

REGULAR SESSION

JULY 27, 2015

The City Council of the City of Athens met in Regular Session on Monday, July 27, 2015, 5:30 p.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Monte Montgomery  
Tres Winn  
Joe Whatley  
Charles Elliott

Philip Rodriguez, City Manager  
Bonnie Hambrick, City Secretary

others present: David Hopkins, Gordon Mayer, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Meadora Hawkins, Robert Sullivan, Chris Tinsley, Andrea Copeland, Jay Eckert, Tyler Hendrickson, Michael Hannigan, Corey Frentress, Rich Flowers, Bryan Barker, David Graem, Vance Fincher and other interested citizens;

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

The invocation was given by Councilmember Montgomery.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

HEAR UPDATES FROM PARKS ADVISORY BOARD

Chris Tinsley, Chairman of the Parks Advisory Board, stated that this is the final update without further guidance from Council. He explained that the necessary and emergency items that need to be addressed are at Coleman and Cain Parks. At Cain Park, Mr. Tinsley explained that due to dragging of the dirt before each game that a ridge has formed not allowing drainage of water to the outfields but instead it drains in the concession stand and seating. Mr. Tinsley is requesting that field levels be raised with turface so the fields are flat and can run off the way they are suppose to and have drain pipes installed for proper drainage into the creeks. Mr. Tinsley stated that the other issue that needs addressing is the bricking of the backstop and dugouts with the brick that has been donated and install inline nets. Councilmember Montgomery inquired if whoever uses those fields could regularly cut the ridge down and possibly putting that in the signed agreement of the field usage. Mr. Tinsley stated that it could be implemented in the future agreements.

Mr. Tinsley addressed Coleman Park and stated that with improvement to the concession, fields (baseball and soccer), storage, nets, bathrooms and parking that will last for 50 years. He stated that cost and funding for all of Cain Park and the concession plaza at Coleman Park will be approximately \$300,000 with \$280,000 already being raised.

Mayor Vaught and Council commended Chris Tinsley and the Parks Advisory Board for all their hard work.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS.

Gary Crecelius, Director of Planning & Development, updated on the following:

- 1) Tidmore home, 811A Belmont, plumbing rough-in and foundation work complete
- 2) Todd Green home, 316 Timber Hills, framing
- 3) Wayne Turnage home, 407 Timber Hills, painting/MEP finish out work in progress
- 4) Jackie Wilkes home, 408 Timber Hills, painting/MEP finish out work in progress
- 5) Tony Watson home, 813 Timber Hills, waiting on red tag building items to be done

- 6) Fresenius Medical Care, 1220 S. Palestine, sheet rocking and framing
- 7) Usan Maddock home, 908 Maxine, painting and finish out work
- 8) Mary Egglestone home, 616 Lantana, waiting on red tag building items to be done
- 9) AISD High School, 708 E. College, progressing
- 10) AISD Intermediate, progressing
- 11) Texas Café, 412 S. Palestine, progressing, opening soon
- 12) Anytime Fitness addition, 201 S. Palestine, framing
- 13) Tara Vineyard & Winery, 101 E. Tyler, framing
- 14) Country Place Living, 209 Wood, dirt work
- 15) Beall's Interior remodel, 1111 E. Tyler, complete / waiting on Bldg. final
- 16) Bean & Burger, 309 W. Corsicana, waiting on AC/Heating replacement

#### FINANCIAL REPORT

David Hopkins, Director of Finance presented May financials.

#### DISCUSS POLICY MAKING PLAN FOR FY2016

City Manager Philip Rodriguez informed Council that a draft of what will be addressed at Budget Workshop has been broken down for their review.

#### **CONSENT AGENDA;**

- A) CONSIDER APPROVING MINUTES OF THE JULY 8, 2015 SPECIAL SESSION , JULY 13, 2015 REGULAR SESSION AND JULY 17, 2015 SPECIAL SESSION

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to approve the Consent Agenda. The motion passed unanimously

#### DISCUSS/CONSIDER FIRST READING OF A RESOLUTION APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE PACKAGE FOR IMPROVEMENTS AT COLEMAN PARK IN THE AMOUNT OF \$25,000

Meadora Hawkins, A.E.D.C. Economic Development Specialist explained the A.E.D.C. Board approved funding reimbursement for Coleman Park improvements in the amount of \$25,000 and A.E.D.C. is seeking approval by the City Council in the form of a resolution.

Bonnie Hambrick, City Secretary read the Resolution aloud. A motion was made by Councilmember Winn, seconded by Councilmember Whatley to approve first reading of a Resolution approving A.E.D.C.'s incentive package for improvements at Coleman Park in the amount of \$25,000.

#### DISCUSS/CONSIDER FIRST READING OF A RESOLUTION APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE PACKAGE FOR FUTURE MATRIX AND APPROVING PERFORMANCE AGREEMENT IN THE AMOUNT OF \$50,000

Ms. Hawkins explained the A.E.D.C. Board approved an incentive package and performance agreement in the amount of \$50,000 for Future Matrix and A.E.D.C. is seeking approval by the City Council in the form of a resolution.

Ms. Hambrick read the Resolution aloud. A motion was made by Councilmember Montgomery, seconded by Councilmember Elliott to approve first reading of a Resolution approving Athens Economic Development Corporation's incentive package for Future Matrix and approving the performance agreement in the amount of \$50,000. The motion carried unanimously.

DISCUSS/CONSIDER APPOINTMENT TO PARKS ADVISORY BOARD

Mr. Crecelius explained this item was on the City Council agenda on July 13, 2015 and it was tabled and staff was asked to place it back on this agenda. He explained that Ms. Lillian Bell resigned from the Parks Advisory Board and on July 1, 2015 the Parks Advisory Board recommended the appointment of Justin Boswell to fill the vacancy. He stated that the Parks Advisory Board also wanted the City Council to know that all three were excellent applicants and the board would not be upset if Council chose someone else other than the recommendation of Justin Boswell. Mr. Crecelius stated that staff's recommendation is to appoint one (1) voting member and to make the other two (2) as alternates.

Mr. Rodriguez advised the City Council that staff will research the Ordinance to determine if the number of members on the Parks Advisory Board could be changed to adding language of an odd number as determined by the City Council.

Mayor Vaught stated he did not see a need to make any changes to the Ordinance to allow for additional members on the boards. He stated all applicants would serve as good members on the board however Mayor Vaught stated he supported Mr. Mike Conley.

After discussion a motion was made by Mayor Vaught, seconded by Councilmember Montgomery to appoint Mike Conley. The motion died due to the lack of a majority vote: Ayes: Mayor Vaught and Councilmember Montgomery; Nays: Councilmember Whatley, Councilmember Winn and Councilmember Elliott.

A motion was made by Councilmember Winn, seconded by Councilmember Whatley to appoint Justin Boswell. The motion carried by the following vote: Ayes: Councilmember Winn, Councilmember Whatley and Councilmember Elliott, Nays: Mayor Vaught and Councilmember Montgomery.

DISCUSS/CONSIDER RESOLUTION ABANDONING A PORTION OF DEAN STREET THAT LIES WITHIN LOT 6 BLOCK 72, ATHENS ORIGINAL TOWN

Mr. Rodriguez explained Trinity Valley Community College has requested the City consider abandoning a portion of Dean Street to increase the safety of their students. Mr. Rodriguez stated a fence would be erected at the north end of the college property to seal off the road and a concrete pad built to give motorists a place to turn around.

Councilmember Elliott asked if the city had talked to the property owners on Dean Street. Mr. Rodriguez stated the City had not contacted the property owners. Mr. Rodriguez read a portion of the Ordinance regarding the abandoning of streets which listed the city's responsibility when closing a street.

Councilmember Montgomery asked if the City had sent letters to the residents about street closings in the past. Mr. Crecelius responded he was not aware of letters being mailed out in the past.

Buddy Hill, Police Chief, stated the section on Dean Street is mostly used for cut-through traffic.

After much discussion, Mayor Vaught stated the Council could table the item to allow for letters to be sent to the property owners on Dean Street and allow for their input.

A motion was made by Councilmember Winn, seconded by Councilmember Whatley to table the Resolution to allow for letters to be mailed out to the residents on Dean Street and allow for possible discussion with the property owners. The motion carried with the following vote: Ayes: Councilmember Whatley, Councilmember Montgomery, Councilmember Elliott, Councilmember Winn, Nays: Mayor Vaught.

DISCUSS/CONSIDER REPLAT PART OF LOT 2, BLOCK 68, ATHENS ORIGINAL TOWN SUBDIVISION, OWNED BY THE CITY OF ATHENS, (616 SOUTH PRAIRIEVILLE)

Gary Crecelius explained that this is the re-platting of Central Park into three (3) separate lots; which would include Central Fire Station (1.056 acres), the second lot for the E.O.C. (2.224 acres) and the third lot would be for the remainder of the property (11.416 acres) with the Planning and Zoning Commission approving the replat on July 21, 2015.

A motion was made by Councilmember Winn, seconded by Councilmember Montgomery to approve the replat part of Lot 2, Block 68, Athens Original Town Subdivision, owned by the City of Athens. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING STAFF TO ENTER INTO AGREEMENT WITH CENTURYLINK

David Hopkins explained the current phone system is over ten (10) years old and is in need of being replaced due to the age, availability of parts and cost. Mr. Hopkins explained the cost savings to the City being a minimum of \$1,104 a month.

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to authorize staff to enter into agreement with CenturyLink. The motion carried unanimously.

CONSIDER FINAL READING OF A RESOLUTION APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S FUNDING REIMBURSEMENT FOR IMPROVEMENTS AT COLEMAN PARK IN THE AMOUNT OF \$25,000

Ms. Hambrick read the Ordinance aloud. A motion was made Councilmember Whatley, seconded by Councilmember Winn to approve a resolution approving Athens Economic Development Corporation's funding reimbursement for improvements at Coleman Park in the amount of \$25,000. The motion carried unanimously.

CONSIDER FINAL READING OF A RESOLUTION APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE PACKAGE FOR FUTURE MATRIX AND APPROVING PERFORMANCE AGREEMENT IN THE AMOUNT OF \$50,000

Ms. Hambrick read the Ordinance aloud. A motion was made Councilmember Elliott, seconded by Councilmember Winn to approve a resolution approving Athens Economic Development Corporation's incentive package for Future Matrix and approving performance agreement in the amount of \$50,000. The motion carried unanimously.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN RELATING TO THE CITY OF ATHENS

Robert Sullivan, Murchison, Texas

1. Invited citizens to Drug Impairment Recognition Training on August 11, 2015

CITY MANAGER'S UPDATE

Mr. Rodriguez explained the Staff is prepping for budget and preparing a draft budget for the Council. He stated the budget on the Utility side will allow the City to address some issues that the City has not be able to address in the past. He explained the budget meetings are scheduled for August 4<sup>th</sup> and 5<sup>th</sup>.

Mr. Rodriguez stated notices were brought to the City's attention by TECQ. He stated the City has been receiving these notices since 2011 and the budget will allow some of the large scale issues to be addressed. He stated the Utilities Department sent out the Consumer Confidence Report on July 1, 2015 and the Consumer Confidence Report indicates the water is safe.

MAYOR AND COUNCIL UPDATE

Mayor Vaught explained the City of Athens will host a Downtown Assessment through the Department of Tourism on Friday, July 31, 2015 and it is being conducted by the Texas Downtown Associate. He stated the assessment will begin with team members hearing from downtown stakeholders, City official and other community leaders.

ADJOURN

PASSED AND APPROVED THIS THE 10<sup>TH</sup> DAY OF AUGUST 2015.

---

Jerry D. Vaught, Mayor

ATTEST:

---

Bonnie Hambrick, City Secretary