

September 14, 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, Athens, Alabama, on September 14, 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, Dana Henry 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 24, 2020 City Council Meeting had been submitted for approval. Councilman Harper 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 24, 2020 City Council Work Session Meeting had been submitted for approval. Councilman Harper 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 31, 2020 Special City Council Meeting had been submitted for approval. Councilman Harper moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Wales and was unanimously carried.

Mayor Marks called two upcoming events to the Council's attention, both to be held on Saturday, September 26, 2020. The Shower Up Event is being held to provide portable shower facilities for the homeless and is being funded by the legislative delegation in coordination with Representative Danny Crawford. Mayor Marks then introduced Mr. Jerome Malone, who provided additional information on the Love for the City event, which he described as a cookout and love fest, to include activities, performances, free food and food trucks at the Oasis Community Center on South Hine Street and 72. Mayor Marks then read a proclamation in regards to National POW/MIA Recognition Day, which is September 18, 2020.

Councilwoman Henry thanked the other Council members and the office staff for reaching out to her. She stated that she is looking forward to working with everyone and expressed her appreciation for the insights everyone has provided her.

Councilman Travis extended a welcome to the newest member of the City Council, Mrs. Dana Henry. The other Council members joined Mr. Travis in welcoming Mrs. Henry and presented her with City pins and a bouquet of flowers.

David Malone, 1300 Sommerest Drive, Athens, addressed the Council with several concerns including potholes, the need for street lights on South Jefferson Street and a ditch overgrown with weeds and vines south of Brownsferry Street on Hine Street.

Ralph Diggins, 100 Willow Street, Athens, asked the Mayor for a copy of the POW/MIA proclamation. He then addressed the Council inquiring as to whether the Council appoints the members of the Athens City Board of Education and requested the Council lobby the School Board President, Russell Johnson, to stop paying the School Superintendent, Trey Holladay, his salary while on administrative leave.

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 Off Premises," type, alcohol license:

Business Name: GP Quick Stop LLC
Address: 1201-A Highway 72, West
Athens, AL 35611

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

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 Off Premises," type, alcohol license:

Business Name: Jay Kothgogad, Inc.
Dbas: Jiffy Food Store #2
Address: 716 East Hobbs Street
Athens, AL 35611

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the low bid from Ladd's Turf, Golf, Utility for a Jacobsen XD Turf Truck in the amount of \$25,000.00. The purchase shall be funded from the existing CPR capital account.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting of October 12, 2020 to review the request of Coulter & Rachel Broadway to rezone +/- 0.985 acres of property located at 14302 Cambridge Lane from the B-2 General Business District to the R-1-1 Low Density Single Family Residential District.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting of October 12, 2020 to amend the Zoning Ordinance of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting of October 12, 2020 to review the request of Andrew & Taylor Uselton to rezone +/- 0.985 acres of property located at 14286 Cambridge Lane from the EST Estate Residential and Agricultural District to the R-1-1 Low Density Single Family Residential District.

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

Councilman Wales introduced the following resolution:

RESOLUTION NUMBER 2020 - 1710

**TO EXECUTE CONSTRUCTION AGREEMENT FOR Water and Sewer Line
Work at the Highway 251 and Lindsay Lane Traffic Circle**

WHEREAS, the Alabama Department of Transportation (ALDOT) is constructing a traffic circle at the intersection of Highway 251 and Lindsey Lane, and

WHEREAS, the this work will require the City of Athens water line to be relocated to facilitate this construction, and

WHEREAS, the City of Athens has a sewer line located near this intersection and wishes to extend the sewer line across Lindsey Lane and then up across Highway 251 during the construction of the traffic circle to allow sewer service to be extended to additional areas as need arises, and

WHEREAS, by the City of Athens entered into an agreement with the ALDOT on June 20, 2019 to allow the relocation of water lines where ALDOT was to construct a traffic circle at the intersection of Highway 251 and Lindsey Lane, and

WHEREAS, the ALDOT's design engineer has bid out the work for the relocation of the water line and for the extension of the sewer for which the low responsible bid was from Weeks Construction in the amount of \$1,006,046.00, and

WHEREAS, ALDOT have agreed to pay the costs of the water line relocation in the amount of \$785,346.00, and

WHEREAS, the cost of the sewer line extension is \$220,700.00 to be paid for from the Water & Sewer Operating Cash Fund, and

WHEREAS, the City of Athens seeks to enter into a construction agree with Weeks Construction to make the utility line changes previously described.

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

Section 1. William R. Marks, in his capacity as Mayor, is authorized to sign the Construction Agreement with Weeks Construction, Inc. that facilitates the relocation of the water line and extension of the City's sewer line at the intersection of Highway 251 and Lindsey Lane in the amount of \$1,006,046.00.

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

Adopted and approved this 14th day of September, 2020.

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

ATTEST:

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

Councilmember Harper 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, 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 Seibert 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 resolution had been unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the City of Athens and the City of Athens Police Department to enter into an agreement with the Limestone County Commission and Limestone County Sheriff's Department for a prisoner and jail contract.

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

Councilman Harper introduced the following resolution:

RESOLUTION

WHEREAS, on January 13, 2020, the City Council approved a FY 2019 budget amendment to appropriate \$1,650,000 for capital expenditures, of which \$950,000 was allocated to the Public Works Department, leaving an unallocated balance of \$700,000; and

WHEREAS, on January 27, 2020, the City Council allocated \$53,515.80 of the \$700,000 balance to the Public Works Department to fund Aerial Photography Services for the GIS Consortium, leaving an unallocated balance of \$646,484.20;

WHEREAS, on March 10, 2020, the City Council allocated \$320,000 of the \$646,484.20 balance to the Information Technology and Cemetery, Parks and Recreation Departments, leaving an unallocated balance of \$326,484.20;

WHEREAS, on March 23, 2020, the City Council allocated \$200,000 of the \$326,484.20 balance to the Police Department, leaving an unallocated balance of \$126,484.20;

WHEREAS, on July 20, 2020, the City Council allocated \$30,700 of the \$126,484.20 balance to the Information Technology Department, leaving an unallocated balance of \$95,784.20;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to allocate a portion of the remaining FY 2019 capital appropriation as follows:

Fire Department	\$	30,151
-----------------	----	--------

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of extrication equipment for the Fire Department at a cost NTE \$30,151. This purchase will be made from Municipal Emergency Services through the City's Membership in HGACBuy and shall be funded from the unallocated fiscal year 2019 general fund surplus.

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, to authorize the Mayor to enter into an agreement with Morell Engineering for topographic survey, civil design, project administration and inspection, construction materials testing and Alabama Department of Environmental Management (ADEM) permit and inspection services for the development of the North Breeding Industrial Park expansion site. This site will undergo initial development for future industrial construction through the Tennessee Valley Authority (TVA) InvestPrep grant program. The cost of the proposed engineering services is estimate at \$67,840. The total development costs, including tree removal, rough grading of a 400,000 square-foot building pad, construction of a gravel marketing road and all engineering services are to be funded by the TVA InvestPrep grant with no city matching funds required.

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

Councilman Wales introduced the following resolution:

RESOLUTION 2020 - 1711

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to adopt the Internal Revenue Service's standard mileage rates for the use of a car (also vans, pickups or panel trucks) for reimbursing travel expenses incurred by City employees or City officials when driving a personal vehicle for City business use.

ADOPTED and APPROVED this, the 14th day of September, 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

The motion was seconded by Councilman Seibert 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 authorize the Mayor to enter into an agreement with the Alabama Department of Transportation to fund a traffic study performed by Skipper Consulting at the intersection of Elm St. and Jefferson St. ALDOT will reimburse the City up to half of the traffic study cost (\$13,850.00).

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to provide the funds to Public Works for the purchase of traffic calming improvements and installation within the Somerest Subdivision per the Traffic Calming Program's recommendation and will be funded from Gas Tax.

Councilmember Harper 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, 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 Seibert 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 resolution had been unanimously carried.

At approximately 6:05 p.m., Councilman Seibert introduced a motion to enter into executive session. Councilman Seibert's motion was then seconded by Councilwoman Henry. Prior to the vote, City Attorney, Shane Black, provided an oral declaration that the business to be discussed in the executive session satisfied the following exception as prescribed in the Open Meetings Act: to discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease or market value of real property. Councilman Seibert's motion was unanimously approved. The Council came out of executive session at approximately 6:30 p.m.

* * *

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