

CITY HALL, DECATUR, ALABAMA, APRIL 30, 2012 – WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on April 30, 2012 at 5:00 p.m. on the 7th floor of City Hall, with Council President Hammon presiding.

The following members were present: Hammon, Anders, Jackson and Kirby

Also present were City Clerk-Treasurer, Stacy Gilley, City Attorney Herman Marks, Planning Supervisor Karen Smith, Finance Supervisor Linda McKinney, Revenue Supervisor Tina Boyles and I.T. Director Todd Russell.

Council reviewed the agenda for the May 7, 2012 City Council meeting.

Council President Hammon opened the floor for comments and there being none the work session was adjourned at 5:32 p.m.

Minutes dated April 30, 2012 read, approved and adopted on June 4, 2012

MINUTES
OF A
SPECIAL CALLED MEETING
OF THE CITY COUNCIL
OF THE CITY OF DECATUR, ALABAMA
APRIL 30, 2012

The City Council of the City of Decatur met in a special called session at City Hall in the City of Decatur on Monday the 30th day of April, 2012. Prior to the meeting being called to order, a Waiver of Notice was signed by all council members in attendance.

Noting that a quorum was present, the meeting was called to order at 5:40 p.m. by Council President Hammon.

Council President Hammon provided the invocation and led the Pledge of Allegiance.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE:

Roll call of Elected Governing Officials was conducted by City Clerk-Treasurer Stacy A. Gilley and recorded as follows:

Council President, Gary Hammon	Present
Council Member, Roger Anders	Present
Council Member, Billy Jackson	Present
Council Member, Charles Kirby	Present
Council Member, Greg Reeves	Present

PROPOSED ORDINANCE NO. 12-4104 - AD VALOREM TAX LEVY FOR FY 13

As this was a first reading no action was taken at this time.

PROPOSED ORDINANCE NO. 12-4105 - ADOPT SALES TAX HOLIDAY FOR 1ST WEEKEND OF AUGUST 2012

As this was a first reading no action was taken at this time.

**PROPOSED ORDINANCE NO. 12-4106 - AMEND CODE OF DECATUR, ALABAMA
SECTION 9-2 AND 9-3**

As this was a first reading no action was taken at this time.

**PROPOSED ORDINANCE NO. 12-4107 - AMEND CODE OF DECATUR, ALABAMA
BY ADDING SUBPARAGRAPH (18) TO SUBSECTION (A) OF SECTION 2.5-39**

As this was a first reading no action was taken at this time.

**RESOLUTION NO. 12-116 - AUTHORIZE THE MAYOR TO APPLY FOR THE JAG
GRANT**

Council Member Jackson motioned to approve Resolution No. 12-116. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

Having no further business the meeting was adjourned at 5:51 p.m.

Minutes dated April 30, 2012 read, approved, and adopted on June 4, 2012.

CITY HALL, DECATUR, ALABAMA, MAY 2, 2012 – FINANCE COMMITTEE WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 2nd, 2012 at 12:00 p.m. on the 6th floor of City Hall, with Mayor Don Stanford presiding the meeting.

The following Council members were present: Hammon, Anders, Kirby and Reeves

Also present were City Attorney Herman Marks, Assistant City Attorney Chip Alexander, City Clerk-Treasurer, Stacy Gilley, Finance Supervisor Linda McKinney, I.T. Director Todd Russell, Acting Fire Chief Darwin Clark, Personnel Director Ken Smith, Revenue Supervisor Tina Boyles and Tami Reist with the Decatur Morgan County Convention and Visitors Bureau.

The following was discussed at the Finance Committee Work Session:

- Pickwick Belle Memorandum of Understanding (Hardcopy attached to Minutes)

The Finance Committee work session was adjourned at 1:00 p.m.

Minutes dated May 2, 2012 read, approved and adopted on June 4, 2012

CITY HALL, DECATUR, ALABAMA, MAY 7, 2012 – WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 7, 2012 at 5:30 p.m. on the 7th floor of City Hall, with Council President Hammon presiding.

The following members were present: Hammon, Anders, Jackson and Kirby and Reeves

Also present were City Clerk-Treasurer, Stacy Gilley, City Attorney Herman Marks, Planning Supervisor Karen Smith, Finance Supervisor Linda McKinney, Revenue Supervisor Tina Boyles and I.T. Director Todd Russell, Personnel Director Ken Smith and Acting Fire Chief Darwin Clark.

Council reviewed the agenda for the May 7, 2012 City Council meeting.

Council President Hammon opened the floor for comments and there being none the work session was adjourned at 5:58 p.m.

Minutes dated May 7, 2012 read, approved and adopted on June 4, 2012

MINUTES
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF DECATUR, ALABAMA
MAY 7, 2012

The Decatur City Council met in regular session on Monday, May 7, 2012 at 6:00 p.m. in the Council Chambers of the Decatur City Hall located at 402 Lee Street, Decatur, Alabama.

Noting that a quorum was present the meeting was called to order at 6:00 p.m. by Council President Hammon.

Chief Ed Taylor provided the invocation and Council President Hammon led the Pledge of Allegiance.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE:

Roll call of Elected Governing Officials was conducted by City Clerk-Treasurer Stacy A. Gilley and recorded as follows:

Council President, Gary Hammon	Present
Council Member, Roger Anders	Present
Council Member, Billy Jackson	Present
Council Member, Charles Kirby	Present
Council Member, Greg Reeves	Present

PRESENTATIONS:

PROCLAMATION - MOTORCYCLE AWARENESS MONTH

Mayor Stanford declared May 2012 as Motorcycle Awareness Month.

DECATUR FIRE – RECOGNITION OF AUSTIN HIGH SCHOOL COACHES

Acting Fire Chief Clark presented Civilian Merit Awards to Coach Patrick Malone, Coach Jake Miles, and Coach Garth for their assistance in maintaining a fire.

APPROVAL OF MINUTES:

The following minutes were approved by unanimous consent.

- A. April 9, 2012 - Work Session
- B. April 16, 2012 - Work Session
- C. April 16, 2012 - Regular Meeting

PUBLIC HEARING:

RESOLUTION NO. 12-091 - ABATEMENT OF UNSAFE CONDITIONS 1005 6TH AVENUE SW OWNER: JEFF ROLLISON

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Jackson moved to approve Resolution No. 12-091. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO.12-092 - ASSESS \$2,980.00 AGAINST 213 4TH AVENUE NW FOR COST OF ABATEMENT OF NUISANCE

Council Member Jackson moved to approve Resolution No. 12-092. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

SET PUBLIC HEARINGS:

**ABATEMENT OF UNSAFE CONDITIONS LOCATED AT 1106 7TH AVE. SE
OWNER: LAURA BARKER TO BE HELD ON JUNE 4, 2012 AT 6:00 PM**

**ABATEMENT OF UNSAFE CONDITIONS LOCATED AT 203 12TH AVE. NW
OWNER: BENJAMIN NORBERT TO BE HELD ON JUNE 4, 2012 AT 6:00 PM**

RESOLUTION NO. 12-093 - AUTHORIZE THE MAYOR TO SUBMIT GRANT APPLICATION FOR THE CHILDREN'S TRUST FUND OF ALABAMA

Council Member Reeves moved to approve Resolution No. 12-093. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-094 - DECLARE SURPLUS AND AUTHORIZE THE DONATION OF 21 CHAIN LINK KENNEL GATES TO MORGAN COUNTY HUMANE SOCIETY

Council Member Reeves moved to approve Resolution No. 12-094. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

PUBLIC HEARING:

RESOLUTION NO. 12-095 - GMRI INC. D/B/A OLIVE GARDEN 1102 BELTLINE RD SW RESTAURANT RETAIL LIQUOR

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Resolution No. 12-095. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

PUBLIC HEARING:

RESOLUTION NO.12-096 - SPECIAL EVENT LIQUOR LICENSE PARFUMS DE COEUR LTD 802B WILSON STREET NW EVENT: JUNE 2, 2012

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Resolution No. 12-096. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

PUBLIC HEARING:

RESOLUTIONS NO. 12-097 - YASAI INC. D/B/A STOCK & SAVE HIGH SPIRITS 1520 W MOULTON STREET, UNIT D RETAIL LIQUOR, WINE & BEER OFF- PREMISE

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Anders moved to approve Resolution No. 12-097. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

PUBLIC HEARING:

RESOLUTION NO. 12-098 - EDUARDO'S RESTAURANT INC. D/B/A FRANCESCO'S ITALIAN RESTAURANT LOCATED AT 2613 HWY 31S FOR AN ON-PREMISE RETAIL BEER & WINE

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Resolution No. 12-098. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

PUBLIC HEARING:

RESOLUTION NO. 12-099 - GARY PULLAM & MARK PULLAM D/B/A SIXTH AVENUE BAR & GRILL 1318 6TH AVENUE SE FOR RESTAURANT RETAIL LIQUOR

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Resolution No. 12-099. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-100 - AUTHORIZE \$3,500 INCREASE TO THE STREET DEPT.BUDGET TO COVER REPAIRS TO THE CITY OWNED PARKINGLOT BEHIND THE PRINCESS THEATRE

Council Member Reeves moved to approve Resolution No. 12-100. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-101- AUTHORIZE \$21,400 INCREASE TO CAPITAL PROJECTS BUDGET FOR THE SERVICES NECESSARY TO CONSTRUCT AN INDUSTRIAL ACCESS ROAD TO BUNGE ALONG RIVERVIEW DRIVE

Council Member Anders moved to approve Resolution No. 12-101. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-102 - VACATION REQUEST NO. 472-12; VACATING 10 FT. OF A 20 FT. EXISTING D U & T EASEMENT LOCATED SOUTH OF HARBOR VIEW COURT NE AND THE WEST SIDE OF HARBOR VIEW DRIVE NE

Council Member Anders moved to approve Resolution No. 12-102. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

PUBLIC HEARING SET ON ORDINANCE NO. 12-4108 - REZONING REQUEST 1263-12;13.38 ACRES FROM R-1 TO B-1, LOCATED SOUTH OF POINT MALLARD PARKWAY AND EAST OF HWY 31S FOR JUNE 4, 2012 AT 6:00PM

PUBLIC HEARING SET ON ORDINANCE NO. 12-4109 REZONING REQUEST 1264-12; .25 ACRES FROM R-2 TO B-6, LOCATED AT 904 SIMS STREET SW FOR JUNE 4, 2012 AT 6:00PM

RESOLUTION NO. 12-103 - AUTHORIZE THE IMPROVEMENTS TO RIVERVIEW DRIVE

Council Member Anders moved to approve Resolution No. 12-103. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-104 - APPROVE SIDEWALK CAFÉ APPLICATION BY DELIGHTFUL VINO

Council Member Anders moved to approve Resolution No. 12-104. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-105 - APPROVE SIDEWALK CAFÉ APPLICATION BY THE MARKET AT MEMI'S

Council Member Anders moved to approve Resolution No. 12-105. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-106 - APPROVE SIDEWALK CAFÉ APPLICATION BY VITTONÉ'S

Council Member Anders moved to approve Resolution No. 12-106. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-107 - APPROVE SIDEWALK CAFÉ APPLICATION BY HAROLD D. COOMER

Council Member Anders moved to approve Resolution No. 12-107. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-108 - APPROVE SIDEWALK CAFÉ APPLICATION BY MINNIE LEE'S

Council Member Anders moved to approve Resolution No. 12-108. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-109 - APPROVE SIDEWALK CAFÉ APPLICATION BY COFFEE AND PLAYHOUSE

Council Member Anders moved to approve Resolution No. 12-109. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

ORDINANCE NO. 12-4104 - AD VALOREM TAX LEVY FOR FY 13 (FIRST READING 4/30/12)

Council Member Reeves moved to approve Ordinance No. 12-4104. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

ORDINANCE NO. 12-4105 - ADOPT SALES TAX HOLIDAY FOR 1ST WEEKEND OF AUGUST 2012 (FIRST READING 4/30/12)

Council Member Reeves moved to approve Ordinance No. 12-4105. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

ORDINANCE NO. 12-4106 - AMEND CODE OF DECATUR, ALABAMA SECTION 9-2 AND 9-3 (FIRST READING 4/30/12)

Council Member Reeves moved to approve Ordinance No. 12-4106. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves

NAYS: Jackson

Motion carried

ORDINANCE NO. 12-4107 - AMEND CODE OF DECATUR, ALABAMA BY ADDING SUBPARAGRAPH (18) TO SUBSECTION (A) OF SECTION 2.5-39 (FIRST READING 4/30/12)

Council Member Kirby moved to approve Ordinance No. 12-4107. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried

RESOLUTION NO. 12-110 - APPROVE \$4,800 APPROPRIATION TO ASSIST WITH JUVENILE ACCOUNTABILITY BLOCK GRANT

Council Member Jackson moved to approve Resolution No. 12-110. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried

RESOLUTION NO. 12-111 - APPROVE \$7,000 FOR WATER MAIN PROJECT ON SHADY GROVE LANE

Council Member Anders moved to approve Resolution No. 12-111. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried

ORDINANCE NO. 12-4110 - APPROVE REQUEST BY TVA TO EXTEND THE LENGTH OF EASEMENT FOR AN ADDITIONAL FORTY (40) YEAR EXTENSION FOR SIREN STRUCTURE (FIRST READING)

RESOLUTION NO. 12-112 - APPROVAL TO SUBMIT PRE APPLICATION FOR GRANT ASSISTANCE TO DEVELOP AN AMPHITHEATER STAGE

Council Member Anders moved to approve Resolution No. 12-112. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-113 - AUTHORIZE THE MAYOR TO SIGN NEW TRI-PARTY AGREEMENT WITH TVA AND HYOSUNG USA, INC. FOR 5 MINUTE RESPONSE PROGRAM

Council Member Anders moved to approve Resolution No. 12-113. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-114 - AUTHORIZE THE MAYOR TO SIGN A NEW POWER SUPPLY AGREEMENT WITH HYOSUNG USA, INC.

Council Member Anders moved to approve Resolution No. 12-114. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-115 AUTHORIZE MAYOR TO ENTER INTO AGREEMENT WITH TVA TO SUPPLY UP TO 5 MINUTE RESPONSE INTERRUPTIBLE POWER TO HYOSUNG USA, INC. AND IMPLEMENT CERTAIN WHOLESALE BILLING ARRANGEMENTS

Council Member Reeves moved to approve Resolution No. 12-115. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-117 - AUTHORIZE AGREEMENT WITH THE STATE OF ALABAMA FOR ADMINISTERING U.S. DEPARTMENT OF TRANSPORTATION FINANCIAL ASSISTANCE FOR TRANSPORTATION PLANNING

Council Member Reeves moved to approve Resolution No. 12-117. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

BOARD APPOINTMENT:

MORGAN COUNTY INDUSTRIAL PARK AND ECONOMIC DEVELOPMENT COOPERATIVE DISTRICT (TERM EXPIRES MAY 16, 2016)

Council Member Anders moved to appoint Britt Sexton. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

At 6:32 pm the Council took a break and the meeting resumed at 6:38 pm.

PUBLIC HEARINGS:

APPLICATION FOR CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE – FIRST RESPONSE

APPLICATION FOR CERTIFICATE OF PUBLIC NECESSITY AND CONVENIENCE. - NORTHSTAR NEMS, INC.

Acting Fire Chief Clark stated that both applicants meet the requirements in the EMS ordinance based on what was stated in their CPNC applications on the EMS services they could provide the City of Decatur.

Acting Fire Chief Clark gave a presentation on the current EMS system and made the recommendation that all the ambulances needed to be equipped with the Automatic Vehicle Locator (AVL) systems so all calls will be responded to within the eight minutes or less by either sole or multiple providers. Council member Jackson stated that if a provider had adequate

coverage with the AVL system he does not see why it would be necessary to have more than one provider as recommended by EMS committee.

Chief Taylor stated the ordinance charges the Police department to review certain aspects of the applications along with the Fire department. Chief Taylor reported to Council the findings on both applicants.

Dr. Sullivan, EMS Committee Chairman, stated the EMS Committee submitted a formal statement to Council on the results of their meeting. Dr. Sullivan stated that the committee did not recommend positively or negatively on NorthStar as a provider. Dr. Sullivan stated the committee gave a negative recommendation on First Response. He also stated the committee has no recommendation on whether or not the City of Decatur should have multiple providers.

Dr. Sullivan gave Council his personal opinion on this matter which is that he does not believe that a single provider is the best recommendation for the City of Decatur. This is due to the current system in place.

Barney Lovelace, representing DEMSI Inc., stated the current ordinance is comprehensive and has accountability within the structure of it. It does require reporting from the current provider and they have been giving quarterly reports. Mr. Lovelace gave a presentation on the items listed in Sec. 3-15.1-7 of the Decatur Code of Alabama and his findings that he felt relevant to bring out on both CPNC applicants and stated he had furnished these to the City Attorney's office. Mr. Lovelace reported on the equipment and healthcare that is provided by DEMSI.

Mr. Eric Summerford, representing First Response, stated citations that have occurred against DEMSI.

Council took a break at 7:52pm and reconvened at 8:00pm

Mr. David Childers, Owner of First Response gave a presentation on the services they could bring to Decatur. (Hard copy attached to Minutes)

Council President Hammon opened the floor for public comments.

The following spoke against DEMSI:

Susan Donahue, previous employee with DEMSI for 16 years

Sammy Foster, 517 Memorial Drive, NW

Jim Shaddix, 11th Street, former employee of DEMSI

Bill Metzler, Wilson Street, EMT with DEMSI

The following spoke on the matter:

Debbie Cox, Operations Manager DEMSI – spoke against Ms. Donahue's allegations

Ryan Welty, 308 Canal Street NE, Morgan County 911 – addressed the issue of ambulances not being available and presented Council with facts

Council President Hammon closed the public hearing and let the next applicant NorthStar NEMS show their presentation.

Edgar Callaway, Director of Operations, NorthStar – gave presentation on company and how they could benefit City of Decatur and addressed the allegations made against NorthStar.

Council President called a recess at 9:00pm and said the meeting will reconvene at 9:10pm.

The meeting was called back to order at 9:10pm.

The floor was opened for comments from the public. Discussion was held on whether or not the City of Decatur could support multiple providers. Council member Jackson stated when he first came on Council the City had multiple providers and were unable to support them. Council member Kirby read a statement regarding his concerns on this matter and to uphold the ordinances. Further discussion was held on having a contract for services and requiring a minimum number of ALS trucks for 911 calls.

Council President Hammon closed the public hearing.

Council Member Kirby stated he would like to make the motion to get this matter on the table to not continue rehashing same issues.

Council Member Anders does not feel comfortable without a recommendation from EMS committee and Fire Department who are the experts in this field.

Council Member Reeves believes that the simpler way would be opening it up to two providers and let competition work it out and let Acting Chief Clark have more input.

Assistant City Attorney, Chip Alexander advised Council that if they wanted to move forward tonight that it should be a two-step process. First decide whether or not the climate supports an additional ambulance. If yes then you choose one of the services, both of the services or neither of them. Also Mr. Alexander reminded Council that the Fire department would like to have at least 30 days to coordinate with the 911 center.

Council Member Kirby moved to add additional ambulance providers for the City of Decatur. Council Member Reeves seconded.

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

Council Member Kirby moved to approve First Response as a provider contingent upon EMS Committee and Acting Chief Clark's guidelines. Council Member Anders seconded based on the requirements set forth by the Fire Chief and EMS Committee. The vote was recorded as follows:

AYES: Hammon, Anders and Kirby
NAYS: Jackson and Reeves

Motion carried

Council Member Anders moved to approve NorthStar as a provider contingent upon the EMS Committee and Acting Chief Clark's guidelines. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

Having no further business the meeting adjourned at 9:52pm

Minutes dated May 7, 2012 read, approved and adopted on June 4, 2012

CITY HALL, DECATUR, ALABAMA, MAY 9, 2012 – FINANCE COMMITTEE WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 9nd, 2012 at 12:00 p.m. on the 7th floor of City Hall, with Mayor Don Stanford presiding the meeting.

The following Council members were present: Hammon, Anders, Kirby and Reeves

Also present were City Attorney Herman Marks, Assistant City Attorney Chip Alexander, City Clerk-Treasurer, Stacy Gilley, Chief Taylor, Finance Supervisor Linda McKinney, I.T. Director Todd Russell and Wally Terry.

The following was discussed at the Finance Committee Work Session:

- Mid- year budget
- Capital Priority request

The Finance Committee work session was adjourned at 1:00 p.m.

Minutes dated May 9, 2012 read, approved and adopted on June 4, 2012

CITY HALL, DECATUR, ALABAMA, MAY 14, 2012 – SPECIAL CALLED WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 14, 2012 at 5:00 p.m. on the 7th floor of City Hall, with Council President Pro Tempore Anders presiding.

The following members were present: Anders, Kirby, Reeves, Jackson and Hammon

Also present were Mayor Don Stanford, Assistant City Attorney Chip Alexander, City Clerk-Treasurer, Stacy Gilley, Planning Supervisor Karen Smith, Acting Fire Chief Darwin Clark, Finance Supervisor Linda McKinney, Revenue Supervisor Tina Boyles, Grant Administrator Allen Stover, Police Chief Ed Taylor, and City Attorney Herman Marks.

The Council reviewed the following:

- Capital Expenditures

The work session was adjourned at 6:10 p.m.

Minutes dated May 14, 2012 read, approved and adopted on June 4, 2012

CITY HALL, DECATUR, ALABAMA, MAY 29, 2012 – WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 29, 2012 at 5:30 p.m. on the 7th floor of City Hall, with Council President Hammon presiding.

The following members were present: Hammon, Anders, Kirby and Reeves

Also present were City Clerk-Treasurer, Stacy Gilley, City Attorney Herman Marks, Planning Supervisor Karen Smith, Finance Supervisor Linda McKinney, Revenue Supervisor Tina Boyles and I.T. Director Todd Russell, Personnel Director Ken Smith, Tina Boyles, Chief Ed Taylor, Assistant City Attorney Chip Alexander, Acting Fire Chief Darwin Clark and Amos Morris.

Council reviewed the agenda for the May 29, 2012 City Council meeting.

Addition to the agenda:

Resolution No. 12-133: Appoint Director of Transportation/Planning

Council President Hammon opened the floor for comments and there being none the work session was adjourned at 5:55 p.m.

Minutes dated May 29, 2012 read, approved and adopted on June 4, 2012

MINUTES
OF A
REGULAR MEETING
OF THE CITY COUNCIL OF THE
CITY OF DECATUR, ALABAMA
MAY 29, 2012

The Decatur City Council met in regular session on Tuesday, May 29, 2012 at 10:00 a.m. in the Council Chambers of the Decatur City Hall located at 402 Lee Street, Decatur, Alabama.

Noting that a quorum was present the meeting was called to order at 10:00 a.m. by Council President Hammon.

Larry Waye provided the invocation and Council President Hammon led the Pledge of Allegiance.

ELECTED GOVERNING OFFICIALS IN ATTENDANCE:

Roll call of Elected Governing Officials was conducted by City Clerk-Treasurer Stacy A. Gilley and recorded as follows:

Council President, Gary Hammon	Present
Council Member, Roger Anders	Present
Council Member, Billy Jackson	Present
Council Member, Charles Kirby	Present
Council Member, Greg Reeves	Present

PRESENTATIONS:

U-11 STATE CHAMPIONS – RAPTORS

Mayor Stanford recognized the U-11 soccer team for winning the state championship. Coach David South and the girls presented each of the Council members and Mayor with medals to thank them for the vision in developing the sports facilities in Decatur.

PRESENTATION OF CHECK FROM DAIKIN

Mayor Stanford presented a check to Council for \$100,000 which was donated by Daikin to be used for the amphitheater project.

ENTREPRENERIAL CENTER UPDATE

Larry Wayne gave a presentation on the progress of the incubator.

SET PUBLIC HEARING ON ORDINANCE NO. 12-4111- AMEND CODE OF DECATUR, ALABAMA BY ADDING SECTION 14-62.3 ON JUNE 4, 2012 @ 6:00 P.M.

RESOLUTION NO. 12-118 - AMEND GENERAL FUND (001), HERITAGE TRUST (005), LANDFILL (006), CAPITAL FUND (061) AND POINT MALLARD (080) BUDGETS

Council Member Anders moved to approve Resolution No. 12-118. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried.

RESOLUTION NO. 12-119 - PUBLIC HEARING FOR RETAIL BEER & WINE ON PREMISE LICENSE FOR THE CASUAL GOURMET, LLC LOCATED AT 107 2ND AVE NE

Council President Hammon opened the public hearing for comments regarding this request. There being none he then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Resolution No. 12-119. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried.

RESOLUTION NO. 12-120 - AWARD BID TO LYNN LAYTON FORD FOR FURNISHING AND DELIVERING USED AND PROGRAM VEHICLES TO THE CITY OF DECATUR

Council Member Jackson moved to approve Resolution No. 12-120. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves

NAYS: None

Motion carried

RESOLUTION NO. 12-121 - AUTHORIZE MAYOR TO EXECUTE CONTRACT WITH PAVILION BEVERAGE SERVICE TO PROVIDE ALCOHOL SERVICE AT INGALLS PAVILION

Council Member Anders moved to approve Resolution No. 12-121. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

RESOLUTION NO. 12-122 - AUTHORIZE MAYOR TO EXECUTE CONTRACT WITH PUGH, WRIGHT, MCANALLY FOR CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES FOR BANK STREET STREETScape AND CAUSEWAY LANDSCAPING PROJECTS

Council Member Reeves moved to approve Resolution No. 12-122. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-123 - REJECT BIDS FOR THE BUTCH MATTHEWS PARK IMPROVEMENTS

Council Member Reeves moved to approve Resolution No. 12-123. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-124 - DECLARE SURPLUS AND AUTHORIZE DISPOSAL OF ONE (1) 1998 FORD TAURUS HELD BY THE REVENUE DEPARTMENT

Council Member Reeves moved to approve Resolution No. 12-124. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-125 - AUTHORIZE MAYOR TO SUBMIT 2011 CONSOLIDATED ANNUAL PERFORMANCE & EVALUATION REPORT TO HUD

Council Member Jackson moved to approve Resolution No. 12-125. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-126 - AUTHORIZE MAYOR TO REQUEST FAA TO RECONSIDER THE PROPOSED DECOMMISSIONING OF DECATUR VOR/DME DCE AT PRYOR FIELD

Council Member Kirby moved to approve Resolution No. 12-126. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-127 - APPROVE AND AUTHORIZE MAYOR TO EXECUTE LETTER OF INTENT BETWEEN RATIONAL ENERGIES AND MORGAN COUNTY REGIONAL LANDFILL FOR RECYCLING PROJECT

Council Member moved Anders to approve Resolution No. 12-127. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-128 - APPROVE AMENDMENT TO PROJECT DEVELOPMENT AGREEMENT BETWEEN MARKET SHOPPES VENTURE LLC AND THE CITY OF DECATUR

Council Member Reeves moved to approve Resolution No. 12-128. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried.

RESOLUTION NO. 12-129 - APPROVE AND AUTHORIZE MAYOR TO EXECUTE AGREEMENT FOR EMPLOYMENT TERMS AND CONDITIONS BETWEEN THE CITY OF DECATUR AND METROPOLITAN PLANNING ORGANIZATION

Council Member Anders moved to approve Resolution No. 12-129. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

RESOLUTION NO. 12-130 - AUTHORIZE MAYOR TO EXECUTE AGREEMENT WITH ALDOT FOR A TRAFFIC SIGNAL ON US HIGHWAY 31 AT 8TH STREET SE

Council Member Reeves moved to approve Resolution No. 12-130. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-131- APPROVE AND AUTHORIZE MAYOR TO EXECUTE MEMORANDUM OF UNDERSTANDING BETWEEN DECATUR MORGAN COUNTY CONVENTIONS AND VISITORS BUREAU, PICKWICK BELLE AND THE CITY RELATING TO PICKWICK BELLE OPERATIONS

Council Member Reeves moved to approve Resolution No. 12-131. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-132 - APPROVE SIDEWALK CAFÉ APPLICATION FOR CAFÉ 113

Council Member Reeves moved to approve Resolution No. 12-132. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Reeves
NAYS: None

Motion carried

RESOLUTION NO. 12-133 – APPOINTMENT OF DIRECTOR OF TRANSPORTATION /PLANNING (MPO)

Council Member Kirby moved to approve Resolution No. 12-133. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Reeves
NAYS: Jackson

Motion carried

Having no further business the meeting was adjourned at 11:06 a.m.

Minutes dated May 29, 2012, read, dated and approved on June 4, 2012.

CITY HALL, DECATUR, ALABAMA, MAY 30, 2012 – FINANCE COMMITTEE WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on May 30, 2012 at 12:00 p.m. on the 6th floor of City Hall, with Mayor Don Stanford presiding the meeting.

The following Council members were present: Hammon, Anders, Kirby and Reeves

Also present were City Attorney Herman Marks, Assistant City Attorney Chip Alexander, City Clerk-Treasurer, Stacy Gilley, Chief Taylor, Finance Supervisor Linda McKinney, I.T. Director Todd Russell and Wally Terry.

The following was discussed at the Finance Committee Work Session:

1. Fire & Police vehicle financing
2. Lazy River financing
3. April financial update

The Finance Committee work session was adjourned at 1:00 p.m.

Minutes dated May 30, 2012 read, approved and adopted on June 4, 2012
