

REGULAR SESSION

MAY 22, 2017

The City Council of the City of Athens met in Regular Session on Monday, May 22, 2017, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 W. Corsicana St., Athens, Texas with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Tres Winn, Mayor Pro-Tem  
Joe Whatley  
Ed McCain  
Aaron Smith

Philip Rodriguez, City Manager  
Bonnie Hambrick, City Secretary

others present: Ryan Adams, Thanasis Kombos, Barbara Holly, Marty Coursey, Buddy Hill, John McQueary, Gary Whittle, Tom and Lynn Leathem, Adrianna Hinds, Janicia Evans, Monty Shelton, Monte Montgomery, Jason Smith, Trent Montgomery, Vicki Conner, Sue Montgomery, Toni Clay, Haven Cox, Sissy Geddie, Lisa Montgomery, Jennifer Robertson, Selah West, Jon Garrett, Mary Waddell, Bob and Carol Morton, Tara Rigsby, Allen Ross, Marion Klutts, Alex Withers, Neil Conway, Brent Muecke, Linda Barnes, Chip and Ann Perryman, Mary Ensign, Steve Barksdale, Judge Richard Sanders, Jess Laird, Lacey Lowery, Rich Flowers, Michael Hannigan, Sarah Barnes, Jonathon Toney, Jay Kinzer and other interested citizens;

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

INVOCATION

The invocation was given by Jason Smith.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

PRESENTATION OF LIFE SAVING AWARDS

Chief McQueary, presented Life Saving Awards to Sarah E. Barnes and Jonathon T. Toney for their actions on June 10, 2016 in rescuing a young male that was discovered at the bottom of the pool at the Cain Center. Chief McQueary stated, that Ms. Barnes jumped into the pool and brought the young man up. Mr. Toney helped her bring the young male out of the pool; with Ms. Barnes immediately performing life saving measures with the help of Mr. Toney.

Chief McQueary also presented a Life Saving Award to Jay Kinzer for his actions taken on April 22, 2017. Chief McQueary explained, a man was trapped on the second floor of a well involved house fire. Mr. Kinzer raised a ladder to the second floor. He climbed the ladder and saw the man. He tried to coax the man to him so he could help bring him down. Mr. Kinzer attempted several times at yelling for the man to come to him until the heat became too intense and made Mr. Kinzer retreat.

Mr. Kinzer stated he did what anyone would do. He further stated how phenomenal Chief McQueary and his department were that night. He stated his house would not be standing if it were not for the fire department.

PROCLAMATION – HISTORIC PRESERVATION MONTH

Mayor Vaught read aloud a Proclamation for Historic Preservation Month.

**CONSENT AGENDA**

- a) CONSIDER APPROVING THE MINUTES OF THE MAY 8, 2017 REGULAR SESSION
- b) CONSIDER APPROVING THE MINUTES OF THE MAY 17, 2017 SPECIAL SESSION
- c) CONSIDER FINAL READING OF AN ORDINANCE AMENDING ORDINANCE NO. O-58-15 AND ESTABLISHING THE CULTURAL RESOURCES COMMISSION
- d) APRIL 2017 FINANCIALS

City Secretary, Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Whatley, seconded by Councilmember Smith to approve the Consent Agenda. The motion carried unanimously.

**CITIZENS COMMUNICATIONS:**

Brent Muecke, LaRue, Texas

1. Mr. Muecke expressed his concerns about the Splash pad at Kiwanis Park and the waste of water. He also stated there is no written policy for criminal trespassing in the Athens Police Department.

**MANAGING DIRECTORS – REPORTS AND PROJECT UPDATES**

**a) ADMINISTRATIVE SERVICES**

Ryan Adams, Managing Director of Administrative Services, introduced Jennifer Robertson as the new Human Resources Director. He also acknowledged Leigh Corson in her role as Interim Human Resources Director.

Mr. Adams provided the following updates:

1. Full rehabilitation of the water tank project is progressing grandly; should be complete by the end of July
2. One (1) week remaining in the Legislator Session. He stated the City's Legislative Program Annexation and Revenue Caps were a concern, however both appear to be non-issues for the City

**b) DEVELOPMENT SERVICES**

Barbara Holly, Managing Director of Development Services, provided the following updates:

1. One hundred (100) building permits for the calendar year with eighteen (18) permits issued in the month of April 2017 for a total value of \$23,317,776 for the calendar year
2. Planning review and inspections occurring in house, with the exception of plumbing
3. One hundred -ten (110) notice of violations, one hundred- eighteen (118) inspections, eight (8) citations and seventy-seven (77) voluntary abatements issued for Code Enforcements

**c) COMMUNITY SERVICES**

Thanasis Kombos, Managing Director of Community Services, provided the following updates:

1. Street rehabilitation overlay program is progressing
2. Grant for O.D. Baggett Park has been received
3. Texan Theater Project, demolishing phase should be complete this week

**DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO ACCEPTING AUDIT REPORT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016 PRESENTED BY NEIL CONWAY, CPA OF CONWAY COMPANY CPAS PC**

Neil Conway, CPA of Conway Company CPAs PC, presented the Audit Report for Fiscal Year ending September 30, 2016. Mr. Conway stated the City received a clean unmodified opinion.

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to accept all matters related to the Audit Report for the Fiscal Year ending September 30, 2016 as presented by Neil Conway, CPA of Conway Company CPAs PC. The motion carried unanimously.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO  
APPROVING A REQUEST FROM 3GEN PROPERTIES FOR AN AMENDING  
REPLAT TO COMBINE TWO LOTS INTO ONE FOR A FUTURE ABC AUTO  
AT 600 E. TYLER STREET

Ms. Holly, explained the plat is taking two (2) lots and creating one (1) lot for the future auto part store located at E. Tyler and Dull Averiette. She stated staff recommends approval.

A motion was made Councilmember McCain, seconded by Councilmember Smith to approve a request from 3Gen Properties for an amending replat to combine two lots into one for a future ABC Auto at 600 E. Tyler Street. The motion carried unanimously.

PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF JUNE, 2017.

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Jerry Don Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary

RECOGNITION OF OUTGOING MAYOR JERRY DON VAUGHT AND  
COUNCILMEMBER AARON SMITH

Mayor Pro-Tem Tres Winn recognized Councilmember Smith for his service on the City of Athens City Council. He also recognized outgoing Mayor Jerry Don Vaught for his ten (10) years of service.

OATH OF OFFICE AND THE CERTIFICATE OF ELECTION TO MAYOR,  
MONTE MONTGOMERY

Judge Richard Sanders administered the Oath of Office to newly elected Mayor, Monte Montgomery.

OATH OF OFFICE AND THE CERTIFICATE OF ELECTION TO  
COUNCILMEMBER PLACE 1,  
TONI CLAY

City Secretary, Bonnie Hambrick administered the Oath of Office to newly elected Councilmember, Place 1 – Toni Clay.

ELECTION OF MAYOR PRO TEM

A motion was made by Councilmember McCain, seconded by Councilmember Whatley to elect Councilmember Tres Winn as Mayor Pro Tem. The motion carried unanimously.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO  
THE REAPPOINTMENT  
OF AARON SMITH TO THE PLANNING AND ZONING COMMISSION

Ms. Hambrick explained Councilmember Smith was appointed to the City Council on February 27, 2017 to fill the vacancy for City Council Place 1. She stated staff is recommending the reappointment of Mr. Smith to the Planning and Zoning Commission.

A motion was made by Councilmember McCain, seconded by Councilmember Winn to approve the reappointment of Aaron Smith to the Planning and Zoning Commission. The motion carried unanimously.

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

1. Philip Rodriguez, City Manager stated a Community Budget Forum was held on May 15, 2017. He stated the Council Budget Workshop is scheduled for Monday, June 19, 2017
2. Mr. Rodriguez stated the Old Fiddlers Reunion is Friday, May 26<sup>th</sup>, and Saturday, May 27<sup>th</sup> and invited the public to attend

MAYOR AND CITY COUNCIL REQUEST FOR FUTURE AGENDA ITEMS

Mayor Montgomery requested the following items be placed on a future agenda:

1. Update on legal issues and audit
2. Update on water issues

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 12<sup>th</sup> DAY OF JUNE, 2017.

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary