

September 10, 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 September 10, 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 Wayne Harper, Harold Wales, Chris Seibert, Joseph Cannon and Frank Travis. Mayor Marks and members of Troop 236, Zac Williams, Will Terrell, Garrett Watson, Ethan Kelley, Luke Vanderwal, Garrett Waters, Austin Harm, Aidan Harm, Alix Jones, Nash Gilbert, Josh Caffey, Christian Arnold, Mr. Adam Harm, Mr. Rick Vanderwal, Mr. Heath Terrell, Mr. Roy Caffey, Mr. Chris Waters, Mrs. Misty Gilbert, Mrs. Terri Grisham, Mrs. Tanya Watson and AJ Barber, 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 27, 2018 City Council Meeting had been submitted for approval. Councilman Wales 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 August 27, 2018 City Council Work Session Meeting had been submitted for approval. Councilman Wales 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.

A public hearing was held to hear comments on the proposed zoning approval for the sale of alcohol by Riya, Inc., dba Oakdale Food Market.

No one spoke in favor of or against.

A public hearing was held to hear comments on the proposed zoning approval for the sale of alcohol by S. Rajasri, Inc., Tanner Fuel City.

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 travel/education expenses for the following personnel from the Information Technology Department.

Seth Siniard	Mileage June 1, 2018 – August 31, 2018	\$ 186.75
Lisa LaGrone	Mileage June 1, 2018 – August 31, 2018	\$ 204.30

The motion was seconded by Councilman Wales 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 travel expenses for the following personnel from the Electric Department.

Joseph Cannon	Electric Cities Annual Conference—Destin, FL	\$329.74
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The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2018-1586

WHEREAS, SprintCom has requested to modify their equipment on an existing telecommunications facility located at 108 East Elm Street , Athens, AL to provide wireless services essentially within the corporate limits of the City of Athens;

WHEREAS, SprintCom 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 SprintCom 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 108 East Elm Street, Athens, AL, which consists of a 200' ft. Guyed tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Athens, Alabama that SprintCom is hereby granted a Special Use Permit to modify their equipment at 108 East Elm Street, Athens, AL. SprintCom is proposing to add the following equipment: three (3) DMW ETCR-654L12H6 antennas, three (3) Ericsson RRUS82 w/solar shields, six (6) Ericsson RRUS-11 800 MHz, three (3) Ericsson RRUS 31, three (3) 1 1/4" Hybriflex, one (1) 0.87" fiber to improve service in the area. The height of the tower will remain the same as will the footprint of the tower also. 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 Certificate of Completion, SprintCom or the tower owner must remediate the vegetation observed in and around all anchor compounds, per ATC Project 11892551_N3_01, dated August 23, 2016
2. To prevent warehousing of permits or authorizations and to assure the best service to the City's residents as expeditiously a possible, the facility must be built, activated and be providing service *no later than one hundred eighty (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.* SprintCom 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. SprintCom 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. Prior to the issuance of the Certificate of Completion, SprintCom or the tower owner must remediate the following safety issues, noted at the pre-application site visit:
 - a. Guyed wire compounds have heavy vegetation that needs to be cleared.
 - b. Guyed wire compounds are not grounded.
5. 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.
6. SprintCom shall not be permitted to actually provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.
7. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.
8. A Certificate of Occupancy for the work permitted under this permit shall be a prerequisite for any future work by SprintCom at this facility.

ADOPTED and APPROVED this, the 10th day of August, 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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of a used 2015 Schwarze A7 Tornado Street Sweeper from Tractor and Equipment Company, at a cost not to exceed \$109,800, to be funded by a general fund budget amendment to account 100.527.90112, Transfers Out – Capital Expenditure Fund.

Councilmember Cannon moved that unanimous consent be given for immediate consideration of and action on said resolution, 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 resolution had been unanimously carried. Councilmember Wales 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, Cannon 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 rename Cornish Drive and Sussex Drive.

WHEREAS, Cornish Drive aligns with Skyview Drive at its intersection with Elkton Road. Running southeast for a distance of 1300 feet, thence east 580 feet, and ending at a right hand turn for Sussex Drive.

WHEREAS, Sussex Drive begins at its intersection with Pryor Street and runs north for a distance of 1700 feet, ending at a left hand turn for Cornish Drive.

WHEREAS, Cornish Chicken and Sussex Chicken are breeds of chickens, so the street names are related to the now abandoned Pilgrim's Pride chicken processing plant.

WHEREAS, Boardwalk is the name of a proposed subdivision development.

WHEREAS, the City has conducted an extensive and good faith review of its records and other public records and has no indication that Cornish Drive and Sussex Drive were named or dedicated in honor of any event, person, group, movement, or military service.

THEREFORE, the streets known as CORNISH DRIVE and SUSSEX DRIVE shall be renamed to BOARDWALK MAIN STREET.

The motion was seconded Councilman Wales and was unanimously carried.

President Seibert next addressed the Athens Land Company rezoning application and proposed master development plan. The City Council previously held an extensive public hearing on the proposed rezoning at its August 27, 2018 meeting. President Seibert announced the following, with respect to this matter: “As some of you know, the City was notified late last week that Athens Land Company withdrew its rezoning application and proposed master development plan for the property situated at Lindsay Lane South (north of Whitfield Colony Subdivision). Athens Land Company says that it plans to address various information that it heard at the recent public hearing, make substantial modifications to its proposal, and then re-submit a rezoning application and master development plan at a later date. That proposal has been withdrawn prior to the initiation of any action on it by this City Council. So, I have pulled the item from tonight’s agenda, and there will be no action on it tonight.”

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There being no further business to come before the meeting, Council President Seibert asked if there were any objections to adjourning the meeting. There being none, the meeting was duly and properly adjourned.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK