

City Council Work Session
July 20, 2009 at 5:30 P.M.

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

Mayor Isley called the work session to order.

Fireworks Ordinance 2009-05 tabled from the last meeting was open for discussion. City Attorney James Hill stated he revised the ordinance based on the council's recommendation as follows:

1. Section 3 of proposed Ordinance 2009-05 restricting the discharging of fireworks inside the City limits is set forth between the hours of 5:00 p.m. and 9:30 p.m., except on January 1st and July 5th the hours are set between the hours of 12:00 a.m. and 1:00 a.m.
2. Section 4 is for anyone who wishes to discharge fireworks during "Special Events" other than the times set forth in Section 3, may apply for a variance by application.

Council discussed the procedures and penalties that will apply for those who are in violation of the Ordinance. Mayor Isley called on Chief Charles to address complaints received about fireworks. Chief Charles stated the police department received several complaints during the 4th of July, but when the citizens were notified of the complaints they stopped shooting fireworks.

Mayor Isley stated he will vote against the ordinance, because he feels this is an invasion of individual citizen rights. Wayne Tucker advised he feels the same way, but he has received complaints from citizens in his district. Hugh Marlin questioned why a fireworks ordinance was being considered. Herbert Toles replied, during the last administration he received complaints and was told the City could not enforce, because there was no ordinance in place. The Council then made the decision to amend the noise ordinance or adopt an ordinance to address fireworks. Since no action can be taken at a work session, the Council will consider Ordinance 2009-05 at the regular Council meeting following this work session.

In other business Mayor Isley advised most cities in St. Clair County already have in place an Ordinance addressing Electronic Bingo. Mayor Isley advised, three business license applications have been filed with the City for electronic bingo and was told the City of Springville is following the Order of Stay set forth by St. Clair County Judge Robinson, until such time the Supreme Court rules. Mayor Isley made it clear to everyone that if the City does adopt an Ordinance it does not mean this Council supports electronic bingo, but the City needs to have something in place should the Supreme Court rule in favor of electronic bingo. City Attorney James Hill stated if the Supreme Court rules in favor of electronic bingo the City cannot deny the applications, but the City can have an Ordinance in place establishing certain requirements set by the City Council before an application is approved.

Council briefly discussed and agreed to have our City Attorney James Hill prepare a draft ordinance for the Council to consider at a work session for further discussion.

Mayor Isley adjourned the work session at 5:55 p.m.

Attest:

Brenda Roberts, City Clerk

Mayor William Isley