

SPECIAL SESSION

NOVEMBER 19, 2014

The City Council of the City of Athens met in Special Session on Wednesday, November 19, 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
Monte Montgomery, Mayor Pro-Tem
Charles Elliott
Joe Whatley
Tres Winn

Pam Burton, City Administrator
Bonnie Hambrick, City Secretary
Conor Bateman, City Attorney

others present: David Hopkins, Buddy Hill, Glen Herriage, Gary Crecelius, John McQueary, Sherri Skeeters, Haven Cox, Steve Grant, Rich Flowers, Tyler Hendrickson, Gina Hunter, Terri Hill, Shirley Rogers, Michael Hadnot, Gloria Hunter, Michael Hannigan, 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.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

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

- 1) 855 N. Prairieville, new home under construction
- 2) Seafood Restaurant corner of Larkin and Pinkerton, progressing
- 3) 2630 Hwy. 31 West, under construction
- 4) Two Residences under construction, Timber Hills
- 5) House on Crestview, house complete, finishing pool
- 6) Bacon Chevrolet, construction should begin this month
- 7) Cotton Patch Restaurant, delayed
- 8) Cowboy Church, near completion
- 9) Athens Independent School District, remodel should begin soon
- 10) Site of the old Pendulum Restaurant, going to proceed with new project
- 11) Wulf Sporting Goods site, remodeling should begin soon
- 12) Old Hospital, has new roof

FINANCIAL REPORT

David Hopkins, Director of Finance, presented the September financials

DISCUSS ITEMS FOR FUTURE AGENDAS;

- A) DISCUSS AUTHORIZING TASK ORDER WITH VELVIN & WEEKS CONSULTING ENGINEERS TO REVIEW PLANS FOR ATHENS INDEPENDENT SCHOOL DISTRICT; IMPROVEMENTS TO THE INTERMEDIATE AND HIGH SCHOOL CAMPUSES.

Glen Herriage, Director of Utilities, explained the Task Order will authorize Velvin & Weeks Consulting Engineers to review the utility plans for Athens Independent School District Improvements to the Intermediate and High School campuses, with an estimated cost between \$500-\$1000. The item will appear on the agenda Monday, November 24, 2014.

DISCUSS AUTHORIZING TASK ORDER WITH VELVIN & WEEKS
CONSULTING ENGINEERS FOR PAINTING OF CLEARWELLS AT THE
SURFACE WATER TREATMENT PLANT

Glen Herriage, Director of Utilities, explained the Task Order will authorize Velvin & Weeks Consulting Engineers to paint the clearwells at the surface water treatment plant, at an estimated cost between \$2,500-\$5,000. The item will appear on the agenda Monday.

DISCUSS RESOLUTION SUPPORTING MUNICIPAL SETTING
DESIGNATION, AS REQUESTED BY PRENGLER IRON AND METAL, INC

Steve Grant, explained that Pregler Iron and Metal is requesting support of a Municipal Setting Designation (MSD) for their property located at 1000 Hwy 175. He explained that the MSD is an administrative way to set aside groundwater. He explained that the MSD will require the City's support by passage of a Resolution. The item will appear on the agenda Monday.

DISCUSS FIRST READING OF AN ORDINANCE PROHIBITING THE USE OF
AND CONTACT WITH DESIGNATED GROUNDWATER FROM BENEATH
CERTAIN PROPERTY LOCATED AT AND AROUND 1000 HWY 175 WEST

City Administrator, Pam Burton explained the Ordinance will prohibit the use of and contact with designated groundwater from beneath certain property located at and around 1000 Hwy 175 West and setting the groundwater designation. The item will appear on the agenda Monday.

DISCUSS FIRST READING OF AN ORDINANCE PROHIBITING THE USE OF
AND CONTACT WITH DESIGNATED GROUNDWATER FROM BENEATH
CERTAIN PROPERTY LOCATED AT AND AROUND 518 PROGRESS WAY

City Administrator, Pam Burton explained that Seismic asked for the Resolution a year ago and they are now asking for the Ordinance that will prohibit the use of and contact with designated groundwater from beneath certain property located at and around 518 Progress Way. This Ordinance will set the groundwater designation. The item will appear on the agenda Monday.

DISCUSS PUBLIC HEARING AND FIRST READING OF AN ORDINANCE
AMENDING TEXT OF ZONING ORDINANCE #O-12-01

Pam Burton explained the Zoning Ordinance is amending the Text Zoning Ordinance. Commercial Fertilizer Storage or Manufacturing Facilities used to produce, transfer, store or offer for sale Bulk Ammonium Nitrate, Bulk Ammonium Nitrate Material and/or Anhydrous Ammonia shall not be allowed in any Zoning District in the City, with the Zoning Commission approving to amend text of Zoning Ordinance #O-12-01 on November 18, 2014. The item will appear on the agenda Monday.

DISCUSS PUBLIC HEARING AND FIRST READING OF AN ORDINANCE
REZONING LOT 11, BLOCK 113 ATHENS ORIGINAL TOWN FROM SINGLE-
FAMILY RESIDENTIAL-5 TO OFFICE-SPECIFIC USE PROVISION, OWNED
BY JEFFERY & WEADER ENOCH (726 UNDERWOOD)

Mr. Crecelius explained that the owner was before the Planning and Zoning Commission requesting that this property be rezoned to Office Specific Use Provision to allow him to move two (2) buildings onto the property to be used as an office for the NAACP and Henderson County Black Rodeo Association. He stated that fifteen (15) surrounding property owners were notified and no written responses were received with the Zoning Commission approving the item on November 18, 2014. The item will appear on the agenda Monday.

DISCUSS REPLAT OF LOT 1-A, BLOCK 120 ATHENS ORIGINAL TOWN AND LOTS 1, 2, AND PART OF 3, CRESTWAY ADDITION, OWNED BY ST. EDWARDS CATHOLIC CHURCH, REVEREND JOSEPH STRICKLAND (904 E. TYLER)

Gary Crecelius, Director of Planning & Development, explained that this is a reconfiguration of four (4) lots into one (1) lot, with the Zoning Commission approving the item on November 18, 2014. The item will appear on the agenda Monday.

DISCUSS CREATION OF SITE PLAN FOR ST. EDWARDS CATHOLIC CHURCH LOT 1 OWNED BY, ST. EDWARD CATHOLIC CHURCH, REVEREND JOSEPH STRICKLAND (904 E. TYLER)

Gary Crecelius, Director of Planning & Development, explained that the property is currently zoned Planned Development 1-Retail. This is creating a site plan of the facility. He stated that fourteen (14) surrounding property owners were notified and no written responses were received with the Zoning Commission approving on November 18, 2014. The item will appear on the agenda Monday.

DISCUSS REPLAT OF LOT 2F, BLOCK 123, ATHENS ORIGINAL TOWN, OWNED BY DANNY W. TIDMORE AND JUDY D. TIDMORE TRUSTEE OF THE D.W. AND J.D. TIDMORE LIVING TRUST, 811 E. COLLEGE

Gary Crecelius, Director of Planning & Development, explained that the property is located East of Wofford and West of McDonald, replatting (1) lot into two (2) lots, with the Zoning Commission approving the item on November 18, 2014. The item will appear on the agenda Monday.

DISCUSS FIRST READING OF AN ORDINANCE REGULATING CLOTHING COLLECTION BINS IN THE CITY

Ms. Burton stated that first reading of an Ordinance regulating clothing collection bins in the city will appear on the agenda Monday.

DISCUSS AUTHORIZING MAYOR TO EXECUTE 2014 FEDERAL EQUITABLE SHARING AGREEMENT CERTIFICATION

Police Chief, Buddy Hill explained that the Federal Equitable Sharing Agreement concerns seized funds resulting from Federal cases and must be completed annually, with there being no funds received nor spent this year. The item will appear on the agenda Monday.

DISCUSS CONDUCTING AND APPROVING CHAPTER 59 ASSET FORFEITURE AUDIT FOR POLICE DEPARTMENT FOR FISCAL YEAR 2013-2014

Police Chief Hill explained that this Audit must be conducted annually and filed with the Attorney General for State level seized and forfeited funds. The item will appear on the agenda Monday.

DISCUSS AWARDDING BID FOR ONE (1) NEW NON-TITLED FULL SIZE SUV FOR USE IN THE FIRE DEPARTMENT

Fire Chief, John McQueary informed the Council three (3) bids for one (1) new non-titled full size SUV were received. Tyler Ford, and Grapevine Chrysler Jeep did not meet the minimum specifications. Gunn Chevrolet did meet the minimum specifications, however the price was above the budgeted amount. Mr. McQueary, recommended rejecting all three (3) bids.

Ms. Burton, explained that Staff will seek authorization from Council to purchase one (1) full size SUV from the State Bidding Contract at a price of \$29,781.00. This item will appear on the agenda Monday.

DISCUSS AWARDING BID FOR TWO (2) NEW NON-TITLED MODEL ½ TON PICKUPS FOR USE IN THE LINE MAINTENANCE AND PUBLIC HEALTH AND SAFETY DEPARTMENTS

Glen Herriage, Director of Public Works explained that five (5) bids were received for two (2) New Non-Titled Model ½ Ton pick-ups for use in the Line Maintenance and Public Health and Safety Departments recommending the bid be awarded to the low bidder, Caldwell Country Ford at \$38,880. The item will appear on the agenda Monday.

DISCUSS PROPOSALS FROM QUALIFIED ENGINEERING FIRMS TO DESIGN WATER LINE IMPROVEMENTS ON S. PRAIRIEVILLE ST, PARK ST., AND E. CLINTON

Ms. Burton explained that six (6) proposals were received from qualified engineering firms to design water line improvements on S. Prairieville St, Park St. and E. Clinton. The item will appear on the agenda Monday.

DISCUSS/CONSIDER AUTHORIZING CONTRACTS FOR MEDICAL AND DENTAL INSURANCE FOR THE CITY EMPLOYEES

Ms. Burton explained HR is reviewing contract quotes for medical and dental insurance for the City employees and a recommendation will be made on Monday. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;
A)DISCUSS APPROVING MINUTES OF THE NOVEMBER 5, 2014 SPECIAL SESSION, AND NOVEMBER 10, 2014 REGULAR SESSION

These items will appear on the Consent Agenda on Monday.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN RELATING TO THE CITY OF ATHENS

Gina Hunter, expressed her opposition to the rezoning of property located at 726 Underwood. She stated that they have appeared before the Zoning Commission for the past four (4) years for the rezone.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

The City Council adjourned to Executive Session.

The City Council returned to Special Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve Athens Economic Development Corporation's purchase of 296.142 acres of land at a cost of \$829,200. The motion passed unanimously.

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ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 12TH DAY OF JANUARY 2015.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary