

CITY COUNCIL MEETING

APRIL 5, 2010

PRESENT: Mayor William Isley, councilmembers; Herbert Toles, Wayne Tucker, Katrina Hennings, David Jones, Brian Skinner

ABSENT: Councilmembers, Hugh Marlin, John Coyne

Mayor Isley called meeting to order at 6:15 pm and led in the opening prayer and the pledge of allegiance to the flag.

5K RUN RECOGNITION/AWARD:

First order of business: Recognition and award to a special age group of the 5K run event. Mayor introduced Aimee Jones Martin, one of the event coordinators, who introduced the age 1-14 years group: Madison Browning, Jade Kirkwood, Carlie Payne, Brittany Franklin, Natalie Willis. Madison Browning received the award for the overall winner of this age group. The newspaper was present to take pictures of the awards and recognitions.

Mayor also advised the purpose of the 5K run as well as other future events to raise money for the playground equipment for Big Springs Park and hopefully be able to provide more equipment in the Phase II addition.

Mayor also recognized the Public Works Dept. for all the hard work they have put into clearing the vacant lot which opened up a clear view of the park from US Hwy 11 and in preparing to build the walk across bridge for better access to parking for the park.

BOARD OF EDUCATION SUPERINTENDENT ELECTION:

Mayor introduced Jenny Seals as the St. Clair County Board Of Education Superintendent. She is seeking re-election to this position. She spoke of her qualifications, experience, dedication and love of the position she holds and requests the support of the people of Springville.

John Moore, Superintendent of the Leeds Board of Education was present to speak in support of Jenny Seals and also requests the support for her re-election.

POLICE FUND RAISER:

Mayor recognized police officers Wayne Walton, Roger Walton and Lt. Bill Lyle, along with reserve officers Thompson, Owens, and Walton. Officer Wayne Walton spoke on the success of the boston butt and ham fund raiser which raised approximately \$6,000.00. He advised there are other fund raising events being scheduled such as a spaghetti supper, car wash, and a motorcycle fun ride. More information will be provided later. He also

thanked various people, companies, and businesses that supported and helped them in the fund raiser.

MCNAMARA PROPERTY LETTER:

Mayor provided a copy of a letter regarding the McNamara property next to Fontaine on US Hwy 11 to councilmembers for their review. After review of letter and brief discussion, council agreed on no action until Mike Terry and Richard Harvey make further contact with the owner to give written authorization for the Fire Department to burn the house for a training exercise and confirmation that the owner will properly dispose of leftover debris in a timely manner.

Motion to table the McNamara property matter for a later date was made by Wayne Tucker, second by Katrina Hennings. Motion passed unanimous.

ST. CLAIR COUNTY EXTENSION OFFICE VISITORS:

Regarding 4-H Clover Class discussion and contribution. Lee Anne Clarke and Tonya Tomlin explained the purpose of this program and the need for contributions from individuals, municipalities, companies, etc. This program provides opportunities for any and all children in the St. Clair County area that might not have resources or access to other activities and events throughout the county. They have 9 work shops throughout the county and have provided for approximately 175 kids. Information on the workshops, dates, times, etc. is provided to all the county schools to be passed along to the students. Contact information is provided in the brochure that was passed out to the council. After discussion, a motion to make a donation of \$250.00 to the St. Clair County Extension 4-H Clover Classroom fund was made by councilmember Brian Skinner and second by Wayne Tucker. Motion passed unanimous with all yea.

THE GARDENS HOMEOWNERS ASSOCIATION:

Mayor introduced Ann Bailey as spokesperson for the neighborhood association. Ms. Bailey stated the concerns of the neighborhood regarding the street paving, curbing repair, and the turn lane into **The Gardens** subdivision, with the primary focus on the paving of the streets. Ms. Bailey cited meeting dates, persons, agreements, and conversations held with city officials, public works, and the developer of the subdivision. They feel the developer has failed to meet the City requirements for the streets and does not think he has intention of re-surfacing the streets, repairing curbing, or installing the turn lane off US Hwy 11 into the subdivision. The neighborhood is now urging the City of Springville to force the developer to fulfill these obligations.

Mayor Isley responded to the statements from Ms. Bailey. The City has done everything within its power and is still encouraging the developer to fulfill the obligation of paving the streets, repairing the curbing and installing the turn lane into the subdivision. Mayor stated this council and the City would love for the streets to be paved properly in this neighborhood as well as other streets within the City. Mayor called for any discussion from the council.

Councilman David Jones asked Department Head of Public Works Earl Peoples if all permit actions required by the City had been fulfilled and also have there been letters, conversations, and/or meetings with the developer. Mr. Peoples stated the turn lane permit process/requirements of the City and the developer have been met and the developer has been informed through letters and conversations. Earl has also met with and referred several contractors that have given estimates for the re-surfacing and repairing curbs in this neighborhood. He feels the developer has intention of fulfilling these obligations, but the downturn of the economy has slowed the process.

Councilwoman Katrina Hennings stated there was an amount assessed per lot to the builders by the developer to repair the curbing damage created in the process of building houses. She also said it has been about a year since a letter informing the developer that everything was resolved regarding the turn lane process and was advised to start paving.

Mayor Isley stated the installation of turn lanes is a requirement of the city. Herbert Toles and David Jones suggested sending a letter to the developer with 30 days to respond. If he does not respond then set up a meeting with him, the Mayor and city council for discussion.

Wayne Tucker stated he is all for helping the citizens of this neighborhood resolve this matter but that we do not have any legal standing in the matter. He will be glad to discuss with any of the citizens and help in any way that he can.

Next Items on Agenda:

AMENDMENT #1 TO ORDINANCE 2007-11:

Amending Section 15, pages 35 thru 43 of the Substance Abuse Policy in the Personnel Policy and Procedures Manual

Motion to suspend the rules for consideration made by David Jones, second by Katrina Hennings. Mayor called for all votes, Toles yea, Tucker yea, Hennings yea, Jones yea, Skinner yea. Motion passed unanimous. Marlin and Coyne were absent.

AMENDMENT #2 TO ORDINANCE 2007-11:

Mayor called for motion to suspend the rules for Amendment #2 to Ordinance 2007-11. Motion to suspend made by David Jones, second by Katrina Hennings. Called votes, Toles yea, Tucker yea, Hennings yea, Jones yea, Skinner yea. Motion passed. Marlin and Coyne were absent.

After explanation of Amendments and brief discussion on both, motion to approve Amendment #1 and Amendment #2 of Ordinance 2007-11 was made by David Jones, second by Katrina Hennings, motion passed unanimous with all voting yea.

HISTORICAL COMMISSION APPOINTMENT:

Mayor recommended Pat Bosworth for a 3 year term on the Historical Commission, term to be completed in 2013. Mayor recognized and thanked Mr. Bosworth for stepping up to fill this position and spoke highly of his recommendation coming from Mr. Frank Pearson, chairman of the Historical Commission.

Motion to approve the appointment of Pat Bosworth to the Historical Commission was made by Wayne Tucker, second by Herbert Toles. Motion passed unanimous with all yea.

FINANCIAL STATEMENT FOR JANUARY 2010 AND FEBRUARY 2010:

Motion to approve Financial Statement for January and February 2010 made by David Jones, second by Wayne Tucker. Motion passed unanimous with all voting yea.

Mayor stated he is setting up a meeting with the City Auditor, the Council and Mayor for discussion of financial analysis of the City. The meeting will take place some time after April 15. He will advise at a later date.

MINUTES OF CITY COUNCIL MEETING MARCH 15, 2010:

Motion to approve minutes of March 15, 2010 Council Meeting made by David Jones, second by Katrina Hennings. Motion carried with all voting yea.

CLEAN-UP DAY DISCUSSION:

Mayor stated city-wide street cleanup day will be by May 1, 2010 from 8:00 am to 12:00 pm. Mayor stressed the purpose of the cleanup is for cleaning up of street debris only from city and neighborhood streets. All council members will be responsible for notifying the churches and civic organizations and citizens in their districts for support and help in this activity. Dumpsters will be provided at specific location or maybe even the debris piled at a specific location for a few days for the public view to bring awareness of the trash being thrown onto the streets in our city. Mayor will delegate the advertising for **Clean-up Day** by displaying of banner and possibly getting the newspaper to provide some advertising of this event.

ROBINSON STREET PROPERTY ADJACENT TO OLD LUCAS PROPERTY:

Mayor presented this piece of property for consideration of a potential site for the library. After some discussion on price of property and the need for this location as a library site, there was no action taken at this time. There may be possibility of an offer and adding as a potential site at a later date.

NON-CONTIGUOUS ANNEXATION REQUIREMENT PROCEDURES:

Mayor stated Representative James McClendon has met and discussed with him the annexation procedure and requirements he needs to pursue any annexations of the City or

outside city residents that may desire to annex into the City. He will be at the Senior Citizen Center on Friday April 9th if anyone would like to speak with him. Mayor will set up a date in May for a work session on whether to pursue annexations. Council members Tucker and Toles stated concerns on annexations regarding fire and police protection.

HARRISON HARDWARE/CITY PROPERTY AGREEMENT:

Mayor presented a copy of the current agreement to councilmembers. The property license agreement contains legal description of a piece of property approximately 20 feet by 150 feet owned by the City to be used by Harrison Hardware for trucks to make delivery of materials for his business. This piece of property may be used until such time the City has need for the property and cancel the agreement. After discussion of the property description and the agreement, motion to approve the Mayor to enter into and record license agreement, with any amendments necessary by our City attorney, was made by Herbert Toles, second by Wayne Tucker. Motion passed unanimous with all voting yea.

DEPARTMENT HEADS/COUNCIL DISCUSSIONS:

Herbert Toles stated a citizen on Elaine Street, Ms. Laura Lovetto, has supposedly closed part of the public access on this street. This is a section located in front of her house that is unpaved and full of potholes. She is requesting the City put up signs stating the road is closed.

The street and public works director Earl Peoples stated she has not effectively closed the road. There is still some traffic going thru. She has called the police department up there on a couple of occasions. There was discussion on this not being a city street and we do not have authority to place any “closed street” signs nor do any type of repair work to the street. Herbert Toles stated maybe a sign stating “no outlet” may serve the purpose. Wayne Tucker stated the bottom line of closing the street should be between the owner of easement property, Ms. Sarusce and the resident Ms. Lovetto. City Attorney, James Hill advised she may contact him if she would like.

With no other discussion or business before the council, motion to adjourn meeting was made by David Jones, second by Katrina Hennings at 8:30 pm.

ATTEST: HELEN WILLIAMS

MAYOR, WILLIAM ISLEY