

REGULAR SESSION

JUNE 8, 2020

The City Council of the City of Athens met in Regular Session on Monday, June 8, 2020 at 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
Ed McCain, Mayor Pro Tem
Toni Clay
Aaron Smith
Robert Gross

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Buddy Hill, Police Chief; Audrey Sloan, Director of Development Services; Tim Perry, Public Works Director; Katie Birk, Tourism and Cultural Resources Coordinator; Joanie Ahlers, Economic Development Director.

others present: Sytonia Freeman, Deborah Deas, Amy Grace, Ed Cunningham, Bryan Barker, Marisa Gunstanson,

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

INVOCATION

The Invocation was given by Councilwoman Clay.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

PUBLIC COMMUNICATIONS

Deborah Deas provided an update on activities at the East Texas Arboretum since COVID-19. She also stated the East Texas Glow Run is scheduled for Saturday, June 13, 2020 at 8 p.m. at the Cain Center. Ms. Deas asked the City Council to keep the Arboretum in mind should Small Business Grants become available.

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

Mayor Montgomery read aloud the following statement:

1. “ We’ve all been sickened by the news lately of Mr. George Floyd and others losing their lives to police brutality. This incident has caused an uprising by Americans to stop racism in police departments.

2. Athens has had 2 protests in the last week and they were both peaceful and purposeful. They were also coordinated with local law enforcement and we are very pleased with this. I am very proud of our citizens as well as our law enforcement.

3. We all know that these incidents keep happening and that reform is needed but we can't lose sight of the fact that we also have so many great officers that serve and protect with honor and dignity. I believe that ATHENS is blessed with dedicated and community minded officers.

4. We as elected officials want to try to have open dialogue between elected officials, our officers and the community.

5. However, we always know there is room for improvement and we want to keep an open door policy regarding any concerns about our police department, without fear of retribution.

6. As a result of what's happening, I'm asking that our city manager along with myself and council, review our local policies and procedures regarding restraint and other police procedures.

7. If after review, we see anything that needs to be revised, we will make those recommendations immediately.

8. I hope that we can continue to grow as a community in a positive way after this. I know that God loves all of the colors and races that He created and we as citizens should ALL do the same.”

Mayor Montgomery further stated the Council should be proactive versus reactive. Mayor Montgomery asked the city manager to follow-up and review any policies or procedures that are in place.

Councilmember Smith stated he agrees and that we are all blessed to live in Athens, Texas and to see the protest and the message that was sent. He stated in addition to community minded officers, the City also has community minded Citizens.

Councilwoman Clay stated she attended the protest and walked alongside Chief Hill. She stated she spoke to some organizers and it was a positive thing. Councilwoman Clay further stated if there are things that need tweaking, the City Council needs to be aware of that and if there are not any changes needed, the Council needs to be aware of that as well. She stated, “openness and light are a good thing.”

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE MAY 26, 2020 REGULAR SESSION**
- b) CONSIDER THE APPOINTMENT OF AMY GRACE TO THE PARKS ADVISORY BOARD**
- c) CONSIDER THE APPOINTMENT OF ED CUNNINGHAM TO THE SUBSTANDARD BUILDING COMMISSION**
- d) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AIRPORT T-HANGAR LEASE AGREEMENT AT ATHENS MUNICIPAL AIRPORT FOR T-HANGAR NO. 1**

Mayor Montgomery asked that item b) Consider the appointment of Amy Grace to the Parks Advisory Board and c) Consider the appointment of Ed Cunningham to the Substandard Building Commission be removed from the Consent Agenda for further discussion.

A motion was made by Councilmember Gross, seconded by Councilmember McCain to approve items a) Consider approving minutes of the May 26, 2020 Regular Session and d) Consider a Resolution authorizing the City Manager to enter into an Airport T-Hangar Lease Agreement at Athens Municipal Airport for T-Hangar No. 1 of the Consent Agenda. The motion carried unanimously.

b) CONSIDER THE APPOINTMENT OF AMY GRACE TO THE PARKS ADVISORY BOARD

Mayor Montgomery explained Ms. Grace is Human Resources Director at UT Health and has been a key communicator during the Coronavirus.

A motion was made by Councilmember McCain, seconded by Councilwoman Clay to approve the appointment of Amy Grace to the Parks Advisory Board. The motion carried unanimously.

c) CONSIDER THE APPOINTMENT OF ED CUNNINGHAM TO THE SUBSTANDARD BUILDING COMMISSION

Mayor Montgomery stated the Substandard Building Commission is a very important Board for the City. He explained that Mr. Cunningham is an architect and the City is fortunate to have him to serve.

A motion was made by Councilmember McCain, seconded by Councilmember Smith to approve the appointment of Ed Cunningham to the Substandard Building Commission. The motion carried unanimously.

HEAR UPDATE ON CAIN CENTER PROJECT

Elizabeth Borstad, City Manager, provided the following update on the Cain Center Project:

Current Activities

- Mechanical, Electrical and Plumbing demo is in progress
- Selective interior demolition is in progress
- We are preparing drawings, materials and product data to be submitted to the architect for review

Work Scheduled

- Begin pool room demolition
- Begin saw cut and removal of concrete for under slab plumbing and electrical
- Begin under slab plumbing and electrical work

PUBLIC HEARING CONCERNING THE REPEAL AND REPLACEMENT OF SECTION 31A OF THE ZONING ORDINANCE, IN ITS ENTIRETY, REGARDING TEMPORARY USE PERMITS

Ms. Borstad explained staff was asked to look at the Temporary Use Ordinance specifically as it relates to the duration for events by type.

Audrey Sloan, Director of Development Services, explained the proposal is to replace the existing Temporary Use Permit ordinance with a new ordinance that addresses both temporary events and temporary structures. She stated the current ordinance only addresses events.

Ms. Sloan presented the Temporary Event use and Temporary Structures with the timeframe allowed.

Discussion occurred.

Mayor Montgomery opened the Public Hearing.

Deborah Deas asked for clarification regarding the property owners being limited to two (2) events per year and how this will affect the East Texas Arboretum, with Ms. Sloan explaining events at the Arboretum are part of the Certificate of Occupancy.

Mayor Montgomery closed the Public Hearing.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING THE
REPEAL AND REPLACEMENT OF SECTION 31A OF THE ZONING
ORDINANCE, IN ITS ENTIRETY, REGARDING TEMPORARY USE
PERMITS

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

DISCUSS FIRST READING OF A RESOLUTION AUTHORIZING ATHENS
ECONOMIC DEVELOPMENT CORPORATION TO DEVELOP AND
IMPLEMENT THE ATHENS COVID-19 SMALL BUSINESS SUPPORT AND
RECOVERY GRANT PROGRAM AND AUTHORIZE REQUIRED BUDGET
AMENDMENT IN THE AMOUNT OF \$100,000

Mayor Montgomery announced a Recess at 5:57 p.m.

The City Council returned to Regular Session at 5:59 p.m.

Joanie Ahlers, Economic Development Director, presented the item.

Ms. Ahlers explained that the City Council and Athens Economic Development Board of Directors have discussed the potential for a small business grant during meetings.

Ms. Ahlers reviewed the following timeline for the process:

- First reading of the Resolution occurring on June 8, 2020
- AEDC Board will hold a Public Hearing on Tuesday, June 16, 2020 at 10:00 a.m.
- A request for second reading of the Resolution to occur on Monday, June 22, 2020 with the budget amendment request
- Public Notice will appear in the Athens Daily Review on Tuesday, June 9, 2020 and should be posted for sixty days before any funds are expended. She explained that the AEDC Attorney is recommending within the Participation Agreement that verbiage is included that should there be a protest of the public hearing grant award, all monies will have to be repaid to the City of Athens.

Ms. Ahlers stated the Grant Committee members are Will Traxson, Carmen Hunt, Morgan Jones, Elizabeth Borstad, and Joanie Ahlers.

Discussion occurred.

Mayor Montgomery announced a Recess at 6:02 p.m.

The City Council returned to Regular Session at 6:06 p.m.

Additional discussion occurred regarding the small business grants. Ms. Ahlers explained that the grant application will include verbiage that the owner certifies that their business has not received any Paycheck Protection Plan (PPP) or Small Business Administration (SBA) Covid-19 related funds.

Mayor Montgomery stated the grant is a good thing for the City of Athens. He thanked Ms. Ahlers for her hard work.

Councilmember McCain asked where the funding is coming from with Ms. Borstad stating the funds are from the Fund Balance.

Councilmember Gross stated he appreciates and applauds the efforts, however, there is federal money available.

Ms. Hambrick read the caption of the Resolution aloud.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Mayor Montgomery requested a meeting with TxDOT to discuss areas with high accident counts and preventive measures.

Ms. Hambrick read the following future agenda items:

- Joint AMWA Meeting scheduled for June 10, 2020 at 9:00 a.m.
- City Council Budget Work Session scheduled for June 10, 2020 at 10:30 a.m.
- How rental properties may be regulated regarding property maintenance issues
- Update on possible disbursement of 20% of Coronavirus Relief Funds and anything EDC has done to assist businesses
- Substandard Building Commission regulations
- Update on the Cain Center Project will occur the first meeting of month

ADJOURN

The meeting adjourned at 6:24 p.m.

PASSED AND APPROVED THIS THE 22nd DAY OF JUNE 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary