

REGULAR SESSION

NOVEMBER 13, 2017

The City Council of the City of Athens met in Regular Session on Monday, November 13, 2017, 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:

Monte Montgomery, Mayor
Ed McCain
Toni Clay
Joe Whatley
Robert Gross

Gary Whittle, Interim City Manager
Bonnie Hambrick, City Secretary

others present:, Thanasis Kombos, Barbara Holly, Buddy Hill, Marty Coursey, Jennifer Robertson, Steve Barksdale, Rich Flowers, Lisa Denton, Lisa Montgomery, Bishop Sam Cumby, Adrianna Hinds, Stacey Gross, Blake Stiles, Sherri Skeeters, Mary Waddell, Mike Conley, Jeff Weinstein, Will Traxson, Jane Nettune, Robert and Peggy Gould, Deborah Deas, Michael Hannigan, Dorothy Lindsey, Lauren Conley, Brad and Tina Rummel, Jeff Summers, Scott Lay, Tom and Lynn Leathem, John and Lacey Lowry; and other interested citizens;

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

INVOCATION

The invocation was given by Bishop Sam Cumby.

Mayor Montgomery stated the City Council is being very deliberate in appointing the next City Council Member.

OATH OF OFFICE

City Secretary Bonnie Hambrick administered the Oath of Office to newly appointed Council Member, Place 4 – Robert Gross.

ELECTION OF MAYOR PRO-TEM

A motion was made by Councilmember Whatley, seconded by Councilwoman Clay to elect Councilmember Ed McCain as Mayor Pro-Tem. The motion carried unanimously.

Mayor Montgomery recognized Superintendent Blake Stiles for being in attendance.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

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

- Mayor Montgomery stated that Behind the Veil Church located on West 31 and the Loop held its grand opening on Sunday, October 29th
- Councilmember McCain stated the Go Texan Fundraiser was held at the Texas Freshwater Fisheries Center on Saturday, November 11, 2017
- Mayor Montgomery stated a Veterans Memorial was held at the East Texas Arboretum on Friday, November 10, 2017

CITIZENS COMMUNICATIONS

Dorothy Lindsey expressed concerns regarding abuse and neglect of pets and animals.

Mayor Montgomery recognized Ms. Hambrick for completion of the Texas Municipal Clerks Certification Program.

CONSENT AGENDA

- a) CONSIDER APPROVING THE MINUTES OF THE OCTOBER 23, 2017 REGULAR SESSION
- b) INVESTMENT REPORT SEPTEMBER 2017
- c) CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM HOME TOWN BOYS FOR SITE PLAN APPROVAL AND A SPECIFIC USE PERMIT FOR A DRIVE THROUGH FOR A PROPOSED DAIRY QUEEN QUICK SERVE RESTAURANT AT 910 E. TYLER STREET. (Z-05-17-001)
- d) CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM WOODLAND SPRINGS DEVELOPMENT FOR A 3.3 ACRES ZONE CHANGE FROM INDUSTRIAL – SUP (I-SUP) TO SINGLE FAMILY-5 (SF-5) TO ALLOW FOR A FUTURE SINGLE FAMILY SUBDIVISION ON WOFFORD STREET IN THE R. A. CLARK SURVEY (Z09-17-003)
- e) CONSIDER FINAL READING OF AN ORDINANCE CONCERNING A REQUEST FROM THE CITY OF ATHENS APPROVING A DESIGN MANUAL FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES; AND APPROVING A POLE ATTACHMENT AGREEMENT REGULATING THE INSTALLATION OF NETWORK NODES ON CITY SERVICE POLES AND UTILITY POLES; AND PROVIDING AN EFFECTIVE DATE OF SEPTEMBER 1, 2017
- f) CONSIDER ATHENS ECONOMIC DEVELOPMENT CORPORATION'S BUSINESS ASSISTANCE GRANT WITH HENDERSON COUNTY HELP CENTER & MAGGIE'S HOUSE
- g) CONSIDER ATHENS ECONOMIC DEVELOPMENT CORPORATION'S BUDGET AMENDMENTS FOR FISCAL YEAR 2017
- h) CONSIDER ATHENS ECONOMIC DEVELOPMENT CORPORATION'S THREE YEAR STRATEGIC PLAN 2018-2020
- i) CONSIDER ATHENS ECONOMIC DEVELOPMENT CORPORATION'S PUBLIC FUNDS INVESTMENT POLICY FOR FISCAL 2017-2018

Ms. Hambrick read the Ordinances aloud.

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

PRESENTATION AND DISCUSSION REGARDING FREEPORT TAX EXEMPTION

Lisa Denton Executive Director, Athens Economic Development Corporation, stated that a presentation was given to the City Council on April 24, 2017. Ms. Denton presented an overview of Freeport Tax Exemption. She explained that the Freeport Tax Exemption as being an exemption from business inventory tax that is in Texas for a short period of time (175 days or less) and will be transported outside of the State of Texas. Ms. Denton presented a list of several local companies that could potentially qualify for the Freeport Tax Exemption if it was granted.

Mayor Montgomery asked Blake Stiles, Athens Independent School District (AISD), to address the City Council. Mr. Stiles stated the school district took action last month in the first step of the process. He stated that AISD is in favor of a Freeport Tax Exemption as the school district would like to see growth.

After the presentation, there was discussion regarding the Freeport Tax Exemption.

Mayor Montgomery requested a Workshop with Marty Coursey, Finance Director, to further identify the impact of a Freeport Tax Exemption.

Mayor Montgomery stated the City Council would move to Agenda Item #13 and adjourn into Executive Session.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,
SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING)
DELIBERATIONS REGARDING FUTURE DUTIES AND EMPLOYMENT OF
THE PROSPECTIVE CITY MANAGER

The City Council adjourned to Executive Session at 6:08 p.m.

The City Council returned to Regular Session at 6:49 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION
551.074 (PERSONNEL MATTERS; CLOSED MEETING) DELIBERATIONS
REGARDING FUTURE DUTIES AND EMPLOYMENT OF THE
PROSPECTIVE CITY MANAGER

No action taken.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO
VOTING ON HENDERSON COUNTY APPRAISAL DISTRICT BOARD OF
DIRECTORS, PLACE 2

Ms. Hambrick explained that the City Council previously nominated Jack Bailey for Place 2 on the Henderson County Appraisal District Board of Directors. A motion was made by Councilmember Whatley, seconded by Councilmember McCain to cast the City's 234 votes for Jack Bailey for Place 2 on the Henderson County District Board of Directors. The motion carried unanimously.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO
AWARDING EMPLOYEE HEALTH AND ANCILLARY BENEFITS
CONTRACTS FOR CALENDAR YEAR 2018

Jennifer Robertson, Director of Human Resources, explained the item is for the 2018 Re-rate for City of Athens Employee Health and Ancillary Benefits. She stated that Jeff Summers, Vice President of Employee Benefits with BancorpSouth, provided an overview of employee health and ancillary benefits claims and premiums paid.

After a brief discussion, a motion was made by Councilwoman Clay, seconded by Councilmember McCain to award Employee Health and Ancillary Benefits contracts for calendar year 2018. The motion carried unanimously.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO
THE GRANT AND ACCEPTANCE OF A UTILITY EASEMENT BY ARCHIE
DENNIS, NORTH OF BRYSON, TO SERVE AN EXISTING SEWER LINE
AND FUTURE TIE-INS FOR THE BRYSON DEVELOPMENT

Barbara Holly, Managing Director Development Services Department explained while working with Mr. Tidmore it was discovered that the sewer line north of the development was constructed outside the utility easement. She further stated that Archie Dennis has consented to a new easement that will protect the existing line at no additional cost to the city.

A motion was made by Councilmember Whatley, seconded by Councilmember Gross to authorize the approval of a grant and acceptance of a utility easement by Archie Dennis, north of Bryson, to serve an existing sewer line and future tie-ins for the Bryson Development. The motion carried unanimously.

DISCUSSION AND CONSIDERATION OF ALL MATTERS RELATED TO
AWARDING BIDS FOR CHEMICALS FOR USE IN THE UTILITIES
DEPARTMENT

Gary Whittle, Interim City Manager, recommended that chemical bids be awarded to the following low bidders:

Chemical	Company	Price
Fluoride Per lb.	Mosaic Global Sales, LLC	0.181
Alum Per lb.	Affinity Chemical, LLC	0.0715
Copper Sulfate	Chemtrade	\$386.90
Ammonia	Watertech Incorporated	\$0.84
CL(2) Gas 150 LB CYL	DPC Industries	\$109.00
Sulfur Dioxide	DPC Industries	\$782.00
CL(2) Dry 65%	Brenntag Southwest, Inc.	\$215.00
CL(2) Gas 1-Ton CYL	Brenntag Southwest, Inc.	\$720.00
Caustic Soda (Liquid)	Brenntag Southwest, Inc.	0.1558
Liquid Ammonia Sulfate	Brenntag Southwest, Inc.	\$173.25

Councilmember Whatley asked if the City was still using Fluoride, with Mayor Montgomery stating yes. Mayor Montgomery further stated during the water rate study it was suggested that the City discontinue use of Fluoride.

After a brief discussion it was the consensus of the City Council to request a future agenda item to discuss the use of Fluoride in the City of Athens Utilities Department.

A motion was made by Councilmember Whatley, seconded by Councilmember Gross to approve awarding bids for chemicals for use in the Utilities Department. The motion carried unanimously.

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,
SECTION 551.074 (PERSONNEL MATTERS; CLOSED MEETING)
DELIBERATIONS REGARDING FUTURE DUTIES AND EMPLOYMENT OF
THE PROSPECTIVE CITY MANAGER

The City Council adjourned to Executive Session at 7:09 p.m.

The City Council returned to Regular Session at 7:44 p.m.

Consider action resulting from deliberations in Executive Session Pursuant to the
Texas Government Code, Section 551.074 (Personnel Matters; Closed Meeting)
deliberations regarding future duties and employment of the prospective City
Manager

No action was taken.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

- Councilwoman Clay requested a future agenda item regarding the removal of Fluoride in the City of Athens Utilities Department
- Mayor Montgomery requested a future agenda item discussing the zoning of 412 N. Palestine
- Mr. Whittle stated a workshop with AEDC will be scheduled to discuss Freeport Tax Exemption; Mayor Montgomery stated he would like to understand the economic impact of allowing a Freeport Tax Exemption

ADJOURN

The meeting was adjourned at 7:49 p.m.

PASSED AND APPROVED THIS THE 27th DAY OF NOVEMBER, 2017.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary