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

others present: Gary Crecelius, John McQueary, David Hopkins, Haven Cox, Sherri Skeeters, Lee Bush 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.

PUBLIC HEARING CONCERNING CREATION OF SITE PLAN AND REZONING OF LOT 159G, J.B. ATWOOD SURVEY FROM PLANNED DEVELOPMENT-2 AGRICULTURE TO PLANNED DEVELOPMENT-2 COMMERCIAL (SPECIFIC USE PROVISION), OWNED BY LEE BUSH (2940 HWY. 31 EAST)

Gary Crecelius, Director of Planning & Development, explained that the property owner is creating a site plan and rezoning this property to allow for portable buildings sales. He stated that one (1) surrounding property owner was notified and no response was received, with the Zoning Commission approving the item on 11/19/13. After discussion, the public hearing was closed.

CONSIDER FIRST READING OF AN ORDINANCE CREATING SITE PLAN AND REZONING LOT 159G, J.B. ATWOOD SURVEY FROM PLANNED DEVELOPMENT-2 AGRICULTURE TO PLANNED DEVELOPMENT-2 COMMERCIAL (SPECIFIC USE PROVISION), OWNED BY LEE BUSH (2940 HWY. 31 EAST)

City Secretary Pam Watson read the Ordinance aloud. A motion was made by Councilmember Jones, seconded by Councilmember Barton to approve FIRST READING OF AN ORDINANCE CREATING SITE PLAN AND REZONING LOT 159G, J.B. ATWOOD SURVEY FROM PLANNED DEVELOPMENT-2 AGRICULTURE TO PLANNED DEVELOPMENT-2 COMMERCIAL (SPECIFIC USE PROVISION), to allow for portable buildings sales. The motion carried unanimously.

DISCUSS/CONSIDER REPLAT OF LOTS 59, 60 & 61, BLOCK 1, P.A. TAYLOR SUBDIVISION, OWNED BY HARRY & TERRI BUDOW AND PETER & JAMIE RUNNING (5256 BAYSHORE DR.)

Mr. Crecelius explained that this will replat three (3) lots into two (2) lots, with the Zoning Commission approving the replat on 11/19/13. A motion was made by Councilmember Montgomery, seconded by Councilmember Jenkins to approve the replat of Lots 59, 60 & 61, Block 1, P.A. Taylor Subdivision. The motion carried unanimously.

DISCUSS/CONSIDER REQUEST TO CLOSE PORTIONS OF W. TYLER ST.
AND N. PRAIRIEVILLE ST. ON DECEMBER 7, 2013, AS REQUESTED BY
ATHENS LIFE FELLOWSHIP

City Administrator Pam Burton explained that Athens Life Fellowship has submitted a letter requesting that portions of W. Tyler St. and N. Prairieville St. be closed on 12/07/13 to allow local area churches to host the downtown block party following the Athens Christmas Parade. After discussion, a motion was made by Councilmember Jones, seconded by Councilmember Montgomery to authorize portions of W. Tyler St. and N. Prairieville St. to be closed on 12/07/13, as requested. The motion carried unanimously.

DISCUSS/CONSIDER AWARDING CONTRACT FOR WASTEWATER
FACILITIES TO SERVE OLD KAUFMAN RD. AND MAGNOLIA RD.
(TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT #712020) AND
AUTHORIZING ADDITIONAL FUNDING FOR THE PROJECT

Glen Herriage, Director of Utilities, explained that five (5) bids were received for the Wastewater Facilities to serve Old Kaufman Rd. and Magnolia Rd. Project (Texas Community Development Block Grant #712020), recommending that the contract be awarded to low bidder, Duplichain Contractors, at a cost of \$481,254. He explained that there will be a funding shortfall in the amount of \$219,254, recommending that these funds be taken from the remaining 2004 Water & Wastewater Bonds.

After discussion, a motion was made by Councilmember Montgomery, seconded by Councilmember Barton to award the contract for the Wastewater Facilities to serve Old Kaufman Rd. and Magnolia Rd. Project (TCDBG #712020) to Duplichain Contractors at a cost of \$481,254 and to authorize additional funding in the amount of \$219,254 to be taken from the remaining 2004 Water & Wastewater Bonds. The motion carried unanimously.

CONSENT AGENDA;

- A) CONSIDER APPROVING MINUTES OF THE OCTOBER 18, 2013 SPECIAL SESSION
- B) CONSIDER AUTHORIZING MAYOR TO EXECUTE 2013 FEDERAL EQUITABLE SHARING AGREEMENT AND CERTIFICATION
- C) CONSIDER CONDUCTING AND APPROVING CHAPTER 59 ASSET FORFEITURE AUDIT FOR POLICE DEPARTMENT FOR FISCAL YEAR 2012-2013

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

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

The City Council adjourned to Executive Session.

The City Council returned to Regular Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION REGARDING CONTEMPLATED LITIGATION

No action was taken.

ADJOURN

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The meeting was adjourned.

PASSED AND APPROVED THIS THE 13TH DAY OF JANUARY, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Pam Watson, City Secretary