



## TO PUBLIC

Notice is hereby given that the City Council of the City of Athens, Texas will meet in Regular Session on Monday, September 13, 2021, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St, Athens, Texas to consider the following:

- 1) Invocation
- 2) Pledge of Allegiance
- 3) Declaration of Conflict of Interest
- 4) Public Communications  
*“Pursuant to Texas Government Code section 551.007, members of the public may speak on an agenda item during the public communication section of the meeting or at the time the agenda item is called for discussion by the Mayor. Speakers shall be given three (3) minutes to speak. A speaker needing a translator and/or interpreter may be given six (6) minutes to speak. Members of the public wishing to address the Council on non-agenda items may do so pursuant to the same time constraints as agenda items. The Council will not comment on items not on the agenda; however, the Council may refer the item to City Staff for research, resolution or referral of the matter to the Council as a future agenda item.”*
- 5) Mayor, City Council and/or City Manager updates involving Community Events and issues of Public Safety
- 6) Proclamation – Constitution Week
- 7) Presentation awarding Trinity Valley Community College Scholarships
- 8) Discuss COVID Crisis Update and requested assistance from UT Health East Texas – [C. Scott Campbell, Chief Executive Officer, UT Health Athens Office]
- 9) 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 minutes of the August 23, 2021, Regular Session
  - b) Consider approving minutes of the September 2, 2021, Special Session
  - c) Consider confirming the reappointment of John Glover to the Civil Service Commission

- d) Consider a Resolution authorizing the City Manager to amend the City of Athens Administrative Directives Section 7 Leave by adding Section 7.14 implementing the requirements of HB 2073 and Section 180.008, Local Government Code establishing a Quarantine Leave Policy
- e) Consider a Resolution authorizing the City Manager to amend the City of Athens Administrative Directives Section 7 Leave by adding Section 7.15 implementing the requirements of SB 1359 and Section 614.015, Local Government Code establishing Mental Health Leave Policy for Peace Officers
- f) Consider a Resolution nominating a candidate for Henderson County Appraisal District Board of Directors, Place 2
- g) Consider a Resolution authorizing the City Manager to execute Routine Airport Maintenance Program (RAMP) Grant between the City of Athens and the Texas Department of Transportation
- h) Consider a Resolution appointing Randy Williams, Utilities Director, to Neches & Trinity Valleys Groundwater Conservation District (NTVGCD)

**10) Resolutions**

- a) Discuss, consider, and take action, as necessary, concerning the approval of a Resolution adopting Athens Economic Development Corporation's Budget for Fiscal Year 2022 – [J. Ahlers]
- b) Discuss, consider, and take action, as necessary, concerning the approval of a Resolution authorizing an amendment to the Winters Oil Performance Agreement – [J. Ahlers]
- c) Discuss, consider, and take action, as necessary, concerning the approval of a Resolution authorizing the City Manager to enter into a Memorandum of Understanding with Henderson County to utilize the ETX INTEROP NETWORK for public safety interoperability emergency purposes and authorize associated monthly fees – [E. Borstad]

**11) Hear update on Cain Center Project – [C. Baker and E. Berry]**

**12) Hear update on Police Department site selection – [E. Borstad]**

**13) Hear update on the potential for a Small, Rural, and Tribal (SRT) Body-Worn Camera Grant – [J. Densmore]**

**14) Public hearing concerning a request from Winters Oil Partnership for approval of a site plan amendment for Lot 1R of the Wallace Addition, B. C. Walters Survey A-797, also known as 6096 US Highway 175 West – [A. Sloan]**

**15) Discuss first reading of an Ordinance concerning a request from Winters Oil Partnership for approval of a site plan amendment for Lot 1R of the Wallace Addition, B. C. Walters Survey A-797, also known as 6096 US Highway 175 West**

- 16) Public hearing concerning a request to amend the zoning use chart found in Chapter 22, Article IV, Section 22-32(m) of the City Code of Ordinances to designate “tattoo or body piercing” as a permitted use in Retail, Central Business District, and Industrial zoning districts – [A. Sloan]
- 17) Discuss first reading of an Ordinance concerning a request to amend the zoning use chart found in Chapter 22, Article IV, Section 22-32(m) of the City Code of Ordinances to designate “tattoo or body piercing” as a permitted use in Retail, Central Business District, and Industrial zoning districts
- 18) Public hearing concerning a request from the City of Athens for approval of a zoning change from Retail to Planned Development – 1 for Lot 5, Block 10 of the Large Lots and Lots 4C, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, F, G1, G2 & H2 of the T. Parmer Survey A-782, located on East Corsicana Street and known as Property ID numbers C1810, C1977, C1979, C1980, C1981 and C122874 – [A. Sloan]
- 19) Discuss first reading of an Ordinance concerning a request from the City of Athens for approval of a zoning change from Retail to Planned Development – 1 for Lot 5, Block 10 of the Large Lots and Lots 4C, 6A, 6B, 7A, 7B, 8A, 8B, 9A, 9B, F, G1, G2 & H2 of the T. Parmer Survey A-782, located on East Corsicana Street and known as Property ID numbers C1810, C1977, C1979, C1980, C1981 and C122874
- 20) Hear update on Airport Rate Study – [T. Perry]
- 21) Discuss first reading of an Ordinance amending Chapter 23 Fees and Cost of Services for the City of Athens Code of Ordinances – [M. Quigg]
- 22) Discuss first reading of an Ordinance amending the budget for Fiscal Year ending September 30, 2021 – [M. Quigg]
- 23) Discuss first reading of an Ordinance amending Chapter 3 Airport, Article 2 Airport Advisory Board, Section 3-21 of the City of Athens Code of Ordinances – [T. Perry]
- 24) Executive Session Pursuant to the Texas Government Code: Section 551.072- Deliberation Regarding Real Property – to deliberate the purchase, exchange, lease, or value of real property
  - a) Nexus Solar -dba Athena Solar
- 25) Consider action resulting from deliberations in Executive Session Pursuant to the Texas Government Code, Section 551.072 (Deliberation regarding real property; Closed Meeting) to deliberate the purchase, exchange, lease, or value of real property
  - a) Nexus Solar -dba Athena Solar

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.