

February 26, 2018

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 the said City on February 26, 2018, at 5:30 p.m. The meeting was called to order by Councilman Chris Seibert, President of the Council. Upon roll call, the following were found to be present: Councilmembers Frank Travis, Wayne Harper, Harold Wales, Joseph Cannon and Chris Seibert. William Blankenship, West Limestone High School Eagle Scout candidate, joined Mayor Marks in leading the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Frank Travis 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 February 12, 2018 City Council Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried. The Chairperson stated that the Minutes of the February 12, 2018 City Council Work Session Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried.

Mayor Marks presented Jay Hudson and Corey Hudson with a certificate and a key to the City, in honor of the "Sick Call" program. The program celebrated 65 years of service on February 15, 2018.

A public hearing was held to hear comments on rezoning property for Nathan and Stephanie Metzger from an R-1-1 Single Family Residential Neighborhood District to an EST Estate District.

James Rich reported that the Planning Commission has met and recommends approval of the rezoning request.

No one spoke in favor of or against.

Councilman Wales introduced the following ordinance:

ORDINANCE NUMBER 2018-2040

AN ORDINANCE TO REZONE PROPERTY FOR NATHAN AND STEPHANIE METZGER FROM AN R-1-1 SINGLE FAMILY RESIDENTIAL NEIGHBORHOOD DISTRICT TO AN EST ESTATE DISTRICT. PROPERTY CONSISTS OF +/- 20 ACRES LOCATED AT 23154 NICK DAVIS ROAD WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS.

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from the R-1-1 Single Family Residential District to the EST Estate District.

The City Council of the City of Athens, Alabama, finds that "The Zoning Ordinance of the City of Athens, Alabama," should be amended so as to rezone the hereinafter described area as "EST Estate District".

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

That all of the hereinafter described area or real estate is hereby zoned "EST Estate District" in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the areas which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

19.189 acres lying in the East Half of the West Half of the Northwest Quarter of Section 12, Township 3 South, Range 4 West, Limestone County, Alabama, and being more particularly described as follows;

Beginning at an iron pin at the Southwest Corner of the East Half of the West Half of the Northwest Quarter of said Section 12; Thence North 86 degrees 24 minutes 16 seconds East along a possession line fence for a distance of 654.38 feet to an iron pin at a fence corner in accepted use as the Southeast Corner of the East Half of the West Half of the Northwest Quarter of said Section 12;

Thence North 03 degrees 30 minutes 00 seconds West along possession line fence running along the East boundary of the East Half of the West Half of the Northwest Quarter of said Section 12 for a distance of 1188.24 feet to a "steel T post"

Thence South 86 degrees 06 minutes 46 seconds west for a distance of 399.81 feet to a one-inch pipe;

Thence North 17 degrees 05 minutes 28 seconds West for a distance of 276.86 feet to a point near the center of Nick Davis Road, passing an iron pin on the South Right-of-Way Margin of said road at a distance of 246.84 feet;

Thence South 74 degrees 38 minutes 37 seconds West along the approximate center of Nick Davis Road for a distance of 198.25 feet to the intersection point of same with the West boundary of the East Half of the West Half of the Northwest Quarter of said Section 12;

Thence South 03 degrees 40 minutes 56 seconds East along the West boundary of the East Half of the West Half of the Northwest Quarter of said Section 12 for a distance of 1415.02 feet to the Point-of-Beginning, passing an iron pin on the South Right-of-Way Margin of Nick Davis Road at a distance of 30.63 feet, containing 19.189 acres.

AND BEING SUBJECT TO: One Half the Right-of-Way of Nick Davis Road along the North boundary, said Right-of-Way containing 0.137 acres.

IN ADDITION TO: A 100 foot Powerline Easement as shown on the hereon attached plat.

I hereby certify that the buildings now erected on said property are within the boundaries of same except as shown; That there are no Right-of-Way easements or joint driveways over or across said premises, visible on the surface except as shown; That there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports thereof, including poles, anchors, and guy wires on or over said premises, except as shown; I have consulted the flood boundary and floodway maps of The National Flood Insurance Program (Community Panel No 0103070111B) and found that the described property lies in a flood hazard area Zone C (Area of Minimal Flooding).

The correct address is 23154 Nick Davis Road, Athens, Alabama, 35611.

ADOPTED and APPROVED this, the 26th day of February, 2018.

/s/ Chris Seibert
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

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, Alabama on the 26th day of February, 2018.

Witness my hand and seal of office this the 26th day of February, 2018.

Annette Barnes, City Clerk

Councilmember Cannon moved that unanimous consent be given for immediate consideration of and action on said ordinance, 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, Cannon 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 Cannon and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

Scott Marshall, Piney Creek Drive, Athens, addressed the Council regarding drainage issues along Highway 72 West stating that gravel and sediment and overgrown weeds are preventing water from draining properly. He also addressed the traffic congestion caused by the traffic signal at Highway 72 and Jefferson Street.

Teresa Todd, 19880 Yarbrough Road, Athens, also addressed the Council regarding the economic impact of the Alabama Veterans Museum and the importance of the museum in attracting tourists to the area.

Councilman Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve travel/education expenses for the following personnel from the Public Works Department.

James Rich	ADECA Workshop	\$18.59
	Montgomery, AL	
	February 15, 2018	

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

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of a fogger for the Public Works Department. This purchase shall not exceed \$8,650 and will be funded through line item 100.518.84900, Vector Control.

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

Councilman Cannon introduced the following resolution:

**CITY OF ATHENS
RESOLUTION NUMBER 2018-1560**

WHEREAS, the City of Athens has received a grant from the Alabama Department of Economic and Community Affairs for a Recreational Trails Program (RTP) Project in the amount of \$200,000, and

WHEREAS, the scope and purpose of this project is to expand the Swan Creek Greenway and construction a trailhead on the Southside of U.S. Highway 72, and

THEREFORE, in accordance with program regulations the City of Athens has solicited and received proposals from qualified engineering firms to implement the above referenced grant in accordance with all applicable regulations;

NOW, THEREFORE, be it resolved that the City of Athens has evaluated the engineering proposals received and have selected Morrell Engineering to provide engineering services for this project; and

THAT, William R. Marks, Mayor, be and is hereby authorized to enter into a contract with Morrell Engineering to provide all engineering services required to implement the above referenced project in accordance with the approved fee scale commensurate with the scope of services required to adequately discharge all engineering responsibilities associated with this project.

READ AND ADOPTED this the **26th** day of **February 2018**.

/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 Wales and was unanimously carried.

Councilman Cannon introduced the following resolution:

**CITY OF ATHENS
RESOLUTION NUMBER 2018-1561**

WHEREAS, the City of Athens has received a grant from the Alabama Department of Economic and Community Affairs for a Recreational Trails Program (RTP) Project in the amount of \$200,000, and

WHEREAS, the scope and purpose of this project is to expand the Swan Creek Greenway and construction a trailhead on the Southside of U.S. Highway 72, and

THEREFORE, in accordance with program regulations the City of Athens has solicited and received proposals from qualified administrative firms to administer the above referenced grant in accordance with all applicable regulations;

NOW, THEREFORE, be it resolved that the City of Athens has evaluated the administrative proposal received and have selected Community Consultants, Incorporated to provide all administrative services for this project; and

THAT, William R. Marks, Mayor, be and is hereby authorized to enter into a contract with Community Consultants, Incorporated to provide all administrative services required to implement the above referenced project in accordance with the approved fee scale commensurate with the scope of services required to adequately discharge all administrative responsibilities associated with this project.

READ AND ADOPTED this the **26th** day of **February 2018**.

/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 Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appoint Forrest N. Carter to the Athens Housing Authority with a term expiration of February 26, 2023.

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

Councilman Harper introduced the following resolution:

RESOLUTION TO APPROVE BID FOR INTERNET SERVICES

WHEREAS, on February 12th, 2018, the City Council of the City of Athens, Alabama, authorized the City to issue a joint bid with Limestone County for internet services; and

WHEREAS, the joint bid was issued and proposals from two (2) companies were submitted and reviewed by the Information Technology Directors for both the City of Athens and Limestone County;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to accept the low bid from WOW Business in the amount of \$1,475/month for an annual cost of \$17,700 for 500Mbps of dedicated internet connectivity to all buildings on the City/County fiber optic network. One half (50%) of this cost of \$737.50/month (\$8,850 annually) will be paid by Limestone County with the remaining 50% being split equally between the City of Athens General Fund and Athens Utilities at a cost to each of \$368.75/month (\$4,425 annually).

The motion was seconded by Councilman Cannon 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 set a Public Hearing for the regular meeting of March 26, 2018 to review the request from Loretta Sanderfer to rezone 1 acre of land

located at 700 Caldwell Lane from an EST Estate Residential and Agricultural District to an R-1-1 Low Density Single Family Residential District.

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

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There being no further business to come before the meeting, the same was, upon motion by Councilman Travis and second by Councilman Wales, duly and properly adjourned.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK