

MINUTES

August 16, 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 16th day of August, 2011.

Mayor Stewart gave the invocation.

Councilmember O'Gwynn led the Pledge of Allegiance.

The following were present:

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

Absent: Bill Black

Also present were Jay Minus, City Attorney; Vicki Miller, City Clerk; Tom Briand, Inspector; James Elmore, Public Works Supervisor; and Lt. Jana Dukes of the Police Department. Mayor Stewart stated a quorum was present and opened the meeting.

Council met in a pre-council meeting at 6:00 P.M. to discuss agenda items.

Mayor Stewart presented the minutes of the regular meeting on August 2, 2011 for approval. Councilmember Jackson made a motion to approve the minutes as presented. Councilmember O'Gwynn seconded the motion and it carried.

Mayor Stewart presented the minutes of the workshop session on August 11, 2011 for approval. Councilmember Jackson made a motion to approve the minutes as presented. Councilmember Monk seconded the motion and it carried.

VISITORS

1. Presentation of certificates to Satsuma Volunteer Firefighters for achieving Volunteer Firefighter I certification.

Mayor Stewart presented the following volunteers with certificates for the achievement of completing the Volunteer Firefighter I course and passing the required exam:

Ricky Schemmer, Waverly Markham, James Henderson III, Paul Henderson, and Randy Nobles. Jeff Burns and Charles Moye were not present to receive their certificates.

Mayor Stewart introduced Tim Blakemore, District 4 Regional Administrator from the Alabama Fire College. Mr. Blakemore stated that his responsibility was to make sure the required curriculum was taught, inspected the classes, and administered the test. He commended Chief Miller for his commitment to teaching the class and the volunteers who completed 184 hours of training and passed the required tests to obtain the classification of Certified Volunteer Firefighter I.

2. Mr. Mabien came before Council to get an update on the progress with the land owner in regard to settling the matter of Knight and Woodland. Mayor Stewart stated that the land owner has obtained an attorney as the matter is complex. He assured Mr. Mabien that the council is working on the matter.

REPORTS OF THE COMMITTEES

Mayor's Report

Mayor Stewart introduced Chris McLean as the new police chief and stated that his first day will be August 29, 2011. Mayor Stewart stated that Chris will be sworn in on September 6, 2011 and a reception will follow.

Parks and Recreation:

1. Councilmember Jackson made a motion to appoint Edith Butler to Community Center Coordinator. Councilmember O'Gwynn seconded the motion and it carried.

2. Councilmember Jackson made a motion to approve a parade permit from Satsuma High School for the homecoming parade on September 30, 2011 and the fee waived. 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 made a motion to approve Vicki Miller to attend the annual clerk's conference in Orange Beach on November 30- December 2 with a cost not to exceed \$400.00. Councilmember Jackson seconded the motion and it carried.

Councilmember O'Gwynn stated that an item needed to be added to the agenda. She stated that the Council needs to have a public hearing based on the recommendation from the Planning Board to hear public comments on the amended zoning map. Mayor Stewart stated that by adopting the comprehensive plan, which creates a road map for the future, the city has an opportunity to amend the zoning map to implements the plan.

Councilmember O'Gwynn made a motion to hold a public hearing on September 6, 2011 at 6:30. Councilmember Jackson seconded the motion and it carried.

Municipal Services:

Councilmember Monk stated that he had not business to discuss.

Public Safety:

Councilmember Williams made a motion to call for a certification list for a Police Officer I. Councilmember Monk seconded the motion and it carried.

Councilmember Williams reported that the school board will have a workshop session on August 18, 2011 at 6:00. He also reported that there will be a District 1 Regional meeting of the Alabama Association of School Boards at Saraland High School on August 23, 2011.

Councilmember Williams reported that the SCDO will host the Christmas tree lighting on December 12, 2011. He stated that the wanted everyone to have an advance notice so that they could mark their calendars.

Councilmember Williams reported that he has received correspondence from the area Boy Scouts and they would like the city to participate in a ceremony honoring

those that lost their lives 10 years on 9/11. He stated that Boy Scouts across the nation will be holding a ceremony at exactly 8:46. Mayor Stewart stated that even though the 10 year anniversary is on a Sunday, he would like the city to take this time and participate in the ceremony.

Public Works: No Business

RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

1. Ordinance 480- An Ordinance to repeal Ordinance No. 419, regulating the hiring and dismissal of City of Satsuma Officers.

Councilmember Monk made a motion to suspend the rules and put Ordinance 480 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
Mayor Stewart	Yes

Mayor Stewart stated that the motion passed unanimously.

Councilmember Monk made a motion to adopt Ordinance 480. Councilmember Williams seconded the motion and it carried.

ORDINANCE NO. 480

AN ORDINANCE TO REPEAL ORDINANCE NO. 419 REGULATING THE HIRING AND DISMISSAL OF CITY OF SATSUMA OFFICERS

WHEREAS, in Scott v. Kenneth Coachman as Mayor of the City of Fairfield, 2011 WL 2094669 (2011) the Alabama Supreme Court held that a city council did not have the authority to override state law and take the general appointing authority to fire and hire city employees from the mayor and assign that power to itself, and;

WHEREAS, Ordinance 419 prohibits the Mayor of the City of Satsuma from hiring and firing officers without a majority vote of the City Council;

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

Ordinance No. 419 is repealed in its entirety.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA THIS 16TH DAY OF AUGUST 2011.

/s/ William F. Stewart, III

William F. Stewart III

Mayor

Attest:

/s/ Vicki Miller

Vicki Miller

City Clerk

State of Alabama)

County of Mobile)

I, Vicki Miller, City Clerk of the City of Satsuma, Alabama, do hereby certify the foregoing to be a true and exact copy of an Ordinance approved and adopted by the City Council of the City of Satsuma, Alabama, at its meeting held on the 16th day of August, 2011.

/s/ Vicki Miller

Vicki Miller

2. Ordinance 481- An Ordinance to establish a contract Police Chief position outside merit system.

Councilmember Williams made a motion to suspend the rules and put Ordinance 481 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
Mayor Stewart	Yes

Mayor Stewart stated that the motion passed unanimously.

Councilmember Williams made a motion to adopt Ordinance 481. Councilmember Monk seconded the motion and it carried.

ORDINANCE NO. 481

AN ORDINANCE TO APPOINT A POLICE CHIEF OUTSIDE THE MERIT SYSTEM
BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA AS FOLLOWS:

In accordance with Alabama Code, § 11-43-5 (1975), it is hereby established and declared that the office of Chief of Police is hereby established. This position is created as a contract position as allowed by the Mobile County Personnel Board Rules. The Mayor of the City of Satsuma as chief executive officer of the City shall have the authority to appoint the chief of police who shall be technically qualified by training and experience to command the Satsuma Police Department and hold the respect and confidence of its officers. The chief of police shall serve at the pleasure of the Mayor, and the Mayor is authorized to execute a written contract with the chief of police not to exceed four years.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA THIS 16TH DAY OF AUGUST, 2011.

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

Attest:
/S/ Vicki Miller
Vicki Miller
City Clerk
State of Alabama
County of Mobile

3. Resolution 2011-08-01- A Resolution authorizing the city to submit a grant under the Hazard Mitigation Grant Program for generators.

Councilmember Jackson made a motion to suspend the rules and put Resolution 2011-08-01 up for immediate adoption. Councilmember Monk seconded the motion and on roll call the following answered:

Councilmember Jackson	Yes
Councilmember O’Gwynn	Yes
Councilmember Monk	Yes
Councilmember Williams	Yes
Mayor Stewart	Yes

Mayor Stewart stated that the motion passed unanimously.

Councilmember Jackson made a motion to adopt Resolution 2011-08-01. Councilmember Monk seconded the motion and it carried.

Adjournment

With no further business to discuss, Councilmember Monk made a motion to adjourn the meeting. Councilmember Williams seconded the motion. The meeting adjourned at 7:42 P.M.

Mayor William F. Stewart III

/s/ Billy Jackson

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