

August 16, 2010

The Mayor and Council of the City of Calera met on August 16, 2010 at 7:00 p.m. at Calera City Hall with the following present:

Mayor: Jon G. Graham

Council Members: Ernest Montgomery, Mike Roberson, David Bradshaw, Chris Bunn, Ed Gentry, Bobby Joe Phillips

Department Heads: Janet Greathouse, Library Director
Mike Wood, Building Official
Mike Kent, Zoning Official
Sean Kendrick, Fire Chief
Roy Hadaway, Finance Director
David Jones, Public Works Director
Sean Lemley, Police Chief
Doug Smedley, Sewer Operations Director

Guests: Rebecca and Randy Krueger, Frank and Lelia Killingsworth, Mrs. Williams

Mayor Graham called the meeting to order. Council Member Gentry made a motion to approve the following minutes:

Regular Meeting – August 2, 2010
Work Session – August 2, 2010
Work Session – August 12, 2010

Council Member Bradshaw seconded said motion which was carried unanimously.

REPORTS OF DEPARTMENT HEADS:

Mike Wood, Building Official updated the Mayor and Council on the Williams' property nuisance complaint. David Jones, Public Works Director presented an estimate to clean up the Williams property in the amount of \$2,410.00.

Council Member Bradshaw made a motion to authorize the Williams Property to be condemned, Council Member Roberson seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

It was agreed that Ms. Williams would be given 2 weeks to remove anything she might want from the house, after that the city would start demolition.

PUBLIC HEARING – NUISANCE COMPLAINTS:

Mike Wood, Building Official presented nuisance complaints on the following

properties:

Glass - 1260 9th Avenue, Thrasher - 20th Street, Abernathy – 2075 21st Avenue, Castillo – 710 15th Street, and Burgeon, Inc. – South Industrial Park.

Thrasher and Burgeon had brought their properties into compliance before the council meeting therefore they were removed from the list.

Council Member Bunn made a motion to approve to abate the nuisances at the above addresses. Council Member Gentry seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Mike Kent, Planning and Zoning, informed the council that the Property Nuisances were being handled through the legal process and some are currently in Circuit Court.

Sean Lemley, Police Chief requested approval for the City Clerk to post a vacant police officer position in the Police Department.

Council Member Gentry made a motion to approve the posting of the vacant position in the police department. Council Member Bunn seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Council Member Bradshaw made a motion to give the Mayor authority to approve the hiring of a position as long as it is not a new hire and is filling a current position with no changes to the budget. Council Member Bunn seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Calera First United Methodist Church requested to use the park pavilion at Oliver Park on the following dates:

9/10/2010, 9/17/2010, 9/24/2010, 10/08/2010, and 10/22/2010 during the hours of 4:00 pm to 6:00 pm.

Council Member Gentry made a motion to approve the park request for Calera First United Methodist Church. Council Member Bunn seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Calera Baptist Church requested to use the high school baseball field at Oliver Park on the following date:

August 22, 2010 from 5:00 pm to 8:30 pm.

Council Member Gentry made a motion to approve the park request for Calera Baptist Church. Council Member Bunn seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

The Field of Angels requested for the user fees be waived for the Field of Angels for this season.

Council Member Roberson made a motion to approve the waiving of user fees for the Field of Angels. Council Member Gentry seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Gentry, Phillips

NAYS: None

ABSTAIN: Bunn

COUNCIL MEMBER REPORTS:

Council Member Roberson commented that railroad tracks were blocked most of the day on Sunday, August 15th. He asked Police Chief Lemley if there had been any kind of problem reported and the chief said he would check into the incident. Many people have complained about the trains blocking traffic so often and such a long period of time.

Council Member Bunn commended the Police Department for the good job they are doing. He was referring to the 2 cases of burglary that had recently been solved.

Council Member Gentry inquired about the drainage problem at the football field. Chris Pappas, Engineer, explained that a French Drain would fix the problem with the cost of approximately \$3500-\$4000. Due to football season starting so soon, it will have to be postponed. It would be better from a financial stand point to wait until the new concession is built and do the construction all at one time.

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2010-18

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA AS FOLLOWS:

WHEREAS, the City of Calera, Alabama has inventoried Police equipment allocated to serve the Police Department; and

WHEREAS, the City of Calera, Alabama has inventoried Public Works equipment allocated to serve the Public Works Department; and

WHEREAS, the City has found the following equipment for all City departments no longer needed for public municipal purposes.

Calera Police Department

1998 Ford Crown Victoria – Car # 36 – Vin # 2FAFP71W0WX126716
2000 Ford Crown Victoria – Car # 40 – Vin # 2FAFP71W6YX139117
2000 Ford Crown Victoria – Car # 43 – Vin # 2FAFP71W9YX139113
2000 Ford Crown Victoria – Car # 44 – Vin # 2FAFP71W0YX139114
2000 Ford Crown Victoria – Car # 41 – Vin # 2FAFP71W8YX139118

Public Works Department

2005 Massey Ferguson – 491 Tractor – Serial # BP09099
1976 LECO ULV Fog Generator – Model # HD 26-3210 – Serial # 5360C82
With a 1997 Briggs and Stratton Motor
1988 Lincoln Welder – Serial A1109054

Council Member Gentry moved that Resolution No. R-2010-18 is adopted. Council Member Roberson seconded said motion and upon vote, the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2010-18 adopted.

Adopted this 16th day of August, 2010.

Vickie I. Lewis, Assistant City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE No. 2010-10

AN ORDINANCE APPROVING THE TRANSFER OF SURPLUS REAL PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, AS FOLLOWS:

Section 1. It is hereby established and declared that the following described real property of the City of Calera, Alabama, is no longer needed for public or municipal purposes:

A tract of land situated in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 3, Township 24 North, Range 13 East, Shelby County, Alabama, being more particularly described as follows:

Commence at the Northwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 3 and run South $00^{\circ}03'35''$ West along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 393.03 feet to the point of beginning of the tract of land herein described; thence continue South $00^{\circ}03'35''$ West along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 487.24 feet; thence run South $00^{\circ}05'05''$ West for 680.70 feet to a point on the North right-of-way line of Shelby County Road No. 20, said point being the point of beginning of a non-tangent curve to the right, of which the radius point lies South $38^{\circ}16'35''$ East, a radial distance of 6,519.29 feet; thence run Northeasterly along said arc and along said right-of-way, through a central angle of $09^{\circ}53'09''$, a distance of 1,124.83 feet; thence run North $29^{\circ}38'46''$ West for 609.99 feet; thence run North $88^{\circ}09'19''$ West for 635.70 feet to the point of beginning. Said tract of land containing 694,823 square feet of 15.95 acres. According to the survey and plat of Jeff D. Arrington, PLS #18664, dated July 13, 2006.

Section 2. Pursuant to the authority granted by § 11-47-20, Code of Alabama 1975, the mayor and the city clerk are hereby authorized and directed to execute a warranty deed, a copy of which is attached to this ordinance and made a part hereof, conveying said property to the Shelby County Board of Education in the name of the City of Calera, Alabama, for and in consideration of the sum of \$1.00 and the conveyance by the Shelby County Board of Education to the City of Calera of the following described property as shown on the copy of a warranty deed which is attached to this ordinance and made a part hereof:

A parcel of land located in the Section 3 and Section 4, Township 24 North, Range 13 East, more particularly described as follows:

Commence at the Northeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 3, Township 24 North, Range 13 East, said point also being the Northeast corner of Dunwar Estates, as recorded in Map Book 3, page 154, in the Probate Office of Shelby County, Alabama; thence in a Southerly direction along the Easterly line of said Dunwar Estates a distance of 880.00 feet to the Southeasterly corner of said Dunwar Estates; thence $94^{\circ}54'32''$ right in a Northwesterly direction and along the Southerly line

of said Dunwar Estates a distance of 1320.00 feet to the Southwesterly corner of said Dunwar Estates; thence 94°59'57" left in a Southerly direction a distance of 416.47 feet to the Point of Beginning; thence 86°00'51" right, in a Southwesterly direction, a distance of 812.92 feet; thence 89°05'43" left, in a Southerly direction, a distance of 953.60 feet to a point on the Northerly right of way of Shelby County Hwy. #20, said point also being on a curve having a radius of 1340.83 feet and a central angle of 07°50'42"; thence 92°16'17" left to chord of said curve and right of way line in a Northeasterly direction and along arc of said curve to the right a distance of 183.59 feet to the end of said curve; thence in an Easterly direction along a line tangent from said curve a distance of 657.13 feet; thence 91°38'54" left, in a Northerly direction, a distance of 978.66 feet; thence 91°12'41" left in a Southwesterly direction a distance of 27.40 feet to the Point of Beginning. Containing 18.53 acres more or less. According to the survey and plat of Robert Reynolds, RPS #25657, dated October 12, 2004.

Section 3. This Ordinance shall become effective upon its passage and publication or posting as required by law.

Council Member Gentry moved that Ordinance No. 2010-10 be adopted. Council Member Roberson seconded said motion and upon vote, the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Mayor Graham declared Ordinance No. 2010-10 adopted.

Adopted this 16th day of August, 2010.

Vickie I. Lewis, Assistant City Clerk

Jon G. Graham, Mayor

GUESTS:

Frank & Lelia Killingsworth requested that the Mayor and Council consider taking over Shawnda Lane as a city street.

After a lengthy discussion, it was decided that this was a land ownership dispute between the Killingsworths and Shiloh Creek developers. This matter should be handled in Civil Court. It was determined that City does not have right of way, therefore no responsibility to maintain culverts.

The Mayor and Council Members recognized the following Calera High School Students: Kyle Brasher, TJ Killingsworth, Matt Young, Matt Templin, Austin Wright, and Danny Diaz. These students won the Open Class in the Basic Utility Vehicle Competition.

Rebecca and Randy Krueger were present representing the Farmer's Market Association. She reported that the Calera Farmers Market had been going very well and requested to

go ahead and set the dates for the 2011 event. The dates are June 7th –August 30th 2011.

Council Member Gentry made a motion to approve the above dates for next year's Farmer's Market. Council Member Bradshaw seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Rebecca and Randy Kreueger also discussed that Calera have a Strawberry Festival/Celebrate Calera Festival on April 30, 2011 with a rain date of May 7, 2011.

Council Member Bunn made a motion to approve for Calera to have a festival on April 30, 2011 with a rain date of May 7, 2011. Council Member Bradshaw seconded said motion and upon vote the results were as follows:

AYES: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

Council Member Phillips made a motion to adjourn the meeting at 8:06 p.m.

Approved this 7th day of September, 2010.

Jon G. Graham, Mayor

ATTEST:

Vickie I. Lewis, Assistant City Clerk