

## MINUTES

October 6, 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 City Hall in said city at 7:00 p.m. the 6th day of October, 2009.

Councilmember Black gave the invocation.

Pledge of Allegiance was led by Councilmember Williams.

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

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

Council met in a workshop session from 5:00 to 6:00 to discuss the FY 2009 Budget and other city business.

A pre-council meeting was held beginning at 6:00 P.M. 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 September 15, 2009 for approval. Councilmember Monk made a motion to approve the minutes of September 1, 2009. Councilmember O’Gwynn seconded the motion and it carried.

## VISITORS

1. *Councilmember Tom Williams presented Jack Commins, son of Sam and Deonna Commins to the Council. He stated that Jack has enlisted in the U.S. Army and will soon be leaving for Korea. Council congratulated Mr. Commins as he received a standing ovation.*

### MAYOR'S REPORT

Mayor Stewart presented a request from Hayes Construction for a draw on the drainage project in the amount of \$28,786.58.

Councilmember Jackson made a motion to approve the payment in the amount of \$28,786.58. Councilmember Williams seconded the motion and it carried.

Mayor Stewart presented a letter from the Planning Board regarding a zoning application to rezone 5278 Hartley Road from R1 to R4 to construct an apartment complex. Mayor Stewart stated that the Planning Commission held a public hearing on the matter and their letter recommends denying the application. Jay Minus stated that the Council could either accept the recommendation of the Planning Board or deny the application or if they are considering they will have to set another public hearing. After discussing the matter, Councilmember Jackson made a motion to deny the rezoning application for the property at 5278 Hartley Road. Councilmember Monk seconded the motion and it carried.

Mayor Stewart presented the proposed FY 2010 Budget for approval. Councilmember Williams made a motion to suspend the rules and put the 2010FY budget up for immediate adoption. Councilmember Monk seconded the motion and on roll call the following answered.

Councilmember O'Gwynn	yes
Councilmember Jackson	yes
Councilmember Monk	yes
Councilmember Williams	yes
Councilmember Black	yes
Mayor Stewart	yes

Mayor Stewart declared the motion passed unanimously.

Councilmember O'Gwynn made a motion to adopt the FY2010 Budget. Councilmember Jackson seconded the motion and it carried.

Mayor Stewart commented on the upcoming events for the 50<sup>th</sup> celebration.

## **REPORTS OF THE COMMITTEES**

### **Parks and Recreation:**

Councilmember Jackson reported that he has received a request for exemption of the Steele Creek Lodge fee from North Mobile Middle School for October 19, 2009. With no discussion, Councilmember Jackson made a motion to waive the fee. Councilmember Black seconded the motion and it carried.

Councilmember Jackson reported that he has received a request for exemption of the Steele Creek Lodge fee from SCDO "Satsuma Citizen of the Year" program for March 25, 2010. With no discussion, Councilmember Jackson made a motion to waive the fee. Councilmember Monk seconded the motion and it carried.

Councilmember Jackson reported that he has a request from the Satsuma Diamond Club for the city to purchase a sponsor sign in the amount of \$125.00. With no discussion, Councilmember Jackson made a motion to renew the sign at Wright Park for the Varsity Baseball in the amount of \$125.00. Councilmember O'Gwynn seconded the motion and it carried.

Councilmember Jackson recommended that the city limit the amount of donations to any organization to a maximum of \$250.00. Council discussed and decided to agree with Mr. Jackson. Councilmember Jackson made a motion to set a policy to limit the donations to a maximum of \$250.00 per organization. Councilmember Monk 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 at the last meeting Council agreed to hold a public hearing on amending Section 6.6- Signs in the zoning ordinance. Mayor Stewart commented that a public hearing was held and Council has had time to review the changes. With no further discussion, Councilmember O'Gwynn made a motion to suspend the rules and put up Ordinance 459 for immediate adoption. Councilmember Jackson seconded the motion and on roll call the following answered:

Councilmember O'Gwynn	yes
Councilmember Jackson	yes
Councilmember Monk	yes
Councilmember Williams	yes



Councilmember Williams reported that Corporal Dix, Officer Forister and Lt. Dukes completed the Emergency Tactical Training sponsored by the Mobile County Sheriff's Department.

Councilmember Williams stated that the Alabama League of Municipalities is offering a training session in Montgomery on October 27, 2009 and he would like to attend. Councilmember O'Gwynn made a motion to allocate the funds for Councilmember Williams to attend the training conference. Councilmember Jackson seconded the motion and it carried.

Councilmember Williams reported that the police department had 2048 assignments with 196 cases for the month of September and assisted Chickasaw on one case. The Fire Department made 8 fire calls and 50 rescue call for a year to date total for 509 with an average response time of 5.7 minutes.

Councilmember Williams reported that Chief Miller has made a request to purchase two wireless headsets for the firefighters because the noise level in the truck prevents them from hearing the operator. Councilmember Monk requested that Mr. Williams get more information before the Council considers the request.

Councilmember Williams reported that the fire department has picked up the donated 1991 panel van from the Forestry Department and is in the process of sanding and preparing for new paint. He stated that this truck will serve as a service truck. During the recent audit by ISO, the city was cited for not having a service truck, however Chief Miller was able to make contact with the auditor and they have now included the truck in the audit and which will hopefully mean a lower classification for the city.

Councilmember Williams stated that Veterans Day is November 11 and he would like for the city to have a Veterans Day celebration. He stated that since the city is closed that day, he is recommending having the event on November 10 and inviting the ROTC and band from the high school.

### **Public Works**

Councilmember Black reported that the public works department has gone back to their normal hours of 7:30 to 3:30. Councilmember Black reported that the public works will have a booth set up during the 50<sup>th</sup> events on Saturday. Councilmember Black reported that electrical motors have been mounted on the pumps at Pine and 3<sup>rd</sup> and a building is being built to cover them. Councilmember Black reported that the public works department cleared the site for the emergency shelter and reported \$65,308.78 in in-kind services which will be used as a match on the grant. Mayor Stewart congratulated James Elmore and his crew.

AGENDA

- 1. *Resolution 2009-09-01- A resolution to approve the agreement with Alabama Department of Transportation for Landscaping, pedestrian lighting and signs along US43.*

Councilmember O’Gwynn made a motion to adopt Resolution 2009-09-01.  
Councilmember Jackson seconded the motion and it carried.

RESOLUTION NUMBER 2009-09-01

BE IT RESOLVED, by the City of Satsuma as follows:

- 1. That the City enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a Transportation Enhancement project with partial funding by the Federal Highway Administration, which agreement is before this Council;
- 2. That the agreement be executed in the name of the City, for and on behalf of the City, by its Mayor.
- 3. That it be attested by the Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the City Council.

I, the undersigned qualified and acting City Clerk of the City of Satsuma, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council named therein, at a regular meeting of such Council held on the 6<sup>th</sup> day of October, 2009, and that such resolution is on file in the City Clerk’s Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 6<sup>th</sup> day of October, 2009.

Wick Hill  
City Clerk

- 2. *Resolution 2009-09-02- Resolution to award bid on construction of the emergency shelter.*

Councilmember Jackson stated the resolution was tabled last meeting and after review by the council, it has been determined that the lowest responsible base bidder on the project is Youngblood-Barrett. With no further discussion, Councilmember O’Gwynn made a motion to suspend the rules and put Resolution 2009-09-02 up for immediate adoption and on roll call the following answered:

Councilmember O’Gwynn	yes
Councilmember Jackson	yes
Councilmember Monk	yes

Councilmember Williams	yes
Councilmember Black	yes
Mayor Stewart	yes

Mayor Stewart declared the motion passed unanimously.

Councilmember O’Gwynn made a motion to adopt the Resolution 2009-09-02.  
Councilmember Jackson seconded the motion and it carried.

**CITY OF SATSUMA**  
**Project Number 1605-0236**

**RESOLUTION NO: 2009-09-02**

**BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF SATSUMA, ALABAMA THAT THE CITY OF SATSUMA WHILE IN REGULAR SESSION ON October 6, 2009, as follows:**

**SECTION 1. WHEREAS, the City of Satsuma is the recipient of a grant from the Alabama Emergency Management Agency and the Federal Emergency Management Agency for the amount of \$1,620,657.00 (\$1,245,493.00 federal and \$375,164.00 local share) to construct a community shelter in the City limits; and**

**SECTION 2. WHEREAS, the City of Satsuma did advertise for bids for construction of a community shelter in the Mobile Register on August 14, 16 and 23, 2009. Bids were opened publicly on September 2, 2009 at Satsuma City Hall located at 5464 Old Highway 43 , Satsuma, Alabama; and**

**SECTION 3. WHEREAS, the City has complied fully with the procurement requirements as set forth on O.M.B Circular A-102 attachments and the common rule as adopted by the State of Alabama and did receive eight (8) bids for the construction of the community shelter. Youngblood-Barrett Construction Engineering, Inc of Mobile, Alabama, did submit the lowest responsible Base Bid, Add Alternate #1, Add Alternate #2, Add Alternate #3 and Add Alternate #4 in the amount of \$827,319.00.**

**SECTION 4. WHEREAS, pursuant to its rights under the bid specifications, the City of Satsuma waives the requirement of the bidder providing the principal subcontractors and suppliers listing within 24-hours after receipt of bids. It acknowledges that receipt of the list of principal subcontractors and suppliers was provided to the engineering firm of Goodwyn, Mills and Cawood as project engineer for the City.**

**NOW, THEREFORE, BE IT RESOVED by the Council that William F. Stewart, in his capacity as Mayor, is hereby authorized to execute a contract with Youngblood-Barrett Construction Engineering, Inc. in the amount of \$827,319.00.**

**Motion to approve this action was made by Council Person Jackson and seconded by Council Person O’Gwynn and approved by the Council on this the 6th day of October, 2009.**

**CERTIFICATION**

**I, William F. Stewart III, Mayor, City of Satsuma, Alabama, hereby certify that the foregoing is true and correct copy of the Resolution passed on October 6, 2009.**

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

ATTEST:

/s/ Vicki Miller  
CITY CLERK

Councilmember Jackson made a motion to award the bid to Youngblood-Barrett as the lowest responsible bidder. Councilmember O’Gwynn seconded the motion and it carried.

3. *Resolution 2009-09-03- A resolution to approve execution of an agreement with Regions bank for a \$500,000. 00 line of credit.*

Councilmember Jackson made a motion to adopt Ordinance 2009-03-03.  
Councilmember Monk seconded the motion and it carried.

**RESOLUTION NO. 2009-09-03**

**A RESOLUTION OF THE CITY OF SATSUMA, TO AUTHORIZE A SHORT TERM LOAN FROM REGIONS BANK TO PROVIDE FOR ADDITIONAL REVENUE TO THE CITY OF SATSUMA**

**WHEREAS, the City of Satsuma (the “City”) requests a short term temporary renewable note from Regions Bank to pay for the following identified and valid obligations of the City, which includes short term financing to fund State and Federal grants and/or provide for the payment on the City’s portion of the State and Federal grants, as well as temporary short term funding of other municipal activities arising out of the day-to-day operations of the City; and**

**WHEREAS the City has incurred, and will continue to incur in the following 364-day period, expenses necessary to run the City of Satsuma, which includes normal day-to-day authorized municipal expenditures resulting from various bills, municipal functions, or any other proper municipal actions; and**

**WHEREAS, the City has accepted a federal grant from Federal Emergency Management Association (FEMA) to construct an emergency shelter for the City of Satsuma; and**

**WHEREAS, the City has accepted grant funds from the Alabama Department of Transportation to construct a sidewalk along Juniper Avenue; and**

**WHEREAS, the City has accepted grant funds from Alabama Department of Transportation to construct a sidewalk along Baker Road from Robert E. Lee School to Interstate 65 ; and**

**WHEREAS, the City has accepted grant funds from the Alabama Department of Transportation to provide landscaping, Pedestrian Lighting and sign along US 43; and**

**WHEREAS, Regions Bank has agreed to loan the City \$500,000.00 (Five Hundred Thousand Dollars) on an unsecured short term temporary renewable note the City desires to fund these construction projects and payment of other proper municipal functions pursuant to this note;**

**NOW, THEREFORE, be it Resolved by the City of Satsuma as follows:**

**1. The City authorizes the Mayor, William F. Stewart to negotiate the terms of the short term renewable note with Regions Bank.**

**2. The City authorizes its Clerk, Vicki L. Miller, and/or Mayor Stewart to sign checks and/or requests for draws on behalf of the City to be funded by this short term note.**

**ADOPTED AND APPROVED by the City of Satsuma, Alabama, this 6th day of October 2009.**

**/s/ William F. Stewart, III  
BY: William F. Stewart, Mayor,  
City of Satsuma, Alabama**

**ATTEST: Vicki Miller  
City Clerk**

*4. Resolution 2009-09-04- A resolution adopting the standards, fees and specifications for the memorial benches.*

Councilmember Williams made a motion to adopt Resolution 2009-09-04.  
Councilmember Jackson seconded the motion and it carried.

**RESOLUTION 2009-09-04**

**A RESOLUTION AUTHORIZING THE SALE OF PARK BENCHES WITH  
ACKNOWLEDGMENTS TO INDIVIDUALS PURCHASING THE BENCHES.**

**WHEREAS, the City of Satsuma desires to support the public enjoyment of the public sidewalks located within the City of Satsuma and place city benches along the public sidewalk to enhance the public's use and enjoyment;**

**WHEREAS, to generate funding for the benches, individuals may sponsor construction and placement of the benches in approved City designated areas and have acknowledgement and/or plaque of such sponsorship placed on or near the park bench;**

**WHEREAS, the Mayor and Council agree that such sponsorship will be useful in enhancing the public sidewalks in the City of Satsuma and will benefit the citizens of the City of Satsuma.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, AS FOLLOWS:**

1. The City agrees to offer to the public the availability of sponsoring a park bench in a spot and design as selected by the City, and as outlined in Exhibit "A."
2. The sponsorship of such park bench shall include a plaque acknowledging the purchaser's and/or designee's name and/or other identification engraved and placed on a plaque on the bench (words engraved to be determined by the purchaser and approved by the City).
3. Each plaque is approximately 6"X10" and can include 6 lines of copy with 16 characters in each line. Characters include letters and numbers, punctuation and spaces between them. Plaques are set in all capital letters and centered. See examples below:

THE DOE  
FAMILY  
JOHN  
JANE  
JOE  
JILL

IN MEMORY  
OF  
JOHN DOE  
BY  
JANE DOE

4. The sponsorship of a park bench shall be in the sum of Three Hundred Fifty\_ and NO/100 (\$350.00) DOLLARS, paid to the city clerk prior to construction and placement of bench.
5. This Resolution to become effective immediately upon adoption by the City Council.

**APPROVED AND ADOPTED this the 6<sup>th</sup> day of October, 2009.**

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

**ATTEST:**

s/s Vicki Miller  
Vicki Miller, City Clerk

*5. Ordinance 456- an Ordinance to place a three-way stop sign at Thomas and Old Highway 43.*

Councilmember Williams stated that Mr. Elmore and Chief Benefield have agreed with the recommendation to make this intersection a three-way stop. With no further comments, he then made a motion to introduce Ordinance 456. Councilmember O’Gwynn seconded the motion and it carried.

*6. Ordinance 457- an Ordinance to repeal Ordinance 387- a three way stop sign at Power Road.*

Councilmember Williams made a motion introduce Ordinance 457. Councilmember Jackson seconded the motion and it carried.

*7. Ordinance 458- an Ordinance to reestablish that Old Highway 43 at Powers Road will be a through street.*

Councilmember Williams made a motion to introduce Ordinance 458. Councilmember Jackson seconded the motion and it carried.

With no further business to discuss, Councilmember Monk made a motion to adjourn the meeting. Councilmember Williams seconded the motion. The meeting adjourned at 7:55. P.M.

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

/s/ Billy Jackson  
Councilmember Billy Jackson

/s/ Pamela 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