

MINUTES

January 18, 2011
The Regular Meeting of the Satsuma City Council

The City Council of the City of Satsuma, Alabama, convened in the regular public session at Satsuma City Hall in said city at 7:00 p.m. on the 18th day of January, 2011.

Councilmember Black gave the invocation.

Councilmember Williams led the Pledge of Allegiance.

On roll call the following answered present:

Mayor	William F. Stewart, III
Council Members	Billy Jackson
	Pratt Monk
	Tom Williams
	Bill Black

Absent: Pamela O'Gwynn

Mayor Stewart explained that Councilmember O'Gwynn was out of town due to her job.

Also present were Jay Minus, City Attorney; Vicki Miller, City Clerk; Tom Briand, Inspector; James Elmore, Public Works Supervisor; Bud McCrory, Director of Satsuma Water and Sewer; and Chief Benefield of the Police Department. Mayor Stewart stated a quorum was present and opened the meeting.

Council met in a pre-council meeting at 5:00 P.M. Dr. Ira Harvey presented the feasibility study on the Satsuma Independent School System. He stated that the study was a financial snapshot based on the statistics of today. He stated the city had a good physical foundation with the existing schools, however the city would need to increase the ad valorem tax by 7.5 mils and increase the sales tax either

½ cent or 1 cent. He stated it would now be up to the city leaders to decide whether to move forward. Mayor Stewart discussed briefly other agenda items.

Public Hearing- 6:30 P.M.

Council met to hear public comments on the abatement of a nuisance at 54 Oak Avenue.

Mr. Purvis came before Council and asked for an extension on removal of the home. He stated that he is working with a contractor to remove the home and needs an additional 30 days to get the work completed. Mr. Purvis also complained about the amount of water draining onto his property.

Mayor Stewart requested that Mr. Purvis get with James Elmore to see if the problem can be corrected.

With no further comments or question, Mayor Stewart closed the public hearing at 6:40.

Regular Meeting

Mayor Stewart opened the regular meeting at 7:00.

Mayor Stewart presented the minutes of the regular meeting on January 4, 2011 for approval. Councilmember Jackson made a motion to approve the minutes as presented. Councilmember Monk seconded the motion and it carried.

VISITORS

1. A representative of the Howey Family came before Council to request permission to sell donuts at the intersection of Old Highway 43 and Pennsylvania on January 22. Council discussed the matter and suggested that the family move to the intersection of Thomas Street and Old Highway 43.
2. Tina Wimberly and Paul Schula, representatives of the North Mobile Relay for Life, came before Council to ask for sponsorship of the event. Ms. Wimberly stated that the city sponsored the event last year in the amount of \$2000.00. Council discussed and Councilmember Monk made a motion to sponsor the event in the amount of \$2000.00. Councilmember Williams seconded the motion and it carried.

MAYOR'S REPORT

1. Mayor Stewart stated that Council held a public hearing on the abatement of the nuisance at 54 Oak Avenue prior to the meeting. He stated that Mr. Purvis has requested a 30 day extension. With no further discussion, Councilmember

Williams made a motion to grant the 30 day extension and to communicate with Mr. Briand when done. Councilmember Monk seconded the motion with the agreement that if the trash had not been removed from the property within 30 days, the building inspector would have the authority to have the trash removed at owner's expense and it carried.

2. Mayor Stewart reported that in the pre-council, Dr. Ira Harvey presented the feasibility study for the new school system. Mike Battiste a member of the feasibility committee came before Council and stated that based on the report, the committee is recommending the council vote to move forward with the independent school system for the city. With no further discussions, Councilmember Williams made a motion to suspend the rules and put up Resolution 2011-01-04, A Resolution establishing an school board for the independent school system for the City of Satsuma. Councilmember Jackson seconded the motion and on roll call the following answered:

Councilmember Jackson	yes
Councilmember Monk	yes
Councilmember Williams	yes
Councilmember Black	yes
Mayor Stewart	yes

Mayor Stewart declared the motion passed unanimously.

Councilmember Jackson made a motion to adopt Resolution 2011-01-04. Councilmember Black seconded the motion and it carried.

RESOLUTION NO. 2011-01-04

RESOLUTION ESTABLISHING A SCHOOL SYSTEM FOR THE CITY OF SATSUMA, ALABAMA; ESTABLISHING A BOARD OF EDUCATION; AND PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE BOARD OF EDUCATION

WHEREAS, the City of Satsuma, Alabama (the "City" or "Satsuma") is a "City" within the meaning of the provisions of Code of Alabama § 16-11-1 (1975), as amended; and

WHEREAS, Code of Alabama § 16-11-1 et seq., (1975), as amended, provides that cities having a population of five thousand (5,000) or more inhabitants, according to the last federal census, may form a city school system; and

WHEREAS, the City is further authorized to organize and appoint a board of education vested with the general administration and supervision of the public schools

and educational interests of the city school system; and

WHEREAS, the Mayor and City Council of the City of Satsuma, Alabama, has determined that the best interests of the City and its citizens would be served by the establishment of a City Board of Education and the election of members thereto in accordance with the provisions of Code of Alabama § 16-11-2 et seq., (1975), as amended.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Satsuma, Alabama, in a regular meeting duly assembled, a quorum being present, as follows:

1. There is hereby established a public school system for the City of Satsuma, Alabama, to be known as the Satsuma School System.

2. There is hereby established a Board of Education for the Satsuma School System (the "Satsuma Board of Education") to consist of five (5) members. The members shall be residents of the City of Satsuma and shall not be members of the City Council. The members shall be selected based upon their character and fitness. The members shall be elected by the City Council of the City of Satsuma and shall serve a term of five (5) years; provided, however, that one member of the initial Satsuma Board of Education shall serve a term of one (1) year; one member of the initial Satsuma Board of Education shall serve a term of two(2) years; one member of the initial Satsuma Board of Education shall serve a term of three (3) years; one member of the initial Satsuma Board of Education shall serve a term of four (4) years; and one member of the initial Satsuma Board of Education shall serve a term of five (5) years; so that the term of one member shall expire annually.

3. After the initial terms as designated above, each member of the Satsuma Board of Education shall serve for a term of five (5) years. In the event of a vacancy in the membership of the Satsuma Board of Education by resignation or otherwise, the successor shall be appointed as provided by the law to fill the vacancy for the unexpired term. A member shall serve on the Satsuma Board of Education until his or her successor

assumes office.

4. The Satsuma Board of Education shall have all power, authority and duties as provided by law including, but not limited to, the administration and supervision of the public schools and education interests of the Satsuma School System and shall be responsible to maintain and do all things necessary and proper for the management of the Satsuma School System.

ADOPTED and APPROVED, this 18th day of January , 2011.

/s/ William F. Stewart, III
William Stewart, as Mayor

ATTEST:

/s/ Vicki Miller
Vicki Miller, as City Clerk

3. Mayor Stewart reported that the city has been meeting and reviewing the city's property, liability, and worker compensation insurance. The current carrier has presented their renewal and the city has been presented with another proposal from Greenhalgh Insurance. Councilmember Williams stated that the council met in a workshop session on January 13 and discussed both policies. After reviewing both polices, the city will save approximately \$18,000 by going with the policy from Greenhalgh which will be underwritten by Harleysville Insurance and Travelers. With no further comments, Councilmember Williams made a motion to change from the current carrier, Alabama Municipal Insurance Corporation and accept the insurance from Greenhalgh Insurance. Councilmember Monk seconded the motion and it

4. Mayor Stewart reported that the city has received the final invoice on the community center/shelter. He stated that the city engineer is recommending paying the invoice less \$3,660.00 for a few small items which need to be completed. With no further comments, Councilmember Jackson made a motion to approve the payment to Youngblood Barrett in the amount of \$32,992.02 which is \$3,660.00 less than the requested amount. Councilmember Black seconded the motion and it carried.

REPORTS OF THE COMMITTEES

Parks and Recreation:

1. Councilmember Jackson stated that he received a parade permit request from Satsuma Christian School requesting permission to hold a parade on January 21,

2011 at 1:00 p.m. With no comments or questions, Councilmember Jackson made a motion to approve the permit. Councilmember Monk seconded the motion and it carried.

2. Councilmember Jackson stated that the Satsuma High School JROTC has requested an exemption from the lodge fee for an event on February 17 (Thursday), 2011. He stated that the party would still be responsible for the cleaning fee. With no comments or questions, Councilmember Jackson made a motion to approve the exemption of fees except the cleaning for the SHS JROTC on February 17. Councilmember Monk seconded the motion and it carried.

Administration and Finance:

Councilmember Jackson made a motion to pay the bills as presented. Councilmember Monk requested that the payment for ACE Electrical and Contracting be held pending approval of the project. With that exception, Councilmember Monk seconded the motion agreeing to allow the payment be made once the work was completed to satisfaction and gave the Mayor the authority to sign. Motion carried.

Municipal Services:

Councilmember Monk expressed condolences on behalf of the Mayor and Council to the families of Sadie Maherg, Ira Lewis, Mr. Burleson, and Buria Caffey (Renetta Thames, father).

Councilmember Monk reported that at the last meeting, bids were received for the front end loader and roll/off container service. He stated that after review by the committee, Allied Waste has been determined to be the lowest responsible bidder.

With no further comments or questions, Councilmember Monk made a motion to adopt RESOLUTION 2011-01-03- A RESOLUTION AWARDING THE BIDS FOR THE FRONT EN LOADER AND ROLL-OFF CONTAINERS. Councilmember Williams seconded the motion and it carried.

RESOLUTION 2011-01-03

A Resolution awarding the bids for the front end loader and roll-off containers.

WHEREAS, pursuant to the general competitive bid law, Section 41-16-50 et seq., Code of Alabama 1975, sealed bids were requested for two separate services a) Front End Loader container service and b) Roll-Off Containers service.

WHEREAS, bids were received, opened and read in public on January 4, 2011 at 7:00 P.M; and

WHEREAS, Three (3) contractors bid on both services. Bids were as follows:

- 1) .Waste Management
 - a. Front End Loader \$8,316.00 per year

	b.	Roll-Off Container	\$231.00 per haul/per container
2)	Allied Waste		
	a.	Front End Loader	\$7,344.00 per year
	b.	Roll-Off Container	\$204.00 per haul/per container
3)	Advance Disposal		
	a.	Front End Loader	\$9,900.00
	b.	Roll-Off Container	\$275.00 per haul/per container

WHEREAS, the bids were reviewed and tabulated by the Public Works Committee; and.

WHEREAS, after tabulation and review, the Public Works Committee has recommended that both services be awarded to Allied Waste, as the lowest bid which met the City's requirements and specifications and is a responsible bidder; and

NOW THEREFORE, BE IT RESOLVED by the City Council of The City of Satsuma, Alabama, as follows:

1. The bid is awarded to Allied Waste. for a total sum of \$7,374.00.00 for front end loader service and \$204.00 for roll-off container service to be paid from the garbage fund.

/s/ William F. Stewart, III Mayor
William F. Stewart, III

I hereby certify that this resolution was duly adopted by the City Council of the City of Satsuma, at a regular meeting held on January 18, 2011.

/s/ Vicki Miller

Vicki Miller, City Clerk

Councilmember Monk discussed with Council customers needing two carts and how much should they be charged. After discussing the matter, Councilmember Monk made a motion to allow garbage customers to have an addition cart at an additional cost of \$9.25 per month.

Public Safety:

Councilmember Williams made a motion to open up two (2) sergeant positions as promotional exams. Councilmember Jackson seconded the motion and it carried.

Councilmember Williams reported that he attended the 14th Annual Strategic Session hosted by South Alabama Planning Commission. He stated that the session was very informative especially on issues such as health care reform and the SAPA program. He stated that SAPA program is a purchasing program which cities can utilize to save on certain purchases. He stated that the cost to participate in the program is \$500.00 per year. The program also includes savings on office supplies and fuel. Councilmember Williams reported that the Bo

Foster with Nextel has presented a proposal for the city to save monthly charges on the Nextel's being used by the city. The savings alone on the cell phones will exceed the cost to participate in the program. Councilmember Williams made a motion for the city to begin participation in the program at a cost of \$500.00. Councilmember Monk seconded the motion and it carried.

Councilmember Williams congratulated Lt. Jana Dukes and Cpl. Kent Sellers for the article that was written in the Mobile Press about their involvement in investigations of internet fraud.

Councilmember Williams also stated that a letter of thanks was written about the efforts of Reserve Officer Steven Bell. He stated that Officer Bell assisted a family that was having car troubles.

Public Works:

Councilmember Black reported that the paving project on Jones Street has been completed and inspected by James Elmore. Councilmember Black made a motion to approve payment of \$9080.00 to HCL Contracting. Councilmember Williams seconded the motion and it carried.

RESOLUTIONS, ORDINANCE, ORDERS- NONE

1. Introduction of Ordinance 477- An ordinance codifying all stop sign ordinances.

Mayor Stewart stated that this ordinance which combines all the old stop sign ordinances into one was introduced at the last meeting. He stated that if no one had any problems, he would entertain a motion to adopt.

Councilmember Williams made a motion to adopt Ordinance 477. Councilmember Monk seconded the motion and it carried.
(due to the length of the ordinance, Ordinance 477 is not included in the minutes)

2. Introduction and adoption of Resolution 2010-12-01- A Resolution to enter into an equipment lease-purchase agreement with Regions Equipment Finance Corporation for the financing of two garbage trucks. .

Mayor Stewart stated that his resolution was introduced in December; however the city was still waiting on the delivery and inspection of the trucks. He stated that both trucks are now in service and this resolution authorizes payment.

Councilmember Monk made a motion to adopt Resolution 2010-12-01. Councilmember Jackson seconded the motion and it carried.

RESOLUTION 2010-12-01

WHEREAS, the governing body of CITY OF SATSUMA (the "Lessee") has determined that in order for the Lessee to better accomplish its public purposes, the Lessee needs to acquire the use of the Equipment described in the schedule attached to or set forth in the Equipment Lease-Purchase Agreement (the "Lease") attached hereto; and

WHEREAS, the Lessee has determined that the most economical and efficient means of acquiring the use of said Equipment is pursuant to a lease-purchase of the Equipment pursuant to the Lease; and

WHEREAS, a copy of the Lease has been presented to, considered and approved by the governing body of the Lessee.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE LESSEE, as follows:

1. The Lessee is hereby authorized to enter into the Lease between the Lessee and Regions Equipment Finance Corporation, as lessor, with all riders, certificates, schedules, and amendments thereto, substantially in the form attached hereto, and the execution and delivery of the Lease is hereby approved, authorized, ratified and confirmed.

2. The MAYOR ~~and each and any of them without the others~~ is hereby authorized to execute and deliver the Lease on behalf of the Lessee in substantially the form presented to the governing body of Lessee at this meeting with such changes or additions thereto or deletions therefrom as the officer executing the same shall approve, which approval shall be conclusively evidenced by his or her execution of the Lease. The MAYOR ~~and each and any of them without the others~~ is hereby authorized to execute and deliver on behalf of the Lessee such agreements, indemnities, purchase orders, leases, bills of sale, certificates or other instruments or obligations as they or any one of them may deem necessary or appropriate to the accomplishment of the Lease, and the execution and delivery of any such agreement, instrument or obligation prior to the date hereof by any such officer is in all respects hereby confirmed, ratified and approved. The City Clerk is hereby authorized and directed to affix the corporate seal to such instruments and to attest the same.

3. The proper officers of the Lessee are authorized and directed to do or cause to be done all such other acts and things, to make all payments, including rent payments, required pursuant to the Lease and related documents, and to execute all such documents, certificates and instruments as in his, her or their judgment may be necessary or advisable in order to carry out the foregoing Resolutions and the Lessee's obligations under the Lease, or any amended, renewed or supplemental lease; and all actions heretofore taken by the officers of the Lessee in connection with the acquisition of the Equipment and negotiation of the Lease are hereby approved, ratified and confirmed in all respects.

4. The Lessee hereby designates the Lease to be a "qualified tax exempt obligation" under the provisions of Section 265(b)(3) of the Internal Revenue Code, as amended.

With no further business to discuss, Councilmember Monk made a motion to adjourn the meeting. Councilmember Black seconded the motion. The meeting adjourned at 7:50 P.M.

/s/ William F. Stewart, III
Mayor William F. Stewart III

/s/ Billy Jackson
Councilmember Billy Jackson

absent
Councilmember Pam O'Gwynn

Councilmember Pratt Monk

/s/ Tom Williams
Councilmember Tom Williams

/s/ Bill Black
Councilmember Bill Black

ATTEST: /s/ Vicki Miller
City Clerk