

TOM WILLIAMS  
MAYOR

VICKI MILLER  
CITY CLERK

CLINT HARRELL  
CHIEF OF POLICE

KENNETH WAITES  
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

September 15, 2020

The Special Called Emergency Meeting of the Satsuma City Council

The City Council of the City of Satsuma, Alabama, convened in a special called emergency meeting at City Hall in said city at 11:00 A.M. on the 15<sup>th</sup> day of September, 2020.

Councilmember Little led the invocation.

The following members were present: Mayor Williams; Councilmembers: Randy Little, Mike Butler, Jason Skelton (by Phone), Allison Reese and Bill Black.

Mayor stated that the purpose of the emergency meeting is to consider a State of Emergency Resolution for the City of Satsuma due to Hurricane Sally and to consider a curfew ordinance. Council discussed both the resolution and the ordinance.

1) *Resolution 2020-09-03- A Resolution issuing a State of Emergency for the City of Satsuma due to Hurricane Sally.*

Mayor Williams presented Resolution 2020-09-03 for consideration. Councilmember Reese made a motion to suspend the rules and put Resolution 2020-09-03 up for immediate adoption. Councilmember Little seconded the motion and on roll call the followed answered:

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

Mayor Williams stated the motion passed unanimously and then called for a motion on the Resolution. Councilmember Reese made a motion to adopt Resolution 2020-09-03. Councilmember Little seconded the motion and it carried.

## STATE OF LOCAL EMERGENCY RESOLUTION

2020-09-03

**WHEREAS**, severe weather constitutes a serious hazard to lives and property in the City of Satsuma; and

**WHEREAS**, there is an existing and increasing possibility of the occurrence of disaster or emergency since the National Hurricane Center has advised that Hurricane Sally is a Category ONE Hurricane, with a projected path to inter or around the City of Satsuma; and

**WHEREAS**, Governor Ivey has issued an Executive Order declaring a state of emergency in the State of Alabama; and

**WHEREAS**, the *Code of Alabama*, 1975, Section 31-0-10 (b) provides the power and authority for a political subdivision such as the City of Satsuma to declare a state of local emergency and also to waive the procedures and formalities otherwise required of political subdivisions by law, including but not limited to;

- a. Performance of public work and taking whatever prudent action is necessary to ensure that health, safety, and welfare of the community.
- b. Entering into contracts,
- c. Incurring obligations
- d. Employment of temporary workers
- e. Utilization of volunteer workers
- f. Acquisition and distribution, with or without compensation, of supplies, materials and facilities.
- g. Appropriation and expenditure of public funds.

**NOW THEREOFRE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA, WHILE IN EMERGENCY MEETING ON September 15, 2020 at 11:00 A.M.**

SECTION 1. That Hurricane Sally poses a serious threat to the lives and property of residents of the City of Satsuma, Alabama

SECTION 2. That The City Council of the City of Satsuma does here declare a local State of Emergency shall be declared, effective immediately, until such time as the Council rescinds such declaration, and authorizes the Mayor to take all actions necessary and allowed by *Code of Alabama*, 1975, Section 31-9-10 (b)(5) and all actions otherwise necessary or appropriate for the protection of public property and facilities and the health, safety and welfare of the public that are exercisable under the general police power of the City.

SECTION 3. That the Mayor and City Clerk be and they are hereby authorized and directed to execute and attest, respectively, all contracts determined by the Mayor to be necessary to meet the emergency without public advertisement.

SECTION 2. That this Resolution shall become effective upon its adoption.

ADOPTED on this 15<sup>th</sup> day of September, 2020

/s/ Tom Williams  
Mayor

ATTEST: /s/ Vicki Miller

Vicki Miller

2) *Ordinance 536- An Ordinance enacting a curfew during Hurricane Sally.*

Mayor presented Ordinance 536 for consideration. Noting that the rules would need to be suspended in order to consider the ordinance. Councilmember Little questioned the fact that the ordinance did not cover the time of the curfew. The City Clerk noted that the time is from 10:00 P.M. to 6:00 A.M. daily. With that being noted, Councilmember Reese made a motion to suspend the rules and put Ordinance 536 up for immediate adoption with the correction added the time of 10:00 P.M. to 6:00 A.M daily. Councilmember Little 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

Mayor Williams stated the motion passed unanimously and then called for a motion on the Ordinance.

Councilmember Reese made a motion to adopt Ordinance 536. Councilmember Little seconded the motion and it carried.

#### ORDINANCE NO.536

##### **AN ORDINANCE ENACTING A CURFEW DURING HURICANE SALLY.**

WHEREAS, On September 14, 2020, Governor Ivey issued a State of Alabama Proclamation declaring a State of Emergency due to Hurricane Sally; and,

WHEREAS, the storm is expected to hit sometime Wednesday September 16, 2020 near the Mobile area and may cause substantial wind and water damage; and

WHEREAS, realizing that this damage could be widespread find that the only way to provide for the safety and welfare of the citizens of the City of Satsuma, Alabama is for the City Council to enact, through its police powers, a temporary curfew to protect the citizens of this City; and

WHEREAS, the City Council of the City of Satsuma, Alabama, wishes to empower the Mayor to enact a temporary curfew during and after the storm, should he find it necessary for the safety and welfare of the citizens of Satsuma.

IT IS HEREBY ORDAINED AND DECREED BY THE CITY COUNCIL OF THE CITY OF SATSUMA, ALABAMA, AS FOLLOWS:

**SECTION 1.** It is hereby established and declared by the City Council of the City of Satsuma, Alabama that in order to protect and promote the health, safety and general welfare of the citizens of the City of Satsuma, the Mayor has the authority to enact a temporary curfew during and after the landfall of Hurricane Sally.

**SECTION 2.** The curfew is hereby established for the time periods prescribed in this section. Beginning at 10:00 P.M. September 15, 2020 and ending at 6:00 AM on September,

18, 2020 unless it is determined by the Mayor that said ordinance needs to be extended due to the aftermath of Hurricane Sally. The Curfew runs from 10:00 P.M. to 6:00 A.M. daily.

**SECTION 3.** Exceptions. The provision of this ordinance shall not apply in the following instances:

- a) When the citizen is upon an emergency errand.
- b) When the citizen is going to or returning directly home from lawful employment that makes it necessary to be in such place during the proscribed period of time.
- c) When the citizen is attending or traveling directly to or from an activity involving the exercise of First Amendment rights of free speech, freedom of assembly or free exercise of religion.

**SECTION 4.** Police Procedures:

- a) Any police officer, upon finding a citizen suspected of being in violation of Section 2, shall question the citizen, under constitutional safeguards, to determine the relevant facts as to violation of curfew
- b) If a police officer determines the minor is in violation of curfew, and the minor is a resident of Satsuma, the police officer shall make contact with the minor's parents immediately and then proceed to escort the minor to their place of residency. Written notice shall be given to the parent that any subsequent violation with the minor will result in a ticket being issued to the parent.
- c) If the parent cannot be contacted or the minor is not a resident of the City of Satsuma, the police officer shall deliver the minor to the Satsuma Police Department along with the proper paper work. The officer shall continue to contact the parent. If unsuccessful, the officer shall send notification via certified mail to the parent informing them of the violation (warning ticket).

**SECTION 5.** Penalties for Offenses/Violations of this Ordinance:

- a) First Offense—Court appearance and a \$100.00 fine;
- b) Second Offense—Court appearance and up to a \$500.00 fine; and
- c) Third Offense and Beyond—Court appearance, up to \$500.00 fine, and/or a parent or custodian shall face imprisonment in the city jail, workhouse, or house of corrections or at hard labor upon the streets and public works for not exceeding six (6) months.

**ADOPTED AND APPROVED THIS 15th DAY OF September, 2020.**

/s/ Tom Williams

Mayor

ATTEST: /s/ Vicki Miller

City Clerk

With no further business to come before Council, Councilmember Reese made a motion to adjourn. Councilmember Little seconded the motion and the meeting adjourned at 11:10 A.M.

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/s/ Tom Williams  
Mayor Tom Williams

/s/ Randy Little  
Councilmember Little

/s/ Mike Butler  
Councilmember Butler

/s/ Jason Skelton  
Councilmember Skelton

/s/ Allison Reese  
Councilmember Reese

/s/ Bill Black  
Councilmember Bill Black

ATTEST: /s/ Vicki Miller  
City Clerk