

REGULAR SESSION

MAY 27, 2015

The City Council of the City of Athens met in Regular Session on Wednesday, May 27, 2015, 5:30 p.m. in the Cain Room at the Cain Center, 915 South Palestine St., Athens, Texas with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Monte Montgomery, Mayor Pro-Tem  
Charles Elliott  
Joe Whatley  
Tres Winn

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

others present: David Hopkins, Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Michael Hannigan, Rich Flowers, Lisa Denton, Tyler Hendrickson, Rachelle Bright, Mike Coston, Judy Jones, Will Traxson, Lisa Montgomery, Donna Moore, Steve Moore, Jim West, Dr. Fran McCain, Sue Montgomery, Betty Miller, Ginger Morton, Carol Morton, Betty Miller, Mary Waddell, Tilo Galvan and other interested citizens

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

The invocation was given by Councilmember Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

OATHS OF OFFICE

City Secretary Bonnie Hambrick administered the Oath of Office to newly elected Mayor - Jerry D. Vaught and to newly elected Council Member, Place 1 - Monte Montgomery.

ELECTION OF MAYOR PRO TEM

A motion was made by Councilmember Winn, seconded by Councilmember Whatley to re-elect Monte Montgomery to serve as Mayor Pro Tem. The motion carried unanimously.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Gary Crecelius, Director of Planning & Development updated on the following:

- 1) No new projects
- 2) Timber Hills, 3 homes in various stages
- 3) 813 Timber Hills, painting
- 4) 1220 S. Palestine, sheet rocking
- 5) 908 Maxine, sheet rocking
- 6) 616 Lantana sheet rocking
- 7) 708 E. College, Athens Independent School District, brick work
- 8) 307 Madole, Athens Independent School District Intermediate, painting
- 9) 311 E. Tyler, Bacon Chevrolet, progressing
- 10) 1111 E. Tyler, Beall's, interior remodel
- 11) 1405 E. Tyler, Smart Style Hair Salon, painting

**CONSENT AGENDA;**

**A) CONSIDER APPROVING MINUTES OF THE MAY 11, 2015 REGULAR SESSION**

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve the Consent Agenda. The motion carried unanimously.

**DISCUSS/CONSIDER REQUEST TO CLOSE A PORTION OF OWEN STREET ON SATURDAY, MAY 30, 2015 FROM 10:00 A.M. UNTIL 11:00 P.M. FOR CHARITY EVENT FOR DISASTER RELIEF FOR VAN, TEXAS, AS REQUESTED BY D.J. ALLEN ATHENS FARMERS MARKET**

Rachelle Bright explained that Athens Farmers Market is requesting authorization to close a portion of Owen St., on 5/30/15 from 10:00 a.m. to approximately 11:00 p.m. for a disaster relief benefit concert for Van, Texas.

Buddy Hill, Chief of Police further explained the closure is from the intersection of Dull Averiette St. and a portion of Owen St. and the Farmers Market group is prepared to purchase the insurance policy upon Council's approval. He recommends making the motion contingent upon the purchase of insurance.

A motion was made by Councilmember Montgomery, seconded by Councilmember Elliott to authorize the closure of Owen Street on Saturday, May 30, 2015 from 10:00 a.m. until 11:00 p.m. for a charity event for disaster relief for Van, Texas, contingent upon the purchase of insurance. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING THE CLOSURE OF PRAIRIEVILLE STREET AND TYLER STREET AND APPROVE RESOLUTION AGREEMENT WITH TXDOT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY FOR THE 84<sup>TH</sup> OLD FIDDLERS REUNION**

Chief Hill explained Texas Department of Transportation (TxDot) regulations now requires a Resolution when requesting the closure of State Right-of-Way and the Resolution must state it serves a public purpose. A motion was made by Councilmember Elliott, seconded by Councilmember Winn authorizing the closure of Prairieville Street and Tyler Street and approve a Resolution Agreement with TxDot for the temporary closure of State Right-of-Way for the 84<sup>th</sup> Old Fiddlers Reunion. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING THE CLOSURE OF PRAIRIEVILLE STREET AND TYLER STREET AND APPROVE RESOLUTION AGREEMENT WITH TXDOT FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY FOR THE POST JUNETEENTH PARADE FESTIVITIES, AS REQUESTED BY HENDERSON COUNTY BLACK RODEO ASSOCIATION (HCBRA)**

Chief Hill explained TxDot requires a Resolution when requesting the closure of State Right-of-Way stating the closure serves a public purpose. A motion was made by Councilmember Winn, seconded by Councilmember Elliott authorizing the temporary closure of State Right-of-Way for the post Juneteenth Parade festivities, as requested by Henderson County Black Rodeo Association (HCBRA). The motion carried unanimously.

**EXECUTIVE SESSION**

- A) PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY TO SEEK LEGAL ADVICE) - DISCUSS COMPLIANCE WITH FEDERAL AVIATION ADMINISTRATION ORDER.
- B) PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY) AND SECTION 551.071 (CONSULTATION WITH ATTORNEY TO SEEK LEGAL ADVICE) - REGARDING CENTRAL PARK PROPERTY.

The City Council adjourned to Executive Session at 5:43 p.m.

The City Council returned to Regular Session at 6:18 p.m.

DISCUSS/CONSIDER ACTION RESULTING FROM DELIBERATIONS IN  
EXECUTIVE SESSION

A) COMPLIANCE WITH FEDERAL AVIATION ORDER

A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery authorizing the City Administrator and Staff to make connection with property owners concerning the trees in the airport airway right-of-way. The motion carried unanimously.

B) CENTRAL PARK PROPERTY

No action was taken.

CITY ADMINISTRATOR'S UPDATE

City Administrator Philip Rodriguez congratulated Mayor Vaught and Councilmember Montgomery on their new terms.

Mr. Rodriguez also informed the Council that the Governor's office has declared a Disaster Declaration for Henderson County and we are actively trying to identify properties that were impacted by storm damages. He advised anyone affected should contact Joy Kimbrough, Coordinator of Henderson County Emergency Management office via e-mail only.

MAYOR AND COUNCIL UPDATE

No updates.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 8<sup>th</sup> DAY OF JUNE, 2015.

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Jerry D. Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary