

REGULAR SESSION

SEPTEMBER 14, 2015

The City Council of the City of Athens met in Regular Session on Monday, September 14, 2015, 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:

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

Philip Rodriguez, City Manager
Bonnie Hambrick, City Secretary

others present: David Hopkins, Gary Crecelius, Buddy Hill, Sherri Skeeters, John McQueary, Rich Fowlers, Charles Luna, Wayne Stafford, Chris Tinsley, Blake Stiles, Toni Clay, Corey Frentress, Sandra Pope, Sunny Hall, Kyle Henderson, Steve Barksdale, Janie Sims, Boyd London 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.

READING OF PROCLAMATION FOR UNITED STATES CONSTITUTION WEEK

Mayor Vaught asked Charles Luna and members from Sons of the American Revolution and Daughters of the American Revolution to stand as he read aloud the Proclamation recognizing United States Constitution week.

INTRODUCTION OF BLAKE STILES, SUPERINTENDENT ATHENS INDEPENDENT SCHOOL DISTRICT (AISD) AND HEAR UPDATE ON AISD

Kyle Henderson and Athens Independent School District Superintendent Blake Stiles updated the City Council on the upcoming bond election. Mr. Stiles stated the \$59.9 million dollar proposition will go to the voters on November 3, 2015 and came out of a strategic plan which included the need to upgrade facilities. Mr. Stiles informed the Council if approved the school will construct the Assembly and Recreation Connection that will be a center for student life at the Athens High School and will provide a bridge between the main campus and the annex. Mr. Stiles stated all children will benefit if this bond election is passed.

Philip Rodriguez, City Manager, recommended a Resolution in support of the AISD bond election be placed on the October 12, 2015 agenda.

Consent Agenda;

- A) CONSIDER FINAL READING OF AN ORDINANCE REZONING LOTS 1, 2, 4, 5 & 6 FRIZZELL PLACE AND LOT 2E, BLOCK 73 ATHENS ORIGINAL TOWN FROM SINGLE FAMILY RESIDENTIAL 5 AND AGRICULTURE TO MULTI FAMILY RESIDENTIAL 5, OWNED BY RICHARD AND SHANNON PIRTLE (324 FRIZZELL).

City Secretary, Bonnie Hambrick read the Ordinance aloud. A motion was made by Councilmember Montgomery, seconded by Councilmember Whatley to approve final reading of an Ordinance rezoning Lots 1, 2, 4, 5 & 6 Frizzell Place and Lot 2E, Block 73 Athens Original Town from Single Family Residential 5 and Agriculture to Multi Family Residential 5, owned by Richard and Shannon Pirtle (324 Frizzell). The motion carried unanimously.

B) CONSIDER FINAL READING OF AN ORDINANCE REGULATING PARKING ON A PORTION OF MCCALED STREET AND A PORTION OF SAWYER STREET.

Ms. Hambrick read the Ordinance aloud. A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve final reading of an Ordinance regulating parking on a portion of McCaleb Street and a portion of Sawyer Street. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Montgomery, Winn, and Whatley. Nays: None. Councilmember Elliott abstained.

DISCUSS/CONSIDER REQUEST TO CLOSE A PORTION OF DULL AVERIETTE STREET FROM ROYALL STREET TO OWEN STREET ON OCTOBER 30, 2015 AS REQUESTED BY ATHENS INDEPENDENT SCHOOL DISTRICT

Mr. Stiles informed the City Council that Athens Independent School District is requesting the closure of a portion of Dull Averiette Street from Royall Street to Owen Street on October 30, 2015 for early voting to make it safer and convenient for early voters casting ballots across the street from the Athens football game.

A motion was made Councilmember Elliott, seconded by Councilmember Montgomery to approve the closure of a portion of Dull Averiette Street from Royall Street to Owen Street on October 30, 2015 for early voting as requested by Athens Independent School District. The motion carried unanimously.

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

Mr. Bob Herrington addressed the Ordinance amending text of Zoning Ordinance O-12-01 stating that he refurbishes mobile homes and brings them up to code specifications. He stated if the Zoning Ordinance is amended it would hurt him from a business standpoint, however it would hurt the Citizens even more.

DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH FIRST SOUTHWEST COMPANY FOR FINANCIAL ADVISORY SERVICES

Mr. Rodriguez introduced Mr. Boyd London from First Southwest Company stating the City is in need of a financial services advisory.

Mr. London presented background information on First Southwest Company.

After discussion, Councilmember Elliott stated he did not know enough about First Southwest Company, and was not comfortable on voting to hire the firm.

A motion was made by Councilmember Winn, seconded by Councilmember Montgomery to authorize contract with First Southwest Company for Financial Advisory Services. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Montgomery, Winn, and Whatley. Nays: None. Councilmember Elliott abstained.

DISCUSS/CONSIDER AUTHORIZING STAFF TO REFINANCE THE SERIES 2000 AND SERIES 2004 CERTIFICATES OF OBLIGATION

David Hopkins, Finance Director informed the Council due to historically low bond interest rates the City has the opportunity to save approximately \$30 to \$35,000 in interest costs annually for the life of the bonds and it is Staff's recommendation to authorize the refinancing of the certificates of obligation.

After discussion, a motion was made by Councilmember Montgomery, seconded by Councilmember Whatley to authorize staff to refinance the Series 2000 and Series 2004 Certificates of Obligation. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmembers Montgomery, Winn, and Whatley. Nays: None. Councilmember Elliott abstained.

DISCUSS/CONSIDER FINAL READING OF AN ORDINANCE AMENDING TEXT
OF ZONING ORDINANCE #O-12-01

Ms. Hambrick read the Ordinance aloud.

Councilmember Whatley stated the Ordinance should be approved as written, however, consider any variances on a case by case basis.

Mr. Crecelius explained the objective of the ZBA.

Councilmember Winn stated the Ordinance should be passed as written.

After discussion a motion was made Councilmember Winn, seconded by Councilmember Whatley to approve final reading of an Ordinance amending text of Zoning Ordinance O-12-01 as written. The motion carried unanimously

SECOND PUBLIC HEARING ON TAX INCREASE FOR FISCAL YEAR 2016

David Hopkins explained this is the 2nd public hearing that is required under Texas Property Tax Code Section 26.05 and is part of the legal adoption of the tax rate.

There was no discussion and the public hearing was closed.

PUBLIC HEARING CONCERNING THE ANNUAL BUDGET FOR FISCAL YEAR
2016

Mr. Rodriguez presented the Council with an updated budget. He stated the budget is the single most important document that is produced each year as it is more impacting to Citizens. He stated the City has been in the budget process since early April and the purpose of the budget is to match resources to the City Council's priorities each year.

He stated when the City hired the new City Manager the City Manager serves as the Budget Officer and the approach to the budget process will be unique and different.

He explained the significant items of the Fiscal Year 2016 Budget as follows:

- 1) \$11,155,224 in General Fund expenditures
- 2) \$ 6,736,300 in Utility Fund Expenditures
- 3) \$1,833,735 in the General Fund for budgeted reserves

There was no discussion and the public hearing was closed.

RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE ANNUAL BUDGET FOR FISCAL YEAR 2016

Mr. Hopkins explained this is a separate vote to ratify the property tax increase reflected in the budget as required under Local Government Code Section 102.007(c). Mr. Hopkins stated this budget will raise more revenue from property taxes than last year's budget by an amount of \$160,986, which is a 3.74 percent increase from last year's budget.

A motion was made Councilmember Whatley, seconded by Councilmember Winn to ratify the property tax increase reflected in the Annual Budget for Fiscal Year 2016. The motion carried unanimously.

DISCUSS/CONSIDER FIRST READING OF AN ORDINANCE ADOPTING ANNUAL BUDGET FOR FISCAL YEAR 2016

Ms. Hambrick read the Ordinance aloud. A motion was made by Councilmember Elliott, seconded by Councilmember Winn to approve first reading of an Ordinance adopting Annual Budget for Fiscal Year 2016. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING LEASE AGREEMENT WITH KENO BROWN FOR T-HANGAR NO. 12 AT ATHENS MUNICIPAL AIRPORT

Mr. Crecelius explained Tom Junkin is terminating his T-Hangar Lease, with Keno Brown being the next on the waiting list. A motion was made by Councilmember Montgomery, seconded by Councilmember Elliott to authorize Lease Agreement with Keno Brown for T-Hangar No. 12 at Athens Municipal Airport. The motion carried unanimously.

DISCUSS/CONSIDER A RESOLUTION NOMINATING A CANDIDATE FOR HENDERSON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS, PLACE 2

Ms. Hambrick informed the Council that the term of Jack Bailey is expiring from the Henderson County Appraisal District Board of Directors, with Mr. Bailey desiring reappointment.

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve a Resolution nominating a candidate for Henderson County Appraisal District Board of Directors, Place 2. The motion carried unanimously.

DISCUSS/CONSIDER REAPPOINTMENTS TO ATHENS ECONOMIC DEVELOPMENT CORPORATION

Lisa Denton, Executive Director of Athens Economic Development Corporation, informed the Council the terms of Jess Laird, Maurice Cox, and Cliff Barrett will expire September 30th with all three board members desiring reappointment.

A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to ratify a correction to the September 14, 2015 City Council Regular Session Minutes and approve the reappointments of Jess Laird, Maurice Cox, Cliff Barrett and Will Traxson to the Athens Economic Development Corporation's Board. The motion carried unanimously.

DISCUSS/CONSIDER REAPPOINTMENTS TO ATHENS HOUSING AUTHORITY

Ms. Hambrick explained that the terms of Cassie Ashford, Nancy Spencer and Joey Baggett are expiring from the Athens Housing Authority, with all three desiring reappointment. A motion was made by Councilmember Montgomery, seconded by Councilmember Elliott to approve the reappointments of Cassie Ashford, Nancy Spencer, and Joey Baggett to the Athens Housing Authority Board. The motion carried unanimously.

DISCUSS/CONSIDER APPOINTING FIVE (5) ALTERNATE MEMBERS TO
ZONING BOARD OF ADJUSTMENTS

Mr. Rodriguez explained that two meetings of the Zoning Board of Adjustments were recently canceled due to the lack of a quorum. He stated any action requires a concurring vote of 75% from the board members.

After discussion, a motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to appoint Alex Withers as an alternate member to Zoning Board of Adjustments. This item will appear on the agenda September 28, 2015 to appoint additional alternate members to the Zoning Board of Adjustments. The motion carried unanimously.

CITY MANAGER'S UPDATE

Mr. Rodriguez explained the City is seeking and collecting donations for improvements to Coleman and Cain Park.

MAYOR AND COUNCIL UPDATE

There were no updates.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 12th DAY OF OCTOBER, 2015.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary