

October 25, 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 October 25, 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, Frank Travis, Chris Seibert, Dana Henry and Harold Wales. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper offered the invocation. Mayor Marks led the Pledge of Allegiance. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the October 11, 2021 City Council Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Wales and was unanimously carried. The Chairperson stated that the Minutes of the October 11, 2021 City Council Work Session Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Wales and was unanimously carried.

Mayor Marks reminded everyone that Trunk or Treat will be held on the Square on Sunday, October 31, 2021. He also announced that Diadelos Muretos/Day of the Dead Festival would take place on November 2, 2021 from 4pm to 8pm. Mayor Marks noted that the Veteran's Day Parade and Hope for Athens would take place on November 6, 2021.

Councilman Travis commented regarding redistricting for the City Council and wants anyone interested to be able to have a voice in the matter. Mr. Travis also noted that he would like to be a part of the process for appropriation allocations for FY2022.

Mayor Marks assured the Council that redistricting maps would not be finalized without going before the City Council and that appropriations would be presented to them soon.

Councilwoman Henry encouraged everyone to visit the new garden at Athens-Limestone Public Library.

Earl Glaze, Building Maintenance and Sanitation Director, updated the Council regarding the construction of Jimmy Gill Park. Mr. Glaze noted that there have been some material delays and that the playground equipment may not be received until after the first of the year. He is hoping that the City can have a grand opening at some point.

Council President Harper praised Mr. Glaze and his workers on the construction of the park.

Chuck Bradley, 24943 Queen Anne's Lace, Athens, addressed the City Council concerning an article by Erica Smith with the Decatur Daily. Mr. Bradley read the article, which quoted Matt Davidson, City Planner, and asked Mr. Davidson when he had received his copy of the traffic study for the intersection of Cambridge Lane and Highway 72. Mr. Davidson stated that he didn't recall but that it was emailed to him. Council President Harper noted that the City has been served with a lawsuit concerning the matter in which Mr. Bradley is referring to and that no questions would be answered. Mr. Bradley stated that he was told that he could address the employees regarding the study and wanted to know why it had not been addressed. Council President Harper again stated that the subject would not be discussed.

Zach Trotter, 1410 Tower Street, Athens, addressed the City Council concerning his home and his neighbor's homes. He stated that they need respectful neighbors on their street and asked that the Police Department please help them. He also praised Councilwoman Henry for being on the Council and for listening to them.

David Malone, 1300 Somerest Drive, Athens, addressed the City Council concerning division. Mr. Malone encouraged the City Council to work together to take care of the citizens of Athens. He stated that the City Council members should be concerned with all of the districts and not just their own.

Ralph Diggins, 100 Willow Street, Athens, addressed the City Council regarding the foresight of any significant increases in utility bills concerning natural gas. Steve Carter, Gas Department Manager, stated that prices are going up but that he does the best that he can to keep the costs down and doesn't anticipate a significant increase. Mr. Diggins praised Mr. Carter for doing a great job.

Kelly Range, 303 Brookwood Drive, Athens, addressed the Council concerning decency, respect and obscenity. Mr. Range remarked that he was there to address banners and materials on roadways with obscenities. Mr. Range asked if anyone had tried contacting the owner of the home in question and Councilman Wales responded that he had mailed a letter. He also wanted to know if anyone had reached out to other cities and Mr. Wales stated that he had. Mr. Range asked the Council to come up with a way to deal with the situation.

George Lockett, 934 East Strain Road, Athens, addressed the Council concerning a project in his area. Mayor Marks stated that he has a map of the project, which is for sewer lines. Mr. Lockett asked when the project would start and if his trees would be taken down. Mayor Marks told Mr. Lockett that he would arrange a meeting with Jimmy Junkin, Water/Wastewater Manager.

**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 "Restaurant Retail Liquor" alcohol license:

Business Name: Athens OPCO, LLC  
Db: Buffalo Wild Wings  
Address: 22099 Hwy 72 E  
Athens, AL 35613

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

**Councilman Seibert introduced the following resolution:**

#### **RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, AL to approve the purchase of 8 Ipad's and Protective Cases at a cost not to exceed \$7000.00, to be funded from the existing Fire Department capital account.

The motion was seconded by Councilman Wales 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 2021 John Deere Excavator in the amount of \$109,683.00 to Warrior Tractor and Equipment, Inc.

The motion was seconded by Councilman Wales 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 November 8, 2021 to review the request of Kenneth J. Jr. and Shana C. Winter to annex +/- 4.6 acres of property located at 16487 Oakdale Road, and zone property into an EST (Estate Residential and Agricultural District) within the corporate limits of the City of Athens.

The motion was seconded by Councilman Wales 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 November 8, 2021 to review the request of Dhanvi I, Inc. to **rezone +/-3.217 acres** located on the northwest corner of Nick Davis Rd & Oakdale Rd. at 16771 Oakdale RD. from R-1-1 (Low Density Single Family Residential) to B-1 (Neighborhood Business District) within the corporate limits of the City of Athens.

The motion was seconded by Councilman Wales 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 November 8, 2021 to review the request of Lindsay Properties I LLC. to **rezone +/-12 acres** located at 214 Sanderfer RD. from R-1-3 (High Density Single Family Residential) to R-2 (Multiple Family Residential District) located on the west side of S. Jefferson St, approximately 1,000 ft north of Sanderfer Rd. within the corporate limits of the City of Athens.

The motion was seconded by Councilman Wales 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 November 8, 2021 to review the request of Gordon A. Swint & Linda K. Swint et al. to REZONE +/-29.8 acres from R-1-3 (High Density Single Family Residential) to R-1-5 (Single Family Townhouse Attached Residential district), located approximately 1/3 mile north of the intersection of Athens-Limestone Blvd and US Hwy 72 within the corporate limits of the City of Athens.

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

**Councilman Wales introduced the following resolution:**

**RESOLUTION NUMBER 2021 - 1773**

**WHEREAS**, the City of Athens has solicited and received bids from qualified construction companies to construct “ALDOT Project No. IAR-042-000-013 Elm Street (SR-99) and Wilkinson Street Intersection Improvements” in accordance with the approved plans and specifications;

**WHEREAS**, the Athens City Council and Morell Engineering have evaluated the bids received and have determined that Grayson Carter & Son Contracting, Inc. is the lowest responsible and responsive bidder for the construction of the aforementioned project;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA**, that the City of Athens hereby accepts the bid received from Grayson Carter & Son Contracting, Inc. for “ALDOT Project No. IAR-042-000-013 Elm Street (SR-99) and Wilkinson Street Intersection Improvements” and hereby authorizes the Mayor to enter into a construction contract with Grayson Carter & Son Contracting, Inc. in the amount of \$723,349.68 to complete the construction of the above-mentioned project.

**ADOPTED** this the 25<sup>th</sup> day of October, 2021.

/s/ Wayne Harper

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, 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 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 resolution had been unanimously carried.

**Councilman Wales introduced the following resolution:**

**RESOLUTION NUMBER 2021 - 1774**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA**, that the City of Athens hereby authorizes the Mayor to enter into an agreement with Morell Engineering, Inc. in the amount of \$72,350.32 for the construction engineering and inspection (CE&I) of “ALDOT Project No. IAR-042-000-013 Elm Street (SR-99) and Wilkinson Street Intersection Improvements.”

**ADOPTED** this the 25<sup>th</sup> day of October, 2021.

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

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

**RESOLUTION NUMBER 2021 - 1775**

**A RESOLUTION CONCERNING TENNECO AND ITS TAX ABATEMENT AGREEMENT**

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**WHEREAS**, on July 26, 2021, the City Council approved Resolution #2021-1757 (the “Resolution”) authorizing a Tax Abatement Agreement with Tenneco, relating to the abatement of certain state and local non-educational taxes (the “Agreement”); and

**WHEREAS**, Tenneco has requested that the Resolution and Agreement be revised to replace the name “Tenneco” with “Federal-Mogul Power, LLC (d/b/a Tenneco)”.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on October 25, 2021 at 5:30 p.m., the Resolution is hereby amended to replace the word “Tenneco” with “Federal-Mogul Power, LLC (d/b/a Tenneco)”, and that the Mayor is authorized to enter into an amendment of the Agreement which makes the same replacement.

**ADOPTED** this the 25<sup>th</sup> day of October, 2021.

/s/ Wayne Harper

PRESIDENT, CITY COUNCIL,  
CITY OF ATHENS, ALABAMA

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 attached organizational chart for the Gas Department, which includes which includes the following 36 regular status positions and 2 part time positions: (see organizational chart at end of minutes)

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 (9)
11. Equipment Operators (4)
12. Measurement Technicians (5)
13. Locator Technicians (3)
14. Administrative Assistant
15. Building Maintenance Technician

The motion was seconded by Councilman Travis 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:

- Building Maintenance Technician, Grade 6, Job description dated 9/10/2021

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

**Councilman Travis introduced the following ordinance:**

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

**ORDINANCE NUMBER 2021 - 2192**

**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: 10/19/2021.

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

- (1) **Building Maintenance Technician**

**ADOPTED** this the 25<sup>th</sup> day of 2021

/s/ Wayne Harper  
PRESIDENT, CITY COUNCIL,  
CITY OF ATHENS, ALABAMA  
/s/ William R. Marks  
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

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

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, 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 Travis 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, as follows: Chris Seibert is hereby elected as President of the City Council for a term of November 8<sup>th</sup>, 2021 through October 31<sup>st</sup>, 2022.

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

**Councilman Travis introduced the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows: Harold Wales is hereby elected as President Pro Tem of the City Council for a term of November 8<sup>th</sup>, 2021 through October 31<sup>st</sup>, 2022.

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

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

/s/ Wayne Harper  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes  
CITY CLERK