

REGULAR SESSION

MARCH 9, 2020

The City Council of the City of Athens met in Regular Session on Monday, March 9, 2020, 5:30 p.m. in the Derek D. Daniels Conference Room of the Athens Partnership Center, 201 West Corsicana St., Athens, Texas, with the following members present to-wit:

Monte Montgomery, Mayor
Ed McCain, Mayor Pro Tem
Aaron Smith
Toni Clay
Robert Gross

Elizabeth Borstad, City Manager
Bonnie Hambrick, City Secretary

Staff Present: Buddy Hill, Police Chief, Mandie Quigg, Finance Director, Tim Perry, Public Works Director, Jennifer Robertson, Director of Human Resources, Derek Whiteley, Director of Information Technology, Audrey Sloan, Director of Development Services, Randy Williams, Utilities Director, Katie Birk, Tourism and Cultural Resources Coordinator, Joanie Ahlers, Economic Development Director.

Others present: Sytonia Freeman, Michelle Zenor, Rich Flowers, Marisa Gunstanson, Deborah Deas, Gary Penn, Mark Carroll, Clint Davis, Tom and Lynn Leathem, Keith Knighton, Pastor Kyle Henderson, Carol Morton, Chris Tinsley, Rich Flowers, Kenieth LaForest, Steven Freeman II, Bill McMahan, Pamela Smith, Mary Hendrix, Lanette Ainsworth, Gretchen Spinner and Michael Hannigan.

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

INVOCATION

The Invocation was given by Councilmember Smith.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

DECLARATION OF CONFLICT OF INTEREST

No action was taken.

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

There were no updates involving Community Events and issues of Public Safety.

PUBLIC COMMUNICATIONS

Pastor Kyle Henderson presented information regarding a proposal for upgrading of the 18-Hole Disc Golf Course at Cain Park.

CONSENT AGENDA

- a) CONSIDER APPROVING MINUTES OF THE FEBRUARY 10, 2020 REGULAR SESSION
- b) CONSIDER APPROVING MINUTES OF THE FEBRUARY 24, 2020 REGULAR SESSION
- c) CONSIDER A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ATHENS AND ATXFM, INC. (DBA: ATHENS TEXAS FARMERS MARKET) FOR THE TEMPORARY USE OF THE CITY PARKING LOT TO CONDUCT A FARMER'S MARKET BEGINNING MAY 2, 2020, AS REQUESTED BY D.J. WARREN
- d) JANUARY 2020 MONTHLY REVENUE AND EXPENSE REPORT

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

HEAR UPDATE ON CAIN CENTER PROJECT

Mayor Montgomery stated a meeting was held with the Cain Center Steering Committee and the project is progressing and ready to move forward. He stated direction was given to the Construction Manager for making some cuts for value engineering.

Mayor Montgomery stated the City Council would move to agenda item 14) Discuss, consider and take action, as necessary, concerning the approval of a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF A RESOLUTION AUTHORIZING THE ASSIGNMENT/TRANSFER OF ANIMAL SHELTER SERVICES TO THE HUMANE SOCIETY OF CEDAR CREEK LAKE

Elizabeth Borstad, City Manager, explained the City's Interlocal Agreement with the County allows for the transfer of services upon the City's approval. She stated on March 3, 2020 the County entered into an agreement with the Humane Society of Cedar Creek Lake for animal shelter services. She stated the Resolution is the City's consent to transfer services.

Clint Davis, Henderson County Attorney, explained County's Interlocal Agreement requires the City to approve any assignment of the County's duties or obligations under the agreement.

Discussion occurred.

Mary Hendrix spoke in opposition of the approval of a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake.

A motion was made by Councilmember McCain, seconded by Councilwoman Clay to approve a Resolution authorizing the assignment/transfer of Animal Shelter Services to the Humane Society of Cedar Creek Lake. The motion carried unanimously.

HEAR UPDATE ON CLEANUP OF FIRST STREET RIGHT-OF-WAY BETWEEN JONATHAN STREET AND WILLIAMS STREET

Tim Perry, Public Works Director, provided an update on the cleanup of First Street Right-Of-Way between Jonathan Street and Williams Street. He stated cleanup of the debris is progressing.

PUBLIC HEARING CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF A SITE PLAN AMENDMENT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Audrey Sloan, Director of Development Services, presented the proposed site plan for Triton Athens I, LLC. She explained the proposal is to amend the drive approach locations, the screening wall and the signage requirements for the Triton project.

She explained the original site plan was approved in October of 2017. A site plan amendment was approved in September of 2018. A site plan amendment concerning the sign package for Lot 1 (Panda Express) was approved last month.

Discussion occurred regarding the elevation points, concern regarding the fencing, and parking violations.

Mayor Montgomery opened the Public Hearing.

Alex Flores expressed concern regarding privacy in his back yard.

Bill McMahan, Triton Athens I, LLC Developer, addressed the City Council. He stated there would be a full-time Superintendent on site to address any violations.

Additional discussion occurred.

The Public Hearing was closed.

DISCUSS FIRST READING OF AN ORDINANCE CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF A SITE PLAN AMENDMENT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Bonnie Hambrick, City Secretary, read the caption of the Ordinance aloud.

Councilmember Smith asked if the 516 FT elevation is all the way across the property: with the Mayor responding that it is.

PUBLIC HEARING CONCERNING A REQUEST FROM TRITON ATHENS I, LLC FOR APPROVAL OF THE AMENDED FINAL PLAT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

Ms. Sloan presented the item and explained the proposal is to amend the locations of the access and utility easements for the Triton property, so they align with the new drive approach locations as approved by TxDOT. Ms. Sloan stated the plat is compliant with the City's subdivision and zoning ordinances

Mayor Montgomery opened the Public Hearing, there were no comments.

The Public Hearing was closed.

DISCUSS, CONSIDER AND TAKE ACTION, AS NECESSARY, CONCERNING THE APPROVAL OF THE AMENDED FINAL PLAT FOR LOTS 1-5, BLOCK 1 OF THE TRITON ATHENS SUBDIVISION, R.A. CLARK SURVEY A-171, ALSO KNOWN AS 1006, 1010 AND 1012 EAST TYLER STREET

A motion was made by Councilmember Gross, seconded by Councilmember Smith to approve the amended final plat for Lots 1-5, Block 1 of the Triton Athens Subdivision, R.A. Clark Survey A 171, also known as 1006, 1010 and 1012 East Tyler Street. The motion carried unanimously.

CONSIDER FINAL READING OF AN ORDINANCE ESTABLISHING A
SHIFT DIFFERENTIAL PAY FOR FIRE FIGHTERS AND POLICE OFFICERS

Ms. Hambrick read the caption of the Ordinance aloud.

A motion was made by Councilmember McCain, seconded by Councilmember Gross to approve final reading of an Ordinance establishing a shift differential pay for Fire Fighters and Police Officers.

After roll call vote, the motion passed with the following record vote:

| | |
|-----------------------------|-----|
| Monte Montgomery, Mayor | Aye |
| Ed McCain, Mayor Pro Tem | Aye |
| Aaron Smith, Councilmember | Aye |
| Toni Clay, Councilmember | Aye |
| Robert Gross, Councilmember | Aye |

Voted in favor of the motion 5

Voted against the motion 0

Motion carried 5-0

EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE,
SECTION 551.072 (DELIBERATION REGARDING REAL PROPERTY;
CLOSED MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE,
LEASE, OR VALUE OF REAL PROPERTY:

- a) 405 LINDSEY LANE
- b) 415 EAST CORSICANA STREET

The City Council convened in Executive Session at 6:25 p.m.

The City Council returned to Regular Session at 6:42 p.m.

CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE
SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION
551.072 (DELIBERATION REGARDING REAL PROPERTY; CLOSED
MEETING) TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR
VALUE OF REAL PROPERTY

- a) 405 LINDSEY LANE

No action was taken.

- b) 415 E. CORSICANA STREET

No action was taken.

MAYOR AND CITY COUNCIL'S REQUEST FOR FUTURE AGENDA ITEMS

Ms. Hambrick read aloud the following future agenda items:

- Councilmember McCain requested an update on a Supervisory Control and Data Acquisition (SCADA) System
- Mayor Montgomery requested a joint meeting with Athens Municipal Water Authority

- Update from SPI, regarding Back up power for the Critical Services, and Royal Mountain Standpipe will appear on a future agenda
- Form a sub-group to look at areas with high accident counts and preventive measures and include a representative from TxDOT

Ms. Borstad stated a work session to discuss Civil Service requirements for Police Recruits will appear on a future agenda.

ADJOURN

The meeting adjourned at 6:50 p.m.

PASSED AND APPROVED THIS THE 23rd DAY OF MARCH, 2020.

Monte Montgomery, Mayor

ATTEST:

Bonnie Hambrick, City Secretary