

March 10, 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 March 10, 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. Ronnie Marks 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 25, 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 February 25, 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 22, 2008 Special 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.

A public hearing was held to hear comments on the sale of alcohol for Logan's Roadhouse, Inc. No one spoke in favor of or against.

A public hearing was held to hear comments on the sale of alcohol for Gary's Quick Stop. Gary Patel, 1113 W. Market Street, spoke in favor of and no one spoke against.

The public hearing was closed.

Quentin Anderson, 104 Ridgelawn Drive, again voiced his support for additional builder's permit fees for new homes in the city.

Angela Farrar, 208 Southwind Drive, Apartment 7, voiced her concerns about her new home plans being approved to begin construction by a city inspector and then another city inspector later stated that there was a problem.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the list of four vehicles, two trailers and a cement mixer be declared surplus property and the Manager, Water Services, is hereby authorized to dispose of same through and auction process.

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 travel expenses in the following amount be approved for Electric Department personnel.

Adam Reece	TVPPA Lineman Apprentice Lab C Scottsboro, AL	\$150.00
Jared Fleming	TVPPA Lineman Apprentice Lab C Scottsboro, AL	\$150.00
Daniel Tucker	TVPPA Lineman Apprentice Lab C Scottsboro, AL	\$150.00
Joseph Hoenig	TVPPA Lineman Apprentice Lab C Scottsboro, AL	\$150.00

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

Councilman Wales moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1054

WHEREAS, the City of Athens has been made aware of proposed state legislation which would seriously impede the authority of municipalities to regulate land use, specifically local zoning authority over wireless facilities, construction standards, permit fees and reviews – all roles historically and exclusively delegated to municipalities by the Legislature; and

WHEREAS, such legislation would seriously negatively affect the ability of Alabama cities and towns to accommodate new technology, while minimizing to the extent not unreasonable, the impact that wireless towers and facilities have on local neighborhoods and individual citizens; and

WHEREAS, the proposed legislation would shift much of the cost of the tower siting process from the provider who will reap the profits from the facilities to the municipality, and thus to the general public and citizenry, all for an industry that from published figures clearly does not need local citizens to subsidize their business ventures; and

WHEREAS, The City of Athens deems it appropriate to express its serious concerns and request the assistance of its Local State Legislative Delegation to defeat this and any similar legislation, both now and in the future;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of

Athens, Alabama that the Mayor is requested and authorized on behalf of the City to provide this Resolution in opposition to SB 338 and HB 459 to our elected State officials and implore them to oppose this legislation.

ADOPTED and APPROVED this, the 10th day of March, 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 Marks moved 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, contingent upon receipt of a certificate of occupancy, for its "Restaurant – Class I" alcohol license, based on the recommendation of the Alcohol Review Committee. It is of our opinion that the business has met all of the requirements of the City of Athens' alcohol ordinance, except for the certificate of occupancy.

Village Pizza, Inc.
222 W. Market Street
John & Laura Tarokh, owners

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 \$36,270.00 is appropriated from the Wastewater Department Capital Infrastructure Fund to pay for the Looney Road sanitary sewer extension.

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

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Athens city council members and the Mayor, periodically, schedule a meeting with the Limestone County Commission Chairman, and the county commission members, to discuss matters of common interest, programs, and plans. These meetings to be held not less than quarterly on an annual basis with the Mayor calling the quarterly meeting.

The motion was seconded by Councilman Marks 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 authorize the Mayor to issue a work order to address drainage issues between Pryor Street, North Marion Street, North Monroe Street and Mill Street. The first phase of this project will be an authorization to replace drainage pipe and drainage structures on Mill Street and North Monroe in an amount not to exceed \$21,000. This project shall be funded from the City of Athens line item 10.25.90146. The second phase of the project cost may be funded if required at a later date.

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 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.

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

/s/ John M. Crutcher
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK

