

MINUTES

November 16, 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 Satsuma City Hall in said city at 7:00 p.m. on the 16th day of November, 2010.

Councilmember O'Gwynn gave the invocation.

Councilmember Jackson led the Pledge of Allegiance.

On roll call the following answered present:

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

Also present were Jay Minus, City Attorney; Vicki Miller, City Clerk; Tom Briand, Inspector; and David Benefield, Chief of Police. Mayor Stewart stated a quorum was present and opened the meeting.

Council met in a pre-council meeting at 6:00 P.M. Mayor Stewart discussed with Council agenda items coming before Council. Council convened in an executive session from 6:40 to 6:55 to discuss a legal issue.

Mayor Stewart presented the minutes of the regular meeting on November 2, 2010 for approval. Councilmember O'Gwynn made a motion to approve the minutes as presented. Councilmember Jackson seconded the motion and it carried.

VISITORS

1. Mr. Matt Dial came before Council to introduce himself as the new president of the Satsuma Youth Baseball team. He stated that as the new president he would like to work with the council to get some needed improvements accomplished.
2. Mayor Stewart presented Key Kids with certifications and city pins.

MAYOR'S REPORT

1. Mayor Stewart reported that Tom Briand spoke with a representative with the county regarding the junk ordinance and the ordinance only applies to the police jurisdiction. With no further discussion, Councilmember Jackson made a motion approving the mayor to execute the agreement with Mobile County to allow them to enforce the Mobile County Junk Ordinance in the police jurisdiction. Councilmember O'Gwynn seconded the motion and it carried.
2. Mayor Stewart discussed with council the upcoming annual volunteer/employee safety banquet and awards to be held at Steele Creek Lodge on December 2nd. He asked for a motion to approve an expenditure of an amount not to exceed \$8,500 to cover the cost. Councilmember Williams made the motion to approve an expenditure not to exceed \$8,500.00. Councilmember Monk seconded the motion and it carried.
3. Mayor Stewart discussed with council the need to approve funds for the candy, throws and decorations for the Christmas parade. Councilmember Jackson made the motion to approve the expenditure not to exceed \$2500.00 for the candy, throws and decorations. Councilmember O'Gwynn seconded the motion and it carried.

REPORTS OF THE COMMITTEES

Parks and Recreation:

Councilmember Jackson reported that he has a request to purchase a ad in the Christmas Edition of the Call News. He then made a motion for the city to purchase the ¼ page for \$259.00. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Jackson reported that he and the city clerk have been doing some research on new chairs for Steele Creek Lodge. He stated he would like to move forward with the purchase and then made a motion to approve the expenditure of an amount not to exceed \$15,000 for the chairs. 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 reported that there have been several interviews with prospective applicants for the Office Assistance I position. She stated that after careful consideration, she would like to make a motion to hire Renetta Thames effective November 29, 2010. Councilmember Jackson seconded the motion and it carried.

Municipal Services:

Councilmember Monk expressed condolences on behalf of the Mayor and Council to the family of Fred Sealy.

Councilmember Monk stated that the public service committee and James Elmore interviewed applicants for the Equipment Operator III position and have decided on Ronnie Griffith due to his experience. He then made a motion to hire Ronnie Griffith as Equipment Operator III effective December 6, 2010.

Public Safety:

Councilmember Williams stated that he would like to recognize and express his gratitude to Jack Presnall and Marcelinia Speller for their contributions in making the Veterans Day Celebration a success.

Councilmember Williams read a letter of accommodation from a citizens commenting on the professionalism of Officers Tim Williams and Jonathon Forister in a recent incident.

Councilmember Williams reported that the fire department has received fifty smoke detectors from a grant to be given to any citizen who has a need. He stated that the fire department will install if requested.

Councilmember Williams reported that the fire department will have its annual MDS boot drive Saturday, November 20th.

Councilmember Williams reminded everyone of the municipal dinner on Thursday the 18th.

Councilmember Williams made a motion to approve David Benefield to attend the Alabama Association of Chiefs of Police Conference in Montgomery, January 21-

February 3 at a cost not to exceed \$800.00. Councilmember Monk seconded the motion and it carried.

Public Works:

Councilmember Black reminded everyone of the Satsuma Baptist Community Thanksgiving dinner to be held on Sunday night, November 21st at 6:30 p.m.

RESOLUTIONS, ORDINANCE, ORDERS-

1. Resolution No 2010-11-01- A Resolution to enter into an equipment lease-purchase agreement with Regions Financial Corporation to finance garbage carts and a knuckle boom trash loader.

Councilmember Monk made a motion to suspend the rules and put Resolution No. 2010-11-01 up for immediate adoption. Councilmember Williams 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 Monk made a motion to adopt Resolution 2010-11-01. Councilmember Williams seconded the motion and it carried.

RESOLUTION 2010-11-01

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 Corporations, 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 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 evidence by his execution of the Lease. The Mayor 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 necessary or appropriates to the accomplishment of the Lease, and the execution and delivery of any such agreement 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 city 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 executed 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 connections with the acquisitions 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 obligations” under the provisions of Section 265(b)(3) of the Internal Revenue Code.

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

I hereby certify that this resolution was duly adopted by the City Council of the City of Satsuma, at a regular meeting held on November 16, 2010.

/s/ Vicki Miller
Vicki Miller, City Clerk

2. Resolution 2011-11-02- A Resolution awarding the bid on ALDOT sidewalk project STPTE-TE-(954) –

Councilmember Williams made a motion to suspend the rules and put Resolution No. 2010-11-02 up for immediate adoption. Councilmember Jackson 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 Resolution 2010-11-02. Councilmember Monk seconded the motion and it carried.

**RESOLUTION 2010-11-02-
A RESOLUTION AWARDING THE BID ON ALDOT SIDEWALK PROJECT STPTE-TE-08 (954)**

WHEREAS, pursuant to the general competitive bid law, Section 41-16-50 et seq., Code of Alabama 1975, sealed bids were requested for proposed sidewalk improvement, ALDOT PROJECT NO. STPTE-TE-08 (954) running along Juniper Avenue beginning at Old Highway 43 and ending at Steele Creek Lodge.

WHEREAS, bids were received, opened and read in public on November 4, 2010 at 4:00 P.M; and

WHEREAS, nine (9) bids received were as follows:

- | | |
|--------------------------------|--------------|
| 1) Peavy Construction | \$160,949.00 |
| 2) C. Thornton Inc. | \$167,084.00 |
| 3) SC Stagner | \$180,275.16 |
| 4) Beasley & Company | \$193,505.00 |
| 5) General Development | \$196,239.00 |
| 6) Apex Construction | \$196,211.14 |
| 7) TEMCO, Inc. | \$208,838.90 |
| 8) John G. Walton Construction | \$230,541.97 |
| 9) Construction Labor Service | \$239,769.12 |

WHEREAS, the bids were reviewed and tabulate by the city's engineering firm, Goodwyn, Mills and Cawood; and.

WHEREAS, after tabulation and review, Goodwyn, Mills and Cawood has recommended that the bid be awarded to Peavy Construction Company, Inc., as the lowest bid which met the City's and engineer's requirements and specifications and is a responsible bidder pending concurrence from ALDOT and

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

1. The bid is awarded to Peavy Construction Co., Inc. pending concurrence from Alabama Department of Transportation for a total sum of \$160,949. 00 to be paid from the Capital Improvement fund.

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

I hereby certify that this resolution was duly adopted by the City Council of the City of Satsuma, at a regular meeting held on November 16, 2010.

/s/ Vicki Miller
 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 7:50 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