

February 8, 2016

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, 951 Hobbs Street East in the said City on February 8, 2016, at 5:30 p.m. The meeting was called to order by Councilman Wayne Harper, President of the Council. Upon roll call the following were found to be present: Councilmember Chris Seibert, Harold Wales, Joseph Cannon and Wayne Harper. Councilmember Jimmy Gill was absent. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper 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 January 25, 2016 City Council Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Seibert and was unanimously carried. The Chairperson stated that the Minutes of the January 25, 2016 City Council Work Session Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Seibert and was unanimously carried. The Chairperson stated that the Minutes of the January 29, 2016 Special City Council Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Seibert and was unanimously carried.

Ralph Diggins, 100 Willow Street, Athens, spoke in support of the resolution to help fund the new Athens High School. Mr. Diggins requested that a quarterly progress report be made available to the public reflecting both financial information and construction progress updates.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY OF ATHENS, ALABAMA, to authorize the mayor to enter into an agreement, on behalf of the City of Athens, Alabama, with CivicPlus, whereby CivicPlus will provide the City with design, maintenance, support and hosting services for the City's website including staff training. These services will be provided at a cost not to exceed \$16,950.00 and will be funded from the existing Information Technology Capital Account.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

WHEREAS, the City of Athens has solicited and received bids from qualified construction companies to construct the above referenced shade structures in accordance with the approved plans and specifications;

THEREFORE, be it resolved that the Athens City Council and Morell Engineering have evaluated the bids received and have determined that Great Southern Recreation, LLC the low bidder for the construction of said shade structures has been deemed non-responsive;

NOW THEREFORE, be it resolved that the Athens City Council and Morell Engineering have determined that EMW Construction, Incorporated is the second-lowest responsible and responsive bidder for the construction of said shade structures; and

BE IT FURTHER RESOLVED, THAT William R. Marks, Mayor, is hereby authorized to enter into a contract on behalf of the City of Athens with EMW Construction, Incorporated in the amount of \$92,823.00 to construct the above referenced shade structure project.

READ AND ADOPTED this the 8th day of February 2016.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY OF ATHENS, ALABAMA, that the low bid of \$82,850.00 from Brooks Brothers Trailers and Equipment, Troy, Missouri, be accepted for a four drum wire pulling rig with trailer as prescribed in specifications, and that the Utilities General Manager be authorized to issue a purchase order for this equipment.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase and installation of a new HVAC unit for the Athens Recreation Center from Jerry King Company, LLC at a cost not to exceed \$11,200 to be funded from the existing cemetery, parks and recreation department capital account, line item # 301.500.85002, Equipment Purchased.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of three (3) portable baseball game pitching mounds from True Pitch, Inc. at a total cost not to exceed \$7,800 to be funded from the existing cemetery, parks and recreation department capital account, line item # 301.500.85001, Operational Capital.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of fifteen (15) bullet proof vests for the Athens Police Department from Galls, Inc. at a cost not to exceed \$9,750. \$5,097 of the cost is to be funded from a Department of Justice Grant with the remaining \$4,653 to be funded from the existing police department capital account, line item # 301.500.85001, Operational Capital. This purchase will replace all of the vests that are currently expired and will also replace the vests that will expire in the current fiscal year.

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

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the mayor to sign an agreement between the Alabama Department of Transportation (ALDOT) and the City of Athens that authorizes the City to accept from ALDOT at no cost, signalization equipment for 23 intersections with the City and certifies that the City of Athens agrees to install and maintain these signals, as prescribed in the agreement, at no cost to ALDOT.

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

Councilman Seibert introduced the following resolution

RESOLUTION NUMBER 2016-1458

**A RESOLUTION CONCERNING A NEW HIGH SCHOOL
FOR ATHENS CITY SCHOOLS**

WHEREAS, the City Council and the Athens City Board of Education (the "Board") have determined that it is necessary and in the public interest that a new high school be constructed to serve the citizens of the City;

WHEREAS, the City Council, at the request of the Board, wishes to devote certain already-existing funds and expected revenues to finance the cost of the new capital facilities of the Board, without any increase whatsoever in taxation;

WHEREAS, the City Council understands that this Resolution will make certain funds available for use in financing the cost of the new capital facilities, and that any instruments financing those facilities will be brought before the City Council for its review and consideration; and

WHEREAS, the City Council finds that this action serves a valuable public purpose.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on February 8, 2016 at 5:30 p.m., as follows:

1. In addition to any other funds directed by the City to public school purposes and commencing with the 2016-17 fiscal year, the City does hereby appropriate and commit, from the City's General Fund, no more than \$300,000.00 per year for a period of six (6) years to the Board, to be used in connection with constructing and financing new capital facilities for the Board. More specifically, the City hereby appropriates \$300,000.00 per fiscal

year during such period, unless the City Council has, prior to the commencement of a fiscal year, reduced such amount for that fiscal year upon a recommendation and finding by the City Clerk and Mayor that a lower amount will suffice because the funds are not needed by the Board to support its operational expenses and the debt service related to the Board's capital facilities. To facilitate the City Clerk's and Mayor's assessment of the financial operational needs of the Board on an annual basis, the Board's Chief School Financial Officer shall submit a copy of the Board's approved annual budget no later than September 1st prior to the beginning of the fiscal year on October 1st.

2. The City Council has already earmarked 20% of the proceeds from the one cent sales tax levied by Ordinance No. 2012-1861 to the Board, and the City Council (via Resolution No. 2015-1443) has directed that most of those proceeds be used for Phase Three of the Power Up program through September 30, 2016. Beginning on October 1, 2016, all 20% of those proceeds (as identified in *City Code* § 18-355(a)(3)), including all such proceeds on hand and received thereafter, shall be appropriated and expended by the City for the payment of the City's debt service associated with the construction and financing of capital facilities for the Board.

ADOPTED this the 8th day of February, 2016.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, 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 8th day of February, 2016.

Witness my hand and seal of office this ____ day of _____, 2016.

Annette Barnes, City Clerk

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

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the purchase of a 2016 Mack Front Loader Compressed Natural Gas (CNG) commercial garbage truck at a cost not to exceed \$289,900. This equipment will be purchased from Ingram Equipment Company, LLC through the City's membership in the National Joint Purchasing Alliance. The total purchase price of \$289,900 will be funded as follows:

- Through a transfer from the Athens Gas Department, in the amount of \$40,584 (for the cost of the CNG conversion) and
- Through a temporary transfer of funds from the general fund in the amount of \$249,316 until permanent financing can be secured.

Councilmember Cannon moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Cannon and Harper; 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 Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Cannon introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following applicant, for a "Special Events Retail License for On-Premises Consumption" alcohol license:

Athens Rotary Club, Inc.
Special Event Date: 2-26-16
Special Event Location: 114 W. Pryor Street

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

* * *

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

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK

