

REGULAR SESSION

MAY 24, 2021

The City Council of the City of Athens met in Regular Session on Monday, May 24, 2021, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas.

with the following members present to-wit:

Toni Clay, Mayor Pro Tem
Aaron Smith
SyTanna Freeman
Robert Gross

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Audrey Sloan, Director of Development Services; John Densmore, Chief of Police; Katie Birk, Tourism and Cultural Resources Coordinator; Mandie Quigg, Finance Director; Chris Baker, Cain Center Director; Tim Perry, Director of Public Works;

Others present: Dr. Mark Roberts, Michael Hannigan, Mary Ensign, Eric James, Jack James, John & Jenny Wilson, Amy Miller, Mark Keys, Gary Penn, Jeffery Enoch, Rich Flowers, Joanne Johnson

with the following member absent: Monte Montgomery

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

INVOCATION

The Invocation was given by Councilmember Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

PROCLAMATION - ATHENS OLD FIDDLERS REUNION

Councilmember Clay proclaimed May 24th - 29th as “Annual Athens Old Fiddlers Reunion Week”.

PUBLIC COMMUNICATIONS

Jeffrey Enoch Sr. presented information regarding the Juneteenth Celebration that will occur on Saturday, June 12th at Baggett Park. He invited all citizens to come out and support the celebration. He stated the traditional Juneteenth Parade will not occur this year.

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

Katie Birk, Tourism and Cultural Resources Coordinator announced a concert at The Texan on June 3, 2021.

John Densmore, Chief of Police, stated there is a concert at The Texan on June 19, 2021.

Toni Clay, Mayor Pro-Tem, announced Athens ISD graduation is May 28th at 6:30 p.m. She stated it is a ticketed event.

Councilwoman Clay thanked Tim Perry, Public Works Director, for having the banners of the graduates placed around the courthouse square.

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE MAY 7, 2021 WORK SESSION**
- b) CONSIDER APPROVING MINUTES OF THE MAY 10, 2021 REGULAR SESSION**
- c) CONSIDER A RESOLUTION AWARDED BID TO REYNOLDS AND KAY, LTD. FOR THE 2021 SEAL COAT PROGRAM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH REYNOLDS AND KAY LTD.**
- d) CONSIDER A RESOLUTION AWARDED BIDS TO KNIFE RIVER CORP – SOUTH, MARTIN MARIETTA MATERIALS AND TEXAS MATERIALS GROUP, DBA TEXAS BIT FOR STREET MATERIALS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS**
- e) APRIL 2021 MONTHLY REVENUE AND EXPENSE REPORT**

Councilmember Gross requested agenda item **a)** Consider approving minutes of the May 7, 2021 Work Session and agenda item **b)** Consider approving minutes of the May 10, 2021 Regular Session be removed from the Consent Agenda.

A motion was made by Councilwoman Freeman seconded by Councilmember Gross to approve Consent Agenda items:

- C) CONSIDER A RESOLUTION AWARDED BID TO REYNOLDS AND KAY, LTD. FOR THE 2021 SEAL COAT PROGRAM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH REYNOLDS AND KAY LTD.**
- D) CONSIDER A RESOLUTION AWARDED BIDS TO KNIFE RIVER CORP – SOUTH, MARTIN MARIETTA MATERIALS AND TEXAS MATERIALS GROUP, DBA TEXAS BIT FOR STREET MATERIALS AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS**
- E) APRIL 2021 MONTHLY REVENUE AND EXPENSE REPORT**

A motion was made by Councilwoman Freeman, seconded by Councilmember Gross to approve the Consent Agenda. The motion carried unanimously.

- a) CONSIDER APPROVING MINUTES OF THE MAY 7, 2021 WORK SESSION**

Elizabeth Borstad, City Manager, stated Councilmember Gross asked for some clarification regarding Minutes of the May 7, 2021 Work Session. She stated the clarification was added.

A motion was made by Councilmember Smith seconded by Councilmember Gross to approve Minutes of the May 7, 2021 Work Session. The motion carried unanimously.

- b) CONSIDER APPROVING MINUTES OF THE MAY 10, 2021 REGULAR SESSION**

A motion was made by Councilmember Freeman seconded by Councilmember Smith to approve Minutes of the May 10, 2021 Regular Session.

The motion carried by the following vote: Ayes: Councilwoman Clay, Councilmember Smith, and Councilwoman Freeman, Nays: None, Abstain: Councilmember Gross.

PUBLIC HEARING TO REVIEW THE CITY OF ATHENS PROJECTS FOR
SUBMISSION IN THE 2021 TXDOT TRANSPORTATION ALTERNATIVE
PROGRAM GRANT CALL FOR PROJECTS

Ms. Borstad explained the City is in the process of submitting an application for the 2021 TxDOT Transportation Alternative Program Grant call for projects. She stated the proposed project is for the installation of sidewalks along both sides of State Highway 19 (S. Palestine Street), with the City seeking public input regarding project.

Councilwoman Clay opened the Public Hearing.

Mark Keyes asked if it would be eco and pet friendly.

Some discussion occurred.

Councilwoman Clay closed the Public Hearing.

CONSIDER FINAL READING OF AN ORDINANCE AMENDING CHAPTER
23 FEES AND COST OF SERVICES OF THE CITY OF ATHENS CODE OF
ORDINANCES TO INCLUDE CAIN CENTER FEES

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

A motion was made by Councilwoman Freeman seconded by Councilmember Smith to approve final reading of an Ordinance amending Chapter 23 Fees and Cost of Services of the City of Athens Code of Ordinances to include Cain Center fees.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE AMENDING THE
TOTAL APPROPRIATIONS BUDGET FOR FISCAL YEAR ENDING
SEPTEMBER 30, 2021 FOR THE PURCHASE OF EQUIPMENT RELATED
TO THE PUBLIC SAFETY VEHICLES

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Smith, seconded by Councilwoman Freeman to approve final reading of an Ordinance amending the total appropriations budget for Fiscal Year Ending September 30, 2021 for the purchase of equipment related to the Public Safety Vehicles.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING THE ANNEXATION OF 2.0 ACRES LOCATED IN THE D. HARRISON SURVEY, ABSTRACT 279, TRACT 44 ALSO KNOWN AS 400 GIBSON ROAD, AS REQUESTED BY HENDERSON COUNTY PERFORMING ARTS CENTER (HCPAC)

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilwoman Freeman seconded by Councilmember Gross to approve final reading of an Ordinance concerning the annexation of 2.0 acres located in the D. Harrison Survey, Abstract 279, Tract 44 also known as 400 Gibson Road, as requested by Henderson County Performing Arts Center (HCPAC).

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM ERIC JAMES FOR APPROVAL OF A ZONING CHANGE FROM RETAIL TO SINGLE-FAMILY – 5 FOR LOT 6, BLOCK 15 LARGE LOTS, T. PARMER SURVEY A-782, ALSO KNOWN AS 312 SOUTH CARROLL STREET

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Smith seconded by Councilwoman Freeman to approve final reading of an Ordinance concerning a request from Eric James for approval of a zoning change from Retail to Single-Family – 5 for Lot 6, Block 15 Large Lots, T. Parmer Survey A-782, also known as 312 South Carroll Street.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye

Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM KENO BROWN OF ATHENS STEEL BUILDING CORPORATION FOR APPROVAL OF A ZONING CHANGE FROM PLANNED DEVELOPMENT – 2 TO INDUSTRIAL FOR TRACT 16D, J. B. ATWOOD SURVEY A-19, ALSO KNOWN AS 900 NE LOOP 7

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Gross seconded by Councilwoman Freeman to approve final reading of an Ordinance concerning a request from Keno Brown of Athens Steel Building Corporation for approval of a zoning change from Planned Development – 2 to Industrial for Tract 16D, J. B. Atwood Survey A-19, also known as 900 NE Loop 7.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM JESSICA & SCOTT HERSH FOR APPROVAL OF A ZONING CHANGE FROM OFFICE TO SINGLE-FAMILY – 5 FOR LOT 13, BLOCK 26A OF PARK HIGHLANDS, T. PARMER SURVEY A-782, ALSO KNOWN AS 607 EAST CLINTON AVENUE

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilwoman Freeman seconded by Councilmember Gross to approve final reading of an Ordinance concerning a request from Jessica & Scott Hersh for approval of a zoning change from Office to Single-Family – 5 for Lot 13, Block 26A of Park Highlands, T. Parmer Survey A-782, also known as 607 East Clinton Avenue.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM LEON JOHNSON OF CCI CONCEPT INVESTMENTS, LLC FOR APPROVAL OF A SITE PLAN FOR AN EVENT CENTER LOCATED IN THE PLANNED DEVELOPMENT -2 ZONING DISTRICT FOR TRACT 4A-3, E. HOLLAND SURVEY A-330, ALSO KNOWN AS 4905 NE SOUTH LOOP

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilwoman Freeman seconded by Councilmember Smith to approve Consider final reading of an Ordinance concerning a request from Leon Johnson of CCI Concept Investments, LLC for approval of a site plan for an event center located in the Planned Development -2 zoning district for tract 4A-3, E. Holland Survey A-330, also known as 4905 NE South Loop.

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

Toni Clay, Mayor Pro Tem	Aye
Aaron Smith, Councilmember	Aye
SyTanna Freeman, Councilmember	Aye
Robert Gross, Councilmember	Aye
Voted in favor of the motion	4
Voted against the motion	0
Motion carried	4-0

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA
ITEMS

Councilwoman Freeman requested an item to discuss painting the hallway at Cain Center.

Ms. Hambrick read the following future agenda items:

- standing water on South Prairieville Street study in progress
- traffic safety at Hwy 59 and Belmont in progress
- Zoning districts and maximum number of farm animals allowed in progress
- Prohibiting the discharge of firearms in the city limits in progress

ADJOURN

The meeting was adjourned at 5:53p.m.

PASSED AND APPROVED THIS THE 14th DAY OF JUNE 2021.

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary