



## NOTICE TO PUBLIC

Notice is hereby given that the City Council of the City of Athens, Texas will meet in Regular Session on Monday, August 12, 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) 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 July 15, 2019 Special Session
- b) Consider approving the minutes of the July 25, 2019 Regular Session
- c) Consider a Resolution supporting Sponsors Application to the Texas Department of Transportations' 2019 Transportation Alternatives Set-Aside (TASA) / Safe Routes to School-Infrastructure (SRTS) Call for Projects
- d) Consider a Resolution authorizing the City Manager to enter into a contract between ETMC EMS d/b/a UT Health East Texas EMS and the City of Athens for Surface Ambulance Services
- e) Consider a Resolution authorizing the City Manager to sell property located at 405 Lindsey Lane by a Broker
- f) Consider a Resolution authorizing the City Manager to utilize General Fund money for the repair of Wofford Street in conjunction with the Woodland Street Development
- g) Consider the appointment of Alex Withers to the Zoning Board of Adjustments
- h) April 2019 Monthly Revenue Expense Report
- i) May 2019 Monthly Revenue Expense Report
- j) June 2019 Monthly Revenue Expense Report
- k) Quarterly Investment Report ending June 30, 2019

**City of Athens**

**508 East Tyler St. | Athens, Texas 75751 | P 903.675.5131 | F 903.675.7562**

- 7) Hear update on Cain Center Project – [Mayor Montgomery & E. Borstad]
- 8) Public Hearing on the proposed Tax Rate for Fiscal Year 2020 – [M. Quigg]
- 9) Discuss first reading of an Ordinance amending Sanitation fees for Residential, Commercial and Industrial Customers – [M. Quigg]
- 10) Public hearing concerning a request from Matthew Berry for approval of the replat of Lot 7 of Block 12 of the Park Highlands Addition, Abstract 782 of the T. Parmer Survey creating Lots 7A and 7B (801 Maryland Drive) – [A. Sloan]
- 11) Discuss, consider and take action, as necessary, concerning a request from Matthew Berry for approval of the replat of Lot 7 of Block 12 of the Park Highlands Addition, Abstract 782 of the T. Parmer Survey creating Lots 7A and 7B (801 Maryland Drive) – [A. Sloan]
- 12) Public hearing concerning a request from Amy and Brandon Smith for approval of a specific use permit for a communication tower for Lots 23A and 23B of Block 1 and Lots 11-14 and 14A of Block 3 of the R. A. Clark Survey A-171, also known as 852 East Corsicana Street – [A. Sloan]
- 13) Discuss first reading of an Ordinance concerning a request from Amy and Brandon Smith for approval of a specific use permit for a communication tower for Lots 23A and 23B of Block 1 and Lots 11-14 and 14A of Block 3 of the R. A. Clark Survey A-171, also known as 852 East Corsicana Street – [A. Sloan]
- 14) Public hearing concerning proposed amendments to Sections 14.5, 17.5(F), 18.5(F) and 32.2 of the Zoning Ordinance to require a specific use permit for the use of mobile homes and HUD-Code manufactured homes within Agriculture, Single-Family – 7 and Single-Family – 5 zoning districts – [A. Sloan]
- 15) Discuss first reading of an Ordinance concerning proposed amendments to Sections 14.5, 17.5(F), 18.5(F) and 32.2 of the Zoning Ordinance to require a specific use permit for the use of mobile homes and HUD-Code manufactured homes within Agriculture, Single-Family – 7 and Single-Family – 5 zoning districts – [A. Sloan]
- 16) Public hearing concerning proposed amendments to Chapter 12, Article I, Sections 12-2.1 and 12.2.2 to require a Specific Use Permit for the use of mobile homes and HUD-Code manufactured homes on individual lots – [A. Sloan]
- 17) Discuss first reading of an Ordinance concerning proposed amendments to Chapter 12, Article I, Sections 12-2.1 and 12.2.2 to require a Specific Use Permit for the use of mobile homes and HUD-Code manufactured homes on individual lots – [A. Sloan]

- 18) Public hearing concerning a proposed amendment to Section 32.9 of the Zoning Ordinance to remove the specific use permit requirement for check cashing services and loan agencies within Office and Retail zoning districts – [A. Sloan]
- 19) Discuss first reading of an Ordinance concerning a proposed amendment to Section 32.9 of the Zoning Ordinance to remove the specific use permit requirement for check cashing services and loan agencies within Office and Retail zoning districts – [A. Sloan]
- 20) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to issue a Request for Proposals for Broker Services for the sell or lease of property located at 414 W. College (owned by Athens Economic Development Corporation) – [E. Borstad]
- 21) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing funding allocations for Fiscal Year 2020 Public Funding for Aid to other Organizations: – [M. Quigg]
  - a) Henderson County Clint W. Murchison Memorial Library
  - b) Keep Athens Beautiful
  - c) East Texas Arboretum and Botanical Society
  - d) The Help Center
- 22) Executive Session pursuant to the Texas Government Code, Section 551.074 (Personnel Matters; Closed Meeting); to deliberate the appointment, employment, evaluation, of a public officer or employee:
  - a) City Manager
- 23) Executive Session Pursuant to the Texas Government Code, Section 551.087 (Deliberation Regarding Economic Development Negotiations; Closed Meeting) Deliberations regarding negotiations with the following prospect:
  - a) Prospect # 1795
- 24) Consider and take action, as necessary, resulting from deliberations in Executive Session pursuant to Texas Government Code, Section 551.074 (Personnel Matters; Closed Meeting) to deliberate the appointment, employment, evaluation of a public officer or employee:
  - a) City Manager
- 25) Consider and take action, as necessary, resulting from deliberations in Executive Session Pursuant to the Texas Government Code, Section 551.087 (Deliberation Regarding Economic Development Negotiations Closed Meeting) Deliberations regarding negotiations with the following prospect:
  - a) Prospect # 1795
- 26) Mayor and City Council's request for future agenda items

27) 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.