

SPECIAL SESSION

FEBRUARY 20, 2013

The City Council of the City of Athens met in Special Session on Wednesday, February 20, 2013, 11:30 a.m. in the Council Chambers of the City Hall Annex with the following members present, to-wit:

Jerry D. Vaught, Mayor  
Carol Barton  
Aubrey Jones  
Monte Montgomery

Pam Burton, City Administrator  
Pam Watson, City Secretary  
Conor Bateman, City Attorney

others present: Glen Herriage, Gary Crecelius, Buddy Hill, John McQueary, David Hopkins, Haven Cox, Sherri Skeeters, Tyler Hendrickson, Brian Malone, Kim Hodges, Steve Grant and other interested citizens;

with the following member absent: Elaine Jenkins;

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.

CONSULTING ENGINEER'S REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Tyler Hendrickson, Velvin & Weeks Consulting Engineers

- 1) Updated on upcoming Sewer Grant Project

ATHENS ECONOMIC DEVELOPMENT CORPORATION REPORT

A) STATUS REPORT ON CURRENT AND PROPOSED PROJECTS

Brian Malone, President & CEO of Athens Economic Development Corporation, updated on the following:

- 1) Financials/Audit
- 2) Projects
- 3) Provided Strategic Plan prepared by TIP Strategies
- 4) Site visit by prospective company from California

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) Several homes under construction
- 2) Expansion/remodel at 150 Medical Circle
- 3) Arabella, 413 Gibson Rd., foundation work
- 4) Oakwood Place, 603 Wood St., apartments/dining room/assisted living expansion, progressing
- 5) Pizza Hut, 1407 E. Tyler St., opening mid-March
- 6) John Deere Dealership, foundation work
- 7) Brookshires, 807 E. Tyler St., facelift

- 8) Dollar General, 619 W. Corsicana, painting, opening mid-April
- 9) Mooyah Burgers, open for business
- 10) Little Caesar's Pizza, opening mid-March
- 11) JD Tenders, anticipate opening first of March

#### FINANCIAL REPORT

David Hopkins, Director of Finance

- 1) Presented December financials

#### DISCUSS ITEMS FOR FUTURE AGENDAS;

- A) DISCUSS APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S INCENTIVE PACKAGE FOR LONE STAR HOUSING GROUP, LLC

Brian Malone, President & CEO of Athens Economic Development Corporation, explained that A.E.D.C. has approved a \$95,000 loan/incentive package for Lone Star Housing Group, LLC to assist in the development of a new 49-unit apartment complex (Lakeland Villas) to be located in South Athens. He explained that Lone Star is applying to Texas Department of Housing & Community Affairs for tax credits on the project, with it being a competitive process and the incentive providing additional points.

After a lengthy discussion, Ms. Burton explained that this is the first step in their application process, and if funded, there will be several steps involved which will also include rezoning of the property. She stated that the item will appear on the agenda on Monday, February 25, 2013 for a vote only on the loan/incentive package.

- B) DISCUSS APPROVING ATHENS ECONOMIC DEVELOPMENT CORPORATION'S GRANT TO ATHENS CHAMBER OF COMMERCE FOR SPLASH PAD PROJECT AT KIWANIS PARK

Mr. Malone explained that A.E.D.C. has approved a \$20,000 grant to Athens Chamber of Commerce to assist with construction of a splash pad water park at Kiwanis Park. The item will appear on the agenda Monday.

- C) DISCUSS REQUEST FROM ATHENS KIWANIS CLUB REGARDING SPLASH PAD PROJECT AT KIWANIS PARK

City Administrator Pam Burton explained that Athens Kiwanis Club is requesting authorization to construct a splash pad project on the southwest corner of Kiwanis Park, with staff having no objection to the location. She reviewed the City's participation for the project which will include out-of-pocket expenses for materials at a cost of \$4,814.66, in-kind contributions of equipment/labor at a cost of \$9,782.28, and an estimated water/sewer contribution for four (4) months of operation at a cost of \$27,187.48. She stated that an amendment to the contract with Athens Kiwanis Club for use of Kiwanis Park will be required in the future to include maintenance of the splash pad. The item will appear on the agenda Monday.

- D) DISCUSS A RESOLUTION ADOPTING SECTION 3 POLICY, AS REQUIRED BY TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mary Kay Thomas, Grant Consultant with Amazing Grants, explained that a Resolution adopting a Section 3 Policy and designation of an Equal Rights Officer is required by the Texas Community Development Block Grant Program. The item will appear on the agenda Monday.

E) DISCUSS DESIGNATING CITY SECRETARY AS EQUAL RIGHTS OFFICER  
FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Ms. Burton explained that the City Secretary will be designated as the Equal Rights Officer for the Texas Community Development Block Grant Program and the item will appear on the agenda Monday.

F) DISCUSS PUBLIC HEARING CONCERNING REZONING OF TRACT 254,  
T. PARMER SURVEY FROM OFFICE TO MULTI-FAMILY RESIDENTIAL-5,  
OWNED BY BABIT, LLC (405 LINDSEY)

Mr. Crecelius explained that this is the site of the old Henderson County Hospital and the property is being rezoned to allow for an assisted living facility. He stated that 32 surrounding property owners were notified and no objections were received, with the Zoning Commission approving the rezone on 2/19/13.

Kevin Hambrick, owner of Babit, LLC, explained that they plan to remodel the property into a 50,000 sq. ft. assisted living facility for male and female Veterans from across the country that qualify for per diem housing. He stated that there will be between 280-300 beds, criminal backgrounds will be checked on all residents, and none of the residents will have PTSD nor Alzheimers. He stated that this development will create 180 jobs, including nurses, medical assistants, janitors, drivers, maintenance, etc.

There was a lengthy discussion concerning the facility. The item will appear on the agenda Monday.

G) DISCUSS A RESOLUTION ORDERING THE MAY 11, 2013 CITY OF  
ATHENS GENERAL ELECTION  
*(DISCUTA UNA RESOLUCIÓN ORDERNAR EL 11 DE MAYO, 2013 LA  
CIUDAD DE ATHENS ELECCION GENERAL)*

Ms. Burton explained that a Resolution Ordering the May 11, 2013 City of Athens General Election for the purpose of electing a Mayor and City Council Member, Place 1 will appear on the agenda Monday.

H) DISCUSS AUTHORIZING INTERLOCAL AGREEMENT WITH HENDERSON  
COUNTY FOR ELECTION SERVICES AND CONDUCTING ELECTION DAY  
POLLING VOTING

Ms. Burton explained that this Interlocal Agreement will authorize Henderson County to provide election services to the City of Athens and conduct the City's polling activities on Election Day. The item will appear on the agenda on Monday.

I) DISCUSS A RESOLUTION AUTHORIZING JOINT ELECTION AGREEMENT  
WITH ATHENS INDEPENDENT SCHOOL DISTRICT

Ms. Burton explained that this Resolution will allow Athens Independent School District to conduct election day polling at Athens City Hall, however, if the City's election is canceled, it will be conducted at their location. The item will appear on the agenda Monday.

J) DISCUSS A RESOLUTION OPTING OUT OF PEG FEE BY HOLDERS OF  
STATE ISSUED CERTIFICATE OF FRANCHISE AUTHORITY

Ms. Burton explained that a Resolution opting out of the PEG (Public, Educational and Governmental facilities) fee authorized by the Public Utility Regulatory Act will appear on the agenda Monday.

- K) DISCUSS AWARDED BIDS FOR ONE (1) NEW CURRENT MODEL ½-TON, 4X4, CREW CAB/4 DOOR PICKUP FOR USE IN FIRE DEPARTMENT

Fire Chief John McQueary explained that four (4) bids were received for the ½-ton pickup for the Fire Department, recommending the bid be awarded to low bidder, Grapevine Dodge, at a total cost of \$22,319. The item will appear on the agenda Monday.

DISCUSS ITEMS FOR FUTURE CONSENT AGENDA;

- A) DISCUSS APPROVING MINUTES OF THE JANUARY 23, 2013 SPECIAL SESSION AND JANUARY 28, 2013 REGULAR SESSION
- B) DISCUSS ACCEPTANCE OF FY 2013 CLICK IT OR TICKET (CIOT) INCENTIVE GRANT AND AUTHORIZING MAYOR TO EXECUTE TEXAS TRAFFIC SAFETY PROGRAM GRANT AGREEMENT
- C) DISCUSS AUTHORIZING SOLUTIENT GEOSCIENCES, INC. TO PERFORM 2013 ANNUAL POST-REMEDIAL MEASURES PERFORMANCE MONITORING AND PROGRESS REPORT IN ACCORDANCE WITH COMPREHENSIVE LANDFILL GAS REMEDIATION PLAN
- D) DISCUSS FINAL READING OF AN ORDINANCE REZONING LOT 12A1, BLOCK A, MATTHEWS ADDITION FROM RETAIL TO SINGLE-FAMILY RESIDENTIAL-5, OWNED BY GRANITE WORKS/MARK PHILLIPS (716 EAST CORSICANA ST.)
- E) DISCUSS FINAL READING OF AN ORDINANCE CREATING SITE PLAN AND REZONING LOT 56L (TR. 241), T. PARMER SURVEY FROM COMMERCIAL TO COMMERCIAL-SPECIFIC USE PROVISION, OWNED BY PAUL & TERESA PRUETT (1300 S. PALESTINE ST.)
- F) DISCUSS FINAL READING OF AN ORDINANCE CREATING SITE PLAN FOR LOT 9A, BLOCK 10, LARGE LOT SUBDIVISION, OWNED BY FIRST PRESBYTERIAN CHURCH (406 EAST TYLER ST.)
- G) DISCUSS FINAL READING OF AN ORDINANCE AMENDING SITE PLAN FOR LOT 1B, BLOCK 38, ATHENS ORIGINAL TOWN, OWNED BY METALMAN DESIGN/BUILD CORPORATION (414 WEST COLLEGE ST.)

These items will appear on the Consent Agenda.

OPPORTUNITY FOR CITIZENS TO EXPRESS ITEMS OF CONCERN

There was no discussion and the meeting was adjourned.

PASSED AND APPROVED THIS THE 25<sup>TH</sup> DAY OF MARCH, 2013.

---

Jerry D. Vaught, Mayor

ATTEST:

---

Pam Watson, City Secretary