

## MINUTES

June 15, 2010

### The Regular Meeting of the Satsuma City Council

The City Council of the City of Satsuma, Alabama, convened in the regular public session at City Hall in said city at 7:00 p.m. on the 15th day of June 2010.

Councilmember Monk gave the invocation.

Councilmember O’Gwynn led the Pledge of Allegiance.

On roll call the following answered present:

Mayor Pro Tem	Tom Williams
Council Members	Pamela O’Gwynn
	Pratt Monk
	Bill Black

Absent: Mayor William F. Stewart, III  
Councilmember Billy Jackson

Mayor Pro Tem Williams stated that both Mayor Stewart and Councilmember Jackson were out of town, a quorum was present and the meeting would continue. Also present were Jay Minus, City Attorney; Vicki Miller, City Clerk; Tom Briand, Building Inspector; James Elmore, Public Works Supervisor; and David Benefield, Police Chief. A quorum was present and Mayor Pro Tem Williams opened the meeting for the transaction of business.

Council met in a pre-council meeting 5:30 P.M. Mayor Pro Tem Williams discussed with Council agenda items coming before Council.

Mayor Pro Tem Williams presented the minutes of the regular meeting on June 1, 2010 for approval. Councilmember O’Gwynn made a motion to approve the minutes as presented. Councilmember Monk seconded the motion and it carried.

## VISITORS

NONE

### MAYOR'S REPORT

1. Mayor Pro Tem Williams reminded everyone of the Municipal Dinner on Thursday, June 17, 2010 sponsored by Mobile County at the Courtyard Manor.

Mayor Pro Tem Williams reported that at the last meeting Mayor Stewart stated that a request was received from Mobile County Commissioner Merceria Ludgood requesting the city send a list of roads for the 2010 County Pay-as-you-go transportation program. Mayor Pro Tem Williams stated that after reviewing the matter, Mayor Stewart has recommended that the request be divided into two categories: 1) paving and 2) resurfacing. On the paving section, three streets were recommended: 1) the remaining portion of Old Highway 43 2) Plateau Avenue (between Orchard and 7<sup>th</sup>) and Avondale Court. For resurfacing the list was as follows: 1) International Drive, 2) 3<sup>rd</sup> Street (between Maple and Williams) and 3) Higgins Road. Council agreed with recommendation.

Mayor Pro Tem Williams reported that Dr. Ira Harvey has begun the feasibility study for the independent school system.

### REPORTS OF THE COMMITTEES

#### Parks and Recreation:

At the request of Councilmember Jackson and in his absence, Councilmember O'Gwynn made a motion to reappoint Billy Salter to the Library Board. Councilmember Monk seconded the motion and it carried.

Also requested by Councilmember Jackson was to appoint Emily Arellano as a new member. Councilmember O'Gwynn made a motion to appoint Emily Arellano to the Library Board. Councilmember monk seconded the motion and it carried.

#### Administration and Finance:

Councilmember O'Gwynn made a motion to pay the bills as presented. Councilmember Monk seconded the motion and it carried.

Councilmember O'Gwynn made a motion to hold a budget workshop on June 22, 2010 beginning at 6:00 p.m. for approximately 2 hours. Councilmember Black seconded the motion and it carried.

**Municipal Services:**

Councilmember Monk expressed condolences on behalf of the Mayor and Council to the families of Mr. George Dunn, who used to work for the city, Mr. Virginia Chadwell, and Luverne Grimes.

Councilmember Monk reported that recently approximately 92 seniors met at Steele Creek Lodge to qualify for the Master Games Tournament. He stated that six of the local seniors made it to compete in the Alabama Master Games to be held in Trussville in October, 2010.

**Public Safety:**

Mayor Pro Tem Williams commented that he was still researching whether or not changing the deductible or the property coverage with AMIC insurance would be cost effective.

Mayor Pro Tem Williams reported that several of the volunteer firemen aided the Coast Guard with a recent search and rescue. Those that participated were Jeff Burns, Ricky Schimmer, Randy Nobles, Kenny Keasler, Paul Henderson and James Henderson.

Mayor Pro Tem Williams reported that Chief Benefield is getting daily updates on the oil spill and will advise if the city needs to make any preparations.

Mayor Pro Tem Williams reported that the Chief Benefield was contacted by Law Enforcement Publications about a police calendar. He stated that the publication representatives contacted local business selling ads for the calendar and they received such a response that they might have to do a two page calendar. He stated that the city did not have to fund the calendar nor were any employees used to solicit the ads. The city received a check in the amount of \$1500.00 from the sale of the ads. The funds will be used for drug education and awareness programs.

Mayor Pro Tem Williams made a motion to hire Fred Freeman as a Police Officer I effective July 1, 2010. Councilmember Monk seconded the motion and it carried.

Mayor Pro Tem Williams made a motion to hire Douglas Walley as a Police Officer I effective June 28, 2010. Councilmember Monk seconded the motion and it carried.

Mayor Pro Tem Williams made a motion to hire Ronwick Thomas as a Jailer/Dispatcher effective July 1, 2010. Councilmember Monk seconded the motion and it carried.

Mayor Pro Tem Williams made a motion to approve Chief Benefield to attend the Chief's Conference in Gulf Shores on August 2-5 at an approximate cost of \$800.00 for his continuing education hours. Councilmember Monk seconded the motion and it carried.

**Public Works:**

Councilmember Black reported that James Elmore has attempted to get additional prices for weed spraying of the ditches and has been unsuccessful. He stated that it is his recommendation that the council approve the price quote from Jerdan Services since their services have been effective in the past. He then made a motion to approve spending \$10,005.00 for the spraying of the designated ditches. Councilmember Monk seconded the motion and it carried.

**RESOLUTIONS, ORDINANCE, ORDERS**

1. *Ordinance 462- An Ordinance to amend Zoning Ordinance No. 303 to regulate pawnshops, pawnbrokers and check-cashing centers.*

Councilmember Black made a motion to adopt Ordinance 462 as presented. Councilmember Monk seconded the motion and it carried.

**ORDINANCE NO. 462**

**AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 303  
TO REGULATE PAWNSHOPS, PAWNBROKERS AND  
CHECK-CASHING CENTERS**

**WHEREAS, the City of Satsuma Zoning Ordinance does not expressly mention or regulate Pawnshops or Check-Cashing Centers;**

**WHEREAS, other municipalities have experienced harmful and undesirable secondary effects from Pawnshops and Check-Cashing Centers, and the City of Satsuma (the "City") desires to regulate Pawnshops and Check-Cashing Centers in order to prevent crime, protect Satsuma's retail trade, maintain property values and protect and preserve the quality of neighborhoods, commercial districts and urban life;**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA, as follows:**

**SECTION I.        Incorporation of WHEREAS clauses.    The "WHEREAS" clauses set forth above are expressly adopted and incorporated into this Ordinance.**

**SECTION II.        Amendments to Zoning Ordinance:**

**(A) ARTICLE IV, "TABLE OF PERMITTED USES AND CONDITIONS", is hereby amended to include the category of "Pawnshops and Check-Cashing Centers" as follows:**

Pawnshop, as defined in Section 6.19.						R1*		
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Check-Cashing Centers, as defined in Section 6.20.						R1*		
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**(B) ARTICLE VI, "SPECIAL PROVISIONS" is hereby amended to include two new sections as follows:**

**6.19 PAWNSHOPS & PAWNBROKERS:**

**(a) Definitions:**

**(i)** "Pawnshop" means a building or portion thereof where personal property is received and for which money is advanced, with the right of privilege granted to the person to whom said money is advanced to reclaim such property upon repayment of said money, together with all legal charges incident thereto. This section does not regulate banks, saving and loan institutions and credit unions regulated by the State of Alabama or Federal law.

**(ii)** "Pawnbroker" means any person who loans money on deposit or pledge of personal property or who deals in the purchasing of personal property on condition of selling the same back again at a stipulated price, or any person operating a Pawnshop.

**(b) Bond:** No person shall act as a Pawnbroker or operate a Pawnshop in the City, unless the person gives provides a bond in the amount of (\$1,000.00), payable to the City and approved by the City, and guaranteeing payment in the event the person fails to conform to the provisions of this article or any other law or regulation concerning Pawnbrokers and Pawnshops, and anyone injured in any dealing or transaction with the person acting as a Pawnbroker or operator of a Pawnshop shall have a right of action on such bond until the penalty is exhausted.

**(c) Record of Property:** Every Pawnbroker shall keep at the Pawnbroker's place of business a book in which the Pawnbroker shall enter in writing an itemized description of all property received on deposit, pledge or purchase, particularly mentioning any prominent or descriptive marks (including, but not limited to, numbers, serials or codes which may helpful for identification), the time and date when received and a copy of the driver's license of the individual from whom it is received. This book shall be kept clean and legible, and no entry therein shall be erased, altered or defaced. Every Pawnbroker shall, during the ordinary hours of business, when requested by the mayor, any City police officer or City inspector, submit and exhibit for inspection the book required to be kept and any property received.

**(d) Evidence of Identity of Adult:** It shall be unlawful for any Pawnbroker or Pawnshop to engage in a purchase, pawn or pledge transaction without first confirming the identity and adult status of the customer by reviewing the individual's state issued driver's license. It shall be unlawful for any Pawnbroker or Pawnshop to engage in a purchase, pawn or pledge transaction with an individual under the age of eighteen (18).

**(e) Zoning:** A Pawn Shop is limited to Business District B-2, and shall not be located within 1,000 feet of any church, school, child care facility, park or Residential District (R-1, R-2, R-3, R-4), and shall not be located within 2,000 feet of any other Pawn Shop.

**(f) Permit:**

**(i)** It shall be unlawful to operate a Pawnshop or act as a Pawnbroker in the City without first obtaining a business license and permit from the City. An applicant for a permit to operate a Pawnshop or Pawnbroker shall file an application with the City Clerk containing the following information: **(1)** The name, date of birth, residence address, driver's license number and business address of the applicant; **(2)** The street address and a site plan of the location where the business will be conducted by the applicant, and the days and hours of operation; **(3)** The type of security, if any, the applicant proposes to employ to safeguard its customers and premises; **(4)** A copy of its policies with respect to the type of evidence required by the applicant

to confirm the identity of its customer for the purpose of the sale, pawn or pledge of goods; and (5) A copy of its policies with respect to the type of evidence required by the applicant to confirm ownership by its customers of the goods involved in a sale, pawn or pledge transaction.

(ii) The application shall be reviewed by the Planning Commission for a determination as to whether granting the permit would violate the City of Satsuma zoning and subdivision regulations. The Planning Commission shall report its findings to the City Council.

(iii) The application and the report of the Planning Commission shall be examined by the City Council for a determination as to whether granting the permit would violate the laws of the City, County or State. If the application is approved by the City Council, the City Clerk shall issue the permit from the applicant upon receiving payment of a \$2,000.00 permit fee. Renewals of the permit are required annually by providing a new application to the City Clerk for review by the City Council, and if approved shall be renewed after receipt of the annual \$2,000.00 permit fee.

(g) **Revocation:** Any permit issued or considered for renewal pursuant to this article shall be subject to revocation or denial by the City Council if the Pawnshop or Pawnbroker, or its agents or employees, are found to be in violation of any provision of this article or of any other ordinance of the City or State relating to Pawnshops or Pawnbrokers. The permit shall be subject to revocation by the City Council if, in connection with the issuance of any permit and license, the applicant made a statement or filed, or caused to be filed, any application, affidavit or document containing incorrect or false information. Prior to revocation, the City Council shall conduct a hearing to review the evidence, and said hearing shall be conducted after thirty days advance notice of the date and time of said hearing is provided to the applicant by US Mail to either the residence or business address provided on the application.

(h) **Fines:** Any person found in violation of any provision of this article shall upon conviction by the Municipal Court Judge, shall at the Judge's discretion, be fined not less than ONE DOLLAR (\$1.00) and no more than FIVE HUNDRED DOLLARS (\$500.00), and/or be sentenced to serve time in jail for a term not exceeding six (6) months.

## **6.20 CHECK-CASHING CENTER:**

(a) **Definitions:** "Check-cashing Center" means a building or portion thereof where checks, money orders or similar instruments are cashed or negotiated or wire transfers of funds are sent or received, and said services exceed twenty-five percent (25%) of the gross dollar volume of business. This section does not regulate banks, saving and loan institutions and credit unions regulated by the State of Alabama or Federal law.

(b) **Zoning:** A Check-cashing Center is limited to Business District B-2, and shall not be located within 1,000 feet of any church, school, child care facility, park or Residential District (R-1, R-2, R-3, R-4), and shall not be located within 2,000 feet of any other Check-cashing Center.

### **(c) Permit:**

(i) It shall be unlawful to operate a Check-cashing Center in the City without first obtaining a business license and permit from the City. An applicant for a permit to operate a Check-cashing Center shall file an application with the City Clerk containing the following information: (1) The name, date of birth, residence address, driver's license number and business address of the applicant; (2) The street address and a site plan of the location where the business will be conducted by the applicant, and the days and hours of operation; (3) The type of security, if any, the applicant proposes to employ to safeguard its customers and premises; and (4) A copy of its policies with respect to the type of evidence required by the applicant to confirm the identity of its customers for the purpose of conducting the transactions described at §6.20(a).

(ii) The application shall be reviewed by the Planning Commission for a determination as to whether granting the permit would violate the City of Satsuma zoning and subdivision regulations. The Planning Commission shall report its findings to the City Council.

(iii) The application and the report of the Planning Commission shall be examined by the City Council for a determination as to whether granting the permit would violate the laws of the City, County or State. If the application is approved by the City Council, the City Clerk shall issue the permit from the applicant upon receiving payment of a \$2,000.00 permit fee. Renewals of the permit are required annually by providing a new application to the City Clerk for review by the City Council, and if approved shall be renewed after receipt of the annual \$2,000.00 permit fee.

(d) **Revocation:** Any permit issued or considered for renewal pursuant to this article shall be subject to revocation or denial by the City Council if the Check-cashing Center, or its agents or employees, are found to be in violation of any provision of this article or of any other ordinance of the City or State relating to Check-cashing Centers. The permit shall be subject to revocation by the City Council if, in connection with the issuance of any permit and license, the applicant made a statement or filed, or caused to be filed, any application, affidavit or document containing incorrect or false information. Prior to revocation, the City Council shall conduct a hearing to review the evidence, and said hearing shall be conducted after thirty days advance notice of the date and time of said hearing is provided to the applicant by US Mail to either the residence or business address provided on the application.

(e) **Fines:** Any person found in violation of any provision of this article shall upon conviction by the Municipal Court Judge, shall at the Judge’s discretion, be fined not less than ONE DOLLAR (\$1.00) and no more than FIVE HUNDRED DOLLARS (\$500.00), and/or be sentenced to serve time in jail for a term not exceeding six (6) months.

**SECTION III. This Ordinance shall become effective immediately following its adoption and publication as required by law.**

**ADOPTED this 15<sup>th</sup> day of June, 2010.**

/s/ Tom Williams  
**MAYOR Pro Tem**

**Authenticated and Attested:**  
/s/ Vicki Miller  
**CITY CLERK**

*2. Ordinance 463- An Ordinance to amend Zoning Ordinance No. 303 to make reasonable accommodations available to one or more individuals with disabilities or a person or provider acting on behalf of an individual with a disability.*

Mayor Pro Tem Williams stated that a public hearing was held prior to the meeting for both of the ordinances presented tonight and that there were no comments or questions on either ordinance.

With no comments or questions from the Council, Councilmember Monk made a motion to adopt Ordinance 463. Councilmember Black seconded the motion and it carried.

ORDINANCE 463  
AN ORDINANCE TO AMEND ZONING ORDINANCE 303 AS FOLLOWS:

Article I

Addition:

Section 1.4 CONSTRUCTION, APPLICATION AND ENFORCEMENT CONSISTENT WITH FEDERAL LAW

The provisions of this Ordinance shall in every instance be construed, applied and enforced in a manner consistent with applicable federal law, including but not limited to Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 (the Fair Housing Act), 42 U.S.C. §§ 3601-3619; and Title II of the Americans with Disabilities Act (the ADA), 42 U.S.C. §§ 12131-12134. Notwithstanding any other provision of this Ordinance to the contrary, the Building Inspector, Planning Board Members, and other City officials with zoning--related responsibilities shall make reasonable accommodations in the rules, policies, and practices of their offices so that handicapped or disabled persons or a provider of housing for a handicapped or disabled persons are not discriminated against and are afforded an equal opportunity to use and enjoy dwellings.

Article VII

Addition:

7.3(d)(5) REASONABLE ACCOMMODATION:

In order to make specific housing available to one or more individuals with disabilities, a disabled person or a person or provider acting on behalf of an individual with a disability (collectively "Applicant") may request a reasonable accommodation relating to the zoning ordinance. Whenever an Applicant has a disability or acts on behalf of an individual with a disability which entitles such Applicant to protection under the ADA or the Fair Housing Act, and the use and enjoyment of the structure requires deviation from this ordinance as a "reasonable accommodation", as defined by appropriate federal statutory authority or relevant case law in effect at the time, the Applicant shall address a request for a reasonable accommodation to the Building Inspector. The Applicant may make this request orally in person, or in writing. If requested by the Applicant, the Building Inspector shall, in a timely manner, assist in obtaining information required by the city and in filling out the application. The application shall be made by filling out a form, which the Building Inspector shall provide. The form shall contain:

- A. the current zoning for the property;
- B. the name of the owner of the fee interest of the property (if other than the Applicant);
- C. the nature of the disability that requires the reasonable accommodation. In the event that the specific individuals who are expected to reside at the property are not known to a provider in advance of making the application, the provider shall not be precluded from filing the application, but shall submit details describing the range of disabilities that prospective residents are expected to have to qualify for the housing. The provider shall notify the Building Inspector, in the event the residents at the location are not within the range described. The Building Inspector shall then determine if an amended application and subsequent hearing is appropriate;
- D. the specific type of accommodation requested by the Applicant. To the extent practicable, this portion should include information concerning the impact of the reasonable accommodation on the adjoining properties and area, the number of people who are expected to be availing themselves of the reasonable accommodation, the estimated number of people in an average week who will be necessary to provide services to the person(s) with disabilities at the property on an on--going basis, whether or not this type of reasonable accommodation is required to obtain a license from any state or county authority to operate, and any other information the Applicant thinks would assist in determining the reasonableness of the accommodation;
- E. the Applicant should also note, if known, whether this accommodation requires any additional licensure from the city (E.g., business license);
- F. whether the accommodation requested may be necessary to afford one or more persons with disabilities equal opportunity to use and enjoy a specific dwelling; and

G. a notice to Applicants providing that, should the information provided by the Applicant include medical information or records of the proposed resident(s), including records indicating the identity, medical condition, diagnosis or medical history of the proposed resident(s), the Applicant may, at the time of submitting such medical information, request the City, to the extent allowed by law, treat such medical information as confidential information of the Applicant and/or proposed resident(s).

Within twenty (20) days of completion of the application, the Building Inspector shall make a written recommendation to the Board of Adjustment ("Board") specifying the reasons why the request should be approved, modified or denied. Upon receipt of the Building Inspector's recommendation, the Board shall conduct a hearing on the request. Said hearing shall comply with Section 7.4. In deciding whether to approve, modify or deny an application, the Board should take into account whether the requested accommodation would require a fundamental alteration to the city's zoning scheme, and whether the requested accommodation would impose undue financial or administrative burdens on the city. To protect the confidentiality of any medical information provided by the Applicant, or contained in the application, the Board shall, to the extent allowed by law, enter in to executive session to review and discuss said medical information. The non-confidential portion of the hearing shall be conducted in public. The Board shall issue a written decision specifying its grounds for granting, denying, or modifying the application. In the event that the Building Inspector or the Board does not issue a decision as required by the time frames specific herein and in other pertinent sections of the Ordinance, the application shall be deemed granted.

Upon approval of the application, whether modified or not, the Applicant shall be entitled to undertake said reasonable accommodation, and shall be entitled to any attendant licensure by the city that is outlined in the application as approved by the Board. If a business license is required as part of the reasonable accommodation, the business license official shall issue said license upon approval of the accommodation.

The accommodation shall be in force and effect as long as the Applicant owns and/or resides in said structure. Said reasonable accommodation shall be limited to the number of people availing themselves of the reasonable accommodation as approved by the Board. Further, should the number of people necessary to provide the reasonable accommodation at the property in an average week on an on-going basis materially increase from the number of people indicated in the application approved by the Board, a new application for an accommodation will need to be made to the Building Inspector. If the structure is sold, or otherwise changes ownership, the reasonable accommodation is not transferable to the new owner. It is the duty of the owner to notify the Building Inspector of this event. The city shall allow the new owner an opportunity to renew and/or modify the reasonable accommodation in accordance with this section. In the event that the reasonable accommodation is not renewed or modified within sixty (60) days from the date of change in ownership, the reasonable accommodation will lapse and the structure will have to comply with all requirements of this ordinance.

Nothing in this section will require the city to expend any funds to achieve a reasonable accommodation except and to the extent required by federal law.

#### Section 7.4

**PROCEDURE FOR REQUESTING A HEARING:** Request for a hearing before the Board of Adjustment for an administrative review, special exception, variance, or reasonable accommodation shall observe the following procedures:

#### Article VIII

#### Section 8.2

Edit definition of Convalescent, or Nursing, Home:

A building, or portion thereof, wherein for compensation, living accommodations and care are provided for persons suffering from illness, which is not of sufficient severity to require hospitalization, or for persons requiring further institutional care after being discharged from a hospital; includes Extended Care Facilities.

Addition to Definition of Family

Persons with disabilities, including residents of group homes, will not be excluded from the definition of "family" if the persons occupying the dwelling unit otherwise meet this definition, regardless of whether the group home is established or maintained as a for--profit or not-for-profit entity.

Add Definition of Group Home

Group Home. A dwelling for a person or persons with disabilities as defined by the Fair Housing Act, including but not limited to a "Community Residential Facility" as set forth in the Alabama Department of Mental Health Administrative Code, Chapter 580-3-23 -06(2)(a), as authorized by the Code of Alabama § 22-50-1, or in a subsequently amended or adopted law or regulation.

ADOPTED THIS 15TH DAY OF JUNE, 2010.

Ordinance to be effective upon publication and approval of consent decree by the court in the matter of U.S. v Satsuma CV 08-0242-KD-C.

\_\_\_\_\_  
Mayor Pro Tem Tom Williams

ATTEST:

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**Vicki L. Miller, City Clerk**

*3. Ordinance 471- An ordinance to amend the sewer access fee*

Councilmember Monk made a motion to suspend the rules and put Ordinance 471 up for immediate adoption. Councilmember Black seconded the motion and on roll call the following answered:

Councilmember O’Gwynn	yes
Councilmember Monk	yes
Councilmember Black	yes
Mayor Pro Tem Williams	yes

Mayor Pro Tem Williams declared the motion passed unanimously.

Councilmember Monk then made a motion to adopt Ordinance 471. Councilmember Black seconded the motion and it carried.

**ORDINANCE NO. 471**

**An Ordinance to amend Ordinance #409 which amended Section 1 of Ordinance 289 adopted February 7, 1995:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA "THE CITY" AS FOLLOWS:**

**Section 1 of Ordinance 409 of The City adopted on April 17, 2007 is hereby amended to read as follows:**

**"1. Within thirty days after public sanitary sewer collection facilities become available (that is, are installed and ready for use within 300 feet of such premises) to any premises in the City which contain sinks, pits, cesspools, dry wells, surface closets,**

privies, water closets or septic tanks, all such sinks, pits, cesspools, dry wells, surface closets, privies, water closets and septic tanks shall be connected to such public sanitary sewer collection facilities; provided, that in recognition of the large number of premises which will be required to be connected to the City’s sanitary sewer system within a relatively short period of time, and the limited number of qualified persons to perform that service, but as an encouragement for connections to be made at the earliest feasible date, no such premises shall be required to be so connected until one year after such public sanitary sewer collection facilities become so available if, on the first day of the calendar month after the month in which such facilities first became so available, and on the first day of each calendar month thereafter until such connection shall be completed, the owner of the premises otherwise required to be so connected shall pay to The City beginning sixty (60) days after the passage of this Ordinance, the sum of \$75.00 per month as a charge for the maintenance, availability or accessibility of such facilities to such premises.”

This ordinance shall be in full force and effect upon its adoption and publication as provided by Alabama law.

ADOPTED THIS THE\_15th DAY OF JUNE, 2010.

/S/ Tom Williams  
Mayor Pro Tem

ATTEST: /s/ Vicki Miller  
Vicki Miller, City Clerk

4. *Ordinance 473- An ordinance to approve the 2010 Sales Tax Holiday-August 6-8, 2010*

Councilmember O’Gwynn made a motion to suspend the rules and put Ordinance 473 up for immediate adoption. Councilmember Monk seconded the motion and on roll call the following answered:

Councilmember O’Gwynn	yes
Councilmember Monk	yes
Councilmember Black	yes
Mayor Pro Tem Williams	yes

Mayor Pro Tem Williams declared the motion passed unanimously.

Councilmember O’Gwynn then made a motion to adopt Ordinance 473. Councilmember Black seconded the motion and it carried.

**ORDINANCE NO 473**

**AN ORDINANCE OF THE CITY OF SATSUMA, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE FIRST**

**FULL WEEKEND OF AUGUST, 2010, BY ACT 2006-574, GENERALLY REFERRED TO AS THE STATE SALES TAX HOLIDAY LEGISLATION.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA, AS FOLLOWS:**

**Section 1. In conformity with the provision Act 2006-574 enacted by the Alabama Legislature during the 2006 Regular Session, providing for a State Sales Tax Holiday, the City of Satsuma, Alabama, exempts "covered items" from municipal sales and use tax during the period, beginning at 12:01 a.m. on August 6, 2010 and ending at twelve midnight the following Sunday, August 8, 2010.**

**Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2006-574, except that the time period shall on be as specified in Section above and not for all years thereafter.**

**Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Satsuma, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.**

**Section 4. This ordinance shall become effective on the 15<sup>th</sup> day of June, 2010.**

**ADOPTED AND APPROVED THIS 15TH DAY OF JUNE 2010.**

**/s/ Thomas Williams  
Thomas Williams, Mayor Pro Tem**

**ATTEST: /s/ Vicki Miller**

**City Clerk**

*5. Resolution 2010-06-02- A Resolution to approve applying for a Mobile County Communication District grant.*

Mayor Pro Tem Williams made a motion to suspend the rules and put Resolution 2010-06-02 up for immediate adoption. Councilmember Black seconded the motion and on roll call the following answered:

Councilmember O’Gwynn	yes
Councilmember Monk	yes
Councilmember Black	yes
Mayor Pro Tem Williams	yes

Mayor Pro Tem Williams declared the motion passed unanimously.

Mayor Pro Tem Williams then made a motion to adopt Resolution 2010-06-02. Councilmember O’Gwynn seconded the motion and it carried.

**CITY OF SATSUMA**  
**RESOLUTION NO: 2010-06-02**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SATSUMA, ALABAMA THAT THE CITY OF SATSUMA WHILE IN REGULAR SESSION ON June 15, 2010, as follows:**

**SECTION 1. WHEREAS, the City of Satsuma Fire and Rescue is in the need of funding made available from the Mobile County Communication District (MCCD) to pay for emergency communication radios,**

**SECTION 2. WHEREAS, the City would like to apply for funding made available through the MCCD for the purchase of five (5) 800 MHz radios.**

**SECTION 3. WHEREAS, the grant, if awarded, will pay for five (5) 800megahertz radios which will be used to provide much needed communications for the Satsuma Fire and Rescue Department.**

**SECTION 4. WHEREAS, the City acknowledges that this grant is a 75% grant with 25% in matching funds.**

**NOW THEREFORE BE IT RESOLVED by the City Council and Mayor William F. Stewart, III, is hereby authorized to execute and submit an application to Mobile County Communication District.**

**CERTIFICATION**

**I, Thomas Williams, Mayor Pro Tem, City of Satsuma, Alabama, hereby certify that the foregoing is true and correct copy of the Resolution passed on June 15, 2010.**

/s/ Tom Williams  
**Thomas Williams**  
**Mayor Pro Tem**

**ATTEST: /s/ Vicki Miller**  
City Clerk

With no further business to discuss, Councilmember Monk made a motion to adjourn the meeting. Councilmember O’Gwynn seconded the motion. The meeting adjourned at 7:29 P.M.

absent  
Mayor William F. Stewart III

absent  
Councilmember Billy Jackson

/s/ Pam O’Gwynn  
Councilmember Pam O’Gwynn

/s/ Pratt Monk  
Councilmember Pratt Monk

/s/ Tom Williams  
Councilmember Tom Williams

/s/ Bill Black  
Councilmember Bill Black

**ATTEST: /s/ Vicki Miller**  
City Clerk