

June 19, 2017

STATE OF ALABAMA
LIMESTONE COUNTY
CITY OF ATHENS

The City Council of the City of Athens, Alabama held a special called meeting at the Athens Municipal Building, 200 Hobbs Street West, in the said City on June 19, 2017, at 5:00 p.m. for the purpose of conducting a public hearing to hear comments on the issue of Sunday alcohol sales. Upon roll call, the following were found to be present: Councilmember Chris Seibert, Harold Wales, Frank Travis, Wayne Harper and Joseph Cannon. Mayor Marks led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Shane Black offered the invocation.

Mayor Marks reviewed a power point presentation of the history of alcohol sales in the City of Athens. The presentation included the results of the two wet/dry referendums, revenues generated from the sale of alcohol and statistics regarding DUI arrests since 2001.

Councilman Cannon opened the public hearing and opened the floor to anyone wishing to speak in opposition to the sale of alcohol on Sunday as outlined in the proposed Ordinance. The following individuals spoke in opposition to the legal sale of alcohol on Sundays:

Jason Parnell, 13382 Sweet Pea Street, Athens
Kevin Ward, 713 Norton Drive, Athens
Kenny Baskins, 22329 Cantera Drive, Athens
Dusty McLemore, 14768 Waterview Drive, Athens
Joe Carlucci, 1260 Highway 72, Athens

Council President Cannon then opened the floor to anyone wishing to speak in support of the sale of alcohol on Sunday as outlined in the proposed Ordinance. The following individuals spoke in support of Sunday sales:

Dr. Tazwell Jones, 611 Swann Drive, Athens
Kelly Range, 303 Brookwood Drive, Athens
Brenda Selby, 23622 Piney Creek Drive, Athens
John Babb, 24140 Schwan Place, Athens
Sally Ann Dickson, 23245 Piney Creek Drive, Athens
Greg Skipworth, 903 Sunset Street, Athens
Melanie Newton, 408 East Street, Athens
Sue Chasteen, 17173 Leatherwood Drive, Athens
Teresa Todd, 100 North Beaty Street, Athens
Chuck Browning, 23120 Piney Creek Drive, Athens
Dr. Robert Glenn, 209 East Bryan Street, Athens
Carl Hunt, 15774 Line Road, Athens
Joe Delap, 307 North Beaty Street, Athens
Ralph Diggins, 100 Willow Street, Athens
Tom Newton, 408 East Street, Athens
Paul Reeves, 613 Norton Drive, Athens

The public hearing was then closed.

Councilman Seibert introduced the following ordinance:

ORDINANCE NUMBER 2017-_____

**AN ORDINANCE FURTHER AMENDING CHAPTER 6 OF THE CITY
CODE, RELATING TO ALCOHOLIC BEVERAGES**

WHEREAS, the Alabama Legislature, pursuant to Act 2017-310, has authorized the City Council of the City of Athens to regulate and permit the retail sale of alcoholic beverages on Sundays, subject to the ordinances of the City; and

WHEREAS, the City Council desires to exercise its police powers, set forth in § 11-45-1 of the *Code of Alabama* and elsewhere, to further regulate the sale of alcoholic beverages in the City, as stated herein.

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA while in regular session on _____, 2017 at _____ a.m./p.m., as follows:

Section 1. Section 6-39 of the Code of Ordinances of the City of Athens is hereby amended to state as follows:

Sec. 6-39. Authorized hours.

The sale of alcoholic beverages in the city by properly licensed retail licensees is permitted on all days during the week (including Sunday), except as follows: it shall be unlawful for any person, whether a liquor, wine or beer licensee or not, to sell, offer for sale or to serve, dispense or offer for reward, or to offer to serve or dispense for reward any liquor, wine, or beer, or to allow the consumption of any alcoholic beverages on the licensed premises between the hours of 12:00 a.m. and 6:00 a.m. on Monday, Tuesday, Wednesday, Thursday Friday or Saturday of any week, or between the hours of 2:00 a.m. and 6:00 a.m. on Sunday of any week.

Section 2. This ordinance shall become effective upon July 2, 2017.

Section 3. If any provision of this ordinance, or the application thereof to any person, thing or circumstances, is held invalid by a court of competent jurisdiction, such invalidity shall not affect the provisions or application of this ordinance that can be given effect without the invalid provisions or application, and to this end, the provisions of this code and such amendments and statutes are declared to be severable.

Section 4. No other provisions of Chapter 6 of the City Code are amended by this Ordinance, unless specifically stated and referenced herein.

Section 5. The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Athens as an addition or amendment thereto, and shall be appropriately renumbered as necessary to conform to the uniform numbering system of the Code.

ADOPTED this the _____ day of _____, 2017.

JOSEPH CANNON, CITY COUNCIL PRESIDENT

APPROVED this the _____ day of _____, 2017.

WILLIAM R. MARKS, MAYOR

ATTEST:

ANNETTE BARNES, CITY CLERK

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 the Ordinance duly adopted by the City Council of the City of Athens, on the ____ day of _____, 2017.

Witness my hand and seal of office this the ____ day of _____, 2017.

Annette Barnes, City Clerk

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Council President Cannon stated that the Ordinance introduced by Councilman Seibert would be placed on the Council's regularly scheduled meeting agenda for June 26, 2017 for further action.

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

/s/ Joseph Cannon
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK