

July 19, 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 July 19, 2021 at 5:30 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. Frank Travis 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 June 28, 2021 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 June 28, 2021 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 thanked Carole Waddell for presenting information regarding Recovery Organization of Support Specialists and for the work that she does through the organization.

A public hearing was held concerning the zoning approval for the sale of alcohol by the following applicant:

Cheesecakes and More  
300 North Beaty Street  
Athens, AL 35611

No one spoke in favor of or against.

The public hearing was closed.

A public hearing was held concerning the zoning approval for the sale of alcohol by the following applicant:

Limestone Legends Billiards, LLC  
111 A South Marion Street  
Athens, AL 35611

No one spoke in favor of or against.

The public hearing was closed.

A public hearing was held concerning the zoning approval for the sale of alcohol by the following applicant:

Athens Alehouse and Cellar, LLC  
111 W Washington Street  
Athens, AL 35611

No one spoke in favor of or against.

The public hearing was closed.

**Councilman Seibert introduced the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following applicant for a “Retail Beer & Wine On and Off Premises” alcohol license:

Athens Alehouse and Cellar, LLC  
111 West Washington Street  
Athens, AL 35611

The motion was seconded by Councilwoman Henry and was unanimously carried.

**Councilman Travis introduced the following resolution:**

**RESOLUTION NUMBER 2021 - 1754**

**A RESOLUTION CONCERNING A CORRECTION TO TAX INCREMENT FINANCING DISTRICT NUMBER 3**

**WHEREAS**, on June 7, 2021, this City Council adopted Ordinance No. 2021-1747, which established the Tax Increment Financing District Number 3, and approved the Tax Increment Financing District Number 3 Plan;

**WHEREAS**, as explained at the council meeting and in the Ordinance, the Tax Increment Financing District Number 3 encompasses the area shown on the map in the plan, which includes Tax Parcel # 10 05 22 0 000 002.000; and

**WHEREAS**, due to a typographical error, Tax Parcel # 10 05 22 0 000 002.000 was inadvertently omitted from the listing of tax parcels.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS** at its regular meeting on July 19, 2021, that the copy of the Tax Increment Financing District Number 3 Plan, and the minutes of the related council meetings, be corrected to indicate that Tax Parcel # 10 05 22 0 000 002.000 is included within the Tax Increment Financing District Number 3, as shown on the map included in the plan.

**ADOPTED** this the 19<sup>th</sup> day of July, 2021.

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

The motion was seconded by Councilman Seibert 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 reappoint Will Harbin to the Athens Historic Preservation Commission for a three year term, expiring on June 25, 2024.

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

**Councilman Seibert introduced the following resolution:**

**RESOLUTION NUMBER 2021 - 1755**

**A RESOLUTION SETTING A PUBLIC HEARING TO CONSIDER WHETHER TO VACATE AN UNPAVED PORTION OF SIXTH AVENUE**

**WHEREAS**, this resolution relates to an unpaved portion of the public way known as Sixth Avenue, and more particularly described as follows:

A portion of Sixth Avenue that is fourteen (14) feet wide (such width measured running northerly and southerly), and taken evenly off of the southern edge of that portion of Sixth Avenue that is located adjacent to, and on/along the northern boundary of, Lot No. 13 of Block 22 of the *Map of North Fairway Addition to the Town of Athens, Alabama*, as shown at Plat Book A, Page 12 in the Office of the Judge of Probate of Limestone County, Alabama.

(the "Public Way");

**WHEREAS**, for the aid of the reader, a general depiction of the Public Way is shown on **Exhibit A** hereto, shaded for emphasis, and labelled as "14' Area to be Vacated";

**WHEREAS**, the Public Way is an unpaved portion of Sixth Avenue that is not presently being utilized by the City for any municipal purpose; and

**WHEREAS**, at the urging of a landowner who owns property in the area of the Public Way, the City Council has studied the matter further and it proposes to vacate the Public Way pursuant to § 23-4-1, *et seq.* of the *Code of Alabama*.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** while in regular session on Monday, July 19, 2021 at 5:30 p.m. as follows:

1. A public hearing is hereby scheduled for September 13, 2021, at 5:30 p.m., at the City Council Chambers in the City Hall of the City of Athens, Alabama, located at 200 Hobbs Street West, Athens, Alabama 35611, concerning what action shall be taken on the issue of the proposed vacation of the Public Way.
2. The Mayor and the City Attorney shall cause notice of the proposed action, public hearing, and other relevant matters to be published, posted and served pursuant to § 23-4-2(a) of the *Code of Alabama*.

**ADOPTED** this the 19<sup>th</sup> day of July, 2021.

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

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

**Councilwoman Henry introduced the following resolution:**

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA** to adopt the following job descriptions for the Water Services Department:

- Treatment Operator Apprentice, Grade 8,9, Job description dated 6/30/2021
- Treatment Operator, Grade 10, Job description dated 6/30/2021

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

**Councilman Wales introduced the following ordinance:**

**STATE OF ALABAMA  
LIMESTONE COUNTY  
CITY OF ATHENS**

**ORDINANCE NUMBER 2021 - 2176**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA**, that Ordinance Number 888, establishing a classification list for classified employees is hereby amended as follows, effective: 07/19/2021.

**Add the following job title to the list of classified positions for the Water Services Dpt.**

- (1) **Treatment Operator Apprentice**
- (2) **Treatment Operator**

**Delete the following job titles from the list of classified positions for the Water Services Dpt.**

- (1) **Relief Operator Trainee**
- (2) **Relief Operator (Dual Certified)**
- (3) **Water Plant Operator Trainee**
- (4) **Wastewater Plant Operator Trainee**
- (5) **Water Plant Operator**
- (6) **Wastewater Plant Operator**

ADOPTED and APPROVED this, the 19<sup>th</sup> day of July, 2021.

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

ATTEST:

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

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Henry, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, 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 ordinance had been unanimously carried. Councilmember Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS:

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

\* \* \*

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