

MINUTES

June 2, 2009

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 Water and Sewer Board conference room in said city at 7:00 p.m. the 2nd day of June, 2009.

Reverend Steve Norman gave the invocation

Pledge of Allegiance led by Mayor Stewart

On roll call, the following answered present:

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

Absent: Bill Black

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

A pre-council meeting was held prior to the regular meeting and Mayor Stewart discussed with Council agenda items coming before Council.

Mayor Stewart presented the minutes of the regular meeting of May 19, 2009 for approval. Councilmember Monk made a motion to adopt the minutes as presented. Councilmember Williams seconded the motion and it carried.

Mayor Stewart presented the minutes of the workshop session held on May 26, 2009 for approval. Councilmember Jackson made a motion to adopt the minutes as presented. Councilmember Monk seconded the motion and it carried.

VISITORS

1. *Gary Clancy of 454 Creek Circle*

Mr. Clancy came before Council to complain about dogs in his neighborhood. He stated that he has called and made several complaints with no results. He stated that he could not even go to his mailbox without this dog approaching him.

Mayor Stewart commented that the city is sensitive to the situation. The City has laws in place but the police officers or the animal control officer has to witness the event. The city is not allowed to go into someone's yard and get his or her pet. Chief Benefield commented that Mr. Clancy can sign a warrant and the situation could be handled through the legal system. Mayor Stewart asked Chief Benefield to get with the animal control officer and serve the owners with a copy of the dog ordinance.

2. *Charles Saunders of 234 Juniper Avenue.*

Mr. Saunders came before Council to complain about the speeders on Juniper Avenue. He stated that something needs to be done before someone is hurt.

Mayor Stewart requested that Chief Benefield handle this matter.

3. *Jordan Ezell representing SHS Volleyball team*

Ms. Ezell came before Council to ask for the city to purchase an ad in the volleyball program. After discussing the matter, Councilmember Jackson made a motion to purchase a centerfold for \$500. Councilmember O'Gwynn seconded the motion and it carried.

4. Bubba Phillips came before Council to complain about the new ordinance regarding culverts. He stated that requiring the homeowner to get a civil engineer costs the homeowner an addition expense. He stated that the city could use the city engineer to approve the piping and not put an extra expense on the homeowner.

Mayor Stewart commented that the new ordinance was put into place after reviewing the drainage labor issues and costs to the city to cover the ditches. Councilmember Williams stated that the ditches were designed to retain water and when covered then the retaining

pond is gone and the water goes into the yards. Mr. Phillips stated that he is not in agreement with the ordinance and asked that the city reconsider the part of charging the citizens with the engineering costs.

MAYOR'S REPORT

1. Application for Beer and Wine license from the Pantry, Inc. (formerly Shell-Herndon Oil).

Jay Minus explained that Herndon Oil (Shell station) is changing ownership and the new owners have to apply for beer and wine license. The new owner, The Pantry, has completed the appropriate applications and the city has to submit a letter to the ABC board accepting the applications. Mr. Minus stated that he was not sure if the city has an ordinance that requires a background check on the new owners. Jay stated that the council could vote on the application pending compliance with any existing ordinances.

Councilmember Monk then made a motion to approve the beer and wine application from The Pantry pending compliance with any existing ordinances. Councilmember Jackson seconded the motion and it carried.

2. Approval of proposal from Goodwyn, Mills and Cawood for the engineering on the resurfacing of Baker Road from Hwy 43 to I-65.

Mayor Stewart explained that the city has received 100% stimulus funds from ALDOT to resurface Baker Road. Included in the grant is an appropriation for engineering. Goodwyn, Mills and Cawood has submitted a proposal to perform the engineering services for an amount of \$15,365.00.

After discussing the matter, Councilmember Williams made a motion to approve the contract and authorize the mayor to execute the same. Councilmember O'Gwynn seconded the motion and it carried.

3. Debris Removal Contract

Mayor Stewart explained that after meeting with the EMA representatives, the council was advised that a debris removal contract was needed. The purpose of the contract is designed to prevent price gauging and obtain the maximum amount of funding. The contract has to be approved by the State EMA and then forwarded to FEMA. Once approved, the city will then put the contract out for bids.

Councilmember Williams made a motion to move forward with the debris removal contract. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Williams reminded everyone of the June 11 meeting at Mobile County EMA to discuss emergency preparedness and proper documentation. He also stated that

there is a meeting on July 21-23 for the police chief and fire chiefs on disaster relief and public information.

4. Baldwin Square Guidelines

Mayor Stewart stated that Jay Minus was requested by Council to prepare guidelines for Baldwin Square. Mr. Minus stated that his recommendation was not to give control of the park to any outside group. He stated that he has drafted a simplified version of the rules that were presented by the SCDO. After discussing the matter, Councilmember O'Gwynn made a motion to approve the rules as presented by Jay Minus. Councilmember Monk seconded the motion. Councilmember Jackson and Councilmember Williams abstained. Mayor Stewart voted yes.

5. Repair to pumps located at Third and Pine

Mayor Stewart reported that James Elmore has received a quote to repair the pumps, which were located on Third and Pine. He stated that the price is \$9300 each from Industrial Pump and Machine. Mr. Elmore stated that these pumps were purchased used in 1984. Mr. Elmore stated that the price of \$9300 does not include the motors. He stated that the approximate cost for the complete repair is \$11,000 each and with installation, the total price of the project should not exceed \$30,000. Council discussed and agreed that repairing the pumps was the most cost effective way to handle the situation. With no further discussion, Councilmember Williams then made a motion to approve the repairs and renovations of the pumps. The repairs are being done by Industrial Pump and Machine. Councilmember Monk seconded the motion and it carried.

REPORTS OF THE COMMITTEES

Parks and Recreation:

Councilmember Jackson stated that he has received a request from Satsuma High School volleyball team to waive the fee for the usage of Steele Creek Lodge on July 16, 2009 for a fundraiser.

After discussing the matter, Councilmember Jackson made a motion to waive the fee for the SHS volleyball team for a fundraiser on July 16, 2009. Councilmember Williams seconded the motion and it carried. Councilmember Jackson reminded the group to make sure they clean up after the event.

Councilmember Jackson stated that he has a request from the first community girls' softball team to name a field at Wright Park after Patsy Neal Stewart. He explained that Ms. Stewart was killed in a car accident and the group would like to honor her memory by naming the field. Council agreed.

Administration and Finance:

Councilmember O'Gwynn stated that the bills have been presented for payment. Councilmember Jackson made a motion to pay the bills as presented. Councilmember Williams seconded the motion and it carried.

Councilmember O'Gwynn stated that the clerk has received a request from the state regarding whether the city will participate in the 2009 Sales Tax Holiday in August. She stated that the holiday is set for August and only applies to school supplies.

Jay Minus stated that the city will need to prepare a resolution in order to participate. Councilmember Jackson made a motion for the city attorney to prepare a resolution for the city to participate in the sales tax holiday. Councilmember Monk seconded the motion and it carried.

Councilmember O'Gwynn stated that the council has been informed by the city auditor that the FY2008 audit is now complete. She then made a motion to set an audit workshop for June 16, 2009 at 5:00 p.m. Councilmember Jackson seconded the motion and it carried.

Municipal Services:

Councilmember Monk expressed condolences on behalf of the mayor and council to the families of Nellie Rae Moss, Rowland Frank, Lawanda Browning, and Emily Faile.

Councilmember Monk reported that the front doors to city hall were repaired and are in working order now. He stated however that the back door also needs to be repaired. He stated that Mr. Briand has gotten a quote from Coast Safe and Lock for \$1575.00.

After discussing the matter, Councilmember Monk made a motion to approve the expenditure of \$1575.00 to repair the rear doors at city hall. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Monk reported that he and Mr. Briand had been discussing the usage of fuel during a hurricane. He stated that his suggestion is the city procures a contract with a local gas station. Upon the approach of a storm top off the city's fuel tanks. Then use the outside source before the storm and keep the city's fuel for backup. Council agreed that his was a good idea.

Councilmember Monk stated that he received a complaint about a bush on Gilbert Drive blocking the right of way. He stated that James, Tom and he approached the homeowner about moving the bush and they received a negative response. Mayor Stewart stated that if the bush affects the public safety and is on public right of way, then Tom Briand will need to send a letter to the homeowner.

Public Safety:

Councilmember Williams stated that everyone did an outstanding job on the Veterans Memorial dedication on Memorial Day. He recommended that the city do a celebration every year.

Councilmember Williams stated that Fire Chief Miller has found that the fuel pumps are not hooked up. At Chief Miller's request, James Elmore obtained a quote from Port City Electrical for \$1350.00 to run a line from the generator to the fuel pump.

Councilmember Williams made a motion to approve the expenditure of \$1350.00 to Port City Electrical to hook up the fuel system to the generator. Councilmember Jackson seconded the motion and it carried.

Councilmember Williams reported that the fire department ran 57 calls with 43 EMS call for the month of May. The police department had 1325 assignments with 125 cases. Councilmember Williams thanked those who were involved in the rescue on Gunnison Creek. He stated that a volunteer fire fighter used his personnel boat with Officer Brent Guy assisting. Both were able to transport the victim back, who had wrecked his boat, to Steele Creek where he was taken by ambulance.

Councilmember Williams stated that he has a request from Fire Chief Miller to purchase uniforms for the volunteer fire fighters. He is requesting the purchase of one shirt/pant for each from the volunteer account. This will make them look more professional at events. Councilmember Williams made a motion to approve the expenditure. Councilmember Monk seconded the motion and it carried.

Councilmember Williams reported that he has spoken with an AMIC representative and is suggesting that each department hold regular safety meetings. Each department will be responsible for maintaining the safety reports. He stated that in the event of a lawsuit, the city can produce those reports as evidence. With no further discussion, Councilmember Williams made a motion that all departments hold regular monthly safety meetings, keep reports which show the subject and who attended and file with the public safety officer, David Benefield. Councilmember Monk seconded the motion and it carried.

Councilmember Williams stated that he would like for Charles Moye and Dajuan Washington to attend the council meeting and explain what benefit they received from their recent classes.

Councilmember Williams stated that the invoice for the fire pit was received from Doyle Lomax for \$924.00. He stated that the purpose of the pit for the training of the fire fighters. He then made a motion to pay the invoice. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Williams stated that a copy of a disaster plan was distributed and he asked that each councilmember review the plan.

AGENDA

1. Action on Ordinance 450- An ordinance requesting annexation of property recently purchased from Virginia Station, LLC.

Mayor Stewart stated that this was discussed and introduced at the last meeting. With no further discussion, Councilmember Jackson made a motion to adopt Ordinance 450. Councilmember O'Gwynn seconded the motion and it carried.

ORDINANCE NO. 450

AN ORDINANCE ANNEXING REAL PROPERTY PURSUANT TO PETITION FOR ANNEXATION FILED BY UNANIMOUS CONSENT OF OWNERS:

WHEREAS, on the 2nd day of ~~May~~ June, 2009, the City of Satsuma, an Alabama municipal body, being the owner of all the real property hereinafter described, did file with the City Clerk a petition asking that said tracts or parcels of land be annexed to and become a part of the City of Satsuma; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationships with the corporate limits of the City Satsuma; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Satsuma and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Satsuma, Alabama, finds and declares as the legislative body of the City of Satsuma that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City Satsuma.

Section 2. The boundary lines of the City of Satsuma, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Satsuma, Alabama, and in addition thereto the following described territory, to-wit:

All that part of the Northeast Quarter of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Mobile County, Alabama, lying South of US Highway 65 right of way and East of the Southern Railroad right of way, being more particularly described as follows:

Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 14, Township 2 South, Range 1 West, Mobile County, Alabama; thence run S 89° 45' 00" W, along the North line of Gilbert Creek Estates as recorded in Map Book 105, Page 12 in the Office of Probate Court Records, Mobile County, Alabama a distance of 908.74 feet to a point; thence run N 00° 34' 48" E, 411.08 feet to a point; thence run N 55° 14' 23" E, 1089.83 feet to a point; thence run S 00° 30' 50" E 1028.49 feet to the point of beginning, subject to the right of way for Old Highway 43.

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Mobile County, Alabama.

Section 4. The territory described in this ordinance shall become a part of the corporate limits of the City of Satsuma, Alabama, upon publication of this ordinance as set forth in Section 3, above.

ADOPTED THIS THE 2ND DAY OF June ~~MAY~~, 2009.


William Stewart, Mayor

ATTEST:

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 8:30 P.M.

Mayor William F. Stewart III

Councilmember Billy Jackson

Councilmember Pam O’Gwynn

Councilmember Pratt Monk

Councilmember Tom Williams

_____absent_____
Councilmember Bill Black

ATTEST: _____
City Clerk