

SPECIAL SESSION

APRIL 22, 2015

The City Council of the City of Athens met in Special Session on Wednesday, April 22, 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, Mayor Pro-Tem  
Charles Elliott  
Joe Whatley  
Tres Winn

Philip Rodriguez, City Administrator  
Bonnie Hambrick, City Secretary

others present: David Hopkins, Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, Haven Cox, Sherri Skeeters, Corey Frentress, Lisa Denton, Michael Hannigan and Rich Flowers;

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.

CERTIFICATE OF RECOGNITION FOR DAVID HOPKINS SERVING AS INTERIM CITY ADMINISTRATOR

Mayor Vaught presented David Hopkins with a certificate of recognition for serving as interim City Administrator from January 21, 2015 through March 30, 2015.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT  
A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Gary Crecelius, Director of Planning & Development, updated on the following projects:

- 1) Merrill Jensen, 2680 Hwy. 31 West, almost complete
- 2) Timber Hills, new home permit
- 3) Timber Hills, 3 homes under construction in various forms
- 4) 908 Maxine, framing
- 5) 616 Lantana, sheet rocking
- 6) Athens Independent School District, 708 E. College, steel work
- 7) Athens Independent School District, 307 Madole Street, sheet rocking inside classroom and outside driveway work
- 8) Gibson Pharmacy, 600 S. Palestine St., framing work on drive thru still in progress
- 9) Bacon Chevrolet, 311 E. Tyler St., progressing
- 10) Country Place Living, permits approved
- 11) Pools are currently being installed at residences

FINANCIAL REPORT

David Hopkins, Director of Finance presented the February financials and an update of the latest sales tax figures.

DISCUSSION ITEMS:

- A) DISCUSS SECOND READING OF AN ORDINANCE REPEALING ORDINANCE NUMBERS A-934, A-990, 29-89, O-10-97 AND O-31-08 WATER AND SEWER FEES AND CHARGES

David Hopkins explained the second reading of an Ordinance repealing old Ordinances for Water and Sewer Fees and Charges will appear on the agenda Monday, April 27, 2015.

- B) DISCUSS SECOND READING OF AN ORDINANCE ESTABLISHING WATER AND SEWER FEES AND CHARGES

David Hopkins explained the second reading of an Ordinance Establishing Water and Sewer Fees and Charges will appear on the agenda Monday.

- C) DISCUSS SECOND READING OF ORDINANCE REPEALING ORDINANCE NUMBERS O-30-08, 33-90, O-06-03 AND O-28-10 REGARDING RESIDENTIAL AND COMMERCIAL WATER AND WASTEWATER RATES AND BULK WATER RATES

David Hopkins explained the second reading of an Ordinance repealing old Ordinances for Residential and Commercial Water and Wastewater Rates and Water Rates will appear on the agenda Monday.

- D) DISCUSS SECOND READING OF ORDINANCE ESTABLISHING RESIDENTIAL AND COMMERCIAL WATER AND WASTEWATER RATES AND BULK WATER RATES

David Hopkins explained the second reading of an Ordinance Establishing Residential and Commercial Water and Wastewater Rates and Bulk Water Rates will appear on the agenda Monday.

- E) DISCUSS PUBLIC HEARING CONCERNING CREATION OF SITE PLAN AND REZONING OF LOT (S) 5A & 5B, BLOCK 3, ATHENS ORIGINAL TOWN FROM CENTRAL BUSINESS DISTRICT TO CENTRAL BUSINESS DISTRICT SPECIFIC USE PROVISION, OWNED BY CLOVIS PIERCE ( 101 & 103 EAST TYLER)

Mr. Crecelius explained that a site plan is being created and this property is being rezoned to allow for a Micro-Brewery, restaurant, office space and wine processing. He stated 15 surrounding property owners were notified, no objections were received, and the Zoning Commission approved the rezone on 4/21/15. The item will appear on the agenda Monday.

- F) DISCUSS APPROVING MINUTES OF THE APRIL 8, 2015 SPECIAL SESSION, AND APRIL 13, 2015 REGULAR SESSION

These items will appear on the Consent Agenda Monday.

Discuss/consider appointment to Athens Economic Development Corporation's Board

Lisa Denton, Executive Director of Athens Economic Development Corporation (AEDC) informed the Council that the AEDC Board has recommended John Trent to be appointed to the AEDC Board of Directors and is seeking Council approval.

Councilmember Montgomery stated Mr. Trent is an excellent candidate. He asked if Mr. Trent can serve on the Civil Service Commission Board and the AEDC Board.

Philip Rodriguez, City Administrator explained City Attorney, Blake Armstrong stated serving on the two (2) boards does not create a conflict as neither position is considered a public office.

A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to appoint John Trent to the Athens Economic Development Corporation's Board. The motion carried unanimously.

**DISCUSS/CONSIDER APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S BUSINESS ASSISTANCE GRANT PROGRAM APPLICATION SUBMITTED BY ARBY'S**

Ms. Denton appeared before the City Council and requested approval of AEDC's Funding of the Business Assistant Grant to Arby's. The grant will help the business work on exterior signage improvements to meet the updated prototype for the Arby's chain. The estimated cost is \$21,150. Ms. Denton explained the grant is \$10,000 and AEDC has approved the funding and they are requesting approval by the City Council.

A motion was made by Councilmember Winn, seconded by Councilmember Elliott to approve Athens Economic Development Corporation's Business Assistance Grant in the amount of \$10,000 as submitted by Arby's. The motion carried unanimously.

**DISCUSS/CONSIDER APPROVING RESOLUTION SUPPORTING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S ENTREPRENEURSHIP GRANT TO RELIABLE BATTERY COMPANY**

Ms. Denton explained that AEDC sponsored an 8 week course through Trinity Valley Community College Small Business Development Center (TVCC/SBDC) where individuals presented business plans and competed for a grant up to \$30,000. Larry Shirey with Reliable Battery Company presented his plans to the AEDC Board. She explained Mr. Shirey's company reconditions old batteries and he has projected \$300,000 worth of investment within the City Limits and 4-7 jobs created. Ms. Denton further explained the Board approved a reimbursable grant, in the amount of \$20,000 to Mr. Shirey. The amount of \$10,000 will be reimbursed upon proof of relocation of the business within the city limits of Athens. The remaining \$10,000 will be reimbursed upon proof of real and/or personal property investment within a one year time period. The AEDC Board is requesting approval by the City Council.

A motion was made by Councilmember Montgomery, seconded by Councilmember Whatley to approve a Resolution supporting Athens Economic Development Corporation's Entrepreneurship Grant to Reliable Battery Company. The motion carried unanimously.

**DISCUSS/CONSIDER APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S ENTREPRENEURSHIP GRANT TO PHILOSOPHY FIT**

Ms. Denton explained that Miranda Perry of Philosophy Fit presented a business plan as a result of participation in the 8 week course through Trinity Valley Community College Small Business Development Center (TVCC/SBDC) entrepreneurial program. She stated Ms. Perry is opening a Fitness Studio. It will have Yogo, Pilates and Zumba. Ms. Denton stated the AEDC Board approved a reimbursable grant in the amount of \$6,000 to Ms. Perry and it would be paid upon proof of expenditures related to the business start-up, such as floor refinishing, mirrors, bars and mats, within a one (1) year time frame. The AEDC Board is requesting approval by the City Council.

A motion was made by Councilmember Elliott, seconded by Councilmember Winn to approve Athens Economic Development Corporation's Entrepreneurship Grant in the amount of \$6,000 to Philosophy Fit. The motion carried unanimously.

**DISCUSS/CONSIDER ASSISTING COUNTY WITH DRAINAGE  
IMPROVEMENTS ON GIBSON ROAD**

Glen Herriage, Director of Utilities explained that County Commissioner Ken Geeslin requested the City assist the County in repairing some drainage issues on Gibson Road. Mr. Geeslin's request is for a grade all and an operator for 1-2 days to clean out both sides of the bar ditches. A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to assist the County with drainage improvements on Gibson Road. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING STAFF TO ADVERTISE FOR THE  
2015 PROPOSED SEAL COAT PROGRAM**

Glen Herriage explained the proposed 2015 Seal Coat Program including the bid specifications. He stated staff is seeking Council's approval to advertise for bids. A motion was made by Councilmember Elliott, seconded by Councilmember Winn to authorize staff to advertise for the 2015 Proposed Seal Coat Program. The motion carried unanimously.

**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 551.087**

**A. DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT  
NEGOTIATIONS WITH THE FOLLOWING PROSPECTS:  
PROSPECT #1401**

The City Council adjourned to Executive Session at 5:58 p.m.

The City Council returned to Special Session at 6:22 p.m.

**DISCUSS/CONSIDER POSSIBLE ACTION RESULTING FROM  
DELIBERATIONS IN EXECUTIVE SESSION; SECTION 551.087 UNDER  
AGENDA ITEM 14**

Lisa Denton, explained the AEDC Board approved an incentive package for HVAC Manufacturing, Inc. of San Jose, California in the amount of \$394, 500. The amount of \$75,000 is for job creation and the remaining balance is to help with finishing out the facility. Ms. Denton explained the economic impact was 10.6 percent rate-of-return over 9.46 years. The company will bring 6 employees from California and they plan to have a total of 25 employees after five (5) years with an average wage being \$14.50. The AEDC Board is requesting approval of the incentive package in the amount of \$394, 500 by the City Council.

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to approve the incentive package of \$394,500. The motion carried unanimously.

**DISCUSS/CONSIDER POSSIBLE APPROVAL OF COMMERCIAL CONTRACT BETWEEN  
AEDC AND PRECISION BULLETS, LLC, FOR PURCHASE OF REAL PROPERTY  
LOCATED AT 1010 W. CORSICANA ST., IN THE AMOUNT OF \$260,000**

Ms. Denton explained the AEDC Board approved the Commercial Contract between AEDC and Precision Bullets LLC to purchase property where the incoming business will be located. Ms. Denton explained that it was a lease purchase to the company over a 10 year term for five (5) acres of land, and the AEDC Board is requesting approval of the contract by the City Council.

A motion was made by Councilmember Montgomery, seconded Councilmember Elliott to approve the Commercial Contract between AEDC and Precision Bullets, LLC, for purchase of real property located at 1010 W. Corsicana St., in the amount of \$260,000. The motion carried unanimously.

CITY ADMINISTRATOR'S UPDATE

1. Mr. Rodriguez thanked the community and the Partnership Center for hosting the Meet and Greet welcoming his family to Athens.
2. Reminded the Council and Staff of the Vision and Planning Session scheduled for April 30, 2015.
3. Welcomed everyone to the rodeo.

MAYOR AND COUNCIL UPDATE

Mayor Vaught expressed his deepest appreciation to the Council, Staff and Management Team for all their support and comfort that he and his family received at the time of his Mother's passing.

ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 11<sup>th</sup> DAY OF MAY, 2015.

---

Jerry D. Vaught, Mayor

ATTEST:

---

Bonnie Hambrick, City Secretary