

August 8, 2022

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West, Athens, Alabama, on August 8, 2022 at 5:30 p.m. The meeting was called to order by Councilman Chris Seibert, President of the City Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, James E. Lucas, Dana Henry and Wayne Harper. Councilmember Harold Wales was absent. Council President Seibert asked everyone to keep Councilman Wales in their prayers as he recovers from surgery. Kim Glaze, Executive Secretary, was present and recorded the minutes of the meeting. James E. 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 July 25, 2022 City Council Meeting had been submitted for approval. Councilman Harper moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Henry and was unanimously carried. The Chairperson stated that the Minutes of the July 25, 2022 City Council Work Session Meeting had been submitted for approval. Councilman Harper moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilwoman Henry and was unanimously carried.

Mayor Marks stated that he was very proud that the meetings are started with prayer and the pledge of allegiance. The Mayor noted that a great event was held at Athens City Schools this morning. He commented that school will start back for Athens City Schools and Athens Bible School on Wednesday and asked everyone to please slow down.

Councilwoman Henry echoed Mayor Marks regarding the event this morning and wished everyone good luck on starting back to school.

Councilman Harper stated that he attended the concert held by the Athens State College on Thursday night and then attended Fridays After Five. Mr. Harper remarked that Athens Main Street is doing a great job.

Council President Seibert noted that traffic will be bad on the first day of school but will be back to normal in a couple of weeks. Mr. Seibert added that Athens High Football will be hosting Phillip Rivers' team, St. Michael Catholic, on Friday, August 12th.

PUBLIC HEARING RELATING TO THE VACATION OF A PORTION OF TRADE DRIVE

Cady Stewart, Morell Engineering, addressed the City Council as a representative of the developer and stated that the vacation would be to support the multi-family development that is being developed on the tract.

The public hearing was closed.

Councilman Lucas introduced the following resolution:

RESOLUTION NUMBER 2022 - 1832

A RESOLUTION VACATING A PORTION OF TRADE DRIVE

WHEREAS, this resolution relates to a portion of the public way known as Trade Drive, and more particularly described as follows:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1 OF JEFFERSON STREET COMMERCIAL SUBDIVISION ADDITION NO. 1 AS RECORDED IN PLAT BOOK H PAGE 184 IN THE OFFICE OF THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA; THENCE

RUN NORTH 87°42'04" WEST AT A DISTANCE OF 272.97 FEET TO A POINT ON THE EASTERN RIGHT-OF-WAY FOR TRADE DRIVE, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT.

THENCE FROM THE POINT OF BEGINNING RUN ALONG SAID RIGHT-OF-WAY NORTH 00°05'05" WEST AT A DISTANCE OF 161.57 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 18.69 FEET, A RADIUS OF 24.99 FEET, A CHORD BEARING OF NORTH 21°20'39" EAST, AND A CHORD LENGTH OF 18.26 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 115.82 FEET, A RADIUS OF 49.95 FEET, A CHORD BEARING OF NORTH 23°39'21" WEST, AND A CHORD LENGTH OF 91.56 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 115.91 FEET, A RADIUS OF 50.01 FEET, A CHORD BEARING OF SOUTH 23°30'39" WEST, AND A CHORD LENGTH OF 91.65 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 18.69 FEET, A RADIUS OF 25.02 FEET, A CHORD BEARING OF SOUTH 21°29'21" EAST, AND A CHORD LENGTH OF 18.26 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 00°04'21" EAST AT A DISTANCE OF 159.00 FEET TO A POINT; THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 87°42'04" EAST AT A DISTANCE OF 60.05 FEET AND BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 0.41 ACRES, MORE OR LESS.

(the "Public Way");

WHEREAS, the Public Way is the northernmost end of Trade Drive, a city street;

WHEREAS, at the urging of Robert Harold Caneer and Rosanna Black Caneer, landowners who own property adjacent to the Public Way, the City proposes to vacate the Public Way pursuant to § 23-4-1, *et seq.* of the *Code of Alabama*, and has published, posted, and served notice of the same as required by § 23-4-2 of the *Code of Alabama*;

WHEREAS, the City Council held a public hearing concerning this matter at its regular meeting on August 8, 2022;

WHEREAS, the City Council has determined that it is in the interest of the public that the Public Way should be vacated;

WHEREAS, the following persons or entities (and/or their successors, heirs, and assigns) are the owners of all lots or parcels of land that abut the Public Way:

Robert Harold Caneer
Rosanna Black Caneer
James C. Gates

WHEREAS, the vacation of the Public Way will not cause any person to be cut off from access over some other reasonable and convenient way;

WHEREAS, the City of Athens (including Athens Utilities) may maintain any existing water, sewer, gas, storm drainage, and/or electrical lines/facilities within the Public Way, and the vacation of the Public Way, as explained herein, will

not prevent the City from accessing, maintaining, extending, and enlarging those lines/facilities to the same extent as if such vacation had not occurred; and

WHEREAS, the vacation of the Public Way will not deprive other property owners of any right they may have to convenient and reasonable means of egress and ingress to and from their property.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on August 8, 2022, at 5:30 p.m., as follows:

1. The Public Way is hereby vacated upon the City Clerk's filing of this Resolution with the Probate Court of Limestone County, and the City Council does thereupon divest itself of all public rights and liabilities therein in accordance with § 23-4-2(b) of the *Code of Alabama*.

2. Upon payment by Robert Harold Caneer and Rosanna Black Caneer of the City's administrative and legal costs related to the vacation of the Public Way as determined by the City Clerk, the City Clerk shall cause a copy of this Resolution to be filed with the Probate Court of Limestone County. Such filing shall operate as a declaration of the governing body's vacation and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in the Public Way.

3. Title and all public rights in the Public Way shall vest in the abutting owner(s), to the extent and as provided for by law.

4. However, notwithstanding anything herein to the contrary, any entities (such as the City by and through Athens Utilities) with utility/storm drainage lines, equipment, or facilities in place at the time of vacation, shall have the right to continue to access, maintain, extend, and enlarge their lines, equipment, and facilities to the same extent as if the vacation of the Public Way had not occurred. Moreover, such entities may continue to move across and along the vacated area to reach their lines, equipment, and facilities for the above purposes as if the vacation had not occurred.

5. The City Clerk shall cause notice of this action to be published once in the *Athens News Courier* no later than 14 days after the adoption of this Resolution.

ADOPTED this the 8th day of August, 2022.

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

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

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

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

Councilwoman Henry introduced the following ordinance:

ORDINANCE NUMBER 2022 - 2231

**ORDINANCE ABANDONING/VACATING
A DRAINAGE AND UTILITY EASEMENT ALONG TRADE DRIVE**

WHEREAS, ROBERT HAROLD CANEER A/K/A HAROLD CANEER AND ROSANNA BLACK CANEER are the current owners of property along the north end of Trade Drive, as indicated by the deed recorded at RLPY BK 2022, PG 1756 in the Office of the Judge of Probate of Limestone County, Alabama;

WHEREAS, as shown by the Final Plat Jefferson Street Commercial Subdivision Addition No. 1, recorded at Plat Book H, Page 184 in the Office of the Judge of Probate of Limestone County, Alabama, there is a drainage and utility easement of varying width located in the area described below:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1 OF JEFFERSON STREET COMMERCIAL SUBDIVISION ADDITION NO. 1 AS RECORDED IN PLAT BOOK H PAGE 184 IN THE OFFICE OF THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT.

THENCE FROM THE POINT OF BEGINNING RUN SOUTH 89°57'11" WEST AT A DISTANCE OF 10.00 FEET TO A POINT; THENCE RUN SOUTH 00°04'21" EAST AT A DISTANCE OF 171.30 FEET TO A POINT; THENCE RUN SOUTH 33°35'59" WEST AT A DISTANCE OF 97.00 FEET TO A POINT; THENCE RUN SOUTH 06°11'10" EAST AT A DISTANCE OF 223.42 FEET TO A POINT; THENCE RUN SOUTH 87°42'04" EAST AT A DISTANCE OF 10.00 FEET TO A POINT; THENCE RUN NORTH 00°04'21" WEST AT A DISTANCE OF 159.00 FEET TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 18.69 FEET, A RADIUS OF 25.00 FEET, A CHORD BEARING OF NORTH 21°29'21" WEST, AND A CHORD LENGTH OF 18.26 FEET TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 115.92 FEET, A RADIUS OF 50.00 FEET, A CHORD BEARING OF NORTH 23°30'27" EAST, AND A CHORD LENGTH OF 91.65 FEET TO A POINT; THENCE RUN NORTH 00°04'21" WEST AT A DISTANCE OF 214.59 FEET AND BACK TO THE POINT OF BEGINNING, SAID TRACT CONTAINS 0.17 ACRES, MORE OR LESS.

(the "Drainage and Utility Easement");

WHEREAS, the Drainage and Utility Easement is owned by the **CITY OF ATHENS, ALABAMA;**

WHEREAS, the City Council desires to abandon the Drainage and Utility Easement;

WHEREAS, the Council has examined the same and finds that such portion of such Drainage and Utility Easement is no longer needed for public or municipal purposes; and

WHEREAS, the Council finds that the Drainage and Utility Easement that is to be vacated is of no value or *de minimis* value, but that any administrative and legal costs of the City related to this Ordinance should be paid by the underlying owners in connection with this action.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on August 8TH, 2022, at 5:30 p.m., as follows:

1. The City expresses its intention to abandon/vacate the Drainage and Utility Easement.
2. The Drainage and Utility Easement is hereby vacated/abandoned. The Mayor is authorized to execute any such documents as may be needed to evidence such vacation/abandonment. A copy of this Ordinance may be recorded in the records of the Office of the Judge of Probate of Limestone County, Alabama.
3. No other easement(s) (or portion thereof) described in the above-referenced plat are vacated/abandoned by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easement (or portion thereof) abandoned/vacated hereby and described herein. Moreover, no other easement(s) (or portions thereof) that have been conveyed pursuant to a source other than those described herein are abandoned/vacated by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easements (or portions thereof) abandoned/vacated hereby. Finally, this Ordinance does not relate to or abandon/vacate any easement (or portion thereof) that lies on, over, under, or across any real property other than the real property described herein.
4. This Ordinance shall go into effect and shall be published upon the underlying owners' payment of any and all administrative and legal costs associated with this Ordinance.

ADOPTED this the 8th day of August, 2022.

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

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

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

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

PUBLIC HEARING RELATING TO A PROPOSED ORDINANCE TO REZONE +/-7.6 ACRES LOCATED AT 1200 ELKTON ST FROM EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) AND TN-1 (TRADITIONAL NEIGHBORHOOD – 1) TO EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, AT THE REQUEST OF THOMAS AND CONSTANCE THOMPSON

James Rich, Public Works Director, addressed the City Council concerning the rezone and stated that the Planning Commission and staff recommend approval.

The public hearing was closed.

Councilman Harper introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 7.6 ACRES LOCATED AT 1200 ELKTON ST FROM EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) AND TN-1 (TRADITIONAL NEIGHBORHOOD - 1) TO EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS, AT THE REQUEST OF THOMAS AND CONSTANCE THOMPSON.

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2022 – 2232

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from “EST (Estate Residential & Agricultural Zoning District) and TN-1 (Traditional Neighborhood - 1) to EST (Estate Residential & Agricultural Zoning District)”.

The City Council of the City of Athens, Alabama, finds that “The Zoning Ordinance of the City of Athens, Alabama,” should be amended so as to rezone the hereinafter described area as “EST (Estate Residential & Agricultural Zoning District)”.

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

That all of the hereinafter described area or real estate is hereby zoned “EST (Estate Residential & Agricultural Zoning District)” in accordance with and defined by “The Zoning Ordinance of the City of Athens, Alabama,” and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

A tract or parcel of land located in the Northeast Quarter of Section 4, Township – 3 – South, Range – 4 – West of the Huntsville Meridian, Limestone County, Alabama, and being more particularly described as follows:

Commencing at a point in a bridge deck over Swan Creek at the Northeast corner of Section 4, Township – 3 – South, Range – 4 – West, thence North 86 degrees 34 minutes 48 seconds West along the North boundary of said Section 4, a distance of 1320.00 feet to a point at the Northeast corner of the Northwest Quarter of the Northeast Quarter of said Section 4, thence South 01 degrees 52 minutes 56 seconds West along the East boundary of the Northwest Quarter of the Northeast Quarter of said Section 4, a distance of 1071.00 feet to a point (having a record bearing of South), thence North 81 degrees 50 minutes 52 seconds West, a distance of 621.00 feet to a point (having a record bearing of West), thence South 04 degrees 21 minutes 54 seconds East, a distance of 174.80 feet to a railroad crosstie corner post (having a record bearing of South), the Point of True Beginning of the herein described tract,

THENCE from the Point of True Beginning, South 04 degrees 52 minutes 48 seconds West along an old established fence line, a distance of 311.46 feet to a railroad crosstie corner post, (having a record bearing of South and a record distance of 312.20 feet), THENCE North 66 degrees 10 minutes 36 seconds West along an old established fence line, a distance of 789.14 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", (having a record bearing of North 69 degrees 30 minutes West for a record distance of 790.00 feet), THENCE North 53 degrees 38 minutes 11 seconds West along an old established fence line, a distance of 230.19 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", (having a record bearing of North 57 degrees West for a record distance of 216.00 feet, more or less), THENCE North 46 degrees 44 minutes 01 seconds East, a distance of 124.27 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", (having a record bearing of North 34 degrees East for a record distance of 126.00 feet), THENCE North 50 degrees 47 minutes 07 seconds West, a distance of 208.96 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", on the southeasterly right – of – way of Elkton Street (60 foot right – of – way), (having a record bearing of North 57 degrees 45 minutes West), THENCE North 48 degrees 08 minutes 52 seconds East along the southeasterly right – of – way of said Elkton Street, a distance of 188.16 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", (having a record bearing of North 45 degrees East for a record distance of 201.60 feet), THENCE South 49 degrees 43 minutes 08 seconds East, a distance of 142.13 feet to a 5/8 inch rebar set with plastic cap stamped "RLS 15455 Ronnie G. Coffman", (having a record bearing of South 52 degrees 52 minutes East), THENCE South 62 degrees 22 minutes 57 seconds East, a distance of 853.88 feet to the Point of True Beginning (having a record bearing of South 67 degrees 30 minutes East for a record distance of 827.50 feet and containing 7.50 acres, more or less, with a relative error of closure no greater than one foot in ten thousand feet.

AND ALSO SUBJECT TO EASEMENTS AND RIGHT – OF – WAYS RECORDED OR UNRECORDED.

ADOPTED and APPROVED this, the 8th day of August, 2021.

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

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

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

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

PUBLIC HEARING RELATING TO A PROPOSED ORDINANCE TO REZONE +/-7.2 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF US HWY 31 S AT 2070 US HWY 31 FROM EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) TO R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS

James Rich, Public Works Director, addressed the City Council concerning the rezone and stated that the Planning Commission and staff recommend approval.

The public hearing was closed.

Councilman Harper introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 7.2 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF US HWY 31 S AT 2070 US HWY 31 FROM EST (ESTATE RESIDENTIAL & AGRICULTURAL ZONING DISTRICT) TO R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL ZONING DISTRICT), WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS.

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2022 – 2233

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from EST (Estate Residential & Agricultural Zoning District) to R-1-1 (Low Density Single Family Residential Zoning District).

The City Council of the City of Athens, Alabama, finds that “The Zoning Ordinance of the City of Athens, Alabama,” should be amended so as to rezone the hereinafter described area as R-1-1 (Low Density Single Family Residential Zoning District).

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

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

LOT 4 OF WAUCHULA FARMS SUBDIVISION AS RECORDED IN PLAT BOOK C PAGE 15 IN THE OFFICE OF THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA.

AND

COMMENCING THE SOUTHEAST CORNER OF LOT 4 ACCORDING TO THE FINAL PLAT FOR WAUCHULA FARMS AS RECORDED IN PLAT BOOK C PAGE 15 IN THE OFFICE FOR THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA, SAID POINT ALSO BEING THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING RUN NORTH 00°47'48" EAST AT A DISTANCE OF 454.64 FEET TO A POINT; THENCE RUN SOUTH 89°12'12" EAST AT A DISTANCE OF 150.00 FEET TO A POINT ON THE WESTERN RIGHT-OF-WAY FOR U.S. HIGHWAY 31; THENCE RUN SOUTH 00°47'48" WEST ALONG SAID RIGHT-OF-WAY AT A DISTANCE OF 701.47 FEET TO A POINT; THENCE RUN NORTH 88°08'06" WEST AT A DISTANCE OF 520.09 FEET TO A POINT; THENCE RUN NORTH 00°47'48" EAST AT A DISTANCE OF 244.15 FEET TO A POINT ON THE SOUTHWEST CORNER OF SAID LOT 4; THENCE RUN SOUTH 88°07'01" EAST ALONG THE SOUTHERN BOUNDARY OF SAID LOT 4 AT A DISTANCE OF 370.07 FEET AND BACK TO THE POINT OF BEGINNING. SAID TRACTS OF LAND CONTAIN 7.2 ACRES, MORE OR LESS.

ADOPTED and APPROVED this, the 8th day of August, 2022.

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

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes

CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Lucas 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, 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 Harper thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, 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 Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ALABAMA, to reappoint Jim Ernest to the Zoning Board of Adjustments for a three year term, expiring on August 22nd, 2025.

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

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following travel/education expenses:

Council President Chris Seibert	Attending Alabama Natural Gas Conference Orlando, FL June 11-15, 2022	\$ 960.27
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The motion was seconded by Councilwoman Henry and was unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION NUMBER 2022 - 1833

A RESOLUTION CONCERNING THE COMMITMENT OF ARPA FUNDING FOR HVAC UNIT FOR THE ATHENS ACTIVITIES CENTER

WHEREAS, the City Council desires to replace the existing 7.5 ton HVAC unit at the Athens Activities Center on Pryor Street (the “Athens Activities Center Improvement Project”);

WHEREAS, expenditures for government services (such as providing educational, social and recreational facilities for the general public) are qualified expenditures of *Coronavirus State and Local Fiscal Recovery Funds*; and

WHEREAS, the City Council finds and determines that this program has for its objective, a public purpose involving the promotion of public health, safety, morals, security, prosperity, contentment and the general welfare of the community.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on August 8TH, 2022 at 5:30 p.m., as follows:

1. The City does hereby budget, commit and earmark up to \$12,150 from the City’s allocation of *Coronavirus State and Local Fiscal Recovery Funds* in support of the Athens Activities Center Improvement Project.
2. The City expects to authorize the expenditure of the funds, and to approve a contract relating to the same, at a later date.

ADOPTED this the 8th day of August, 2022.

/s/ Chris Seibert

PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

Councilmember Harper moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Lucas, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, 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 Henry thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, 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 accept the low bid of \$1,175,585.55 from Taylor Electric for 2022 Transmission and Distribution Improvements, Bid A.

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, 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 Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, 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, to accept the hourly rate proposal from Taylor Electric for 2022 Transmission and Distribution Improvements, Bid B.

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

Councilman Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appoint Anthony Townsend to the City Board of Education to fulfill the term of James E Lucas, which expires on May 30, 2025.

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

David Malone, 1300 Somerest Drive, Athens, addressed the City Council with his concerns regarding Jimmy Gill Park. Mr. Malone asked for safety barriers to be installed for the basketball court, road traffic and around the pond.

Scott Marshall, 212 East Street, Athens, addressed the City Council and thanked the Public Works Department for patching holes in an alleyway. Mr. Marshall also expressed that he would like for the agenda to return to the original format for reading of petitions, applications, complaints, appeals, etc.

Kelly Range, 303 Brookwood Drive, Athens, addressed the City Council regarding the need for sidewalks to be connected.

Mae Davis, 1201 Plainview Circle, Athens, addressed the City Council regarding the condition of Brownsferry Street, which has been paved recently. James Rich, Public Works Director, stated that they have been in contact with the contractor and that it will be repaired. Ms. Davis also stated that there are an abundance of cats in her neighborhood and asked that code enforcement look into the situation.

Sharon Wilson, 2035 Luke Street, Athens, addressed the City Council regarding the problem of flooding on her property. Ms. Wilson provided pictures of her home to the Council and Mayor Marks. Mayor Marks stated that the City has contacted the property owner regarding the ditch and that the City will be cutting it soon. Ms. Wilson stated that she isn't worried about the ditch but about the mold in her home. Mayor Marks assured Ms. Wilson that cutting the ditch would be the first step to solving her problem and that he would keep in touch with her regarding the matter.

* * *

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

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK