

**CITY HALL, DECATUR, ALABAMA, DECEMBER 4, 2012 - WORK SESSION**

The members of the City Council of the City of Decatur, Alabama met on December 4, 2012 at 5:00 p.m., on the 7<sup>th</sup> floor of City Hall, with Council Pro-Tempore Anders residing.

The following members were present: Hammon, Anders, Ard, Jackson and Kirby. Also present were Mayor Don Kyle, City Attorney Herman Marks and Assistant City Clerk Stephanie Simon.

The Council reviewed the agenda for the December 4, 2012, City Council meeting.

The work session was adjourned at 5:25 o'clock p.m.

**MINUTES**  
**OF THE**  
**DECATUR CITY COUNCIL MEETING**  
**HELD ON**  
**DECEMBER 4, 2012**  
**6:00 PM**

The Decatur City Council met in regular session on Tuesday, December 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.

Mayor Kyle 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, Chuck Ard	Present

Council President Hammon noted that Mayor, Don Kyle was also in attendance.

**APPROVAL OF MINUTES:**

The following minutes were approved by unanimous consent.

- A. November 15, 2012 – Work Session
- B. November 19, 2012 – Work Session
- C. November 19, 2012 – Regular Meeting
- D. November 20, 2012 – Special Called Meeting

**ASSESSMENTS:**

**RESOLUTION NO. 12-416 - ASSESS \$399.80 AGAINST 205 MINOR HILL RD. SW**

Council Member Anders motioned to approve Resolution No. 12-416. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-416 - ASSESS \$299.90 AGAINST 212 7<sup>TH</sup> AVE. NW**

Council Member Anders motioned to approve Resolution No. 12-416. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-416 - ASSESS \$319.88 AGAINST 220 7<sup>TH</sup> AVE. SW**

Council Member Anders motioned to approve Resolution No. 12-416. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-416 - ASSESS \$259.94 AGAINST 713 6<sup>TH</sup> AVE SE**

Council Member Anders motioned to approve Resolution No. 12-416. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-420 - ASSESS \$339.86 AGAINST 1805 WADSWORTH ST. SE**

Council Member Anders motioned to approve Resolution No. 12-420. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-421 - ASSESS \$259.94 AGAINST 2931 FROST DR. SW**

Council Member Anders motioned to approve Resolution No. 12-421. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-422 -ASSESS DEMOLITION COSTS IN THE AMOUNT OF \$2,180.00 AGAINST 322 13<sup>TH</sup> AVE. NW**

Council Member Anders motioned to approve Resolution No. 12-421. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-423 - ASSESS DEMOLITION COSTS IN THE AMOUNT OF \$1,830.00 AGAINST 1408 PHILLIPS AVE. SW**

Council Member Kirby motioned to approve Resolution No. 12-423. Council Member Ard seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**SET PUBLIC HEARINGS:**

**ABATEMENT OF UNSAFE CONDITIONS AT 2013 ENOLAM BLVD. SE TO BE HELD ON JANUARY 7, 2013 AT 6:00PM**

**ABATEMENT OF UNSAFE CONDITIONS AT 424 7<sup>TH</sup> AVE. SW TO BE HELD ON JANUARY 7, 2013 AT 6:00PM**

**PUBLIC HEARING:**

**RESOLUTION NO. 12-424 - ABATEMENT OF UNSAFE CONDITIONS LOCATED AT 815 STREET NW**

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 motioned to approve Resolution No. 12-424. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-425 – AUTHORIZE THE ACCEPTANCE OF A \$50,000 GRANT FOR THE AMPITHEATER (\$50,000 MATCH REQUIRED)**

Council Member Anders motioned to approve Resolution No. 12-425. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**PUBLIC HEARINGS:**

**RESOLUTION NO. 12-426 - REQUEST FOR RETAIL BEER & WINE OFF-PREMISE BY T-ONE CORPORATION D/B/A CHEVRON 21 LOCATED AT 904 6<sup>TH</sup> 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 motioned to approve Resolution No. 12-426. Council Member Anders seconded. The vote was recorded as follows:

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

Motion carried.

**RESOLUTION NO. 12-427 – REQUEST FOR RETAIL BEER & WINE OFF-PREMISE BY VULCAN OIL COMPANY, INC. D/B/A INTERSTATE CHEVRON LOCATED AT 3339 HIGHWAY 67**

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 motioned to approve Resolution No. 12-427. Council Member Anders seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-428 – REQUEST FOR RESTAURANT RETAIL LIQUOR BY BACK ALLEY BISTRO LOCATED AT 207A 2<sup>ND</sup> AVE. SE (PENDING B-5 APPROVAL FROM BOZA)**

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 motioned to approve Resolution No. 12-428. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-429 – RESCIND RESOLUTION NO. 11-312**

Council Member Jackson motioned to approve Resolution No. 12-429. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**ORDINANCE NO. 12-4134 - AMEND SEC. 14-30 OF THE CODE OF DECATUR ALABAMA RELATING TO PAYMENT OF LICENSE TAX AND ISSUANCE FEE (FIRST READING 11/19/12)**

Council Member Anders motioned to approve Ordinance No. 12-4134. Council Member Ard seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**ORDINANCE NO. 12-4132 – AMEND SECTION 3 OF ORDINANCE 11-4082 (FIRST READING 10/15/12)**

Council Member Anders motioned to approve Ordinance No. 12-4132. Council Member Ard seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**ORDINANCE NO. 12-4135 CONSENT TO ANNEXATION REQUEST OF PROPERTY WHICH IS APPROXIMATELY 110 ACRES LOCATED ON THE NE CORNER OF US HIGHWAY 31 AND AIRPORT ROAD - CALHOUN COMMUNITY COLLEGE (FIRST READING)**

Council Member Anders moved for immediate consideration. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

Council Member Anders motioned to approve Ordinance No. 12-4135. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-430 -SUPPLEMENTAL AGREEMENT WITH ALDOT FOR HIGHWAY 31, NORTH CAUSEWAY LANDSCAPING PROJECT NO. STPTE-TE10(904)S2**

Council Member Anders motioned to approve Resolution No. 12-430. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-431 - SUPPLEMENTAL AGREEMENT WITH ALDOT FOR LOWER BANK STREET STREETScape PROJECT NO. STPTE-TE10(903)S2**

Council Member Anders motioned to approve Resolution No. 12-431. Council Member Kirby seconded. The vote was recorded as follows:

AYES: Hammon, Anders, Jackson, Kirby and Ard

NAYS: None

Motion carried.

**RESOLUTION NO. 12-432 - AWARD BID NO. 13-007 TO SHADES TINT IN THE AMOUNT OF \$25,500 FOR THE WINDOW TINTING AT THE DECATUR PUBLIC LIBRARY**

Council Member Kirby motioned to approve Resolution No. 12-432. Council Member Anders seconded. The vote was recorded as follows:

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

Motion carried.

**BOARD APPOINTMENTS:**

**Library Appointment (District 1) – Term Expires -6/30/16**

Council Member Jackson appointed Annie Ruth Harris to the Library Board. The vote was recorded as follows:

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

Motion carried.

**Mayor's Board Appointments:**

Mayor Kyle announced the following appointments to the Planning Commission.

Planning Commission – Joseph Wynn - Term Expires 11/7/16

Planning Commission – Reappointment of Gil Aldrich - Term Expires 12/31/18

**BOZA UPDATE ON MEMBERS AND TERMS**

Assistant City Attorney, Chip Alexander addressed the following on the board members to the Board of Zoning Adjustments to clarify positions and terms:

Kent Lawrence – Term Expires – 12/31/13

Frances Tate – Term Expires – 12/31/14

George Barran – Term Expires – 12/31/13

Larry Waye – Term Expires – 12/31/13

Greg Dobbs – Term Expires -12/31/14

Mike Harris (Supernumerary) – Term Expires- 12/31/15

Sally Jo Green (Supernumerary) – Term Expires – 12/31/15



Council Member Anders moved to adopt the positions and terms as presented. Council Member Kirby seconded. The vote was recorded as follows:

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

Motion carried.

**DECEMBER 31, 2012 - WORK SESSION**

It was the consensus of Council to reschedule the December 31, 2012 work session to be held at 5:00 p.m. on January 7, 2013.

Having no further business the meeting adjourned at 6:26 p.m.

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

**CITY HALL, DECATUR, ALABAMA, DECEMBER 4, 2012 – SPECIAL CALLED WORK  
SESSION**

The members of the City Council of the City of Decatur, Alabama met on December 4, 2012 at 6:45 p.m. on the 7<sup>th</sup> floor of City with Council President Hammon presiding.

The following members were present: Hammon, Anders, Kirby, and Ard. Also present were Mayor Don Kyle, City Attorney Herman Marks and City Clerk Stacy Gilley.

The purpose of the meeting was as follows:

Discussion of various road projects in the City of Decatur.

The work session was adjourned at 7:52 p.m.

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

**CITY HALL, DECATUR, ALABAMA, DECEMBER 10, 2012 - WORK SESSION**

The members of the City Council of the City of Decatur, Alabama met on December 10, 2012 at 5:00 p.m., on the 7<sup>th</sup> floor of City Hall, with Council President Hammon presiding.

The following members were present: Hammon, Anders, Kirby and Ard. Also present were Mayor Don Kyle, City Attorney Herman Marks and City Clerk Stacy Gilley.

The Council reviewed the agenda for the December 17, 2012, City Council meeting.

The work session was adjourned at 5:52 p.m.