

November 4, 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 November 4, 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, Wayne Harper, Frank Travis and Chris Seibert. Evan Green, Alex Murphy, John Bryan Trout, Sam Petty and Avery Roberts with Boy Scout Troop 240 joined Mayor Marks in leading 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 October 28, 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 October 28, 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.

A bicentennial powerpoint presentation was given by Elizabeth Hobbs, a senior at Athens High School and a member of the Mayor's Youth Commission.

David Malone, 1300 Sommers Drive, Athens, addressed the Mayor and Council regarding Jimmy Gill Park. He stated that for sixteen years, he had asked for a park for the west and south of Hwy 72 areas of Athens and that Jimmy Gill Park was finally developed. He expressed his concern that the Pilgrim's Pride Park project will be given preference over the relocation of Jimmy Gill Park and stated that Jimmy Gill Park should come before Pilgrim's Pride.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the payment of budgeted travel/education expenses for specified Water Services employees in the total amount of \$980.83.

Stacy Calder (Water)	ADEM Surface Water Meeting Montgomery, AL October 22-23, 2019	\$230.61
Shaun Chandler (Water)	ADEM Surface Water Meeting Montgomery, AL October 22-23, 2019	\$228.25
Roger Miller (Water)	ADEM Surface Water Meeting Montgomery, AL October 22-23, 2019	\$269.23
Brian Daniels (Water)	ADEM Surface Water Meeting Montgomery, AL October 22-23, 2019	\$252.74

The motion was seconded by Councilman Travis 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 travel expenses for the following personnel from the Police Department.

Alisha Kellum

NCIC Training
October 16, 2019 – October 18, 2019
Birmingham, Alabama

\$ 177.34

The motion was seconded by Councilman Travis 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 January 13, 2020 to review the request of Mark Wilson, Johnnie H. Wilson, Fred J. Wilson, Olye M. Ward, and Melinda Patterson for recommendation to the City Council for approval to rezone property from an R-1-3, Single Family High Density Residential District to a B-2 General Business District, including parcels 0709323000005.000, 0709323000003.000, 0709323000001.002, 0709323000001.004, 0709323000008.000, 0709323000007.000, 0709323000009.000, 0709324000010.000, and 0709323000010.000, located to the east, north, northwest, and west of 330 Elm St. West.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to designate Friday, November 29, 2019 as an additional holiday for calendar year 2019.

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

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2019 – 1642

WHEREAS, Verizon Wireless has requested to modify their equipment on an existing telecommunications facility located at 14022 AL Hwy 251, Athens, AL to provide wireless services essentially within the corporate limits of the City of Athens;

WHEREAS, Verizon Wireless has complied with the City's Ordinance No. 1999-1320 and has demonstrated the need for the modification of this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the City and Verizon Wireless customers in Athens will benefit from improved service; and;

WHEREAS, the City's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a conditional Special Use Permit for the modification at this facility located at 14022 AL Hwy 251, Athens, AL, which consists of a 400' ft. Guyed tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Athens, Alabama that Verizon Wireless is hereby granted a Special Use Permit to modify their equipment at 14022 AL Hwy 251, Athens, AL. Verizon proposes to swap all antennas for six (6) NHH, three (3) LRX and three (3) KRY antennas with integrated radios, swap all RRUS for six (6) new. Final configuration: Twelve (12) antennas, six (6) RRUS, three (3) raycaps, three (3) hybrid and twelve (12) coax. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Completion:

1. Prior to the issuance of the Building Permit, Verizon Wireless or the Tower Company must submit to the City for review and approval, the ANSI Inspection remediation report.
2. To prevent warehousing of permits or authorizations and to assure the best service to the City's residents as expeditiously as possible, the facility must be built, activated and be providing service *no later than one hundred eight (180) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the City.* Verizon Wireless may petition the City of an extension of this for good cause shown, but the decision whether or not to grant the extension shall exclusively be the prerogative of the City.

3. Verizon Wireless must provide contractor information with a construction schedule to the City and to CMS prior to the issuance of the Building Permit. The contractor must notify the City's consultant for all inspections.
4. At the completion of construction, the Applicant must notify the City's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.
5. Verizon Wireless shall not be permitted to actually provide service commercially until the Certificate of Occupancy of its functional equivalent is issued or risk forfeiting its Permit.
6. The Certificate of Occupancy shall not be issued until all fees and cost associated with this Permit, including inspections, have been paid.
7. A Certificate of Occupancy for the work permitted under this permit shall be a prerequisite for any future work by Verizon at this facility.

ADOPTED this 4th day of November, 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 Travis 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:

Rhett Murphy 2019 AUFU Annual Conference-Mobile, AL	\$54.91
James Gray Survalent Scada Training-Memphis, TN	\$71.59
Nick Sandlin TVPPA-Utility Safety and Security Conference-Knoxville, TN	\$91.27
Hunter Allen Survalent Scada Training-Memphis, TN	\$119.00
Kelvin Snyder Survalent Scada Training-Memphis, TN	\$116.05

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

Councilman Seibert introduced the following resolution:

RESOLUTION NO. 2019 - 1643

A RESOLUTION TO APPROPRIATE FUNDS FOR HOLIDAY SPECIAL EVENTS

WHEREAS, the City Council of the City of Athens finds that the 2019 Athens Christmas Open House event, which is open to all the residents of the City, serves a valuable public purpose and promotes the City of Athens; and

WHEREAS, the City Council finds that winter holiday lighting at City Hall also serves a public purpose and promotes the City; and

WHEREAS, the City Council wishes to support these activities;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on November 4, 2019 at 4:30 p.m., to (a) appropriate \$2,500 to the Greater Limestone County Chamber of Commerce, to be used in support of the 2019 Christmas Open House activities; and (b) to contract with Holiday Enlightenment to install holiday lighting at Athens City Hall (to be set up by mid-November, 2019 before the Christmas Open House event), for a price of \$4,200.00. These items shall result in an amendment to the FY 19-20 General Fund Budget. The appropriation to the Chamber shall be supported by a contract of the type utilized with respect to the City's other annual appropriations to the Chamber. The Mayor is authorized, on behalf of the City, to execute such contracts and other documents that are reasonably necessary to support the matters discussed in this Resolution.

ADOPTED this the 4th day of November, 2019.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

Councilmember Travis 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, 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 Seibert thereupon moved that the resolution be finally adopted, 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, Travis, 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 Wales asked if there were any objections to adjourning the meeting. Councilman Travis made a motion to adjourn with a second from Councilman Seibert. The meeting was duly and properly adjourned.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK