

August 28, 2017

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West in the said City on August 28, 2017, at 5:30 p.m. The meeting was called to order by Councilman Joseph Cannon, President of the Council. Upon roll call the following were found to be present: Councilmembers Frank Travis, Wayne Harper, Joseph Cannon, Chris Seibert and Harold Wales. Mayor Marks and Emma Tarokh led the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Frank Travis 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 August 14, 2017 City Council Meeting had been submitted for approval. Councilman Seibert 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 August 14, 2017 City Council Work Session Meeting had been submitted for approval. Councilman Seibert 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.

Councilman Seibert introduced Emma Tarokh and presented her with a certificate from the City of Athens recognizing her achievement of being named the 2017 Alabama State Games Female Athlete of the Year (Ages 6-18) by the Alabama Sports Festival Foundation. Emma, age 10, and her 2017 Huntsville Futbol Club teammates recently won the 2017 State of Alabama Soccer Championship and went on to be named National Soccer Champs in Grand Rapids, Michigan. Councilman Seibert extended the Council's best wishes to Emma in the National Competition for Female Athlete of the Year.

A public hearing was held concerning whether a public nuisance exists and should be abated (overgrown weeds at Tax Parcel#10-03-07-4-002-027.000, on Maxie Allen Street).

City Attorney, Shane Black, introduced Mr. James Horton, 24 E. Wilkinson Avenue, Gadsden, AL. The property located on Maxie Allen Street belonged to Mr. Horton's deceased parents and he is one of three children with an interest in it. He said that he recently learned of the situation concerning the condition of the property from his sister. He indicated that the other children knew about this proceeding and that he was appearing as the representative of the family. Mr. Horton stated that he had viewed the property before the hearing. He admitted that the property was overgrown and in need of being cleaned up. He stated his intention to clean up the property and requested the Council give him a period of 30 days in which to do so.

The public hearing was closed.

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER _____

**A RESOLUTION DECLARING A PUBLIC NUISANCE AT MAXIE ALLEN STREET AND ORDERING
ITS ABATEMENT**

WHEREAS, the City of Athens is authorized by state law, including but not limited to § 11-67-60, *et seq.* and §11-47-117 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 26, 2017, this City Council adopted a resolution calling for a public hearing regarding this matter on August 28, 2017;

WHEREAS, prior to the public hearing, the City caused notice of these proceedings to be issued (i) by certified mail to the owner of the property as the information appears on record in the office the Limestone County Revenue Commissioner; (ii) by publication in the *Athens News Courier*; and (iii) by posting two large signs at the property;

WHEREAS, at the public hearing, 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 28, 2017, at 5:30 p.m., as follows:

1. This resolution concerns certain real property located as follows:

Tax Parcel #10-03-07-4-002-027.000, on Maxie Allen Street, Athens, Alabama.

The Limestone County Revenue Commissioner shows the following legal description of the property:

COM SE COR SEC 7 TH N 1680 W990 TO POB CONT W 100 S 10 W24 N 170 E 360 S 75 SWLY
115TO POB IN SEC 7 3 4N

A map generally depicting the property is shown at **Exhibit A** hereto.

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. 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 this the ____ day of _____, 2017.

JOSEPH CANNON, CITY COUNCIL PRESIDENT

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 ____ day of _____, 2017.

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

Annette Barnes, City Clerk

EXHIBIT A

PARCEL #: 10 03 07 4 002 027.000	Baths: 0.0	H/C Sqft: 0
OWNER: HORTON JAMES & LERA E	Bed Rooms: 0	Land Sch: ST/S1
ADDRESS: PO BOX 32373 EUCLID OH 44132	Land: 21,560	Imp: 0
LOCATION: ACORN HILL CIRCLE	Acres: 0.000	Sales Info: \$0

<< Prev Next >> [0 / 0 Records] Processing... **Tax Year:** 2016 ▾

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

Report Measure Recent Previous Nbrhd Sales Show Sales Clear Sales

The motion was seconded by Councilman Seibert. Councilman Wales then introduced a motion to table the previous motion until the meeting of September 25, 2017. The motion was seconded by Councilman Travis 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 Public Works Department to purchase a 2011 Dodge 3500 with a dump bed from the Alabama Department of Transportation in the amount of \$24,100. This purchase is to be funded from the existing Public Works capital account, line item 301.500.85002.

The motion was seconded by Councilman Harper 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 purchase two (2) 2018 Dodge Durango Police Vehicles. These vehicles are to be purchased through the State of Alabama Bid List

from Opelika Chrysler Dodge Jeep Ram (State Bid #T191L, Line 33) at a total cost not to exceed \$50,218.34. Funding for this purchase will be from the Police Department's existing capital expenditure account.

The motion was seconded by Councilman Harper 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 purchase forty (40) Axon II Body Cameras and two (2) camera charging/uploading stations for patrol officers for a cost of \$14,995.00 from Axon Corporation. Funding for this purchase will be from the Police Department's existing capital expenditure account.

The motion was seconded by Councilman Harper 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 travel expenses for the following Electric Department Personnel.

Mark Jones	\$81.16
TVPPA-Engineering Conference-Chattanooga, TN	

Jim Lannom	\$38.75
TVPPA-Engineering Conference-Chattanooga, TN	

The motion was seconded by Councilman Harper 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 500' LDH Fire Hose, 1000' 1.75" Combat Attack Hose, 600' of 2.5" Supply Line Hose for a total of \$8,940.00 from NAFECO for the Fire Department. This Fire Hose shall be funded from 301.500.85002 Fire Department Capital.

The motion was seconded by Councilman Harper 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 authorize the City of Athens and City of Athens Police Department to enter into an agreement with the Limestone County Commission and Limestone County Sheriff's Department for a prisoner and jail contract.

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

Councilman Travis introduced the following resolution:

RESOLUTION NUMBER 2017-1532

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

1. That the City enters into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

The resurfacing and shoulders on Washington Street from SR-2 (US-72) to Hoffman Street, Length – 3.624
Project# ACOA63306-ATRP(017); ATRIP# 42-05-12
2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the agreement be attested by the City Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Clerk.

ADOPTED and APPROVED this, the 28th day of August, 2017.

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

ATTEST:

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

I, the undersigned qualified and acting clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 28th day of August, 2017, and that such resolution is on file in the City Clerk’s office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on the 28th day of August, 2017.

Annette Barnes, City Clerk

The motion was seconded by Councilman Seibert 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 issue a work order to Whittaker Paving in the amount of \$42,000 to place a paving preservation overlay mix on Forrest Hills Subdivision, excluding Forrest Hills Drive to the intersection of Deer Ridge Lane. This project shall be funded from the City of Athens Gas Tax.

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Travis, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, 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 Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS:

None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION NUMBER 2017-1533

WHEREAS, the City of Athens, acting by and through its City Council proposes to apply for Community Development Block Grant (CDBG) funds for the purpose of performing eligible community development activities that will benefit low and moderate-income residents in the City of Athens; and

WHEREAS, City of Athens, acting by and through its City Council proposes to apply for Community Development Block Grant Funds to construct drainage improvements along 1st Avenue; and

WILLIAM R. MARKS, MAYOR, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama, Department of Economic and Community Affairs, requesting Fiscal Year 2017 Community Development Block Grant Funds in the amount of **\$450,000.00** to implement the 1st Avenue Drainage Improvement Project; and

THAT, THE CITY OF ATHENS will provide a local cash match of **\$159,560.00** in support of this project.

ADOPTED and APPROVED this, the 28th day of August, 2017.

/s/ William R. Marks

MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes

CITY CLERK, CITY OF ATHENS, ALABAMA

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

/s/ Joseph Cannon

PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes

CITY CLERK