

September 9, 2019

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 on September 9, 2019, at 4:30 p.m. The meeting was called to order by Councilman Harold Wales, President of the Council. Upon roll call, the following were found to be present: Councilmembers Harold Wales, Frank Travis, Wayne Harper, Joseph Cannon and Chris Seibert. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Chris Seibert 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 August 26, 2019 City Council Meeting had been submitted for approval. Councilman Travis 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 August 26, 2019 City Council Work Session Meeting had been submitted for approval. Councilman Travis 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.

**Councilman Seibert introduced the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the travel expenses in the following amount be approved for Electric Department personnel.

Beth Clem RCS PCB Training – Destin, FL	\$865.83
Carrie Johnson Southeastern Distribution Apparatus School – Auburn, AL	\$119.83

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

**Councilman Seibert introduced the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of two (2) John Deere Gators at a cost of \$6,480 each for a total cost of \$12,960. The purchase will be made from Tri-Green Equipment Company and will be funded from the FY 2019 budget line item, Grounds Maintenance.

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

**Councilman Seibert introduced the following resolution:**

**RESOLUTION NUMBER 2019 – 1637**

**A Resolution Committing to a 2020 Census Partnership**

**WHEREAS**, the U.S. Census Bureau is required by the U.S. Constitution to conduct a count of the population and provides a historic opportunity to help shape the foundation of our society and play an active role in American democracy; and

**WHEREAS**, the City of Athens, Alabama is committed to ensuring every resident is counted; and

**WHEREAS**, federal and state funding is allocated to communities, and decisions are made on matters of national and local importance based, in part, on census data and housing; and

**WHEREAS**, the census data help determine how many seats each state will have in the U.S. House of Representatives and is necessary for an accurate and fair redistricting of state legislative seats, county and city councils and voting districts; and

**WHEREAS**, the information from the 2020 Census and American Community Survey are vital tools for economic development and increased employment; and

**WHEREAS**, the information collected by the census is confidential and protected by law; and

**WHEREAS**, a united voice for business, government, community-based and faith-based organizations, educators, media and others will enable the 2020 Census message to reach more of our citizens.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, THAT THE CITY OF ATHENS:**

1. Supports the goals and ideals for the 2020 Census and will disseminate 2020 Census information.
2. Encourages all City residents to participate in events and initiatives that will raise the overall awareness of the 2020 Census and increase participation.
3. Supports census takers as they help our City complete an accurate count.
4. Strives to achieve a complete and accurate count of all persons within our borders.

ADOPTED and APPROVED this, the 9<sup>th</sup> day of September, 2019.

/s/ Harold Wales  
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

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

**Councilman Travis 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 "SPECIAL EVENTS Retail Beer and Wine On Premises Consumption," alcohol license.

Spirit of Athens  
dba: Athens Main Street  
Event: Athens Grease Festival  
Special Event Location:  
Marion Street (between Market and Washington)  
Athens, AL 35611  
Event Date: October 18-19, 2019

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

**Councilman Cannon made for "Introduction Only" the following ordinance:**

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

**ORDINANCE NUMBER 2019 - \_\_\_\_\_**

**ORDINANCE ABANDONING/VACATING  
CERTAIN UTILITY AND ACCESS EASEMENTS**

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**WHEREAS**, the **JOHN D. MAUND 2011 IRREVOCABLE TRUST** is the current owner of Lot 2 of the Final Plat - Traditions of Athens, by virtue of a deed recorded at RLPY 2013, Page 46337 in the Office of the Judge of Probate of Limestone County, Alabama;

**WHEREAS**, there is a 5 foot utility easement and a 32 foot access easement that runs in an easterly and westerly direction along the northern boundary of Lot 2 lying adjacent to Lindsay Lane, as shown on the Final Plat – Traditions of Athens, recorded at Plat Book H, Page 469 in the Office of the Judge of Probate of Limestone County, Alabama (the “Easements”);

**WHEREAS**, the Easements are owned by the **CITY OF ATHENS, ALABAMA**;

**WHEREAS**, the Easements were also for the benefit of certain real property owned by the **MAUND FAMILY LIMITED PARTNERSHIP**;

**WHEREAS**, both the John D. Maund 2011 Irrevocable Trust and the Maund Family Limited Partnership have requested in writing that the City Council abandon the Easements;

**WHEREAS**, the City Council is agreeable to abandoning those Easements;

**WHEREAS**, the Council has examined the same and expressly finds that the Easements are no longer needed for public or municipal purposes; and

**WHEREAS**, the Council finds that such Easements to be vacated are of no value or *de minimis* value, but that any administrative and legal costs of the City related to this Ordinance should be paid by the underlying owner in connection with this action.

**THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA**, while in regular session on September \_\_\_\_, 2019, at 5:30 p.m., as follows:

1. The City expresses its intention to abandon/vacate the Easements.
2. The Easements are hereby vacated/abandoned. The Mayor is authorized to execute any such documents as may be needed to evidence such vacation/abandonment. A copy of this Ordinance may be recorded in the records of the Office of the Judge of Probate of Limestone County, Alabama.

3. No other easement(s) (or portion thereof) described in the above-referenced documents are vacated/abandoned by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easement (or portion thereof) abandoned/vacated hereby and described herein. Moreover, no other easement(s) (or portions thereof) that have been conveyed pursuant to a source other than those described herein are abandoned/vacated by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easement abandoned/vacated hereby. Finally, this Ordinance does not relate to or abandon/vacate any easement (or portion thereof) that lies on, over, under, or across any real property other than the real property described herein.

4. This Ordinance shall go into effect and shall be published upon the underlying owner's payment of any and all administrative and legal costs associated with this Ordinance.

**ADOPTED** this the \_\_\_\_\_ day of September, 2019.

\_\_\_\_\_  
HAROLD WALES, CITY COUNCIL PRESIDENT

\_\_\_\_\_  
WILLIAM R. MARKS, MAYOR

**ATTEST:**

\_\_\_\_\_  
ANNETTE BARNES, CITY CLERK

**CERTIFICATION OF CITY CLERK**

STATE OF ALABAMA        )  
LIMESTONE COUNTY        )

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of the City of Athens, on the \_\_\_\_ day of September, 2019.

Witness my hand and seal of office this the \_\_\_\_ day of September, 2019.

\_\_\_\_\_  
Annette Barnes, City Clerk

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There being no further business to come before the meeting, Council President Wales asked if there were any objections to adjourning the meeting. Councilman Travis made a motion to adjourn with a second from Councilman Cannon. The meeting was duly and properly adjourned.

/s/ Harold Wales  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes  
CITY CLERK