

REGULAR SESSION

OCTOBER 12, 2015

The City Council of the City of Athens met in Regular Session on Monday, October 12, 2015, 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:

Jerry D. Vaught, Mayor  
Monte Montgomery, Mayor Pro-Tem  
Joe Whatley  
Tres Winn  
Charles Elliott

Philip Rodriguez, City Manager  
Bonnie Hambrick, City Secretary

others present: David Hopkins, Buddy Hill, Sherri Skeeters, John McQueary, Gordon Mayer, Lisa Denton, Michael Hannigan, Corey Frentress, Chandler Earley, Merritt Johnson, Ward Wilbanks, Jamie Ivey, Carol Morton, Rich Flowers, Boyd London, Kristina Jacobson, Dr. Janie Sims, Kathy Means, Mike Coston, Robert Haberle and other interested citizens;

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

The invocation was given by Councilmember Montgomery.

Philip Rodriguez, City Manager, stated that Staff would like to pull item #7 Discuss/consider approving a Resolution in support of the Athens Independent School District's Bond Election from the agenda and this item would not be discussed or considered.

DECLARATION OF CONFLICT OF INTEREST

Councilmember Elliott filed a Conflict of Interest concerning the Consent Agenda Item B) Consider approving the minutes of the September 28, 2015 Regular Session.

PRESENTATION TO CITY COUNCIL AS REQUESTED BY ATHENS  
INDEPENDENT SCHOOL DISTRICT CONSTRUCTION MANAGEMENT CLASS

Dr. Janie Sims, Assistant Superintendent, Athens Independent School District stated this was the Construction Management Class' first project and they wanted to present it to the City Council. The Construction Management Class presented a custom concrete bench to the City Council.

HEAR PRESENTATION FROM CHAMBER PRESIDENT MIKE COSTON ON  
YOUNG ENTREPRENEUR ACADEMY (Y.E.A.)

Mike Coston, Chamber President, updated the City Council on the Young Entrepreneurs Academy (YEA!) He stated the program is a groundbreaking afterschool program that transforms local high school students into real entrepreneurs. He stated it is a 30 week program with students meeting from 4:00 p.m. to 7:00 p.m. The program teaches students about business and helps them brainstorm to write a business plan and pursue their dreams by harnessing their creativity and energy. Mr. Coston stated that five (5) Chambers in the State of Texas are participating in the YEA! Program. He further explained the students will present their business plan to an investor panel, debut their business plan at a trade show event, and participate in a formal graduation. He further explained the winner from the investor panel moves onto the regional semifinals with the top three winners receiving college scholarships.

Mr. Coston concluded his presentation by asking for local sponsorship and sharing highlights of YEA! Graduates.

Councilmember Elliott stated the program grows young adults into being successful leaders.

**TOURISM ADCISORY COUNCIL'S UPDATE**  
**A) STATUS REPORT**

Sherri Skeeters, Tourism Coordinator, stated the Department of Tourism is working with LoneStar Logos to install signage on the Loop in Athens directing motorists to eligible businesses for gas, food, lodging and 24-hour pharmacies. She stated a market study was completed with plans submitted to TxDOT for approval and TxDOT has approved all locations, except one. She explained the Tourism Department has budgeted to pay the one-time fees for printing and installation for hotels, up to \$1,000 per hotel property, that choose to participate; and that the hotels are responsible for contracting with LoneStar Logos. The cost to participate is \$2,100 for each contract year for two main panels, one in each direction, and ramp signs directing motorists to turn. Currently, contracts have been received from Applebee's, Braum's, Cotton Patch, Jalapeno Tree, and McAlister's Deli for the Loop and Highway 31 East location, and a contract has been received from Super 8 on the Highway 175 West location. Sign installation will be late October to early November. Businesses will still have an opportunity to participate after the initial installation.

**CONSENT AGENDA**  
**A) RATIFY A CORRECTION TO THE SEPTEMBER 14, 2015 CITY COUNCIL  
REGULAR SESSION MINUTES**

Bonnie Hambrick, City Secretary, explained in the minutes of the September 14, 2015 City Council meeting she failed to capture the name of Will Traxson for reappointment to Athens Economic Development Corporation. Mr. Traxson was presented and included for reappointment but his name was left off the typed minutes. This amendment will make the City records official and preserve an accurate record of the business transacted at the meeting.

A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to ratify a correction to the September 14, 2015 City Council Regular Session Minutes. The motion carried unanimously.

**B) CONSIDER APPROVING MINUTES OF THE SEPTEMBER 28, 2015 REGULAR  
SESSION**

A motion was made by Councilmember Winn, seconded by Councilmember Whatley to approve the minutes of the September 28, 2015 Regular Session. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmember Montgomery, Councilmember Winn, Councilmember Whatley, Nays: None, Abstaining: Councilmember Elliott.

**DISCUSS/CONSIDER APPROVING A RESOLUTION IN SUPPORT OF ATHENS  
INDEPENDENT SCHOOL DISTRICT'S BOND ELECTION**

This item was pulled from the agenda and was not discussed or considered.

**DISCUSS/CONSIDER A RESOLUTION AUTHORIZING PHILIP RODRIGUEZ,  
CITY MANAGER AND DAVID HOPKINS, DIRECTOR OF FINANCE TO  
ESTABLISH A NEW BANK ACCOUNT FOR ATHENS ECONOMIC  
DEVELOPMENT CORPORATIONS' PAYROLL**

Mr. Rodriguez explained the Resolution would allow the City to provide payroll services to Athens Economic Development Corporations' (AEDC) two employees at no cost. He stated it would be a separate bank account for their payroll with deposits being made by AEDC and managed and transferred by the City's Finance group.

A motion was made by Councilmember Elliott, seconded by Councilmember Winn to approve a Resolution authorizing Philip Rodriguez, City Manager and David Hopkins, Director of Finance to establish a new bank account for Athens Economic Development Corporations' Payroll. The motion carried by the following vote: Ayes: Mayor Vaught, Councilmember Winn, Councilmember Whatley, and Councilmember Elliott, Nays: Councilmember Montgomery.

DISCUSS/CONSIDER A RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION WITH EAST TEXAS COUNCIL OF GOVERNMENTS FOR A REGIONAL SOLID WASTE GRANTS PROGRAM GRANT AND AUTHORIZING THE CITY MANAGER TO ACT IN ALL MATTERS RELATED TO THE APPLICATION AND COMPLY WITH THE GRANT REQUIREMENTS

Mr. Rodriguez explained that the City is a member of East Texas Council of Governments (ETCOG) and there is an opportunity to apply for a solid waste grant through ETCOG's solid waste program and would be for a 30-yard container for public's use of all recyclables. He explained that currently the City is unable to recycle glass. He stated the grant is in the amount of \$9,170 which covers the cost of the 30 yard container and includes an educational component to help Citizens understand what recycling looks like for the community. He explained that the Resolution shows ETCOG that the City supports the recycling.

A motion was made by Councilmember Montgomery, seconded by Councilmember Elliott to approve a Resolution authorizing the filing of a grant application with East Texas Council of Governments for a Regional Solid Waste Grants Program Grant and authorizing the City Manager to act in all matters related to the application and comply with the grant requirements. The motion carried unanimously.

DISCUSS/CONSIDER ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF "CITY OF ATHENS, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2015", INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH BONDS AND PROVIDING FOR THE REDEMPTION OF THE OBLIGATIONS BEING REFUNDED

David Hopkins, Finance Director, explained that due to historically low bond interest rates the City has the opportunity to save approximately \$30 to \$35,000 in interest costs annually for the life of the bonds.

Mr. Boyd London, FirstSouthwest Co., stated a term sheet was prepared and distributed to a group of banks that included the local banks and the result were as follows:

Bank	True Interest Cost	Additional Expenses	Refunding Savings
<b>First State Bank</b>	<b>1.567%</b>	<b>\$250</b>	<b>\$413,786</b>
TIB-The Independent Bankers Bank	1.850%	-	362,438
JP Morgan Chase	1.900%	2,000	353,333
Bank of Texas	1.880%	4,700	351,156
Regions Bank	1.928%	-	347,946
Zions Bank	1.990%	1,550	336,150
American National Bank of Texas	2.000%	2,750	334,325
Sterling National Bank	2.091%	7,500	311,966
BB&T-Branch Banking & Trust	2.230%	4,274	291,684

He explained the process for awarding the bonds and there is a single reading of the Ordinance to award the bonds to First State Bank of Athens.

Councilmember Elliott asked if the City is extending the term of any of the bonds.

Mr. Hopkins stated the City is not increasing the terms simply lowering the interest rates for the remaining term.

Councilmember Montgomery thanked Mr. London for his efforts and commended the Staff.

Ms. Hambrick read the Ordinance aloud.

Mr. Rodriguez highlighted by refinancing the bonds results in a savings of over \$413,000 for the Citizens.

A motion was made by Councilmember Whatley, seconded by Councilmember Winn to approve all matters incident and related to the issuance and sale of "City of Athens, Texas, General Obligation Refunding Bonds, Series 2015", including the adoption of an Ordinance authorizing the issuance of such bonds and providing for the redemption of the obligations being refunded. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH HENDERSON COUNTY  
SOCCER ASSOCIATION (HCSA)**

Mr. Rodriguez explained this is a contract renewal with Henderson County Soccer Association for use of soccer fields at Coleman Park for an additional five (5) year period, with no changes being made to the contract.

There was discussion regarding the term limit being reduced from a five (5) year term to a three (3) year term, and amending language within the contract.

After discussion it was the consensus of the City Council to table this item.

**DISCUSS/CONSIDER APPOINTING THREE (3) ALTERNATE MEMBERS TO  
ZONING BOARD OF ADJUSTMENTS**

This item was tabled.

**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; TO DELIBERATE ON THE  
APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT OR DUTIES  
OF HUMAN RESOURCE DIRECTOR**

The City Council adjourned to Executive Session at 6:31 p.m.

The City Council returned to Regular Session at 7:16 p.m.

**CONSIDER ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE  
SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, SECTION 551.074  
PERSONNEL MATTERS TO DELIBERATE ON THE APPOINTMENT,  
EMPLOYMENT, EVALUATION, REASSIGNMENT OR DUTIES OF HUMAN  
RESOURCE DIRECTOR**

No action was taken.

#### CITY MANAGER'S UPDATE

City Manager Rodriguez updated Council on:

- Meetings transpiring with Staff across the organization to discuss changes and to hear from Staff regarding suggestions as to what the City can do better
- Thanked the Public Works group for cleaning up before the Fall Festival at the East Texas Arboretum
- Informed Council that Mr. Gary Crecelius, Director of Planning and Development, has submitted his resignation of retirement for the end of October and will provide some consulting for the City until the position is filled
- Thanked the Code Enforcement Staff for mowing the Old Henderson County Hospital
- Thanked the Fire Department for providing training on Fire Education
- Thanked the Athens Independent School District, Keep Athens Beautiful, Athens, Chamber of Commerce, Athens Economic Development Corporation for the good partnership and stated when we work together good things happen for the Citizens
- Stated Staff is busy implementing the Fiscal Year 2016 Budget

#### MAYOR AND COUNCIL UPDATE

Mayor Vaught reminded the Council of the Mayor's Outstanding Leadership Awards Luncheon on Wednesday, October 28, 2015 honoring Ron Baugh, Lee Bush, Shirley Ward and Peggy Gould as outstanding leaders in the community.

#### ADJOURN

The meeting was adjourned.

PASSED AND APPROVED THIS THE 26<sup>th</sup> DAY OF OCTOBER, 2015.

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Jerry D. Vaught, Mayor

ATTEST:

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Bonnie Hambrick, City Secretary