

REGULAR SESSION

OCTOBER 26, 2015

The City Council of the City of Athens met in Regular Session on Monday, October 26, 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
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, Chris Tinsley, Carol Morton, Rich Flowers, Bryan Barker, Robert Haberle, and other interested citizens;

with the following member absent: Tres Winn;

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.

DIRECTOR OF PLANNING & DEVELOPMENT'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

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

- 1) New permits for single family dwellings on Green Court and E. College
- 2) Homes in Timber Hills Addition in various stages of construction
- 3) AISD High School, 708 E. College, progressing
- 4) AISD Intermediate, 307 Madole, progressing
- 5) Fresenius Medical Care, 1220 S. Palestine, sheet rocking and framing
- 6) Anytime Fitness, finishing
- 7) Winery downtown, framing
- 8) Country Place Living, 209 Wood Street, framing work

Mr. Crecelius stated there has been discussions with a contractor for a subdivision on South 19.

B) STATUS REPORT ON CURRENT AND PROPOSED UTILITIES PROJECTS

Gordon Mayer, Interim Director of Development, updated on the following:

- 1) Clean up from waterline breaks from the weather
- 2) Second clearwell painting has begun
- 3) Sewer line on Old Kaufman Road scheduled for cleaning and restoring
- 4) Painting and repainting water storage tanks

FINANCIAL REPORT

Philip Rodriguez, City Manager presented August financials.

CONSENT AGENDA;

A) CONSIDER APPROVING MINUTES OF THE OCTOBER 12, 2015 REGULAR SESSION

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

DISCUSS QUOTES TO REPAINT DOWNTOWN FURNISHINGS

Sherri Skeeters, Tourism Coordinator explained the existing lampposts and benches in the Central Business District have not been repainted since installation more than 10 years ago. She stated three (3) business were contacted for price quotes and Staff recommends awarding the lampposts and benches to the low bidder, American Electrostatic Painting, and the low bidder for the hand railings to Marsh Waterproofing. Total cost \$25,416.

Councilmember Montgomery asked if it was posted local to bid, with Ms. Skeeters stating it was not posted; however she did contact some local business and they were unable to obtain the required liability insurance that the City requires and could not meet the timeframe.

Mr. Rodriguez explained that the competitive bidding process for any items under \$50,000 does not require a formalized bid process.

Councilmember Montgomery stated every Citizen needs an equal opportunity to bid.

Mr. Rodriguez stated he wanted the Council to be aware of Staff time involved and the cost involved to advertise each item.

After much discussion it was suggested by the City Council that all bids should be posted on the City's website with contact information as to allow Citizens the opportunity to bid.

DISCUSS PURCHASING NEW DOWNTOWN FURNISHINGS

Ms. Skeeters explained the existing trash receptacles are more than 10 years old and could be updated. Current benches were purchased by downtown businesses through the Central Business Association several years ago. She stated it is Staff's recommendation to purchase thirteen (13) Victor Stanley trash receptacles and thirteen (13) Victor Stanley benches to be placed throughout the Central Business District. Total cost including shipping \$27,798. She explained the City is a member of Buy Board and this includes a 7% discount.

Councilmember Montgomery asked if the units were put out for bid, with Ms. Skeeters stating they were not.

Mr. Rodriguez explained that it is customary for Staff to seek information from peer cities and organizations to see who and what other Cities have used. He stated the City does not have a Purchasing Department and he would like to come back to the City Council in a workshop format to discuss purchasing.

DISCUSS/CONSIDER VOTING ON HENDERSON COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS, PLACE 2

Bonnie Hambrick, City Secretary explained that the Council previously nominated Jack Bailey for Place 2 on the Henderson County Appraisal District Board of Directors and this item is before the Council to cast the City's 230 votes for Jack Bailey for place 2 on the Henderson County District Board of Directors. A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to cast the City's 230 votes for Jack Bailey for Place 2 on the Henderson County District Board of Directors. The motion carried unanimously.

**DISCUSS/CONSIDER ATHENS ECONOMIC DEVELOPMENT CORPORATIONS'
BUDGET FOR FISCAL YEAR 2016**

Lisa Denton, Executive Director Athens Economic Development Corporation (AEDC) explained that AEDC approved its FY 2015-2016 Budget at their September 9, 2015 board meeting and that the Bylaws of the AEDC require that the City approve their annual budget. She informed the Council that the budget is a structurally balanced budget with expenditures not anticipated to exceed projected available funds.

Councilmember Montgomery questioned budget line item 6260-1 Executive Director Retirement stating it shows the budget item, however it does not show how much was spent. Ms. Denton explained the QuickBooks payroll did not have the line items correlated to the correct numbers and line item 6260 Payroll Expenses Other reflects the Executive Director's salary. She stated there is a need to clean up journal entries in QuickBooks.

Councilmember Montgomery questioned line item 6240 Retirement with Ms. Denton explaining it was, again, due to the QuickBooks line items not correlating to the correct numbers, and all numbers relating to the Executive Director are in line item 6240. Ms. Denton further explained that AEDC has hired an accounting firm who will work to resolve the discrepancies in QuickBooks.

After additional discussion, a motion was made by Councilmember Montgomery, seconded by Councilmember Whatley to approve Athens Economic Development Corporations' Budget for Fiscal Year 2016 with the contingency that any previous accounting inaccuracies be corrected when the Fiscal Year 2017 Budget is presented. The motion carried unanimously.

**DISCUSS/CONSIDER APPROVAL OF INCENTIVE PACKAGE FOR PROSPECT
1506, CP HOMES, LLC., IN THE AMOUNT OF \$6,500, AS REQUESTED BY
ATHENS ECONOMIC DEVELOPMENT CORPORATION**

Ms. Denton explained that AEDC is seeking Council approval for an incentive package for Prospect 1506, CP Homes, LLC. in the amount of \$6,500. She stated the Prospect is in the process of constructing a new assisted living facility located between Walgreens and Athens Town Homes. It was originally believed the property had all infrastructure in place, but has discovered it does not have gas service to the property and the Company has come back to AEDC to ask for assistance with this expenditure. Historically, AEDC has provided incentives to help cover infrastructure costs for these types of projects. This does align with previously funded projects and is a minimal outlay for this level of investment by a company. Atmos has stepped up to provide the materials, thereby reducing the original cost estimate from \$10,000 to \$6,500. Real property improvements are estimated at \$1,438,000 with \$737,000 in Furniture/Fixtures/Equipment. They project to hire up to 20 full time employees in year 1, with 30-35 at peak employment. AEDC approved \$6,500 for construction costs for the gas line. Economic Impact Summary follows, showing a 413% ROI over .14 years. This project has a net benefit to the city, over a 10 year term, of \$268,336.

A motion was made Councilmember Whatley, seconded by Councilmember Montgomery to approve the incentive package for Prospect 1506, CP Homes, LLC. in the amount of \$6,500 as requested by AEDC. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING THE CITY TO ISSUE A REQUEST FOR
QUALIFICATIONS AND PROPOSALS, UTILIZING THE DESIGN-BUILD (D-B)
CONTRACT METHOD OF PROJECT DELIVERY, SEEKING QUALIFICATIONS
AND PROPOSALS (RFQ/RFP) FROM QUALIFIED RESPONDENTS FOR THE
DESIGN AND CONSTRUCTION AND REMODELING OF THE EMERGENCY
OPERATIONS CENTER FACILITY AND APPROVE A RESOLUTION**

Mr. Rodriguez explained the Design/Build method potentially provides the best value for the City. He explained there are several construction delivery methods that the City can utilize as governmental entity one being the design/ build approach. This method has a single contract with one Design Build firm to design, build, and construct. Mr. Rodriguez stated this method saves time on projects and allows Staff to move faster during the project. He further explained the Two Step Request for Qualifications and Proposals (RFQ/RFP) from Design/Build Firms and identified the objective of the project is to remodel the Emergency Operations Center (EOC) / Development Services Center. He explained the team consists of the following members: Monte Montgomery, Philip Rodriguez, Gordon Mayer and Gary Crecelius.

A motion was made by Councilmember Whatley, seconded by Councilmember Elliott authorizing the City to issue a Request for Qualifications and Proposals, Utilizing the Design-Build (D-B) Contract Method of Project Delivery, Seeking Qualifications and Proposals (RFQ/RFP) from Qualified Respondents for the Design and Construction and remodeling of the Emergency Operations Center Facility and approve a Resolution. The motion carried unanimously.

DISCUSS/CONSIDER AUTHORIZING THE CITY TO ISSUE A REQUEST FOR QUALIFICATIONS AND PROPOSALS, UTILIZING THE DESIGN-BUILD (D-B) CONTRACT METHOD OF PROJECT DELIVERY, SEEKING QUALIFICATIONS AND PROPOSALS (RFQ/RFP) FROM QUALIFIED RESPONDENTS FOR THE DESIGN AND CONSTRUCTION OF A CONCESSION PLAZA & PAVILION AT COLEMAN PARK AND APPROVE A RESOLUTION

Mr. Rodriguez explained this item is the same request to utilize the Design/Build method. He explained the scope of services is more complex as it is trying to construct a new Concession Plaza Facility that is ADA compliant. He explained the Project Budget is \$280,000 to \$310,000 with an estimated completion date on or before March 25, 2016.

Councilmember Whatley asked if there were any renditions drawn up with Mr. Chris Tinsley, Chairman of Parks Advisory Board, explaining there were some renditions to a point, however the Design/Build method would provide better ideas for the construction of the Plaza that could be more cost efficient and better for the Citizens.

A motion was made by Councilmember Elliott, seconded by Councilmember Montgomery authorizing the City to issue a Request For Qualifications and Proposals, Utilizing the Design-Build (D-B) Contract Method of Project Delivery, Seeking Qualifications and Proposals (RFQ/RFP) from Qualified Respondents for the Design and Construction of a Concession Plaza & Pavilion at Coleman Park and approve a Resolution. The motion carried unanimously.

DISCUSS/CONSIDER FUNDING CONTRACTS FOR ATHENS TEENAGE BASEBALL ASSOCIATION

Ms. Skeeters explained at the August 24 Regular Session, the City Council approved the Tourism Advisory Council's recommendation to fully fund the Athens Teenage Baseball Association's request for \$15,000 to bid on the 2016 Dixie Youth Baseball State Tournament. She explained this item is before the City Council to approve the funding contract. A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery to approve the funding Contracts for Athens Teenage Baseball Association. The motion carried unanimously.

**DISCUSS/CONSIDER FUNDING CONTRACTS FOR HENDERSON COUNTY
REGIONAL FAIR PARK COMPLEX**

Ms. Skeeters explained at the August 24 regular session, the City Council approved the Tourism Advisory Council's recommendation to fully fund the Henderson County Regional Fair Park Complex's request for \$12,973 to go toward the purchase of 20 new stalls. A motion was made Councilmember Whatley, seconded by Councilmember Elliott to approve the funding contracts for Henderson County Regional Fair Park Complex. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING THE PURCHASE OF BUDGETED TRACTOR
FROM STATE PURCHASING PROGRAM FOR USE IN THE PARKS DEPARTMENT**

Gary Crecelius explained during the budget process it was budgeted to purchase a new tractor for use in the Parks Department and Staff is seeking authorization to purchase the tractor from the State Purchasing Program in the amount of \$61,241.00. He stated local dealers were contacted, however purchasing from the State Purchasing Program would save taxpayers approximately, \$5,000.

A motion was made by Councilmember Whatley, seconded by Councilmember Montgomery authorizing the purchase of the budgeted tractor from State Purchasing Program for use in the Parks Department. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING LEASE AGREEMENT WITH JAN JEHLICKA
FOR T-HANGAR NO. 9 AT ATHENS MUNICIPAL AIRPORT**

Gary Crecelius explained that Ms. Charla Till, who was leasing T-Hangar No. 9 since December 2013 has indicated she no longer wishes to lease the T-Hangar. Mr. Jan Jehlicka would like to lease T-Hangar No. 9 with the lease running from November 2015 through December 2016.

A motion was by Councilmember Montgomery, seconded by Councilmember Whatley to approve the lease agreement with Jan Jehlicka for T-Hangar No. 9 at Athens Municipal Airport. The motion carried unanimously.

**DISCUSS/CONSIDER AUTHORIZING CONTRACT WITH HENDERSON COUNTY
SOCCER ASSOCIATION**

Gary Crecelius explained the contract with Henderson County Soccer Association for the use of the Coleman Park soccer field has expired and the contract is amended to reflect a three (3) year term and changes to the contract language.

A motion was made by Councilmember Elliott, seconded by Councilmember Whatley to approve the contract with Henderson County Soccer Association for use of the soccer field at Coleman Park. The motion carried unanimously.

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

A motion was made by Councilmember Whatley, seconded by Councilmember Elliott to appoint Shannon Traxson as an alternate member to Zoning Board of Adjustments. The motion carried unanimously

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

There was no discussion.

CITY MANAGER'S UPDATE

City Manager Rodriguez updated Council on:

- Reminded Council and the public of a retirement reception for Mr. Gary Crecelius, Director of Planning and Development, scheduled for October 29, 2015 at City Hall
- Informed Council that a commendation was received from a Professor at Trinity Valley Community College (TVCC) thanking Chief Buddy Hill for sharing with her class and stating Chief Hill is a credit to the community and the City
- Informed Council several weeks of being short staffed in the Utilities Department; Citizens have stated they appreciate the responsiveness and smiling faces from the Staff
- Thanked Chief John McQueary, Chief Buddy Hill, and Mr. Gordon Mayer for their hard work during the storms the past week with one (1) rescue situation

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 9th DAY OF NOVEMBER, 2015.

Jerry D. Vaught, Mayor

ATTEST:

Bonnie Hambrick, City Secretary