

April 12, 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 April 12, 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 and William R. Marks. Mildred Caudle was absent. Mayor Dan Williams was present. Councilman Marks 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 March 22, 2010 City Council Meeting had been submitted for approval. Councilman Gill 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 March 22, 2010 City Council Work Session Meeting had been submitted for approval. Councilman Gill 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 Donate Life Proclamation was presented to Gail and Sara Ultz for "Donate Life Month".

A Certificate was presented to Heather Rouse for receiving the Alabama Natural Gas Association Person of the Year.

Donna Spears was presented a "Support for Troops" award.

Willie Mae Baker, 815 Acorn Hill Circle, asked that woods and brush in her area be cleaned up to hopefully help prevent mischief, crime, etc.

Rex Davis, Linton Road, asked that the Council and Mayor contact the state legislature to ask that they pass SB233. The Mayor stated he has contacted our local delegation today concerning this.

Janet Murrah, 1056 Brownsferry Street, asked that her area be cleaned up, they have high grass, trees that need to be cut, etc.

Buddy Tate, Tate's Wrecker Service, asked that he stay on the wrecker rotation. They are .9 of a mile out of the city limits.

Mr. Graham, Berzett Wrecker Service, asked that they be able to stay on the wrecker rotation. They are .2 of a mile out of the city limits.

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

Nathan King	TVPPA – Line Design & Staking Certification Training 4 Nashville, TN	\$100.00
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The motion was seconded by Councilman Gill 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 travel expenses in the following amount be approved for Electric Department personnel.

Johnnie Pryor	TVPPA – Purchasing Conference Nashville, TN	\$281.99
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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 approve the following applicant, for its “Retail Beer & Table Wine for Off-Premises Consumption” alcohol license. It is of our opinion that the business has met all of the requirements of the City of Athens’ alcohol ordinance.

Walgreens #10981
101 Highway 31 North

The motion was seconded by Councilman Wales 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 following applicant, for its “Restaurant, Class II” alcohol license, contingent upon receipt of the alcohol tax bond. It is of our opinion that the business has met all of the requirements of the City of Athens’ alcohol ordinance, except the alcohol tax bond.

El Rodeo Cantina, Inc.
202 Jefferson Street South

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

Councilwoman Bowers introduced the following ordinance:

**STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.**

ORDINANCE # 2010 - 1754

AN ORDINANCE OF THE CITY OF ATHENS, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE FIRST FULL WEEKEND OF AUGUST, 2010, AS AUTHORIZED BY ACT 2006-574, GENERALLY REFERRED TO AS THE STATE SALES TAX HOLIDAY LEGISLATION.

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

Section 1. In conformity with the provisions Act 2006-574 enacted by the Alabama Legislature during the 2006 Regular Session, providing for a State Sales Tax Holiday, the City of Athens, Alabama, exempts “covered items”

from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the first Friday in August 2010 (August 6, 2010) and ending at twelve midnight the following Sunday (August 8, 2010).

Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2006-574, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Athens, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This ordinance shall become effective on April 16, 2010.

ADOPTED and APPROVED this, the 12th day of April, 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

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 Bowers, Wales, Gill, and Marks; 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 Bowers 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 Bowers, Wales, Gill, and Marks; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance 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, that the Manager, Water Services, is directed to enter into a contract with Mr. Brent Hawkins of Hawkins Groundwork, Inc. for construction of the Glenn Valley Sewer Extension at a total bid price of \$232,681.00.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$255,949.00 (i.e. bid price plus 10%) be appropriated from the Wastewater Capital Infrastructure Fund for construction of the Glenn Valley Sewer Extension.

Councilmember Bowers moved that unanimous consent be given for immediate consideration of and action on said resolutions, 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, and Marks; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolutions had been unanimously carried. Councilmember Gill thereupon moved that the resolutions 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, and Marks; NAYS: None. The

President thereupon announced that the motion for the adoption of the said resolutions 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 define on April 12th, 2010 that an unnamed alley, that runs between Market Street East and Washington Street East, shall have signage installed and be enforced as a one way alley with a travel path in a southerly direction.

The motion was seconded by Councilman Gill 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 Gill and second by Councilwoman Bowers, duly and properly adjourned.

/s/ William R. Marks
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton
CITY CLERK