

April 19, 2010

The Mayor and Council of the City of Calera met on April 19, 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: Chris Pappas, City Engineer
Sean Lemley, Police Chief
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

Guests: Clem Muck, Rusty Ezekiel, Bill Davis, Waterford Residents

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

Regular Meeting – April 5, 2010

Work Session – April 5, 2010

Council Member Bradshaw seconded said motion which was carried unanimously.

REPORTS OF DEPARTMENT HEADS:

Roy Hadaway, Finance Director presented a six month financial review to the Mayor and Council. Mr. Hadaway reported a decrease in the sales taxes remitted.

Janet Greathouse, Library Director requested authorization for the Census staff to use the Community Center for training. The training will take place April 27 – 30, 2010 and May 3 – 7, 2010 from 8:00 am till 5:00 pm.

Council Member Bunn made a motion to allow the Census staff to use the Community Center free of charge. Council Member Phillips seconded said motion, and upon vote the results were as follows:

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

NAYS: None

Sean Lemley, Police Chief advised the Mayor and Council that one of his part time dispatchers had recently taken a full time position with the county. The Chief requested authorization for the City Clerk to post a part time dispatcher position.

Council Member Gentry made a motion to allow the posting of a part time dispatcher. Council Member Roberson seconded said motion, and upon vote the results were as

follows:

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

NAYS: None

Mike Wood, Building Official updated the Mayor and Council on the Jewel Cates Henderson Nuisance complaint status. The Cates / Henderson property is located at 2055 21st Avenue, Calera, Alabama. Due to the amount of items to be removed from the property the Mayor and Council is willing to work with Mrs. Cates.

Council Member Gentry made a motion to allow a 60 day extension to remove the items from the property. Council Member Bradshaw seconded said motion, and upon vote the results were as follows:

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

NAYS: None

COUNCIL MEMBER REPORTS:

Council Member Montgomery requested a meeting with Chief Sean Lemley.

Council Member Bradshaw requested an update on CSX. Mr. Bradshaw that Gary Ray has been communicating with the State.

Council Member Bunn requested Chris Pappas, City Engineer review grading of the ditch next to Eagle Drive. Buddy King will begin a survey of the area in question.

Council Member Bunn requested that the Mayor and Council consider charging a developer to mark the streets after the first initial marking. A few developers request streets to be marked to give the image that paving will soon begin in their neighborhoods.

Council Member Bunn made a motion to have our attorneys draft a resolution to charge a fee for every street marking after the initial request. Council Member Gentry seconded said motion, and upon vote the results were as follows:

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

NAYS: None

ABC BOARD LICENSE APPLICATIONS:

GNP, INC.:

Council Member Phillips made a motion to approve the application for Retail Beer (Off Premises) & Retail Wine (Off Premises) for GNP, INC... Council Member Montgomery seconded said motion which was carried unanimously.

KIRAN, INC.:

Council Member Roberson made a motion to approve the application for Retail Beer (Off Premises) & Retail Wine (Off Premises) for KIRAN, INC. Council Member Bunn seconded said motion which was carried unanimously.

PUBLIX SUPER MARKETS:

Council Member Bunn made a motion to approve the application for Retail Beer (Off Premises) & Retail Wine (Off Premises) for PUBLIX SUPER MARKETS. Council Member Roberson seconded said motion which was carried unanimously.

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2010-05

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

WHEREAS, Section 4-10 of the City of Calera Code of Ordinances is hereby amended by adding the following section:

PERMIT FEE CHARGES

Roofing Permit:	\$50.00
Siding Permit:	\$50.00

Council Member Gentry moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2010-05. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Montgomery moved that Ordinance No. 2010-05 be adopted. Council Member Gentry seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Mayor Roy declared Ordinance No. 2010-05 adopted.

Adopted this 19th day of April, 2010.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2010-06

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA:

- (1) **WHEREAS**, the Code of Ordinances of the City of Calera, Alabama is hereby amending the Supplemental Building Regulations:

To Add the following:

36. All gas lines in exterior walls shall be black iron and turn out no less than 6" past top plate. Any joints in the attic space must be readily accessible.

Council Member Bradshaw moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Bunn seconded said motion and upon vote the results were:

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

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Bunn moved that Ordinance No. 2010-06 be adopted, which motion was seconded by Council Member Montgomery and upon vote the results were as follows:

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

NAYS: None

Adopted this 19th day of April, 2010.

Mayor Graham declared Ordinance No. 2010-06 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2010-07

WHEREAS, on or about the 8th day of April, 2010, Charles & Betty Alverson filed a petition with the City Clerk of the City of Calera, Alabama as required by 11-42-20 and 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the City of Calera, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the City of Calera, Alabama, and the signature of the owner of the property described were signed thereto;

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

1. That the City of Calera, Alabama does adopt this Ordinance assenting to the annexation of the property owned by the above referenced property owner, as described in:

Exhibit A

to the municipality of the City of Calera, Alabama.

2. That the corporate limits of the City of Calera, Alabama, be extended and rearranged so as to embrace and include such property and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That the City Clerk be and she is hereby authorized and directed to file a copy of this ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the City of Calera, Alabama, to which said property is being annexed in the office of the Judge of Probate of Shelby County, Alabama.

4. That the Zoning Map of the City of Calera, Alabama and any other official maps or surveys of the City shall be amended to reflect the annexation of the above described property, and that a copy of this Ordinance be transmitted to the City Planning Commission and the Zoning Administrator.

Council Member Bunn moved that unanimous consent of the Council be given for the immediate action upon said Ordinance. Council Member Roberson seconded said motion and upon vote the results were:

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

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Roberson moved that Ordinance No. 2010-07 be adopted, which motion was seconded by Council Member Phillips and upon vote the results were as follows:

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

NAYS: None

OBSTAIN: Bradshaw

Adopted this 19th day of April, 2010.

Mayor Graham declared Ordinance No. 2010-07 adopted.

Jon G. Graham, Mayor

Attest:

Connie B. Payton, City Clerk

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2010-08

Amending City Code to Exempt Certain “Covered Items” from the Municipal Sales and Use Tax During the First Full Weekend of August, 2010, as Authorized by Act 2006-574, Generally Referred to as the State Sales Tax Holiday Legislation

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, as follows:

Section 1. The Code of Ordinances of the City of Calera is amended by adding a new section, designated as Section 5-26, as follows:

Sec. 74-233. Sales tax holiday.

(a) In conformity with the provisions of Act 2006-574, enacted by the Alabama Legislature during the 2006 Regular Session, providing for a State Sales Tax Holiday, the City of Calera exempts “covered items” from municipal sales tax during the same period, beginning at 12:01 a.m. on the first Friday in August 2010 (August 6, 2010) and ending at twelve midnight the following Sunday (August 8, 2010).

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2006-574, except that the time period shall only be as specified in subsection (a) and not for all years thereafter.

Section 2. The Code of Ordinances of the City of Calera is amended by adding a new section, designated as Section 5-27, as follows:

Sec. 74-263. Use tax holiday.

(a) In conformity with the provisions of Act 2006-574, enacted by the Alabama Legislature during the 2006 Regular Session, providing for a State Sales Tax Holiday, the City of Calera exempts “covered items” from municipal use tax during the same period, beginning at 12:01 a.m. on the first Friday in August 2010 (August 6, 2010) and ending at twelve midnight the following Sunday (August 8, 2010).

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2006-574, except that the time period shall only be as specified in subsection (a) and not for all years thereafter.

Section 3. This ordinance shall become effective on July 7, 2010.

Ordinance No. 2010-08 was postponed.

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2010-08

A RESOLUTION ACCEPTING A BID FOR PEST CONTROL SERVICE FOR THE CITY OF CALERA, ALABAMA.

WHEREAS, the City of Calera has solicited sealed bids as required under the Alabama bid law; and

WHEREAS, bids were opened at Calera City Hall on April 5, 2010 at 7:00 p.m.; and

WHEREAS, bids were as follows: (all yearly totals)

Wayne's Environmental	\$9,225.00
Cook's Pest Control	\$5,952.00
Connell's	\$5,880.00

WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on April 19, 2010, considers the recommendation of the Building Official, Mr. Mike Wood. The Mayor and Council will award the bid for the Pest Control Service in the amount of \$5,880.00 to Connell's.

(Copy of Building Official's recommendation letter attached to this Resolution)(Bid Tabulation attached to this Resolution)

Council Member Phillips moved that Resolution No. R-2010-08 be adopted. Council Member Roberson seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Mayor Graham declared Resolution No. R-2010-08 adopted.

Adopted this 19th day of April, 2010.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

GUESTS:

Clem Muck, the Church of Jesus Christ of Latter-day Saints – Genealogy Presentation requested to move his presentation to a later council meeting date.

Rusty Ezekiel, 408 Waterford Highland Way, was present to discuss the road conditions in the Waterford subdivision.

Tim Loftin, with the Calera BNI organization requested permission to use the Community Center for May 12, 2010.

Council Member Bunn made a motion to allow Calera BNI to use the Community Center free of charge. Council Member Phillips seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Hank Lucas, with the Calera PAC Club, requested approval to reserve the Pavilion for the Cheerleaders to use during their practices. (Oliver Park Pavilion No. 1)

Council Member Gentry made a motion to allow the Calera PAC Club to use the Pavilion at Oliver Park free of charge. Council Member Roberson seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Council Member Phillips made a motion to adjourn the meeting at 7:50 p.m.

Approved this 3rd day of May, 2010.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk