

**MINUTES
OF THE
DECATUR CITY COUNCIL MEETING
HELD ON
SEPTEMBER 4, 2012
12:00 P.M.**

The Decatur City Council met in regular session on Monday, September 4, 2012 at 12:00 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 12:00 p.m. by Council President Pro-Tempore Roger Anders. Mayor Stanford 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	Absent
Council Member, Roger Anders	Present
Council Member, Billy Jackson	Absent
Council Member, Charles Kirby	Present
Council Member, Greg Reeves	Present

CANVASS ELECTION RESULTS

Council added the provisional ballots to the totals from the August 28, 2012 Municipal Election.

The results of the two provisional ballots were as follows:

Gail Busbey 2

Billy Jackson 1
Roger Anders 1

Council President Pro-Tempore Anders read each candidate's name and the total ballots cast for each one.

RESOLUTION NO. 12-284 – DECLARE ELECTION RESULTS

Council Member Kirby moved to approve the results of the August 28, Municipal Election and declared a run-off on October 9, 2012 for Don Kyle and Carl Cole in the Mayor's race and Chuck Ard and Allison Blackburn Akins for City Council District No. 5. Council Member Reeves seconded. The vote was recorded as follows:

AYES: Hammon, Anders and Kirby
NAYS: None

Motion carried.

Having no further business the meeting was adjourned at 12:07 p.m.

Minutes dated September 4, 2012, read, approved and adopted on September 17, 2012.

CITY HALL, DECATUR, ALABAMA, SEPTEMBER 4, 2012 - WORK SESSION

The members of the City Council of the City of Decatur, Alabama met on September 4, 2012 at 5:00 p.m. on the 7th floor of City Hall, with Council President Pro-Tempore Anders presiding. Council President Hammon arrived at 5:05 p.m.

The following members were present: Hammon, Anders and Kirby

Also present were Mayor Don Stanford, City Attorney Herman Marks, Assistant City Attorney Chip Alexander and City Clerk-Treasurer Stacy Gilley.

Council reviewed the agenda for the September 4, 2012 City Council meeting.

The meeting adjourned at 5:40 p.m.

Minutes dated September 4, 2012, Read, Approved and Adopted on September 17, 2012.

**MINUTES
OF THE
DECATUR CITY COUNCIL MEETING
HELD ON
SEPTEMBER 4, 2012
6:00 P.M.**

The Decatur City Council met in regular session on Monday, September 4, 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. Council Member Anders 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	Absent
Council Member, Charles Kirby	Present
Council Member, Greg Reeves	Absent

APPROVAL OF MINUTES:

The following minutes were approved by unanimous consent.

- A. August 13, 2012 –Work Session
- B. August 15, 2012 – Finance Work Session
- C. August 20, 2012 – Work Session
- D. August 20, 2012 – Regular Meeting

ORDINANCE NO. 12-4128 DECLARE SURPLUS AND AUTHORIZE THE SALE OF MUNICIPAL LOT THROUGH THE DAWN PROGRAM TO VERSA PRINCE LOCATION: 411 DAVIS COURT NW (FIRST READING HELD ON 08/20/12)

Council Member Anders moved to approve Ordinance No. 12-4128. Council Member Kirby seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

PUBLIC HEARINGS:

RESOLUTION NO. 12-272 - ABATEMENT OF UNSAFE CONDITIONS LOCATED AT 602 4TH AVE.

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. 12-272. Council Member Anders seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4113 - AMENDING CODE OF DECATUR, ALABAMA SEC. 7-123 "ICC ELECTRICAL CODE - ADMINISTRATIVE PROVISIONS

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

Council Member Kirby moved to approve Ordinance No. 12-4113. Council Member Anders seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4114 - AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-58 "INTERNATIONAL
BUILDING CODE™" 2009 EDITION

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

Council Member Anders moved to approve Ordinance No. 12-4114. Council Member Kirby seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4115 AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-281 "INTERNATIONAL
ENERGY CONSERVATION CODE™" 2009 EDITION

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

Council Member Kirby moved to approve Ordinance No. 12-4115. Council Member Anders seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4116 AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-251 "INTERNATIONAL
EXISTING BUILDING CODE™" 2009 EDITION

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

Council Member Kirby moved to approve Ordinance No. 12-4116. Council Member Anders seconded.
The vote was recorded as follows:

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

Motion carried.

ORDINANCE NO. 12-4117 - AMENDING CODE OF DECATUR, ALABAMA
SEC.11-1 "INTERNATIONAL
FIRE CODE, 2009 EDITION"

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

Council Member Anders moved to approve Ordinance No. 12-4117. Council Member Kirby seconded.

The vote was recorded as follows:

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

Motion carried.

ORDINANCE NO. 12-4118 - AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-191 "INTERNATIONAL
FUEL GAS CODE™" 2009 EDITION

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

Council Member Kirby moved to approve Ordinance No. 12-4118. Council Member Anders seconded.

The vote was recorded as follows:

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

Motion carried.

ORDINANCE NO. 12-4119 - AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-166 "INTERNATIONAL
MECHANICAL CODE™" 2009 EDITION

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

Council Member Anders moved to approve Ordinance No. 12-4119. Council Member Kirby seconded.

The vote was recorded as follows:

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

Motion carried.

**ORDINANCE NO. 12-4120 - AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-71 "INTERNATIONAL
PLUMBING CODE™" 2009 EDITION**

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

Council Member Kirby moved to approve Ordinance No. 12-4120. Council Member Anders seconded.
The vote was recorded as follows:

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

Motion carried.

**ORDINANCE NO. 12-4121 AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-56 "INTERNATIONAL
RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS™" 2009
EDITION**

Council President Hammon opened the public hearing for comments regarding this item. City Attorney Herman Marks stated the Ordinance being presented tonight has been amended to reflect the 2012 version of the International Residential Code which was not the version at the first reading. There being no other comments he then closed the public hearing and entertained a motion from Council.

Council Member Anders moved for immediate consideration of Ordinance No. 12-4121 as amended. Council Member Kirby seconded.
The vote was recorded as follows:

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

Motion carried.

Council Member Kirby moved to approve Ordinance No. 12-4121 as amended.
Council Member Kirby seconded.
The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4122 - AMENDING CODE OF DECATUR, ALABAMA
SEC. 7-121 "NATIONAL
ELECTRIC CODE, 2008 EDITION, (NFPA 70-2008)"

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

Council Member Anders moved to approve Ordinance No. 12-4122. Council Member Kirby seconded.

The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4124 AMENDING CODE OF DECATUR, ALABAMA
SEC. 11-1.2 "NFPA 101, CODE
FOR SAFETY TO LIFE FROM FIRE IN BUILDINGS AND STRUCTURES, 2009
EDITION"

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

Council Member Kirby moved to approve Ordinance No. 12-4124. Council Member Anders seconded.

The vote was recorded as follows:

AYES: Hammon, Anders, and, Kirby

NAYS: None

Motion carried.

ORDINANCE NO. 12-4123 ZONING TEXT AMENDMENT NO. 216-12 CODE
OF DECATUR, ALABAMA
AMEND SECTION 25-11; B-5

Council President Hammon opened the public hearing for comments regarding this item. Shirley Hammond, representing the Decatur Downtown Redevelopment Authority loft committee was pleased to see this move forward. There being no other

comments Council President Hammon then closed the public hearing and entertained a motion from Council.

Council Member Kirby moved to approve Ordinance No. 12-4123. Council Member Anders seconded.
The vote was recorded as follows:

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

Motion carried.

RESOLUTION NO. 12-273 ASSESS \$2,155.00 AGAINST 1106 7TH AVENUE SE FOR COST OF ABATEMENT OF NUISANCE

Council Member Anders moved to approve Resolution No. 12-273. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

RESOLUTION NO. 12-274 ASSESS \$319.88 AGAINST 502 FREEMONT SW FOR COST OF ABATEMENT OF NUISANCE

Council Member Anders moved to approve Resolution No. 12-274. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

RESOLUTION NO. 12-275 - DECLARE SURPLUS AND AUTHORIZE THE DISPOSAL OF STEEL FENCING NO LONGER NECESSARY FOR MUNICIPAL PURPOSES.

Council Member Anders moved to approve Resolution No. 12-275. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

RESOLUTION NO. 12-276 - AUTHORIZE THE MORTGAGE RELEASE ON 707 FINK STREET NW

Council Member Anders moved to approve Resolution No. 12-276. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Anders

NAYS: None

Motion carried.

RESOLUTION NO. 12- 277 - AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT WITH TVA APPROVING SUPPLEMENT NO. 110 TO THE POWER CONTRACT TV-48555A

Council Member Anders moved to approve Resolution No. 12-277. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Anders

NAYS: None

Motion carried.

RESOLUTION NO. 12-278 - ASSESS \$2,590.00 AGAINST 603 W MOULTON ST. SW FOR COST OF ABATEMENT OF NUISANCE

Council Member Anders moved to approve Resolution No. 12-278. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Anders

NAYS: None

Motion carried.

SET PUBLIC HEARING ON ABATEMENT ON NUISANCE LOCATED AT 225 4TH AVE. SE FOR OCTOBER 1, 2012 AT 6:00PM

RESOLUTION NO. 12-279 - AWARD BID NO. 12-026 TO LYNN LAYTON FORD FOR (1) 2013 FORD ECONOLINE 12 PASSENGER VAN IN THE AMOUNT OF \$24,050.00

Council Member Anders moved to approve Resolution No. 12-279. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Kirby and Anders

NAYS: None

Motion carried.

**RESOLUTION NO. 12-280 AWARD BID NO. 12-018 TO HUMPHRIES TURF
SUPPLY FOR (1) TRAILER MOUNTED
SELF-CONTAINED LEAF COLLECTOR IN THE AMOUNT OF \$33,734.79**

Council Member Anders moved to approve Resolution No. 12-280. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-281 AWARD BID NO. 12-020 TO NAFECO FOR (1)
2012 GSO # 8469 DEMO FIRE TRUCK IN
THE AMOUNT OF \$325,828.00**

Council Member Anders moved to approve Resolution No. 12-281. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-282 APPOINT LAURA MARTIN AS PURCHASING
AGENT**

Council Member Anders moved to approve Resolution No. 12-282. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-283 APPROVE EMS EQUIPMENT LIST REQUIRED
FOR ANY AMBULANCE OPERATING WITH THE CITY OF DECATUR**

This item was tabled until the first Council meeting in October.

Having no further business the meeting was adjourned at 6:25 p,m,

Minutes dated September 4, 2012, Read, Approved and Adopted on September 17, 2012