

REGULAR SESSION

JUNE 14, 2021

The City Council of the City of Athens met in Regular Session on Monday, June 14, 2021, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas.

with the following members present to-wit:

Toni Clay, Mayor
Aaron Smith
SyTanna Freeman

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary
Blake Armstrong, City Attorney

Staff Present: Audrey Sloan, Director of Development Services; John Densmore, Chief of Police; Chris Baker, Cain Center Director; Randy Williams, Utilities Director; Rodney Williams, Assistant Chief of Police; Noemi Lopez, Administrative Clerk; Cpl. Marshall Passons; Ptl. Joshua Ames; Sgt. Jason Boshier; Sgt. Dustin Cook; Sgt. Brittney Lee; Sissy Geddie, Human Resources Director;

Others Present: Michael Hannigan, Jeffery Enoch Sr., Rich Flowers, Louie Criner
Rev. Larry and Christine West, Carol Morton, DJ Warren, Madeline Clay, Roy Clay, Ron Hobbs, Deborah Deas, Brent Mueke, Clint Buchanan, Staci Hurst, Mark Carroll, Tom & Lynn Leathem, Mark Pflugar, Cornelius Hambrick, Eldress Mary Henderson, Kristin Willingham, Kristi Cook, Deborah Wilson.

with the following member absent: Robert Gross

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

INVOCATION

The Invocation was given by Eldress Mary Henderson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

OATH OF OFFICE TO NEWLY APPOINTED MAYOR, TONI GARRARD
CLAY

Bonnie Hambrick, City Secretary, administered the Oath of Office to appointed Mayor Toni Clay and issued the Certificate of Appointment.

RECOGNITION OF PROMOTIONS WITHIN THE ATHENS POLICE
DEPARTMENT

John Densmore, Chief of Police, recognized two officers, Dustin Cook and Brittney Lee who recently got promoted from Corporal to Sergeant.

RECOGNITION OF OFFICERS HONORED BY EAST TEXAS MOTHERS
AGAINST DRUNK DRIVING (MADD)

Chief Densmore, stated two officers with the Athens Police Department were recognized earlier this month by East Texas Mothers Against Drunk Driving. Corporal Marshall Passons and Officer Joshua Ames were recognized for leading the Athens Police Department in DWI arrests.

PROCLAMATION – JUNETEENTH EMANCIPATION CELEBRATION DAY

Mayor Clay read a proclamation proclaiming June 19, 2021 as “Juneteenth Emancipation Celebration Day”.

PUBLIC COMMUNICATIONS

Brent Muecke expressed concerns with safety at Kiwanis and Cain Park.

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

Elizabeth Borstad, City Manager, announced the following events:

- June 18: Father’s Day Fish Fry at the East Texas Arboretum from 11am-2pm
- June 18 – 20: World Series of Team Roping Qualifier presented by Watson Team Roping will be at the Henderson County Regional Fair Park
- June 19: Wesley Pruitt Concert at The Texan at 7pm
- June 22-26: 2021 Championship Competition by Super Ride at Henderson County Regional Fair Park from 9am to 7pm daily
- June 26: 211 Gallery Art Show Opening “I Can Only Imagine” from 10am-6pm
- July 4: Fireworks at the Fisheries from 5pm-9:30pm

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE MAY 24, 2021, REGULAR SESSION
- b) CONSIDER APPROVING MINUTES OF THE JUNE 8, 2021, SPECIAL SESSION
- c) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIONS CONTRACT WITH THE HENDERSON COUNTY TAX OFFICE FOR COLLECTION OF AD VALOREM TAXES FOR FISCAL YEAR 2022
- d) CONSIDER A RESOLUTION DESIGNATING ELIZABETH BORSTAD, CITY MANAGER, AND MANDIE QUIGG, FINANCE DIRECTOR AS EMPLOYEES RESPONSIBLE FOR THE CALCULATION OF THE CITY’S NO-NEW-REVENUE TAX RATE AND THE VOTER-APPROVAL TAX RATE IN ACCORDANCE WITH THE TEXAS TAX CODE
- e) CONSIDER A RESOLUTION AWARDDING A CONSTRUCTION CONTRACT FOR THE CDBG CONTRACT NO. 7219011 FOR SEWER IMPROVEMENTS IN ATHENS TO MAGNUM MANHOLE & UNDERGROUND INC. AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
- f) CONSIDER A RESOLUTION AWARDDING BID TO CAPPS-CAPCO CONSTRUCTION INC. FOR SOUTH 19 LIFT STATION IMPROVEMENTS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT

- g) CONSIDER A RESOLUTION APPROVING CHANGE ORDER #2 FOR THE WATER IMPROVEMENTS 2020 PROJECT (PARK DR, PRAIRIEVILLE ST, EAST CLINTON) AND AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER # 2 WITH CAPPS CAPCO CONSTRUCTION INC.**

Councilmember Smith requested agenda item f) Consider a Resolution awarding bid to Capps-Capco Construction Inc. for South 19 Lift Station Improvements and authorizing the City Manager to enter into a contract and agenda item g) Consider a Resolution approving Change Order #2 for the Water Improvements 2020 Project (Park Dr, Prairieville St, East Clinton) and authorize the City Manager to execute Change Order # 2 with Capps Capco Construction Inc. be removed from the consent agenda.

A motion was made by Councilwoman Freeman, seconded by Councilmember Smith to approve Consent Agenda items:

- a) Consider approving minutes of the May 24, 2021, Regular Session**
- b) Consider approving minutes of the June 8, 2021, Special Session**
- c) Consider a Resolution authorizing the City Manager to enter into a Collections Contract with the Henderson County Tax Office for collection of ad valorem taxes for Fiscal Year 2022**
- d) Consider a Resolution designating Elizabeth Borstad, City Manager, and Mandie Quigg, Finance Director as employees responsible for the calculation of the City's No-New-Revenue Tax Rate and the Voter-Approval Tax Rate in accordance with the Texas Tax Code**
- e) Consider a Resolution awarding a construction contract for the CDBG Contract No. 7219011 for sewer improvements in Athens to Magnum Manhole & Underground Inc. and authorizing the City Manager to enter into a contract**

The motion carried unanimously.

- f) CONSIDER A RESOLUTION AWARDING BID TO CAPPS-CAPCO CONSTRUCTION INC. FOR SOUTH 19 LIFT STATION IMPROVEMENTS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT**

Randy Williams, Utilities Director, explained the station had failed and needs to be repaired.

Ms. Borstad explained construction cost has increased.

A motion was made by Councilmember Smith seconded by Councilwoman Freeman to approve a Resolution awarding bid to Capps-Capco Construction Inc. for South 19 Lift Station Improvements and authorizing the City Manager to enter into a contract. The motion carried unanimously.

- g) CONSIDER A RESOLUTION APPROVING CHANGE ORDER #2 FOR THE WATER IMPROVEMENTS 2020 PROJECT (PARK DR, PRAIRIEVILLE ST, EAST CLINTON) AND AUTHORIZE THE CITY MANAGER TO EXECUTE CHANGE ORDER # 2 WITH CAPPS CAPCO CONSTRUCTION INC.**

Mr. Williams explained the issues they had with the first change order and the changes that have been made.

A motion was made by Councilwoman Freeman seconded by Councilmember Smith to approve a Resolution for Change Order #2 and authorizing the City Manager to execute the change for the Water Improvements 2020 Project (Park Dr, Prairieville St, East Clinton) and authorize the City Manager to execute Change Order # 2 with Capps Capco Construction Inc. The motion carried unanimously.

DISCUSS, CONSIDER, AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF RESOLUTIONS FOR CITY OF ATHENS PROJECTS FOR SUBMISSION IN THE 2021 TXDOT TRANSPORTATION ALTERNATIVE PROGRAM GRANT CALL FOR PROJECTS AND PROCEED WITH THE PROJECTS THROUGH CONSTRUCTION, IF THE PROJECTS ARE SELECTED

Ms. Borstad, presented the item, and stated the proposed project is for the installation of sidewalks along both sides of State Highway 19 (S. Palestine St.).

A motion was made by Councilwoman Freeman seconded by Councilmember Smith to approve a resolution for City of Athens projects for submission in the 2021 TxDOT Transportation Alternative Program Grant call for projects and proceed with the projects through construction, if the projects are selected. The motion carried unanimously.

DISCUSS, CONSIDER, AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION APPOINTING MEMBERS TO THE CAIN CENTER INC. BOARD OF DIRECTORS

Ms. Borstad explained the item was discussed in a Work Session and there was a need to revise the Cain Center Inc. Bylaws. She stated the Cain Center Board of Directors are appointed by the City Council.

Councilmember Smith made a motion to approve a Resolution appointing City Manager, Elizabeth Borstad and Councilmember, Robert Gross, to fill two positions on the Cain Center Inc. Board of Directors, the motion was seconded by Councilwoman Freeman. The motion carried unanimously.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AWARDDING REQUEST FOR QUALIFICATIONS (RFQ) FOR ARCHITECTURAL SERVICES FOR NEW POLICE DEPARTMENT FACILITY TO RON HOBBS ARCHITECTURE & INTERIOR DESIGN, LLP AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT

Ms. Borstad explained the staff initiated the request for qualifications process. She stated the submittals were narrowed down and interviews took place with each firm.

Ron Hobbs provided background information on his company and his experience with cities.

A motion was made by Councilmember Smith, seconded by Councilwoman Freeman to approve a Resolution awarding Request for Qualifications (RFQ) for Architectural Services for New Police Department Facility to Ron Hobbs Architecture & Interior Design, LLP and authorizing the City Manager to execute agreement. The motion carried unanimously.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATHENS AND ATXFM, INC. (DBA: ATHENS TEXAS FARMERS MARKET) FOR THE TEMPORARY USE OF THE CITY PARKING LOT TO CONDUCT A FOOD TRUCK FRIDAY STARTING JUNE 18, 2021, AS REQUESTED BY D.J. WARREN

D.J. Warren explained she was contacted to facilitate and run a Friday night Food Truck Park, and since she currently has the Farmers Market on Saturday mornings she felt the City's parking lot would be a good option as it would encourage individuals to return on Saturdays. She stated the hours would be from the hours of 6:00 p.m. to 10:00 p.m.

Mayor Clay expressed concern with food trucks in the evenings and a wedding or a concert at The Texan. She stated the City will need some type of agreement to deal with that. She further stated Council will need to consider if the city will allow the use of the restrooms at no cost or assessing a fee.

Councilmember Smith asked if the food trucks are limited to Athens, with Ms. Warren stating anyone could participate. Councilmember Smith expressed concern with competition within house businesses in Athens. He expressed the need for a rental agreement and would like to set guidelines for operation. He stated he wanted to work out an agreement for procedures in case there is an event at The Texan, as well as the food trucks that are allowed.

Mayor Clay entertained a motion to approve a Resolution authorizing the City Manager to enter into an agreement between the City of Athens and ATXFM, Inc. (DBA: Athens Texas Farmers Market) for the temporary use of the City Parking Lot to conduct a Food Truck Friday starting June 18, 2021, as requested by D.J. Warren. The item died due to lack of motion.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,
CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE
CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE
DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION
(DEA)

Chief Densmore, explained the Athens Police Department would detail one (1) experienced officer to the DEA Task Force Group and by doing so it would bring resources to Athens Texas.

A motion was made by Councilwoman Freeman seconded by Councilmember Smith to approve a Resolution authorizing the City Manager to enter into an agreement with the Department of Justice, Drug Enforcement Administration (DEA). The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM MARK PFLEGER OF
ATHENS REAL ESTATE INVESTMENT, LLC FOR APPROVAL OF A
SPECIFIC USE PERMIT FOR OPEN STORAGE AND DISPLAY OF STEEL
PRODUCTS IN A COMMERCIAL ZONING DISTRICT FOR LOT 27-N OF
THE KEY MOBILE HOME PARK ADDITION, B. C. WALTERS SURVEY A-
797, ALSO KNOWN AS 1200 US HIGHWAY 175 WEST

Audrey Sloan, Director of Development Services, explained this property is located on US Hwy 175 E and Old Kaufman Rd and is the former site of Athens Trailer and Truck Sales. She stated the property is currently vacant and zoned Commercial. She stated the property owners are proposing to use the property for the sale of steel products including angle iron, pipe and tubing. She stated the open storage and display of steel products to be sold on site will require a Specific Use Permit.

Ms. Sloan explained letters of notification were mailed to the five (5) surrounding property owners within 200 feet. No responses were returned, however two (2) of the surrounding property owners were in attendance at the Planning and Zoning Commission meeting and expressed concern with the potential for noise and unsightliness.

She stated the Planning & Zoning Commission recommended approval of the request with the stipulation that an 8-foot-tall wood privacy fence be installed in place of the existing privacy fence.

Mayor Clay opened the Public Hearing. There were no comments.

The Public Hearing was closed.

DISCUSS FIRST READING OF ORDINANCE CONCERNING A REQUEST FROM MARK PFLEGER OF ATHENS REAL ESTATE INVESTMENT, LLC FOR APPROVAL OF A SPECIFIC USE PERMIT FOR OPEN STORAGE AND DISPLAY OF STEEL PRODUCTS IN A COMMERCIAL ZONING DISTRICT FOR LOT 27-N OF THE KEY MOBILE HOME PARK ADDITION, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 1200 US HIGHWAY 175 WEST

Ms. Hambrick read the caption of the Ordinance aloud.

PUBLIC HEARING CONCERNING A REQUEST FROM MIKE OWENS FOR APPROVAL OF A SITE PLAN FOR MANUFACTURED HOME SALES IN A PLANNED DEVELOPMENT – 2 ZONING DISTRICT FOR TRACT 112A, J. B. ATWOOD SURVEY A-19, LOCATED ON NE LOOP 7, ALSO KNOWN AS PROPERTY ID R1844

Ms. Sloan explained the property is located on NE Loop 7 immediately to the east of United Ag & Turf (John Deere) located at 2001 NE Loop 7. The property is currently vacant and is zoned as Planned Development – 2. Mike Owens is looking to purchase the property and establish a manufactured home sales business there. The property would include an office and multiple model homes and include the storage of inventory.

Letters of notification were mailed to the three (3) surrounding property owners within 200 feet. No responses were returned. Ms. Sloan presented a copy of the site plan.

Mayor Clay opened the Public Hearing. There were no comments.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM MIKE OWENS FOR APPROVAL OF A SITE PLAN FOR MANUFACTURED HOME SALES IN A PLANNED DEVELOPMENT – 2 ZONING DISTRICT FOR TRACT 112A, J. B. ATWOOD SURVEY A-19, LOCATED ON NE LOOP 7, ALSO KNOWN AS PROPERTY ID R1844

Ms. Hambrick read the caption of the Ordinance aloud.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING A REQUEST FROM CLINTON BUCHANAN FOR APPROVAL OF THE FINAL PLAT OF LOTS 31 & 31A OF THE J. W. COKER TRACTS, B. C. WALTERS SURVEY A-797, CREATING LOTS A-1 & A-2, ALSO KNOWN AS 1201 & 1203 NORTH HAMLETT STREET (R39306 AND R39307)

Ms. Sloan explained the property is being platted for residential use. She stated the property is located on North Hamlett St at the intersection of Sand Bog Street. The owner is proposing to plat the property into two lots for residential use.

She explained the plat is compliant with the City's zoning and subdivision ordinances. The Planning & Zoning Commission voted to recommend approval of the plat.

A motion was made by Councilwoman Freeman, seconded by Councilmember Smith for approval of the final plat of Lots 31 & 31A of the J. W. Coker Tracts, B. C. Walters Survey A-797, creating Lots A-1 & A-2, also known as 1201 & 1203 North Hamlett Street (R39306 and R39307). The motion carried unanimously.

PUBLIC HEARING CONCERNING A REQUEST FROM CLINTON BUCHANAN FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT – 2 AND AGRICULTURE TO SINGLE-FAMILY – 7 FOR LOT A-1 OF TRACT 31 THE J. W. COKER TRACTS, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 1203 NORTH HAMLETT STREET (THE NORTH 2.788 ACRE PORTION OF R39306 AND R39307)

Ms. Sloan explained the zoning change is being requested for residential use. She stated the property is located on North Hamlett St at the intersection of Sand Bog Street. The property is now vacant, and the current zoning is Planned Development -2 and Agriculture. The owner is proposing a zoning change in order to build a single-family home on the lot. Letters of notification were sent to the nine surrounding property owners within 200 feet. No responses were returned.

The Planning & Zoning Commission voted to recommend approval of the request.

Mayor Clay opened the Public Hearing. There were no comments.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM CLINTON BUCHANAN FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT – 2 AND AGRICULTURE TO SINGLE-FAMILY – 7 FOR LOT A-1 OF TRACT 31 THE J. W. COKER TRACTS, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 1203 NORTH HAMLETT STREET (THE NORTH 2.788 ACRE PORTION OF R39306 AND R39307)

Ms. Hambrick read the caption of the Ordinance aloud.

PUBLIC HEARING CONCERNING A REQUEST FROM CLINTON BUCHANAN FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT – 2 AND AGRICULTURE TO SINGLE-FAMILY – 7 WITH A SPECIFIC USE PERMIT FOR A MANUFACTURED HOME FOR LOT A-2 OF TRACT 31 OF THE J. W. COKER TRACTS, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 1201 NORTH HAMLETT STREET (THE SOUTH 0.500 ACRE PORTION OF R39306 AND R39307)

Ms. Sloan explained the zoning change & SUP is being requested for manufactured home use. This property is located on North Hamlett St at the intersection of Sand Bog Street. The property is now vacant, and the current zoning is Planned Development -2 and Agriculture.

The owner is requesting a zoning change & a specific use permit in order to install a new manufactured home on the property. Letters of notification were sent to the nine surrounding property owners within 200 feet. No responses have yet been returned.

Mayor Clay opened the Public Hearing. There were no comments.

Deborah Deas asked how you access lot, with a citizen in the audience explaining the access to the lot.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM CLINTON BUCHANAN FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT – 2 AND AGRICULTURE TO SINGLE-FAMILY – 7 WITH A SPECIFIC USE PERMIT FOR A MANUFACTURED HOME FOR LOT A-2 OF TRACT 31 OF THE J. W. COKER TRACTS, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 1201 NORTH HAMLETT STREET (THE SOUTH 0.500 ACRE PORTION OF R39306 AND R39307)

Ms. Hambrick read the caption of the Ordinance aloud.

DISCUSS FIRST READING OF AN ORDINANCE REPEALING CHAPTER 4, ARTICLE I, SECTION 4-5 OF THE CITY CODE OF ORDINANCES IN ITS ENTIRETY AND ADOPTING IN ITS PLACE NEW REGULATIONS REGARDING THE REGULATION OF FOWL AND LIVESTOCK

Ms. Sloan presented the item and explained the amendment is updating the regulations regarding fowl and livestock located within the city limits. She explained Regulations for livestock and fowl are currently found within Chapter 4 (Animals and Fowl) and Chapter 22 (Zoning Ordinance) of the City Code of Ordinances

Ms. Hambrick read the caption of the Ordinance aloud.

DISCUSS FIRST READING OF AN ORDINANCE AMENDING CHAPTER 22, ARTICLE IV, SECTION 22-32(G), SECTION 22-32(H) AND APPENDIX A, A-3 OF THE CITY CODE OF ORDINANCES TO DELETE THE USES AND DEFINITIONS OF BACKYARD CHICKENS, BACKYARD HORSES, AND PRIVATE STABLE

Ms. Hambrick read the caption of the Ordinance aloud.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING A REQUEST FROM WAYNE WEEKS FOR APPROVAL OF THE FINAL PLAT OF TRACTS 63E & 63F, J. B. ATWOOD SURVEY A-19, CREATING TRACT 63E-1, ALSO KNOWN AS 1619 FM 1616

Ms. Sloan presented the item she stated this property is located on Fm 1616. She stated the owner is requesting to plat the property to combine two existing parcels into one platted lot.

A motion was made by Councilmember Smith seconded by Councilwoman Freeman for approval of the final plat of Tracts 63E & 63F, J. B. Atwood Survey A-19, creating Tract 63E-1, also known as 1619 FM 1616. The motion carried unanimously.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING A REQUEST FROM MICHAEL & DIANA DEROSSETT FOR APPROVAL OF THE REPLAT OF LOTS 362, 363 & 364 OF THE OAKWOOD ADDITION, W. M. TRIMMER SURVEY A-758, CREATING LOT 362-R LOCATED ON SABINE DRIVE. THE PROPERTY IS LOCATED IN THE CITY'S EXTRATERRITORIAL JURISDICTION

Ms. Sloan presented the item she stated this property is located on the Oakwood subdivision on Lake Athens. She stated the lots were currently vacant and the property owners are proposing to combine them.

A motion was made by Councilwoman Freeman seconded by Councilmember Smith for approval of the replat of Lots 362, 363 & 364 of the Oakwood Addition, W. M. Trimmer Survey A-758, creating Lot 362-R located on Sabine Drive. The property is located in the City's extraterritorial jurisdiction. The motion carried unanimously.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING AN AMENDMENT REPEALING CHAPTER 14, SECTION 14-4 OF THE CITY CODE OF ORDINANCES IN ITS ENTIRETY AND ADOPTING IN ITS PLACE NEW REGULATIONS REGARDING THE DISCHARGE OF FIREARMS AND OTHER GUNS WITHIN THE CITY LIMITS

Ms. Sloan explained the item was discussed in a work session. an amendment repealing Chapter 14, Section 14-4 of the City Code of Ordinances in its entirety and adopting in its place new regulations regarding the discharge of firearms and other guns within the city limits.

The amendment is updating the regulations regarding the discharge of firearms within the city limits.

Ms. Sloan explained the proposed amendment keeps the prohibition of the discharge of firearms on public property and adds the following provisions:

- Prohibits the discharge of firearms for the purpose of sport shooting, target shooting and/or repetitive shooting on private property.
- Provides exceptions for law enforcement officials, approved shooting ranges and the discharge of firearms in accordance with state and federal law.
- Provides a penalty for violation.

Ms. Hambrick read the caption of the Ordinance aloud.

DISCUSS FIRST READING OF AN ORDINANCE AMENDING CHAPTER 17 – SUBDIVISIONS, ARTICLE II. PLATTING REQUIREMENTS OF THE CODE OF ORDINANCES OF THE CITY OF ATHENS, TEXAS

Ms. Sloan explained the amendment is updating the platting requirements. She stated the current subdivision ordinance requires that all plats are considered by both the Planning & Zoning Commission and the City Council. However, Texas Local Government Code allows for the Planning & Zoning Commission to serve as the sole municipal authority responsible for approving plats. She further explained state law allows the municipal authority responsible for approving plats to delegate to staff members the ability to approve certain plats known as amending plats and minor plats.

Councilmember Smith request a report of plats that are approved administratively.

Ms. Hambrick read the caption of the Ordinance aloud.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY:

The City Council convened in Executive Session at 6:47 p.m.

The City Council returned to Regular Session at 6:56 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY; CLOSED MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

No action was taken.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

There was no request for future agenda items.

ADJOURN

The meeting was adjourned at 6:57 p.m.

PASSED AND APPROVED THIS THE 28th DAY OF JUNE 2021.

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary