

September 23, 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, Alabama, on September 23, 2019, at 5:00 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, Wayne Harper, Joseph Cannon and Chris Seibert. Councilman Frank Travis was absent. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Harold Wales 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 September 9, 2019 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 Councilman Cannon and was unanimously carried. The Chairperson stated that the Minutes of the September 9, 2019 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 Councilman Cannon and was unanimously carried.

Chad Vining, Recreation Services Supervisor for the City of Athens, and Jessica Hopper, Coach of the Athens Swim Team, joined Mayor Marks in presenting a certificate congratulating Connor Hill, ARPA State Swim Meet Champion in the 50 yard breast stroke, the 50 yard butterfly and the 100 yard IM (Individual Medley).

Ken Smith, Executive Director of the Alabama League of Municipalities, and Lori Lein, Chief Counsel for the League, presented Councilmember Joseph Cannon with a pin to recognize his completion of the League's Certified Municipal Official Program. They also presented Mr. Cannon, who will be vacating his seat on the Council on October 1, 2019 to take office as the newly elected Limestone County License Commissioner, with a Certificate of Appreciation for his seven years of service on the Athens City Council. Mayor Marks also presented a certificate to Mr. Cannon from the City of Athens.

City Attorney, Shane Black, and Councilmembers Seibert, Harper and Wales all expressed their gratitude to Councilman Cannon for his service on the Council and wished him the best of luck in his new position as the License Commissioner.

A public hearing was held to hear comments concerning the zoning approval for the sale of alcohol in the City of Athens by Horain, Inc., dba: Marathon Express.

No one spoke in favor of or against.

**Councilman Cannon 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 Wine Off Premises," type, alcohol license:

Business Name: Horain, Inc.  
Dbas: Marathon Express  
Address: 103 Highway 72  
Athens, AL 35611

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

A public hearing was held to hear comments concerning the zoning approval for the sale of alcohol in the City of Athens by Yasmeen, Inc., dba: Mini Mart 2.

No one spoke in favor of or against.

**Councilman Harper 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 and Wine Off Premises," type, alcohol license:

Business Name: Yasmeen, Inc.  
Db: Mini Mart 2  
Address: 1201 A Highway 72, West  
Athens, AL 35611

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

Ralph Diggins, 100 Willow Street, Athens, complimented the Mayor, Administration and Council on the recent budget work session, stating that he is impressed with the budget process. He also expressed his support for a 3 mil property tax increase and suggested such an increase be earmarked for police and fire. Mr. Diggins also thanked Councilman Cannon for his service on the City Council.

**Councilman Seibert introduced the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reappoint Marvin Young to the Alcohol License Review Committee for a three (3) year term, expiring September 30, 2022.

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, ALABAMA, to reappoint Eddie Smith to the Alcohol License Review Committee for a three (3) year term, expiring September 30, 2022.

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, ALABAMA, to reappoint Johnny Crutcher to the Alcohol License Review Committee for a three (3) year term, expiring September 30, 2022.

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, ALABAMA, that the following vehicles be declared surplus property of the Water Services Division, City of Athens Utilities:

1	1998 Ford F-150	VIN 1FTRF18L5WNB03775
1	2008 Ford F-150 4x4	VIN 1FTRX14W48FA79009
1	2006 Ford Ranger Pickup	VIN 1FTYR10U93PA98801

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, ALABAMA, to set a Public Hearing for the regular meeting of October 28, 2019 to review the request of Watercress Preserve, LLC. to rezone +/- 15.5 acres of property located directly to the north of the Springs at Watercress and the Lakes at Watercress, to the West of Lucas Ferry Road, from an R-1-1 Single Family Low Density Residential District to an R-1-2 Single Family Medium Density Residential District.

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, ALABAMA, that the FY 2020 Water and Wastewater budgets be adopted as submitted and same be spread of the minutes.

**CITY OF ATHENS UTILITIES  
WATER DEPARTMENT  
FY 2020 BUDGET**

	<b>FY2019 BUDGET</b>	<b>FY2020 BUDGET</b>	<b>BUDGET VARIANCE</b>
<b>1 REVENUE</b>			
2 Metered Sales	\$ 6,000,000.00	\$ 6,000,000.00	\$ -
3 Miscellaneous Revenue	\$ 275,000.00	\$ 305,000.00	\$ 30,000.00
4 Aid to Construction	\$ 20,000.00	\$ 10,000.00	\$ (10,000.00)
<b>6 TOTAL OPERATING REVENUE</b>	<b>\$ 6,295,000.00</b>	<b>\$ 6,615,000.00</b>	<b>\$ 20,000.00</b>
<b>7</b>			
<b>8 EXPENSES</b>			
9 Employee Expense-Salaries and Benefits	\$ 1,798,763.00	\$ 1,802,897.00	\$ 4,134.00
10 Water Production Expenses	\$ 763,500.00	\$ 791,000.00	\$ 27,500.00
11 Transmission and Distribution Expense	\$ 655,000.00	\$ 720,000.00	\$ 65,000.00
12 Customer Service Expense	\$ 320,832.00	\$ 328,770.00	\$ 7,938.00
13 Administrative and General Expense	\$ 406,269.00	\$ 426,126.00	\$ 19,857.00
14 Vehicle/Equipment Operations & Maint.	\$ 90,000.00	\$ 120,000.00	\$ 30,000.00
15 Appropriation to General Fund	\$ 300,000.00	\$ 300,000.00	\$ -
16 Debt Service Expenses	\$ 872,580.00	\$ 875,476.51	\$ 2,896.51
17 General Fund Salaries & Expenses	\$ 102,000.00	\$ 107,774.00	\$ 5,774.00
18 Transfer to Wastewater	\$ 600,000.00	\$ 600,000.00	\$ -
19 Construction in Progress	\$ 120,000.00	\$ 250,000.00	\$ 130,000.00
<b>20 TOTAL OPERATING EXPENSES</b>	<b>\$ 6,028,944.00</b>	<b>\$ 6,322,043.51</b>	<b>\$ 293,099.51</b>
<b>21</b>			
<b>22</b>			
<b>23 NET OPERATING BUDGET</b>	<b>\$ 266,056.00</b>	<b>\$ 292,956.49</b>	<b>\$ 26,900.49</b>
<b>24</b>			
<b>25 CAPITAL RESERVE</b>			
<b>26</b>			
27 Reserves/Tank Maintenance Fund	\$ 100,000.00	\$ 100,000.00	\$ -
<b>28</b>			
<b>29 CAPITAL EXPENDITURES</b>			
<b>30</b>			
31 Office Furniture and Equipment		\$ 3,000.00	
32 Computer/SCADA/GIS Hardware/Software		\$ 20,000.00	
33 County Aerial Photography		\$ 5,000.00	
34 Water Treatment Plant Doors		\$ 18,000.00	
35 Replace HS Hydraulic Actuators w/Electric		\$ 23,000.00	
36 Replace Truck #68		\$ 36,000.00	
37 Replace Unit #69		\$ 45,000.00	
38 Replace Unit #440		\$ 45,000.00	

39	Multi Size Tapping Machine		\$	2,500.00	
40	Kubota Tractor & Power Rake		\$	40,000.00	
41	Risk Assessment/Emergency Resp. Plan		\$	50,000.00	
42		\$	303,000.00	\$	287,500.00
				\$	(15,500.00)

43					
44	<b>TOTAL BUDGET</b>	\$	63,056.00	\$	105,459.49
45				\$	42,400.49

\*Employees Expense – Salaries and Benefits includes 3% COLA that requires separate City Council approval during FY2020

**CITY OF ATHENS UTILITIES  
SEWER DEPARTMENT  
FY 2020 BUDGET**

	<b>FY 2019 BUDGET</b>	<b>FY2020 BUDGET</b>	<b>BUDGET VARIANCE</b>
<b>1 REVENUE</b>			
2 Metered Sales	\$ 5,200,000.00	\$ 5,400,000.00	\$ 200,000.00
3 Miscellaneous Revenue	\$ 500,000.00	\$ 509,600.00	\$ 9,600.00
4 Transfer from Water	\$ 600,000.00	\$ 600,000.00	\$ -
5 Aid to Construction	\$ 30,000.00	\$ 15,000.00	\$ (15,000.00)
6 <b>TOTAL OPERATING REVENUE</b>	\$ 6,330,000.00	\$ 6,524,600.00	\$ 194,600.00
7			
<b>8 EXPENSES</b>			
9 Employee Expense-Salaries & Benefits	\$ 2,174,928.00	\$ 2,201,551.00	\$ 26,623.00
10 Treatment Plant Operations & Maint.	\$ 537,000.00	\$ 561,000.00	\$ 24,000.00
11 Collection System Operation & Maint.	\$ 386,000.00	\$ 390,000.00	\$ 4,000.00
12 Customer Service Expense	\$ 208,897.00	\$ 216,711.00	\$ 7,814.00
13 Administrative & General Expense	\$ 356,251.50	\$ 372,523.50	\$ 16,272.00
14 Vehicle/Equipment Operations & Maint.	\$ 95,000.00	\$ 112,500.00	\$ 17,500.00
15 Appropriation to General Fund	\$ 130,000.00	\$ 135,000.00	\$ 5,000.00
16 Debt Service Expenses	\$ 2,075,382.00	\$ 2,078,979.74	\$ 3,597.74
17 General Fund Salaries & Expenses	\$ 104,000.00	\$ 107,774.00	\$ 3,774.00
18 Construction in Progress	\$ 100,000.00	\$ 105,000.00	\$ 5,000.00
19 <b>TOTAL OPERATING EXPENSES</b>	\$ 6,167,458.50	\$ 6,281,039.24	\$ 113,580.74
20			
21			
22 <b>NET OPERATING BUDGET</b>	\$ 162,541.50	\$ 243,560.76	\$ 81,019.26
23			
<b>24 CAPITAL RESERVE</b>			
25			
26 Allocation Carry Over	\$ 250,000.00	\$ 250,000.00	\$ -
27			
<b>28 CAPITAL EXPENDITURES</b>			
29			
30 Computer/SCADA/GIS Hardware/Software		\$ 20,000.00	
31 Office Furniture and Equipment		\$ 2,500.00	
32 County Aerial Photography		\$ 5,000.00	
33 Unit 67 TV Van, Camera, and Transporter		\$ 180,000.00	
34 Trk 50 Wtr Trk, Pump, Tnk, Engine & Bed		\$ 95,000.00	
35 Unit 61 Tractor & Bushhog/ ROW Crews		\$ 70,000.00	
36 Generator		\$ 1,000.00	
37 Braly Lift Station VFD Installation		\$ 25,000.00	
38 Kubota Tractor (47 HP) w/Attachments		\$ 40,000.00	
45	\$ 378,000.00	\$ 438,500.00	\$ 60,500.00
46			
47 <b>TOTAL BUDGET</b>	\$ 34,541.50	\$ 55,060.76	\$ 20,519.26

\*Employees Expense-Salaries and Benefits includes 3% COLA that requires separate City Council approval during FY2020

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, ALABAMA, to approve the FY 2020 General Fund Operating Budget as follows:

**Operating Expenditures**

General and Administrative	\$ 1,788,690
Municipal Court	373,285
Human Resources	349,570
Fire Department	4,099,550
Police Department	5,825,000
Parks/Recreation/Cemetery	2,653,487
Street Department	2,346,657
Sanitation Department	3,587,800
ES, CD & Building Inspection	747,320
Public Works	<u>320,185</u>
<b>Total Operating Expenditures</b>	<b>22,091,544</b>

Appropriations – Nondiscretionary	4,634,500
Other Expenses – Retiree Bonuses	-
Transfers Out	<u>4,325,119</u>

**Total Expenditures** 31,051,163

**Total Expected Revenues** 31,505,000

**Operating Budget Surplus Before Appropriations** \$ 453,837

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, ALABAMA, to approve the FY 2020 Special Revenue Operating Budgets as follows:

**ALCOHOL FUND**

<b>Revenues</b>	
Taxes	\$ 800,000
Licenses and Permits	30,000
Interest Income	<u>5,000</u>
<b>Total Revenue</b>	<b>835,000</b>

<b>Expenditures</b>	
City Board of Education	380,000
Administrative Expense	40,000
Debt Service-GO Debt	<u>400,000</u>
<b>Total Operating Expenditures</b>	<b><u>820,000</u></b>

**Revenues Over (Under)** \$ 15,000

**GASOLINE TAXES .04/.05/.07**

<b>Revenues</b>	
State Appropriation	<u>\$ 250,000</u>

<b>Expenditures</b>	
Audit Fees	2,500
Bridge Inspection	5,000
Road Repair	230,000
Road Signs	10,000
<b>Total Operating Expenditures</b>	<b><u>247,500</u></b>

**Revenues Over (Under)** \$ 2,500

**DRUG TASK FORCE**

<b>Revenues</b>	
Confiscations Revenue	\$ 5,000
<b>Expenditures</b>	
Supplies	<u>3,000</u>
<b>Revenues Over (Under)</b>	<b>\$ <u>2,000</u></b>

**COURT SYSTEM**

<b>Revenues</b>	
Court Education	\$ 3,000
Solicitors Admin Fee	1,700
Court Operations	18,000
Interest Income	<u>500</u>
<b>Total Revenue</b>	<b>23,200</b>
<b>Expenditures</b>	
Supplies	<u>5,000</u>
<b>Revenues Over (Under)</b>	<b>\$ 18,200</b>

**REBUILD ALABAMA ACT GAS TAX FUND**

<b>Revenues</b>	
State Appropriation	\$ <u>97,000</u>
<b>Total Revenue</b>	<b>97,000</b>
<b>Expenditures</b>	
Road Repair	<u>97,000</u>
<b>Revenues Over (Under)</b>	<b>\$ <u>-</u></b>

**ANIMAL CONTROL**

<b>Revenues</b>	
Interest Income	\$ 100
<b>Expenditures</b>	
Supplies	
<b>Revenues Over (Under)</b>	<b>\$ <u>100</u></b>

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, ALABAMA, to approve the FY 2020 Special School Fund Operating Budget as follows:

<b>Revenues</b>	
Sales Tax Revenue (20% of One Cent Sales Tax)	\$ 950,000
<b>Expenditures</b>	
Appropriation to School Board for Debt Service	<u>950,000</u>
<b>Revenues Over (Under) Expenditures</b>	<b>\$ <u>-</u></b>

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, ALABAMA, to approve the FY 2020 Gas Department Budget as follows:

**CITY OF ATHENS UTILITIES  
GAS DEPARTMENT  
FY 2020 BUDGET**

	<u>FY 2019 Budget</u>	<u>FY2020 Budget</u>	<u>BUDGET VARIANCE</u>
<b>REVENUE</b>			
Metered Sales	\$ 14,690,500.00	\$ 14,890,000.00	\$ 199,500.00
Miscellaneous Revenue	\$ 136,091.00	\$ 147,591.00	\$ 11,500.00

Training Facility	\$ 160,000.00	\$ 120,000.00	\$ (40,000.00)
Aid to Construction	\$ 150,000.00	\$ 200,000.00	\$ 50,000.00
<b>TOTAL OPERATING REVENUE</b>	\$ 15,136,591.00	\$ 15,357,591.00	\$ 221,000.00

**EXPENSES**

Employee Expense – Salaries and Benefits	\$ 2,822,183.00	\$ 2,944,612.00	\$ 122,429.00
Purchased Gas	\$ 6,030,700.00	\$ 5,352,000.00	\$ (678,700.00)
Distribution System Operation & Maintenance	\$ 580,000.00	\$ 625,000.00	\$ 45,000.00
Customer Service Expense	\$ 244,668.00	\$ 264,668.00	\$ 20,000.00
Advertising and Promotion	\$ 225,000.00	\$ 255,000.00	\$ 30,000.00
Administrative and General Expense	\$ 737,106.00	\$ 811,406.00	\$ 74,300.00
Vehicle & Equipment Operations & Maintenance	\$ 185,000.00	\$ 155,000.00	\$ (30,000.00)
Appropriation to General Fund/Ardmore/Elkmont	\$ 1,065,000.00	\$ 1,065,000.00	\$ -
Debt Service Expenses	\$ 813,826.00	\$ 813,826.00	\$ -
General Fund Salaries & Expenses	\$ 129,442.00	\$ 153,728.00	\$ 24,286.00
Construction in Progress	\$ 950,000.00	\$ 1,500,000.00	\$ 550,000.00
<b>TOTAL OPERATING EXPENSES</b>	\$ 13,782,925.00	\$ 13,940,240.00	\$ 157,315.00

<b>NET OPERATING BUDGET</b>	\$ 1,353,666.00	\$ 1,417,351.00	\$ 63,685.00
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**CAPITAL RESERVE**

Allocation Carry Over	\$ 160,000.00	\$ -	\$ (160,000.00)
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**CAPITAL EXPENDITURES**

Generator Replacement	\$ 10,000.00	\$ 10,000.00	\$ -
Technical Equipment (CGI, Locator, etc.)	\$ 40,000.00	\$ 40,000.00	\$ -
Equipment for HP Line & Leak Detection Work	\$ 40,000.00	\$ 60,000.00	\$ 20,000.00
CNG Compressor Station Equip/Misc.	\$ 25,000.00	\$ 25,000.00	\$ -
Dump Truck Tandum Axel	\$ -	\$ 140,000.00	\$ 140,000.00
Backhoe	\$ 105,000.00	\$ 125,000.00	\$ 20,000.00
Trencher Plow Combo Service Installation	\$ -	\$ -	\$ -
Boring Machine Replacement/Equipment	\$ 225,000.00	\$ 80,000.00	\$ (145,000.00)
Leak City Expansion	\$ -	\$ -	\$ -
Leak City Paving around new bldg/Misc. supplies	\$ 50,000.00	\$ 25,000.00	\$ (25,000.00)
Misc Equipment (Office equip, furniture)	\$ 40,000.00	\$ 40,000.00	\$ -
Upgrades to South Jefferson building	\$ 42,500.00	\$ 62,000.00	\$ 19,500.00
Replace Truck #71	\$ 130,000.00	\$ 140,000.00	\$ 10,000.00
Replace Truck #72 (carryover	\$ 160,000.00	\$ -	\$ (160,000.00)
Replace Truck #73	\$ 46,000.00	\$ 46,000.00	\$ -
Veermeer POT Holler Replacement	\$ -	\$ 35,000.00	\$ 35,000.00
Replace Truck #77	\$ 46,000.00	\$ -	\$ (46,000.00)
Replace Truck #78	\$ 46,000.00	\$ 46,000.00	\$ -
Replace Truck #374	\$ -	\$ -	\$ -
	\$ 1,005,500.00	\$ 874,000.00	\$ (131,500.00)
<b>TOTAL BUDGET</b>	\$ 508,166.00	\$ 543,351.00	\$ 35,185.00

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

**Councilman Cannon introduced the following resolution:**

**RESOLUTION TO APPROVE PURCHASE OF COMPUTERS/UPGRADES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of twenty-eight (28) computers and the upgrade of eight (8) computers at a total cost NTE \$42,079. These purchases will be made

from TSA through the City's Membership in the North Alabama Cooperative Purchasing Association (NACPA) and shall be funded from the unallocated fiscal year 2018 general fund surplus.

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said resolution, 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, Cannon 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 Cannon 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, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

**The following ordinance was made for "Introduction Only" by Councilman Cannon on September 9, 2019 at the City Council regular meeting:**

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

**ORDINANCE NUMBER 2019 - 2091**

**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 23<sup>rd</sup>, 2019, at 5:00 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 23<sup>rd</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 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 approve the Long Term Agreement of the Power Supply Contract between TVA and the City of Athens increasing the required termination notice from 15 to 20 years, and to authorize the Mayor to execute the Long Term Agreement. (Agreement is attached to the minutes.)

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

Council President Wales then asked if anyone had any other business to come before the Council before the meeting was

adjourned. Public Works Director, James Rich, stated that he wanted to acknowledge the Public Works employees in attendance at the meeting and stated they are concerned about the proposed change to the City's health insurance program. Torrey Downs, with the City's Fire Department and Colby Norman with the City's Water and Wastewater Department, spoke in opposition to the proposed change, which would require employees' spouses to obtain primary health insurance from their employers if available. Sanitation Department Director, Earl Glaze, also spoke and inquired if the City could look into other insurance options, such as going to a funded plan. City Council President Wales stated that the Council would take all of these concerns into consideration but that no changes would be made for the next year.

\* \* \*

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

/s/ Harold Wales  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes  
CITY CLERK