

**CITY OF SPRINGVILLE  
CITY COUNCIL  
MAY 3, 2010 REGULAR MEETING**

The City Council of the City of Springville (the "Council") held its regularly scheduled meeting at 6:00 P.M. on May 3, 2010.

**ROLL CALL:**

Present: Members: Mayor William Isley, Wayne Tucker, Herbert Toles, Hugh Marlin, Katrina Hennings, John Coyne, David Jones, and Brian Skinner.  
Absent: None

Mayor William Isley called the meeting to order and gave the invocation which was followed by the Pledge of Allegiance. Mayor Isley reviewed procedure for council meetings and asked the audience to be respectful of the opinions of others and to understand that the council was making decisions based on what they felt was best for the City of Springville.

**Visitors**

Matt Means, candidate for St. Clair County Board of Education District 3 spoke about his qualifications and asked for support in the election.

Stan Batemon, candidate for St. Clair County Commission Chairman spoke regarding his qualifications and asked for support in the election.

David Jones made a motion to amend the agenda to allow Representative Jim McClendon to make a presentation. Katrina Hennings seconded the motion. All voted aye.

Representative McClendon presented a check for \$20,000.00 to the children present in the audience for the purchase of playground equipment for the park. Mayor Isley said that this contribution will be added to previous contributions and fundraisers to purchase additional equipment for the playground.

Frank Pearson, Chairman of the Historical Commission, was recognized and asked the council for guidance on the Crown Binder building. Mr. Pearson said that the Commission is concerned about the appearance of the property in addition to the liability issues due to the condition of the building. Mr. Pearson said that he does not believe that the current owner has funding available to make the necessary repairs to correct the hazardous condition or to bring the building to a useable condition. City Attorney James Hill advised that the city can only take action to require remedy of the public safety issue but that if the owner does not take the necessary action, then the City's only option would be to demolish the building and place a lien on the property but that it is possible that the lien might not be satisfied due to the value of the property being less than the cost of the demolition. Mayor William Isley said that he had received a cost estimate of at least \$1,000,000.00 to bring the building to a useable state. Mr. Pearson said that the owner had petitioned the Historical Commission for a permit to demolish the building but was denied based on the proposed use of the property after demolition. Mr. Pearson said that he believed that the owner might be willing to repetition for demolition with a different post-demolition use. After lengthy discussion, Wayne Tucker made a motion to send a

letter to the owner giving him sixty days to correct the safety issue or to give an agreement to restore the building to useable condition. Brian Skinner seconded the motion. All voted aye.

#### **Option to purchase Sparks property**

Mayor William Isley presented information on the option to purchase sixty acres of property adjacent to Walmart at a cost of \$1,600,000.00 for future use as a sports complex. Mayor Isley said that if the Council does vote to purchase the property the first phase will be to construct a road and parking lot and at that time the City will work with the sports organizations to build the fields and design the complex. Mayor Isley said that the Council has met with the bond counsel regarding the availability of funding through the RZED bond program through which the funding of \$2,100,000.00 will be obtained at an interest rate of 3.4% with the federal government subsidizing 45% of the interest payments. Katrina Hennings made a motion to go ahead with the \$5,000.00 option on the property contingent on viability studies, acceptable financing, and budget constraints. John Coyne seconded the motion. All voted aye.

The Council took a 2 minute recess and reconvened at 7:40 PM.

#### **Ordinance 2010-03 – Amend the Tobacco Tax Ordinance**

Ordinance 2010-03 was presented to amend the tobacco tax ordinance (Ordinance 2003-22) to clarify the definition of “package” of tobacco products to mean any collection of 24 tobacco products. Wayne Tucker made a motion to suspend the rules for immediate consideration of the ordinance. Katrina Hennings seconded the motion. A roll call vote was taken: Skinner voted aye, Jones voted aye, Coyne voted aye, Hennings voted aye, Isley voted aye, Tucker voted aye, Marlin voted aye and Toles voted aye. Motion carried. David Jones made a motion to adopt Ordinance 2010-03. Wayne Tucker seconded the motion. All voted aye. Motion carried.

#### **Ordinance 2010-04 – Amend the Alcoholic Beverage Regulations Ordinance**

Ordinance 2010-04 was presented to amend the alcoholic beverage regulations ordinance (2001-12) to increase the application fee and to require one newspaper publication of the hearing to consider the application. Herbert Toles made a motion to suspend the rules for immediate consideration of the ordinance. Wayne Tucker seconded the motion. A roll call vote was taken: Skinner voted aye, Jones voted aye, Coyne voted aye, Hennings voted aye, Isley voted aye, Tucker voted aye, Marlin voted aye and Toles voted aye. Motion carried. Herbert Toles made a motion to adopt Ordinance 2010-04. John Coyne seconded the motion. All voted aye. Motion carried.

#### **Ordinance 2010-05 - Sales Tax Holiday**

Ordinance 2010-05 was presented to exempt certain covered items from the municipal sales and use tax during the first full weekend of August, 2010, as authorized by Act 2006-574. David Jones made a motion to suspend the rules for immediate consideration of the ordinance. Herbert Toles seconded the motion. A roll call vote was taken: Skinner voted aye, Jones voted aye, Coyne voted aye, Hennings voted aye, Isley voted aye, Tucker voted aye, Marlin voted aye and Toles voted aye. Motion carried. Herbert Toles made a motion to adopt Ordinance 2010-05. John Coyne seconded the motion. All voted aye. Motion carried.

#### **March Financial Statement**

David Jones made a motion to approve the March 2010 financial statement. Hugh Marlin seconded the motion. All voted aye.

### **Fireworks Ordinance**

David Jones said that he asked that the council review the ordinance regulating fireworks displays due to previous problems with commercial grade displays at Homestead Hollow causing problems with livestock. David Jones suggested that the persons acquiring permits for such displays from the fire department be required to give prior notification in the form of banners to alert residents that the display will take place. Fire Chief Richard Harvey said that he had spoken to the owners of Homestead Hollow and they had agreed to make the notifications prior to their activities and that he would require such notification on future applications.

### **Use of Capital Improvements Funds for police building renovation**

Mayor Isley said that it had been brought to his attention that the funds in the Capital Improvements bank account could be used to renovate the new police building. This would accomplish both providing a better facility for the police department and moving the water department back to the city hall as recommended by the auditor. Mayor Isley said that there is approximately \$190,000 in the account plus the police department has raised approximately \$6,000 through fundraisers for the project. Kyle Franklin from Williams-Blackstock Architects was recognized and said that he could review the plans to make best use of the available funds. There was discussion on using the funds from the seized narcotics account and James Hill said that he would check on the legality of that use. John Coyne made a motion to use the Capital Improvements funds to renovate the police building, leaving \$1000.00 in the account. David Jones seconded the motion. All voted aye.

### **Storage building for fire department**

Fire Chief Richard Harvey presented a proposal to expand the existing storage building at the fire department to store equipment. Herbert Toles made a motion to appropriate \$30,000 from the 2 mil ad valorem fire funds to construct the addition upon acceptance of bids. David Jones seconded the motion. All voted aye.

### **Approval of minutes**

David Jones made a motion to approve the minutes of the April 5 work session and regular meeting, April 19 regular meeting, and April 27 special called meeting. John Coyne seconded the motion. All voted aye.

### **Mayor's Report**

Mayor Isley said that Clean Up Day was a success and thanked everyone who participated.

Springfest will be May 8 from 2 pm until 10 pm featuring musical entertainment and local arts and crafts.

The St. Clair County Animal Shelter will have a fundraiser on May 21.

The Alabama League of Municipalities has awarded the City of Springville the Gold Award for risk management due to a loss ration below 5% for 2009.

Take a Kid Fishing Day will be May 22 from 9:00 AM until 2:00 PM at Big Springs Park with entertainment, food and free fishing for kids 15 and under.

Mayor Isley commended Earl Peoples for his work on the bridge at the park and discussed the new plan for handicapped parking in the current parking area with regular parking across the bridge.

With no further business to come before the council, Wayne Tucker made a motion to adjourn at 8:27 PM. Herbert Toles seconded the motion. Motion carried unanimously.

Attest:

---

Kelli Lee, City Clerk

---

William Isley Jr., Mayor