

May 24, 2021

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, Athens, Alabama, on May 24, 2021 at 4:30 p.m. The meeting was called to order by Councilman Wayne Harper, President of the Council. Upon roll call, the following were found to be present: Councilmembers Wayne Harper, Harold Wales, Frank Travis, Chris Seibert and Dana Henry. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper offered the invocation. Mayor Marks led the Pledge of Allegiance. 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 May 10, 2021 City Council Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Travis and was unanimously carried. The Chairperson stated that the Minutes of the May 10, 2021 City Council Work Session Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Travis and was unanimously carried.

Mayor Marks thanked James Rich, Public Works Director, Matt Davidson, City Planner and Lakeisha Johnson, Planner, for their hard work with the presentation of the City of Athens Comprehensive Plan. The Mayor then announced that an event will be held to honor Memorial Day, on May 31, 2021 at 11:00am at the Alabama Veteran's Museum. Mayor Marks congratulated the high school seniors of the City of Athens Youth Commission. He also praised the artist, ARCY, that painted the mural of Brittany Howard, that will be displayed in Merchants Alley. Mayor Marks introduced Chief Al Hogan and Senator Tom Butler, who recognized a crew of firefighters from Station 1 for saving the life of an unresponsive citizen on May 3, 2021. The following firefighters were named: Captain Chris Gillman, Driver Martin Ezell, Driver Colton Hill, Firefighter Trey Stinson and Firefighter Brandon Joyce. Senator Butler expressed his thanks for allowing him to be present and then presented each of the firefighters with a pin from the State of Alabama and a card.

Councilman Wales then addressed Michael Griffin, City Engineer, regarding emails about speeding on Muirfield Drive. Mr. Griffin responded that the Street Department will be putting out counters on that particular street. Mr. Wales also praised the Public Works Department for the barriers that were installed at Canebrake to prevent connectivity to the new subdivision that is being constructed.

Council President Harper also thanked the firefighters that were involved in saving the life of an unresponsive citizen.

Holly Hollman, Grant Coordinator, announced that Senator Butler is working on a grant for \$15,000 to replace all of the AED's that are about to reach the end of their warranty.

A public hearing was held to discuss the FY 2021 Community Development Block Grant program. Holly Hollman, Grant Coordinator, explained that this grant is for the drainage improvements on Vine Street.

A public hearing was held concerning the establishment of the Tax Increment Financing District Number 3 proposal. After the public hearing was closed, the TIF Resolution was introduced by Frank Travis, and then seconded by Councilwoman Henry. President Harper announced that, as Councilman Wales has requested and upon no objection from any member of the City Council, the resolution would be tabled until the City Council's next meeting. No objections were made.

Billy Cannon, 2387 South Hine Street, Athens, asked the City Attorney, Shane Black, about the TIF. Mr. Black explained that the TIF would capture any increase in increment.

Ralph Diggins, 100 Willow Street, complimented the City of Athens, concerning City management. He also wanted to recognize Cody James, Sanitation Department, for doing a great job.

Laverne Gilbert, 609 Levert Avenue, Athens, addressed the Council regarding trash not being picked up by the City on vacant lots. Mayor Marks explained that the City will not pick up trash on vacant lots that are unoccupied. Ms. Gilbert then

handed out pictures of some buildings that are red tagged and asked what the steps were to red tag a building. James Rich, Public Works Director, explained the process and told Ms. Gilbert that the City would address the problem. Ms. Gilbert stated that David Kirby has goats on Acorn Hill Circle and wants that to be addressed also. Councilman Travis thanked Ms. Gilbert for her passion and stated that trash is a problem citywide. Mayor Marks echoed Mr. Travis and stated that the City Councilmembers are not economically responsible for their districts and to please contact his secretary, if she would like to set up a meeting.

Debra Wood, Montreat Drive, addressed the Council concerning a speed bump on Montreat Drive and property that needs to be red tagged at 2122 Hine Street.

David Malone, 1300 Somerest Drive, Athens, spoke in support of Laverne Gilbert regarding Miller Elementary School. He is concerned about a house that is close to the school on Westmoreland being red tagged but not the school. Mr. Malone stated Westview Avenue and Lucas Street need to be resurfaced. Michael Griffin, City Engineer, explained that Westview Avenue is part of the CDGB grant for the drainage on Vine Street. Mr. Malone expressed that he believes that District 3 and District 5 are being ignored and Mayor Marks explained that the paving is distributed as equally as possible throughout the City.

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA to reschedule the June 14, 2021 regularly scheduled Council meeting to June 7, 2021 at the same time and location.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA to reschedule the July 12, 2021 regularly scheduled Council meeting to July 19, 2021 at the same time and location.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of a Toro Timecutter 50 inch cut riding mower from Dixie Auto Parts at a cost not to exceed \$3,199, to be funded from the existing Fire Department capital account.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of eight (8) 6' Firehooks roof hooks and four (4) 6' Flamefighter pike pole dry wall hooks from NAFECO at a cost not to exceed \$1,245, to be funded from the existing Fire Department capital account.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to reschedule a Public Hearing (originally set for June 14, 2021) for the regular meeting at 5:30PM on June 28, 2021 to review the request of Michael & Megan Griffin to rezone +/- 0.433 acres at 407 Christopher Drive from R-1-2 Medium Density Residential District to TN-2 Traditional Neighborhood 2 District.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to reschedule a Public Hearing (originally set for June 14, 2021) for the regular meeting at 5:30PM on June 28, 2021 to review the request of James Christopher to rezone +/-2.68 acres south of Summit Lakes Drive and Summit Lakes Subdivision, west of Lindsay Lane, north of US Highway 72, from a B-2 General Business to an R-1(4) Single Family Duplex Attached Residential District.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to enter an agreement with Grayson Carter & Son for the construction of portions of a bypass lane at the intersection of Linton and Nick Davis, the total is not to exceed the amount of \$49,000 and be funded from the Capital Infrastructure Fund.

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

Councilman Travis introduced the following resolution:

RESOLUTION NUMBER 2021 - 1744

WHEREAS, Village Pizza, Inc. has an on-premises restaurant retail liquor license, for its business located at 222 Market Street W, Athens, Alabama;

WHEREAS, Village Pizza, Inc. desires to reduce its licensed area for alcoholic beverage sales to exclude the second floor of the building located at such address.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on May 24, 2021 at 5:30 p.m., that the City Council of the City of Athens, Alabama, hereby consents and approves the reduction

of Village Pizza, Inc.'s licensed area for alcoholic beverage sales by excluding the second floor of the building located at 222 Market Street W, Athens, Alabama.

ADOPTED this the 24th day of May, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

WHEREAS, the City Council of the City of Athens, Alabama issued a joint bid with Limestone County for internet services; and

WHEREAS, only one bid was submitted and was reviewed by the Information Technology Directors for both the City of Athens and Limestone County;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to accept the low bid from WOW Business, in the amount of \$1,073.99 per month. This fee includes a one (1) gigabit per second connection that will be used only by the City of Athens and Athens Utilities. The monthly cost will be shared by the City's General Fund and Athens Utilities.

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

Councilman Travis introduced the following resolution:

RESOLUTION NUMBER 2021 - 1745

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, AS FOLLOWS:

- I. THAT THE CITY AUTHORIZES THE TOP OF ALABAMA REGIONAL COUNCIL OF GOVERNMENTS (TARCOG) TO APPLY FOR ALABAMA DEPARTMENT OF TRANSPORTATION "FY2022 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM (TAP)" FUNDING FROM THE FEDERAL HIGHWAY ADMINISTRATION IN THE AMOUNT OF \$640,000 (80% OF TOTAL ELIGIBLE PROJECT COSTS); AND
- II. THIS FUNDING, IF AWARDED, WILL BE USED FOR THE CONSTRUCTION OF NEW HANDICAPPED ACCESSIBLE SIDEWALKS AND A PEDESTRIAN BRIDGE ALONG THE WESTERN SIDE OF US HIGHWAY 31 BETWEEN ELM ST AND OAKVIEW APARTMENTS; AND
- III. IF (TAP) FUNDING IS AWARDED, THE CITY OF ATHENS AGREES TO PAY REQUIRED EXPENSES, INCLUDING BUT NOT LIMITED TO, \$341,065 (\$160,000 FOR 20% MATCHING FUNDS PLUS \$181,065 FOR NON-ELIGIBLE PROJECT COSTS); AND
- IV. THAT THE (TAP) APPLICATION BE EXECUTED IN THE NAME OF THE CITY OF ATHENS, BY ITS MAYOR, FOR AND ON ITS BEHALF; AND

V. THAT THE AGREEMENT BE ATTESTED BY THE CITY CLERK AND THE SEAL OF THE CITY OF ATHENS BE AFFIXED THERETO; NOW THEREFORE

BE IT RESOLVED, THAT UPON THE COMPLETION OF THE EXECUTION OF THE AGREEMENT BY ALL PARTIES, THAT A COPY OF THE AGREEMENT BE KEPT ON FILE BY THE CITY CLERK.

ADOPTED AND APPROVED by the City Council of Athens, Alabama on this, the 24th day of May 2021.

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

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the City of Athens agrees to become a Presenting Sponsor of the Prep Legends documentary film on the 1975 Athens High School Golden Eagles State Football Champions Team for the fee of \$ 3,000.

Councilmember Travis 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 Wales, Travis, Henry 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 Henry 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 Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

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

/s/Wayne Harper
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK