

REGULAR SESSION

JANUARY 27, 2020

The City Council of the City of Athens met in Regular Session on Monday, January 27, 2020, 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:

Monte Montgomery, Mayor
Ed McCain, Mayor Pro Tem
Toni Clay
Aaron Smith

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Buddy Hill, Police Chief, Russell Marshall, Fire Chief, Mandie Quigg, Finance Director, Tim Perry, Public Works Director, Jennifer Robertson, Director of Human Resources, Derek Whiteley, Director of Information Technology, Audrey Sloan, Director of Development Services, Randy Williams, Utilities Director, Katie Birk, Tourism and Cultural Resources Coordinator, Joanie Ahlers, Economic Development Director,

others present: Paula Lowe, Mark Taylor, David Cornelius, Dr. Fran McCain, Sytonia Freeman, Deborah Deas, Mark Carroll, Boyd London, Michelle Zenor, Rich Flowers, Tom Trimble, Robert Haberle.

with the following member absent: Councilmember Robert Gross

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.

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

Russell Marshall, Fire Chief, stated beginning February 15, 2020. the City of Athens will no longer be under the Code Red Emergency Notification System. He stated at that time, the City will be under the RAVE Emergency Notification System. He provided background information regarding East Texas Council of Governments decision to issue a request for proposals for an Emergency Notification System. He stated Henderson County will remain under the Code Red System. He further stated beginning the first part of February, an advertising campaign will begin through various platforms to notify residents and visitors of the change.

PUBLIC COMMUNICATIONS

There was no discussion.

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE JANUARY 13, 2020
REGULAR SESSION

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

Mayor Montgomery stated the City Council would move to agenda item 12) Consider final reading of an Ordinance authorizing the issuance of “City of Athens, Texas, Waterworks and Sewer System Revenue Bonds, Series 2020”, pledging net revenues of the City’s Waterworks and Sewer System to the security of and the payment of the principal of and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and deliver of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and Construction Escrow Agreement

CONSIDER FINAL READING OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF ATHENS, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2020”, PLEDGING NET REVENUES OF THE CITY’S WATERWORKS AND SEWER SYSTEM TO THE SECURITY OF AND THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS; SPECIFYING THE TERMS AND CONDITIONS OF SUCH BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, PAYMENT, SECURITY, SALE AND DELIVER OF SAID BONDS, INCLUDING THE APPROVAL AND EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND CONSTRUCTION ESCROW AGREEMENT

Boyd London, Hilltop Securities, addressed the City Council and explained the Sources and Use of Fund for the City of Athens, Texas, Waterworks and Sewer System Revenue Bonds, Series 2020. He explained the City will receive financial assistance from the Texas Water Development Board in the amount \$1,125,000 for water system improvements, with \$300,000 in loan principal forgiveness.

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

A motion was made by Councilmember Smith, seconded by Councilmember McCain to approve final reading of an Ordinance authorizing the issuance of “City of Athens, Texas, Waterworks and Sewer System Revenue Bonds, Series 2020”, pledging net revenues of the City’s Waterworks and Sewer System to the security of and the payment of the principal and interest on said bonds; specifying the terms and conditions of such bonds; resolving other matters incident and related to the issuance, payment, security, sale and delivery of said bonds, including the approval and execution of a Paying Agent/Registrar Agreement and Construction Escrow Agreement.

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

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

4 voted in favor of the motion and

0 voted against the motion

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF A PRINCIPAL FORGIVENESS AGREEMENT BETWEEN THE TEXAS WATER DEVELOPMENT BOARD AND THE CITY OF ATHENS, TEXAS

Elizabeth Borstad, City Manager, explained the item is for the \$300,000 in loan principal forgiveness. She explained that the Resolution was received and suggested the City Council approve the item contingent upon the City Attorney and City Manager's review of the documents and authorizing the signature.

A motion was made by Mayor Montgomery, seconded by Councilmember McCain to approve the Resolution contingent upon the City Manager and City Attorney's review and authorizing the Mayor to execute the agreement. The motion carried unanimously.

PRESENTATION OF ANNUAL FINANCIAL REPORT FOR FISCAL YEAR
ENDING SEPTEMBER 30, 2019

Mandie Quigg, Finance Director, stated that Paula Lowe, CPA of Patillo, Brown & Hill, LLP, would present the results of the Audit for Fiscal Year ending September 30, 2019.

Ms. Lowe presented highlights from the audit which included snapshots of the General Fund Balance.

Ms. Lowe stated Patillo, Brown & Hill, LLP has rendered an unmodified/clean opinion for the City of Athens.

Councilmember McCain pointed out the City has gone from a 30 day reserve to 75 days of reserves.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, RELATED
TO ACCEPTING THE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR
ENDING SEPTEMBER 30, 2019 AS PRESENTED BY PAULA LOWE, CPA
OF PATILLO, BROWN & HILL, LLP

A motion was made by Councilmember McCain, seconded by Councilwoman Clay to accept the Annual Financial Report for Fiscal Year ending September 30, 2019 as presented by Paula Lowe, CPA of Patillo, Brown & Hill, LLP. The motion carried unanimously.

PUBLIC HEARING CONCERNING THE ANNEXATION OF 0.80 ACRES
LOCATED IN THE IN THE CHARLES W. JACKSON SURVEY, ABSTRACT
398 IN HENDERSON COUNTY TEXAS, AS REQUESTED BY DAVID
CORNELIUS

Audrey Sloan, Director of Development Services, explained the item is a voluntary annexation requested by the property owner. She stated the property consists of 0.80 acres located on the northwest corner of County Road 4807 and FM 2595 near Lake Athens, with the property owner constructing a single-family residence. Ms. Sloan stated Mr. Cornelius is requesting annexation so that the property can be provided with City water and other services.

Mr. Cornelius addressed the City Council and explained the residence is under construction.

After discussion, Mayor Montgomery opened the Public Hearing. There were no comments.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING THE
ANNEXATION OF 0.80 ACRES LOCATED IN THE IN THE CHARLES W.
JACKSON SURVEY, ABSTRACT 398 IN HENDERSON COUNTY TEXAS,
AS REQUESTED BY DAVID CORNELIUS

Ms. Hambrick read the caption of the Ordinance aloud.

CONSIDER FINAL READING OF AN ORDINANCE AMENDING THE
TOTAL APPROPRIATIONS BUDGET FOR FISCAL YEAR ENDING
SEPTEMBER 30, 2020

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember Smith, seconded by Councilwoman Clay to approve final reading of an Ordinance amending the total appropriations budget for Fiscal Year Ending September 30, 2020.

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

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

4 voted in favor of the motion and

0 voted against the motion

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,
CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE
MAYOR TO ENTER INTO A PREPAYMENT PURCHASE AGREEMENT
WITH SIDDONS-MARTIN EMERGENCY GROUP FOR, A NEW WILDLAND
URBAN INTERFACE FIRE ENGINE FOR THE TEXAS DEPARTMENT OF
AGRICULTURE FAST GRANT

Chief Russell Marshall, explained Monte Montgomery received notification from Commissioner Sid Miller and Deputy Commissioner Jason Fearnelyhough on September 16, 2019, that the Texas Department of Agriculture approved a FAST fund award for the City of Athens in the amount of \$500,000 for support in purchasing one Wildland Urban Interface Fire Engine. Chief Marshall explained the cost of the new engine is determined to be \$469,188.17 and is in the best interest of the City of Athens to prepay the purchase price of the engine to avoid a 3% increase in cost.

After discussion, a motion was made by Councilmember McCain, seconded by Councilmember Smith to approve a Resolution authorizing the Mayor to enter into a prepayment purchase agreement with Siddons-Martin Emergency Group for, a new Wildland Urban Interface Fire Engine for the Texas Department of Agriculture FAST Grant. The motion carried unanimously.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Councilmember McCain requested an update on a Supervisory Control and Data Acquisition (SCADA System).

Ms. Borstad stated the first quarter Development Services update will appear on the 2/10/2020 City Council Agenda.

Mayor Montgomery requested a joint meeting with Athens Municipal Water Authority.

Ms. Borstad stated that an update from SPI, regarding the Critical Services, will appear on a future agenda.

ADJOURN

The meeting adjourned at 6:15 p.m.

PASSED AND APPROVED THIS THE 10th DAY OF FEBRUARY, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary