

July 30, 2007

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama, met in regular session at the Athens Police Department Court Room at 951 Hobbs Street East in the said City on July 30, 2007, at 5:30 p.m. The meeting was called to order by Councilman Harold Wales, President of the Council. Upon roll call, the following were found to be present: Councilmembers Johnny Crutcher, Harold Wales, Jimmy Gill, Ronnie Marks and Mildred Caudle. Mayor Williams was present. John Hamilton, City Clerk, was present and recorded the Minutes of the meeting. Jimmy Gill offered the invocation and Mayor Williams led the Pledge of Allegiance. The Chairman stated that a quorum was present and that the meeting was open for the transaction of business.

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The Chairman stated that the Minutes of the July 16, 2007 City Council Meeting had been submitted for approval. Councilman Crutcher moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Marks and was unanimously carried. The Chairman stated that the Minutes of the July 16, 2007 City Council Work Session Minutes had been submitted for approval. Councilman Crutcher moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Marks and was unanimously carried. The Chairman stated that the Minutes of the July 9, 2007 Public Hearing Meeting had been submitted for approval. Councilman Crutcher moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Marks and was unanimously carried.

A proclamation was presented to Preston Marshall for being the fifth place winner in the nation in the CyberSecurity Event.

A proclamation was presented to the Athens High School of Business and Marketing Program for having the outstanding program of the year.

A certificate was presented to Mr. Lionell Burriss in appreciation of his 31 years on the City of Athens Planning Commission.

A proclamation was presented to the Athens Firefighters in appreciation from the Muscular Dystrophy Association. Jennifer Elliott spoke to remind people of the importance of giving to the Muscular Dystrophy Association.

Lifford Abernathy, 504 North Hine Street, read the following statement against the sale of alcohol.

INSERT LETTER

Joel Glaze, 23096 Jeremy Road, spoke against the sale of alcohol.

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing on August 27, 2007, at 5:30 p.m. to hear the rezoning request of John Furline, as Manager of Elkton Street Development, LLC, to rezone Lots 1 thru 5 of the Wellswood Subdivision, located between Frazier Street and Elkton Street, from M-1 Light Industrial District and R-2 Medium Density Residential District to R-3 High Density Residential District .

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

Councilman Marks introduced the adoption of 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 approved for Electric Department personnel.

Gary Scroggins	\$84.43	Electric Cities Annual Meeting – Orange Beach, AL
Harold Wales	\$65.20	Electric Cities Annual Meeting – Orange Beach, AL
Ronnie Marks	\$157.17	Electric Cities Annual Meeting – Orange Beach, AL

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that cash advances for travel in the following amounts be approved for Electric Department personnel.

Mark Agee	\$150.00	TVPPA Advanced Lineman Training – Jacksonville, TN
Philip Roberson	\$150.00	TVPPA Advanced Lineman Training – Jacksonville, TN
Ken Goode	\$150.00	TVPPA Advanced Lineman Training – Jacksonville, TN
Danny Wallace	\$150.00	TVPPA Advanced Lineman Training – Jacksonville, TN
Nathan King	\$150.00	TVPPA Advanced Lineman Training – Jacksonville, TN

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following applicant for its "Restaurant, Class I" alcohol license, in the City of Athens, based on the recommendation of the Alcohol Review Committee. This is contingent upon receiving the alcohol tax bond.

Perez Inc., d/b/a Mexico Lindo Restaurant
501 S. Jefferson Street, Unit A
Martin Perez, owner

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

Councilman Gill introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2007-1646

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve moving the District 3 voting site from the Seventh Day Adventist Church on Brownsferry Street to St. Mark Primitive Baptist Church located at 740 West Sanderfer Road. This will take effect in the 2008 election cycle.

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

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2007-1647

AN ORDINANCE AMENDING THE SCHEDULE OF FINES FOR THE CITY OF ATHENS MUNICIPAL COURT

WHEREAS, this City Council recently amended portions of the City of Athens Code of Ordinances concerning junk, litter, weeds, nonconforming vehicles, and related items;

WHEREAS, the City Council desires to amend the City’s Schedule of Fines to be in conformity with those recent amendments, and to revise the City’s Schedule of Fines to reflect the new numbering system in the City of Athens Code of Ordinances; and

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on July 16, 2007 at 5:30 p.m., as follows:

Section 1. That Section 30-3(b) of the Code of Ordinances, City of Athens, Alabama be repealed and replaced by amendment to read as follows:

(b) The Schedule of Fines, pursuant to Rule 20 of the *Alabama Rules of Judicial Administration*, shall be as follows:

Traffic Offenses

OFFENSES	FINES
Driving on wrong side of road	\$30.00
Failure to dim headlights	10.00
Failure to stop at railroad crossing	10.00

Failure to use child restraint	10.00
Failure to wear safety belt	10.00
Failure to yield right of way	20.00
Following too closely	20.00
Improper backing	20.00
Improper brakes	20.00
Improper lights	20.00
Improper muffler	10.00
Improper or no rear view mirror	20.00
Improper passing	20.00
Improper signal	10.00
Improper tag	25.00
Improper tires	20.00
Improper turn	20.00
Improper window tinting	20.00
No helmet (motorcycle rider)	10.00
Operating a motor vehicle without driver's license	25.00*
Running a red light	20.00
Running a stop sign	20.00
Speeding:	
Less than 25 MPH over posted limit	20.00
25 MPH or more over posted limit	40.00
Stopping on highway	30.00
Violating driver's license restrictions	10.00*

*This amount does not include the \$50.00 penalty imposed pursuant or 32-6-18 and 32-6-19, Ala. Code 1975, as amended by Act No. 97-494, effective May 22, 1997.

Municipal Ordinance Violations

Violation of § 46-5 of the Code of Ordinances, City of Athens (Noise Ordinance)

1 st offense	50.00
2 nd offense	100.00
3 rd offense	MANDATORY COURT

Violation of § 46-52 of the Code of Ordinances, City of Athens (Littering Prohibited)

1 st and additional violations	MANDATORY COURT
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Violation of § 46-53 of the Code of Ordinances, City of Athens (Littering Penalty for Owner and/or Driver of Vehicle)

1 st and additional violations	MANDATORY COURT
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Violation of § 46-54 of the Code of Ordinances, City of Athens (Duty to Keep Property Clear and Free From Litter)

1 st offense	\$30.00
2 nd or additional violation within a year	MANDATORY COURT

Violation of § 46-55 of the Code of Ordinances, City of Athens (Duty to Keep Property Clear and Free From Junk and Non-Conforming Vehicles)

1 st offense	\$30.00
2 nd or additional violation within a year	MANDATORY COURT

Violation of § 46-56 of the Code of Ordinances, City of Athens (Sweeping Trash, Litter, and Mud into Public Streets and Sidewalks Prohibited)

1 st and additional violations	MANDATORY COURT
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Violation of § 46-57 of the Code of Ordinances, City of Athens (Overgrown Weeds and Grass Prohibited)

1st offense \$30.00
2nd or additional violation within a year MANDATORY COURT

Violation of § 46-59 of the Code of Ordinances, City of Athens (Debris from Construction, Demolition, Alterations or Repair)

1st offense \$30.00
2nd or additional violation within a year MANDATORY COURT

Violation of Chapter 38, Article 3 of the Code of Ordinances, City of Athens (Open Burning Ordinance)

1st offense and additional offenses MANDATORY COURT

Violation of § 54-6 of the Code of Ordinances, City of Athens (Library Material Ordinance)

1st offense RESTITUTION TO LIBRARY
2nd offense RESTITUTION TO LIBRARY AND COURT COSTS
3rd offense MANDATORY COURT

Violation of Chapter 46, Article 3 of the Code of Ordinances, City of Athens (Solid Wastes and Trash Ordinance)**

1st offense \$50.00
2nd offense \$100.00
3rd offense \$150.00
4th or greater offense \$200.00

** (However, this fine schedule shall not apply to any person convicted of a violation of §§ 46-93(e), 46-93(f), and/or 49-95(d) of Ordinance 06-1596. There shall be a mandatory court appearance in those cases.)

Section 2. This Ordinance shall become effective upon its adoption as provided by law, except for the provision relating to Section 46-55, which shall become effective on September 1, 2007.

Section 3. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this Ordinance and such amendments and statutes are declared to be severable.

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

Section 5. The enactment of this Ordinance shall not affect any action, suit, or proceeding instituted or pending at this time under Ordinance No. 2002-1384 and Ordinance 2006-1587 (as set forth in Chapter 46, Article II, Division II, Sections 46-51 through 46-63 of the Code of Ordinances, City of Athens, Alabama). All suits at law or in equity and/or all prosecutions resulting from the violation of Ordinance No. 2002-1384 and Ordinance 2006-1587 (as set forth in Chapter 46, Article II, Division II, Sections 46-51 through 46-63 of the Code of Ordinances, City of Athens, Alabama), which are now pending in any court, shall not be abated or abandoned by reason of this Ordinance but may be prosecuted to their finality, the same as if this Ordinance had not been adopted. Nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may heretofore have been instituted or prosecuted.

ADOPTED and APPROVED this, the 30th day of July, 2007.

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

/s/ Dan Williams

MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ John S. Hamilton
CITY CLERK, CITY OF ATHENS, ALABAMA

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, John Hamilton, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Athens, Alabama, on the ____ day of _____, 2007.

Witness my hand and seal of office this ____ day of _____, 2007.

John Hamilton, City Clerk

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following applicant for its "Retail Table Wine & Beer for Off-Premises Consumption" alcohol license, in the City of Athens, based on the recommendation of the Alcohol Review Committee. This is contingent upon receiving the alcohol tax bond.

Perez Inc., d/b/a Mexico Lindo Supermarket
501 S. Jefferson Street, Unit A
Martin Perez, owner

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION 2007-1021 (Name change only)
REVISED 2006-992

This resolution made this 30th day of July, 2007, (the Effective Date) by the City Council, City of Athens, Alabama (the Granting Authority), to grant a tax abatement for Athens Biodiesel, LLC. (the Company).

WHEREAS, the Company has announced plans for a (check one):

new project or _____ major addition to their existing facility (the Project),

located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational property taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$8,940,000.00; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

all mortgage and recording taxes

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational property taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(8) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter in to an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the City Council of the City of

Athens, Alabama at a meeting held on the 30th day of July, 2007.

John Hamilton – City Clerk

ADOPTED and APPROVED this, the 30th day of July , 2007.

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

/s/ Dan Williams
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ John S. Hamilton
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilwoman and was unanimously carried.

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION 2007-1022

This resolution made this 30th day of July, 2007, (the Effective Date) by the City Council, City of Athens, Alabama (the Granting Authority), to grant a tax abatement for Aviagen, Inc. (the Company).

WHEREAS, the Company has announced plans for a (check one):

_____ new project or major addition to their existing facility (the Project),

located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

_____ all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational property taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$4,200,000.00; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

all mortgage and recording taxes

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational property taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(8) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter in to an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the City Council of the City of Athens, Alabama at a meeting held on the ____ day of _____, 2007.

John Hamilton – City Clerk

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

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the revised FY 2007 Water Department budget.

Revised FY 2007 Water Dept. Budget

REVENUES:	FY 2007
Metered Sales	\$ 3,815,560.00
Miscellaneous Revenue	\$ 158,800.00
Aid to Construction	\$ 25,000.00
Capital Reserve Funds	\$ 316,456.00
Total Regular	\$ 4,315,816.00
Capital Infrastructure Account	\$ 431,000.00
Grand Total Revenue	\$ 4,746,816.00

EXPENSES:	
Salaries and Fringes	\$ 1,154,376.00
Water Production Expenses	\$ 499,300.00
Annual Consumer Confidence Report (Fed Mandate)	\$ 5,000.00
Transmission and Distribution Expenses	\$ 153,000.00
Tank Maintenance Expenses	\$ 90,000.00
Administrative Expenses	\$ 243,321.00
LCEDA	\$ 28,430.00
Allocation to Finance Department	\$ 107,718.00
Allocation to Customer Services (New Line FY 2007)	\$ 265,198.00
Uncollectible Accounts	\$ 9,000.00
Vehicle and Equipment Operation & Maint	\$ 51,000.00
Appropriation to General Fund	\$ 190,778.00
Debt Service Expenses	\$ 645,845.00
General Fund Salaries & Expenses	\$ 37,150.00
Capital Expenditures	\$ 345,206.00
Const Mtls, Dist Sys Imp Fund, & Capt Eqp Rep	\$ 313,456.00
Other Capital (Equipment, tools, etc)	\$ 31,750.00
Totals	\$ 3,825,322.00

Net Proposed Budget:	\$ 490,494.00
Bond Coverage =	
20% of \$644,258	\$ 129,169.00
Available Bond Coverage	\$ 681,272.00

Capital Infrastructure Fund (Authorized Expenditures)	\$ 605,106.00
Net Capital Infrastructure	\$ (174,106.00)

Metered Sales	\$ 3,815,560.00
Private Fire Hydrant	\$ 14,800.00
Fire Hydrant Rent	\$ -
Forfeited Discounts	\$ 21,000.00

Tapping Fees	\$ 120,000.00
Misc Revenue	\$ 3,000.00
Aid to Construction	\$ 25,000.00
Reserves	\$ 316,456.00
Interest	\$ -
TOTAL REVENUE:	\$ 4,315,816.00

Description - Capital Infrastructure

Capital Infrastructure Account	\$ 431,000.00
16cent/1,000 rate	\$ 286,000.00
\$500/Meter Set Fee	\$ 140,000.00
Unmetered Fire Line	\$ 5,000.00
Total - Capital Infrastructure Acct	\$ 431,000.00

TOTAL REVENUE \$ 4,746,816.00

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

Councilman Gill introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the revised FY 2007 Wastewater Department budget.

Revised FY 2007 Wastewater Dept. Budget

REVENUES: Regular	Revised FY 2007
Metered Sales	\$2,841,930.00
Miscellaneous Revenues	\$ 81,000.00
Aid to Construction	\$ 18,000.00
Capital Reserve Funds	\$ 277,912.00
Total - Regular	\$3,218,842.00
Capital Infrastructure Account	\$ 560,000.00
Grand Total:	\$3,778,842.00

EXPENSES:

Salaries and Fringes	\$1,096,362.00
Treatment Plant Operation & Maint	\$ 333,850.00
Collection System Operation & Maint	\$ 235,850.00
Administrative	\$ 165,224.00
Allocation at Finance Department	\$ 72,303.00
Allocation to Customer Services	\$ 120,868.00
Uncollectible Accounts	\$ 7,000.00
Vehicle and Equipment Operation &	\$ 60,000.00

Maint		
Appropriation to General Fund	\$	71,048.00
Debt Service	\$	592,592.00
General Fund Salaries and Expenses	\$	38,456.00
Capital Expenditures	\$	306,662.00
Construction Materials & Capitalized Equip Repair	\$	150,000.00
Other Capital (Equipment, tools, etc.)	\$	156,662.00
	Totals:	\$3,100,215.00
	Net Budget:	\$ 118,627.00
	Required Bond	
Coverage=		
20% of \$591,137	\$	118,518.00
Available Bond Coverage	\$	189,675.00
Cap. Infrastructure Fund (Authorized Expenditures)	\$	283,471.00
Net Capital Infrastructure	\$	276,529.00
Metered Sales	\$2,841,930.00	
Surcharge (Industrial)	\$	-
Forfeited Discounts	\$	18,000.00
Tapping Fees	\$	28,000.00
Misc Revenue	\$	35,000.00
Aid to Construction	\$	18,000.00
Reserve Funds	\$	277,912.00
Interest	\$	-
Total Regular	\$3,218,842.00	
Description - Capital Infrastructure		
Capital Infrastructure Account	\$	560,000.00
25 Cents / 1,000 Rate	\$	250,000.00
Land Development Impact Fees	\$	150,000.00
Building Construction Impact Fees	\$	160,000.00
Total - Capital Infrastructure Account	\$	560,000.00
TOTAL REVENUE	\$3,778,842.00	

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$380,000 is appropriated for the Water Department Capital Infrastructure Fund to finance the 12" water line improvement to serve the Dr. Martin Luther King, Jr. Industrial Park.

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$100,000 is appropriated for the Water Department Capital Infrastructure Fund to pay for materials and subcontractor costs associated with transferring ownership of LCWSA water lines to the City of Athens Utilities' Water Department.

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

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$102,238 is appropriated for the Wastewater Department Capital Infrastructure Fund to pay final costs for the sanitary sewer extension across Highway 72 West to Glenn Valley Drive.

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to appropriate \$61,077 from the Wastewater Department Capital Infrastructure Fund to pay for mandatory, existing sewerage system upgrades within the Park Place Subdivision.

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Manager, Gas Department, to award a purchase order to Vermeer of Decatur in the amount of \$179,010.57 for a horizontal directional drilling system.

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION NUMBER 2007-1023

TO AWARD THE BID FOR DRAINAGE IMPROVEMENTS IN THE SIXTH STREET / COLEMAN HILL NEIGHBORHOOD FOR CDBG PROJECT NO. LR-CM-PF-06-010.

WHEREAS, the City of Athens solicited bids for the drainage improvements related to CDBG Project Number LR-CM-PF-06-010, with said bids being received and opened on Tuesday, July 25, 2007 at 1:00 p.m. at Athens Public Works Building, and

WHEREAS, the low bidder was Joe Keenum Excavating and Construction, Inc.,

WHEREAS, the project engineer, Civil Solutions LLP recommends that the bid should be awarded to Joe Keenum Excavating and Construction, Inc., as the lowest responsible bidder in the amount of \$449,946.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that:

Section 1. The bid for drainage improvements related to Sixth Street / Coleman Hill for CDBG Project Number LR-CM-PF-06-010 be awarded to Joe Keenum Excavating and Construction, Inc., in the amount of \$449,946.00.

Section 2. Dan Williams, in his capacity as Mayor, is authorized to sign all bid award contracts and any pertinent documents pertaining to the award and execution of this bid project.

Section 3. That award of this contract is contingent upon verification that the low bidder is not debarred or suspended from participation in Federal projects.

Section 4. This resolution shall become effective immediately upon its adoption.

ADOPTED and APPROVED this, the 30th day of July, 2007.

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

/s/ Dan Williams
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ John S. Hamilton
CITY CLERK, CITY OF ATHENS, ALABAMA

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

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION NUMBER 2007-1024

TO AWARD THE BID FOR RECREATIONAL PARK IMPROVEMENTS FOR THE JIMMY GILL PARK ON SANDERFER ROAD FOR CDBG PROJECT NO. LR-CE-PF-06-021.

WHEREAS, the City of Athens solicited bids for the park improvements related to CDBG Project Number LR-CE-PF-06-021, with said bids being received and opened on Tuesday, July 25, 2007 at 1:00 p.m. at Athens Public Works Building, and

WHEREAS, the low bidder was Northwest Building Supply & Equipment Rental, Inc.,

WHEREAS, the project engineer, Civil Solutions LLP recommends that the bid should be awarded to Northwest Building Supply & Equipment Rental, Inc., as the lowest responsible bidder in the amount of \$265,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that:

Section 1. The bid for park improvements related to Jimmy Gill Park on Sanderfer Road for CDBG Project Number LR-CE-PF-06-021 be awarded to Northwest Building Supply & Equipment Rental, Inc., in the amount of \$265,000.00.

Section 2. Dan Williams, in his capacity as Mayor, is authorized to sign all bid award contracts and any pertinent documents pertaining to the award and execution of this bid project.

Section 3. That award of this contract is contingent upon: (1) verification that the low bidder is not debarred or suspended from participation in Federal projects; (2) that the project can be reduced to the budget of \$265,000.00 with approval from the City Attorney as to compliance with Public Works Bid Law requirements; and (3) that any reduction in the scope of the project be approved by ADECA prior to issuance of a Notice of Award.

Section 4. This resolution shall become effective immediately upon its adoption.

ADOPTED and APPROVED this, the 30th day of July, 2007.

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

/s/ Dan Williams
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ John S. Hamilton
CITY CLERK, CITY OF ATHENS, ALABAMA

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

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION NUMBER 2007-1025

TO AWARD THE BID FOR Road IMPROVEMENTS IN THE Jefferson, Roy Long and Martin Luther King Jr. Memorial Drive FOR Industrial Access Grant PROJECT NO. IAR-042-000-003.

WHEREAS, the City of Athens solicited bids for the drainage improvements related to IA Project Number IAR-042-000-003, with said bids being received and opened on Tuesday, July 19, 2007 at 1:00 p.m. at Athens Public Works Building, and

WHEREAS, the low bidder was Joe Keenum Excavating and Construction, Inc.,

WHEREAS, the project engineer, BWSC, Inc. recommends that the bid should be awarded to Joe Keenum Excavating and Construction, Inc., as the lowest responsible bidder in the amount of \$1,488,938.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that:

Section 1. The bid for road improvements related to **Jefferson, Roy Long and Martin Luther King Jr. Memorial Drive** for IA Project Number IAR-042-000-003 be awarded to Joe Keenum Excavating and Construction, Inc., in the amount of \$1,488,938.00 and funded from the Alabama Department of Transportation Industrial Access Bond Fund.

Section 2. Dan Williams, in his capacity as Mayor, is authorized to sign all bid award contracts and any pertinent documents pertaining to the award and execution of this bid project.

Section 3. That award of this contract is contingent upon verification that the low bidder is not debarred or suspended from participation in Federal projects.

Section 4. This resolution shall become effective immediately upon its adoption.

ADOPTED and APPROVED this, the 30th day of July, 2007.

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

/s/ Dan Williams
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ John S. Hamilton
CITY CLERK, CITY OF ATHENS, ALABAMA

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

* * *

There being no further business to come before the meeting, the same was, upon motion by Councilman Marks and second by Councilman Gill, duly and properly adjourned.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL

ATTEST:
/s/ John S. Hamilton
CITY CLERK

May Davis, 1201 Plainview Circle, asked about any progress involving clearing property in the vicinity of the Brownsferry Street and Hine Street intersection.

Quentin Anderson, 104 Ridgelawn Drive, thanked the council for passing the ordinance involving the impoundment of vehicles when a person doesn't have a driver's license.

Wilbur Woodruff, said he was against item "N" on tonight's agenda which involves the naming of Martin Luther King Jr. Drive and Industrial Park.

Benard Simelton, President of Limestone County NAACP, said he was against the council approving the resolution tonight involving naming part of Durham Drive and Breeding Industrial Park to Martin Luther King Jr. Drive and Industrial Park.

Horton D. Matthews, reminded Councilman Wales that taxes hurt older people that only had a fixed income to buy food.

Councilman Marks introduced the adoption of 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 approved for Electric Department personnel.

Bill Meadows	PCB Training – Murfreesboro, TN	\$34.26
David Jones	PCB Training – Murfreesboro, TN	\$118.93
Beth Clem	PCB Training – Murfreesboro, TN	\$38.13
Nathan King	TVPPA Advanced Lineman Training – Jackson, TN	\$26.19
Philip Roberson	TVPPA Advanced Lineman Training – Jackson, TN	\$166.69

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

Councilman Marks introduced the adoption of 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 specified Water/Wastewater employees in the total amount of \$4,241.51 as listed:

Jonathan Bedsole (W/WW)	TriState Engineering Society Meeting Sandestin, FL June 23-27, 2007	\$1,335.85
John Stockton (Wastewater)	AWWA Annual Conference Toronto, Ontario June 24-28, 2007	\$2,905.66

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the payment of a cash advance for budgeted travel/education expenses to specified Water/Wastewater employees in the total amount of \$500.00 as listed:

Robert Shar (Wastewater Dept.)	Operator 10 Training Kenton, OH July 23-27, 2007	\$500.00
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The motion was seconded by Councilman Crutcher and was unanimously carried.

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the travel/education expenses for the Finance Department in the amount of \$26.25 as follows:

Pam Morell NAPAA Annual Meeting
Debbie Davis Joe Wheeler State Park
Lisa Lawrence June 22, 2007
Teresa Draper
Susan Downs

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

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING THE SCHEDULE OF FINES FOR THE CITY OF ATHENS MUNICIPAL COURT

WHEREAS, this City Council recently amended portions of the City of Athens Code of Ordinances concerning junk, litter, weeds, nonconforming vehicles, and related items;

WHEREAS, the City Council desires to amend the City’s Schedule of Fines to be in conformity with those recent amendments, and to revise the City’s Schedule of Fines to reflect the new numbering system in the City of Athens Code of Ordinances; and

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on July 16, 2007 at 5:30 p.m., as follows:

Section 1. That Section 30-3(b) of the Code of Ordinances, City of Athens, Alabama be repealed and replaced by amendment to read as follows:

(b) The Schedule of Fines, pursuant to Rule 20 of the *Alabama Rules of Judicial Administration*, shall be as follows:

Traffic Offenses

OFFENSES	FINES
Driving on wrong side of road	\$30.00
Failure to dim headlights	10.00
Failure to stop at railroad crossing	10.00
Failure to use child restraint	10.00
Failure to wear safety belt	10.00
Failure to yield right of way	20.00
Following too closely	20.00
Improper backing	20.00

Improper brakes	20.00	
Improper lights	20.00	
Improper muffler	10.00	
Improper or no rear view mirror	20.00	
Improper passing	20.00	
Improper signal	10.00	
Improper tag		25.00
Improper tires		20.00
Improper turn		20.00
Improper window tinting	20.00	
No helmet (motorcycle rider)		10.00
Operating a motor vehicle without driver's license	25.00*	
Running a red light		20.00
Running a stop sign		20.00
Speeding:		
Less than 25 MPH over posted limit		20.00
25 MPH or more over posted limit	40.00	
Stopping on highway		30.00
Violating driver's license restrictions		10.00*

*This amount does not include the \$50.00 penalty imposed pursuant or 32-6-18 and 32-6-19, Ala. Code 1975, as amended by Act No. 97-494, effective May 22, 1997.

Municipal Ordinance Violations

Violation of § 46-5 of the Code of Ordinances, City of Athens (Noise Ordinance)

1 st offense	50.00	
2 nd offense	100.00	
3 rd offense		MANDATORY COURT

Violation of § 46-52 of the Code of Ordinances, City of Athens (Littering Prohibited)

1 st and additional violations		MANDATORY COURT
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Violation of § 46-53 of the Code of Ordinances, City of Athens (Littering Penalty for Owner and/or Driver of Vehicle)

1 st and additional violations		MANDATORY COURT
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Violation of § 46-54 of the Code of Ordinances, City of Athens (Duty to Keep Property Clear and Free From Litter)

1 st offense	\$30.00	
2 nd or additional violation within a year		MANDATORY COURT

Violation of § 46-55 of the Code of Ordinances, City of Athens (Duty to Keep Property Clear and Free From Junk and Non-Conforming Vehicles)

1 st offense	\$30.00	
2 nd or additional violation within a year		MANDATORY COURT

Violation of § 46-56 of the Code of Ordinances, City of Athens (Sweeping Trash, Litter, and Mud into Public Streets and Sidewalks Prohibited)

1 st and additional violations		MANDATORY COURT
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Violation of § 46-57 of the Code of Ordinances, City of Athens (Overgrown Weeds and Grass Prohibited)

1 st offense	\$30.00	
2 nd or additional violation within a year		MANDATORY COURT

Violation of § 46-59 of the Code of Ordinances, City of Athens (Debris from Construction, Demolition, Alterations or Repair)

1st offense \$30.00
2nd or additional violation within a year MANDATORY COURT

Violation of Chapter 38, Article 3 of the Code of Ordinances, City of Athens (Open Burning Ordinance)
1st offense and additional offenses MANDATORY COURT

Violation of § 54-6 of the Code of Ordinances, City of Athens (Library Material Ordinance)
1st offense RESTITUTION TO LIBRARY
2nd offense RESTITUTION TO LIBRARY AND COURT COSTS
3rd offense MANDATORY COURT

Violation of Chapter 46, Article 3 of the Code of Ordinances, City of Athens (Solid Wastes and Trash Ordinance)**

1st offense \$50.00
2nd offense \$100.00
3rd offense \$150.00
4th or greater offense \$200.00

** (However, this fine schedule shall not apply to any person convicted of a violation of §§ 46-93(e), 46-93(f), and/or 49-95(d) of Ordinance 06-1596. There shall be a mandatory court appearance in those cases.)

Section 2. This Ordinance shall become effective upon its adoption as provided by law, except for the provision relating to Section 46-55, which shall become effective on September 1, 2007.

Section 3. If any provision of this Ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this Ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this Ordinance and such amendments and statutes are declared to be severable.

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

Section 5. The enactment of this Ordinance shall not affect any action, suit, or proceeding instituted or pending at this time under Ordinance No. 2002-1384 and Ordinance 2006-1587 (as set forth in Chapter 46, Article II, Division II, Sections 46-51 through 46-63 of the Code of Ordinances, City of Athens, Alabama). All suits at law or in equity and/or all prosecutions resulting from the violation of Ordinance No. 2002-1384 and Ordinance 2006-1587 (as set forth in Chapter 46, Article II, Division II, Sections 46-51 through 46-63 of the Code of Ordinances, City of Athens, Alabama), which are now pending in any court, shall not be abated or abandoned by reason of this Ordinance but may be prosecuted to their finality, the same as if this Ordinance had not been adopted. Nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending, and/or which may heretofore have been instituted or prosecuted.

ADOPTED this the ____ day of _____, 2007.

HAROLD WALES, CITY COUNCIL PRESIDENT

APPROVED this the ____ day of _____, 2007.

DAN WILLIAMS, MAYOR

ATTEST:

JOHN HAMILTON, CITY CLERK

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, John Hamilton, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Athens, Alabama, on the ____ day of _____, 2007.

Witness my hand and seal of office this ____ day of _____, 2007.

John Hamilton, City Clerk

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Wastewater Department is authorized to construct an 8" sewer extension under U.S. Highway 31 at Pryor Street at a total cost of \$102,985.00 and \$15,001.65 is appropriated from the Wastewater Department Capital Infrastructure Fund to finance the Department's portion of this project.

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to revise the organizational structure for the Electric Department in accordance with the attached organizational chart which includes 62 regular positions and 4 part-time positions.

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION _____

Councilman Marks moved the adoption of the following resolution:

This resolution made this 16th day of July, 2007, (the Effective Date) by the City Council, City of Athens, Alabama (the Granting Authority), to grant a tax abatement for Aviagen, Inc. (the Company).

WHEREAS, the Company has announced plans for a (check one):

_____ new project or ___X___ major addition to their existing facility (the Project),

located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., Code of Alabama 1975) (the Act), the Company has requested from the Granting Authority an Abatement of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

all mortgage and recording taxes; and

WHEREAS, the Company has requested that the abatement of state and local noneducational property taxes (if applicable) be extended for a period of 10 years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed applications (copy attached) filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$4,200,000.00; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

NOW THEREFORE, be it resolved by the Granting Authority as follows:

Section 1. Approval is hereby given to the application of the Company and abatement is hereby granted of (check all that apply):

all state and local noneducational property taxes,

all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and /or

all mortgage and recording taxes

as the same may apply to the fullest extent permitted by the Act. The period of abatement for the noneducational property taxes (if applicable) shall extend for a period of 10 years measured as provided in Section 40-9B-3(8) of the Act.

Section 2. The governing body of the Granting Authority is authorized to enter in to an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. A certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

Section 4. The governing body of the Granting Authority is authorized to take any and all actions

necessary or desirable to accomplish the purpose of the foregoing of this resolution.

I hereby certify that the above and foregoing was duly adopted by the City Council of the City of Athens, Alabama at a meeting held on the ____ day of _____, 2007.

John Hamilton – City Clerk

Councilman Crutcher introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the low bid, which meets or exceeds all specifications, of Sansom Equipment to provide one (1) leaf machine to the Athens Sanitation Department. The bid price is \$31,323.75. This will be funded from the capital expenditure fund.

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

Councilman Gill introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the Amended FY 2007 Gas Department Budget and to spread the same on the minutes.

AMENDED FY 2007 GAS DEPT BUDGET

REVENUES:

Metered Sales	\$ 11,350,000.00
Other Revenues	\$ 164,600.00
Reserve Funds	\$ 200,000.00
Cost Reimbursed by Revenue Funds	\$ 350,000.00
Training Facility (Leak City)	\$ 75,000.00
Aid to Construction	\$ 85,000.00
TOTALS	\$ 12,224,600.00

EXPENSES:

Salaries and Fringes	\$ 1,416,660.00
Purchased Gas	\$ 7,080,890.00
Distribution System Operation & Maintenance	\$ 624,750.00
Administrative	\$ 261,510.00
Customer Accounting and Billing	\$ 32,000.00
Vehicle and Equipment Operation & Maint	\$ 115,000.00
ILO Taxes	\$ 835,000.00
2005 Revenue Warrant Debt Service	\$ 241,222.00
2007 Revenue Warrant Debt Service	\$ 460,012.00

General Fund Salaries and Expenses	\$	21,200.00
Capital Expenditures	\$	967,901.00
Construction Materials & Capitalized Equip Repair	\$	300,000.00
Construction Materials (Reimb by Rev Warrants)	\$	350,000.00
Other Capital (Equip, tools, etc)	\$	317,901.00
Totals:	\$	12,056,145.00
Cost of Living (Payroll, Welfare, Taxes)	\$	36,596.00
Net Proposed		
Budget:	\$	168,455.00
Expenditures less Gas & ILO Tax:	\$	4,170,255.00
Construction Costs (Reimb by Revenue Warrants)	\$	350,000.00
Debt Service Cost:	\$	701,234.00
Expenditures less Gas, ILO Tax, Bond Const & Debt Svc:	\$	3,119,021.00
ILO Tax:	\$	805,000.00
Expenditures less Gas:	\$	4,975,255.00

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that an additional appropriation in the amount of \$1,405 is made from the Water Department Capital Infrastructure Fund to cover the final costs for the Elm Street Booster Pumping Station upgrade.

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that an additional \$20,025 is appropriated from the Wastewater Department Capital Infrastructure Fund to finance final expenses for wastewater treatment plant consent decree issues.

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

Councilman Marks introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to acknowledge the contributions of Dr. Martin Luther King Jr. to our community by dedicating and naming the newly constructed road that connects Durham Drive and Roy Long Road to Dr. Martin Luther King Jr. Drive. Also, the south 53 acres of the Breeding Industrial Park will be names Martin Luther King Jr. Park.

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

Councilwoman Caudle introduced the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to notify the State of Alabama Department of Transportation of the City's intent to rescind STTPE-TE05(913) due to projected budget overrun of required improvements. The City of Athens shall use their labor resources to make required improvements so as comply with the architectural drawings prepared by JH Partners. The approximate cost will be \$90,000 and the funding will come from: 1) District 5, capital project funds of \$29,000, 2) balance remaining from the city's 20% match share of FY2005 Transportation Enhancement grant of \$31,788 and 3) general fund reserves of \$29,212 from line item 10.25.90194.

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

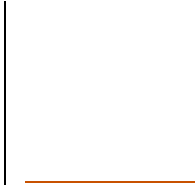
* * *

There being no further business to come before the meeting, the same was, upon motion by Councilman Crutcher and second by Councilman Marks, duly and properly adjourned.

/s/ Harold Wales
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK



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