



NOTICE TO PUBLIC

Notice is hereby given that the City Council of the City of Athens, Texas will meet in Regular Session on Monday, April 8, 2019, 5:30 p.m. in the Council Chambers of the City Hall Annex, 501 N. Pinkerton St., Athens, Texas to consider the following:

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Declaration of Conflict of Interest
- 4) Mayor, City Council and/or City Manager updates involving Community Events and issues of Public Safety
- 5) Citizens Communications: *(Each citizen appearing during this item will be allowed a maximum of three (3) minutes to present their concern. Members of the City Council are prohibited from entering into deliberation.)*
- 6) Presentation of Audit Report for Fiscal Year Ending September 30, 2018
[M. Quigg and Trent Westmoreland]
- 7) Discuss, consider and take action, as necessary, accepting the Audit Report for Fiscal year ending September 30, 2018, as presented by Henry & Peters [M. Quigg]
- 8) Hear update from Cain Center Steering Committee
- 9) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the Mayor to enter into a Mutual Non-Binding Memorandum of Intent and Understanding with the Cain Foundation and Murchison Foundation and to proceed with a citizens vote during a Special Election on May 4, 2019 for the City of Athens Civic and Aquatic Center Renovation (Cain Center Project) – [E. Borstad]
- 10) Consent Agenda

(All matters listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the City Council. The item may subsequently be removed from the Consent Agenda to be considered separately.)

- a) Consider approving the minutes of the March 25, 2019 Regular Session
- b) Consider approving the minutes of the March 26, 2019 Work Session

City of Athens

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- c) Consider a Resolution authorizing the City Manager to enter into 2019 T-Hangar Lease Agreement with Alan Coleman for T-Hangar No. 9 at Athens Municipal Airport
 - d) Consider a Resolution authorizing the City Manager to enter into lease agreement with Trinity Valley Community College for use of Cain Park Phase I, Field 3
 - e) Consider a Mutual Agreement and Understanding between the City of Athens, Trinity Valley Community College, and Henderson County Girls Softball Association
 - f) Consider a request from William and Sheri Robson for approval of the final plat of a 35.33-acre tract of the Thomas Helms Survey, Abstract 335 and the Joseph Steven Survey, Abstract 729 creating Lots 1 and 2, Block 1 of the Tannehill Acres Subdivision. (800 Tannehill Way)
 - g) Consider final reading of a Resolution supporting Athens Economic Development Corporation's Business Assistance Grant to John Johnson in an amount up to \$12,500
- 11) Consider final reading of an Ordinance adopting Drought Contingency Plan
- 12) Public hearing concerning a request from the City of Athens for approval of a zoning change from Multi-Family – 5 (MF-5) to Planned Development with Multi-Family – 2 base zoning (PD/MF-2) for Tract 254 of the T. Parmer Survey, Abstract 782, also known as 405 Lindsey Lane – [A. Sloan]
- 13) Discuss first reading of an Ordinance concerning a request from the City of Athens for approval of a zoning change from Multi-Family – 5 (MF-5) to Planned Development with Multi-Family – 2 base zoning (PD/MF-2) for Tract 254 of the T. Parmer Survey, Abstract 782, also known as 405 Lindsey Lane – [A. Sloan]
- 14) Public hearing concerning a request from Scott Fullingim for approval of a zoning change from Office (O) to Two-Family Residential (MF-2) for Lot 1, Block 29A of the Park Highlands Addition, also known as 500 Richardson Street – [A. Sloan]
- 15) Discuss first reading of an Ordinance concerning a request from Scott Fullingim for approval of a zoning change from Office (O) to Two-Family Residential (MF-2) for Lot 1, Block 29A of the Park Highlands Addition, also known as 500 Richardson Street – [A. Sloan]
- 16) Public hearing concerning a request from Josh Millsap of Stantec Consulting Services for approval of a site plan and specific use permit for an automatic car wash (unattended) in a Planned Development 1 – Retail zoning district (PD-1/R) for Lots 4 and 15, Block B of the Matthews Addition of the T. Parmer Survey, Abstract 782, also known as 714 East Tyler Street – [A. Sloan]

- 17) Discuss first reading of an Ordinance concerning a request from Josh Millsap of Stantec Consulting Services for approval of a site plan and specific use permit for an automatic car wash (unattended) in a Planned Development 1 – Retail zoning district (PD-1/R) for Lots 4 and 15, Block B of the Matthews Addition of the T. Parmer Survey, Abstract 782, also known as 714 East Tyler Street – [A. Sloan]
- 18) Public hearing concerning a request from Josh Millsap of Stantec Consulting Services for approval of the replat of Lots 4 and 15, Block B of the Matthews Addition of the T. Parmer Survey, Abstract 782 creating Lot 1, Block 1 of the USA Express Addition. (714 East Tyler Street) – [A. Sloan]
- 19) Discuss, consider and take action, as necessary, concerning a request from Josh Millsap of Stantec Consulting Services for approval of the replat of Lots 4 and 15, Block B of the Matthews Addition of the T. Parmer Survey, Abstract 782 creating Lot 1, Block 1 of the USA Express Addition. (714 East Tyler Street) – [A. Sloan]
- 20) Public hearing concerning a request from Randal and Debbie Rome for approval of the replat of Lots 82, 83 and 84 of the Oakwood Addition, Unit 1 of the David Cherry Survey, Abstract 135 creating Lot 82-A. (Charlya Drive) – [A. Sloan]
- 21) Discuss, consider and take action, as necessary, concerning a request from Randal and Debbie Rome for approval of the replat of Lots 82, 83 and 84 of the Oakwood Addition, Unit 1 of the David Cherry Survey, Abstract 135 creating Lot 82-A. (Charlya Drive) – [A. Sloan]
- 22) Public hearing concerning a request from Douglas and Vickie Jo Harless for approval of the replat of Lot 5, Block Large Lot 4 of the T. Parmer Survey, Abstract 782 creating Lots 5A & 5B. (400-412 North Prairieville Street) – [A. Sloan]
- 23) Discuss, consider and take action, as necessary, concerning a request Douglas and Vickie Jo Harless for approval of the replat of Lot 5, Block Large Lot 4 of the T. Parmer Survey, Abstract 782 creating Lots 5A & 5B. (400-412 North Prairieville Street) – [A. Sloan]
- 24) Public hearing concerning a request from Francisco Balderas for approval of the replat of Lots 12A and 12B of Block 1 of the Edwin Hart Addition of the T. Parmer Survey, Abstract 782 creating Lot 12-C. (521 and 523 West Larkin Street) – [A. Sloan]
- 25) Discuss, consider and take action, as necessary, concerning a request Francisco Balderas for approval of the replat of Lots 12A and 12B of Block 1 of the Edwin Hart Addition of the T. Parmer Survey, Abstract 782 creating Lot 12-C. (521 and 523 West Larkin Street) – [A. Sloan]

- 26) Public hearing concerning a request from William and Robin Priestly for approval of the replat of Lot 6 of Block 1 of the Cedar Crest Addition and Lot 2E of Block 57 of Athens Original Town of the T. Helms Survey, Abstract 335 creating Lot 6-A (805 Humphrey Street) – [A. Sloan]
- 27) Discuss, consider and take action, as necessary, concerning a request William and Robin Priestly for approval of the replat of Lot 6 of Block 1 of the Cedar Crest Addition and Lot 2E of Block 57 of Athens Original Town of the T. Helms Survey, Abstract 335 creating Lot 6-A (805 Humphrey Street) – [A. Sloan]
- 28) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into an agreement awarding bid to Doggett (Tyler, Texas) for Wheel Loader – [T. Kombos]
- 29) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into an agreement awarding bid to Doggett (Tyler, Texas) for Rubber Tire Roller – [T. Kombos]
- 30) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into an agreement awarding bid to Siddons Martin Emergency Group for Engine 2 – [R. Marshall]
- 31) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing purchase, and financing for Wheel Loader from U.S. Bancorp Government Leasing and Finance, Inc. and authorizing City Manager and/or Mayor to execute all required funding documents – [M. Quigg]
- 32) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing purchase, and financing for Rubber Tire Roller from U.S. Bancorp Government Leasing and Finance, Inc. and authorizing City Manager and/or Mayor to execute all required funding documents – [M. Quigg]
- 33) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing purchase, and financing for fire apparatus from U.S. Bancorp Government Leasing and Finance, Inc. and authorizing City Manager and/or Mayor to execute all required funding documents – [M. Quigg]
- 34) Discuss, consider and take action, as necessary, concerning the executive employment agreement between Athens Economic Development Corporation Board of Directors and Lisa Denton, Executive Director – [R. Gross]
- 35) Mayor and City Council’s request for future agenda items
- 36) Adjourn

Executive Session (Closed Meeting): Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 418.183(f), and 418.106(d) & (e). Refer to posted list attached hereto and incorporated herein.

If during the course of the meeting covered by this notice, the City Council should determine that a closed or executive meeting or session of the City Council or a consultation with the attorney for the City should be held or is required, then such closed or executive meeting or session or consultation with attorney as authorized by the Texas Open Meetings Act, Texas Government Code § 551.001 et. seq., will be held by the City Council at the date, hour and place given in this notice as the City Council may conveniently meet in such closed or executive meeting or session or consult with the attorney for the City concerning any and all subjects and for any and all purposes permitted by the Act, including, but not limited to, the following sanctions and purposes:

Texas Government Code Section:

§ 551.071 - Private consultation with the attorney for the City.

§ 551.072 - Discussing purchase, exchange, lease or value of real property.

§ 551.074 - Discussing personnel or to hear complaints or charges against personnel or officials.

“PURSUANT TO SECTION 30.06, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.”

“DE CONFORMIDAD CON LA SECCIÓN 30.06, CÓDIGO PENAL (ESTAR EN ESTA PROPIEDAD POR TITULAR DE LA LICENCIA CON UNA PISTOLA OCULTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS ARMA DE FUEGO), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA OCULTA.”

"PURSUANT TO SECTION 30.07, PENAL CODE (TRESPASS BY LICENSE HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY"

“DE CONFORMIDAD CON LA SECCIÓN 30.07, CÓDIGO PENAL (ESTAR EN ESTA PROPIEDAD POR TITULAR DE LA LICENCIA CON UNA PISTOLA EN PLENO VISTA), UNA PERSONA CON LICENCIA BAJO EL SUBCAPÍTULO H, CAPÍTULO 411, CÓDIGO DE GOBIERNO (LEY DE LICENCIAS ARMA DE FUEGO), NO PUEDE ENTRAR EN ESTA PROPIEDAD CON UNA PISTOLA EN PLENO VISTA”

This facility is wheelchair accessible and accessible parking spaces are available. Requests for additional accommodations or interpretive services must be made 48 hours prior to any meeting. Please contact the City Secretary’s Office at (903) 675-5131 or by FAX (903) 675-7562 for further information.