

SPECIAL SESSION

JANUARY 21, 2015

The City Council of the City of Athens met in Special Session on Wednesday, January 21, 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

David Hopkins, Interim City Administrator
Kelly Morgan, Administrative Secretary
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Tyler Hendrickson, Carol Morton, Tom and Lynn Leathem, D.J. Warren, Jamie Fieser, Joe Boyd, Lisa Denton, Donald Ball, Lisa Fields, Chet Patel, Mr. Kishor, Rich Flowers 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.

PUBLIC HEARING CONCERNING HOTEL/MOTEL TAX INCREASE FOR
CAIN CENTER FUNDING

Chet Patel with Super 8 inquired how increasing the Hotel/Motel tax would benefit the Cain Center since they do not meet the criteria of having to bring in 50% of their revenue to hotels in form of tourism. He stated that in the past the guests that frequented the hotels had free access to the Cain Center facilities but that is no longer in place. Mr. Patel explained that most of the business that he receives are from the Henderson County Fair Ground events, Canton Trade Days overflow and temporary workers.

Mr. Kishor of the Budget Inn questioned if there was a Hotel/Motel committee to overlook the fund distribution and if it was possible to include the Hotel owners input on how the money was distributed. Mayor Vaught stated that there was not a committee and that it is handled through the Tourism Department.

Lisa Fields from the Best Western stated that an increase would make them matching City, State and County taxes with big tourist areas such as Galveston, Corpus Christi and Austin and tourist groups consider that when booking. She stated that there is not enough tourist attractions in Athens to warrant the increase.

After discussion, the public hearing was closed.

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) Three (3) residences, under review for construction
- 2) Several residences under different stages of development

- 3) Merrill Jensen's Barn, nearing completion
- 4) Seafood Restaurant, 300 N. Pinkerton, opening for business on February 9, 2015
- 5) AISD High School and Intermediate project underway
- 6) Bacon Chevrolet, work should start the end of January
- 7) Fresenius Medical Center, 1220 S. Palestine, waiting for asbestos abatement
- 8) Country Place Senior Living, plan review in progress

B) STATUS REPORT ON PARKS BOARD MEETING.

Gary Crecelius informed Council that the Parks Board met on Tuesday, January 20, 2015 at 4:00. He reported that five (5) of the seven (7) places on the Board were present with one (1) vacancy remaining. Mr. Crecelius stated that Chris Tinsley was voted Chairman and Hugh Armstrong was voted Vice Chairman. He stated that the only motion made was to allow the Board to have time to properly plan for construction and improvements of the concession stand at Coleman Park. He further stated that the meetings will be held on the first Monday of every month at 4:00 p.m. at the City Hall Annex.

FINANCIAL REPORT

Interim City Administrator David Hopkins presented November 2014 financials.

DISCUSS ITEMS FOR FUTURE AGENDAS:

- A) HEAR/DISCUSS PRESENTATION REGARDING NEW HAVEN APARTMENTS.

Donald Ball, representative from Nautical Affordable Housing, Inc. ("Non-Profit") appeared before the Council and explained that they purchased New Haven Apartments three (3) years ago and applied for Housing Tax Credits each year, however, they have been unsuccessful. He is requesting the support of the Council in form of a Resolution. He explained that their plans include demolition of the entire property which consists of 50 units, relocation of the residents to other housing in the City at no additional cost to the residents and construction of a maximum 80 units. He further explained that at the time of completion that they will enforce new higher standards for residents with each resident having to re-qualify and have background checks to determine their eligibility.

After discussion, it was determined that a Resolution concerning the New Haven Apartments will appear on the agenda on Monday, January 26, 2015.

- B) HEAR/DISCUSS PRESENTATION REGARDING FAIRVIEW AND FAIRVIEW SOUTH APARTMENTS

Jamie Fieser with Fieser Development appeared before the Council and explained that they have applied for Housing Tax Credits and they need the support of the Council in form of a Resolution on Fairview Cottages and Fairview South Apartments. He said that they are acquiring the properties from the Tidmores and will do a major rehabilitation on the existing properties. Mr. Fieser stated that all residents have to be re-qualified and background checks will be done to determine if they meet the requirements.

After discussion, it was determined that Resolutions regarding Fairview Cottages and Fairview South Apartments will appear on the agenda on Monday, January 26, 2015.

- C) HEAR REQUEST FROM D.J. WARREN REGARDING ATHENS FARMERS MARKET

D.J. Warren, Market Manager, is requesting additional dates and times for the 2015 Athens Farmers Market. Ms. Warren explained that she wanted to change the Wednesday evening

market to Tuesday evening from 4:30 p.m. to 8:00 p.m due to the conflicts with those that attend church on Wednesday evenings. She stated that she would like to begin the Farmers Market in April and change the Saturday time to 5:30 a.m. to 2:00 p.m.

Ms. Warren further stated that the permit requires restrooms and she does not think they are needed. She said that most patronage at the market lasts 20-30 minutes with the purchase of their products and leaving the vicinity. She is requesting \$654.50 which is half the cost of the restrooms for the year from the City if it continues to be a requirement.

Ms. Warren explained that selling animals at the Farmers Market is currently not allowed in the policy but she is requesting Council to reconsider to allow for the selling of chickens, ducks, rabbits and possibly goats and sheep.

This item will appear on the agenda on Wednesday, February 4, 2015.

E) DISCUSS FUNDING OPTIONS FOR CAIN CENTER

Councilmember Winn stated that the Hotels are against the possible tax increase due to their struggle to having only up to 49% occupancy rate. He agreed that the approximate \$60,000 the Hotel/Motel tax increase would generate would not be sufficient to fix the needs of the Cain Center. He further stated that a Bond Election would be another avenue to pursue by educating the public and putting it in the hands of the citizens.

Councilmember Whatley explained that a Bond would only be a short term fix. He stated that after a period of time that the same or more structural issues will surface; thus, facing the same problem down the road.

Councilmember Montgomery stated that the Cain Center has been so desperate at times that they have talked about turning the keys in to the City. He further stated that if the City acquired the infrastructure and the revenue from the Cain Center could not generate enough to pay the operating expenses that it would shut down.

Mayor Vaught stated that the Bond Election will be addressed further when the new City Administrator is in place.

F) DISCUSS AUTHORIZING LEASE AGREEMENT WITH PAUL ST. ANDRE FOR T-HANGER NO. 8 AT ATHENS MUNICIPAL AIRPORT

Gary Crecelius explained that T-Hanger No. 8 was vacated the end of 2014. Paul St. Andre would like to lease T-Hanger No. 8 for the upcoming year.

The item will appear on the agenda Monday.

G) DISCUSS AUTHORIZING LEASE AGREEMENT WITH TOM JUNKIN FOR T-HANGER NO. 12 AT ATHENS MUNICIPAL AIRPORT

Gary Crecelius explained that T-Hanger No. 12 is currently vacant. He stated that Tom Junkin would like to lease T-Hanger No. 12 for the upcoming year.

The item will appear on the agenda Monday.

H) DISCUSS APPOINTMENT TO PARKS BOARD

Councilmember Winn stated that Bob Morton approached him and was interested in filling the vacancy on the Parks Board. He stated that Mr. Morton has a background in parks and recreation and showed a great deal of enthusiasm and he feels he would do a great job.

The item will appear on the agenda Monday.

I) DISCUSS APPOINTMENT TO ZONING COMMISSION BOARD

Mr. Crecelius stated that there is one (1) vacancy on the Zoning Commission Board and no one has come forward with interest to fill the position. Mayor Vaught stated to fill the vacancy the person is required to reside within City limits and asked Council for recommendations.

The item will appear on the agenda Monday.

J) DISCUSS APPROVING TASK ORDER WITH VELVIN & WEEKS CONSULTING ENGINEERS TO REVIEW PLANS AT COUNTRY PLACE SENIOR LIVING DEVELOPMENT LOCATED ON WOOD ST.

Glen Herriage, Director of Utilities, explained that Country Place Senior Living Development located on Wood St. resubmitted their plans for a building permit due to alterations in the drainage of the storm water run off which would require further review by the Engineers. He stated that Velvin and Weeks offered to do this and not to exceed \$500.

The item will appear on the agenda Monday.

K) DISCUSS PAINTING OF CLEARWELLS AND AUTHORIZING STAFF TO ADVERTISE FOR BIDS

Glen Herriage explained that Velvin and Weeks have the plans completed for the painting of clearwells and is asking for authorization to advertise for bids.

The item will appear on the agenda Monday.

L) DISCUSS AUTHORIZING THE PURCHASE OF FIVE (5) POLICE PACKAGE VEHICLES FROM COOPERATIVE PURCHASING PROGRAMS

Police Chief Buddy Hill is requesting authorization of five (5) police package vehicles directly from the Cooperative Purchasing Program. Chief Hill explained that this will streamline the procurement process in obtaining equipment. Chief Hill further explained that in past purchases of these specialized vehicles that rarely would they have an individual bidder that matched or beat the pre-established list price through the Cooperative Purchasing Programs.

The item will appear on the agenda Monday.

M) DISCUSS REPLAT OF LOT 1, BLOCK 1 P.A. TAYLOR SUBDIVISION, OWNED BY CARLON DOWELL (5288 F.M. 2495)

Gary Crecelius explained that Carlon Dowell is requesting a replat of Lot 1, Block 1P.A. Subdivision. He stated that this is one (1) lot (approximately 6 acres) and it will be divided into two (2) lots with the Zoning Commission approving the item on 1/20/15.

The item will appear on the agenda Monday.

N) DISCUSS REPLAT OF LOT 4B, BLOCK 83, ATHENS ORIGINAL TOWN SUBDIVISION, OWNED BY TYNER FINANCIAL SERVICES, JERRY DON TYNER, PRESIDENT, 613 W. TYLER

Gary Crecelius explained that Jerry Don Tyner is requesting a replat of Lot 4B, Block 83, Athens Original Town Subdivision. He stated that this is one (1) lot and that will be divided into (2) lots allowing for a house unit for each with the Zoning Commission approving the item on 1/20/15.

The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA:

A) DISCUSS APPROVING MINUTES

There was no discussion.

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

There was no discussion.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT
CODE, SECTION 551.074 PERSONNEL MATTERS; DELIBERATIONS
REGARDING TOP CANDIDATES FOR THE CITY ADMINISTRATOR
POSITION

The City Council adjourned to Executive Session at 7:25 p.m.

The City Council returned from Executive Session at 7:48 p.m.

DISCUSS/CONSIDER ACTION RESULTING FROM DELIBERATIONS IN
EXECUTIVE SESSION; SECTION 551.074 PERSONNEL MATTERS;
REGARDING TOP CANDIDATES FOR CITY ADMINISTRATOR

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 4TH DAY OF MARCH, 2015.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary