

January 27, 2020

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West in Athens, Alabama, on January 27, 2020 at 5:30 p.m. The meeting was called to order by Councilman Frank Travis, President of the Council. Upon roll call, the following were found to be present: Councilmembers Harold Wales, Wayne Harper, Frank Travis and Chris Seibert. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Council President Travis introduced Reverend Charlie J. Johnson, Jr., who then offered the invocation. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the January 13, 2020 City Council Meeting had been submitted for approval. Councilman Wales moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Seibert and was unanimously carried. The Chairperson stated that the Minutes of the January 13, 2020 City Council Work Session Meeting had been submitted for approval. Councilman Wales moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Seibert and was unanimously carried.

Mayor Marks read a proclamation declaring January as National Mentoring Month. He then introduced Fire Chief Bryan Thornton, who recognized two long serving members of the Athens Fire Department, who are retiring on Wednesday, January 29th. Leslie Williams was recognized for having 30 years of service with the City and Toby Carter was recognized for his 36 years of service with the City. Mayor Marks then congratulated Adam Smith with the Athens News Courier, who will be leaving the Courier to accept another position. He thanked him for his years of working with the City and wished him well in his new position. Mayor Marks then reported that the Solid Waste Disposal Authority of Athens and Limestone County had met earlier in the day and had voted to appropriate \$35,000 to Keep Athens and Limestone Beautiful (KALB) for its hazardous household waste (HHW) collection event scheduled for Saturday, March 28, 2020. He then asked KALB Director, Lynne Hart, to address the Council. Ms. Hart then addressed the Council regarding the HHW collection event and the problem of litter in our community and described some of the ongoing litter collection efforts being sponsored by KALB.

Councilman Wales also addressed the ongoing issue of litter and stated that he had reached out to the City of Foley, Alabama, which he has observed having virtually no litter when traveling through that area. He stated that the City of Foley's City Manager attributed its success partly to hiring retirees to pick up litter using four wheelers.

A public hearing was held to hear comments concerning the rezoning of property for Athens City Board of Education from R-1-1 Single Family Low Density Residential to R-1-3 Single Family High Density Residential. Property consists of +/-6.00 acres located south of Cowart Elementary School at 1701 Hobbs St. West, to the southwest of the intersection of Montclair St. and Bullington Dr.

James Rich, Public Works Director, reported to the Council that the City of Athens Planning Commission had met on the proposed rezoning and recommended the Council approve the request.

A lengthy discussion then followed among the Council members and concerns were expressed regarding the following issues: (1) the construction of rental property in the area, (2) accessibility to Thatch-Mann Cemetery, (3) restricting the possibility of future expansion of Cowart Elementary School, and (4) the loss of green space for playground and other recreational purposes for the elementary school. For those reasons, Council President Travis stated that he was going to table the vote on the rezoning ordinance until further information could be provided and the Council members had an opportunity to have their questions and/or concerns adequately addressed.

Craig Ireland, 1686 Squire Run, Athens, addressed the Council concerning the issue of homelessness in our community. He expressed three major areas of concern surrounding the issue of homelessness: (1) the use of City resources by the homeless, (2) the health and environmental issues, such as diseases inherent to people living in public spaces without access to adequate water and sewer facilities, and (3) security concerns, citing the high percentage of mental illness prevalent in the homeless population. He asked the Council to take immediate action to help alleviate this issue.

Wilbert Woodroof, Christine Street, Athens, thanked the Council for upholding its commitment to relocate Jimmy Gill Park. He then inquired about the City's plans to construct a sidewalk along Golden Eagle Drive behind the new Athens High School. He stated that the lack of a sidewalk poses a safety hazard for the students.

Kelly Range, 303 Brookwood Drive, Athens, addressed the council regarding the continued placement of signs in the City right of ways by developers. He stated that he has contacted these developers but has gotten no results and suggested that someone from the City contact them.

Ralph Diggins, 101 Willow Street, Athens, addressed the Council and recognized that the level of giving in Athens is tremendous. He also expressed his appreciation for the Mayor, Council and City Attorney for their responsiveness to issues or concerns.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve travel/education expenses for the following personnel from the Information Technology Department.

Seth Siniard	Mileage October 1, 2019 – December 31, 2019	\$ 180.00
Lisa LaGrone	Mileage October 1, 2019 – December 31, 2019	\$ 175.50

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION TO PURCHASE EQUIPMENT FOR ATHENS SANITATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of the following equipment from Ingram Equipment Company Inc. This purchase will be made by using SOURCEWELL (formerly NJPA) Contract Pricing for Solid Waste Vehicles in the State of Alabama. Funding will be from the existing Public Works Capital Account.

1 - 2020 Heil Front Loader	\$272,180.13
1 – 2020 Heil DPPYTHON Residential	\$286,456.85
1 – 2021 Kenworth T370 Knuckle Boom	\$160,184.09
TOTAL PURCHASE PRICE	\$718, 821.07

The motion was seconded by Councilman Harper and was unanimously carried,

Councilman Seibert introduced the following resolution:

RESOLUTION TO PURCHASE EQUIPMENT FOR ATHENS SANITATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of the following equipment from Tallassee Automotive, Inc. This purchase will be made by using State of Alabama-Division of Purchasing Contract Pricing (Ref. Vehicle Contract #T191). Funding will be from the existing Public Works Capital Account.

2 – 2020 Model Year ½ Ton Pick Up Trucks	\$27,607.00 each	
	TOTAL	\$55,214.00

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION TO PURCHASE EQUIPMENT FOR ATHENS SANITATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to approve the purchase of the following equipment from H&R AGRI-POWER. This purchase will be made by using SOURCEWELL (formerly NJPA) Contract Pricing. Funding will be from the existing Public Works Capital Account.

2 – M5-111HDC12 Kubota Right of Way Tractors	\$51,432.16 each	\$102,864.32
2- Land Pride Heavy Duty Cutters (LP2022)	\$15,218.00 each	\$30,436.00
	TOTAL	\$133,300.32

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Seibert introduced the following resolution:

Resolution to Accept Proposal for Aerial Photography Services

Whereas, the Athens-Limestone GIS Consortium formed by the Memorandum of Understanding for Computer Mapping and Data Management System Participation (MOU) voted unanimously to accept Pictometry International Corporation’s proposal for 2020 Aerial Orthophotography;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the proposal of Pictometry International Corporation for aerial photography services for the City of Athens in accordance with the MOU. The total cost of providing these services is not to exceed \$228,700 and shall be payable over a three year period beginning in fiscal year 2020 as follows:

	<u>Share</u>	<u>Total Cost</u>
City of Athens General Fund	23.4%	\$ 53,515.80
Athens Water & Sewer Dept.	7.6%	17,381.20
Athens Gas Dept.	7.6%	17,381.20
Athens Electric Dept.	7.6%	17,381.20
Other GIS Consortium Members	<u>53.8%</u>	<u>123,040.60</u>
	<u>100.00%</u>	<u>\$228,700.00</u>

The funding for the general fund’s share of the aerial photography services will be the unallocated 2019 general fund surplus. The funding for the utilities share will be from the utilities operating budgets.

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION TO APPROVE FUNDING FOR JIMMY GILL PARK

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to transfer \$600,000 from the Alcohol Fund to the Capital Projects Fund for expenses related to the relocation of Jimmy Gill Park.

Councilmember Wales moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Seibert thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Wales and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Wales introduced the following resolution:

RESOLUTION NUMBER 2020 -1662

A RESOLUTION FOR THE PURCHASE OF A SECURITY SYSTEM FOR THE NEW RECREATION CENTER LOCATED AT 21821 SPORTSPLEX LOOP FROM GORRIE-REGAN UNDER THE SUPERVISION OF THE CITY OF ATHENS IT DEPARTMENT

WHEREAS, GORRIE-REGAN has provided a proposal for new Security System for the Recreation Center located at 21281 Sportsplex Loop;

WHEREAS, GORRIE-REGAN has provided pricing to the City of Athens IT Department for their consideration and validation;

WHEREAS, the City of Athens Public Works Department recommends that the contract for a Security System be purchased for the New Recreation Center in the amount of \$103,140.88 and come from proceeds of the 2018 General Obligation Warrant.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA

that:

Section 1. The contract for the purchase of a new security system for the recreation center shall be awarded to Gorrie-Regan of Huntsville, Alabama, in the amount of \$103,140.88, to be funded from the proceeds of the 2018 General Obligation Warrant Improvement Fund.

Section 2. Ronnie Marks, in his capacity as Mayor, is authorized, on behalf of the City of Athens, to sign the above-referenced contract for the new security system. The Mayor is further authorized to carry out the terms of such contract, and to execute such other and additional documents that may be necessary and/or required in order to facilitate the transaction described herein.

Section 3. This resolution shall become effective immediately upon its adoption.

ADOPTED this the 27th day of January, 2020.

/s/ Frank Travis
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2020 - 1663

A RESOLUTION FOR THE PURCHASE OF SINGLE MODE FIBER OPTIC CABLE FOR THE NEW RECREATION CENTER LOCATED AT 21821 SPORTSPLEX LOOP FROM COMPUTER SUPPORT SYSTEMS UNDER THE SUPERVISION OF THE CITY OF ATHENS IT DEPARTMENT

WHEREAS, COMPUTER SUPPORT SYSTEMS has provided a proposal for the Recreation Center located at 21281 Sportsplex Loop;

WHEREAS, COMPUTER SUPPORT SYSTEMS has provided pricing to the City of Athens IT Department for their consideration and validation;

WHEREAS, the City of Athens Public Works Department recommends that the contract for Single Mode Fiber Optic Cable be purchased for the New Recreation Center in the amount of \$4,220.00 and come from proceeds of the 2018 General Obligation Warrant.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA

that:

Section 1. The contract for the purchase of Single Mode Fiber Optic Cable for the recreation center shall be awarded to Computer Support Systems of Decatur, Alabama, in the amount of \$4,220.00, to be funded from the proceeds of the 2018 General Obligation Warrant Improvement Fund.

Section 2. Ronnie Marks, in his capacity as Mayor, is authorized, on behalf of the City of Athens, to sign the above-referenced contract for the Single Mode Fiber Optic Cable. The Mayor is further authorized to carry out the terms of such contract, and to execute such other and additional documents that may be necessary and/or required in order to facilitate the transaction described herein.

Section 3. This resolution shall become effective immediately upon its adoption.

ADOPTED this the 27th day of January, 2020.

/s/ Frank Travis
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Seibert and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2020 - 1664

A RESOLUTION FOR THE PURCHASE OF IT SWITCHES, WIRELESS ACCESS POINTS, VOIP PHONES, SURGE PROTECTORS, APC AND BORING FOR THE NEW RECREATION CENTER LOCATED AT 21821 SPORTSPLEX LOOP

WHEREAS, ATHENS IT DEPARTMENT has provided a proposal for the New Recreation Center located at 21281 Sportsplex Loop;

WHEREAS, the City of Athens Public Works Department recommends that the owner supplied and installed items for Switches, Wireless Access Points, VOIP Phones, Surge Protectors, APC, and Boring be purchased for the New Recreation Center in the amount of \$53,457.52 and come from proceeds of the 2018 General Obligation Warrant.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA

that:

Section 1. The purchase of Switches, Wireless Access Points, VOIP Phones, Surge Protectors, APC, and Boring for the recreation center shall be purchased and installed by the Athens IT Department, in the amount of \$53,457.52, to be funded from the proceeds of the 2018 General Obligation Warrant Improvement Fund.

Section 2. This resolution shall become effective immediately upon its adoption.

ADOPTED this the 27th day of January, 2020.

/s/ Frank Travis
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Wales and was unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to amend the City of Athens Bituminous Plant Mix Paving Contract with Reed Contracting Services to mill, pave, and stripe Bullington Road from the intersection of Washington St to Jacobs Road. This project shall be funded from the Annual Rebuild Alabama Act Fund and the Capital Infrastructure Fund. The estimated cost of the work is \$110,681.95.

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Harper thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Wales introduced the following ordinance:

ORDINANCE NUMBER 2020 - 2104

AN ORDINANCE AMENDING SECTION 82-5 OF THE CITY CODE

WHEREAS, § 11-49-4 of the *Code of Alabama* provides that municipalities may fix the speed limits for motor vehicles within their corporate limits;

WHEREAS, Section 82-5 of the Code of Ordinances of the City of Athens, Alabama sets various speed limits throughout the city of Athens, Alabama; and

WHEREAS, the City Council wishes to set 25 mile per hour as a baseline speed limit for most streets within the city, and to extend such limit to such streets within the city that are not otherwise marked.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on January 27, 2020, at 5:30 p.m., as follows:

Section 1. Section 82-5 of the Code of Ordinances of the City of Athens, Alabama is hereby amended in its entirety to read as follows:

(b) *Forty-five-mile-per-hour zones.* No person shall operate a motor vehicle at a greater speed than 45 miles per hour in the following listed zones of the city:

- (1) Nick Davis Road from Lindsay Lane to Arbor Drive.
- (2) Brownsferry Street from the west city limits to Alabama Highway 2 (U.S. 72).
- (3) Sanderfer Road from U.S. 31 to Lucas Ferry Road.
- (4) Lindsay Lane from Forrest Street to Alabama Highway 251.
- (5) Looney Road from Alabama Highway 251 to the north city limits.
- (6) Lindsay Lane from Alabama Highway 2 (U.S. 72) to the south city limits.
- (7) Lucas Ferry Road from Brownsferry Road to the south city limits.
- (8) Nick Davis Road from the east city limits to Arbor Drive.
- (9) Nuclear Plant Road from U.S. 31 to Cowford Road.

(c) *Forty-mile-per-hour zones.* No person shall operate a motor vehicle at a greater speed than 40 miles per hour in the following listed zones of the city:

- (1) Jefferson Street from Alabama Highway 2 (U.S. 72) to Sanderfer Road.

- (2) Elkton Road from the north city limits to Cornish Drive.
- (3) Market Street from the west city limits to Redbud Street.
- (4) Washington Street from the west city limits to Hine Street.
- (5) Edgewood Road from the north city limits to Elm Street.
- (6) Lucas Ferry Road from Elm Street to Brownsferry Road.
- (7) Airport Road from Alabama Highway 127 to Edgewood Road.
- (8) Hine Street from Sanderfer Road to the city limits.

(d) *Thirty-five-mile-per-hour zones.* No person shall operate a motor vehicle at a greater speed than 35 miles per hour in the following listed zones of the city:

- (1) Hobbs Street from Alabama Highway 3 (U.S. 31) to Marion Street.
- (2) Jefferson Street from Elm Street to Fifth Avenue.
- (3) Lindsay Lane from Alabama Highway 2 (U.S. 72) to Forrest Street.

(e) *Thirty-mile-per-hour zones.* No person shall operate a motor vehicle at a greater speed than 30 miles per hour in the following listed zones of the city:

- (1) Elkton Road from Cornish Drive to Pryor Street.
- (2) Washington Street from Hine Street to Jefferson Street.
- (3) Forrest Street from Alabama Highway 3 (U.S. 31) to Houston Street.
- (4) Hine Street from Elm Street to Sanderfer Road.
- (5) Brownsferry Road from Alabama Highway 2 (U.S. 72) to Madison Street.
- (6) Clinton Street from Alabama Highway 2 (U.S. 72) to Pine Street.
- (7) Southeast Jefferson Street from Alabama Highway 2 (U.S. 72) to Sixth Street.
- (8) Jefferson Street from Sixth Street to Green Street.
- (9) Jefferson Street From Bryan Street to Fifth Avenue.
- (10) Market Street from Redbud to Hine Street.

(f) *Fifteen-mile-per-hour zones.* No person shall operate a motor vehicle at a greater speed than 15 miles per hour in the following listed zones of the city:

- (1) Sanders Street from Market Street to Bryan Street.
- (2) West Hobbs Street from Coman Street to Sanders Street.
- (3) All public alleyways that are open to the public and which are 16 feet or less in width.

(g) Notwithstanding anything to the contrary herein, this Section 82-5 does not address or alter the speed limits otherwise established along Highway 72, Highway 31, Interstate 65, Highway 251, Highway 127, Highway 99, or other state highways where such speed limit is set or otherwise governed by the State of Alabama.

Section 2. This Ordinance shall become effective immediately upon its lawful publication.

Section 3. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Athens as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

ADOPTED and APPROVED this, the 27th day of January, 2020.

/s/ Frank Travis
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA
ATTEST:

/s/ Annette Barnes

CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Harper, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

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There being no further business to come before the meeting, Council President Travis asked if there were any objections to adjourning the meeting. There being none, the meeting was duly and properly adjourned.

/s/ Frank Travis

PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes

CITY CLERK