

May 10, 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 May 10, 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 Wayne Harper, Harold Wales, Frank Travis, Chris Seibert and Dana Henry. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Dana Henry 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 26, 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 Councilwoman Travis and was unanimously carried. The Chairperson stated that the Minutes of the April 26, 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 Councilwoman Travis and was unanimously carried.

Mayor Marks presented a proclamation declaring May 2-8, 2021 as National Travel and Tourism Week. The Mayor then recognized May 14, 2021 as Relay for Life Day and announced that a luminary ceremony will be held that same night in honor and remembrance of those affected by cancer. Mayor Marks announced that the City would be holding a Planapalooza, which is the Comprehensive Master Plan for the City's future over the next 20 years, and that it begins on Saturday, May 15th, 2021 and goes through Wednesday, May 19th, 2021. He congratulated the Athens High School Technology Student Association on their first place back-to-back win in the state competition. Mayor Marks then announced that the Annual League of Municipalities Convention will be held this week in Huntsville at the Von Braun Center. He then noted that a candlelight service for fallen police officers will be held on Thursday, May 13th at 8pm on the Square. Mayor Marks recognized a group of students from Athens High and Lindsay Lane, who were in attendance, for their participation with Youth Commission.

Councilman Wales thanked the Public Works Department for working in his area and also passed thanks along to Bert Bradford for the upkeep of the cemeteries.

Councilman Travis recognized all of the volunteers that came out on Saturday, May 8th and supported Laverne Gilbert's "Clean My Block Party" at Lincoln Bridgeforth Park.

Councilwoman Henry wished the Athens High Softball team good luck in their tournament and congratulated them on having a great season.

Council President Harper thanked all of the employees that worked the bad weather in the last week.

Laverne Gilbert, 609 Levert Avenue, Athens, requested an update on the subject of Miller Public School. Mayor Marks replied that the City is working with the owner and will update her in a couple of weeks. Ms. Gilbert also stated that people are putting their debris and limbs on other people's property on Lucas Street because all of the ditches are full of leaves and holding water. Mayor Marks said that the City would follow up.

Jerry Crabtree, 20705 Sandlin Road, Elkmont, spoke on behalf of the Alabama Veteran's Museum and gave an update on their plans for the museum. Mr. Crabtree invited everyone to the Memorial Day program on May 31, 2021 at the new museum.

Jack McDaniel, 1403 Woodside Drive, Athens, addressed the Council concerning the Jail Funding Act. Mr. McDaniel feels that the Council should immediately suspend payments until answers are made by the County Commission, regarding the outstanding balance of the bond, the balance in the account, if any of the money was used to repay the Commission for the money taken from their general fund to supplement the payment and if so, why? He would also like for a resolution be issued to the state delegation requesting that the bill have a sunset clause added immediately so that the commission cannot

issue additional bonds. Mr. McDaniel also wanted to know why the Council could not wait to act on the resolution concerning the school board members. Council President Harper stated that they would discuss the school board matter when the resolution came up later in the meeting.

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 Police Department.

Dusty Meadows	Training Class April 11 – 12, 2021 Oxford, AL	\$ 251.98
Daniel McNatt	Training Class April 11 – 12, 2021 Oxford, AL	\$ 34.76

The motion was seconded by Councilman Travis 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 June 14, 2021 to review the request of James Christopher to rezone +/-2.68 acres south of Summit Lakes Drive and Summit Lakes Subdivision, west of Lindsay Lane, north of US Highway 72, from a B-2 General Business to an R-1(4) Single Family Duplex Attached Residential District.

The motion was seconded by Councilman Travis 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 June 14, 2021 to review the request of Michael & Megan Griffin to rezone +/- 0.433 acres at 407 Christopher Drive from R-1-2 Medium Density Residential District to TN-2 Traditional Neighborhood 2 District.

The motion was seconded by Councilman Travis 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 applicant for a “Retail Beer & Wine off Premises” alcohol license:

Business Name: Circle K Stores, Inc.
Dbas: Circle K Store 2704393
Address: 271 US Highway 31 N
Athens, AL 35611

The motion was seconded by Councilman Travis 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 applicant for a "Retail Beer on or off Premises" alcohol license:

Business Name: Chipotle Mexican Grill of Colorado LLC
Db: Chipotle Mexican Grill
Address: 1289 US Hwy 72
Athens, AL 35611

The motion was seconded by Councilman Travis 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 a purchase from Clark Equipment Company for a Bobcat T870T4 Compact Track Loader for a price of \$75,707.85 for the Electric Department.

The motion was seconded by Councilman Travis 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 three in-car radars for patrol units for a cost of \$8,552.50 from Stalker Radio. Funding for this purchase will be from the Police Department's existing capital expenditure account.

The motion was seconded by Councilman Travis 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 declare the following as surplus property and to authorize the Public Works Department to dispose of by public auction. The proceeds of the declared surplus equipment shall be assigned to the Public Works Capital Line item.

2007 Ford F-150, VIN #1FTPX12V37FB64035, mileage 180,000

2003 Dodge Ram 1500 4x4, VIN # 1D7HU18D33J602660, mileage 281,552

2007 Chevy 1500, VIN # 1GCEC14X47Z155764, mileage 245,000

2001 Freightliner FL70, VIN # 1FVABTBV52HK07145, mileage 196,690

2000 GMC C3500 Flatbed, VIN # 1GDK34F1YF479744, mileage 142,510 - flatbed has been removed and where the starter mounts to the motor is broken in the block and cannot be repaired

2005 Ford F-350 Crew Cab Flatbed, VIN # 1FDWW36P85EA50164, mileage 175,624 - motor is locked up and has been robbed of parts for other repairs, bed has been removed and will have to be sold for scrap

1999 Jeep Cherokee, VIN # 1J4FT28S4XL650150, mileage 105,823

2002 Dodge Ram 2500 shop truck, VIN # 3B7MC33692M204919, mileage 174,815
2013 Mack MRU663 Front loader, VIN# 1M2AV17CXDM010394, mileage 87,797, 7086 hours

2007 Chevrolet Malibu, VIN# 1G1ZS56XN17F199063, mileage 105,532

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

Council President Harper then asked City Attorney, Shane Black to explain the resolution concerning an Attorney General opinion and the Athens City Board of Education. Mr. Black stated that about a month ago, the City Council asked the State of Alabama Attorney General to issue a legal opinion of whether or not the City's local act, which has been in effect since 1972 and provided for a seven member school board, remained in effect. City Attorney Shane Black reported to the City Council that Mayor Marks had received an Opinion from the Alabama Attorney General. The opinion explained that the old local law (which expanded the school board to 7 members from 5 members) had been impliedly repealed by later developments in Alabama's general law. Black explained that the proposed resolution on the agenda would recognize and adopt that opinion, setting the school board at 5 members. The resolution would also explain that the two positions that are currently subject to reappointment would be vacated, leaving the board membership at five.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2021 - 1742

A RESOLUTION CONCERNING AN ATTORNEY GENERAL OPINION AND THE ATHENS CITY BOARD OF EDUCATION

WHEREAS, at its meeting on April 12, 2021, the City Council adopted a resolution asking the Alabama Attorney General for an opinion as to the following question: "does the local law, providing for seven members of the Athens City Board of Education, remain in effect?";

WHEREAS, the Alabama Attorney General issued an opinion on May 4, 2021, 2021, and advised Mayor Marks that the local law is no longer in effect;

WHEREAS, the City Council wishes to confirm that the Athens City Board of Education is composed of *five* members, not seven members, in accordance with § 16-11-2 of the *Code of Alabama*; and

WHEREAS, there will be no appointments with respect to the two school board positions that have terms concluding in 2021, and those two positions will be removed from the board such that the total membership of the school board will be five members.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on May 10, 2021 at 5:30 PM, as follows:

1. The Athens City Board of Education shall be composed of *five* members, not seven members.
2. There will be no city council appointments with respect to the two school board positions that have terms concluding in 2021, and those two positions are hereby removed from the board.

3. Upon the removal of those two board positions/members, the remaining five school board positions/members are confirmed and established as constituting the current and entire total membership of the school board.

ADOPTED this the 10th day of May, 2021.

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

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

Councilwoman Henry introduced the following ordinance:

ORDINANCE NUMBER 2021 - 2169

AN ORDINANCE CONCERNING RESTRICTIONS ON THE DELIVERY OF UNSOLICITED WRITTEN MATERIALS

WHEREAS, the City has received numerous complaints from its residents and businesses about persons throwing and/or depositing unsolicited written materials onto yards, landscaping, and driveways (or onto adjacent streets, nearby gutters, and similar areas) throughout the city;

WHEREAS, these unsolicited materials are often strewn haphazardly, left outside for days in the weather, get blown or strewn throughout neighborhoods, and/or otherwise essentially become litter (until city employees or concerned citizens pick them up to dispose of them);

WHEREAS, numerous citizens have complained about the unwanted and uninvited depositing of these materials onto their private property, forcing responsible persons to throw the materials away lest they deteriorate over time;

WHEREAS, the delivery of these unsolicited materials results in unsightly visual blight throughout the city;

WHEREAS, prior to the adoption of this Ordinance, the City Council has heard from a number of citizens complaining about these matters;

WHEREAS, the City Council desires to adopt an ordinance that restricts the delivery of unsolicited written materials, but leaves open ample other alternative channels of delivery, such as, for example, leaving the materials with a person willing to accept them, putting the materials on a front porch, or placing the materials at the front door, *etc.*;

WHEREAS, the City Council desires to adopt this Ordinance, for the purposes of reducing blight, reducing litter, and preventing the use of private property for purposes nether intended nor welcomed by the owner; and

WHEREAS, the City is authorized by § 11-45-1 of the *Code of Alabama*, among other laws, to adopt ordinances to provide for the public health, prosperity, order, comfort, and convenience of the inhabitants of the City.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA,

while in regular session on May 10th, 2021, at 5:30 p.m., as follows:

Section 1. Section 54-11 of the *Code of Ordinances of the City of Athens* is hereby established and adopted as follows:

Sec. 54-11. – Unsolicited Written Materials.

(a) Definitions. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(1) *Front door.* The street-facing entrance(s) to a principal structure. In the event no door faces the street, then any other door of a principal structure nearest the street shall be considered a front door for purposes of this section.

(2) *Porch.* An exterior appendage to a principal structure leading to a doorway, including any stairway attached thereto.

(3) *Premises.* A lot, plot, or parcel of land including any structures, driveways, or other impervious surfaces thereon.

(4) *Principal structure.* A structure, or combination of structures of primary importance on the premises, and that contains the primary use associated with the premises. The primary use is characterized by identifying the main activity taking place on the premises.

(5) *Unsolicited written materials.* Any written materials delivered to any premises without the express invitation or permission, in writing or otherwise, by the owner, occupant, or lessee of such premises.

(b) Placement of unsolicited written materials. Unsolicited written materials delivered to premises shall be placed:

(1) On a porch, if one exists, nearest the front door;

(2) So that such materials are securely attached to the front door;

(3) Through a mail slot on the front door or principal structure, if one exists, as permitted by the United States Postal Service;

(4) Between the exterior front door, if one exists and is unlocked, and the interior front door;

(5) Where permitted, in a distribution box located on or adjacent to the premises; or

(6) Personally with the owner, occupant, and/or lessee of the premises.

(c) Notwithstanding subsection (b) above, an owner, lessee, or occupant maintains the right to restrict entry to his or her premises.

(d) Unsolicited written materials placed at a premises create a rebuttable presumption that the materials were placed at the premises by the owner, agent, manager, and/or authorized distributor of the business, product, good, service, message, or idea, which is being advertised, promoted, endorsed, or conveyed in such materials.

(e) The provisions of this section do not apply to the United States Postal Service.

(f) Any placement of unsolicited written materials in areas on or adjacent to a premises other than as set forth in subsection (b) of this section shall be unlawful, a violation of this section, and an offense against the City.

Section 2. 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, the provisions of this code and such amendments and statutes are declared to be severable.

Section 3. No other provisions of the City Code are amended by this Ordinance, unless specifically stated and referenced herein.

Section 4. The provisions of this Ordinance shall be included and incorporated in the *Code of Ordinances of the City of Athens* as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

Section 5. This Ordinance shall be effective and in effect, after its publication as required by law, or by **July 1, 2021**, whichever is later.

ADOPTED this the 10th day of May, 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, Travis, 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 Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, 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 approve a one-time appropriation of \$100,000 to the Alabama Veterans Museum & Archives. The mission of the Alabama Veterans Museum & Archives is to develop and maintain a museum for the preservation of archives and artifacts that exemplify the achievements and memories of our armed forces veterans. They will serve as a focal point for local veterans' events and provide information to educate and inspire future generations to pursue STEAM* and military careers. This appropriation shall be funded from the City of Athens Alcohol Fund and will be split 50/50 with the General Fund and Athens City Schools.

Councilmember Travis 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, Travis, 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 Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, 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 ordinance:

ORDINANCE NUMBER 2021 - 2170

AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF \$18,860,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION SCHOOL WARRANTS OF THE CITY OF ATHENS, ALABAMA

BE IT ORDAINED by the City Council of the City of Athens in the State of Alabama as follows:

Section 1. Definitions and Use of Phrases.

(a) Definitions. The following words and phrases and others evidently intended as the equivalent thereof shall, in the absence of clear implication herein otherwise, be given the following respective interpretations as used herein:

"Authorized Denominations" means the sum of \$5,000 or any integral multiple thereof.

"Bank" means Regions Bank, Birmingham, Alabama, in its capacity as registrar, transfer agent and paying agent with respect to the Warrants.

"Callable Warrants" means those of the Warrants having a stated maturity in 2031 or thereafter.

"City" means the municipal corporation of Athens in the State of Alabama and includes its successors and assigns and any municipal corporation resulting from or surviving any consolidation or merger to which it or its successors may be a party.

"City Clerk" means the city clerk of the City.

"Code" means the Internal Revenue Code of 1986, as amended.

"Council" means the governing body of the City as from time to time constituted.

"Eligible Certificate" means an interest-bearing certificate of deposit issued by the Bank or any bank, savings and loan association or trust company organized under the laws of the United States of America or any state thereof that is (to the extent not insured by the Federal Deposit Insurance Corporation or the Federal Savings and Loan Insurance Corporation) collaterally secured by a pledge of United States Securities (a) having at any date of calculation a market value (taking account of any accrued interest thereon) not less than the principal of and the accrued interest on the certificates of deposit secured thereby, (b) deposited and pledged with any Federal Reserve Bank or with any bank or trust company organized under the laws of the United States or any state thereof, and having combined capital and surplus and undivided profits of not less than \$15,000,000, and (c) for which a receipt signed by the bank or trust company having custody of such collateral securities and containing a sufficient description thereof has been furnished to the Bank.

"Eligible Investments" means (a) United States Securities, (b) Eligible Certificates, (c) bank deposits fully insured by the Federal Deposit Insurance Corporation, and (d) investments permitted by the provisions of Section 11-81-21, as amended, of the Code of Alabama 1975.

"Fiscal Year" means a fiscal year of the City, being the period beginning on October 1 of each calendar year and ending on September 30 of the then next ensuing calendar year.

"Holder" means the person in whose name a Warrant is registered on the registry books of the Bank pertaining to the Warrants.

"Interest Payment Date" means each May 1 and November 1, commencing November 1, 2021.

"Mayor" means the mayor of the City.

"Overdue Interest" means interest due but not paid on the Interest Payment Date on which such interest is required to be paid.

"Overdue Interest Payment Date" means the date fixed by the Bank, pursuant to the provisions of Section 13 hereof, for the payment of Overdue Interest.

"Record Date" means the April 15 and October 15, as the case may be, next preceding any Interest Payment Date.

"Redemption Date" means the date fixed for redemption of any of the Callable Warrants in a Resolution adopted pursuant to the provisions of Section 4 hereof or the date on which any of the Warrants is subject to mandatory redemption pursuant to the provisions of Section 4 hereof.

"Redemption Price" means the price at which the Callable Warrants may be redeemed.

"Resolution" and "Ordinance" mean, respectively, a resolution or ordinance adopted by the Council.

"United States Securities" means any securities that are direct obligations of the United States of America and any securities with respect to which payment of the principal thereof and the interest thereon is unconditionally guaranteed by the said United States.

"Warrants," without other qualifying words, means the General Obligation Warrants herein authorized.

(b) Use of Words and Phrases. The following words and phrases, where used in this Ordinance, shall be given the following and respective interpretations:

"Herein," "hereby," "hereunder," "hereof," and other equivalent words refer to this Ordinance as an entirety and not solely to the particular portion hereof in which any such word is used.

The definitions set forth in Section 1(a) hereof shall be deemed applicable whether the words defined are herein used in the singular or the plural.

Wherever used herein any pronoun or pronouns shall be deemed to include both singular and plural and to cover all genders.

Section 2. Findings. The Council has ascertained and does hereby find and declare that the following facts are true and correct:

(a) it is necessary, desirable and in the public interest that the City acquire, provide and construct a school house in the City as well as for the acquisition and construction of various capital improvements to existing school buildings in the City; and

(b) it is necessary, desirable and in the public interest that the warrants hereinafter authorized be issued for the purpose of providing a portion of the moneys necessary to provide such school house and improvements and to pay the expenses of issuing the Warrants.

Section 3. Authorization of the Warrants. (a) Principal Maturities and Interest Rates. Pursuant to the applicable provisions of the constitution and laws of Alabama, including particularly Section 11-47-2 of the Code of

Alabama 1975, as amended, and for the purposes hereinabove stated, there are hereby authorized to be issued by the City \$18,860,000 aggregate principal amount of General Obligation School Warrants of the City. The Warrants shall be issued as fully registered warrants without coupons, shall be dated the date with their issuance and delivery, shall mature and become payable on August 1, as follows, and in the amounts and shall bear interest at the per annum rates of interest as follows:

Year of Maturity	Amount Maturing	Interest Rate	Year of Maturity	Amount Maturing	Interest Rate
2023	\$100,000	3.00%	2036	\$ 650,000	3.00%
2024	100,000	3.00			
2025	100,000	3.00	2041	750,000	3.00
2026	100,000	4.00			
2027	100,000	4.00	2046	750,000	3.00
2028	100,000	4.00			
2029	100,000	4.00	2051	5,000,000	3.00
2030	100,000	4.00			
2031	100,000	4.00	2051	10,810,000	2.50

The Warrants shall be initially issued in the Authorized Denominations and registered in the names of the Holders as shall, pursuant to the provisions of Section 19 hereof, be designated by the purchaser.

(b) Payment of Principal. The principal of the Warrants shall be payable at the designated corporate trust office of the Bank, upon presentation and surrender of the Warrants as the same become due and payable.

(c) Computation of Interest and Method of Payment. The Warrants shall bear interest from their date until their respective maturities at the per annum rates of interest set forth above (computed on the basis of a 360-day year of twelve consecutive 30-day months). Such interest shall be payable semiannually on each May 1 and November 1, commencing November 1, 2021, until and at the maturity of the Warrants. Interest on the Warrants shall be payable in lawful money of the United States of America by check or draft mailed by the Bank to the lawful Holders of the Warrants at the address shown on the registry books of the Bank pertaining to the Warrants as of the Record Date next preceding the Interest Payment Date. The Warrants shall bear interest after their respective maturities until paid at the rate of 5% per annum.

Section 4. Redemption Provisions. (a) Optional. Those of the Warrants having a stated maturity on May 1, 2036, and thereafter, shall be subject to redemption and prepayment prior to their respective maturities, at the option of the City, as a whole or in part, on May 1, 2031, and on any date thereafter, at and for a Redemption Price equal to the principal amount redeemed plus accrued interest thereon to the Redemption Date. In the event that less than all the principal of the Warrants of a single maturity is redeemed and prepaid, the Bank shall, by lot, determine that portion of the principal of the Warrants of such maturity to be redeemed and prepaid.

(b) Mandatory Redemption. (i) Those of the Warrants having a stated maturity in 2036 will be subject to redemption and prepayment prior to their maturity on May 1 in each of the following years and in the following principal amounts at and for a Redemption Price equal of the principal amount thereof plus accrued interest thereon to the Redemption Date:

<u>Year (May 1)</u>	<u>Principal Amount to be Redeemed</u>
2032	\$100,000
2033	100,000
2034	150,000
2035	150,000
2036	150,000 (maturity)

(ii) Those of the Warrants having a stated maturity in 2041 will be subject to redemption and prepayment prior to their maturity on May 1 in each of the following years and in the following principal amounts at and for a Redemption Price equal of the principal amount thereof plus accrued interest thereon to the Redemption Date:

Year (May 1)	Principal Amount to <u>be Redeemed</u>
2037	\$150,000
2038	150,000
2039	150,000
2040	150,000
2041	150,000 (maturity)

(iii) Those of the Warrants having a stated maturity in 2046 will be subject to redemption and prepayment prior to their maturity on May 1 in each of the following years and in the following principal amounts at and for a Redemption Price equal of the principal amount thereof plus accrued interest thereon to the Redemption Date:

Year (May 1)	Principal Amount to <u>be Redeemed</u>
2042	\$150,000
2043	150,000
2044	150,000
2045	150,000
2046	150,000 (maturity)

(iv) Those of the Warrants having a stated maturity in 2051 and bearing interest at the rate of 3.00% per annum will be subject to redemption and prepayment prior to their maturity on May 1 in each of the following years and in the following principal amounts at and for a Redemption Price equal of the principal amount thereof plus accrued interest thereon to the Redemption Date:

Year (May 1)	Principal Amount to <u>be Redeemed</u>
2047	\$ 950,000
2048	975,000
2049	1,000,000
2050	1,025,000
2051	1,050,000 (maturity)

(v) Those of the Warrants having a stated maturity in 2051 and bearing interest at the rate of 2.50% per annum will be subject to redemption and prepayment prior to their maturity on May 1 in each of the following years and in the following principal amounts at and for a Redemption Price equal of the principal amount thereof plus accrued interest thereon to the Redemption Date:

Year (May 1)	Principal Amount to <u>be Redeemed</u>
2047	\$2,050,000
2048	2,100,000
2049	2,160,000
2050	2,220,000
2051	2,280,000 (maturity)

(vi) In the event that, pursuant to the provisions of Section 4(a) hereof, the City shall have partially redeemed Warrants or shall have provided for a partial redemption of Warrants in such a manner that the Warrants for the redemption of which provision is made are considered as fully paid, the City may, by written notice to the Bank, elect to apply all or any part (but only in integral multiples of \$5,000) of the principal amount of such Warrants so redeemed or to be redeemed to the reduction of the principal amount of Warrants required to be redeemed pursuant to the provisions of this Section 4(b) on any May 1 coterminous with or subsequent to the date such optional redemption actually occurs. Such notice shall be deemed effective only if it is given prior to the giving of notice of redemption contrary to the provisions of such notice pursuant to the provisions of Section 4(c).

(c) Manner. Any such redemption or prepayment of the Warrants shall be effected in the following manner:

(i) Call. The City shall by Resolution or Ordinance call for redemption and prepayment on a stated Interest Payment Date when they are by their terms subject to redemption Warrants (or principal portions thereof) and shall recite in said Resolution (i) that the City is not in default in the payment of the principal of or interest on any of the Warrants or (ii) that all of the Warrants then outstanding are to be retired on the Redemption Date; provided, however, that it shall not be necessary for the City to adopt a Resolution or Ordinance with respect to any mandatory redemption under the provisions of paragraph (b) of this section 4.

(ii) Notice. Not more than sixty (60) nor less than thirty (30) days prior to the Redemption Date, the City shall give, or cause to be given, written notice of such redemption and prepayment by United States First Class Mail to the Holders of the each of the Warrants the principal of which is, in whole or in part, to be redeemed and prepaid, stating the following: that the Warrants (or principal portions thereof) have been called for redemption and will become due and payable at the Redemption Price, on a specified Redemption Date and that all interest thereon will cease after the Redemption Date. The Holders of any of the Warrants may waive the requirements of this subsection with respect to the Warrants held by them without affecting the validity of the call for redemption of any other Warrants.

(iii) Payment of Redemption Price. The City shall make available at the Bank, on or prior to the Redemption Date, the total Redemption Price of the Warrants (or portions thereof) that are to be prepaid and redeemed on the Redemption Date.

Upon compliance with the foregoing requirements on its part contained in this subsection, and if the City is not on the Redemption Date in default in the payment of the principal of or interest on any of the Warrants, the Warrants (or principal portions thereof) called for redemption shall become due and payable at the Redemption Price on the Redemption Date specified in such notice, anything herein or in the Warrants to the contrary notwithstanding, and the Holders thereof shall then and there surrender them for redemption; provided, however, that in the event that less than all of the outstanding principal of any Warrant is to be redeemed, the registered Holder thereof shall surrender the Warrant that is to be prepaid in part to the Bank in exchange, without expense to the Holder, for a new Warrant of like tenor except in a principal amount equal to the unredeemed portion of the Warrant. All future interest on the Warrants (or principal portions thereof) so called for redemption shall cease to accrue after the Redemption Date. Out of the moneys so deposited with it, the Bank shall make provision for payment of the Warrants (or principal portions thereof) so called for redemption at the Redemption Price and on the Redemption Date.

Section 5. General Obligation. The indebtedness evidenced and ordered paid by the Warrants is and shall be a general obligation of the City for payment of the principal of and the interest on which the full faith and credit of the City are hereby irrevocably pledged.

Section 6. Warrant Fund. (a) Payments Therein and Use and Continuance Thereof. There is hereby created a special fund to be designated the "City of Athens 2021 Warrant Fund," for the purpose of providing for the payment of the principal of and interest on the Warrants, at the respective maturities of said principal and interest, which special fund shall be maintained until the principal of and interest on the Warrants have been paid in full. Payments into the Warrant Fund shall be made as follows:

(i) there shall be paid into the Warrant Fund, simultaneously with the issuance of the Warrants and out of the proceeds derived from the sale thereof, that portion of said proceeds, if any, which may be referable to the accrued interest received by the City on any such sale; and

(ii) on or before the 25th day of October, 2021, and on or before the 25th day of each April and October thereafter until the principal of and interest on the Warrants shall have been paid in full, the City will pay into the Warrant Fund such amount as, when added to the amount then in the Warrant Fund that is not needed to pay any principal or interest theretofore matured but not then paid, will equal the sum of the interest that will mature on the Warrants on the then next succeeding Interest Payment Date, plus the principal, if any, that will mature (or will be subject to mandatory redemption) on the Warrants on the then next succeeding Interest Payment Date; provided, that there shall be credited one time on the amount required by this paragraph (ii) to be paid into the Warrant Fund an amount equal to the amount paid therein pursuant to the provisions of paragraph (i) hereof and, further, there shall be credited one time on the amount required by this paragraph (ii) to be paid into the Warrant Fund an amount equal to such amount of may, from time to time, but not less often than once a year, be deposited into the Warrant Fund from investments made pursuant to the provisions of subsection (d) of this Section 6. The City will make the payments provided for in this paragraph (ii) out of all general revenues of the City available therefor.

All moneys paid into the Warrant Fund shall be used only for payment of the principal of and interest on the Warrants, upon or after the respective maturities of such principal and interest or upon mandatory redemption; provided, that, if at the final maturity of the Warrants, howsoever the same may mature, there shall be in the Warrant Fund moneys in excess of the amount required to retire the Warrants, then any such excess shall thereupon be returned to the City. When the amount of money on deposit in the Warrant Fund equals or exceeds the aggregate of the principal and interest to their respective maturities on the Warrants at the time outstanding, no further payments need be made into the Warrant Fund except to make good the moneys paid therein which may become lost or which may not be immediately available for withdrawal under the provisions of this section.

(b) Depository for Warrant Fund. The City hereby designates Regions Bank, Birmingham, Alabama, as the depository for the Warrant Fund with respect to payment of principal of and interest on the Warrants. The City reserves the right from time to time to designate one or more banks (which may or may not include the Bank heretofore herein designated) as a depository for the Warrant Fund. In the event that any bank at any time designated as depository for any portion of the Warrant Fund should at any time decline to act as such depository, or should resign as such depository, or should cease to be a member of the Federal Deposit Insurance Corporation (or any agency which may succeed to its duties), or should cease to be duly qualified and doing business within the State of Alabama, then any other bank or banks at the time designated as depository or depositories for the same portion of the Warrant Fund shall continue to serve as such depository or depositories without designation by the City of any additional depository or depositories; but if at any time the sole remaining depository for any portion of the Warrant Fund should resign, cease to be a member of said Federal Deposit Insurance Corporation (or successor agency thereto) or should cease to be duly qualified and doing business within the State of Alabama, then the Council shall by Resolution designate a successor to such depository; provided, that, any such successor depository shall be and remain a member of the Federal Deposit Insurance Corporation (or of any agency which may succeed to its duties) and shall be and remain duly qualified and doing business in the State of Alabama.

(c) Trust Nature of and Security for the Warrant Fund. The Warrant Fund shall be and at all times remain public funds impressed with a trust for the purpose for which the Warrant Fund is herein created. Each depository for any part of the Warrant Fund shall at all times keep the moneys on deposit with it in the Warrant Fund continuously secured for the benefit of the City and the holders of the Warrants either

(i) by holding on deposit as collateral security, United States Securities or other marketable securities eligible as security for the deposit of trust funds under regulations of the Board of Governors of the Federal Reserve System, having a market value (exclusive of accrued interest) not less than the amount of moneys on deposit in the Warrant Fund, or

(ii) if the furnishing of security in the manner provided in the foregoing clause (i) of this sentence is not permitted by the then applicable law and regulations, then in such other manner as may be required or permitted by the applicable state and federal laws and regulations respecting the security for, or granting a preference in the case of, the deposit of public funds;

provided, however, that it shall not be necessary for any such depository so to secure any portion of the moneys on deposit in the Warrant Fund that may be insured by the Federal Deposit Insurance Corporation (or by any agency of the United States of America that may succeed to its functions) or any portion of the said moneys that may be invested pursuant to the provisions of subsection (d) of this section.

(d) Investment of Moneys in the Warrant Fund. So long as the City shall not be in default hereunder it may, at any time and from time to time as it in its sole discretion shall deem advisable, cause to be invested in Eligible Investments any or all of the moneys in the Warrant Fund; provided, that, each such investment shall mature not later than the Interest Payment Date next following the date such investment is made. In the event of any such investment, the securities in which the investment is made shall become a part of the Warrant Fund and shall be held by the depository for the moneys so invested to the same extent as if they were moneys on deposit in the Warrant Fund. The City may likewise at any time and from time to time cause any securities in which any such investment shall be made to be sold or otherwise converted into cash, whereupon the net proceeds derived from any such sale or conversion, after payment of all necessary expenses incident to such sale or conversion, shall become a part of the Warrant Fund. Each depository for the Warrant Fund shall be fully protected in making investments, sales, and conversions of any such securities upon written direction.

Section 7. Form of Warrants. The Warrants shall be in substantially the following form:

(Form of Warrant)

UNITED STATES OF AMERICA

STATE OF ALABAMA

CITY OF ATHENS

GENERAL OBLIGATION SCHOOL WARRANT

INTEREST RATE

MATURITY DATE

CUSIP NUMBER

Subject to prior payment and other provisions as herein provided

The City Treasurer of the City of Athens, a municipal corporation under the laws of Alabama ("the City"), will pay to _____, or registered assigns, the principal sum of

_____ DOLLARS (\$_____)

on the date specified above with interest thereon from the date hereof until the maturity hereof at the per annum rate of interest specified above (computed on the basis of a 360-day year of twelve consecutive 30-day months), payable on November 1, 2021, and semiannually thereafter on each May 1 and November 1 until the due date hereof. The principal of and premium (if any) on this Warrant shall be payable only upon presentation and surrender of this Warrant at the office of Regions Bank, Birmingham, Alabama ("the Bank"), or its successor under the ordinance hereinafter referred to.

Interest on this Warrant shall be remitted by the Bank to the then registered holder hereof at the address shown on the registry books of the Bank pertaining to the Warrants as of the close of business on the April 15 or October 15, as the case may be, next preceding the date of payment of such interest. Payments of interest shall be deemed to have been timely made if the check or draft therefor is mailed on or before the due date of such interest or, if such due date is not a business day, then on the next business day following such due date. The ordinance hereinafter referred to provides that all payments by the City or the Bank to the person in whose name a Warrant is registered shall to the extent thereof fully discharge and satisfy all liability for the same. Any transferee of this Warrant takes it subject to all payments of principal and interest in fact made with respect hereto.

This Warrant is one of a duly authorized issue of Warrants designated General Obligation School Warrants and aggregating \$18,860,000 in principal amount ("the Warrants"). This Warrant is issued pursuant to the applicable provisions of the constitution and laws of Alabama, including particularly Section 11-47-2 of the Code of Alabama 1975, as amended, and an ordinance ("the Ordinance") of the City duly adopted by the governing body of the City.

Those of the Warrants having a stated maturity on May 1, 2036, and thereafter, are subject to redemption and prepayment prior to their respective maturities, at the option of the City, as a whole or in part, on May 1, 2031, and on any date thereafter, at and for a redemption price equal to the principal amount redeemed plus accrued interest thereon to the date fixed for redemption.

Those of the Warrants having a stated maturity in 2036 and thereafter are subject to mandatory redemption on such terms and at such times as are set forth in the Ordinance.

The Ordinance requires that written notice of the call for redemption of this Warrant (or portion of the principal thereof) be forwarded by United States First Class Mail to the registered owner of such Warrant, not less than thirty (30) nor more than sixty (60) days prior to the date fixed for redemption. In the event that less than all the outstanding principal of this Warrant is to be redeemed, the registered Holder hereof shall surrender this Warrant to the Bank in exchange for a new Warrant of like tenor herewith except in a principal amount equal to the unredeemed portion of this Warrant. Upon the giving of notice of redemption in accordance with the provisions of the Ordinance, the Warrants (or principal portions thereof) so called for redemption and prepayment shall become due and payable on the date specified in such notice, anything herein or in the Ordinance to the contrary notwithstanding, and the Holders thereof shall then and there surrender them for prepayment, and all future interest on the Warrants (or principal portions thereof) so called for prepayment shall cease to accrue after the date specified in such notice, whether or not the Warrants are so presented.

By the execution of this Warrant, the City acknowledges that it is indebted to the payee hereof in the principal amount hereof in accordance with the terms hereof. The indebtedness evidenced and ordered paid by this Warrant is a general obligation of the City for the payment of the principal of and interest on which the full faith and credit of the City have been irrevocably pledged.

It is hereby certified and recited that the indebtedness evidenced and ordered paid by this Warrant is lawfully due without condition, abatement or offset of any description; that this Warrant has been registered in the manner provided by law; that all conditions, actions and things required by the constitution and laws of the State of Alabama to exist, be performed or happen precedent to and in the issuance of this Warrant do exist, have been performed and have happened; and that the indebtedness evidenced and ordered paid by this Warrant, together with all other indebtedness of the City, was at the time the same was created and is now within every debt and other limit prescribed by the constitution and laws of the State of Alabama.

The Warrants are issuable only as fully registered Warrants in the denomination of \$5,000 or any integral multiple thereof. Provision is made in the Ordinance for the exchange of Warrants for a like aggregate principal amount of Warrants of the same maturity and in authorized denomination, all upon the terms and subject to the conditions set forth in the Ordinance.

This Warrant is transferable by the registered holder hereof, in person or by authorized attorney, only on the books of the Bank (the registrar and transfer agent of the City) and only upon surrender of this Warrant to the Bank for cancellation, and upon any such transfer a new Warrant of like tenor hereof will be issued to the transferee in exchange therefor, all as more particularly described in the Ordinance. Each holder, by receiving or accepting this Warrant shall consent and agree and shall be estopped to deny that, insofar as the City and the Bank are concerned, this Warrant may be transferred only in accordance with the provisions of the Ordinance.

In the event that this Warrant (or any principal portion hereof) is duly called for redemption and prepayment, the Bank shall not be required to register or transfer this Warrant during the period of sixty (60) days next preceding the date fixed for such redemption and prepayment.

Execution by the Bank of its registration certificate hereon is essential to the validity hereof.

IN WITNESS WHEREOF, the City has caused this Warrant to be executed by its Mayor, has caused its corporate seal to be hereunto imprinted, has caused this Warrant to be attested by its City Clerk, and has caused this Warrant to be dated _____, 2021.

CITY OF ATHENS

[S E A L]

By _____
Its Mayor

Attest: _____
Its City Clerk

The City may, in its discretion, cause a portion of the foregoing text to be printed on the reverse of the Warrant, in which event the face of the Warrant shall state the following:

REFERENCE IS MADE TO THE FURTHER PROVISIONS OF THIS WARRANT
SET FORTH ON THE REVERSE HEREOF.

(Form of Registration Certificate)

Date of Registration:

This Warrant was registered in the name of the above-registered owner on the date hereinabove set forth.

REGIONS BANK
Birmingham, Alabama

By _____
Its Authorized Officer

(Form of Assignment)

For value received _____ hereby sell(s), assign(s) and transfer(s) unto _____ the within Warrant and hereby irrevocably constitute(s) and appoint(s) _____, attorney, with full power of substitution in the premises, to transfer this Warrant on the books of the within-mentioned Bank.

Dated this ____ day of _____, ____.

NOTE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Warrant in every particular, without alteration, enlargement or change whatsoever.

Signature guaranteed:

(Bank, Broker or Firm)*

By _____
Its Authorized Officer

Its Medallion Number: _____

* Signature(s) must be guaranteed by an eligible guarantor institution which is a member of a recognized signature guarantee program, i.e., Securities Transfer Agents Medallion Program (STAMP), Stock Exchanges Medallion Program (SEMP), or New York Stock Exchange Medallion Signature Program (MSP).

Section 8. Execution of Warrants by City. The Warrants shall be executed on behalf of the City by the Mayor and attested by the City Clerk, and the seal of the City shall be impressed on each of the Warrants. The signatures of the Mayor and the City Clerk may be facsimile signatures of said officers, and the seal of the City imprinted on the Warrants may be a facsimile of such seal (it being understood that a condition to the validity of each Warrant is the appearance on such Warrant of a Registration Certificate, substantially in the form hereinabove provided, executed by the manual signature of the Bank). Signatures on the Warrants by persons who are officers of the City at the times such signatures were written or printed shall continue to be effective although such persons cease to be such officers prior to the delivery of the Warrants, whether initially issued or exchanged for Warrants of different denominations from those initially issued.

Section 9. Registration Certificate on Warrants. A registration certificate by the Bank, in substantially the form hereinabove recited, duly executed by the manual signature of the Bank, shall be endorsed on each of the Warrants and shall be essential to its validity.

Section 10. Registration and Transfer of Warrants. All Warrants shall be registered as to both principal and interest, and shall be transferable only on the registry books of the Bank. The Bank shall be the registrar and transfer agent of the City and shall keep at its office proper registry and transfer books in which it will note the registration and transfer of such Warrants as are presented for those purposes, all in the manner and to the extent hereinafter specified.

No transfer of a Warrant shall be valid hereunder except upon presentation and surrender of such Warrant at the office of the Bank with written power to transfer signed by the registered owner thereof in person or by duly authorized attorney, properly stamped if required, in form and with guaranty of signature satisfactory to the Bank, whereupon the City shall execute, and the Bank shall register and deliver to the transferee, a new Warrant, registered in the name of such transferee and of like tenor as that presented for transfer. The person in whose name a Warrant is registered on the books of the Bank shall be the sole person to whom or on whose order payments on account of the principal thereof and of the interest (and premium, if any) thereon may be made. Each Holder of any of the Warrants, by receiving or accepting such Warrant, shall consent and agree and shall be estopped to deny that, insofar as the City and the Bank are concerned, the Warrants may be transferred only in accordance with the provisions of this Ordinance.

If any Warrant is duly called for redemption (in whole or in part), the Bank shall not be required to register or transfer such Warrant during the period of thirty (30) days next preceding the Redemption Date.

Section 11. Exchange of Warrants. Upon the request of the Holder of one or more Warrants, the City shall execute, and the Bank shall register and deliver, upon surrender to the Bank of such Warrant or Warrants in exchange thereof, a Warrant or Warrants in different Authorized Denominations of the same maturity and interest rate and together aggregating the same principal amount as the then unpaid principal of the Warrant or Warrants so surrendered, all as may be requested by the person surrendering such Warrant or Warrants.

The registration, transfer and exchange of Warrants (other than pursuant to Section 15 hereof) shall be without expense to the Holder or transferee. In every case involving any transfer, registration or exchange, such Holder shall pay all taxes and other governmental charges, if any, required to be paid in connection with such transfer, registration or exchange.

Section 12. Accrual of Interest on Warrants. All Warrants issued prior to November 1, 2021, in exchange for Warrants initially delivered, shall bear interest from the date the Warrants were issued and delivered, and all Warrants issued on or after November 1, 2021, shall bear interest from the May 1 or November 1, as the case may be, next preceding the date of its issuance and delivery unless (a) such date of delivery is a May 1 or November 1, in which event

such Warrant shall bear interest from the date of its issuance and delivery, or (b) at the time of such delivery the City is in default in the payment of interest on the Warrant in lieu of which such new Warrant is issued, in which event such new Warrant shall bear interest from the last Interest Payment Date to which interest has previously been paid or made available for payment on the Warrant in lieu of which such new Warrant is issued. The preceding provision shall be construed to the end that the issuance of a Warrant shall not affect any gain or loss in interest to the Holder thereof.

Section 13. Persons to Whom Payment of Interest on Warrants Is to Be Made. Interest on the Warrants shall, except as provided in the next succeeding paragraph of this Section 13, be payable in lawful money of the United States of America by check or draft mailed by the Bank to the lawful Holders of the Warrants at the address shown on the registry books of the Bank pertaining to the Warrants.

Any provision hereof to the contrary notwithstanding, Overdue Interest shall not be payable to the Holder of the Warrants solely by reason of such Holder having been the Holder on the Interest Payment Date on which such interest became due and payable, but shall be payable by the Bank as follows:

(a) Not less than ten (10) days following receipt by the Bank of immediately available funds in an amount sufficient to enable the Bank to pay all Overdue Interest, the Bank shall fix an Overdue Interest Payment Date for payment of such Overdue Interest.

(b) Such Overdue Interest Payment Date fixed by the Bank shall be a date not more than twenty (20) days following the expiration of the period described in the foregoing subparagraph (a).

(c) Overdue Interest shall be paid by check or draft mailed by the Bank to the persons in whose names the Warrants were registered on the Overdue Interest Payment Date.

Payment of Overdue Interest in the manner herein prescribed to the persons in whose names the Warrants were registered on the Overdue Interest Payment Date shall fully discharge and satisfy all liability for the same.

Section 14. Persons Deemed Owners of Warrants. The City and the Bank may deem and treat the person in whose name a Warrant is registered as the absolute owner thereof for all purposes; they shall not be affected by notice to the contrary; and all payments by any of them to the person in whose name a Warrant is registered, shall to the extent thereof fully discharge and satisfy all liability for the same.

Section 15. Replacement of Mutilated, Lost, Stolen or Destroyed Warrants. In the event any Warrant is mutilated, lost, stolen or destroyed, the City may execute and deliver a new Warrant of like tenor as that mutilated, lost, stolen or destroyed; provided that (a) in the case of any such mutilated Warrant, such Warrant is first surrendered to the City and the Bank, and (b) in the case of any such lost, stolen or destroyed Warrant, there is first furnished to the City and the Bank evidence of such loss, theft or destruction satisfactory to each of them, together with indemnity satisfactory to each of them. The City may charge the Holder with the expense of issuing any such new Warrant.

Section 16. Sale of Warrants. The Warrants are hereby sold to The Frazer Lanier Company, Montgomery, Alabama, at and for a purchase price equal to \$19,101,099.80, which price reflects an underwriting discount of \$167,854.00 and net original issue premium of \$408,953.80 (allocated among the various maturities as reflected by the prices or yields shown on the inside cover page of the official statement hereinafter referred to) plus accrued interest (if any) from their date until the date of their delivery. The Mayor and the City Clerk are hereby authorized and directed to deliver the Warrants to the said purchaser upon payment to the City of the purchase price of the Warrants.

Section 17. Use of Proceeds from Sale of Warrants. The entire proceeds of the Warrants shall be applied as follows:

(a) the sum of \$19,000,000 shall be paid to the Bank and deposited into a special account of the City hereby created and designated "City of Athens 2021 School Improvements Account," for the purpose of providing for the payment of a portion of the costs of the public school improvements referred to Section 2(a) hereof in such a manner as the Mayor and the City Clerk shall deem appropriate. The City hereby designates the Bank as the depository for the said account and reserves the right from time to time

to designate one or more banks (which may or may not include the Bank heretofore and herein designated) as a depository for the said account. In the event that any bank at any time designated as depository for any portion of the said account should at any time decline to act as such depository, or should resign as such depository, or should cease to be a member of the Federal Deposit Insurance Corporation (or any agency which may succeed to its duties), or should cease to be duly qualified and doing business within the State of Alabama, then any other bank or bank at the time designated as depository or depositories for the same portion of the said account shall continue to serve as such depository or depositories without designation by the City of any additional depository or depositories; but if at any time the sole remaining depository for any portion of the said account should resign, cease to be a member of said Federal Deposit Insurance Corporation (or successor agency thereto) or should cease to be duly qualified and doing business within the State of Alabama, then the Council shall by Resolution designate a successor to such depository; provided, that, any such successor depository shall be and remain a member of the Federal Deposit Insurance Corporation (or of any agency which may succeed to it duties) and shall be and remain duly qualified and doing business in the State of Alabama. Moneys may be withdrawn from the said account by check, draft or order, signed on behalf of the City by the Mayor or the City Clerk and applied to the payment of the costs of the said improvements. The said depository or depositories shall be fully protected in paying out any moneys at the time on deposit in the said account on checks, drafts or orders signed as hereinabove provided and the said depository shall not be liable for the misapplication by the City of any moneys at any time forming a part of said account if such moneys shall be so disbursed without knowledge or reason on the part of said depository to believe that such disbursement constitutes a misapplication of funds. If any moneys remain on deposit in the said account upon completion of the said improvements, the City, by Resolution of the Council, shall cause the depository therefor to transfer such moneys to the City to be applied for whatever lawful purpose as may be directed by the Council; and

(b) the balance of the said proceeds (viz., the sum of \$101,099.80) shall be paid to the City and deposited into a separate and special account of the City and used to pay the costs of issuing the Warrants.

Section 18. Provisions Respecting Registration of Warrants to Comply with Provisions of the Code. The City and the Bank recognize that the provisions of the Code now require that the Warrants be in "registered form," and that, in general, each Warrant must be registered as to both principal and interest and any transfer of any Warrant must be effected only by the surrender of the old Warrant and either by the reissuance of the old Warrant to a new Holder or the issuance of a new Warrant to a new Holder. The Bank may rely upon an opinion of nationally recognized bond counsel with respect to any question which may arise pertaining to the transfer, exchange or reissuance of Warrants. The provisions of this Ordinance pertaining to transfer, exchange or reissuance of Warrants need not or shall not be followed if the Bank receives an opinion of nationally recognized bond counsel that compliance with requirements in addition to or in lieu of the requirements of this Ordinance pertaining to such transfer, exchange or reissuance is required or permitted under the provisions of the Code or under other applicable laws and regulations.

Section 19. Denominations of Warrants as Initially Issued. The Warrants of each maturity shall be initially issued in Authorized Denominations as requested by the said purchaser and registered in the names of the persons specified by the said purchaser. If, for any reason, the City is unable to prepare or cause to be prepared Warrants in the Authorized Denominations requested by the said purchaser and registered in the names of the persons specified by the said purchaser, the City may deliver one Warrant for each maturity in the principal amount of such maturity, each registered in the name of the said purchaser of the Warrants from the City.

Section 20. Provisions for Payment at Par. Each bank at which the Warrants shall at any time be payable, by acceptance of its duties as paying agent therefor, shall be construed to have agreed thereby with the Holders of the Warrants that it will make, out of the funds supplied to it for that purpose, all remittances of principal and interest on the Warrants in bankable funds at par without any deduction for exchange or other costs, fees or expenses. The City agrees with the Holders of the Warrants that it will pay all charges for fees and expenses which may be made by such bank in the making of remittances in bankable funds of the principal of and interest on any of the Warrants.

Section 21. Concerning Compliance with the Code. The City covenants and agrees that it will, to the extent permitted by law, comply with the provisions of the Code that constitute conditions to or requirements for (a) the exclusion of the interest income on the Warrants from the gross income of the recipients thereof for federal income tax

purposes pursuant to the provisions of Section 103 of the Code and (b) the exclusion of such interest income received by taxpayers other than corporations from alternative minimum taxable income for purposes of the computation of the alternative minimum tax applicable to such taxpayers pursuant to the provisions of Section 55 of the Code. Without limiting the generality of the foregoing, the City will (i) rebate to the United States such amounts from investment earnings on proceeds of the Warrants at such times, and restrict the yield on the investment of such proceeds in such manner, as shall be necessary to prevent any of the Warrants from being or becoming an "arbitrage bond" within the meaning of Section 148 of the Code, (ii) maintain such records respecting the investment and expenditure of proceeds of the Warrants as may be needed to calculate the amounts of any such required payments and (iii) not apply the proceeds derived from the sale of any of the Warrants in a manner that would cause any of the Warrants to be or become a "private activity bond" within the meaning of Section 141 of the Code.

Section 22. Approval of Preliminary Official Statement and Authorization of Official Statement. The Council hereby approves and adopts the Preliminary Official Statement dated April 26, 2021, respecting the Warrants in substantially the form submitted to the Council, a copy of which, marked Exhibit A, is attached to the minutes of the meeting of the Council at which this Ordinance is adopted. The said Exhibit A is made a part of this Ordinance in all respects as if set forth in full herein. The Council hereby deems the said Official Statement "final" within the meaning of SEC Rule 15c2-12(b)(1) for the purposes of such rule. The Mayor is hereby authorized and directed to execute a final Official Statement of the City with respect to the Warrants in substantially the form of the Preliminary Official Statement (said form to be that attached, marked Exhibit A, to the minutes of the meeting of the Council at which this Ordinance is adopted), with such changes therein and additions thereto as shall be necessary to conform to the provisions of this Ordinance and such other changes and additions as the Mayor shall deem necessary and appropriate. The Mayor is hereby authorized and directed to cause the said final Official Statement to be delivered to the purchasers of the Warrants.

Section 23. Approval of Continuing Disclosure Agreement. The Mayor is hereby authorized and directed to execute and deliver, on behalf of the City, a Continuing Disclosure Agreement, for the benefit of the beneficial owners of the Warrants, in substantially the form presented to the meeting at which this Ordinance is adopted (which form shall be attached as Exhibit B to the minutes of the meeting at which this Ordinance is adopted and which is hereby adopted in all respects as if set out in full in this Ordinance) and the City Clerk is hereby authorized and directed to affix to the said Continuing Disclosure Agreement the seal of the City and to attest the same. The said Continuing Disclosure Agreement is to be entered into contemporaneously with the issuance of the Warrants in order to assist the Underwriter of the Warrants in complying with Rule 15c2-12 of the Securities and Exchange Commission. The rights of enforcement of the said Continuing Disclosure Agreement shall be as provided therein, and in no event shall a default by the City thereunder constitute a default hereunder.

Section 24. Authorization of Related Documents and Actions. The Mayor and all other officers of the City are hereby authorized and directed to execute, seal, attest and deliver such other documents, instruments (including, but not limited to, the Continuing Disclosure Agreement in the form attached marked Exhibit B to the minutes of the meeting of the Council at which this Ordinance is adopted) and certificates and to take such other actions on behalf of the City as may be necessary to consummate the sale and issuance of the Warrants and to carry out fully the transactions contemplated by this ordinance.

Section 25. Escrow for Warrants. In addition to all other circumstances under which the Warrants are to be deemed paid, any of the Warrants shall be considered as fully paid if there shall be filed with the City Clerk and the Bank each of the following:

- (a) a trust agreement between the City and a banking corporation or national banking association making provision for the retirement of such Warrants by creating for that purpose an irrevocable trust fund sufficient to provide for payment and retirement of such Warrants (including payment of the interest that will mature thereon until and on the dates they are retired, as such interest becomes due and payable), either by redemption prior to their respective maturities, by payment at their respective maturities or by payment of part thereof at their respective maturities and redemption of the remainder prior to their respective maturities, which said trust fund shall consist of (i) United States Securities which are not subject to redemption prior to their respective maturities at the option of the issuer and which, if the principal thereof and the interest thereon are paid at their respective maturities, will

produce funds sufficient so to provide for payment and retirement of all such Warrants, or (ii) both cash and such United States Securities which together will produce funds sufficient for such purpose, or (iii) cash sufficient for such purpose;

(b) a certified copy of a Resolution calling for redemption those of such Warrants that, according to said trust agreement, are to be redeemed prior to their respective maturities;

(c) a certificate of a firm of certified public accountants satisfactory to the Bank stating that, if the principal of and the interest on the United States Securities (if any) forming a part of the trust fund provided for in the preceding subparagraph (a) are paid on the respective due dates of such principal and interest, said trust fund will produce funds sufficient to provide for the full payment and retirement of such Warrants; and

(d) an opinion of Bond Counsel to the effect that the execution and effectuation of the trust agreement referred to in the preceding clause (a) will not result in subjecting the interest income on such Warrants to federal income taxation.

Section 26. (a) Appointment of Bank and Acceptance or Duties. The Bank is hereby designated and appointed and shall act as registrar, transfer agent and paying agent with respect to the Warrants. The Bank shall signify its acceptance of the duties of the Bank under this Ordinance by filing with the City a written acceptance thereof not later than the date of the issuance of the Warrants. In such acceptance the Bank shall accept and agree to perform the duties required by this Ordinance, either expressly or by reasonable implication, subject, however, to the following conditions:

(i) The Bank shall undertake to perform such duties and only such duties as are specifically set forth in this Ordinance, and no implied covenants or obligations shall be read into this Ordinance against the Bank.

(ii) The Bank need not recognize a Holder of a Warrant as such without the satisfactory establishment of title to such Warrant as shown on the registry books of the Bank.

(iii) The Bank may be a Holder or a pledgee of any of the Warrants.

(iv) The Bank shall not be liable for the proper application of any moneys other than those that may be paid to or deposited with it.

(v) The Bank shall not be liable to pay or allow interest on any moneys to be held by it under this Ordinance or otherwise to invest any such moneys, except as specifically required by this Ordinance or as may be required by law or other written agreement between the City and the Bank.

(vi) The Bank may make any investments permitted or required hereby through its own investment department, and any Eligible Investments issued or held by it hereunder shall be deemed investments and not deposits.

(vii) The Bank shall, upon reasonable request, inform the City of the amount at the time on deposit in any of the special funds or accounts created hereunder.

(b) Bank to Maintain Registration Books. The Bank will keep on file at its principal corporate trust office registration books listing the names and addresses of the holders of the Warrants and proper records of account relating to the receipt, disbursement, investment, allocation and application of moneys under this Ordinance.

(c) Resignation by Bank. The Bank and any successor registrar-paying agent may resign and be discharged from the duties under this Ordinance by causing written notice specifying the effective date, postage prepaid, to the City and to every Holder of a Warrant. Unless the effective date of the Bank's resignation shall coincide with the appointment of a successor Bank by the Holders of the Warrants as herein provided, such date shall be at least thirty (30) days after the date on which notice to the City, the Holders of the Warrants shall have been mailed.

(d) Removal of Bank. The Bank may be removed upon thirty (30) days notice by an instrument or concurrent instruments in writing delivered to the Bank and to the City and signed by the Holders of a majority in aggregate principal amount of the Warrants then outstanding.

(e) Appointment of Successor Bank; Interim Bank. In case the Bank shall resign, be removed, be dissolved, be in course of dissolution or liquidation, or otherwise become incapable of acting hereunder, or in case it shall be taken under the control of any public officer or officers or of a receiver appointed by a court, a successor may be appointed by the Holders of a majority in aggregate principal amount of Warrants then outstanding through an instrument or concurrent instruments in writing signed by such Holders. In case of any such resignation or event which causes the Bank to be incapable of acting, the City, by an instrument signed by the Mayor, shall appoint an interim Bank to serve until a successor Bank shall be appointed by the Holders of a majority in aggregate principal amount of the Warrants, as provided above. Whenever necessary to avoid or fill a vacancy in the office of Bank, the City will appoint an interim Bank in order that there shall at all times be a Bank hereunder. Any interim Bank so appointed by the City shall immediately and without further act be superseded by the Bank appointed by the holders of the Warrants.

The City shall cause notice of the appointment of an interim Bank, in the event that such an appointment is made, to be forwarded by United States Registered or Certified Mail, postage prepaid, to every Holder of a Warrant. When the appointment of a successor Bank, as selected by the Holders of a majority in principal amount of the Warrants then outstanding, becomes effective, the City shall also cause notice of that fact to be given in the manner provided above for the notice required to be given upon the appointment of an interim Bank. Every interim or successor Bank appointed pursuant to this Section shall be a trust company or bank which is qualified to perform all duties of the Bank under this Ordinance and which has, at the time of its acceptance of such appointment, capital, surplus and undivided profits of not less than \$25,000,000, if there be such an institution willing, qualified and able to accept appointment as Bank upon reasonable or customary terms.

(f) Concerning any Successor Bank. Every successor Bank shall execute, acknowledge and deliver to its predecessor and also to the City an instrument in writing accepting its appointment as Bank hereunder, and thereupon such successor Bank, without any further act, deed or conveyance, shall become fully vested with all the rights, powers and duties of its predecessor. Such predecessor shall, nevertheless, on the written request of the City or such successor Bank, execute and deliver an instrument transferring to such successor Bank all rights, powers and interests of such predecessor hereunder; and every predecessor Bank shall deliver all securities and moneys held by it as Bank hereunder to its successor.

(g) Merger or Consolidation of Bank. Any corporation into which the Bank may be merged or with which it may be consolidated, or any corporation resulting from any merger or consolidation to which the Bank shall be a party, or any corporation succeeding to all or substantially all of the corporate trust business of the Bank, shall be the successor of the Bank hereunder, without the execution or filing of any paper or any further act on the part of any of the parties hereto. In case the registration certificates with respect to any Warrants shall have been executed by the Bank then in office, any successor by merger or consolidation to such Bank may adopt the registration of such Warrants and deliver such Warrants with the same effect as if such successor Bank had itself registered such Warrants.

(h) Compensation of Bank. Subject to the provisions of any separate agreement with the Bank, the City shall pay to the Bank from time to time reasonable compensation for all services rendered by it under this Ordinance, including its services as registrar and paying agent for the Warrants, and also all its reasonable expenses, charges, counsel fees and other disbursements and those of its attorneys, agents and employees, incurred in and about the performance of its duties hereunder.

ADOPTED this 10th day of May, 2021.

President of the City Council

Authenticated:

City Clerk

APPROVED this 10th day of May, 2021.

Mayor

Councilmember Wales moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Travis, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, 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 Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, 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 thanked Mrs. Serena Owsley, Chief School Financial Officer for Athens City Schools, for answering the questions that he had regarding this ordinance. Councilman Seibert then asked Mrs. Owsley when the project would begin. Mrs. Owsley replied that the plans were complete and hoped to bid the project by the end of June.

Councilman Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to adopt the attached organizational chart for the Gas Department, which includes the following 32 regular status positions and 2 part time positions:

1. Manager, Gas Department
2. Operations Supervisor
3. Construction Supervisor (3)
4. Construction & Drilling Supervisor
5. Drilling Installer/Operator (2)
6. Regulatory Compliance Coordinator
7. GIS Administrator
8. GIS Technician
9. Gas Pipeline Inspector (2)
10. Service Installers (8)
11. Equipment Operators (3)
12. Measurement Technicians (4)
13. Locator Technicians (3)
14. Administrative Assistant
15. PT Facilities Maintenance (2)

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to adopt the following job description for the Gas Department:

- Administrative Assistant, Grade 7, Job description dated 04.28.2021

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

Councilwoman Henry introduced the following ordinance:

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

ORDINANCE NUMBER 2021 - 2171

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that Ordinance Number 888, establishing a classification list for classified employees is hereby amended as follows, effective: 05/10/2021.

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

- (1) Administrative Assistant

ADOPTED this the 10th day of May, 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 Travis 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, Travis, 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, Travis, 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 the Electric Department Manager, contingent upon final FY22 budget approval, to award contracts for FY 2022 Line Clearance and Tree Maintenance as follows:

Asplundh Tree Expert, LLC – Total for all circuits: \$349,344.00

1. Athens District 294: \$54,693.00
2. Poplar Creek 274: \$157,540.00
3. Poplar Creek 294: \$133,122.00
4. Strange Street 412: \$3,989.00

Evergreen Tree and Right of Way Services, Inc. – Total for all circuits: \$221,232.00

1. Buck Island 224: \$66,000.00
2. Buck Island 234: \$108,000.00
3. Buck Island 244: \$38,802.00

4. 6th Street 302: \$8,430.00

Kendall Vegetation Services, LLC – Total for all circuits: \$364,474.00

1. Athens District 244: \$4,747.00
2. Athens District 284: \$77,075.00
3. Greenbrier 244: \$69,574.00
4. Greenbrier 264: \$46,648.00
5. Poplar Creek 264: \$85,335.00
6. 6th Street 301: \$4,172.00
7. South Limestone 264: \$76,923.00

Southern Line Contractors, Inc. – Total for all circuits: \$210,795.59

1. Belle Mina 224: \$17,923.62
2. Greenbrier 224: \$29,256.99
3. Poplar Creek 254: \$163,614.98

Trees, LLC – Total for all circuits: \$98,160.80

1. Athens District 224: \$83,737.00
2. Strange Street 422: \$14,423.60

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

Councilman Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to establish a construction budget to reconstruct Miller St, Bridgeforth St, Plato Jones St, and Maxie Allen St for an approximate cost of \$300,000.00. This project shall be funded in equal portions from the Capital Infrastructure Project Fund and sewer department.

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, Travis, 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 Travis 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, Travis, 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 reorganize the Electric Department in accordance with the attached organizational chart, which includes the following 75 positions:

- Electric Department Manager
- Operations/Compliance Supervisor
- Building Maintenance Custodian
- Dispatcher (6)
- Mechanic
- General Foreman
- Assistant General Foreman
- Right of Way Supervisor
- Right of Way Technician (2)

- Line Crew (35)
- Substation Manager
- Substation Maintenance Crew (11)
- Metering Technician
- Construction Engineer
- Assistant Construction Engineer (1)
- Staking Technician (3)
- Drafting Technician
- Locator Technician (2)
- Distribution Engineer
- Electrical Engineer
- Engineering Technician
- GIS Coordinator
- AMI (Advanced Metering Infrastructure) Manager
- Part Time Receptionist (2)
- Intern/Co-Op (3)

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 revised job description for the Electric Department:

- Dispatcher; Job description revised 04/30/2021

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

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2021 - 1743

A RESOLUTION CONCERNING THE SINGING RIVER TRAIL

WHEREAS, by this Resolution, the City Council of the City of Athens appropriates various funds, through contracts, to non-governmental entities who serve various public purposes benefitting the citizens of Athens;

WHEREAS, the City of Athens is authorized by law to provide educational activities and recreational activities for the inhabitants of the City; and to plan, establish, and furnish recreational facilities, services and programs, pursuant to § 11-47-19 and § 11-80-5 of the *Code of Alabama*, and other authorities;

WHEREAS, the City of Athens is authorized by law to improve its public parks, grounds, and boulevards, pursuant to § 11-47-130 and § 11-47-19 of the *Code of Alabama*, and other authorities;

WHEREAS, the City of Athens is authorized to adopt measures to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort and convenience of the inhabitants of the City; and

WHEREAS, the City Council finds that action on the items listed below serves a valuable public purpose that has for its objective the promotion of public health, safety, morals, security, prosperity, contentment, and/or the general welfare of the community.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on May 10, 2021 at 5:30 p.m., that the Mayor or City Clerk is directed to enter into a contract with LAUNCH 2035, in such form and manner that is acceptable to the same, whereby the City will pay \$20,000.00 as an appropriation in exchange for the planning, establishment, and furnishing of the Singing River Trail, a recreational program benefitting the citizens of the City. Thereafter, the Mayor/City Clerk is authorized to release said funds at his discretion.

ADOPTED this the 10th day of May, 2021.

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

Councilmember Travis 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, Travis, 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, Travis, 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 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