

September 8, 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 September 8, 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 absent. John Hamilton, City Clerk, was present and recorded the minutes of the meeting. Evan Thornton 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 August 25, 2008 City Council Meeting had been submitted for approval. Councilman Marks 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 August 25, 2008 City Council Work Session Minutes had been submitted for approval. Councilman Marks 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 August 29, 2008 Special City Council Meeting had been submitted for approval. Councilman Marks 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 September 2, 2008 Special City Council Meeting had been submitted for approval. Councilman Marks 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 Mi Viejo San Juan located at 202 South Jefferson Street. Maria Taylor, 156 Line Road, spoke in favor of and no one spoke against.

Quentin Anderson, 104 Ridgelawn Drive, addressed the problem of graffiti problems in District five.

David Malone, 1300 Sommers Drive, thanked the council and Mayor for helping make the Trinity Reunion a success and also Sommers Ridge area has two lots that have bobcats, snakes, etc., and would like to have the lots cleaned up.

Mae Davis, 1201 Plainview Circle, said that the debris on Hine Street is growing back. Plainview Circle community houses need to be cleaned up or condemned. Also, across from her house a dog is chained up in that area without food or water.

Rosie Mclin, said area on 12<sup>th</sup> Street needs cleaned up.

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

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA to amend the City of Athens's Personnel Policy and Procedures Manual by including the new policies entitled "3.1 Restructuring of Departments and Additions to Staffing Levels" and "4.3 Review of Job Classifications."

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA to amend the City of Athens Personnel Policy manual by including the modified policies entitled "4.1 Job Classification Plan" and "4.2 Job Descriptions."

ADOPTED and APPROVED this, the 8<sup>th</sup> day of September, 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 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 demolish the used car lot building in front of the old Kroger property on South Jefferson Street. Line item 10.19.82500 (condemned building) will be charged without amending the budget.

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 following applicant, contingent upon receipt of an approved certificate of occupancy, for its "Retail Beer license for One & Off-Premises Consumption" 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, other than the certificate of occupancy:

Diesel & Lola  
113 S. Marion Street

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

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

RESOLUTION

BE IT THEREFORE RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to award the bid on the Monroe Street Drainage Project to Grayson Carter & Sons for \$16,500.00, and authorize the Mayor to sign the necessary contract documents for this project.

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

A work session was scheduled for September 15, 2008 to discuss the proposed FY 2009 Water and Wastewater Department budgets.

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

RESOLUTION NUMBER 2008-1075

**A RESOLUTION PROPOSING TO VACATE A PORTION OF A PUBLIC WAY AND SCHEDULING A PUBLIC HEARING RELATING TO THE SAME**

WHEREAS, it is proposed that a portion of a public way be vacated pursuant to the provision of § 23-4-1, *et seq.* of the *Code of Alabama*;

WHEREAS, the portion of said street to be vacated is depicted on the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8, and more particularly as follows:

The portion of said street to be vacated commences at a point beginning on the west side of said street at the Southeast corner of Lot 6 of Block 3 of Free Canada, according to the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8, and also at a parallel point on the east side of said street at a point on the southwest corner of Lot 5 of Block 2 of Free Canada, according to the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8.

Thence, that portion of the street to be vacated proceeds in a northerly direction as shown on the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8, until the same reaches the northernmost end of said street, lying adjacent to the northeastern corner of Lot 9 of Block 3 of Free Canada, according to the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8, and thence proceeds westerly along such street, parallel and adjacent to the northern boundary of Lot 9 of Block 3 of Free Canada, and concludes at the eastern right-of-way margin of Highway 127, also known as North Jefferson Street, and referred to as "Elkmont Road" in the 1897 Map of Athens, Part 2, as recorded in the Office of the Judge of Probate of Limestone County, in Plat Book A, Page 8

WHEREAS, for the sake of the convenience of the public, the portion of the street to be vacated is also described by reference to tax parcel numbers, as follows:

Beginning on the West side of said street at the Southeast corner of Tax Parcel Number 44-07-09-32-4-000-019.000; and also beginning at a point on the East side of said street at a point in the West margin of Parcel Number 44-07-09-32-4-000-029.000 which is parallel with the Southeast corner of Parcel Number 44-07-09-32-4-000019.000; Thence North along Parcel Number 44-07-9-44-07-9-32-4-000-021.000; Parcel Number 44-07-9-32-4-000-027.000; Parcel Number 44-07-09-324-000-026.002; 44-07-9-32-4-000-022.000; 44-07-9-32-4-000-023.000; 4407 -09-3 2-4-000-024.001; 44-07-09-32-4-000-024.000; Thence continue North along the East margin of Parcel Number Parcel Number 44-07-09-32-4-00.026.000 and the West margin of Parcel Number 44-07-09-32-4-000-025.000 to a point, which is the North end of said street dedicated to the City of Athens by the 1897 Map of the City of Athens as recorded in the Office of the Judge of Probate of Limestone County, Alabama, in Plat Book A, Page 8. thence West along the North boundary line of Parcel Number 44-07-0932-4-000-025.00 as shown by the Tax Map on file in the Probate Office of Limestone Countv, Alabama, in the Revenue Commissioner's

Office, to the East right of way margin of Highway 127, or North Jefferson Street, Athens, Alabama.

**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA** while in regular session on September 8, 2008 at 5:30 p.m. as follows:

1. A public hearing is hereby scheduled for October 27, 2008, at 5:30 p.m., at the City Council Chambers in the Athens Police Department of the City of Athens, Alabama, on Hobbs Street, concerning what action shall be taken on the issue of the proposed vacation of the above-described public way.

2. The Mayor and the City Attorney shall cause notice of the proposed action, public hearing, and other relevant matters shall be issued pursuant to § 23-4-2 of the *Code of Alabama*.

ADOPTED and APPROVED this, the 8<sup>th</sup> day of September, 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 Marks and was unanimously carried.

A work session was scheduled for September 15, 2008 to discuss the proposed FY 2009 Gas Department budgets.

**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 bid of \$114,233.00 after trade-in, from Terex, Inc., Birmingham, Alabama be accepted and that the Electric Department manager be authorized to issue a purchase order for this vehicle.

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 Marks and second by Councilman Gill, duly and properly adjourned.

/s/ John M. Crutcher  
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ John S. Hamilton  
CITY CLERK



















