

REGULAR SESSION

FEBRUARY 24, 2014

The City Council of the City of Athens met in Regular Session on Monday, February 24, 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  
Carol Barton  
Monte Montgomery  
Elaine Jenkins  
Aubrey Jones

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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, David Hopkins, Sherri Skeeters 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.

CONSIDER A RESOLUTION ORDERING A GENERAL ELECTION ON MAY 10, 2014 FOR THE PURPOSE OF ELECTING ONE COUNCIL MEMBER, PLACE 2; ONE COUNCIL MEMBER, PLACE 3; AND ONE COUNCIL MEMBER, PLACE 4 FOR THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS; AND A SPECIAL ELECTION FOR APPROVAL OF CITY OF ATHENS ORDINANCE NO. O-01-14 ABOLISHING AND DISSOLVING THE ATHENS MUNICIPAL WATER AUTHORITY. *CONSIDERAR UNA RESOLUCIÓN QUE ORDENA UNA ELECCIÓN GENERAL EL 10 DE MAYO DE 2014 CON EL PROPÓSITO DE ELEGIR UN MIEMBRO DEL CONSEJO, LUGAR 2; UN MIEMBRO DEL CONSEJO, LUGAR 3; Y UN MIEMBRO DEL CONSEJO, LUGAR 4 PARA EL CONSEJO MUNICIPAL DE LA CIUDAD DE ATHENS, TEXAS; Y UNA ELECCIÓN EXPECIAL PARA LA APROBACIÓN DE LA RESOLUCIÓN NÚ O-01-14 DE LA CIUDAD DE ATHENS QUE ABOLE Y DISUEVLE LA AUTORIDAD MUNICIPAL DE AGUAS DE ATHENS*

Mayor Vaught read the caption of the Resolution aloud. A motion was made by Councilmember Jones, seconded by Councilmember Jenkins to approve A RESOLUTION ORDERING A GENERAL ELECTION ON MAY 10, 2014 FOR THE PURPOSE OF ELECTING ONE COUNCIL MEMBER, PLACE 2; ONE COUNCIL MEMBER, PLACE 3; AND ONE COUNCIL MEMBER, PLACE 4 FOR THE CITY COUNCIL OF THE CITY OF ATHENS, TEXAS; AND A SPECIAL ELECTION FOR APPROVAL OF CITY OF ATHENS ORDINANCE NO. O-01-14 ABOLISHING AND DISSOLVING THE ATHENS MUNICIPAL WATER AUTHORITY. The motion carried unanimously.

CONSIDER A RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH HENDERSON COUNTY FOR ELECTION SERVICES

City Administrator Pam Burton stated that this Resolution will authorize an Interlocal Agreement with Henderson County for early voting and election day services for the May 10, 2014 General and Special Election, with voting being conducted at the Henderson County Election Center located at

201 East Larkin St. A motion was made by Councilmember Montgomery, seconded by Councilmember Jones to approve A RESOLUTION AUTHORIZING INTERLOCAL AGREEMENT WITH HENDERSON COUNTY FOR ELECTION SERVICES. The motion carried unanimously.

CONSIDER A RESOLUTION AUTHORIZING FUNDING SUPPORT FOR NEW HAVEN APARTMENTS AND AGREEMENT TO CONVEY BLOCK 7, LOT 3, OUT OF ABSTRACT 782, T. PARMER SURVEY, BISHOP HEIGHTS ADDITION, HENDERSON COUNTY, TEXAS TO NAUTICAL AFFORDABLE HOUSING, INC.

Ms. Burton explained that Nautical Affordable Housing, Inc. owns the New Haven Apartments and they are applying for Housing Tax Credits to allow them to demolish the existing 50 units and reconstruct 80 units on the property. She explained that they are proposing that the City convey the vacant lot at Block 7, Lot 3, T. Parmer Survey, located adjacent to the Project, to Nautical Affordable Housing, Inc. for the sum of \$1.00 to be considered an in-kind contribution and establish the City's support. She stated that they are working with Henderson County concerning the possibility of obtaining the Putnam Homes property this is also located adjacent to the Project.

A motion was made by Councilmember Jenkins, seconded by Councilmember Barton to approve A RESOLUTION AUTHORIZING FUNDING SUPPORT FOR NEW HAVEN APARTMENTS AND AGREEMENT TO CONVEY BLOCK 7, LOT 3, OUT OF ABSTRACT 782, T. PARMER SURVEY, BISHOP HEIGHTS ADDITION, HENDERSON COUNTY, TEXAS TO NAUTICAL AFFORDABLE HOUSING, INC. The motion carried unanimously.

DISCUSS/CONSIDER APPOINTMENT TO SUBSTANDARD BUILDING COMMISSION

Ms. Burton recommended the appointment of Tilo Galvan to the Substandard Building Commission. A motion was made by Councilmember Montgomery, seconded by Councilmember Barton to appoint Tilo Galvan to serve on the Substandard Building Commission. The motion carried unanimously.

CONSENT AGENDA;

- A) CONSIDER APPROVING MINUTES OF THE JANUARY 27, 2014 REGULAR SESSION; FEBRUARY 5, 2014 SPECIAL SESSION; AND FEBRUARY 10, 2014 REGULAR SESSION
- B) CONSIDER AUTHORIZING CONTRACT WITH ALPHA-LEE ENTERPRISES, INC. FOR JULY 4, 2014 FIREWORKS DISPLAY AND AUTHORIZING FUNDING
- C) CONSIDER AUTHORIZING SOLUTIEN GEOSCIENCES, INC. TO PERFORM ANNUAL POST-REMEDIATION MEASURES PERFORMANCE MONITORING AND REPORT IN ACCORDANCE WITH COMPREHENSIVE LANDFILL GAS REMEDIATION PLAN
- D) CONSIDER ADOPTING INVESTMENT POLICY
- E) CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR BIDS FOR ONE (1) NEW CURRENT MODEL COLD PLANNER WITH QUICK ATTACH MOUNTING SYSTEM FOR STREET DEPARTMENT

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

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 551.071 CONSULTATION WITH ATTORNEY; CONSULTATION REGARDING PENDING LITIGATION IN CAUSE NO. 2013A-1145, ATHENS MUNICIPAL WATER AUTHORITY V. CITY OF ATHENS IN THE 173<sup>RD</sup> 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 did not enter into Executive Session.

CONSIDER ACTION REGARDING PENDING LITIGATION IN CAUSE NO. 2013A-1145, ATHENS MUNICIPAL WATER AUTHORITY V. CITY OF ATHENS IN THE 173<sup>RD</sup> 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 10<sup>TH</sup> DAY OF MARCH, 2014.

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Jerry D. Vaught, Mayor

ATTEST:

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Pam Watson, City Secretary