

REGULAR SESSION

MAY 14, 2018

The City Council of the City of Athens met in Regular Session on Monday, May 14, 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  
Ed McCain, Mayor Pro-Tem  
Toni Clay  
Aaron Smith  
Robert Gross

Elizabeth Borstad, City Manager  
Bonnie Hambrick, City Secretary  
Blake Armstrong, City Attorney

others present: Ryan Adams, Buddy Hill, Barbara Holly, John McQueary, Jennifer Robertson, Randy Williams, Lisa Denton, Adrianna Hinds, Rich Flowers, Sherri Skeeters, Eric Smith, Denise York, Charlie Bullock, Ralph Carrington, Ronnie Denton, Deborah Deas, Michael Hannigan, Bill Morgan, Jeff Bulla, Tom and Lynn Leathem, Marisa Gunstanson, and other interested citizens;

INVOCATION

The invocation was given by Mayor Monte Montgomery.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

Mayor Montgomery filed a Conflict of Interest concerning agenda item 20) Executive Session Pursuant to the Texas Government Code, Section 551.072 (Deliberation regarding real property; Closed Meeting) to deliberate the purchase, exchange, lease, or value of real property

OATH OF OFFICE AND THE CERTIFICATE OF ELECTION TO  
COUNCILMEMBER PLACE 2, AARON SMITH

Bonnie Hambrick, City Secretary, administered the Oath of Office to newly re-elected Councilmember, Place 2 – Aaron Smith.

OATH OF OFFICE AND THE CERTIFICATE OF ELECTION TO  
COUNCILMEMBER PLACE 3, EDWARD MCCAIN

Ms. Hambrick administered the Oath of Office to newly re-elected Councilmember, Place 3 – Edward McCain.

OATH OF OFFICE AND THE CERTIFICATE OF ELECTION TO  
COUNCILMEMBER PLACE 4, ROBERT GROSS

Ms. Hambrick administered the Oath of Office to newly re-elected Councilmember, Place 4– Robert Gross.

ELECTION OF MAYOR PRO TEM

A motion was made by Councilmember Gross, seconded by Councilwoman Clay to elect Edward McCain as Mayor Pro Tem. The motion carried by the following vote: Ayes: Mayor Montgomery, Councilmembers Clay, Smith, and Gross, Nays: None, Abstain: Councilmember McCain.

The City Council recessed at 5:37 p.m.

The City Council returned to Regular Session at 5:50 p.m.

**PROCLAMATION – NATIONAL HISTORIC PRESERVATION MONTH**

Mayor Montgomery presented a proclamation proclaiming the month of May as National Historic Preservation Month.

**PROCLAMATION – BUILDING SAFETY MONTH**

Mayor Montgomery presented a proclamation proclaiming the month of May as “Building Safety Month”.

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

- Councilwoman Clay announced the Open House for the Athens High School gymnasium and cafeteria is scheduled for Thursday, May 17, 2018 from 4:00-6:00 p.m. She stated this is also an opportunity to meet the new incoming Principal, Mr. Clay Tracy

Elizabeth Borstad, City Manager, provided the following updates:

- Open house and tour of The Texan on Tuesday, May 15, 2018 from 4:00-6:00 p.m.
- Concert on Friday, May 25, 2018 at The Texan

Mayor Montgomery stated he read a Proclamation honoring J. B. Henry at a dedication ceremony on Saturday, May 12, 2018. He stated Mr. Henry invented the process to take weebles out of Black-eyed peas which lead to Athens becoming known as the Black-eyed Pea Capital of the World.

**CITIZENS COMMUNICATIONS**

There was no discussion.

**CONSENT AGENDA**

- a) CONSIDER APPROVING THE MINUTES OF THE APRIL 23, 2018 REGULAR SESSION**
- b) CONSIDER A RESOLUTION AUTHORIZING THE TEMPORARY CLOSURE ON THE NORTH AND WEST SIDE OF THE HENDERSON COUNTY COURTHOUSE SQUARE FOR 2018 PUBLIC EVENTS THAT CELEBRATE HERITAGE, CULTURE, OR THE ARTS AND AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS FOR THE TEMPORARY CLOSURE OF STATE HIGHWAYS**

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

**DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, REGARDING CANCELING THE MAY 28, 2018 REGULAR SESSION**

Ms. Borstad explained that May 28, 2018 is a holiday and the recommendation is to cancel the May 28, 2018 City Council Regular Session. A motion was made by Councilmember McCain, seconded by Councilmember Gross authorizing the cancellation of the May 28, 2018 Regular Session due to the holiday. The motion carried unanimously.

UPDATE ON GIANT SALVINIA – LAKE ATHENS PROPERTY OWNERS  
ASSOCIATION

Mayor Montgomery stated the item is pulled from the agenda and there was no discussion.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,  
CONCERNING COMMISSIONING CHARLIE BULLOCK TO PAINT AN  
INTERIOR MURAL AT THE TEXAN

Thanasis Kombos, Assistant City Manager, stated that Charlie Bullock was appointed to The Texan Design Committee and has been involved and instrumental in the design process of The Texan from the beginning. He stated Mr. Bullock has approached the City and would like to commission a mural inside the space.

Mr. Bullock presented paint options of an interior mural on the east wall of the mezzanine which would represent the many years the Texan was open over the years of 1948-1984. He stated he would paint four (4) different posters for \$2,000.

Discussion occurred.

Mayor Montgomery expressed concern with the mural project. He stated he'd like to see a local artist have his mark on The Texan Theater, however, one of the issues he has is the expenses incurred during The Texan renovation, such as the Audio Visual and the last phase of expenses.

Councilmember McCain stated he was worried that the City does not know what the venue will evolve into. He further stated his concerns that if someone was planning a wedding the paintings could be a distraction

Councilwoman Clay stated a mural in the mezzanine would not likely be an easy thing to see from the floor.

The item died due to the lack of a motion.

PRESENTATION OF COMPLETE CONSTRUCTION DOCUMENTS AND  
ASSOCIATED COST ESTIMATES FOR THE CAIN CENTER PROJECT

Mr. Kombos stated this is the final presentation prior to bidding the project. He stated there were no changes to the design; simply moved a few things around.

Jeff Bulla, of PGAL Architects, said the construction documents were presented to Gallagher Construction last week.

Bill Morgan, of Gallagher Construction stated bid packages were prepared for all elements of the project and went out to 4000-5000 contractors to look at; with an in-house list of 1000 contractors that were personally invited to bid the project.

He presented the updated cost estimates for the Cain Center Project and reviewed the proposed schedule.

PRESENTATION OF ATHENS ECONOMIC DEVELOPMENT  
CORPORATIONS' FIVE YEAR STRATEGIC PLAN – FINAL REPORT

Lisa Denton, Executive Director, Athens Economic Development Corporation, (AEDC) presented AEDC's five (5) year Strategic Plan – Final Report.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY,  
CONCERNING APPROVAL OF LEASE AGREEMENT WITH JAMES DIPPEL  
FOR T-HANGAR NO. 8 AT ATHENS MUNICIPAL AIRPORT

Mr. Kombos informed the Council that this T-Hangar was vacated and the wait list was exhausted. Mr. James Dippel contacted Staff and expressed interest in leasing the T-hangar.

A motion was made by Councilmember McCain, seconded by Councilmember Gross to approve lease agreement with James Dippel for T-Hangar No. 8 at Athens Municipal Airport. The motion carried unanimously.

EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE,  
SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY;  
CLOSED MEETING) POSSIBLE PURCHASE OF REAL PROPERTY  
LOCATED AT 1000 W. CORSICANA STREET

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY;  
CLOSED MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE,  
LEASE, OR VALUE OF REAL PROPERTY

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,  
SECTION 551.087 (DELIBERATION REGARDING ECONOMIC  
DEVELOPMENT NEGOTIATIONS; CLOSED MEETING) DELIBERATIONS  
REGARDING NEGOTIATIONS WITH THE FOLLOWING PROSPECT:  
PROSPECT #1593

The City Council adjourned to Executive Session at 6:55 p.m.

The City Council returned to Regular Session at 8:56 p.m.

CONSIDER AND TAKE ACTION, AS NECESSARY, RESULTING FROM  
DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO TEXAS  
GOVERNMENT CODE, SECTION 551.072 (DELIBERATION REGARDING  
REAL PROPERTY; CLOSED MEETING) POSSIBLE PURCHASE OF REAL  
PROPERTY LOCATED AT 1000 W. CORSICANA STREET

A motion was made by Councilwoman Clay seconded by Councilmember Gross to approve the contract for purchase of real property located at 1000 W. Corsicana Street and the assignment of the same to HVAC. The motion carried unanimously.

CONSIDER AND TAKE ACTION, AS NECESSARY, RESULTING FROM  
DELIBERATIONS IN EXECUTIVE SESSION PURSUANT TO THE TEXAS  
GOVERNMENT CODE, SECTION 551.072 (DELIBERATION REGARDING  
REAL PROPERTY; CLOSED MEETING) TO DELIBERATE THE PURCHASE,  
EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY

Mayor Pro-Tem McCain conducted the meeting.

A motion was made by Councilmember Gross, seconded by Councilmember Smith authorizing the City Manager to enter into negotiations with the owner concerning the real property discussed in agenda item #20.

The motion carried by the following vote: Ayes: Councilmembers, McCain, Clay, Smith, Gross, Nays: None, Abstain: Mayor Montgomery.

The meeting was turned back over to Mayor Montgomery.

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) DELIBERATIONS REGARDING NEGOTIATIONS WITH THE FOLLOWING PROSPECT: PROSPECT #1593

No action was taken.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Ms. Hambrick read aloud the following future agenda items:

- Design Standards
- Collection Site

ADJOURN

The meeting adjourned at 9:06 p.m.

PASSED AND APPROVED THIS THE 29<sup>TH</sup> DAY OF MAY, 2018.

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Monte Montgomery, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary