

SPECIAL SESSION

JUNE 4, 2014

The City Council of the City of Athens met in Special Session on Wednesday, June 4, 2014, 11:30 a.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
Aubrey Jones
Charles Elliott

Pam Burton, City Administrator
Pam Watson, City Secretary
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Charlie Tidmore, Stewart Cochran, Sheri Robson, Steve Grant, Alicia Elliott, Wylie Pirkle, Steve Sparkman, Alicia Watkins, and other interested citizens;

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

The invocation was given by Councilmember Jones.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

CONSIDER A RESOLUTION CANVASSING ELECTION RETURNS AFTER RECOUNT OF THE MAY 10, 2014 CITY OF ATHENS GENERAL ELECTION FOR COUNCIL MEMBER, PLACE 3

City Administrator Pam Burton reviewed the following Election Returns after Recount of the May 10, 2014 City of Athens General Election for Council Member, Place 3.

	GENERAL ELECTION			
	Absentee	Early	Election Day	TOTAL
<u>Council Member, Place 3</u>				
Aubrey Jones	50	388	176	614
Charles Elliott	38	311	275	624

A motion was made by Councilmember Jones, seconded by Councilmember Montgomery to approve A RESOLUTION CANVASSING ELECTION RETURNS AFTER RECOUNT OF THE MAY 10, 2014 CITY OF ATHENS GENERAL ELECTION FOR COUNCIL MEMBER, PLACE 3, as presented. The motion carried unanimously.

OATH OF OFFICE

City Secretary Pam Watson administered the Oath of Office to newly elected Council Member, Place 3 - Charles Elliott.

Mayor Vaught recognized outgoing Councilmember Aubrey Jones for his service and dedication to the City of Athens while serving on the City Council, with Mr. Jones receiving a standing ovation from those in attendance. Councilmember Jones expressed his appreciation for the opportunity to serve on the City Council, stating that it was an enjoyable and educational experience.

ELECTION OF MAYOR PRO TEM

A motion was made by Mayor Vaught, seconded by Councilmember Winn to elect Councilmember Monte Montgomery as Mayor Pro Tem. The motion carried unanimously.

DISCUSS ITEMS FOR FUTURE AGENDAS;

A) DISCUSS FIRST READING OF AN ORDINANCE ESTABLISHING A CHARGE FOR COLLECTION OF SOLID WASTE TO BE CHARGED FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL CUSTOMERS

Ms. Burton explained that Republic Services is proposing a 1% rate increase for the collection of solid waste, with an annual increase being allowed by Contract. The item will appear on the agenda Monday, 6/09/14.

B) DISCUSS APPROVING PURCHASE OF REAL PROPERTY BY ATHENS ECONOMIC DEVELOPMENT CORPORATION, BEING APPROXIMATELY 95.5 ACRES LOCATED IN J.B. ATWOOD SURVEY

Brian Malone, President & CEO of Athens Economic Development Corporation, explained that A.E.D.C. has approved the purchase of approximately 95.5 acres of real property from LeeAnn McCausland and McHolt Properties LP at the purchase price of \$9,000 per acre, totaling \$859,000. Mr. Malone explained that this has been a lengthy process and the acquisition of additional land was recommended in A.E.D.C.'s Strategic Plan prepared by TIP Strategies.

Councilmember Whatley questioned the debt/income ratio for A.E.D.C., with Mr. Malone stating that the most recent financials will be provided at their meeting on Tuesday, 6/10/14.

Councilmember Montgomery questioned the utilities in this area, with Mr. Malone responding that the utilities have not been researched.

Councilmember Whatley asked if the escrow fee would be lost if the purchase is not approved, with Mr. Malone stating that a \$2,000 option fee would be lost and there is a 75 day closing period.

Councilmember Elliott asked if A.E.D.C. looked at property east of the Airport or in the Industrial Park, with Mr. Malone stating that they have looked at numerous properties. Mr. Malone stated that A.E.D.C. currently has six (6) acres of land to promote Athens and that is a competitive disadvantage.

Ms. Burton informed the Council that an agenda of a potential quorum of the City Council will be posted for future A.E.D.C. meetings.

After discussion, Ms. Burton explained that this item will appear on the agenda Monday.

C) DISCUSS APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S FUNDING TO THE CAIN CENTER

Mr. Malone explained that A.E.D.C. has approved funding for three (3) Community Development Projects, with one (1) of the Projects being the Cain Center in the amount of \$31,095, to be used strictly for renovations to lighting and flooring.

Councilmember Elliott stated that he will abstain from all three (3) projects, due to being on the Henderson County Regional Fair Park Board.

After discussion, Ms. Burton stated that the item will appear on the agenda Monday.

D) DISCUSS APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S FUNDING TO EAST TEXAS ARBORETUM & BOTANICAL SOCIETY

Mr. Malone explained that A.E.D.C. approved funding for another Community Development Project, with this one being the East Texas Arboretum & Botanical Society in the amount of \$18,580, to be used strictly for construction of playground equipment and other amenities.

After discussion, Ms. Burton stated that the item will appear on the agenda Monday.

E) DISCUSS APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S FUNDING TO HENDERSON COUNTY REGIONAL FAIR PARK

Mr. Malone explained that A.E.D.C. approved funding for another Community Development Project, with this one being the Henderson County Regional Fair Park in the amount of \$50,323, to be used strictly for a new lighting system.

After discussion, Ms. Burton stated that the item will appear on the agenda Monday.

F) DISCUSS GRANTING A THREE (3) YEAR NON-EMERGENCY AMBULANCE TRANSPORTATION FRANCHISE TO IMPEL AMBULANCE SERVICE INC., AS REQUESTED BY ALICIA WATKINS

Alicia Watkins requested renewal of Impel's Non-Emergency Ambulance Transportation Franchise for a three (3) year period, stating that Impel has been in Athens one (1) year, and has recently added wheelchair van service. After discussion, Ms. Burton explained that Impel's current Franchise expires 7/22/14 and their State License expires 7/31/15, therefore, the Council could consider renewing the Franchise to coincide with the State License which will be renewable every two (2) years.

The item will appear on the agenda Monday.

G) DISCUSS ASSISTANCE WITH PUBLIC RESTROOMS FOR USE DURING ATHENS FARMERS MARKET, AS REQUESTED BY D.J. WARREN

Ms. Burton explained that a written request has been received from D.J. Warren concerning possible assistance with the cost of portable restrooms for use during Athens Farmers Market. After discussion, it was determined that the item will be placed on the next Special Session in an attempt to have Ms. Warren present to discuss the details.

H) DISCUSS PROPOSED 2014 STREET PROGRAM AND AUTHORIZING STAFF TO ADVERTISE FOR BIDS

Glen Herriage, Director of Utilities, presented and explained the proposed 2014 Street Program, including the bid specifications.

Councilmember Elliott stated that he has received a complaint concerning the size of the rock previously used and the project being inspected for compliance, feeling that this concern should be addressed.

After discussion, Ms. Burton explained the bidding, inspection and approval process, stating that additional documentation concerning compliance has been discussed for future projects.

The item will appear on the agenda Monday.

I) DISCUSS AWARDING BID FOR ONE (1) COLD PLANER WITH QUICK ATTACH MOUNTING SYSTEM

Mr. Herriage explained that two (2) bids were received for the Cold Planer, however, the low bidder, Asphalt Zipper, Inc., did not meet minimum specifications and he is recommending the bid be awarded to the other bidder, RDO Equipment Co., at a cost of \$123,267.06.

There was discussion concerning the usage and benefit of the Cold Planer. The item will appear on the agenda Monday.

J) DISCUSS APPOINTMENT OF CONSULTANT/LIAISON TO TEXAS DEPARTMENT OF TRANSPORTATION AVIATION DIVISION AND FEDERAL AVIATION ADMINISTRATION, AS RECOMMENDED BY AIRPORT ADVISORY BOARD

Steve Grant, Airport Advisory Board Member, explained that the Airport Advisory Board is recommending the appointment of Phil Becker to serve as the City's consultant/liaison for Athens Municipal Airport, stating that Mr. Becker has over 30 years of experience in aviation projects and is extremely knowledgeable with Grants. He explained that Mr. Becker has agreed to accept this appointment with no compensation, with his services being provided as a courtesy from the Cedar Creek Veterans Foundation Board, however, if he travels he will be reimbursed for his expenses.

Mr. Grant explained that they have been looking into the possibility of extending the runway at Athens Municipal Airport for months. He explained that the City of Athens could qualify for a 90/10 Grant if surveys prove that there are 500 new operations that cannot land on the current runway. He stated that over 1,200 surveys were sent out to prospects and over 700 were returned, however, TXDOT Aviation Division did not accept all of the operations.

Councilmember Winn asked how many of the surveys were counted, with Gary Crecelius, Director of Planning & Development, responding that approximately 300 were allowed, as some of the numbers were reduced due to the survey questions/answers and types of aircraft.

Councilmember Elliott stated that a gentleman previously told him that if he was elected to office, the gentleman would get us the runway.

After discussion, Mayor Vaught commended the Airport Advisory Board for their work on the project and expressed his feelings that Mr. Becker is an excellent choice.

The item will appear on the agenda Monday.

K) DISCUSS APPOINTMENT TO ZONING COMMISSION

Ms. Burton explained that Aaron "Bubba" Smith has been recommended for appointment to the Zoning Commission and the item will appear on the agenda Monday.

L) DISCUSS APPOINTMENT TO ZONING BOARD OF ADJUSTMENTS

Ms. Burton made the Council aware that there is a vacancy on the Zoning Board of Adjustments, due to Joe Whatley resigning after being elected to the City Council.

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

1. Mayor Vaught stated that Fire Chief John McQueary will provide an update on Monday concerning the Ag Services fire at 105 W. Larkin St.

2. The City Council expressed their thankfulness to the Fire Department and Police Department for their response to the Ag Services fire at 105 W. Larkin St.
3. Charles Spann, 702 Mulberry Dr., Athens
 - A) Expressed appreciation to the Fire Chief and Police Chief for remarkable and smart response to the fire at 105 W. Larkin St.; expressed feelings that former City Council did not give support to this issue and did not react as a responsible governing body.
 - B) Expressed concern with no public record on website that any meetings took place to discuss the presence of ammonium nitrate.
 - C) Discussed I.S.O. rating and the possibility of being uninsured.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 23RD DAY OF JUNE, 2014.

Jerry D. Vaught, Mayor

ATTEST:

Pam Watson, City Secretary