

REGULAR SESSION

APRIL 13, 2020

The City Council of the City of Athens met in Regular Session on Monday, April 13, 2020, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas, via Facebook Live in order to advance the public health goal by avoiding social gatherings in groups of more than 10 people to slow the spread of the Coronavirus (COVID-19) [There will be no public access to the location described above.] with the following members present to-wit:

Monte Montgomery, Mayor (in person)
Ed McCain, Mayor Pro Tem (in person)
Aaron Smith (in person)
Toni Clay (via telephone conference)
Robert Gross (in person)

Elizabeth Borstad, City Manager (in person)
Bonnie Hambrick, City Secretary (in person)

others present: Audrey Sloan and Michael Hannigan.

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

INVOCATION

The Invocation was given by Councilmember Aaron Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

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

Mayor Montgomery provided the following updates:

- He stated the Council is aware of our Coronavirus situation, the numbers in the County and City. He stated our citizens are doing admirable in distancing and gathering of no more than 10 people.
- Restaurants are getting some business and with the County rules that have been set forward some of the non-essential businesses can continue

Elizabeth Borstad, City Manager, provided the following updates:

- Municipal Court is canceled through May 14, 2020.
- Trash pickup schedule has changed from our last meeting. Recycling will not be picked up on Wednesdays. Your recycling bin can be placed by the curb on your regular scheduled trash pickup day, but recycling will not be recycled at this time, it will go into the landfill just like the trash. She advised citizens to remember trash on regular trash day with recycle bin if you need to use it. No recycling on Wednesdays.

- Payment options for utility billing will now include a mail drop slot in the front door of City Hall for checks only. All other form of payments such as cash and credit cards will continue to be taken through the drive thru at City Hall. Ms. Borstad encouraged customers to pay online if they could. She further stated, staff is working on an option to pay via a phone
- April 12-18th is Telecommunications week. Ms. Borstad thanked the City's dispatchers. She stated this is a difficult job and they do a really good job not only our dispatchers but the County as well. If you see a dispatcher, please smile and say Thank You for a job well done.

CONSENT AGENDA

- b) CONSIDER APPROVING MINUTES OF THE APRIL 2, 2020 EMERGENCY MEETING**
- c) CONSIDER RECEIVING AND APPROVING HENDERSON COUNTY 9-1-1 COMMUNICATION DISTRICT'S ANNUAL BUDGET**
- d) CONSIDER NOMINATING TWO CANDIDATES TO THE BOARD OF MANAGERS, HENDERSON COUNTY 9-1-1 COMMUNICATION DISTRICT**

Mayor Montgomery requested that item A) Minutes of the March 23, 2020 Regular Session be removed from the Consent Agenda for further discussion.

A motion was made by Councilmember McCain seconded by Councilmember Gross to approve items B, C, and D of the Consent Agenda.

After roll call vote, the motion passed with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

- a) CONSIDER APPROVING MINUTES OF THE MARCH 23, 2020 REGULAR SESSION**

Mayor Montgomery explained additional wording in the minutes is needed regarding Executive Session for Prospect #1803. He stated Prospect #1803 was Spot on Safety, LLC.

A motion was made by Councilmember McCain, seconded by Councilmember Smith to approve item A of the Consent Agenda.

After roll call vote, the motion passed with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

HEAR UPDATE ON CAIN CENTER PROJECT

Ms. Borstad stated the Cain Center Project is moving forward and the City has entered into a contract for a guaranteed maximum price with Berry and Clay, Inc. for the poroject.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,
CONCERNING A REQUEST FROM CRONE BUILDERS, LLC FOR
APPROVAL OF THE FINAL PLAT OF TRACTS 25, 25G, 25G-1, 25G-2 AND
25G-3 OF THE WILLIAM TRIMMER SURVEY A-758, ALSO KNOWN AS
PROPERTY ID R19776 LOCATED AT THE SOUTHEAST CORNER OF CR
4500 AND CR 4628

Audrey Sloan, Director of Development Services, explained the property is located in the City's extraterritorial jurisdiction (ETJ) south of the Loop between South State Highway 19 and the airport. The owner is proposing to subdivide the property into five (5) residential tracts for duplexes. Ms. Sloan further stated the plat is compliant with the City's zoning and subdivision ordinances. She stated the Planning and Zoning Commission has recommended approval.

A motion was made by Councilmember Gross, seconded by Councilmember McCain to approve a request from Crone Builders, LLC for approval of the final plat of Tracts 25, 25G, 25G-1, 25G-2 and 25G-3 of the William Trimmer Survey A-758, also known as Property ID R19776 located at the southeast corner of CR 4500 and CR 4628.

After roll call vote, the motion passed with the following record vote:

Monte Montgomery, Mayor	Aye
Ed McCain, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
Toni Clay, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	5
Voted against the motion	0
Motion carried	5-0

PUBLIC HEARING CONCERNING A REQUEST FROM RODNEY SESSION FOR APPROVAL OF A ZONING CHANGE FROM AGRICULTURE (A) TO SINGLE FAMILY – 5 (SF-5) AND A SPECIFIC USE PERMIT FOR A MANUFACTURED HOME FOR LOT 5 OF THE F. M. COKER TRACT, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 907 CREAM LEVEL ROAD

Ms. Sloan explained the property is located on Cream Level Road and the current zoning is Agriculture. She stated the property owner is proposing to install a 1,568 square foot doublewide manufactured home on the property and the use of a manufactured home requires a SUP according to the zoning ordinance. She further stated, in addition, a zoning change to Single Family – 5 is requested because the lot does not meet the minimum square footage requirement of one (1) acre for Agriculture zoned lots. The lot is only 0.5 acres.

Ms. Sloan stated seven (7) letters were mailed to surrounding property owners within two hundred (200) feet. With no responses being returned.

Mayor Montgomery opened the Public Hearing.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM RODNEY SESSION FOR APPROVAL OF A ZONING CHANGE FROM AGRICULTURE (A) TO SINGLE FAMILY – 5 (SF-5) AND A SPECIFIC USE PERMIT FOR A MANUFACTURED HOME FOR LOT 5 OF THE F. M. COKER TRACT, B. C. WALTERS SURVEY A-797, ALSO KNOWN AS 907 CREAM LEVEL ROAD

Bonnie Hambrick, City Secretary, read the caption of the Ordinance aloud.

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) 405 LINDSEY LANE

The City Council convened in Executive Session at 5:44 p.m.

The City Council returned to Regular Session at 6:18 p.m.

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) 405 LINDSEY LANE

Mayor Montgomery asked that the City Manager obtain additional information regarding the item.

Mayor Montgomery further stated the City Council will reconvene when needed and if time is of the essence, the City Council could schedule a Special Meeting.

PUBLIC COMMUNICATIONS

Ms. Hambrick read aloud the following email received from Mr. Jim McNutt:

Many of us received a phone call & email message (athenstx@getrave.com) early yesterday morning concerning a severe weather alert...

Isn't the current Coronavirus situation as serious a threat to citizens' health & safety?

Why hasn't the City been using its Smart911 or similar capabilities to emphasize the importance of your "stay home/stay safe" declaration – including the need for everyone in town to actually practice social distancing, wear a mask, etc?

2) Can you confirm or deny the rampant online rumor involving at least one Athens WalMart employee who allegedly tested positive for Covid-19?

Thank you.

Jim McNutt

400 Highland Dr.

Mayor Montgomery clarified the date of the meeting was April 13, 2020.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

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Councilmember McCain requested options for reopening the City's Collection Site during the Coronavirus Pandemic.

ADJOURN

The meeting adjourned at 6:21 p.m.

PASSED AND APPROVED THIS THE 27th DAY OF APRIL, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary