

MINUTES

September 2, 2008
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 2nd day of September, 2008.

Councilmember Black led the invocation.

The Pledge of Allegiance was given.

On roll call the following answered present:

Mayor	William L. Bush
Council Members	Patricia Hicks
	Mark Barlow
	Larry R. Landrum
	E.L. Phillips
	Bill Black

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

A pre-council meeting was held prior to the regular meeting to discuss issues coming before Council.

Mayor Bush presented the minutes of the Regular Meeting of August 19, 2008 for approval. Councilmember Phillips requested to add “that all five members voted no on the motion to table Resolution _____” With that change Councilmember Barlow made a motion to adopt the minutes. Councilmember Hicks seconded the motion and it carried.

VISITORS

Jessica Jednet of 602 Vaughan Drive S. came before Council to request an in home day care license. She explained that she has been approved by DHR and has a State of Alabama license, however she has to have a business license from the City to begin operation. Ms. Jednet stated that she would care for children from ages 6 weeks to 1 year old and will be opened from 7:00 a.m. to 5:30 p.m. She stated that the DHR guidelines state she can have a maximum of 12 children with a helper. She also explained that she has a privacy fence and traffic will not be an issue.

Jay Minus stated that the city could not issue a business license based on the current ordinances.

Councilmember Hicks requested Jay Minus research the matter.

Kim Cain came before the Council and present a letter of complaint regarding ineligible persons voting in the municipal elections. She stated that Judge Don Davis stated that the City Clerk runs the city election and she should present a complaint before Council. Councilmember Phillips stated it is wrong for people to be allowed to vote who do not live in the city. He questioned one individual in particular. Vicki Miller explained that situation with that individual was turned over the District Attorney as recommended by the league attorneys. He then stated that Ms. Fuller, who was working as a clerk, was the one who signed her son in who did not live in the City and he requested her resignation. He then requested that the Clerk provide a list of everyone who voted and let Council determine who should not be on the list.

Cynthia Hill of Orchard Street came before Council to complain about the drainage during the storm. She presented pictures of water in her yard and surrounding neighbors. She asked if Council could do anything. Councilmember Barlow stated that with the new development in that area, the matter has gotten worse; however, the City has gotten a grant, which should aid in the situation. The City put a retention pond in the area to help with the water flow and the grant will expand that pond and improve the culverts.

George Sumerall of 5626 3rd Street came before Council to complain about the pumping system on 3rd. He stated that because the system does not work, he gets water in his garage and his entire lot gets underwater. He asked what can be done. Councilmember Black stated that quotes were gotten several years ago and the price to replace the pumps ran from \$30,000 to \$40,000. He stated the City did not have the funds to purchase the new pumps at that time. James Elmore stated that the pumps are very old and cannot be repaired. Mayor Bush requested that Councilmember Black and James Elmore look into a new system and report at the new meeting.

Michael Brewer of Juniper Avenue came before Council to request that something be done about the ditch behind his property on S. Hummingbird. Mr. Brewer stated that he

was told that someone would look at the ditch and as of today, no one has looked at it. Councilmember Black stated that there is an issue with not having a right of way. Mayor Bush requested that Tom Briand look in to getting a petition Mayor Bush requested that Tom Briand look in to getting a petition for an easement from the property owners. Then the City can clean the ditch.

Mr. Brewer also complained about the bush hogging. He stated that the area around Dale and Juniper is not getting cut. He stated that issue needed to be addressed.

AGENDA

- 1- Resolution 2008-08-06. Approval for City to do a General Obligation bond for the Water Works and Sewer Board of the City of Satsuma in the amount of \$4,385,000.00 plus \$400,000.00 of city debt.

Councilmember Phillips stated that he has been reviewing the bond and stated that he is in favor of the city doing the bond if an additional \$500,000 can be added to purchase the land at the end of Old Highway 43 behind the old Brett's Propeller shop. He stated that the property is for sale at approximately \$25,000 an acre. The property is in the county and this property along with 3000 other acres belonging to Sandy Howard and it is between Satsuma and Creola for annexation. He stated that if the City does not purchase the property and it is annexed into Creola, then Creola can do anything they want, such as allowing it to a junk yard or apartments.

Councilmember Phillips made a motion to adopt Resolution 2008-08-06 in the amount of 4,385,000.00 plus \$400,000 for city debt and with an amendment to add \$500,000 to purchase the 15 acres on the south side of I-65 and the east side of US 43 (northeastern corner of the City limits) for a total of \$5,285,000.00 Councilmember Landrum seconded the motion.

Councilmember Barlow commented that he would like an issue like to wait because it will affect the new administration. He stated that he would like any unused monies, if not used to bore under the interstate, be placed back towards the bond issue. He also stated that since the subject property discussed is in the county, then the City needs to immediately start annexation proceeding.

Councilmember Landrum also stated that if the funds cannot be used toward the purchase then the funds would need to be returned back toward the bond

Councilmember Phillips then made a motion for Jay Minus to start the negotiating of the property and the annexation process. Councilmember Landrum seconded the motion and it carried.

2- Lease with Satsuma Quarterback Club for parking lot usage.

Councilmember Hicks stated that the lease is to allow the city parking lot to be used for parking during the SHS home games. Monies collected are for the SHS football. She stated the lease begin September 2, 2008 and ends with the last game for a price of \$10.00 per year.

Councilmember Hicks made a motion to approve the lease with Satsuma Quarterback Club. Councilmember Barlow seconded the motion and it seconded.

3- Discussion of additional slab for trash ramp.

Councilmember Landrum requested that proposals be bid out for a concrete slab for the metal box at the trash ramp.

He then made a motion to have get proposals for a slab and have the proposals back for the next meeting. Councilmember Barlow seconded the motion and it carried.

4- Approval to put out for bids for a chipper.

Councilmember Landrum made a motion to put out for bids a new chipper. Councilmember Black seconded the motion and it carried.

5- Promotional assignments

Mayor Bush reported that he appointed two firefighters, promoted a lieutenant, two corporals and appointed a fire captain.

Councilmember Phillips stated that the Council was not consulted about the appointments and promotions and this is the first time this has been done without council approval.

Councilmember Barlow stated that if the Mayor has authority to do the promotions, then he wished everyone the best. However, he does not agree with doing promotion or hiring when there is going to be a new administration

Mayor Bush stated that he is the appointing authority and there is a system that was approved by Council to access the employees for merit and promotions. He continued by saying that state law gives the Mayor the hiring and firing and appointing authority in a city. He stated that the hiring and promotions have been discussed over and over and the feels like employees are well deserving of the promotions and if Council wants to try and change it then they can.

- 6- Consideration of one-time lump sum payment of \$1.00 per month for each year of service for retirees per ACT 2008-555 of the Retirement Systems of Alabama.

Councilmember Hicks stated that the amount would total \$2155.00 for a one-time payment. She introduced the matter and stated that the resolution would be ready for the next meeting.

REPORT OF COMMITTEES

OLD BUSINESS

Councilmember Hicks reported that the air conditioner unit was installed at Steele Creek and stated that the old parts were used to fix the other units. She stated that next year another unit will have to be purchased.

Councilmember Barlow reported that the Planning Board met in a workshop on August 28 to discuss the subdivision regulations and he stated that Council could look over the regulations and make any comments or suggestions to the Planning Board.

Councilmember Barlow reported that there will be a Planning Board meeting on September 4, 2008 at 7:00.

Councilmember Landrum stated that he had nothing to discuss under old business.

Councilmember Phillips stated that he had a letter that the Mayor passed out Saturday before the election and being that the letter was signed Mayor William L. Bush , he feels like this should be discussed. He stated that due to timing of the distribution of the letter, there was not time answer the accusations. He stated that he would like to read the letter since his character has been attacked, as were two other council members.

Councilmember Phillips read the introduction of the letter then began with the accusations:

The letter: "That their flyers state that they brought the grant home to the citizens. In truth, Pat Hicks, Vicki Miller and Cara Stallman and the current engineers are the ones that brought the grants to Satsuma. "

Councilmember Phillips reply. "Cara Stallman, grant writer, was hired by the City. She writes on percentages. If anyone says that they get grants personally, they are not telling the truth. Ms. Stallman hunts grant, pursues them and bring back to Council and we tell whether or not to pursue."

:The letter: "They talk about growth. The same three brought an ordinance to the table stopping the Satsuma water and sewer growth outside our city limits. This mean the

current water customer “you’ will have to pay an increase price in utilities. Not smart to cut off the hand of your own business growth.”

Councilmember Phillips reply, “ Let me tell you what that meant. Mayor Bush wanted to give sewer to Creola without annexing the property into the City of Satsuma. This Council voted 5-0 not to do that. Not three of us. Of course, Mr. Bush said it was three of us that did it. Does it make sense to any of ya’ll to put sewer outside the city limits where we are not collecting tax dollars off the business. It did to this council. I still stand by it and I am sure the five who voted no. So, Mayor you stand corrected. It was 5-0. you was the only no vote that night.”

Mayor Bush: I still stand by my vote.

Councilmember Phillips “Correct, but you only said three of us.”

The Letter:” The Water and Sewer Board just proposed a joint bond issue that will save them thousands of dollars to provide water and sewer to additional customers. In addition, what did they say, they would not vote on it because it was close to an election. They were elected to conduct City business for their entire term; not until close to an election. This is a huge mistake and will continue to costs the current citizens who pay bills in Satsuma.”

Councilmember Phillips reply, “Again he accuses us of trying to increase your water rates. The truth was we asked, was the rates going to be increased if we did this bond issue. The Mayor would not tell us yes or no. And if you check, yes there is going to be a sewer increase. That was the question. Not that it was an election time. So again Mayor you stand corrected.”

The letter: “ They have continued to hurt our city with bad decisions, I do not know if they can really make sound choices because of their dislike of me or inability to make them. But I do know that they have really hurt the city more than helped. I could write a book on bad decisions from these individuals. They will continue making comments and choices that will hurt us for years. Here are a few other quotes and comments that they did say and show how they feel. All three were in favor of selling half of Steele Creek lodge”

Councilmember Phillips stated, “That is an outright lie. No one on this council has ever said that they were going to sell half of Steele Creek Lodge. You find me one documentation where it is in the minutes. That’s a lie and you should apologize.”

The Letter says “Your facility”.

Councilmember Phillips says “Why would we have bought Steele Creek Lodge and then want to sell half of it. Does that make sense to any of ya’ll. The work that was put down there.

The letter:” An would they have gotten their swing vote, the two of them feel that if you do not live in Satsuma, you cannot play ball in our park and recreation programs”

Councilmember Phillips, “ What we said was our parks are getting overcrowded and if it ever become necessary we will have to let our citizens play first. I do not think there is a citizen that disagrees with that if it ever comes to that point. Not that we did not want no kids playing in this park.

The letter: “They voted continuously against hiring and promoting more police and fire personnel.”

Councilmember Phillips reply: “Yes, we did. Two of the three people Mayor Bush just promoted we are being sued for one and just settled a lawsuit for another. Yes, I voted against them. They are not promotable, but he promoted strictly for the fact that they vote in Satsuma and it was done the week before.

The letter: “ Too close to the election. Instead of backing up surrounding cities with our police protection, other municipal police were told to stay out of our city.

Councilmember Phillips reply: “I don’t even know what you are talking about there”

The letter: Over seven time documents have been filed from workers being harassed and threatened by these individuals.

Councilmember Phillips reply: “ Again Mayor you will have to explain that one.”

The letter: They continue each year to second guess their decisions. Example, 2008 Budget. After realizing that employees would receive a raise this year, they tried to change and state if they had known that these people were getting a raise they would not have voted for it.

Councilmember Phillips reply: “Plain fact is Mayor Bush gave a \$167,000 raise in January. This Council found out in March. We did not vote on the raise. We moved money last week to payroll to pay for the raise. Yea, again we were opposed to it because the city could not afford it. But we did not have a vote in the matter.

Letter: When they starting campaigning a few weeks back their biggest campaign issue was they investigated the Mayor and even though the District Attorney and the Ethic Commission filed no charges. To these three I was guilty. Let me tell you what I was guilty of. Of believing what they said which was that credit card receipts for charges while conducting city business was efficient. Again they changed their decision. I returned \$3250.00 which was incurred by me over an eight year period.

Councilmember Philips: Most of the money was incurred over two years. Not eight.

The Letter: You should have asked them if they had done the same. Expenses over \$4000 were enjoyed in Tunica, MS and Orange Beach, Alabama.

Councilmember Phillips: I have never been to either one for city business. Mr. Barlow? Mr. Landrum?

Councilmember Landrum: I have and I brought back the ideas of the trash ramp.

Councilmember Phillips: Tell them how much money it was, Larry.

Councilmember Landrum: It wasn't \$4000.00. I went to a conference and brought back the Safe Path to School grant that is going to be west of Robert E. Lee School so that our kids will have a safe way back and forth to school. Also, in previous years at South Alabama Regional Planning Commission I have gone to training and met with different people throughout the state agencies such as Senior Citizen on Aging. I acquired 50% funding for this van that the Senior Citizen meals are delivered in to home bound people. That is just a few of the things that I wasted the city's money on; going to these conferences. I come back and give the full council a report every time I go to one of these. I don't go for a joy trip. I go for it to bring back to the citizens what I've learned and experienced; net working with these people to try to secure the funds for this city and the citizens of this city.

Councilmember Phillips: Them trips were voted on prior to Mr. Landrum going, too. They were not trips that he just took and turned in receipts. They were approved prior.

The letter: Is it OK for councilmembers to travel to high school football games.

Councilmember Phillips. The only one I think you are referring to Mayor is when Satsuma played Auburn three years ago in the State playoffs. All five councilmembers went in my motor home. Is that what you are referring to? Again, it is three of us. But it was all five in which the Mayor was going but as usual he did not show up that night, so we went without him.

The Letter: Out of state funerals.

Councilmember Phillips: I'd like that clarified. Because the only out of state funeral I know that I have attended was Mayor Bill Winters and Johnny Poole. Is that a problem with us attending funerals?

Mayor Bush: I don't care what you do, Bubba.

Councilmember Phillips: But you must have. You put it here, it is a problem. We escorted hearse on both of them. I can't see where that is a problem for this city to do that.

Letter: City dinners in city van.

Councilmember Phillips: I have not rode in that city van in my life. Never been to no city dinners in it. Mr. Barlow? Ms. Hicks? Mr. Landrum?

Councilmember Hicks: once

Councilmember Landrum: once

Councilmember Phillips: So it seems like you got confused as to who was riding in it Mayor.

Letter: Approval without credit cards or receipts.

Councilmember Phillips: I've made four charges in eight years and have receipts for them. Mr. Barlow has made no charges in eight years. Mr. Landrum has turned in every receipt he done on every trip. So I stand corrected on this letter. Next time you want to address me, Mayor, I would appreciate it if you would do it in person. Instead of being like a coward ; walking around and handing it out.

Mayor Bush: Thank you, Mr. Phillips.

Councilmember Black reported that James Elmore has gotten a price quote of \$9420.00 from HCL to pave 255' of 7th Street. He stated he was going to turn the information over to the committee for review and discussion.

NEW BUSINESS

Councilmember Hicks stated that she did not have anything to discuss under new business.

Councilmember Barlow reported that the balance sheet was distributed.

Councilmember Barlow stated that another letter was written and distributed before the election by Jeff Hardegree and asked Councilmember Phillips if he had a copy and wanted to read it also. Jeff Hardegree stood and stated that he would read his own letter and had documentation to back up his letter. Councilmember Phillips stated that being that he has not attended any water board meetings; he does not know why his name was mentioned. Jeff Hardegree stated that there were other issues in the letter. Mayor Bush requested that Jeff Hardegree be seated since the there was controversy.
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Councilmember Barlow asked the Mayor when he was going to pay for the car. Mayor Bush replied that that was another subject.

Councilmember Landrum stated that he had nothing to discuss under new business.

Councilmember Phillips stated that he did not have anything to discuss under new business.

Councilmember Black stated that he had nothing to discuss under new business.

Mayor Bush presented the bill for payment. Councilmember Barlow made a motion to approve the bills as presented. Councilmember Black seconded the motion and it carried.

With no further business to discuss, Councilmember Barlow made a motion to adjourn the meeting. Councilmember Hicks seconded the motion. The meeting adjourned at 8:10 P.M.

Mayor Bush

Councilmember Hicks

Councilmember Barlow

Councilmember Landrum

Councilmember Phillips

Councilmember Black

ATTEST: _____
City Clerk