

December 7, 2009

The Mayor and Council of the City of Calera met on December 7, 2009 at 6:00 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: Doug Smedley, Sewer Operations Director
Chris Pappas, City Engineer
Sean Lemley, Police Chief
Janet Greathouse, Library Director
Hilton Shirey, Deputy Fire Chief
Mike Wood, Building Official
Mike Kent, Zoning Official
David Jones, Public Works Director
Roy Hadaway, Finance Director

Guests: Mrs. Sue Williams, Steve Allen, Jim Roberts, Jim Whittle, Danny Darling, Matt Worthen, Sean Kendrick, City Employees

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

Regular Meeting – November 16, 2009
Work Session – November 16, 2009
Special Called Meeting – November 17, 2009 8:45am
Special Called Meeting – November 17, 2009 7:00 pm

Council Member Roberson seconded said motion which was carried unanimously.

REPORTS OF DEPARTMENT HEADS:

No Department Head Reports other than agenda items.

COUNCIL MEMBER REPORTS:

Council Member Montgomery requested an update from Chief Sean Lemley and Council Member Bunn concerning their meeting with Shelby County Commission and the Humane Society. Council Member Bunn advised the Mayor and Council that several ideas were discussed to try to save each city money. We will be working closely with Shelby County concerning this matter. Council Member will continue to update the Mayor and Council as issue develops.

Council Member Roberson advised Chief Sean Lemley that he is hearing complaints concerning on street parking in certain subdivisions. Council Member Roberson will meet with Chief Sean Lemley concerning these issues.

Council Member Roberson made a motion to move the pre-council work session to the council chambers instead of meeting in the conference room. Council Member Bunn

seconded said motion and upon vote, results were as follows:

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

NAYS: None

Council Member Bradshaw requested an update from Engineer Chris Pappas concerning the drainage issue located at Emerald Ridge. Mr. Pappas is still waiting on a response from the developer.

Council Member Bunn advised Engineer Chris Pappas that he would like him to follow up with Bill Justice on drafting the Resolution to protect the property owners from damage due to contractor installing their product.

Council Member Bunn would like to say thanks to his supporters and is happy to finally be able to serve his term.

Council Member Gentry would like to thank the citizens of Calera for allowing him to serve as a Council Member.

GUESTS:

Mrs. Sue Williams was present to discuss the status on her property. It was determined that Mrs. Williams would like the City to burn the house located at 1110 17th Street for a training exercise. Deputy Chief Shirey will examine the house to make sure the control burn would qualify as a training exercise. Deputy Shirey advised Mrs. Williams that she would be required to sign a release authorizing the Fire Department to burn the residence.

Steve Allen was present to request the Mayor and Council consider to rezone his property located behind Hampton Square. The Mayor advised Mr. Allen that we would add his request to the December 21, 2009 agenda.

Jim Roberts was present to request the Mayor and Council allow a 1 year extension subdivision approval on the property located at Smokey Road adjoining Cheasapeake Subdivision, Calera, Alabama. Parcel ID Numbers 229311001001000 (5 acres) 22930000000800 (16 acres).

Council Member Bunn made a motion to approve Mr. Roberts request for the 1 year extension. Council Member Phillips seconded said motion and upon vote, results were as follows:

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

NAYS: None

Random Acts of Kindness requested permission to use the Community Center free of charge on March 4 – 6, 2010 for their spring clothes drive.

Council Member Bradshaw made a motion to approve to waive the rental fee for the Community Center for this event. Council Member Roberson seconded said motion and upon vote, results were as follows:

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

NAYS: None

Mayor Graham announced that the established council meetings dates and time for the following year will be as follows: the first and third Monday of each month, the pre-council work session time will begin at 6:30 pm and the council time will begin at 7:00 pm.

Council Member Bradshaw moved that unanimous consent of the Council be given for the immediate action upon setting the council dates and time for the following year. Council Member Phillips seconded said motion and upon vote, the results were as follows:

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

NAYS: None

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

Council Member Phillips moved for the approval of council dates and time for the following year, which motion was seconded by Council Member Bunn and upon vote, the results were as follows:

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

NAYS: None

The Mayor advised the Council that an office employee had resigned and we would need to post the vacant assistant utility clerk position. Council Member Bradshaw made a motion to authorize the City Clerk to post the vacant position for a assistant utility clerk. Council Member Gentry seconded said motion and upon vote, the results were as follows:

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

NAYS: None

The Mayor requested permission for the City Clerk to post and hire a Bookkeeper / Accountant for the office. Council Member Bradshaw made a motion to authorize the City Clerk to post and hire a Bookkeeper / Accountant for the office. Council Member Phillips seconded said motion and upon vote, the results were as follows:

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

NAYS: Gentry

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2009-19

RULES OF COUNCIL PROCEDURE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA, that the order of procedure in all instances for meetings of the Council shall be as follows:

SECTION 1. That the rules of order of procedure herein contained shall govern deliberations and meetings of the Mayor and Council for the City of Calera, Alabama.

SECTION 2. Regular meetings of the Council shall be held on the following dates: the first and third Mondays of each month.

SECTION 3. Special meetings may be held at the call of presiding officer by serving notice on each member of the Council not less than 24 hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever two Council Members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.

SECTION 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama, 1975.

SECTION 5. All regular meeting shall convene at 7:00 o'clock p.m. at the City Hall and all meetings, regular and special, shall be open to the public.

SECTION 6. The order of business shall be as follows:

1. A call to order
2. Roll Call
3. Approval of the minutes of the previous meeting
4. Reports of standing committees
5. Reports of special committees
6. Reports of officers
7. Reports of Council Members
8. Reading of petitions, applications, complaints, appeals, communications, etc.
9. Auditing accounts
10. Resolutions, Ordinances, Orders, and other business
11. Public Comments

SECTION 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

SECTION 8. No person, not a member of the Council, shall be allowed to address the same while in session without permission of the presiding officer.

SECTION 9. Every officer, whose duty it is to report at the regular meetings of the Council, who shall be in default thereof, may be fined at the discretion of the Council.

SECTION 10. Motions shall be reduced to writing when required by the presiding officer of the Council or any member of the Council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

SECTION 11. Motions to reconsider must be by a member who voted with a majority and at the same or next succeeding meeting of the Council.

SECTION 12. Whenever it shall be required by one or more members, the “yeas” and “nays” shall be recorded and any member may call for a division on any question.

SECTION 13. All questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council by any member.

SECTION 14. The presiding officer of the Council may, at his or her discretion, call any member to take the chair, to allow him or her to address the Council, make a motion, or discuss any other matter at issue.

SECTION 15. Motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

SECTION 16. All meetings of the Council shall be open to the public, except when the Council meets in executive session as authorized by state law.

SECTION 17. The Council may meet in executive session only for those purposes authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the Council shall vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive

session was called. No action may be taken in an executive session. When the discussion has been completed, the Council shall resume its deliberations in public.

SECTION 18. A motion for adjournment shall always be in order.

SECTION 19. The rules of the Council may be amended in the same manner as any other ordinance of general and permanent operation.

SECTION 20. The rules of the Council may be temporarily suspended by a vote of two-thirds of the members present.

SECTION 21. The chairman of each respective committee, or the Council Member acting for him or her, shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

SECTION 22. All ordinances, resolutions or propositions submitted to the Council which require expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the Council; and provided further, that this rule shall not apply to the current expense of, or contracts previously made with, or regular salaries of officers, or wages of employees of the City.

SECTION 23. The clerk, engineer, attorney and chief of police, and such officers or employees of the City of Calera, shall when requested, attend all meetings of the Council and shall remain in the Council room for such length of time as the Council may direct.

SECTION 24. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

SECTION 25. Robert's Rule of Order is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set out in this Ordinance.

SECTION 26. This ordinance shall go into effect upon the passage and publication as required by law.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon said Ordinance No. 2009-19. Council Member Bradshaw seconded said motion and upon vote, the results were as

follows:

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

NAYS: None

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

Council Member Bunn moved that Ordinance No. 2009-19 be adopted, which motion was seconded by Council Member Roberson and upon vote, the results were as follows:

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

NAYS: None

Adopted this 7th day of December, 2009.

Mayor Graham declared Ordinance No. 2009-19 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2009-18

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 Delete the following:

(The City of Calera has a designed wind speed of 93 mph)

Council Member Roberson 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: Graham, Montgomery, Roberson, Bradshaw, Bunn, Gentry, Phillips

NAYS: None

The Mayor declared said motion carried and unanimous consent given.

Council Member Montgomery moved that Ordinance No. 2009-18 be adopted, which motion was seconded by Council Member Roberson and upon vote the results were as follows:

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

NAYS: None

Adopted this 7th day of December 2009.

Mayor Graham declared Ordinance No. 2009-18 adopted.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2009-45

WHEREAS, the current Mayor of the City of Calera, Mayor Jon Graham, was sworn in and assumed office as Mayor of the City of Calera, Alabama, on November 17, 2009; and

WHEREAS, two new Members of the City Council of the City of Calera, Alabama, namely, Chris Bunn and Ed Gentry, were sworn in and assumed office as City Council Members on November 17, 2009, and began their service in such capacity at such time; and

WHEREAS, under current pay rotation procedure, the Mayor and City Council are paid beginning with the first of each month:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CALERA, ALABAMA, as follows:

1. That Mayor Jon Graham and City Council Members Chris Bunn and Ed Gentry shall be paid pro rata at the normal rate of pay for their respective offices beginning with their first day of service on November 17, 2009, up to and including the heretofore established regular scheduled payment which occurred on December 1, 2009.
2. That the Clerk of the City of Calera is hereby directed to issue checks to Mayor Jon Graham and City Council Members Chris Bunn and Ed Gentry for a partial pro rata pay period for the time of their assumption of the duties of office on November 17, 2009, until their regular pay period commenced on December 1, 2009.

Council Member Bradshaw made a motion to adopt Resolution No. R-2009-45. Council Member Roberson seconded said motion and upon vote, results were as follows:

AYES: Montgomery, Bradshaw, Roberson, Phillips
NAYS: None
OBSTAIN: Graham, Bunn, Gentry

ADOPTED this 7th day of December, 2009.

ATTEST:

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2009-44

A RESOLUTION ACCEPTING A BID FOR IN-CAR VIDEO CAMERAS FOR THE POLICE DEPARTMENT VEHICLES 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 December 2, 2009 at 10:00 a.m.; and

WHEREAS, bids were as follows:

Watchguard Video	Unit Price \$4,800	Total Price \$120,000
Allcomm Wireless	Unit Price \$3,105	Total Price \$ 68,310

WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on December 7, 2009, accepts the recommendation of the Police Chief, Mr. Sean Lemley, to award the bid for the In-Car Video Cameras for the Police Vehicles in the amount of \$120,000 to Watchguard Video. Allcomm Wireless did not meet the minimum specifications.

(Copy of Police Chief's recommendation letter attached to this Resolution)
(Bid Tabulation attached to this Resolution)

Council Member Bradshaw moved that Resolution No. R-2009-44 be adopted. Council Member Bunn 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-2009-44 adopted.

Adopted this 7th day of December, 2009.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2009-46

**A RESOLUTION ACCEPTING A BID FOR WASTE RECEPTACLE
BID FOR THE GABARGE DEPARTMENT 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 November 23, 2009 at 10:00 a.m.; and

WHEREAS, bids were as follows:

Ingram Equipment Company, LLC	\$19,855.50
Buckhorn Customer Service	\$20,923.00

WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on December 7, 2009, accepts the recommendation of the Public Works Director, Mr. David Jones, to award the bid for the Waste Receptacles Bids for the Garbage Department in the amount of \$19,855.50 to Ingram Equipment Company.

(Copy of Public Works Director's recommendation letter attached to this Resolution)(Bid Tabulation attached to this Resolution)

Council Member Gentry moved that Resolution No. R-2009-46 be adopted. Council Member Bradshaw 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-2009-46 adopted.

Adopted this 7th day of December, 2009.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

The Mayor requested approval to return to a 5 day work week for city employees. Council Member Bunn made a motion for city employees to return to a 5 day, 8 hr work week as of January 6, 2010. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

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

NAYS: None

Mayor Graham introduced the following Information Technology Acceptable Use Policy to Council for consideration:

Information Technology
Acceptable Use Policy
[A.U.P.]

Acceptable Use Policy

What is the Acceptable Use Policy or AUP?

AUP is part of a comprehensive program to provide complete information security. These guidelines were established to hold users accountable for their actions and responsible for information security. AUP's establish standards of behavior in recognition of the fact that knowledgeable users are the foundation of a successful security program. All users need to understand that taking personal responsibility for the security of their computer and the data it contains is an essential part of their job.

1. Purpose and Use. City of Calera provides information systems for the purpose of transacting official business of the City. The City establishes Acceptable Use Policy for the proper use of these systems. Any use of City information resources not specifically addressed in the AUP must be authorized by the City Clerk. The City of Calera has created the Acceptable Use Policy to guide users, content providers and system administrators in the appropriate and acceptable use of City information resources. This document applies to all information resources that comprise the City Enterprise information infrastructure and to all users of these information resources. In this document, the term “you” or “your” refers to the User. The term “User” also includes Content Providers and Systems Administrators.

The City information infrastructure is an information system composed of various interrelated information systems owned by, and operated for, City of Calera. A portion of City business activities take place at remote locations managed by the City. Information maintained in City systems, including electronic mail files, may be reviewed by City officials who have a legitimate reason to do so when authorized by the City Clerk. Unauthorized attempts to modify any information stored on these systems, to defeat or circumvent security features, or to use this system for other than its intended purposes are illegal and may result in disciplinary action, criminal prosecution, or both. A violation of any Rule of Behavior can result in termination of service or disabling of user account.

The Acceptable Use Policy applies to all users of the City information infrastructure whether you are a City employee or not. The City information resource users must comply with the Acceptable Use Policy. Because written guidance cannot cover every contingency, you are asked to go beyond the stated rules, using your best judgment and highest ethical standards to guide your actions. These AUP Rules are based on “best practices”, standards, local, state and Federal laws and regulations and City directives. As such, there are consequences for non-compliance. Depending on the severity of the violation, at the discretion of management and through due process, consequences can include: suspension or termination of access privileges, disciplinary actions including suspension or employment termination, criminal and civil penalties.

If you have any questions about these Rules, please contact the City Clerk, IT

Services at 205-668-3803 or send an email to cpayton@calera.org.

2. The Policy

Ownership of Information systems: Information systems (including but not limited to: computer and printing equipment; software and operating systems; City applications; email and instant messaging; internet and intranet usage; network file storage; portable computing devices, telecommunication systems; video systems, voice messaging systems) are the property of the City. They are to be used for City business purposes in serving the interests of the City in the course of normal operations.

Privacy of Communications: Users of the City information resources have no expectation of privacy with respect to any information residing on City information systems or transmitted over City information networks. The City will release user information found on City information resources to appropriate law enforcement agencies when asked to do so as part of an official investigation or other sanctioned activity. City will, to the best of its ability, protect information within the City information infrastructure from unauthorized access.

Monitoring: The City reserves the right to monitor all users usage to ensure proper working order, appropriate use by employees, contractors and agents, the security of City data, and to retrieve the contents of any user communication in these systems. Management may access user files, including deleted and archived material of present and former users without the user's consent for any purpose related to maintaining the integrity of the network, or other purposes deemed necessary by the City.

Personal use: Personal use of the systems is authorized within reasonable limits as long as it does not interfere with or conflict with City business use. Users are responsible for exercising good judgment regarding the reasonableness of personal use. All users should review the Acceptable and Prohibited Use sections at end of this document for education on information usage activity.

3. Users Responsibilities

User Responsibilities. When using the City information infrastructure you will be held accountable for your actions related to the information resources entrusted to you. The City information resource users have the following responsibilities:

- Comply with the Acceptable Use Policy and all other City policies and procedures.
- Protect hardware, software, and information from damage, abuse, and unauthorized use.
- Report security violations and vulnerabilities to Management immediately.
- Users shall not access, modify, duplicate, destroy, or disclose any information or software on a network or a computing system, unless so authorized.

- Users shall not leave an active system unattended, thereby allowing an unauthorized person to gain access to a network or a computing system through the user's login session.
- Users are responsible to ensure the integrity, availability, and confidentiality of all work-related data on systems assigned for their use. Any critical data that is stored on a local hard disk should be backed up periodically. Backups should be performed commensurate with the risk and criticality of the data.
- Users are responsible to ensure data is stored and backed up within specific network locations based upon users department and level of access. Contact the Help Desk if you are unaware of the proper location.
- Protect any sensitive and all bulk data information from disclosure to unauthorized individuals or groups. Disclosure of sensitive and bulk data information is not at the user's discretion. Bulk data (i.e. databases, mass data exports, etc.) and sensitive information **should only** be released when authorized by City management.

User IDs and Passwords. All Users will be prompted to change his/her password every 180 days. Users should ensure information security through effective use of user IDs and passwords. Never share your network password with anyone as it represents your personal identity on the network. Each User with network access has a unique user ID and password and will be held accountable for activity connected to that ID. Your network password is the key to your account, and anyone who knows it has complete access to all of your files and information.

Guidance on Passwords. The minimum password length is 8 characters. Users shall follow the guidance below when creating or using their passwords: Passwords are considered operationally sensitive information and shall not be disclosed to co-workers; written down; or displayed anywhere that might allow others to copy or memorize them.

- Users shall avoid using passwords containing obvious items or information, such as names, initials, important numbers, etc.
- Passwords should not be trivial, predictable, or obvious.
- Passwords should be at least eight characters long and should contain a combination of alphabetic (upper and lower case), numeric, and special characters. Never use all numeric passwords or all alpha characters.
- Avoid using words or permutations of words found in a dictionary.
- Avoid using names of family members or pets, hobbies, dates, or other familiar or easily guessed information about yourself.
- The City network will prompt you to change your password every 180 days. If it is compromised at any time, the User should initiate the request to change his/her password.

Authorization for Access. Portions of the City information infrastructure are restricted to authorized users that have been granted special access permissions by the City Management. These areas are identified by warnings posted at their entry point or by the system's interactive request for authentication. You shall access only those areas for which you have been granted authorization to access.

Copyright and Intellectual Property Issues. All users of City information resources must comply with U.S. and international laws regarding copyrights and other intellectual property. Users must comply with copyright licenses associated with the City information resource they are using. Users shall not make copies of licensed software for other microcomputers users or personal use. The presentation or display of digital media such as software, pictures, literary works must comply with existing laws.

Alternative Workplace. When working at home or an alternative workplace, City information resources users must establish security standards at their alternate workplace sufficient to protect hardware, software, and information. This includes having only those resources employees need and have authority to use; establishing a thorough understanding and agreement with supervisors as to what employees' security responsibilities are; using software according to licensing agreements; ensuring that confidentially-sensitive information downloaded is secure; being alert for anomalies and vulnerabilities; and reporting these anomalies to proper officials and seeking advice when necessary.

Departmental File Storage. Within each departments network, directories have been established for network based file storage. Management of the allocated space is the responsibility of that department, with the assistance of the IT department. User privileges for their department directories are set at the discretion and with the approval of the department management.

Laptop Computers and other portable devices. Laptops and other portable computing devices, such as Mobile PC's , PDA's (Personal Digital Assistants) and smart phones must be evaluated for compatible software and up-to-date anti-virus protection before they are used on the City network. Personally owned IT equipment (laptops, phones, etc.) are not supported by the IT Department. Loss of any City owed portable device should be reported immediately to the City Clerk.

Official Business. Official business broadly includes any information processing that is required as part of an individual's work responsibilities. Official business includes, but is not limited to, the performance of City work-related duties in position descriptions, professional training, work covered under grant agreements with the City, tasks directed via City contracts, agreements with outside vendors/partners, and support activities related to City contract tasking.

Ownership of Information. All information located on a City information system or device is the property of the City, unless otherwise identified as belonging to another entity as a result of a contract or a grant agreement with the government.

Personal Use. Personal use broadly includes any information processing that is conducted in support of activities that do not constitute official business. A personal use activity is typically one in which the individual user, or a non-City entity is the primary beneficiary. Participants who use program assets for personal purposes are responsible for any and all liability that may arise from such personal use to include any violation of law, regulation or policy during such use.

Use of Antivirus Applications. All users of City information resources must comply with City policies regarding the use of antivirus software. All computer devices, regardless of ownership, that access the City network are automatically required to install and run a virus screening program on the device prior to entry.

Sensitive Information. Certain types of information need special protections to ensure confidentiality. As such, do not place any of the following types of information on a City information system unless you are specifically authorized or instructed to do so: Medical Information; non-public information regarding a Public or Private company; Security Information; Proprietary or sensitive information; any other information considered sensitive or confidential. Where applicable; City information resource users must acquire and use sensitive information only in accordance with established policies and procedures. This includes properly safeguarding sensitive information contained in hardcopy or softcopy; and ensuring sensitive information is accurate, timely, complete, and relevant for the purpose which it is collected, provided, and used.

Reporting Violations. Users shall immediately report any known or suspected violations of these Rules or other Information Security policies or procedures. Please contact your department head or manager.

4. ACCEPTABLE USES. The following activities are considered acceptable uses of the City Information Infrastructure. All users are reminded that the City business activities always take precedence over any personal activity. The City reserves the right to restrict or otherwise limit personal use based on resource availability, conflict with official business, and unacceptable information security risks.

Personal Telephone and Facsimile Use. Users may make personal telephone calls (including use of facsimile machines and voice mail), provided such use complies with departmental rules and other City policies and procedures. The user is responsible for any incremental charges incurred when using the infrastructure for personal use (i.e. long distance calls, minute threshold exceeded, etc.)

Personal Use of Electronic Mail. Some limited personal use of the institution's electronic mail services is permitted, provided it does not interfere with the participant's work or the work of others. Typical authorized limited personal use of email includes emergency communications and personal communications with friends or family members or health care professionals. Extreme care must be taken regarding content matter and file sizes.

Personal Use of the Internet. Some limited personal use of Internet services is permitted, provided it does not interfere with the participant's work or the work of others. Extreme care must be taken regarding content matter and file sizes. Typical authorized limited personal Internet use includes:

- Accessing travel information, forms or information on the Intranet or Internet
- Accessing Shelby Intranet information content
- Accessing state and local government agencies on personal matters etc.
- Work-related events, such as technical symposiums, classes, and presentations
- Activities sponsored by the City, such as Webinars
- Events and activities specific to a particular City unit or organization
- Program-sanctioned activities, sanctioned clubs, and organizations
- Recreational web-browsing of a reasonable duration, during non-work hours, that does not violate other elements of this policy and does not conflict with departmental policies or guidelines.

Third Party Software, Freeware and Shareware. Users may not install third party software, including freeware and shareware, unless the software is required to support their work responsibilities. Users must possess a valid license for all third party software installed on City information systems assigned for their use. Prior to installation, users must use antivirus tools to ensure the software is free of viruses. If the third party software is discovered to be the cause of system errors or other problems, it will be removed.

Mailing Lists. Users are permitted to subscribe to mailing lists required to support their work responsibilities or grant tasks. City reserves the right to restrict or deny mailing list subscriptions and traffic to meet mission requirements.

5. Prohibited uses. While it is impossible to anticipate every possible violation, examples are provided below to assist in defining what is considered to be responsible and ethical behavior. This list is not intended to be exhaustive; in general, any activity which does not directly contribute to the City's mission may be considered inappropriate use. The following activities are prohibited uses of the City Information Infrastructure.

- **Illegal Activities.** All illegal activities are forbidden. Any violation of federal, state, local law or regulation is expressly prohibited
- **Adverse Activities.** Any activity that could embarrass the City, adversely affect

its interests, interfere with the performance of the City's mission/objectives, or exceed allocated resources is prohibited.

- **No processing of unauthorized classified information.** The storage, processing or transmission of classified information on unclassified computer systems, networks or via the Intranet and Internet is prohibited. All City information resources are to be considered unclassified and are not accredited for processing or transmitting classified information.
- **Hostile Environment.** Under no circumstances is it permissible to access or download material that would create a hostile or offensive work environment, such as racist or sexually explicit material. This prohibition includes, but is not limited to, the following activities: accessing or transmitting sexual images, messages, jokes or cartoons; hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, age, national origin, or sexual orientation or is otherwise defamatory or derogatory; content prohibited by law and/or regulation.
- **Prohibited Email Activities.** Allowing others to use an assigned email account is prohibited. Placing others on a mailing list, subscription list, chat room list, or other list service without their consent is prohibited. Creating, originating, distributing or circulating "chain" or "pyramid" transmissions, mass mailings, hoaxes, or harassing messages is prohibited. "All employee" or broadcast messages disseminated using the City information resources must be approved by your department Manager as business related. Using large distribution lists for non-business-related purposes, or sending large, memory intensive files or applications which may impede or disturb network operation is prohibited. Using email solicits for personal commercial ventures, religious or political causes, or outside organizations is prohibited.
- **Personal Servers.** Due to resource constraints, personal servers of any type are prohibited.
- **Chat Room and Forum Participation.** Use of City information resources to participate in chat rooms, forums, news groups, or similar activities where the public will view the posting is prohibited because such postings make use of the City domain. Use of the City Internet address "cityofcalera.org" is a representation of the City of Calera, analogous to the use of City letterhead in which the opinions expressed reflect on the City.
- **Political Activities.** Use of the City information systems to support organized political activities, such as an election campaign or an organized lobbying activity is prohibited.
- **Gaming.** Use of City information resources to participate in gaming activities is prohibited.
- **Prohibited Business and Commercial uses.** Conducting non-City business activities is prohibited. Using City resources to advertise commercial goods or services for sale or monetary/personal gain is prohibited. Using City resources to conduct non-program commercial activities is prohibited. Users may not establish and maintain a web-based business at a City operating location.

- **Prohibited Network Activities.** Knowingly downloading, installing, storing or using malicious software, viruses, “cracking,” keystroke monitoring software or other actions that may be disruptive or counter-productive to business operations is prohibited. The introduction or use of packet sniffing software or any software intended to capture passwords is prohibited except when explicitly authorized for contract or business purposes and coordinated in advance with IT management. Monitoring network traffic (e.g., run a sniffer); accessing IT resources; or copying data, files, or software without prior authorization is prohibited.
- **Failure to comply** with requests from appropriate City officials to discontinue activities that threaten the operation or integrity of computers or networks, or otherwise violate this policy.
- **Internet File Sharing.** Use of City information resources to participate in Internet-based file sharing prohibited. A type of file sharing known as Peer-to-Peer (P2P) refers to any software or system allowing individual users of the Internet to connect to each other and trade files. These systems are usually highly decentralized and are designed to facilitate connections between persons who are looking for certain types of files.
- **Internet Photo Downloading.** Use of City information resources to participate in Internet-based photo sharing is prohibited. These systems are usually highly decentralized and can consume considerable bandwidth to move large picture files.
- **Unauthorized scanning** of networks for security vulnerabilities.
- **Intentionally wasting** human or electronic resources.
- **Negligence leading to the damage** of City electronic information, computing/networking equipment and resources.

6. Additional Guidance for Content Providers and Systems

Administrators. Auditing of Information Systems. Where applicable; system administrators will regularly review security logs and conduct spot-checks to determine if Users are complying with controls placed on the use of City information resources.

Protection of Personal Information. During the course of their duties, Content Providers and Systems Administrators may have access to information of a personal nature. This information is considered entrusted and is not to be disclosed unless authorized or directed to do so as part of a lawful investigation, or as directed by City management.

7. Acknowledgment of the Acceptable Use Policy. Your acknowledgement of the Acceptable Use Policy and your continued use of the system constitute your acceptance of the Acceptable Use Policy and of other relevant rules and regulations of the local, state, federal government. Acknowledgement is accomplished by signing a copy of this document as part of your account processing.

Council Member Gentry made a motion to approve the Information Technology Acceptable Use Policy. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

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

NAYS: None

APPOINTMENT OF ADMINISTRATIVE OFFICES: Council Member Roberson made a motion to appoint Connie B. Payton as City Clerk, Sean Kendrick as Fire Chief, Sean Lemley as Police Chief, and all City employees remain in their respective positions. Council Member Gentry seconded said motion which was carried unanimously.

DESIGNATION OF DEPOSITORY FOR CITY FUNDS: Council Member Gentry made a motion to designate Central State Bank as depository for City Funds. Council Member Phillips seconded said motion which was carried unanimously.

ESTABLISHMENT OF CUT-OFF DATE FOR AGENDA: Council Member Bunn made a motion to establish the Wednesday before Council Meeting as cut-off date for the Council agenda and 5:00 pm as the cut-off time. Council Member Bradshaw seconded said motion which was carried unanimously.

APPOINTMENT TO EMPLOYEES SICK LEAVE COMMITTEE COUNCIL REPRESENTATIVE: Council Member Roberson motion to appoint Council Member Bunn to the Sick Leave Committee as the City Council's representative with term expiring at the end of the Council Member term. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

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

NAYS: None

OBSTAIN: Bunn

ELECTION OF MAYOR PRO-TEM: Mayor Graham made a motion to appoint Council Member Bradshaw as Mayor Pro-Tem. Council Member Gentry seconded said motion and upon vote, the results were as follows:

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

NAYS: None

OBSTAIN: Bradshaw

APPOINTMENT TO WATER WORKS BOARD COUNCIL REPRESENTATIVE: Council Member Bradshaw made a motion to appoint Mayor Graham to serve as the City's Council representative on the Water Works Board with term expiring with the Mayor term. Council Member Bunn seconded said motion and upon vote, the results were as follows:

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

NAYS: None

OBSTAIN: Graham

APPOINTMENT TO WATER WORKS BOARD COUNCIL REPRESENTATIVE:

Council Member Montgomery made a motion to appoint Council Member Phillips to serve as the City's Council representative on the Water Works Board with term expiring with the Council Member term. Motion died for lack of second.

APPOINTMENT TO WATER WORKS BOARD COUNCIL REPRESENTATIVE:

Council Member Bunn made a motion to appoint Council Member Roberson to serve as the City's Council representative on the Water Works Board with term expiring with the Council Member term. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

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

NAYS: None

OBSTAIN: Roberson

Council Member Phillips made a motion to adjourn the meeting at 6:50 p.m.

Approved this 21st day of December, 2009.

Jon G. Graham , Mayor

ATTEST:

Connie B. Payton, City Clerk