

**CITY OF SPRINGVILLE
CITY COUNCIL
REGULAR MEETING
July 18, 2011 6:00 P.M.**

ROLL CALL:

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

Public Hearing – Alcoholic Beverage Application

John Coyne made a motion to open the public hearing regarding an off-premises beer and off-premises wine license for Mazhor Investments Inc., dba Texaco. Herbert Toles seconded the motion. All voted aye.

Mayor William Isley asked for public comments regarding the application. None were heard.

Wayne Tucker made a motion to close the public hearing. John Coyne seconded the motion. All voted aye.

Mayor William Isley called the regular meeting to order and gave the invocation. John Coyne led the Pledge of Allegiance.

Amendments to Agenda

David Jones made a motion to amend the agenda to include discussions on the sign ordinance, trash/debris collection, an executive session, and a resolution to divide the sports complex project into phases. Katrina Hennings seconded the motion. All voted aye.

Jerry Windle – Springville Sports Association

Jerry Windle from the Springville Sports Association introduced the players and coaches for the 8 and Under Boys Baseball Team which is going to the World Series. The council congratulated the players and coaches on their achievements and wished them good luck at the tournament.

John Coyne made a motion to make a donation of \$1,200.00 through the Chamber of Commerce to the Springville Sports Association for use by the team for expenses for the trip. Wayne Tucker seconded the motion. All voted aye.

Alcoholic Beverage Application

Mayor William Isley asked if anyone was present from Mazhor Investments Inc. to answer questions regarding the alcoholic beverage application. No one was present. Mayor William Isley said that the city is no longer allowed to conduct criminal background checks on applicants for alcoholic beverage permits. Chief Greg Charles said that he had discussed the issue with Johnny Cantrell of ACJIS who confirmed that the background checks are not allowed. Chief Charles said that he has requested information from Alabama Background Check regarding the procedure and cost of requesting records but has not received the information yet. Chief Charles suggested that the ordinance be amended to reflect the new procedure. Mayor William Isley asked Chief Charles and City Clerk Kelli Lee to make the necessary changes to the ordinance and submit to James Hill for review.

Brian Skinner made a motion to approve the off-premises beer and off-premises wine application submitted by Mazhor Investments Inc dba Texaco 335. Katrina Hennings seconded the motion. All voted aye.

Minutes of July 5 Regular Meeting

Hugh Marlin made a motion to approve the minutes of the July 5 regular meeting as presented. Herbert Toles seconded the motion. All voted aye.

Financial Report – June 2011

Wayne Tucker made a motion to approve the June 2011 Financial Report. Herbert Toles seconded the motion. All voted aye.

Trash/Debris Pickup

David Jones said that he had been told that individuals were required to call and request debris pickup from the sanitation company. Mayor William Isley said that the previous company did not require residents to request pick up and that he would contact the company to be sure that procedure is continuing to be followed.

Resolution 2011-15 Sports Park Construction

David Jones made a motion to suspend the rules for immediate consideration of Resolution 2011-15 to divide the sports park project into phases. Katrina Hennings seconded the motion. A roll call vote was taken with results as follows: Toles-aye, Marlin-aye, Tucker-aye, Isley-aye, Hennings-aye, Coyne-aye, Jones-aye, and Skinner-aye. Motion carried.

Wayne Tucker made a motion to adopt Resolution 2011-15 dividing the sports park project into phases as follows: Phase 1 - Site Preparation, Phase 2 – Construction, and Phase 3 – Landscaping. Katrina Hennings seconded the motion. All voted aye.

Sign Ordinance Enforcement

Mayor William Isley said that he had received complaints from business owners on the enforcement of the sign ordinance regarding portable signs in the business district on Highway 174. Earl Peoples addressed the council about the requirements in the ordinance that portable signs be non-illuminated and only allowed for 60 days from the date of the permit. After discussion, the council instructed that the sign ordinance is to be enforced in a fair and equal manner as written with business owners having the option of requesting a variance from the Board of Zoning Adjustment.

John Bowlin – Streetscape Project and Downtown Drainage Project

David Jones made a motion to amend the agenda to allow input from John Bowlin of Jones, Blair, Waldrup and Tucker regarding the streetscape project. Mr. Bowlin said the application has been sent from the Birmingham office to the Montgomery office for approval.

Mayor William Isley said that the permit has been approved for the downtown drainage project and that the project should be completed within thirty to sixty days.

Herbert Toles – Mosquito Spraying and Fireworks

Herbert Toles asked if the city was spraying for mosquitoes. Earl Peoples said that they had sprayed before the rain began and that spraying would begin again once the rain has stopped.

Herbert Toles asked about the legality of fireworks. Mayor William Isley said that the ordinance allows any fireworks that are sold at fireworks stands.

Executive Session

Upon notification by City Attorney James Hill of potential or threatened litigation meeting the requirements for executive session, Wayne Tucker made a motion to go into executive session. Herbert Toles seconded the motion. A roll call vote was taken with results as follows: Toles-aye, Marlin-aye, Tucker-aye, Isley-aye, Hennings-aye, Coyne-aye, Jones-aye, and Skinner-aye. Motion carried. It was advised that the session would last approximately twenty (20) minutes and that no action would be taken by the Council once the Council Meeting was reconvened related to this matter. (7:30 p.m.).

Attached and made a part of these minutes is a letter from City Attorney James Hill related to the executive session and reasons for going therein.

Mayor Isley called the meeting back to order in regular session. (8:40 p.m.)

With no further business to come before the council, Hugh Marlin made a motion to adjourn. Katrina Hennings seconded the motion. All voted aye.

Attest:

City Clerk

Mayor