

SPECIAL SESSION

JUNE 8, 2021

The City Council of the City of Athens met in Special Session on Tuesday, June 8, 2021, 10:00 a.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
Robert Gross
SyTanna Freeman

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: John Densmore, Chief of Police; Noemi Lopez, Administrative Clerk.

others present: Roy Clay, Deborah Deas, Rich Flowers, Erick Graham, Chris Tinsley, Michael Hannigan, Ernest Freeman, Kelly Townsend, Mark Carroll, Kevin & Jeaneane Lilly, Tres Winn, Berta Winn, Kristin Willingham, Charlie Tidmore, Beau Humble

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.

PUBLIC COMMUNICATIONS

Toni Clay, Mayor Pro Tem, read the following statement about Monte Montgomery:

“I speak now as a resident of this community for the past 44 years. I speak as a member of its city council. I speak as a Christ follower. I speak as a mother. I speak as a person who places a high value on reconciliation and who finds no joy in confrontation. But often, confrontation and justice go hand-in-hand. I believe this is a moment in our community that calls for the truth to be spoken from a place of leadership.

Thursday night as we all became aware of the news about Mr. Montgomery's arrest in a sting operation for solicitation of a minor, I spoke to every member of this council. Each of us, like each of you, was left literally speechless by the revelation.

I believe I'm speaking the absolute truth when I say not one of us had the slightest inkling that such an awful thing had been on the horizon for our city.

Yes, there is absolutely a place for restorative justice. And of course, as this case plays out within the judicial system, we trust both restoration and justice will take place. But let me speak quite plainly. The protection of our children is what is most important.

I thank God for members of the law enforcement community who do the unimaginably difficult job of seeking out those who might or do prey on the most vulnerable members of our society — specifically, children who for reasons such as neglect, abuse, dire poverty, and a tragic lack of resources, find themselves being used by adults who know better and should do better.

This community understands that. This community values its children. This community values justice.

And we are grateful a light was shown in the darkness. I hope all of us, as members of this community, can move forward in that light, with our eyes open, our egos humbled and our hearts willing to lead as servants to one another.”

Mr. Kevin Lilly thanked the City Council for their service and thoughtfulness. He asked the Council to act expeditiously and thoughtfully putting the community first. He stated a Mayor Pro Tem was elected to act in the absence of the Mayor. He expressed support of Toni Clay becoming Mayor.

Chris Tinsley stated the city needs to take action immediately and does not need to wait to appoint a new mayor. He stated Toni Clay was elected as Mayor Pro Tem and she is qualified. The city needs to move on and the quicker a decision is made the better.

Bonnie Hambrick, City Secretary, read aloud a letter from Mr. Lee Bush who is a business owner and has lived in Athens for over 50 years. The letter stated Councilwoman Clay is well suited to become the Mayor, and Mr. Bush recommends that the Council take the action necessary to make this happen.

DISCUSS, CONSIDER, AND TAKE ACTION AS NECESSARY,
CONCERNING THE ACCEPTANCE OF RESIGNATION LETTER FROM
MONTE MONTGOMERY

Councilwoman Clay stated the Council received the letter of resignation from Mr. Montgomery that was issued through his attorney on Friday. She stated the City Charter states the City must accept the letter of resignation.

A motion was made by Councilmember Gross seconded by Councilwoman Freeman to accept a resignation letter from Monte Montgomery. The motion carried unanimously.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,
SECTION 551.074 (PUBLIC OFFICER; CLOSED MEETING) TO DISCUSS
ATHENS CITY COUNCIL VACANCIES

The City Council Convened in Executive Session at 10:15 a.m.

The City Council returned to Regular Session at 10:54 a.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION
551.074 (PUBLIC OFFICER; CLOSED MEETING) TO DISCUSS THE
APPOINTMENTS TO ATHENS CITY COUNCIL TO FILL UNEXPIRED
TERMS CREATED BY RESIGNATION

Blake Armstrong, City Attorney explained the process of filling vacancies on the Athens City Council. Mr. Armstrong stated the City of Athens is a Home Rule City and the city operates pursuant to a City Charter. He stated the Charter has a specific section regarding filling vacancies on the City Council which includes the position of the Mayor. The charter states the city council must or shall appoint a vacancy on the City Council within thirty (30) days, he further stated the Charter does not give the Council the discretion to entertain a Special Election.

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He stated filling a vacancy by appointment is consistent with the charter and any other avenue that might be pursued to fill the vacancy will be a direct violation of the Charter.

A motion was made by Councilmember Smith, seconded by Councilwoman Freeman to appoint Mayor Pre Tem, Toni Clay as Mayor of Athens. The motion carried unanimously.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA
ITEMS

Mayor Clay stated we now have a vacancy and need to fill Place 1.

ADJOURN

The meeting was adjourned at 10:58 a.m.

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

Toni Clay, Mayor

ATTEST:

Bonnie Hambrick, City Secretary