

REGULAR SESSION

FEBRUARY 10, 2014

The City Council of the City of Athens met in Regular Session on Monday, February 10, 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

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, 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.

DISCUSS/CONSIDER AUTHORIZING PAYMENT OF INVOICES, AS  
REJECTED BY ATHENS MUNICIPAL WATER AUTHORITY

City Administrator Pam Burton informed the City Council that Wylie Pirkle, Athens Municipal Water Authority Executive Director, has rejected the payment of invoices received from Etheredge Electric Co. of Tyler for motor repair at the water treatment plant in the amount of \$217.46 and from Hickman Electric for emergency callout repairs to raw water pump station and repairs to wet well motor at the water treatment plant in the amount of \$713.70.

Councilmember Jones expressed his feelings that these were emergency expenditures that required action and the Council has a duty to take care of the vendors and should pay the invoices. He explained that although it is almost like paying under protest, these items can be included as a claim in the future should litigation reach that point. A motion was made by Councilmember Jones, seconded by Councilmember Barton to authorize the payment of invoices totaling \$931.16, as rejected by Athens Municipal Water Authority. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING EXTENSION OF AIRPORT TENANT  
AGREEMENT WITH GORDON LINGLE FOR LOT 9, AREA 3 AT ATHENS  
MUNICIPAL AIRPORT

Gary Crecelius, Director of Planning & Development, explained that Mr. Lingle is requesting renewal of his land lease for another five (5) year period, including an option to renew for two (2) additional five (5) year periods. A motion was made by Councilmember Jenkins, seconded by Councilmember Montgomery to authorize extension of Airport Tenant Agreement with Gordon Lingle for Lot 9, Area 3 at Athens Municipal Airport. The motion carried unanimously.

CONSENT AGENDA;

- A) CONSIDER APPROVING MINUTES OF THE JANUARY 8, 2014 SPECIAL SESSION; JANUARY 13, 2014 REGULAR SESSION AND JANUARY 21, 2014 SPECIAL SESSION
- B) RECEIVE 2013 RACIAL PROFILING REPORT

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

The City Council did not enter Executive Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION 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

No action was taken.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 24<sup>TH</sup> DAY OF FEBRUARY, 2014.

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Jerry D. Vaught, Mayor

ATTEST:

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Pam Watson, City Secretary