

May 8, 2023

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 May 8, 2023 at 4:30 p.m. The meeting was called to order by Councilman Harold Wales, President of the City Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Harold Wales, James E. Lucas, Dana Henry and Wayne Harper. Annette Barnes-Threet, City Clerk, was present and recorded the minutes of the meeting. James Lucas 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 April 24, 2023 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 Councilwoman Henry and was unanimously carried. The Chairperson stated that the Minutes of the April 24, 2023 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 Councilwoman Henry and was unanimously approved.

Mayor Marks presented a proclamation to Erik Waddell, Chief Building Inspector, for Building Safety Month and noted that Mr. Waddell was recently elected as president of the Code Enforcement Association of the State of Alabama. The Mayor thanked him for everything that he and his staff do for the City of Athens. Mayor Marks announced that Councilman Seibert represented the City of Athens in Washington D.C. a couple of weeks ago and noted that the City of Athens has approximately five projects that have been presented to Congressman Dale Strong and Senator Katie Britt for federal funding that will be very important if awarded. The Mayor recognized that Senior Fun Fest, which was held on May 4th, was a huge success and noted that Athens Activity Center has been open for one year. He then announced that the State of Alabama is having a one hundred mile walking challenge over a twelve month period and that Athens was chosen as one of the cities participating. The event will take place on May 13th from 9am until 10:30am at the Swan Creek Park Entrance, sponsored by the Mayor's Youth Commission. The Mayor also announced that on May 20th Hazardous Household Collection will take place at the Athens Middle School parking lot. Mayor Marks gave a shout out to Laverne Gilbert for raising the most money during Celebrity Waiters and also to everyone that helped with the Relay Fishing Tournament. The Mayor stated that the Relay for Life event will be Friday, May 12th, on the courthouse square. Mayor Marks recognized that a few youth commissioners were in attendance and stated that the Mayor's Youth Commission has been a great success.

PUBLIC HEARING RELATING TO THE ZONING APPROVAL FOR THE SALE OF ALCOHOL IN THE CITY OF ATHENS BY TRI STAR ENERGY, LLC, DBA: TWICE DAILY WHITE BISON 3114, 1721 TRI GREEN DRIVE, ATHENS, AL, 35613

No one spoke in favor of or against.

The public hearing was closed.

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve a "Retail Beer & Wine Off Premises" alcohol license for the following applicant:

Business Name: Tri Star Energy, LLC
Db: Twice Daily White Bison 3114
1721 Tri Green Dr
Athens, AL, 35613

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

Council President Wales opened the floor for public comments regarding agenda items. Hearing none, President Wales moved on to the items of the consent calendar.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appoint Rhonda Weatherford to the Planning Commission for a six year term, expiring on May 8th, 2029.

(NOTE: THIS APPOINTMENT IS MADE BY MAYOR MARKS AND WAS PRESENTED TO THE CITY COUNCIL AS A COURTESY. THE CITY COUNCIL IS NOT REQUIRED TO APPROVE THIS APPOINTMENT, BUT THE COUNCIL, NONETHELESS, SHOWED THEIR SUPPORT FOR THIS MAYORAL APPOINTMENT BY APPROVING THE RESOLUTION.)

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 appoint Rebekah Davis to the Athens Historic Preservation Commission for a three year term, expiring on May 8th, 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 Cherry Anne Ward to the Athens Historic Preservation Commission for a three year term, expiring on May 31st, 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 accept the resignation of William M. Flood from the Athens Housing Authority, effective immediately.

(NOTE: THIS APPOINTMENT IS MADE BY MAYOR MARKS AND WAS PRESENTED TO THE CITY COUNCIL AS A COURTESY. THE CITY COUNCIL IS NOT REQUIRED TO APPROVE THIS APPOINTMENT, BUT THE COUNCIL, NONETHELESS, SHOWED THEIR SUPPORT FOR THIS MAYORAL APPOINTMENT BY APPROVING THE RESOLUTION.)

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 appoint Janet Reavis to the Athens Housing Authority Board to fulfill the term of William Flood, which will expire on February 26, 2028.

(NOTE: THIS APPOINTMENT IS MADE BY MAYOR MARKS AND WAS PRESENTED TO THE CITY COUNCIL AS A COURTESY. THE CITY COUNCIL IS NOT REQUIRED TO APPROVE THIS APPOINTMENT, BUT THE COUNCIL, NONETHELESS, SHOWED THEIR SUPPORT FOR THIS MAYORAL APPOINTMENT BY APPROVING THE RESOLUTION.)

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 approve the following travel/education expenses for the Information Technology Department:

Dale Haymon	Mileage January 1, 2023 through April 24, 2023	\$ 163.75
Seth Siniard	Mileage January 1, 2023 through April 24, 2023	\$ 294.75
Christian McDonald	Mileage January 1, 2023 through April 24, 2023	\$ 298.68

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, that the travel expenses in the following amount be approved for the Electric Department personnel.

Clifton Kirby TVPPA-Line Design and Staking 1-Knoxville, TN	\$154.24
James Gray Tantalus User Conference-Louisville, KY	\$1282.26

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 approve the following travel/education expenses for the Sanitation Department:

James Rich	SWANA Conference April 2 – 5, 2023 Orange Beach, AL	\$ 100.98
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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, at its meeting on May 8, 2023, that the Water Services Director is authorized to purchase a Trimble Model R12 GS unit for use in compliance and inspection activities for the Water Services Department at a cost of \$13,735.00.

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 4:30PM on June 12, 2023 to consider the request of the Engineering Services and Community Development Department for various proposed amendments to the Zoning Ordinance of the City of Athens as recommended by the Planning Commission.

The following is a summary of the nature and scope of the proposed changes to the Zoning Ordinance (hereafter referred to as “Summary of Zoning Ordinance Changes”). The proposed changes would:

- amend § 2.4.8 of the Zoning Ordinance to modify and clarify the process for providing public notice for items that require a public hearing (including identifying when notice is required, what kind of notice should be provided and in what format, when signage should be posted on property subject to a public hearing, and the deadlines for notice to be provided);
- amend Table 4.8 of the Zoning Ordinance to include “Laundromats/Dry Cleaning” as a permitted Use within the TN-3, Traditional Neighborhood 3 District.

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

The following resolution was made for “Introduction Only” by Councilman Seibert at the April 24th, 2023 meeting:

RESOLUTION NUMBER 2023 – 1881

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to enter into an agreement with Morell Engineering, Inc. for surveying services to identify ROW’s and deeds along the proposed Easy Street Art Trail. The project scope is to provide deeds and maps in CAD, and to survey and mark ROW limits within the proposed project area when requested. The budget is not to exceed \$12,500 and shall be funded from the City of Athens Capital Infrastructure Fund.

ADOPTED and APPROVED this, the 8th day of May, 2023.

/s/ Harold Wales
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 Lucas and was unanimously carried.

Councilman Lucas introduced the following resolution:

RESOLUTION NUMBER 2023 – 1882

A RESOLUTION AUTHORIZING THE OPENING OF NEW BANK ACCOUNTS WITH PNC BANK

WHEREAS, the City Council of the City of Athens, Alabama wishes to maximize investment earnings on its deposits, while maintaining security of public funds and availability of those funds for current operating or capital needs; and

WHEREAS, the City Council of the City of Athens, Alabama desires to open accounts with PNC Bank for the purposes of investing surplus funds, not necessary for current operating or capital needs;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Athens, Alabama, while in regular session on May 8th, 2023, as follows:

1. That the Mayor and/or City Clerk be, and hereby are, authorized to open new accounts with PNC Bank, for the purposes of investing excess funds, not necessary for current operating or capital needs into Security for Alabama Funds Enhancement Act (“SAFE”) Compliant Investment Accounts or into Money Market Deposit Sweep Investment Accounts, in order to maximize investment earnings while maintaining the security and liquidity of the funds invested, should they become necessary for immediate operating or capital needs. The underlying investments in these accounts shall be limited to those types of investments as set forth in State of Alabama Code Section 11-81-21 (1975) as allowable investments for municipal funds.
2. That the Mayor, City Clerk and/or their designees, are authorized as signers on the accounts authorized herein.
3. That the Mayor and/or City Clerk be, and hereby are, authorized to execute such documents as are necessary to complete the opening of the new accounts authorized herein.

ADOPTED AND APPROVED THIS 8th DAY OF May 2023.

/s/ William R. Marks

MAYOR, CITY OF ATHENS, ALABAMA

/s/ Harold Wales

PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ Annette Barnes

CITY CLERK, CITY OF ATHENS, ALABAMA

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

Councilman Lucas introduced the following ordinance:

ORDINANCE NUMBER 2023 - 2266

**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. 2022-2210;

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, May 8TH, 2023, at 4:30 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 May 1, 2024, 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 8th day of May, 2023.

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

Councilman Seibert introduced the following ordinance:

ORDINANCE NUMBER 2023 - 2267

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. 2022-2209;

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, May 8TH, 2023, at 4:30 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 May 1, 2024, 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 8th day of May, 2023.

/s/ Harold Wales
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, Lucas, 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 Seibert 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, Lucas, 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 2023 – 1883

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA AS FOLLOWS:

- I. THAT THE CITY AUTHORIZES THE MAYOR TO APPLY FOR ALABAMA DEPARTMENT OF TRANSPORTATION “FY2024 TRANSPORTATION ALTERNATIVES SET-ASIDE PROGRAM (TAP)” FUNDING FROM THE FEDERAL HIGHWAY ADMINISTRATION IN THE AMOUNT OF \$800,000 (\$640,000 FEDERAL AND \$160,000 SPONSOR); AND
- II. THIS FUNDING, IF AWARDED, WILL BE USED FOR THE CONSTRUCTION OF NEW ACCESSIBLE SIDEWALK AND PEDESTRIAN BRIDGE ALONG THE WESTERN SIDE OF US HIGHWAY 31; AND
- III. IF TAP FUNDING IS AWARDED, THE CITY OF ATHENS AGREES TO PAY REQUIRED EXPENSES, INCLUDING BUT NOT LIMITED TO \$864,028.75 FOR MATCHING FUNDS; AND
- IV. THAT THE TAP APPLICATION BE EXECUTED IN THE NAME OF THE CITY; AND
- V. THAT THE AGREEMENT BE ATTESTED BY THE CITY CLERK AND THE SEAL OF THE CITY OF ATHENS BE AFFIXED THERETO; NOW THEREFORE

BE IT RESOLVED, THAT UPON THE COMPLETION OF THE EXECUTION OF THE AGREEMENT BY ALL PARTIES, THAT A COPY OF THE AGREEMENT BE KEPT ON FILE BY THE CITY CLERK.

ADOPTED AND APPROVED by the City Council of Athens, Alabama on this, the 8th day of May 2023.

/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 Seibert and was unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2023 - 1884

A RESOLUTION CONCERNING A LEASE WITH SOUTHERN COMMUNICATIONS SERVICES, INC.

WHEREAS, the City Council desires to sublease certain space located in a telecommunications shelter building located at 204 Commercial Drive in Athens (the "Building") for equipment rack space relating to the City's P25 Project.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on May 8TH, 2023, at 4:30 p.m. as follows:

1. The Mayor is authorized, for and on behalf of the City of Athens, Alabama, to enter into a written lease agreement with Southern Communications Services, Inc. (the lessor of the Building) for the lease of a portion of the Building, upon the following terms: (i) a one (1) year term, that automatically renews each year absent a notice to the contrary; (ii) the City's payment of monthly rent in the amount of \$420 per month (subject to reasonable annual increases); (iii) a restriction that the portion of the Building may be used only for the installation and operation of telecommunications equipment and other related uses; and (iv) such other and additional terms that are not inconsistent therewith.

2. The Mayor is authorized to take actions and execute such other and further documents as may be necessary to effect and carry out the transactions contemplated by this Resolution.

ADOPTED this the 8th day of May, 2023.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

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

Councilman Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to fund a portion of a repaving project at Wakea and Nani Dr South of Newby Road in cooperation with Limestone County to not exceed \$10,000, to be funded Capital Infrastructure Fund.

Councilmember Harper 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, Lucas, 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 Lucas 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, Lucas, Henry and Harper; NAYS: None. 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 NUMBER 2023 – 1885

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL, that the Gas Services Director, Steven W. Carter of the City of Athens Utilities is hereby dully authorized to sign the Agreement No CSX984662, that gives permission under certain CSX requirements for the City of Athens Gas Department to Bore under the Railroad Crossing at Mile Post OBA-286.5, Latitude N34:31, and Longitude W86:56:36. And spread the same on the minutes.

ADOPTED and APPROVED this, the 8th day of May, 2023.

/s/ Harold Wales
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 Councilwoman Henry 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 and support the City of Athens Gas Department’s Public Awareness Program RP 1162 with a copy of this Resolution to be attached to and made apart hereof the Gas Department’s Public Awareness Program and spread the same on the minutes.

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

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on May 8, 2023, that the Council authorizes a capital amount of \$1,049,490.25 for a contract with Apel Machine & Supply Company, Inc. to construct the proposed Lower Swan Creek Sowell Sewer Lift Station, and the Water Services Director, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

Councilmember Henry 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, Lucas, 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 Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Lucas, Henry and Harper; NAYS: None. 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, at its meeting on May 8, 2023, that the Council authorizes the amount of \$44,100.00 to be funded from the Water Services Department operating for CSL Services, Inc. to perform flow monitoring assistance in the wastewater collection system for the remainder of fiscal year 2023, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into this agreement with CSL Services, Inc. to complete this work.

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

Councilman Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on May 8, 2023, that the Council authorizes a capital amount of the increase of \$65,125.00 on the Lakewood Regional Lift Station Project engineering services agreement to a total of \$99,425.00 to be funded from the Water Services Department cash reserves for Schoel Engineering, Inc. to perform the additional consulting services including easement procurement and project configuration analysis of project redesign to determine possible cost savings for project redesign, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to execute this consulting agreement amendment.

Councilmember Seibert 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, Lucas, 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 Lucas 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, Lucas, 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 THE CITY OF ATHENS, ALABAMA, at its meeting on May 8, 2023, that the Council authorizes a budgeted amount of \$35,640.00 to be funded from the Wastewater FY2023 operating budget for Hazen & Sawyer, Inc. to perform consulting services including oversight and management of compliance and data analytics for the pilot test of the addition of chlorine dioxide to water treatment at the Athens Water Treatment Plant to reduce disinfection byproduct formation in the treated water, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into this agreement to complete this work.

Councilmember Henry 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, Lucas, 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 Lucas and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Lucas, Henry and Harper; NAYS: None. 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 at its meeting on May 8, 2023, that the Council authorizes an unbudgeted amount of \$25,752.00 to be funded from the Wastewater FY2023 operating budget for Thorton, Musso & Bellemin, Inc. to perform consulting services including a pilot test of the addition of chlorine dioxide to water treatment at the Athens Water Treatment Plant to reduce disinfection byproduct formation in the treated water, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into this agreement 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 Henry, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Lucas, 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 Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Lucas, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on May 8, 2023, that the Council authorizes an unbudgeted capital amount of \$428,000.00 to be funded from the Water Services Department cash reserves for Krebs Engineering, Inc. to perform consulting services including the design, bid and services during construction for the upgraded replacement of the Lift Station project, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

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, Lucas, 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 Lucas 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, Lucas, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Bill Davis, 201 Utah Street, Athens, addressed the City Council concerning the traffic that will be moving through their subdivision due to the new construction. Mr. Davis stated that due to the late notice, no one had any idea what the details were regarding the subdivision plan that was approved. Mr. Davis remarked that the development would change the entire character of Cloverleaf Subdivision and doesn't feel like the City Council had the opportunity to hear from those that opposed the development.

Erin Tidwell, City Planner, addressed the City Council regarding the timeframe for notices and noted that an amendment to the Zoning Ordinance will be presented at the June 12, 2023 meeting. Miss Tidwell explained the process of notification to the Council and stated that the timeframe needs to be increased.

Sharon Smith, 12767 Tallulah Drive, Madison, addressed the City Council regarding the subdivision that is being constructed and stated that she doesn't believe that the issue of flooding has been corrected for Cloverleaf Subdivision.

David Malone, 1300 Somerest Drive, Athens, addressed the City Council regarding the Vine Street project and asked for an update.

Michael Griffin, City Engineer, gave an update on the Vine Street project and stated that it is ready to proceed through the bid process.

Scott Marshall, 212 East Street, Athens addressed the City Council regarding his request to eliminate traffic signals at the intersections of Beaty Street and Washington Street and also East Street and Washington Street. Mr. Marshall stated that he has witnessed “close calls” and believes that four-way stops will slow people down.

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There being no further business to come before the meeting, Council President Wales duly and properly adjourned the meeting.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK