

DEMOPOLIS CITY COUNCIL MEETING AGENDA
October 4, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

- Police – report submitted
- Court - report submitted
- Fire - report submitted
- Public Works
- Parks & Recreation – Ravine report submitted
- Horticulture – report submitted
- Building Official
- Library
- Finance

Unfinished Business –

1. Dilapidated Houses
2. Beautification Committee – Ordinance 2007-14
3. Roman Alley (tabled until October 18,2007)
4. Bill Gibson – EMA Choctaw Co.
5. Municipal Complex

New Business –

1. Pilot Club – Project Life Saver
2. Chris Randall Smith dba Smoke-N-Chew – 050 Retail Beer license transferee
3. Jamie A. Jimenez dba El Ranchero Loco – 020 Restaurant Retail Liquor license
4. Lem Wilson Road residents – Request for street light

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

October 4, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, October 4, 2007 in the Demopolis Rooster Hall.

Present:

Council Members: Cecil P. Williamson, Mayor
Woody Collins
Jack Cooley
Charles Jones
Melvin Yelverton

City Clerk: Paula Bird

Absent: Thomas Moore, Mayor Pro Tempore

Department Heads:

- Police – report submitted
- Fire -Ron Few – report submitted
- Public Works – Mike Baker
- Park & Recreation -Mark Pettus
- Ravine report submitted
- Horticulture- Barbara Blevins – report submitted
- Court – report submitted
- Public Safety – Jeff Manuel
- Building Official
- Library – Morgan Grimes
- Finance

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

The Council reviewed the minutes of the September 20, 2007 regular meeting. Councilman Cooley moved to accept the minutes. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted.

Unfinished business

Dilapidated housing: There are three easements remaining for Whitfield Canal.

Beautification Committee: Ordinance 2007-14 AN ORDINANCE TO ESTABLISH A BEAUTIFICATION COMMISSION AND A TREE COMMISSION is being reviewed by Mr. Rick Manly, City Attorney.

Roman Alley: - There will be a 30/60/90 day study and report on traffic count and calls prepared by Jeff Manuel, Public Safety Director.

EMA Choctaw Co. – Bill Gibson: This contract is currently on hold due to funding changes by the organization.

Municipal Complex: The building committee will meet with Jeff Manuel regarding the location of the complex and bring a recommendation to the October 18, 2007 regular council meeting.

New business

Pilot Club – Project Life Saver: Nine members of the Pilot Club were present and expressed their appreciation to the Mayor and Council for their financial support. The Pilot Club raised \$13,418.62 for Project Life Saver. They will attend training October 22 – 23 for the program and purchase 30 bracelets. The Pilot Club will continue their fundraising efforts as more bracelets are needed. The Mayor and Council commend the Pilot Club for their good work.

Chris Randall Smith dba Smoke-N-Chew – 050 Retail Beer license transfer: Councilman Collins moved to approve the 050 retail beer license transfer as presented. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Jamie A. Jimenez dba El Ranchero Loco – 020 Restaurant Retail Liquor license: Councilman Jones moved to approve the 020 restaurant retail liquor license transfer as presented. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Lem Wilson Road residents: Several residents appealed to the Council for the installation of a street light at Lem Wilson Road. The residents expressed dissatisfaction with road services and would like to have water services. The Mayor will make a request to Alabama Power for street lights. The residents have addressed the Water & Sewer Board about installing water lines but the cost assessment is prohibitive to the residents.

Special Presentation: Commissioner Fred Armstead Senator, Senator Bobby Singleton, and Representative Artis McCampbell requested permission to address the Council. Mr. Armstead presented a letter from Alabama Department of Revenue agreeing to grant \$60,000 of State Public Road and Bridge funds for the City of Demopolis to perform road resurfacing in the French Creek area. This commitment reflects the hard work and efforts of our elected officials.

Commissioner Armstead remarked that contractors are in the area of Lem Wilson Road and he will inform the Mayor of the name of the contractor so the Water & Sewer Board can investigate installing pipe in the Lem Wilson Road area.

Projects

Whitfield Canal: There are three easements remaining.

Municipal Complex: The Building Committee will give a report at the next meeting.

New Fire Station: The project is progressing and walls are going up.

Riverwalk Project: Construction will mobilize Monday October 8, 2007.

Mayor Discussion

The Industrial Development Board inadvertently omitted a budget request to fund the IDB executive director for the three month interim period. The Marengo County Economic Development believes they will have a director in place by January. The Finance Committee recommends amending the budget in the amount of \$11,851 to cover salary, taxes, and travel & entertainment.

Councilman Cooley moved to amend the budget for the allocation to the Industrial Development Board in the amount of \$11,851 to cover the expenses of an executive director for the three month period. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The three bridges on Jackson Street and one on Whitfield Canal are due for inspection. We have money budgeted to cover the inspection. Bridge inspections are due every two years. Almon & Associates are contracted to perform the bridge inspections.

West Alabama Mental Health invited the Mayor and Council to a public service workshop.

Council Discussion

Councilman Yelverton inquired where we stood on the garbage bid and when the current contract expires. The current contract is binding through December 31, 2007.

Councilman Jones inquired on the status of funds not expended in a budget year and whether it was considered as revenues in the following budget year. Mr. Jones requested a comparison report of actual .v. budget for FY 2004/2005.

Councilman Cooley moved that all travel and expense reports be reviewed monthly by the Council. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Cooley made a motion to adjourn. The Council adjourned at 6:00pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA

October 18, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

Police

Court

Fire

Public Works – report submitted

Parks & Recreation - Theo Ratliff report submitted

Horticulture

Building Official

Library

Finance

Unfinished Business –

1. Dilapidated Houses
2. Beautification Committee
3. Roman Alley
4. Bill Gibson – EMA Choctaw Co.
5. Municipal Complex

New Business –

1. Mike Marshall-Bryan Whitfield Memorial Hospital.
2. Board appointments to the Demopolis Historic Preservation Commission
 - a. Yancena Perry
 - b. Vince Deas.
3. Utility Board vacancy
4. Resolution 2007-18: Retiree Act 2007-257
5. Resolution 2007-10: A Resolution For the City of Demopolis To Approve The Street Lighting Modification For Edgemont Village.
6. Resolution 2007-20: A Resolution For The City of Demopolis To Approve The Street Lighting Modification For Highway 21 and Lem Wilson Road.

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

October 18, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, October 18, 2007 in the Demopolis Rooster Hall.

Present:

Council Members: Cecil P. Williamson, Mayor
Thomas Moore, Mayor Pro Tempore
Woody Collins
Charles Jones
Melvin Yelverton

Asst. City Clerk: Sam Gross

Absent: Jack Cooley
Paula Bird

Department Heads:

- | | |
|----------------------------------|-------------------------------|
| • Police | Court |
| • Fire -Ron Few | Public Safety – Jeff Manuel |
| • Public Works – Mike Baker | Building Official |
| -report submitted | Library – Morgan Grimes |
| • Park & Recreation -Mark Pettus | Finance |
| Ravine report submitted | Horticulture- Barbara Blevins |

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

The Council reviewed the minutes of the October 4, 2007 regular meeting. Councilman Yelverton moved to accept the minutes. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley:

Departmental reports

Departmental reports were submitted.

Chief Ronnie Few addressed the Council to report the progress of cross training in preparation of being a premier Fire and EMS department saving lives and serving our community. October is Fire Prevention month and the Fire Department has presented educational programs in the schools to over 800 students.

The Mayor reported that she has received calls commenting on Demopolis being a clean city and commends Mike Baker and the Public Works Department, and Barbara Blevins and the Horticulture Department for their hard work.

Unfinished business

Dilapidated housing: Still working on easements.

Beautification Committee: Copies of documents are in the Council's packages to review for preparation of adopting Ordinance 2007-14 at the next regular council meeting.

Roman Alley: - Will review upon completion of 30/60/90 study.

EMA Choctaw Co. – Bill Gibson: This project is on hold until EMA Choctaw County situation is settled.

Municipal Complex: Thomas Moore reported that the Building Committee recommends building the Municipal Complex on the site located behind the existing facility being used as the Police Department. The downtown Fire Station would be included as a component of the Municipal Complex.

Councilman Collins moved to approve building the Municipal Complex which would house the Police Department, Municipal Court, and the Fire Station on the land bordering Cedar, Capital, and Chestnut. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley:

The next step in the project is determining who will manage the project. Councilman Moore reported the Building Committee recommends Brown Design. Councilman Collins asked about considering an Alabama based architectural firm.

Councilman Moore moved to approve Brown Design to manage the Municipal Complex project. Councilman Jones seconded the motion. Councilman Yelverton requested to table the decision until the next regular Council meeting. Councilman Collins expressed his disappointment with the services of Brown Design. The motion failed to pass by the following roll call vote:

Mayor Williamson: abstain	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: no	Councilman Collins: no	Councilman Cooley:

The Council will address this at the next regular Council meeting.

New business

Mike Marshall – Bryan Whitfield Memorial Hospital: Due to a conflict Mr. Marshall could not attend.

Demopolis Historic Preservation Commission – Board Appointments: The Mayor is pleased to announce that Yancena Perry and Vince Deas both agreed to serve on the board.

Utility Board Vacancy: Councilman Yelverton nominated Carl Austin. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: abstain Councilman Cooley:

Resolution 2007-18 Retiree Act 2007-257: This resolution grants a one time lump sum payment to designated retirees that will be funded by a .5% increase in the percentage the City of Demopolis pays on gross wages of all full time employees. This increase will be in effect for the remaining 9 months of the year.

Councilman Moore moved to decline Resolution 2007-18 – Retiree Act 2007-257. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley:

Resolution 2007-19 A Resolution For The City of Demopolis To Approve The Street Lighting Modification For Edgemont Village: This is a request to install six 250 watt fixtures in Edgemont Village. Alabama Power provides and installs the equipment and the City of Demopolis pays the cost of electricity.

Councilman Yelverton moved to approve Resolution 2007-19. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley:

Resolution 2007-20 A Resolution For The City of Demopolis To Approve The Street Lighting Modification For Highway 21 and Lem Wilson Road: This is a request to install one 250 watt fixture at Highway 21 and Lem Wilson Road.

Councilman Yelverton moved to amend and approve Resolution 2007-20 for two light fixtures for Highway 21 and Lem Wilson Road, the second light location to be determined after consulting with Alabama Power Company. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: no Councilman Cooley:

Projects

Whitfield Canal: The project is progressing.

Fire Station #3: The walls are under construction.

Riverwalk Project: Construction has started and is looking good.

At 6:05pm the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 October, 2007 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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,

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

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 10 minutes.

The Council reconvened into regular session at 6:20pm.

Councilman Collins made a motion to adjourn. The Council adjourned at 6:20pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

Resolution 2007- 18

RETIREE ACT 2007-257

Section A.

Be it resolved by the City Council of the City of Demopolis that the City of Demopolis (Elects To or Declines To) come under the provisions of Section 2 of Act 257 of the Regular Session of the 2007 Legislature.

Section B.

The City of Demopolis agrees to provide all funds necessary to the Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired from the City of Demopolis with the aforementioned increase being paid on or about December 17, 2007.

I, Cecil P. Williamson, Mayor of the City of Demopolis, hereby certify that the foregoing is a true and correct copy of the Resolution passed on October 18, 2007.

Mayor Cecil P. Williamson

Failed To Pass

Attest: Paula Bird, City Clerk

Resolution 2007- 19

A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA, TO APPROVE THE STREET LIGHTING MODIFICATION FOR EDGEMONT VILLAGE.

WHEREAS, this Resolution is to authorize Alabama Power Company to make street modifications;

NOW THEREFORE, be it resolved by the City of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

To install six (6) 250 watt fixtures at Edgemont Village

The Mayor and City Council of Demopolis adopted this Resolution at the regular meeting on Thursday, October 18, 2007.



Mayor Cecil P. Williamson



Attest: Paula Bird, City Clerk

Resolution 2007- 20

A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA, TO APPROVE THE STREET LIGHTING MODIFICATION FOR HIGHWAY 21 AND LEM WILSON ROAD

WHEREAS, this Resolution is to authorize Alabama Power Company to make street modifications;

NOW THEREFORE, be it resolved by the City of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

To install one (1) 250 watt fixture at Highway 21 and Lem Wilson Road; and

To install one (1) 250 watt fixture at a location to be determined after consulting with Alabama Power Company.

The Mayor and City Council of Demopolis adopted this Resolution at the regular meeting on Thursday, October 18, 2007.



Mayor Cecil P. Williamson



Attest: Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA

November 1, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

Police

Court

Fire

Public Works – report submitted

Parks & Recreation – report submitted

Horticulture – report submitted

Building Official

Library - report submitted

Finance

Unfinished Business –

1. Dilapidated Houses
2. Beautification Committee
3. Roman Alley
4. Bill Gibson – EMA Choctaw Co.
5. Municipal Complex
6. Expense Reports

New Business –

1. Kelley Smith – Demopolis Area Chamber of Commerce – Freedom On The River
2. Demopolis Area Chamber of Commerce, Inc. – 150-Special Retail License – 30 days or less
3. Ordinance 2007-15: An Ordinance To Amend Section 5-32(b) Of The City Leash Law Ordinance 1991-5
4. City of Demopolis Holidays for Calendar Year 2008
5. Bid results and recommendation on a backhoe for Public Works Department
6. Board Appointment – Library Board: Jane Ellen Stritzinger resigned from Library Board
7. Board Appointment – Recreation Board: The Recreation Board recommends reappointing:
 - a. Alfred Padilla
 - b. Rodney Rowser
8. Increase fee to Utility Board for administering garbage pickup

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

November 1, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, November 1, 2007 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|-------------------------------------------------------|------------------------------------------------|
| • Police | Court |
| • Fire -Ron Few-report submitted | Public Safety – Jeff Manuel |
| • Public Works – Mike Baker
-report submitted | Building Official-Clarence Brooker Jr. |
| • Park & Recreation -Mark Pettus
-report submitted | Library – Morgan Grimes |
| | Finance |
| | Horticulture- Barbara Blevins-report submitted |

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

The Council reviewed the minutes of the October 18, 2007 regular meeting. Councilman Yelverton moved to accept the minutes. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted.

Jeff Manuel, Public Safety Director, reported that the two recruits graduated from the Police Academy.

Councilman Collins asked Chief Ronnie Few about the Firefighter cross training program. The Firefighters EMS program will work along with the hospital ambulance service as well as other EMS services. The citizens of Demopolis will benefit by a targeted response time of 3 – 5 minutes.

The Mayor reported that she continues to receive calls commenting on the City of Demopolis having clean roadways and beautiful landscaping and commends Mike Baker and the Public Works Department, and Barbara Blevins and the Horticulture Department for their hard work.

Barbara Blevins reported passing the Alabama Department of Agriculture Horticulture Certification. Councilman Cooley commended Barbara and the Horticulture Department's work on Cherokee Street.

The Mayor noted that the Alabama Department of Public Health sent a letter expressing their thanks to Ed Ward and the Theo Ratliff Activity Center workers for conducting a successful flu vaccination clinic. During this clinic 619 flu vaccinations were given.

Unfinished business

Dilapidated housing: The Mayor asked for an abeyance until January.

Beautification Committee: There was discussion on the proposed Ordinance 2007-14 AN ORDINANCE TO ESTABLISH A BEAUTIFICATION AND TREE COMMISSION.

Councilman Cooley made a motion for immediate consideration on Ordinance 2007-14. Councilman Collins seconded the motion and the motion failed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Ordinance 2007-14 will be presented at the next regular Council meeting.

Roman Alley: - The Council will review upon completion of 30/60/90 study.

EMA Choctaw Co. – Bill Gibson: This project is on hold until EMA Choctaw County situation is settled.

Municipal Complex

Councilman Collins moved to approve Ellis Architects, Inc. as architect and project manager for the Municipal Complex project. Councilman Yelverton seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: abstain	Councilman Moore: no	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Expense Reports

October expense reports were distributed. Expense reports will be distributed to the Council for review on the first meeting of each month.

New business

Demopolis Area Chamber of Commerce Inc.: Kelley Smith asked the City Council to approve \$2,000 funding for Freedom On The River fireworks display. The City Council will make a decision on this request by the December 6, 2007 Council Meeting.

Demopolis Area Chamber of Commerce Inc. - 150-Special Retail License-30 Days or Less: The ABC Board recommends issuing this temporary license for the Christmas On The River functions.

Councilman Jones moved to approve the 150-Special Retail License-30 days or Less. Councilman Cooley seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Ordinance 2007-15 - AN ORDINANCE TO AMEND SECTION 5-32(b) OF ORDINANCE 1991-5 WHICH AMENDS SECTION 5-32(b) OF ORDINANCE 1980-3 THE CITY LEASH LAW : Councilman Collins moved to approve Ordinance 2007-15 as presented. Councilman Cooley seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Ordinance 2007-15 will be presented for a second reading at the next Regular Council Meeting.

City of Demopolis Holidays for Calendar Year 2008: The proposed Holidays for Calendar Year 2008 are as follows:

January 21, 2008	Martin Luther King, Jr. Day
May 26, 2008	Memorial Day
July 4, 2008	Independence Day
September 1, 2008	Labor Day
November 11, 2008	Veterans Day
November 27, 2008	Thanksgiving
November 28, 2008	Day After Thanksgiving
December 24, 2008	Christmas Eve
December 25, 2008	Christmas
January 1, 2009	New Year's Day

Councilman Cooley moved to approve the holidays as presented. Councilman Moore seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Bid results and recommendation on backhoe for Public Works Department: Bids for a 2007 John Deere 410G or its equivalent were opened on October 31, 2007. The bids were as follows: Beard Equipment Co. - \$63,700.00 Warrior Tractor & Equipment Co., Pelham, AL - \$63,200.00 Warrior Tractor & Equipment Co., Northport, AL - \$61,846.05. Mike Baker, Public Works Department Head, recommends the low bidder Warrior Tractor & Equipment Co., Northport, AL.

Councilman Jones moved to accept the low bid. Councilman Yelverton seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Board Appointment – Library Board: Jane Ellen Stritzinger resigned from the Library Board. Betty McCants agreed to fulfill the unexpired term.

Councilman Yelverton moved to appoint Betty McCants to fulfill the unexpired term. Councilman Cooley seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Board Appointments – Recreation Board: The Recreation Board recommends reappointing Alfred Padilla and Rodney Rowser.

Councilman Collins moved to reappoint Alfred Padilla and Rodney Rowser to the Recreation Board. Councilman Jones seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Increase fee to Utility Board for administering garbage pickup: In an effort to consolidate the administration of the City of Demopolis garbage pickup service, the Utility Board requests an additional \$200 per month. For the additional fee the Utility Board will coordinate setting up new garbage accounts, discontinuing canceled accounts, handling garbage complaints, accepting application for exempt services and assisted pickup for medical exemptions, and following up on accounts with discrepancies in service and billing.

Councilman Collins moved to approve the request for \$200 per month additional funding to the Utility Board for administering garbage pickup. Councilman Jones seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Projects

Whitfield Canal: The project is nearing completion.

Fire Station #3: The rafters will be under construction next week.

Riverwalk Project: The project is progressing with a March completion date.

Council Discussion

Councilman Cooley requested a copy of the revised bid tabulation.

Councilman Moore reported that the 600 block of E Capital Street is in need of repair after the Utility Board dug up the street. The Mayor will put this on the Utility Board Agenda for the next meeting.

Mayor Discussion

The Mayor shared an article featuring the City of Demopolis in Power Cruising magazine. The author of this article visited the City of Demopolis and the Demopolis Public Library. In the article the author commented on the great service and warm welcome he received from Connie Lawson, Assistant Librarian. The Mayor stated that the City of Demopolis can't buy the kind of exposure received from this article and stressed the importance of the impression that City employees can make by their quality of service. The Mayor commended Connie Lawson for her hospitality.

The Mayor reported that the City of Demopolis will be participating in the Local Update Census Address (LUCA) program. This program will give the City of Demopolis a more accurate census count. Eleanor Park and Andrea Ward have consented to contract with the City of Demopolis to perform the work.

At 6:20pm the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 November, 2007 the time, date, place and agenda of which were duly announced and notices of

which were posted in accordance with the Alabama Open Meeting Law, Act 2005-40 (Act); and,

WHEREAS, during the course of said meeting, a motion was made by Thomas Moore 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 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,

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

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 5 minutes.

The Council reconvened into regular session at 6:25pm.

The Council adjourned at 6:25pm.



Cecil P. Williamson, Mayor

ATTEST:



Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA

November 8, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

Police

Court - report submitted

Fire

Public Works

Parks & Recreation

Horticulture

Building Official

Library

Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. Bill Gibson – EMA Choctaw Co.
4. Marengo County Economic Development Authority
5. Ordinance 2007-14 An Ordinance To Establish A Beautification And Tree Commission
6. Ordinance 2007-15 An Ordinance To Amend Section 5-32(b) Of Ordinance 1991-5 Which Amends Section 5-32(b) Of Ordinance 1980-3 The City Leash Law

New Business –

1. Street Lights on Highway 80 West

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

November 8, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, November 8, 2007 in the Demopolis Rooster Hall.

Present:

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

Department Heads:

- Public Safety/Police – Jeff Manuel
 - Fire -Ron Few
 - Public Works – Mike Baker
 - Library – Morgan Grimes
 - Park & Recreation -Mark Pettus
- Court – report submitted
Building Official-Clarence Brooker Jr.
Finance
Horticulture- Barbara Blevins

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

The Council reviewed the minutes of the November 1, 2007 regular meeting. Councilman Yelverton moved to accept the minutes. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted.

Unfinished business

Dilapidated housing: Will begin work in January.

Roman Alley: - The Council will review upon completion of 30/60/90 study.

EMA Choctaw Co. – Bill Gibson: This project is on hold until EMA Choctaw County make decisions about future operations.

Marengo County Economic Development Authority – The proposed bylaws were distributed to the Council for review. Demopolis Council is the first City Council to

review the bylaws. Councilman Yelverton made the motion to accept the bylaws as presented upon approval of the Marengo County attorney. Councilman Cooley seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Ordinance 2007-14 An Ordinance To Establish A Beautification and Tree Commission – Councilman Cooley asked that the Council consider passing this Ordinance so the Beautification Commission can meet and elect officers beginning in January. Councilman Cooley made the motion to adopt Ordinance 2007-14 as presented. Councilman Collins seconded the motion. After discussion the motion failed by the following roll call vote:

Mayor Williamson: Councilman Moore: abstain Councilman Jones: no
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Ordinance 2007-15 An Ordinance To Amend Section 5-32(b) Of Ordinance 1991-5 Which Amends Section 5-32(b) Of Ordinance 1980-3 The City Leash Law – This is the second reading of Ordinance 2007-15. This Ordinance amends the fees that are charged in relation to animal control. The fees have not been changed since 1991. Mike Baker, Public Works Director, addressed the Council on the necessity of raising the fees to cover the cost of housing, enforcement and veterinary expenses associated with health care and euthanasia. Councilman Collins made the motion to adopt Ordinance 2007-15 as presented. Councilman Cooley seconded the motion. After discussion the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: no Councilman Collins: yes Councilman Cooley: yes

New business

Proposal for Street Lights on Highway 80 West – A drawing was presented to the Council detailing the layout of street lights on Highway 80 West. Thirty three lights will run from the Credit Union to Maria Street. Approving this tonight will allow it to go before Alabama Department of Transportation for approval. The City of Demopolis will only be required to pay the annual cost of electricity which will be approximately \$6,153 annually. Councilman Cooley made the motion to accept the proposal for the installation of street lights on Highway 80 West as presented. Councilman Collins seconded the motion. After discussion the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Councilman Jones requested street lights on Highway 80 East.

Projects

Whitfield Canal: The project is nearing completion.

Municipal Complex: There is a meeting planned with the architect on Friday.

Fire Station #3: The project is moving along.

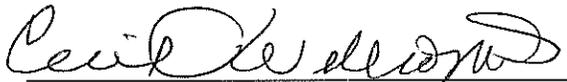
Riverwalk Project: The contractors are starting on the boat launch. There were two fishing tournaments that delayed work on the boat launch.

Council Discussion

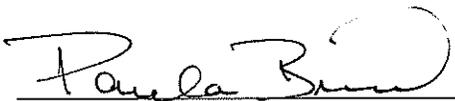
Councilman Yelverton inquired on the availability of architectural drawings on the Riverwalk Project and Fire Station #3.

Councilman Cooley called on all past members to see if they would serve on the Beautification Commission. The Mayor stated the Commission members were mayoral appointments. There are two vacancies to be filled.

Councilman Cooley made the motion to adjourn. Councilman Collins seconded the motion. The Council meeting adjourned at 6:10pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

ORDINANCE 2007-15

AN ORDINANCE TO AMEND SECTION 5-32(b) OF ORDINANCE 1991-5 WHICH AMENDS SECTION 5-32(b) OF ORDINANCE 1980-3 THE CITY LEASH LAW

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DEMOPOLIS AS FOLLOWS:

1. That Ordinance 1991-5 of the City of Demopolis be amended to delete Section 5-32(b) and substitute therefore the following new section:

5-32(b) Any such dog so impounded may be retaken or redeemed from the pound by the owner or the owner's duly authorized representative within seven (7) days from impoundment thereof, or at any time thereafter before sale or destruction thereof, by promptly paying the sum established in the following schedule:

1 st Time Pickup	\$25
2 nd Time Pickup	\$40
3 rd Time Pickup	\$75
4 th Time Pickup	\$100 plus Appear at Municipal Court
5 th Time Pickup	Appear at Municipal Court
Shelter Boarding	\$10 per day

2. This Ordinance amending Ordinance 1991-5 was adopted by the Demopolis City Council at the Council's Regular Meeting on Thursday November 8, 2007. It shall become effective upon its approval and proper publication as required by law.

ATTEST:



Cecil P. Williamson, Mayor



Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
December 6, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

- Police - submitted
- Court - submitted
- Fire
- Public Works - submitted
- Parks & Recreation
- Horticulture - submitted
- Building Official
- Library - submitted
- Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. Bill Gibson – EMA Choctaw Co.
4. Freedom on The River
5. Street Lights on Highway 80 West
6. Ordinance 2007-14 Ordinance To Establish A Beautification And Tree Commission
7. Expense Reports

New Business –

1. Board of Adjustments vacancy
2. Brian Brooker – sewer line damage
3. Jennifer Hallman – Marengo County representative for the American Cancer Society – Relay For Life
4. Emma Morris – request for zoning change for purpose of using land as a residence
5. Members for the Marengo County Economic Development Authority
6. CDBG Grant – Theo Ratliff Center

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

December 6, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, December 6, 2007 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel-report submitted
- Fire -Ron Few Jr.
- Public Works – Mike Baker –report submitted
- Library – report submitted
- Park & Recreation -Mark Pettus
- Court – report submitted
- Building Official-Clarence Brooker
- Finance
- Horticulture- Barbara Blevins –

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

The Council reviewed the minutes of the November 8, 2007 regular meeting. Councilman Cooley moved to accept the minutes. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

The Mayor asked Jeff Manuel, Public Safety Director, if the City of Demopolis has ever issued a ticket for littering. Jeff Manuel said that several littering ticket have been issued.

Ronnie Few, Fire Chief, requested the Council to amend the current year budget for the education and uniform/gear for the new fire recruits that was not expended in the prior year. The Finance Committee will review the request and the amounts expended in the prior year and make a recommendation at the next regular Council meeting. The entire fire department has been training as First Responders. The fire department will be participating in diversity training. The Mayor thanked Chief Few for the invitation to the firemen induction ceremony. The ceremony will be held on Thursday December 13th and the public is invited.

Unfinished business

Dilapidated housing: Will begin work in January.

Roman Alley: - The Council will review upon completion of 30/60/90 day study. This will be reviewed in January.

EMA Choctaw Co. – Bill Gibson: This project is on hold until EMA Choctaw County make decisions about future operations.

Freedom On The River – Kelley Smith came to see if the Council made a decision on providing an additional \$2000 funding for fireworks for the Freedom On The River celebration. The Mayor said the Christmas On The River firework show was outstanding. Councilman Yelverton requested that the decision be postponed until a later date. Councilman Cooley agreed and suggested asking the firework company if they could wait on a decision until February 1, 2008. Kelly said she would make the request.

Street Lights on Highway 80 W. – The Mayor spoke to Ronnie Snellgrove with Alabama Power Company. Mr. Snellgrove developed a new schematic drawing of proposed street lights. There would be 14 larger street lights instead of 33 lights and the cost of electricity would decrease from \$6,000/annually to \$1,600/annually. This will provide the same amount of lighting. The drawing will be sent to Council members when received. The Mayor did request the lighting for Highway 80 East.

Ordinance 2007-14 An Ordinance To Establish A Beautification and Tree Commission – This is the second reading of Ordinance 2007-14. Councilman Cooley asked that the Council offer suggestions on the changes necessary to reach an agreement on this ordinance so the committee can function. Councilman Yelverton made the motion to adopt Ordinance 2007-14 as amended by changing Section 4 to read as follows:

Section 4. The Commission and the City of Demopolis Horticulture Department Head shall work together for the beautification of the City. The Horticulturist shall present spring and fall planting plans to the Commission for consultation. The plans must be presented sixty (60) days prior to the planting season. After Commission ~~approval~~ **input**, plants may be ordered at the appropriate time. The Horticulturist will validate to the Commission when all planting has been completed. The Horticulturist, at the proper time, shall prepare the Department’s annual budget **and** present it to the Commission for review. ~~and to the Finance Committee and the City Council for their budget consideration.~~

Councilman Collins seconded the motion. After discussion the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Expense Reports – The expense reports are distributed in the Council packages.

New business

Board of Adjustments vacancy – The Mayor nominated Ann Hunter to fill the unexpired term of Herman Williams. Councilman Yelverton seconded the motion. The motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Sewer line damage – Brian and Diane Brooker addressed the Council about a claim they are pursuing with the Water & Sewer Board regarding damage to his sewer line. It was suggested at the Water & Sewer Board meeting that the City of Demopolis could possibly share some of the liability. Mr. Brooker suggested that the City of Demopolis attorney meet with the Water & Sewer Board attorney to decide jointly how to pursue this claim. The Mayor consented to having the two entity's attorneys meet regarding the claim and make a recommendation for Council approval.

American Cancer Relay For Life – Jennifer Hallman, the Marengo County representative presented an educational talk regarding the work of the American Cancer Society. The kick off event for Relay For Life will be held at Rooster Hall on January 24, 2008. The Relay For Life event will be April 25th, 2008.

Zoning Request Public Hearing – Emma Morris was present for the public hearing regarding a request for zoning of property located at 1614 Highway 43 S from B-3 to R-4. The Demopolis Planning Commission recommends approving the request. No one was present to appeal the request and no written comments were received. Councilman Jones moved to approve the zoning request. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Marengo County Economic Development Authority – Kathryn Friday compiled a list of people who showed their interest in the formation of the MCEDA by attending the meetings. The Mayor recommended using this list for nominating the board members that represent the City of Demopolis. The Mayor recommends that the nominees be representative of race and gender. Councilman Collins reported that Carl Wright the mill manager of Rock Tenn requested to be given the authority to nominate one permanent position of the Demopolis representation.

Councilman Moore moved to nominate William Martin. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Cooley moved to nominate Rock Tenn be given a permanent position. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Collins moved to nominate Catherine Meador. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The Mayor moved to nominate Andy Renner. Councilman Yelverton seconded the motion and motion failed by the following roll call vote:

Mayor Williamson:	Councilman Moore: no	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: no	Councilman Cooley: no

Councilman Jones moved to nominate Augusta Watters. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

CDBG Grant Theo Ratliff Center – We received a letter from Governor Bob Riley announcing the approval of a CDBG grant for \$250,000 to expand the Theo Ratliff Center.

Projects

Whitfield Canal: Pictures of the project were distributed. We are about 85% complete.

Municipal Complex: The architect has met with the department heads concerning the project. They will start meeting with the Building Committee.

Fire Station #3: The roof and felting is installed and shingles will follow shortly.

Riverwalk Project: The project was stalled due to Christmas On The River. There was an issue concerning the landing but the contractor met today to resolve the problem. The west landing will be removed and there will be four launch pads on the north landing. The Corp of Engineers has given the contractors approval to dredge a certain amount of cubic yards.

Council Discussion

Councilman Moore inquired on the status of the Auburn Study. The Mayor reported having a conference call with the director of the project. There are three positions that lack a job description. The director will conduct phone interviews to obtain the information needed to write the job descriptions.

Councilman Cooley thanked Jeff Manuel and the Police Department, Mike Baker and the Public Works Department, and Chief Few and the Fire Department for the work and the order they maintained at the Barbeque Cook Off.

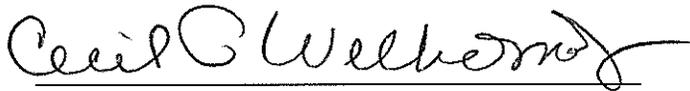
Councilman Cooley asked everyone to remember that tomorrow morning at 11:00am 65 years ago on December 7th is the anniversary of the attack on Pearl Harbor.

Councilman Yelverton passed out the Horticulturist job description to the Council members. Councilman Yelverton moved to amend qualifications on page 2 to read: "Must have a bachelor degree "or State of Alabama Certification." Councilman Collins seconded the motion and motion failed by the following roll call vote:

Mayor Williamson: no	Councilman Moore: no	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The job description will be reviewed again by the personnel committee for revision.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:55pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

ORDINANCE # 2007-14

AN ORDINANCE TO ESTABLISH A BEAUTIFICATION AND TREE COMMISSION.

The City Council finds that beautification of City property and the promotion of tree planting and preservation are valid assets providing a more healthful and beautiful environment in which to live and that such programs are economically beneficial in attracting new industry, residents and visitors. It is further recognized that valuable advice and guidance to the Mayor and Council will result from the appointments of members.

BE IT THEREFORE ORDAINED by the Mayor and Council of City of Demopolis, Alabama, as follows:

Section 1. This Ordinance repeals all portions of Ordinance #'s 1984-4 and 1984-5.

Section 2. There is hereby established a City of Demopolis Beautification and Tree Commission. The Mayor and one (1) City Councilmember shall serve as ex-officio members. The Mayor will appoint the member of the City Council who will serve on the Commission. In addition, the Mayor shall appoint six (6) additional members from the City of Demopolis. Two (2) shall be appointed for one (1) year; two (2) shall be appointed for two (2) years; and two (2) shall be appointed for three (3) years. Following the initial appointment, two (2) members shall be appointed annually to serve for three (3) years. Members shall serve until their successors are appointed.

Section 3. This Commission shall provide minutes for regular monthly meetings. Special meetings may be called by the Mayor, by the City Council member, or by any three of the other members, after giving not less than three (3) days' notice of the date, time and place of the special meeting.

Section 4. The Commission and the City of Demopolis Horticulture Department Head shall work together for the beautification of the City. The Horticulturist shall present spring and fall planting plans to the Commission for consultation. The plans must be presented sixty (60) days prior to the planting season. After Commission input, plants may be ordered at the appropriate time. The Horticulturist will validate to the Commission when all planting has been completed. The Horticulturist, at the proper time, shall prepare the Department's annual budget and

present it to the Commission for review.

Section 5. The Horticulturist shall prepare and present a monthly work plan/progress report of activities to the Beautification Commission at each monthly meeting.

Section 6. Members may be removed from the Commission at any time by a majority vote of the City Council.

Section 7. Election of the Chair will be in January.

Section 8. There is hereby established a City of Demopolis Tree Commission comprised of members of the City of Demopolis Beautification Commission whose meeting dates, times, work and minutes shall be coordinated and recorded with the Beautification Commission's.

Section 9. The provisions of this Ordinance are severable. If any part of this Ordinance is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All ordinances or parts of ordinances which conflict with this Ordinance are hereby repealed.

Section 11. This Ordinance was adopted by the Demopolis City Council at its regular meeting on the 6th day of December, 2007. It shall become effective upon its approval by the Mayor, its attestation by the City Clerk and its proper publication as required by law.

ATTEST:

CITY OF DEMOPOLIS



City Clerk



Its Mayor

DEMOPOLIS CITY COUNCIL MEETING AGENDA
December 20, 2007

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Recognition of Demopolis CATV

Reports from Departments

- Police
- Court
- Fire
- Public Works
- Parks & Recreation
- Horticulture
- Building Official
- Library
- Finance

Unfinished Business –

1. Zoning Request – Cobey Rowley
2. Dilapidated Houses
3. Roman Alley
4. Bill Gibson – EMA Choctaw Co.
5. Brian Brooker sewer line damage
6. Marengo County Economic Development Authority nomination
7. Freedom On The River funding

New Business –

1. Britney Carter – Skate park request
2. 050- Retail Beer – Off Premises Only Application – Parris Inc. 1325 Hwy 80 W
3. Ratify one time pay adjustment for employees (Christmas)
4. Advanced Disposal contract
5. Mason & Gardner CPA's LLC contract renewal
5. Personnel Committee recommendation on employee raises
6. Personnel Committee recommendation on horticulturist job description
7. Fire Department budget request
8. Beautification/Tree Commission board appointments
9. Sign at Fire Station #3

Projects –

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

December 20, 2007

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, December 20, 2007 in the Demopolis Rooster Hall.

Present:

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

Department Heads:

- | | |
|--------------------------------------|----------------------------------------|
| • Public Safety/Police – Jeff Manuel | Court |
| • Fire -Ron Few | Building Official-Clarence Brooker Jr. |
| • Public Works – Mike Baker | Finance – Rob Pearson, CPA |
| • Library- Morgan Grimes | Horticulture- Barbara Blevins |
| • Park & Recreation -Mark Pettus | |

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

The Council reviewed the minutes of the December 6, 2007 regular meeting. Councilman Collins moved to accept the minutes. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Certificate of Appreciation was presented to Lynn Goldman in recognition of Mr. & Mrs. Goldman and Demopolis CATV for their dedication and service to the City of Demopolis. Demopolis CATV has installed, removed, and stored the Christmas lights for the City of Demopolis since 1998.

Departmental reports

There were no departmental reports.

Unfinished business

Zoning Request – Rowley Recycling: Mr. Rick Manly, City Attorney, presented a brief history of the businesses that Cobey and Angela Rowley have been licensed to operate while located in their present location. Cobey Rowley has maintained a license at this location as a HVAC contractor since 2003. Angela Rowley was improperly allowed to obtain a license in 2005 for a recycling business. The location was not properly zoned for a recycling business. Mr. Manly presented a letter of complaint from Foster Farms

located across from Rowley Recycling and a letter from the Demopolis Industrial Development Board. Pictures were presented to the City Council of Rowley Recycling property. Mr. Manly recommends not renewing the license for Rowley Recycling at this location.

Mr. Rowley previously presented a request for rezoning to the Planning Commission in July 2007. The Planning Commission did not recommend rezoning the property so Mr. Rowley appealed to the Demopolis City Council for rezoning on August 2, 2007. At this meeting the City Council asked Mr. Rowley to look at other properties for relocation. Mr. Rowley presented pictures of Foster Farms noting the refuge located on their business property. He presented signatures of recycling customers that were in support of the recycling center. Representatives from a few businesses located in the Industrial Park were present in support of the rezoning. Mr. Rowley stated that he has looked at some alternative properties, but they were not suitable.

Councilman Jones moved to extend the privilege of a license for 90 days with a 30 day grace period, to allow time for the relocation or dissolution of the recycling business. The motion died for lack of a second.

Councilman Jones moved to extend the privilege of a license to Rowley Recycling for 180 days to allow time to relocate the recycling business or to bring in into compliance. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: no	Councilman Jones: yes
Councilman Yelverton: no	Councilman Collins: yes	Councilman Cooley: yes

Dilapidated housing: Will begin work in January.

Roman Alley: The Council will review upon completion of 30/60/90 day study. This will be reviewed in January.

EMA Choctaw Co. : This project is on hold until EMA Choctaw County make decisions about future operations.

Freedom On The River : Rock Tenn made a contribution to Freedom on The River for the fireworks.

Sewer Line Damage – Brian Brooker: Brian Brooker met before the City Council on December 6, 2007 and requested that the Water Works Board and City of Demopolis attorneys meet together regarding the sewer line damage and work out a settlement. The attorney's met and offered to split the invoice from the plumber totaling \$5,663.35 plus \$200 for landscaping three ways totaling \$1954.45 each. Mr. Brooker noted that included in the plumber's bill is a \$460 estimate due to the City of Demopolis to repair the curb. Mr. Brooker asked that the cost to repair the curb be waived by the City of Demopolis.

Councilman Cooley asked if the Council is willing to accept the responsibility for damages if the situation arises again. Councilman Collins said the extenuating circumstances of this particular instance of damage will probably never happen again. Councilman Moore stated that the Council is setting a precedence of responsibility irregardless of the uniqueness of the circumstances in this case.

Councilman Jones moved to accept the City attorney's recommendation of splitting the cost stated above three ways for a total of \$1954.45 each; and the City of Demopolis to abate the charge for repairing the curb as a credit to Brian Brooker's portion. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Marengo County Economic Development Authority: The Council received a letter from Rock Tenn recommending Chuck Smith to represent the Rock Tenn board position. Councilman Yelverton said he does not believe that one person should hold two City appointed board positions. Councilman Collins said one was a City board and one was a County board. Councilman Yelverton recalled one person's name being withdrawn from nomination at the December 6, 2007 Council Meeting because she was on the school board. Councilman Collins stated that the City Council voted to give Rock Tenn the right to name one board position. Councilman Collins made the motion to accept the nomination of Chuck Smith as a member of the Marengo County Economic Development Authority Board. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Yelverton made the motion to ask Chuck Smith to resign from the Water Board to maintain an unwritten policy that one person does not serve on two boards. Councilman Jones seconded the motion and motion failed by the following roll call vote:

Mayor Williamson:	Councilman Moore: no	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: no	Councilman Cooley: no

New business

Skate Park Request – Britney Carter: Ms. Carter presented to the City Council a request to build a skate park to serve the residents of the City of Demopolis as well as a forum to draw tourism from surrounding areas. Skateboarding is a sport growing in popularity as indicated by parks in other municipalities. Ms. Carter and her peers offered to help raise funds to help build the skate park and offered their time to maintain a park. Ms. Carter brought estimates of the cost to build a skate park. The Mayor asked Mark Pettus, Park & Recreation Director, to make comments regarding the skate park. Mr. Pettus stated the reason the existing skate park was excavated was the structural condition was not safe and vandalism. Mr. Pettus stated that building a skate park at the Sportsplex was a possibility. The Mayor suggested that Ms. Carter and her friends attend the next

Park & Recreation Board meeting to present their request and research. This is the proper venue for this request. The Park & Recreation Board meets the third Monday of the month at the Sportsplex. The Mayor commended Ms. Carter and her friends for their positive approach to making their request and working to find a solution. Councilman Moore also commended Ms. Carter and her friends for offering to contribute to the project their time and financial resources. Councilman Yelverton asked if there was a way to give them a temporary fix to the existing skate park. Councilman Moore expressed that the Council should have been approached before the skate park was razed.

050-Retail Beer-Off Premises Only Application: Parrs Inc. 1325 Hwy 80 W is requesting a transfer license. Councilman Moore made the motion to approve the 050-Retail Beer-Off Premises license. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Ratify One Time Pay Adjustment For Employees: Councilman Jones made the motion to ratify the one time net pay adjustment of \$25 for employees Christmas turkey. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Advanced Disposal Contract: The Mayor proposed to extend the Advanced Disposal contract for an additional year at the existing rate. Advanced Disposal has agreed to work with the City of Demopolis to implement a program to insure that all customers are on the billing system. Councilman Jones made the motion to accept the agreement and extend the current contract with Advanced Disposal for one year. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Mason & Gardner CPA's contract renewal: The Mason & Gardner CPA's contract expired on September 26, 2007. The contract needs to be renegotiated since we currently have qualified employees to complete many of the tasks that were included in the expired contract. Paula Bird and Rob Pearson will review and make a recommendation.

Personnel Committee recommendation on employee raises: Councilman Yelverton made the motion to grant a 3% across the board raise for all employees effective January 1st, 2008. Councilman Moore seconded the motion for discussion. There was discussion on making the raise retroactive to October 1st, 2007 and on budgetary constraints. Councilman Moore withdrew his second. Motion dies for lack of a second.

Councilman Jones made a motion to grant a 3% raise for all employees effective April 1st, 2008. Motion dies for lack of a second.

Councilman Collins made the motion to table the discussion on raises until the second meeting in January after the first quarter financials are reviewed. Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: no Councilman Collins: yes Councilman Cooley: yes

Councilman Yelverton made the motion to impose a freeze on purchasing of capital expenditures from the General Fund until the second meeting in January. Motion died for lack of a second.

Personnel Committee recommendation on Horticulturist job description: The Personnel Committee made a recommendation to change the Horticulturist job description composed by the Auburn University Study under Other Characteristics to read as follows:

1. Possess a bachelor's degree in horticulture or related field from an accredited institution or State of Alabama certification.

And as the last statement on the job description the phrase: Salary negotiable with experience.

Councilman Yelverton made the motion to approve the job description as recommended by the Personnel Committee. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: no Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Fire Department budget amendment request: Chief Few requested that the current year budget be amended to include costs of the new firemen's fire college and equipment expenses that were not paid in the prior year, a total of \$22,103. Also there will be three new positions to recruit and the cost of fire college education and equipment will total \$18,000. Chief Few is requesting a total amendment to the current year budget in the amount of \$40,103 to cover these expenses.

Councilman Collins made the motion to amend the Fire Department budget by \$40,103 to cover fire college education and equipment as described above. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Beautification/Tree Commission board appointment: The Beautification/Tree Commission board are Mayoral appointments. The Mayor recommends appointing Evelyn James, Amanda Smith, Judy Travis, Estelle Taylor and Amy White. These nominees have all agreed to accept the positions. There is still one position to be filled.

Sign at Fire Station #3: The Mayor is asking the Council to approve the signage at Fire Station #3 approximately totaling \$6000. The funds will be paid out of the bond issue.

Councilman Yelverton made the motion to approve the signage at Fire Station #3. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: no Councilman Collins: yes Councilman Cooley: yes

Projects

Whitfield Canal:

Municipal Complex:

Fire Station #3:

Riverwalk Project:

Council Discussion

Councilman Yelverton asked Ronnie Few, Fire Chief, approximately how many fire calls have been received for Cross Gates Apartments. The Mayor, Fire Department, and Building Official are investigating Cross Gates Apartments and have already contacted HUD and the owners about correcting deficiencies immediately.

Councilman Collins reported that City Hall and Confederate Park are among the top 30 users of water. Paula Bird reported that she was informed of the meter readings and contacted Byron Cook and reported the usage at the Department Head meetings to discover if there is a problem to be corrected or an error in the reading. Councilman Collins said if the leak is on the customer side of the meter it was not the Utility Board's responsibility. Councilman Yelverton welcomed the City of Demopolis to the citizen's world. Mike Baker, Director of Public Works, will investigate the problem.

At 7:55pm the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 20th day of December, 2007 the time, date, place and agenda of which were duly announced and notices of

which were posted in accordance with the Alabama Open Meeting 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 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,

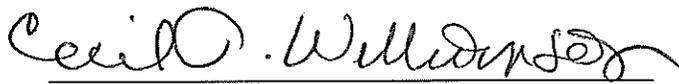
WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded onto the minutes as follows:

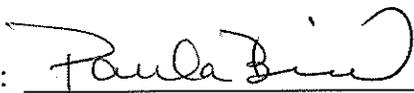
	Yeas	Nays
1. Mayor Cecil Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

And Presiding Officer declared that a majority of the votes 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 for approximately 5 minutes.

The Council reconvened into regular session at 8:00pm.

Councilman Collins made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 8:00pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA

January 3, 2008

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Recognition of Demopolis CATV

Reports from Departments

Police

Court

Fire

Public Works

Parks & Recreation – Report submitted – Theo Ratliff Center

Horticulture

Building Official

Library

Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. EMA Choctaw Co.
4. Mason & Gardner CPA's contract renewal
5. Recommendation on employee raises
6. Beautification/Tree Commission board appointment – Sharon Farst

New Business –

1. Ordinance 2008-01 – An Ordinance to amend the Business License Reform Ordinance 2007-10 of the City of Demopolis, Alabama to clarify Fee code #170 – Renting and Leasing.

Projects-

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

1. Senator Richard Shelby will be at Rooster Hall on January 14, 2008 at 10:00am.

Adjourn

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

Regular Meeting

January 3, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, January 3, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|--------------------------------------|----------------------------------------|
| • Public Safety/Police – Jeff Manuel | Court |
| • Fire -Ron Few | Building Official-Clarence Brooker Jr. |
| • Public Works – Mike Baker | Finance – Rob Pearson, CPA |
| • Library- Morgan Grimes | Horticulture – Barbara Blevins |
| • Park & Recreation | |

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

The Council reviewed the minutes of the December 20, 2007 regular meeting. Councilman Collins moved to accept the minutes as corrected. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Park and Recreation report for the Theo Ratliff Activity Center was submitted. The Mayor received the grant documents on the expansion of the Theo Ratliff Activity Center. Construction will not begin until all paperwork is complete.

Unfinished business

Dilapidated housing: The Mayor and Clarence Brooker, Building Official, are compiling a list for the City Attorney. Work will progress on a monthly basis.

Roman Alley: Jeff Manuel, Public Safety Director, reported that Phase I, the 30/60/90 day study is complete. Chief Manuel will begin Phase II of the study which involves citizen input.

EMA Choctaw Co.: There is no additional information on the status of this project. The Mayor will call to find out information.

Mason & Gardner CPA's contract renewal: A letter of understanding of the terms and objectives of the engagement between the City of Demopolis and Mason & Gardner CPA's was distributed to the Council for review. Services will be performed as needed on an hourly basis. Paula Bird, City Clerk, will be the point of contact when services are needed. Councilman Cooley made the motion to accept the engagement letter as presented. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Recommendation on employee raises: This is tabled until the next Regular Council Meeting. The Mayor distributed some research analysis to the Council regarding the City of Demopolis finances. There was discussion on the City of Demopolis reserve balance.

Beautification/Tree Commission board appointment: The Mayor appointed Sharon Farst for the remaining board position on the Beautification/Tree Commission.

Expense reports: The Mayor distributed expense reports to the Council.

New business

Ordinance 2008-01 – An Ordinance to amend the Business License Reform Ordinance 2007-10 of the City of Demopolis, Alabama to clarify fee code #170 – Renting and Leasing: This amendment is needed to clarify ambiguous language in the existing code. Since the fee code is used for businesses that lease equipment as well as residential/commercial property the term “tenants” is being amended to read “items/units”. Since there is not unanimous consent this will be a first reading of the proposed ordinance.

Projects

Whitfield Canal: Close to a final inspection.

Municipal Complex: A Building Committee meeting will need to be scheduled.

Fire Station #3: The contractors started back today.

Riverwalk Project: The contractors have not been back since the holidays. The Mayor will call to check on their status.

Mayor Discussion

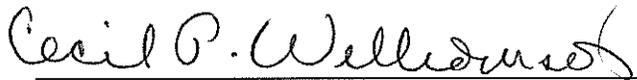
The Mayor announced Richard Shelby will be at Rooster Hall on January 14, 2008 at 10:00am. The Mayor encouraged everyone to attend.

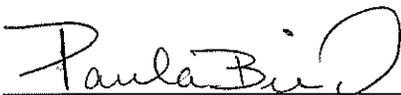
Council Discussion

Councilman Yelverton requested information regarding amount paid to Mason & Gardner CPA's. The Mayor said she would get the information to Councilman Yelverton. Councilman Yelverton asked if the City Hall water problem was corrected. The Mayor said this would be addressed at the next Utility Board meeting.

Councilman Cooley reported a problem with cars parking in an unauthorized area near West Side School. Jeff Manuel, Public Safety Director was aware of the problem and suggested putting up a temporary no parking sign and then issue tickets for illegal parking.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 5:40pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA
January 17, 2008

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

Police -submitted

Court - submitted

Fire

Public Works - submitted

Parks & Recreation –submitted – Theo Ratliff Center

Horticulture

Building Official

Library

Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. EMA Choctaw Co.
4. Recommendation on employee raises
5. Ordinance 2008-01 An ordinance to amend the Business License Reform Ordinance 2007-10 of the City of Demopolis, Alabama to clarify Fee code #170 – Renting and Leasing.
6. Expense Reports

New Business –

1. Recommendation from Personnel Committee for the Horticulture Department Head.
2. Parrish Pugh – Award CDC Mosquito Grant Money.
3. Recommendation to award bid for fire apparatus to Pierce Mfg. in the amount of \$399,659.
4. Application for 010- Lounge Retail Liquor – Class I to Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St.
5. Frank Dobson – Alabama Tombigbee Regional Commission: Resolution
6. Approve administrative contract with ATRC for addition to the Theo Ratliff Center

Projects-

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

January 17, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, January 17, 2008 in the Demopolis Rooster Hall.

Present:

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

Department Heads:

- Public Safety/Police – Tim Soronen
- Fire -Ron Few
- Public Works – Mike Baker
- Library- Morgan Grimes
- Park & Recreation – Mark Pettus
- Court
- Building Official-Clarence Brooker Jr.
- Finance – Rob Pearson, CPA
- Horticulture

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

The Council reviewed the corrected minutes of the December 20, 2007 and the minutes of the January 3, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

At 5:20pm the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 17th day of January, 2008 the time, date, place and agenda of which were duly announced and notices of

which were posted in accordance with the Alabama Open Meeting 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 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 onto the minutes as follows:

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 10 minutes.

The Council reconvened into regular session at 5:30pm.

Departmental reports

Departmental reports were submitted as indicated above.

The Mayor compiled and distributed a report on fire calls made during 2007.

Unfinished business

Dilapidated housing: The Mayor and Clarence Brooker, Building Official, compiled and distributed a report on the status of all properties on the list. Three additional properties were added to the list. The Mayor asked the Council to call her if they had other properties to report. The status of the dilapidated housing will be reviewed every 2nd meeting of the month.

Roman Alley: Waiting on completion of study for a report.

EMA Choctaw Co.: The Mayor called to check on the status.

Recommendation on employee raises: The Finance Committee recommends giving all employees a 2% raise effective retroactively to January 1, 2008. Councilman Cooley made the motion to give all employees a 2% raise effective retroactively to January 1, 2008 provided the City Attorney determines that a retroactive raise is legal. Councilman Jones seconded the motion. There was discussion regarding whether there is a problem declaring a retroactive raise. The motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Ordinance 2008-01 – An Ordinance to amend the Business License Reform Ordinance 2007-10 of the City of Demopolis, Alabama to clarify fee code #170 – Renting and Leasing: This is the second reading of the Ordinance. Councilman Cooley made the motion to accept Ordinance 2008-01. Councilman Collins seconded the motion. There was discussion regarding the definition of a unit. The motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: abstain
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Expense reports: The Mayor distributed expense reports to the Council.

New business

Recommendation from Personnel Committee for the Horticulture Department Head: Councilman Yelverton made the motion to hire Barbara Blevins as Horticulture Department Head. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Award CDC Mosquito Grant: Becky Wilson and Daniel Wysmulek presented a check to the City of Demopolis for a grant from the Center for Disease Control and Prevention for establishing and enhancing mosquito abatement programs.

Award bid for fire apparatus: Pro-Fire Equipment – Pierce Manufacturing submitted the only bid for a fire apparatus in the amount of \$399,659. The cost of the fire apparatus is paid out of the bond warrant funds. Chief Ronnie Few recommends accepting this bid. The expected delivery date is 6 months from the date of notification. Councilman Yelverton made the motion to accept the bid from Pro-Fire Equipment – Pierce Manufacturing. Councilman Cooley seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Application for 010 – Lounge Retail Liquor – Class I: Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St. appeared before the Council for approval of a lounge retail liquor license. The Mayor asked to table this application until Chief Jeff Manuel has the opportunity to review.

Resolution 2008-01: Resolution 2008-01 authorized the Mayor to sign the pre application towards Delta Regional Authority grant funds for the construction of a Career Tech Center to be located in the City of Demopolis. Councilman Jones made the motion to adopt Resolution 2008-01. Councilman Yelverton seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: abstain Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Administrative agreement with ATRC for addition to Theo Ratliff Center: An agreement with Alabama Tombigbee Regional Commission to act as administrator for the Alabama Community Block Grant Program for the Theo Ratliff Expansion was presented for approval. Councilman Cooley stated that the Council should be informed before the Council meeting of contracts and agreements presented at Council meetings. Councilman Yelverton made the motion to approve the agreement with ATRC. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: abstain Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: abstain

Projects

Whitfield Canal: The Mayor received a verbal approval on the completion, just waiting on the paving. The formal approval will be in writing.

Municipal Complex: A Building Committee is still holding planning meetings.

Fire Station #3: Construction is moving along. There are a couple of items that will need to be bid.

Riverwalk Project: The landing is complete. We are now waiting on sub-contractor to complete sidewalk and landscaping.

Mayor Discussion

The Mayor announced that a ground breaking ceremony will be held for the Theo Ratliff addition on January 24, 2008 at 11:00am.

Council Discussion

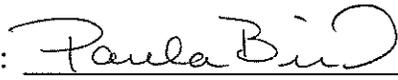
Councilman Yelverton asked for an update on the skate park. Mark Pettus reported that the Park & Recreation Board will meet on Monday January 21, 2008 and the skate park is

on the agenda. Councilman Yelverton asked if the City of Demopolis had a garbage exemption program. There is an exemption available for customers whose sole source of income is Social Security.

Councilman Cooley stated there is still a problem with vandalism in the restrooms at the landing and asked if we can lock the doors. Mark Pettus reported that locks were installed today.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:00pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

ORDINANCE 2008-01

An ordinance to amend the Business License Reform Ordinance # 2007-10 of the City of Demopolis, Alabama to clarify Fee code #170- Renting and Leasing.

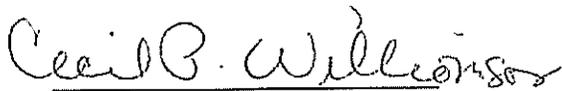
Be it ordained by the Mayor and City Council of the City of Demopolis, Alabama as follows:

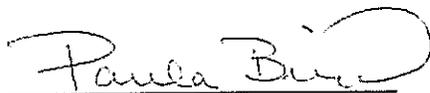
The terminology used in Fee code #170 is ambiguous; therefore this Ordinance will clarify and change the section to read:

Fee code #170 – Renting and Leasing

1 to 9 items/units	\$100.00
10 or more items/units	\$150.00

ATTEST:


Cecil P. Williamson, Mayor


Paula Bird, City Clerk

January 17, 2008 _____

Date

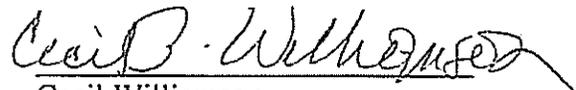
Resolution 2008-01

WHEREAS, The City of Demopolis has decided to submit a pre application for Delta Regional Authority funds; and

WHEREAS, the Demopolis City Council wishes to apply for \$250,000 in grant funds, and;

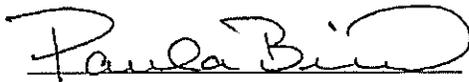
WHEREAS, the Demopolis City Council commits to try to obtain \$1,584,592 towards the total cost of \$2,084,592 for the construction of a Career Tech Center to be located in Demopolis;

BE IT THEREFORE RESOLVED, that the Demopolis City Council adopts this resolution and authorizes the Mayor to sign the pre application and all pertinent paperwork.



Cecil Williamson
Mayor

ATTEST:



1/17/2008
Date

DEMOPOLIS CITY COUNCIL MEETING AGENDA
February 7, 2008

Call to Order – Invocation 5:15PM

Roll Call

Approval of Minutes

Reports from Departments

- Police -submitted
- Court - submitted
- Fire - submitted
- Public Works
- Parks & Recreation
- Horticulture
- Building Official
- Library - submitted
- Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. EMA Choctaw Co.
4. Elected Officials travel reports.
5. Application for 010- Lounge Retail Liquor – Class I to Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St.

New Business –

1. Jennifer Thomason – Roads at French Creek.
2. Municipal Complex
3. Fire Station Building request.
4. Bridge Inspection report.
5. Northeast Drainage Project.
6. Resolution 2008-02: Hazard Mitigation Grant Program NE Demopolis Drainage Project
7. Resolution 2008-03: NE Demopolis Drainage Project

Projects-

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

February 7, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15PM on Thursday, February 7, 2008 in the Demopolis Rooster Hall.

Present:

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

Department Heads:

- Public Safety/Police – Jeff Manuel - submitted
- Fire -Ron Few - submitted
- Public Works – Mike Baker
- Library- Morgan Grimes - submitted
- Park & Recreation – Mark Pettus
- Court - submitted
- Building Official-Clarence Brooker Jr.
- Finance – Rob Pearson, CPA
- Horticulture – Barbara Blevins

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

The Council reviewed the minutes of the January 17, 2008 regular meeting. Councilman Cooley moved to accept the minutes as presented. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Unfinished business

Dilapidated housing: Clarence Brooker Jr., Building Official, reported that letters were sent to property owners. The Mayor asked the Council to keep her informed if there are other properties that should be added.

Roman Alley: Jeff Manuel, Public Safety Director, completed the study of the neighborhood. There is no problem opening the street but it can only be a one way street. Based on resident survey the preferred direction would run west from McNamara.

EMA Choctaw Co.: Chief Few did not have the opportunity.

Travel reports: Travel expense reports were distributed to Council members.

Application for 010 – Lounge Retail Liquor – Class I: Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St. appeared before the Council for approval of a lounge retail liquor license. Chief Jeff Manuel recommended to deny the application based on the information available. Councilman Jones made the motion to deny the application for a 010 – Lounge Retail Liquor – Class I license. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

New business

Jennifer Thomason – Roads at French Creek: Jennifer Thomason appeared before the Council to express her concerns of the disrepair and poor conditions of the roads and culverts in the French Creek area. Paving the streets in the area was in the original budget for the French Creek Drainage project but after completing the project the funds were not available. The Mayor stated we have a commitment from Marengo County Commission to cover up to \$60,000 of the cost of paving. The City of Demopolis was informed that the total cost would be \$100,000. Negotiations on this project are in progress.

Municipal Complex: This will be tabled until the Building Committee makes a recommendation.

Fire Station Building Request: This will be tabled until the Building Committee makes a recommendation.

Bridge Inspection Report: The Jackson Street Bridge did not pass inspection. The bridge has 4 spans of concrete and 1 span of steel. The steel span is starting to rust. The bridge was given a 4 rating which is the lowest rating without closing the bridge. A rough estimate of the cost to repair the bridge is \$130,000. Almon and Associates has requested permission to clean the bridge so that an accurate estimate of the cost of repair can be prepared. The estimate of the cost of cleaning will be \$2000 - \$3000. Jackson Street is a vital east/west through fare. Almon and Associates were given permission to clean the Jackson Street Bridge.

Northeast Drainage Project: John Clyde Riggs, Executive Director of ATRC, reported that a workshop was held prior to the Council meeting on the Northeast Drainage Project and the next step is to determine if the Council wants to commit the resources to apply for the grant. The City of Demopolis will commit to expend \$485,268.75 on the \$1.5 million project. The grant application is due on Wednesday February 13, 2008. Councilman Cooley requested there be a cap on the amount of funds that can be expended from the City's reserve fund. Councilman Moore agreed that the City's reserve fund should maintain a minimum balance. Councilman Jones made a motion to make it policy to leave an amount equal to three months operating funds. The motion was seconded by Councilman Moore and the motion failed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: no Councilman Collins: no Councilman Cooley: no

Councilman Cooley asked if the City could apply for the grant in phases. John Clyde Riggs said you can apply for a smaller phase but that will be all you can get for this particular grant. Josh Pierce, Project Engineer with Goodwin Mills and Cawood, commented that all areas in the project were equal in need. The engineers will have to redo drawings and may have trouble with a feasible cutoff point equal to the lower dollar commitment. Mr. Pierce recommends the City of Demopolis commit to the whole project.

Councilman Moore expressed his disappointment that the Council would commit to a sports complex at the high school, but not to a project that combats health issues.

Councilman Yelverton asked what the reserve fund balance would be if we spent the money for the Northeast Drainage project today. The Mayor said we would have approximately \$4.5 million. Councilman Cooley pointed out that part of the balance is due to the cyclical nature of the revenues the City of Demopolis is receiving. The Mayor stated that it is normal for the reserve balance to rise and fall during the course of the year and \$4.1 million is a more conservative balance.

Councilman Yelverton made the motion to approve the commitment of \$465,268.75 to the Northeast Drainage project from the City's reserve fund as needed. Councilman Jones asked to amend the motion by adding that the City of Demopolis will not commit matching funds from the reserves for any other capital project. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: no Councilman Cooley: yes

Resolution 2008-02 Hazard Mitigation Grant Program Northeast Demopolis Drainage Project and Resolution 2008-03 Northeast Demopolis Drainage Project:

Councilman Jones made the motion to adopt Resolution 2008-02 and Resolution 2008-03 as presented. Councilman Yelverton seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: abstain Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

John Clyde Riggs commended the Council and Mayor for their commitment and time serving the public and in making this difficult decision of committing the resources for this one time opportunity of obtaining this grant.

Projects

Whitfield Canal: Waiting on the completion of paving on Edgewood Drive and Bell St.

Municipal Complex: Tabled

Fire Station #3: Tabled

Riverwalk Project: The Mayor talked with Charles Duke, project manager. The footings are dropped and they are now pouring the ramp. The water is over the ramp so construction will start back after the rain water subsides.

Mayor Discussion

A task force was formed to recommend any changes for the Mayor and Council salaries for the next term. The ordinance for this change has to be adopted by February 26, 2008. The Mayor, Councilman Moore and Councilman Collins will meet to make a recommendation. A Special Meeting is called on February 14, 2008 at 5:15pm in Rooster Hall for the purpose of adopting an ordinance to change the Mayor and Council salaries for the next term.

The Mayor asked for permission to change the Regular Council Meeting to February 21, 2008 at 12:00pm at Rooster Hall. The meeting time is changed and will be posted on the bulletin board.

The Planning Commission will meet on February 12, 2008 at 5:15pm at Rooster Hall. The Council members and the Planning Committee members will review the Comprehensive Plan.

The Mayor asked the Council to declare the manufactured home behind the Fire Station as surplus. A motion was made to declare this manufactured home located behind the Downtown Fire Station as surplus for an Ordinance to be presented at the next meeting. Councilman Moore seconded the motion Councilman Cooley asked how we would know we were getting a fair price if we didn't go through and auction. Chief Ronnie Few said he could obtain an appraisal on letterhead from a reputable dealer. The motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The method of sale will be tabled until the next meeting.

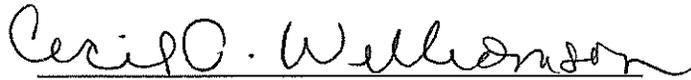
Several people have expressed an interest in purchasing the Newell Building. The Mayor proposed the building be appraised and sell to the highest bidder. Councilman Cooley believes there is an appraisal on file and the building has already been declared surplus. The Mayor does not believe it has been declared surplus. This will be tabled until the next meeting.

Council Discussion

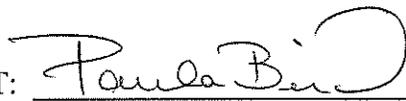
Councilman Jones would like to recommend Willie Moore to serve on an upcoming vacancy of the Cemetery Board.

Councilman Cooley inquired about the walkway on the Riverwalk.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:30pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-02

Hazard Mitigation Grant Program
NE Demopolis Drainage Project

WHEREAS, the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) has been established to assist local governments with taking critical mitigation measures to protect life and property from future disasters; and

WHEREAS, the City of Demopolis, Alabama, acting by and through its Council proposes to apply for HMGP funds to assist in correcting drainage problems in the NE section of the City; and

WHEREAS, the City of Demopolis, Alabama, as a recipient of these funds as the subgrantee is required to designate and appoint a Administrative/Financial Officer to perform certain duties in the administration of said grant; and

WHEREAS, the City of Demopolis, Alabama, as a recipient of these funds as the subgrantee is required to provide and make available funds for the local non-federal share for the above stated mitigation activities.

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

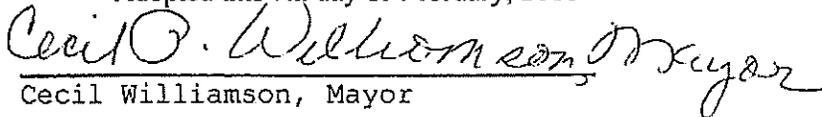
THAT, Cecil Williamson, Mayor, is hereby authorized to execute and submit an application with appropriate assurances to the State of Alabama Emergency Management Agency and the Federal Emergency Management Agency, requesting HMGP funds in an amount not to exceed \$1,395,806.25; and

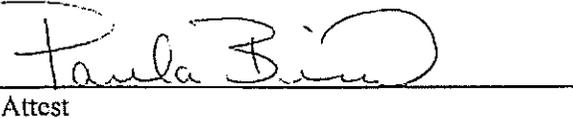
THAT, the City of Demopolis hereby obligates to provide up to \$465,268.75 in cash match in order to complete the proposed mitigation project;

THAT the City of Demopolis, Alabama, hereby guarantees that such local non-federal share funds will be available upon execution of an HMGP State-Subgrantee Disaster Assistance Agreement for the Period of Performance specified therein; and

THAT, Cecil Williamson, or her designated alternate, be and is hereby designated and appointed as Administrative/Financial Officer under the terms and pursuant to the provisions of the HMGP State-Subgrantee Disaster Assistance Agreement, and is directed and empowered to make necessary assurances and to perform on behalf of the City of Demopolis, Alabama, those acts and assume such duties as are consistent with said position.

Adopted this 7th day of February, 2008


Cecil Williamson, Mayor


Attest

(LOCAL SEAL)

RESOLUTION 2008-03

NE Demopolis Drainage Project

WHEREAS, the City of Demopolis, Alabama, acting by and through its Council proposes to apply for HMGP funds to assist in correcting drainage problems in the NE section of the City; and

WHEREAS, the City of Demopolis, Alabama, as a recipient of these funds as the subgrantee is required to designate and appoint a Administrative/Financial Officer to perform certain duties in the administration of said grant; and

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

THAT, Cecil Williamson, is hereby authorized to enter into an administration contract with the Alabama Tombigbee Regional Commission for an amount not to exceed \$20,000 once grant funds are awarded.

Adopted this 7th day of February, 2008

Cecil O. Williamson, Mayor
Cecil Williamson, Mayor

Paula B. [Signature]
Attest

(LOCAL SEAL)

DEMOPOLIS CITY COUNCIL MEETING AGENDA
February 21, 2008

Call to Order – Invocation 12:00PM

Roll Call

Approval of Minutes

Proclamation in honor of Carol Glass

Reports from Departments

Police

Court

Fire

Public Works - submitted

Parks & Recreation – Theo Ratliff - submitted

Horticulture

Building Official

Library

Finance

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. EMA Choctaw Co.
4. Lease with Marengo County History and Archive Museum Foundation Inc.
5. Municipal Complex
6. Fire Station Building Request
7. Method of sale for surplus manufactured home
8. Newell Building

New Business –

1. Ken Odom with Rabren & Odom, P.C. - Audit report
2. Application for 010- Lounge Retail Liquor – Class I to Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St.
3. Objections to Application for Lounge Retail Liquor.

Projects-

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

February 21, 2008

The regular meeting of the Demopolis City Council convened promptly at 12:00pm on Thursday, February 21, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel
 - Fire -Ron Few
 - Public Works – Mike Baker - submitted
 - Library- Morgan Grimes
 - Park & Recreation – Mark Pettus – Theo Ratliff report submitted
- Court
Building Official
Finance
Horticulture – Barbara Blevins

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

The Council reviewed the minutes of the February 7, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Proclamation in honor of Carol Glass: Mayor Williamson presented a Proclamation of Appreciation to Carol Glass to thank her for the good work she performed for the Demopolis Public Library as the Assistant Director and to wish her a blessed retirement.

Morgan Grimes, Director of Demopolis Public Library, introduced Lee Boulie who will be the new Assistant Director.

Departmental reports

Departmental reports were submitted as indicated above.

Unfinished business

Dilapidated housing: The Building Official, Clarence Brooker Jr., is receiving responses to the letters.

Roman Alley: Jeff Manuel, Public Safety Director, stated the survey was complete and now it is up to the Council to make a decision. Chief Manuel said, based on the study, safety was not a major issue. The Mayor said that one of the main prior concerns was funding the project. Councilman Moore proposed opening the road if it is financially feasible. Councilman Collins added that he would like the estimate to include running water and sewer. Mr. Mitchell Congress addressed the Council about safety concerns regarding poor access to public safety vehicles and ambulances getting in and out of Roman Alley. Councilman Cooley is concerned about financing an additional project with the knowledge that the City of Demopolis is faced with repairing the bridge on Jackson Street. Councilman Cooley inquired about contracting an engineering firm to give an accurate estimate including utilities of extending Roman Alley to McNamara Drive and allowing the Finance Committee to make a recommendation. Councilman Collins stated that we could get a reasonable estimate through the Public Works and Water Board. Councilman Moore stated that the Council as a whole should deliberate on the decision to approve this project. The Mayor will obtain an interdepartmental estimate on opening Roman Alley to McNamara Drive.

EMA Choctaw Co.: Chief Few reported a meeting will be set up next week to finalize the decision on equipment location. Some of the equipment will be housed in Demopolis. Councilman Yelverton stated he would like to attend this meeting. Councilman Cooley reported that he and Chief Manuel met with Bill Gibson. He stated that he acknowledged that Demopolis has a high degree of EMS training and agrees with the assessment of maintaining equipment in Demopolis.

Lease with Marengo County History and Archive Museum Foundation Inc.: A copy of the lease prepared by Mr. Rick Manly was distributed to the Council for review. The document will not be legally binding until the 501(c)(3) ruling is received from the Internal Revenue Service. Councilman Moore made the motion to accept the lease between the City of Demopolis and the Marengo County History and Archive Museum Foundation Inc. as presented pending the 501(c)(3) status. Councilman Collins seconded the motion. Councilman Yelverton asked if Mr. Rosenbush was aware of the lease. Mr. Rosenbush is a board member of the organization. The motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Municipal Complex: This will be tabled until the Building Committee makes a recommendation.

Fire Station Building Request: Chief Few addressed the Council about some of the final projects that need to be included in completion of Fire Station #3. Some of the items include wiring from pole to building, changing flooring from carpet to tile, prewiring for telephone system, and furnishing to station. A tower for the Fire Station also needs to be bid. Councilman Moore asked if these changes were within the original budget for the project. Councilman Moore suggested that we should work with the original contractors for guaranty of work purposes. Councilman Collins would like to contract the concrete

work on sidewalks. Chief Few said they would like to complete the work in house so the savings could be used on other items. He said the work would be satisfactory. Chief Few said the Fire Station #3 should be completed in April. Councilman Moore wants the point made that the costs for completing the Fire Station #3 is not over budget.

Sale of Manufactured Home: Chief Few asked to declare the manufactured home behind Fire Station #2 as surplus and put it out for bid. Chief Few would like to emphasize the home has mold, but he was told the mold could be removed for approximately \$500. Councilman Cooley asked if there was a resource that would give us an estimate of fair market value. The Mayor would like to hold a surplus sale at the end of March and a complete list of surplus items will be presented at the March 20, 2008 Regular Council meeting.

Newell Building: The Mayor cannot find an appraisal for the Newell Building or where it had been previously declared surplus. In the Newell lease there is a purchase price mentioned. Councilman Moore stated that we need to have the building appraised. Councilman Collins stated that we may want to consider appraising the building and the land separately. The Mayor said it is all one property now but we could look into subdividing the property. The Mayor asked for clarity on the how she should obtain the appraisal. Councilman Moore stated that he does not believe the Newell Building should be declared surplus because it has material value to the City of Demopolis. Councilman Collins agrees and believes the City of Demopolis needs an appraisal before considering the sell of the property. Councilman Cooley suggested that the discussion be tabled until the next Regular Council meeting.

New business

Application for 010 – Lounge Retail Liquor – Class I: Erick Nathan Wright & Shemeca A. Wilson dba 20 Grand at 112 N Strawberry St. appeared before the Council for approval of a lounge retail liquor license. Erick Wright appealed to the Council to reconsider the application since he provided additional information to Chief Jeff Manuel. Mr. Wright said he would be considerate of the neighbors and would be open on Thursday, Friday and Saturday nights and close at 12:30am.

Objections to Application for Lounge Retail Liquor: Leslie Spiller, minister of youth and education at First Baptist Church, presented a petition signed by 120 members of the Church and the surrounding community. Mr. Spiller expressed his concern about the proximity of the lounge with the Church and stated that many programs for youth are held on Friday nights. Sarah Chandler Hallmark, a resident on Strawberry Street, also voiced her concern and opposition to the lounge. Chief Jeff Manuel stated in light of the opposition he recommended not approving the application for the lounge retail liquor license. Councilman Yelverton made the motion to deny the application for a 010 – Lounge Retail Liquor – Class I license. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Rabren & Odom, P.C. Audit Report: Ken Odom with Rabren & Odom, P.C. presented the audit report for the period ending September 30, 2007. As in the past it is a qualified report due to the implementation of GASB 34. Mr. Odom discussed the highlights of the financial statement including changes in net assets, program revenues and expenses, capital additions, and economic factors. Mr. Odom stated our financial statements included accompanying schedules required by OMB Circular A-133 and that there were no findings associated with these requirements. Councilman Cooley asked if the audit revealed any “exceptions” regarding bookkeeping entries incorrectly made. Mr. Odom answered that there were no audit adjustments. Rob Pearson with Mason and Gardner CPA’s made all adjustments prior to the audit field work.

Mr. Odom then presented the Council with a management letter that comments on procedures the City of Demopolis could improve. In the course of field work the auditors looked to see if problems reported in the prior year audit were corrected. The first problem encountered was that the City of Demopolis did not receive the audit report until the year was almost over. Therefore it was difficult for City personnel to implement any timely changes. The examination revealed that City personnel had reviewed the problems and identified expenditures deemed to be inappropriate and had obtained reimbursement. Corrective action was implemented prior to Rabren & Odom beginning the audit field work. Councilman Cooley asked why the expenditures were not listed in the audit report. Mr. Odom stated that he did not feel they should be, and that it was outside the scope of the audit engagement. Councilman Cooley said they were listed last year. Rob Pearson said that it was his firm’s decision that they should be included in last year’s audit. Councilman Cooley asked if this was not standard practice. Mr. Odom said no, not for his firm. Councilman Cooley asked if it was state statute to include this information. Mr. Odom said no. Mr. Odom said he is not saying that they did not exist, but that reimbursement was made. Mr. Odom said the primary job of the auditor is to issue a report on the financial statements. Material errors such as not complying with grant agreements or improper bid procedures require additional work. The items of reimbursement in question amounting to a few thousand dollars from the prior year and was reimbursed is not a material issue to the financial statements. Councilman Collins said to him and to citizens a few thousand dollars is material. Mr. Odom said he understands his point, but it is not in the scope of the audit. Mr. Odom said he could be engaged to perform a service for a specific purpose. Procedures were in place to address the problems prior to October 1, 2007.

Mr. Odom finished reviewing the suggestions for improvement addressed in the management letter. Mr. Odom thanked the City of Demopolis for the opportunity of auditing the financial statements.

Projects

Whitfield Canal:

Municipal Complex: Tabled

Fire Station #3: Tabled

Riverwalk Project:

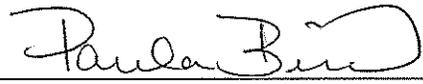
Mayor Discussion

Council Discussion

Councilman Jones reported that the cemetery board requested that the police department lock gates at cemetery.

Councilman Collins made the motion to adjourn. Councilman Yelverton seconded the motion. The Council meeting adjourned at 1:35pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA
March 6, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police -submitted
- Court - submitted
- Fire - submitted
- Public Works
- Parks & Recreation – Ravine - submitted
- Horticulture
- Building Official
- Library

Unfinished Business –

1. Dilapidated Houses
2. Roman Alley
3. EMA Choctaw Co.
4. Municipal Complex
5. Declare manufactured home surplus
6. Newell Building

New Business –

1. West Alabama Mental Health Lease
2. Alice Boggs and Ann Hunter: City election voting sites
3. Architectural Services for Theo Ratliff Center Expansion- McKee and Associates
4. Resolution 2008-04: Maintenance and Operation of Upgraded Traffic Signal
5. Demopolis Water Works & Sewer Board: Newell Paper Building
6. Fire vehicle bid results

Projects-

1. Whitfield Canal
2. Municipal Complex
3. Fire Station #3
4. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

March 6, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15pm on Thursday, March 6, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel - submitted
- Fire -Ron Few - submitted
- Public Works – Mike Baker - submitted
- Library- Morgan Grimes
- Park & Recreation – Mark Pettus – Ravine - submitted
- Court - submitted
- Building Official – Clarence Brooker
- Finance
- Horticulture – Barbara Blevins

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

The Council reviewed the minutes of the February 21, 2008 regular meeting. Councilman Jones moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton:absent Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Unfinished business

Dilapidated housing: The Building Official, Clarence Brooker, reported that he sent nine letters to property owners and received four responses. Additional letters are being prepared.

Roman Alley: The Mayor received an estimate of probable construction cost from Almon and Associates. The estimate is \$99,191.50 with additional \$6,375 for an asphalt overlay. The Water & Sewer improvements would be \$67,000 with an additional \$33,000 for pvc pipe, water main relocation and fire hydrants. The total cost is greater than \$200,000.

Councilman Jones asked if this cost would cover all of Roman Alley. The Mayor said the estimate is just for the extension. Councilman Moore asked where the closest hydrant is located. Byron Cook, Water & Sewer superintendent said it was on Floyd Street. There was discussion concerning the water line and fire coverage. After discussion, Councilman Jones stated that the City of Demopolis is not financially able to fund the project at this time. The Mayor asked if everyone was in agreement to remove Roman Alley from the future agenda. Everyone was in agreement.

EMA Choctaw Co.: Chief Few reported that a meeting was held with Choctaw County EMA. An agreement was made that Demopolis and Choctaw County will share the responsibility for housing the hazmat equipment. Councilman Cooley asked who in Choctaw County makes the decision about the equipment. Judge May is responsible for making decisions for Choctaw Co. EMA. The State of Alabama will approve any changes. Federal Homeland Security will inventory the equipment in April.

Municipal Complex: The building committee met. Councilman Jones recommended using the existing drawings for the Lloyd Jones Building (current Police Station) and draft new plans for the Ford Motor Building (current Fire Station #2). Councilman Collins asked if this was a unanimous decision from the building committee. It was not a unanimous decision. Councilman Moore stated he has reservations about using earlier plans and trying to piece meal the project as a whole resulting in a building that does not meet expectations. Councilman Yelverton stated that the new plans address the current needs and also feels this is the path the City of Demopolis should pursue.

Councilman Yelverton made the motion to go forward with using Ellis Architect to build the municipal complex for the police department and municipal court at the Lloyd Jones Building location at a cost not to exceed the balance of the 2007 warrant issue proceeds, approximately \$1.5 million. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Sale of Manufactured Home: Chief Ronnie Few asked to declare the manufactured home behind Fire Station #2 as surplus and put it out for bid. Councilman Cooley asked if the existing manufactured home would be replaced. Chief Few stated that the City of Demopolis acquired a used manufactured home from state surplus to replace the existing manufactured home that contains black mold. Councilman Cooley said he spoke to a dealer that said mold could be removed for \$500 but would return if the existing conditions that caused the mold were not remedied. Councilman Cooley stated that the dealer said the location of the manufactured home is in violation because there is not 8 feet of clearance between the home and a permanent structure or a firewall between the home and permanent structure. Chief Few stated that this section of the code pertains to two manufactured homes standing side by side and a noncombustible material should be between the two as a firewall. The permanent structure that the fire station manufactured home is beside is made of concrete block and is noncombustible. Chief Few gave assurance that the manufactured home purchased from state surplus was an upgrade to

the existing home that was acquired at a very good price. After selling the existing home it will be virtually a wash. Chief Few will insure that it will be installed properly and the conditions that promote black mold will be eliminated. Chief Jeff Manuel stated it was his recommendation to get the firemen out of the existing manufactured home.

Councilman Jones made the motion to adopt Resolution 2008-05 to declare the Westfield manufactured home vin# GAFLJ07A17907WF27635 surplus property. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: abstain

Newell Building: Councilman Cooley mentioned a letter that the City of Demopolis received from the Water & Sewer Board asking for a land swap for the Newell Building. The Council is in agreement that the Newell Building property is valuable. Councilman Jones thinks the City of Demopolis should have conversation with the Water Works Board regarding the properties.

Councilman Cooley made the motion that the Building Committee should meet with the appropriate representatives from the Water & Sewer Board to negotiate a solution that will be amenable for all parties. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

New business

West Alabama Mental Health Lease: The Mayor announced this was removed from tonight's agenda.

City Election Voting Sites: Alice Boggs and Ann Hunter addressed the Council to consider having one designated polling place for the upcoming municipal elections. Alice Boggs and Ann Hunter have served as poll workers and inspectors at general and municipal elections for many years. Based on their experience they believe one polling place would better serve the citizens of Demopolis. Since the general elections and the municipal elections maintain different polling sites it is very confusing for the citizens as they arrive at the wrong polling place and causes frustration when told they need to vote at a different location. This can result in lost votes if the citizen does not have the time to go to the correct location. They propose using the Civic Center as the designated polling place as it is a public building centrally located and accessible to all. There is adequate parking and loitering will not be allowed. There will be areas set up for each of the districts and someone posted to assist citizens in finding the correct area. Ann Hunter stated that the voting machines will not cause congestion while voting.

The City Council does have the authority to change the designated voting places. Alice Boggs and Ann Hunter asked the Council to consider their proposal and address it at the

next Regular Council Meeting. This will allow time for good advertising and public relations to educate and inform the citizens.

Architectural Services for Theo Ratliff Center Expansion: The City of Demopolis solicited a request for proposal for architectural services for the Theo Ratliff Center expansion. McKee and Associates was the only response received. We were advised by ATRC that it is not unusual to receive a solitary bid from the previous architect on an addition.

Councilman Collins made the motion to accept McKee and Associates as provider of architectural services for the Theo Ratliff Center Expansion. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Resolution 2008-04 - Maintenance and Operation of Upgraded Traffic Signal: This is an agreement with the State of Alabama Department of Transportation for the maintenance and operation of upgraded traffic signal. Councilman Moore made the motion to accept Resolution 2008-04. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Fire Vehicle Bid Results: Chief Ronnie Few accepted bids on a used Crown Victoria or its equivalent for the Fire Department. Councilman Collins asked if the local vendor were included in the process. Chief Few said they were given the opportunity to bid. Chief Few requested the Council to give approval to inspect the cars and purchase the best car available. Councilman Yelverton asked Chief Few if a pickup truck would be a better vehicle. Chief Few said the Fire Department needed a command vehicle. Councilman Cooley asked what the previous recruits used for a vehicle. The Mayor stated that the City of Demopolis had to rent a van for 13 weeks. Councilman Cooley stated that he thought renting a vehicle for a few weeks would be less expensive than a capital expenditure.

Councilman Collins made the motion to empower Chief Few to purchase any of the three vehicles quoted on the bid. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: abstain Councilman Collins: yes Councilman Cooley: no

At 6:50pm the Mayor and Council moved into Executive Session with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 March, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 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 onto the minutes as follows:

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 15 minutes.

The Council reconvened into regular session at 7:15pm.

The Mayor asked the Council to consider increasing the amount budgeted to the Industrial Development Board for the executive director's salary and expenses for January and February in the amount of \$7,865.74 to be transferred from the funds allocated to the Marengo Economic Development Authority.

Councilman Collins made the motion to increase the allotment to the Industrial Development Board and decrease the allotment to the Marengo Economic Development Authority by \$7,865.74. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Projects

Whitfield Canal:

Municipal Complex:

Fire Station #3:

Riverwalk Project:

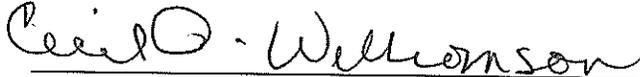
Mayor Discussion

Council Discussion

Councilman Yelverton asked to set up a meeting regarding Public Safety. The meeting was set for Tuesday March 18, 2008.

Councilman Jones said he has received complaints about stray cats. The animal shelter said they did not house cats. The Mayor said that the Public Works department has traps that citizens can borrow.

Councilman Cooley made the motion to adjourn. Councilman Collins seconded the motion. The Council meeting adjourned at 7:20pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-04

Maintenance And Operation Of Upgraded Traffic Signal

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:

SR-13 (US-43) @ Walnut Street (Post Office)

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 it 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 6th day of March, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

(LOCAL SEAL)

I, the undersigned qualified and acting clerk of the City of Demopolis, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 6th day of March, 2008 and that such resolution is on file in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 6th day of March, 2008.



Paula Bird, City Clerk

Resolution 2008-05

**A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA, TO
DECLARE WESTFIELD MANUFACTURED HOME SURPLUS PROPERTY**

WHEREAS, The City of Demopolis, Alabama, has a manufactured home which is no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property:

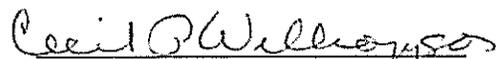
NOW THEREFORE, be it resolved by the City Council of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

1. That the following personal property owned by the city of Demopolis, Alabama, is not needed for public or municipal purposes:

Westfield manufactured home; 14 x 71; manufactured 12/20/88;
VIN# GAFLJ07A17097WF27635

2. That the mayor and city clerk be, and they hereby are, authorized and directed to dispose of the personal property owned by the City of Demopolis, Alabama, described in Section 1, above, by receiving bids for such property. All such property shall be sold to the highest bidder, provided, however, that the council shall have the authority to reject all bids when, in its opinion, it deems the bids to be less than adequate consideration for the personal property.

The Mayor and City Council of Demopolis adopted this Resolution at the regular meeting on Thursday, March 6, 2008.


Mayor Cecil P. Williamson


Attest: Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
March 20, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police

Court

Fire

Public Works - submitted

Parks & Recreation

Horticulture - submitted

Building Official

Library

Unfinished Business –

1. Dilapidated Houses
2. EMA Choctaw Co.
3. Resolution 2008-06 Surplus equipment
4. Newell Building
5. Theo Ratliff Addition – McKee & Associates contract
6. City election voting places
7. City of Demopolis Comprehensive Plan

New Business –

1. Board Appointment – Willie Moore – Cemetery Board

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

March 20, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15pm on Thursday, March 20, 2008 in the Demopolis Rooster Hall.

Present:

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

Department Heads:

- Public Safety/Police -- Jeff Manuel
 - Fire -Ron Few
 - Public Works -- submitted
 - Library- Morgan Grimes submitted
 - Park & Recreation – Mark Pettus – Ravine
- Court
Building Official
Finance
Horticulture – Barbara Blevins -

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

The Council reviewed the minutes of the March 3, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. Chief Few reported the fire station should be complete in 30 days.

Unfinished business

Dilapidated housing: The Mayor reported an updated list will be provided at the April 17th meeting.

EMA Choctaw Co.: Chief Few reported that a meeting will be established with the EMA director in April after the Alabama Homeland Security has completed their inventory.

Resolution 2008-06 A Resolution for the City of Demopolis to declare surplus property: Resolution 2008-06 to declare equipment and furnishings which are no longer needed for public or municipal purposes was presented to the Council.

Councilman Cooley made the motion to adopt Resolution 2008-06 as presented and declare the listed property as surplus. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Newell Building: The Building Committee was not able to meet and the Mayor requested the subject be tabled until the April 3rd meeting.

Theo Ratliff Expansion Architect Contract with McKee & Associates: John Clyde Riggs with ATRC presented the proposed contract to the Council. The negotiated contract with McKee & Associates for the Theo Ratliff Expansion totals \$26,383. Councilman Cooley asked if a completion date is included in the contract. Mr. Riggs said the construction contract would include this date as negotiated and approved by the Council. Councilman Jones inquired whether the architects are required to be bonded. Mr. Riggs said the architects and contractors are required to be bonded and obtain all city licenses.

Councilman Cooley made the motion to approve the architect contract for the Theo Ratliff Expansion with McKee & Associates in the amount of \$26,383. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Mr. Riggs invited the Mayor and Council to attend ATRC semi-annual meeting on April 9th, 2008.

City Election Polling Places: The Mayor would like to table this item until the April 3rd Council meeting and ask the newspapers to poll the citizens about their opinions and concerns.

City of Demopolis Comprehensive Plan: Mr. Max Bailey presented the Council with a copy of the Planning Commission's Resolution regarding adoption of the Comprehensive Plan and requested that the Council hold the required public hearing in order to take action on a final plan. Mr. Larry Watts presented the draft copy of the City of Demopolis Comprehensive Plan and discussed the various processes and meetings that have taken place regarding the plan. The plan is presented in draft form so that comments by the Council or the public can be incorporated into the final plan. The target date for approving the plan is May 1, 2008.

Councilman Yelverton suggested including a glossary of zoning terms in the Comprehensive Plan.

The Mayor and Council will hold a work session on April 3rd at 4:15pm in Rooster Hall. A Public Hearing will be held as the final agenda item on the April 17, 2008 Regular Council Meeting.

New business

Board appointment – Cemetery Board: Willie Moore has been appointed to serve on the Cemetery Board.

Projects

Municipal Complex: A contract is expected for the April 3rd meeting.

Fire Station #3: The expected completion date is 30 days.

Riverwalk Project: The Mayor talked with Charles Duke and a meeting is scheduled for next week concerning the completion date. Councilman Cooley asked if the plans called for doubling the width of the North landing and eliminating the West landing. Mark Pettus, Park and Recreation Director, said pontoon boats were having difficulty launching on the North landing so a temporary solution was made to accommodate the pontoon boats. As a result the West landing will remain open until the problem can be addressed. The concrete walk ways will be able to withstand this traffic. Councilman Cooley stressed that completion of the job should be addressed. The Mayor said this will be addressed in the meeting scheduled next week. Councilman Cooley and Councilman Yelverton requested to be present at the meeting.

Mayor Discussion

The Mayor reported that the League of Municipality asked the Council to elect a voting delegate and first alternate for the annual meeting. Councilman Jones made the motion to elect the Mayor as voting delegate and Councilman Moore as alternate. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Council Discussion

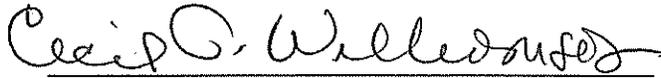
Councilman Yelverton reported receiving a call regarding the City of Demopolis having two James Streets. The Council said there are a James Street and a James Drive.

Councilman Jones has received complaints about drainage problems on Laura Street and A Street. The Mayor and Mike Baker, Public Works Director, will investigate.

Councilman Moore reported that a couple of streets have settled and need patching. The Mayor asked Councilman Moore to send a list of addresses and she will investigate.

Councilman Collins was asked to extend the invitation to attend a luncheon at the Civic Center on Saturday March 29th. Congressman Davis will be the speaker.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:15pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

Resolution 2008-06

**A RESOLUTION FOR THE CITY OF DEMOPOLIS, ALABAMA, TO
DECLARE SURPLUS PROPERTY**

WHEREAS, The City of Demopolis, Alabama, has equipment which is no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property:

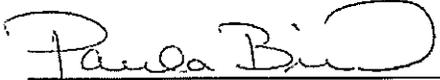
NOW THEREFORE, be it resolved by the City Council of Demopolis, Alabama, at a regular meeting duly assembled, a quorum being present, as follows:

1. That the attached list of personal property owned by the city of Demopolis, Alabama, is not needed for public or municipal purposes:

2. That the mayor and city clerk be, and they hereby are, authorized and directed to dispose of the personal property owned by the City of Demopolis, Alabama, described in Section 1, above, by receiving bids for such property. All such property shall be sold to the highest bidder, provided, however, that the council shall have the authority to reject all bids when, in its opinion, it deems the bids to be less than adequate consideration for the personal property.

The Mayor and City Council of Demopolis adopted this Resolution at the regular meeting on Thursday, March 20, 2008.


Mayor Cecil P. Williamson


Attest: Paula Bird, City Clerk

City Hall and Items stored at Rosenbush Building:

Description	Serial Number
Pionex Computer	6000201331
Pionex Computer	6000162788
Pionex Computer	6000201600
Compaq Computer	197074
1 stripped NEC Computer	
Memorex external cd drive	22958843
Pionex Monitor	93CLC0061816
Pionex Monitor	93CLC0039969
Gateway Monitor	17014C021721
Gateway Monitor	NU17026D27165
Dell Monitor	CNOY1352476094CRFT9R
Dell Monitor	CN04P1214780438MCBVG
CTX Monitor	00581205824A03
Dell Monitor	66746-J1H45-87
Relisys Monitor	T697520447
Pionex Monitor	1A2-75020037
Sharock Tech Monitor	84CC80080658
Scanport Monitor	GR0AM02824653
Tandy Monitor	61103467
Various speakers & keyboards	
APC Battery Backup RS800	QB0343134373
APC Battery Backup	B950205532090
A/B Data switch box	
3 Printer Tables	
Metal Printer Stand	
Tandy Dot Matrix Printer	596
Oki Microline dot matrix	907B1017241
HP DeskJet w/ ink	CN06F1P0RG
Canon BubbleJet Printer	SKS11034
Acer Scanner (boxed)	916742
Epson Scanner	2LYX026695
Xerox Memorywriter Typewriter 6020	
Box & bag of various typewriter ribbons	
Dial Wall Phone	
Box of 9 AT&T B1S-10 Phones	
Box of 4 Cellphones & chargers	
27 metal folding chairs	
L-Shape desk set - putty/woodgrain	
Task Chair	
Long Rectangle Acrylic table top	
5 shelf metal storage cabinet	
1 drawer metal file cabinet	
1 4 drawer metal file cabinet	
2 5 drawer metal file cabinet	
2 Metal Copier stands	
1 Metal shelf box	
Box of transmission fluid/filters etc	
MSA Air Mask Model 401	
6001R Sound Mixer TAPCO	
Ajax Elec Motor Air Compressor	1203220
Speco Mountable Loud Speaker	
Compact Frigidaire Refrigerator	
Magic Chef microwave	
Paper Mache Mouse Head	
2 paper mache Elf Heads	
Floor lamp	
Wood magazine side table	
Framed aerial photo of City	
8 School desks	
1 small child table	
Hoover upright vacuum cleaner	
Framed print-The Conference	
Left in Rosenbush Buildings:	
Organ	
Wood Stove	
1975 F350 Custom Ford 6 cyl	F37BUW85713

Surplus Equipment

18-Mar-08

Equip/Vehicle #	Make & Model	Serial #	Year	Color	DEPARTMENT
4	Dodge Dakota	1B7L26X3MS298605	1991	RED	PUBLIC WORKS
9	DODGE KAKOTA	1B7GL26X0PS197787	1993	GRAY	PUBLIC WORKS
2	FORD FLAT BED F350	2FDJF37Y0ECA11088	1984	WHITE	PUBLIC WORKS
3	BROCE BROOM	1177 ?		YELLOW	PUBLIC WORKS
6	FORD SUPER DUTY	2FDLF47M6KCA20773	1988	RED	PUBLIC WORKS
7	JCB BACKHOE	14BN2030/356158/7	1989	YELLOW	PUBLIC WORKS
14	ECONO ROLLER	171170 ?		YELLOW	PUBLIC WORKS
89	JCB BACKHOE	15BT2039/34510217	1989	YELLOW	PUBLIC WORKS
	1989 Chevy Caprice	1G1B154791A121640	1989		Fire Dept

Paula Bird

From: Ruth Symon [ruth.symon@demopolisal.gov]
Sent: Tuesday, March 18, 2008 7:33 AM
To: 'Paula Bird'
Subject: RE: surplus list

Please list the following items for surplus in our Department:

Dynamo 72" front deck SN#498995 Model A72 1999
EZ go Golf Cart 195
Jacobsen Turf Truck 34019 3157 SV 3422
Snapper Riding Mower SN# 1769167 YZ!45332BYE

-----Original Message-----

From: Paula Bird [mailto:paula.bird@demopolisal.gov]
Sent: Monday, March 17, 2008 1:52 PM
To: Ruth Symon; Barbara Blevins; Byron Cook ; Cecil Porter Williamson ; Clarence Brooker; Ed Ward ;
Jeff Manuel ; Lucille Carpenter ; Mike Baker; Monica Oliver; Morgan Grimes; Paula Bird; Rob Pearson ;
Ron Few
Subject: surplus list

I need a list of items, including serial numbers, that you want declared surplus for Council meeting on Thursday. Please send them to me by noon on Wednesday.

Thanks,

Paula Bird
City Clerk
City of Demopolis
334-289-0577

Police Department Surplus

Car 3	1992 Ford Crown Vic.	2FACP72WINX242040
Car 16	1998 Ford Crown Vic.	2FAFP71W9WX148732
Car 2	1998 Ford Crown Vic.	2FAFP71W7WX148731
Car 20	1998 Ford Crown Vic.	2FAFP71W2XX153420
Car 6	1998 Ford Crown Vic.	2FAFP71W5WX148730
Car 55	1992 Chevy. Lumina	2GIWL54T2N1139652

Fax Machines

Brother U56583A5K008927
 Xerox unknown

Computer Monitors

CTX	3L4-54800429
CTX	3L454800090
CTX	3L454800900
CTX	3L454800279
DIGIVIEW	7AB18AJ1300385
DIGIVIEW	7AB18AJ1300396
GATEWAY	15017A399330
HP	CNT3390K1F
HYUNDAI	MBTHT308027160
INTEVA	8CCLB0415677
PRINCETON	1262053612
PRINCETON	1262058788
WYSE	20F11701008

CPU
 Workstation Tower 34-02

PRINTERS

Canon 100	SMF31758
HP 4050TN	USCC017140
HP 632C	MX135110V4

Demopolis Public Library Surplus 1/8/2008

Item

Serial Number

Xerox 620 Memory Writer Typewriter

115V60Hz4AMP

Xerox 6010 Memeory Writer Typewriter

115V60CODEXC80

Pionex Elite Harddrive

6000118837

Xerox Copy/Print Cartridge for 440, 432, 425, 340, 332

Follett Scanner

Princeton Monitor

362062723

Gateway EV 500

150009A169852

Dell Harddrive

B2452

Dell Monitor

MX-07C054780118TB19K

Dell Monitor

MX07C05147801193B19N

Xerox Phaser 6100

REN266351

Xerox Phaser 6100

JC6801274A00

DEMOPOLIS CITY COUNCIL MEETING AGENDA
April 3, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police - submitted
- Court
- Fire - submitted
- Public Works
- Parks & Recreation
- Horticulture
- Building Official
- Library - submitted

Unfinished Business –

1. Executive Session – Mr. Rick Manly
2. Dilapidated Houses
3. EMA Choctaw Co.
4. Newell Building – recommendation from Bldg Committee
5. City election voting places
6. West Alabama Mental Health Renewal Contract – Woody Dinning
7. Request for furnishing Fire Station #3
8. Elected Official Travel Expense Reports

New Business –

1. 2008 Sales Tax Holiday
2. Complaint from citizen

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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,

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

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 10 minutes.

The Council reconvened into regular session at 5:27pm.

Departmental reports

Departmental reports were submitted as indicated above.

Unfinished business

Dilapidated housing: An update will be presented at the next Regular Council Meeting.

EMA Choctaw Co.: A meeting will be established after Federal Homeland Security completes inventory.

Newell Building: The Building Committee recommends dividing property into two parcels; one parcel will include the building. The City of Demopolis will get an appraisal on both parcels and then return this information to the Building Committee.

City Election Voting Sites: There was discussion among Council in regards to establishing one election polling place. A group of citizens attended the Council Meeting and expressed their opposition to establishing one polling place. The Mayor asked if anyone was present to speak in favor of establishing one polling place. There was none. There was discussion on the need for citizens to experience the one polling place election to base their judgment on its success or failure.

Councilman Collins made the motion to consolidate the five district polling place at the Civic Center for the 2008 municipal election and include a referendum on the ballot for citizens to vote on establishing one central polling place for future elections. Councilman Yelverton seconded the motion and motion failed by the following roll call vote:

Mayor Williamson: no Councilman Moore: no Councilman Jones: no
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

West Alabama Mental Health Contract: Woody Dinning presented the Council with a revised lease for the building occupied by West Alabama Mental Health. The lease is for a 20 year term with the option to renew for another 20 years, a total of 40 years. The lease would begin on May 1, 2008.

Councilman Collins made the motion to accept the lease as presented. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: no
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Fire Station #3 Furnishing Request: Chief Ronnie Few presented to the Council a list of items needed to furnish Fire Station #3. Chief Few asked the Council to approve a budget of \$10,000 to purchase the items.

Councilman Moore made the motion to approve a \$10,000 budget to furnish Fire Station #3. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: no

Chief Few presented the Council with the Fire Department's mission statement and motto:

Mission Statement

As members of Demopolis Fire/Rescue we will use all resources available to provide quality fire suppression, fire education, medical, hazardous materials, and technical rescue services to protect life, property and the environment for the citizens in the City of Rivers.

Motto

Protecting with honesty, dignity, and dedication.

Elected Official Travel Expense Reports: Reports were distributed to Council.

New business

Resolution 2008-07 Sales Tax Holiday: The annual sales tax holiday begins at 12:01am on Friday, August 1, 2008 and ends at Twelve midnight on Sunday August 3, 2008.

Councilman Moore made the motion to approve Resolution 2008-07 Sales Tax Holiday. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Complaint by Citizen: The Mayor reported receiving a complaint from a citizen regarding water falling on her property from an adjoining lot where a home was built. After investigation it was determined that this problem did not fall under any City of Demopolis policy and the citizen's only recourse is in court. The city attorney will write a letter.

Projects

Municipal Complex: Building Committee needs to review contracts and will be addressed at the next Regular Council Meeting.

Fire Station #3: Completion anticipated in mid May.

Riverwalk Project: The project manager was here this week and a meeting with the contractor has been requested. The Mayor is aware that two Council members have requested to attend. Councilman Cooley suggested that if the project manager and/or contractor fail to follow through with the meeting then the city attorney should be contacted.

Mayor Discussion

The Mayor distributed six month interim financial statements to the Council.

Council Discussion

Councilman Yelverton asked about a barge parked by Riverwalk and needs to be moved. The Mayor said the barge is not related to the Riverwalk project and has checked into it.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:30pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

Resolution 2008-07

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 2008, (begins 12:01 a.m. Friday August 1st and ends Sunday August 3rd at 12:00 a.m. midnight) 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;
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.

(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;
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.

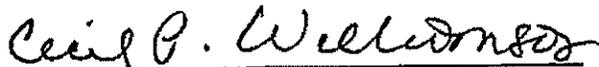
d. "School instructional material" is written material commonly used by a student in a course of study as a reference and to learn the subject being taught. The following is an all inclusive list:

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 2008 and ending at twelve midnight the following Sunday in August, 2008. Items normally sold in pairs shall not be separated to qualify for the exemption provided for in this act.

Section 5. The Mayor and City Council of Demopolis adopted this Resolution at the regular meeting on Thursday, April 3, 2008. It shall become effective immediately.



Cecil P. Williamson, Mayor



ATTEST: Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA

April 22, 2008

Call to Order – Invocation 12:00pm

Roll Call

Approval of Minutes

Reports from Departments

Police

Court - submitted

Fire

Public Works - submitted

Parks & Recreation –Theo Ratliff - submitted

Horticulture

Building Official

Library

Unfinished Business –

1. Dilapidated Houses
2. EMA Choctaw Co.
3. Newell Building

New Business –

1. Demopolis City School Board Appointment: The Demopolis City Board of Education has requested Jim Stanford to be reappointed.
2. Municipal Complex – approve Ellis Architect contract.
3. Bridges:
 1. Jackson Street Bridge cost estimate
 2. Whitfield Canal Bridge on West Morgan
4. Demopolis Area Chamber of Commerce – Kelley Smith: Freedom on the River and Christmas on the River.
5. Renew Our Rivers – Amie Reynolds

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

April 22, 2008

The regular meeting of the Demopolis City Council convened promptly at 12:00pm on Tuesday, April 22, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Tim Soronen
 - Fire -Ron Few
 - Public Works - submitted
 - Horticulture – Barbara Blevins
 - Park & Recreation – Mark Pettus – Theo Ratliff report submitted
- Court - submitted
Building Official
Library

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

The Council reviewed the minutes of the April 3, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. The Mayor reported that there were articles in the Tuscaloosa News and the Birmingham News regarding Demopolis Horticulture. The Mayor said she received two separate calls complementing the monument garden.

Unfinished business

Dilapidated housing: An updated report was distributed to Council. Councilman Cooley stated that the owner of 706 and 709 North Main Street has not properly responded to the requests and notices sent by the City of Demopolis beginning in March 2006.

Councilman Moore moved to have the City Attorney proceed to the next step to enforce compliance with the City's request. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: abstain
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Councilman Cooley stated that the owner of 206 W. Washington Street has not properly responded to the requests and notices sent by the City of Demopolis beginning in October 2005.

Councilman Moore moved to have the City Attorney proceed to the next step to enforce compliance with the City's request. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: abstain
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

EMA Choctaw Co.: A meeting will be established after Federal Homeland Security completes inventory.

Newell Building: An executive session will be called at the end of the Council meeting to discuss this City property.

New business

Demopolis City School Board Appointment: The Demopolis City Board of Education has requested that Jim Stanford be reappointed.

Councilman Collins made the motion to reappoint Jim Stanford to the Demopolis City Board of Education. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Municipal Complex: The Mayor asked Council to approve Ellis Architect contracts for the Municipal Complex. One contract is for the Municipal Complex which includes the Police Department and Municipal Court and the second contract would include rehabilitating the Fire Station on Cedar Avenue and Capitol Street.

Councilman Jones moved to approve the contracts for Ellis Architect. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: abstain

Bridges: Jackson Street Bridge – Almon Associates, Inc. provided a cost estimate for repairing the Jackson Street Bridge. The estimated cost of repairs ranges from \$132,000 to \$152,000. Councilman Cooley asked if the State of Alabama provided us with a list of

needed repairs. The Mayor said the State provided the City of Demopolis with a list of problems that needed to be addressed in order to keep the bridge open. Everyone agrees that Jackson Street is a major road that needs to be open. Councilman Moore asked if it would be more effective to replace the bridge. Councilman Cooley noted that it was only two years ago that the City had to make repairs on the bridge and asked whether the City would be making additional repairs in another two years. Councilman Collins stated that the City could better afford paying \$100,000 per year as opposed to \$2 millions for a new bridge.

Councilman Moore made the motion to perform an analysis on the cost of constructing a new bridge versus repairing the current bridge. Councilman Collins seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Whitfield Canal Bridge – The bridge is located on West Morgan Street spanning the Whitfield Canal. The bridge is a multi-span timber structure. Based on the extent of damage Almon Associates, Inc. recommends a total bridge replacement. The estimated cost to replace the bridge is \$196,000. Councilman Collins said the neighborhood understands it is too costly for the city to replace the bridge. The neighborhood requests that the bridge remain as a walking bridge. The Mayor and Council agreed to table the discussion until the next Regular Council Meeting and will check with the State of Alabama if the bridge can remain open as a walking bridge.

Demopolis Area Chamber of Commerce - Freedom on the River and Christmas on the River: Kelley Smith presented the Council with two letters outlining a request for permission to host the two events and use City of Demopolis property.

Councilman Collins made the motion to grant permission to the Demopolis Area Chamber of Commerce for the two events as outlined in their letter. Councilman Jones seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Renew Our Rivers: Amiee Reynolds appeared before the Council to request the support and help of the City of Demopolis with the Renew Our Rivers cleanup project. Lunch will be provided on Saturday for all volunteers. Demopolis High School students will work under the supervision of Mike Baker, Public Works Director, and Barbara Blevins, Horticulture Director in cleaning the City of Demopolis in conjunction with the Renew Our Rivers project.

Projects

Municipal Complex: Discussed previously

Fire Station #3: Completion anticipated in May.

Riverwalk Project: Charles Duke, project manager, met with the contractors and the project is back within the budget. Work will start back Monday with an estimated completion of between 4 – 6 weeks. Councilman Collins stated that fencing is being installed by the water tank. The Mayor will check to see if this is the fencing included in the project scope. Councilman Collins inquired about the lighting. The contractors used acorn style lighting that was not specified in the plans.

Mayor Discussion

The Marengo County Historical Archives Museum Foundation Inc. received their 501(c)(3) status from the Internal Revenue Service.

Your Town conference applications are available. The Mayor recommends this conference to all Council or interested parties.

Council Discussion

Councilman Moore noted that 309 and 311 North Cherry are two overgrown properties to investigate. Work has not been completed in the alleyway.

At 12:58pm the Mayor and Council moved into Executive Session, to discuss real estate proposal, with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 22nd day of April, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 negotiations to buy/sell/lease real property 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 onto the minutes as follows:

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 15 minutes.

The Council reconvened into regular session at 1:25pm.

Councilman Cooley made the motion to adjourn. Councilman Collins seconded the motion. The Council meeting adjourned at 1:25pm.

Cecil P. Williamson
Cecil P. Williamson, Mayor

ATTEST: Paula Bird
Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA
May 1, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police
- Court - submitted
- Fire
- Public Works
- Parks & Recreation
- Horticulture
- Building Official
- Library

Unfinished Business –

1. Dilapidated Houses
2. EMA Choctaw Co.
3. Newell Building
4. Jackson Street Bridge
5. Whitfield Canal Bridge
6. Power poles in alley

New Business –

1. Robert Plott – TEFRA approval for refinancing tax-exempt debt The Tombigbee Healthcare Authority
2. Christmas On The River – City decorations
3. Mosquito Truck Bid – Grant Funds- Mike Baker recommends purchasing truck from Windham Motor Co., Inc.
4. Public Hearing on Zoning Changes
5. Public Hearing on Comprehensive Plan

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

May 1, 2008

The regular meeting of the Demopolis City Council convened promptly at 12:00pm on Tuesday, May 1, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel
 - Fire - Carl Johnson
 - Public Works – Mike Baker
 - Horticulture – Barbara Blevins
 - Park & Recreation
- Court - submitted
Building Official – no report
Library – Morgan Grimes

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

The Council reviewed the minutes of the April 22, 2008 regular meeting. Councilman Cooley noted a correction to be made in the minutes regarding the Riverwalk Project. Councilman Jones moved to accept the minutes as corrected. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. Morgan Grimes reported that the window repairs are complete. There will be a brown bag lunch held at the library on May 20th featuring Don Nobles.

Unfinished business

Dilapidated housing: An update report will be presented on May 15th Council Meeting.

EMA Choctaw Co.: The Mayor will call Judge May.

Newell Building: The Building Committee recommends making an offer to the Demopolis Water & Sewer Authority to purchase the Newell Building property at an agreed price. The condition to this sale will require the Water & Sewer Authority to remove the tank, reservoir, and building on the river front. The Water & Sewer Authority will have to occupy the

building and complete the conditions of the sell within three years. This proposal will be presented to the Water & Sewer Authority and a written proposal will be brought to Council.

Jackson Street Bridge: Councilman Collins stated that the question is whether to replace or repair the bridge. If we repair the bridge what assurances would the City of Demopolis have that future repairs would not be immediately required. Mike Baker, Public Works Director, stated that the previous repairs on the bridge were underwater and the current repairs needed are above water. Mr. Baker recommends repairing the bridge which should extend the life of the bridge an additional 5 – 10 years. Mr. Baker stated that moisture and debris causes the most problems. Mr. Baker estimates the downtime for repairs will be approximately 2 – 3 weeks.

The Mayor reported that Almon Associates estimated the cost of replacing the bridge would be in the range of \$1.5 – \$1.7 million excluding utilities. The estimate to repair the bridge ranges from \$132,000 - \$152,000 and is subject to change based on market conditions.

Councilman Jones asked if bridge repairs are in the City of Demopolis budget. It is not and should be included in the future.

Councilman Cooley made the motion to give Almon Associates permission to proceed with actions necessary to repair the Jackson Street Bridge. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Whitfield Canal Bridge: A memo from Almon Associates was distributed to the Council concerning inspection requirements for a pedestrian bridge. ALDOT indicated to Almon Associates that a pedestrian bridge does not meet the requirements to be included in the bridge inspection program. Almon Associates strongly recommends the City of Demopolis to periodically inspect the pedestrian bridge.

Councilman Collins made the motion (as amended by Councilman Jones) to turn the Whitfield Canal Bridge on Morgan Street into a pedestrian bridge until money is available to make it operable for vehicles. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Power Poles in Alley: The Mayor met with Diane Brooker with Alabama Power. The power poles will be removed.

New business

Tombigbee Healthcare Authority approval for refinancing tax exempt debt: Robert S. Plott appeared before the Council on behalf of Tombigbee Healthcare Authority to obtain approval from the City of Demopolis as required by the Internal Revenue Service under TEFRA provisions for refinancing tax exempt debt. The City of Demopolis is not obligated for any portion of the debt.

Councilman Collins asked if the Certificate of Approval could state the City of Demopolis has no financial obligation. Mr. Plott said he would add this statement to the Certificate of Approval.

Councilman Collins made the motion to authorize the Certificate of Approval with the additional statement. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Christmas On The River Decorations: The Mayor received a letter stating that Demopolis CATV will not be able to absorb the cost of installing the Christmas On The River decorations. Demopolis CATV will offer their services as reasonable as possible. This item will be added to unfinished business as a reminder to explore alternatives.

Mosquito Truck Bid: Bids were received for the mosquito truck that is funded by a grant from The Alabama Department of Public Health. Mike Baker, Public Works Director, recommends accepting the bid price of \$20,191.48 from Windham Motor Co. based on the lowest price for the specifications of the truck offered.

Councilman Collins made the motion to purchase the truck from Windham Motor Co. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Public Hearing on Zoning Changes – (Ordinance 2008-03 and 2008-04): The Planning Commission proposes the following amendments to the Zoning Ordinance:

1. Amend the Zoning Map to rezone property located at 1909 A Street
2. Amend Section 302.4, Table of Uses to replace the existing wording related to Junk Yard with the Recyclable Material description
3. Amend Section 302.4 Table of Uses to include the following new wording in the Table of Uses as a means of providing for temporary uses including fairs, circuses, rodeos, etc.
4. Amend Article V to add Section 513 Temporary Uses

The Mayor asked if anyone was present to speak regarding the zoning changes. There were none.

Councilman Jones made the motion to accept the proposed ordinances amending the zoning ordinance as presented in items 1 - 4. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Public Hearing on Comprehensive Plan: Mr. Larry Watts with Goodwyn, Mills, and Cawood was present with copies of the proposed Comprehensive Plan for the City Council to review and to consider a resolution adopting this plan. Mr. Watts provided a copy of the plan to those present.

The Mayor asked if anyone present would like to speak regarding the Comprehensive Plan. A copy of the proposed Comprehensive Plan was available at City Hall for review.

Mr. Watts gave an overview of the Comprehensive Plan and answered questions from the floor. There was discussion of the boundaries of the historic district shown in the Comprehensive Plan. There was discussion of the historic district and the revitalization district and the differences in the designations. Brian Brooker expressed his concern of structures located in the revitalization district that qualify as historic structures. There are funding incentives available for revitalization districts not available to historic districts. There can be an overlay to the map that would show which areas in the revitalization district is also a part of the historic district. Codes can be established to ensure that historic structures in the revitalization district meet standards established for historic structures. This would be established in the implementation rules.

Councilman Cooley asked Larry to provide a final version of the Comprehensive Plan and a Resolution for the Council to adopt at the next Regular Council Meeting.

The Mayor recognized the following people who played a vital role in developing the Comprehensive Plan: Annye Braxton, Mack Fitzgerald, Lynn Foster, Sarah Chandler Hallmark, Clarence Jackson, Drew Johnson, Barbara Myers, Anna Morgan Pope, and Augusta Watters.

Projects

Municipal Complex: Agreements are signed and in Ellis Architects possession. Councilman Cooley questioned some of the wording in the contract regarding the Council establishing a set maximum fee amount. If this amount is not declared in the agreement the architect is not bound to a maximum fee. The architect has to insure the job is within its stated budget. Brian Brooker stated that the standard wording is if the project exceeds its budget greater than 10% the architect has to redesign at no cost. Ellis Architect will provide verification in writing.

Fire Station #3: Captain Carl Johnson commended Barbara Blevins, Horticulture Department Head, on the landscaping at the new fire station.

Riverwalk Project: Charles Duke, project manager, will attend the next Regular Council Meeting. The contractors are waiting on the river to recede.

Mayor Discussion

The Mayor presented Council with a Resolution declaring a moratorium on the banner ordinance from May 1, 2008 – December 31, 2008. The moratorium will give area businesses relief from banner restrictions and allow Council to see how well the businesses will self regulate. This will give the Planning Commission time to develop a proposal.

Councilman Collins said this would be abating the law and that any law is better than no law. Clarence Brooker Jr. asked if it is legal to put a moratorium on a penal code. The Mayor said the City Attorney reviewed the resolution. Councilman Cooley stated a Planning Commission board member said they would be considering the banner ordinance at the May meeting. Brian Brooker said that between 1995 -1998 the Chamber of Commerce spearheaded cleaning up the visual clutter of banners. Studies were conducted at this time which resulted in the current banner ordinance. Councilman Cooley asked to table the discussion until the Planning Committee met in May. Councilman Jones stated the Planning Commission should be allowed to address this issue.

Councilman Yelverton made the motion to approve the proposed resolution to declare a moratorium on the banner ordinance from May 1, 2008 – December 31, 2008. The motion died for lack of a second.

The Mayor said this item will be tabled and remain on the agenda as unfinished business.

Council Discussion

Councilman Yelverton asked if there was an ordinance in place regarding cutting grass. The Mayor said the weed abatement ordinance covers this area. Councilman Yelverton said land where timber was cut on Highway 43 near the cemetery needs cleaning. The Mayor said she will check on this.

Councilman Yelverton asked whether the City of Demopolis should consider selling the old trooper property. The Mayor said the Chamber of Commerce is requesting permission to use the building from June through October for a farmers market.

Councilman Collins said the Building Committee should review the consideration of selling the old trooper property and make a recommendation.

The Mayor distributed the AMIC insurance report to the Council.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:40pm.

Cecil P. Williamson
Cecil P. Williamson, Mayor

ATTEST: Paula Bird
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA
May 15, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police
- Court
- Fire
- Public Works - submitted
- Parks & Recreation
- Horticulture - submitted
- Building Official
- Library - submitted

Unfinished Business –

1. Dilapidated Houses
2. EMA Choctaw Co.
3. Coliseum Property
4. Poles in Alley
5. Banner Ordinance
6. Christmas On The River decorations
7. Zoning Ordinance 2008-03 and 2008-04: second reading of proposed zoning amendments.

New Business –

1. Chamber of Commerce – Kelley Smith: request to use trooper property
2. Mitchell Congress – storm shelter request
3. Resolution 2008-08 – Alabama Department of Transportation - French Creek
4. Received bids on Theo Ratliff Expansion

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

May 15, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, May 15, 2008 in the Demopolis Rooster Hall.

Present:

Council Members: Cecil P. Williamson, Mayor
Thomas Moore, Mayor Pro Tempore
Charles Jones
Melvin Yelverton
Jack Cooley

Absent: Woody Collins

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel
 - Fire - Ron Few - submitted
 - Public Works – Mike Baker - submitted
 - Horticulture – Barbara Blevins - submitted
 - Park & Recreation
- Court
Building Official – Clarence Brooker, Jr.
Library – Morgan Grimes - submitted

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

The Council reviewed the minutes of the May 1, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. Morgan Grimes reported that the window repairs are complete. There will be a brown bag lunch held at the library on May 20th featuring Don Nobles.

Unfinished business

Riverwalk Project: The Mayor and Council adjusted the agenda to allow Mr. Charles Duke to report on the Riverwalk Project in order to travel home. Mr. Duke reported that the landing was poured and concrete finished for boat ramp. A good bit of dredging has been completed on the right side of boat ramp. The prime contractors, Cardwell Corporation, will be here Monday to work on completion of project. Mr. Duke plans to hold a meeting with the contractor Monday afternoon to go over the plans to complete the work. Councilman Jones asked Mr. Duke an estimated time of completion based on his experience. Mr. Duke estimated a month to six weeks. Councilman Yelverton asked Mr. Duke when the boat ramp

would be open. Mr. Duke said it would be best to wait a week to use the ramp, but you could use it immediately if necessary. The asphalt is not in front of it and it barely meets the strength of the concrete now. The ramp was poured approximately two weeks ago.

Dilapidated housing: An update report was distributed to Council. Councilman Yelverton inquired about which properties could be removed. The Mayor said the properties that are marked in red are abated and can be removed. Councilman Yelverton asked Clarence Brooker Jr. if he had any recommendations. Mr. Brooker said as long as work is in progress that we should give the property owners a chance to complete the work. There was discussion on various properties contained in the report.

EMA Choctaw Co.: Chief Few reported that the Fire Department will meet with EMA on Tuesday May 27, 2008.

Coliseum Building/Property: The Water & Sewer Authority is preparing a counter proposal to present to the building committee.

Power Poles in Alley: The Mayor reported the poles have been removed.

Banner Ordinance: A draft of the proposals the Planning Committee is currently working on was distributed to the Council for review. The Council is invited to make recommendations at the next Planning Committee meeting on June 10, 2008. Councilman Yelverton stated that he was under the impression that the Council would be presented with a recommendation at this Council Meeting. The Mayor said the process involves the Planning Committee approving a proposal and then holding a public hearing. After the public hearing the Proposed Ordinance would go to Council for approval. Councilman Jones said the process would take 50 – 60 days. Kelley Smith with the Demopolis Area Chamber of Commerce said the area businesses are pleased with the progress. The Chamber of Commerce is sponsoring a Lunch –n- Learn seminar on May 22nd to educate the public, Planning Commission, Board of Adjustment members, and Council on current issues with sign/banner ordinances. The public is invited to participate in this program.

Christmas Decorations: The Mayor suggested moving turning this over to the Finance Committee to work into the next fiscal year budget process.

Second readings:

Ordinance 2008-03 An Ordinance To Change The Zoning of Certain Property In The City of Demopolis: This is the second reading on property located at 1909 A Street from R-2 Low Density Residential to R-3 Medium Density Residential. Councilman Jones made the motion to approve Ordinance 2008-03 as presented. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Ordinance 2008-04 An Ordinance To Change The Table Of Uses In The Zoning Ordinance of the City of Demopolis: This is the second reading on amendments to Section

302.4 Tables of Uses and Section 513 Temporary Uses. Councilman Yelverton made the motion to approve Ordinance 2008-04 as presented. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

New business

Demopolis Area Chamber of Commerce: Kelley Smith presented a letter requesting permission to use the old state trooper lot off of Hwy 80 East. The Chamber and the State of Alabama Farmers Market Authority would like to host a Farmers Market held every Saturday from 7:00am to 12:00pm beginning June 7, 2008. A specific end date has not been established but hopes to operate through the fall season.

Councilman Cooley asked if this service would be provided to farmers at no cost. There is no fee involved in participating in the market. The farmers sign an agreement with the Alabama Farmers Market Authority verifying the products they offer are grown on their farm. The State of Alabama exempts collection of sales tax on sales of produce that is grown by the farmer. Councilman Cooley asked how this was enforced. The Alabama Farmers Market Authority does verification procedures to ensure compliance. The farmers have to be approved by the State of Alabama to participate.

Councilman Moore made the motion to grant permission to the Chamber of Commerce to use the old state trooper lot for a Farmers Market for the time period specified. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Councilman Yelverton asked if we would still get an appraisal on the old state trooper property. The Mayor said this is on the agenda for the Building Committee. If the property were to sell before this fall we could find another location for the Farmers Market. Councilman Jones asked why we couldn't extend the hours of operation. Kelley Smith said the hours were set based on the Alabama Farmers Market Authority recommendations which are the same hours of operation for farmers markets across the State.

Mitchell Congress - Storm Shelter Request: Mitchell Congress appeared before the Council to request the City of Demopolis to install another emergency siren for the North end of town and to build a storm shelter at the Demopolis High School in conjunction with the stadium. The Mayor asked Mr. Congress if he talked with the Demopolis City Board of Education. Mr. Congress said he was looking for the City of Demopolis to financially support the addition. Councilman Cooley assured Mr. Congress that the Council is concerned for the safety of the citizens. The Finance Committee has studied three weather warning systems in detail: sirens, weather radios, and automated phone alert system. The siren was the most costly and would not cover the whole city. It would cost less money to buy each citizen a weather radio. Mr. Congress is glad to hear the Council is discussing this

issue. Mr. Congress thanked the Mayor and Council for listening to his request. Councilman Yelverton suggested putting this back on unfinished business.

Mr. Congress asked the Council to consider declaring a gas tax holiday during the 4th of July weekend. Councilman Jones pointed at that gas tax money is earmarked for streets and paving. The Mayor said she would check with the Alabama League of Municipalities about the legality of declaring a gas tax holiday.

Resolution 2008-08: The Alabama Department of Transportation sent a proposed resolution concerning maintenance and improvements on the westbound bridge in the French Creek area. The Resolution would hold the Alabama Department of Transportation harmless from all suits, actions, or claims of any character brought because of any injuries or damages received or sustained by any person, persons, or property due to the work. Councilman Moore moved to not approve Resolution 2008-08 as presented. The motion was withdrawn. Councilman Jones suggested tabling this Resolution until the City Attorney can review and make a recommendation.

Theo Ratliff Expansion Bids: The Abstract of Bids for the Theo Ratliff Expansion was presented to the Council. Eaves Construction had the low bid and met the requirements of the RFP at \$379,500. Mark Pettus, Park and Recreation Department Head, recommends accepting Eaves Construction bid.

Councilman Jones made the motion to award the Theo Ratliff Expansion bid to Eaves Construction. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Mayor Discussion

The Mayor stated that she had an item that was inadvertently left of the agenda. The County Commission notified the Mayor that they received bids for paving the remaining roads in the French Creek project area. Ken Atkins reported bids ranged from \$69,413.50 to \$120,212.00. The County Commission said they would perform this project if the City of Demopolis would agree to pay \$9,413.50. The property included in this paving project is on the North side of Highway 80 and will help 55 – 70 residents in the French Creek area. The County Commission will not pay a portion of the \$9,413.50 because they were responsible for obtaining the grant.

Councilman Moore made the motion to agree to pay \$9,413.50 to the County Commission for the French Creek area road paving. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Projects

Municipal Complex: Waiting on the architect drawings.

Fire Station #3: Completed by the end of May.

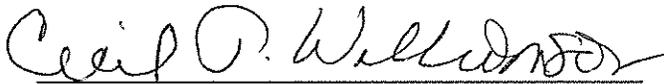
Riverwalk Project: Covered previously.

Theo Ratliff Expansion: Covered previously.

Council Discussion

Councilman Cooley requested a Special Called Meeting to discuss in detail the status of the Riverwalk Project. After a short public discussion an Executive Session would be called for the purpose of good name and character. Councilman Cooley wants to inform the full body of Council information concerning the Riverwalk that everyone need to be aware of and determine a plan of action before information is made public. Councilman Cooley requests the attendance of the Goodwyn Mills and Cawood representative from Montgomery and Charles Duke in Executive Session. The Special Called Meeting is set for Friday May 23, 2008 at 12:00pm.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion. The Council meeting adjourned at 6:15pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

Ordinance 2008-03

AN ORDINANCE TO CHANGE THE ZONING OF CERTAIN PROPERTY IN THE CITY OF DEMOPOLIS, ALABAMA.

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

1. The zoning of real property described in the paragraph below shall be change from R-2 Low Density Residential Zone to R-3 Medium Density Residential Zone.

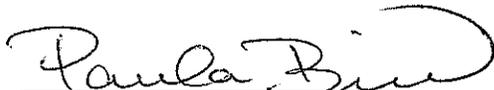
Said land is identified as Parcel 13 Section 29, Township 18 North, and Range 3 East. Located at 1909 A Street.

2. Demopolis City Council adopted this Ordinance at its regular meeting on Thursday May 15, 2008. It shall become effective upon approval by the Mayor and it's proper publication as required by law.

ADOPTED AND APPROVED THIS THE 15th DAY OF MAY 2008.

ATTEST:


Cecil P. Williamson, Mayor


Paula Bird, City Clerk

Ordinance 2008-04

AN ORDINANCE TO AMEND THE TABLE OF USES IN THE ZONING ORDINANCE OF THE CITY OF DEMOPOLIS, ALABAMA

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

- 1. Amend Section 302.4, Table of Uses to replace the existing wording related to Junk Yard with the Recyclable Material description as indicated below:**

Delete the following wording from the Table of Uses:

Junk yard including storage, baling or sale of rags, paper, iron or junk; need not be enclosed within a structure but must be enclosed within a fence of sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.

And then add the following new wording in the Table of Uses including an "S" in the I-2 column for the purpose of conforming to State of Alabama classifications:

Recyclable material merchant wholesaler establishments primarily engaged in the merchant wholesale distribution of automotive scrap; industrial scrap; recyclable paper, glass, rags, plastic, etc.; and other recyclable materials. Included in this use category are auto wreckers primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap. These uses are not required to be enclosed within a structure but must be enclosed within a fence of sufficient height to obstruct view and noise; chain link or similar fence may be permitted if screen planting is provided.

- 2. Amend Section 302.4 Table of Uses to include the following new wording in the Table of Uses as a means of providing for temporary uses including fairs, circuses, rodeos, etc.:**

Temporary uses may be permitted subject to the provisions of Article V, Section 513 of this Ordinance and under the Use Districts columns enter "See Article V, Section 513.

- 3. Amend Article V to add Section 513 Temporary Uses to read as follows:**

Section 513 TEMPORARY USES

This section sets forth the conditions under which certain uses that are generally not suitable within a particular zoning district may be permitted on a temporary basis upon approval of the Board of Adjustment. The intent is to prevent the creation of any nuisance or annoyance to the occupants of adjacent buildings, premises or property, and the general public health, safety and welfare:

- 513.1 513.1 Prior Determination:** The Board of Adjustment shall only approve a temporary use if all of the following findings can be made:

- A. A. The proposed temporary use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means of odor, noise, dust or other nuisances.
- B. B. The additional parking required by the temporary use will be provided on or adjacent to the site, if applicable, or adequate on-street parking is available in the immediate area.
- C. C. Increased traffic caused by the temporary use will not adversely affect the surrounding area or city at large.
- D. D. The proposed temporary use is consistent with all applicable city codes.

513.2 513.2 Temporary Uses: The following temporary uses may be permitted by the Board of Adjustment subject to the conditions of this Section plus any additional conditions that may be required as necessary to insure that a temporary use is not detrimental to the area of its location. The Board of Adjustment shall set the period of time for any approved temporary use but the time period shall not exceed the time specified for the uses listed below.

- A. A. Retail sale of Christmas trees for a period not to exceed forty-five (45) days.
- B. B. Seasonal sale of fruit and vegetables for a period not to exceed sixty (60) days in any calendar year.
- C. C. Carnival, circus, festival, fair, horse show, rodeo, dog show, flea market, music festival, and other similar activities for a period not to exceed twenty-one (21) days.
- D. D. Religious meeting in a tent or other temporary structure for a period not to exceed fourteen (14) days.
- E. E. Real estate sales office provided such office is placed on the property to which it is appurtenant for a period not to exceed one (1) year.
- F. F. Other temporary uses which, in the opinion of the Board of Adjustment, are similar to the uses listed herein.

513.3 513.3 General Regulations: The following requirements and performance criteria shall apply to temporary uses in addition to special conditions imposed during the approval process or by other provisions required by this Section or elsewhere in this Ordinance:

- A. A. No portion of the temporary use shall take place within any public right-of-way.
- B. B. Approved temporary uses may have one (1) on-site temporary sign not to exceed twenty-four (24) square feet in area and not more than six (6) feet in height.
- C. C. A daily clean-up program shall be presented as part of the application.
- D. D. If deemed necessary by the Building Official, adequate sanitation facilities shall be provided based on state and local health laws.
- E. E. The owner/operator of the temporary use shall present as part of the application the written permission of the current property owner to locate the temporary use on a specific site.

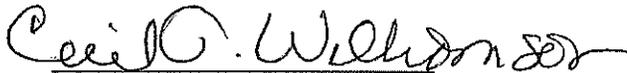
F. F. No temporary use shall be located within one thousand (1,000) feet of a residential structure unless the residential structure is located on the same property as the temporary use or in the case of a temporary real estate office or construction facility on the same development site.

513.4 513.4 Performance Bond: If deemed necessary by the Board of Adjustment, a Cash Deposit or Performance Bond in a form accepted by the City Attorney, shall be provided to guarantee that the property on which the temporary use is located will be completely cleaned of debris and temporary structures and the site left in its original condition or better after the temporary use is terminated.

513.5 513.5 A fee for a temporary use permit shall be charged as set forth in the City of Demopolis' current fee schedule, a copy of which is available at the office of the City Clerk.

ADOPTED AND APPROVED THIS THE 15th DAY OF MAY, 2008.

ATTEST:



Cecil P. Williamson, Mayor



Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
June 5, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police - submitted

Court

Fire - submitted

Public Works - submitted

Parks & Recreation – Theo Ratliff - submitted

Horticulture - submitted

Building Official

Library - submitted

Unfinished Business –

1. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
2. Dilapidated Houses
3. EMA Choctaw Co.
4. Coliseum Property
5. Banner Ordinance
6. Mitchell Congress-Storm Shelter Information

New Business –

1. New Era Deed – Mr. Rick Manly
2. Resolution 2008-09 – Abandon and Vacate Alley – Brenda Miller
3. Buzz Sawyer – Airport Update
4. Planning Commission Board Appointment

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

June 5, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, June 5, 2008 in the Demopolis Rooster Hall.

Present:

Council Members: Cecil P. Williamson, Mayor
Charles Jones
Melvin Yelverton
Jack Cooley

Absent: Thomas Moore, Mayor Pro Tempore
Woody Collins

City Clerk: Paula Bird

Department Heads:

- Public Safety/Police – Jeff Manuel – submitted Court
- Fire - submitted Building Official – Clarence Brooker, Jr.
- Public Works - submitted Library – Morgan Grimes - submitted
- Horticulture – Barbara Blevins - submitted
- Park & Recreation – Theo Ratliff - submitted

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

The Council reviewed the minutes of the May 15, 2008 regular meeting. Councilman Yelverton moved to accept the minutes as presented. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes Councilman Moore: Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. The Mayor reported Mike Baker, Public Works Director, was attending a seminar on bio-diesel fuel.

Jeff Manuel, Public Safety Director, announced accepting employment with University of West Alabama and his last day would be June 20, 2008 or until another person is appointed.

Councilman Cooley asked if Ronnie Few, Fire Chief, was present. In lieu of absence Councilman Cooley inquired about the Fire Department report whether the assistance for E.M.S. calls are requested or automatic. Councilman Yelverton said the Fire Department responds automatically to calls involving accidents or medical emergencies. Councilman Cooley asked when this response started. Councilman Yelverton said around two months ago after the firemen completed certification in first responder training. Councilman Cooley asked if the City of Demopolis is headed toward involvement with ambulatory services. The Mayor said the City is not.

Mark Pettus, Park and Recreation Director reported that construction started on the Theo Ratliff Expansion.

Unfinished business

Resolution 2008-08 Alabama Department of Transportation: The City Attorney, Rick Manly, is researching information regarding questions on this resolution.

Dilapidated housing: An update report will be distributed at the next Regular Council Meeting.

EMA Choctaw Co.: Chief Few submitted reported that the meeting with EMA on Tuesday May 27, 2008 was cancelled.

Coliseum Building/Property: The Water & Sewer Authority is preparing a counter proposal to present to the building committee.

Banner Ordinance: The Planning Commission is meeting on Tuesday June 10, 2008 regarding the banner ordinance recommendations.

Mitchell Congress - Gas Tax Holiday/Storm Shelter Request: Mitchell Congress asked the Council to declare a gas tax holiday. The Mayor checked with the Alabama League of Municipalities regarding procedures that the City of Demopolis would have to perform. The procedures would involve passing multiple ordinances and providing proper notices to distributors to change the pumps. The Mayor proposed to permanently reduce the garbage collection fee by 25 cents per month to directly help the citizens of Demopolis. Councilman Cooley asked the Mayor to clarify whether the garbage fee reduction was temporary or permanent. Councilman Cooley stated that he thought the garbage fee reduction was a temporary "holiday" in the spirit of the gas tax holiday suggestion. Councilman Cooley suggested \$1.00 per month for three months. Councilman Cooley stated that he would have reservations on making the garbage fee reduction permanent.

Mitchell Congress asked the Council if a reduction could be offered to the elderly on their water bills. The Mayor and Council informed Mr. Congress that the City Council does not have authority to offer reductions governed by the Demopolis Water & Sewer Authority. Mr. Congress then asked if the elderly could receive a permanent reduction in the garbage fee. The Mayor responded that all citizens should be treated equally. There is a garbage exemption available for citizens who receive only SSI income. Mr. Congress asked if the City Council has further considered funding a storm shelter. The Mayor stated that this has been referred to the finance committee for consideration.

Councilman Yelverton made a motion for Council to determine a stimulus package involving a reduction in the garbage fee for the citizens of Demopolis at the next Regular Council meeting. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Travel Expense Reports: The Mayor distributed copies of the travel expense reports in the Council packages.

New business

New Era Deed: The Mayor stated the City Attorney is to present information.

Resolution 2008-09 Abandon and Vacate Alley: Brenda Miller is the owner of all the property abutting on the alley described in Resolution 2008-09 and is present to request the Council to assent and approve the declared property be vacated and annulled in all respects pursuant to the provisions of the Code of Alabama 1975. Mrs. Miller pointed out the area on a map.

Councilman Yelverton made a motion for Council to approve Resolution 2008-09 as presented. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Demopolis Municipal Airport Update: Buzz Sawyer approached the Council after calling the new Automated Weather Observation System that was constructed at the airport. You can dial a local number to hear the current weather condition at the airport, but more importantly it informs pilots of the weather conditions as they approach the airport. This marks the completion of the last major improvement project. Mr. Sawyer will now try to find tenants for the airport and concentrate on beautification projects.

In the past a car rental company in Meridian provided two cars, one was rented by the airport as a courtesy vehicle and the other was a rental. A month ago these cars were pulled by the company. Arrangements have been made with Two Rivers Ford for a rental program, but the airport needs a courtesy vehicle for the pilots. Jim Hudgens, the City's insurance agent, suggested using a City owned vehicle. The vehicles recently declared surplus were not suitable to use as a courtesy vehicle. Mr. Sawyer said he would donate a car to the City of Demopolis to use as a courtesy car. The City of Demopolis will maintain the insurance on the vehicle and Mr. Sawyer will maintain the car and provide the necessary fuel. Rick Manley, the City Attorney, drafted a release of liability form for the driver of the courtesy car to sign. Councilman Cooley said that he would suggest the City of Demopolis provide the fuel and maintenance for the vehicle.

Councilman Cooley made a motion to accept Mr. Buzz Sawyer's contribution of a vehicle to use as a courtesy car. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes	Councilman Moore:	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

The Mayor and Council thanked Mr. Sawyer for the contribution and the service he provides managing the Demopolis Municipal Airport. The Mayor noted that Mr. Sawyer commented on finding tenants for the airport and introduced Debra Fox, Executive Director of the Marengo County Economic Development Authority. Ms. Fox said she worked in Demopolis with an economic development group in the early 90's through Alabama Southern and is familiar with the area.

Mayor Discussion

The Mayor stated that Len Cowling was appointed to the Planning Commission.

Projects

Municipal Complex: Waiting on the architect drawings.

Fire Station #3: The grand opening will be held July 3rd.

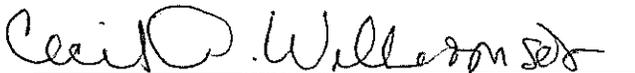
Riverwalk Project: Close to completion.

Theo Ratliff Expansion: Covered previously.

Council Discussion

Councilman Yelverton asked about an item he spoke to the Mayor about previously. The Mayor stated it was taken care of.

The Mayor asked for a recess in light of the resignation of the Public Safety Director. At 5:55pm the Council adjourned until June 9, 2008 at 8:00am.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-09

Resolution to Abandon and Vacate Alley on Miller Property

Be it hereby resolved by the Mayor and the City Council of the City of Demopolis, Alabama as follows:

Whereas, a declaration has been signed and executed by Brenda H. Miller the owner of all of the property abutting on the alley described hereinbelow abandoning and vacating said alley; and

Whereas, said declaration has been duly presented to the Mayor and to the City Council of the City of Demopolis, Alabama, for the assent and approval of said governing body, said declaration being attached hereto as "Exhibit A" and made a part hereof, and,

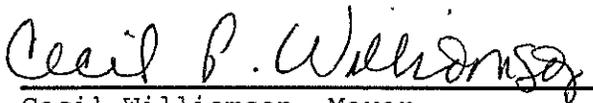
Whereas, said alley is described as follows:

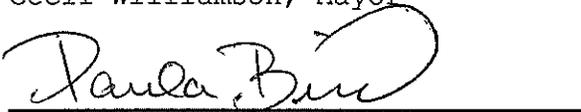
That certain 12 foot alley running north and south bisecting Block E of the Annie Lyon Addition to the City of Demopolis, Alabama, as shown on the map or plat of the said Annie Lyon Addition City of Demopolis which is recorded in the Office of the Judge of Probate, Marengo County, Alabama in Map Book 1, at page 179-A.

Whereas, it appears to the Mayor and to the City Council of the City of Demopolis, Alabama, that the vacation of said alley is in order and that reasonable means of ingress and egress is afforded to all other property owners owning property in the vicinity of said alley; therefore;

Now Therefore, Be It Resolved, by the Mayor and the City Council of the City of Demopolis, Alabama that the vacation of the hereinabove described alley is assented to and approved and the said above described property is hereby declared to be vacated and annulled in all respects pursuant to the provisions of the Code of Alabama 1975.

Approved this the 5th day of June, 2008.


Cecil Williamson, Mayor


Attest: Paula Bird, City Clerk

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

Adjourned Regular Meeting

June 9, 2008

The adjourned regular meeting of the Demopolis City Council reconvened at 8:05am on Monday, June9, 2008 in the Demopolis Rooster Hall.

Present:

Council Members: Cecil P. Williamson, Mayor
Charles Jones
Melvin Yelverton
Thomas Moore, Mayor Pro Tempore
Woody Collins

Absent: Jack Cooley

City Clerk: Paula Bird

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 9th day of June, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 Moore; and,

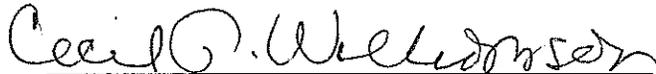
WHEREAS, the Presiding Officer directed the City Clerk to enter said motion, purpose and declaration, if made, into the minutes of the meeting and called for a vote on said motion; and,

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

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

Councilman Yelverton expressed that he thought that all Council should be present. The Mayor and Council adjourned the meeting to reconvene on June 11, 2008 at 8:00am in Rooster Hall.

At 8:08am the Adjourned Council Meeting was adjourned until June 11, 2008 at 8:00am.


 Cecil P. Williamson, Mayor

ATTEST: 
 Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

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

Adjourned Regular Meeting

June 11, 2008

The adjourned regular meeting of the Demopolis City Council reconvened at 8:00am on Wednesday, June 11, 2008 in the Demopolis Rooster Hall.

Present:

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

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 11th day of June, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 onto the minutes as follows:

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 20 minutes.

The Council reconvened into regular session at 8:30am.

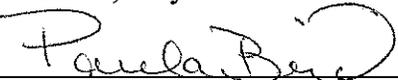
Councilman Collins made the motion to appoint Tim Williams as acting Police Chief beginning immediately. Councilman Cooley seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: yes	Councilman Moore: no	Councilman Jones: yes
Councilman Yelverton: abstain	Councilman Collins: yes	Councilman Cooley: yes

Councilman Cooley made the motion to adjourn. Councilman Collins seconded the motion. The Council meeting adjourned at 8:35am.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
June 19, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police

Court

Fire

Public Works

Parks & Recreation

Horticulture

Building Official

Library

Unfinished Business –

1. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
2. Dilapidated Houses
3. EMA Choctaw Co.
4. Coliseum Property
5. Banner Ordinance
6. Garbage fee stimulus package

New Business –

1. Ordinance 2008-05 Change Zoning of Certain Property
2. Iris Portis – Appeal to rezoning property from R2 to R3

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

June 19, 2008

The regular meeting of the Demopolis City Council convened promptly at 5:15pm on Thursday, June 19, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|----------------------------------|-------------------------------------------|
| • Police – Tim Williams | Court |
| • Fire - Ron Few -submitted | Building Official – Clarence Brooker, Jr. |
| • Public Works – Mike Baker | Library – Lee Boulie |
| • Horticulture – Barbara Blevins | Park & Recreation |

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

The Council reviewed the minutes of the June 5, 2008 regular meeting, the June 9, 2008 adjourned regular meeting and the June 11, 2008 adjourned regular meeting. Councilman Cooley moved to accept the minutes as presented. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Tim Williams, Acting Police Chief, said he was honored to be appointed Acting Police Chief and to serve his home town. Chief Williams reported actions taken on four businesses that were still noncompliant with the business license ordinance. All four made arrangements to come in to compliance. Chief Williams reported that the Police Department is in the process of hiring three recruits.

Lee Boulie, Assistant Library Director, reported the Library is hosting a Juneteenth festival this evening.

Unfinished business

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Waiting on information from Rick Manly, City Attorney.

Dilapidated housing: An update report was distributed to Council. There was discussion regarding the properties on the list. Councilman Cooley made the motion to require a bimonthly report on items one and four of the dilapidated housing report. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

EMA Choctaw Co.: EMA did not meet.

Coliseum Building/Property: The Water & Sewer Authority is preparing a counter proposal to present to the building committee.

Banner Ordinance: The Planning Commission will hold a public hearing on June 27 at noon to complete the proposal. A notice will be published for a public hearing to present the proposal and then the proposal will be forwarded to Council for approval.

Garbage Fee Stimulus: Mitchell Congress previously addressed Council regarding a Gas Tax Holiday and the Council suggested considering a garbage fee stimulus as an alternative. Previously, the Mayor suggested a permanent decrease of 25 cents per month and Councilman Cooley suggested a decrease of \$1.00 per month for three months.

Councilman Cooley asked how many citizens are billed for garbage. Councilman Collins said there were approximately 3,000 billed. Councilman Cooley said lost revenue for the three month decrease would be approximately \$9,000 and his concern is the lost revenue in an already tight budget year. Councilman Yelverton said that the savings for each individual garbage account would not make as big a difference as the lost revenue for the City of Demopolis. Councilman Moore said he doesn't see cutting revenues by granting a garbage fee reduction when the City of Demopolis was unable to grant any real raises for City employees. Everyone including the City of Demopolis is experiencing increased prices for fuel and utilities. Councilman Moore said the reduction is a good gesture but the cost is too great for a short term benefit. Councilman Collins agrees with Councilman Moore and said the savings to each customer would amount to $\frac{3}{4}$ of a gallon of gas.

Councilman Cooley made the motion to table this item indefinitely. Councilman Jones seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

New business

Ordinance 2008-05 – Change Zoning of Certain Property: The Mayor asked Clarence Brooker, Jr. to give the background of the zoning change. The property is located in the south area of the industrial park. The request is to change the zoning of lots 10, 11, and 12 from I-1 to I-2. Rowley Recycling will occupy Lot 10. The Industrial Development Board endorses the change in zoning. Council reviewed the map and discussed the property.

Councilman Yelverton made the motion to approve Ordinance 2008-05 as presented. Councilman Moore seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Iris Portis – Appeal to Rezoning Property from R2 to R3: Iris Portis appealed to the Council for approval to rezone her lot on 1st Avenue and Decatur from R2 to R3. Ms. Portis appeared before the Planning Commission on May 13, 2008. The Planning Commission tabled the request. By City Ordinance she had to appeal to the Council for rezoning or she would have to wait one year before appearing to the Planning Commission. If the Council approves the rezoning, the request will go before the Board of Adjustments to get a special exception to place a manufactured home on the lot. Councilman Jones asked if the Council could place a suffix C. condition on the approval that the zoning would revert to R2 if Iris Portis did not occupy the manufactured home. Ms. Portis said she has lived in a manufactured home on this lot for 10 years.

Councilman Moore made the motion to approve Iris Portis appeal to rezone the lot on 1st Avenue and Decatur (consisting of 1 lot 75' x 151') from R2 to R3 as long as she occupies the manufactured home on this lot. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Projects

Municipal Complex: Waiting on the architect drawings.

Fire Station #3: Chief Ronnie Few included a report in the Council packages on the construction status.

Riverwalk Project: Mayor spoke with Charles Duke about fencing and lighting progress. Councilman Moore asked who is responsible for cutting grass during construction. Park and Recreation is responsible and the grass was cut today. Councilman Collins asked about the fencing and the width of the boat landing. Councilman Jones inquired about several perceived discrepancies with the plans and the actual construction.

Councilman Collins made the motion to have Rick Manly, City Attorney, review the contract and determine if the City of Demopolis can withhold payment until a determination can be made that construction is in compliance with the plans. Councilman Yelverton seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Theo Ratliff Expansion: Construction in progress.

Mayor Discussion

Council Discussion

Councilman Yelverton asked when Fire Station #3 will be in operation. The firemen will move in Monday morning. Councilman Moore asked if the architect has signed off on the project. Chief Few said they had not. Councilman Moore asked if moving in would be a sign of complete acceptance of the job when there are items that need correcting. Chief Few feels confident that the contractor will correct problems.

Councilman Yelverton asked if we had a proclamation for Jeff Manuel. The Mayor said we have one prepared but Jeff Manuel is not in attendance tonight.

Councilman Jones said the Memorial Gardens gates need to be closed in the evening. People are loitering at night within the cemetery.

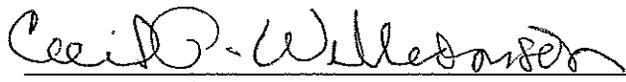
Councilman Cooley expressed concern about youth standing in the medians on Highway 80 in front of Advanced Auto Parts during car wash fund raising and should not be allowed. Chief Tim Williams said he would look in to this and inform Advanced Auto Parts that they share in the liability if someone were injured.

Councilman Moore asked if the July 3rd meeting could be rescheduled due to the upcoming holiday.

The next Regular Council Meeting is rescheduled to July 3rd at 1:00pm in Rooster Hall.

Councilman Cooley made the motion to adjourn. Councilman Yelverton seconded the motion.

The Regular Council Meeting adjourned at 6:12pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

ORDINANCE 2008-05

AN ORDAINED TO CHANGE THE ZONING OF CERTAIN PROPERTY IN THE CITY OF DEMOPOLIS, ALABAMA.

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

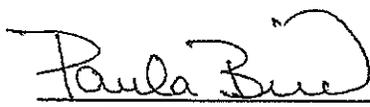
1. The zoning of real property described in the paragraph below shall be changed from an I-1 zone to I-2 zone.

Part of Section 01, Township 17 north, Range 2 East, Map # 48-06-01. Said parcel measuring approximately 26 acres located at 355 Industrial Park Drive South.

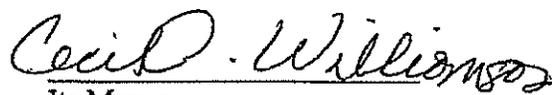
2. This Ordinance was adopted by the Demopolis City Council at its regular meeting on Thursday June 19, 2008. It shall become effective upon approval by the Mayor and its proper publication as required by law.

ATTEST

CITY OF DEMOPOLIS



City Clerk



Its Mayor

ORDINANCE 2008-06

AN ORDAINED TO CHANGE THE ZONING OF CERTAIN PROPERTY IN THE CITY OF DEMOPOLIS, ALABAMA.

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

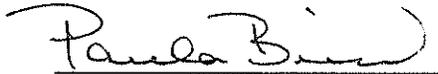
1. The zoning of real property described in the paragraph below shall be changed from an R-2 zone to R-3 zone.

Part of Section 19, Township 18 north, Range 3 East, Map # 48-01-04-19-3, block 5, parcel 17. Said parcel measuring approximately 75' x 151' located at 301 First Avenue.

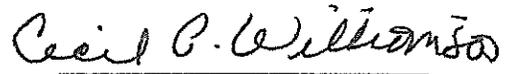
2. This Ordinance was adopted by the Demopolis City Council at its regular meeting on Thursday June 19, 2008. It shall become effective upon approval by the Mayor and its proper publication as required by law.

ATTEST

CITY OF DEMOPOLIS



City Clerk



Its Mayor

DEMOPOLIS CITY COUNCIL MEETING AGENDA
July 3, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police - submitted
- Court - submitted
- Fire
- Public Works - submitted
- Parks & Recreation – Theo Ratliff submitted
- Horticulture
- Building Official
- Library

Unfinished Business –

1. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
2. Dilapidated Houses
3. EMA Choctaw Co.
4. Coliseum Property
5. Banner Ordinance
6. Comprehensive Plan – Larry Watts
7. Travel Expense Reports distributed

New Business –

1. Lost Garbage Carts – Contract obligation
2. Resolution 2008-10 : Vacation of Street and Alley
3. Resolution 2008-11 : Compensation for Absentee Elections Manager
4. Resolution 2008-12 : Official Electronic Vote Counting Machine
5. Resolution 2008-13: Weed Abatement
6. Mayoral Pardon

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

July 3, 2008

The regular meeting of the Demopolis City Council convened at 1:00pm on Thursday, July 3, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Police – Tim Williams - submitted
- Fire - submitted
- Public Works – Mike Baker - submitted
- Horticulture – Barbara Blevins
- Court - submitted
- Building Official – Clarence Brooker, Jr.
- Library – Lee Boulie
- Park & Recreation – Theo Ratliff - submitted

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

The Council reviewed the minutes of the June 19, 2008 regular meeting. A correction is noted to correct Tim Williams' title to Acting *Police* Chief. Councilman Jones moved to accept the minutes as corrected. Councilman Collins seconded the motion and motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Tim Williams, Acting Police Chief, said the e-ticket system is working well.

Chief Ronnie Few is preparing for the grand opening ceremony for Fire Station #3.

Lee Boulie, Assistant Library Director, reported the Library is hosting a Juneteenth festival this evening.

Unfinished business

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Waiting on information from Rick Manly, City Attorney.

Dilapidated housing: An update report was distributed concerning the two specific properties requested by Council.

EMA Choctaw Co.: Still working on contacting EMA.

Coliseum Building/Property: The Water & Sewer Authority is preparing a counter proposal to present to the building committee.

Banner Ordinance: Due to time requirements of posting legal notice, a public hearing will be held at the Regular Council Meeting on August 7, 2008. Councilman Yelverton requested that a copy of the proposed ordinance be provided to Council members for review.

Comprehensive Plan: Larry Watts will present to Council at the July 17, 2008 Regular Council Meeting.

Travel Expense Reports: Reports were distributed to Council.

New business

Garbage Cart Replacement: The Mayor reported that the City of Demopolis is receiving several calls concerning lost or stolen garbage carts. The contract with Advanced Disposal states: "Any cart repair or replacement not due to normal wear and tear or negligence of the Company will be invoiced directly to the customer." The customer would have to purchase a replacement cart from Advanced Disposal and bring the receipt to City Hall to obtain a new sticker. Councilman Cooley asked if there was an identifying number on the sticker. The Mayor said the stickers are not numbered because it was not feasible to monitor the issuance of identifying numbers. Advanced Disposal is not opposed to customers marking their carts.

Resolution 2008-10 Vacation of Unpaved Section of Windsor Street: Beverly G. Evans and James M. Winters filed a Declaration of Vacation of Street/Alley to request the vacation of the unpaved section of Windsor Avenue between James M. Winters and Beverly G. Evans as same appears on the Plat of Turner Add Lots 7 - 10, which Plat is recorded in Map Slide, at page 21 Left, in the Probate Court of Marengo County, Alabama; a map is attached and is a part of the request.

Councilman Jones asked if the owner of the property designated Lot 2 on the map was contacted. It appears the lot would be land locked if the street was vacated. Councilman Yelverton said there is another entrance on Jefferson Road and the owners of the property do not use Windsor Avenue since it is a residential area. Councilman Jones said it does not show this on the map.

Councilman Yelverton made the motion to approve Resolution 2008-10 as presented. Councilman Collins seconded the motion for discussion. There was discussion on whether there was proper notarization. The motion did not pass.

Mayor Williamson: Councilman Moore: abstain Councilman Jones: abstain
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: abstain

The Mayor asked if anyone would share why they don't approve of the request. Councilman Jones and Councilman Moore would like to know the opinion of the property owner of the adjoining Lot 2. Councilman Jones said there was not enough information. Clarence Brooker, Jr., Building Official, will contact the property owner of Lot 2.

Resolution 2008-11 Establishing the Use of Electronic Vote Counting Devices: This Resolution establishes that the City of Demopolis will use the electronic vote counting devices provided by Marengo County Judge of Probate. The City of Demopolis will use the Eagle Optech 3-P Electronic Vote Counter and the Election Systems and Software AutoMARK Voter 87000 electronic voting device to assist disabled voters. This is in compliance with Chapter 7 of Title 17 of the Alabama Code of 1975 and the regulations adopted by the Alabama Electronic Voting Committee.

Councilman Yelverton made the motion to approve Resolution 2008-11 as presented. Councilman Moore seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: abstain

Resolution 2008-12 Compensation for Absentee Elections Manager: This resolution is adopted pursuant to Section 17-11-14 Code of Alabama 1975 and will be effective for all municipal election, both general and special, held in the year 2008. Compensation for the Absentee Election Manager is fixed at the sum of \$50.00 per day for each day absentee elections services are performed. The Mayor said this was a mandatory requirement of the State of Alabama.

Councilman Moore made the motion to approve Resolution 2008-12 as presented. Councilman Yelverton seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-13 Weed Abatement: By City of Demopolis Ordinance 2003-3 as amended by Ordinance 2003-12 the following real properties have been declared to be a public nuisance:

1. 914 Arcola Rd – Lot on Center St. in Frisco Vista – #48-01-09-29-3-001-023
2. 1320 County Rd 21 (Jefferson Rd) – Lot with house – #48-02-07-36-0-004-013
3. 600 Block East Capital – Lot - #48-02-06-24-1-017-004
4. Highway 43 South – Lot with house - #48-01-09-29-3-008-001
5. West Decatur and Glover St. – Lot - #48-02-06-24-3-010-008
6. C Street and Laura Street – 3 Lots - #48-01-09-29-3-001-042

A Public Hearing will be held on August 7, 2008 at 5:15pm to hear and consider all objections or protests to the proposed abatement of these nuisances.

Councilman Collins made the motion to approve Resolution 2008-13 as presented. Councilman Yelverton seconded the motion and the motion passed by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Mayoral Pardon: James E. Bailey made a request for a pardon from the City of Demopolis. After interviews and discussion with various appropriate persons the Mayor felt inclined to grant him the pardon. Councilman Collins asked what was pardoned. The Mayor said it was two outstanding offenses, one in 1991 and 1993. Councilman Collins stated that a report he acquired had eleven arrests of which ten were guilty charges. The Mayor said this is not in agreement with the report she acquired from the Court. Councilman Collins said he was adamantly opposed to the pardon. Councilman Collins said if the pardon was to allow Mr. Bailey to qualify for public housing there are many who are in need of public housing that qualify under their own merit and the rules should not be circumvented through politics. Councilman Cooley agreed with Councilman Collins.

Projects

Municipal Complex: Waiting on the architect drawings.

Fire Station #3: Construction is complete, but the City of Demopolis has not signed off on acceptance.

Riverwalk Project: Close to completion.

Theo Ratliff Expansion: Construction in progress.

Mayor Discussion

Council Discussion

Councilman Yelverton said he would like to call an Executive Session.

Councilman Cooley said since several of his constituents have mentioned the confusion over the municipal polling places and the county polling places being held at different locations, he would like to discuss placing a poll on the ballot regarding one central polling place. Councilman Yelverton asked that we consult with Rick Manly, City Attorney, for legal purposes.

Councilman Cooley made the motion to include a polling question on the ballot: Would you favor all citizens of Demopolis voting in one place for municipal elections? Councilman Collins seconded the motion and the motion failed by the following roll call vote:

Mayor Williamson:	Councilman Moore: abstain	Councilman Jones: no
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Yelverton withdrew his request for the Executive Session. Councilman Yelverton asked what date the Council voted Tim Williams as Acting Police Chief. The date was June 11, 2008.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion.

The Regular Council Meeting adjourned at 6:55pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-10

VACATION OF UNPAVED SECTION OF WINDSOR STREET
BETWEEN JAMES M. WINTERS AND BEVERLY EVANS

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

WHEREAS, a declaration signed by the owners of all lands abutting the following described property situated in the City of Demopolis, County of Marengo, State of Alabama, vacating said street/alley, has been duly presented to the City Council of the City of Demopolis, Alabama, for the assent and approval of said governing body, said declaration with map attached being hereto affixed and made a part hereof, and;

WHEREAS, the property referred to is more particularly described as follows:

The unpaved section of Windsor Street between James M. Winters and Beverly Evans as same appears on the Plat of Turner Add Lots 7 - 10, which Plat is recorded in Map Slide, at page 21 left, in the Probate Court of Marengo County, Alabama; a map of which street/alley is attached hereto and made a part hereof, and

WHEREAS, we the undersigned Landowners are desirous of vacating said street/alley as same appears on said plat and do respectively request that the Council of the City of Demopolis, Marengo County, Alabama, vacate same, as said street/alley is not being used and will never be utilized as a public right of way. Such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property.

Adopted this 3rd day of July, 2008

Cecil Williamson, Mayor

Attest

RESOLUTION 2008-11

ESTABLISHING THE USE OF
ELECTRONIC VOTE COUNTING DEVICES

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting Systems; and

WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate resolution, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality; and

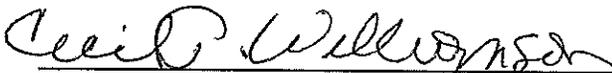
WHEREAS, the City of Demopolis utilizes electronic vote counting devices that have been precleared through the Department of Justice provided by Marengo County Judge of Probate;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Demopolis, Alabama that for all elections held subsequent to the passage of this resolution, the use of Eagle Optech 3-P Electronic Vote Counter and the Election Systems and Software AutoMARK Voter 87000 electronic voting devices, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

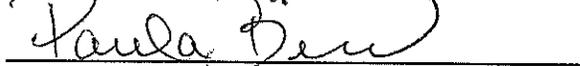
NOW, THEREFORE, BE IT ORDAINED by the City Council of Demopolis, Alabama that for all elections held subsequent to the passage of this ordinance, the use of Eagle Optech 3-P Electronic Vote Counter and Election Systems and Software AutoMARK Voter 87000 device to assist disabled voters, a system which complies with Section 17-2-4 of the Code of Alabama, is hereby adopted for use in all elections for the City of Demopolis, both general and special, from and after the date of adoption.

BE IT FURTHER RESOLVED, that the Mayor of the City of Demopolis is hereby directed to file a copy of this resolution with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

Adopted this 3rd day of July, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

RESOLUTION 2008-12

COMPENSATION FOR ABSENTEE ELECTIONS MANAGER

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

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

Section 1. Compensation for the Absentee Election Manager for the City of Demopolis, shall be and the same is hereby fixed at the sum of \$50.00 per day for each day absentee elections services are performed from the date of delivery of the absentee ballots to the absentee elections manager and including the day of the election, to be paid from the city treasury.

Section 2. This resolution is adopted pursuant to Section 17-11-14 Code of Alabama, 1975, and shall be effective for all municipal elections, both general and special, held in the year 2008.

Adopted this 3rd day of July, 2008.


Cecil Williamson, Mayor


Paula Bird, City Clerk

Resolution 2008-13

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

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, Ordinance 2003-3 of the City of Demopolis as amended by Ordinance 2003-12 sets forth procedures for weed abatement within the City of Demopolis in accordance to the aforementioned Acts of the Alabama State Legislature; and

WHEREAS, the properties listed herein below in the City of Demopolis have growing upon them weeds which have attained such a large growth as to become a noxious and dangerous threat to the citizens of Demopolis; and

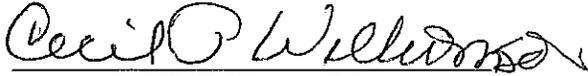
NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Demopolis, Alabama that the real properties described herein below are declared to be a public nuisance.

- | | |
|-------------------------------------------------------|----------------------------------------|
| 1. 914 Arcola Rd
Lot on Center St. in Frisco Vista | Legal Location # 48-01-09-29-3-001-023 |
| 2. 1320 County Rd 21(Jefferson Rd)
Lot with house | Legal Location #48-02-07-36-0-004-013 |
| 3. 600 Block East Capital
Lot | Legal Location#48-02-06-24-1-017-004 |
| 4. Highway 43 South
Lot with house | Legal Location #48-01-09-29-3-008-001 |
| 5. West Decatur and Glover St.
Lot | Legal Location #48-02-06-24-3-010-008 |
| 6. C Street and Laura Street
3 Lots | Legal Location #48-01-09-29-3-001-042 |

Resolution 2008-13

(Continued)

BE IT RESOLVED that a public hearing will be held on August 7, 2008 at 5:15 p.m. at its Regular Session of the Demopolis City Council to hear and consider all objections or protests to the proposed abatement of these nuisances.



Cecil P. Williamson, Mayor

Attest: 

City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
July 17, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police
- Court
- Fire - submitted
- Public Works
- Parks & Recreation
- Horticulture - submitted
- Building Official
- Library - submitted

Unfinished Business –

1. Dilapidated Houses
2. Carol Kincaid – Address Council regarding letter
3. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
4. EMA Choctaw Co.
5. Coliseum Property
6. Banner Ordinance
7. Resolution 2008-10: Vacation of Street and Alley
8. Cedar and Fulton Intersection

New Business –

1. Board of Equalization – three nominees to Governor
2. Resolution 2008-14: Election of Person to Perform the Duties of Preparing and Filing Voter's List
3. Resolution 2008-15: Appointment of Election Officers
4. Resolution 2008-16: Officer Elected Without opposition
5. Resolution 2008-17: Comprehensive Community Master Plan

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

July 17, 2008

The regular meeting of the Demopolis City Council convened at 1:00pm on Thursday, July 17, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|--------------------------------------------|----------------------------------------------|
| • Police – Tim Williams | Court |
| • Fire - submitted | Building Official – Clarence Brooker, Jr. |
| • Public Works – Mike Baker | Library – Lee Boulie - submitted |
| • Horticulture – Barbara Blevins submitted | Park & Recreation – Theo Ratliff - submitted |

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

The Council reviewed the minutes of the July 3, 2008 regular meeting. Councilman Jones noted a correction to the minutes on the motion to include a polling question on the ballot on page 4. The correction should read: *Councilman Collins seconded the motion and the motion failed by the following roll call vote:*

Councilman Cooley would like for future minutes to include a count of the votes.

Councilman Jones made a motion to approve the minutes as corrected. Councilman Cooley seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Ronnie Few, Fire Chief, reported on his trip to inspect the new fire apparatus. Councilman Cooley asked Chief Few about the meeting with EMA Choctaw County.

Barbara Blevins, Horticulture asked the Council to approve the purchase of a used 1996 Chevrolet 1 ton box truck in the amount of \$4,000. She reported that the box truck would

allow her to pick up landscaping plants without causing wind damage and believes it would save money.

Councilman Moore made the motion to authorize the purchase if the money is available in the current budget. Councilman Cooley seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Barbara Blevins reported that Alabama Power will be in the historic district Monday to remove 20 to 25 trees. They will pay \$100 per tree to the City of Demopolis for tree removal on the Right of Way. Ms. Blevins would like to allow affected residents choose the type of replacement tree. Councilman Yelverton asked if they are going to grind the stumps. Ms. Blevins said they would.

Unfinished business

Dilapidated housing: Clarence Brooker, Jr., Building Official, distributed a current dilapidated house report to the Mayor and Council. There was discussion on various properties.

Carol Kincaid addressed the Council regarding her property that was on the dilapidated house list. Rick Manley, City Attorney, sent a letter upon request of the Mayor and Council to Ms. Kincaid regarding her inaction of correcting items specifically listed in the dilapidated housing report. The letter stated that she was given to 12:00 Noon, July 17, 2008 to completely clear all debris reflected in the pictures enclosed with the letter. The letter further stated that Ms. Kincaid had not cooperated with earlier contacts regarding the property.

Ms. Kincaid read a prepared statement to the Mayor and Council. Ms. Kincaid said she asked to address the Council for two reasons. One is to show her respect for Clarence Brooker, Jr, Building Official. The second reason is to have on record that she feels she is falsely accused of non-cooperation and that she was verbally informed that her name was removed from the dilapidated house list in November 2006. Ms. Kincaid said the photos enclosed in Mr. Manley's letter did not show an untagged vehicle, a lawnmower frame, or brick debris so she did not ignore the previous letters.

Councilman Cooley asked for a copy of the statement Ms. Kincaid prepared for the record. This document will be made a part of the bound minutes.

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Still waiting on information from Rick Manley, City Attorney.

EMA Choctaw Co.: Ronnie Few, Fire Chief had a productive meeting with the Choctaw Haz-mat team.

Coliseum Building/Property: The Water & Sewer Authority offered a proposal to purchase the building for \$35,000 and a contingency to perform \$192,000 of work on the riverfront property. The Building Committee did not have a consensus and therefore no recommendation.

Councilman Moore is opposed to the proposal and feels the property should be put on the open market. Councilman Collins stated for the record that to move the water tank from the riverfront property would be \$1.29 million. It will cost approximately \$300,000 to bring the tank to ADEM requirements. To demolish the reservoir and move the pump station which would allow access between the tank and the riverbank would cost approximately \$500,000. Councilman Jones said they heard this information at the meeting with the Building Committee and the Committee asked if they could come up with a better offer. Councilman Jones said he believed the value of the Coliseum Property was 5-6 times than what the Water & Sewer Authority offered. Mr. Jones said he thought the Water & Sewer Authority could make a counter offer. Councilman Collins said that the Water & Sewer Authority would not remove the reservoir and the work on the riverfront would not be as aesthetic if the Council didn't accept the offer. Councilman Cooley suggested tabling this tonight and sending back to the Building Committee to consider a counter offer. The Mayor said the Building Committee will meet and present a counter proposal for the Council to consider on August 7, 2008.

Banner Ordinance: A public hearing will be held at the Regular Council Meeting on August 7, 2008. Councilman Yelverton requested that a copy of the proposed ordinance be provided to Council members for review.

Resolution 2008-10 Vacation of Street and Alley: Clarence Brooker, Jr. is in the process of contacting owners of property behind the street.

Cedar and Fulton Intersection: Mike Baker, Public Works Director, presented to the Council two options for improving the Cedar and Fulton intersection. Councilman Jones said it is an eyesore as well as a safety hazard. This route is an alternate truck route of Highway 43 and therefore is not the responsibility of the State of Alabama. Councilman Yelverton said this should not be a truck route. The alternative is running the trucks to the intersection of Capital and Walnut. The route was changed due to safety issues 25 years ago to Cedar and Fulton by the City Council. Councilman Yelverton said the State of Alabama stated if the work is not performed correctly it would not last and therefore be a waste of money. The Mayor said that the reason this has come up now is because ST Bunn is working in the area so our cost would be less. Councilman Moore said if the Council commits to repairing the Cedar and Fulton intersection it should be done properly.

Councilman Collins made the motion to repair the Cedar and Fulton intersection using the option of grinding out the existing pavement up to eight inches and relay base and wear surface flush to the existing surface at a cost of around \$24,500. Councilman Jones seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

New business

Board of Equalization: The Mayor reported that the Council of the City of Demopolis needs to send nominations to the Governor of Alabama for appointment to the Board of Equalization. Joe Cappell's term has expired. The Council can nominate Joe Cappell for reappointment or nominate three candidates for consideration. The Board of Equalization meets once per year. Councilman Collins asked if Mr. Cappell wanted to continue to serve. The Mayor said she did not know. Councilman Moore nominated Woody Collins. Councilman Collins nominated Charles Jones, Sr. Councilman Cooley nominated Denise "Sam" Gross.

Resolution 2008-14 Election of Person to Perform the Duties of Preparing and Filing the Voter's List: This Resolution appoints the City Clerk to perform the duties of preparing and filing the voter's list in the event the mayor of the City is a candidate for re-election.

Councilman Moore made the motion to approve Resolution 2008-14 as presented. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-15 Appointment of Election Officers: This Resolution appoints election officers to duties at the five district polling places and approves substitutes as necessary.

Councilman Moore made the motion to approve Resolution 2008-15 as presented. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-16 Officer Elected Without Opposition: The Mayor presented a letter notifying the Council that only one candidate qualified for office of District 5 Council. John R. (Jack) Cooley is unopposed for office of District 5 Council.

Resolution 2008-16 is to establish that John R. (Jack) Cooley is declared duly elected to the office of City Council District 5 for the term of office commencing on the first Monday in November, 2008 and the Mayor of the City of Demopolis is directed to issue a certificate of election to John R. (Jack) Cooley pursuant to the provisions of Alabama Code Section 11-46-25, as amended.

Councilman Jones made the motion to approve Resolution 2008-16 as presented. Councilman Moore seconded the motion and motion passed with 4 yes votes and 1 no vote by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: no

Resolution 2008-17 Comprehensive Community Master Plan: Councilman Collins made the motion to approve Resolution 2008-17 as presented. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Projects

Municipal Complex: Architect promised to have completed plans by the end of the month.

Fire Station #3: Construction is complete, retainage will not be released until conditions are met.

Riverwalk Project: The contractor is changing the lights to the ones specified in plans and bollards are ordered. Councilman Jones asked if the project manager provided the requested paper work on the change orders and the engineer drawings of the dock. The Mayor said she would check in to that information. Councilman Yelverton reported that vehicles are parking on the sidewalk. Tim Williams, Acting Police Chief said he would check in to this.

Theo Ratliff Expansion: Construction in progress.

Mayor Discussion

Councilman Yelverton asked why the Candidate Package did not include the large district map. The map is available to the public at our cost of \$20. It was provided during the 2004 Elections because of the annexation.

Council Discussion

Councilman Cooley said he received a request that the City of Demopolis help the Hospital and the Board of Education with watering of plants.

Councilman Jones made the motion to allow the Horticulture Department assist the Hospital with watering the front gardens as requested when the current work force is available. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Cooley said the handicapped parking laws and the litter laws need to be enforced. Chief Williams said that the Police Department will work on these violations.

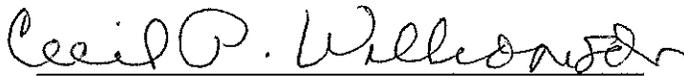
An above ground pool was put up at the river front park pavilion and the fire department filled up the pool with water. The Mayor said that the citizen paid the Water Department and

the Fire Department filled the pool. The Park and Recreation Board needs to address any liability issue.

Councilman Moore inquired about the meter located near the Days Inn that private enterprises access. The water is purchased from the Water & Sewer Authority. How do they know who is accessing the water and how much they pump? Councilman Collins said that some of that is on the honor system.

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion.

The Regular Council Meeting adjourned at 6:45pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-14

ELECTION OF PERSON TO PERFORM THE DUTIES OF
PREPARING AND FILING THE VOTER'S LIST

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

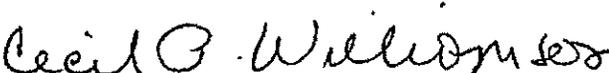
BE IT RESOLVED BY THE CITY COUNCIL OF DEMOPOLIS, ALABAMA, AS FOLLOWS:

WHEREAS, Section 11-46-36 of the Code of Alabama 1975 charges the Mayor to cause to be made a list of the qualified voters who reside within the corporate limits of such city, and

WHEREAS, Section 11-46-37 of the Code of Alabama 1975 states that in the event the mayor of the city is a candidate for re-election shall be disqualified to perform the duties set forth in Section 11-46-36, and a disinterested person shall be appointed by the governing body of the city.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Demopolis, Alabama, that the City Clerk be appointed to handle the duties specified in 11-46-36 of the Code of Alabama 1975.

Adopted this 17th day of July, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

RESOLUTION 2008-15

APPOINTMENT OF ELECTION OFFICERS

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

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

WHEREAS, a regular municipal election has been called to be held on the 26th day of August, 2008, and a runoff election to be held, if necessary, on the 7th day of October, 2008, and

WHEREAS, Section 11-46-27 of the Alabama Code of 1975, and regulations adopted pursuant thereto provide, in part, that the municipal governing body, not less than 15 days before the holding of any municipal election, appoint from the municipality, officers to hold the election as follows: where electronic ballot counters are used at least one inspector and three clerks,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Demopolis, Alabama, that the election officers for said election shall be as follows:

District 1 – U.S. Jones School

Inspector	Burnquetta Johnson
Registration List Clerk A-L	Lillie Maedine Harris
Registration List Clerk M-Z	Lena James
Poll List A-L	Ethel Holmes
Poll List M-Z	Clarissa Young
Ballot Clerk	Suzette Russell

District 2 – National Guard Armory

Inspector	Frank Stiff
Registration List Clerk A-L	Mary Ann Gracie
Registration List Clerk M-Z	Laura Foster
Poll List A-L	Ola Mae Nixon
Poll List M-Z	Mary Williams
Ballot Clerk	Dot Russell

District 3 – Demopolis High School

Inspector	Kay Hudgens
Registration List Clerk A-L	Henry Baxley
Registration List Clerk M-Z	Daphne Glaser
Poll List A-L	Dorothy Evans
Poll List M-Z	Georgia Todd
Ballot Clerk	Eleanor Park

District 4 – Demopolis Fire Station

Inspector
Registration List Clerk A-L
Registration List Clerk M-Z
Poll List A-L
Poll List M-Z
Ballot Clerk

Alice Boggs
John Kane
Joyce Hitt
Ouida Kane
Glendora McClain
Imogene Eddins

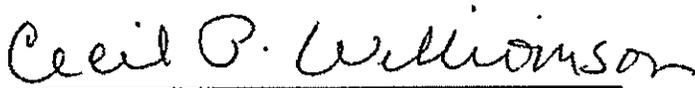
District 5 – Westside Elementary School

Inspector
Registration List Clerk A-L
Registration List Clerk M-Z
Poll List A-L
Poll List M-Z
Ballot Clerk

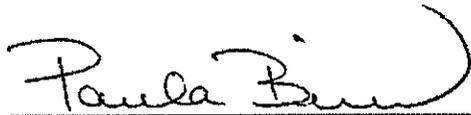
Rodney Allen
Iona Watts
Rebecca Baker
Peggy Dunklin
Eloise Wilkerson
Frances Roberts

Substitutes: Emma Pritchett, Billy Flowers, Betty McCormick, Sharon Farst

Adopted this 17th day of July, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

**RESOLUTION 2008-16
OFFICER ELECTED WITHOUT OPPOSITION**

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

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

WHEREAS, Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, provide for and regulate general and special elections in cities and towns of this state, except those cities and towns which have a commission form of government, and

WHEREAS, Section 11-46-43 of the Alabama Code of 1975 prohibits write-in candidates in elections held under Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, and

WHEREAS, Section 11-46-26 of the Alabama Code of 1975, as amended, provides that if only one person has filed a statement of candidacy or has been nominated for an office for an election to be held pursuant to Sections 11-46-20 through 11-46-73 of the Alabama Code of 1975, as amended, at the time the deadline for qualification has passed, then such person shall, for all purposes, be deemed elected to such office, and the mayor or other chief executive officer shall not cause the name of such person or the office for which his candidacy was declared to be printed on the ballot, but he shall immediately file a written statement with the governing body of the municipality, attested by the clerk, certifying the fact that only one person filed a statement of candidacy or was nominated for the office preceding the deadline set for an election of municipal officers of the municipality and setting forth the name of such person, and

WHEREAS, said Section 11-46-26, as amended, provides that the governing body of the municipality, after receiving such statement, shall adopt a resolution declaring the person named in the statement duly elected to the office described in the statement, and shall issue a Certificate of Election to such person, and

WHEREAS, the Mayor of the City of Demopolis has filed a written statement with the governing body of the municipality, attested by the Clerk, certifying the fact that only one person filed a statement of candidacy for the office of City Council District 5 prior to the deadline and that the name of that person who filed such statement was John R. (Jack) Cooley,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Demopolis, Alabama, that John R. (Jack) Cooley be and he is hereby declared duly elected to the office of City Council District 5 for the term of office commencing on the first Monday in November, 2008, and

BE IT FURTHER RESOLVED, that the Mayor of the City of Demopolis be and she hereby is directed to issue a certificate of election to John R. (Jack) Cooley for the

office of City Council District 5 for such term pursuant to the provisions of Section 11-46-25, as amended.

Adopted this 17th day of July, 2008.

Cecil P. Williamson

Cecil Williamson, Mayor

Paula Bird

Paula Bird, City Clerk

RESOLUTION 2008-17

COMPREHENSIVE COMMUNITY MASTER PLAN

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

WHEREAS, the Demopolis Planning Commission has recommended consideration of The Comprehensive Community Master Plan for the City of Demopolis;

WHEREAS, the Demopolis City Council has reviewed the Draft Comprehensive Community Master Plan for the City of Demopolis; and

WHEREAS, there have been various community meetings, studies, and recommendations considered as part of the comprehensive planning process; and

WHEREAS, the Planning Commission and City Council have conducted two hearings on the Draft Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Demopolis City Council hereby approves the Demopolis Comprehensive Community Master Plan dated July 2008, subject to any revisions, changes or modifications recommended for consideration in completing the Plan and/or as part of the City Council approval.

Adopted at a Demopolis City Council meeting July 27th, 2008.

Adopted this 17th day of July, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
August 7, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

- Police - submitted
- Court - submitted
- Fire
- Public Works
- Parks & Recreation
- Horticulture
- Building Official
- Library - submitted

Unfinished Business –

1. Dilapidated Houses
2. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
3. EMA Choctaw Co.
4. Coliseum Property
5. Banner Ordinance – Public Hearing
6. Resolution 2008-10 : Vacation of Street and Alley
7. Cedar and Fulton Intersection
8. Weed Abatement – Public Hearing

New Business –

1. Bid results for Bridge Bin 3638 Rehabilitation

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

August 7, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, August 7, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- Police – Tim Williams – submitted
- Fire - Ron Few
- Public Works
- Horticulture – Barbara Blevins Park & Recreation
- Court - submitted
- Building Official – Clarence Brooker, Jr.
- Library – Morgan Grimes - submitted

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

The Council reviewed the minutes of the July 17, 2008 regular meeting. Councilman Collins made a motion to approve the minutes as presented. Councilman Yelverton seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above. Councilman Cooley asked Acting Police Chief Tim Williams to include a line in his report for litter and handicap parking even if there is zero activity.

Unfinished business

Dilapidated housing: No report.

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Still waiting on information from Rick Manley, City Attorney.

EMA Choctaw Co.: No report.

Coliseum Building/Property: The Chairman from the Water and Utility Board called and said they would make a proposal to the Building Committee and will be presented at the next Regular Council Meeting.

Ordinance 2008-7 Banner Ordinance: This is a public hearing on the proposed Banner Ordinance. A copy of the Ordinance is included in the Council package. The Mayor asked if anyone was present to speak concerning the proposed Banner Ordinance. There were no comments. This proposed Banner Ordinance is recommended by the Planning Commission.

Councilman Collins made the motion to suspend the rules to allow Council to vote on the proposed Ordinance. Councilman Moore seconded the motion and motion passed with 6 yes votes by the following roll call vote:

Mayor Williamson: yes	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Councilman Cooley made the motion to approve the Banner Ordinance as recommended by the Planning Commission. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-10 Vacation of Street and Alley: Clarence Brooker, Jr. contacted William Whitfield in Kentucky who owns the property regarding the request to close the street and he did not approve. This Resolution did not pass at the July 17, 2008 Regular Council Meeting and will be removed from the agenda.

Cedar and Fulton Intersection: This was approved at the July 17, 2008 Regular Council Meeting and should have been removed from the Agenda.

Weed Abatement Public Hearing: Resolution 2008-13 was approved at the June 19, 2008 Regular Council Meeting and a public hearing set for this August 7, 2008 Regular Council Meeting. The Mayor asked if anyone was present to speak for or against the properties listed in Resolution 2008-13. Hearing none action will be taken to abate the nuisance and the cost of abatement of said nuisance shall constitute a special assessment and create a lien against such private property.

New business

Bridge Rehabilitation: Bids were received on July 29, 2008 for the Jackson Street Bridge Rehabilitation and the results are included in the Council packages. Almon Associates Inc. presented a report and Mike Baker, Public Works Director, recommended the low bid from Alabama Bridge Builders. The work will take approximately 30 days from the start date.

Councilman Cooley asked what we could do to ensure the price remains as quoted and to prevent change orders from driving up the cost. Councilman Collins asked what we could do

to ensure the work is completed in 30 days. The Mayor said there is a clause in the contract that imposes penalties if not completed in 30 days from the start date. Councilman Jones suggested the contract could specifically list the items of work to be completed for the bid amount and only these items of work are performed without consulting the Council. Councilman Moore said our concern should be will the bridge pass State inspection for this price.

Councilman Collins made the motion to approve the acceptance of the low bid by Alabama Bridge Builders if the work proposed in the contract will bring the bridge in compliance with the State of Alabama. Councilman Cooley seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-14 Election of Person to Perform the Duties of Preparing and Filing the Voter's List: This Resolution appoints the City Clerk to perform the duties of preparing and filing the voter's list in the event the mayor of the City is a candidate for re-election.

Councilman Moore made the motion to approve Resolution 2008-14 as presented. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Projects

Municipal Complex: The Building Committee met with the architect, Tim Williams, and Karen Broadhead concerning the Municipal Complex. A report should be ready by the next Regular Council meeting.

Fire Station #3: Construction is complete. Eaves Construction and Brown Design are both working together to complete the punch list.

Riverwalk Project: Charles Duke was to be present tonight to address the Council. He will be present for the next Regular Council Meeting. The contractor is to install the bollards this week. Alabama Power has not turned on the power for the lights. There are still perceived discrepancies between the plans and the actual work. Councilman Jones has requested information which he has not received. The Mayor asked Councilman Jones to meet with Charles Duke next week concerning requested information. Councilman Cooley asked when the contractor started the project. He believes it was July 2007 and the project should not have taken more than 6 months to complete. When do we turn it over to the City Attorney?

Councilman Cooley made a motion that if we don't receive answers addressed to our satisfaction by the first Regular Council Meeting in September, to turn the matter over to the

City Attorney. Councilman Yelverton seconded the motion and the motion failed with 3 yes, 2 no, and 1 abstain by the following roll call vote:

Mayor Williamson: no Councilman Moore: no Councilman Jones: abstain
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Councilman Moore said he feels that specific questions should be presented to the project manager and contractor and an opportunity to respond before threatening to turn over to the City Attorney.

The Mayor is voting no because of the litigation. Charles Duke will have the list from Councilman Jones tomorrow and an answer will be presented within two weeks.

Theo Ratliff Expansion: Construction is in progress. There was a slight delay due to the building not being ordered before pouring the slab. The building is here now.

Mayor Discussion

Council Discussion

Councilman Yelverton said he feels the repair work planned for Cedar Avenue and Fulton Street is a waste of city funds. The State of Alabama approves the intersection of Capital Street and Walnut Avenue as the official truck route.

The Demopolis City Council changed the truck route to Cedar Avenue and Fulton Street approximately 20 years ago. Councilman Collins said he believes it was changed because of the congestion at the Capital Street and Walnut Avenue. Councilman Cooley asked what makes this truck route more dangerous now than what it was 20 years ago when the route was changed. Councilman Moore said there are more apartments and pedestrian traffic in the area now.

Councilman Yelverton made a motion to change the truck route to correspond with the State of Alabama truck route at the intersection of Capital Street and Walnut Avenue. Councilman Moore seconded the motion and the motion failed with 2 yes, 2 no, and 1 abstain by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: no
Councilman Yelverton: yes Councilman Collins: no Councilman Cooley: abstain

Councilman Yelverton would like to know how much has been spent on street repairs over the 20 years due to the truck route at Cedar Avenue and Fulton Street.

Councilman Collins asked if the State of Alabama could modify the street by expanding the intersection of Capital Street and Walnut Avenue. Mayor said she would request it from Jerry Holt with Alabama Department of Transportation and the Rural Planning Organization, but does not think the funding is available.

Councilman Cooley reported that brush and tree limbs need to be trimmed on Elmwood Drive and there was serious drainage overflow at 1903 Cottonwood Circle. The Mayor said Public Works will attend to this when the ground dries.

Councilman Cooley asked Fire Chief Ron Few if the new fire truck was operational. Chief Few said the firemen were training on driving the new truck as the engine is broken in. Chief Few is using all equipment on hand to furnish the truck before purchasing new equipment.

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 August, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 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 onto the minutes as follows:

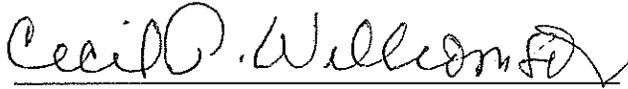
	Yeas	Nays
1. Mayor Cecil Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

And Presiding Officer declared that a majority of the votes 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 for approximately 30 minutes.

The Regular Council reconvened at 7:05pm.

Councilman Cooley made the motion to adjourn. Councilman Collins seconded the motion.

The Regular Council Meeting adjourned at 7:05pm.



Cecil P. Williamson, Mayor

ATTEST: 

Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

Ordinance 2008-07

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF
DEMOPOLIS, ALABAMA,**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
DEMOPOLIS, ALABAMA AS FOLLOWS:**

Article IX sign Regulations, Section 904.12, which involves the regulation of wind blown devices, is amended to read as follows:

904.12

Windblown devices, including but not limited to any banner, pennant, spinner, streamer, propeller, disc, moored blimp, gas balloon or flag that is designed to inform or attract attention are prohibited (except for exempt flags and banners as set forth in Section 902.3). However, temporary event signs and banners may be permitted upon written application to the Building Official subject to the following limitations:

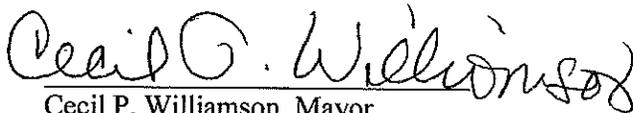
- A. There shall be a fee of ten dollars (\$10.00) for each permit issued. Permits shall be obtained at least five (5) days prior to the event.
- B. Permits shall be valid for a period no longer than fifteen (15) days.
- C. Not more than one (1) permit shall be issued for the same premises more frequently than four (4) times a year for a total of sixty (60) days in calendar year.
- D. Businesses requesting permit must show that the sign or banner meets the guidelines checklist used by City Official to determine if permit will be issued.
- E. A permit for a fifteen (15) day period may be used to insert two (2) or more messages, one at a time.
- F. Businesses will be allowed one on premise sign or banner only. The sign or banner is not allowed in a public right-of-way.
- G. Permits shall specify the size and location of the sign or banner and shall be the business's authorization.
- H. No more than one (1) sign or banner per business at one (1) time.
- I. Signs and banners shall be removed within three (3) days of the expiration of the time period. No product shall be advertised on banner unless sold in business.
- J. Each new business shall be allowed "Grand opening banners" that may be put up fifteen (15) days prior to opening and thirty (30) days after opening for a total of forty-five (45) days.

- K. Violations such as torn, frayed, faded, no slack or not properly attached may result in permit being voided by Building Official.

- L. Any violation of the terms of the permit is covered in Section 1207 of the Zoning Ordinance.

This Ordinance was adopted by the Demopolis City Council on August 7, 2008. It shall become effective upon its approval by the Mayor and City Council and its proper publication as required by law.

ATTEST:


Cecil P. Williamson, Mayor


Paula Bird, City Clerk

RESOLUTION 2008-14

ELECTION OF PERSON TO PERFORM THE DUTIES OF
PREPARING AND FILING THE VOTER'S LIST

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

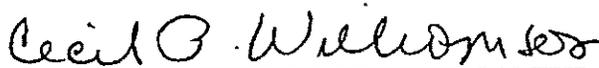
BE IT RESOLVED BY THE CITY COUNCIL OF DEMOPOLIS, ALABAMA, AS FOLLOWS:

WHEREAS, Section 11-46-36 of the Code of Alabama 1975 charges the Mayor to cause to be made a list of the qualified voters who reside within the corporate limits of such city, and

WHEREAS, Section 11-46-37 of the Code of Alabama 1975 states that in the event the mayor of the city is a candidate for re-election shall be disqualified to perform the duties set forth in Section 11-46-36, and a disinterested person shall be appointed by the governing body of the city.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Demopolis, Alabama, that the City Clerk be appointed to handle the duties specified in 11-46-36 of the Code of Alabama 1975.

Adopted this 17th day of July, 2008.



Cecil Williamson, Mayor



Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
August 21, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police
Court
Fire
Public Works - submitted
Parks & Recreation
Horticulture
Building Official
Library

Unfinished Business –

1. Dilapidated Houses – report submitted
2. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
3. EMA Choctaw Co.
4. Coliseum Property
5. Riverwalk Project – Charles Duke and Josh Pierce of Goodwyn, Mills and Cawood, Inc.

New Business –

1. Marengo County History & Archives Museum Foundation, Inc. – Kayte Melton
2. Board Reappointment : Historic Preservation Commission request to reappoint Aliquippa Allen and Keith Yeager. Another appointment is needed to replace Yancena Perry due to her relocation.
3. Board Reappointment – Demopolis Housing Authority: Rice Gray recommends reappointing Mr. Rick Dunn as a board member which expires on September 21, 2008.
4. Barrown D. Lankster – representing Helen Adams.
5. Election of a one-time lump sum payment to eligible benefit recipients whose effective date of retirement is prior to October 1, 2008.

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

August 21, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, August 21, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|-----------------------------------------|-------------------------------------------|
| • Police – Tim Williams | Court |
| • Fire | Building Official – Clarence Brooker, Jr. |
| • Public Works – Mike Baker - submitted | Library – Morgan Grimes |
| • Horticulture – Barbara Blevins | Park & Recreation – Mark Pettus |

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

The Council reviewed the minutes of the August 7, 2008 regular meeting. Councilman Cooley made a motion to approve the minutes as presented. Councilman Jones seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Unfinished business

Dilapidated housing: Clarence Brooker, Jr., Building Official, distributed a current dilapidated house report to the Mayor and Council. Councilman Moore made a motion to accept the report as submitted. Councilman Cooley seconded the motion and motion passed with 4 yes votes and 1 abstains by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Still waiting on information from Rick Manly, City Attorney.

EMA Choctaw Co.: No report at this time.

Coliseum Building/Property: Some Building Committee member received letter from the Demopolis Water & Sewer Authority, but the Mayor did not receive a letter. This will be presented at the next Regular Council Meeting.

Riverwalk Project –Josh Pierce with Goodwin Mills and Cawood appeared before the Council to discuss the problems that have incurred with the project. Mr. Pierce gave a history of the project whose concept began a few years ago and was finally negotiated and construction began in October 2007. In March 2008 a miscalculation on the amount of concrete needed for the boat ramp became apparent. Goodwin Mills and Cawood came up with a revised scope of work and issued change order #1 on May 21, 2008 and the contract price was slightly reduced.

Councilman Collins asked whose error it was. Josh Pierce said it was a Goodwin Mills and Cawood error. Mr. Pierce said he feels Demopolis has received a greater value in the negotiations to get the work done within budget. Councilman Collins asked how much money Goodwin Mills and Cawood lost. Mr. Pierce said the company has lost time in planning and revising the scope of work. Councilman Collins said he feels it is a design error and the City of Demopolis has taken the brunt of the blow.

Councilman Jones said the project was not built as shown on the drawings that he reviewed. Mr. Pierce said the work was performed according the specifications with the exception of the sod and the project is under budget. Councilman Moore asked which drawings they were referring to. Mr. Pierce said they were built according to documents approved by Alabama Department of Transportation and the City of Demopolis and signed off by the Mayor. Councilman Collins asked if the change required a new drawing. Mr. Pierce said that the overall Riverwalk scope of work remained the same and didn't require a new drawing.

The Mayor asked if there was a penalty clause in our contract and is it time to get the City Attorney involved. Josh Pierce said he would relay this information to the contractor, Cardwell & Associates, and let the Mayor know their response. Councilman Cooley said to give Cardwell & Associates 72 hours to respond and failure to follow through on any one item will prompt the City of Demopolis to involve the attorney.

Mr. Billy Belk with Goodwin Mills and Cawood addressed the Council and said the company would like the City of Demopolis to be happy customers. Mr. Belk asked the Council to discuss it and let him know what it would take to make them satisfied.

New business

Marengo County History & Archives Museum Foundation, Inc: Kayte Melton and Kirk Brooker presented to the Council a drawing of the proposed layout of the museum located in the Rosenbush building. The Foundation is working on grants for funding the initial architect fees which is estimated at \$500,000.

The current lease states that the museum should be available for public viewing no later than January 1, 2009. The McHam Foundation is asking for page 3 item 9 of the lease to be amended to read December 31, 2010. This extension of time is needed to adequately to construct the improvements to the Rosenbush Building and to coincide with The Year of Alabama Small Towns celebration. The McHam Foundation will hold a dedication of a historic marker in conjunction with this celebration.

Councilman Cooley made the motion to change item 9 on page 3 of the lease to read:
The Lessee commits to the Lessor to have the building and numerous items involving the history and archives of Demopolis, Marengo County and the river region available for the public's viewing no later than **December 31, 2010**. The Lessor understands that it will take some time and significant work to get materials collected and deposited with the Lessee and publicized. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Board Reappointment - Historic Preservation Commission: Brian Brooker recommends reappointing Aliquippa Allen and Keith Yeager to the Historic Preservation Commission Board. Councilman Jones made the motion to approve reappointing Aliquippa Allen and Keith Yeager to the Historic Preservation Commission. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The Mayor reported that Yancena Perry relocated to Georgia and another board appointment would be required.

Board Reappointment - Demopolis Housing Authority: Rice Gray, executive director of the Demopolis Housing Authority recommend reappointment of Mr. Rick Dunn to the Board of the Demopolis Housing Authority. Mr. Dunn's appointment expires on September 21, 2008. This appointment is a five year term and Mr. Dunn is highly recommended. The Board appointment is a mayoral appointment. The Mayor asked for Council's approval of her reappointment of Mr. Rick Dunn.

Barrown D. Lankster: Mr. Barrown D. Lankster is representing Helen Adams regarding the license fee schedule for palm reading. Mr. Lankster stated that the high license fee of \$2,000 has effectively put Ms. Adams out of business. Mr. Lankster asked Council to consider relief from this license fee.

Councilman Cooley asked that this be sent for review by the License Committee and an answer brought back to Council at the next Regular Council Meeting.

One-time Lump Payment to Retirees: Act 2008-555 of the First Special Session of the Alabama Legislature provides the City of Demopolis with the opportunity of granting a one-time lump sum payment to certain retired members and beneficiaries. The Retirement

Systems of Alabama provided a list of eligible retirees with the amount of payment. The Retirement Systems of Alabama requires funding of the payment through an increase in the retirement rate on current employees.

Councilman Moore suggested that the City of Demopolis make a one time payment for the eligible retirees so there would not be a budgetary concern over raising the current retirement rate. The decision to make the one-time lump payment is made on a yearly basis.

Councilman Cooley made the motion for the City of Demopolis make a one time payment for the eligible retirees in the amount computed by the Retirement Systems of Alabama. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson: Councilman Moore: yes Councilman Jones: yes
Councilman Yelverton: yes Councilman Collins: yes Councilman Cooley: yes

Projects

Municipal Complex: The architect will meet with the Building Committee to present drawings.

Fire Station #3: Eaves Construction and Brown Design are meeting today for inspection.

Riverwalk Project: Discussed previously

Theo Ratliff Expansion: Construction in progress.

Council Discussion

Councilman Jones reported racing activity on Old Springhill Road. Acting Police Chief Tim Williams said he would check into the situation.

Councilman Jones reminded every one to vote on Tuesday August 26, 2008.

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 21st day of August, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 preliminary

negotiations in trade competition 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 onto the minutes as follows:

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

And Presiding Officer declared that a majority of the votes 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 for approximately 15 minutes.

Mayor Discussion

At 6:45pm the Mayor announced the Regular Council Meeting would recess until tomorrow afternoon at 1:00 pm.

The Regular Council Meeting reconvened at 1:00 pm on August 22, 2008.

Present:

- Council Members:** Cecil P. Williamson, Mayor
Thomas Moore, Mayor Pro Tempore
Charles Jones
Woody Collins
Jack Cooley

City Clerk: Paula Bird

Absent: Melvin Yelverton

The Mayor distributed a letter of endorsement from the Demopolis Industrial Development Board for the Application for Industrial Access Road Funds for the Airport Industrial Park to the Council.

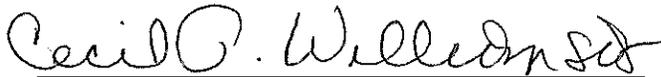
Resolution 2008-18 stating the City of Demopolis will make application to the Alabama Department of Industrial Access and Bridge Corp for funding of road improvements along Airport Industrial Park Road to serve two new industrial projects was distributed to Council.

Councilman Collins made the motion to approve Resolution 2008-18 as presented. Councilman Jones seconded the motion and motion passed with 5 yes votes by the following roll call vote:

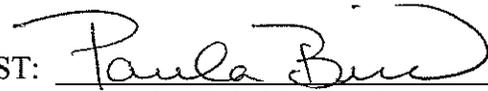
Mayor Williamson: yes	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton:	Councilman Collins: yes	Councilman Cooley: yes

Councilman Jones made the motion to adjourn. Councilman Cooley seconded.

The Regular Council Meeting adjourned at 12:07pm.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-18

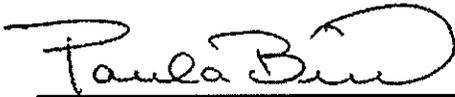
BE IT RESOLVED that the City of Demopolis will make application to the Alabama Department Industrial Access and Bridge Corp. for funding of road improvements along Airport Industrial Park Road to serve the industries of Rubber Duckie and the Rock Paper Scissors site, which have both committed to locate in the Industrial Park.

PASSED AND ADOPTED by the City Council of the City of Demopolis at a regular meeting thereof held on August 22, 2008.



Cecil Williamson, Mayor
City of Demopolis, Alabama

ATTEST:



Paula Bird, City Clerk
City of Demopolis

**STATE OF ALABAMA§
COUNT OF MARENGO§**

I, Paula Bird, City Clerk of the City of Demopolis **DO HEREBY CERTIFY** that the foregoing Resolution was duly adopted by the City Council of the City of Demopolis on the 22nd day of August, 2008, and was carried by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: Cecil P. Williamson - Mayor, Thomas O. Moore - Mayor Pro Tempore, Charles Jones, Jack Cooley, Woody Collins

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS: Melvin Yelverton



Paula Bird, City Clerk
City of Demopolis, Alabama

RESOLUTION 2008-21

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

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 555 of the First Special Session of the 2008 Legislature.

The City of Demopolis agrees to provide all funds necessary to the Employees' Retirement System in one lump sum to cover the cost of the one-time lump sum payment as provided for by said Act for those eligible employees retired from the City of Demopolis with the aforementioned increase being paid on or about December 15, 2008.

I, Cecil P. Williamson, Mayor, City of Demopolis, hereby certify that the foregoing is a true and correct copy of the Resolution passed on August 21, 2008.

ADOPTED and **APPROVED** by the Demopolis City Council on this 21st day of August 2008.

ATTEST:



Cecil P. Williamson, Mayor



Paula Bird, City Clerk

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

**Special Called Meeting
For The Purpose of Canvassing Election**

September 2, 2008

The special called meeting of the Demopolis City Council convened at 10:05am on Tuesday September 2, 2008 in the Demopolis Rooster Hall.

Present:

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

Mayor Cecil P. Williamson called the meeting to order.

A tabulation sheet was distributed for the purpose of canvassing the election results. The envelopes marked "Mayor" and "Canvassing Board" were inspected and opened. The votes were tabulated with the following results:

Candidate	District 1	District 2	District 3	District 4	District 5	Total
Mayor						
Mike Grayson	127	115	212	450	611	1515
Cecil P. Williamson	277	319	102	108	78	884
Council District 1						
Dexter Jones	127					127
Thomas O. Moore	277					277
Council District 2						
Mitchell Congress		148				148
Charles E. Jones Jr.		183				183
Alex J. Roberson		105				105
Council District 3						
Ronnie L. Byrd			115			115
Melvin Yelverton			195			195
Council District 4						
Jeremiah Dial				72		72
Bill Meador Jr.				479		479

Councilman Moore made the motion to adjourn. Councilman Cooley seconded the motion.

The Special Called Council Meeting adjourned at 10:30am.



Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

DEMOPOLIS CITY COUNCIL MEETING AGENDA
September 4, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police
Court
Fire - submitted
Public Works
Parks & Recreation
Horticulture
Building Official
Library - submitted

Unfinished Business –

1. Dilapidated Houses
2. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
3. EMA Choctaw Co.
4. Coliseum Property
5. Barrown D. Lankster – License fee review

New Business –

1. Representative of Industrial Development Board
2. Marengo County History & Archives Museum Foundation, Inc. – Kayte Melton
3. Neil C. Bules – request to update playground and park on Woodland Court.
4. State of Alabama ABC Board – 050 Retail Beer – Off Premises Only due to a corporate name change from Big B Inc. to Alabama CVS Pharmacy, LLC.
5. State of Alabama ABC Board – 050 Retail Beer – Off Premises Only: Lakeside Tackle Box LLC, 700 N Walnut.
6. Resolution 2008-19 Canvassing of Election Results and Certificates of Election

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

September 4, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, September 4, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|----------------------------------|-------------------------------------------|
| • Police – Tim Williams | Court |
| • Fire - Ron Few - submitted | Building Official – Clarence Brooker, Jr. |
| • Public Works – Mike Baker | Library – Morgan Grimes - submitted |
| • Horticulture – Barbara Blevins | Park & Recreation – Mark Pettus |

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

The Council reviewed the minutes of the August 21, 2008 regular meeting. Councilman Cooley made a motion to approve the minutes as presented. Councilman Yelverton seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

The Council reviewed the minutes of the September 2, 2008 special called meeting for the purpose of canvassing the election results. Councilman Collins made a motion to approve the minutes as presented. Councilman Jones seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Tim Williams, Acting Police Chief, reported that Alabama Department of Emergency Management housed evacuees from Hurricane Gustav at Marion Military Institute. They requested additional officers from the Demopolis Police Department. The cost will be reimbursed from the State.

Councilman Cooley noted that the Police Department reported more activity than he has seen in four years. Councilman Collins noted the ticket issued for littering.

Unfinished business

Dilapidated housing: No report

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Waiting on information from Rick Manly, City Attorney.

EMA Choctaw Co.: Ronnie Few, Fire Chief, reported a meeting is planned for September 9, 2008 in Choctaw County to inspect equipment.

Coliseum Building/Property: Councilman Moore reported that the Building Committee recommends rejecting the offer presented by the Demopolis Water & Sewer Authority for the Coliseum Building and Property and to list the property with a realtor. Councilman Cooley asked why the Building Committee made this recommendation. Councilman Moore said it was not a fair market value price. Mayor Williamson said the appraisal was \$160,500. Councilman Cooley asked if there would be a set period of time that the property is listed with a realtor. Councilman Moore said he would agree with establishing a listing period with the realtor to try and receive a fair and adequate price for the property. If after the listing period is over the building and property has not sold for an adequate price the Council can revisit the offer made by the Demopolis Water & Sewer Authority.

Councilman Collins asked if there would be any stipulations on a suitable tenant. Councilman Moore said they would follow the Zoning Ordinance. Councilman Collins asked if the City of Demopolis is being selective in which properties get listed for sale. The City of Demopolis has several properties that should be sold. Councilman Moore said the Building Committee was asked to make a recommendation on this specific property.

Councilman Moore made a motion to list the Coliseum Building/Property with a realtor for a period of six months and if the property does not sell within the six month period the Council will reconsider the offer from the Demopolis Water & Sewer Authority. Councilman Jones seconded the motion and motion passed with 4 yes votes and 2 no votes by the following roll call vote:

Mayor Williamson: yes	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: no	Councilman Cooley: no

Barrown D. Lankster: Mr. Barrown D. Lankster is representing Helen Adams regarding the license fee schedule for palm reading. Councilman Cooley asked that this be sent for review by the License Committee and an answer brought back to Council. The License Committee has not met. Mayor Williamson asked the License Committee to establish a meeting date. Councilman Moore asked if we had researched the license fee for palm reading in other cities. The License Committee agreed to meet Thursday September 11, 2008 at 5:15pm.

New business

Industrial Development Board: Debra Fox appeared before Council to read a statement dictated by John Laney, Chairman of the Demopolis Industrial Development Board. Mr. Laney asked for clarification of the engineering firm to use in preparing the grant application for the access road at the Airport Industrial Park. The initial estimate is far beyond the amount that was expected. It is necessary to try to reduce the cost of this project and Mr. Laney would like clarification of the engineering firm the City of Demopolis wishes to work on this project.

Councilman Jones made a motion to use Almon Associates since they have previously worked on the Airport Industrial Park. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Marengo County History & Archives Museum Foundation, Inc: Kayte Melton addressed the Council to ask permission to write a grant for restoration of the Rosenbush Building through the Alabama Department of Transportation. The grant has to be written through the City of Demopolis. The grant application will be for \$525,000 of which ALDOT will fund \$420,000 and McHAM Foundation, Inc. will be responsible for the balance, but will hope the City of Demopolis will help with funding the additional \$105,000. Tonight Mrs. Melton is asking permission to write the grant since the deadline is October 3, 2008.

Councilman Jones made a motion to allow Marengo County History & Archives Museum Foundation, Inc. to request a grant for restoration of the Rosenbush Building through the Alabama Department of Transportation in the form of approving Resolution 2008-20 which is made a part of the minutes. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Neil C. Bules – Request to update park on Woodland Court: Mr. Bules was not present because he was advised to present his request to the Park & Recreation Board.

Application for 050 – Retail Beer – Off Premises Only License: CVS #4957 located at 312 Hwy 80E is requesting the Off Premise Only License due to a name change from Big B Inc. to Alabama CVS Pharmacy LLC. Tim Williams, Acting Police Chief stated he had no objections to granting the license.

Councilman Jones made a motion to approve the Application for 050 – Retail Beer – Off Premises License. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Application for 050 – Retail Beer – Off Premises Only License: Gary and Julia McKinney with Lakeside Tackle Box LLC located at 700 N Walnut Avenue are requesting the Off Premise Only License. The request was tabled until Tim Williams, Acting Police Chief, is able to review the application.

Resolution 2008-19 Canvassing of Election Results and Certificates of Election: Resolution 2008-19 was presented to the Council for approval verifying the tabulation of election results and is made a part of the minutes.

Councilman Jones made a motion to approve Resolution 2008-19 as presented. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Certificates of Election were prepared and signed by Council members and made a part of the minutes.

Projects

Municipal Complex: No report.

Fire Station #3: Eaves Construction and Brown Design are working on the punch list but it is not complete. Brown Design has not approved the construction for final payment. Councilman Collins asked if there were any legal ramifications to occupying the building before it is accepted as complete. Councilman Jones said the warranty should run 6 months to one year to correct any problems. Mayor Williamson said the final payment would not be released until Brown Design approves the construction.

Riverwalk Project: Mayor Williamson spoke with Josh Pierce with Goodwyn, Mills, and Cawood this afternoon. Mr. Pierce said they have repeatedly tried to make contact with Cardwell Construction regarding project completion dates. Mr. Pierce sent Mayor Williamson a copy of a letter from Cardwell Construction dated August 25, 2008 stating the items had been ordered and delivery was expected in two weeks. Mayor Williamson requested a copy of the order.

Councilman Cooley made the motion to turn this over to Rick Manly, City Attorney as agreed by Council at the August 21, 2008 Regular Council Meeting. Councilman Collins seconded the motion and motion passed with 4 yes votes and 1 abstains by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: abstain
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Theo Ratliff Expansion: Mark Pettus, Park and Recreation Director, reported that the steel is going up. A telephone pole had to be moved 15 feet to continue working with the crane.

Council Discussion

Councilman Jones reported several local thefts of copper wire and air conditioners and asked Tim Williams, Police Chief, to check in to this situation. Councilman Jones reported the racing activity has declined on Springhill Road but the situation still needs to be monitored.

Councilman Cooley asked if the City of Demopolis is contractually obligated to Goodwyn, Mills, and Cawood for estimates made at Airport Industrial Park. Mayor Williamson said no.

Councilman Moore reported property damage due to rocks being thrown in the 100 block of North Strawberry and asked Tim Williams, Police Chief, to check in to this vandalism.

Mayor Discussion

At 5:55pm the Mayor and Council moved into Executive Session, to discuss trade negotians, with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 September, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 preliminary negotiations in trade competition 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,

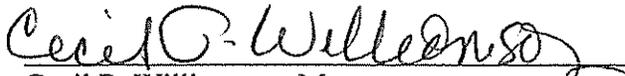
WHEREAS, said vote in regard to the motion for Executive Session was taken with the "yeas" and "nays" being recorded onto the minutes as follows:

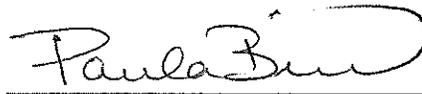
	Yeas	Nays
1. Mayor Cecil Williamson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Collins	Yea	
4. Councilman Jones	Yea	
5. Councilman Yelverton	Yea	
6. Councilman Cooley	Yea	

And Presiding Officer declared that a majority of the votes 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 for approximately 5 minutes.

The Council reconvened into regular session at 6:05pm.

Councilman Jones made the motion to adjourn. Councilman Cooley seconded the motion. The Council meeting adjourned at 6:05pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

**RESOLUTION 2008-19
CANVASSING OF ELECTION RESULTS**

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

WHEREAS, the general election for the City of Demopolis was duly and legally held on August 26, 2008, as provided by law, and

WHEREAS, the municipal governing body of the City of Demopolis met on this 2nd day of September, 2008, all members thereof being present, at 10:00 am, and has canvassed the returns, and has ascertained and determined the number of votes received by each candidate, and

WHEREAS, the said municipal governing body has ascertained and determined the result of said election as follows:

Candidate	District 1	District 2	District 3	District 4	District 5	Total
Mayor						
Mike Grayson	127	115	212	450	611	1515
Cecil P. Williamson	277	319	102	108	78	884
Council District 1						
Dexter Jones	127					127
Thomas O. Moore	277					277
Council District 2						
Mitchell Congress		148				148
Charles E. Jones Jr.		183				183
Alex J. Roberson		105				105
Council District 3						
Ronnie L. Byrd			115			115
Melvin Yelverton			195			195
Council District 4						
Jeremiah Dial				72		72
Bill Meador Jr.				479		479

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

1. That **Mike Grayson** received a majority of the votes cast for the office of Mayor and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2008.

2. That **Thomas O. Moore** received a majority of the votes cast for the office of Council District 1 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2008.

3. That **Melvin Yelverton** received a majority of the votes cast for the office of Council District 3 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2008.

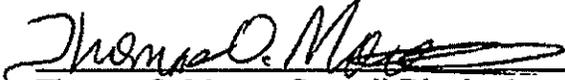
4. That **Bill Meador, Jr.** received a majority of the votes cast for the office of Council District 4 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2008.

5. That no candidate received a majority of the votes cast for the office of Council District 2, and that **Charles E. Jones Jr.** and **Mitchell Congress** received the most and second most votes cast for that office, therefore, a runoff election between said candidates is hereby ordered to be held on Tuesday October 7, 2008, pursuant to the requirements of Section 11-46-20 et seq., of the Alabama Code of 1975, as amended.

Adopted this 4th day of September, 2008.



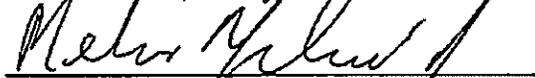
Cecil P. Williamson, Mayor



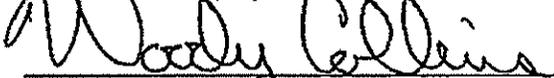
Thomas O. Moore, Council District 1



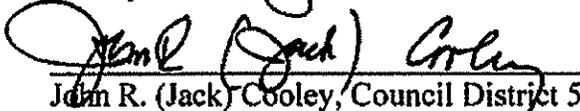
Charles Jones, Council District 2



Melvin Yelverton, Council District 3



Woody Collins, Council District 4



John R. (Jack) Cooley, Council District 5

Attest:



Paula Bird, City Clerk

RESOLUTION 2008-20

**STATE OF ALABAMA
MARENGO COUNTY
CITY OF DEMOPOLIS**

WHEREAS, the City of Demopolis, Alabama, recognizes the need for the preservation of the historic Rosenbush Building; and

WHEREAS, the Alabama Department of Transportation has authorized the making of grants to aid in financing the cost of such projects through the Transportation Enhancement Program.

NOW, THEREFORE, BE IT RESOLVED by the Demopolis City Council, that the Mayor be hereby authorized to submit an application for \$ 525,000.00 on behalf of the City for Transportation Enhancement (TE) funds. ALDOT funding will be \$ 420,000.00 or 80% of the total project cost;

BE IT FURTHER RESOLVED, that in the event the grant is awarded, the City understands that it will sign assurances to comply with all applicable Federal and State laws, rules, and regulations.

ADOPTED and **APPROVED** by the Demopolis City Council on this 4th day of September 2008.

ATTEST:



Cecil P. Williamson, Mayor



Paula Bird, City Clerk

DEMOPOLIS CITY COUNCIL MEETING AGENDA
September 18, 2008

Call to Order – Invocation 5:15pm

Roll Call

Approval of Minutes

Reports from Departments

Police
Court - submitted
Fire
Public Works - submitted
Parks & Recreation
Horticulture - submitted
Building Official
Library

Unfinished Business –

1. Dilapidated Houses
2. Resolution 2008-08 – Alabama Dept of Transportation – French Creek
3. EMA Choctaw Co.
5. Barrown D. Lankster – License fee review
6. State of Alabama ABC Board – 050 Retail Beer – Off Premises Only: Lakeside Tackle Box LLC, 700 N Walnut.

New Business –

1. Almon/Anderson – report on light for Fire Station #3
2. 2008/2009 Budget
3. Hospital Board Appointments (3)
4. Cemetery Trustees Appointment (1)
5. Recreation Board Appointment (1)
6. Board of Adjustment (3)

Projects-

1. Municipal Complex
2. Fire Station #3
3. Riverwalk Project
4. Theo Ratliff Expansion

Mayor Discussion

Council Discussion

Executive Session

Announcement

Adjourn

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

Regular Meeting

September 18, 2008

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday, September 18, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Department Heads:

- | | |
|----------------------------------------------|---------------------------------|
| • Police – Tim Williams | Court - submitted |
| • Fire - Ron Few | Building Official |
| • Public Works – Mike Baker - submitted | Library – Morgan Grimes |
| • Horticulture – Barbara Blevins - submitted | Park & Recreation – Mark Pettus |

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

The Council reviewed the minutes of the September 4, 2008 regular meeting. Councilman Yelverton made a motion to approve the minutes as presented. Councilman Cooley seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Ronnie Few, Fire Chief, addressed the Council regarding the South Alabama Mutual Assistance Agreement. Mayor Cecil Williamson stated she would provide a copy of the agreement to Rick Manly, City Attorney, and Council for review and the agreement will be addressed at the next Regular Council Meeting.

Mayor Cecil Williamson distributed a memorandum of agreement between the City of Demopolis Firefighters and the Tombigbee Healthcare Authority operating as Tombigbee Emergency Medical Services. The Mayor asked Council to review and will be addressed at the next Regular Council Meeting.

At 5:25pm the Mayor and Council moved into Executive Session, to discuss City property and City Agencies with Rick Manly, City Attorney, with the following statement:

STATE OF ALABAMA)
CITY OF DEMOPOLIS)

MINUTES EXCERPTS AND MOTION FOR EXECUTIVE SESSION
PURSUANT TO THE ALABAMA OPEN MEETING 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 September, 2008 the time, date, place and agenda of which were duly announced and notices of which were posted in accordance with the Alabama Open Meeting 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 with the City's Attorney 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 onto the minutes as follows:

	Yeas	Nays
1. Mayor Cecil 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 Presiding Officer declared that a majority of the votes 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 for approximately 10 minutes.

The Council reconvened into regular session at 5:40pm.

Unfinished business

Dilapidated housing: No report

Resolution 2008-08 – Alabama Dept of Transportation – French Creek: Rick Manly, City Attorney, said he would make a recommendation at the next Regular Council Meeting.

EMA Choctaw Co.: Ronnie Few, Fire Chief, reported the meeting for September 9, 2008 was cancelled and has not been rescheduled.

Barrown D. Lankster – Helen Adams License request: The License Committee *recommended no change.*

Application for 050 – Retail Beer – Off Premises Only License: Gary and Julia McKinney with Lakeside Tackle Box LLC located at 700 N Walnut Avenue are requesting the Off Premise Only License. Tim Williams, Acting Police Chief, has approved the application.

Councilman Moore made a motion to approve the Retail Beer – Off Premises Only License application as presented. Councilman Jones seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

New business

Almon/Anderson – Report on traffic signal at Fire Station #3: The estimated cost for installing a stop-traffic signal at Fire Station #3 is \$89,000. Councilman Cooley asked if State law requires a signal at the Fire Station. A traffic signal is not required and the cost of a caution light would be the same. Councilman Yelverton asked Chief Few for his opinion. Chief Few state that it was difficult to say that a traffic signal would not be a safer alternative, but at this point the traffic flow is not as heavy as it is in front of Fire Station #1 on Highway 80W.

Councilman Cooley made a motion to not install a traffic signal at Fire Station #3. Councilman Collins seconded the motion and motion passed with 5 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: yes	Councilman Cooley: yes

2008/2009 Budget: The budget as proposed by the Finance Committee was submitted to Council. A document containing proposed budget changes was also submitted to the Council at the request of Councilman Moore and Councilman Yelverton for possible consideration.

Councilman Moore made a motion to approve the budget as presented by the finance committee and to include the proposed budget changes as presented in the document provided to Council. Councilman Yelverton seconded the motion.

Discussion: Councilman Cooley said the budget as proposed by the Finance Committee was distributed two weeks ago but the proposed changes were distributed tonight without the opportunity to review or discuss. Councilman Collins concurs.

Councilman Cooley asked what happens if the City doesn't subsidize the funding for the ambulance service and Tombigbee Healthcare turns the ambulance service back to the City of Demopolis. Councilman Moore stated that the City of Linden, Marengo County and the

City of Demopolis were asked to appropriate a specified amount of funds. Tombigbee Healthcare previously stated that all would have to participate if the service was to continue. The City of Linden and Marengo County did not include the appropriations in their budgets. Councilman Cooley understood Mike Marshall to say that if Linden or Marengo County did not participate that those areas would not be covered by the service. Councilman Cooley asked if there is an Alabama Code that mandates a municipality to provide this service. There is not. Councilman Yelverton stated that his understanding of the request was that it was an all or nothing proposition.

What is the bottom line cost to the City of Demopolis to pay Tombigbee Healthcare to maintain the service if there are no other participants. Mr. Arthur Evans telephoned Mike Marshall to confirm the question but could not provide an answer until the hospital board met. At this point there are no changes from the original presentation.

Councilman Collins inquired about the additional 2% raise to employees and how it was computed. This will represent a total 4% raise to employees for the fiscal year. Councilman Collins asked if the computed amount included benefits. Benefits are included in the computation.

Councilman Collins inquired about the City's match for the Riverwalk project. The estimated liability is included in the proposed change. The amount was reduced because the City of Demopolis has paid a portion of the liability during this fiscal year.

Councilman Cooley inquired about the necessity of a Fire Administrative Assistant. Councilman Moore stated that all major departments have an assistant and that the City will receive a cost savings benefit with an administrative assistant.

Councilman Cooley stated that it was not good business to present the budget changes with such short notice. Councilman Collins agreed.

The motion passed with 3 yes votes and 2 no votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins: no	Councilman Cooley: no

Board Appointments: Mayor Williamson distributed a list of several board appointments and asked Council to consider some nominees for the positions to be presented at the next Regular Council Meeting.

Projects

Municipal Complex: The architect is meeting with various department heads concerning this project.

Fire Station #3: There are problems with the slope and design of the driveway. Councilman Jones inspected the construction and recommends contacting another contractor for an estimate of the cost to repair the design flaw and subtract this amount from the final payment. The architect was here and the punch list has been completed except the driveway.

Councilman Yelverton expressed his concern about withholding payment if the architect has signed off on the project. Councilman Jones said *the architect* signed off on the building but not the off-site improvements.

Riverwalk Project: Mr. Charles Duke reported to the Council that the benches will be installed and the lights will be functional on Tuesday.

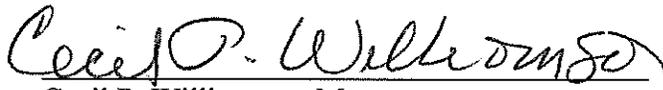
Theo Ratliff Expansion: Project still in progress.

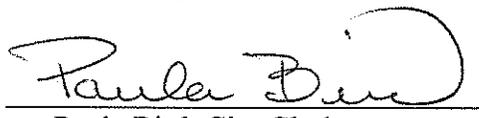
Council Discussion

Councilman Moore reported that a lot on Jackson and Cherry Street is overgrown.

Mayor Discussion

Councilman Jones made the motion to adjourn. Councilman Cooley seconded the motion. The Council meeting adjourned at 6:26pm.


Cecil P. Williamson, Mayor

ATTEST: 
Paula Bird, City Clerk

- * Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

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

**Special Called Meeting
For The Purpose of Preliminary Negotiations
In Trade**

September 24, 2008

The special called meeting of the Demopolis City Council convened at 5:05pm on Tuesday September 24, 2008 in the Demopolis Rooster Hall.

Present:

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

City Clerk: Paula Bird

Absent: Cecil P. Williamson, Mayor
Woody Collins

Councilman Moore, Mayor Pro Tempore, stated that there were concerns whether this meeting was properly called and whether procedures were properly followed. Rick Manly, City Attorney stated that Jack Cooley requested a special meeting by email on Monday September 22nd, Thomas Moore requested a meeting by email on Tuesday September 23rd and Paula Bird, City Clerk posted the meeting on Tuesday September 23rd. Mr. Manly confirmed procedures with the Alabama League of Municipalities and in his opinion this is a legally called meeting.

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

Mayor Pro Tempore stated that the meeting was called for two items. To appoint a person of record and to appoint an engineering firm of record for the Alabama Industrial Access Road and Bridge Corporation grant application. Councilman Cooley noted that the estimated cost would also be established in this grant application.

Mr. John Wallace, Vice Chairman of the Demopolis Industrial Development Board addressed the Council regarding the grant application requirements. The Demopolis City Council elected to use Almon Associates as engineer for the project at the September 4th Regular Council Meeting. Mr. Wallace asked the Council to name Debra Fox, Executive Director of the Marengo County Economic Development Authority, as the project sponsor contact person. The project estimate is \$2,576,450.60 and the amount of grant funds requested is \$2,178,218.60. This leaves a balance of \$559,852.00 to be obtained from additional sources. The additional sources of money will be provided by the Demopolis Water & Sewer Board, Marengo County, City of Demopolis, Industrial Development Board, Rock Paper Scissors, and CTCO.

Rick Manly, City Attorney noted that the application requesting grant funds from the Alabama Industrial Road and Bridge Corporation will be personally delivered Monday September 29, 2008.

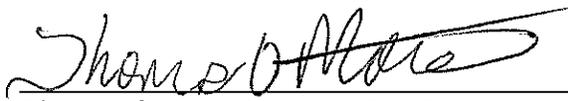
Councilman Cooley asked John Wallace to verify what amount the City of Demopolis is expected to contribute and whether this has been brought up in any earlier discussions. The City of Demopolis is expected to contribute \$50,000. John Wallace stated that John Laney, Chairman of the Demopolis Industrial Development Board provided the breakdown of the additional sources of funds. Councilman Cooley stated he understands the need and is not against the proposition, but is concerned that the Council is not informed of monetary requests until the last minute.

Councilman Cooley made the motion to approve the three items: 1) Appointing Debra Fox as the project sponsor contact person; 2) Appointing Almon Associates as project engineer; and 3) Cost Estimate is \$2,576,450.60 and Total Grant Funds Requested is \$2,178,218.60. Councilman Jones seconded the motion and motion passed with 4 yes votes by the following roll call vote:

Mayor Williamson:	Councilman Moore: yes	Councilman Jones: yes
Councilman Yelverton: yes	Councilman Collins:	Councilman Cooley: yes

Councilman Cooley made the motion to adjourn. Councilman Jones seconded the motion.

The Special Called Council Meeting adjourned at 5:22pm.



Thomas O. Moore, Mayor Pro Tempore

ATTEST: 

Paula Bird, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be destroyed after being approved by the Mayor and Council.

RESOLUTION 2008-22

BE IT RESOLVED that the City of Demopolis will make application to the Alabama Department Industrial Access and Bridge Corp. for funding of road improvements along Airport Industrial Park Road to serve the industries of CTCO Shipyard of Alabama, LLC and the Rock Paper Scissors site, which have both committed to locate in the Industrial Park.

PASSED AND ADOPTED by the City Council of the City of Demopolis at a special called meeting thereof held on September 24, 2008.



Thomas O. Moore, Mayor Pro Tempore
City of Demopolis, Alabama

ATTEST:



Paula Bird, City Clerk
City of Demopolis

**STATE OF ALABAMA§
COUNT OF MARENGO§**

I, Paula Bird, City Clerk of the City of Demopolis DO HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Demopolis on the 24th day of September, 2008, and was carried by the following roll call vote, to wit:

AYES: COUNCILMEMBERS: Thomas O. Moore; Melvin Yelverton;
Charles Jones Sr.; Jack Cooley
NOES: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Mayor Cecil P. Williamson; Woody Collins



Paula Bird, City Clerk
City of Demopolis, Alabama