

**CITY OF SPRINGVILLE  
CITY COUNCIL**

The City Council of the City of Springville (the "Council") held its regularly scheduled meeting on September 8<sup>th</sup>, 2009.

**ROLL CALL:**

Present: Mayor, William Isley, Members, Wayne Tucker, Herbert Toles, Hugh Marlin, Katrina Hennings, John Coyne, and David Jones.

Absent: Brian Skinner.

**Public Hearing on Kilpatrick Rezoning; MR to RE**

Mayor Isley stated the first order of business was to open a public hearing for the rezoning of a recently annexed parcel of land, owned by Mark and Marie Kilpatrick. This parcel is at 186 Fern Creek Circle and is currently in Municipal Reserve. He stated that the proposed zoning is RE (Residential Estate). He opened the hearing at 6:15 PM and called for any comments from the public. Being no comments, David Jones moved to close the public hearing. A second was made by Herbert Toles. Motion carried unanimously.

**Visitors**

Mayor Isley called the regular meeting to order and gave the invocation. John Coyne led the Pledge of Allegiance. Mayor Isley stated that a work session had been held at Big Springs Park prior to the regular meeting to discuss the placement of playground equipment and agreed funding would need to be in place before the city could taken any action..

Mayor Isley suspended the regular order of business to recognize our visitor: Joseph Ronderos, Jr, who has completed an Eagle Scout project that involved putting up fencing at Big Springs Park. Mr. Ronderos stated he was responsible in overseeing the project, but received help from other scouts. Mayor Isley and the City Council thanked Mr. Ronderos for his efforts and for a job well done. Mayor Isley also thanked him for being a good role model for other youths to follow.

Next, Mayor Isley asked the council for approval to amend the agenda to allow Don Smith with the Economic Development Council to speak. All agreed to amend the agenda as requested by Mayor Isley. Mr. Smith stated that he had recently been named interim director of the Economic Development Council and announced that Homestead Hollow in Springville had been chosen for the site to hold this year's annual shareholder appreciation celebration. This event is scheduled to be held on Thursday, September 10<sup>th</sup> at 6:00 pm; however it was unfortunately restricted to partners of the organization, but felt the event would bring in many people to visit the community. This event also reaffirms EDC's commitment to the shareholders and EDC is still committed to Springville.

**Resolution 2009-18; Agreement between Mayor and State  
Relating to Transportation Enhancement Project**

Mayor Isley stated the first order of regular business was the consideration of Resolution 2009-18, authorizing the mayor to enter into an agreement with the State of Alabama, through

the Alabama Department of Transportation, relating to a Transportation Enhancement project. He stated this is phase one (1) of the Streetscape Grant of \$381,108, with the local share at \$76,221. There was discussion on the funds not going out until sometime later in the following year because the construction had not begun. Herbert Toles asked if the monies were going to be release on a federal level. Mayor Isley stated that it had not been approved yet, but it was highly likely that it would be approved. Wayne Tucker stated that he had spoken with someone at ALDOT who told him that they had approved the funds.

David Jones made a motion to suspend the rules and consider this resolution at this meeting. Hugh Marlin seconded the motion. Mayor Isley called for voice votes: Toles, yea; Marlin, yea; Tucker, yea; Isley, yea; Hennings, yea; Coyne, yea; Jones, yea. Motion carried. Skinner was absent.

Wayne Tucker made a motion to approve Resolution 2009-18. Second was made by Katrina Hennings. Motion carried unanimously. Skinner was absent.

**Resolution 2009-19; Elect Peoples as  
Coosa Valley Water Supply District Representative**

Mayor Isley stated the next item on the agenda was the consideration of Resolution 2009-19, to elect Earl Peoples as the representative on the Board of Directors of the Coosa Valley Water Supply District. Motion to suspend the rules and consider at this meeting was made by Herbert Toles, seconded by Wayne Tucker. Mayor Isley called for voice votes: Toles, yea; Marlin, yea; Tucker, yea; Isley, yea; Hennings, yea; Coyne, yea; Jones, yea. Motion carried. Skinner was absent.

Herbert Toles made a motion to approve Resolution 2009-19. Hugh Marlin seconded the motion, which carried unanimously. Skinner was absent.

**Resolution 2009-20; Approval of De-annexing  
Allen Property at 650 Washington Valley Road**

Mayor Isley advised the consideration of Resolution 2009-20 was the next order of business. This resolution would be to approve the de-annexation of part of Parcel 5 of Robert Allen's property at 650 Washington Valley Road. City Attorney, James Hill, described the process of this de-annexation, and recommended that the owner be required to provide a correct legal description and survey and should bear the cost since he had not previously provided that to the city. Herbert Toles made a motion to table Resolution 2009-20. Motion was second by Katrina Hennings. Motion carried by unanimous vote. Skinner was absent.

**Amendment # 76 to the Zoning Ordinance  
Rezoning of Kilpatrick Property from MR to RE**

Mayor Isley stated the next agenda item was Amendment #76 to the Zoning Ordinance and map to remove the Kilpatrick property from MR (Municipal Reserve) to RE (Residential Estate). He advised the Planning and Zoning Commission had recommended this rezoning. Wayne Tucker made a motion to approve the amendment as presented and Herbert Toles seconds the motion. Motion carried unanimously. Skinner was absent.

### **Library Report**

Mayor Isley stated that a library report for the month of July was presented to the council for review. There was no discussion.

### **Appoint Hudgins to Historical Commission**

Mayor Isley recommended Susan Hudgins to complete the term of Sherry Reaves on the Historical Commission, which expires April of 2010. Ms. Hudgins lives at 131 New Talladega Road. David Jones made the motion to approve the appointment, and John Coyne seconds the motion. Motion carried unanimously. Skinner was absent.

### **Consideration to Advertise in the St. Clair County Magazine**

Mayor Isley stated that The Daily Home had requested the city to consider purchasing an ad in the Discover St. Clair County Magazine to help in promoting Springville. Herbert Toles made a motion to table the request, seconds by Wayne Tucker. After some discussion, the Council decided not to act on the request, due to the economic conditions.

### **Medical Invoice of Inmate**

Mayor Isley reported the next order of business was the consideration of several invoices due to St. Vincent's, St. Clair for medical expenses incurred to a city inmate by a county inmate while under the County's custody in the county jail. Mayor Isley advised the total amount due was \$3,214.54, but if the invoices were paid this month a 20% discount could be taken. City Attorney, James Hill, explained that the city is responsible for its prisoners and the county is not an insurer of the city inmates. After hearing concerns of the city's liability, Mr. Hill stated that he would research to see if there is insurance the city could purchase for city inmates while in the custody of the county in the county jail.

David Jones made a motion to approve the invoices paid as presented. Katrina Hennings seconds the motion, which carried unanimously. Skinner was absent.

### **Approval of Minutes**

Mayor Isley presented the minutes from the Work Session and the Regular meeting of the City Council held on August 17, 2009 for the council's approval.

Hugh Marlin motioned to approve the work session minutes of the August 17, 2009 as presented. Herbert Toles seconds the motion. Motion carried unanimously. Skinner was absent.

Hugh Marlin made the following correction on page 3 of 4 of the August 17, 2009 regular City Council minutes, to strike "**and it is only about 15% financially base**" from the first paragraph. Hugh Marlin made a motion to approve the minute's contingent to this correction being made. David Jones seconds the motion, which carried unanimously. Skinner was absent.

### **Increase in Water Rates**

Mayor Isley turned the floor over to the Director of Public Works, Earl Peoples for a recommendation to increase water rates. Earl Peoples presented a proposal to increase water rates by 10% for each year over the next 3 years. He further explained the increase would be

necessary to maintain operation costs, after the Coosa Valley Water project was complete. Peoples also advised the recommendation was made from the bond holders to increase our rates when this project started. Peoples stated the former Mayor chose not to bring it before the Council. Peoples also advised that a larger rate increase might be necessary in the third year. Hugh Marlin suggested that the increases be handled one year at a time. Wayne Tucker echoed this suggestion, and stated he does not believe the water department should make a profit, but be able to cover all their expenses to operate. Mayor Isley stated the water department had been operating in the red for a number of months this past year and it is difficult to project revenues. Herbert Toles asked if the new water meters were more accurate. Mr. Peoples stated they were more efficient than the old meters, but sales had been down since they were installed due to water restrictions. John Coyne voiced concerns for the customers who were already having a difficult time paying their bill. Mr. Peoples advised that department works with people in situations like this. David Jones asked what the average household water consumption and Mr. Peoples replied the national average was 5,000 to 7,500 gallons per month. Wayne Tucker made a motion to suspend the rules and consider the recommendation at this meeting and second was made by John Coyne to consider the water rates increase. Mayor Isley called for voice votes: Toles, yea; Marlin, yea; Tucker, yea; Isley, yea; Hennings, yea; Coyne, yea; Jones, aye. Motion carried.

Skinner was absent.

Hugh Marlin made a motion to approve an increase of 10% for this year (2009-2010) effective October 1, 2009. David Jones seconds the motion, which carried unanimously.

Skinner absent.

### **Proposed 2009-2010 Budget**

Mayor Isley stated the proposed budget for the 2009-2010 fiscal year is the next item on the agenda. Mayor Isley stated that he and Mollie Lyle, the Finance Director, had worked diligently to formulate the figures presented. He stated one of his main goals was to have a revenue based budget, rather than one based on projected expenditures, as it has been done in the past. He advised they had slashed \$1 million off of the total budget that the department heads presented. He also stated that another one of his goals was to keep from laying off any employees as suggestions had been, but he decided to make cuts that would affect all employees equally so that no employees would have to be laid off. He stated these cuts included paying less of the employees' health insurance, parking city vehicles, cutting out overtime, and giving no cost of living or merit raises and added that these measures do not require council approval. He stated that the proposed budget does not have anything to do with expenditures of prior years, but is based on projected revenue in a bad economy. He said this budget is based on a slight increase in revenues, but if revenues do not increase by January or February, some measures might have to be readdressed, but as for now this is the way the city needs to operate until the economy gets better.

Herbert Toles asked if the mayor had researched prices of health insurance with other companies. Mayor Isley replied that United Healthcare is higher, but there might be others lower. Herbert Toles asked if the economy did get better, could a cost of living raise be given. Mayor Isley replied, yes it could definitely be given if there was enough revenue increase. Wayne Tucker stated that the expenses for the Mayor and Council for going to the league convention should be cut out. Mayor Isley stated that it has already been cut and added that all educational funding had been cut except what was necessary for employees required to keep up their

certifications. Hugh Marlin stated it was commendable for the Mayor to try to save all the employees. Hugh Marlin made a motion to table the budget until the next meeting. David Jones seconds the motion. Mayor Isley stated that a work session would be held at 5:00 PM, before the next meeting on September 21<sup>st</sup> to discuss the budget. Motion carried unanimously. Skinner absent.

### **Letter from Louise Campbell on Grants**

Mayor Isley stated a letter from Louise Campbell had been provided to the City Council showing the city requests for 2010 Congressional Appropriation requests filed with Congressman Bachus, Senator Shelby and Senator Sessions.

### **Reports**

**Mayor Isley** reported;

1. He has met with Windstream and other phone companies to provide better phone service. Windstream has suggested moving the emergency hub to the fire station.
2. He met with the engineers on the drainage project and everything is going well.
3. He asked the Council if a Town Hall meeting should be held concerning the possibility of demolishing a building in the historic district. All agreed that this would be a good idea, and that City Attorney, James Hill, would need to be present to explain any liabilities the city might have.

**David Jones** reported;

1. He had a complaint from a resident about the firework display that was held at Homestead Hollow last weekend. The complainant's horses were scared by the noise, and asked if the Council could look into amending the ordinance concerning professional firework close to residential areas. Fire Chief Richard Harvey explained that this entity had obtained proper permitting, but suggested that a limit be placed on the size of the ammunition. City Attorney, James Hill was requested to research what other municipalities have in place concerning this matter and bring back before the Council.
2. He spoke with Brian Skinner before the meeting. Mr. Skinner said he has talked with Jenny Seals at the Board of Education, who advised him that the board does not have any funds available for emergency personnel to work any athletic games.

**Mike Terry and Earl Peoples** had no report.

**Chief Greg Charles** was absent.

**Chief Richard Harvey** reported;

1. He advised the Woodall Building, presently Sal's Restaurant, had a structural engineer inspect the building. Also the owner of the building understands that the second floor is not to be occupied until the report comes in.
2. He informed everyone that October is fire prevention month and the fire department will have an open house at the fire station on October 11<sup>th</sup> starting at 1:00 PM. everyone was encouraged to drop by.

3. Has did not have a written report, due to the department being so busy. He commended his guys for the good job they had done.

**John Coyne** reported;

1. He asked the status of the funding for the senior citizen program. Mayor Isley stated that he is still waiting to see if there were any budget figures coming from the Count Commission. He advised there is no allotment in the proposed budget for the program, but receipts could be presented for reimbursement requests. He also added there were no contributions included in the budget.

2. He asked about police protection at football games. Mayor Isley stated that the city would no longer provide this service, but the school has agreed to contract with off-duty officers for this service. He stated that other schools do this, but Springville has agreed to pay for the cost of the fuel for the police officers to the away games. Fire Chief Harvey replied they will still have an ambulance present, as long as there is not an emergency elsewhere. Katrina Hennings asked if an on duty officer could work the events. Mayor Isley stated that he thought this would delete resources from the rest of the city. David Jones stated that he would like to have a cruiser go to all away games. Mayor Isley reiterated that he was attempting to put the same payment system in place as other cities are already doing.

**Wayne Tucker** reported;

1. He received complaints about speeding on Gin Street, but he realized there were no speed limit signs on the road and requested that Earl Peoples, Director of Public Works, and Mayor Isley look into this.

2. He had received complaints about a pack of dogs on Depot Street that killed several cats. Earl Peoples replied that a trap has already been set trying to catch them.

**Hugh Marlin** reported;

The RFP on the library project was due by Thursday, September 10<sup>th</sup>. He requested the library committee be allowed to rate the RFP and make a recommendation of the firm chosen to the City Council. City Attorney, James Hill, stated this would be appropriate.

**Herbert Toles** reported;

He asked about the piping project on Sunset Dr. Earl Peoples, Director of Public Works, advised the project is about to start, but they lacked about 40 feet of pipe to finish the job. Herbert Toles asked that the funding be approved to purchase this material. Mayor Isley advised Peoples would have to get approval from the Mayor since the cost would be over \$500.

**Citizen comment;**

Shirley Woods stated that the senior citizens program was doing great, and expressed her concerns about paying for everything upfront then reimbursement would be made to her after she does a request for reimbursement. If there is no funding available, she would not be able to continue to do so. She asked if they could charge for the food. City Attorney, James Hill, advised he would research the legality of this.

Wayne Tucker motioned to adjourn at 9:05 PM. Motion was second by Herbert Toles. Motion carried unanimously.

Attest:

\_\_\_\_\_  
Brenda Roberts, City Clerk

\_\_\_\_\_  
William Isley, Mayor

\_\_\_\_\_  
Jennifer Milner, Assistant City Clerk

Minutes transcribed by Brenda Roberts and Jennifer Milner and typed by Jennifer Milner.