

TOM WILLIAMS  
MAYOR

VICKI MILLER  
CITY CLERK

CLINT E. HARRELL  
CHIEF OF POLICE

CLYDE MILLER  
FIRE CHIEF



COUNCIL MEMBERS

RANDY LITTLE, PLACE 1

MIKE BUTLER, PLACE 2

JASON SKELTON, PLACE 3

ALLISON REESE, PLACE 4

BILL BLACK, PLACE 5

## **Minutes of May 19, 2020**

### **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 19<sup>th</sup> day of May, 2020. Those present were: Mayor Williams, Councilmembers: Randy Little, Mike Butler, Jason Skelton, Allison Reese, and Bill Black

Due to COVID-19 and the directive from Governor Ivey, the Council met in the Council chambers with a safe distance of 6'.

Mayor Williams 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 19<sup>th</sup> day of May, 2020.

### **Invocation**

Councilmember Reese gave the invocation and Jansen Skelton, son of Councilmember Skelton, led the Pledge of Allegiance.

### **Roll Call**

On roll call the following answered present: Mayor Williams, Councilmembers: Randy Little, Mike Butler, Jason Skelton, Allison Reese, and Bill Black

Also present were: Jay Minus, City Attorney; Vicki Miller, City Clerk; Tom Briand, Building Inspector, James Elmore, Public Works Supervisor, Heather Davis, Assistant City Clerk, Clyde Miller, Fire Chief and Clint Harrell, Police Chief.

### **Approval of Minutes**

Mayor Williams presented the minutes from the Regular Meeting held on May 5, 2020. Councilmember Skelton made a motion to approve the minutes as presented. Councilmember Reese seconded the motion and it carried.

Mayor Williams presented the minutes from the Work Sessions held on May 4<sup>th</sup> and May 6<sup>th</sup>, 2020. Councilmember Skelton made a motion to approve the minutes as presented. Councilmember Reese seconded the motion and it carried.

### **Special Recognition:**

- Presentation of Proclamation and plaque to Chief Miller- retiring June, 1, 2020.

Mayor Williams asked that this presentation be held to the end of the meeting. Council agreed.

### **Visitors- NONE**

### **Mayor's and Council's Reports:**

#### **Mayor's Report**

Mayor Williams gave an update on the drainage issue with Copeland Builders-Construction in Gilbert Creek Estates. He stated Mr. Copeland has hired an attorney. Jay Minus stated that he has spoken with Mr. Copland's attorney and his attorney has advised him to get an engineer to look at the drainage issue. Also, the City has received a letter from a neighbor's attorney concerned about the drainage and additional water that is being placed on his property. Mayor Williams stated that at this time, he recommends waiting to see what Mr. Copeland presents to the Council.

Mayor Williams reported that the City is getting calls about renting Steele Creek Lodge and the community center. He stated that there is a local company that wants to rent the lodge for a business meeting at the end of June. They have stated that they will have the place cleaned before and after the event. Mayor stated that he informed them that the City will continue to follow the COVID19 guidelines put out by Governor Ivey. He also stated that he has asked for the admin staff to get some sanitization prices.

Mayor Williams reported that as of today, the City is 75% reporting for the Census 2020. He stated that Satsuma is the first city in Mobile County to reach this designation.

Mayor Williams reported that the April 2020 financials were included in the council packets.

Mayor Williams reported that he attended the Satsuma School Board meeting and discussed with the board about moving forward on the 3<sup>rd</sup> Street culvert project once the study has been completed by Goodwyn, Mills and Cawood. He also discussed with the board, the City using the middle school annex for the August 25<sup>th</sup> municipal elections due to COVID19 restrictions. He stated by moving the election to the annex there will be more room for social distancing and a covered area in case residents have to wait to vote. Mayor Williams also noted that there were over \$4M worth of scholarships presented to the graduating seniors. He reported that all of the Junior Council members received scholarships.

Mayor Williams asked Council for a work session to discuss the FY2020 budget and the effects of COVID19 on the financials. Council agreed to add Item#6 to the Items for Consideration.

Mayor Williams reminded everyone that there will a brief Memorial Day Service on May 25<sup>th</sup> at 9:00. He stated that it is essential to have a service to remember those who gave their lives in defense of this country. The service will just consist of the announcements of the names, a laying of the wreath and Taps being played.

**Municipal Services- Councilmember Little** stated that he did not have any items to report or for discussion.

**Public Safety- Councilmember Butler** stated that he did not have any items to report or for discussion.

**Administration-Councilmember Skelton** stated that he did not have any items to report or for discussion.

**Parks- Councilmember Reese** reported the following:

- Representative Matt Simpson donated \$5,000 to the City for the purchase of a Merry-Go-Round for Wright Park
- Reminded everyone that the splash pad and playground areas are still closed.
- Reported the concession stands are still coming along. The City is still waiting on Governor Ivey to give a new directive on when the athletic activities can resume.
- Reported that a decision as to whether to hold a Municipal Association dinner for June is still pending.

**Public Works- Councilmember Black** reported that Public Works is running short of employees, but would discuss further at the next meeting.

## **ITEMS FOR CONSIDERATION**

### **1. Payment of the bills.**

On motion by Councilmember Skelton and seconded by Councilmember Little with all voting "aye", Council unanimously approved paying the bills in the amount of \$57,871.24.

### **2. Consideration to ratify the hiring of Kenneth Waites as Fire Chief effective June 1, 2020.**

On motion by Councilmember Butler and seconded by Councilmember Reese with all voting "aye", Council unanimously approved to ratify the hiring of Kenneth Waites as Fire Chief effective June 1, 2020.

### **3. Consideration of the contract with Avenu for Business License discovery/recovery.**

Councilmember Skelton stated that this is a renewal of the contract in which Avenu will search for businesses that have not purchased a business license. The first year the license fee is split 50/50 and then the city gets 100% of the license every year that the license is renewed. On motion by Councilmember Skelton and seconded by Councilmember Butler with all voting "aye", Council unanimously approved renewing the contract with Avenu for Business License Discovery/Recovery.

### **4. Consideration of Notice of Claim from Sylinda Miller, 5861 Northgate Dr. W. for removal of a tree.**

Councilmember Black reported that a tree that was located on her property and a portion of City property fell. James Elmore was called because a portion of the tree fell in the road. While removing the tree from the road, Ms. Miller contracted to have the tree removed. Afterwards, she notified the City that a portion of the tree was on City property and then filed the claim requesting the City pay a portion of the bill. Councilmember Black noted that if the City had removed the tree, estimates would have been obtained. After discussing the matter in length, Councilmember Black made a motion to pay \$500 towards the invoice and ask that the resident have the stump removed. Councilmember Skelton seconded the motion and on roll call the following answered:

Councilmember Little	abstained due to business connection
Councilmember Butler	No
Councilmember Skelton	Yes
Councilmember Reese	No
Councilmember Black	Yes
Mayor Williams	Yes

Mayor Williams declared the motion passed with majority vote.

### **5. Consideration to approve Chief Harrell attending executive training in Anniston on June 12 and 13, 2020. The cost for tuition is \$198.00 and \$217.00 for lodging.**

On motion by Councilmember Butler and seconded by Councilmember Little with all voting "aye", Council unanimously approved the training for Chief Harrell.

6. **Consideration to approve a work session to discuss the FY2020 Budget and the effects of the COVID19 on the finances.**  
On motion by Councilmember Skelton and seconded by Councilmember Little with all voting "aye", Council unanimously approved setting a work session for June 8, 2020 at 5:30 P.M.

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

1. **Consideration of Resolution 2020-05-01- A Resolution appointing Vicki Miller and Heather Davis as absentee ballot clerks for the August 25, 2020 Municipal Election.**

On motion by Councilmember Skelton and seconded by Councilmember Reese with all voting "aye", Council unanimously approved Resolution 2020-05-01.

### **RESOLUTION NO 2020-05-01**

**A Resolution Appointing Vicki Miller, City Clerk and Heather Davis, Assistant City Clerk to perform the duties with respect to the Municipal Election to be held on August 25, 2020 and any Run-Off Election ordered held.**

**WHEREAS**, a General Municipal Election will be held in the City of Satsuma on the 25th of August 2020, and if necessary, a Run-off Election will be held in the City of Satsuma on the 6th of October 2020; and,

**WHEREAS**, the Mayor of the City of Satsuma is a candidate in said election and is thereby disqualified to perform certain duties per Code of Alabama, 1975.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF SATSUMA**, that Vicki Miller, City Clerk, and Heather Davis, Assistant City Clerk are hereby appointed to perform all the duties otherwise required to be performed by the Mayor per Code of Alabama, 1975 with respect to the Municipal Election to be held in the City of Satsuma on the 25<sup>th</sup> August 2020 and any Run-off Election ordered held with respect thereto.

Adopted this the 19th day of May, 2020

/s/ Tom Williams  
\_\_\_\_\_  
Mayor

/s/ Vicki Miller  
\_\_\_\_\_  
City Clerk

2. **Consideration of Ordinance 531- An Ordinance authorizing the issuance of a \$473,442.22 General Obligation Warrant to purchase a new 2020 Pierce fire truck and pay off existing loans on a 2016 Chevrolet Truck and a 2014 Ferrara Fire Truck.**

Councilmember Butler made a motion to suspend the rules and put Ordinance 531 up for immediate adoption. Councilmember Skelton seconded the motion and on roll call the following answered:

Councilmember Little	Yes
Councilmember Butler	Yes
Councilmember Skelton	Yes
Councilmember Reese	Yes
Councilmember Black	Yes
Mayor Williams	Yes

On motion by Councilmember Butler and seconded by Councilmember Skelton with all voting "aye", Council unanimously adopted Ordinance 531.

**ORDINANCE NO. 531**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF A \$476,442.22 CITY OF SATSUMA, ALABAMA GENERAL OBLIGATION WARRANT, 2020**

**BE IT ORDAINED** by the City Council of the City of Satsuma, Alabama, as follows:

**Section 1. Findings.** Having made due and proper investigation of the matters hereinafter referred to, the Council has ascertained and does hereby find and declare that the following facts are true and correct:

- (a) The City has previously executed (i) a 35,985.35 Promissory Note in favor of Truist Bank, formerly known as Branch Banking and Trust Company, dated July 11, 2016, outstanding in the principal amount of \$9,487.16 (the "Truist Note"), for the purpose of purchasing a 2016 Chevrolet Silverado for use by the City, and (ii) a \$131,390.00 Promissory Note in favor of Regions Equipment Finance Corporation, dated October 18, 2013, outstanding in the principal amount of \$8,667.22 (the "Regions Note"), for the purpose of purchasing a 2014 Ferrara pumper fire apparatus for use by the City;
- (b) The City has previously determined that in the interest of public welfare and in order to provide the necessary equipment for public services it is necessary that the City acquire one new fire truck (the "Equipment"), and in order to provide financing for the Equipment, it is necessary the City borrow the sum of \$476,442.22;
- (c) After consideration of alternatives, the City deems it necessary, desirable and in the public interest that in order to refinance the Truist Note and the Regions Note and to provide financing for the Equipment, it is most advantageous that the City borrow such funds from United Bank (the "Bank") and to issue the warrant hereinafter authorized as evidence of its obligation to repay such loan; and
- (d) Neither the City nor any "subordinate entity" or "on behalf of issuer"; as such terms are used in Section 265(b) of the Internal Revenue Code of 1986, as amended, has issued in 2020, or expects to issue within the

remainder of 2020, tax-exempt obligations in an aggregate amount in excess of \$10,000,000.

**Section 2. Authorization of Warrant.** Pursuant to the applicable provisions of the constitution and laws of the State of Alabama, including particularly Section 11-47-2 of the Code of Alabama 1975, as amended, and for the purpose of providing the funds necessary to refinance the existing indebtedness evidenced by the Truist Note and the Regions Note and to finance the Equipment, to pay the costs of issuances thereof, and for no other purposes, there is hereby authorized to be issued by the City its \$476,442.22 General Obligation Warrant, 2020 (the "2020 Warrant"). The 2020 Warrant shall be dated the date of its delivery and shall contain and be subject to the terms and conditions set forth in the form of 2020 Warrant attached hereto as Exhibit A and made a part hereof.

**Section 3. Source of Payment; Security.** The indebtedness evidenced and ordered paid by the 2020 Warrant is and shall be a general obligation of the City for payment of the principal of and the interest on which the full faith and credit of the City are hereby irrevocably pledged. The City further agrees that, so long as the 2020 Warrant remains outstanding and any portion thereof remains unpaid, and to the full extent of the City's power to do so under the constitution and laws of the State of Alabama, the City will continue to collect and enforce taxes to the extent necessary to pay the principal of and interest on the 2020 Warrant.

**Section 4. Creation of Warrant Fund.** There is hereby created a special trust fund of the City, the full name of which shall be "City of Satsuma, Alabama Warrant Fund, 2020." United Bank shall be and remain the Depository for the Warrant Fund. The monies in the Warrant Fund shall be used to pay the principal of and interest on the 2020 Warrant as the same shall become due and payable. There shall be paid into the Warrant Fund, on or before the last business day preceding any date on which a payment of principal of or interest on the 2020 Warrant is due, an amount which, when added to the amount then on deposit therein, will equal the principal of (if any) and interest on the 2020 Warrant coming due on such payment date.

All monies on deposit in the Warrant Fund shall be used for payment of the principal of and interest coming due on the 2020 Warrant.

The Warrant Fund shall be and at all times remain public funds impressed with a trust for the purpose for which the Warrant Fund is herein created. The Depository for the Warrant Fund shall at all times keep the monies on deposit with it in the Warrant Fund continuously secured for the benefit of the City and the Holder of the 2020 Warrant.

**Section 5. Designation of 2020 Warrant; Covenant as to Tax-Exempt Obligation.** The City hereby designates the 2020 Warrant as a qualified tax-exempt obligation for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). In addition, the City acknowledges and agrees that the 2020 Warrant is to be issued in compliance with the conditions necessary for the interest

income thereon to be exempt from federal income taxation pursuant to the relevant provisions of the Code and covenants and agrees that it will not in any way cause or permit the proceeds of the 2020 Warrant to be used in a manner which would cause the interest on the 2020 Warrant to become includable in income for purposes of federal income taxation as provided under the Code and the applicable regulations thereunder, and will comply with all applicable provisions of the Code (including, without limitation, the provisions relating to post-issuance actions affecting tax exemption) to the extent necessary for interest on the 2020 Warrant to be excludable from gross income of the holders thereof.

**Section 6. Authorization.** The Mayor and Clerk of the City are hereby authorized and directed to execute and deliver the 2020 Warrant to United Bank, as purchaser thereof.

**Section 7. Contractual Provisions.** The provisions of this Ordinance shall constitute a contract between the City and the Holder of the 2020 Warrant. Upon payment in full of the principal of and interest on the 2020 Warrant, the obligations of the City hereunder shall cease.

**Section 8. Severability.** The various provisions of this Ordinance are hereby declared to be severable. In the event any provisions hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this Ordinance.

**Section 9. Effective Date.** This Ordinance shall become effective immediately upon its adoption or otherwise as shall be required by State law.

After discussion, Councilmember Butler moved that the foregoing ordinance and order be adopted and spread upon the minutes of this meeting, which motion was seconded by Councilmember Skelton, and, on roll call the following vote was registered:

YEAS

NAYS

Mayor Williams

Councilmember Randy Little

Councilmember Mike Butler

Councilmember Jason Skelton

Councilmember Allison Reese

Councilmember Bill Black

The Chairman thereupon announced that the said ordinance had been carried by unanimous vote of the Council present.



\* \* \* \* \*

There being no further business to come before the meeting, the meeting was, upon motion duly made, seconded and unanimously carried, adjourned.

/s/ Tom Williams Mayor

ATTEST:

/s/ Vicki Miller, City Clerk

**3. Consideration of Ordinance 532- An ordinance to move the Satsuma August 25, 2020 Municipal Election to the Satsuma City School Annex building due to COVID19 restrictions.**

Councilmember Skelton made a motion to suspend the rules and put Ordinance 532 up for immediate adoption. Councilmember Reese seconded the motion and on roll call the following answered:

Councilmember Little	Yes
Councilmember Butler	Yes
Councilmember Skelton	Yes
Councilmember Reese	Yes
Councilmember Black	Yes
Mayor Williams	Yes

On motion by Councilmember Skelton and seconded by Councilmember Reese with all voting "aye", Council unanimously adopted Ordinance 532.

Mayor Williams commented that the City is thankful to the school board for the use of the school annex for the municipal election.

*ORDINANCE NO. 532*

**AN ORDINANCE TO ESTABLISH A VOTING PLACE FOR THE AUGUST 25, 2020 MUNICIPAL ELECTION FOR THE CITY OF SATSUMA, ALABAMA TO TEMPORARILY MOVE VOTING PLACE DUE TO COVID-19 SOCIAL DISTANCING REQUIREMENTS**

*WHEREAS, Alabama law at Title 11-46-24, Code of Alabama, 1975, requires the municipal governing body to designate a voting place for Municipal Elections; and WHEREAS, the current voting place for the City of Satsuma Municipal Elections has been at Satsuma City Hall at 5464 Old Highway 43, Satsuma, AL 36572; and WHEREAS, On March 13, 2020 an Order was issued by Alabama Governor Kay Ivey entitled the "Stay at Home" Order. The State later issued subsequent orders regarding business and social practices and distancing to keep from overwhelming area hospitals and keeping the general public as free as possible of a contagion called COVID-19 virus; and*

**WHEREAS, the COVID-19 virus has been found to be extremely dangerous to individuals who may be aged, infirmed or have lower immunity systems; and WHEREAS, it would be impossible to comply with these order and guidelines if voting at Satsuma City Hall continued; and**

**WHEREAS, the Satsuma School Board has agreed to allow the City usage of the gymnasium at the Satsuma High School Annex located next to City Hall for the August 25, 2020 Municipal Elections, and**

**WHEREAS, The Mayor and City Council believe it is in the best interest of the public to temporarily relocate the polling currently held at Satsuma City Hall to Satsuma High School Annex for the August 25, 2020 Municipal Election.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SATSUMA**

- 1. That the Satsuma City Council hereby moves the voting place for the August 25, 2020 Municipal Election, for this election only, to the Satsuma High School Annex, next to City Hall.**
- 2. Following the August 25, 2020 Municipal Election, the voting place shall revert back to its original place at Satsuma City Hall.**
- 3. That the City of Satsuma agrees to responsible for the cost of clean up after the elections to fumigate the facilities.**

**This ordinance shall be in full force and effect after its adoption and publication as required by law.**

**ADOPTED AND APPROVED THIS 19<sup>TH</sup> Day of May, 2020.**

\_\_\_\_\_  
**Tom Williams, Mayor**

**ATTEST:** \_\_\_\_\_  
**Vicki Miller**

**4. Consideration of Resolution 2020-05-02- A resolution to surplus phones and phone equipment from City Hall.**

On motion by Councilmember Butler and seconded by Councilmember Skelton with all voting "aye", Council unanimously adopted Resolution 2020-05-02

CITY OF SATSUMA

RESOLUTION 2020-05-02

WHEREAS, the City of Satsuma, Alabama has a certain item of personal property which is surplus and no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Alabama Code of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

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

SECTION 1. That the following personal property owned by the City of Satsuma, Alabama is surplus and is not needed for public or municipal purposes:

1. Thirteen (13) NEC phones (See attached Exhibit "A" for serial numbers and on NEC Aspire 8 Slot phone service.

SECTION 2. That the Mayor is hereby authorized and directed to dispose of the equipment owned by the City of Satsuma, Alabama described in Section 1 as directed by City Council.

ADOPTED AND APPROVED this 19<sup>th</sup> day of May, 2020

/s Tom Williams  
Mayor Williams

ATTEST: /s/ Vicki Miller  
City Clerk

With no other regular business, Mayor Williams proceeded with the presentation to retiring Fire Chief Clyde Miller. Mayor Williams read a proclamation thanking Chief Miller for his service to this city. Councilmember Butler presented Chief Miller with a plaque. Councilmember Skelton presented him with his fire helmet and Jansen Skelton read a goodbye letter. Mayor Williams noted that a small reception was to follow.

With no further business to come before Council, Councilmember Skelton made a motion to adjourn the meeting. Councilmember Reese seconded the motion and the meeting adjourned at 7:50 P.M.

/s/ Tom Williams  
Mayor Tom Williams

/s/ Randy Little  
Councilmember Randy Little

/s/ Mike Butler  
Councilmember Mike Butler

/s/ Jason Skelton  
Councilmember Jason Skelton

/s/ Allison Reese  
Councilmember Allison Reese

/s/ Bill Black  
Councilmember Bill Black

ATTEST: /s/ Vicki Miller  
City Clerk