

PAUL MURRAY  
MAYOR

VICKI MILLER  
CITY CLERK

CHRIS MCLEAN  
CHIEF OF POLICE

CLYDE MILLER  
FIRE CHIEF



COUNCIL MEMBERS

WILLIAM HAMBLIN, PLACE 1

MIKE BUTLER, PLACE 2

MATT DIAL, PLACE 3

THOMAS WILLIAMS, PLACE 4

BILL BLACK, PLACE 5

## MINUTES OF May 5, 2015

### Pre-Council

The City Council of the City of Satsuma, Alabama, convened in the Pre-Council Session at City Hall in said city at 6:00 p.m. the 5<sup>th</sup> day of May, 2015. Those present were: Mayor Paul Murray and Councilmembers: William Hamblin, Mike Butler, Tom Williams and Bill Black.

Absent: Matt Dial

Mayor Murray discussed the agenda items.

### Regular Meeting

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 5<sup>th</sup> day of May, 2015.

Councilmember Williams gave the invocation. Mayor Murray led the Pledge of Allegiance.

The following were present: Mayor Murray; Councilmembers: William Hamblin, Mike Butler, Tom Williams and Bill Black.

Absent: Matt Dial

Also present were Jay Minus, City Attorney; Vicki Miller, City Clerk; James Elmore, Public Works Supervisor; Tom Briand, Building Inspector; Fire Chief Clyde Miller and Police Chief Chris McLean.

**P.O. Box 517, Satsuma, Alabama 36572~Phone (251) 675-1440~Fax: (251) 675-1442  
Police: (251) 675-0151~Fire: (251) 679-1640**

A quorum was present and Mayor Murray opened the meeting.

### **Approval of Minutes**

Mayor Murray presented the minutes from the regular meeting held on April 21, 2015 for approval. Councilmember Butler made the motion to adopt the minutes as presented. Councilmember Hamblin seconded the motion and it carried.

### **Special Recognition: None**

### **Visitors-**

#### **1. Bubba Phillips- discuss city property**

Mr. Phillips came before Council with two issues:

- 1) Mr. Phillips stated that the Mobile Press Register is littering by throwing coupons in front of his house. He stated that he wants them to stop and that the city should write a ticket to the person throwing out the packets.
- 2) Mr. Phillips congratulated the mayor and council for obtaining a \$50,000 grant to construct a canoe/kayak launch on the property donated to the city. . He stated that he wanted to go and see the property and when he tried the gate was locked. He questioned why the gate was locked. Jay Minus stated that the gate is locked due to work being done and when the work is completed the launch will be open to the public; citizens will be able to obtain a key by going to the police department. Mr. Phillips stated that he understands there is a group of citizens which have a key. Mayor Murray explained that the property was owned by Vaughan Palisades Community Association and that as part of the agreement for them to donate the property, members at the time would maintain a key and that the gate would remain locked. Mr. Phillips questioned the legality and ethics of showing favoritism to a select group of citizens. Jay Minus stated again that the property valued at over \$100,000 was donated by this group and that part of the agreement is to allow the donators to retain a key and that that public can still have access by obtaining key from the police department once the canoe/kayak renovations are completed.

#### **2. Charlotte Hudson-discuss drainage issues.**

Ms. Hudson of 5480 2<sup>nd</sup> Street came before the Council to address the drainage issue on her property. She stated that during the recent rain event water backed up on her lot and she was concerned that she would not be able to get out of her home. She distributed a letter dated June of 2014 addressed to Tom Briand outlining her request regarding the property, and she thought that by now the drainage matter would have been corrected. Ms. Hudson stated that she has been informed that she will have to address most of these other issues on this list with the Planning Board and Board of Adjustment. Ms. Hudson stated she has been approved by the State for an assisted living home, but has to have a maintained road and that is also a request on her list. Mayor Murray commented that he and James Elmore have look at the drainage and there is an issue with the culvert. He

stated that this city has applied for a grant to do work on that ditch to help correct the problem. James Elmore stated that he could send a crew to clean out the bushes in front of the culvert to help with the drainage until the major work can be done.

### **MAYOR'S AND COUNCIL'S REPORT:**

**Mayor:** Nothing to report

**Parks:** Nothing to report

#### **Public Safety:**

Councilmember Butler read a thank you letter from Roma George of 315 Thomas Road thanking the Fire Department for their assistance. Councilmember Butler also reported that the fire department had a total of 58 calls for the month of April and 220 calls to date with an average response time of 4.2 minutes.

**Municipal Services:** Nothing to report

#### **Administration:**

Councilmember Williams reminded everyone of the National Day of Prayer event hosted by First Baptist Church Satsuma to be held at 12:00 at Baldwin Square on Thursday, May 7<sup>th</sup>.

Councilmember Williams reminded everyone that the Memorial Day committee will be meeting Wednesday, May 6<sup>th</sup> to discuss the upcoming event.

Councilmember Williams reported that the Jim Nolfe Young Anglers Tournament was held Saturday, May 2 at Steele Creek Lodge. He stated that over 70 boats participated and the Satsuma Fire Water Rescue was on standby and reported no instances.

Councilmember Williams reported that the Satsuma High School Band held its annual car show on Saturday also. He stated that due to the fact that the event was rescheduled the attendance was low. He commented that the trophies that the city sponsored looked good.

Councilmember Williams thanked Tom Briand for his assistance to the Lions Club in the installation of a wheel chair ramp at a residence on Willie Crook Avenue.

#### **Public Works:**

Councilmember Black reported that the city held an auction on May 2, 2015 and that \$7,390.00 was raised by the sale of vehicles, equipment and other items. He stated that \$4,730.00 was from the equipment and vehicles that belonged to the public works department and he would like to recommend amending the budget to reflect the proceeds going to public works budget.

### **ITEMS FOR CONSIDERATION**

1. **Payment of the bills.**  
Councilmember Williams made a motion to pay the bills as presented.  
Councilmember Hamblin seconded the motion and it carried.
2. **Acceptance of the FY2014 Audit prepared by Will Betancourt.**  
Councilmember Williams made a motion to approve the FY2014 Audit.  
Councilmember Butler seconded the motion and it carried.
3. **Approval for Vicki Miller to attend the 2015 AAMCA Summer Conference June 18-19 in Fairhope. Registration fee is \$150.00**  
Councilmember Williams made a motion to approve Vicki Miller to attend the conference. Councilmember Black seconded the motion and it carried.
4. **Request from First Baptist Church Satsuma for usage of Wright Park for the “We Love Satsuma” annual event to be held on June 28, 2015.**  
Councilmember Hamblin made a motion to approve the request. Councilmember Butler seconded the motion and it carried.

### **RESOLUTIONS, ORDINANCE, ORDERS AND OTHER BUSINESS**

1. **Resolution 2015-05-01-** A Resolution vacating right of way  
Councilmember Black made a motion to adopt Resolution 2015-05-01. Councilmember Hamblin seconded the motion and it carried.

### **RESOLUTION NO. 2015-05-01**

#### **A RESOLUTION VACATING A PORTION OF THE RIGHT OF WAY LYING BETWEEN CLARK CIRCLE AND VAUGHAN DRIVE EAST**

**WHEREAS, the City of Satsuma, Alabama (the “City”), is the owner of an unopened and undeveloped right of way platted for the city in the original city map, more particularly described in Exhibit “A” (the “Property”);**

**WHEREAS, the City has applied to have the Property vacated;**

**WHEREAS, in accordance with Alabama Code § 23-4-1 et seq. (1975), the City Council of the City of Satsuma, Alabama (hereinafter the “Satsuma City Council”) adopted a Notice of Vacation of Right of Way declaring a Public Hearing on said vacation, and a notice of said public hearing, describing the Property proposed to be vacated, as well as the date, time, and location of the public hearing, was published in a newspaper of general circulation in the City for four consecutive weeks, was posted on a bulletin board at the county courthouse, and was served by Certified U.S. Mail at least thirty (30) days prior to the scheduled meeting on all abutting owners and entities known to have facilities or equipment such as utility lines, within the Property to be vacated;**

**WHEREAS**, after holding a public hearing regarding the vacation of the Property, the Satsuma City Council finds at this regularly scheduled meeting that vacating the Property will not deprive other property owners of any right to sufficient means of ingress and egress, and vacating the Property is in the interest of the public;

**NOW THEREFORE, BE IT RESOLVED** by the Satsuma City Council that:

- 1) The Property is located within the municipal limits of the City, and is dedicated and is currently maintained by the City;
- 2) A vacation of the Property does not does not endanger the health, safety, and general welfare of the community;
- 3) A vacation of the Property will not deprive other property owners of any right to sufficient means of ingress and egress;
- 4) The City has no current or future need for the Property;
- 5) No landowner objected to the vacation of the Property at the Public Hearing, although two owners of properties that abut part of the Property did indicate that they do not wish to maintain an ownership interest in the Property following the vacation. These property owners were advised that they could quitclaim their interest in the Property to the other abutting landowner;
- 6) The Satsuma City Council assents and approves to the vacation of the Property;
- 7) The City hereby vacates, renounces, and disclaims any interest and/or rights of the City and public in and to the land described in Exhibit "A," and the title and all rights to the Property shall now vest with the abutting landowners as listed in Exhibit "B," in accordance with Alabama law; and
- 8) This Resolution shall be recorded in the Office of the Judge of Probate of Mobile County, Alabama, and a certified copy of this Resolution shall be immediately delivered to the Tax Assessors Plat Room, and notice of its adoption shall be published once in a newspaper in the county no later than fourteen (14) days from the day the same bears date.

    /s/ Paul Murray      
Paul Murray, Mayor

Attest:     /s/ Vicki Miller      
City Clerk

**EXHIBIT 'A'**

**BEGINNING AT THE SOUTHWEST CORNER OF VAUGHN'S PALISADES, UNIT III, PHASE ONE, AS RECORDED IN MAP BOOK 37, PAGE 102 OF THE PROBATE COURT RECORDS OF MOBILE COUNTY, ALABAMA, SAID POINT ALSO BEING IN THE EAST LINE OF A 30 FOOT WIDE RIGHT OF WAY; THENCE ALONG A WESTWARD PROJECTION OF THE SOUTH BOUNDARY LINE OF SAID VAUGHN'S PALISADES, UNIT III, PHASE ONE, RUN WESTWARDLY 30 FEET, MORE OR LESS, TO A POINT ON THE EAST BOUNDARY LINE OF RESUBDIVISION OF JUNIPER ACRES, AS RECORDED IN MAP BOOK 13, PAGE 11 OF SAID PROBATE COURT RECORDS, SAID POINT ALSO BEING ON THE WEST LINE OF A 30 FOOT WIDE**

RIGHT OF WAY; THENCE ALONG SAID EAST BOUNDARY LINE OF RESUBDIVISION OF JUNIPER ACRES AND ALONG SAID WEST LINE OF RIGHT OF WAY, RUN NORTHWARDLY 637.6 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID RESUBDIVISION OF JUNIPER ACRES, SAID POINT ALSO BEING ON THE SOUTH LINE OF A 15 FOOT WIDE RIGHT OF WAY; THENCE ALONG A NORTHWARD PROJECTION OF SAID EAST LINE OF RESUBDIVISION OF JUNIPER ACRES, RUN NORTHWARDLY 15 FEET, MORE OR LESS, TO A POINT ON THE SOUTH BOUNDARY LINE OF "GOLD LEAF", SECOND UNIT, AS RECORDED IN MAP BOOK 24, PAGE 30 OF SAID PROBATE COURT RECORDS, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID 15 FOOT RIGHT OF WAY; THENCE ALONG SAID SOUTH LINE OF "GOLD LEAF", SECOND UNIT, RUN EASTWARDLY 15 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID "GOLD LEAF", SECOND UNIT, SAID POINT ALSO BEING ON THE WEST LINE OF A 15 FOOT WIDE RIGHT OF WAY LINE; THENCE ALONG SAID EAST LINE OF "GOLD LEAF", SECOND UNIT, AND ALONG SAID WEST LINE OF 15 FOOT RIGHT OF WAY, RUN NORTHWARDLY 388.2 FEET, MORE OR LESS, TO A POINT, SAID POINT BEING ON A WESTWARD PROJECTION OF THE NORTH BOUNDARY LINE OF LOT 12, VAUGHAN'S PALISADES, UNIT III, PHASE TWO, AS RECORDED IN MAP BOOK 48, PAGE 16 OF SAID PROBATE COURT RECORDS; THENCE ALONG SAID WESTWARD PROJECTION, RUN EASTWARDLY 15 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID LOT 12, SAID POINT ALSO BEING ON THE EAST LINE OF A 15 FOOT WIDE RIGHT OF WAY; THENCE ALONG SAID WEST LINE OF VAUGHAN'S PALISADES, UNIT III, PHASE TWO, AND ALONG SAID EAST LINE OF RIGHT OF WAY, RUN SOUTHWARDLY 300.0 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID VAUGHAN'S PALISADES, UNIT III, PHASE TWO, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THE AFOREMENTIONED VAUGHAN'S PALISADES, UNIT III, PHASE ONE; THENCE ALONG THE WEST BOUNDARY LINE OF SAID VAUGHAN'S PALISADES, UNIT III, PHASE ONE, AND ALONG THE EAST LINE OF THE AFOREMENTIONED 30 FOOT RIGHT OF WAY, RUN SOUTHWARDLY 740.8 FEET, MORE OR LESS, TO THE POINT OF BEGINNING. CONTAINING 25,400 SQUARE FEET, OR 0.583 OF AN ACRE.

#### EXHIBIT "B"

#### ABUTTING LANDOWNERS

Miah Skinner  
5813 Vaughan Drive West  
Satsuma, AL 36572

Frank Green  
5755 Vaughan Drive West  
Satsuma, AL 36572

Walter Rigsby  
5759 Vaughan Drive West  
Satsuma, AL 36572

Mario Arellano  
5763 Vaughan Drive West  
Satsuma, AL 36572

Randy Stinson  
5801 Vaughan Drive West  
Satsuma, AL 36572

Mary Atchison  
580 Vaughan Drive West  
Satsuma, AL 36572

Keith Clement  
5751 Vaughan Drive West  
Satsuma, AL 36572

Vance Holm  
5808 Twinbranch Drive E  
Satsuma, AL 36572

Timothy Smith  
5800 Twinbranch Drive E  
Satsuma, AL 36572

Frank Coate  
5804 Twinbranch Drive E  
Satsuma, AL 36572

Norman Bowling  
5756 Clark Circle E  
Satsuma, AL 36572

Vernon Baugh  
950 22<sup>nd</sup> Street  
Birmingham, AL 35203

Joyce Knowles  
5762 Clark Circle E  
Satsuma, AL 36572

**2. Resolution 2015-05-02-** A Resolution accepting the offer from Zondra Sanders to purchase property on Cedar Street

Councilmember Williams made a motion to adopt Resolution 2015-05-02.  
Councilmember Butler seconded the motion and it carried

**RESOLUTION NO. 2015-05-02**

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY SURPLUS AND AUTHORIZING ITS DISPOSAL**

**WHEREAS, the City of Satsuma, Alabama (the "City"), is the owner of certain real property located within the City boundaries more particularly described in Exhibit A (the "Property");**

**WHEREAS, the Property is no longer needed for public or municipal purposes;**

**WHEREAS**, the City has received an offer from Zondra Sanders to purchase the Property for the sum of FIVE THOUSAND TWO HUNDRED AND NO/100 U.S. DOLLARS (\$5,200.00);

**WHEREAS**, Alabama Code § 11-47-20 (1975) states that “[t]he governing body of any city or town in this state may, by ordinance to be entered on its minutes, direct the disposal of any real property not needed for public or municipal purposes and direct the mayor to make title thereto, and a conveyance made by the mayor in accordance with such ordinance invests the grantee with the title of the municipality”; and

**WHEREAS**, the Satsuma City Council, through this Resolution, wishes to direct the sale of the Property to Zondra Sanders for the sum of \$5,200.00.

**NOW THEREFORE, BE IT RESOLVED by the Satsuma City Council that:**

- 1) **The Property is located within the municipal limits of the City, is dedicated, and is currently maintained by the City;**
- 2) **The Property is no longer needed for public or municipal purposes;**
- 3) **The disposal of the Property will not endanger the health, safety, or general welfare of the community;**
- 4) **The Satsuma City Council hereby directs the sale of the Property to Zondra Sanders for the sum of \$5,200.00, with Ms. Sanders to pay the cost of preparing and recording the deed and any title insurance, survey, or appraisal that she may deem appropriate in her sole discretion, as well as any and all other closing costs;**
- 5) **The closing on the Property shall occur within thirty (30) days from the date of this resolution, unless extended by the mutual agreement of the parties; and**
- 6) **The Mayor and the City Clerk are hereby authorized and directed to execute all agreements, documents, and deeds necessary to effectuate the transfer of the Property from the City to Zondra Sanders based on the terms and conditions set forth herein.**
- 7) **The purchase price of \$5,200.00 is fair and reasonable for the Property.**

**READ, APPROVED AND ADOPTED THIS 5<sup>th</sup> day of May, 2015.**

/s/ Paul Murray  
**Paul Murray, Mayor**

**Attest: /s/ Vicki Miller**  
**City Clerk**

**EXHIBIT “A”**

**That strip of land lying immediately South of and adjacent to said resubdivision of a portion of Lot 17 of Skoglunds Subdivision; running from the West line of Skoglunds’ Subdivision to the East line of said subdivision, for a total distance of, to wit 673 feet and extending Southwardly on the West from distance of 88 feet, more or less, and on the East for a distance of 70 feet, more or less, to the North line of Property of Wheeler, as determined by decree entered in the Circuit Court of Mobile County, Alabama in Equity, on, to wit, the 9<sup>th</sup> day of June 12969 in Case No. 69,694.**

### 3. Resolution 2015-05-03- A Resolution to purchase property from Ken Lucas

Councilmember Williams made a motion to adopt Resolution 2015-05-03.

Councilmember Hamblin seconded the motion and it carried.

#### RESOLUTION 2015-05-03

A RESOLUTION AUTHORIZING ACQUISITION OF CERTAIN REAL PROPERTY

**WHEREAS**, Alabama Code § 11-47-170 authorizes a municipality to acquire real property;

**WHEREAS**, at the April 21, 2015 Council Meeting, the City Council for the City of Satsuma, Alabama (the "Satsuma City Council") voted to enter into negotiations with Kenneth Lamar Lucas for the purchase of certain real property located within the boundaries of the City of Satsuma, Alabama (the "City"), more particularly described as follows:

(the "Property") (Parcel # R021907260003057, Key Number 00137079).

**WHEREAS**, through negotiations, Kenneth Lamar Lucas, has agreed to sell the Property to the

**Beginning at the intersection of the South side of Maple Avenue and the West side of Old Highway 43, thence West 38 feet Southwestwardly 140 feet, thence South 100 feet, thence Northeastwardly 250 feet South to the point of beginning, being a part of Lot 1, Block 49, Satsuma, Deed Book 154, Page 2 of the records in the Office of the Judge of Probate of Mobile County, Alabama.**

City for the sum of FIVE THOUSAND ONE HUNDRED AND NO/100 U.S. DOLLARS (\$5,100.00), which represents the fair market value of the Property according to the online records of the Mobile County Revenue Department; and

**WHEREAS**, the Satsuma City Council believes that this transaction is in the best interest of the City and has agreed to purchase the Property from Kenneth Lamar Lucas for the sum of FIVE THOUSAND ONE HUNDRED AND NO/100 U.S. DOLLARS (\$5,100.00).

**NOW THEREFORE BE IT RESOLVED** by the Satsuma City Council as follows:

1) That the City shall acquire the Property from Lucas Kenneth Lamar for the sum of FIVE THOUSAND ONE HUNDRED AND NO/100 U.S. DOLLARS (\$5,100.00), plus any and all applicable closing costs.

2) That the Mayor and City Clerk are authorized and directed to execute all agreements and documents necessary to be signed by the City in order to carry out the terms of this resolution, and all acts already completed by the Mayor and City Clerk to carry out the purchase are hereby ratified and confirmed.

ADOPTED THIS THE 5<sup>th</sup> DAY OF May, 2015.

/s/ Paul Murray  
Paul Murray, Mayor

/s/Vicki Miller  
Vicki Miller, City Clerk

### 4. Resolution 2015-05-04- A Resolution authorizing a cash advance for travel for Mayor and Council to the ALALM Convention in Tuscaloosa, AL May 16-19, 2015.

Councilmember Williams made a motion to adopt Resolution 2015-05-04.

Councilmember Butler seconded the motion and it carried.

#### RESOLUTION 2015-05-04

**BE IT RESOLVED** by the City Council of the City of Satsuma, that

**WHEREAS, cash advance in the amount of \$ 184.00 (based on the GSA standard) for meals and travel expense is hereby authorized to Mayor Paul Murray, Councilmembers: William Hamblin, Mike Butler, Matt Dial and Bill Black to attend the Alabama League of Municipalities Convention in Tuscaloosa, Alabama, May 16-19, 2015.**

**WHEREAS, a statement of said expenditures will be presented to the City Clerk immediately upon return, at which time all monies will be balanced.**

**ADOPTED on this 5<sup>th</sup> of May, 2015.**

/s/ Paul Murray  
Paul Murray, Mayor

/s/ Vicki Miller  
Vicki Miller, City Clerk

### Adjournment

Councilmember Black made a motion to adjourn the meeting. Councilmember Williams seconded the motion and the meeting adjourned at 7:25 P.M.

/S/ Paul Murray  
Mayor Murray

/s/ William Hamblin  
Councilmember Hamblin

/s/Mike Butler  
Councilmember Butler

absent  
Councilmember Dial

/s/ Tom Williams  
Councilmember Williams

/s/ Bill Black  
Councilmember Black

ATTEST: /s/ Vicki Miller  
City Clerk