

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

December 21, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, December 21, 2006 in the Demopolis Rooster Hall.

Present:

Mayor Cecil P. Williamson
Council Members Thomas Moore, Mayor Pro Tempore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police	- Sorenson	Court	-
➤ Fire	- Tate	Public Safety	-
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay	Finance	- Pierson

Mayor Cecil Williamson called the meeting to order and opened with the invocation.

The West Alabama Mental Health Choir performed Christmas carols for the Mayor, and Council

The **minutes** of the last regular session December 7, 2006 were reviewed by the Council.

Councilman Yelverton moved to accept the minutes as presented. Councilman Moore seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson -	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones - Aye

Mayor Williamson announced that Jeff Manuel's father had surgery earlier in the day. She also announced the passing of Detective Marty Hoven's mother and Officer Derrick Carter's father. In addition there had been a set-back for Municipal Court Magistrate, Karen Broadhead whose daughter had undergone brain surgery. Karen's daughter had to undergo some three additional surgeries this past week and continues to have a difficult recovery.

Mr. Josh Pierce of Goodwyn, Mills, and Cawood updated the Mayor and Council regarding various city projects. Mr. Pierce reported that the French Creek Sewer Project was some 70% completed and had approximately two more months to completion. Mr. Pierce also stated that the Demopolis Riverwalk plans were with ALDOT and were expected to be approved soon and could then be advertised for bids. He reported bids were opened earlier in the day for the Whitfield Canal Project. Bids would be tabulated and he would return with a recommendation for the lowest qualified bidder. He stated that GMC and City Attorney Rick Manley had yet to secure the easements needed for the project. This was in an effort to meet the time requirements of the grant funding, and would be the next step of this project.

Airport Director “Buzz” Sawyer conveyed to the Council that he was revising the 2007 FY Grant request for the Demopolis Airport. He wished the Council to repeal Resolution 2006-14 requesting funding for a ramp expansion for the new hangar and replace it with Resolution 2006-16 requesting funding for an automatic weather reporting system and a survey to complete a new runway approach. These improvements would mean the Demopolis Municipal Airport could allow a commercial aircraft to land and takeoff. **Councilman Moore moved to repeal Resolution 2006-14.** Councilman Collins seconded the repeal and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Councilman Cooley moved to approve Resolution 2006-16 applying for grant funding from ALDOT Aeronautics for an automatic weather reporting system and a new runway approach survey. Councilman Jones seconded and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council reviewed application for **ABC License Lounge Retail Liquor – Class II (Package Store) by Eric Nathan Wright D.B.A. “Speak Easy Package Store”.** Detective Sorenson reported that everything was in order with the application. **Councilman Moore moved to approve ABC License Lounge Retail Liquor – Class II (Package Store) by Eric Nathan Wright D.B.A. “Speak Easy Package Store”.** Councilman Jones seconded and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council reviewed application for **ABC License Restaurant Retail liquor by Judith Holloway DBA Taquena “El Portal”.** Detective Sorenson reported that everything was in order with the application. **Councilman Yelverton moved to approve application for ABC License Restaurant Retail Liquor by Judith Holloway DBA Taquena “El Portal”.** Councilman Jones seconded and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson announced the **appointment of Mr. Keith Yeager to the Historic Preservation Commission** replacing Dr. Arthur Ogden who had resigned. Mr. Yeager had been recommended by the DHPC.

Mr. “Buzz” Sawyer recommended Mr. Mark Bedsole for appointment to the Airport Advisory Committee to replace the recently deceased Mr. Don Fleming. **Councilman Collins moved to appoint Mr. Mark Bedsole to the Airport Advisory Committee.** Councilman Yelverton seconded the appointment and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson announced the Library Board recommended Ms. Deborah Mitchell for appointment to the Library Board to replacing Ms. Yancena Perry who had resigned. **Councilman Jones moved to appoint Ms. Deborah Mitchell to the Library Board.** Councilman Yelverton seconded the appointment and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson asked the Council to consider the proposed Comprehensive Plan and Study for the City of Demopolis. Mayor Williamson assured the Council that part of the planning process would be the development of an advisory board to administer the Comprehensive Plan and ensure it would be utilized to the fullest extent possible. **Councilman Yelverton moved to approve the expenditure of \$7,000 to match \$20,000 in grant funding for a Comprehensive Plan and Study for the City of Demopolis.** Councilman Collins seconded the motion. Councilman Cooley stated for the record that although admirable, this and any Comprehensive Plan would only be worth the paper it is written on unless it is acted upon by the Administration. To date similar previous planning had not been acted upon. Mr. Cooley committed to the public and to the Council that, if passed, this Comprehensive Plan would be acted upon. Councilman Cooley volunteered to “be the watchdog” and personally ensure this plan be utilized.

The **motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Abstain	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

Councilman Moore stated for the record that his abstention was due to a conflict of interest.

Councilman Yelverton asked for an executive session to discuss purchase/sale of real property. Councilman Yelverton expressed concerns about the cities participation in the Spec Building Program. He would investigate with the IDB further and may withdraw his vote of “Aye” agreeing to participation. He also stated that a Utility Board truck had a University of Tennessee tag that he felt was inappropriately displayed on a city vehicle. He also asked the Mayor to consider some method of numbering the city vehicles and to make sure all city vehicles had departmental decals.

Councilman Jones asked if the paving project was finished. Mayor Williamson replied that it was not.

Councilman Collins asked Public Works Superintendent, Mike Baker how long the new paving had to cure before the striping could be painted. Mr. Baker responded that the cure time was approximately 14 days.

Councilman Cooley also asked for time in executive session for a personnel matter.

Councilman Moore asked the status of the possible sewage overflow on Lyon Street. Mike Baker stated that there was no indication of a sewage overflow. The drain was a storm drain and might overflow rainwater in heavy rains.

At 6:00 p.m. the Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW

A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 21th day of December, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Yelverton and Councilman Cooley for the Council to go into Executive Session for the purpose of discussion good name and character and also property sale/purchase being one of the following purposes authorized by the Act and which motion was seconded by Councilman Cooley; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows:

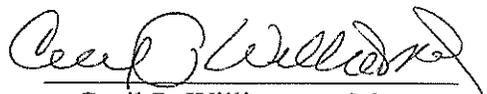
	<u>Yeas</u>	<u>Nays</u>
1. Mayor Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

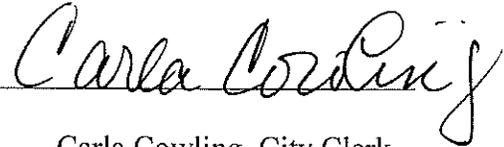
and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 30 minutes.

The Council reconvened into regular session at 6:47 p.m. **Councilman Cooley moved to adjust the salary of all city employees up by \$25.00.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

There being no further business before the Council, **Councilman Cooley moved to adjourn** the meeting at 6:52 p.m. The **motion carried.**


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

December 7, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, December 7, 2006 in the Demopolis Welcome Center.

Present:

Council Members Thomas Moore, Mayor Pro Tempore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Absent Mayor Cecil P. Williamson

Department Heads:

➤ Police	- Sorenson	Court	-
➤ Fire	- Tate	Public Safety	-
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay	Finance	-

Mayor Pro Tempore, Thomas Moore called the meeting to order and opened with the invocation.

Councilman Moore thanked the City Department Heads and all the city employees for their hard work during the recent tornado that struck Demopolis and Christmas on the River Festival events. Councilman Moore congratulated Mr. Tommy Tate for be chosen to lead the Demopolis Fire Department as interim Fire Chief. He also thanked Councilman Cooley for acting as Chair for a successful COTR festival.

Library Director, Lindsay Gardner announced the dedication of the new Habitat for Humanity house and invited the Council and public to attend Sunday December 11, 2006.

The **minutes** of the last regular session November 16, 2006 were reviewed by the Council. Councilman Moore noted two corrections; a motion on page 3 was corrected to a vote of "aye" by Councilman Moore, and a correction to his vote of "abstain" on both motions concerning the Comprehensive plan on page 5. **Councilman Cooley moved to accept the corrected minutes as presented.** Councilman Yelverton seconded the motion and the **motion passed** by the following roll call vote:

Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

Mr. Jay Shows, IDB Executive Secretary asked the Council to approve the undertaking of a new "Spec" Building Project by the Demopolis IDB. The project would be funded in part through the Alabama Power Spec Building Program which would loan 70% of the cost of the project for four years interest free. **Councilman Collins moved to approve the application to Alabama Power to participate in the Spec Building Program by the Demopolis IDB.** Councilman Jones seconded the motion and the **motion passed** by the following roll call vote:

Councilman Moore- Aye Councilman Collins - Aye

Mayor Pro Tempore Moore presented Mr. Len Goldman of Demopolis CATV with a certificate of appreciation for their yearly assistance in placing the Christmas decorations on power poles at no additional cost to the City of Demopolis.

The Council reviewed ABC Restaurant Retail liquor by Judith Holloway DBA Taquena “El Portal”. Detective Sorenson reported that Public Safety Director, Jeff Manuel had been out of town and had not had opportunity to review this application. Councilman Moore recommended any motion be postponed until Mr. Manuel could review the application. The motion passed.

The Council considered a salary adjustment for Mr. Tommy Tate for the responsibilities of interim Fire Chief.

At 5:40 p.m. the Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 7th day of December, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Mayor Pro Tempore Moore for the Council to go into Executive Session for the purpose of discussion good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Cooley; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1. Mayor Williamson	Absent	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 5 minutes.

The Council reconvened into regular session at 5:45 p.m. Councilman Cooley moved to adjust the salary of Fire Captain Tommy Tate to \$45,000 per year as compensation for the additional responsibility of interim Fire Chief. Councilman Jones seconded the motion and the motion passed by the following roll call vote:

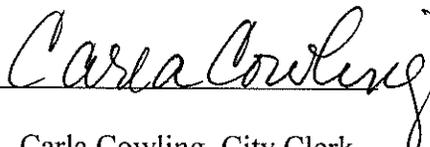
Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council considered the previously postponed proposal of a **Comprehensive Plan and Study for the City of Demopolis**. Councilman Cooley asked that the motion regarding the project be postponed until it could be determined if the Alabama Tombigbee Regional Commission was supposed to perform such services at no cost to member municipalities.

Councilman Cooley complemented and commended Public Works Superintendent Mike Baker and his department on the work they have accomplished in recent months and during the Christmas on the River Festivities. He also complemented the Demopolis Police Department on the fine job of security during the event as well.

There being no further business before the Council, **Councilman Cooley moved to adjourn** the meeting at 6:07 p.m. The **motion carried**.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

November 16, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, November 16, 2006 in the Demopolis Welcome Center.

Present:

Mayor Cecil P. Williamson

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

City Attorney Rick Manley

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay	Finance	-

Mayor Williamson called the meeting to order and opened with the invocation.

The **minutes** of the last regular session November 2, 2006 were reviewed by the Council.

Councilman Cooley moved to accept the minutes as presented. Councilman Jones seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore – Aye	Councilman Collins – Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Library Director, Lindsay Gardner announced a program by AARP at the Demopolis Library on December 5, 2006.

Mayor Williamson recognized Mr. Keith Bruno who was attending council session in order to meet one of the requirements for achieving his Eagle Scout badge.

Mayor Williamson presented a **Proclamation and Certificate of Appreciation for retiring Fire Chief George Davenport.**

The Council considered **Proposed Resolution 2006-15** Naming Rooster Hall, Demopolis Welcome Center and Council Chamber as follows:

RESOLUTION 2006 – (15)

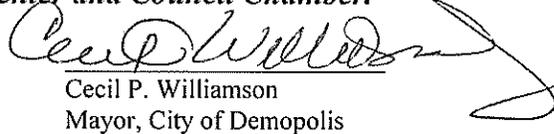
WHEREAS, the City of Demopolis, Alabama recognizes historical events and significant historic structures as a valuable resource; and

WHEREAS, the City of Demopolis, Alabama has restored and renovated the historic Presbyterian church in the city square and now utilizes the building as a welcome center to travelers and a meeting area for the Demopolis City Council; and

WHEREAS, the sale of some 5,000 roosters in 1919 to fund a bridge to be built across the Tombigbee river at Demopolis, Alabama was a significant and famous historical event which included four birds donated by President Wilson, Lloyd George of England, and Premiers Clemenceau of France and Orlando of Italy; and

THEREFORE, be it resolved that the Demopolis City Council, do hereby declare the building at 217 North Walnut Avenue to be named

***Rooster Hall
Demopolis Welcome Center and Council Chamber.***


Cecil P. Williamson
Mayor, City of Demopolis

ATTEST:

Carla Cowling, City Clerk

Councilman Yelverton moved to approve Resolution 2006-15 as presented. Councilman Jones seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson –	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Council reviewed **ABC Special Retail Application for the Demopolis Chamber of Commerce** to distribute alcohol at the Civic Center and the George Franks Field for COTR events. **Councilman Collins moved to approve the Special Retail Application for the Demopolis Chamber of Commerce for COTR events.** Councilman Moore seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson –	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mr. Milton Craig addressed the Council regarding the Rezoning of 404 and 406 North Walnut Avenue. Mr. Craig was concerned that any new owners of the aforementioned properties would have only one driveway to share and the alleyway behind 404 and 406 North Walnut Avenue was impassable. This might mean owners of 404 and 406 North Walnut might drive on his property trying to enter or leave. Mayor Williamson informed the Council that the City had undertaken steps to have the alleyway surveyed, defined, and opened to make it a passable alley. Councilman Moore assured Mr. Craig that a fair decision would be made by the Council pending a survey of the alleyway in question.

The Council considered proposed **Ordinance 2006-3 to Rezone 404 and 406 North Walnut Avenue from a B-2 Central Business District to an R-4 High Density Residential District for Ms. Jackie Reid.** Councilman Collins moved to approve Ordinance 2006-3. Councilman

Yelverton seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson –	Councilman Moore- Nay	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Council reviewed Proposed **Ordinance 2006-4 to Rezone 1804 Eaton Drive from a R-2 Low Density Residential District to an R-3 Medium Density Residential District for Mr. James Eaton, Jr. to erect a mobile home. Councilman Jones moved to approve Ordinance 2006-4.**

Councilman Moore seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson –	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Council considered **nominations to the Utility Board** for Mr. A.R. Taylor whose term had expired. **Councilman Collins moved to reappoint Mr. Taylor to the Demopolis Utility Board.**

Councilman Jones seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

City Attorney, Rick Manley reviewed dilapidated properties with recommendations from the Building Official as follows:

- **Property #1 at 812 Arcola Road now known as 703 Blacks Drive.** With considerable progress evident, the Building Official recommends an additional 60 day extension to complete work.
- **Property #5 at 601 East Perry.** With considerable progress evident, the Building Official recommends an additional 45 day extension to complete work.
- **Property #6 at 100 and 102 South Ash.** No progress evident and City Attorney recommends that since no progress has been made the Council enforce the Zoning Ordinance and fine the owners \$100/ day and turn the matter over to Demopolis Municipal Court.
- **Property #7 at 407 and 409 East Washington.** Some progress evident. Building Official recommends a 30 day extension on 407 to board up and a 90 day extension on 409 to complete repairs.
- **Property # 8 at 1602 West Jackson.** Considerable progress made and Building Official recommends 90 days to finish doors and windows and make the house ready for occupancy.
- **Property # 9 at 1505 Chickasaw.** Building Official and City Attorney recommend 30 days to clean up the yard, remove the dilapidated shed, and an inoperable truck from the rear of the yard. If no progress is made Mr. Manley suggests that the Council enforce the Ordinance and fine Mr. Owens \$100/ day and turn the matter over to Demopolis Municipal Court.
- **Property #10 at 1100 West Jackson.** Some progress made in repairs some months ago. No work done since. Mr. Wray was sent a certified letter giving 30 days to get required permitting and 60 days to complete repairs. That letter will expire on 11/26/06.
- **Property # 11 at 600 (606) South Cherry Avenue.** Very little progress evident but owner promises to repair and Building Official recommends 30 days to complete repairs or the city will proceed with demolition.
- **Property #12 at 706 and 708 North Avenue.** Much progress made but a tub a toilet remains to be removed. The property owner has agreed to remove the debris.
- **Property #17 at 406 North Front Street.** Progress made toward demolition and Building Official recommends another 30 days to complete the work.

- **Property # 18 at 105-107 South Cherry Avenue.** Some progress made but Building Official recommends an official letter be sent allowing only 30 more days to complete the cleanup
- **Property #19 at 1909 A Street.** Owners have contacted Mr. Brooker and intent to abate the nuisance. Building Official recommends 30 days to remove the dilapidated trailer.
- **Property # 20 at 1921 A Street.** The Birl family has contacted Mr. Brooker and intend to demolish the house. The lot has been cut and the Building Official recommends 30 days to allow the family to find a means to demolish the house.

Councilman Moore moved to accept the recommendations for further action on the above listed dilapidated properties from the Building Official and move forward with the suggested actions. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson –	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

The Council considered proposed city **holiday dates for 2007** as follows:

2007 Official City of Demopolis Holidays

January 1, 2007	Monday	New Year's Day – Passed in 2005
January 15	Monday	Martin Luther King, Jr. /Robert E. Lee Birthday
May 28	Monday	National Memorial Day
July 4	Wednesday	Independence Day
September 3	Monday	Labor Day
November 12	Monday	Veterans Day
November 22	Thursday	Thanksgiving
November 23	Friday	Day Following Thanksgiving
December 24	Monday	Christmas Eve
December 25	Tuesday	Christmas Day
January 1, 2008	Tuesday	New Years Day

Councilman Collins moved to approve the Demopolis City Holiday Dates as presented. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson announced that the city had been awarded a **\$20,000 grant from the University of West Alabama to complete the Comprehensive Plan.** The Mayor asked that the Council now

reconsider contracting to complete the Comprehensive Plan. **Councilman Yelverton moved to go forward with completing the Comprehensive Plan pending approval from the Finance Committee that the matching \$7,000 required was available from the General Fund.** The motion died for lack of a second. **Councilman Collins moved to appropriate the matching funds in the amount of \$7,000 to complete the Comprehensive Plan.** Councilman Yelverton seconded the motion and **the motion failed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Abstain	Councilman Collins - Aye
Councilman Cooley – Abstain	Councilman Yelverton – Aye	Councilman Jones – Abstain

Councilman Collins moved to postpone the issue of the Comprehensive Plan and the grant funding until the next meeting. Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson–	Councilman Moore- <i>Abstain</i>	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Yelverton asked the Building Committee to partner with the City Attorney and the Building Official to set a policy and procedures in place to handle the nuisance of dilapidated properties so as to speed and streamline the process.

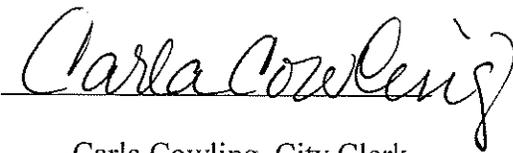
Councilman Cooley asked the City and Council to present a Certificate of Appreciation to Demopolis CATV for putting up all the Christmas decorations on the light poles every year for no charge.

Councilman Moore reported that 36 families in the 400 block of North Ash, 500 block of North Front, the 600 block of East Fulton and 600 block of East Monroe are without natural gas services from Alabama Gas Company. Councilman Moore stated he and other citizens had prepared a petition asking Alagasco to provide service to those households. Mayor Williamson had asked the District Manager of Alagasco to meet with Councilman Moore and herself on the Monday following Council. The petition would be presented to them at that meeting. Councilman Moore asked the Mayor and Council to consider providing additional support toward this effort if no assistance was forthcoming from Alagaco after the Monday meeting.

Councilman Moore asked the Public Works Department to look at ways to halt continuing erosion at the east end of Lyon Street. He reported that there was also a manhole in the same area of Lyon that had been cemented shut to prevent overflow of the sewer into the street during heavy rains. This now causes the overflow to run into the ditch. Councilman Moore was concerned that this was causing a health hazard, if true, and asked the appropriate city department to perform an immediate review of the situation.

There being no further business before the Council, **Councilman Collins moved to adjourn** the meeting at 7:07 p.m. The **motion carried**.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

November 2, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, November 2, 2006 in the Demopolis Welcome Center.

Present:

Mayor Cecil P. Williamson

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Department Heads:

➤ Police	- T. Williams	Court	- Braodhead
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay	Finince	- Pearson

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session October 19, 2006 were reviewed by the Council.

Councilman Yelverton moved to accept the minutes as presented. Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

Councilman Collins thanked the Fire and Police once again for the tremendous work done during the 13 car accident on Highway 80.

Public Safety Director, Jeff Manuel reported completing Level 3, 160 hours of Law Enforcement Executive Certification from the University Partnership for Alabama Continuing Education for the Alabama Association of Chiefs of Police at the recent conference in Boston.

Public Works Superintendent, Mike Baker reported the new jetter truck, purchased in partnership with the Demopolis Utility Department had arrived and was working well.

Park and Recreation submitted the yearly facility usage report. Mayor Williamson reported that Demopolis Sportsplex and Park and Recreation Department had been included in the National Alliance for Youth Sports

Mayor Williamson thanked all the employees and departments for their hard work in making a success of the visit by Governor Riley and Senator McCain.

The Council considered an appointment to the Demopolis Utility Board for Board Chair, Arthur Taylor's whose term had expired. **Councilman Cooley requested the appointment to the Utility Board be postponed** until the following meeting. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley - Aye Councilman Yelverton - Aye Councilman Jones - Aye

Mayor Williamson announced the need to appoint a voting delegate to the National League of Cities Conference. **Councilman Collins moved to appoint Mayor Williamson as the voting delegate representing the City of Demopolis.** The motion passed by the following roll call vote:

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley - Aye Councilman Yelverton - Aye Councilman Jones - Aye

Mr. R. Bradley Cooper, EP Senior Environmentalist from the Alabama Department of Public Health presented a video to the Council and public on the eminent threat of a pandemic flu such as the bird flu, how it might affect the City of Demopolis and the importance of preparing for such a pandemic.

The Council considered **Proposed Resolution 2006-14** ratifying pre-application for a FY 2007 Airport Improvement Grant as follows:

RESOLUTION NUMBER: ***** **2006-14**

BE IT RESOLVED, by the City of Demopolis as follows:

1. That the City of Demopolis is authorized to make an application in the amount of thirteen thousand one hundred thirty two dollars (\$13,132) for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Demopolis Municipal Airport.
2. That the application be submitted for and on behalf of the City of Demopolis by its Mayor who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City of Demopolis.
3. That the City of Demopolis is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Demopolis Municipal Airport, with partial funding provided by the State of Alabama.
4. That the agreement be executed in the name of the City of Demopolis for and on behalf of the City of Demopolis by its Mayor.
5. That the agreement be attested by the City of Demopolis' City Clerk and the seal of the City of Demopolis affixed thereto.
6. That the authority of the City of Demopolis to enter into contracts with the State of Alabama has been reviewed by the City of Demopolis' attorney, and in his/her opinion, the City of Demopolis is duly authorized to commit the City of Demopolis to an agreement with the Alabama Department of Transportation.

BE IT FURTHER RESOLVED, that the City of Demopolis hereby affirms that the local matching share of funds in the amount of thirteen thousand one hundred thirty two dollars (\$13,132) required for this agreement has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the State of Alabama's funding agreement and the start of the project.

Airport Director, Buzz Sawyer informed the Council that this Pre-application was the next step in the airport capital improvement plan and the proposed project was subject to change in the actual grant application. **Councilman Cooley moved to approve Resolution 2006-14 as presented.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson asked that the update on the progress of dilapidated property abatement be postponed until the City Attorney, Rick Manley or the Building Official, Clarence Brooker, Jr. could be in attendance. **Councilman Moore moved to postpone the update on dilapidated property abatement until the following regular council session.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

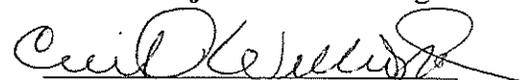
The Council reviewed a report from Mr. Phillip Guin of Almon and Associates regarding the **proposed turn lane exiting the Sportsplex onto Highway 43 traveling north.** Any decision was postponed for further information on the possibility of a traffic light being placed at the intersection by ALDOT instead of proceeding with a turn lane.

Councilman Cooley asked the Council to further consider the commitment of funds to the New High School Stadium project. **Councilman Cooley moved to commit the Council to evaluate the ability of the City of Demopolis to commit the requested funds to the new High School Stadium project.** Councilman Moore asked the issue be expanded to include a collective list of **infrastructure needs at the same time.** Councilman Cooley ratified the friendly amendment to the previous movement. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Councilman Moore asked the Public Safety Department to conduct a 45 day study of parking patterns at downtown stores. This was precipitated by some complaints by downtown business owners of other businesses' employees utilizing the few spaces available right at the storefront.

There being no further business before the Council the **Mayor moved to adjourn** the meeting at 6:42 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

October 19, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, October 19, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
Melvin Yelverton
Woody Collins
Charles Jones
Thomas Moore

City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Absent: Councilman Jack Cooley

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session October 5, 2006 were reviewed by the Council. **Councilman Yelverton moved to accept the minutes as presented.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
	Councilman Jones – Aye	Councilman Moore- Aye

Parks and Recreation Director Mark Pettus reported that the Bass Tournament at Demopolis Lake had been very successful with over 300 boats and 190 teams.

Mayor Williamson inquired if the Council would grant permission to amend the agenda to add Mr. Dana McCants who wished to speak about Citizen’s Task Force Properties. Mr. McCants had called two days prior to the meeting and left a voice message but had not completed the proper form. **Councilman Yelverton moved to amend the agenda to allow Mr. McCants to speak because he had called prior to the meeting.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Nay	Councilman Collins- Aye	Councilman Yelverton – Aye
	Councilman Jones – Aye	Councilman Moore- Nay

Mayor Williamson inquired if the Council would grant permission to amend the agenda to add Mr. Red Chiles who wished to speak about Citizen’s Task Force Properties. Mr. Chiles had asked the Citizen’s Task Force to add him to their portion of the agenda but had not completed the proper form. Mayor Williamson asked if she could schedule a meeting with Mr. Chiles later in the week to address his problem. Mr. Chiles agreed.

Chamber Director, Kelly Smith made a formal request of the Council for the Chamber to be allowed to use city property during the annual Christmas on the River Festival. **Councilman Jones moved to allow**

the Chamber to utilize the landing park, the Civic Center, and parts of Confederate Park during the annual Christmas on the River Festival. Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
 Councilman Jones – Aye Councilman Moore- Aye

Public Safety Director, Jeff Manuel requested the Council declare Halloween hours and a curfew of school aged children. **Councilman Moore moved to declare Halloween trick or treat hours on Tuesday October 31st from 5:00 p.m. until 8:00p.m. and a 10:00 p.m. curfew for all school aged children.** Councilman Collins seconded and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
 Councilman Jones – Aye Councilman Moore- Aye

The Council analyzed two proposals submitted to provide IT services for the City of Demopolis. After reviewing the two proposals and fees, **Councilman Jones moved to accept the proposal from Collins Communications to provide IT services for the City of Demopolis that would service 41 computers for a monthly fee of \$15 per computer.** Councilman Yelverton seconded and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Abstain Councilman Yelverton – Aye
 Councilman Jones – Aye Councilman Moore- Aye

Ms. Patricia Gibson CEO of Rural Health Medical Systems appealed to the Council and press to make everyone aware of the health services provided by their clinic in Demopolis on South Cedar Street. The clinic primarily cares for the underserved and uninsured in the community but is open to everyone.

Mayor Williamson presented a letter from Mr. Phillip Guin of Almon and Associates. The letter informed the Council that ALDOT had denied a permit to add a **turn lane exiting the Sportsplex** and traveling Northbound unless the city also created an acceleration lane to merge traffic onto Highway 43. The additional cost of the acceleration lane would be \$59,688.20. The issue was **tabled** pending further information.

The Council reviewed a **marketability study performed on the old police station.** It was decided to obtain an opinion of a minimum bid amount for the ½ lot and building and also for the whole lot with the existing buildings to be sold “as is”. It would then be determined if it was worthwhile to put the property up for bid.

Mr. Dana McCants reported that several members of the Citizen’s Task Force felt the actions of the city to abate dilapidated properties had been unsatisfactory. Mr. McCants told the Council he was trying to find a reason for the Task Force to continue meeting. Mayor Williamson informed Mr. McCants that all the properties on the list for abatement would be reviewed by the Council again at the November 2nd meeting and that further action on several properties would be taken at that time.

The Council studied a contract from Mason and Gardner to provide financial accounting services for the City of Demopolis. **Councilman Moore moved to accept the contract from Mason and Gardner to provide financial accounting services for the City of Demopolis as presented.** Councilman Yelverton seconded and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
 Councilman Jones – Aye Councilman Moore- Aye

The Council examined a Proposed Resolution Limiting Board Terms. After some discussion **Councilman Yelverton withdrew the Resolution** for lack of support.

Councilman Yelverton asked the press to inform the public of the requirements to be placed on the council Agenda.

Mayor Williamson announced:

- the new fire station construction plans should be available for review next week.
- the Jackson street bridge was still under repair and closed.
- Governor Riley would be in Demopolis for the Black Belt Action Commission's Second Progress Report at the Demopolis Civic Center October 26th at 2:00 p.m.
- Court Clerk Karen Broadhead's daughter was much improved.

At 6:42 p.m. the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 19th day of October, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Yelverton for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Moore; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

1. Mayor Williamson	Yea
2. Mayor Pro Tempore Moore	Yea
3. Councilman Collins	Yea
4. Councilman Jones	Yea
5. Councilman Yelverton	Yea
6. Councilman Cooley	Absent

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

The Council reconvened into regular session at 7:05 p.m.

There being no further business before the Council Councilman Collins moved to adjourn the meeting at 7:07 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

October 5, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, October 5, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Melvin Yelverton
 Woody Collins
 Charles Jones
 Jack Cooley
 Thomas Moore
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	-
➤ Parks & Recreation	-	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session September 19, 2006 were reviewed by the Council. **Councilman Cooley moved to accept the minutes as presented.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore- Aye

Mayor Williamson informed the Council that Court Magistrate Karen Broadhead's Mother and daughter had been both stricken recently with illness. She asked that the council keep Ms. Broadhead and her family in their thoughts and prayers.

Fire Chief George Davenport announced the Fire Department had hired two new firemen who would begin this week and attend recruit school in March.

Public Safety Director Jeff Manuel announced his attendance at the International Chiefs meeting in Boston. Mr. Manuel also asked the Council to consider a request by U.S. Jones Middle School to turn Whitfield Avenue into a one way street Eastbound during school rush hour traffic. **Councilman Cooley moved to make Whitfield Avenue a one way street traveling Eastbound on Monday through Friday between the hours of 7:00 a.m. until 8:30 a.m. and 2:00 p.m. until 3:30 p.m.** Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore- Aye

Councilman Yelverton expressed praise for the professional and effective assistance rendered by the Demopolis Fire and Police during the recent 13 car accident on Highway 80.

City Attorney Rick Manley gave the Council and **update** on a suit; **Henry Winder Webb, et.al. Vs. the City of Demopolis** claiming all land west of the plaintiffs' property to the banks of the river. Mr. Manley stated that there had been two surveys performed of the property. A meeting was held on July 6, 2006 with the Council and the Plaintiffs in an attempt to resolve the disputed ownership of property running along the riverbank. The City of Demopolis offered to deed the portions of the property with existing structures to the homeowners. The offer was rejected. The City of Demopolis countered with a second offer to deed the portions of property with structures and an additional five feet beyond. The second offer was rejected by the plaintiffs. The City of Demopolis received notification of suit on September 15, 2006 and will answer within the thirty-day deadline.

The Council reviewed **bids returned for the demolition of the old State Troopers Office on Highway 80 and four dilapidated properties that had been condemned**. The bids returned were as follows:

Bidder # 1 EAVES CONSTRUCTION

Price – #1) 2,500 #2) 3,200 #3) 2,500 #4) 2,900 #5) 2,500 Total 13,600.00

Bidder # 2 RAZ FITZHUGH

Price – #1) 8,500 #2) 12,500 #3) 4,500 #4) 4,500 #5) 4,500 Total 34,500.00

*Prices not inclusive of any asbestos handling for properties #1 and/or #2

Bidder # 3 WILLIS EXCAVATING

Price – #1) 3,620 #2) 2,800 #3) 2,425 #4) 2,725 #5) 2,300 Total 13,870.00

*Prices not inclusive of any asbestos handling for properties #1 and/or #2

Bidder # 1 LANEVILLE ROCK AND BACKHOE, LLC

Price – #1) 9,765 #2) 4,183 #3) 2,775 #4) 4,465 #5) 3,175 Total 24,363.00

*Offer of 10% discount if work done in January or February

Councilman Collins moved to accept Bidder #1 Eaves Construction as the lowest qualified bidder. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

The Council reviewed **bids returned for the paving of the new taxiway adjoining the newly completed hangar at the Demopolis Municipal Airport**. The bids returned were as follows:

Bidder # 1 ST BUNN CONSTRUCTION – TUSCALOOSA, AL

Base Bid – \$104,638.10

Bidder # 2 ASPHALT SUPPLY – THOMASVILLE, AL

Base Bid – \$184,726.22

Councilman Yelverton moved to accept bidder #1 ST Bunn Construction as the lowest qualified bidder. Councilman Jones seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Ms. Camilla Ratliff spoke to the Council thanking them for the support of the Theo Ratliff Center. She stated that Park and Recreation Director Mark Pettus, and Center Manager Ed Ward had done an excellent job. There has been an amazing response to the center and the programs offered. She asked the Council to continue to support the anticipated Phase II of the project.

The hope with Phase II was to add two additional rooms on the South end of the building and 3 more rooms on the North end. The Ratliff family has pledged further support for this continued project and will bring other partners into this endeavor.

Mr. William Smith, Mr. Herman Williams, and Ms. Betty Smith spoke to the Council expressing a desire to have Bell Street placed back on the list to be paved. Mr. Smith asked the Mayor and Council to come and look at the condition of Bell Street. Councilman Yelverton stated for the record that there were no "under the table deals" made at the expense of the residents of Bell Street. He further stated that his desire was to do the best thing for the city as a whole and the paving of Bell Street at this time was not economical if the new paving was to be destroyed by a possible sewer expansion.

Mr. Woody Dinning gave an update on the possibility of a new football stadium for Demopolis High School. He reported that after a lengthy exploratory process on the part himself and several other persons, it was determined the most economical location for a new stadium would be at the High School. The group had also determined that there would be no sacrifice of future school classroom expansion to complete a stadium, and the existing stadium would be partially renovated and used as a soccer field. Mr. Dinning proposed that a commitment from the City of Demopolis of \$150,000-\$175,000 a year for the next 20 years would make the project possible. **Councilman Collins asked the Finance Committee to determine if there are funds available from the city to help finance the project.**

The Council reviewed Proposed **Resolution 2006-14 Limiting Board Terms.** The Resolution was tabled to make some small changes in the verbiage.

The Council considered **Resolution 2006-15** entering into an agreement with ALDOT for the installation of force main sewer along Highway 80 East. This agreement was requested by ALDOT as a part of the French Creek Sewer installation. **Councilman Collins moved to approve Resolution 2006-15 as presented.** Councilman Jones seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Mayor opened nominations to the Park and Recreation Board.

Councilman Moore moved to reappoint Mr. Olen Kirby to the Demopolis Park and Recreation Board. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Yelverton moved to reappoint Mr. Chris Stewart to the Demopolis Park and Recreation Board. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Cooley moved to appoint Mr. David Freeman to the Demopolis Park and Recreation Board replacing Mr. Davis. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Mayor Proclaimed October 14th, 2006 as National Martial Arts Day.

The Council assessed a **proposed contract from accounting firm Mason and Gardner to perform financial accounting services for the City of Demopolis.** Councilman Moore questioned a specific limitation set forth in the proposed contract and the contract was **tabled** until Mason and Gardner could provide clarification on the issue.

The Council evaluated the proposed change of scope of the Demopolis Riverwalk project. **Councilman Collins moved to accept the change presented to replace the courtesy dock with a sandy beach area.** Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Nominations to the Board of Adjustments were opened. Councilman Moore nominated Mr. Herman Williams. **Councilman Moore moved to appoint Mr. Herman Williams to the Demopolis Board of Adjustments.** Councilman Jones seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Jones moved to reappoint Dr. M.J. Fitz-Gerald to the Hospital Board. Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Collins moved to reappoint Mr. Webb Tutt to the Demopolis Hospital Board. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Moore announced that his district had been inundated by sale papers and they were creating a nuisance.

Mayor Williamson announced that Governor Riley would be in Demopolis with the Black Belt Action Commission on October 26th at 2:00 p.m. at the Demopolis Civic Center.

The Mayor congratulated Councilman Moore on being appointed by the Governor to serve on the Workforce Innovation and Regional Economic Development (W.I.R.E.D.) Commission

At 6:47 p.m. the Mayor and Council moved into Executive Session with the following statement:
STATE OF ALABAMA-CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 5th day of October, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Cooley for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Jones; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1. Mayor Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 15 minutes

The Council reconvened into regular session at 7:15 p.m.

There being no further business before the Council Councilman Cooley moved to adjourn the meeting at 7:17 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

September 19, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, September 19, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Melvin Yelverton
 Woody Collins
 Charles Jones
 Jack Cooley
 Thomas Moore
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	-
➤ Parks & Recreation	-	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session September 9, 2006 were reviewed by the Council. **Councilman Collins moved to accept the minutes as presented.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones – Aye Councilman Moore- Aye

Public Works Director, Mike Baker announced the closing of the Jackson Street Bridge on Wednesday, September 20th from 8:30 a.m. until 2 p.m. Mayor Williamson thanked Public Works and Horticulture Departments for keeping the city clean and beautiful.

The Mayor asked the Council to add Mr. James Nelson to the agenda.

At 5:22 p.m. the Council moved into Executive Session at the request of City Attorney Rick Manley with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 19th day of September, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Collins for the Council to go into Executive Session for the purpose of legal matters with the City Attorney being one of the following purposes authorized by the Act and which motion was seconded by Councilman Yelverton; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

- | | | |
|----------------------------|-----|-----|
| 1. Mayor Williamson | Yea | |
| 2. Mayor Pro Tempore Moore | Yea | |
| 3. Councilman Collins | Yea | |
| 4. Councilman Jones | Yea | |
| 5. Councilman Yelverton | Yea | |
| 6. Councilman Cooley | | Nay |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

The Council reconvened into regular session at 5:50 p.m.

The Council reviewed the **bids for a three year golf gas powered golf cart lease for the Ravine Golf Course as follows:**

Bidder #1 E-Z-Go of Alabama

- \$69.17 per cart/per month and \$830.04 per cart per year
- All requirements met

Bidder #2 Yamaha Golf Car Company

- \$52.95 per cart/per month and \$635.40 per cart per year
- All requirements met

Bidder #3 Club Car

- \$70.00 per cart/per month and \$840.00 per cart per year
- Bid returned after bid deadline and deemed non-compliant

Bidder #4 Plaza Golf Cart - No bid returned

Councilman Collins moved to accept bidder #2 Yamaha Golf Car Company as the lowest qualified bidder. Councilman Jones seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson asked for final Council discussion and approval of the Proposed Fiscal 2006-2007 Municipal Budget as presented. **Councilman Cooley moved approve the Proposed Fiscal 2006-2007 Municipal Budget.** Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Nay
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore - Aye

The Council considered **ABC Application from Canovas Martinez and Canovas DBA Bartolo's Italian Restaurant** for Restaurant Retail Liquor. **Councilman Collins moved to the application.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson announced that **Mr. Will Moore had been re-appointed to the Housing Authority and Mr. Pete Stritzinger had been re-appointed to the Planning Commission and Mr. Max Bailey had been appointed to Planning Commission replacing Mr. Al Giles.**

Councilman Jones requested appointments to the Board of Adjustments and the Hospital Board be tabled until the next meeting.

Mayor Williamson announced a request by Goodwyn, Mills, and Cawood to review possible changes in the scope of the Demopolis Riverwalk Project. Core samples taken at the site of the courtesy dock revealed a much more unstable area than had first been anticipated and to place a dock at that site would be cost prohibitive. G. M. C. proposed to rebuild and expand the smaller river pavilion instead. The item was tabled for further investigation.

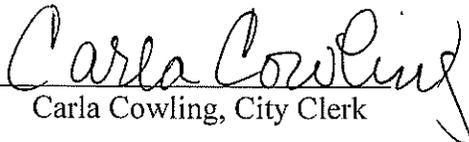
Mr. James Nelson of Janet Street spoke to the Council regarding the large truck traffic that travels down his street. Councilman Jones suggested Mr. Nelson get tag numbers and contact the police department to halt the traffic. Mr. Nelson also requested the Council guarantee that three holes in the street created by the Demopolis Water Works would be repaired properly with concrete. Mr. Jones encouraged Mr. Nelson to allow the Water Works time to complete the patch work. Councilman Jones suggested Mr. Nelson request to be heard by the Utility Board at their next meeting in an attempt to settle the matter before the Council became involved.

The Mayor announced a **grant award in the amount of \$4,800 from the Alabama State Council on the Arts to complete a feasibility study for renovations to the Old School building.** Mayor Williamson congratulated City Clerk, Carla Cowling for completing her first successful grant application.

Councilman Moore thanked Public Works for abating the nuisance of weeds at 309 North Cherry.

There being no further business before the Council Councilman Cooley moved to adjourn the meeting at 6:47 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

September 7, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, September 7, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Melvin Yelverton
 Woody Collins
 Charles Jones
 Jack Cooley
 Thomas Moore
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session August 17, 2006 were reviewed by the Council. **Councilman Yelverton moved to accept the minutes as presented.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore- Aye

Public Safety Director, Jeff Manuel reported his attendance at the Police Chief's conference. He informed the council he has achieved certification for 160 hours of training in Police Management and thanked the Mayor and Council for allowing him to attend the certification course and to serve as the President of the Police Chief's organization.

Public Works Director, Mike Baker announced the closing of the Jackson Street Bridge on Saturday from 8 a.m. until 5 p.m.

Parks and Recreation Director Mark Pettus invited the Mayor and Council to attend the upcoming Junior College Baseball Tournament at the Sportsplex.

The Mayor and Council reviewed qualified **bid submissions for a Water Jetter** for the combined use of the Utility Board and the Demopolis Public Works Department as follows:

Bidder #1	Bruder Sharpe, Inc. – Madison, NC	\$45,600.00
Bidder #2	U.S. Jetting – Alpharetta, GA	\$42,600.00
Bidder #3	Equipment Southwest, Inc. – Irving, TX	No bid returned

Councilman Cooley moved to accept Bidder #2, U.S. Jetting as the lowest qualified bidder.

Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore - Aye

The Mayor and Council reviewed qualified **bid submissions for a low profile flat bed truck** on which to mount the water jetter for the combined use of the Utility Board and the Demopolis Public Works Department.

Bidder #1	Bobby Park Truck and Equipment	\$38,500.00
Bidder #2	Two Rivers Ford	No bid returned
Bidder #3	Windham Motor Company	No bid returned

Councilman Jones moved to accept Bidder #1, Bobby Park Truck and Equipment as the only qualified bidder. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Collins- Aye	Councilman Yelverton – Aye
Councilman Cooley – Aye	Councilman Jones – Aye	Councilman Moore - Aye

The Mayor presented the **2006-2007 Proposed Municipal Budget** to the Council for review before the next regular Council session.

The Council reviewed a proposed **Comprehensive Plan** for the City of Demopolis. The issue was **tabled**.

Mr. Andrew Williams, Chair of the Governor’s Emergency Relief Fund spoke to the Council regarding money available for the victims of hurricane and other weather damage that have found no help from insurance or FEMA. Mr. Williams asked the Council to assist the Emergency Relief Fund staff to identify those in Demopolis and surrounding areas, who might need such help. He also asked the Council to encourage volunteers to join in helping to administer cases that may arise, and to aid in any other way the Council might be able.

The Council reviewed the issue of **delinquent city taxes owed by Kora’s Place Restaurant**.

At **6:02 p.m. the Council moved into Executive Session** with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 7th day of September, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Mayor Williamson for the Council to go into Executive Session for the purpose of discussion good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Yelverton; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1. Mayor Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 20 minutes.

The Council reconvened into regular session at 6:18 p.m. **Councilman Moore moved to abate the penalties owed by Kora's Restaurant in full with the stipulation that the entire amount of delinquent tax and interest, required by law and not subject to abatement, be paid in full within 30 days from September 8, 2006.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones – Aye Councilman Moore – Aye

Mayor Williamson announced that a **public hearing would now begin to hear and consider all objections or protests to the proposed abatement of nuisances identified in Resolution 2006-14** as follows:

1. 1608 Hwy 43 South Legal Location # 48-01-09-29-3-8-1
2. 1307 Center Street Legal Location # 48-01-09-29-3-1-23

There being no one present requesting to speak, Councilman **Yelverton moved to proceed with the abatement of nuisances identified by Resolution 2006-14 Weed Abatement.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones – Aye Councilman Moore - Aye

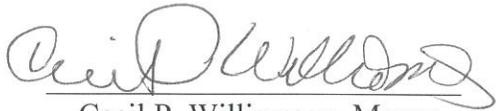
Update on Projects:

Mayor Williamson reported:

- The **paving project has begun.** The Council was given maps outlining the order of paving. The Downtown area will be paved first in an effort not to disrupt COTR.
- The repairs to the **East Bridge on Jackson Street** will be completed by October 10, 2006.
- The **Whitfield Canal Drainage Project** is scheduled to begin next week.
- The **French Creek Sewer Improvement Project** began as scheduled.

Councilman Yelverton reported that he had been in contact with Waveland Mississippi and they are making slow but steady progress. Councilman Yelverton also asked the Council to assist the citizens of Lem Wilson Road with the issue of connection to city water and sewer. The issue was tabled to allow the Utility Board to hear the issue first.

The Mayor and Council set the next regular council date as Tuesday September 19, 2006. There being no further business before the Council the Mayor moved to adjourn the meeting at 6:27 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

August 17, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, August 17, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
Melvin Yelverton
Woody Collins
Charles Jones
Jack Cooley
City Clerk Carla Cowling

Absent: Mayor Pro Tempore Thomas Moore

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session August 3, 2006 were reviewed by the Council. **Councilman Cooley moved to accept the minutes as presented.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones - Aye

Public Safety Director, Jeff Manuel reported the traffic light at Herbert and Maria Street had been replaced and was working fine.

Director of West Alabama Mental Health, Kelly Barnes reported to the council on the status of the West Alabama Mental Health facility. Ms. Barnes asked the Council to continue, and possibly increase, yearly assistance to match Medicaid funding. Ms. Barnes also appealed to the council for assistance with parking lot repairs. Mayor Williamson thanked Ms. Barnes for the good work West Alabama Mental Health does for the citizens of Demopolis

Rev. Harris, of Kora's Place Restaurant requested the Council to consider allowing a payment plan to repay back taxes owed to the City of Demopolis. Mr. Harris also requested the council abate the penalties and interest accrued. **Councilman Yelverton moved to abate the penalties and interest incurred by Kora's Place for back taxes owed to the City of Demopolis. The motion died** for the lack of a second. Councilman Cooley requested the decision be tabled until the full council was present.

Mr. Brian Brooker, Chair of the Historic Preservation Commission, reported on annual progress of the Commission. Mr. Brooker presented the council with a Survey of Historic Resources. The survey results were completed in early 2006 and compiled in a database at City Hall for further use. Each of the forms created would be mailed to the property owners and there would be a series of meetings with the citizens. The majority of the cost of the survey and the mailing was paid for by grant money provided by the Alabama Historical Society. The Preservation Commission was also designing a plaque that would be awarded to significant properties that had been renovated.

Rev. Harris spoke to the Council on behalf of TUCCA, a non profit organization. This group of three churches in Uniontown was formed to assist those in need. The group had been given funds by the state and federal government to distribute to victims that were not funded by FEMA. As a part of the funding the group is required to report to local governments in the effort to identify victims in need.

The council reviewed a request for **emergency repairs to an airport hangar** that was damaged by straight line winds during a storm on July 29, 2006. The repairs, in the amount of \$16,195.74 would need to be completed quickly in order to mitigate further damage to planes and other structures. **Councilman Jones moved to approve emergency repairs to the damaged airport hangar.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones - Aye

The council **considered a proposal to complete a comprehensive plan for the City of Demopolis by Mr. Larry Watts.** Councilman Jones and Cooley requested the issue be tabled for further information.

The council examined a letter requesting a further extension of time to demolish a house at 409 North Front Street. The owner had requested a further 60 days to begin demolition. **Councilman Jones moved to allow a 60 day extension for demolition of the structure at 409 North Front Street.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Abstain Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones - Aye

The Council reviewed Proposed Resolution 2006-14 for Weed Abatement as follows:

Resolution 2006 – 14 Weed Abatement

WHEREAS, Act No. 105 of the Third Special Session of the Alabama Legislature, 1971, as amended by Act No. 87-728 of the Regular Session of the Alabama Legislature, 1987, and Act No. 89-380 of the Regular Session of the Alabama Legislature, 1989, and Act No. 91-192 of the Regular Session of the Alabama State Legislature, 1991, provides that noxious or dangerous weeds growing upon private property in a municipality may be found and declared to be a public nuisance and the municipality may abate the nuisance and the cost of abatement of said nuisance shall constitute a special assessment and create a lien against such private property; and

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 17th day of August, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Mayor Williamson for the Council to go into Executive Session for the purpose of discussion personnel matters being one of the following purposes authorized by the Act and which motion was seconded by Councilman Collins; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

1. Mayor Williamson	Yea
2. Mayor Pro Tempore Moore	Absent
3. Councilman Collins	Yea
4. Councilman Jones	Yea
5. Councilman Yelverton	Yea
6. Councilman Cooley	Yea

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 20 minutes.

The Council reconvened into regular session at 6:53 p.m. **Councilman Collins moved to allow the City of Demopolis to contract with the Demopolis Utility Board to prepare the payroll for the Utility Board employees at a total annual cost of \$4,000 to be renegotiated yearly.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Collins- Aye Councilman Yelverton – Aye
Councilman Cooley – Aye Councilman Jones – Aye

There being no further business before the Council the Councilman Cooley moved to adjourn the meeting at 7:02 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

August 3, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, August 3, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Thomas Moore
 Charles Jones
 Jack Cooley
City Clerk Carla Cowling

Absent:

Melvin Yelverton
Woody Collins

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session July 20, 2006 were reviewed by the Council. Councilman Moore noted two corrections to the minutes. The second paragraph on page two should read *October 22, 2006* as the expiration date regarding action on the property on Arcola road. Councilman Moore also noted Mr. Rowser requested action on a property on *A Street*. **Councilman Cooley moved to accept the minutes as corrected.** Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye
Councilman Cooley – Aye Councilman Jones - Aye

Mayor Williamson asked Public Safety Director, Jeff Manuel for a report on Officer Paul Foster who was injured in the line of duty. Mr. Manuel stated that Officer Foster was at home and recovering well. Mr. Manuel also informed the Council of the success of the “night out” program. The Mayor commended the police, fire, and library who all participated in the program.

Director, Mike Baker stated that Public Works also had an injured employee who was at home convalescing.

Mr. Mike Marshall, C.E.O. of Bryan Whitfield Memorial Hospital presented the mid-year report to the Council. Mr. Marshall reported overall growth this year. Mr. Marshall reported tremendous success with the new outpatient clinics. He told the Council the hospital planned to purchase a new CT scanner and renovate the Radiology suite in the upcoming budget year.

The Council Reviewed Proposed Ordinance 2006- (3) Changing Zoning of 21333 Hwy 80 West for Ms. Avery Bird-Schaible – 60 Acres from R-1 to B-3 Zoning. **Councilman Cooley moved to approve Ordinance 2006-3 as presented.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye
Councilman Cooley – Aye Councilman Jones – Aye

The Council Reviewed Proposed Ordinance 2006- (4) Changing Zoning of a 967' wide x 500' deep Part of Parcel #2 in the 2000 Block of Highway 80 West for Mr. Thomas Turner from R-1 to B-3. **Councilman Jones moved to approve Ordinance 2006-4 as presented.** Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye
Councilman Cooley – Aye Councilman Jones – Aye

The Council Reviewed Proposed Resolution 2006-(13) as follows:

CITY OF DEMOPOLIS, ALABAMA
RESOLUTION 2006-13
ADOPTING ALABAMA RETIREES ACT 2006-510

Section 1.

Be it resolved by the City Council of the City of Demopolis that the City of Demopolis Elects To come under the provisions of Section 2 of Act 510 of the regular session of the 2006 Legislature.

Section 2.

The City of Demopolis agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the increase as provided for by said Act for those eligible employees retired from the City of Demopolis with the aforementioned increase being effective with the October 2006 benefit payments.

Passed and adopted on this day August 3, 2006 at the regular session of the Demopolis City Council.



Cecil P. Williamson, Mayor

Councilman Moore moved to approve Resolution 2006-(13) **as presented.** Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye
Councilman Cooley – Aye Councilman Jones – Aye

The Civic Center Policy was tabled pending further review by the Building Committee.

Mayor Williamson gave the council further information regarding the comprehensive plan proposed by Mr. Larry Watts.

The Mayor gave the council copies of a letter commending Jones Recreation Manager Willie Basil for his outstanding work.

Councilman Cooley asked the council to consider allowing council meetings to be recorded. The council supported the proposal.

Councilman Moore reported 309 North Cherry was overgrown with weeds.

Mayor Williamson announced she had been appointed by Governor Riley to the Leadership Academy for the Delta Regional Authority. The Mayor stated she would accept the appointment with the blessing of the council.

There being no further business before the Council the Councilman Cooley moved to adjourn the meeting at 5:45 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

July 20, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, July 20, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Charles Jones
 Thomas Moore
 Woody Collins
 Melvin Yelverton
 Jack Cooley
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last special called session July 6, 2006 were reviewed by the Council. **Councilman Jones moved to accept the minutes as presented.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones - Aye

Mayor Williamson commended the Demopolis Police for their drug bust over the weekend.

Mayor Williamson recognized the Public Works Department for keeping the entrances to Demopolis clean for all the visitors during the Babe Ruth Tournament.

Park and Recreation Director, Mark Pettus announced the Babe Ruth Tournament in full swing and going well.

Mayor Williamson mentioned many positive comments on the hanging baskets added in front of City Hall by the Horticulture Department.

Mr. Bert Rosenbush presented the City with a framed replica of the Constitution of the United States of America to be displayed in a public building.

The Council considered **ABC Application from Zheng Yang DBA China Buffet** for Retail Beer Sales (On or Off Premises). **Councilman Yelverton moved to the application.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
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Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council considered **ABC Application from Batter Up Inc. DBA Batter Up Sports Bar** for Restaurant Retail Liquor. **Councilman Jones moved to the application.** Councilman Yelverton seconded the motion and the **motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Charles Jones, Jr. spoke to the Council regarding his properties at 812,814, and 816 Arcola Road. Mr. Jones reported that he had demolished two of the structures. Mr. Jones stated that he wanted to repair the one remaining structure, but was unable to meet the requirement to “make the structure habitable” in the time frame previously given by the Council. Mr. Jones also stated that he was never allowed his formal appeal according to the Standard Unsafe Abatement Code adopted with the 1999 Southern Building Code. Mayor Williamson questioned why Mr. Jones had made no mention of this lack of due process prior to this date. Mr. Jones asked the Council to allow him 90 days to repair the outside of the building and secure it so that it would not be a danger or an eyesore and he could continue to complete the inside finish work as he was able. **Councilman Cooley stated** that he felt the Council could reluctantly agree to Mr. Jones’ proposal if Mr. Jones agreed there were to be no more extensions, and that the Council would not allow one minute more than 90 days from this date to complete the outside of the structure, including debris removal and landscaping. **Councilman Yelverton moved to allow Mr. Charles Jones, Jr. 90 days from July 20, 2006 to complete the outside of 812 Arcola Road 100% according to the standard of the 1999 Southern Building Code. This would include windows, doors, roofing, external façade, all debris removed from any demolition, and acceptable landscaping planted and maintained around the property. In addition Mr. Jones would agree that this would constitute any and all formal appeals to the Council regarding this matter, and he was to acknowledge that he understood he would not be allowed any additional time past September 22, 2006 to comply.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Councilman Moore- Aye Councilman Collins - No
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Abstain

Mr. Dana McCants spoke to the Council on behalf of several citizens from A Street, B Street, and Center Avenue. Mr. McCants explained that there were several houses and lots in that area that needed to be condemned and cleared. Mr. Eugene Rowser also spoke to the Council stating that he had requested action on a property on Ash several times before. Mayor Williamson asked Mr. McCants and Mr. Rowser to give the Council accurate addresses of the properties and the city would begin the evaluation process.

City Attorney, Rick Manley presented:

Resolution 2006-10 Condemning Property at 1714 B Street, Resolution 2006-11 Condemning Property at 1009 Floyd Street, and Resolution 2006-12 Condemning Property at 405 North Cherry Avenue.

Councilman Cooley moved to approve Resolutions 2006-10, 2006-11, and 2006-12 as presented. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

City Clerk, Carla Cowling requested a **formal budget amendment for City Hall** in the amount of \$10,702. The amendment was requested to cover the pay expense and the associated benefit costs of moving a part time clerk in City Hall to a full time position with more responsibility.

Councilman Moore moved to approve the budget amendment for City Hall in the amount of \$10,702 as requested. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson opened **nominations to the Demopolis Board of Education.** Councilman Cooley nominated Linda Russell. Councilman Yelverton nominated Ms. Cathy Moody, and Mayor Williamson nominated Ms. Diane Brooker. Councilman Jones moved to close nominations and called for the question.

Ms. Linda Russell received the following votes:

Mayor Williamson –	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton –	Councilman Jones – Aye

Ms. Cathy Moody received the following votes:

Mayor Williamson –	Councilman Moore-	Councilman Collins -
Councilman Cooley –	Councilman Yelverton – Aye	Councilman Jones –

Ms. Diane Brooker received the following votes:

Mayor Williamson – Aye	Councilman Moore-	Councilman Collins -
Councilman Cooley –	Councilman Yelverton –	Councilman Jones –

Mayor Williamson announced the appointment of Ms. Linda Russell to the Demopolis Board of Education.

Councilman Yelverton requested a called Personnel Committee meeting at a date to be determined later.

Councilman Collins requested the Council review the liquor ordinances for the city and work to clarify the law.

There being no further business before the Council the Councilman Cooley moved to adjourn the meeting at 6:36 p.m. The motion carried.


 Cecil P. Williamson, Mayor

ATTEST: 
 Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

July 6, 2006

The regular meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, July 6, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
 Charles Jones
 Thomas Moore
 Woody Collins
 Melvin Yelverton
 Jack Cooley
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last special called session June 29, 2006 were reviewed by the Council. Councilman Moore noted that he requested council committee positions be rotated every **two** years. **Councilman Moore moved to accept the minutes as corrected.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

Mayor Williamson commended the Public Works Department on the clean up after the Freedom on the River celebration.

Mr. John Clyde Riggs of the Alabama Tombigbee Regional Commission requested the council approve two contracts between the City of Demopolis and ATRC for grant administration.

Administration cost for the French Creek Sewer Installation Project grant in the amount of \$21,500, and administration costs for the Whitfield Canal Project in the amount of \$22,651 were included in the Federal grant amount and would mean no additional expenditures by the city.

Councilman Cooley moved to accept the contracts as presented. Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Abstain Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Riggs reported that the **bid negotiations for the French Creek Sewer project** had been completed. The bid price had been lowered to \$880,227.80 which would mean an additional \$196,227.8 expended by the city to complete the project. Paving, some manholes, and the scope of the lift station were reduced in the project to achieve the lowered cost.

Councilman Jones moved to accept the amount of \$880,227.80 negotiated with the sole bidder, GFC, for the French Creek Sewer Expansion Project. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Abstain Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Larry Watts former Director of the Birmingham Regional Commission spoke to the Council regarding a comprehensive plan for the City of Demopolis. **Councilman Collins moved to empower Mr. Watts and John Clyde Riggs to prepare a proposal outlining the scope and cost of a comprehensive plan for the City of Demopolis.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Abstain Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Bob Evans of Almon and Associates reported one bid was returned for the FY '05-'06 Street Paving Project. ST Bunn returned a bid of \$1,297,000 which was under the \$1,300,000 previously estimated and allocated to the project. **Councilman Moore moved to accept the bid as presented.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

City Attorney, Rick Manley presented a revised Franchise Agreement between the City of Demopolis and Alabama Gas Corporation. **Councilman Cooley moved to accept Ordinance 2006-2 (see attachments).** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

After completion of the reading of Ordinance 2006-2 Granting a Franchise to Alabama Gas Corporation. **Council member Jones moved that the rules be suspended and that unanimous consent of those present be given for the immediate consideration of said Ordinance.** This motion was duly seconded by Council member Moore and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Whereupon the result of the vote was announced, and the Mayor declared the rules suspended.

Council member Yelverton then moved that said Ordinance 2006-2 be adopted.

This motion was duly seconded by Council member Jones and upon and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

City Attorney, **Rick Manley** reported to the Council on dilapidated properties:

-**307 East Capitol** belonging to the estate of Robert W. Jones was scheduled for demolition by the owners. **Councilman Collins moved to allow only thirty more days for the demolition to be completed.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

-**406 North Front Street** owners reported their intention to demolish the home and clear the lot. **Councilman Cooley moved to allow only sixty more days for the demolition to be completed.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mr. Manley reported on the status of several other properties:

-Property owners of **1714 B Street, 1009 Floyd Street, and 405 North Cherry** had not responded to the certified notices they received and Mr. Manley stated he would bring condemnation resolutions for those properties to the council.

- Property owners of **508 South Earl, and 105-107 South Cherry Street** did not receive certified notification and another attempt to notify would be made by Mr. Manley's office.

- **814, 816, and 818 Arcola Road** were slated for demolition by the city or its agents if no effort was made to make the properties habitable by July 18, 2006.

-**611 East Perry** had been sent a certified notification on June 30, 2006 of **Resolution 2006-2** deeming the property a nuisance and informing the owners the building would be demolished by the city or its agents if no response was forthcoming within 20 days.

-Owners of **601 or 603 East Perry, 100 and 102 South Ash, 1602 West Jackson, 1100 West Jackson, 514 or 516 South Cherry, 206 West Washington, and 706 and 708 North Main Avenue** would be sent letters from the Building Official. The letters would notify them of the councils' decision from the March 16th council session. Since it had been unclear after that meeting who would write and send the letters, the council agreed to give the property owners the original time frame as stated at the March meeting.

Councilman Yelverton moved to table the nominations to the school board position opened by the resignation of Ms. Braswell Braswell until the next meeting. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

Library Director, Lindsay Gardner presented the bid tabulation and recommendation of the Library Board for staff computers as follows:

	Bidder #1	DELL		Bidder #2	HOWARD		
		One Dell Way Round Rock, TX				P. O. Box 1590 Laurel, MS	
System # 1				System #1			
Unit Price	Qty	Total	Met Specs?	Unit Price	Qty	Total	Met Specs?
1262.40	3	3787.20	Y?	1258.00	3	3774.00	N
System #2				System #2			
Unit Price	Qty	Total		Unit Price	Qty	Total	
1174.80	2	2449.60	Y	1197.00	2	2394.00	N
System #3				System #3			
Unit Price	Qty	Total		Unit Price	Qty	Total	
1548.80	1	1548.80	Y	1573.00	1	1573.00	Y
Totals				Grand Totals			
Total Bids	FMV Lease per month	FMV Lease over 36 Months	Buyout	Total Bids	Lease per month	Lease over 36 Months	Buyout
7785.60	232.96	8386.56	FMV	7741.00	289.67	10428.12	\$25
	Tax-Exempt per month	Tax-Exempt over 36 months	Buyout				
7785.60	247.73	8918.28	1				

Councilman Moore moved to accept the “Dell Fair Market Value” lease as the lowest bidder and as recommended by the Library Board. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
 Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council reviewed the Proposed Civic Center Rules. **Councilman Yelverton moved amend the current Civic Center Rules to allow renters to pay an additional \$150.00 fee if they would like the clean up crew to remove all debris and clean the Civic Center in full after a function.**

Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – No Councilman Moore- Aye Councilman Collins - Aye
 Councilman Cooley – No Councilman Yelverton – Aye Councilman Jones – Aye

Councilman Moore commended the Public Works department for removing trash on the side of the road so promptly.

At 6:47 p.m. the Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 6th day of July, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Jones for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Yelverton; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

1. Mayor Williamson	Yea
2. Mayor Pro Tempore Moore	Yea
3. Councilman Collins	Yea
4. Councilman Jones	Yea
5. Councilman Yelverton	Yea
6. Councilman Cooley	Yea

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

The Council reconvened into regular session at 7:20 p.m.

There being no further business before the Council the Councilman Jones moved to adjourn the meeting at 7:22 p.m. The motion carried.

ATTEST: Carla Cowling
Carla Cowling, City Clerk

Cecil P. Williamson
Cecil P. Williamson, Mayor

ORDINANCE NO. 2006-2
GRANTING A FRANCHISE TO ALABAMA GAS
CORPORATION, ITS SUCCESSORS AND
ASSIGNS, IN THE CITY OF DEMOPOLIS, ALABAMA

BE IT ORDAINED BY THE Mayor and the City Council of the City of Demopolis, Alabama, as follows:

Section 1. In consideration of the benefits to accrue to said City of Demopolis, Alabama, (hereinafter called the "City") and the inhabitants thereof, Alabama Gas Corporation, its successors and assigns (hereinafter called the "Company"), is hereby given, granted and vested with the rights, authority, privileges and franchises hereinafter set forth.

Section 2. The Company is hereby given, granted and vested with the right, authority, easement, privilege and franchise to construct, own, maintain, operate, extend and enlarge in the City a plant or system for the manufacture, transmission, distribution and sale of gas for all purposes whatsoever in the City and to the inhabitants thereof and in the territory contiguous thereto; and the consent of the City acting through the Mayor and the City Council, who are the proper authorities of the City is hereby given to the Company to use the streets, avenues, alleys, ways, bridges and public places in said City for any and all of the purposes referred to in this Ordinance.

Section 3. The Company is hereby granted and vested with the right, privilege and franchise to construct, erect, lay, install, renew, repair, maintain, operate, use and extend at any time, without the formality of a permit and without paying any fee therefore, its mains, conduits, appliances, appurtenances and fixtures under, along and across any street, avenue, alley, bridge, viaduct, underpass, or public place in the City.

Section 4. The said mains, pipes, conduits, appliances, appurtenances and fixtures shall be so laid, set or constructed as not to unreasonably interfere with the proper use of the streets, avenues, alleys, ways, bridges, viaducts, underpasses, and public places in the City, and shall be maintained in reasonably good condition and repair, and to that end the Company shall abide by all reasonable ordinances and resolutions that have been or may be adopted by the governing body of the City.

Section 5. Whenever the Company shall cause any opening or alteration to be made in any of the streets, avenues, alleys, ways, bridges, viaducts, underpasses, or public places of the City for the purpose of laying, setting, maintaining, operating or repairing any mains, pipes, conduits, appliances, appurtenances or fixtures the work shall be completed within a reasonable time and the Company shall, upon the completion of such work, restore such portion of the streets, avenues, alleys, ways, bridges or public places to as good condition as it was before the opening or alteration was made.

Section 6. The Company shall hold the City harmless from any and all liability or damages resulting from the negligence of the Company and all employees thereof in the construction, maintenance or operation of said mains, pipes, conduits, appliances, appurtenances and fixtures.

Section 7. The Company shall have the power and authority, subject to the supervision of the Alabama Public Service Commission or other duly constituted governmental authority vested with the power now vested in the Alabama Public Service Commission to supervise and regulate public utilities in the State of Alabama, to make, adopt and enforce rates, rules and regulations for the furnishing of gas and for the reasonable operation of its plant and system and shall have the right

at all reasonable hours to have access to its gas pipes and the meters of any consumer for the purpose of making repairs and other proper purposes.

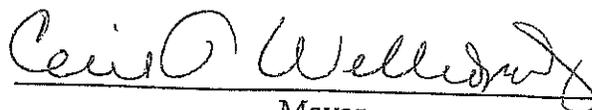
Section 8. The duration of this franchise shall be for a period of thirty (30) years from the date of its adoption by the Mayor and the City Council.

Section 9. This Ordinance shall be published in accordance with the applicable provisions of Section 11-45-8 of the Code of Alabama (1975). Such publication shall be done by the City Clerk of the City and thereafter the City Clerk shall enter upon the minutes of the City, immediately after the place where this Ordinance is recorded, a certificate setting forth that such Ordinance was published in accordance with the terms hereof and the laws of the State of Alabama. The expense of such publication shall be paid by the Company.

Section 10. Upon filing by the Company with the Clerk of the City of a written acceptance of this Ordinance and of the franchise granted hereby, this Ordinance shall constitute a contract between the City and the Company and their respective successors and assigns.

Section 11. The enactment of this franchise in the manner hereinabove provided shall have the effect of terminating any other franchise heretofore granted by the City and then held by Alabama Gas Corporation covering the distribution of gas in the City and territory contiguous thereto.

PASSED, ADOPTED AND APPROVED this 6th day of July, 2006.



Mayor

Attest:



City Clerk

After completion of the reading of said Ordinance (Granting a Franchise to Alabama Gas Corporation) Council member *Jones* moved that the rules be suspended and that unanimous consent of those present be given for the immediate consideration of said Ordinance. This motion was duly seconded by Council member *Moore*, and upon a call of the roll by

the Clerk, upon the adoption of said motion, the following voted Aye:

*Mayor Williamson - Aye, Councilman Collins - Aye, Councilman Jones - Aye,
Mayor Pro Tempore Moore - Aye, Councilman Cooley - Aye, Councilman Yelverton - Aye.*

Nay: none

Whereupon the result of the vote was announced, and the Mayor declared the rules suspended.

Council member *Yelverton* then moved that the said Ordinance be adopted.

This motion was duly seconded by Council member *Jones* and upon a call of the roll

by the Clerk, upon the motion to adopt the said Ordinance, the following voted Aye:

*Mayor Williamson - Aye, Mayor Pro Tempore Moore - Aye, Councilman Yelverton - Aye,
Councilman Cooley - Aye, Councilman Collins - Aye, Councilman Jones - Aye*

Nay: none

Whereupon the result of the vote was announced and the Mayor declared the said Ordinance passed and adopted.

* * *

There being no further business to come before said meeting and upon motion of
Council member _____ and seconded by Council member _____, the meeting
adjourned.

Cecil Welton
Mayor of the City of Demopolis, Alabama

Carla Cowling
Clerk of the City of Demopolis, Alabama

STATE OF ALABAMA)
)
MARENGO COUNTY)

I, the undersigned, Carla Cowling , Clerk of the City of Demopolis, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an extract from the minutes of the regular meeting of the City Council of the City of Demopolis, Alabama, held on the 6th day of July , 2006, at 5:15 o'clock p.m. which said extract correctly sets forth all proceedings of said meeting relating to Ordinance No. 2006-2 granting a franchise to the Alabama Gas Corporation.

Witness my hand and the seal of said City this 6th day of July , 2006.

Carla Cowling
Clerk of the City of Demopolis, Alabama

(SEAL)

CERTIFICATE OF ORDINANCE PUBLICATION
(franchise approval)

I, Carla Cowling, City Clerk for the City of Demopolis, Alabama, hereby certify that copies of City of Demopolis Ordinance Number _____ Granting a Franchise to Alabama Gas Corporation, its Successors, and Assigns, in the City of Demopolis, Alabama, were published by posting copies thereof in the following three public places within the City of Demopolis, all in accordance with Section 11-45-8 of the Code of Alabama of 1975:

City Hall
Demopolis Post Office
Demopolis Times Newspaper

Dated as of July 6th, 2006.

Carla Cowling
City Clerk

(SEAL)

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

SPECIAL CALLED SESSION

June 29, 2006

The called meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, June 29, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil P. Williamson
Charles Jones
Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley

City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

The notice for this meeting was posted on the bulletin board at City Hall, June 22, 2006 at 3:00p.m. in compliance with the Open Meetings Law.

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session June 15, 2006 were reviewed by the Council. **Councilman Cooley moved to accept the minutes as presented.** Councilman Yelverton seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

Public Safety Director, Jeff Manuel noted that **Officer Laderia Smith** had been activated with his unit in the Alabama Army National Guard and would be leaving for Iraq. Mayor Williamson stated that the thoughts and prayers of the Council and city would be with him. Mr. Manuel urged caution with fireworks for the July 4th holiday. Mayor Williamson commended Library **Director Lindsay Gardner for receiving the Paul Harris Fellow Award** from the Demopolis Rotary Club.

Airport Director, Buzz Sawyer presented the bid tabulation received for timber cutting at the airport. The bids presented were:

T.P. Young Logging	- \$170,477.77
Georgia Pacific	- \$140,307.00
IndusTREE Timber, Inc.	- \$115,750.00
Rock- Tenn Corporation	- \$111,487.00
Suddeth Land and Timber	- \$107,735.00
Lauderdale Timber	- \$49,878.50

DEMOPOLIS CITY COUNCIL SESSION
JUNE 29, 2006
CONTINUED

Councilman Yelverton moved to accept the highest bidder T.P. Young Logging in the amount of \$170,477.77. Councilman Collins seconded the motion. Councilman Collins questioned the amount of the fee required from Butler and Gardner to administer the bid and questioned why the fee and contract had not been approved by Council prior to the bid process. Councilman Yelverton and Councilman Collins rescinded the motion to approve the high bidder as presented. **Councilman Yelverton moved to accept the high bidder of T.P. Young Logging and sanction the fee agreement for Butler and Gardner for bid administration if the process was found to be in order and legal by City Attorney, Rick Manley.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Nay Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Abstain

Councilman Collins further required that the approval of reforestation contract and fee for the logged area administered by Butler and Gardner must come before Council and be approved.

Council reviewed a document to **ratify the dissolution of the lease between the City of Demopolis and Mr. Rex Bible to operate the Ravine Golf Course.** Councilman Yelverton made an official statement in opposition to the city assumption of the operation of the Ravine Golf Course. Councilman Yelverton stated that he City of Demopolis should not participate in business activities and should only provide municipal types of services to the public. Councilman Yelverton stated he was very opposed to the idea that the city would dispense alcoholic beverages to the public. Councilman Moore also stated he was in strong opposition to the idea the City of Demopolis would dispense alcoholic beverages, and felt there was too much liability involved. He requested the item be tabled until the next two agenda items had been resolved.

Council considered a **budget amendment request by Park and Recreation Director, Mark Pettus for \$240,000.00 to purchase equipment and employ personnel for the continued operation of the Ravine Golf Course.** Councilman Collins stated that the request had been reviewed by the Finance Committee and was recommended. **Councilman Collins moved to accept the budget amendment for the Park and Recreation Department in the amount of \$240,000 as presented.** Councilman Cooley seconded the motion and **the motion deadlocked with the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Nay Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Nay Councilman Jones – Nay

Park and Recreation Board Chair Bill Meador **requested the Council allow the continued sale of beer at the Ravine Golf Course and allow the transfer of the ABC license from Mr. Rex Bible to the City of Demopolis.**

Councilman Collins moved to allow the continued sale of beer at the Ravine. The motion died for lack of a second.

Councilman Moore moved to deny the ABC license transfer from Rex Bible to the City of Demopolis. Councilman Jones seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Abstain Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

DEMOPOLIS CITY COUNCIL SESSION
JUNE 29, 2006
CONTINUED

Councilman Collins moved to require the Park and Recreation Board and Park and Recreation Director Mark Pettus to immediately cease all alcoholic beverage sales at the Ravine Golf Course, and to contract with an outside vendor to dispense any alcoholic beverages at the Ravine. The vendor would be solely responsible for any ABC licensing needed and the City of Demopolis would assume no liability for such sales. Mr. Pettus would be empowered to negotiate to allow the vendor to assume the sale of all concessions and Pro-Shop items if this was necessary and to bring the contract to Council for final approval.

Councilman Moore seconded the motion and the motion passed by the following roll call vote:

**Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Nay Councilman Jones – Nay**

Councilman Moore recalled the tabled budget amendment and moved to approve an amendment to the Parks and Recreation Budget in the amount of \$240,000. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

**Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Nay Councilman Jones – Nay**

The Council reviewed the bids for golf course equipment. Councilman Collins moved to accept the low bidder on the following equipment:

Two Each – 72” Mid-Deck Rotary Cut Mower

Alabama Tractor - \$16,789.00

Bel-Air Turf - \$17,470.44

Gray and Sons - \$19,960.00

One Each – 40 HP Compact Utility Trailer

Alabama Tractor - \$12,849.00

Gray and Sons - \$13,402.00

Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

**Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Abstain Councilman Jones – Abstain**

Councilman Collins moved to authorized Mark Pettus to check with the city attorney and either re-bid or negotiate on the following equipment where only one bid was returned or no bid was returned:

Two Each – Three Gang Greens Reel Mower Bel-Air sole bidder at \$29,388.00

Three Each – Verticut Reel Units Bel-Air sole bidder at \$ 2,385.00

One Each - Three Gang Tee Box Reel Mower Bel-Air sole bidder at \$14,664.00

One Each – Five Gang Fairway Reel Mowing Unit Bel-Air sole bidder at \$22,213.00

One Each – Self Propelled Sprayer Unit No bid returned

One Each - Walk Behind Greens Aerator No bid returned

One Each – Range Ball Collector No bid returned

Councilman Moore seconded the motion and the motion passed by the following roll call vote:

**Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Abstain Councilman Jones – Abstain**

DEMOPOLIS CITY COUNCIL SESSION
JUNE 29, 2006
CONTINUED

The Council heard Alabama Beverage Control application for the sale of **Retail Beer (off premises only)** by **A. Cocreham and D. Cocreham D.B.A. Triangle Market**. **Councilman Cooley moved to approve the application**. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council heard Alabama Beverage Control application for the sale of **Retail Beer (on or off premises)** by **Edward J. Poole, Jr. D.B.A. Smokin' Jack's Bar B Que**. **Councilman Cooley moved to approve the application**. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council heard Alabama Beverage Control application for the sale of **Lounge Retail Liquor – Class I** by **D. Cleveland D.B.A. Escapades**. **Councilman Yelverton moved to approve the application**. Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Russ Nevin of Almon and Associates presented the **bids returned for the East Jackson Street Bridge Repair as follows:**

GFC Construction, Inc.	\$68,930.00
Douvl Diamond Construction	\$88,368.00

Councilman Moore moved to approve the GFC as the low bidder. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Horticulturist Jason Seay requested the Council approve a budget amendment allowing for one additional full time worker in the Horticulture Department. **Councilman Moore moved to approve the employment of one additional full time employee in the Horticulture Department at \$7.25 per hour plus the cost of benefits**. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council considered a **request by the Chamber of Commerce to fund the River City Rumble in the amount of \$5,000.00**. Councilman Cooley stated that the Finance Committee had reviewed the request and had approved funding one more year in the hope the event would be self-sustaining by the following year. **Councilman Cooley moved to approve funding of the River City Rumble in the amount of \$5,000 for one final year.**

DEMOPOLIS CITY COUNCIL SESSION
JUNE 29, 2006
CONTINUED

Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye	Councilman Moore- Nay	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Nay

Ordinance 2006-2 GRANTING A FRANCHISE TO ALABAMA GAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, IN THE CITY OF DEMOPOLIS, ALABAMA **was tabled** upon recommendation by City Attorney, Rick Manley.

Mayor Williamson gave an **update on several projects underway in Demopolis.**

The Riverwalk plans had been submitted to ALDOT and were awaiting approval. The Mayor had been assured that the City of Demopolis had met its deadline for submission and would not lose grant funding for the project. The plans would come to Council again if any changes were requested by ALDOT, and then the project could be let for bids.

The French Creek Sewer Installation Project was awaiting bid negotiations to be completed. Mr. John Clyde Riggs would be at Council Session on July 6th to make a recommendation.

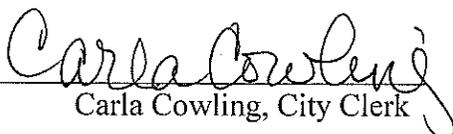
FEMA had approved a mitigation grant application to renovate drainage to the Whitfield Canal. The grant **in the amount of \$1,065,000 dollars** would be matched by \$287,550 of CDBG funding and \$28,755 of city funds.

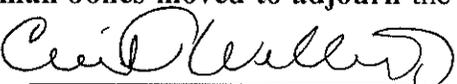
Paving bids for the 2006 paving project would opened on Thursday July 6th and be approved at the Council Session that evening.

Mayor Williamson announced a free clothing give away at the Ratliff Center on July 3rd in honor of Crystal Ray.

Councilman Moore stated he would like to formally request council members be rotated to different committee appointments ever two years.

There being no further business before the Council the **Councilman Jones moved to adjourn** the meeting at 7:12 p.m. The motion carried.

ATTEST: 
Carla Cowling, City Clerk


Cecil P. Williamson, Mayor

**WAIVER OF NOTICE OF AND CONSENT TO SPECIAL MEETING FOR
City of Demopolis City Council June 29, 2006**

We, the undersigned Council members of the City of Demopolis City Council, do hereby accept service of the foregoing NOTICE OF SPECIAL MEETING, waiving any and all irregularities in such service and in said NOTICE OF SPECIAL MEETING and do hereby consent and agree that the said Council of said City of Demopolis shall meet at the time in said NOTICE OF SPECIAL MEETING and for the purpose therein stated.



Mayor Cecil P. Williamson

Mayor Pro Tempore Thomas Moore

Councilman Charles Jones

Councilman Woody Collins

Councilman Melvin Yelverton

Councilman Jack Cooley

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

June 15, 2006

The regularly scheduled meeting of the Demopolis City Council convened promptly at 5:15 p.m. on this date Thursday, June 15, 2006 in the Demopolis Welcome Center.

Present:

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
City Clerk Carla Cowling

Absent

Mayor Cecil P. Williamson
Councilman Charles Jones

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	-
➤ Horticulture	- Seay		

Mayor Pro Tempore Thomas Moore called the meeting to order and opened with the invocation. Councilman Moore noted an **addition to the agenda of Mr. Will Moore who would be reporting to Council on the Demopolis Housing Authority.**

The minutes of the last regular session June 1, 2006 were reviewed by the Council. **Councilman Collins moved to accept the minutes as presented.** Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye

Mr. John Clyde Riggs of the Alabama Tombigbee Regional Authority **reported on the bid opening for General Contractor of the French Creek Sewer Project.** Mr. Riggs reported that there were seven bid requests put forth and only one bidder returned an offer. That offer was roughly \$500,000.00 higher than the expected construction budget and the ATRC was still in negotiation with the bidder to reduce the cost. Mr. Riggs stated that he would return to the Council at the next regularly scheduled meeting to either recommend a negotiated cost with the current bidder, or to request to re-bid the project.

Mr. Claud Neilson reported to the Council that the Citizen's Task Force had once again voted not to continue meeting and identifying properties for action until the city had been able to resolve the 19

DEMOPOLIS CITY COUNCIL SESSION
JUNE 15, 2006
CONTINUED

properties submitted since the inception of the group in 2005. Members of the Citizens Task Force, Mr. Drew Johnson, Mr. Alex Roberson, Mr. Dana McCants, all spoke to the Council requesting to be better informed of the progress of the properties through the legal process. Mr. Childs, a local Demopolis citizen also spoke to the Council urging assistance to keep Demopolis attractive.

Ordinance 2006-2 GRANTING A FRANCHISE TO ALABAMA GAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, IN THE CITY OF DEMOPOLIS, ALABAMA was **tabled** until it could be reviewed by City Attorney, Rick Manley.

Mr. Will Moore reported for the Demopolis Housing Authority.

Councilman Yelverton publicly praised the Demopolis Public Works Department for keeping the public areas mowed.

There being no further business before the Council the **Councilman Collins moved to adjourn** the meeting at 6:02 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

June 1, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, June 1, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Woody Collins
Thomas Moore
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police		Court	
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	-	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session May 18, 2006 were reviewed by the Council.

Councilman Cooley moved to accept the minutes. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson - Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

Public Safety Director Jeff Manuel stated that the police department had adopted a "zero tolerance" policy for golf carts, motorized scooters, and motorized wheelchairs on city streets. Mayor Williamson thanked Mr. Manuel and the Demopolis P.D. for their excellent work in foiling a robbery of a local auto parts store.

Park and Recreation Department reported record usage of the new Ratliff Center.

Library Director Lindsay Gardner reported the library already had more than 100 children participating in the summer reading program.

Mayor Williamson read a letter from WSW, LLC praising Building Official, Clarence Brooker, Jr. for his professionalism and assistance during the construction of their project.

The Mayor announced a public hearing for **Proposed Ordinance 2006-1 Amending the Lodging Tax Ordinance** as follows:

ORDINANCE 2006- (1)

AN ORDINANCE TO AMEND SECTION OF ORDINANCE 2005-8 ESTABLISHING A LODGING LICENSE TAX IN THE CITY OF DEMOPOLIS.

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

That Section 2 of Ordinance 2005-8 is amended to allow a 3% discount on the total of the tax remittance due if said tax is paid on or before the twentieth of the month following the collection.

Section 1. There is hereby imposed, levied and assessed against every person, firm, association or

DEMOPOLIS CITY COUNCIL SESSION JUNE 1, 2006

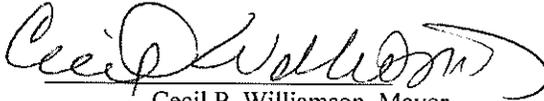
corporation engaged in the business of operating hotels, motels, tourist courts, tourist cabins, lodging houses and rooming houses renting to transients, in addition to all license taxes heretofore imposed and now existing against them, an additional license tax equal to *seven percent (7%)* of the gross income received by each person, firm, association or corporation from the renting of rooms or apartments within the corporate limits of the City of Demopolis, Alabama.

Section 2. Furthermore, there will be available a 3% rebate or discount available for payment on or before the due date. There will be a 15% penalty for late payment.

2. The increased Lodging Tax rate and payment requirements as set forth in Sections 1 and 2 above shall become effective and be collected on all lodgings beginning *June 1, 2006* and thereafter.

ATTEST:

Carla Cowling, City Clerk


Cecil P. Williamson, Mayor

There being no comment from the public, Councilman Moore moved to accept Ordinance 2006-1 as presented. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

The Council reviewed proposed Resolution 2006-9 as follows:

RESOLUTION NUMBER 2006 – (9)

BE IT RESOLVED, by the City Council of the City of Demopolis, Alabama, as follows:

1. That the City of Demopolis, Alabama, enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for:

Maintenance and operation of upgraded traffic signal at the following location:

AL-13 (US-43) @ Washington Street

including maintenance responsibilities of the City.
Which Agreement is before this Council

2. That the agreement be executed in the name of the City, by its Mayor, for and on its behalf;

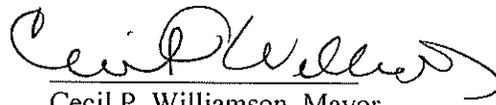
3. That the signature of the Mayor be attested by the City Clerk and that the seal of the City be affixed to the agreement.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on record by the City Clerk.

Passed, adopted, and approved this 1st day of June, 2006.

ATTEST:

Carla Cowling, City Clerk


Cecil P. Williamson, Mayor

Councilman Yelverton moved to accept RESOLUTION NUMBER 2006 – (9) as presented. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson – Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

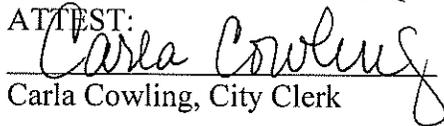
DEMOPOLIS CITY COUNCIL SESSION JUNE 1, 2006

Mayor Williamson reminded the Council and public of the **Council Retreat** June 13th and 14th.

Mayor Williamson announced that **Ms. Sarah Chandler Hallmark and Ms. Martha Kidd** had accepted **appointments to the Demopolis Historical Commission** replacing Ms. Dorothy Williams, and Ms. Amanda Smith whose appointments had expired.

There being no further business before the **Council Councilman Jones moved to adjourn** the meeting at 5:38 p.m. Councilman Cooley seconded the motion and the **motion carried unanimously**.


Cecil P. Williamson, Mayor

ATTEST:

Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

May 18, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, May 18, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Woody Collins
Thomas Moore
Melvin Yelverton
Jack Cooley
Charles Jones arrived at 5:30
City Clerk Carla Cowling

Department Heads:

- | | | | |
|---------------------------------|-------------|--------------------------|-----------|
| ➤ Police | | Court | |
| ➤ Fire | - Davenport | Public Safety | - Manuel |
| ➤ Public Works | - | Building Official | - Brooker |
| ➤ Parks & Recreation | - Pettus | Library | |
| ➤ Horticulture | - | | |

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session May 4, 2006 were reviewed by the Council. **Councilman Collins moved to accept the minutes.** Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson - Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	

The Mayor and Council reviewed **Proposed Ordinance 2006-1 Amending the Lodging Tax Ordinance** as follows:

PROPOSED ORDINANCE 2006- 1

AN ORDINANCE TO AMEND SECTION 2. OF ORDINANCE 2005-8 ESTABLISHING A LODGING LICENSE TAX IN THE CITY OF DEMOPOLIS.

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

That Section 2 of Ordinance 2005-8 is amended to allow a 3% discount on the total of the tax remittance due if said tax is paid on or before the twentieth of the month following the collection.

Section 1. There is hereby imposed, levied and assessed against every person, firm, association or corporation engaged in the business of operating hotels, motels, tourist courts, tourist cabins, lodging houses and rooming houses renting to transients, in addition to all license taxes heretofore imposed and now existing against them, an additional license tax equal to *seven percent (7%)* of the gross income received by each person, firm, association or corporation from the renting of rooms or apartments within the corporate limits of the City of Demopolis, Alabama.

Councilman Cooley moved to accept Ordinance 2006-1 as presented. Councilman Yelverton seconded Section 2. Furthermore, there will be available a 3% rebate or discount available for payment on or before the due date. There will be a 15% penalty for late payment.

2. The increased Lodging Tax rate and payment requirements as set forth in Sections 1 and 2 above shall become effective and be collected on all lodgings beginning June, 2006 and thereafter.

3. This Ordinance was adopted by the Demopolis City Council as its regular meeting on Thursday May 18, 2006 It shall become effective upon approval by the Mayor and its proper publication as required bylaw.

the motion and **the motion passed** by the following roll call vote:

Mayor Williamson– Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye

The Mayor and Council reviewed three **bids for a Power Drag Rake and Grooming Attachment for Parks and Recreation:**

- Bel-Air Turf Products \$10,350.00 \$8,400.00 – Rake \$1,950.00 – Groomer
- **Jerry Pate Turf & Irrigation** \$10,243.00 \$8,257.00 – Rake \$1,986.00 – Groomer
 - **Alternate package bid \$8,995.00** if both pieces of equipment were purchased
- Kilpatrick Co. bid was received after bid deadline and was non-conforming.

Councilman Collins moved to accept Jerry Pate Turf and Irrigation as the low bidder with a package bid of \$8,995.00. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson– Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye

The Mayor and Council reviewed four **bids for a Tractor and Mowing Attachment for Public Works:**

- **Alabama Tractor Co.** **\$34,985** **\$26,085 – Tractor** **\$8,900 – Mower**
- Montgomery Tractor Co. \$37,975 \$28,175 – Tractor \$9,800 – Mower
- Gray & Sons \$38,465 \$28,600 – Tractor \$9,865 – Mower
- Thomas Tractor Co. \$ _____ \$ no bid – Tractor \$9,298 – Mower

Councilman Collins moved to accept Alabama Tractor Company as the low bidder with bid of \$34,985.00. Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson– Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye

The Demopolis Chamber of Commerce requested the use of the City Landing and surrounding area for the annual Freedom on the River Celebration. **Councilman Moore moved to allow the Demopolis Chamber of Commerce requested the use of the City Landing and surrounding area for the annual Freedom on the River Celebration on Tuesday July 4th, 2006.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson– Aye Councilman Moore - Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye

Mr. Mitchell Congress spoke to Council regarding the enforcement of the portion of the zoning ordinance regarding campaign signs. He stated he felt the ordinance had been enforced more strictly for some candidates than for others. The Mayor stated that the issue would be investigated and the appropriate action taken.

Councilman Moore moved to approve the portion of the Civic Center Rules requiring a function to be booked and paid in full a minimum of two weeks time prior to the booking date. Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

A list of eight properties with abandoned vehicles was tabled.

Councilman Yelverton moved to require any city employee or personnel to come before the Council before traveling on any city funded trip and to come before the Council upon their return to report. Councilman Moore recommended the proposal be tabled and studied by the Personnel Committee.

At 5:42 p.m. the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 18th day of May, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Yelverton for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Moore; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

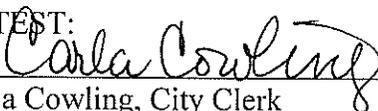
WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

- | | |
|----------------------------|-----|
| 1. Mayor Williamson | Yea |
| 2. Mayor Pro Tempore Moore | Yea |
| 3. Councilman Collins | Yea |
| 4. Councilman Jones | Yea |
| 5. Councilman Yelverton | Yea |
| 6. Councilman Cooley | Yea |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

The Council reconvened into regular session at 6:02 p.m. There being no further business before the Council Councilman Jones moved to adjourn the meeting at 6:04 p.m. Councilman Cooley seconded the motion and the motion carried unanimously.


Cecil P. Williamson, Mayor

ATTEST:

Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

May 4, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, May 4, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Woody Collins
Thomas Moore
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police		Court	
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	
➤ Horticulture	- Seay		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session April 20, 2006 were reviewed by the Council. **Councilman Yelverton moved to accept the minutes.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Public Safety Director, Jeff Manuel reported that a survey of Demopolis traffic showed that seat belts were not being worn and traffic lights were not obeyed. Mr. Manuel stated the Demopolis police department had adopted a “no tolerance” policy for these two offenses and would be increasing ticketing.

The Mayor and Council reviewed **Resolution 2006-7** to Participate in the State Sales Tax Holiday as follows:

Resolution 2006- (7)

WHEREAS the City Council of the City of Demopolis wishes to exempt certain covered items from the city sales and use tax during the first full weekend in August of the year 2006, and;

WHEREAS the State of Alabama has authorized any county or city to exempt certain covered items from local sales and use taxes, and prohibited a county or municipality from providing for a sales and use tax exemption during any period other than the first full weekend in August, and;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF DEMOPOLIS, ALABAMA:

Section 1. (a) As used in this section, the term "covered items" means the following:

(1) Articles of clothing with a sales price of one hundred dollars (\$100), or less, per article of clothing.

a. "Clothing" means all human wearing apparel suitable for general use including sandals, shoes and sneakers.

Clothing shall not include:

1. Belt buckles sold separately;
2. Costume masks sold separately;

DEMOPOLIS CITY COUNCIL SESSION MAY 4, 2006

3. Patches and emblems sold separately;
4. Sewing equipment and supplies including, but not limited to, knitting needles, patterns, pins, scissors, sewing machines, sewing needles, tape measures, and thimbles;
5. Sewing materials that become part of "clothing" including, but not limited to, buttons, fabric, lace, thread, yarn, and zippers;

1. In addition, clothing shall not include clothing accessories or equipment, protective equipment, or sport or recreational equipment; as defined herein.

b. "Clothing accessories or equipment" means incidental items worn on the person or in conjunction with "clothing." The following list contains examples and is not intended to be an all-inclusive list. "Clothing accessories or equipment" shall include:

1. Briefcases;
2. Cosmetics;
3. Hair notions, including, but not limited to, barrettes, hair bows, and hair nets;
4. Handbags;
5. Handkerchiefs;
6. Jewelry;
7. Sun glasses, non-prescription;
8. Umbrellas;
9. Wallets;
10. Watches; and
11. Wigs and hair pieces.

c. "Protective equipment" means items for human wear and designed as protection of the wearer against injury or disease or as protections against damage or injury of other persons or property but not suitable for general use. The following list contains examples and is not intended to be an all-inclusive list. "Protective equipment shall include:

1. Breathing masks;
2. Clean room apparel and equipment;
3. Ear and hearing protectors;
4. Face shields;
5. Hard hats;
6. Helmets;
7. Paint or dust respirators;
8. Protective gloves;
9. Safety glasses and goggles;
10. Safety belts;
11. Tool belts; and
12. Welders gloves and masks.

d. "Sport or recreational equipment" means items designed for human use and worn in conjunction with an athletic or recreational activity that are not suitable for general use. The following list contains examples and is not intended to be an all-inclusive list. "Sport or recreational equipment" shall include:

1. Ballet and tap shoes;
2. Cleated or spiked athletic shoes;
3. Gloves, including, but not limited to, baseball, bowling, boxing, hockey, and golf;
4. Goggles;
5. Hand and elbow guards;
6. Life preservers and vests;
7. Mouth guards;
8. Roller and ice skates;
9. Shin guards;
10. Shoulder pads;
11. Ski boots;
12. Waders; and
13. Wetsuits and fins.

DEMOPOLIS CITY COUNCIL SESSION MAY 4, 2006

(2) A single purchase, with a sales price of seven hundred fifty dollars (\$750), or less, of computers, computer software, and school computer supplies.

a. A "computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

b. "Computer software" means a set of coded instructions designed to cause a "computer" or automatic data processing equipment to perform a task.

c. A "school computer supply" means an item commonly used by a student in a course of study in which a computer is used. The following is an all-inclusive list of school computer supplies:

1. Computer storage media; diskettes, compact disks;
2. Handheld electronic schedulers, except devices that are cellular phones;
3. Personal digital assistants, except devices that are cellular phones;
4. Computer printers; and
5. Printer supplies for computers; printer paper, printer ink.

"Computer," "Computer software," and "School computer supplies" shall not include furniture and any systems, devices, software, peripherals designed or intended primarily for recreational use, or video games of a non-educational nature.

(3) Noncommercial purchases of school supplies, school art supplies, and school instructional material, up to a sales price of fifty dollars (\$50) per item.

a. "School supply" is an item commonly used by a student in a course of study. The following is an all-inclusive list:

1. Binders;
2. Book bags;
3. Calculators;
4. Cellophane tape;
5. Blackboard chalk;
6. Compasses;
7. Composition books;
8. Crayons;
9. Erasers;
10. Folders; expandable, pocket, plastic, and manila;
11. Glue, paste, and paste sticks;
12. Highlighters;
13. Index cards;
14. Index card boxes;
15. Legal pads;
16. Lunch boxes;
17. Markers;
18. Notebooks;
19. Paper; loose leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board, and construction paper;
20. Pencil boxes and other school supply boxes;
21. Pencil sharpeners;
22. Pencils;
23. Pens;
24. Protractors;
25. Rulers;
26. Scissors; and
27. Writing tablets.

b. "School art supply" is an item commonly used by a student in a course of study for artwork. The following is an all-inclusive list:

1. Clay and glazes;
2. Paints; acrylic, tempera, and oil;
3. Paintbrushes for artwork;

DEMOPOLIS CITY COUNCIL SESSION MAY4, 2006

- 4. Sketch and drawing pads; and
- 5. Watercolors.

c. "School instructional material" is written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The following is an all-inclusive list:

- 1. Reference books;
- 2. Reference maps and globes;
- 3. Textbooks; and
- 4. Workbooks.

d. "School instructional material" is written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The following is an all inclusive list:

- 1. Reference maps and globes.
- 2. Required textbooks on an official school book list with a sales price of more than thirty dollars (\$30) and less than fifty dollars (\$50).

(4) Noncommercial purchases of books with a sales price of not more than thirty dollars (\$30) per book. The term book shall mean a set of printed sheets bound together and published in a volume with an ISBN number, but does not include magazines, newspapers, periodicals, or any other document printed or offered for sale in a non-bound form.

Section 2. Covered items, as defined herein, are exempted from paying the City of Demopolis sales and use tax during the period from 12:01 a.m. on the first Friday in August of the year 2006 and ending at twelve midnight the following Sunday August 6, 2006. Items normally sold in pairs shall not be separated to qualify for the exemption provided for in this act.

Section 5. This Resolution was adopted by the Mayor and City Council of Demopolis at its regular meeting on Thursday, May 4, 2006. It shall become effective immediately.



Cecil P. Williamson, Mayor



ATTEST: Carla Cowling, City Clerk

Councilman Cooley moved to accept Resolution 2006-7 as presented. Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Mayor and Council reviewed **Resolution 2006-8 a T- Hangar Taxiway Project Pre-grant application** as follows:

RESOLUTION NUMBER 2006- (8)

BE IT RESOLVED, by the City of Demopolis, Alabama as follows:

- 1. That the City of Demopolis, Alabama is authorized to make an application in the amount of sixty six thousand nine hundred sixty three dollars (\$66,963) for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Demopolis Municipal Airport.
- 2. That the application be submitted for and on behalf of the City of Demopolis, Alabama by its Mayor who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City of Demopolis, Alabama.
- 3. That the City of Demopolis, Alabama is authorized to enter into an airport improvement funding agreement with the State of

DEMOPOLIS CITY COUNCIL SESSION MAY4, 2006

Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the Demopolis Municipal Airport, with partial funding provided by the State of Alabama.

4. That the agreement be executed in the name of the City of Demopolis, Alabama for and on behalf of the City of Demopolis, Alabama by its Mayor.
5. That the agreement be attested by the City Clerk and the seal of the City of Demopolis, Alabama affixed thereto.
6. That the authority of the City of Demopolis, Alabama to enter into contracts with the State of Alabama has been reviewed by the City of Demopolis' attorney, and in his opinion, the City of Demopolis, Alabama is duly authorized to commit the City of Demopolis, Alabama to an agreement with the Alabama Department of Transportation.

BE IT FURTHER RESOLVED, that the City of Demopolis, Alabama hereby affirms that the local matching share of funds in the amount of sixty six thousand nine hundred sixty three dollars (\$66,963) required for this agreement has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the State of Alabama's funding agreement and the start of the project.



Cecil P. Williamson, Mayor

Councilman Yelverton moved to accept Resolution 2006-8 as presented. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mr. Nick Patel from the Days Inn urged the Council to reconsider Ordinance 2005-8 Lodging Tax.

Mr. Patel and two other hotel managers and owners stated that they had been allowed a 3% discount for early or timely payment under Ordinance 2003-13 and wanted the Council to consider amending the current Ordinance to allow this discount again. **Councilman Moore suggested the issue be tabled until the office of the Mayor could create an amendment to Ordinance 2005-8 that more closely mirrors the taxpaying policy followed by other tax paying businesses.**

The Mayor and Council considered eight **properties forwarded by the Citizen's Task Force** and recommended for further legal action. The properties were described as:

- | | |
|------------------------|-------------------------------|
| 1. 508 South Earl St. | 2. 307 E. Capitol |
| 3. 1714 B Street | 4. 1009 Floyd Street |
| 5. 405 N. Cherry | 6. 607 2 nd Avenue |
| 7. 407 N. Front Street | 8. 105-107 S, Cherry Street |

Councilman Moore moved to send all eight properties to City Attorney, Rick Manley for further legal proceedings. Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore - Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

Mayor Williamson opened the floor to nominations to the Cemetery Board. Councilman Yelverton nominated Mary Lou Rodgers. Councilman Moore seconded the nomination. There being no further nominations **Councilman Yelverton moved to appoint Marylou Rodgers to the Demopolis Cemetery Board.**

DEMOPOLIS CITY COUNCIL SESSION MAY4, 2006

Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore – Aye	Councilman Collins – Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

The Mayor opened **nominations to the Demopolis Beautification Commission**. Councilman Cooley nominated Mr. Robert Reinheimer. Councilman Yelverton nominated Ms. Christi Rabalais. Councilman Yelverton withdrew his nomination. Councilman Jones moved to close the nominations. **Councilman Cooley moved to appoint Mr. Robert Reinheimer to the Demopolis Beautification Commission.**

Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore – Aye	Councilman Collins – Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

At 5:37 p.m. the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 4th day of May, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Mayor Williamson for the Council to go into Executive Session for the purpose of discussion of legal matters being one of the following purposes authorized by the Act and which motion was seconded by Councilman Moore; and,

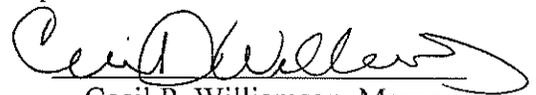
WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

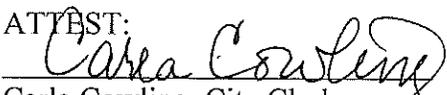
WHEREAS, said vote in regard to the motion for Executive Session was taken with the “yeas” and “nays” being recorded into the minutes as follows: Yeas Nays

- | | |
|----------------------------|-----|
| 1. Mayor Williamson | Yea |
| 2. Mayor Pro Tempore Moore | Yea |
| 3. Councilman Collins | Yea |
| 4. Councilman Jones | Yea |
| 5. Councilman Yelverton | Yea |
| 6. Councilman Cooley | Yea |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 10 minutes.

The Council reconvened into regular session at 6:03 p.m. There being no further business before the Council Councilman Cooley moved to adjourn the meeting at 6:05 p.m. Councilman Jones seconded the motion and the motion carried unanimously.


Cecil P. Williamson, Mayor

ATTEST:

Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

April 20, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, April 20, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling
Absent Thomas Moore

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session April 6, 2006 were reviewed by the Council. **Councilman Yelverton moved to accept the minutes.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye		Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Public Safety Director, Jeff Manuel reported that the new speed detection trailer was stationed on Herbert Street and the speed limit signs for Highway 80 had arrived.

The Mayor and Council reviewed the bid for the Sports-plex Softball Field Lighting Project. The only bid returned was from Musco Lighting in the amount of \$165,000.00. Park and Recreation Director Mark Pettus verified this was an acceptable price for the project and was actually under the expected amount. **Councilman Collins moved to accept Musco Lighting, LLC to provide the lighting for the Sports-plex Softball Field Lighting Project.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye		Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Ms. Debbie Butler of Westside Elementary School spoke to the Mayor and Council regarding the success of the reading programs that had been implemented at Westside since 1999. She reported that Westside students Kindergarten through Second Grade are considered to be in the 95% in reading scores compared to the national averages.

Mayor Williamson Proclaimed **April 13th, 2006 as Arbor Day in the City of Demopolis** and reported that **Demopolis has been recognized as a Tree City USA by the National Arbor Day Foundation.**

DEMOPOLIS CITY COUNCIL SESSION
APRIL 20, 2006
CONTINUED

Mayor Williamson **proclaimed the thanks of the Council and the City of Demopolis for the effort by Mr. Bob McCants, Ms. Amanda Hall and Alabama Power in the Renew our Rivers Cleanup.**

The Mayor opened **nominations to the Beautification Commission** to fill the vacancy created by the resignation of Ms. Tremika Hawkins. No nominations were forthcoming and the issue was **tabled** until the next meeting on the 4h of May.

Mayor Williamson informed the Council that Ms. Braswell Braswell had completed one term on the Demopolis Board of Education. **Councilman Jones moved to re-appoint Ms. Braswell Braswell to the Demopolis Board of Education.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye		Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Mayor and Council considered the proposed amendment to the sign and banner portion of the Demopolis Zoning Ordinance. **Councilman Collins moved to send the proposed amendment to the sign and banner portion of the Demopolis Zoning Ordinance back to the Planning Commission for further consideration.** Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye		Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson informed the Council that the Army Corps of Engineers had offered to lease the thirteen acre area of Lock 4 to the City of Demopolis for a minimal fee. **Councilman Yelverton moved to accept the offer of the Army Corps of Engineers to lease the thirteen acre Lock 4 area.**

Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye		Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Nominations to the Cemetery Board to fill the vacancy created by the resignation of Ms. Louise Reynolds **were tabled again**, until the next meeting.

There being no further business before the **Council Councilman Cooley moved to adjourn** the meeting at 6:02 p.m. Councilman Jones seconded the motion and **the motion carried unanimously.**


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

April 6, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, April 6, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session March 16, 2006 were reviewed by the Council. Councilman Cooley noted a correction in the vote on page four of the minutes. **Councilman Cooley moved to accept the corrected minutes.** Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

Public Safety Director, Jeff Manuel reported that he had attended a Hurricane Preparedness meeting and was in the process of fine tuning the First Responder and citywide preparation procedures for upcoming hurricane season. Mr. Manuel also reported that the new speed monitoring trailer would be in use beginning Friday April 7, 2006.

Parks and Recreation Director, Mark Pettus presented Council with a packet containing a list of the programs available and the two month usage figures for the Ratliff Center.

Mr. Deke Glass, who had requested to address the Council, was not present when announced.

Ms. Cathy Gerachis, Mr. Burns Whittaker, and Mr. Will Barrett of the Architectural/ Engineering firm Goodwyn, Mills, and Caewood presented the final drawing for the Demopolis Scenic Riverwalk.

Councilman Cooley moved to accept the current plan as presented and allow Goodwyn, Mills and Caewood to send the proposal on to the Alabama Department of Transportation for their approval.

Councilman Collins seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Nay	Councilman Jones - Nay

APRIL 6, 2006
CONTINUED

The Mayor opened nominations to the Citizen's Task Force to fill the four vacancies created by the expiration of three terms; Mr. John Cox Webb, Ms. Carolyn Moore, Ms. Billie Reynolds, and the resignation of Mr. Chris Scott. **Councilman Collins nominated Mr. Melvin Abrams,**

Councilman Moore nominated Mr. Conrad Murdock, Councilman Collins nominated Mr. James Gilmore, Councilman Moore nominated Ms. Jean McCarter. Councilman Collins moved to accept the four nominations as proposed. Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

Nominations to the Cemetery Board to fill the vacancy created by the resignation of Ms. Louise Reynolds **were tabled** until the next meeting.

The Council considered Resolution 2006-4 Proposed I-85 Route Choices as follows:

RESOLUTION 2006-4

WHEREAS, The City of Demopolis is continually striving to remain vital in the struggling Black Belt area of Alabama; and

WHEREAS, The City of Demopolis recognizes that one of the ways a city retains a workforce, shipping and manufacturing industry, jobs, and a tax base is to be located along a major Interstate; and

WHEREAS, Volkert and Associates is studying the feasibility of a route for the proposed Interstate 85 extension to Interstate 20; and

WHEREAS, The City of Demopolis already has in place adequate infrastructure in fire, ambulance, police, and excellent hospital facilities for first responder emergency needs; and

NOW, THEREFORE, be it resolved that the Demopolis City Council, the Mayor and all the citizens of the City of Demopolis would like Volkert and Associates to be certain that Demopolis is in favor of the Interstate 85 extension and would like to request the following routes be considered for first construction:

Route 1 - to continue to point "D", then to point "I", and then to point "J" on the map of considered routes

Or

Route 2- to continue to point "D" then to point "G", to point "H", to point "I", and then to point "J" on the map of considered routes

BE IT FUTHER RESOLVED, that the Mayor, City Council and populace of the City of Demopolis will assist the extension effort in any way possible.

THIS RESOLUTION ADOPTED THIS THE 6TH DAY OF APRIL, 2006

Cecil P. Williamson
Mayor, City of Demopolis

ATTEST:

Carla Cowling, City Clerk

CONTINUED

Councilman Yelverton moved to accept Resolution 2006-4 as presented. Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson presented Resolution 2006-5 as follows:

RESOLUTION NO.
2006-5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEMOPOLIS APPROVING AN APPLICATION FILED WITH THE COUNCIL SEEKING AUTHORITY TO INCORPORATE A PUBLIC CORPORATION AS A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT

WHEREAS, an application was filed with the City Council of the City of Demopolis (the "Council"), the governing body of the City of Demopolis, requesting authority to incorporate and organize a public corporation as a capital improvement cooperative district (the "District") under the provisions of the statutes codified as Chapter 99B of Title 11 of the Code of Alabama 1975, as heretofore or hereafter amended or supplemented (the "Act"), which application is attached hereto as Exhibit A (the "Application");

WHEREAS, the Act authorizes the formation of a capital improvement cooperative district in accordance with the provision of the Act;

WHEREAS, the Application was signed by three (3) natural persons (the "Applicants"), and each Applicant is a duly qualified elector of either Choctaw County, Alabama, Clarke County, Alabama, or Marengo County, Alabama; and

WHEREAS, the City Council of the City of Demopolis has duly reviewed the contents of the Application.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, as follows:

1. That it is wise, expedient, and necessary that the District be formed.
2. That the Applicants are authorized by the Council to proceed to form the District by filing for record a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Act.

ADOPTED this 6th day of April, 2006.

Mayor

ATTEST:
City Clerk

DEMOPOLIS CITY COUNCIL SESSION
APRIL 6, 2006
CONTINUED

Mayor Williamson explained that **Resolution 2006-5** would allow the City of Demopolis to join four other cities in the Capital Improvement Cooperative District of West Alabama which would then assist businesses in applying for approximately 70 million dollars for business expansion and development in Demopolis, York, Butler, Livingston and Thomasville.

Councilman Collins moved to accept Resolution 2006-4 as presented. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Council reviewed **Resolution 2006-6** as follows:

RESOLUTION 2006-6

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEMOPOLIS APPOINTING ONE DIRECTOR TO THE BOARD OF DIRECTORS OF THE COOPERATIVE DISTRICT OF WEST ALABAMA

WHEREAS, the City Council (the "Council") of the City of Demopolis, Alabama, (the "City") adopted Resolution 2006-5 which approved the formation of The Cooperative District of West Alabama (the "District") in accordance with Chapter 99B of Title 11 of the Code of Alabama (1975), as amended (the "Act"); and

WHEREAS, the City desires to appoint Mayor Cecil P. Williamson qualified , who is a duly elector of the City of Demopolis, to the District's Board of Directors.

NOW, THEREFORE, be it resolved by the City Council of the City of Demopolis, as follows:

That Mayor Cecil P. Williamson, who is a duly qualified elector of the City of Demopolis, is hereby elected by the Council as an initial director to the Board of Directors of the District to serve immediately upon the filing for record of the certificate of incorporation until 12:01 am. on the fourth anniversary date of the filing for record of the certificate of incorporation for the District.

ADOPTED this 6th day of April ,2006.

Mayor

ATTEST:

City Clerk

DEMOPOLIS CITY COUNCIL SESSION
APRIL 6, 2006
CONTINUED

Councilman Collins moved to accept Resolution 2006-4 as presented. Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Council considered the previously tabled Proposed Changes to Civic Center Rules. **Councilman Moore moved that the proposed changes be sent back to the Building Committee for further review.**

Councilman Jones seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson – Nay	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Councilman Moore asked that the finalized minutes and agenda be available to the council no later than noon on the day before council. Councilman Moore also stated that he had been made aware of a survey of Arch Street that conflicted with the survey provided by Almon and Associates.

There being no further business before the Council Mayor Williamson **moved to adjourn** the meeting at 6:54 p.m. Councilman Collins seconded the motion and the motion carried unanimously.


Cecil P. Williamson, Mayor

ATTEST:

Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

March 16, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, March 16, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session March 2, 2006 were reviewed by the Council. **Councilman Collins moved to accept the minutes as presented.** Councilman Cooley seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

The Mayor thanked Public Safety Director, Jeff Manuel and the Demopolis Police Department for a successful arrest of an internet child predator.

Mr. Bob Evans of Almon and Assoc. presented the bid tabulations for the repair of the western bridge on Jackson Street. Almon received three qualified bids and recommended the low bidder Alabama Bridge Builders in the amount of \$135,000.00. **Councilman Collins moved to accept the low bidder, Alabama Bridge Builders.** Councilman Moore seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

Library Director, Lindsay Gardner presented the Library Board report to Council. Among the statistics presented included 78,826 library visits, 51,151 in total book circulation, 9,080 computer users and more than 24,500 items in the library collection.

Mr. Bob McCants and Amanda Hall of Alabama Power spoke to the Mayor and Council regarding the upcoming Renew our Rivers cleanup effort for the Demopolis Lake. **Renew Our Rivers 2006**

is scheduled for April 12th through April 15th. Mr. McCants encouraged Mayor and Council to join Alabama Power in recruiting volunteers to the cleanup effort.

The Mayor and Council reviewed the **bid tabulations for the Cemetery Grass Cutting contract for 2006**. Two bids were received and only one bid was qualified. **Councilman Jones moved to accept the only qualified bidder, Green Lawncare and Landscaping in the amount of \$2,400.00 every two weeks until October 1, 2006**. Councilman Yelverton seconded the motion and **the motion passed** by the following roll call vote:

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The Mayor and Council reviewed the **bid tabulations for Twenty Self-contained Breathing Apparatus and twenty spare tanks for the Fire Department**. Only one bid was received. **Councilman Cooley moved to accept the only bidder, Bay Fire Products in the amount of \$99,202.00**. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

Mayor Williamson presented a **Proclamation** to members of the Pilot Club **proclaiming the week of March 20, 2006 through March 26, 2006 as Brain Awareness Week**.

Mayor Williamson presented Mr. Major Walker, from Eastern Star Baptist Church a **proclamation welcoming Professor William Henry Caldwell and the Central State University Choir to Demopolis on March 22, 2006 and thanking the Eastern Star Baptist Church, the Theo Ratliff Fund, and the Two Rivers Arts Council** for joining together to bring the choir to Demopolis.

The Mayor and Council reviewed the recommendation from the Building Committee regarding the changes to the **Civic Center rental rules**. **Councilman Yelverton moved to require renters to pay \$25.00/ hour for the duration of the event as pay for an officer**. Councilman Cooley seconded the motion and **the motion failed by the following roll call vote:**

Mayor Williamson– Nay	Councilman Moore- Nay	Councilman Collins - Nay
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

Councilman Jones asked to **table any decision** on changes to the Civic Center Rules until the Council had more time to deliberate on the issues in question.

The Mayor and Council reviewed the recommendation from the Building Committee regarding the new **Welcome Center rental rules**. **Councilman Jones moved to accept the current Welcome Center rental rules as presented**. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Abstain	Councilman Yelverton – Aye	Councilman Jones – Aye

City Attorney, Rick Manley appeared before the Mayor and Council to proceed with thirteen **properties identified by the Citizens' Task Force** as a hazard. The Council reviewed Resolution 2006-2 as follows:

RESOLUTION # 2006- 2

RESOLUTION TO CONDEMN PROPERTY LOCATED AT 611 EAST PERRY STREET, DEMOPOLIS, ALABAMA OWNED BY LOUIS MULLEN AND WIFE, JANIE MULLEN

BE IT RESOLVED BY THE MAYOR AND DEMOPOLIS CITY COUNCIL AS FOLLOWS:

We, the Mayor and City Council of Demopolis, Alabama, having examined the Inspection Report of Clarence E. Brooker, Jr., the City Building Inspector, the Title Information Report of Richard S. Manley, the City Attorney, and photographs offered in support of the proposal for declaration of the property as a public nuisance and pursuant thereto, do hereby find as provided in Title 11-40-30 through 11-40-36, Code of Alabama, 1975, as amended, that the property in question constitutes a public nuisance due to an unsafe building existing on the property described as:

See attached copy of Deed to Louis Mullen and Wife, Janie Mullen dated October 3, 1977 and recorded in the Probate Office of Marengo County in Deed Book 7-D, at page 478 and marked Exhibit "A".

The Council does direct the Building Inspector to inform the owner by certified or registered mail to the address shown on the records of the Revenue Commissioner's office to remedy the unsafe or dangerous condition of the building or to demolish the building within a reasonable period of time to be set by the Building Inspector which time shall be not more than thirty (30) days or the building shall be demolished by the municipality and the cost thereof assessed against the property. The mailing of the certified or registered mail notice, properly addressed and postage prepaid, shall constitute notice as required by law. Notice of the action of the Council shall be posted within three (3) feet of an entrance to the building or structure or at any place on the building or structure. Within thirty (30) days or less from the date of this Resolution, any person, firm or corporation having an interest in the building may file a written request for a hearing before the governing body

of the municipality together with his or her objections to the findings by the municipal official that the building is unsafe to the extent of becoming a public nuisance. The filing of a request for a hearing shall hold in abeyance any action until a hearing is held by the governing body.

This Resolution was adopted by the Mayor and City Council of Demopolis at its regular meeting on Thursday, March 16, 2006. It shall become effective immediately.

ATTEST:

Its City Clerk

CITY OF DEMOPOLIS


Its Mayor

Councilman Cooley moved to accept Resolution 2006-2 as presented. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The property identified as **601 or 603 East Perry Street** [tax# 207780, parcel # 02-06-24-4-022-005.000, parts of Lots 903 and 904 Block 93 in Demopolis] owned by Thomas and Nannette **Mann**. Building Official, Clarence Brooker noted that **substantial repairs had been completed and recommended waiting** before proceeding with further official action. The Mayor and council concurred and **this property was tabled.**

The property identified as 100 and 102 South Ash [Parcel #02-06-24-4-007-001.00] owned by John Davidson and Thomas Ethridge. Building Official, Clarence Brooker noted that repairs were possible but none seemed to have been completed. **Councilman Collins moved to require repairs to the roof must be completed within 90 days and all debris on the property removed and disposed of within 30 days.** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

The property was identified as **Lots 190-197, Block 71 on Commissioner Street** owned by **Norfolk Southern Railroad**. Mr. Manley stated that he had been in contact with a representative from Norfolk Southern who informed him the **property was slated for demolition on March, 27 2006** and advised no action be taken on the property at this time.

Councilman Cooley moved to allow Norfolk Southern Railroad until March 27, 2006 to begin demolition on the property. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Aye

The property was identified as 502 2nd Avenue [tax#149890, Parcel # 01-04-19-3-012-001.00 of Deed book 8-I, page 295] owned by Robert Jones Construction Co. Councilman Jones stated that Jones Construction Co. did not own the burned mobile home located on the property but had spoken to someone interested in moving the structure. **Councilman Collins moved to allow 10 days for the mobile home to be moved off the property then the council should proceed with the condemnation process against the owner of the mobile home.**

Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Abstain

Councilman Jones took an urgent call and left the meeting at 6:55 p.m.

The property was identified as 407 East Washington owned by Robert Jones Construction Co. **Councilman Collins moved to require that repairs to the roof, windows and doors must be completed within 90 days or the city would proceed to the next step in the condemnation process.** Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as 409 and 411 East Washington owned by Robert Jones Construction Co. **Councilman Moore moved to require extensive repairs to the structure or demolition be completed within 60 days or the city would proceed to the next step in the condemnation process.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as Lots 1&2 Block 4 at 1602 West Jackson owned by John Davidson and Thomas Ethridge. Building Official, Clarence Brooker noted that repairs were possible but none seemed to have been completed. **Councilman Moore moved require repairs to secure the doors and windows and complete the work to the exterior siding and to obtain a current building permit within 90 days or the city would proceed to the next step in the condemnation process.** Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as 1505 Chickasaw [Parcel #02-06-24-4-007-001.00] owned by Robert M. Owen. **Councilman Collins moved to require repairs to bring the house up to code to be completed within 90 days and all debris on the property removed and disposed of within 30 days or the city would proceed to the next step in the condemnation process.** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as 1100 West Jackson Street [Parcel #02-06-23-42-003-003.001] owned by David Wray. **Councilman Cooley moved to require repairs to bring the building up to code and all repairs to roof be completed within 90 days or the city would proceed to the next step in the condemnation process.** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as 514 or 516 South Cherry Avenue [Parcel #02-06-24-4-034-024-000] ownership is indeterminable. Mr. Manley requested more time to research the rightful owner of the property. The Mayor and council concurred and **this property was tabled.**

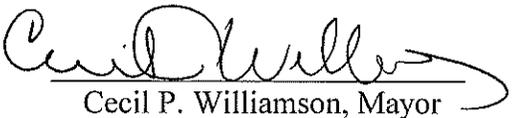
The property was identified as 206 West Washington Street [Parcel #02-06-24-2-201-019.000] owned by Dr. Judy Travis. **Councilman Cooley moved require repairs to the windows, roof, and doors and clear remaining debris in back be completed within 90 days or the city would proceed to the next step in the condemnation process.** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

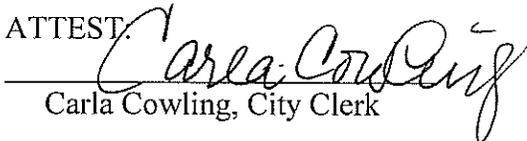
Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

The property was identified as 706 and 708 North Main Avenue [Parcel #02-06-24-1-003-002.000] owned by Ms. Carol Kincaid. **Councilman Moore moved to require Ms. Kincaid to clean up the yard area with the guidance of Mr. Brooker within 90 days or the city would proceed to the next step in the condemnation process.** Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones – Absent

There being no further business before the Council Councilman Cooley **moved to adjourn** the meeting at 8:10 p.m. Councilman Collins seconded the motion and the motion carried unanimously.


Cecil P. Williamson, Mayor

ATTEST.

Carla Cowling, City Clerk

PROCLAMATION

WHEREAS, the Pilot Club of Demopolis, Alabama is joining more than 1,500 organizations in 55 countries to increase public awareness of the advances and benefits of brain research.

WHEREAS, Brain Awareness Week is an international effort uniting hospitals, schools, government agencies, and community groups to expand interest in the brain and to provide information about advances in brain research and neurological diseases affecting more than 150 million men, women and children.

WHEREAS, the Pilot Club of Demopolis is participating in this year's Brain Awareness Week by promoting brain safety and encouraging citizens to wear seat belts, and asking children and adults to wear helmets when riding bikes.

NOW, THEREFORE, I, Cecil P. Williamson do hereby join the efforts of the Demopolis Pilot Club and Pilot International focus on helping people affected by brain related disorders by proclaiming **March 13th through March 20th as Brain Awareness Week.**

From the Office of the Mayor

PROCLAMATION

WHEREAS, it is a great pleasure for the city of Demopolis, Alabama to recognize important and distinguished citizens; and

WHEREAS, Professor. William Henry Caldwell has been graduate of Demopolis High School, graduated magna laude from Stillman College, attended the Ohio State University, the University of Texas, and the Cincinnati College Conservatory of Music; and

WHEREAS, Professor William Henry Caldwell is an accomplished baritone soloist and has performed throughout the country, Europe and Africa; and

WHEREAS, Professor William Henry Caldwell is the Director of Vocal and Choral Activities at Central State University and has guided the Central State University Chorus to performances with some of the worlds greatest orchestras and conductors and appears on several international CD recordings; and

WHEREAS, the Eastern Star Baptist Church, the Theo Ratliff Fund, and the Two Rivers Arts Council have been instrumental in bringing this wonderful talented choir and Professor William Henry Caldwell to the City of Demopolis; and

NOW, THEREFORE, I, Cecil P. Williamson Mayor of the City of Demopolis, Alabama, with great pleasure, do hereby welcome **the Central State University Chorus, Professor Dr. William Henry Caldwell on March 22nd** and proclaim **glad thanks to the Eastern Star Baptist Church, the Theo Ratliff Fund, and the Two Rivers Arts Council** for being instrumental in bringing this level of art and entertainment to the City of Demopolis.


Cecil P. Williamson

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

March 2, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, March 2, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones
City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation. The minutes of the last regular session February 13, 2006 were reviewed by the Council.

Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Officer Tim Williams gave a power point presentation covering the visit to **Waveland, Mississippi** by the Mayor and Department Heads.

Mr. Claud Neilson asked the Council for an update on any progress made by the city attorney on the properties turned over to the city by the **Citizens Task Force**. The Mayor reported that Mr. Manley assured her the report would be made available to Mr. Neilson on Monday morning.

Councilman Moore moved to authorize a councilmember (Mr. Moore volunteered) to explore the condemnation process, and determine if the Council was authorized to retain additional legal assistance to expedite the process. Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Mayor and Council reviewed the **2006 Gasoline Bid**. **Councilman Jones moved to accept the only bid returned from Parr's Chevron.** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

DEMOPOLIS CITY COUNCIL SESSION
MARCH 2, 2006
CONTINUED

Ms. Sandy Baker of West Alabama Mental Health spoke to the Council **requesting the building they currently occupy be declared surplus by the city and donated to WAMH** so that they might obtain a loan for repairs. West Alabama Mental Health had already spoken to City Attorney, Rick Manley and agreed to return the building to the city if they were to vacate the property. Councilman Moore suggested the issue be **tabled** until the Building Committee could study the options available.

Park and Recreation Chair, Bill Meador reported on a very successful year for 2005 for the Demopolis Park and Recreation Board. During the year the Board had come in 20% under the estimated yearly budget, and raised revenues by 8% over 2004 while producing some 1,600 events for children under the ages of 18. In 2005 the Theo Ratliff Center had been completed and was so successful it was already in need of additional space.

The Mayor announced and accepted the **resignation of Ms. Louise Reynolds from the Cemetery Board** and asked Council members to bring nominations to the next Council meeting.

The Mayor and Council discussed the **rental and/or use of public buildings, other than the Civic Center and the Welcome Center, for events**. Councilman Moore suggested the Building Committee review this issue before any policy was set by the Council.

Mayor Williamson stated the Council needed to appoint a Voting Delegate and an Alternate Voting Delegate for the upcoming Alabama League of Municipalities meeting. **Councilman Jones nominated the Mayor as Voting Delegate and the Mayor Pro Tempore as Alternate Voting Delegate**. Councilman Cooley seconded the nomination and **the nomination passed by the following roll call vote:**

Mayor Williamson- Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley - Aye	Councilman Yelverton - Aye	Councilman Jones - Aye

At 6:14 p.m. the Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 2nd day of March, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Mayor Williamson for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Jones; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

DEMOPOLIS CITY COUNCIL SESSION
MARCH 2, 2006
CONTINUED

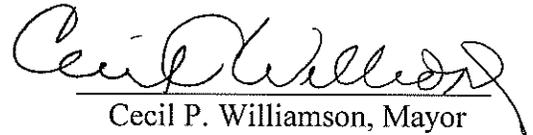
WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

- | | |
|----------------------------|-----|
| 1. Mayor Williamson | Yea |
| 2. Mayor Pro Tempore Moore | Yea |
| 3. Councilman Collins | Yea |
| 4. Councilman Jones | Yea |
| 5. Councilman Yelverton | Yea |
| 6. Councilman Cooley | Yea |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 15 minutes.

The Council reconvened into regular session at 7:15 p.m..

There being no further business before the Council the **Mayor moved to adjourn** the meeting at 7:17 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:

Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

February 13, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, February 13, 2006 in the Demopolis Welcome Center.

Present:

Council Members Mayor Cecil Williamson
Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Cecil P. Williamson called the meeting to order and opened with the invocation. The minutes of the last regular session February 1, 2006 were reviewed by the Council.

Councilman Cooley moved to accept the minutes as presented. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Library Director, Lindsay Gardner announced the Grand Opening of the new children's area of the library on February 20th. Mayor Williamson commended Lindsay Gardener and all the library staff for their hard work in putting together such an excellent program.

Mr. Deke Glass, addressed the Council regarding several concerns.

- Mr. Glass questioned the Council and Fire Chief Davenport regarding the burning debris on the lot being cleared at the corner of Highway 80 and Mauvilla.
- Mr. Glass asked the Council and Public Works Director, Mike Baker why the City of Demopolis should not be responsible for cleaning the storm drain by Walnut. Mr. Glass felt it caused sewage to back up into the apartments.
- Mr. Glass asked the Council to consider a westbound turn lane onto Highway 80 coming out of the First National Credit Union.

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 13, 2006
CONTINUED

- Mr. Glass questioned the Council and Public Safety Director, Jeff Manuel regarding the ticketing of persons violating the handicapped parking space restrictions.
- Mr. Glass requested the Mayor and Council to consider developing a right-turn lane from Walnut Street onto Highway 80.
- Mr. Glass requested the Council consider a “go lane” on Highway 80 to expedite the truck traffic.
- Mr. Glass asked the Council to consider raising the speed limit on Highway 80 in the city limits.

The Mayor announced a vacancy on the Airport Board. Mr. Rodney Newton had resigned and the Board requested Mr. Darren Anderson be considered for the vacancy.

Councilman Yelverton nominated Mr. Darren Anderson to the Airport Board. Councilman Jones seconded the nomination and **the nomination passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mr. Bob Evans of Almon and Associates reported to the Council that Almon will have all specifications for the Jackson street bridge repair for the council to review at the next meeting. Mr. Evans presented the Mayor and Council with an updated list of suggested streets and cost estimates for paving in 2006. **Councilman Cooley moved to approve all streets listed for paving for 2006 for approximately \$1,300,000.00 (see attached list).** Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Mayor and Council reviewed Proposed Resolution 2006-1 as follows:

Resolution 2006- 1

**A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA,
TO ADOPT A POLICY FOR REIMBURSEMENT OF COSTS.**

WHEREAS, this Resolution is to adopt the policy for the official processing of request to access, examine and copy public records and documents of the City.

NOW THEREFORE, be it resolved by the City of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

1. That in order to assure the official processing of a request to examine and copy public records and documents of the City, the City Clerk is hereby directed to require all persons and/or organizations requesting access to any public records or documents to complete the form attached hereto as Exhibit "A."

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 13, 2006
CONTINUED

2. To defer the costs incurred by the City for providing services and copies of any documents, the City hereby adopts the following charges:

- Copies will be provided at a copying charge of \$.25 per page.
- Copies of Ordinances or Meeting Minutes will be provided at a copying charge of \$.25 per page.
- Color copies will be provided at a copying charge of \$.75 per page.
- Copies of the Fiscal Budget will be provided at a copying charge of \$1.00 plus \$.25 per page.
- Copies of the Demopolis Zoning Ordinance will be provided at a copying charge of \$1.00 plus \$.25 per page.
- Copies of the Municipal Audit will be provided at a copying charge of \$1.00 plus \$.25 per page.
- Faxes sent to a local number are \$.25 per page. Faxes sent to a long distance number are \$.35 per page
- Notary Services are provided at no charge to the public.

3. To defer the cost of postage, copies, and official publication in the local newspaper for Board of Adjustment and Planning Commission, the City of Demopolis hereby adopts the following charges:

- To request review by the Board of Adjustment will incur a charge of \$100.00, plus \$7.00 per adjoining property owner.
- To request review by the Planning Commission will incur a charge of \$120.00, plus \$7.00 per adjoining property owner for the first hearing on a location and \$95.00, plus \$7.00 per adjoining property owner for the second hearing of the same location.

4. That this policy is to become effective immediately upon the adoption of this Resolution by a majority of the City Council.

Councilman Moore moved to approve Resolution 2006-1 as presented. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – No	Councilman Jones – No

Council

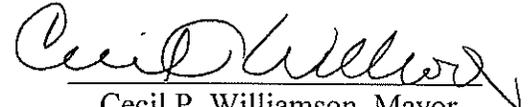
Councilman Yelverton asked the council to consider a “no passing zone” on Highway 43 from Highway 80 to just past Suttles Trucking Company. Councilman Yelverton also questioned the status of the banner law revision.

Councilman Jones asked for a list of all city property and public buildings.

Councilman Moore questioned the status of the FEMA Mitigation Grant submitted for the Edgewood/ Highway 43 area drainage problem.

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 13, 2006
CONTINUED

There being no further business before the Council the **Mayor moved to adjourn** the meeting at 6:42p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST: 
Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

February 1, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Wednesday, February 1, 2006 in the Demopolis Welcome Center.

Present:

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley

City Clerk Carla Cowling
City Attorney Rick Manley

Absent Mayor Cecil P. Williamson
Charles Jones

Department Heads:

➤ Police	-	Court	- Broadhead
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Pro Tempore Thomas Moore called the meeting to order and opened with the invocation. The minutes of the last regular session January 19, 2006 were reviewed by the Council.

Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Absent Councilman Moore – Aye Councilman Collins – Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Absent

Library Director, Lindsay Gardner reported the new children's area in the library now open.

Mr. Claud Neilson, Chair of the Citizen's Task Force reported to the Council on the progress of the Task Force. The Task Force reported identification of 37 properties, 11 of which had been sent to Council for further legal proceeding. The Task Force had voted at their recent meeting not to proceed with any further action until some action was taken on the previous 11 properties sent to City Council and the City Attorney. Mr. Manley reported some progress on the properties but reminded the City Council that condemnation of the properties and clearing would mean some expenditure by the city. Council expressed full support of the Task Force and any actions needed.

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 1, 2006
CONTINUED

Burns Whittaker of Goodwin, Mills and, Cawood reported to Council on the progress of the French Creek sewer improvement project, the Arch Street Scenic Walk Phase I, and the Arch Street Master Plan.

The Council reviewed Proposed Resolution 2006-1 as follows:
Proposed Resolution 2006- 1

**A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA,
TO ADOPT A POLICY FOR REIMBURSEMENT OF COSTS.**

WHEREAS, this Resolution is to adopt the policy for the official processing of request to access, examine and copy public records and documents of the City.

NOW THEREFORE, be it resolved by the City of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

1. That in order to assure the official processing of a request to examine and copy public records and documents of the City, the City Clerk is hereby directed to require all persons and/or organizations requesting access to any public records or documents to complete the form attached hereto as Exhibit "A."
2. To defer the costs incurred by the City for providing services and copies of any documents, the City hereby adopts the following charges:
 - Copies will be provided at a copying charge of \$.25 per page.
 - Copies of Ordinances or Meeting Minutes will be provided at a copying charge of \$.25 per page.
 - Color copies will be provided at a copying charge of \$.75 per page.
 - Copies of the Fiscal Budget will be provided at a copying charge of \$1.00 plus \$.25 per page.
 - Copies of the Demopolis Zoning Ordinance will be provided at a copying charge of \$1.00 plus \$.25 per page.
 - Copies of the Municipal Audit will be provided at a copying charge of \$1.00 plus \$.25 per page.
 - Faxes sent to a local number are \$.25 per page. Faxes sent to a long distance number are \$.35 per page
 - Notary Services are provided at no charge to the public.
3. To defer the cost of postage, copies, and official publication in the local newspaper for Board of Adjustment and Planning Commission, the City of Demopolis hereby adopts the following charges:
 - To request review by the Board of Adjustment will incur a charge of \$100.00, plus \$7.00 per adjoining property owner.
 - To request review by the Planning Commission will incur a charge of \$120.00, plus \$7.00 per adjoining property owner for the first hearing on a location and \$95.00, plus \$7.00 per adjoining property owner for the second hearing of the same location.

4. That this policy is to become effective immediately upon the adoption of this Resolution by a majority of the City Council.

Resolution 2006-1 was tabled for further review.

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 1, 2006
CONTINUED

Councilman Collins moved to complete the sale of the Old Guard Armory. Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Absent Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Nay Councilman Jones – Absent

The Council reviewed the bids and specifications submitted for the purchase of a speed monitoring trailer. Upon reviewing the specifications required by the Police Department, Councilman

Yelverton moved to accept the bid from Kustom, the only bidder meeting those specifications. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Absent Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Absent

Bob Evans, of Almon and Associates spoke to the Council regarding the repair and replacement options for the bridge on Jackson Street at the “s” curve. **Councilman Cooley moved to repair the bridge for the lowest estimate of \$115,000.00 and empower Almon and Associates to seek avenues of funding to eventually move and straighten the bridge.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Absent Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Absent

Mr. Evans also presented the Council with an updated cost for paving. Councilman Collins stated the Finance Committee had reviewed the budget and recommended \$700,000.00 – \$750,000.00. The decision of which streets were to be chosen was **tabled** for further review and in the hopes the Mayor and all of Council might be present for the decision.

Mayor Pro Tempore asked the audience if there were any citizens present wishing to address the Council.

At 6:22 p.m. the Council moved into Executive Session with the following statement:

STATE OF ALABAMA)

CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 1st day of February, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Collins for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Yelverton; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

DEMOPOLIS CITY COUNCIL SESSION
FEBRUARY 1, 2006
CONTINUED

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

- | | |
|----------------------------|-----|
| 1. Mayor Williamson | |
| 2. Mayor Pro Tempore Moore | Yea |
| 3. Councilman Collins | Yea |
| 4. Councilman Jones | |
| 5. Councilman Yelverton | Yea |
| 6. Councilman Cooley | Yea |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 20 minutes.

The Council reconvened into regular session at 6:54 p.m.

There being no further business before the Council the **Mayor Pro Tempore** moved to adjourn the meeting at 6:55 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

January 19, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, January 19, 2006 in the Demopolis Welcome Center.

Present:

Mayor Cecil P. Williamson

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Department Heads:

➤ Police	- T. Williams	Court	- Braodhead
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session January 5, 2006 were reviewed by the Council. **Councilman Yelverton moved to accept the minutes as presented.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley - Aye Councilman Yelverton - Aye Councilman Jones - Aye

The Council **considered approval of the sale of the Old National Guard Armory building.**

Mr. Mike Marshall, Director of Brian Whitfield Memorial Hospital presented the Council with financial numbers for the hospital for Fiscal Year September 1, 2004 through October 31, 2005.

The Council reviewed the bid **tabulation and specification tabulation for the speed monitoring trailer bid** for the Police Department. Evidence Technician, Tim Williams answered questions regarding the specifications for the bid. Any decision was **tabled** until more information could be gathered regarding compliance with the specifications by each bidder.

The Council heard application for a **transfer of Retail Beer (off premises only) to Parr's, Inc.** **Councilman Jones moved to approve the application.** Councilman Cooley seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye

DEMOPOLIS CITY COUNCIL SESSION
JANUARY 19, 2006
CONTINUED

Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council heard application for the sale **Retail Wine (off premises only)** by **Nancy Eatmon Smith D.B.A. The Front Row Mini Mart**. **Councilman Jones moved to approve the application**. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

The Council heard application for the sale **Retail Wine (off premises only)** and of **Retail Beer (off premises only)** by **Elks Food Mart**. **Councilman Jones moved to approve the application**. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Bob Evans of Almon and Associates presented information to the Council on the status and possible costs of repair or relocation of the bridge located in the “s” curve on Jackson Street. The Council was presented with three possible replacement plans and two informal repair estimates. No decision was made until funding options could be explored by the Finance Committee. Mr. Evans also discussed **possible street paving for 2006**. The list reviewed by Council was the list originally compiled in 2005. Any decision was **tabled** until an updated cost estimate for the paving could be compiled by Mr. Evans.

Mayor Williamson announced the new Welcome Center/ Council Chamber had been completed for \$5,000.00 under the original budget estimate.

The Mayor and Council approved the 2006 Municipal Holiday Dates as follows:

Holiday Dates for 2006

Martin Luther King Jr. Birthday	Monday, January 16
Memorial Day	Monday, May 29
Independence Day	Tuesday, July 4
Labor Day	Monday, September 4
Veterans Day	Friday, November 10
Thanksgiving Day	Thursday, November 23
Day Following Thanksgiving	Friday, November 24
Christmas Eve	Monday, December 25
Christmas Day	Tuesday, December 26
New Years Day	Monday, January 1, 2007

Mayor Williamson announced there would be a presentation at the Demopolis Civic Center regarding 2.1 billion dollars available in tax free bonds available for the Southeastern Alabama businesses for expansion and renovation. The meeting will be held at 5:15 on February 9, 2005.

DEMOPOLIS CITY COUNCIL SESSION
JANUARY 19, 2006
CONTINUED

The regular session of the Demopolis City Council was moved to Wednesday February 1, 2005 at 5:15 in the Welcome Center.

At 6:37 p.m. the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 19th day of January, 2006 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Collins for the Council to go into Executive Session for the purpose of discussion of good name and character being one of the following purposes authorized by the Act and which motion was seconded by Councilman Yelverton; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows:

	<u>Yeas</u>	<u>Nays</u>
1. Mayor Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

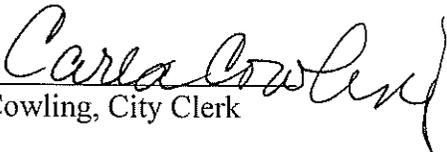
and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 20 minutes.

The Council reconvened into regular session at 7:15 p.m.

There being no further business before the Council the Mayor moved to adjourn the meeting at 7:25 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

January 5, 2006

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, January 5, 2006 in the Demopolis Welcome Center.

Present:

Mayor Cecil P. Williamson

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Department Heads:

➤ Police	- Manuel	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official-	Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	- Seay		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session December 15, 2005 were reviewed by the Council.

Councilman Cooley moved to accept the minutes as corrected. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye

Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones - Aye

The Council reviewed **Proposed Holiday Dates for 2006.** Any decision was **tabled** until a poll could be taken of the city employees preferences.

Mayor Williamson made a public announcement that Goodwin, Mills, and Cawood would hold a **public hearing on January 18th at the Demopolis Welcome Center at 5:15 p.m. to discuss the plans for the Arch Street Scenic Riverwalk Project.**

Mayor Williamson also announced that Senator Shelby would be in Linden on Thursday January 12th and encouraged attendance.

The Council considered the generous loan from Hugh and Lydia Lloyd of a mural representation of a painting of the City of Demopolis by Margaret Webb. Councilman Yelverton moved to accept the loan. Councilman Jones seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye

MINUTES OF THE CITY COUNCIL
OF THE CITY OF DEMOPOLIS, ALABAMA

REGULAR SESSION

DECEMBER 15, 2005

The regularly scheduled meeting of the Mayor and City Council convened promptly at 5:15 p.m. on this date Thursday, December 15, 2005, in the Demopolis Welcome Center.

Present:

Mayor Cecil P. Williamson

Council Members Thomas Moore
Woody Collins
Melvin Yelverton
Jack Cooley
Charles Jones

City Clerk Carla Cowling

Department Heads:

➤ Police	-	Court	-
➤ Fire	- Davenport	Public Safety	- Manuel
➤ Public Works	- Baker	Building Official	- Brooker
➤ Parks & Recreation	- Pettus	Library	- Gardner
➤ Horticulture	-		

Mayor Williamson called the meeting to order and opened with the invocation.

The minutes of the last regular session November 30, 2005 were reviewed by the Council.

Councilman Collins noted a correction in the vote for Proposed Ordinance 2005-11. **Councilman Jones moved to accept the minutes as corrected.** Councilman Collins seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye	Councilman Moore- Aye	Councilman Collins - Aye
Councilman Cooley – Aye	Councilman Yelverton – Aye	Councilman Jones - Aye

The Council considered **Resolution 2005-53** as follows:

RESOLUTION 2005 - 53

WHEREAS, The City of Demopolis is rich in heritage and takes great pleasure in recognizing significant and generous citizens; and

WHEREAS, James B. Whitfield was generous in life in the donation of the use of land as a park for all to enjoy; and

WHEREAS, The heirs to the Estate of James B. Whitfield, Jr. have continued in the same fashion and generously donated Lots 308, 309 and 310 in Block 112 and Lot 316 in Block 103 of the City of Demopolis; and

DEMOPOLIS CITY COUNCIL SESSION
DECEMBER 15, 2005
CONTINUED

THEREFORE, be it resolved that the Demopolis City Council, the Mayor and all the citizens of the City of Demopolis will commit to memory this generosity of James B. Whitfield, Jr. and his family.

Cecil P. Williamson
Mayor, City of Demopolis

ATTEST:

Carla Cowling, City Clerk

Councilman Collins moved to accept Resolution 2005-53 as presented. Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley - Aye Councilman Yelverton - Aye Councilman Jones - Aye

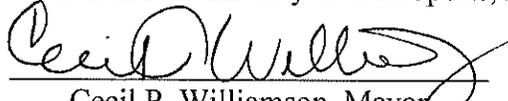
The Council reviewed Resolution 2005-54 as follows:

Resolution 2005-54

WHEREAS, the City of Demopolis, Alabama has proceeds from stock certificates held at Wachovia Bank with a certificate number 3200453991: and

WHEREAS, the City of Demopolis, Alabama is submitting official request to change those authorized as joint owners and signers on behalf of the City of Demopolis; and

NOW, THEREFORE, be it resolved on this 30th day of November 2005 that the Demopolis City Council does hereby authorize and empower its' Mayor, Cecil P. Williamson to sign any and all paperwork regarding Certificate GL002502 from account number 3200453991 and to act as the Chief Elected Official for the City of Demopolis, Alabama.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk

Councilman Cooley moved to accept Resolution 2005-54 as presented. Councilman Jones seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson- Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley - Aye Councilman Yelverton - Aye Councilman Jones - Aye

DEMOPOLIS CITY COUNCIL SESSION
DECEMBER 15, 2005
CONTINUED

The Council reviewed Resolution 2005-55 as follows:

RESOLUTION 2005 – 55

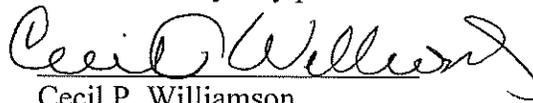
WHEREAS, The City of Demopolis is continually striving to remain vital in the struggling Black Belt area of Alabama; and

WHEREAS, The City of Demopolis recognizes that one of the ways a city retains a workforce, shipping and manufacturing industry, jobs, and a tax base is to be located along a major Interstate; and

WHEREAS, Volkert and Associates is studying the feasibility of a route for the proposed Interstate 85 extension to Interstate 20; and

WHEREAS, The City of Demopolis already has in place adequate infrastructure in fire, ambulance, police, and excellent hospital facilities for first responder emergency needs; and

THEREFORE, be it resolved that the Demopolis City Council, the Mayor and all the citizens of the City of Demopolis would like Volkert and Associates to be certain that Demopolis is in favor of the Interstate 85 extension being as close to the City Limits of the City as feasible and will assist the extension effort in any way possible.


Cecil P. Williamson
Mayor, City of Demopolis

ATTEST:


Carla Cowling, City Clerk

Councilman Yelverton moved to accept Resolution 2005-55 as presented. Councilman Jones seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson – Aye Councilman Moore – Aye Councilman Collins – Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson presented the Council with an **update of the Arch Street Riverwalk Project.**

The Council reviewed an **application for the sale of Beer and Wine off premises for the new Wal-Mart Supercenter #731** at 969 U. S. Highway 80 West.

DEMOPOLIS CITY COUNCIL SESSION
DECEMBER 15, 2005
CONTINUED

Councilman Jones moved to approve the application for the sale of Beer and Wine off premises for the new Wal-Mart Supercenter #731 at 969 U. S. Highway 80 West . Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson announced **Ms. Willie Mae Hill of 1821 Laura Street.** Ms. Hill did not come forth to address the Council and Mayor Williamson stated that she would investigate Ms. Hill's situation and complaint.

The Mayor and Council considered a letter **donating a 1996 Crown Victoria** previously declared surplus in Resolution 2005-30 to the **Moundville Volunteer Fire Department.** **Councilman Jones moved to approve the donation.** Councilman Yelverton seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

Mayor Williamson announced that **Mayor Pro Tempore Moore had been elected to the Community and Economic Development Committee** for the National League of Cities.

Mayor Williamson presented a proposal to the Council to adopt and assist Waveland, Mississippi, which was devastated by Hurricane Katrina. Councilman Yelverton made a motion to empower the Mayor to contact the Mayor of Waveland to assess their needs and determine how the City of Demopolis might help. Councilman Moore seconded the motion and **the motion passed by the following roll call vote:**

Mayor Williamson– Aye Councilman Moore- Aye Councilman Collins - Aye
Councilman Cooley – Aye Councilman Yelverton – Aye Councilman Jones – Aye

At 5:47 p.m. the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTE EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETINGS LAW
A05-0145

WHEREAS, the City Council of the City of Demopolis, Alabama with a quorum being present, was conducting a regular Council Meeting on the 15th day of December, 2005 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meetings Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Councilman Collins for the Council to go into Executive Session for the purpose of negotiation of Real Estate Transactions being one of the following purposes authorized by the Act and which motion was seconded by Mayor Williamson; and,

WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

DEMOPOLIS CITY COUNCIL SESSION
DECEMBER 15, 2005
CONTINUED

WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded into the minutes as follows: Yeas Nays

- | | |
|----------------------------|-----|
| 1. Mayor Williamson | Yea |
| 2. Mayor Pro Tempore Moore | Yea |
| 3. Councilman Collins | Yea |
| 4. Councilman Jones | Yea |
| 5. Councilman Yelverton | Yea |
| 6. Councilman Cooley | Yea |

and the Presiding Officer declared that a majority of the votes being in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and reconvene in approximately 15 minutes.

The Council reconvened into regular session at 6:03 p.m.

There being no further business before the Council the **Mayor moved to adjourn** the meeting at 6:05 p.m. The motion carried.


Cecil P. Williamson, Mayor

ATTEST:


Carla Cowling, City Clerk