

REGULAR SESSION

MARCH 12, 2018

The City Council of the City of Athens met in Regular Session on Monday, March 12, 2018, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 W. Corsicana St., Athens, Texas with the following members present, to-wit:

Monte Montgomery, Mayor
Toni Clay
Aaron Smith

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

others present: Thanasis Kombos, Ryan Adams, Brandon Blue, Jennifer Robertson, Rodney Williams, Randy Williams, Adrianna Hinds, Mandie Quigg, Denise York, Larry Ball, Rich Flowers, Kelly Cox, John Smith, Tom and Lynn Leathem, Deborah Deas, Steve Barksdale, Mark Carroll, Tom Trimble and other interested citizens;

with the following members absent: Councilmember McCain and Councilmember Gross;

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

INVOCATION

The invocation was given by Mayor Montgomery.

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

- Mayor Montgomery stated he attended the ribbon cutting for Hart of Texas Barber Shop. He stated it was one of the biggest grand openings he has attended in his seven (7) years of service
- Mayor Montgomery stated he was pleased with TxDOT's reply to Councilmember Gross' request to perform a traffic study at the intersection of Highway 31 and FM 1616

Thanasis Kombos, Assistant City Manager provided the following update on the Cain Center Project:

- April 9, 2018 PGAL and Gallagher Architects will present the 75% complete construction documents and the revised updated cost estimates
- April 23, 2018 PGAL and Gallagher Architects will present 95% complete construction documents and for the City Council to accept the CD's and approve staff moving forward with the bid process for the project

Mayor Montgomery requested a copy of the plans be provided to the Council for review prior to the meeting, with Mr. Kombos stating a copy of the plans has been requested.

CONSENT AGENDA

- a) CONSIDER APPROVING THE MINUTES OF THE FEBRUARY 26, 2018 REGULAR SESSION

b) CONSIDER A RESOLUTION ADOPTING RATE REVIEW MECHANISM AGREEMENT WITH ATMOS ENERGY CORPORATION, MID-TEX DIVISION

Mayor Montgomery asked that item b) Consider a Resolution adopting Rate Review Mechanism Agreement with Atmos Energy Corporation, Mid-Tex Division be removed from the Consent Agenda for further discussion.

a) CONSIDER APPROVING THE MINUTES OF THE FEBRUARY 26, 2018 REGULAR SESSION

A motion was made by Councilmember Smith, seconded by Councilwoman Clay to approve the minutes of the February 26, 2018 Regular Session. The motion carried unanimously.

b) CONSIDER A RESOLUTION ADOPTING RATE REVIEW MECHANISM AGREEMENT WITH ATMOS ENERGY CORPORATION, MID-TEX DIVISION

Elizabeth Borstad, City Manager, stated Atmos Energy is the franchise gas provider in the City. She explained the Resolution approves the rate review mechanism. She stated the Resolution is a five (5) year agreement.

Larry Ball, Manager of Public Affairs, further explained the Resolution and stated the formula is approved by the Railroad Commission.

After discussion, a motion was made Councilwoman Clay, seconded by Councilmember Smith to approve a Resolution adopting Rate Review Mechanism Agreement with Atmos Energy Corporation, Mid-Tex Division. The motion carried unanimously.

CITIZENS COMMUNICATIONS:

There was no discussion.

DISCUSS, CONSIDER AND TAKE ACTION AS NECESSARY, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN EAST TEXAS AIR ONE, LLC D/B/A UT HEALTH EAST TEXAS AIR 1 AND CITY OF ATHENS FOR AIR AMBULANCE SERVICES

Ms. Borstad explained East Texas Air One, LLC is the new owner of Air One Ambulance and is required to have the City of Athens, agree to East Texas Air One as Air Ambulance Provider located within the City. She stated it is a five year agreement with options to extend.

Kelly Cox, APRN, MSN. FNP-C Administrator UT Health East Texas Air One explained the agreement prohibits other EMS agencies from coming in and operating outside the Texas Department of State Health Services and Guidelines. He further stated it provides a protective element for the City.

Ms. Borstad stated City Attorney Blake Armstrong has reviewed the contract.

Mayor Montgomery stated he received concerns from citizens regarding helicopters not coming in at certain elevations.

Mr. Cox explained that the standard EMS take off is 150 feet straight up and then forward motion and coming in is different due to the weight. He stated the helicopter must continue with enough forward speed in order to abort the landing in case someone gets on a heliport or a car door or hood is open. He stated flight dynamics and the glide slope of the helicopter must match its physical and mechanical capabilities.

Mayor Montgomery stated the information adequately answers his questions. He further stated the service is invaluable.

After discussion, a motion was made by Councilmember Smith, seconded by Councilwoman Clay authorizing the City Manager to enter into an agreement between East Texas Air One, LLC D/B/A UT Health East Texas Air 1 and City of Athens for air ambulance services. The motion carried unanimously.

**DISCUSS, CONSIDER AND TAKE ACTION AS NECESSARY, REGARDING
APPROVAL OF THE TEXAN RENTAL RATES AND POLICIES AND FISCAL
YEAR 2018 EVENT PROGRAMING**

Mr. Kombos presented the policy highlights which included, a comparison of Henderson County Venue rates, Cancellation Policy, Security Policy, Catering/Alcohol Services and Public Use Events.

Mr. Kombos reviewed the following fees:

The Monday through Thursday cost for 10 hours is \$900. A rate of \$135 per hour is also available, with a three-hour minimum rental.

Friday and Sunday rentals include \$1,200 for up to a 10-hour maximum occupancy. The hourly rate, with a five-hour minimum, is \$180 per hour.

The Saturday rate for up to 10 hours is \$1,500, with no hourly event rate available.

Mr. Kombos reviewed the seating capacity and explained contingent upon the theater set up, the seating capacity could range from seating 186 to seating 453.

Mr. Kombos concluded the presentation by emphasizing that the policy is going to be a living document, as this is a new venture for the City and changes to the policy will be needed.

Mr. Kombos presented the following event dates:

- soft opening for the Texan is planned for May 25, 2018 with the 87th Annual Old Fiddlers Reunion Show
- Art of the Bricks Art Show June 16, 2018
- 1st show of the 2nd Annual Texan Summer Concert Series June 23, 2018 ticketed even
- 2nd show of the 2nd Annual Texan Summer Concert Series July 3, 2018 free event
- 3rd show of the 2nd Annual Texan Summer Concert Series July 28, 2018 ticketed event

Mayor Montgomery expressed concern with the facility being used at a discounted rate for political rallies.

Discussion occurred.

Councilwoman Clay suggested changing the language from political rallies to political forums.

Mayor Montgomery allowed comments from the audience.

Discussion occurred.

Ms. Borstad thanked Mr. Kombos and Ms. Adrianna Hinds for their hard work and research in preparing the policy.

Mayor Montgomery expanded on the public use for political activities. He stated this use should not be allowed in the policy. He expressed concern if more than one candidate wanted to use the facility on the same day, he wanted to avoid any favoritism.

Councilwoman Clay stated forums are usually hosted by a third party.

Mr. Kombos explained the policy requires that the City define what a public event and if the City did not deem the public's use as a benefit to the City the use would be denied. The Mayor stated this resolves his concern.

A motion was made by Councilwoman Clay, seconded by Councilmember Smith to approve The Texan rental rates, policies and Fiscal Year 2018 event programing. The motion carried unanimously.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Councilwoman Clay requested a future agenda item for the Collection Site.

Bonnie Hambrick, City Secretary, read aloud the following list of requested future agenda items:

- "Mother in Law Suites"
- Consistency of Planned Development Standards
- Design Standards
- Pursuing the "Citizens Academy"
- Collection Site
- Promotional Signage
- Workshop with TxDOT
- City Council and County Commissions Workshop Session

Ms. Borstad stated the Budget Workshop is also a future agenda item.

ADJOURN

The meeting adjourned at 6:22 p.m.

PASSED AND APPROVED THIS THE 26th DAY OF MARCH, 2018.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary