

August 2, 2010

The Mayor and Council of the City of Calera met on August 2, 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, Stevie Edwards, Jim Whittle, Ty Coffey, Phillip Busby, Felicia Lee, Frank and Lelia Killingsworth, Mrs. Williams

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

Regular Meeting – July 19, 2010
Work Session – July 19, 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's property nuisance complaint and presented updated pictures of the Cates/ Henderson nuisance complaint.

Mike Wood, Building Official requested a public hearing set 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.

Council Member Roberson made a motion to set the public hearing date for the nuisance complaints for August 16, 2010 at 7:00 p.m. Council Member Gentry 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 allow an appraisal of the City property located behind 2055 20th Street, Calera, Alabama 35040, Parcel ID 35 2 03 1 002 030 .000 Council Member Montgomery seconded said motion and upon vote the results were

as follows:

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

NAYS: None

Council Member Bunn made a motion to allow another 2 week extension for the Williams Property Nuisance Complaint. Council Member Montgomery seconded said motion and upon vote the results were as follows:

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

NAYS: Gentry

Chris Pappas, City Engineer requested approval to have an appraisal for the acreage at Oliver Park Sports Complex. The appraisal fee could be up to \$5,500.00.

Council Member Bunn made a motion to allow an appraisal for the park property. Council Member Bradshaw seconded said motion and upon vote the results were as follows:

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

NAYS: None

Roy Hadaway, Finance Director reported August was another positive sales tax month for the city.

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 Bradshaw seconded said motion and upon vote the results were as follows:

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

NAYS: None

Stevie Edwards, Park Superintendent, presented an application for Relay for Life to use the park on Friday, May 6, 2011.

Council Member Roberson made a motion to approve the park request for Relay for Life. Council Member Gentry seconded said motion and upon vote the results were as follows:

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

NAYS: None

COUNCIL MEMBER REPORTS:

Council Member Montgomery reported that Jerome A. Gray, Deputy Commissioner of

Agriculture will be visiting the Calera Farmers Market on Tuesday, August 3, 2010. Mr. Gray had recently read a wonderful article in The Birmingham News about Calera Farmers Market, which was named "Market of the Month" by the Alabama Farmers Market Authority.

Council Member Bradshaw reported that the Railroad Car has been removed from the downtown area.

Mayor Graham introduced the following Resolution:

RESOLUTION 2010-17

WHEREAS, the City of Calera, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on SR-25 within the City Limits of Calera, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project No. 99-303-582-025-105 Planning, Resurfacing, Traffic Counting Unit and Permanent Traffic Stripe along SR-25 from CR-310 to Old Business 25 in Columbiana.

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of Calera, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking

within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A

Please refer to: Project Notes and Traffic Control Plan Notes (Sheets 2C-2

R)

Please refer to: Traffic Control Plans (Sheets 9 - 19)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the National Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the

provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by the City Council:

1. That the City agrees to perform all maintenance on crossroads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the City agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the City agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the case.

It is understood and agreed that no changes in the Resolution or Agreement shall in the future be made without having obtained that prior approval of the Federal Highway Administration.

Council Member Phillips moved that Resolution No. 2010-17 be adopted. Council Member Gentry seconded said motion and upon vote, the results were as follows:

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

NAYS: None

THIS RESOLUTION PASSED, ADOPTED, AND APPROVED this the 2nd day of August, 2010.

ATTEST

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

I, the undersigned, Clerk of the City of Calera, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and lawfully adopted by the Council of the foregoing City, at its regular meeting on the 2nd day of August, 2010, which resolution is on file in the office of the City Clerk.

Given under my hand and the official seal of such City this 2nd day of August, 2010.

Connie B. Payton, City Clerk

GUESTS:

Ty Coffey, Phillip Busby, Jim Whittle was present to address the Mayor and Council Members concerning a pit bull dog in the Savannah Pointe Subdivision.

Melanie Lee Smith, dog owner addressed the Mayor and Council.

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

Mayor Graham requested Chris Pappas, City Engineer send out a surveyor to map the property in question.

Felicia Lee, was not present to address the Mayor and Council.

Council Member Phillips made a motion to adjourn the meeting at 8:00 p.m.

Approved this 16th day of August, 2010.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk