

REGULAR SESSION

JULY 25, 2016

The City Council of the City of Athens met in Regular Session on Monday, July 25, 2016, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 W. Corsicana St., Athens, Texas with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Tres Winn, Mayor Pro-Tem  
Monte Montgomery  
Ed McCain

Philip Rodriguez, City Manager  
Bonnie Hambrick, City Secretary  
Blake Armstrong, City Attorney

others present: Buddy Hill, Thanasis Kombos, Lawrence Cutrone, John McQueary, Becky Roseberry, Gary Whittle, Lisa Denton, Barbara Holly, Irene Kasujja, Sandi Pulley, Father Frick, Tom & Lynn Leatham, Will Traxson, Cody Robson, Lee Evans, David Chase, Renee Bresson, Mary Ensign, Larry Ball, and other interested citizens;

constituting a quorum at which time the following proceedings were enacted, to-wit:

with the following member absent: Joe Whatley;

INVOCATION

The invocation was given by Father Matthew Frick.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSENT AGENDA:

- a) CONSIDER APPROVING THE MINUTES OF THE JULY 11, 2016 REGULAR SESSION
- b) CONSIDER FINAL READING OF AN ORDINANCE AMENDING ORDINANCE A-988 AS CODIFIED IN CHAPTER 19 OF THE CITY OF ATHENS CODE OF ORDINANCES AUTHORIZING THE CITY'S DIRECTOR OF PUBLIC WORKS AUTHORITY TO ERECT AND INSTALL TRAFFIC CONTROL DEVICES
- c) CONSIDER A RESOLUTION CHANGING SIGNATORY FOR BANK DEPOSITORY

Bonnie Hambrick, City Secretary, read the Ordinance aloud. A motion was made by Councilmember Montgomery, seconded by Councilmember Winn to approve the consent agenda. The motion carried unanimously.

CITIZENS COMMUNICATIONS

There was no discussion.

INTRODUCTION OF NEW CITY EMPLOYEES

Philip Rodriguez, City Manager, introduced the new City Employees: Marty Coursey, Finance Director and Sandi Pulley, Human Resources Manager. Mr. Rodriguez also announced that Lawrence Cutrone was appointed to the position of Director of Public Works.

**PLANNING & DEVELOPMENT REPORTS:**

**a) STATUS REPORT ON CURRENT AND PROPOSED DEVELOPMENT PROJECTS**

Barbara Holly, Interim Planning Director, updated Council on the following projects:

1. Richard Pirtle has paved his parking lot and his plat is approved. The sewer line is being installed currently.
2. AT&T has gone vertical.
3. Edward Jones has broken ground.
4. Asian Gardens has opened in Heritage Square.
5. Park 19 has completed the bore under S. Palestine and has made their water connection.
6. A-Town car wash is open at the Y of Hwys. 31 and 175.
7. Murphey the Jeweler has opened in the Bealls' shopping center.
8. Country Place Assisted Living has completed construction and is awaiting their C.O.

**b) STATUS REPORT ON CURRENT AND PROPOSED UTILITY PROJECTS**

Lawrence Cutrone, Director of Public Works, updated Council on the following projects:

1. Wastewater
  - Advertising online and hosting public bids soon.
  - Talking with KSA, the trickling filter is past geoen지니어ing and is now in structural engineering phase of development.
2. Water
  - A new superintendent has been hired.
  - Collecting estimates on repairs for the well distribution line leaks that go to the clearwells.
  - MVA is expecting to have parts in for the clarifier by the end of the month and start work.
  - GDC is trouble shooting electrical problems at the plant sometime this week.
3. Line Maintenance
  - Public advertising for manhole rehabs, bores, and distribution material has been posted.
  - Spector Shield has been chosen for the manholes and Warren Construction for the bores.
4. Streets
  - We are rehabbing Cream Level Rd. It has been reclaimed, and it is being prepped for resurfacing with hotmix

**DISCUSS APPOINTMENTS TO TOURISM ADVISORY COUNCIL**

Ms. Hambrick informed Council the following terms expire on July 31, 2016 from the Tourism Advisory Council:

- Brad Smiley/Place 2
- Toni Clay/Place 4
- Mike Coston/Place 6

Ms. Hambrick further stated that per the new City of Athens Council Rules and Procedures once a position becomes vacant, the position is appointed by the Council member holding the corresponding place designation on the Council at the time of the appointment.

Mr. Rodriguez further explained the new Council Rules and Procedures.

HEAR PRESENTATION FROM ARCHITEXAS REGARDING RECOMMENDED  
DESIGN SCHEME FOR TEXAN THEATER PROJECT

David Chase, from ArchiTexas presented Council with a design scheme for the Texan Theater Project.

There was lengthy discussion regarding the design scheme.

DISCUSS/CONSIDER APPROVING SCHEMATIC DESIGN FOR THE TEXAN  
THEATER PROJECT

A motion was made by Councilmember Winn, seconded by Councilmember McCain to approve the schematic design for the Texan Theater Project with the addition of closing in the roof and gable and adding in HVAC. The motion carried unanimously.

DISCUSS/CONSIDER APPROVAL OF THE FINAL PLAT OF ATHENS  
COMMONS, A 32.52 ACRE PLAT CONSISTING OF FOUR LOTS AND TWO  
BLOCKS, WITH ONE NEW ROAD, IMMEDIATELY SOUTH OF LOOP 7  
AND WEST OF S. PALESTINE STREET, OWNED BY PALESTINE ST.

Ms. Holly explained the 32.52 acre plat is immediately south of Loop 7 and west of S. Palestine Street. It consists of four lots and two blocks. One new road, Commons Drive, is proposed with this addition. She stated the majority of the land comprising the plat was annexed to the city in June, 2015.

Councilmember Montgomery asked if there was water retention proposed for the site. The engineer, Mr. Chuck Stark, said there is a storm water detention pond proposed.

A motion was made by Councilmember Montgomery, seconded by Councilmember Winn to approve the Final Plat of Athens Commons, a 32.52 acre plat consisting of four lots and two blocks, with one new road, immediately south of Loop 7 and west of S. Palestine Street, owned by Palestine St. The motion carried unanimously.

DISCUSS/CONSIDER APPROVAL OF THE AMENDING PLAT OF LOTS 218  
AND 219, WATER'S EDGE RANCH PHASE 2, A ONE LOT REPLAT WITHIN  
THE CITY OF ATHENS' ETJ, NORTH OF FM 3922 AND WEST OF  
PRAIRIEVILLE, OWNED BY THOMAS TRIPP AND CARRIE WEITINGER

Ms. Holly explained the amending plat is within the City of Athens' ETJ, and is subject to the City's jurisdiction. She stated the replat is combining two lots into one. Ms. Holly further stated On July 19, 2016, the Planning Commission voted unanimously to recommend approval of the replat subject to the comments on the plat being addressed and Henderson County's approving of the plat for recordation.

A motion was made by Councilmember Winn, seconded by Councilmember Montgomery to approve the Amending Plat of Lots 218 and 219, Water's Edge Ranch Phase 2, a one lot replat within the City of Athens' ETJ, North of FM 3922 and west of Prairieville, owned by Thomas Tripp and Carrie Weitinger. The motion carried unanimously,

PUBLIC HEARING AND DISCUSS FIRST READING OF AN ORDINANCE  
CONCERNING REZONING AND SITE PLAN APPROVAL FOR 3.078 ACRES  
OUT OF THE JAMES B. ATWOOD SURVEY, A-19, FROM PLANNED  
DEVELOPMENT AGRICULTURE (PD-A) TO PLANNED DEVELOPMENT  
COMMERCIAL (PD-C), TO ALLOW FOR A NURSERY AND RETAIL  
PORTABLE BUILDING SALES, LOCATED AT THE NORTHEAST CORNER  
OF LOOP 7 AND HIGHWAY 31 OWNED BY LEE BUSH

Ms. Holly stated the item is being continued to the August meeting.

PUBLIC HEARING AND DISCUSS FIRST READING OF AN ORDINANCE CONCERNING SARABJIT K. AVAIRA (SINGH) FOR SITE PLAN APPROVAL FOR LAND ZONED PLANNED DEVELOPMENT RETAIL AT LOT 1, BLOCK 1 MCDONALD ADDITION LOCATED ONE LOT EAST OF 414 EAST TYLER STREET OWNED BY SARABJIT K. AVAIRA

Ms. Holly explained Singh is requesting site plan approval for 4,380 SF of office and storage use. She stated the land is zoned Planned Development Retail 1 which requires site plan approval prior to construction. Ms. Holly further stated the site plan provides 17 parking spaces (three more than required) as well as cross access to the western lot which is under common ownership. The site has one public access point and parking provided in a parking lot. Ms. Holly stated the site has more than the required 10% landscaping and is compliant for setbacks, parking and landscaping.

Ms. Holly explained twelve (12) notices were sent to the owners within 200' of the request. She further stated on July 19, 2016, the Planning Commission voted unanimously to recommend approval of the site plan.

Ms. Hambrick read the Ordinance aloud.

PUBLIC HEARING AND DISCUSS FIRST READING OF AN ORDINANCE FOR CELLULAR WORLD (AT&T) TO PRESENT A SIGN PACKAGE CONSISTING OF FOUR WALL SIGNS AND ONE DETACHED SIGN FOR A NEW STORE AT 1103 E. TYLER STREET

Ms. Holly stated the item is being continued to the August meeting.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY; CLOSED MEETING) PENDING OR CONTEMPLATED LITIGATION  
A) FORENSIC AUDIT

The City Council adjourned to Executive Session at 6:32 p.m.

The City Council returned to Regular Session at 8:13 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY; CLOSED MEETING) PENDING OR CONTEMPLATED LITIGATION:  
A) FORENSIC AUDIT

No action taken.

DISCUSS/CONSIDER BKD TO PERFORM FISCAL YEAR 2016 ANNUAL FINANCIAL REPORT FOR THE CITY OF ATHENS

Mr. Rodriguez stated Staff would like to pull the item off the agenda and bring back a subsequent item involving Fiscal Year 2016 Audit.

MAYOR, CITY COUNCIL AND/OR CITY MANAGER UPDATES INVOLVING COMMUNITY EVENTS AND ISSUES OF PUBLIC SAFETY

1. Councilmember McCain stated the parking lot at Sav A Lot looks a lot better.

2. Mr. Rodriguez stated citizens will receive a letter regarding Haloacetic Acids (HAA5) Levels as part of the requirement from TCEQ.

MAYOR AND CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

No requests received.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 8<sup>th</sup> DAY OF AUGUST, 2016.

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Jerry D. Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary