

August 28, 2023

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West, Athens, Alabama, on August 28, 2023 at 4:30 p.m. The meeting was called to order by Councilman Harold Wales, President of the City Council. Upon roll call, the following were found to be present: Councilmembers Chris Seibert, Harold Wales, James E. Lucas, Dana Henry and Wayne Harper. Annette Barnes-Threet, City Clerk, was present and recorded the minutes of the meeting. Councilman Wayne Harper offered the invocation. Mayor Marks led the Pledge of Allegiance. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the August 14, 2023 City Council Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Lucas and was unanimously carried. The Chairperson stated that the Minutes of the August 14, 2023 City Council Work Session Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Lucas and was unanimously approved.

Mayor Marks praised the Athens High School football team for their win against East Limestone High School. The Mayor announced that the unveiling of the monument that recognized Mary Fletcher Wells, founder of Trinity School, took place on Saturday at Trinity Congregational Church. He noted that Summerfest, created by City of Athens employee, Todd Stovall, was held on the Square on Saturday and raised roughly \$4,000 for the Make-A-Way Foundation. The Mayor then read proclamations recognizing September as Childhood Cancer Awareness Month and Gynecological Cancer Awareness Month.

Councilman Lucas echoed Mayor Marks' remarks regarding the event honoring Mary Fletcher Wells. Mr. Lucas stated that it was very enjoyable spending time with her family and thanked everyone involved with making the event possible.

Council President Wales asked James Rich, Public Works Director, and Interim Police Chief Anthony Pressnell, to check on a home at 14850 Creek Lane that seems to be abandoned, a contractor's sign that is down on the corner of Greenfield Drive and property that needs to be cut on Lindsay Lane.

PUBLIC HEARING RELATING TO THE ZONING APPROVAL FOR THE SALE OF ALCOHOL IN THE CITY OF ATHENS BY LIL MAZZARA'S, 102 EAST WASHINGTON STREET, ATHENS, AL, 35611 (NEW BUSINESS)

No one spoke in favor of or against.

The public hearing was closed.

Dr. Joseph Olson, 409 Hoffman Street, Athens, spoke in opposition to approval of the alcohol license for Studio 16 Cigar Lounge. Dr. Olson asked the City Council to conduct a cost benefit and for them to be wise in their decision.

Steve Mosley, 1021 AL Hwy 251, Athens, spoke in opposition to approval of the alcohol license for Studio 16 Cigar Lounge. Mr. Mosley feels that there will be a conflict with the establishment and Marion Street Church of Christ.

Allan Yater, 17507 Carillon Street, Athens, spoke in opposition to approval of the alcohol license for Studio 16 Cigar Lounge. Mr. Yater stated that bars are not a safe place and he wants the children of Marion Street Church of Christ to be safe. He asked the City Council to reconsider the location.

Wayne Kuykendall, 309 South Clinton Street, Athens, spoke in opposition to approval of the alcohol license for Studio 16 Cigar Lounge. Mr. Kuykendall read a passage from the bible, Matthew 18:6, and stated that it would be a travesty for the children to have this in the front door of Marion Street Church of Christ.

Jerry Sandlin, 15154 Pike Road, Athens, spoke in opposition to approval of the alcohol license for Studio 16 Cigar Lounge. Mr. Sandlin stated that his opposition is based on the reasons listed in the letter that was sent to the City Council and that he believes it would be a recipe for disaster being so close to Marion Street Church of Christ.

Councilman Seibert introduced the following resolution:

RESOLUTION

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

James Hand	Alabama Fire Chiefs Conference Orange Beach, AL August 6-10, 2023	\$565.92
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The motion was seconded by Councilman Lucas 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 travel/education expenses for the following personnel of the Mayor's Office:

Holly Hollman	Mileage (Workshop) August 15, 2023 Alabama A & M Agribition Center	\$53.06
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The motion was seconded by Councilman Lucas 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 travel expenses in the following amount for Electric Department personnel:

Clint Hatchett		\$156.94
RCS-PCB Training-Franklin, TN		
Harrison Russell		\$154.57
TVPPA-Line Design & Staking Class-Level 3-Clarksville, TN		

The motion was seconded by Councilman Lucas 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 payment of budgeted travel/education expenses for the specified Water Services employee in the total amount of \$945.80.

Kyle Hutchinson (WTP)	AWPCA Conference Perdido Beach, AL August 14-17, 2023	\$945.80
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The motion was seconded by Councilman Lucas and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appoint Robert Malone as a member of the Houston Memorial Library Board of Directors for a four year term, expiring on August 28, 2027.

The motion was seconded by Councilman Lucas 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 “Manufacturer (Brewery)” alcohol license:

Business Name: Old Black Bear Brewing Company, LLC
Db: Old Black Bear Brewing Company
Address: 311 S. Marion Street
Athens, AL 35611

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

Councilman Seibert introduced the following resolution:

RESOLUTION

WHEREAS, the State of Alabama is offering a State and Local Cybersecurity Grant Program (SLCGP); and

WHEREAS, to be eligible to participate in this program, the City of Athens through its Information Technology Department must complete a cybersecurity survey, interest survey, and submit a local consent agreement form; and

WHEREAS, the Athens City Council can authorize the Mayor to execute the local consent agreement and interest survey;

NOW THEREFORE, the Athens City Council does hereby authorize Mayor William R. Marks to execute the local consent agreement and interest survey form on behalf of Athens. The Mayor is authorized to take actions and execute such other and further documents as may be necessary to effect and carry out the transactions contemplated by this Resolution.

ADOPTED this the 28th day of August, 2023.

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

The motion was seconded by Councilman Lucas 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 contract and manage the development of computerized base maps through a Memorandum of Understanding for Athens-Limestone GIS Consortium.

MEMORANDUM OF UNDERSTANDING

**COMMUNITY MAPPING AND DATA
MANAGEMENT SYSTEM PARTICIPATION**

ATHENS-LIMESTONE GIS CONSORTIUM

WHEREAS, a committee of interested organizations, including the City of Athens, Limestone County Commission, the Limestone County Water and Sewer Authority, Athens Utilities, the Athens-Limestone County Emergency Management Communication District (9-1-1), the Limestone County School District, and the Athens City School District have examined the needs and requirements for geographic information and have concluded that a Community Mapping and Database Management System (hereinafter GIS) is feasible and cost effective; and

WHEREAS, the City of Athens, Limestone County Commission, the Limestone County Water and Sewer Authority, Athens Utilities, the Athens-Limestone County Emergency Management Communication District (9-1-1), the Limestone County School District, and the Athens City School District (hereinafter Participants) desire to jointly participate in the creation and utilization of a GIS to more effectively manage information, avoid redundancy, and reduce the expense for their constituents and customers; and

WHEREAS, the participants fully understand the importance of developing and implementing a GIS and acknowledge the assessment of the costs and benefits to the Participants and the citizens of Athens and Limestone County;

NOW THEREFORE, as attested by the signatures below, there is an agreement among the Participants to proceed with the design, procurement, implementation, and operation of the components necessary to fully establish a GIS for the benefit of the community, citizens, industry, and government of Athens and Limestone County pursuant to the terms and conditions specified in this Memorandum of Understanding (hereinafter MOU) or any amendments hereto. This agreement is to be known as the Athens-Limestone GIS Consortium. The Chief Executive or the designated representative of each participating agency shall serve as a member of the GIS Steering Committee to direct the implementation effort subject to the following guidelines:

- 1) The city of Athens shall be designated as the PROJECT MANAGEMENT AGENCY and shall be responsible to the GIS Steering Committee for the establishment of the GIS as specified in this MOU.
- 2) The allocated shared costs among participants shall initially be:

Limestone County	23.4%
City of Athens	23.4%
Athens Utilities – Water/Wastewater	7.6%
Athens Utilities – Gas	7.6%
Athens Utilities – Electric	7.6%
Limestone County Water and Sewer Authority	7.6%
Athens-Limestone County Emergency Management Communications District (9-1-1)	7.6%
Limestone County School District	7.6%
Athens City School District	7.6%

Subsequent participants shall be assessed a pro rata share of the initial shared anticipated costs of the GIS in addition to an established percentage of the total costs based on an anticipated use and benefits of the system. The percentage of costs for which the initial Participants are responsible shall be adjusted by the GIS Steering Committee based on allocation of costs to new Participants. GIS will also recover costs by providing products and services to the non-participating organizations and reduce, proportionate to the established pro rata share, annual cost to the Participant.

- 3) As the PROJECT MANAGEMENT AGENCY:
 - a. The City of Athens will contract and manage the development of computerized base maps. This development shall include aerial photography, survey control, analytical triangulation, photogrammetric mapping, base map production, quality control of the base maps, and consultant surfaces.
 - b. The City of Athens or its representative will provide oversight and assist in the procurement of the needed hardware, software, and communication systems to the benefit of all GIS participants, including the sale of products and services to non-participating organizations.

- c. The City of Athens will assist in coordinating the management of other reasonable and necessary developmental functions including, but not limited to parcel map development, infrastructure and facility management databases, database maintenance activities and data sharing activities of the Consortium.
- 4) The City of Athens and the STEERING COMMITTEE shall establish a capital fund for maintenance/depreciation costs for the GIS which shall be established as a percentage of the costs of the annual budget for tasks associated with building the GIS. The percentage shall be determined on an annual basis and not exceed 10%.
- 5) The STEERING COMMITTEE shall establish TECHNICAL SUBCOMMITTEES to analyze, develop, promote, and review the technical and non-policy issues of the GIS.
- 6) The PROJECT MANAGEMENT AGENCY and the TECHNICAL SUBCOMMITTEES shall work with the STEERING COMMITTEE to establish, support, and provide other miscellaneous functions of the GIS relating to, but not limited to, the following: fee structures for non-participant's use of the GIS; access to custom maps and other products; system security, system expansion; system maintenance, staffing, training, and technical assistance of the GIS.
- 7) The PROJECT MANAGEMENT AGENT may enter the Consortium into agreements with larger area Consortiums upon a unanimous vote of members. All decisions that financially obligate the Consortium must be approved by a unanimous vote of the STEERING COMMITTEE. If a STEERING COMMITTEE Participant's representative is absent during the vote, the representative must be contacted for their vote.

The effective date of the Memorandum of Understanding will be September 1, 2023. This MOU provides the basic understanding among the Participants, and shall be amended from time to time by majority vote of the Consortium Members to accommodate the addition of new Participants, changes in the GIS, and to support agreements among the Participants to fund the acquisition, support, and maintenance of the GIS. The agreement is designed to be in place for a period of three (3) years from the effective date to foster a financial commitment from its members to further ensure long range success of the program.

Any of the parties to this agreement shall have the right to withdraw from this agreement by action of the Steering Committee and by giving the other parties six (6) month notice in writing. Parties withdrawing from the agreement before the expiration of the MOU shall be responsible for the total amount of their allocated cost share for the remaining term of the original agreement.

In recognition of the foregoing terms, the following representatives of the participating agencies have executed this MOU on the date specified.

_____	Date _____
William R Marks, Mayor City of Athens/Athens Utilities	
_____	Date _____
Harold Wales, City Council President City of Athens	
_____	Date _____
Collin Daly, Chairman Limestone County Commission	
_____	Date _____
Jerry Crabtree, Chairman Athens-Limestone County E9-1-1	
_____	Date _____
Daryl Williamson, CEO Limestone County Water and Sewer Authority	
_____	Date _____
Randy Shearouse, Superintendent Limestone County Schools	
_____	Date _____
Beth Patton, Superintendent Athens City Schools	

Blair Davis, Electric Department Manager
Athens Utilities – Electric Department

Date _____

Jimmy Junkin, Director of Water Services
Athens Utilities – Water and Wastewater Department

Date _____

Steve Carter, Gas Services Director
Athens Utilities – Gas Department

Date _____

Jackson Miller, GIS Administrator
Project Management Agency Representative
City of Athens

Date _____

Purpose

The Athens-Limestone GIS Consortium is founded on the concept of encouraging public agencies to share in the creation, use, and maintenance of GIS data sets at the least possible cost. Two key features of the Consortium are:

- Data creators (primary custodians) retain ownership of their GIS data sets, but agree to share it with other Consortium members for free or, at most, for the cost of copying it; and
- Users of the GIS data (secondary custodians) pass updates, corrections, and revisions back to the creators of the data set, resulting in improved data quality.

Computerized geographic data that is created, collected, processed, disseminated, and stored by public agencies in Athens/Limestone County, Alabama is a valuable information resource. This agreement will facilitate the sharing of Geographic Information System (GIS) data and improve access to computerized geographic data across all levels of government.

This agreement encourages public agencies to share in the creation, use, and maintenance of GIS datasets at the least possible cost, while providing citizens and other data users easy access to this resource, when appropriate. In addition, it is designed to:

- Reduce costs and duplication of effort;
- Increase awareness of the availability of existing datasets;
- Ensure completeness and accuracy of information describing the datasets (metadata);
- Ensure adherence to data standards;
- Improve the quality of data;
- Ensure interagency/interdepartmental cooperation via data access;
- Provide public access to information where appropriate; and
- Facilitate coordination of GIS data collection, maintenance, and sharing among State, Regional, County, and Local Agency users.

To the goals of the Athens-Limestone GIS Consortium, members must pledge to:

- 1) Share the benefits of data sharing through policies, standards, and services that maintain and promote the broadest possible access to the best available data and information resources while supporting the vitality of the geospatial industry.
- 2) Make accessible, whenever feasible, all geospatial data suitable for use by the consortium members
- 3) Establish strategic partnerships to develop and deploy geospatial applications through collaborations involving agencies throughout the state.
- 4) Collaborate with other consortium members in seeking additional funding for accumulation of geospatial data.
- 5) Facilitate cooperation between state and local governments and industry in geospatial data through cost sharing.
- 6) Add additional members that are approved by the Consortium.

- 7) Support compliance testing of proposed new software and hardware to ensure that new software and equipment will be fully compatible with data being shared within the Consortium. Sample data sets can be made available to prospective software and hardware vendors along with a compliance test procedure.

Scope

Under this MOU, cooperative activities between the Consortium member organizations include, but are not limited to, the exchange of geospatial data and the exchange of technical information and expertise in support of related activities. As funding allows, the Consortium will establish the infrastructure and procedures necessary to query, collect, receive, archive, access, process, and deliver these data to Consortium member organizations. The consortium will strive to expedite access to data that are contained within the member archives.

Governance

Membership within the Consortium shall include two statuses, member (voting) and affiliate member (non-voting). Consortium members may be Data distributors (archival and distribution nodes for geospatial data) or Data users. All members are expected to provide access to data and information developed by their respective departments. Data providers will take on the added responsibility of providing public access to data archives where appropriate. The Consortium is governed by a majority vote of its full members. Each full member shall have an equal vote. Responsibilities and resources shall be distributed according to the guidelines established by the Steering Committee. The PROJECT MANAGEMENT AGENCY shall be responsible to the GIS Steering Committee for the establishment of the GIS as specified in this MOU. The Consortium members shall meet at a minimum of 2 times a year to review the progress of the GIS program, review and revise the project implementation plan, address additional needs of the Consortium. Committees and other ad hoc groups may meet more or less frequently.

Responsibilities

Responsibilities of the member organizations are to:

- Participate in appropriate training programs, workshops, meetings, and seminars.
- Participate in preparation of joint reports, documents, and proposals as determined and agreed to by the members.
- Provide public access to data and information developed for the state/region by Consortium members where not limited by licensing restrictions and where deemed appropriate by the members.
- Data distribution custodians shall implement, operate, and maintain adequate facilities for archiving geospatial data and data products.
- Follow the Bylaws/Principles of Organization as agreed by the Consortium members and the responsible State and Federal Agencies.

Steering Committee		
Agency/Department	Primary Representative	Alternate Representative
City of Athens	Jackson Miller	Erin Tidwell
Limestone County	Hunter Daws	Todd Lawson
Athens Utilities – Electric Dept.	Carrie Lawrence	James Gray
Athens Utilities – Gas Dept.	Johnette Whitmire	Braxton Guinn
Athens Utilities – Water/Wastewater Dept.	Xavier DeKarske	Harrison Bauer
Limestone County Water & Sewer Authority	Brent Ledgewood	Alan Lash
Athens-Limestone County ECD (E9-1-1)	Lillian Mucha	Brandon Wallace
Limestone County School District	Rusty Bates	
Athens City School District	Mike O’Rear	Beth Patton

History

The first agreement was in effect from October 1, 2004 to October 1, 2007. The second agreement was in effect from October 31, 2007 to October 31, 2010. The third agreement was in effect from October 1, 2012 to October 1, 2015. The fourth agreement

was in effect from October 1, 2015 to October 1, 2018. The previous agreement was in effect from December 1, 2019 to December 1, 2022.

The motion was seconded by Councilman Lucas 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 purchase of one 91) 2023 John Deere 320 P-Tier Backhoe Loader for the Cemetery, Parks, and Recreation Department. The loader will be purchased from Warrior Tractor & Equipment Company, Inc., under State of Alabama purchasing contract Sourcewell # 032119 in an amount not to exceed \$130,000 to be funded from the existing CPR capital account.

The motion was seconded by Councilman Lucas 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 purchase of a 2023 John Deere 333G Compact Steer Loader from Trigreen Equipment, Sourcewell Contract #011723-JDC - 1T0333GMVPF452068, in the amount of \$94,436.00. This purchase shall be funded from the Street Department's existing capital account.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of Four Girls, LLC to rezone +/- 2.2 acres from R-1-2 (Medium Density Single Family Residential District) to M-1 (Light Industrial District), at the terminus of Edison Street and east of Cloverleaf Drive (Parcel # 44-10-05-16-4-002-001.000) within the corporate limits of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of Athens Utilities to rezone +/- 2.6 acres from M-1 (Light Industrial District) to R-1-2 (Medium Density Single Family Residential District), located at the terminus of Cloverleaf Drive and north of Sanderfer Road East within the corporate limits of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of VIP Land Development, LLC to rezone +/- 15.17

acres from EST (Estate Residential and Agricultural District) to R-1-5 (Single Family Attached Residential and Agricultural), located directly north of Strain Road West, approximately 2,500 feet east of U.S. Highway 31 South (parcel #s 44-10-05-21-0-001-010.000 and 44-10-05-21-0-001-011.000) within the corporate limits of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of Maund Family Farm, LLC to rezone +/- 1.2 acres from DWTN (Downtown District) to TI (Traditional Institutional District), located directly south of Market Street West and directly east of Strange Street (Parcel #s: 44-10-03-08-2-001-038.000 and 44-10-03-08-2-001-033.000 and 44-10-03-08-2-001-032.000) within the corporate limits of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of Johnnie Wilson, Mary Petty, and Fred Wilson to rezone +/- 2.06 acres from B-1 Neighborhood Business District and B-2 General Business District to R-1-3 High Density Single Family District, at 408 West Elm Street (Parcel #: 44-07-09-32-3-000-005.000), 318 West Elm Street (parcel #: 44-07-09-32-3-000-009.000 and 44-07-09-32-4-000-009.000), and 330 West Elm Street (parcel #: 44-07-09-32-3-000-010.000) within the corporate limits of the City of Athens.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing for the regular meeting at 4:30PM on September 25, 2023 to consider the request of William Matthew and Amy Winstead to annex +/- 3.3 acres and zone EST (Estate Residential and Agricultural), located at 25055 Airport Road (parcel # 44-07-09-29-0-001-018.001) within the corporate limits of the City of Athens.

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

Councilwoman Henry introduced the following resolution:

RESOLUTION NUMBER 2023 – 1906

Resolution Adopting Transportation Plan Pursuant to the Rebuild Alabama Act

WHEREAS, the Alabama legislature in Act. No. 2019-2 adopted the Rebuild Alabama Act;

WHEREAS, the Rebuild Alabama Act provides for an allocation among the municipalities of the state on the basis of the ratio of population of each municipality to the total population of all municipalities of the state a portion of the

additional taxes levied under the Act to be used for transportation infrastructure, improvement, preservation and maintenance;

WHEREAS, the Act provides that the municipal governing body of the City of Athens, Alabama, shall adopt an annual Transportation Plan no later than August 31 which shall provide a detailed list of projects for which expenditures are intended to be made in the next fiscal year and shall be based upon an estimate of the revenues anticipated from the fund in which the additional revenue is deposited during the next fiscal year; and

WHEREAS, the Act further provides that any such funds shall be used only for the maintenance, improvement, replacement, and construction of roads and bridges maintained by the City of Athens and such other uses as are defined in the Act.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Athens, Alabama as follows:

1. The City Council of the City of Athens, Alabama hereby passes this Resolution as its Transportation Plan submitted in compliance with the Rebuild Act, Act No. 2019-2.
2. Pursuant to the Act, the City Council of the City of Athens, Alabama estimates that its anticipated allocation from the Rebuild Alabama Act fund for the 2023-2024 fiscal year will be approximately \$200,000.
3. Pursuant to the Act, the City anticipates expending funds received pursuant to the Act, in part or in whole, to fund any of the following listed projects:
 - Elkton Street from Pryor Street to Elm Street
 - Hobbs Street from College Street to US Highway 31
 - Moyers Road
4. The City Clerk is hereby authorized and instructed to post a copy of this Resolution as its Transportation Plan in a conspicuous place at the City Municipal Hall, and also on the website of the City of Athens, Alabama.
5. The City Clerk has established a separate fund maintained by the City for receipt and deposit of funds received pursuant to the Act, the proceeds of which shall be expended solely for the maintenance, improvement, replacement and construction of roads and bridges maintained by the City and such other uses as are authorized by the Act.

ADOPTED and APPROVED this, the 28th day August, 2023.

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

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

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

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

seconded by Councilmember Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, 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 approve a purchase order to Alabama Guardrail to repair guardrails on Nuclear Plant Road and Elkton Road, in an amount not to exceed \$9,300.00 and shall be paid from Gas Tax funds.

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

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2023 - 1907

A RESOLUTION CONCERNING THE REPLACEMENT OF KEY CARD SYSTEM AT THE ATHENS POLICE STATION

WHEREAS, the City Council desires to replace the access control (key card system) at the Athens Police Station Facility through the purchase of replacement equipment from Gorrie Regan;

WHEREAS, the purchase of this equipment is a government service controlling the access to this facility which impacts the safety and security of the facility, Police Department employees and the general public; and

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

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on August 28, 2023 at 4:30 p.m., as follows:

1. The Mayor is authorized, to cause the City to purchase an Avigilon Access Control Solution from Gorrie Regan, for a cost of \$40,309.78.
2. The funds in support of this Resolution are authorized to be expended from the City’s allocation of *Coronavirus State and Local Fiscal Recovery Funds*.

ADOPTED this the 28TH day of August, 2023.

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

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on August 28, 2023, that the Council authorizes an unbudgeted capital amount of \$23,000.00 to be funded from the Water Services Department cash reserves for CR Environmental Service to perform a grit chamber performance evaluation at the WWTP, and the Water Services Department Director, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

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

Councilman Lucas introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on August 28, 2023, that the Council authorizes an additional unbudgeted capital amount of \$8,800.00 to the original consulting agreement and increasing the total agreement amount to \$88,500.00 to be funded from the Water and Sewer capital improvement fund for Barge Design Solutions to develop a water distribution system capital improvements master plan to cover the next twenty years, and the Water Services Director, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

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

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, at its meeting on August 28, 2023, that the Council authorizes the amount of \$75,327.00 for the purchase of a Dodge 4500 process maintenance service truck based on bid pricing, and the Water Services Director, for and on behalf of the City of Athens, is authorized to purchase this truck for the Water Services Department.

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

Councilwoman Henry 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 “Lounge Retail Liquor-Class 1” alcohol license:

Business Name: Studio 16 Cigar Lounge, LLC
Db: Studio 16 Cigar Lounge
Address: 112 N. Marion Street
Athens, AL 35611

The motion was seconded by Councilman Seibert.

President Wales began a discussion of the proposed resolution. He noted the concerns expressed by the members of the Marion Street Church of Christ (located on the same block as the proposed licensee), and how the ordinance allowed the council to consider a proposed licensee’s impact on its neighbors. Wales stated that he believed that the church’s concerns were reasonable, and he stated that he would vote against the resolution.

Councilman Seibert stated that this was a difficult issue, but that the council had carefully considered and approved the current distance limitations in the alcohol ordinance. He explained that this proposed location didn’t violate those guidelines, so it would be difficult for him to decline the application. Seibert said that if those distance requirements needed to be changed, then the council needed to amend the ordinance.

Councilman Harper stated that although he supported downtown and its business, he would oppose the resolution due to the many objections and concerns expressed to him by the church members about this proposed business.

There was no more discussion, and so President Wales called for the vote.

Councilwoman Henry, Councilman Seibert, and Councilman Lucas voted in favor of the proposed resolution.

Councilman Harper and President Wales voted against the proposed resolution.

The resolution was approved by a vote of 3-2.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2023 - 1908

A RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF FOUR NEW WORK TRUCKS FOR ATHENS WATER SERVICES

WHEREAS, the City of Athens, Alabama received sealed bids for four new work trucks (the “Trucks”);

WHEREAS, the City Council has reviewed the same, and finds that the lowest responsible bidder was Donohoo Chevrolet, LLC, who submitted a bid in the amount of \$173,746.00; and

WHEREAS, the City Council desires to award the contract for the purchase of the Trucks, and to authorize execution of the contract for the same.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on August 28th, 2023 at 4:30 p.m., as follows:

1. The contract for the City's purchase of the Trucks is hereby awarded to Donohoo Chevrolet, LLC, with respect to its bid of \$173,746.00.

2. The Mayor (and/or his designee) is authorized to formulate a contract that is in conformity with the bid specifications and proposal of the successful bidder, and to execute it in the name of, and on behalf of, the City. Such contract, at the Mayor's (and/or his designee's) reasonable discretion, may include further and additional terms that accomplish the purpose of this Resolution, to the extent that the same are not inconsistent with the bid specifications and proposal of the successful bidder, and are otherwise permitted by law.

3. The purchase of the Trucks shall be funded from Athens Water Services' existing 2023 budget.

4. The Mayor (and/or his designee) is further authorized to carry out the terms of such contract(s) as soon as may be practicable, and to execute such other and additional documents that may be necessary and/or required in order to facilitate the transaction described herein.

ADOPTED this the 28th day of August, 2023.

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

Wilbert Woodruff, 200 Christine Street, Athens, addressed the City Council concerning issues with Jimmy Gill Park. Mr. Woodruff's main concern is the pond that exists east of the park and that it lacks a barrier.

Scott Marshall, 212 East Street, Athens, addressed the City Council concerning the need for a "quiet zone" downtown from Lee Street to Pryor Street.

Martha Pryor, 1210 Miller Street, Athens, addressed the City Council with concerns that a "flea market" on Hine Street and a

lot that is covered with concrete debris. Councilman Lucas assured Ms. Pryor that the situation is being addressed.

* * *

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

/s/ Harold Wales
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK