

February 11, 2008

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 February 11, 2008, at 5:30 p.m. The meeting was called to order by Councilman John M. Crutcher, President of the Council. Upon roll call the following were found to be present: Councilmembers John M. 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. Harold Wales offered the invocation and Mayor Williams 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 January 28, 2008 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 Councilwoman Caudle and was unanimously carried. The Chairperson stated that the Minutes of the January 28, 2008 City Council Work Session Minutes 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 Councilwoman Caudle and was unanimously carried. The Chairperson stated that the Minutes of the February 6, 2008 City Council Special 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 Councilwoman Caudle and was unanimously carried.

Lyle Sadler, 16130 Sutton Drive, of VFW requests bingo playing on Saturdays along with the "canteen/bar" open simultaneously, but in different areas separated by a door.

Councilman Wales moved 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 \$2,567.88.

Jonathan Bedsole (Water Services)	Water Gems Training Washington, D.C. January 27-30, 2008	\$1,201.17
Mason Matthews (Water Services)	Water Gems Training Washington, D.C. January 27-30, 2008	\$1,366.71

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

Councilwoman Caudle moved 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 of Wright's Kubota Sales and Service in the amount of \$18,025.00 for a maintenance mowing tractor with bush hog for the Wastewater Department and to authorize the Manager, Water Services, to execute a purchase order to said vendor in the bid amount.

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

Councilwoman Caudle introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1676

AN ORDINANCE ESTABLISHING THE YEARLY SALARY OF
THE MAYOR AND COUNCILMEMBERS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA AS
FOLLOWS:

Section 1. That the annual salary of the mayor of the City of Athens, Alabama, shall be and the same is hereby fixed at the sum of \$5,416.67 per month (\$65,000 per year).

Section 2. In addition to the salary provided for herein, the mayor shall also be entitled to any medical benefits normally accruing to all full time employees of the city as authorized by law.

Section 3. That each councilmember shall be compensated at the sum of \$1,000 per month.

Section 4. This ordinance shall become effective on the first Monday in November, 2008 and shall continue in force and effect until repealed by action of the council.

Section 5. The provisions of this ordinance are hereby declared severable; if any portion of this ordinance shall be held unconstitutional or otherwise invalid by a court of competent jurisdiction, such ruling shall not affect the remaining portions of this ordinance.

Section 6. As of its effective operation, this Ordinance shall repeal all provisions of the Athens City Code that are inconsistent herewith.

Section 7. 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 system of the Code.

ADOPTED and APPROVED this, the 11th day of February, 2008.

/s/ John M. Crutcher
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

Councilmember Gill moved that unanimous consent be given for immediate consideration of and action on said ordinance, 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 declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Caudle 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, Gill, Marks and Caudle; NAYS: Councilman Wales. The President thereupon announced that the motion for the adoption of the said ordinance had been carried with a vote of 4-1.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reorganize the Human Resources Department in accordance with the attached organizational chart:

ADOPTED and APPROVED this, the 11th day of February, 2008.

/s/ John M. Crutcher
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 Wales and was unanimously carried.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to amend the Human Resources Department's FY 2008 budget because of the Department being approved for an additional Employee Benefits/Coordinator, grade 7 position. Line item 10.20.80102 (Salaries – Regular) will be increased \$21,220.72 and line item 10.20.84505 (Safety Program) will be decreased \$21,220.72. The \$21,220.72 is the estimated cost for the additional employee for the remainder of FY 2008. This is just an adjustment of the two line items.

Therefore, no new money will need to be appropriated for the Human Resources Department.

Councilmember Gill moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Caudle, 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 resolution had been unanimously carried. Councilmember Marks thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Gill 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 resolution had been unanimously carried.

Councilman Gill moved 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 issue a work order to Keenum Contracting under the City of Athens Bituminous Plant Mix Bid in an amount not to exceed \$286,000.00 to pave the following streets from the Gas Tax Fund.

<u>Length</u>	<u>Street</u>
3000	Durham Drive
5500	Newby Road
2800	Old Decatur Road
1000	East Airport Road
600	Pinedale
2600	Compton Road
1700	Cloverleaf (from Utah to Mini-storage facility)
500	Whitson Street
750	Plumb Street
700	North Houston (from 9 th to 10 th Street)
1200	Levert Circle
1000	Maize Street
2700	Lucas Street

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

Councilman Wales moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

Section 1. The City Council of the City of Athens, Alabama, finds that an application has been presented to the City of Athens requesting a vacation of a portion of a Utility and Drainage Easement; that the applicants have represented to the City of Athens, Alabama, that REATHOM DEVELOPMENT, LLC., are the owners of the property to which that certain portion of the Utility and Drainage Easement is located; that said Utility and Drainage Easement being vacated is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Athens, Alabama, is hereby authorized, requested and directed to execute a Quitclaim Deed to RAETHOM DEVELOPMENT, LLC., vacating a portion of said Utility and Drainage Easement hereinafter described, said deed being substantially in words and figures, to-wit:

Commence at the Southeast corner of Lot 20, Block 2 of Cantera Place Phase 1 as recorded in the Plat Book G, Page 109, in the Office of the Judge of Probate of Limestone County, Alabama, thence North 27 degrees 17 minutes 49 seconds West along the east boundary of said Open Drainage and Utility easement, thence North 88 degrees 18 minutes 03 seconds West along the North boundary of said easement a distance of 102.00 feet to a point, said point being the Point of True Beginning of the tract herein described,

Thence from the Point of True Beginning South 62 degrees 30 minutes 50 seconds West a distance of 8.73 feet to a point,

Thence North 27 degrees 27 minutes 54 seconds West a distance of 4.88 feet to a point on the north boundary of said existing 45 foot Open Drainage and Utility Easement,

Thence South 88 degrees 18 minutes 03 seconds East along the north boundary of said easement a distance of 10.00 feet to the Point of True Beginning.

ADOPTED and APPROVED this, the 11th day of February, 2008.

/s/ John M. Crutcher
 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 Gill moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the adjusted FY 2008 Electric Department budget and to spread the same on the minutes.

ADJUSTED FY 2008	ELECTRIC DEPT.
REVENUES:	
Metered Electric Sales	\$ 74,020,000.00
Miscellaneous Revenue	\$ 2,050,000.00
Reserve Funds	\$ 220,000.00
Federal Assistance-Ice Storm	\$ -
Aid to Construction	\$ 2,800,000.00
Totals	\$ 79,090,000.00
EXPENSES:	
Salaries and Fringes	\$ 4,823,800.00
Electricity Purchases (TVA)	\$ 61,066,500.00
System Operation and Maint Exp	\$ 1,536,360.00
Severe Storm Expenses	\$ -
Customer Accounting and Billing Exp	\$ 132,500.00
Uncollectible Account Expenses	\$ 177,648.00
Administrative Expenses	\$ 770,565.00
Administrative Expenses (Lightning Damage)	\$ -
Veh Operation and Maint Exp	\$ 400,000.00
Equivalent Tax Payments	\$ 1,750,000.00
Debt Service Expenses	\$ 2,166,486.00
1995 Construction Fund	\$ -
Capital Expenditures	\$ 5,629,600.00

General Fund & Human Resources Salaries & Expenses	\$ 109,362.00
Totals	\$ 78,562,821.00
Electric Sales Revenues Less Power Cost	\$ 12,953,500.00
Expenditures Less Power	\$ 17,496,321.00
Net Proposed Budget	\$ 527,179.00
Equipment Purchase/Rebuild Obligations	\$ 220,000.00
Year End Net Budget	\$ 307,179.00

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

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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/ John M. Crutcher
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK

