

January 28, 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 January 28, 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. John M. Crutcher 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 14, 2008 City Council Meeting had been submitted for approval. Councilwoman Caudle moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Wales and was unanimously carried. The Chairperson stated that the Minutes of the January 28, 2008 City Council Work Session Minutes had been submitted for approval. Councilwoman Caudle moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The Motion was seconded by Councilman Wales and was unanimously carried.

A public hearing was held to hear comments on the adoption of the newly revised Zoning Map. This map had the zoning designations revised to delineate the zones as set out in the newly adopted Zoning Ordinance. There were no comments for or against the adoption of this Zoning Map.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1673

AN ORDINANCE ADOPTING THE OFFICIAL
ZONING MAP OF THE CITY OF ATHENS

WHEREAS, the City Council of the City of Athens desires to set forth and adopt the Official Zoning Map of the City of Athens, to reflect the modifications in the terminology of the zoning classifications utilized in the recently-enacted zoning ordinance of the City; and

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on January 28, 2008 at 5:30 p.m., that the attached map is hereby adopted as the Official Zoning Map of the City of Athens, as referenced by the Zoning Ordinance of the City of Athens, Alabama.

ADOPTED and APPROVED this, the 28th day of January, 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

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 _____, 2008.

Witness my hand and seal of office this ____ day of _____, 2008.

John Hamilton, City Clerk/Treasurer

Councilmember Gill moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers 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 Marks thereupon moved that the ordinance 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 ordinance had been unanimously carried.

David Seibert, County Commissioner, commented on the Kidney Association being turned over to Athens Limestone Hospital. Also, he inquired about the progress on the new Health Department project and the 50/50 split between the city and county.

Councilman Marks moved 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 at the City Council meeting of February 25, 2008, to take comments on the rezoning request of Andy Beasley. The property is two tracts located west of Highway 31 North, and south of Elm Street. Lot 1 contains 4.15 acres and the request is to rezone the property from R-2-1 to B-3 Highway Business District. Lot 2 contains 7 acres, and the request is to rezone it from R-2-1 to R-3-1, Multiple Family Residential District.

The motion was seconded by Councilman Gill 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 set a Public Hearing at the City Council meeting of February 25, 2008, to take comments on the annexation/zoning request of Daniel and LaDonna Fuller. The property is a house located at 11708 Pitts Boulevard, which is a service road running parallel with Highway 31 South, south of Huntsville-Brownsferry Road.

The motion was seconded by Councilman Gill 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 set a Public Hearing at the City Council meeting of February 25, 2008, to take comments on the annexation/zoning request of Kelly Thomas. The property is a approximately 8 acres located adjacent to 19046 Moyers Road, which is in the City Limits. Zoning would be R-1-1 Low Density Single Family Residential District.

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

Councilman Wales introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1674

**AN ORDINANCE AMENDING SECTION 2-64(12) OF THE
CITY CODE, RELATING TO PROPOSITIONS REQUIRING
THE EXPENDITURE OF MONEY**

WHEREAS, the City Council wishes to clarify its procedural rule concerning propositions that involve the expenditure of funds;

WHEREAS, this rule acts as a procedural restraint on the expenditure of municipal funds; and

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on January 28, 2008 at 5:30 p.m., as follows:

Section 1. Section 2-64(12) of the Code of Ordinances of the City of Athens is hereby amended to state as follows:

(12) The propositions submitted to the council that require the expenditure of money shall lie over until the next regular meeting; provided, that such propositions may be considered earlier by unanimous consent of the council. However, this rule shall not apply where the proposition concerns: (i) the current expenses of the city, (ii) contracts previously made with the city, (iii) regular salaries of city officers, (iv) wages of employees of the city, and (v) matters that have been contained or encompassed in

budgets that have been previously approved by the council. Moreover, the application of this rule in any given case shall be the decision of the chairperson, and the chairperson's decision shall be final, subject only to reversal by a majority of the council upon an appeal [question of order] made prior to the passage of the proposition. Council actions are not subject to invalidation because the council did not apply this rule to any given proposition.

Section 2. This ordinance shall become effective upon its adoption and publication as required by law.

Section 3. 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.

ADOPTED and APPROVED this, the 28th day of January, 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

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 28th day of January, 2008.

Witness my hand and seal of office this ___ day of _____, 2008.

John Hamilton, City Clerk

Councilmember Marks moved that unanimous consent be given for immediate consideration of and action on said ordinance, 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 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 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.

Councilwoman Caudle moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to extend the current franchise of Charter Communications for 12 months from 1-29-08 to 1-28-09.

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, to amend the City of Athens's Personnel Policy and Procedures Manual to include the attached revised policy entitled "Section 3.6.1 Applications for Police Officer I and Firefighter I effective 1-28-08.

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 reorganize the Fire Department effective January 28, 2008 in accordance with the attached organizational chart, which includes the following 41 positions:

- Fire Chief
- Assistant Fire Chief
- Fire Prevention Chief
- Fire Inspector
- Administrative Assistant
- Captain (3 positions)
- Lieutenants (9 positions)
- Firefighter III's (6 positions)
- Firefighter II's (13 positions)
- Firefighter I's (5 positions)

ADOPTED and APPROVED this, the 28th day of January, 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 Marks 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 adopt the job description for the following position with the Fire Department:

- Fire Inspector, Grade 11, Job description dated 1-28-08.

All previous job descriptions for the position are obsolete and where a discrepancy exists between the new job description and the old job description, the new job description will supercede the old job description.

ADOPTED and APPROVED this, the 28th day of January, 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 Gill introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1675

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that Ordinance Number 888, establishing a classification list and pay plan for classified employees, be hereby amended as follows:

1. Add the following job titles for the Fire Department:

- Fire Inspector, Grade 11

All previous job titles for these positions are obsolete and where a discrepancy exists between the new job title and the old job title, the new job title will supercede the old job title.

ADOPTED and APPROVED this, the 28th day of January, 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 Marks moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers 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 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 announced that the motion for the adoption of the said ordinance had been unanimously carried.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1040

A RESOLUTION CONCERNING AN AGREEMENT RELATED TO THE ALABAMA PUBLIC HEALTH CARE AUTHORITY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on January 28, 2008 at 5:30 p.m. that the Mayor is authorized to enter into the written Agreement between Limestone County, Alabama; the Alabama Public Health Care Authority; and the City, as set forth in Exhibit A hereto.

ADOPTED and APPROVED this, the 28th day of January, 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

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 a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the ____ day of _____, 2008.

Witness my hand and seal of office this ____ day of _____, 2008.

John Hamilton, City Clerk

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

* * *

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

/s/ John M. Crutcher
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK

