

REGULAR SESSION

MARCH 24, 2014

The City Council of the City of Athens met in Regular Session on Monday, March 24, 2014, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. 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, John McQueary, David Hopkins, Haven Cox, Sherri Skeeters, Rich Flowers, Tyler Hendrickson 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.

PUBLIC HEARING CONCERNING REZONING OF LOT 13, BLOCK 37, ATHENS ORIGINAL TOWN FROM SINGLE-FAMILY RESIDENTIAL-7 TO TWO-FAMILY RESIDENTIAL (DUPLEX HOMES), OWNED BY JOSE & JAZMIN ARICIAGA (207 FRIZZELL ST.)

Gary Crecelius stated that the owner recently purchased this property which adjoins his current residence. He explained that the structure on the recently acquired property has been involved in a fire and the owner is planning to remodel the structure and rezone the property to allow for use as a duplex apartment. He stated that ten (10) surrounding property owners were notified, no responses were received and the Zoning Commission approved the rezone on 3/18/14. There was no discussion and the public hearing was closed.

CONSIDER FIRST READING OF AN ORDINANCE REZONING LOT 13, BLOCK 37, ATHENS ORIGINAL TOWN FROM SINGLE-FAMILY RESIDENTIAL-7 TO TWO-FAMILY RESIDENTIAL (DUPLEX HOMES), OWNED BY JOSE & JAZMIN ARICIAGA (207 FRIZZELL ST.)

City Secretary Pam Watson read the Ordinance aloud. A motion was made by Councilmember Montgomery, seconded by Councilmember Barton to approve FIRST READING OF AN ORDINANCE REZONING LOT 13, BLOCK 37, ATHENS ORIGINAL TOWN FROM SINGLE-FAMILY RESIDENTIAL-7 TO TWO-FAMILY RESIDENTIAL (DUPLEX HOMES). The motion carried unanimously.

CONSIDER A RESOLUTION ABANDONING A PORTION OF AN ALLEYWAY LOCATED BETWEEN LOTS 1C, 2C, AND 3C, BLOCK 14, BISHOP HEIGHTS ADDITION AND LOTS 16A, 17A, AND 18A, BLOCK 14, BISHOP HEIGHTS ADDITION, AS REQUESTED BY IMELDA REYNA

Mr. Crecelius stated that a request to abandon an undeveloped alleyway located between Lots 1C, 2C & 3C and Lots 16A, 17A & 18A, Block 14, Bishop Heights Addition has been received by the owner of these lots. He explained that the deed shows the metes and bounds to include the alleyway and a structure was built on the property in 2009, with the alleyway currently being utilized as part of the yard. He stated that the property is being sold and the new owners are attempting to acquire a Title Policy, which will require the abandonment of the alleyway.

A motion was made by Councilmember Jones, seconded by Councilmember Jenkins to approve A RESOLUTION ABANDONING A PORTION OF AN ALLEYWAY LOCATED BETWEEN LOTS 1C, 2C, AND 3C, BLOCK 14, BISHOP HEIGHTS ADDITION AND LOTS 16A, 17A, AND 18A, BLOCK 14, BISHOP HEIGHTS ADDITION. The motion carried unanimously.

DISCUSS/CONSIDER CLOSING A PORTION OF N. PRAIRIEVILLE ST. ON SATURDAY, MAY 17 FROM 10AM TO 2PM FOR 100 YEAR ANNIVERSARY CELEBRATION OF COURTHOUSE, AS REQUESTED BY HENDERSON COUNTY

City Administrator Pam Burton explained that Henderson County Judge Richard Sanders is requesting the closing of a portion of N. Prairieville St. on May 17 between Corsicana St. and Tyler St. to allow for the 100 year anniversary celebration of the Henderson County Courthouse. A motion was made by Councilmember Jenkins, seconded by Councilmember Jones to authorize the closing of the portion of N. Prairieville St. between Corsicana St. and Tyler St. on Saturday, May 17 from 10AM to 2PM, as requested. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH HENDERSON COUNTY GIRLS SOFTBALL ASSOCIATION FOR USE OF CAIN PARK, PHASE I, FIELDS 1 & 2

Ms. Burton explained that this is the renewal of the current contract for another five (5) year period. A motion was made by Councilmember Barton, seconded by Councilmember Montgomery to authorize a Contract with Henderson County Girls Softball Association for use of Cain Park, Phase I, Fields 1 & 2, beginning April 1, 2014 and ending March 31, 2019. The motion carried unanimously.

DISCUSS/CONSIDER APPOINTMENT OF ELECTION JUDGE AND ALTERNATE ELECTION JUDGE FOR MAY 10, 2014 CITY OF ATHENS GENERAL ELECTION AND SPECIAL ELECTION

Ms. Burton explained that the Henderson County Elections Administrator has recommended the appointment of Don Geddie as Election Judge and Dorothy Mason as Alternate Election Judge for the May 10, 2014 General Election and Special Election. A motion was made by Councilmember Jenkins, seconded by Councilmember Barton to appoint Don Geddie as Election Judge and Dorothy Mason as Alternate Election Judge for the May 10, 2014 City of Athens General Election and Special Election. The motion carried unanimously.

CONSENT AGENDA;

A) CONSIDER APPROVING MINUTES OF THE MARCH 5, 2014 SPECIAL SESSION AND MARCH 10, 2014 REGULAR SESSION

A motion was made by Councilmember Montgomery, seconded by Councilmember Jones 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 173RD 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 173RD 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 14TH DAY OF APRIL, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Pam Watson, City Secretary