

November 8, 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 November 8, 2021 at 5:30 p.m. The meeting was called to order by Councilman Chris Seibert, 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-Threet, City Clerk, was present and recorded the minutes of the meeting. Chris Seibert 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 25, 2021 City Council Meeting had been submitted for approval. Councilman Wales moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried. The Chairperson stated that the Minutes of the October 25, 2021 City Council Work Session Meeting had been submitted for approval. Councilman Wales moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried.

Mayor Marks remarked that the Veteran's program will be Wednesday, November 10th at Athens High School and also a program will be held at the Veteran's Museum on Thursday, November 11th. The Mayor reported that Merchant's Alley is officially open and that everyone should visit. He announced that Christmas Open House on the Square will be November 19th through the 21st. Mayor Marks complimented the Mayor's Youth Commission for participating in the diaper drive for the Food Bank of North Alabama. The Mayor noted that November is "No Shave November" and that he had given permission for employees of the Police Department to participate. Mayor Marks announced that the ground breaking for Buc-ee's will be on November 17, 2021. The Mayor also announced that a fundraiser for Jessi Bradford, daughter of Bert Bradford, CPR Director, will be held on November 18, 2021 at Leak City. He then mentioned that the City was not approved previously in 2020 for a grant to repair Vine Street but that hopefully, the City would hear something soon from ADECA regarding funding. The Mayor stated that a \$4,000 grant has been awarded for a joint video with the City and County for marketing recreational activities within Limestone County.

Councilman Travis acknowledged the Hope for Athens Day that was held on Saturday, November 6th and said that it was a huge success with over 1,500 in attendance.

Councilwoman Henry announced that the Athens-Limestone Public Library will be hosting a book launch by Sallie Cowart Brock at 7:00 pm on Tuesday, November 9th. The book celebrates the Athens High School Band from 1938-2000.

Council President Seibert echoed the Mayor's comments regarding Merchants Alley and Veteran's Day. President Seibert asked that everyone please thank a veteran for their service.

PUBLIC HEARING – RELATING TO A PROPOSED ORDINANCE TO REZONE +/-3.217 ACRES LOCATED AT 16771 OAKDALE RD. FROM R-1-1 (LOW DENSITY SINGLE FAMILY RESIDENTIAL) TO B-2 (NEIGHBORHOOD BUSINESS DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS (DHAVI I, INC., APPLICANT)

Matt Davidson, City Planner, addressed the City Council concerning the rezone and stated that the Planning Commission recommended approval.

No one spoke in favor of or against.

The public hearing was closed.

Councilman Harper introduced the following ordinance:

AN ORDINANCE TO REZONE +/-3.217 ACRES LOCATED 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. (DHAVI I, INC. APPLICANT)

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 – 2193

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 R-1-1 (Low Density Single Family Residential) to B-1 (Neighborhood Business 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 B-1 (Neighborhood Business District).

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

A tract or parcel of land located in the Northeast Quarter of Section 11, Township 3 South, Range 4 West, Limestone County, Alabama, and being more particularly described as follows, Commencing at an existing railroad spike at the Northeast corner of Section 11, Township 3 South, Range 4 West; thence South 01 degrees 13 minutes 42 seconds West along the East boundary of said Section 11 a distance of 1044.00 feet to a Mag Nail set, the Point of True Beginning of the herein described tract; thence from the Point of True Beginning continue South 1 degrees 13 minutes 42 seconds West a distance of 238.23 feet to a Mag Nail set, said Mag Nail located North 01 degrees 13 minutes 42 seconds East a distance of 46.22 feet from a Mag Nail set at the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 11; thence South 79 degrees 12 minutes 35 seconds West a distance of 39.85 feet to a 5/8 inch rebar set with plastic cap stamped “RLS 15455 Ronnie G. Coffman”, on the West right-of-way of Oakdale Road (60.00 foot right-of-way), passing a Mag Nail set in the centerline of Oakdale Road at a distance of 9.13 feet; thence South 38 degrees 15 minutes 28 seconds West a distance of 102.39 feet to a 5/8 inch rebar set with plastic cap stamped “RLS 15455 Ronnie G. Coffman”, on the North right-of-way of Nick Davis Road (60.00 foot right-of-way); thence along the North right-of-way of Nick Davis Road in a curve to the right having a delta angle of 00 degrees 42 minutes 55 seconds, a radius of 5699.60 feet, an arc distance of 71.16 feet, and a chord bearing of South 81 degrees 52 minutes 43 seconds West for a chord distance of 71.16 feet to an existing concrete right-of-way monument; thence continue along the North right-of-way of Nick Davis Road, South 82 degrees 14 minutes 11 seconds West a distance of 250.21 feet to a 5/8 inch rebar set with plastic cap stamped “RLS 15455 Ronnie G. Coffman”; thence North 01 degrees 13 minutes 42 seconds East a distance of 382.30 feet to a 5/8 inch rebar set with plastic cap stamped “RLS 15455 Ronnie G. Coffman”; thence South 88 degrees 18 minutes 36 seconds East a distance of 418.00 feet to the Point of True Beginning, passing a 5/8 inch rebar set with plastic cap stamped “RLS 15455 Ronnie G. Coffman”, in the West right-of-way of Oakdale Road at a distance of 380.74 feet, and also passing a Mag Nail set in the centerline of Oakdale Road at a distance of 410.74 feet, and containing 3.217 acres, more or less, with a relative error of closure no greater than one foot in 10,000 feet.

Being the same property conveyed in Deed Recorded Book 1999, page 8912 of the Limestone County, State of Alabama records.

LESS AND EXCEPT: A tract of land containing 1.82 acres, more or less, situated in the Northeast quarter of section 11, Township 3 South, Range 4 West, Limestone County, Alabama, being more particularly described as follows: Beginning at the Northeast corner of section 11, Township 3 South, Range 4 West, Limestone County, Alabama; thence run South 01 degrees 13 minutes 42 seconds West along the East boundary of said section 11 for a distance of 1282.23 feet to a point; thence run South 79 degrees 12 minutes 35 seconds West for a distance of 39.65 feet to a point; thence run South 38 degrees 16 minutes 28 seconds West for a distance of 102.39 feet to a point on the North right-of-way margin of Nick Davis Road; thence run along said right-of-way margin in a curve to the right having a delta angle of 00 degrees 42 minutes 55 seconds, a radius of 5699.60 feet, an arc distance of 71.16 feet, and a chord bearing of South 61 degrees 52 minutes 43 seconds West for a chord distance of 71.15 feet; thence run South 82 degrees 14 minutes 11 seconds West for a distance of 29.50 feet to a point, said point being the true point of beginning; thence continue South 62 degrees 14 minutes 11 seconds West for a

distance of 220.71 feet to a point; thence run North 01 degrees 13 minutes 42 seconds East for a distance of 382.30 feet to a point; thence run South 88 degrees 18 minutes 36 seconds East for a distance of 218.00 feet to a point; thence run South 01 degrees 13 minutes 42 seconds West for a distance of 346.05 feet to a point and back to the true point of beginning.

ADOPTED and APPROVED this, the 8th day of November, 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 Wales moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Travis, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember 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, 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.

PUBLIC HEARING – RELATING TO THE PROPOSED ORDINANCE TO REZONE +/-29.8 ACRES LOCATED APPROXIMATELY 1/3 MILE NORTH OF THE INTERSECTION OF ATHENS-LIMESTONE BLVD AND U.S. HWY 72 FROM R-1-3 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) TO R-1-5 (SINGLE FAMILY TOWNHOUSE ATTACHED RESIDENTIAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS (GORDON A. SWINT, APPLICANT)

Matt Davidson, City Planner, addressed the City Council concerning the rezone and stated that the Planning Commission recommended approval.

Taz Morell, Morell Engineering, spoke on behalf of the applicant and asked for the Council’s consideration.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

AN ORDINANCE TO REZONE +/-29.8 ACRES LOCATED APPROXIMATELY 1/3 MILE NORTH OF THE INTERSECTION OF ATHENS-LIMESTONE BLVD AND US HWY 72 FROM R-1-3 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) TO R-1-5 (SINGLE FAMILY TOWNHOUSE ATTACHED RESIDENTIAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS. (GORDON A. SWINT, APPLICANT)

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 – 2194

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 R-1-3 (High Density Single Family Residential) to R-1-5 (Single Family Townhouse Attached Residential 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-1-5 (Single Family Townhouse Attached Residential District).

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

COMMENCING AT A CONCRETE MONUMENT FOUND AT THE NORTHEAST CORNER TRACT 18 ACCORDING TO THE FINAL PLAT FOR CENTERPOINT CROSSING AS RECORDED IN PLATBOOK "G" PAGE 202 IN THE OFFICE FOR THE JUDGE OF PROBATE FOR LIMESTONE COUNTY, ALABAMA, SAID POINT ALSO BEING ON THE WESTERN RIGHT-OF-WAY FOR INTERSTATE 65, THENCE RUN ALONG SAID RIGHT-OF-WAY NORTH 02°01'57" EAST AT A DISTANCE OF 1,189.76 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID RIGHT-OF-WAY RUN NORTH 88°54'38" WEST AT A DISTANCE OF 808.15 FEET TO A POINT;

THENCE RUN NORTH 01°05'22" EAST AT A DISTANCE OF 1257.66 FEET TO A POINT;

THENCE RUN NORTH 34°46'16" EAST AT A DISTANCE OF 16.51 FEET TO A POINT;

THENCE RUN NORTH 85°20'48" EAST AT A DISTANCE OF 139.93 FEET TO A POINT;

THENCE RUN NORTH 35°52'25" EAST AT A DISTANCE OF 80.07 FEET TO A POINT;

THENCE RUN NORTH 48°29'43" EAST AT A DISTANCE OF 100.03 FEET TO A POINT;

THENCE RUN NORTH 25°06'49" EAST AT A DISTANCE OF 201.94 FEET TO A POINT;

THENCE RUN NORTH 72°11'09" EAST AT A DISTANCE OF 93.29 FEET TO A POINT;

THENCE RUN NORTH 18°54'45" EAST AT A DISTANCE OF 155.23 FEET TO A POINT;

THENCE RUN SOUTH 30°51'40" EAST AT A DISTANCE OF 74.93 FEET TO A POINT;

THENCE RUN NORTH 73°35'00" EAST AT A DISTANCE OF 59.98 FEET TO A POINT;

THENCE RUN NORTH 06°06'15" EAST AT A DISTANCE OF 45.06 FEET TO A POINT;

THENCE RUN NORTH 70°03'39" EAST AT A DISTANCE OF 65.00 FEET TO A POINT;

THENCE RUN NORTH 78°09'31" EAST AT A DISTANCE OF 99.97 FEET TO A POINT;

THENCE RUN SOUTH 12°48'10" EAST AT A DISTANCE OF 49.95 FEET TO A POINT;

THENCE RUN SOUTH 89°20'17" EAST AT A DISTANCE OF 80.85 FEET TO A POINT ON SAID RIGHT-OF-WAY;

THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 02°01'57" WEST AT A DISTANCE OF 1778.72 FEET AND BACK TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 29.8 ACRES, MORE OR LESS.

ADOPTED and APPROVED this, the 8th day of November, 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 Travis moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Harper, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, 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 Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

PUBLIC HEARING – RELATING TO THE PROPOSED ORDINANCE TO REZONE +/-12 ACRES LOCATED AT 214 SANDERFER ROAD FROM R-1-3 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) TO R-2 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS (LINDSAY PROPERTIES I, LLC, APPLICANT)

Matt Davidson, City Planner, addressed the City Council concerning the rezone and stated that the Planning Commission recommended approval.

John Michael Huggins, 318 Plantation Way, addressed the Council on behalf of the developer and asked for their consideration.

The public hearing was closed.

Councilman Travis introduced the following ordinance:

AN ORDINANCE 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) WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS. (LINDSAY PROPERTIES I, LLC APPLICANT)

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 – 2195

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 R-1-3 (High Density Single Family Residential) to R-2 (Multiple Family Residential 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-2 (Multiple Family Residential District).

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

A tract of land located in the Southeast 1/4 of the Southwest 1/4 of Section 17, Township 3 South, Range 4 West, Limestone County, Alabama and being more particularly described as follows:

Commence at the Northeast corner (calculated, no monument found) of the Southeast 1/4 of the Southwest 1/4 of said Section 17; thence (NAD-83 Alabama State Plane West Basis of Bearings) North 87°46'01" West a distance of 34.19 feet to an iron pin found capped Coffman 15455 on the west right of way line of Jefferson Street (100-foot right of way width) which is the Point of Beginning; thence with said right of way line, South 00°45'51" West a distance of 404.13 feet to a point; thence leaving said right of way line, North 87°46'01" West a distance of 1288.84 feet to a point; thence North 00°05'30" West a distance of 404.33 feet to an iron pin found capped Coffman 15455; thence South 87°46'01" East a distance of 1294.88 feet to the point of beginning, having an area of 11.98 acres, more or less.

ADOPTED and APPROVED this, the 8th day of November, 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, 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 Harper 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.

PUBLIC HEARING – RELATED TO THE PROPOSED ORDINANCE TO ANNEX +/-4.6 ACRES OF PROPERTY LOCATED AT 16487 OAKDALE ROAD AND ZONE THE PROPERTY INTO AN EST – ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS (KENNETH J. JR. AND SHANNA C. WINTER, APPLICANTS)

Matt Davidson, City Planner, addressed the City Council regarding the annexation and stated that the Planning Commission does not recommend approval. Mr. Davidson stated that staff also does not recommend approval but is in support of the annexation but does not feel that the requested Estate Residential and Agricultural zoning is consistent with the recent trending development in the area which has been primarily been R-1-1, R-1-2 and R-1-3 Single Family developments.

Kenny Winter, 22326 Kennemer Lane, applicant, addressed the Council concerning the annexation. In summary, Mr. Winter stated that he did not understand why the annexation was not recommended for approval. He said that he wants to bring this property into the City for residential development with the same zoning as the neighboring property to the north (owned by the Rich family). He also stated that as it stands, there are not any buffer requirements for this property. Mr. Winter commented that this annexation would increase tax revenue and that he wouldn't have a problem with annexing as R-1-1 if the Rich Family would agree to the same. He stated that he only wants what is already zoned in that area.

Jeff Rich, 2401 Covemont Drive, Huntsville, spoke on behalf of his parents, James E. and Marie T. Rich concerning the annexation presented to the Council. In summary, Mr. Rich stated if the annexation is approved with the currently proposed zoning, that it would have an adverse impact on the anticipated future development of the Rich property. He explained that a TVA easement across his family's property, in conjunction with the buffer requirements that would be imposed due to the annexed property's zoning district, would frustrate a large portion of the Rich family for residential development. Mr. Rich noted that his family is in opposition of the annexation.

Wayne Wolfe, 23143 Founders Circle, addressed the Council concerning the annexation for Mr. Winter. In summary, Mr. Wolf stated that he was a friend of Mr. Winter and wanted to speak on his behalf. He commented that he does not think that it's fair to deny the annexation.

Council President Seibert announced, without objection from the council members, that the proposed ordinance would be offered for "Introduction Only" and that the Council would take up the matter in two weeks at its next regular meeting on November 22, 2021.

Councilman Wales made for "Introduction Only" the following ordinance:

AN ORDINANCE TO ANNEX +/- 4.6 ACRES OF PROPERTY LOCATED AT 16487 OAKDALE RD AND ZONE THE PROPERTY INTO AN EST – ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS. (KENNETH J. JR. AND SHANNA C. WINTER)

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 - _____

WHEREAS, on the 21st day of September, Kenny Winter et al. being the owners of the real property hereinafter described, did request to the Planning Commission of the City of Athens, Alabama, that the tracts or parcels of land described herein be annexed to and become part of the City of Athens; and

WHEREAS, said petitions did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Athens, Alabama; and

WHEREAS, it is in the public interest that said property be annexed into the City of Athens, and all legal requirement for annexing said real property have been met pursuant to Section 11-42-20 through 11-42-24, Code of Ala. 1975; and

WHEREAS, the petitioners request that this property when annexed, be zoned EST – Estate Residential and Agricultural District; and

WHEREAS, the Planning Commission of the City of Athens, Alabama has reviewed this request, and did not recommend that the City Council approve the annexation and the zoning of the hereinafter described area as EST – Estate Residential and Agricultural District; and

WHEREAS, this Ordinance, if adopted, would annex the property and zone it EST – Estate Residential and Agricultural District.

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

SECTION 1: The City Council of the City of Athens, Alabama, finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory in Section 2 of this ordinance into the City of Athens.

SECTION 2: The boundary lines of the City of Athens, Alabama are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Athens, Alabama, and in addition thereto to the following described territory, to wit:

The following described real estate situated in Limestone County, Alabama, to-wit:

COMMENCING AT A RAILROAD SPIKE FOUND AT THE SOUTHEAST CORNER OF SEC.11, T3S, R4W., THENCE RUN NORTH 00°05'35" WEST AT A DISTANCE OF 1658.16 FEET TO A POINT; THENCE RUN NORTH 89°37'11" WEST AT A DISTANCE OF 30.84 FEET TO A 5/8" REBAR FOUND ON THE WESTERN RIGHT-OF-WAY FOR

OAKDALE ROAD; THENCE RUN ALONG SAID RIGHT-OF-WAY NORTH 00°03'25" WEST AT A DISTANCE OF 859.11 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID RIGHT-OF-WAY RUN SOUTH 89°46'46" WEST AT A DISTANCE OF 1333.68 FEET TO A POINT; THENCE RUN NORTH 01°24'18" WEST AT A DISTANCE OF 150.03 FEET TO A 1/4" METAL ROD; THENCE RUN NORTH 89°46'46" EAST AT A DISTANCE OF 1337.21 FEET TO A POINT ON SAID RIGHT-OF-WAY; THENCE RUN ALONG SAID RIGHT-OF-WAY SOUTH 00°03'25" EAST AT A DISTANCE OF 150.00 FEET BACK TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 4.6 ACRES, MORE OR LESS.

SECTION 3: The territory described in this ordinance shall become a part of the corporate limits of Athens, Alabama upon publication of this ordinance.

SECTION 4: That all of the described area or real estate in Section 2, above is hereby zoned as EST – Estate Residential & Agricultural District, in accordance with and defined by “The Zoning Ordinance of the City of Athens, Alabama,” and the areas which are zoned as aforesaid situated in Athens, Limestone County Alabama.

SECTION 5: This ordinance shall be published as provided by law, and a certified copy of same, together with certified copies of the petitions of the property owners, shall be filed with the Probate Judge of Limestone County, AL.

ADOPTED and APPROVED this, the ____ day of _____, 2021.

CHRIS SEIBERT, CITY COUNCIL PRESIDENT

WILLIAM R. MARKS, MAYOR

ATTEST:

ANNETTE BARNES, CITY CLERK

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City of Athens, Alabama on the _____ day of _____, 2021.

Witness my hand and seal of office this the _____ day of _____, 2021.

City Clerk

President Seibert then asked if there was anyone in the audience that would like to address the City Council.

George Lockett, 934 East Strain Road, Athens, addressed the Council concerning sewer lines that are scheduled to be installed. Mayor Marks asked Jimmy Junkin, Water/Wastewater Manager, if someone was marking outside of the right-of-way on people’s property. Mr. Junkin stated that he did not see any areas that were marked off of the right-of-way. Mayor Marks asked Mr. Lockett to meet with Mr. Junkin to clear up the matter before the next Council meeting. Council President Seibert asked the gentlemen to step out and set a time to meet.

Randy Hamilton, 11200 John Pugh Road, Houston Place, addressed the Council on behalf of Barbara Lindsay, regarding her property at the end of Hatfield Road. He stated that they received an email from a developer regarding the sewer line that would cross her property and that he believes there is a lack of communication because no one has contacted them about this line since. Mayor Marks stated that he would send a map of the proposed work to Mr. Hamilton.

Debra Wood, 1300 Montreat Drive, Athens, addressed the Council concerning the drainage and mud that she has approached the Council about in past meetings. Ms. Wood stated that the street is still muddy and that the ditch hasn't been touched in years. She expressed that she believes that the City can do better. Mayor Marks said that he would follow up. Ms. Wood noted that it would rain later in the week and that she would have more mud and dirt. Councilman Travis said that there would be a follow up in the next couple of days and Ms. Wood said that she would hold the Council to it.

Laverne Gilbert, 609 Levert Avenue, Athens, addressed the Council concerning trash within the City of Athens. Ms. Gilbert stated that trucks are driving by and not picking up trash and wanted to know why. Council President Seibert commented that if no one lives at a particular location and if utilities were not on, the Sanitation Department would not pick up the trash. Earl Glaze, Sanitation Director, stated that they try to contact the owner of the property and that the City didn't provide a free service. Ms. Gilbert suggested that the Sanitation Department picks this type of garbage up in other communities, and Mr. Glaze stated that was not correct, that all communities were treated the same. Councilman Seibert stated that hopefully, they could find out who the property belongs to and have the trash removed.

Kelly Range, 303 Brookwood Drive, Athens, addressed the Council regarding money spent on consultants. Mr. Range asked about the Master Plan and when it would be rolled out to the public. Mayor Marks noted that a park plan would be presented in the near future.

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF ATHENS, ALABAMA to designate the additional three dates for FY 2022.

- Day after Thanksgiving, Friday, November 26, 2021.
- President's Day, Monday, February 21, 2022.
- Floating Personal Day (TBD per Dept. Head/Employee).

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

WHEREAS, there remained an unallocated balance of \$10,833 from the FY 2018 capital allocation approved on March 25, 2019, and

WHEREAS, there remained an unallocated balance of \$22,717 from the FY 2019 capital allocation approved on January 13, 2020, and

WHEREAS, on January 25, 2021, the City Council approved a FY 2020 budget amendment to appropriate \$1,700,000 for capital expenditures, and

WHEREAS, on February 8, 2021, the City Council approved allocating \$297,742 of the FY 2020 capital appropriation to the Sanitation Department for the purchase of a Heil 2022 Mack Front Loader Garbage Truck;

WHEREAS, on February 22, 2021, the City Council approved allocating the remaining FY 2020, FY 2019 and 2018 capital appropriations of \$1,435,808 as follows; Police Department \$250,000; Fire Department \$270,000; Street Department \$393,000; Building Department \$35,000; Information Technology Department \$151,000 and Cemetery, Parks & Recreation Department \$25,000, with the remaining \$311,808 to be determined;

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to allocate the remaining FY 2020, FY 2019 and 2018 capital appropriation of \$311,808 to the Pryor Park Project line item.

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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to issue a task order to perform bridge inspections at Pryor Park on an hourly rate to P.R. Matthewson & Associates Engineers, Inc. in an amount not to exceed \$15,200. Funds appropriated from Pryor Park Project line item.

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

Councilman Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the unit cost proposal from Grayson Carter & Son, Inc. to patch and repair road failures and utility cuts. The task shall be performed on a unit cost basis measured for each task order issued by the Public Works Department. The total project cost shall not exceed \$50,000 over a 12 month period and shall be funded from the City of Athens Gas Tax Fund.

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

Councilman Wales introduced the following resolution:

RESOLUTION

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

Business Name: Limestone Legends Billiards, LLC
Address: 111 S. Marion St. Suite A
Athens, AL 35611

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

Councilman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the travel expenses in the following amount be approve for Electric Department personnel.

Donnie McBay	\$142.08
2021 Alabama Urban Forestry Association Annual Conference	

Rhett Murphy	\$171.98
2021 Alabama Urban Forestry Association Annual Conference	

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

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Council authorizes an unbudgeted capital amount of \$1,054,000.00 to be funded from the Water Services Department cash reserves for Krebs Engineering, Inc. to perform consulting services including conceptual design, permitting, easement acquisition, final design and services during construction to execute the development of a sanitary sewer system to serve areas north and south of Huntsville Brownsferry Road from I-65 to Highway 31, and the Mayor, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

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

Councilwoman Harper introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Council authorizes the budgeted amount of \$30,000.00 to be funded from the Water Services Department operating funds for Hazen and Sawyer Engineering to perform consulting services operational evaluation limit reporting and source water study to determine issues causing high levels of disinfection byproducts in the finished water, and the Water Services Department Manager, for and on behalf of the City of Athens, is authorized to enter into this contract to complete this work.

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

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

/s/Chris Seibert
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK