

February 8, 2010

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 8, 2010, at 5:30 p.m. The meeting was called to order by Councilman William R. Marks, President of the Council. Upon roll call the following were found to be present: Councilmembers Mignon Bowers, Harold Wales, Jimmy Gill, William R. Marks and Mildred Caudle. Mayor Dan Williams was present and led the pledge of allegiance. John Hamilton, City Clerk, was present and recorded the minutes of the meeting. Harold Wales offered the invocation. 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 25, 2010 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 25, 2010 City Council Work Session 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.

Councilman Gill moved the adoption of the following resolution:

RESOLUTION NUMBER 2010-1133

**A RESOLUTION SETTING A PUBLIC HEARING REGARDING THE ATHENS CITY
COUNCIL'S CONSIDERATION
OF THE ADOPTION OF CERTAIN CODES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA

as follows:

1. A public hearing is set to be held at the regular meeting of the Athens City Council for February 22, 2010, at 5:30 P.M., in the Athens City Council meeting room in the Athens Police Department, on Hobbs Street, Athens, Alabama 35611.

2. This public hearing shall be regarding the City Council's decision of whether or not to amend Section 14-31 of the City Code of the City of Athens so as to adopt the 2009 edition of the following codes, which would replace/update existing building codes within the City of Athens, Alabama: 2009 International Building code (IBC), 2009 International Residential Code (IRC), International Mechanical Code (IMC), 2008 National Electric Code (NEC), 2009 International Plumbing Code (IPC), 2009 International Fuel Gas Code (IFGC), 2009 International Code Council Electrical Code (ICCEC), 2009 International Fire Code (IFC), 2009 International Property Maintenance Code (IPMC), 2009 International Existing Building Code (IEBC), 2006 American National Standard Accessibility and Usability for

Buildings and Facilities (ICC/ANSI A117-2006), regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of systems; providing for the issuance of permits and collection of fees therefore.

3. Three copies of the above codes shall be filed for fifteen (15) days prior to the public hearing for use and examination of the public in the office of the City Clerk.

4. The City Council intends to also consider amendments to such rules or regulations adopted as a code, and to the extent that such amendments are adopted by the City Council, such amendments that are enacted shall be published as provided for in § 11-45-8(b) of the *Code of Alabama*.

ADOPTED and APPROVED this, the 8th day of February, 2010.

/s/ William R. Marks
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 _____, 2010.

Witness my hand and seal of office this ___ day of _____, 2010.

John Hamilton, City Clerk

The motion was seconded by Councilwoman Bowers 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 authorize the Mayor to enter into a contract with CMH Architects, Inc. firm for the design and construction of a new Fire Station #1 to be built at "Wellness Park" located at the corner of West Washington Street and Hine Street. The cost of the architect's services will be funded from the Capital Projects Fund.

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

Councilwoman Bowers 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 enter into a contract with Krebs Architect and Engineering firm for the design and construction of a new City Hall to be built at 200 West Hobbs Street. The cost of the architect's services will be funded from the Capital Projects Fund.

The motion was seconded by Councilwoman Caudle with three yeas and two nays by Councilman Wales and Councilman Gill.

Councilwoman Caudle moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve \$163.58 for the Police Department to purchase a folding pet ramp. This will be charged to the Animal Control Fund.

Councilmember Bowers 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 Bowers, 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 Bowers, 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 make a one time appropriation of \$15,000 to the Mental Health Center of North Central Alabama, Inc., for the construction of a HUD 811 Grant housing project within the city limits of Athens, Alabama. This appropriation will be contingent upon HUD's acknowledgement and award of the HUD 811 Grant for the housing project. General Fund appropriation line item number 525.90107 will be amended upon approval from the HUD 811 Grant. The City Council finds that such expenditure constitutes a public benefit with respect to the citizens of the City of Athens.

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 Bowers, 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 Bowers and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Bowers, 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 Bowers moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the Sportsplex Master Plan dated February 10, 2010 offered to us by Morell Engineering.

The motion was seconded by Councilman Gill 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 proceed with Phase 1 of the Sportsplex Master Plan by Morell Engineering.

The motion was seconded by Councilman Wales 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 approve the Municipal Court to be able to accept debit and credit cards as payments for fines and court costs.

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

Councilwoman Caudle moved that they adjourn to go into Executive Session to discuss the consideration the City would be willing to offer or accept when considering the purchase, sale, exchange, lease or market value of real property, was seconded by Councilman Wales and was unanimously carried. The City Attorney, Shane Black, noted that an Executive Session for these purposes was authorized under Alabama law.

The Executive Session was closed at 6:30 p.m.

* * *

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

/s/ William R. Marks
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK