

REGULAR SESSION

APRIL 27, 2020

The City Council of the City of Athens met in Regular Session on Monday, April 27, 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
Ed McCain, Mayor Pro Tem
Aaron Smith
Toni Clay
Robert Gross

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

others present: Joanie Ahlers and Michael Hannigan.

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

INVOCATION

The Invocation was given by Mayor Monte Montgomery.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

PUBLIC COMMUNICATIONS

There was no discussion.

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

Elizabeth Borstad, City Manager, provided the following updates:

- Republic Services will resume yard waste and bulk pick-up on its regular scheduled day of Wednesday beginning April 29, 2020
- The City of Athens Utility Billing Department can now accept credit/debit payments over the phone

Mayor Montgomery provided the following update regarding Public Safety:

- Companies are taking their own initiative to protect themselves and employees from the Coronavirus. He further encouraged the City Council to encourage every constituent they speak with to keep working and stay safe

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE APRIL 13, 2020 REGULAR SESSION
- b) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BIS CONSULTING, LLC FOR GIS MAPPING SERVICES
- c) MARCH 2020 MONTHLY REVENUE AND EXPENSE REPORT
- d) QUARTERLY INVESTMENT REPORT ENDING MARCH 31, 2020

Mayor Montgomery requested that item B) Consider a Resolution authorizing the City Manager to enter into an agreement with BIS Consulting, LLC for GIS Mapping Services be removed from the Consent Agenda for further discussion.

A motion was made by Councilmember Gross, seconded by Councilmember Smith to approve items A, C and D of the Consent Agenda. The motion carried unanimously.

- b) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BIS CONSULTING, LLC FOR GIS MAPPING SERVICES

Mayor Montgomery asked the terms of the agreement with BIS Consulting with Ms. Borstad explaining that this is a total update to the mapping parcel and it is turn key once the updates are finished the agreement is complete. She stated the original estimate was 1500 hours for inside the city limits and another 350 hours will include the lake property. She further stated the great thing about this project is that it is a true partnership between the City, Athens Economic Development Corporation, Henderson County Appraisal District and Athens Municipal Water Authority.

After discussion, a motion was made by Councilwoman Clay, seconded by Councilmember Gross to approve item B) of the Consent Agenda. The motion carried unanimously.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE CAIN FOUNDATION AND ACCEPT THE CONTRIBUTION OF \$2.5 MILLION DOLLARS FOR THE CAIN CENTER CONSTRUCTION PROJECT

Ms. Borstad stated that staff has worked on the agreement for a long time. She stated it goes hand in hand with the Murchison Foundation Agreement that was signed and authorized last month.

She stated the agreement is very similar, although this specifically calls for the pool area construction which was part of the original agreement. Ms. Borstad further stated she is very excited to get moving forward with the project. The language in the agreement is reflective or very, close to what The Murchison Foundation has in theirs as far as the terms and the payment schedule.

Mayor Montgomery stated that this is a milestone for the City. He stated the City requested \$2.1 million dollars for the swimming pool. He stated two (2) weeks later, in a meeting John and Felicia Cain, they presented a gift letter for \$2.5 million. They gave above and beyond what we had requested. Mayor Montgomery it is an amazing gift. I have said this before, somewhere down the line, we renamed the Cain Center to Athens Municipal Complex. I just think we really need to reconsider that it is The Cain Center, everybody knows it as The Cain Center. I would really like for us to look at renaming it The Cain Center in some form or fashion.

Councilmember Gross asked if the cash flow is available, with Ms. Borstad stating that staff has performed a cash flow analysis as The Cain Foundation will more than likely, will not be prepared for the City to draw from the grant. The City will pay for construction and the Murchison Foundation will reimburse a portion and The Cain Foundation will follow with reimbursements.

Mayor Montgomery stated that this is all good news. This is an incredible gift for the citizens of Athens.

A motion was made by Councilmember McCain, seconded by Councilwoman Clay authorizing the Mayor to enter into a grant agreement with The Cain Foundation and accept the contribution of \$2.5 million dollars for The Cain Center Construction Project. The motion carried unanimously.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, ON FORMING AN ECONOMIC TASK FORCE COMMITTEE

Mayor Montgomery stated he requested a meeting with the EDC director, Will Traxson, Elizabeth Borstad, Ms. Ahlers and Councilmember Gross regarding the possibility of the EDC stepping forward to help some of the small businesses that have fallen through the cracks. He stated this is a preliminary discussion for the EDC to look at their funds and to look at possibilities to help some of these small businesses. He stated other cities are doing this. He stated Ms. Ahlers provided some information of what some cities are doing:

- Some cities are providing a \$150,000.00 to \$350,000.00 caps for grant money

Mayor Montgomery stated there are businesses that are just not getting some of the relief that others are getting. Mayor Montgomery stated other cities have a committee formed to give direction on how this will function.

Joanie Ahlers, Economic Development Director, provided information regarding economic task force committees that other cities have formed throughout Texas during the COVID-19 Pandemic.

Mayor Montgomery stated for complete transparency, this original conversation started when Ms. Ahlers conveyed that this could get so bad that some small businesses will probably be looking for help to stay open. So, in her wisdom, here we are. And I think we are going to have some small businesses that will have trouble overcoming, but it remains to be seen. Montgomery stated maybe we will get through this and it will not be as hard as we think it is, but I would like to have a committee put together just in case.

Councilmember McCain stated that he was not for another layer of government or another committee that leads to nowhere; which we have all been a part of.

Councilmember Gross, Councilmember Smith and Councilwoman Clay agreed with not forming another committee.

Councilmember Gross stated a small business should go to the bank first.

Councilwoman Clay further clarified that she wants to help, however, a small business should seek federal funding.

After much discussion, a motion was made by Mayor Montgomery to approve the formation of an Economic Task Force Committee. The motion died due to the lack of a second.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, REGARDING THE RE-OPENING OF THE COMMUNITY COLLECTION SITE

Ms. Borstad explained staff is seeking direction regarding the desire of the Council to re-open the Community Collection Site.

After discussion, a motion was made by Councilwoman Clay, seconded by Councilmember McCain to re-open the Community Collection Site on May 7-9 from 8:30 a.m. to 3:30 p.m. with no cost associated with dumping. The motion carried unanimously.

CONSIDER FINAL 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.

A motion was made by Councilmember Smith, seconded by Councilmember Gross to approve final 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.

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

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 6:05 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

A motion made by Councilmember Gross, seconded by Councilwoman Clay authorizing the City Manager to negotiate with Mr. Rollow and Mr. Fullingim and enter into a contract for the sale of the property located at 405 Lindsey Lane with the exception of changing the notice of termination period from 60 days to 45 days.

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The motion carried by the following vote: Ayes: Councilmember Gross, Councilmember McCain, Councilmember Smith and Councilwoman Clay. Nay: Mayor Montgomery. Abstained: None.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Councilmember Gross requested an item to discuss grant applications and moving this task to Athens Economic Development Corporation.

Ms. Borstad stated a work session is scheduled for Thursday, April 30th. She further explained a future work session will occur to discuss utilities.

ADJOURN

The meeting adjourned at 6:21 p.m.

PASSED AND APPROVED THIS THE 11th DAY OF MAY, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary