

July 14, 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 July 14, 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. Harold Wales 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 June 23, 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 June 23, 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.

A public hearing was held to hear comments concerning the rezoning request of Ross Anderson for property located at the corner of West Hobbs Street and Tiffani Lane. James Rich spoke favorably for this rezoning on behalf of the Planning Commission. No one spoke against.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1707

AN ORDINANCE REGARDING THE REZONING OF PROPERTY FOR ROSS ANDERSON FROM R-1-1 TO R-1-2, LOCATED AT THE CORNER OF WEST HOBBS STREET AND TIFFANI LANE

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 area should be rezoned from R-1-1 Low Density Single Family Residential District to R-1-2 Medium Density Single 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 as "R-1-2".

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-1-2 Medium Density Single Family 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:

A tract of land lying in the Northeast Quarter of the Northwest Quarter of Section 7, Township 3 South, Range 4 West, and being more particularly described as follows,

Commence at the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 7, Township 3 South, Range 4 West; thence South 87 degrees 25 minutes 22 seconds East along the North boundary of said Section 7 a distance of 231.88 feet to the Point of Beginning of the tract herein described:

Thence continue South 00 degrees 59 minutes 18 seconds West a distance of 177.08 feet to a point; thence South 87 degrees 12 minutes 54 seconds East a distance of 91.96 feet to a point; thence North 00 degrees 58 minutes 54 seconds East a distance of 177.42 feet to a point on the north boundary of said Section 7; thence North 87 degrees 25 minutes 22 seconds West along the north boundary of said Section 7 a distance of 91.93 feet to the Point of True Beginning and containing 0.374 acres, more or less.

ADOPTED and APPROVED this, the 14th day of July, 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.

Janice Woodruff, Christine Street, would like some type of public transportation available, especially because of high gas prices.

Tito Redus, 22186 Pepper Road, 1) pull up electric fence around property, is it legal? 2) wanted to know if sewer will come down Pepper Road? 3) the restrooms stay locked at Bridgeforth Park and he wants them unlocked.

Councilman Wales moved the adoption of the following resolution:

RESOLUTION

WHEREAS, a General Municipal Election will be held in the City of Athens on the 26th day of August, 2008, and

WHEREAS, the Mayor of the City of Athens is a candidate in said election and is thereby disqualified to perform certain duties per Code of Alabama 1975,

Now, therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that John Hamilton, City Clerk, is hereby appointed to perform all the duties otherwise required to be performed by the Mayor, per Code of Alabama 1975, with respect to the Municipal Election to be held in the City of Athens on 8-26-08 and if applicable, a run –off election on 10-7-08.

ADOPTED and APPROVED this, the 14th day of July, 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 Gill and was unanimously carried.

Councilman Marks moved the adoption of the following resolution:

RESOLUTION

ESTABLISHING COMPENSATION FOR ELECTION WORKERS

WHEREAS, a regular municipal election will be held on 8-26-08 and if necessary, a runoff election will be held on 10-7-08; and

WHEREAS, Section 11-46-27, Code of Alabama, provides that the returning officers, the inspectors, and the clerks at polling places shall be entitled to such compensation as the municipal governing body establishes; and

WHEREAS, the compensation of the election officers shall be paid as preferred claims out of the general fund of the municipality holding the election on proper proof of service rendered by said officers;

Now therefore, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that each inspector shall be compensated \$100 (working at the specific polling location) plus \$30 (attendance at election school) for a total of \$130. Every other poll worker shall be compensated \$75 (working at the specific polling location) plus \$25 (attendance at election school) for a total of \$100 per day.

ADOPTED and APPROVED this, the 14th day of July, 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 Gill and was unanimously carried.

Councilman Marks moved the adoption of (introduced only) the following resolution:

RESOLUTION NUMBER _____

A RESOLUTION CONCERNING THE PURCHASE OF A COMMUNICATIONS TOWER FROM HEMPHILL CORPORATION

WHEREAS, on December 11, 2000, the City of Athens ("City"), as lessor, entered into a lease agreement with Hemphill Corporation ("Hemphill"), as lessee ("Lease"), under the terms of which the City leased to Hemphill a parcel of real estate ("Premises") for the purposes of constructing and operating a communications antenna tower ("Tower"), installing and operating equipment to be used in connection with the Tower;

WHEREAS, Hemphill constructed a Tower, and equipment has been installed, on the Premises;

WHEREAS, in accordance with the terms of the Lease, the City installed two antenna arrays on the Tower, for which use of the Tower it paid Hemphill \$20,000.00, with the agreement that the \$20,000.00 would be refunded to the City, in accordance with a schedule contained in the Lease, within five years of the date said sum was paid to Hemphill;

WHEREAS, Hemphill has not refunded said \$20,000.00 to the City, although it is due and payable to the City;

WHEREAS, Edgewater Broadcasting, Inc. ("Edgewater") installed an antenna array on the Tower under a lease agreement with Hemphill, dated March 30, 2007 ("Edgewater Lease"), for which lease Hemphill failed to obtain certain approvals required by the City Code of the City;

WHEREAS, the City Council has determined that it would be advantageous to the City for the City to purchase the Tower from Hemphill to provide for the communication needs of the City;

WHEREAS, the City Council has determined that the sum of \$75,000.00 would be a fair and reasonable price for the City to pay for the Tower;

WHEREAS, as conditions to the purchase of the Tower: (1) the City will receive a credit for the \$20,000.00 owed to it by Hemphill; (2) Hemphill will assign to the City all of its rights and interests under the Lease and the Edgewater Lease; (3) the City will assign to Hemphill the rent paid by Edgewater under the Edgewater Lease that is applicable to the twenty-four-month period that begins on the day the purchase of the Tower is closed, up to the amount of \$8,400.00, less any amounts that the City is obligated to pay with respect to the Edgewater Lease, which rent shall be paid by Edgewater to the City and forwarded to Hemphill by the City, with the City's obligation to send such payments to Hemphill being limited to the rent payments, not to exceed \$8,400.00, that it receives from Edgewater and that are applicable to such twenty-four-month period; (4) each of the City and Hemphill will forgive the other for all monetary debts owed to it by the other, and each of the City and Hemphill will release the other from all claims that it could assert against the other, including, without limitation, claims for permit fees, rent owed for the period subsequent to the date of the closing of the sale of the Tower and tort claims; and

WHEREAS, the City and Hemphill have entered into negotiations for an asset purchase agreement with respect to the Tower ("Asset Purchase Agreement"), a copy of Exhibit A will be on file in the office of Kent Lewter, Finance Department, Athens Utilities.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on July ____, 2008 at ____ p.m., as follows:

1. The Mayor, for and on behalf of the City, is authorized to enter into the Asset Purchase Agreement with Hemphill, with such minor changes and corrections thereto as, in the opinion of the Mayor, are necessary to carry out and fulfill the terms and conditions of the Asset Purchase Agreement.
2. The Mayor, for and on behalf of the City, is authorized to execute and accept such additional documents that are required for the closing of this transaction, in accordance with the Asset Purchase Agreement, and that are approved, as to form and content, by the City Attorney.
3. The City's acquisition of the Tower shall be carried out by and through the City of Athens Electric Department (the "Department"). The Department shall bear the expense related thereto, and shall hold the Tower and related purchased assets in the name of the Department.

ADOPTED this the ____ day of July, 2008.

JOHN M. CRUTCHER, CITY COUNCIL PRESIDENT

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 July, 2008.

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

John Hamilton, City Clerk

This resolution was introduced only and will be voted on at the July 28, 2008 City Council Meeting.

Councilwoman Caudle moved the adoption of the following resolution:

RESOLUTION NUMBER 2008-1072

A RESOLUTION TO CONDEMN CERTAIN REAL PROPERTY IN CONNECTION WITH A
SANITARY SEWER PROJECT

WHEREAS, the City of Athens Utilities, Water Services, is engaging in a public works project to extend a sanitary sewer line;

WHEREAS, the City Council of Athens, Alabama deems it necessary and expedient to acquire certain real property in the City of Athens, Alabama in connection with that project, described more particularly in Exhibit A and Exhibit B hereto (the "Property"); A copy of these Exhibits will be on file in the Manager's Office of Athens Utilities Water and Wastewater Department.

WHEREAS, it is necessary and expedient for carrying out the full powers granted to the City of Athens, Alabama that such real property be acquired through the power of eminent domain; and

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on July 14, 2008 at 5:30 p.m., that the Manager of Water Services of the City of Athens Utilities, and the City Attorney, are hereby directed and authorized to continue to take all necessary steps to acquire the Property by purchase from the owners thereof, or failing that, by process of condemnation.

ADOPTED and APPROVED this, the 14th day of July, 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.

Councilman Marks moved the introduction of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Manager, Gas Department, to increase the FY 2008 Gas Department budget line item Capital Expenditure by \$12,322.00 and to award a purchase order to Vermeer of Decatur in the amount of \$132,322.00 for a 4 wheel drive plow/trencher combination.

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.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1708

WHEREAS, on the 14th day of July, 2008, **Jean D. Braly** (a/k/a Jean Braly) being the owner of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Athens; and

WHEREAS, said petition did contain the signature of the owner 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 declares 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 property described in **Exhibit A** hereto. A copy of this Exhibit will be on file in the office of Engineering Services and Community Development.

SECTION 3. This ordinance shall be published as provided by law, and a certified copy of same, together with certified copies of the petition of the property owner, 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.

ADOPTED and APPROVED this, the 14th day of July, 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.

Councilman Marks moved the amendment of the previous ordinance to add Section 5:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1708

WHEREAS, on the 14th day of July, 2008, **Jean D. Braly** (a/k/a Jean Braly) being the owner of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Athens; and

WHEREAS, said petition did contain the signature of the owner 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 declares 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 property described in **Exhibit A** hereto. A copy of this exhibit will be on file in the office of Engineering and Community Services.

SECTION 3. This ordinance shall be published as provided by law, and a certified copy of same, together with certified copies of the petition of the property owner, 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 intent of the City Council is that the territory described in this ordinance be zoned "B-3".

ADOPTED and APPROVED this, the 14th day of July, 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 Marks 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.

Councilman Marks introduced the following ordinance:

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

ORDINANCE NUMBER 2008-1709

WHEREAS, on the 14th day of July, 2008, **George L. Braly** (a/k/a George Braly, Jr., and George L. Braly, Jr.) being the owner of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Athens; and

WHEREAS, said petition did contain the signature of the owner 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 declares 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 property described in **Exhibit A** hereto. A copy of this exhibit will be on file in the office of Engineering and Community Services.

SECTION 3. This ordinance shall be published as provided by law, and a certified copy of same, together with certified copies of the petition of the property owner, 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 intent of the City Council is that the territory described in this ordinance be zoned "B-3".

ADOPTED and APPROVED this, the 14th day of July, 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.

Councilman Wales moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to accept the low bid from Mid America Roofing for re-roofing of the Recreation Center and Swan Creek Park Pavilion for the Parks & Recreation Department in the amount of \$184,000.00.

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 Wales 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.

Councilwoman Caudle moved the adoption of the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that \$168,497 is appropriated from the Wastewater Capital Infrastructure Fund to finance the installation of the Fitness Way Sewer.

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.

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, Water Services, is authorized to issue a purchase order to Christopher P & E in the amount of \$153,496.50 for construction of the Fitness Way Sewer Project.

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.

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 Water Department Capital Infrastructure Fund appropriations for land purchase at the water treatment plant (\$50,000) and distribution system computer model (\$25,000) be rescinded and these funds unencumbered.

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

Nick Hill	TVPPA Lab A Scottsboro, AL	\$92.54
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The motion was seconded by Councilman Marks and was 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

