

December 3, 2012

The Mayor and Council of the City of Calera met on December 3, 2012 at 6:30 p.m. at Calera City Hall with the following present:

Mayor: Jon G. Graham

Council Members: Ernest Montgomery, Alan Watts, David Bradshaw, Chris Bunn, Philip Busby, Bobby Joe Phillips

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

Guests: Sandy Parks, Jasper Levio, Mollie Brown, Doug LeSueur and Bill Davis

Keith Jones called the meeting to order and opened with a Word of Prayer and the Pledge of Allegiance.

Council Member Bradshaw made a motion to approve and dispense with the reading of the following minutes:

Regular Meeting – November 19, 2012
Work Session – November 19, 2012

Council Member Phillips seconded said motion which was carried unanimously

REPORTS OF DEPARTMENT HEADS:

Sean Lemley, Police Chief reported CSX is sending an employee out to evaluate the crossing located at Highway 22 and Highway 25.

Roy Hadaway, Finance Director presented budget amendments for approval and submitted a request to refinance the Sewer Bonds. (See Attached)

Council Member Bradshaw made a motion to authorize the budget amendments. Council Member Bunn seconded said motion which was carried unanimously.

Council Member Bradshaw made a motion to authorize the Mayor to move forward with refinancing the Sewer Bonds. Council Member Bunn seconded said motion which was carried unanimously.

COUNCIL MEMBER REPORTS:

Council Member Watts and Mayor Graham attended the recent ribbon cutting at the new Calera Middle School. Chief Lemley advised that he and his officers have been monitoring the traffic during peak times at the new Calera Middle School.

Council Member Bunn requested an update from Chris Pappas, City Engineer concerning flooding issues on two residences located off of Eagle Drive. Mr. Pappas advised he has been working with the County Engineer on a solution to the problem.

Council Member Busby thanked the Public Works Department and the Street Department for working with the Homeowners Association to have the Stop Signs installed in the Savannah Pointe Subdivision.

MAYOR REPORT:

Mayor Graham announced the Alabama League of Municipalities will host the Annual Convention in Montgomery, Alabama on May 18–21, 2013. It was determined that the City Clerk would register the following for the upcoming convention: Mayor Graham, Council Member Montgomery, Council Member Watts, Council Member Bradshaw, Council Member Bunn, Council Member Busby and City Clerk Connie Payton.

The American Cancer Society requested approval to use Oliver Park to host Relay for Life on May 3-4, 2013.

Council Member Watts made a motion to allow the American Cancer Society to use Oliver Park free of charge to host Relay for Life on May 3-4, 2013. Council Member Busby seconded said motion which was carried unanimously.

OLD BUSINESS:

No old business

NEW BUSINESS:

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2012-31

A RESOLUTION ACCEPTING A BID FOR THE COMPLETION OF MEADOW PARK DRIVE 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 29, 2012 at 10:00 a.m.; and

WHEREAS, bids were as follows:

James Moore Paving, Inc.	\$24,288.00
JoshCo, Inc. dba Butler Contractors	\$24,732.00

Wiregrass Construction Co, Inc.

\$27,138.75

WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on December 3, 2012 considers the recommendation of the City Engineer, Mr. Chris Pappas. The Mayor and Council will award the bid for the completion of Meadow Park Drive in the amount of \$24,288.00 to James Moore Paving.

(Copy of City Engineer, Chris Pappas letter attached to this Resolution)(Copies of Bids attached to this Resolution)

Council Member Phillips moved that Resolution No. R-2012-31 be adopted. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2012-31 adopted.

Adopted this 3rd day of December, 2012.

Jon G. Graham, Mayor

ATTEST:

Connie Payton, City Clerk

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2012-25

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

WHEREAS, Section 14-58 of the City of Calera Code of Ordinances is hereby amending the following section to read as follows:

[Sec. 14- 58](#) Abandoned, junked or non-operating vehicles.

(a) *Definitions.* The following definitions shall apply in the interpretation and enforcement of this section:

(1) *Public lands or public ways:* All streets, walkways, alleys, highways, parks, lands and easements which are in the ownership or under the lawful control of the City of Calera.

- (2) *Property*: All real property within the city exclusive of public lands and public ways.
- (3) *Vehicle*: A machine propelled by power other than human power designed to travel along the ground by use of wheels, treads, runners, or slides, and transport persons or property or pull machinery and shall include, without limitation, automobile, truck, trailer, motorcycle, tractor, buggy, and wagon.
- (4) *Abandoned vehicle*: Any vehicle which has been left parked or unattended for longer than twenty-four (24) hours upon any public land or public way without written authorization; any vehicle which reasonably appears to be lost, stolen, or unclaimed; any vehicle left in an area clearly marked to designate such an area as a "no parking" zone; any vehicle left unattended in such manner and under such circumstances as to constitute a hazard to the safe and orderly movement of traffic upon any public street, alley or highway.
- (5) *Junked or non-operating vehicle*: Any vehicle that does not bear a current license plate; any vehicle that is not capable of being driven under its own power; any vehicle which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition.
- (b) *Abandonment*: No person shall abandon any vehicle within the city, and no person shall leave any vehicle at any place within the city at such time and under such circumstances as to cause such vehicle reasonably to appear to have been abandoned.
- (c) *Dismantled, non-operating, wrecked or junked vehicles*: No person shall leave any partially or wholly dismantled, non-operating wrecked or junked vehicle, or parts thereof, on any public land or public way within the city. No person in charge or control of any property within the city, whether as owner, tenant, occupant, lessee or otherwise, shall allow any partially or wholly dismantled non-operating, junked, wrecked, or discarded vehicle, or parts thereof, to remain on such property longer than seventy-two (72) hours; and no person shall place any such vehicle upon any property, or upon any public land or public way within the city. Provided, however, that this section shall not apply to the following:
- (1) Any vehicle within an enclosed building.
 - (2) Any vehicle within a lawfully established place of storage.
 - (3) Any vehicle upon the premises of a business enterprise operated in a lawful place and manner, when such vehicle is necessary to such operation.
 - (4) Any vehicle in a storage place or depository maintained by or under authority of the City of Calera.

(d) *Impounding.*

- (1) The chief of police or any police officer of the city is hereby authorized to remove or have impounded any vehicle which reasonably appears to be abandoned, lost, stolen or unclaimed or which is otherwise in violation of this section. The owner of such vehicles will be responsible for any wrecker or impound fees.

Council Member Bradshaw moved that unanimous consent of the Council be given for immediate action upon Ordinance No. 2012-25.

Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

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

Council Member Phillips moved that Ordinance No. 2012-25 be adopted. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Ordinance No. 2012-25 adopted.

Adopted this 3rd day of December, 2012.

Connie B. Payton, City Clerk

Jon G. Graham, Mayor

Guests:

No Guests

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

Approved this 17th day of December, 2012.

Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk