

REGULAR SESSION

JULY 10, 2017

The City Council of the City of Athens met in Regular Session on Monday, July 10, 2017, 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:

Monte Montgomery, Mayor  
Tres Winn, Mayor Pro-Tem  
Ed McCain

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

others present: Ryan Adams, Thanasis Kombos, Barbara Holly, Gary Whittle, John McQueary, Buddy Hill, Adrianna Hinds, Lacey & John Lowry, Rich Flowers, Tom & Lynn Leathem, Missy Bason, Clint Davis, Carol Morton, Kevin & Jeaneane Lilly, Steve Barksdale, Deborah Deas, Larry Ball and other interested citizens;

with the following members absent: Councilmember Whatley and Councilwoman Clay

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

INVOCATION

The invocation was given by Mayor Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSENT AGENDA

- A) CONSIDER APPROVING THE MINUTES OF THE JUNE 19, 2017 BUDGET WORKSHOP SESSION
- B) CONSIDER APPROVING THE MINUTES OF THE JUNE 26, 2017 REGULAR SESSION

Councilmember Winn requested that item c) Consider final reading of an Ordinance requested by the City of Athens, Texas for a text change for the parking requirements for retail establishments from one parking space for every 200 square feet of gross floor area to one parking space for every 300 square feet of gross floor area be pulled from the Consent Agenda for further discussion and clarification.

A motion was made by Councilmember McCain, seconded by Councilmember Winn to approve item a) Consider approving the minutes of the June 19, 2017 Budget Workshop Session and item b) Consider approving the minutes of the June 26, 2017 Regular Session.

The motion carried unanimously.

- C) CONSIDER FINAL READING OF AN ORDINANCE REQUESTED BY THE CITY OF ATHENS, TEXAS FOR A TEXT CHANGE FOR THE PARKING REQUIREMENTS FOR RETAIL ESTABLISHMENTS FROM ONE PARKING SPACE FOR EVERY 200 SQUARE FEET OF GROSS FLOOR AREA TO ONE PARKING SPACE FOR EVERY 300 SQUARE FEET OF GROSS FLOOR AREA

Councilmember Winn expressed his concern with the parking standards. He stated he had no issue with implementing the Ordinance for new developments, however, he opposed requiring a person moving into an existing development to re-stripe their lot. Ms. Holly explained the parking standards and stated the standards have been in existence since 1960.

Mayor Montgomery asked if an individual brings into the Planning and Zoning office a rough drawing of their retail establishment that shows no parking will Staff instruct the individual on how many parking spaces and handicapped spaces they are required to have? Ms. Holly stated yes.

After discussion, Bonnie Hambrick, City Secretary, read the Ordinance aloud.

A motion was made by Councilmember McCain, seconded by Mayor Montgomery to approve the final reading of an Ordinance requested by the City of Athens, Texas for a text change for the parking requirements for retail establishments from one parking space for every 200 square feet of gross floor area to one parking space for every 300 square feet of gross floor area.

The motion carried by the following vote: Ayes: Mayor Montgomery, Councilmember McCain, Nays: Councilmember Winn: Abstained: None.

#### CITIZENS COMMUNICATIONS

There was no discussion.

#### DISCUSS "SAGGING" ORDINANCE MAYOR PRO-TEM WINN

Mayor Montgomery informed the City Council the request was from Mr. L.D. McCall, he stated Mr. McCall was very adamant and concerned for a "Sagging" Ordinance, Mayor Montgomery stated Mr. McCall recently died. He further stated he felt in an effort to honor Mr. McCall the Council should discuss the "Sagging" Ordinance.

Councilmember Winn stated the item had appeared on a previous agenda. He echoed the sentiments that Mr. McCall was very adamant with his concern regarding a "Sagging" Ordinance. He stated the Council should at least discuss the item again. Councilmember Winn explained there is a letter from the Chief of Police, Buddy Hill, stating his concerns if the City were to enact a "Sagging" Ordinance due to enforcing the Ordinance.

Mayor Montgomery asked if there were any citizen comments. There was no discussion from the public.

Councilmember McCain stated he had received seven (7) calls from constituents who were all opposed to him voting for a "Sagging" Ordinance. Councilmember McCain further stated, "I do believe he was a veteran, and I appreciate his service to our country, and honor that." He stated he spoke with a citizen who was in the room, and the citizen noted how much they appreciated Mr. McCall for working the process. Councilmember McCain stated he was grateful too, for Mr. McCall working the process.

#### DISCUSS ALL MATTERS RELATED TO FIRST READING OF AN ORDINANCE AMENDING A CHARGE OR COLLECTION OF SOLID WASTE TO BE CHARGED FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS

Ryan Adams, Managing Director of Administrative Services, explained the City Council approved an increase to solid waste disposal fees during the June 26, 2017 Regular Session. He stated the rate increase is from \$12.86 per month to \$13.33 per month which is a 3.77% increase and per the Charter a rate increase is done by Ordinance.

Mayor Montgomery stated he discussed this with Mr. Rodriguez and this is part of the contractual agreement with Republic Services. Mr. Rodriguez stated it is related to the annual Consumer Pricing Index (CPI) related to solid waste. He stated as the provider of the services it allows Republic Services to keep up with inflation on their costs in providing the service.

Ms. Hambrick read the Ordinance aloud.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO  
THE REAPPOINTMENTS OF THE FOLLOWING MEMBERS TO THE  
CULTURAL RESOURCES COMMISSION

- A) VIRGINIA REEDER
- B) CHET PATEL
- C) KELLEY TOWNSEND
- D) DEANNE BOSWELL

Ms. Hambrick explained the terms of Virginia Reeder, Chet Patel, Kelley Townsend and Deanne Boswell will expire from the Cultural Resources Commission. She stated all commission members express their desire for reappointment.

A motion was made by Councilmember McCain, seconded by Councilmember Winn to approve the reappointments of Virginia Reeder, Chet Patel, Kelley Townsend and Deanne Boswell to the Cultural Resources Commission. The motion carried unanimously.

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

Councilmember McCain stated the softball, baseball and basketball teams are representing the City of Athens very well in tournaments. He commended the parents, coaches and athletes.

Mayor Montgomery stated he received compliments on City Staff during the storms. He stated citizens were impressed with how quick City Staff were able to clean up limbs from the storms.

Mr. Rodriguez provided the following updates:

1. Dixie Tournament was a huge success
2. Thanked City Staff for their work during the storms six (6) different departments involved
3. Stated one hundred (100) or more citizens took advantage of the free Collection Site. He stated the Collection Site will be open free again on Saturday, July 15, 2017 from 8:30 a.m. to 3:30 p.m.
4. Stated citizens are receiving Information regarding the 2016 Water Quality Report and 2017 Water Update
5. 2<sup>nd</sup> Texan Summer Concert Series is scheduled for Friday, July 21<sup>st</sup>, and the 3<sup>rd</sup> Texan Summer Concert Series is schedule for Saturday, August 12<sup>th</sup> both at the Athens Brewing Company

MAYOR AND CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

1. Mayor Montgomery requested a future agenda item from Tom Potthoff regarding deannexation be put on the July 24, 2017 City Council Agenda.

ADJOURN

The meeting was adjourned.

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PASSED AND APPROVED THIS THE 24<sup>th</sup> DAY OF JULY, 2017.

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary