

REGULAR SESSION

DECEMBER 21, 2020

The City Council of the City of Athens met in Regular Session on Monday, December 21, 2020, 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  
Aaron Smith  
SyTanna Freeman

Elizabeth Borstad, City Manager  
Bonnie Hambrick, City Secretary

Staff Present: Russell Marshall, Fire Chief; Paul Crayton, Assistant Fire Chief; Rodney Williams, Interim Chief of Police; Katie Birk, Tourism and Cultural Resources Coordinator; Audrey Sloan, Director of Development Services; Tim Perry, Public Works Director

others present: Michael Hannigan, Patricia Brown, Brian Capps.

with the following members absent: Toni Clay, Mayor Pro Tem, Councilmember Robert Gross.

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

There was no discussion.

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

There were no updates.

CONSENT AGENDA

- c) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE 2021 T-HANGAR RENEWAL LEASE AGREEMENTS FOR T-HANGAR NUMBERS 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, AND 12 AT ATHENS MUNICIPAL AIRPORT
- e) CONSIDER THE REAPPOINTMENTS OF CHARLIE TIDMORE, AND SHERI ROBSON TO THE AIRPORT ADVISORY BOARD
- f) CONSIDER THE REAPPOINTMENTS OF ANGIE LOCKE, CLYDE BOWMAN SR., AND TERE LAWYER TO THE PARKS ADVISORY BOARD

- g) CONSIDER THE REAPPOINTMENTS OF TILO GALVAN AND NICK ROSENBERG TO THE SUBSTANDARD BUILDING COMMISSION**
- h) CONSIDER THE REAPPOINTMENTS OF ALEX WITHERS, THOMAS FAULK, AND SHANNON TRAXSON TO THE ZONING BOARD OF ADJUSTMENTS**

There was a request from staff to remove agenda item a) Consider approving minutes of the December 14, 2020 Regular Session for further discussion.

Mayor Montgomery requested agenda items b) Consider a Resolution establishing a 90-day Emergency Reserve by authorizing the City Manager to add an estimated 1.5 days of budgeted operating expenditures to the General Fund Emergency Reserve and d) Consider a Resolution authorizing the City Manager to trade-in the existing 1998 Bauer Cascade System as part of the purchase of a new Coltri breathing air system for firefighters be removed from the Consent Agenda for further discussion.

A motion was made by Councilwoman Freeman, seconded by Councilmember Smith to approve items c) Consider a Resolution authorizing the City Manager to execute 2021 T-Hangar Renewal Lease Agreements for T-Hangar Numbers 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12 at Athens Municipal Airport e) Consider the reappointments of Charlie Tidmore, and Sheri Robson to the Airport Advisory Board f) Consider the reappointments of Angie Locke, Clyde Bowman Sr., and Tere Lawyer to the Parks Advisory Board g) Consider the reappointments of Tilo Galvan and Nick Rosenberg to the Substandard Building Commission h) Consider the reappointments of Alex Withers, Thomas Faulk, and Shannon Traxson to the Zoning Board of Adjustments. The motion carried unanimously.

- a) CONSIDER APPROVING MINUTES OF THE DECEMBER 14, 2020 REGULAR SESSION**

Tim Perry, Public Works Director, explained during the last City Council meeting Councilmember Smith asked the type of warranty on the trucks. Mr. Perry explained he previously stated the warranty was 100,000 miles on motor powertrain and 5yr/100,00 miles on the remaining vehicle. He further explained he wanted to clarify the correct warranty for the vehicles is 3yr/36,000 miles bumper to bumper & 5yr/100,000 miles powertrain.

A motion was made Councilmember Smith, seconded by Councilwoman Freeman to approve the minutes of the December 14, 2020 Regular Session. The motion carried by the following vote: Ayes: Councilmember Smith, and Councilwoman Freeman, Nays: Mayor Montgomery, Abstain: None.

- b) CONSIDER A RESOLUTION ESTABLISHING A 90-DAY EMERGENCY RESERVE BY AUTHORIZING THE CITY MANAGER TO ADD AN ESTIMATED 1.5 DAYS OF BUDGETED OPERATING EXPENDITURES TO THE GENERAL FUND EMERGENCY RESERVE**

Mayor Montgomery asked during the last meeting if direction was given to staff to add the additional days to the reserve. Elizabeth Borstad, City Manager, explained direction was given and staff explained that an item would be on a future agenda with a Resolution to increase the balance to 90 days. Mayor Montgomery asked who requested item Bonnie Hambrick, City Secretary explained during the meeting it was the consensus of the City Council to increase the total number of Emergency Reserve to 90 days of operating expenditures for the General Fund by adding an additional 1.5 days. Additionally, Ms. Borstad had explained staff would keep the reserve at 90 days with the Budget adoption.

A motion was made by Councilwoman Freeman, seconded by Councilmember Smith to approve a Resolution establishing a 90-day Emergency Reserve by authorizing the City Manager to add an estimated 1.5 days of budgeted operating expenditures to the General Fund Emergency Reserve. The motion carried unanimously.

- d) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO TRADE-IN THE EXISTING 1998 BAUER CASCADE SYSTEM AS PART OF THE PURCHASE OF A NEW COLTRI BREATHING AIR SYSTEM FOR FIREFIGHTERS

Mayor Montgomery asked if the item went out to bid. Paul Crayton explained three (3) quotes were received and all three (3) required the trade in of the existing unit. He stated the quote was awarded to Perkins Enterprises with a quote just under \$28,000.00.

Mayor Montgomery stated he is on record as stating anything above pencils and paper; the City should receive bids.

A motion was made by Councilmember Smith, seconded by Councilwoman Freeman to approve a Resolution authorizing the City Manager to trade-in the existing 1998 Bauer Cascade System as part of the purchase of a new Coltri breathing air system for firefighters. The motion carried unanimously.

#### UPDATE ON TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) INSPECTIONS

Randy Williams, Utilities Director, explained that Texas Commission on Environmental Quality (TCEQ) is providing virtual inspections. He stated items relating to the records request are emailed to TCEQ. He stated four (4) items were identified.

He further stated two (2) were administrative in nature and two (2) were general maintenance.

Mr. Williams read each violation and explained the remedies.

1. The first administrative item was a failure to take corrective action listed within Nitrification Action Plan (NAP) when action levels are exceeded
  - The resolution for that includes the creation of an “Action Log” where the test results and actions are recorded
2. Second administrative item was a failure to maintain an up-to-date plant operation manual and submit upon request
  - TCEQ was emailed a copy of the updated manual on 11/23/2020
3. Third item was general maintenance failure to keep tank hatch locked at the top of the SH19 water tower
  - A new lock was placed on the hatch and a picture was sent to the inspector showing it was resolved
4. Fourth item was also a maintenance issue, citing failure to maintain overflow on the South Highway 19 water tower
  - City inspected all tanks in July and a broken brace on the overflow box inside the SH19 tank was noted
  - Tank Inspector report notes condition as fair; TCEQ inspector mischaracterized it as in “poor” condition. Inspector has no way of knowing condition outside of what’s contained in the inspection report because the compliance investigation was virtual. Investigator was never present
  - Tank repairs are a winter maintenance item when demand is low
  - Anticipate notice requesting quotes to be posted during the first week of January

Mr. Williams explained a letter providing a resolution to the completed items and an estimated schedule to complete the tower repair will be sent the first week of January.

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM PATRICIA ANN BROWN FOR APPROVAL OF A SPECIFIC USE PERMIT FOR A MANUFACTURED HOME FOR LOT 5, BLOCK 2 OF THE BISHOP HEIGHTS ADDITION, T. PARMER SURVEY, A-782, ALSO KNOWN AS 307 ST. JOSEPH STREET

Audrey Sloan, Director of Development Services, explained there were no updates since the first reading of the Ordinance.

Ms. Hambrick 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 concerning a request from Patricia Ann Brown for approval of a Specific Use Permit for a manufactured home for Lot 5, Block 2 of the Bishop Heights Addition, T. Parmer Survey, A-782, also known as 307 St. Joseph Street.

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

Mayor Monte Montgomery	Aye
Councilmember SyTanna Freeman	Aye
Councilmember Aaron Smith	Aye
Voted in favor of the motion	3
Voted against the motion	0
Motion carried	3-0

CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM R & B AGENCY FOR APPROVAL OF A SITE PLAN FOR A SINGLE-FAMILY RESIDENTIAL DEVELOPMENT IN A PLANNED DEVELOPMENT ZONING DISTRICT FOR LOTS 1-18 OF FIDDLER'S SQUARE OF THE PARK HIGHLANDS ADDITION NO. II, T. PARMER SURVEY, A-782, ALSO KNOWN AS 405 LINDSEY LANE

Councilmember Smith asked for clarification regarding the façade for record purposes, with Ms. Sloan stating the following:

- A minimum of 75% coverage for brick, stone or similar type material for the front facing façade
- A minimum of 50% coverage required for the remaining facades

Ms. Sloan stated the information is added as a stipulation in the Ordinance and as a note on the updated site plan that the owner submitted.

She further explained a minimum of 1,400 square feet for each lot, sidewalks will be required, an updated drainage diagram was submitted, and the proposed deed restrictions prohibit on street parking for more than 24 hours.

There was discussion regarding drainage with Mr. Perry explaining the runoff is designed to flow toward the street for most lots.

Brian Capps explained the drainage design was based on calculations comparing the percentage of impervious cover of the previous development to that of the proposed development.

Ms. Sloan further stated the drainage plan does include the drainage calculations.

Mrs. Hambrick 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 concerning a request from R & B Agency for approval of a site plan for a Single-Family Residential Development in a Planned Development zoning district for Lots 1-18 of Fiddler's Square of the Park Highlands Addition No. II, T. Parmer Survey, A-782, also known as 405 Lindsey Lane

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

Mayor Monte Montgomery	Aye
Councilmember SyTanna Freeman	Aye
Councilmember Aaron Smith	Aye
Voted in favor of the motion	3
Voted against the motion	0
Motion carried	3-0

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA  
ITEMS

Mayor Montgomery asked if it is the appropriate time to discuss the Airport in an effort to ensure everyone is informed; with Ms. Borstad stating a tentative date for the item to appear on the agenda is in January.

Ms. Borstad stated an item regarding debt will appear on a future agenda.

ADJOURN

The meeting was adjourned at 5:57 p.m.

PASSED AND APPROVED THIS THE 11<sup>th</sup> DAY OF JANUARY, 2021

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary