

February 25, 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 25, 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. Jimmy Gill 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 February 11, 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 February 11, 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. The Chairperson stated that the Minutes of the February 19, 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.

A public hearing was held to hear comments on the sale of alcohol for Village Pizza. Josh Tarokh, 303 South Beaty Street, spoke in favor of and no one spoke against.

A public hearing was held to hear comments on the annexation and zoning request of Daniel and LaDonna Fuller, 11708 Pitts Blvd. No one spoke in favor of or against.

The public hearing was closed.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1677

WHEREAS, on the 27th day of December, 2007, Daniel and LaDonna Fuller, being the owners of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Athens; and

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

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 declared 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, be, and the same 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 the following described territory, to wit:

Lots 7 and 8 of Block 2 of the Hull Homesites Subdivision, and also the South Half of Lot 6 of Block 2 of said Subdivision, on file in the Office of the Judge of Probate of Limestone County, Alabama, in Plat Book B, Page 52.

Property located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 4, Township 4 South, Range 4 West in Limestone County, Alabama.

Property is more particularly described as: Commence from the Northwest Corner of the Northeast Quarter of Section 4, South 00 degrees 38 minutes 07 seconds West a distance of 1575.0 feet to a point;

thence South 89 degrees 03 minutes 46 seconds East a distance of 123.0 feet to a point on the East Right-of-Way of U.S. Highway 31, also the point of True Beginning;

From the Point of True Beginning, thence South 89 degrees 07 minutes 49 seconds East parallel to the North Boundary of Section 4 a distance of 514.2 feet to a point;

thence South 00 degrees 52 minutes 11 seconds West a distance of 125.0 feet to a point;

thence North 89 degrees 07 minutes 59 seconds West parallel to the North Boundary of Section 4 a distance of 510.9 feet to a point on the east right-of-way of U.S. Highway 31;

thence North 00 degrees 38 minutes 32 seconds West along the east right-of-way of U.S. Highway 31, also the Athens corporate limits a distance of 125.0 feet to the Point of True Beginning, containing 1.47 acres, more or less.

SECTION 3. 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, Alabama.

SECTION 4. The territory described in this ordinance shall become a part of the corporate limits of Athens, Alabama, upon publication of this ordinance as set forth in Section 3, above.

SECTION 5. The territory described in this ordinance shall, upon becoming a part of the corporate limits of Athens, Alabama, be zoned as R-1-1 Low Density Single Family Residential District, in accordance with the Zoning Ordinance of the City of Athens, Alabama.

ADOPTED and APPROVED this, the 25th 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 Wales moved that unanimous consent be given for immediate consideration of and action on said ordinance, 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 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.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1678

WHEREAS, the City Council of the City of Athens, Alabama, has heretofore adopted, "The Zoning Ordinance of the City of Athens, Alabama," and,

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 the hereinafter newly annexed described area should be zoned as R-1-1 Low Density Single Family Residential District.

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

That all of the hereinafter described area or real estate is hereby zoned "R-1-1 Low Density Single Family Residential District", in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and are more particularly described as follows:

Lots 7 and 8 of Block 2 of the Hull Homesites Subdivision, and also the South Half of Lot 6 of Block 2 of said Subdivision, on file in the Office of the Judge of Probate of Limestone County, Alabama, in Plat Book B, Page 52.

Property located in the Northwest Quarter of the Southwest Quarter of the Northeast Quarter of Section 4, Township 4 South, Range 4 West in Limestone County, Alabama.

Property is more particularly described as: Commence from the Northwest Corner of the Northeast Quarter of Section 4, South 00 degrees 38 minutes 07 seconds West a distance of 1575.0 feet to a point;

thence South 89 degrees 03 minutes 46 seconds East a distance of 123.0 feet to a point on the East Right-of-Way of U.S. Highway 31, also the point of True Beginning;

From the Point of True Beginning, thence South 89 degrees 07 minutes 49 seconds East parallel to the North Boundary of Section 4 a distance of 514.2 feet to a point;

thence South 00 degrees 52 minutes 11 seconds West a distance of 125.0 feet to a point;

thence North 89 degrees 07 minutes 59 seconds West parallel to the North Boundary of Section 4 a distance of 510.9 feet to a point on the east right-of-way of U.S. Highway 31;

thence North 00 degrees 38 minutes 32 seconds West along the east right-of-way of U.S. Highway 31, also the Athens corporate limits a distance of 125.0 feet to the Point of True Beginning, containing 1.47 acres, more or less.

ADOPTED and APPROVED this, the 25th 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 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 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.

A public hearing was held to hear comments on the annexation and zoning request of Kelly Thomas, next to 19046 Moyers Road. No one spoke in favor of or against.

The public hearing was closed.

Councilman Gill introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1679

WHEREAS, on the 7th day of December, 2007, Kelly N. Thomas, being the owner of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Athens; and

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

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 declared 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, be, and the same 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 the following described territory, to wit:

A tract of land lying in the West Half of the Northwest Quart of the Northwest Quarter of Section 32, Township 3 South, Range 4 West, in Limestone County, Alabama, and being more particularly described as follows:

Commence at an the Northwest corner of Section 32, Township 3 South, Range 4 West; thence South 87 degrees 29 minutes and 18 seconds East along the North boundary of said section 32 a distance 319.93 feet to a point, said point being in Moyers Road; thence South 00 degrees 44 minutes and 15 seconds West a distance of 32.86 feet to a point on the south right-of-way of Moyers Road, said point is on the edge of the Athens corporate limits point, also said point is the True Point of Beginning;

thence from True Point of Beginning, South 86 degrees 56 minutes 37 seconds East a along the right-of-way of Moyers Road and along the Athens corporate limits distance of 342.55 feet to a point; thence South 00 degrees 40 minutes 28 seconds West leaving the right-of-way of Moyers road and following the Athens corporate limits a distance of 746.21 feet to a point; thence North 87 degrees 29 minutes and 18 seconds West leaving the Athens corporate limits a distance of 563.18 feet to a point; thence North 00 degrees 44 minutes 15 seconds East a distance of 458.53 feet to a point on the Athens corporate limits; thence South 86 degrees 56 minutes 37 seconds East along the Athens corporate limits a distance of 220.00 feet to a point; thence North 00 degrees 44 minutes 15 seconds East along the Athens corporate limits a distance of 293.00 feet to the True Point of Beginning, containing 8.19 acres, more or less.

SECTION 3. 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, Alabama.

SECTION 4. The territory described in this ordinance shall become a part of the corporate limits of Athens, Alabama, upon publication of this ordinance as set forth in Section 3, above.

SECTION 5. The territory described in this ordinance shall, upon becoming a part of the corporate limits of Athens, Alabama, be zoned as R-1-1 Low Density Single Family Residential District, in accordance with the Zoning Ordinance of the City of Athens, Alabama.

ADOPTED and APPROVED this, the 25th 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 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 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 announced that the motion for the adoption of the said ordinance had been unanimously carried.

Councilwoman Caudle introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1680

WHEREAS, the City Council of the City of Athens, Alabama, has heretofore adopted, "The Zoning Ordinance of the City of Athens, Alabama," and,

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 the hereinafter newly annexed described area should be zoned as R-1-1 Low Density Single Family Residential District.

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

That all of the hereinafter described area or real estate is hereby zoned "R-1-1 Low Density Single Family Residential District", in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and are more particularly described as follows:

A tract of land lying in the West Half of the Northwest Quarter of the Northwest Quarter of Section 32, Township 3 South, Range 4 West, in Limestone County, Alabama, and being more particularly described as follows:

Commence at the Northwest corner of Section 32, Township 3 South, Range 4 West; thence South 87 degrees 29 minutes and 18 seconds East along the North boundary of said Section 32 a distance 319.93 feet to a point, said point being in Moyers Road; thence South 00 degrees 44 minutes and 15 seconds West a distance of 32.86 feet to a point on the south right-of-way of Moyers Road, said point is on the edge of the Athens corporate limits point, also said point is the True Point of Beginning;

thence from True Point of Beginning, South 86 degrees 56 minutes 37 seconds East and along the right-of-way of Moyers Road and along the Athens corporate limits for 342.55 feet to a point; thence South 00 degrees 40 minutes 28 seconds West leaving the right-of-way of Moyers road and following the Athens corporate limits a distance of 746.21 feet to a point; thence North 87 degrees 29 minutes and 18 seconds West leaving the Athens corporate limits a distance of 563.18 feet to a point; thence North 00 degrees 44 minutes 15 seconds East a distance of 458.53 feet to a point on the Athens corporate limits; thence South 86 degrees 56 minutes 37 seconds East along the Athens corporate limits a distance of 220.00 feet to a point; thence North 00 degrees 44 minutes 15 seconds East

along the Athens corporate limits a distance of 293.00 feet to the True Point of Beginning, containing 8.19 acres, more or less.

ADOPTED and APPROVED this, the 25th 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 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 announced that the motion for the adoption of the said ordinance had been unanimously carried.

A public hearing was held to hear comments for the rezoning of Highway 31 North South of Elm Street for Andy Beasley. No one spoke in favor of or against.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1681

WHEREAS, the City Council of the City of Athens, Alabama, has heretofore adopted, "The Zoning Ordinance of the City of Athens, Alabama," and,

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 the hereinafter described areas (Lot 1 and Lot 2) should be rezoned from R-2-1 Duplex Residential District to: Lot 1 = B-3 Highway Business District, and Lot 2 = R-3-1 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, Lot 1 as "B-3", and Lot 2 as "R-3-1".

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

That all of the hereinafter described area or real estate (Lot 1) is hereby zoned "B-3 Highway Business District", in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

DESCRIPTION OF LOT 1

A tract of land being a part of the west one-half of Section 3, also being a part of the east one-half of Section 4, all in Township 3 South, Range 4 West of the Huntsville meridian, Limestone County, Alabama, and being more particularly described as follows:

commence at a "x" cut in the Highway 99 bridge over Swan Creek at the northeast corner of Section 4, also being the northwest corner of Section 3, Township 3 South, Range 4 West, thence south 01 degrees 21 minutes 12 seconds west along the east boundary of said Section 4 a distance of 414.26 feet to a point in the centerline of Swan Creek, point being the point of True Beginning of the following described tract,

thence from the point of True Beginning south 00 degrees 56 minutes 25 seconds west along the centerline of Swan Creek a distance of 236.29 feet to a point, thence south 05 degrees 06 minutes 06 seconds east along the centerline of Swan Creek a distance of 80.46 feet to a point, thence south 21 degrees 42 minutes 06 seconds east along the centerline of Swan Creek a distance of 205.45 feet to a point, thence south 32 degrees 01 minutes 35 seconds east along the centerline of Swan Creek a distance of 310.38 feet to a point, thence south 41 degrees 33 minutes 33 seconds east along the centerline of Swan Creek a distance of 210.76 feet to a point on the west right-of-way of U.S. Hwy. no. 31 (180.00 foot right-of-way),

thence leaving the centerline of said Swan Creek, south 21 degrees 10 minutes 59 seconds west along the west right-of-way of said U.S. Hwy. 31 a distance of 400.00 feet to a point,

thence north 68 degrees 49 minutes 01 seconds west a distance of 220.00 feet to a point,

thence north 21 degrees 10 minutes 59 seconds east a distance of 172.30 feet to a point,

thence north 10 degrees 16 minutes 15 seconds west a distance of 348.57 feet to a point,

thence north 32 degrees 01 minutes 35 seconds west a distance of 168.22 feet to a point,

thence north 21 degrees 42 minutes 06 seconds west a distance of 63.88 feet to a point,

thence north 87 degrees 19 minutes 47 seconds east a distance of 66.69 feet to a point,

thence north 01 degrees 21 minutes 12 seconds east a distance of 513.03 feet to the point of True Beginning and containing 4.15 acres, more or less.

That all of the hereinafter described area or real estate (Lot 2) is hereby zoned "R-3-1 Multiple Family Residential District", in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

DESCRIPTION OF LOT 2

A tract of land being a part of the west one-half of Section 3, also being a part of the east one-half of Section 4, all in Township 3 South, Range 4 West of the Huntsville meridian, Limestone County, Alabama, and being more particularly described as follows:

commence at a "x" cut in the highway 99 bridge over Swan Creek at the northeast corner of Section 4, also being the northwest corner of Section 3, Township 3 South, Range 4 West, thence south 01 degrees 21 minutes 12 seconds west along the east boundary of said Section 4 a distance

of 414.26 feet to a point in the centerline of Swan Creek, thence continue south 01 degrees 21 minutes 12 seconds west along the east boundary of said Section 4 a distance of 513.03 feet to a point, thence south 87 degrees 19 minutes 47 seconds west a distance of 66.69 feet to a point, said point being the point of True Beginning of the following described tract,

thence from the point of True Beginning south 21 degrees 42 minutes 06 seconds east a distance of 63.88 feet to a point,

thence south 32 degrees 01 minutes 35 seconds east a distance of 168.22 feet to a point,

thence south 10 degrees 16 minutes 15 seconds east a distance of 348.57 feet to a point,

thence south 21 degrees 10 minutes 59 seconds west a distance of 172.30 feet to a point,

thence south 68 degrees 49 minutes 01 seconds east a distance of 220.00 feet to a point on the west right-of-way of U.S. Hwy. no. 31 (180.00 foot right-of-way),

thence south 21 degrees 10 minutes 59 seconds west along the west right-of-way of said U.S. Hwy. 31 a distance of 50.00 feet to a point,

thence north 68 degrees 49 minutes 01 seconds west a distance of 652.00 feet to a point,

thence north 02 degrees 40 minutes 13 seconds west a distance of 581.13 feet to a point,

thence north 87 degrees 19 minutes 47 seconds east a distance of 335.60 feet to the point of True Beginning and containing 7.00 acres, more or less.

ADOPTED and APPROVED this, the 25th 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 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 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.

Quinton Anderson, 104 Ridgelawn Drive, expressed his opinion about potential sources of new revenues such as special assessments fees on new lots that are developed.

Councilwoman Caudle moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1049

A RESOLUTION CONCERNING A JOINT DEVELOPMENT AGREEMENT
WITH THE LIMESTONE COUNTY COMMISSION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on February 25, 2008 at 5:30 p.m. that he Mayor is authorized to enter into the written Joint Development Agreement between the City of Athens and Limestone County, Alabama, as set forth in Exhibit A hereto. This agreement is on file in the City Clerk's Office, 200 West Hobbs Street.

ADOPTED and APPROVED this, the 25th 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

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

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

Councilman Marks moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1050

**A RESOLUTION CONCERNING AN APPROPRIATION FOR ONE-HALF THE COST OF
PAVING A ROAD AND INSTALLING A WATER LINE**

WHEREAS, the City Council of the City of Athens wishes to appropriate \$150,000.00 for the construction of a road that will provide access to real property along Highway 31 South that is jointly owned by the City of Athens and Limestone County, Alabama;

WHEREAS, the City Council of the City of Athens also wishes to authorize the appropriation of ½ of the cost of the extension of a water line along said road;

WHEREAS, these improvements will also provide a public benefit in that they will provide access and utility service to the new public health facility to be constructed adjacent to the above-referenced property;

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 25, 2008 at 5:30 p.m., as follows:

1. The City appropriates \$150,000.00 from the General Fund Reserves for the estimated ½ cost of paving a road further described as Clyde Mabry Drive and depicted on the Plat of Thirty-One South Commercial Park, recorded at Plat Book H, Page 52 in the Office of the Judge of Probate of Limestone County, Alabama.

2. The City also authorizes, from the General Fund Reserves, an appropriation for ½ of the cost of the installation of a water line from the City’s existing water line on Highway 31 South along said Clyde Mabry Drive.

3. Invoices will be approved by the Public Works Director and paid upon work completed, line item 10.25.90174 (Clyde Mabry Drive – paving/water line) will be amended for \$150,000.

4. This appropriation is made in accordance with the Joint Development Agreement between the City and County, and is further made contingent upon the County’s agreement and commitment to pay the other ½ cost of both paving the road and installing the water line.

ADOPTED and APPROVED this, the 25th 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

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

Councilmember Caudle moved that unanimous consent be given for immediate consideration of and action on said resolution, 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 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 Marks moved the adoption of the following resolution:

RESOLUTION

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to set a Public Hearing at the City Council meeting of March 24, 2008, to take comments on the rezoning request of John Furline, as Manager of TMJ, L.L.C. The property is 54 acres located on the north side of Highway 72, east of Line Road and Piney Creek, to be rezoned from AG Agricultural District to P-MU Planned Mixed Use Development District.

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

Councilman Wales introduced the following ordinance:

ORDINANCE NUMBER 2008-1682

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to reclassify NAICS codes #5617301 (Lawn Care-mowing only), #561720 (Janitorial Services), #561740 (Carpet & Upholstery Cleaning Services), and #561790 (Other Services to Buildings or Dwellings) located in Section 18-323 of the City's Code of Ordinances (Business Licenses). The previously mentioned types of businesses are currently classified in Schedule 10 (Contractors), but will be changed to Schedule 35 (Repairs & Services).

ADOPTED and APPROVED this, the 25th 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 Marks moved that unanimous consent be given for immediate consideration of and action on said ordinance, 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 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.

Councilman Wales moved the adoption of the following resolution:

RESOLUTION

BE IT THEREFORE 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 revised policy entitled “7.3.1 Retiree Insurance Policy” effective 2/25/08.

ADOPTED and APPROVED this, the 25th 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 Marks and was unanimously carried.

Councilman Gill moved the adoption of the following resolution:

RESOLUTION

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$372,000 is appropriated from the Water Department Capital Infrastructure Fund for the following listed projects.

1. Hastings Road – 3,000 l.f. 8-inch + 2 fire hydrants	\$95,000
2. Line Road – 1,000 l.f. 6-inch + 1 fire hydrant	\$26,000
3. Village Lane – 250 l.f. 6-inch + 1 fire hydrant	\$15,000
4. Highway 72 East from Pike Road – 1,400 l.f. 8-inch + 1 fire hydrant	\$32,000
5. Highway 72 East to Pike Road – 800 l.f. 8-inch	\$19,000
6. Connect 12-inch at Canebrake entrance to 6-inch west side of Lindsay Lane and terminate that 6-inch at service area boundary	\$15,000
7. 10-inch line on Nick Davis and replumb intersection of Nick Davis And Oakdale Road	\$20,000
8. North Lindsay Lane and Compton Roads – 4,600 l.f. 8-inch + 5 fire hydrants	\$150,000

ADOPTED and APPROVED this, the 25th 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 Marks 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 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 Gill thereupon moved that the resolution 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 resolution had been unanimously carried.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1051

A RESOLUTION CONCERNING A LEASE AGREEMENT WITH THE ATHENS LIMESTONE
COMMUNITY ASSOCIATION, INC.

WHEREAS, the City Council of the City of Athens wishes to enter into a lease agreement with the Athens Limestone Community Association, Inc. with respect to property near the historic Trinity School;

WHEREAS, the *Code of Alabama* authorizes the City to establish and regulate areas for public parks and recreation;

WHEREAS, the City Council of the City of Athens wishes to utilize the real property for public park and recreational use; and

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
ATHENS, ALABAMA** on February 25, 2008 at 5:30 p.m., as follows:

1. The Mayor is authorized to enter into the Lease Agreement attached hereto as Exhibit A with respect to the property described therein.

2. When made available to the public for use by the Mayor and the City's Parks and Recreation Department, the property described in Exhibit A hereto shall be deemed a recreational park and sports facility of the City of Athens subject to the ordinances and regulations concerning such facilities.

ADOPTED and APPROVED this, the 25th 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

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

Councilmember Wales 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.

Councilwoman Caudle introduced the following ordinance:

ORDINANCE NUMBER 2008-1683

WHEREAS, James Rex Lindsay, owner of Affordable Vintage Autos, has met all the necessary requirements (Alabama Department of Public Safety driving record, medical reports, proof of liability insurance, rate schedule, application completion, Alabama Public Service Commission Certificate) to secure a franchise;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to issue a franchise for operation of a limousine service to James Rex Lindsay, subject to the City of Athens Code of Ordinances, Chapter 86 (“Vehicles for Hire”).

ADOPTED and APPROVED this, the 25th 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 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 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, 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

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to execute a new five-year water purchase agreement with Limestone County Water & Sewer Authority (LCWSA). This agreement will be on file in the office of the Water/Wastewater department.

The motion was seconded by Councilman Gill 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, that the Manager of Water Services is hereby authorized to execute a contract with Max Foote Construction Co., Inc. in the amount of \$19,893,000 for construction of a new wastewater treatment plant.

Councilmember Marks 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 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 Caudle 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 Marks moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1052

WHEREAS, the Athens City Council hereby declares that the vehicle referenced herein is surplus property, not needed for a public or municipal purpose;

WHEREAS, the Athens City Council declares that the use of this vehicle by the LCEDA will provide a public benefit by assisting the LCEDA in promoting the economy of the City of Athens; and

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on February 25, 2008 at 5:30 p.m. that the Mayor is authorized to enter into the written lease between the City of Athens and the LCEDA, as set forth in Exhibit A hereto. A copy of this agreement will be on file in the City Clerk's Office.

ADOPTED and APPROVED this, the 25th 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 Wales moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the bid by Terex Utilities, Birmingham, Alabama, for two material handling bucket trucks with cabs and chassis be approved and that the Manager of the Electric Department be authorized to issue a Purchase Order to the company in the amount of \$185,190.

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

Councilman Marks moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1053

WHEREAS, the City Council desires that the city enter into a contract with Stephen Ward & Associates, Inc. to provide roof consulting and design services for re-roofing of the Utility Headquarters & Warehouse located at 1806 Wilkinson Street, Athens, Alabama, 35611; and

THEREFORE BE IT RESOLVED by the City Council of the City of Athens, Alabama while in regular session on February 25, 2008 at 5:30 p.m. that the Mayor is authorized to enter into the contract between the City of Athens Utilities and Stephen Ward & Associates, Inc. as set forth in Exhibit A hereto. A copy of the agreement will be on file in the City Clerk's Office.

ADOPTED and APPROVED this, the 25th 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 resolution, 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 resolution had been unanimously carried. Councilmember Marks thereupon moved that the resolution 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 resolution had been 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/ John M. Crutcher
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK