

October 8, 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 October 8, 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, and Frank Travis. Joseph Cannon was absent. Mayor Marks led 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 September 24, 2018 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 Wales and was unanimously carried. The Chairperson stated that the Minutes of the September 24, 2018 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 Wales and was unanimously carried.

A public hearing was held to hear comments on the proposed zoning approval for the sale of alcohol by Jai Durga, Inc., Db: Athens Fuel City.

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 Shree Laxmi Mata, Inc., Db: Tanner Chevron.

No one spoke in favor of or against.

Scott Marshall, 23349 Piney Creek Drive, Athens, addressed the Council regarding the Forrest Street bridge project and suggested they contact the Alabama Department of Transportation to request additional time to reconsider whether the City should proceed with the project due to the cost involved. He also suggested the City consider looking for outside candidates, as well as internal candidates, for the City Planner position.

Ralph Diggins, 100 Willow Street, Athens, addressed the Council concerning the need for an additional license examiner and solicited the Mayor and Council's assistance in lobbying the State of Alabama Law Enforcement Agency's Department of Public Safety in support of this request.

Janet Murray, 1056 Brownsferry Street, Athens, addressed the Council concerning overgrown weeds and the associated health and safety concerns with a property in her neighborhood.

Karen Bethea, 1528 North Lindsay Lane, Athens, addressed the Council in support of the proposed amendment to the Animal Ordinance, specifically the version of the proposed Ordinance which would ban tethering of animals in the City. She also spoke on behalf of the local North Alabama Animal Warriors (NAAW) and stated that this group is willing to offer support in the form of fencing, bedding, food, dog houses, etc. to assist pet owners in complying with the new ordinance, if adopted.

**Councilman Wales 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 Fire Department.

James Lee Marker	Alabama Fire College Huntsville, AL September 4, 2018 to September 6, 2018	\$ 30.79
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The motion was seconded by Councilman Harper 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 approve travel expenses for the following personnel from the Mayor's Office.

Holly Hollman	Grant Compliance Meeting Decatur, AL September 18, 2018	\$ 19.35
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The motion was seconded by Councilman Harper 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 accept the quote for a dump truck for the Water Department from Southland International Trucks of Madison, Alabama, in the amount of \$91,882.82 and to authorize the Manager of Water Services to execute a corresponding purchase order.

The motion was seconded by Councilman Harper 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 approve travel/education expenses for the following employees of Water Services.

Virgil White (Wastewater)	AWPCA Annual Conference Orange Beach, Alabama September 16-20, 2018	\$856.54
Michael Furline (Water)	AWPCA Annual Conference Orange Beach, Alabama September 16-20, 2018	\$1,234.82

The motion was seconded by Councilman Harper 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 approve the purchase of one (1) Eagle model BH10F Blackhawk Integrated breathing air compressor system from NAFECO, Inc. (North America Fire Equipment Company, Inc.) at a cost of \$45,000.00 through the HGAC Buying Cooperative. The purchase of this system shall be funded from the Fire Department Operational Capital account 301.500.85002.

The motion was seconded by Councilman Harper 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 declare a 1991 Ford F-Super Duty Custom 1 Ton Service Truck as surplus property of the Fire Department to be sold on govdeals.com with proceeds going back into the Fire Department Operation Capital Fund.

The motion was seconded by Councilman Harper 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 approve the purchase of a 2018 Dodge Ram 2500 in the amount of \$33,790 for the Gas Department from Tallassee Automotive in Tallassee, AL.

The motion was seconded by Councilman Harper 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 the following applicant for a “Retail Beer & Wine Off Premises” alcohol license.

S. Rajasri, Inc.  
Db: Tanner Fuel City  
20462 Huntsville Brownsferry Road  
Tanner, AL 35671

The motion was seconded by Councilman Harper 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 the following applicant for a “Retail Liquor Off Premises” alcohol license.

Good Spirit Beverages, LLC  
1260 US Hwy 72, Suite G  
Athens, AL 35611

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

**The following resolution was presented for “introduction only” at the City Council Meeting on Monday, September 24, 2018 by Councilman Cannon:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reorganize the Public Works Department in accordance with the attached organizational chart, which includes the following 56 positions:

- Director of Public Works
- Building and Public Works Assistant
- Building Inspectors (4)
- GIS Coordinator
- Planner
- City Engineer
- Director of Street Operations
- Administrative Assistant

- Construction Supervisor – Street
- Equipment Operators (12 positions)
- Construction Crew Leader (4 positions)
- Concrete Finishers – (4 positions)
- Garage Mechanics (4 positions)
- Director of Building Services and Sanitation
- Sanitation Operations Supervisor
- Sanitation Crew Leader
- Equipment Operators (15 positions)
- Maintenance Technician 3/Crew Leader
- Maintenance Technicians (2) (level 1, 2, or 3 dependent on skill)
- Building Maintenance Custodian (1)
- Garage and Inventory Control Coordinator

ADOPTED and APPROVED this, the 8<sup>TH</sup> day of October, 2018.

/s/Chris Seibert  
PRESIDENT, CITY COUNCIL,  
CITY OF ATHENS, ALABAMA

ATTEST:

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

(See attached org chart)

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

**The following resolution was presented for “introduction only” at the City Council Meeting on Monday, September 24, 2018 by Councilman Cannon:**

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA, to adopt the following revised job descriptions for the Public Works Department:

- Construction Crew Leader, Grade 9, Job description revised 7/16/2018
- City Engineer, Grade 13, Job description revised 9/14/2018
- Planner, Grade 11, Job description revised 9/14/2018

ADOPTED and APPROVED this, the 8<sup>th</sup> day of October, 2018.

/s/ Chris Seibert  
PRESIDENT, CITY COUNCIL,  
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.

**The following ordinance was presented for “introduction only” at the City Council Meeting on Monday, September 24, 2018 by Councilman Cannon:**

STATE OF ALABAMA  
LIMESTONE COUNTY  
CITY OF ATHENS

#### ORDINANCE NUMBER: 2018-2055

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that Ordinance Number 888, establishing a classification list for classified and unclassified employees is hereby amended as follows, effective: 09/24/2018.

Add the following job title to the list of classified positions for the PW Department:

- (1) City Planner, Grade 11
- (2) City Engineer, Grade 13

Delete the following job title from the list of unclassified positions for the PW Department:

- (1) City Planner, Manager 1

Delete the following job title from the list of classified positions for the PW Department:

- (2) Technical Coordinator, Grade 8

ADOPTED and APPROVED this, the 8<sup>th</sup> day of October, 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 8<sup>th</sup> day of October, 2018.

Witness my hand and seal of office this the 8<sup>th</sup> day of October, 2018.

/s/ Annette Barnes  
City Clerk

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

**Councilman Harper introduced the following resolution:**

**RESOLUTION NUMBER 2018-1588**

**A RESOLUTION ACCEPTING THE LOW BID FOR THE PROPOSED NEW RECREATION CENTER LOCATED AT 21821 SPORTSPLEX LOOP WITH FIRST TEAM CONSTRUCTION COMPANY, INC.**

**WHEREAS**, the City of Athens solicited bids for the construction of a new 71,793 square foot Recreation Center (the "Project"), with said sealed bids being received and opened on Thursday, September 20<sup>th</sup>, 2018 at 2:00 p.m.at City Hall, Athens, Alabama;

**WHEREAS**, Goodwin, Mills, and Cawood, Inc., Architect for the City of Athens has prepared drawings and specifications for the Project and has certified the low bid;

**WHEREAS**, the low bidder was First Team Construction Company, Inc. of Auburn, Alabama, and that bid is attached to this Resolution; and

**WHEREAS**, the City of Athens Public Works Department recommends that the contract for the Project should be awarded to First Team Construction Company, Inc. as the lowest responsible bidder in the amount of \$14,212,100.00.

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

Section 1. The contract for the construction of a new recreation center shall be awarded to First Team Construction Company, Inc., in the amount of \$14,212,100.00, to be funded from the City of Athens 2018 General Obligation Warrant Improvement Fund.

Section 2. William R. Marks, in his capacity as Mayor, is authorized, on behalf of the City of Athens, to sign the above-referenced contract for the Project. The contract shall be in conformity with the bid specifications and proposal of the successful bidder. The Mayor is further authorized to carry out the terms of such contract, and to execute such other and additional documents that may be necessary and/or required in order to facilitate the transaction described herein.

Section 3. This resolution shall become effective immediately upon its adoption.

**ADOPTED** this the 8<sup>th</sup> day of October, 2018.

/s/Chris Seibert

CHRIS SEIBERT, CITY COUNCIL PRESIDENT

**CERTIFICATION OF CITY CLERK**

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 a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the 8<sup>th</sup> day of October, 2018.

Witness my hand and seal of office this 8<sup>th</sup> day of October, 2018.

/s/Annette Barnes

Annette Barnes, City Clerk

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

**Councilman Travis introduced the following resolution:**

**RESOLUTION NUMBER 2018-1589**

**A RESOLUTION FOR ARCHITECTURAL SERVICES FOR A NEW CITY OF ATHENS  
RECREATION FACILITY**

**WHEREAS**, the City Council wished to retain the services of an architect for the design of a new City of Athens recreation facility; and

**WHEREAS**, the City Council received proposals/presentations from the following architectural firms: (1) Barge Waggoner Sumner & Cannon, Inc., (2) Goodwyn Mills and Cawood, Inc., and (3) McKee & Associates; and

**WHEREAS**, on June 5, 2017, the City Council approved a resolution to retain Goodwyn Mills and Cawood, Inc., for architect design services in connection with a new City of Athens recreation facility, and further, authorized the Mayor to negotiate and execute an agreement with the architect with respect to the same,

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on October 8, 2018 at 5:30 P.M., to approve the contract for architectural services in connection with the construction of new City of Athens recreation facility. The Mayor, acting on behalf of the City, is authorized to negotiate and execute an agreement with the architect with respect to the same. The contract shall be funded from the City of Athens 2018 General Obligation Warrant Improvement Fund.

**ADOPTED and APPROVED** this, the 8<sup>TH</sup> day of October, 2018.

/s/Chris Seibert

PRESIDENT, CITY COUNCIL,  
CITY OF ATHENS, ALABAMA

**CERTIFICATION OF CITY CLERK**

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 a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the 8<sup>th</sup> day of October, 2018.

Witness my hand and seal of office this 8<sup>th</sup> day of October, 2018.

/s/Annette Barnes  
Annette Barnes, City Clerk

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

**Councilman Harper introduced the following resolution:**

**RESOLUTION NUMBER 2018-1590**

**A RESOLUTION CONTRACTING WITH A THIRD PARTY TO PROVIDE CONSTRUCTION MATERIALS TESTING AND SPECIAL INSPECTION AND ENGINEERING SERVICES**

**WHEREAS**, the appropriate municipal official has determined that the construction materials testing and special inspection services are required and is best accomplished through contracting with a third party.

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on 08 October, 2018 at 5:30 p.m., that the Mayor (and/or his designee) is authorized to contract, on behalf of the City of Athens, with Morell Engineering to provide construction materials testing and special inspection services for the proposed Athens Recreation Facility located near the Sportsplex at 21281 Sportsplex Loop (parcel # 44-07-08-34-3-000-001.016 and 44-07-08-34-3-000-001.018) for a cost not in excess of \$98,050.00.

**ADOPTED** this the 8<sup>th</sup> day of October, 2018.

/s/Chris Seibert  
CHRIS SEIBERT, CITY COUNCIL PRESIDENT

**CERTIFICATION OF CITY CLERK**

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 a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the 8<sup>th</sup> day of October, 2018.

Witness my hand and seal of office this 8<sup>th</sup> day of October, 2018.

/s/Annette Barnes  
Annette Barnes, City Clerk



Councilmember Travis 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, 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 Travis 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.

**Councilman Harper introduced the following resolution:**

**RESOLUTION NUMBER 2018-1591**

**A RESOLUTION TO OBTAIN A CONSTRUCTION STORMWATER – ADEM NPDES PERMIT FOR THE PROPOSED NEW RECREATION CENTER LOCATED ON SPORTSPLEX LOOP**

**WHEREAS**, the appropriate municipal official has determined that a Construction Stormwater – Alabama Department of Environmental Management NPDES permit is required for the construction of the new recreation center located on Sportsplex Loop and can only be accomplished through the Alabama Department of Environmental Management.

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on 08 October, 2018 that the Mayor (and/or his designee) is authorized to apply for the permit, on behalf of the City of Athens, with the Alabama Department of Environmental Management for the proposed Athens Recreation Facility located near the Sportsplex at 21281 Sportsplex Loop (parcel # 44-07-08-34-3-000-001.016 and 44-07-08-34-3-000-001.018) for a cost not in excess of \$1,385.00.

**ADOPTED** this the 8<sup>th</sup> day of October, 2018.

/s/Chris Seibert  
CHRIS SEIBERT, CITY COUNCIL PRESIDENT

**CERTIFICATION OF CITY CLERK**

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 a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the 8<sup>th</sup> day of October, 2018.

Witness my hand and seal of office this 8<sup>th</sup> day of October, 2018.

/s/Annette Barnes  
Annette Barnes, City Clerk

Councilmember Travis 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, 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 Travis 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.

**Councilman Wales introduced a motion to set a public hearing to hear comments on the proposed amendment to the City's animal ordinance for October 22, 2018 at 5:30 p.m. in the City Council chambers. Councilman Wales' 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 authorize the Public Works Department to issue task orders and perform work to improve Luke Street in a budgeted amount of \$55,000.00. This project shall be funded by the City of Athens Gas Tax.

Councilmember Wales 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, 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 Travis 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 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