

REGULAR SESSION

JANUARY 25, 2021

The City Council of the City of Athens met in Regular Session on Monday, January 25, 2021, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas. This meeting was open to the public; however, seating was limited to maintain social distancing.

with the following members present to-wit:

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

Elizabeth Borstad, City Manager  
Bonnie Hambrick, City Secretary

Staff Present: Rodney Williams, Interim Chief of Police; Audrey Sloan, Director of Development Services; Derek Whiteley, Director of Information Technology; Mandie Quigg, Finance Director; Katie Birk, Tourism and Cultural Resources Coordinator; Joanie Ahlers, Economic Development Director

others present: Michael Hannigan, Rich Flowers, Deborah Deas, Janice Vaughn, Dillon Vaughn, Pat Key, Kent Willis (via video conference) Jeff and Cristy Haygood.

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

INVOCATION

The Invocation was given by Mayor 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, stated Glynda Wood, City Hall receptionist, is retiring. She welcomed everyone to stop by City Hall to say goodbye to her and wish her well.

CONSENT AGENDA

a) CONSIDER APPROVING MINUTES OF THE JANUARY 11, 2021  
REGULAR SESSION

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

PRESENTATION OF ANNUAL FINANCIAL REPORT AND RELATED  
SINGLE AUDIT REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30,  
2020

Mandie Quigg, Finance Director, stated that Kent Willis, CPA of Patillo, Brown & Hill, LLP, would present the results of the Audit for Fiscal Year ending September 30, 2020. Mr. Willis presented highlights. Mr. Willis stated Patillo, Brown & Hill, LLP has rendered an unmodified/clean opinion for the City of Athens. Mr. Willis also presented the Single Audit which is needed when you expend \$750,000 or more in federal grants. He explained this audit is required to ensure guidelines are being followed.

There was discussion regarding the audit throughout the presentation.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, RELATED TO  
ACCEPTING THE ANNUAL FINANCIAL REPORT AND RELATED SINGLE  
AUDIT REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020 AS  
PRESENTED BY KENT WILLIS, CPA, OF PATILLO, BROWN & HILL, LLP

A motion was made by Councilwoman Freeman and seconded by Councilmember Gross to accept the Annual Financial Report and Related Single Audit Report for Fiscal Year Ending September 30, 2020. The motion carried unanimously.

### HEAR UPDATE ON CAIN CENTER PROJECT

Eric Berry, Berry and Clay Contractors, presented the following updates on the Cain Center Project:

- Elevator pit waterproofing and backfill
- Structural steel erection for the elevator structure
- New aluminum storefront doors and frames
- Drywall installation in progress
- Exterior masonry work in progress
- Water heaters installation
- Pool equipment installation in progress
- Prep work for pool coping in progress

Mayor Montgomery asked about the impact of COVID on the project asking if there are any mechanical items on back order; with Mr. Berry stating most things are already on site and the only effect COVID has had is backorders on items such as lightbulbs.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,  
CONCERNING ADDING THE GLASS BLOCK WALL TO THE CAIN  
CENTER PROJECT AND INCLUDE ALL ASSOCIATED COST

Mr. Berry presented the Council with an example of the glass block that would be put into the wall in the gymnasium at the Cain center.

Councilwoman Clay asked about the durability of the glass block. Mr. Berry stated they are very durable, however, if someone was to run into at full speed it may cause damage.

There was discussion regarding the glass block and possibly placing a netting to protect the glass blocks.

Councilwoman clay stated in the future the glass blocks would be something they would look back at and be glad they were installed.

Mr. Berry presented the cost of the glass blocks to the City Council.

There was discussion regarding soundproofing the walls for the purpose of Executive Session.

No action was taken.

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM JANICE LODEN VAUGHN OF DILLON MANUFACTURING FOR APPROVAL OF THE CLOSURE AND ABANDONMENT OF A PORTION OF NEEDMORE STREET RIGHT OF-WAY RUNNING NORTH AND SOUTH BETWEEN LOTS 8, 12B AND 12C OF BLOCK 107, LOTS 2 AND 3A OF BLOCK 109 AND TRACT 18A OF F. M. COKER OF THE B. C. WALTERS SURVEY A-797

Audrey Sloan, Director of Development Services, stated Councilmembers, staff including the Fire Marshal have been on site at the property to see its existing conditions. She presented a survey showing the portion of the right of-way to be closed. Ms. Sloan stated that currently there is not sufficient room to allow for a turnaround as would be typically required by code. She stated Staff recommends that if the right-of-way is closed that the remaining portion of Needmore Street would be signed as a dead-end street. It's a unique situation because of the narrow width of the right-of-way.

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

A motion was made by Councilwoman Freeman, seconded by Councilmember Gross to approve final reading of Ordinance concerning a request from Janice Loden Vaughn of Dillon Manufacturing for approval of the closure and abandonment of a portion of Needmore Street right of-way running north and south between Lots 8, 12B and 12C of Block 107, Lots 2 and 3A of Block 109 and Tract 18A of F. M. Coker of the B. C. Walters Survey A-797.

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

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

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE FISCAL YEAR 2021 TOURISM DEVELOPMENT GRANT APPLICANTS

Katie Birk, Tourism and Cultural Resources Coordinator presented the item. She stated seven (7) applications were received for the Fiscal Year 2021 Tourism Development Grant. Ms. Birk presented the organization, the requested funding amount and the recommended allocation:

**Budgeted Funding for “Aid to Other Organizations” = \$20,000**

<b>Organization</b>	<b>Requested Funding</b>	<b>75% of Request Actual/Eligible Budget</b>	<b>Recommended Allocation</b>
Old Fiddlers	\$7,030.00	\$5,272.50	\$0.00
East Texas Arboretum 1 – Concerts/Movies	\$2,700.00	\$2,025.00	\$0.00
East Texas Arboretum 2 – Advertising	\$5,200.00	\$3,900.00	\$3,900.00
Fire It Up	\$5,000.00	\$3,750.00	\$3,750.00
HC Arts Council	\$4,350.00	\$3,263.00	\$0.00
HC Girls Softball	\$12,125.00	\$9,094.00	\$7,287.00
Watson Team Roping	\$20,000.00	\$5,063.00	\$5,063.00
	<b>\$56,405.00</b>	<b>\$32,366.25</b>	<b>\$20,000.00</b>

Old Fiddlers = \$5,272.50 out of City Sponsored budget

ETABS 1 = \$2,025 out of City Sponsored budget

HC Arts Council = \$3,263.00 Arts Promotion

After discussion, a motion was made by Councilmember Smith and seconded by Councilwoman Freeman to approve a Resolution authorizing the City Manager to enter into agreements with the Fiscal Year 2021 Tourism Development Grant applicants. The motion carried unanimously.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING) DELIBERATIONS REGARDING:

- a) AEDC LAND SALE TO GVD RENTALS LLC. AND A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING); TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, OF A PUBLIC OFFICER OR EMPLOYEE:

- a) CITY MANAGER

The City Council convened in Executive Session at 6:32 p.m.

The City Council returned to Regular Session at 7:09 p.m.

CONSIDER AND TAKE ACTION, AS NECESSARY, RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.087 (DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING)

- a) AEDC LAND SALE TO GVD RENTALS LLC. AND A CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT

A motion was made by Mayor Montgomery, seconded by Councilwoman Freeman to approve the sale of 12 acres of land at \$12,000 per acre to GVD Rentals LLC. and approve the 380 agreement as presented and change the completion date to September 1, 2023 for owners to receive the Certificate of Occupancy. The motion carried unanimously.

CONSIDER AND TAKE ACTION, AS NECESSARY, RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING) TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION OF A PUBLIC OFFICER OR EMPLOYEE:

- a) CITY MANAGER

Mayor Montgomery commended Mrs. Borstad on her hard work and stated she was doing an excellent job.

No action was taken

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA  
ITEMS

Councilmember Gross asked if staff is looking dates for a possible Work Session to discuss a new policy facility.

ADJOURN

The meeting was adjourned at 7:13 p.m.

PASSED AND APPROVED THIS THE 8<sup>th</sup> DAY OF FEBUARY, 2021

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary