

SPECIAL SESSION

JUNE 5, 2017

The City Council of the City of Athens met in Special Session on Monday, June 5, 2017, 4:30 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:

Monte Montgomery, Mayor  
Tres Winn, Mayor Pro-Tem  
Ed McCain  
Joe Whatley  
Toni Clay

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

others present: Buddy Hill, Ryan Adams, Gary Whittle, Ronnie Denton, Chief John McQueary, Jerry Don Vaught, Mike Peek, Beth McConnell, Rich Flowers, Lisa Montgomery, Lacey Lowery, and Aaron Smith;

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

INVOCATION

The invocation was given by Mike Peek.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT  
CODE:

- i) SECTION 551.071 (CONSULTATION WITH ATTORNEY; CLOSED MEETING) REGARDING RECENT LEGAL COMMUNICATION FROM ATHENS MUNICIPAL WATER AUTHORITY (AMWA)**

Mayor Montgomery stated, that instead of Executive Session for this item, he would like to make a motion to leave it open to the public as there is a member of the Athens Municipal Water Authority (AMWA) Board present.

Blake Armstrong, City Attorney stated the Council could convene in Executive Session under Section 551.071 to receive nothing but legal advice. He further stated, City Council could not convene under this Section and have any general policies discussion regarding (AMWA).

Philip Rodriguez, City Manager, stated staff wanted to discuss a demand letter received from Athens Municipal Water Authority.

A motion was made by Mayor Montgomery, seconded by Councilmember McCain to discuss the item in open session. The motion failed by the following votes: Ayes: Mayor Montgomery, and Councilmember McCain. Nays: Councilmembers: Clay, Winn, and Whatley.

The City Council adjourned to Executive Session at 4:33 p.m.

The City Council returned to Special Session at 5:12 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN  
EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT  
CODE:

**i) SECTION 551.071 (CONSULTATION WITH ATTORNEY; CLOSED MEETING) REGARDING RECENT LEGAL COMMUNICATION FROM ATHENS MUNICIPAL WATER AUTHORITY (AMWA)**

Mayor Montgomery, stated during Executive Session the letter from AMWA was discussed. He thanked AMWA for handling some of the issues and meeting with Texas Commission Environmental Quality (TCEQ). He stated, the City will push the engineers to get the remaining two (2) items cleared with TCEQ.

Mike Peek asked, what date would the engineers have the violations cleared? Mayor Montgomery stated the violations should be cleared by June 30, 2017.

After discussion, Mayor Montgomery, stated he would like to see the City and AMWA Boards getting together to define the responsibilities of the two (2) entities.

Councilmember McCain stated he feels strongly about City Council members working cohesively with the AMWA Board. He further stated he would like to encourage Council members to attend AMWA meetings.

Councilmember Winn stated he would like to see Mayor Montgomery and Mr. Rodriguez working with Mike Peek and Director Bill Casey for communication between the two (2) entities.

There was additional discussion.

Mayor Montgomery stated, regarding action from Executive Session on Section 551.071 (Consultation with Attorney; Closed Meeting) regarding recent legal communication from Athens Municipal Water Authority (AMWA) a reply would be sent to Mr. Bennett stating that everything he addressed would be readdressed by the City of Athens, and the City is in contact with the engineers to expedite the remedy.

**EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE:**

**ii) SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING)  
CONSIDER GRIEVANCE FILED BY FIRE MARSHAL**

Mayor Montgomery stated he has no information on this item. Mr. Rodriguez, stated the request is for a closed meeting regarding a grievance filed by the Fire Marshal lead by the City Attorney.

The City Council adjourned to Executive Session at 5:21 p.m.

The City Council returned to Special Session at 7:47 p.m.

**CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE:**

**ii) SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING)  
CONSIDER GRIEVANCE FILED BY FIRE MARSHAL**

Mayor Pro Tem Tres Winn, stated he would entertain a motion to take action from Executive Session regarding item ii) Section 551.074 (Personnel Matters; Closed Meeting) consider grievance filed by Fire Marshal.

No motion was made; item died due to the lack of a motion.

**ADJOURN**

The meeting was adjourned.

PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF JUNE, 2017.

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary