

March 22, 2021

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 March 22, 2021 at 5:30 p.m. The meeting was called to order by Councilman Wayne Harper, President of the Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Wayne Harper, Dana Henry and Harold Wales. Councilman Frank Travis was absent. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper 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 March 8, 2021 City Council Meeting had been submitted for approval. Councilman Seibert 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 March 8, 2021 City Council Work Session Meeting had been submitted for approval. Councilman Seibert 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.

Councilman Wales congratulated the Athens High School Band on their recent 1st place win at a recent band competition.

A public hearing was held to hear comments concerning the zoning approval for the sale of alcohol in the City of Athens by Victory Marketing, LLC, dba: Sprint Mart 2310, 1515 Highway 72, West. No one spoke in favor of or against.

A public hearing was held to hear comments concerning the zoning approval for the sale of alcohol in the City of Athens by Victory Marketing, LLC, dba: Sprint Mart 2309, 17933 Highway 72, East. No one spoke in favor of or against.

A public hearing was held to hear comments concerning the zoning approval for the sale of alcohol in the City of Athens by Logan's Roadhouse II, LLC, dba: Logan's Roadhouse 477, 16132 Athens Limestone Blvd. No one spoke in favor of or against.

A public hearing was held to hear comments concerning an amendment to the City of Athens Zoning Ordinance.

City Attorney, Shane Black, clarified that this amendment to the City's zoning ordinance allows for larger, detached elevated signage for major developments along the Interstate 65.

Councilman Wales introduced the following ordinance:

ORDINANCE NUMBER 2021 - 2158

AN ORDINANCE AMENDING THE ATHENS ZONING ORDINANCE

WHEREAS, Subsection 2.5.1 of the City's Zoning Ordinance states that "[p]roposed amendments to the text of the Ordinance may be initiated by the Council";

WHEREAS, the City Council of the City of Athens, Alabama passed Resolution No. 2021-1720 at its regular meeting on January 11, 2021 pertaining to amending Ordinance No. 2017-2016 the Zoning Ordinance of the City of Athens, Alabama (the "Zoning Ordinance");

WHEREAS, the Resolution contained a proposal to amend Paragraph 6.8.19.B of the Zoning Ordinance concerning detached accessory signs;

WHEREAS, the proposal would amend Section 6.8.19.B to allow for increased area and height limits for detached signage for certain large-scale developments along Interstate 65 under certain conditions;

WHEREAS, a copy of the Resolution was forwarded to the Planning Commission, so that it may have a public hearing on this proposal, and make a recommendation and report to the Athens City Council;

WHEREAS, at its regular meeting on February 16, 2021, and after a public hearing, the Planning Commission issued its final report and recommended that the Athens City Council amend Ordinance No. 2017-2016, the Zoning Ordinance of the City of Athens, Alabama (the "Zoning Ordinance"), as set forth herein;

WHEREAS, after having received and considered the information from a public hearing on the matters set forth herein, and having fully deliberated such matters, the City Council desires to amend the Zoning Ordinance as set forth herein; and

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on March 22, 2021, at 5:30 p.m., amend the Zoning Ordinance by amending Paragraph 6.8.19.B of the Zoning Ordinance so that it states as follows:

B. Accessory Detached Signs.

Table 6-9 shall apply to all accessory detached signs in B-2, M-1, and M-2 Districts, except in the case of the following rule which will apply to certain large-scale developments as described below:

(1) For lots with only one occupant, tenant, commercial or business enterprise, that are located within 1,500 feet of the center median of I-65 at the point where it intersects with U.S. Highway 31, U.S. Highway 72, or Huntsville-Brownsferry Road, where such enterprise has over 2,500 linear feet of frontage along one or more public rights of way, contains over 50,000 square feet of improved space, and has over 800 linear feet of total building façade, the following density, height, and area requirements apply:

- (a) Sign Position: detached.
- (b) Max. density: 2 signs per lot with 150 ft spacing min.
- (c) Max. area per sign: 590 sf
- (d) Max. height
 - (i) B-2 (along collector and local streets): 18 feet
 - (ii) B-2 (along arterials), M-1, M-2: 25 feet +1 ft per 60 feet of frontage over 100 feet for 1st sign; 2nd sign is limited to 25 ft
 - (iii) B-2 (along I-65): 100 feet for 1st sign; 2nd sign is limited to 25 ft
- (e) Max. area per premises: 590 sf

Section 1. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this

Ordinance that can be given effect without the invalid provisions or application, and to this end, this Ordinance is declared to be severable.

Section 2. No other ordinance is amended by this Ordinance, unless specifically stated and referenced herein.

Section 3. This Ordinance shall go into effect immediately upon its publication.

ADOPTED this the 22nd day of March, 2021.

/s/ Wayne Harper
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 Seibert 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 Seibert 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.

Greg Skipworth, 17530 Springview Drive, Athens, addressed the Council. Mr. Skipworth commended Mayor Marks for highlighting the difficult situation the City is in financially with regard to the unfunded pension liability and the need to retain the highly skilled workforce. He stated that he hopes the City can come together to do what is in the best interest for the City fiscally while preserving the plan's ability to pay benefits to future retirees. He also expressed his concern over the agenda item to reduce lot sizes for R-1-2 and R-1-3 developments.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appoint Brad Mallette to the City of Athens Planning Commission, to fulfill the term of Jerald Blaxton. This term will expire on June 12, 2026.

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reappoint Jeff Powers to the City of Athens Personnel Board for a five year term, expiring March 28, 2026.

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a public hearing for the regular meeting at 5:30pm on April 26, 2021 to amend Paragraph 6.1.10B of the Zoning Ordinance so that it states as follows:

B. Lot Size (when a residential lot is part of the same development, this Section shall not apply).

1) Except where modified through the planned unit development process (See Subsection 2.5.2.), lots intended for new detached residential dwellings adjacent to property zoned for detached residential dwellings shall be no less than 75 percent of the minimum lot size requirements for the existing adjacent property lot(s). (Where the adjacent property is composed of multiple lots zoned for detached residential lots which have differing lot size requirements, then the minimum lot size requirements used for this calculation shall be the average of the minimum lot size requirements for those adjacent lots).

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to purchase one (1) 2021 F-150 crew cab pick-up truck for the City of Athens Building Department. This purchase will be made from the State of Alabama Bid List from Stivers Ford Lincoln Montgomery, AL at a cost not to exceed \$34,664. Funding for this purchase will be from the existing City of Athens Building Department Capital Account.

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of a 2020 John Deere Mini Excavator from Warrior Tractor at a cost not to exceed \$68,000. This purchase is being made through the City's membership in the Sourcewell Purchasing Association and will be funded from the existing Street Department capital account.

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to set a Public Hearing for the regular meeting at 5:30PM on April 26, 2021 to review the request of SR Land, LLC to rezone +/-133.5 acres of property located on the West side of Lindsay Lane, approximately 0.5 miles north of its intersection with Huntsville Brownsferry Road (Parcel Num. 44-10-08-34-0-000-001.000) from the EST to the C-PUD district, AND ALSO to adopt the Lindsay Lane Master Plan with 415 residential lots, which is a community with multiple residential options, park space, and commercial.

The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to set a Public Hearing for the regular meeting at 5:30PM on April 26, 2021 to review the request of Lindsay Lane Self Storage Partners LLC to rezone +/-

5.50 acres, Lot 5A of a resubdivision of Lots 4 and 5 of Lots 4 and 5 of East Side Junction, located on the east side of Lindsay Lane where it intersects with Summit Lakes Drive from B-2 General Business District to R-1-2 Medium Density Single Family Residential District.

The motion was seconded by Councilwoman Henry and was unanimously approved.

Councilwoman Henry introduced the following ordinance:

ORDINANCE NUMBER 2021 - 2159

**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. 2020-2106;

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, March 22, 2021, 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, 2022, 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 22nd day of March, 2021.

/s/ Wayne Harper

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 Seibert, 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 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.

Councilman Wales introduced the following ordinance:

ORDINANCE NUMBER 2021 - 2160

**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. 2020-2105;

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, March 22, 2021, 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, 2022, 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 22nd day of March, 2021.

/s/ Wayne Harper
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 Seibert 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 Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, 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 ordinance:

ORDINANCE NUMBER 2021 - 2161

ORDINANCE ABANDONING/VACATING A GAS LINE EASEMENT

WHEREAS, the **CITY OF ATHENS, ALABAMA**, by and through its Athens Gas Department, has installed and is presently utilizing an underground natural gas distribution line, and related appurtenances, (collectively, the “Gas Line”) upon and within a 20’ Gas Line Easement, a portion of which is located adjacent along the western boundary of Lot 4B, as

shown on the Replat of Lot 4 of French Farms Pavilion, recorded at Plat Book H, Page 387 in the Office of the Judge of Probate of Limestone County, Alabama (the “Easement”);

WHEREAS, EDWARD ROSE MILLENNIAL DEVELOPMENT, L.L.C. (the “Owner”) is the owner of the real property upon which that portion of the Easement along the western boundary of Lot 4B is situated;

WHEREAS, the Owner has requested that the City vacate and abandon a certain portion of that Easement, and more specifically, that portion which is located within the area described below:

COMMENCING AT THE NORTHWEST CORNER OF LOT 4B OF FRENCH FARMS PAVILION AS RECORDED IN PLAT BOOK H, PAGE 387 IN THE OFFICE OF THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 22 MINUTES 42 SECONDS WEST AT A DISTANCE OF 43.28 FEET TO A POINT; THENCE RUN NORTH 66 DEGREES 12 MINUTES 41 SECONDS WEST AT A DISTANCE OF 25.98 FEET TO A POINT. SAID POINT BEING THE POINT OF BEGINNING OF A 20.00 FEET VACATED GAS LINE EASMENT, SAID EASEMENT LYING 10.00 FEET ON EITHER SIDE OF THE HEREIN DESCRIBED EASEMENT CENTERLINE.

THENCE FROM THE POINT OF BEGINNING RUN SOUTH 02 DEGREES 37 MINUTES 13 SECONDS WEST AT A DISTANCE OF 16.16 FEET TO A POINT; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 33 SECONDS EAST AT A DISTANCE OF 9.12 FEET TO A POINT; THENCE RUN SOUTH 35 DEGREES 03 MINUTES 27 SECONDS EAST AT A DISTANCE OF 15.34 FEET TO A POINT; THENCE RUN SOUTH 35 DEGREES 49 MINUTES 23 SECONDS AT A DISTANCE OF 10.80 FEET TO A POINT; THENCE RUN SOUTH 01 DEGREES 28 MINUTES 59 SECONDS AT A DISTANCE OF 73.39 FEET TO A POINT; THENCE RUN SOUTH 01 DEGREES 22 MINUTES 47 SECONDS AT A DISTANCE OF 44.87 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 08 MINUTES 24 SECONDS EAST AT DISTANCE OF 29.32 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 05 MINUTES 00 SECONDS WEST AT A DISTANCE OF 50.34 FEET TO A POINT; THENCE RUN SOUTH 00 DEGREES 16 MINUTES 59 SECONDS EAST A DISTANCE OF 44.18 FEET TO A POINT; THENCE RUN SOUTH 02 DEGREES 39 MINUTES 54 SECONDS EAST AT A DISTANCE OF 26.61 FEET TO A POINT; THENCE RUN SOUTH 07 DEGREES 30 MINUTES 12 SECONDS EAST AT A DISTANCE OF 19.52 FEET TO A POINT; THENCE RUN SOUTH 11 DEGREES 26 MINUTES 47 SECONDS EAST AT A DISTANCE OF 47.96 FEET TO A POINT; THENCE RUN SOUTH 15 DEGREES 30 MINUTES 42 SECONDS EAST AT A DISTANCE OF 26.72 FEET TO A POINT; THENCE RUN SOUTH 18 DEGREES 35 MINUTES 06 SECONDS EAST AT A DISTANCE OF 39.50 FEET TO A POINT; THENCE RUN SOUTH 20 DEGREES 56 MINUTES 37 SECONDS EAST AT A DISTANCE OF 23.87 FEET TO A POINT; THENCE RUN SOUTH 21 DEGREES 23 MINUTES 20 SECONDS AT A DISTANCE OF 48.65 FEET TO A POINT OF TERMINUS.

SAID EASEMENT VACATION CONTAINS 0.25 ACRES, MORE OR LESS.

THIS IS A PORTION OF THE SAME GAS LINE EASEMENT DESCRIBED IN RPLY 2006 PG 66444 AND SHOWN IN PLAT BOOK H, PAGE 387

(the “Vacated Portion”);

WHEREAS, the Owner proposes to convey to the City a new 25’ gas line easement as a replacement (the “New Easement”), and to pay for the cost to the City of removing that portion of the Gas Line located on the Vacated Portion, and constructing a replacement Gas Line in the New Easement (as well as the legal and administrative costs related to the same) (all estimated to be \$175,699.76);

WHEREAS, the City is agreeable to vacating and abandoning the Vacated Portion, and accepting the New Easement, on these terms;

WHEREAS, the City Council desires to abandon the Vacated Portion;

WHEREAS, the City Council has examined the same and finds that such Vacated Portion is no longer needed for public or municipal purposes.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on March 22, 2021, at 5:30 p.m., as follows:

1. The City expresses its intention to abandon/vacate the Vacated Portion.

2. The Vacated Portion is hereby vacated/abandoned. The Mayor is authorized to execute any such documents as may be needed to evidence such vacation/abandonment. A copy of this Ordinance may be recorded in the records of the Office of the Judge of Probate of Limestone County, Alabama.

3. No other easement(s) (or portion thereof) described in the above-referenced plat is vacated/abandoned by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easement (or portion thereof) abandoned/vacated hereby and described herein. Moreover, no other easement(s) (or portions thereof) that have been conveyed pursuant to a source other than those described herein are abandoned/vacated by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easements (or portions thereof) abandoned/vacated hereby. Finally, this Ordinance does not relate to or abandon/vacate any easement (or portion thereof) that lies on, over, under, or across any real property other than the real property described herein.

4. The Mayor, and/or his designee, for and on behalf of the City, is authorized to enter into an *Easement Relocation Agreement*, which further provides for (a) the Owner's conveyance of the New Easement to the City; (b) the Owner's payment of the estimated costs to the City of removing that portion of the Gas Line located on the Vacated Portion, and for constructing a replacement Gas Line in the New Easement (as well as the legal and administrative costs related to the same) (all estimated to be \$175,699.76); (c) the City's work to relocate the Gas Line in the New Easement, and (d) such other terms as the Mayor may deem necessary and desirable that relate to the subject matter of, and are not inconsistent with, this Ordinance.

5. This Ordinance shall be published, but it shall not go into effect until (a) the Owner has complied with all of the terms and requirements of said *Easement Relocation Agreement* and (b) this Ordinance has been recorded by the City in the real estate records of the Office of the Judge of Probate of Limestone County.

ADOPTED this the 22nd day of March, 2021.

/s/ Wayne Harper
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 Seibert 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 Seibert 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 amend the City of Athens Bituminous Plant Mix Paving Contract with Rogers Group to pave Ash and Beech St for an approximate cost of \$27,000. This project shall be funded from the Capital Infrastructure Project Fund.

Councilmember Seibert 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 Seibert 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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to amend the General Fund and Athens Utilities budget(s) by a pro rata share, (as applicable), by an amount of \$45,000 to fund the position of "One Stop Shop/Projects Coordinator".

This salary is to be funded from the "Salary" and the "Employee Welfare" line items and shall cover the time period of April 1, 2021 through September 30, 2021.

Councilmember Seibert 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 Seibert 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

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA, to adopt the attached revised organizational chart for the Mayor's Office which includes the following 3 positions:

1. Executive Secretary to the Mayor
2. Grant Coordinator/Communications Specialist
3. One Stop Shop/Project Coordinator

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to adopt the following job description for the Mayor's Office:

- One Stop Shop/Projects Coordinator; Job description created 03/12/2021

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

Councilman Wales introduced the following ordinance:

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

ORDINANCE NUMBER 2021 – 2162

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that Ordinance Number 888, establishing a classification list for classified/unclassified employees is hereby amended as follows, effective: 03/22/2021

Add the following job title to the list of classified positions:

- (1) **One Stop Shop/Project Coordinator, Grade 11, Mayor's Office**

Delete the following job title from the list of unclassified positions:

- (1) **Customer Relations Manager/One-Stop Shop, Manager 1, City Clerk/Treasurer Department**

ADOPTED this the 22nd day of March 2021.

/s/ Wayne Harper
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 Seibert 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 Seibert 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

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to authorize the Mayor to enter into a contract with Condrey & Associates to conduct a classification and compensation study for the City of Athens. This contract will be for a fixed cost of \$47,500.

Councilmember Seibert 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 Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Henry and Harper; NAYS: Councilmember Wales. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the low bid of \$796,270.58 from Taylor Electric, Inc. for Contract 1 – 2021 Distribution Improvements.

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 Seibert 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 Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to enter into an agreement for the design, engineering, and inspection services for TAPAA-TA21(919). The project scope is to extend sidewalks along Elm St to US-31 and shall be funded from the City of Athens TAP project fund.

Councilmember Seibert 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.

Councilwoman Henry introduced the following resolution:

RESOLUTION

WHEREAS, the City anticipates the construction of a public roadway alongside the eastern boundary of the Buc-ee's development, running northerly and southerly, which will work as an extension of the southern end of Lindsay Lane;

WHEREAS, the City desires to begin work towards a further extension of the same roadway, running southerly from the Buc-ee's development and along or near the western border of the real property that the City recently annexed in the same area by Ordinance No. 2020-2141, for a distance of approximately 560 feet; and

WHEREAS, in addition, the City desires to begin work towards obtaining an access drive from the above-described extension, running easterly and westerly, to a location where the City anticipates having a sewer pump station in support of its sewer improvement project in the area.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to begin the initial work necessary for the design and construction of the above described roadway extension and access drive, including (a) the initial design of the same, (b) the recommendation of an engineering firm to the City Council, (c) the issuance of a request for bids for the construction of the same after such plans are drafted, and (d) the acceptance of the donation of property and easements to the City with respect to the same. The City Council further establishes a budget for such project of not to exceed \$300,000.00.

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Street Department to purchase a digital static cone penetrometer for the use of roadbed testing, not to exceed the amount of \$2,000.

Councilmember Seibert 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 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 Wales introduced the following resolution:

RESOLUTION NUMBER 2021 - 1736

A RESOLUTION REGARDING THE ASSIGNMENT OF A CONTRACT TO ROGERS GROUP, INC.

WHEREAS, the City of Athens entered into a contract with Reed Contracting Services on October 12, 2020, concerning Bituminous Paving Contract (the “Contract”);

WHEREAS, Reed Contracting Services has been acquired by Rogers Group, Inc., and Rogers Group, Inc. is willing to accept the assignment of the Contract on the same terms and conditions; and

WHEREAS, the City Council wishes to consent to the assignment of the Contract to Rogers Group, Inc.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on March 22, 2021, at 5:30 p.m., that the City Council does hereby consent to the assignment of the Contract’s rights and the delegation of the Contract’s duties to Rogers Group, Inc. The Mayor and/or his designee is authorized to execute such documents as may be necessary to carry out the terms of this Resolution.

ADOPTED this the 22nd day of March, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

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

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

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK