

August 10, 2009

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 August 10, 2009, 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. Evan Thornton, Finance Director, was present and recorded the minutes of the meeting. Councilmember William R. 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 July 27, 2009 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 July 27, 2009 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.

A public hearing was held to hear comments on the City of Athens being an applicant of Alabama Clean Water State Revolving Funds. No one spoke in favor of or against.

A public hearing was held to hear comments on Wellington Drive being a public nuisance.

Ralph Diggins spoke for the property being a public nuisance. No one spoke against.

The public hearings were closed.

**Councilman Wales moved the adoption of the following resolution:**

**RESOLUTION NUMBER 2009-1113**

**A RESOLUTION DECLARING A PUBLIC NUISANCE AT PROPERTY ALONG WELLINGTON DRIVE AND ORDERING ITS ABATEMENT**

WHEREAS, the City of Athens is authorized by state law, including but not limited to § 11-67-60, *et seq.* of the *Code of Alabama*, to abate nuisances within the City, such as an abundance of weeds and vegetation that is injurious to the general public health, safety, and general welfare;

WHEREAS, it has been brought to the attention of this City Council that weeds and vegetation located on certain property are injurious to the general public health, safety, and general welfare;

WHEREAS, on June 8, 2009, this City Council adopted a resolution calling for a public hearing regarding this matter on July 13, 2009, at 5:30 P.M.;

WHEREAS, on July 13, 2009, this City Council adopted a resolution continuing the public hearing to August 10, 2009, at 5:30 P.M.;

WHEREAS, at said public hearing on August 10, this City Council received evidence concerning the conditions on the real property described herein; and

WHEREAS, based upon such evidence, this City Council concludes that the condition of the real property is injurious to the general public health, safety, and general welfare by being unsightly and providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, or pests; attaining heights and dryness that constitute a serious fire threat and/or hazard; bearing wingy or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris, such as broken glass or metal, that could inflict injury on a person going upon the property; being unsightly; and/or a growth of grass or weeds, other than ornamental plant growth, that exceeds 12 inches in height.

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on August 10, 2009, at 5:30 p.m., as follows:

1. This resolution concerns certain real property located as follows: Tax Parcel # 10-02-10-4-003-006.000, along Wellington Road, and further described as Lot Six of Block A of the East Hampton Subdivision, Addition No. One, Athens, Alabama according to the map or plat of said subdivision on file in the Probate Office of Limestone County, Alabama, in Plat Book D, Page 6; and also 10 feet taken evenly off of the West side of Lot 5 of Block A of East Hampton Subdivision, Addition No. One, Athens, Alabama, according to the map or plat of said subdivision on file in the Probate Office of Limestone County, Alabama, in Plat Book C, Page 97.

2. The weeds and vegetation on this property are hereby declared to be public nuisances subject to abatement by the City. The mature trees located on this property are expressly not included within this definition and are not declared to be nuisances.

3. It is hereby ordered that such offending conditions to be removed and abated on or before Friday, August 21, 2009. The Mayor is hereby authorized to cause municipal agents to enter upon said property to abate the nuisance. An account shall be kept of the cost of abating and removing the nuisance and a written account thereof shall be presented to the City Council for confirmation and further action.

ADOPTED and APPROVED this, the 10<sup>th</sup> day of August, 2009.

/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 10th day of August, 2009.

Witness my hand and seal of office this \_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
John Hamilton, City Clerk

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

Cozie Maxell, 1309 West 12<sup>th</sup> Street, spoke about a vacant lot on 12<sup>th</sup> Street being grown up.

Rosie Maclin, 1016 Highland Street, thanked Chief Harper for helping with parking problems on Highland Street.

**Councilwoman Caudle moved the adoption of the following resolution:**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to re-appoint John McCartney to the Zoning Board of Adjustments and Appeals for a three year term ending June 26, 2012.

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, to approve the travel/education expenses for the Utilities in the total amount of \$172.48.

Mason Matthews	Cisco Meeting Atlanta, GA July 21 – 22, 2009	\$172.48
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The motion was seconded by Councilwoman Bowers and was unanimously carried.

**Councilwoman Caudle moved the adoption of the following resolution:**

**RESOLUTION NUMBER 2009-1114**  
**A RESOLUTION DECLARING PUBLIC NUISANCES**  
**SUBJECT TO ABATEMENT ON IRVIN STREET AND HINE STREET (OVERGROWN GRASS**  
**OR WEEDS)**

WHEREAS, the City of Athens is authorized by state law to abate nuisances within the City, such as an abundance of weeds and vegetation that is injurious to the general public health, safety, and general welfare by being unsightly and providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, or pests;

WHEREAS, it has been brought to the attention of this City Council that weeds and vegetation located on certain properties are injurious to the general public health, safety, and general welfare by being unsightly and providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, or pests; and

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** on August 10, 2009 at 5:30 p.m., as follows:

1. This resolution concerns certain real properties located within the corporate limits of the City of Athens as follows:

(a) Tax Parcel # 10-03-05-3-001-003.000, at 808 Irvin Street, and further described as Lot Number 7 and 16 2/3 feet off the North end of Lot Number 6 of Block 14 of Fairview Addition to the City of Athens, Alabama, according to Map 2 of said addition on file in the Probate Office of Limestone County, Alabama, Volume 559A, Page 256; and

(b) Tax Parcel # 10-03-08-3-002-106.000, along Hine Street, and further described as Troope S/D Lot 12 in Sec 8 T 3 R 4.

2. The abundance of overgrown grass and weeds on said properties are hereby declared to be public nuisances subject to abatement by the City pursuant to § 11-67-60 of the *Code of Alabama*.

3. Public hearings on these matters shall be held at the City Council's regular meeting on September 14, 2009, at 5:30 P.M.

4. City officials are directed to issue such notices concerning the same as the law may require.

ADOPTED and APPROVED this, the 10<sup>th</sup> day of August, 2009.

/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 \_\_\_\_\_, 2009.

Witness my hand and seal of office this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
John Hamilton, City Clerk

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

\* \* \*

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

/s/ William R. Marks  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton  
CITY CLERK

























































