

REGULAR SESSION

JUNE 17, 2019

The City Council of the City of Athens met in Regular Session on Monday, June 17, 2019, 5:30 p.m. in the Council Chambers of the City Hall Annex, 501 N. Pinkerton St. Athens, Texas, with the following members present, to-wit:

Ed McCain, Mayor Pro Tem
Robert Gross
Aaron Smith

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Buddy Hill, Police Chief, Russell Marshall, Fire Chief, Jennifer Robertson, Director of Human Resources, Mandie Quigg, Director of Finance, Katie Birk, Tourism and Cultural Resources Coordinator. Randy Williams, Utilities Director, Audrey Sloan, Director of Development Services, Derek Whiteley, Director of Information Technology

others present: Mark Carroll, Michael Hannigan, Johnathan Johnson, Lurna Cumby, Rich Flowers, Deborah Deas, and other interested citizens;

with the following members absent: Mayor Montgomery and Councilwoman Toni Clay.

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

INVOCATION

The Invocation was given by Pastor Lurna Cumby.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

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

Katie Birk, Tourism and Cultural Resources Coordinator provided the following updates:

- June 19th – 23rd Super Ride Henderson County Regional Fair Park Complex
- June 20th East Texas Arboretum Summer Camp
- June 29th First Summer Concert Series at The Texan, Ally Venable
- July 4th Fireworks at the Fishery

CITIZENS COMMUNICATIONS

There was no discussion.

CONSENT AGENDA

- a) CONSIDER APPROVING THE MINUTES OF THE JUNE 3, 2019 BUDGET WORK SESSION
- b) CONSIDER APPROVING THE MINUTES OF THE JUNE 10, 2019 REGULAR SESSION

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

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM DAVID LAWRENCE FOR APPROVAL OF A SPECIFIC USE PERMIT FOR A LOAN AGENCY IN THE PLANNED DEVELOPMENT 1 – RETAIL (PD-1/R) ZONING DISTRICT FOR LOTS 5-7 OF BLOCK 26 OF ABSTRACT 782 OF THE T. PARMER SURVEY, ALSO KNOWN AS 607 EAST TYLER STREET, SUITE 117

Audrey Sloan, Director of Development Services, explained the property is located on East Tyler Street known as Heritage Square Shopping Center. She stated the current zoning of the property is Planned Development – 1 with a Retail base zoning. She stated the applicant is requesting a loan agency use (Rapid Payday & Title Loans) for Suite 117. Letters of notification were sent to the nine (9) surrounding property owners within two hundred feet. One approval was returned and no other responses were received. She stated the Planning and Zoning Commission voted unanimously to approve.

Bonnie Hambrick, City Secretary, read the caption of the Ordinance aloud.

A motion was made by Councilmember Smith, seconded by Councilmember Gross to approve final reading of an Ordinance concerning a request from David Lawrence for approval of a specific use permit for a loan agency in the Planned Development 1 – Retail (PD-1/R) zoning district for Lots 5-7 of Block 26 of Abstract 782 of the T. Parmer Survey, also known as 607 East Tyler Street, Suite 117

After roll call vote the motion passed with the following record vote:

Ed McCain, Councilmember/Mayor Pro Tem Nay
Aaron Smith, Councilmember Aye
Robert Gross, Councilmember Aye
2 voted in favor of the motion and
1 voted against the motion

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM JOHNATHAN JOHNSON FOR APPROVAL OF A ZONING CHANGE FROM AGRICULTURE (A) TO SINGLE-FAMILY – 5 (SF-5) FOR LOT 15C-1 OF ABSTRACT 797 OF THE B. C. WALTERS SURVEY, ALSO KNOWN AS 1012 NORTH HAMLETT STREET

Ms. Sloan explained the property is located on North Hamlett Street across from O. D. Baggett Park. The current zoning of the property is Agriculture and the zoning change is being requested to allow the owner to install a manufactured home on the property. Ms. Sloan stated letters of notification were sent to the twelve surrounding property owners within two hundred feet with one (1) approval returned and the Planning and Zoning Commission voting unanimously to approve.

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Gross, seconded by Councilmember Smith to approve final Reading of an Ordinance concerning a request from Johnathan Johnson for approval of a zoning change from Agriculture (A) to Single-Family – 5 (SF-5) for Lot 15C-1 of Abstract 797 of the B. C. Walters Survey, also known as 1012 North Hamlett Street.

After roll call vote the motion passed with the following record vote:

Ed McCain, Councilmember/Mayor Pro Tem Aye
Aaron Smith, Councilmember Aye
Robert Gross, Councilmember Aye
3 voted in favor of the motion and
0 voted against the motion

CONSIDER FINAL READING OF AN ORDINANCE TO AMEND THE
RESIDENTIAL BUILDING PERMIT FEES IN THE CITY OF ATHENS
DEVELOPMENT FEE CHART FOUND IN CHAPTER 5, ARTICLE 1,
SECTION 5-2 OF THE CITY CODE OF ORDINANCES

Ms. Sloan explained Governor Abbott signed House Bill 852 on May 21, 2019 which prohibits cities from calculating residential building permit fees on the cost or valuation of the structure or improvements to the structure. She stated the City's fee structure was based on evaluation and is being amended to change fee structure so it is based on square footage.

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Smith, seconded by Councilmember Gross to approve final reading of an Ordinance to amend the Residential Building Permit Fees in the City of Athens Development Fee Chart found in Chapter 5, Article 1, Section 5-2 of the City Code of Ordinances.

After roll call vote the motion passed with the following record vote:

Ed McCain, Councilmember/Mayor Pro Tem Aye
Aaron Smith, Councilmember Aye
Robert Gross, Councilmember Aye
3 voted in favor of the motion and
0 voted against the motion

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,
CONCERNING THE APPROVAL OF A RESOLUTION
AUTHORIZING FISCAL YEAR 2019 DOWNTOWN FAÇADE
IMPROVEMENT PROGRAM ALLOCATION
a) 123 W Larkin

The item was not discussed.

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

There were no request for future agenda items.

ADJOURN

The meeting adjourned at 5:47 p.m.

PASSED AND APPROVED THIS THE 8th DAY OF JULY, 2019.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary