

MINUTES

August 18, 2009

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. the 18th day of August, 2009.

Councilmember Monk gave the invocation

Pledge of Allegiance was led by Councilmember O’Gwynn.

On roll call, the following answered present:

Mayor	William F. Stewart, III
Council Members	Billy Jackson
	Pamela B. O’Gwynn
	Pratt Monk
	Tom Williams
	Bill Black

Vicki Miller, City Clerk; Jay Minus, City Attorney; Tom Briand, Building Inspector; James Elmore, Public Works Supervisor, and Chief Benefield, Police Department were present. A quorum was present and Mayor Stewart opened the meeting for the transaction of business.

A workshop session was held prior to the regular meeting from 5:00 P.M. to 6:00 P.m. for council to discuss the FY 2010 budget.

A pre-council meeting was held beginning at 6:00 P.M. prior to the regular meeting and Mayor Stewart discussed with Council agenda items coming before Council.

Mayor Stewart presented the minutes of the regular meeting of August 4, 2009 for approval. Councilmember Monk made a motion to adopt the minutest as presented. Councilmember O’Gwynn seconded the motion and it carried.

VISITORS

1. *Elizabeth Hartley representing the Satsuma High School yearbook*

Ms. Hartley came before Council to ask if the city would purchase an ad in the 2009-2010 yearbook. She stated that last year the city purchased a full page. After discussing the matter, Councilmember Monk made a motion to purchase an ad in the 2009-10 SHS yearbook for \$350.00. Councilmember Jackson seconded the motion and it carried.

2. *Ms. Charnel Et-Tawill representing the Satsuma Christian School*

Ms. Et-Tawil came before Council and introduce herself as Ms. "E", the principal; of Satsuma Christian School Ms. "E: expressed her appreciation to the Council and especially wanted to recognize the police and fire departments for their continuing support of the school. She stated that this year they have an enrollment of 305, down some for previous years. She invited the Mayor and Council to visit the school and also invited them to the chapel services held on Tuesdays. She then presented Mayor and Council a yearbook for last year and asked if council would be interested in purchasing an ad. After discussing the matter, Councilmember Williams made a motion to purchase a full page ad in the Satsuma Christian School yearbook. Councilmember Monk seconded the motion and it carried.

3. *Michael Ingram-5901 Twin Branch Dr. S.*

Mr. Ingram came before Council to complain about the drainage in his area. He stated that when there is a heavy downpour, his front yard gets completely flooded. He stated that the water is not flowing down the street. He asked if the City could look into the matter. Mayor Stewart asked James Elmore if he was familiar with the situation. Mr. Elmore explained that he was aware and there is not a simple solution. There is an issued with the culverts and ditches. Mayor Stewart explained that the city is working on some long range drainage plans. However in the meantime, he requested that MR. Elmore look into the matter again and see if there is something that can be done.

4. *Rodney Waltman-5904 Twin Branch Drive S.*

Mr. Waltman came before Council to stated that he is concerned about the city looking run down with yards not being kept up and cars being parked in front yards. He asked if there are guidelines that can be enforced. Councilmember William asked if there is an ordinance which regulates vehicles and trailers in yards. Jay Minus stated that here is an ordinance and Tom Briand would be responsible for the enforcement. Mayor Stewart request that Mr. Waltman get with Mr. Briand with his issues.

5. *James Davis representing the American Military Engineers.*

Mr. Davis came before Council to let them know of a meeting with the American Military and Civil Engineers which will be held at Steele Creek Lodge and Park on

August 27 at 5:30. He stated that Congressman Joe Bonner will be the guest speaker and each councilmember is invited.

6. Larry Hagamaker- request for in-home business license at 5817 Vaughan Dr. W.
Mr. Hagamaker came before Council to request an in-home business license to operate the selling of water filtration systems. Council agreed for the issuance of the license.
7. Chris McDonald representing the Satsuma Youth Football Association came before Council to state that there is an outstanding bill for \$262.00 which the City has agreed to pay and they association is still receiving the bill. Councilmember Jacksons explained that the last administration agreed to purchase a line chain for the football association. The association purchased the equipment, however they are getting invoiced. He stated that he would get a copy of the invoice and check to see if the City has paid the bill. Mr. McDonald also stated that the concession stand has a leak in the roof. Mayor Stewart requested that James Elmore look into the matter.
8. David Merrill came before Council and stated that he is putting in a restaurant on Highway 43 in the Trotter shopping center. He stated that the menu will be deli style serving sandwiches. They expect to open in a couple of weeks. Mayor Stewart advised Mr. Merrill to get with Tom Briand, the building inspector, and once the health department submits their approval, the can come to City Hall and get their business license.
9. Joseph Frazier, a Satsuma resident, came before Council to complain about the land restriction on tractor trailers. He stated that he disagrees with the restriction and also the Jake Brake ordinance. He stated that Jake brakes are a safety feature if used correctly and it lessens the use of the brakes. Mr. Frazier stated that he does oppose un-muffled Jake brakes. Mayor Stewart stated that the right hand land restriction is a State law and when two trucks ride side by side they block traffic. Mayor Stewart also stated that Satsuma is a bedroom community and the citizens require a certain quality of life. Mayor Stewart stated that the City stands by the ordinances.
10. Stephanie Gatlin, a representative from the 50th Anniversary committee came before Council to give an update on the 50th Anniversary events. Ms, Gatlin handed out an agenda for the five-day events and introduced the subcommittee members. Each subcommittee member gave an update on their prospective areas. Ms. Gatlin then presented to Council the winner of the art contest, Ms. Luvenia Spotswood. She stated that Ms. Spotswood's artwork will be the design for the T-shirts. Mayor and Council congratulated Ms. Spotswood.

Council recessed at 8:22
Council reconvened 8:40.

MAYOR'S REPORT

Mayor Stewart commented that the City is required by ADEM to prepare a MS4 storm-water report yearly. He stated that the City has received a proposal and agreement from Volkert and Associates and Goodwyn, Mills and Cawood. He requested Jay Minus to explain further. Mr. Minus stated that in the past the City has used Volkert and Associates to perform this service. However, the year Council request that the City get a price from the City engineers, Goodwyn, Mills and Cawood for comparison. Goodwyn, Mills and Cawood presented a proposal which is less than the one presented by Volkert. Ms. Minus stated that these services do not have to be bid out. After Council discussed the matter, a decision was made for Goodwyn, Mills and Cawood to submit a contract for review by Jay. Mayor Stewart stated that if the services are similar, it would be prudent to accept the lower price from Goodwyn, Mills and Cawood.

Mayor Stewart stated that a final invoice form Hayes Construction Company in the amount of \$94,383.19 for the drainage project has been presented for payment. He stated that the engineers have approved the work. With no further discussions, Councilmember Jackson made a motion to approve the payment of \$94,383.19 to Hayes Construction Company. Councilmember O'Gwynn seconded the motion and it carried.

Mayor Stewart reported that he, Councilmember Black and James Elmore travelled to Fairhope to look at the memorial benches they have throughout their city. Mayor Stewart stated that he is still working out the details but would like to make similar benches available for citizens to purchase in memory of someone and place along the sidewalks.

Mayor Stewart reminded everyone of the room dedication at the Satsuma Library for Mary Pierce and stated that he thought the City should prepare a proclamation in her honor to be presented at the dedication. Councilmember Monk made a motion to draft a proclamation in honor of Mary Pierce. Councilmember Williams seconded the motion and it carried.

REPORTS OF THE COMMITTEES

Parks and Recreation:

Councilmember Jackson stated that he has received a request for the waiver of the lodge fee form the Library Foundation to host the annual Iron Bowl Bash on November 16, 2009. With no further discussion, Councilmember Jackson made a motion to approve the waiver of the fee. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Jackson stated that he also received two separate requests from Satsuma High School for usage of Steele Creek Lodge and the fee be waived; one for the Satsuma High School Miss Satsuma Tea on November 18, 2009 and the other for the Satsuma High School homecoming tea on September 16, 2009. With no further discussion, Councilmember Jackson made a motion to approve the waiver of the fee for the SHS Miss Satsuma Tea on November 18, 2009. Councilmember O'Gwynn seconded the motion and it carried. Councilmember Jackson then made another motion to approve the waiver of the fee for the SHS homecoming tea on September 16, 2009. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Jackson requested that a special workshop be set to discuss some issues with Steele Creek Lodge. He then made a motion to have a workshop session on September 22, 2009 beginning at 5:00 P.M. Councilmember O'Gwynn seconded the motion and it carried.

Administration and Finance:

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

Councilmember O'Gwynn stated that the Council needs to meet in a workshop session to continue the discussions on the budget. She then made a motion to hold a workshop session on August 25, 2009 beginning at 5:00 P.M. Councilmember Jackson seconded the motion and it carried.

Municipal Services:

Councilmember Monk expressed condolence on behalf of the Mayor and Council to the families of George Williams, John Kyser, Mr. Woodham and Marie Weaver.

Public Safety:

Councilmember Williams stated that he has a request form Chief Benefield for Lt. Jana Dukes to attend the Southeastern Law Enforcement Executive Development Seminar to be held in Florence, Alabama on October 18-23 at a cost of approximately \$1100. He stated that this seminar is for supervisory personnel and is hosted by the FBI. With no further discussion, Councilmember Williams made a motion to approve the expenditure for approximately \$1100 for Lt. Jana Dukes to attend the above seminar. Councilmember Jackson seconded the motion and it carried.

Councilmember Williams reported that the Mobile County Health Department inspected the jail and there were only a couple of items which need to be addressed. He stated that these items will be corrected. He stated that one of the items was to have hot water in the

jail cells. After discussing this with Chief Benefield, the City is not in favor of this and will get back with the health department on this matter.

Councilmember Williams reported that at the last meeting there were situations with the animal control officer picking up unwanted animals at the expense of the City. He stated that Jay Minus was asked to review the current ordinance and advise the Council of guidelines to stop this action. Jay Minus stated that he did review the old ordinance and the following changes were made: adding a sentence at the end which will prevent the animal control officer from impounding animals belonging to citizens and changing the term that the animals are kept from 10 days to 5 days. Mr. Minus commented that in the current ordinance there is a charge of \$4.00 per day and he understands that the county is charging \$5 per day. He stated it was up Council whether they wanted the amount changed. After discussing the matter, Council agreed to change the daily fee from \$4.00/day to \$5.00/day.

Ms. Minus stated that since this is the first time the ordinance has been presented, the Council could introduce at this meeting and vote and the next or they could suspend the rules and put the ordinance up for immediate adoption. After discussing the matter, Councilmember Williams made a motion to put Ordinance 454 up to immediate adoption with a correction changing the daily fee from \$4.00 to \$5.00. Councilmember O’Gwynn seconded the motion and on roll call the following answered:

Councilmember Jackson	yes
Councilmember O’Gwynn	yes
Councilmember Monk	yes
Councilmember Williams	yes
Councilmember Black	yes
Mayor Stewart	yes

Mayor Stewart declared the motion passed unanimously.

Councilmember Williams made a motion to adopt Ordinance 454. Councilmember Jackson seconded the motion and it carried.

Public Works

Councilmember Black reported that he has a request from James Elmore to allow a new employee, Mr. Ziebach to attend the CDL training at the expense of \$400. He stated that the city will make an agreement with Mr. Ziebach for him to refund the fees if he does not remain in the job at least a year. With no further discussion, Councilmember Black made a motion to approve the expenditure of \$400 for Mr. Ziebach to attend the CDL training. Councilmember Williams seconded the motion and it carried.

Councilmember Black reported that Mobile County is no longer offering the equipment or services for grading the dirt roads in the City. He stated that the City does own a road grader; however it is in need of repair in order to be used. He stated that Mr.. Elmore has

estimated that the repairs will be approximately \$1500.00. In agreement that the city is in need of the road grader, Councilmember Black made a motion to approve the expenditure of \$1500. Councilmember Williams seconded the motion and it carried.

Councilmember Black reported that there was a tree in Baldwin Square which needed to be removed. He stated that Mr. Elmore contacted Hamco and the tree was removed for \$922.00. With no further discussion, Councilmember Jackson made a motion to pay Hamco Tree Service an amount of \$922 for the removal of the tree in Baldwin Square. Councilmember Williams seconded the motion and it carried.

AGENDA

- 1. Ordinance 454- An Ordinance amending Ordinance 317, Codified in Ordinance 377, Article II, Section 10-32 to prohibit impounding animals belonging to owners.

ORDINANCE NO. 454

TO AMEND ORDINANCE NO. 317 ARTICLE II. SECTION XVIII CODIFIED IN ARTICLE II SEC. 10-43 SO THAT THE CITY WILL NOT HONOR REQUESTS BY OWNERS TO IMPOUND SAID OWNER’S DOGS AND/OR CATS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA (the “City”), as follows:

- 1. Article II, Section XVIII subpart (a) of Ordinance Number 317 shall be amended to read as follows:

- (a) Any dog or cat found running at large in the city shall be impounded at a rate of four dollars (\$4.00) per day and the owner of such dog or cat, if known, shall be given notice of such impoundment. The dog or cat shall be held by the city for a period of five (5) days. At the end of such period, if such dog or cat remains unclaimed, either by the owner or by any person desiring to purchase such dog or cat, such dog or cat shall be humanely dispatched and disposed of. If the owner of such dog or cat, or any purchaser, desires to make redemption of such dog or cat, he or she may pay for the inoculation of such dog [or cat] (if the same be not already inoculated), for its board for the period during which it was impounded and twenty-five dollars (\$25.00) in addition, which sum shall be deposited in the general fund of the city to help defray the cost of enforcing this article. The city may at its discretion sell any cat or dog not redeemed or claimed or otherwise disposed of, to any purchaser desiring such cat or dog, which said purchaser must comply with provisions of this article. All payments under this section shall be made to the office of the city clerk. Dogs or cats belonging to an owner will not be impounded by the City upon request by said owner.

- 2. This Ordinance shall become effective _____, 2009 after its adoption and publication as required by law.

ADOPTED this _____ day of _____, 2009.

/s William F. Stewart, III

MAYOR

Authenticated and Attested:

/s/ Vicki L. 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 9:10. P.M.

Mayor William F. Stewart III

Councilmember Billy Jackson

Councilmember Pam O’Gwynn

Councilmember Pratt Monk

Councilmember Tom Williams

Councilmember Bill Black

ATTEST: _____
City Clerk