

February 14, 2022

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, Athens, Alabama, on February 14, 2022 at 5:30 p.m. The meeting was called to order by Councilman Chris Seibert, President of the City Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Dana Henry, Harold Wales and Wayne Harper. Councilman Frank Travis was absent. Annette Barnes-Threet, City Clerk, was present and recorded the minutes of the meeting. Harold Wales offered the invocation. Mayor Marks led the Pledge of Allegiance. 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 January 24, 2022 City Council Meeting had been submitted for approval. Councilman Harper moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Henry and was unanimously carried. The Chairperson stated that the Minutes of the January 24, 2022 City Council Work Session Meeting had been submitted for approval. Councilman Harper moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Henry and was unanimously carried.

Mayor Marks recognized the Athens High School Cheerleaders for finishing 2nd in three categories in Orlando, Florida at a cheer competition. Mr. Marks updated everyone regarding issues with utility bill late charges and stated that he believes that they have taken care of the majority of the problems. Mayor Marks also thanked everyone at Customer Accounts for working through the issue.

Councilman Wales wished everyone a Happy Valentine's Day.

Council President Seibert echoed Mayor Marks' remarks regarding the Athens High School Cheerleaders.

PUBLIC HEARING RELATING TO THE PROPOSED REZONE OF +/-9 ACRES LOCATED AT 22201 US HWY 72 FROM R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) & B-2 (GENERAL BUSINESS DISTRICT) TO B-2 (GENERAL BUSINESS DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA (EUGENE & CORINE BEDINGFIELD)

Matt Davidson, City Planner, addressed the City Council concerning the proposed rezone and stated that the Planning Commission and City staff recommend approval.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 9 ACRES LOCATED AT 22201 US HWY 72 FROM R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) & B-2 (GENERAL BUSINESS DISTRICT) TO B-2 (GENERAL BUSINESS DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA. (EUGENE & CORINE BEDINGFIELD)

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

ORDINANCE NUMBER 2022 – 2205

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 R-1-1 (Low Density Single Family Residential District) & B-2 (General Business District) to B-2 (General Business District) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA.

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 to B2 (General Business District) in accordance with and defined by “The Zoning Ordinance of the City of Athens, Alabama,” and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

LEGAL DESCRIPTION

A tract of land lying and being in the Northwest Quarter of the Southwest Quarter and In the Southwest Quarter of the Northwest Quarter of Section 14, Township 3 South, Range 4 West, and being part of Tract 2 of Farmers and Merchants Bank's Subdivision of the Leopard Farms as shown by the Map or Plat of said Subdivision on file in the Office of the Judge of Probate of Limestone County, Alabama, more particularly described as beginning at a point on the north margin of the Athens-Huntsville Highway, being 284 feet east of the southwest corner of said Tract No. 2, said point of beginning also being the southeast corner of a tract owned by James C. Cox and Mary Pauline Cox; thence north and along the east boundary of said James C. Cox and Mary Pauline Cox tract and parallel to the west margin of said tract No. 2, 793 feet to a point located at the northeast corner of said James C. Cox and Mary Pauline Cox tract; thence east 323, 5 feet to the northwest corner of a tract owned by Carlos McGrew and Mamie Lou McGrew; thence In a southwesterly direction and along the west boundary of said Carlos McGrew and Mamie Lou McGrew tract and an extension thereof 810 feet to a point on the south margin of said Tract No, 2 and the north margin of said Road ; thence in a westerly direction along said South margin of said Tract No, 2 and said north margin of said Road 187 feet to the point of beginning, containing 5 acres, more or less, and being the same real estate conveyed to the grantors by deed recorded in the Office of the Judge of Probate of Limestone County, Alabama, in Deed Book 669, Page 694, 1970 Alabama ad valorem taxes shall be prorated as of this date.

A tract of land lying and being in the Northwest Quarter of the Southwest Quarter and in the Southwest Quarter of the Northwest Quarter of Section 14, Township 3 South, Range 4 West and being a part of Tract No. 2 of the Farmers and Merchants Bank's Subdivision of the Leopard Farms as shown by Map or Plat of said Subdivision on file in the Office of the Judge of Probate of Limestone County, Alabama, and more particularly described as beginning at a point on the North margin of the Athens-Huntsville Highway, 125 feet East of the Southwest corner of said Tract No. 2, which point is the Southeast corner of a certain tract owned by James T. Delmore; thence North and parallel with the West margin of said Tract No. 2 and along the East margin of said James T. Delmore tract 210 feet to the Northeast corner of said James T. Delmore tract 125 feet to the Northwest corner; thence West and along the North boundary of said James T. Delmore tract located on the West margin of said Tract No. 2; thence North and along said West margin 558 feet; thence East 284 feet to the Northwest corner of a tract of land owned by Lucian C. Cox; thence South parallel with the West margin of said Tract No. 2 and along the West boundary of said Lucian C. Cox tract 793 feet to a point on the North margin of said Tract No. 2, which point Is located at the Southwest corner of said Lucian C. Cox tract; thence West along the North margin of said Road and the South boundary of said Tract No. 2, 159 feet to the point of beginning, and containing 5.2 acres, more or less, and is the same real estate conveyed to the grantors herein by deed recorded in Volume 693, at Page 917 in the records of the Office of the Judge of Probate of Limestone County, Alabama.

ADOPTED and APPROVED this, the 14th day of February, 2022.

/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

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

PUBLIC HEARING RELATING TO THE PROPOSED REZONE OF +/-13.96 ACRES OF PROPERTY, PARCEL#: 44-10-05-15-2-000-020.00 (TRACT 20, PBG PG 202), LOCATED AT THE INTERSECTION TO ATHENS LIMESTONE LN AND ATHENS LIMESTONE BLVD FROM B-2 (GENERAL BUSINESS DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT) AND TO ADOPT THE MASTER DEVELOPMENT PLAN WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA (CENTERPOINTE CROSSING DEVELOPMENT, LLC)

Matt Davidson, City Planner, addressed the City Council regarding the rezone and stated that the Planning Commission and City staff recommend approval.

Mr. Darji, 16936 Autumn Chase, Athens, asked if this rezoning would have any effect on the plans to connect Highway 72 with Forrest Street.

Mr. Davidson stated that this and property to the north would eventually have connectivity.

The public hearing was closed.

Councilman Harper introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 13.96 ACRES OF PROPERTY, PARCEL #: 44-10-05-15-2-000-020.000 (TRACT 20, PBG PG 202), LOCATED AT THE INTERSECTION OF ATHENS LIMESTONE LN AND ATHENS LIMESTONE BLVD. FROM B2 (GENERAL BUSINESS DISTRICT) TO R-2 (MULTI-FAMILY RESIDENTIAL DISTRICT) AND TO ADOPT THE MASTER DEVELOPMENT PLAN WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA. (CENTERPOINTE CROSSING DEVELOPMENT, LLC)

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

ORDINANCE NUMBER 2022 – 2206

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 B2 (General Business District) to R-2 (Multi-Family Residential District) and to adopt the Master Development Plan WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA.

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

1.) That all of the hereinafter described area or real estate is hereby zoned to R-2 (Multifamily Residential District) in accordance with and defined by “The Zoning Ordinance of the City of Athens, Alabama,” and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

TRACT 20 OF THE FINAL PLAT OF CENTERPOINTE CROSSING A RESUBDIVISION OF TRACT 8 FRENCH HILLS ADDITION NO. 3 AND OTHER LANDS AS RECORDED IN PLAT BOOK G PAGE 202 IN THE OFFICE OF THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA.

2.) The Master Development Plan for of Centerpointe Crossing Development, LLC is hereby adopted. (A copy of the same is on file in the Public Works Department, and will also be attached to the minutes of this meeting.)

ADOPTED and APPROVED this, the 14th day of February, 2022.

/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

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

PUBLIC HEARING RELATING TO THE PROPOSED REZONE OF +/-35.21 ACRES OF PROPERTY LOCATED AT WEST MARKET STREET & LUCAS FERRY FROM R-1-2 (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1-3 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA (GOBBLE FITE LUMBER CO)

Matt Davidson, City Planner, addressed the City Council regarding the rezone and stated that the Planning Commission and City staff recommend approval.

The public hearing was closed.

Councilwoman Henry introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 35.21 ACRES, PROPERTY LOCATED AT WEST MARKET STREET & LUCAS FERRY FROM R-1-2 (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-1-3 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA. (GOBBLE FITE LUMBER CO.)

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2022 – 2207

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 R-1-2 (Medium Density Single Family Residential District) to R-1-3 (High Density Single Family Residential 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 to R-1-3 (High Density Single Family Residential District) in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

LEGAL DESCRIPTION

All that certain lot or parcel of land situated in Limestone County, State of Alabama, and being more particularly described as follows:

ALL THAT PART OF SECTION 6, TOWNSHIP 3 SOUTH, RANGE 4 WEST, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND CONCRETE MONUMENT MARKING THE NORTHERN MOST CORNER OF A PARCEL OF LAND DESCRIBED AND RECORDED IN DEED BOOK 782, PAGE 323; THENCE RUN SOUTH 43°09'58" WEST 127.47 FEET TO A FOUND CONCRETE MONUMENT; THENCE RUN SOUTH 28°30'24" WEST 114.15 FEET TO A FOUND 5/8" CAPPED IRON PIN (DUNIVANT); THENCE RUN SOUTH 13°48'31" WEST 120.77 FEET TO A FOUND CONCRETE MONUMENT; THENCE RUN NORTH 88°46'55" WEST 113.27 FEET TO A FOUND CONCRETE MONUMENT; THENCE RUN SOUTH 01°07'46" WEST 633.08 FEET TO A FOUND CONCRETE MONUMENT; THENCE RUN SOUTH 89°00'01" EAST 456.10 FEET TO A FOUND 5/8" IRON PIN; THENCE RUN SOUTH 01°10'49" WEST 1458.04 FEET TO A FOUND 5/8" IRON PIN; THENCE RUN NORTH 88°46'12" WEST 752.78 FEET TO A FOUND 5/8" CAPPED IRON PIN; THENCE RUN NORTH 01°09'10" EAST 2089.95 FEET TO A FOUND 5/8" CAPPED IRON PIN (RONNIE); THENCE RUN NORTH 88°53'28" WEST 179.59 FEET TO A FOUND 5/8" CAPPED IRON PIN ON THE EAST RIGHT-OF-WAY OF LUCAS FERRY ROAD; THENCE RUN ALONG THE EAST RIGHT-OF-WAY OF SAID LUCAS FERRY ROAD NORTH 01°09'59" EAST 399.87 FEET TO A FOUND 1/2" CAPPED IRON PIN (ATHENS); THENCE RUN SOUTH 71°14'12" EAST 387.70 FEET TO A FOUND 1/2" CAPPED IRON PIN (ATHENS); THENCE RUN NORTH 01°24'36" EAST 210.28 FEET TO A SET 5/8" CAPPED IRON PIN (CA#003); THENCE RUN SOUTH 63°42'48" EAST 423.77 FEET BACK TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 35.21 ACRES (1,533,704 SQ. FT.) MORE OR LESS.

ADOPTED and APPROVED this, the 14th day of February, 2022.

/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

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

PUBLIC HEARING RELATING TO THE PROPOSED REZONE OF +/-2 ACRES OF PROPERTY LOCATED AT 14286 & 14302 CAMBRIDGE LANE (LOTS 5 & 6) OF THE ATHENS EAST SUBDIVISION FROM B-2 (GENERAL BUSINESS DISTRICT) & R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) TO INST (INSTITUTIONAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA (JOURNEY CHURCH)

Matt Davidson, City Planner, addressed the City Council regarding the rezone and stated that the Planning Commission and City staff recommend approval.

Bill Perkins, 17459 Eastmoor Street, Athens, spoke on behalf of the rezone and asked the Council for their consideration.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 2 ACRES OF PROPERTY LOCATED AT 14286 & 14302 CAMBRIDGE LANE (LOTS 5 & 6) OF THE ATHENS EAST SUBDIVISION FROM B2 (GENERAL BUSINESS DISTRICT) & R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT) TO INST (INSTITUTIONAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, ALABAMA. (JOURNEY CHURCH)

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

ORDINANCE NUMBER 2022 – 2208

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 B2 (General Business District) & R-1-1 (Low Density Single Family Residential District) to INST (Institutional 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 to INST (Institutional District) in accordance with and defined by “The Zoning Ordinance of the City of Athens, Alabama,” and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

LEGAL DESCRIPTION

All that certain lot or parcel of land situated in Limestone County, State of Alabama, and being more particularly described as follows:

Lot 5 of the Athens-East Subdivision, a minor subdivision, a part of Section 19 and 30 of Township 3 South, Range 3 West, Limestone County, Alabama, according to the map or plat of said subdivision on file in the Probate Office of the Limestone County, Alabama, in Plat Book G, Page 74.

Subject to all presently existing road rights-of-way, restriction, and all existing ingress and egress easements, recorded or unrecorded.

AND

All that certain lot or parcel of land situated in Limestone County, State of Alabama, and being more particularly described as follows:

Lot 6, of the Athens-East Subdivision, a minor subdivision, a part of Section 19 and Section 30 of Township 3 South, Range 3 West, Limestone County, Alabama,

according to the map or plat of said subdivision on file in the Probate Office of the Judge of Probate of Limestone County, Alabama.

Subject to those certain restrictions of record in Real Property Book 2108 Page 74801, in the Probate Office of Limestone County, Alabama.

Subject to all presently existing road rights-of-way, restrictions, and all existing Ingress and egress easements, recorded or unrecorded.

ADOPTED and APPROVED this, the 14th day of February, 2022.

/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

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

Janice Woodroof, Athens, addressed the City Council concerning the need for a safety bridge on a sidewalk located on Brownsferry Street and the need for a lot beside 818 Acorn Hill to be cleaned up.

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to purchase fifty-two guardian shoulder lights with white front/yellow and blue back for a cost of \$4,108.00 from Dana Safety. Funding for this purchase will be from the Police Department's existing capital expenditure account.

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

Councilwoman Henry 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 at 5:30PM on **March 14, 2022** to review the request to **De-Annex** +/- 8.85 acres of property located on west side of Mooresville Road, south of Newby Road, zoned: R-1-1 (Low Density Single Family Residential Zoning District). (Andrew DuBois)

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

Councilman Henry 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 at 5:30PM on **March 14, 2022** to review the request of Dilitina Development Corporation (Lakewood) to **rezone** +/- 88.29 acres, located on the east side of US HWY 31, south of Hatfield Lake RD. from R-1-1 (Low Density Single Family Residential Zoning District) to R-1-2 (Medium Density Single Family Residential Zoning District). No additional lots are proposed.

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of an equipment trailer from Better Built Trailers with an amount not to exceed \$7,500 and to be funded from the existing capital budget of the Street Department.

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

Councilman Harper introduced the following ordinance:

ORDINANCE NUMBER 2022 - 2209

AN ORDINANCE RENEWING A NONEXCLUSIVE FRANCHISE TO KNOLOGY, INC. CONCERNING A CABLE TELEVISION SYSTEM

WHEREAS, Knology, Inc. (“Knology”) has a non-exclusive franchise to operate a cable system in the City, initially granted to Private Cable, Inc. by Ordinance 94-1180;

WHEREAS, the initial franchise has been subsequently transferred and assigned, such that Knology now holds that franchise;

WHEREAS, the City Council desires to extend that certain non-exclusive franchise initially granted by Ordinance No. 94-1180;

WHEREAS, the franchise was last extended by Ordinance No. 2021-2160;

WHEREAS, the City and Knology desire to extend the franchise for another year;

WHEREAS, Knology is agreeable to such extension pursuant to the same terms as set forth in Ordinance No. 94-1180, as amended by Ordinance No. 2012-1847;

WHEREAS, the public has been afforded adequate notice and opportunity for comment; and

WHEREAS, the City Council intends that the franchise will be extended as set forth herein.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on Monday, February 14TH, 2022, at 5:30 p.m., as follows:

1. The City hereby extends its grant of a nonexclusive franchise to occupy or use the Public ways to provide Cable Service to all Persons located in the Service Area to Knology under the same definitions, terms, and conditions as set forth in Ordinance No. 94-1180, and any amendments thereto, until March 1, 2023, unless sooner terminated in accordance with the terms thereof.

2. This Ordinance is conditioned upon Knology filing with the City its unconditional acceptance of the Franchise and agreement to comply with and abide by all the provisions, terms, and conditions set forth herein and in Ordinance No. 94-1180, and any amendments thereto, in a form acceptable to the City.

ADOPTED this the 14th day of February, 2022.

/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

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

Councilman Harper introduced the following ordinance:

ORDINANCE NUMBER 2022 - 2210

**AN ORDINANCE EXTENDING A NONEXCLUSIVE FRANCHISE TO SPECTRUM SOUTHEAST, LLC
(CHARTER) CONCERNING A CABLE TELEVISION SYSTEM**

WHEREAS, Spectrum Southeast, LLC (referred to herein as “Charter”) has a non-exclusive franchise to operate a cable system in the City, the original terms of which are found in Ordinance No. 88-1030;

WHEREAS, the franchise found at Ordinance No. 88-1030 was assigned/extended to Charter and has been continuously extended by the City Council and Charter;

WHEREAS, the franchise was last extended by Ordinance No. 2021-2159;

WHEREAS, the City and Charter desire to extend the franchise for another year;

WHEREAS, Charter is agreeable to such extension pursuant to the same terms as set forth in Ordinance No. 88-1030;

WHEREAS, the parties continue to reserve all rights under the formal procedures of Section 626 of the Cable Act and do not waive any rights related thereto;

WHEREAS, the public has been afforded adequate notice and opportunity for comment; and

WHEREAS, the City Council intends that the franchise will be extended as set forth herein.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on Monday, February 14TH, 2022, at 5:30 p.m., as follows:

1. The City hereby extends its grant of a nonexclusive franchise to occupy or use the Public Ways to provide Cable Service to all Persons located in the Service Area (and consents to the assignment as explained above) to Charter under the same definitions, terms, and conditions as set forth in Ordinance No. 88-1030, and any amendments thereto, until March 1, 2023, unless sooner terminated in accordance with the terms thereof.

2. This Ordinance is conditioned upon Charter filing with the City its unconditional acceptance of the Franchise and agreement to comply with and abide by all the provisions, terms, and conditions set forth herein and in Ordinance No. 88-1030, and any amendments and extensions thereto, in a form acceptable to the City.

ADOPTED this the 14th day of February, 2022.

/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

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

Councilwoman Henry introduced the following resolution:

RESOLUTION NUMBER 2022 - 1789

A RESOLUTION APPROVING THE ELECTRIC DEPARTMENT'S AMENDED *POLICY TO MAKE SERVICE AVAILABLE TO CUSTOMERS*

WHEREAS, the City Council has previously approved the City of Athens Electric Department's *Policy to Make Service Available to Customers*;

WHEREAS, the Electric Department requests that the City Council approve various amendments to the policy, including changes relating to (a) the removal of outdated cost estimates; (b) the definition of aid to construction charges; (c) an option to allow subdivision developers to purchase their own electrical facilities, if they can purchase them at a lower price than provided by the electric department; and (d) an option to allow subdivision developers to reduce their aid to construction charges by the removal of charges for overtime and independent contractors, if they are willing to accept longer waits for installation; and

WHEREAS, the City Council is in favor of these changes and desires to approve the revised policy.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 14th, 2022 at 5:30 p.m. that the City of Athens Utilities Electric Department's Policy to Make Service Available to Consumers, attached hereto as *Attachment A*, is approved.

ATTACHMENT A

**CITY OF ATHENS UTILITIES
ELECTRIC DEPARTMENT
POLICY TO MAKE SERVICE AVAILABLE TO CONSUMERS**

Effective February 7, 1997

Revised June 2, 2000

Revised February 28, 2022

I. General

- a. The Department reserves the right to alter this policy at any time (with approval of the Council) to better suit the circumstances involved or to better distribute the costs involved in providing new services in order to preclude raising rates for existing customers.
- b. The Department shall require the consumer to obtain all necessary easements for the construction of power lines from the Department's existing power system to the consumer's point of service.
- c. Consumers are responsible for clearing the right of way (easement) as specified by the Department to provide electrical service. This usually constitutes a path 15 feet on each side of the power line (total of 30 feet width). In subdivisions, the Department may reserve the right to require the subdivision owner or developer to clear all rights of way (easements) as specified by the Department as a precondition to providing electrical service. In subdivisions, normal rights of way will be a path 10 feet on each side of the power line (total of 20 feet width).
- d. The Department may require the person making application for service (to include subdivision developers) to locate and stake property lines, section lines, or other surveys that may be required to complete the application for service.

- e. Any consumer applying for service, the duration of which shall be for a limited period of time, shall pay the total construction cost for both the installation and the removal of said service to include material, labor, transportation, engineering, and overhead.
- f. Consumers making application for service that requires extensions of primary lines to their property shall be required to pay aid to construction charges; however, the Department shall use good judgement for future recoupment possibilities in applying this rule. Factors that will be considered include customers located on a paved road, the potential load that will be generated by the customer, and other pertinent factors.
- g. Aid to construction charges shall be paid to the Electric Department in advance of construction as is set forth in this policy.
- h. Aid to construction charges shall be in an amount that is determined by the Electric Department. Such amount shall include the Electric Department's estimate of its actual costs of (1) supplying electrical facilities and equipment necessary to make electrical service available for the project at issue, and (2) supplying labor and work to install such facilities and equipment, and to perform such other work as is necessary to make electrical service available for the project at issue (including but not limited to costs associated with reasonably anticipated overtime or use of independent contractors to complete the work).

II. RESIDENTIAL SERVICES

- a. The Department shall provide to individual consumers applying for electric service either underground or overhead service wire up to a value of \$300 including the cost of installation.
- b. Consumers who apply for service to a location that requires construction of primary (high voltage) lines to serve the location shall be required to pay aid to construction charges.
- c. The provisions of Section I above also apply.

III. APARTMENT AND TOWNHOUSE COMPLEXES

- a. Developers of apartment and/or townhouse complexes shall be required to pay aid to construction charges for installation of primary lines, transformers, and service wires to serve the complex.
- b. The provisions of Section I above also apply.

IV. COMMERCIAL SERVICES

- a. Consumers making application for electric service shall be required to pay aid to construction charges.
- b. Commercial consumers who require three phase service but whose load or character of service does not justify the expenditure to provide such service shall be required to pay aid to construction charges to cover all costs of installation.
- c. Three phase service will only be made available to consumers who request such service after the request has been evaluated. The Department will then issue a written statement to the potential consumer which will state the conditions under which the three-phase service will be made available and the characteristics of the service.
- d. The provisions of Section I above also apply.

V. SUBDIVISIONS

a. Subdivisions:

Subdivision developers shall be required to pay aid to construction charges for the installation of primary lines and transformers to serve the subdivision. In the event that underground primary is desired, the developer shall also be required to install the necessary conduit, furnish transformer pads, furnish any junction point stands required for the installation, and pay the costs associated with providing and installing the primary wire and pad mount transformers needed to serve the subdivision. Plans for all installations must be approved by the Department prior to any procurement or construction.

- b. In lieu of the Electric Department installing the primary and secondary electrical facilities (and any other electrical facilities or apparatus) required by the Electric Department to serve the subdivision (and thus, the developer paying the portion of the aid to construction charges related to labor), subdivision developers, at their sole cost, may contract with independent electrical contractors for the installation of primary and secondary electrical facilities (and any other electrical facilities or apparatus) required by the Electric Department to serve the subdivision in developments where the cost of labor for the portion of the facilities being constructed exceeds \$50,000, as estimated by the Electric Department. In subdivisions where the labor cost is less than \$50,000, the Electric Department will install or have a contractor install the facilities. In these developments, the Developer may get a firm price in writing for the installation from an approved electrical contractor. If this price is less than the price estimate provided by the Electric Department, the contractor providing the lower price will be used by the Electric Department as long as all contractor qualifications are met. The Aid-to-Construction charge to the Developer for the labor portion of the installation will be based on the amount charged to the Electric Department by the contractor. The Electric Department will work with the Developer to make sure there is no undue delay in providing the installation. The following requirements must be met in all developments: 1) The Electric Department must review and approve all plans and specifications prior to a contract being awarded. 2) Contract specifications must include provisions allowing the Electric Department the right to inspect the work at appropriate stages in the construction. 3) The contractor must be fully qualified for the type work required, must complete the Electric Department's Contractor Qualification Form and be approved by the Electric Department. 4) The contractor must be licensed in the State of Alabama for the type work required and must be insured in accordance with the Electric Department's standard requirements for contractors. 5) All work must be inspected and approved by the Electric Department. 6) All electrical materials must be obtained from the Electric Department with the Developer paying the Electric Department Aid-to-Construction costs in the amount determined by the Electric Department, based on the Electric Department's cost for the materials furnished.
- c. In lieu of paying the Electric Department aid to construction charges for the primary lines and transformers (and any other electrical facilities or apparatus) required by the Electric Department to serve the subdivision, subdivision developers, at their sole cost, may purchase those items from third parties and provide them to the Electric Department, who will then use the same to provide service to the subdivision. However, this option is not available unless the Electric Department is satisfied that the following requirements have been met: (1) the developer provides notice that it intends to use this option prior to Electric Department placing an order for the primary lines and transformers (and any other electrical facilities or apparatus) required by the Electric Department to serve the subdivision; and (2) the items must conform to the number, type, manufacture, quality, and specifications that are determined by the Electric Department, in its sole discretion.
- d. In cases where the labor portion of the aid to construction charges includes an allocation for expected overtime and/or independent contractor costs, a developer may elect to advise the Electric Department that it wishes to proceed without the use of any overtime labor or independent contractors. In such case, the Electric Department will reduce the amount of the aid to construction charges by removing such overtime and/or independent contractor costs, and the Electric Department will not utilize overtime labor and/or independent contractors with respect to the work to supply electric power to the subdivision. However, in such case, the developer must execute a written release and acknowledgement that it understands and agrees that the provision of electrical service to the subdivision may be delayed and suspended beyond timeframes that the developer prefers and/or considers to be reasonable, and that the developer releases from any claims based on such delay and/or suspension.

e. The provisions of Section I above also apply.

VI. TRAILER PARKS

a. Trailer park developers shall be required to pay aid to construction charges for installation of electric service to serve the trailer park. Costs associated with primary and secondary lines and transformers shall be paid. In the event that underground primary service is desired, the developer shall also be required to install the necessary conduit for both primary and secondary lines, furnish and install transformer pads, and any needed junction point stands, and pay the costs associated with providing and installing the underground primary wire, secondary wire, and pad mount transformers required to serve the trailer park. Plans for all installations must be approved by the Department prior to any procurement or construction.

b. The provisions of Section I above also apply.

VII. SECURITY LIGHTS

- a. Security lights will be made available to consumers requesting same.
- b. Any installation that requires installation of new secondary wire, a transformer, and/or additional poles will incur an additional monthly charge, as determined by the Department.
- c. Requests that require installation of primary lines will require aid to construction for all primary line construction.

ADOPTED this the 14th day of February, 2022.

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

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

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2022 - 1790

A RESOLUTION CONCERNING THE USE OF CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

WHEREAS, in January, 2022, the United States Department of the Treasury issued its Final Rule concerning the uses of *Coronavirus State and Local Fiscal Recovery Funds*, to be found at 31 CFR Part 35 (the “Final Rule”);

WHEREAS, as one possible use of the funds, cities may use the funds to pay for “government services” in an amount equal to their revenue loss experienced due to the COVID-19 public health emergency, but only up to the amount of such revenue loss;

WHEREAS, in order to identify the amount of their revenue loss, the Final Rule states that cities must either use a certain formula to calculate the amount, or use a “standard allowance” of \$10 million;

WHEREAS, having reviewed the options, it is in the City’s best interest to elect to use the “standard allowance” of \$10 million for purposes of determining the City’s revenue loss pursuant to the Final Rule.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 14th, 2022 at 5:30 p.m., that the City elects to use the “standard allowance” of \$10 million, as provided for in 31

CFR § 35.6(d)(1) of the Final Rule, for purposes of determining the City's revenue loss with respect to *Coronavirus State and Local Fiscal Recovery Funds*.

ADOPTED this the 14th day of February, 2022.

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

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

Councilman Wales introduced the following resolution:

RESOLUTION NUMBER 2022 - 1791

A RESOLUTION CONCERNING THE REPLACEMENT OF NETWORK SWITCHES

WHEREAS, the City Council desires to replace nine network switches in the City's computer network through the purchase of replacement equipment from C-Spire;

WHEREAS, the purchase of this equipment is a government service involving the computer and network services that enable the City's various services to the general public, and updated equipment is necessary for cybersecurity purposes, among other reasons;

WHEREAS, the purchase of this equipment is a qualified expenditure of *Coronavirus State and Local Fiscal Recovery Funds* under the "providing government services" category of use; and

WHEREAS, this purchase will be made through through the City's joint purchasing contract involving the North Alabama Cooperative Purchasing Association (NACPA), where C-Spire has been identified as the successful low bidder with respect to the equipment at issue.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 14th, 2022 at 5:30 p.m., as follows:

1. The Mayor is authorized to cause the City to purchase nine (9) network switches and related items from C-Spire, for a total cost of \$67,721.19.
2. The funds in support of this Resolution are authorized to be expended from the City's allocation of *Coronavirus State and Local Fiscal Recovery Funds*.

ADOPTED this the 14th day of February, 2022.

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

Councilmember Harper moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Henry, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Henry 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, Henry 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 2022 - 1792

A RESOLUTION CONCERNING THE REPLACEMENT OF PUBLIC WI-FI ACCESS POINTS AT THE ATHENS SPORTSPLEX

WHEREAS, the City Council desires to replace seven public wi-fi access points at the Athens Sportsplex through the purchase of replacement equipment from C-Spire;

WHEREAS, the purchase of this equipment is a government service involving the access and use of wi-fi at a public park and recreational facility of the City by the general public; and

WHEREAS, the purchase of this equipment is a qualified expenditure of *Coronavirus State and Local Fiscal Recovery Funds* under the “providing government services” category of use.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS,

ALABAMA on February 14th, 2022 at 5:30 p.m., as follows:

1. The Mayor is authorized, to cause the City to purchase seven (7) wireless access points and related items from C-Spire, for a cost of \$11,370.14.
2. The funds in support of this Resolution are authorized to be expended from the City’s allocation of *Coronavirus State and Local Fiscal Recovery Funds*.

ADOPTED this the 14TH day of February, 2022.

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

Councilmember Henry 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, Henry 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 Wales and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on February 14, 2022, that the Council authorizes the amount of \$101,300.00 to be funded from the Water Services

Department operating budget and cash reserves for CSL Services, Inc. to perform flow monitoring assistance to the wastewater collection system for twelve months, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into a master services agreement with CSL Services, Inc. to complete this work.

Councilmember Harper 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, Henry 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 Henry 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, Henry 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 the following resolution:

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on February 14, 2022, that the Council authorizes Change Order 3, an additive change order in the amount of \$97,035,94 for the Swan Creek Sewer Trunk Line Phase 2, line replacement contract with Russo Construction and increasing the contract amount from \$1,412,566.96 to \$1,509,602.90, and the Mayor, for and on behalf of the City of Athens, is authorized to execute this change order.

Councilmember Harper moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Henry, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Henry 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, Henry 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 ATHENS, ALABAMA, to adopt the attached revised organizational chart for the Information Technology Department to add one additional System Support Specialist.

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to add the following positions to the Public Works Department Organizational Chart:

- Records Retention Clerk, Grade 10
- Civil Engineer, Grade 21, 22

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

Councilman Harper introduced the following resolution:

RESOLUTION

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

- Records Retention Clerk, Grade 10, Job Description Dated, 2/8/2022
- Civil Engineer, Grade 21/22, Job Description Dated, 2/8/2022

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

Councilwoman Henry introduced the following ordinance:

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

ORDINANCE NUMBER 2022 - 2211

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: 02/14/2022.

Add the following job titles to the list of classified positions for the Public Works Department:

- (1) Records Retention Clerk, Grade 10
- (2) Civil Engineer, Grade 21

/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

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize Public Works to issue a task order from the Bituminous Plant Mix Paving Contract the Capital infrastructure fund to restripe the following streets:

- Edgewood Rd
 - From Elm St to Airport Rd
- Indian Trace

- Lindsay Lane to Pyke Rd
- Schilling Street
 - Washington to US-72
- Brownsferry
 - City limits to US-72
- Old Decatur Rd
 - Brookhill Dr to US-72

The cost of the improvements shall not exceed \$15,000 dollars and shall be funded from the City of Athens Capital Improvement Fund.

Councilmember Henry 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, Henry 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 Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Henry 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 2022 – 1793

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to enter into an agreement with the State of Alabama; acting by and through the Alabama Department of Transportation for the maintenance and operation of roadway lighting at the intersection of Alabama 251 and Lindsay Lane in the City of Athens.

ADOPTED and APPROVED this, the 14th day of February, 2022.

/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

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY OF ATHENS, ALABAMA, to direct the Mayor to issue task orders for the construction and paving of the street and roads listed below. A portion of this work shall be performed under the City of Athens Bituminous Paving Contract 20-001. The Lindsay Lane Widening from US 72 to East Strain Road and Lindsay Lane Widening from Huntsville-Brownsferry South shall be bid and awarded by the City Council under a separate resolution. These projects shall be funded from the City of Athens Contingency Fund up to \$3,000,000 and the remainder shall be funded from the Capital Infrastructure Fund.

2022 – 2024 PAVING PROJECT LIST

Bellview	Trace Trail	Brookmeade Avenue
Longview	Oakdale Avenue	Holldale Drive
Nella Way	Clara Street	Edward Street
Palmer Street	Clifford Street	Lillian
Sunrise Drive	Tower Street	Hobbs Street/RR to East
Jefferson St-Washington to 72	Wilkerson Drive	Cloverleaf
Lucas Street	Elkton Road	Moyers Road
Newby Road	Shawnee Lane	Menowa
Chickasaw	Cherokee	Mohawk
Hasting Rd – City Portion	Summit Lakes	Pryor – Elkton to 31
Forrest St – Jefferson to Houston		Wheeler and Plum Streets
Houston St – Brownsferry to 72		
North Madison St – Washington to Hobbs		

Lindsay Lane Widening – Indian Trace to East Strain Road

Lindsay Lane Widening – North from Huntsville-Brownsferry – 1,000 l.f.

Huntsville Brownsferry/Lindsay Lane – Buc-ee’s Boulevard Signal

Councilmember Henry 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, Henry 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 Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

* * *

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