

SPECIAL SESSION

APRIL 23, 2014

The City Council of the City of Athens met in Special Session on Wednesday, April 23, 2014, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor
Carol Barton
Elaine Jenkins
Monte Montgomery
Aubrey Jones

Pam Burton, City Administrator
Pam Watson, City Secretary
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, David Hopkins, Haven Cox, Sherri Skeeters, Wayne Weeks, Gene Keenon, 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.

DISCUSS AUDIT REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2013

Marlin Smith with Smith, Lambright & Associates presented the Audit Report for fiscal year ending September 30, 2013. He stated that in their opinion, the financial statements presented fairly the respective financial position of the City. He stated that the City is in a healthy cash position.

City Administrator Pam Burton explained that this is the preliminary report and the item will appear on the agenda Monday, 4/28/14.

DISCUSS ITEMS FOR FUTURE AGENDAS;

A) DISCUSS REZONING OF LOT 29D, B.C. WALTERS SURVEY FROM AGRICULTURE TO SINGLE-FAMILY RESIDENTIAL-7, OWNED BY DORA CERRILLO (1105 MAGNOLIA)

Gary Crecelius, Director of Planning & Development, explained that a manufactured home is currently located on this lot and the owner is planning to construct a single-family dwelling on the same lot, which will require rezoning and replatting of the property. He stated that eight (8) surrounding property owners were notified, no objections were received, and the Zoning Commission approved the rezone on 4/15/14. The item will appear on the agenda Monday.

B) DISCUSS REPLAT OF LOT 29D, B.C. WALTERS SURVEY, OWNED BY DORA CERRILLO (1105 MAGNOLIA)

Mr. Crecelius explained that this will replat one (1) lot into two (2) lots, with the Zoning Commission approving the replat on 4/15/14. The item will appear on the agenda Monday.

C) DISCUSS APPROVING TASK ORDER WITH VELVIN & WEEKS CONSULTING ENGINEERS FOR GENERAL DISCHARGE PERMIT UPDATE

Glen Herriage, Director of Utilities, explained that this Task Order will authorize Velvin & Weeks Consulting Engineers to review and update the current General Discharge Permit documents pertaining to the current Stormwater Discharge Permits, at a cost ranging between \$200 - \$500. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;
A) DISCUSS APPROVING MINUTES OF THE APRIL 9, 2014 SPECIAL SESSION
AND APRIL 14, 2014 REGULAR SESSION

These items will appear on the Consent Agenda Monday.

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 adjourned to Executive Session.

The City Council returned to Special Session.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION 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

A motion was made by Councilmember Jones, seconded by Councilmember Barton to authorize the City Attorney to continue in mediation. The motion carried unanimously.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 12TH DAY OF MAY, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Pam Watson, City Secretary