

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

Regular Meeting

October 6, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday October 6, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk

Absent: Mitchell Congress-District 2
Melvin Yelverton-District 3

Department Heads:

- Police-Monica Oliver-submitted
 - Fire-Ron Few-submitted
 - Library-Morgan Grimes
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
- Court-submitted
Public Works-Mike Baker-submitted
Horticulture
City Hall-Sam Gross

Mayor Mike Grayson called the meeting to order and opened with an invocation by Pastor Hank Atkinson followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador made the motion to approve the agenda. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress
Councilman Yelverton Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the September 15, 2011 regular meeting. Councilman Cooley made the motion to approve the minutes as written. Councilman Meador seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress
Councilman Yelverton Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson stated no announcements at this time.

Departmental Reports

Mayor Grayson questioned Fire Chief Few about item #4 on his department report which stated he had completed the hiring process for vacant fire fighters positions. Mayor Grayson noted the City was in a hiring freeze.

Projects

Dilapidated Housing: City Attorney William Poole stated he had submitted a packet to the Mayor and Council at the last meeting with pictures, deeds, and tax assessments on several properties that were candidates for demolition. Mr. Poole added the first step would have to be a resolution passed by the Council declaring the properties a nuisance. Mr. Poole encouraged each councilman to go by the address of the properties. Mr. Poole then stated the statute requires the governing body make the determination that it is a nuisance. Mr. Poole added that he would have a resolution for each one of the properties at the next council meeting.

New Business

Public Assembly Application-Demopolis High School: Mayor Grayson stated that Demopolis High School had requested permission to hold a homecoming parade on October 14th. City Clerk Sam Gross stated that Police Chief Reese had approved the application. Councilman Meador made the motion to approve the application. Councilman Moore seconded the motion and motion passed with yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress
Councilman Yelverton Councilman Meador: yes Councilman Cooley: yes

Public Assembly Application-Christian Chapel Baptist Church: Mayor Grayson asked City Clerk Sam Gross about details on the application. Ms. Gross stated that Albert Murdock was present on behalf of the Christian Chapel Baptist Church. Mr. Murdock stated that October is Breast Cancer Awareness month. Mr. Murdock added they were petitioning the City to conduct a Breast Cancer Awareness march on the morning of October 22nd from 7am-8am. Ms. Gross stated that Police Chief Reese had approved the application. Councilman Cooley made the motion to approve the application. Councilman Meador seconded the motion and motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress
Councilman Yelverton Councilman Meador: yes Councilman Cooley: yes

Street Sweeper: Mayor Grayson stated that Councilman Congress had requested that it be put on the agenda. Mayor Grayson asked it be put back on the agenda for the following council meeting.

Department Budgets: Mayor Grayson stated that Councilman Cooley had requested this be placed on the agenda. Councilman Cooley stated in light of the budget conservation discussions here at the City Council meeting, also on the streets, and the newspaper he had decided to research, go back, and look at the prior year's budgets. Councilman Cooley stated he looked at the last five (5) years starting with 2007 thru this fiscal year and that he was looking for a common denominator for the budget going overboard with all departments. Councilman Cooley stated that he was quite amazed at the information he learned from this. Councilman Cooley stated since he had been on the council since 2004 up to 2007, the budget approved by the council and the end of the year's figures were positive and for each of those years, the City had met the state mandatory 10% revenue over expenditures.

Councilman Cooley stated he was not aware of anyone in this administration or prior administration discussing the fact we have departments going over budget sufficiently in all those years going back to 2007. Councilman Cooley continued that this is public record anyone could look at. Councilman Cooley stated he had a list of who was over budget and that four out of five departments had been over budget in the last five (5) years. Councilman Cooley stated neither the Building Official nor Public Works had been over budget in the last five (5) years. Councilman Cooley stated that there was only one (1) department that has been over budget every year for the last five (5) years. Councilman Cooley added that there may an explanation for each and every one of these departments. Councilman Cooley stated that he - and he would like to think that the council - would like an explanation from each department head listed on why their department was not only over budget, but continuously over budget. Councilman Cooley stated there maybe valid explanations.

Unfinished Business

Budget: Mayor Grayson stated a recommend budget had been produced and at the last council meeting there seemed to be some questions about it. Mayor Grayson stated the floor was open for discussion. Councilman Moore stated he had some comments on the budget that just closed out. Councilman Moore stated that its projection that we would lose around \$400, 000 are better. Councilman Moore also stated looking at the actually numbers, he'd identified over a half million dollars in items that should not have come out of the budget, and he felt that this was crafty. Councilman Moore then recited a list of examples of what he was citing:

- The one time pay adjustment was approved by the council and should have come out of reserve.
- The Demopolis City Schools was a transaction issue for \$110,000 that would be corrected in the coming months but was not constructed in the budget.
- The New Era building utilities around \$27,000 were not in the budget but we agreed to do that because we wanted to maintain the building. T
- The Industrial Development Board consultant for \$21,000 was not in the budget.
- The Tombigbee Health Authority payment for \$100,000 was done for the good of the City and it was not in the budget.
- The expenditures on the CENAC property - \$19,150 - was not in the budget.

Councilman Moore stated business development turns that into a wash, we budgeted \$69,000 less than what happened but that was incentive money that, when it is properly recorded, would not be a net outflow. Councilman Moore continued that our capital outlay of principal and interest of \$109,000 was not in the budget, that everything totals \$547,970, but the stated position that we will end up \$125,000 in the black on the proposed budget was crafty. Councilman Moore stated the accounts were not managed properly and the affects are the totals are incorrect. Councilman Moore stated for the record that this was all he had to say. Councilman Meador then stated he brought up some issues last council meeting that he had with the budget. Councilman Meador - referencing the \$400,000 in the red – he had presented a number of proposals and ideas to trim some of the expenses for the upcoming year as well as subsequent years down the line. Mr. Meador appreciated what Councilman Moore had said but felt it still went back to his fundamentals issue that we cannot spend more than we can take in generally.

Councilman Meador stated our revenues were about the same as in prior years but our expenses were higher with fuel, overtime, unscheduled maintenance, and workman's comp. Councilman Meador also stated the budget that we have proposed for this upcoming year was not going

to be balanced if left as it is because we are going to be short about \$250,000 income revenue compared to the expenses. Councilman Meador then stated - using his argument from two (2) weeks ago - That he had reviewed and then put on paper his ideas about where we could perhaps cut income to make this a balanced budget. Councilman Meador added that we had only allowed a \$19,000 cushion last year and with this budget this year, it would be much less than that, and it would be a *negative* budget unless we transferred from revenue that he was adamantly against. Councilman Meador then stated he had come up with a list of things that he would like the council to consider: With the bond issue upcoming, we have borrowed 4.5 million dollars to refinance property already purchased by the City with a loan was an issue that would need attention by the end of the year. Councilman Meador proposed we leave the \$4.5 million dollars alone and issue the bond issue to cover that. Councilman Meador then stated there was also a joint motion to do other things, some of those he had added to, but his suggestion was that we do these things. Councilman Meador also stated that Lem Wilson Road cost was \$180,000, that we should talk with Brooks Mc Cants with the Water Board that they have looked at it and can knock it down from \$180,000 and we may get it done for \$20,000 to \$25,000 and still provide water to Lem Wilson Road.

Councilman Meador continued that the 1.4 million dollars paving project, initiated by him, had started as a 1 million project and had grown to 1.4 million. Councilman Meador stated that he would like the council to scrap that idea and use our 4% gas tax and along with money that had been budgeted - \$50,000 - this year. Councilman Meador added he did not know the amount of gas tax available at this time, but if that was all we could afford than that's all we could afford and we can save roughly 1.4 million dollars with the interest on the expenses. Councilman Meador then stated next was Sunset Road - that we were having some land owner issues over the project that was initially \$60,000 to \$80,000 in cost. Councilman Meador continued he would like to go back to the original plan which stated what we would do and that would be a tar and pave job which would save roughly about \$120,000 and interest. Councilman Meador stated the last item on the bond issue was the Fire Station 2 renovation which was \$646,000 initially agreed upon by the building committee but another \$100,000 roughly had been added for a \$750,000 project. Councilman Meador then stated we know that the USDA offers matching grants; and we should try to see if they could offset the cost and that would save \$750,000.

Councilman Meador stated he had other things he would like to be considered, among them was to cut the council's travel \$4,000 and go back to \$10,000. Councilman Meador then stated that he would also like the Mayor's travel to be cut by \$5,000 for a \$5,000 budget for travel. Councilman Meador noted that if we are in tough times then the Council needed to bite the bullet also. Councilman Meador stated his last recommendation was to wait on the \$91,000 for the one time pay adjustment and when the City could afford it later, then the council could consider it at that time. Councilman Meador added he wanted to do this but with a \$250,000 difference and with all that said, the approximately amount (in savings) that he came up with was \$197,600 that would get us close to a balanced budget. Councilman Meador stated that this is his proposal.

Councilman Moore stated that he was in total disagreement with that. Councilman Moore stated that he would still go with the budget that the finance committee proposed. Councilman Moore noted that the finance committee has spent over 40 hours on it and that it was the best that we could do. Councilman Cooley stated that he was concerned with the final figures for the fiscal year 2010-2011. Councilman Cooley stated entries were made in revenue and expenses after the end of each month and were not ready until the 15th of each month. Mayor Grayson stated that he shared his concerns with Councilman Meador and also as a member of the finance committee he was in on those 40 hours. Mayor Grayson stated that this issue would be tabled until the October 20th council meeting and that we would continue to work under the 2010-2011 budget.

Council Re-Districting: Mayor Grayson stated that we should table this also. Councilman Cooley asked if this required a majority. Councilman Moore stated that with redistricting, the Justice Department would want the number of minority to vote. Councilman Moore stated that they are the effect parties.

Personnel Policy Manual: Mayor Grayson stated that this should be tabled until the October 20th meeting.

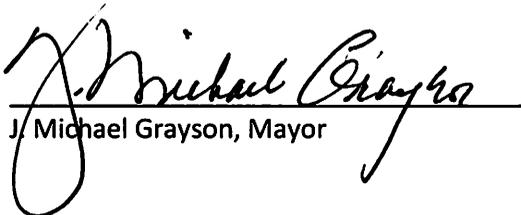
Bond Issue: Mayor Grayson stated table this until October 20th.

Sport & Tourist Tax: Mayor Grayson stated they had a request from Mr. Shows and Ms. Henson. Mr. Shows stated about a month or so ago they were discussing this issue and did not know when it would come up to a vote and that Ms. Henson and Nick Patel had met and compared some notes and wanted to revisit the issue. Mr. Shows stated that he would like clarity and something measurable with a time frame. Mr. Shows added that they need some type of agreement, that after a set period of time, that if we don't think that it is bringing dollar value into the city, then it was to be removed from them. Ms. Henson stated that they pay more tax than any business in town. Ms. Henson asked if the council could consider if every business could contribute the same amount and the burden not just be on the hotels. Councilman Cooley stated he was included in the discussion about this and that this was too late to be considered for this budget year. Mayor Grayson stated that one of most important assets and opportunity that Demopolis had was tourism that we had been blessed with God given access to the rivers and the second thing was we had man made facilities at the Sports Plex, which we needed to maximize. Mayor Grayson then stated an idea that increasing the cost of business licenses would be one way to fund that in addition to event expenses of \$5,000. Mayor Grayson stated at this time it was just an idea. Mr. Shows then asked that they be notified. Mayor Grayson stated that they would.

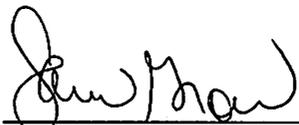
Ordinance 2011-05 Flood Damage Prevention: Mayor Grayson turned the floor over Building Official Clarence Brooker. Mr. Brooker stated that Councilman Cooley had made a request to know what the changes where from the old ordinance. Mr. Brooker stated there were several changes and he could make copies of them and place them in the council's boxes. Mr. Brooker then stated this had to be adopted by November 2nd to stay in the program. Mayor Grayson asked this be put back on the agenda for October 20th.

Closing of Alley-New Birth Outreach Ministry: Mayor Grayson turned the floor over to Rev Gerome Burrell. Mr. Burrell stated they were New Birth Outreach Ministry and had come to the council before in regard to closing the alley between the properties. Councilman Moore asked who the owner of the property was across the alley. Mr. Burrell stated Dusty Bird and Mr. Bird had signed the declaration of vacancy of the alley. Mr. Poole asked if he could meet with Mr. Burrell and Mr. Brooker to prepare the documents and submit them at the October 20th meeting. Mr. Baker stated there was a drainage issue through the alley that needed to be addressed. Mr. Brooker stated that a site plan would have to be done before building.

Councilman Meador made the motion to adjourn. Councilman Moore seconded the motion.


J. Michael Grayson, Mayor

ATTEST:



Sam Gross, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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Regular Meeting

October 20, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday October 20, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District-3
William Meador, Jr.-District 4
Jack Cooley-District 5
Jay Wright, Grant Administrator

Absent: Sam Gross, City Clerk

Department Heads:

- Police-Tommie Reese
 - Fire-Ron Few-submitted
 - Library-Morgan Grimes-submitted
 - Park & Recreation-submitted
 - Building Official-Clarence Brooker, Jr.
- Court-submitted
Public Works-Mike Baker
Horticulture-Barbara Blevins
City Hall

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor LaCornia Harris followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Cooley made the motion to approve the agenda. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the October 6, 2011 regular meeting. Councilman Cooley stated correction on page 3 in the first paragraph on the fourth line should have read the following:

Councilman Cooley stated that he had a list of who was over budget and that ***thirteen (13) out of fifteen (15) departments had been over budget in the last five (5) years.***

Councilman Meador made the motion to approve the minutes as corrected. Councilman Cooley seconded the motion and the motion passed with 4 yes and 2 abstain votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: abstain
Councilman Yelverton: abstain Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson stated that there will be a town hall meeting Wednesday November 2nd from 5:30pm-7:00pm at Rooster Hall.

Mayor Grayson stated the Jenn Tate, Director of the Chamber of Commerce, has requested that the Mayor and Council be present Thursday December 1st at 6:00pm in the park for the Christmas story, the lighting of the park, and the naming of St Nicholas.

Mayor Grayson stated that he had copies of the port plan from consultant Ron Coles if anyone needed a copy of the report. Mayor Grayson also stated he had a copy of the economic impact study from Dr. Sam Eddie for the port and if anyone needed a copy.

Mayor Grayson then stated that he had two (2) written complaints with several verbal complaints about Smarter Fuels, located in the old catfish plant on Highway 43 South. Mayor Grayson stated he was not recommending any action at this time but that he has spoken with the owner on two (2) occasions about the smell. Mayor Grayson stated if this were not corrected we would have to go to the next step. Councilman Moore then asked how much time we are going to give them because this had been going on three (3) months if not more. Mayor Grayson stated perhaps ten (10) days from last Wednesday and that we need a correction soon. Councilman Congress stated that he too had received a complaint.

Departmental Reports

Councilman Congress wanted to congratulate Barbara Blevin's Department on the award they received in Washington D.C. for America in Bloom. Mayor Grayson stated the week after that in Birmingham her department had won several rewards as well. Mayor Grayson congratulated Ms. Blevin's Department.

Projects

Dilapidated Housing: City Attorney William Poole stated that he had prepared two (2) resolutions if council would like to go further with any or all of the properties. Mr. Poole stated there were six (6) properties he has given the council packets on. Mr. Poole stated this is the beginning of the process and the next step would be to formally notify the property owner and then a hearing before the council for a final decision of action. Mr. Poole also stated he has two (2) resolutions the difference being: one (1) resolution covers five (5) of the six (6) properties and the other covers the sixth (6) of six (6) properties. Mr. Poole added he had received a call from one (1) of the property owner who has a plan of action for the property. Mr. Poole asked the property owner to put the plan of action in writing. Mr. Poole also stated he has copies of the resolution for the Mayor and Council to review before voting on this. Councilman Cooley asked what the resolution called for. Mr. Poole stated it is a determination if these properties are a nuisance, health or safety issue, or potential harm to the neighbors that is the statutory definition. Mr. Poole noted this was primarily the decision needed. Mayor Grayson stated we needed to act on this.

New Business

Water & Sewer Board re-appointment-Council appointments-6 year terms: Mayor Grayson stated that we had an appointment for a 6 year term, Chuck Smith's term will expire on November 1st. Councilman Congress nominated Don Singleton. Councilman Cooley nominated Chuck Smith. Councilman Yelverton asked how many terms had Mr. Smith served? Mayor Grayson stated that he was not sure but at least one (1) term. This will be tabled until the November 3rd Council meeting.

Public Assembly Application-First Baptist Church-Fall Festival: Mayor Grayson stated that First Baptist Church has requested that on Sunday October 30th, Strawberry Street between Jefferson Road and Railroad track be closed. Mayor Grayson stated they will be holding their fall festival from 3:30pm-8:00pm and Police Chief Reese has approved the application. Councilman Congress made the motion to approve the public assembly application. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call vote:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Jenn Tate-Chamber of Commerce-Christmas on the River: Mayor Grayson turned the floor over to Ms. Tate. Ms. Tate stated every year they try to do this for our City in hopes of bringing tourists. Ms. Tate noted this is our 40th Christmas on the River and a huge anniversary and she had left copies of plans in their mail slots. Ms. Tate stated basically there were no changes for activities. Councilman Meador made the motion to approve the request for a one-day business license for the 40th Christmas on the River festival. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Copy of City of Thomasville Alabama Ordinance: Mayor Grayson stated that this was a copy of the ordinance the City of Thomasville had passed on banning the sale of synthetic marijuana. Police Chief Reese stated last Friday, the Governor had signed an executive order to ban all spice. Police Chief Reese then stated this order would not last long. It will be needed until the legislative could come up with a law. Councilman Congress made the motion to pass the ordinance. Councilman Cooley seconded the motion and motion passed with 5 yes and 1 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Cemetery Board appointment-Council appointment-5 year term: Department Budgets: Mayor Grayson stated the Cemetery board would like to fill the vacancy of Peggy Eddins whom resigned. Mayor Grayson stated the Cemetery board would like to recommend Lloyd Duncan. Councilman Yelverton wanted to nominate Lloyd Duncan. Councilman Congress nominated Angenell Jones. Mayor Grayson stated this would be voted on during the November 3rd Council meeting.

Park & Recreation appointment-Council appointment-5 year term-must reside in the City limits: Mayor Grayson stated they had two (2) opening. Mayor Grayson stated that Tony Pittman had resigned and Olen Kerby's term had rolled off and he doesn't want to be reappointed. Councilman Meador stated the Park & Rec board has spoken with Geraldine Walker and Kevin Jones and would like to submit them. Councilman Meador nominated Geraldine Walker and Kevin Jones. Councilman Congress nominated Lynn Foster. Mayor Grayson stated this would be voted on during the November 3rd Council meeting.

Unfinished Business

Budget: Mayor Grayson stated that they had several discussions on the proposed budget and who would like to begin the discussion. Councilman Cooley stated he would like the Council to know they had two (2)-finance committee meetings today. Councilman Cooley then stated he wanted the general public to know when the budget original was presented; there was a large crowd here interested in the

City's business, at that meeting which presented projected figures that showed potentially what budget the City could end up with for the next budget year. Councilman Cooley stated that individuals had taken the opportunity to go on a crusade with a letter to the Demopolis Times printed on the front page. Councilman Cooley noted that in his ten (10) year tenure here he had never seen a letter to the editor printed on the front page. Councilman Cooley added the content of the letter was interpreted by me to mean the City was in dire financial straights with an out of control budget. Councilman Cooley stated that none of this was factual. Councilman Cooley then stated they had the final figures for the public today and that the City was in good financial shape. Councilman Cooley also stated the Finance committee has agreed to discuss some of the aspects of the proposed budget.

Mayor Grayson stated it is was important that it was noted that when this council took office in the 2008-2009 fiscal year they had inherited a budget that would have put the city over a million dollars into the hole. Mayor Grayson stated they had immediately made revisions that would have left the city 1.6 million short if they had followed that course. Mayor Grayson then stated with the revision they were able to put \$402,000 in reserve and the next year they were able to put \$349,000 into it but as far as the budget for this year, the hard times have hit us. Mayor Grayson added we did have to get money out of reserve; however, we are still on the plus side. Councilman Moore then stated they now have more defined figures, once they had reconciled what should have been done at the last meeting; Councilman Moore had an analysis that he wanted to present. He stated our budgeted revenues were \$9,885,000; the actual revenue had come in at \$9.6 which was about \$232,000 less than the budgeted revenue. Councilman Moore added that they have no control over the revenue stream but what they do have control over was the management of expenditures. Councilman Moore stated the expenditures had come in at \$9,868,000 and the actually expenses had come in at \$9,784,000 which meant that we were \$84,000 to the good on the expenditure side. Councilman Moore stated as managers they were in control. Councilman Moore noted hard times had hit but even in hard times we did not spend more than we budgeted. Councilman Moore stated if you included the reduction in revenues projected and the plus side of not spending of all that was budgeted; we did have to go into reserve this year for \$148,000.

Councilman Congress then stated based on what Councilman Moore had just said; they did do some budget amendments during the year when they added to some department's items that were not budgeted which would have taken us over. Councilman Congress cited examples such as Public Work's requesting a street sweeper which was \$101,000 and \$21,000 spent for the port study would together would come up to \$122,000. Mayor Grayson stated the sweeper was actually \$108,550. Councilman Congress replied that would equal almost \$130,000 not budgeted. Councilman Congress stated another example was the money that had to be added for overtime for the fire department budget, when a fireman was laid off with pay for about six (6) months and he does not know if that money has been replaced in their budget for the overtime given to those persons whom worked to replace the laid off person. Councilman Congress stated he believed that the public was confused between the bond issue and the budget. Councilman Congress noted these were two (2) separate items. Councilman Congress stated the bond issue was the money we are borrowing for the projects and the budget was something totally different. Councilman Congress stated we were not taking the money out of the budget to pay for the projects, that this would be a separate note that would have to be paid back from future budgets.

Councilman Congress then asked if the figures for the salaries in Fire department were correct. Fire Chief Few stated they were told not to figure salaries, that someone else would do that. Fire Chief Few stated with the work schedule that they had, pay was calculated differently and that it was something

that had never been corrected. Mayor Grayson stated that working the numbers was where the opportunity lay. Councilman Congress stated the Mayor implemented a policy that anything over a \$100.00 would have to be approved by him. Councilman Congress stated whoever submitted a request for anything, that request went to the City Clerk, and was then sent to the mayor for approval. Councilman Congress then stated if a person was over budget then the responsibility should be on shoulders of not just the department head but whoever approved the expenditure. Mayor Grayson corrected Councilman Congress that the request came to him first and then he would move it on. Mayor Grayson stated he relies on the department heads to manage that. Mayor Grayson also stated that is why we are paying them good money. Mayor Grayson then stated that he promised for the nature of that question that the departments are well aware of how crucial it was to stay on budget and within the budget this year. Councilman Congress replied when they pass the budget if it is crucial that everyone follows the budget passed and it is also crucial that once the council approves a budget for any department, that that department be allowed use the money in the manner in which it was approved. Councilman Congress stated with populations less 12,000 there was no veto giving by law to the Mayor. Mayor Grayson stated that being the Chief Financial Officer, the Mayor can make decisions on the well being of the City, which is why the Mayor is elected by the general population not by one district. Mayor Grayson stated that he would be the final say.

Councilman Meador stated he deeply appreciated the job the finance committee has done with the budget for past years and previously. Councilman Meador stated that looking at the proposed budget it was not balanced in terms of we have x number of dollars for revenue and x plus dollars of expenditures that are allocated to those line items and it doesn't add up. Councilman Meador then stated this is why he came up with a proposal two (2) meeting ago to make adjustments, we went over them last week and he had put a more precise report in their boxes and email. Councilman Meador stated he would like to look at this again tonight and offer the proposal again so that we could cut back on interest expense so we can cut some more from our expenditures allowing us to go into the budget in a positive and not a negative. Councilman Congress asked Councilman Meador if his proposal had been added to this budget. Councilman Moore stated no. Councilman Congress stated as it stands, the \$750,000 has to be rescinded. Councilman Congress stated anytime a motion has been passed of a financial matter or any nature, once it has been passed it has to be rescinded by the council in order to change to another figure or to do away with it. Councilman Congress stated the only way it could be brought back to the floor was by someone who voted affirmative, so as far as Fire Station #2 was concerned that vote could only be brought back up from Councilman Yelverton, Councilman Moore and He.

Mayor Grayson questioned if that was a valid vote anyway. Mayor Grayson stated there was not an absolute majority present. Mayor Grayson understood there had to be four (4) when it was a finance matter. Councilman Congress stated that this was Robert's Rule of Order. Councilman Cooley stated that the discussion about the fire station downtown was a moot point because in order for the City to get the money for the reconstruction of fire station they had to decide and vote on a dollar amount for the bond issue. Councilman Congress stated his understanding was that the only hold up was the final figures for the fire station. Councilman Cooley asked Councilman Congress if he could show him that in the minutes than he would agree. Councilman Cooley stated we do not have the final figures. Councilman Cooley stated that we took, Sunset Road, the Lem Wilson project, and the fire department project to determine the total amount for the bond issue. Councilman Cooley stated before a bond issue, if we do one, we needed a total dollar amount for bonding company. Mayor Grayson stated we are talking about two (2) bond issues; one (1) is for economic development and the second for infrastructure. Councilman Cooley stated these were estimates, not actually bids. Councilman Congress

stated he did not see a contract on the \$4.5 million. Councilman Cooley stated that was for land purchase. Councilman Meador stated he would like us to get back on point of the budget.

Councilman Moore stated he had noted a contradiction to an entry of \$125,000 he wanted to take out of the expenditures. Councilman Congress asked where it that. Councilman Moore stated the 1% sales taxes to the hospital had expired and it was still in the budget. Councilman Yelverton made the motion to accept the proposed budget from the finance committee with the 1% sales taxes to the hospital and the street paving to be removed from the budget. Councilman Moore asked that we get a definitive proposal from each Councilman with a total. Mayor Grayson stated that he would like each one to type or send it via email where it could be distributed to everyone. Mayor Grayson stated the deadline for proposal was Friday October 28th at noon.

Council Re-Districting: Mayor Grayson tabled this until the next meeting on November 3rd.

Personnel Policy Manual: Mayor Grayson at the next Council meeting they needed to schedule a work session.

Bond Issue: Mayor Grayson stated we discussed this that evening. Councilman Congress made the motion to submit and honor the ceiling amount agreed upon for the bond issue. Councilman Yelverton seconded the motion and the motion failed with 4 no's and 2 yes votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: no	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Ordinance 2011-05 Flood Damage Prevention: Mayor Grayson turned the floor over Building Official Clarence Brooker. Mr. Brooker stated that every Councilman has a copy of the ordinance and Councilman Cooley had requested the changes from the old ordinance. Councilman Cooley made the motion to accept Ordinance 2011-05. Councilman Moore seconded the motion and the motion passed with 4 yes and 2 abstain votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: abstain
Councilman Yelverton: abstain	Councilman Meador: yes	Councilman Cooley: yes

Street Sweeper: Mayor Grayson turned the floor over Councilman Congress because he requested this be placed on the agenda. Councilman Congress stated he had asked for the list of streets that were swept. Councilman Congress would like Pettus Street from South Front to 2nd Avenue to be added to the list.

Resolution-Closing of Alley-New Birth Outreach Ministry-Gerome Burrell: Mayor Grayson stated Mr. Burrell was asking for alley to be vacated. Mr. Poole stated he had prepared a resolution for this. Councilman Moore made the motion to vacate the alley. Councilman Meador seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

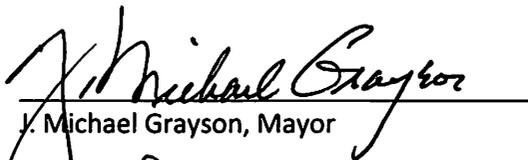
Don Singleton-Water & Sunset Road: Don Singleton stated this was for the water on Lem Wilson Road. Mr. Singleton stated the proposed budget that Councilman Meador presented at the last council meeting was not even mentioned tonight. Councilman Meador stated it was mentioned in the budget discussion. Councilman Meador corrected the amount for Sunset Road was not for \$25,000 it was to spend approximately \$60,000, which was the original amount allocated to the project. Mr. Singleton

stated it was for Lem Wilson. Councilman Meador stated they had spoken with the Water Department and that was approximate cost it would take to tie into the water line and get the proper pressure to service the six (6) houses in the area. Councilman Meador stated on Monday the Water & Sewer board agreed to absorb the whole cost and this would save the City the entire amount. Councilman Congress asked the Mayor if water was to be run on both sides of Lem Wilson Road. Councilman Yelverton stated it would be the length of the road. Mayor Grayson stated Brooks Mc Cants from the Water department was present. Mayor Grayson asked Mr. Mc Cants to explain exactly what the motion was and what the Water department was willing to do. Mr. Mc Cants stated, originally, they were told Lem Wilson did not have water. Mr. Mc Cants stated there *was* water on Lem Wilson Road but the water pressure was not up to the correct PSI. Mr. Mc Cants stated the Water Department could tie in at the y at the intersection of Rangeline and Jefferson Roads and provide them with the correct pressure needed and extend the water line down to Mr. Wilson and his neighbor. Mr. Mc Cants stated this does not include fire hydrants and they would have a separate problem if they wanted to include fire hydrants.

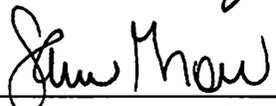
Don Singleton stated the council was cutting the budget but for the last three (3) years each of them had advocated Sunset Road which has been on the agenda. Mr. Singleton stated they had been promises after promises on this. Mayor Grayson stated Sunset Road was not off the table. Mayor Grayson stated what we are looking at was the 7 cent gas tax that could be used to pave roads. Mayor Grayson also stated he could personally tell him that he advocated in place of a bond issue they may be able to use the 7 cents gas tax and pave Sunset Road. Councilman Congress asked why we applied for the DRA grant if we had this money - did we have \$288,000 plus the 7 cents gas tax to pave Sunset Road. Mayor Grayson stated no, he was going back to asphalt in order to give them a road. Mr. Mc Cants addressed the Council, asking why you would spend money to pave a road if in about three (3) years the Water Department gets a grant for water and sewer and has to tear it up.

Councilman Congress made the motion to adjourn. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

November 3, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday November 3, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District-3
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk

Department Heads:

- Police–Rex Flowers-submitted
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
 - Public Works-Mike Baker-submitted
 - Horticulture-Barbara Blevins
 - Library-Morgan Grimes

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Sid Rowser followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress asked the bond issue be added under unfinished business item number 4 before the budget. Mayor Grayson asked the airport be added under new business. Councilman Cooley made the motion to approve the agenda with amendments. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the October 20, 2011 regular meeting. Councilman Cooley stated that he has two (2) corrections on page 1 as follows:

Councilman Cooley stated he had a list of who was over budget and that thirteen (13) out of fifteen (15) departments had been over budget ~~in~~ **during** the last five (5) years.

Councilman Cooley stated on page 4 in the first paragraph, the fourth line down, correction as follows:

Councilman Cooley noted in his ~~ten (10)-year~~ tenure here he had never seen a letter to the editor printed on the front page.

Councilman Yelverton stated on page 3 in the third (3) paragraph where he voted no, the reason was not noted.

Councilman Yelverton stated that he voted no because it's a city ordinance and not statewide.

Councilman Meador made the motion to approve the amended minutes. Councilman Moore seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson stated no announcements at this time.

Departmental Reports

Projects

Dilapidated Housing: City Attorney William Poole stated at the last council meeting he had furnished each council member with a packet of information on six (6) properties. Mr. Poole asked each one of them take an opportunity to view each one of properties, this is in case of court proceeding the basis of the vote. Mr. Poole asked what the council's pressure is to go forward on some or all of these properties. Mr. Poole reported on 814 A Street he has been contacted and they have stated they have cleaned the lot. Mr. Poole stated this property is a two (2) fold problem, the house and the lot. Mr. Poole stated in addition, 606 Blacks Drive, Carrie Wallace has also contacted him. Mr. Poole stated the yard is in good shape but the house has suffered a fire and is just a shell. Mayor Grayson asked Mr. Poole if he recommended they remain on the list, grant more time, or remove from the list. Mr. Poole stated they should be considered to stay on the list and come up with a plan. Mr. Poole stated his understanding was that these properties had been in this shape for some time. Mr. Poole also stated he had drafted a resolution that described these properties, their conditions, and their effects on the surrounding neighborhood, safety, health, and property values.

Councilman Cooley made a motion to follow the recommendations of the City Attorney. Councilman Yelverton seconded the motion. Councilman Congress noted on the resolution it states: declared a nuisance and demolished. Councilman Congress asked at whose expense. Mr. Poole stated this would be paid by the City and then assessed to the property. Councilman Congress asked if this should be in the resolution. Mr. Poole stated the property owner should respond, the council determine and listen to their objections, and then decide if it needs to be demolished. Mr. Poole stated this is to authorize the first step. Mayor Grayson called it to vote, the motion passed with 5 yes votes and 1 abstain by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: abstain
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Smarter Fuels: Mr. Poole stated he had been furnished with several complaints received by the City. Mr. Poole stated the odor can be classified as a nuisance by law. Mr. Poole stated if it affects a number of properties, which seems to be the case, it can be classified as a public nuisance and the City has the right to go to circuit court and have that nuisance abated. Mr. Poole then stated he needed to talk to as

many complainants, witnesses, and citizens as possible and document the interviews. Mr. Poole stated we need to give Smarter Fuel notice that we have these complaints and find if we can remedy the problem. Mayor Grayson stated he has personally had conversations with the plant manager and the vice president in addition to the property owners. Councilman Congress stated Commissioner Armstead has visited the plant and was not well received. Councilman Meador asked Mayor Grayson what kind of response he got. Mayor Grayson stated it appeared to be well received; they would work on it, and put a disinfectant in the mix. Mayor stated that Mr. Brooker has had conversations with them as well. Mayor Grayson stated he had said three weeks, but it could very well be a month to five (5) weeks. Mayor Grayson noted that nothing has yet changed. Councilman Moore stated it had been three (3) months since he was initially contacted. Mayor Grayson replied this had been ongoing and some of citizens were very troubled by it. Councilman Cooley stated, in his opinion, based on the number of roughly 55 citizens making unfavorable comments about the odor, something needed to be done. Councilman Moore stated whatever we can do legally that's what he would like to do. Mayor Grayson asked Mr. Poole based on that, what did we need to do. Mr. Poole stated he would draft a law suit. Councilman Moore then made a motion to authorize the City Attorney to begin legal proceeding. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

New Business

Airport Resolution: Mayor Grayson turned the floor over to Mr. Buzz Sawyer. Mr. Sawyer stated that we have an application in for 1.7 million dollars to resurface the runway. Mr. Sawyer stated this resolution was simply to tell the state and FAA that we guarantee we will pay \$46,000. Mayor Grayson asked Mr. Sawyer if he had it in his budget. Mr. Sawyer said yes. Councilman Yelverton made a motion to pass the resolution. Councilman Meador seconded the motion and the motion passed with 5 yes votes and 1 abstainment by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: abstain
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Unfinished Business

Water & Sewer Board re-appointment-Council appointment-6 year terms: Mayor Grayson stated that Chuck Smith is currently serving on the board and his term has expired. Mayor Grayson made the motion to reappoint Chuck Smith for another term on the water board. Councilman Moore stated he thought that the water board was a five (5) year term. Councilman Cooley stated that he thought the hospital board was the only six (6) year term. Councilman Moore stated this was of concern - someone serving on two (2) boards. Councilman Moore stated Mr. Smith also serves on the Marengo County Economic Development Board. Councilman Congress stated there were other citizens who would like to serve on city boards, if we continue to reappoint board members we are not allowing others to serve. Councilman Meador seconded Mayor Grayson's motion and the motion failed with 3 yes and 3 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: no	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Councilman Congress made the motion to appoint Don Singleton to the Water & Sewer board for the expired term of Chuck Smith. Councilman Yelverton seconded the motion and the motion failed with 2 yes, 3 no, and 1 abstain votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: abstain	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson stated that Chuck Smith will continue to serve until we have new recommendations at the next council meeting.

Cemetery Board appointment-Council appointment-5 year term: Mayor Grayson stated we had two (2) people nominated at the last council meeting, Lloyd Duncan and Angenell Jones. Councilman Congress made the motion to appoint Angenell Jones. Councilman Moore seconded the motion. Mayor Grayson asked if Ms. Jones has been contacted. Councilman Congress stated he has spoken with her and explained the duties of the cemetery board. Councilman Congress stated that Ms. Jones taught school for 26 years. Councilman Meador asked who nominated Lloyd Duncan. Councilman Yelverton stated the cemetery board. Mayor Grayson called the motion to vote, the motion passed with 5 yes votes and 1 abstain vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: abstain

Mayor Grayson stated Angenell Jones would fill the unexpired term of Peggy Eddins that would expire September 30, 2014.

Park & Recreation appointment-Council appointment-5 year term-must reside in the City limits: Mayor Grayson stated we had three (3) people nominated at the last council meeting, but we only have two openings - one being Tony Pittman who resigned and Olen Kerby whose term had expired. Mayor Grayson stated Kevin Jones, Geraldine Walker, and Lynn Foster were nominated. Councilman Moore had some concerns. Councilman Meador made the motion to appoint Kevin Jones to the Park & Recreation board. Councilman Cooley seconded the motion and the motion passed with 3 yes, 1 no, and 2 abstain by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: abstain	Councilman Congress: no
Councilman Yelverton: abstain	Councilman Meador: yes	Councilman Cooley: yes

Councilman Congress made the motion to appoint Lynn Foster to fill the expired term of Olen Kerby. Councilman Moore seconded the motion and the motion passed with 5 yes votes and 1 abstain vote by the following roll call votes:

Mayor Grayson: abstain	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Bond Issue: Councilman Congress stated this is a matter that has been dragged on and on and he hates to be redundant. Councilman Congress stated a joint motion was made. Councilman Congress also stated the figures for the Fire Station #2 renovation of \$750,000 and he did see the recommendation from Councilman Meador and all due respect to him he did not agree with the recommendation. Councilman Congress stated we needed to move on with the bond issue and 4.5 million dollars for the port, \$288,000 Sunset Road, \$138,000 more or less for Lem Wilson Road, and \$750,000 for Fire Station #2 renovation. Councilman Congress added he had spoken with Tracey Roberts with the Alabama League of Municipality just before the meeting and with 4 council members and Mayor we had a

quorum, in fact that it was not an ordinance. That a true majority was not necessary in this case and with the vote 3 to 2 and Councilman Cooley absent, it was legal and binding unless it was rescinded by the council. Councilman Congress then stated we would need to add the figures and that would be the amount for the bond issue. Councilman Congress also stated if the Water Department is going to do Lem Wilson road for free, we would give the money back to the bonding company. Mayor Grayson stated infrastructure part of the bond does not really make sense anymore simple because financial aspect of it. Mayor Grayson stated he and Councilman Moore had attended the Alabama Association Regional Council last week and had spoken with Ronnie Davis, USDA. Mr. Davis stated the USDA does not have any money but they do have money available for community facilities. Mayor Grayson asked Mr. Davis if renovation of a fire station would fall in that category. Mr. Davis stated yes. Mayor Grayson recommended we consider moving forward on the fire station under the USDA grant/loan. Mayor Grayson stated they would grant 35% of the \$750,000 and loan the balance at a competitive interest rate.

Mayor Grayson also stated we have the Water Department that would take care of Lem Wilson Road. Mayor Grayson then stated Councilman Meador would recommend removing the paving project and do it as we could afford it. Mayor Grayson added as far as Sunset Road, we have a 4 cent gas tax that could be used for the overlay paving. Councilman Congress stated that Chief Few has already offered this to the building committee about 7 months ago. Councilman Congress stated that Nivory Gordon USDA stated it was a 65/35 grant/loan. Councilman Congress stated at that time Mayor Grayson stated if it is not 100% we were not interested. Councilman Congress asked why the 4 cent gas tax wasn't offered before. Councilman Congress stated that we made a decision in a joint motion that Sunset Road would be properly paved. Councilman Congress then stated Tracey Roberts with the League stated an ordinance would have to be done for the bond issue with a true majority and that he would not support an ordinance if the projects promised were not in the bond issue. Mayor Grayson responded about Nivory Gordon, at that time we were looking at a drawing that cost 1.2 million dollars that was nowhere near what we needed. Mayor Grayson stated that was why he was strongly against it. Mayor Grayson stated we now have a drawing that we have approved for \$654,000 that we could get a loan for. Mayor Grayson asked why we would want to go to the expense of issuing a bond on non generated revenue. Councilman Moore stated that those specifications were not job producing but someone has to do the renovation. Councilman Moore stated with Ronnie Davis we may have an answer by June 2012 or definitely by August 2012 and there was no assurance. Councilman Moore stated we have promised and promised to do this renovation at the fire station and he strongly suggested we do it in the budget year.

Councilman Cooley stated he could not help but to respond to Councilman Congress including the \$138,000 for the Lem Wilson Road water project. Councilman Cooley stated he would love to share some information that was factual and on record at the Water Department. Councilman Cooley stated when Councilman Yelverton initiated this project; it was his understanding 6 residences on Lem Wilson Road did not have water. Councilman Cooley then stated that's not the case. Councilman Cooley stated that he had a list by name of the customers and how long they have had city water with a city meter and this list goes back to 2002 when there were 2 customers, in 2005 there were 2 and 1 in 2011. Councilman Cooley stated there is only one person on that road that didn't have water and that the Water Department had worked out an arrangement with Myrtlewood to vacate the line and it would belong to the Water Department. Councilman Cooley stated they would increase the water pressure also. Mayor Grayson added at this time this doesn't make financial sense. After some deliberation the council scheduled a work session for November 16, 2011 at 6pm at Rooster Hall.

Budget: Mayor Grayson stated there was no reason to discuss the budget until the bond issue was agreed upon.

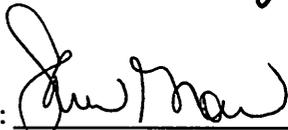
Council Re-Districting: Mayor Grayson asked if the Council members had looked at the re-districting map at City Hall. Councilman Congress made the motion to adopt map #3. Councilman Yelverton seconded the motion. Mayor Grayson suggested he go and get the maps to review. The council recessed at 6:40 and reconvened at 6:44. Councilman Congress withdrew his motion. Councilman Moore made the motion to approve map # 5 and have a public hearing at the next council meeting. Councilman Congress seconded the motion and motion passed with 4 yes and 2 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: no

Personnel Policy Manual: Mayor Grayson stated there was nothing to discuss at that time.

Councilman Congress made the motion to adjourn at 6:55pm. Councilman Meador seconded the motion.


 J. Michael Grayson, Mayor

ATTEST: 
 Sam Gross, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

November 17, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday November 17, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District-3
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk

Department Heads:

- | | |
|---|---------------------------------|
| • Police–Tommie Reese | Court |
| • Fire-Ron Few-submitted | Public Works-Mike Baker |
| • Park & Recreation | Horticulture |
| • Building Official-Clarence Brooker, Jr. | Library-Morgan Grimes-submitted |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Floyd James followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Moore asked to amend the agenda to add the rescheduling of December 1, 2011 Council meeting under new business number 3. Councilman Meador made the motion to approve the agenda with the amendment. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the November 3, 2011 regular meeting. Councilman Yelverton made the motion to approve the minutes. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson stated November 18th is Chief Ronnie Few's birthday.

Mayor Grayson stated he had meet with Nivory Gordon, USDA and Frank Dobson, ATRC and would like to schedule a work session so they could review the facts on USDA funding for the fire station rehab. Mayor Grayson stated the dates they suggested were Tuesday November 22nd, Wednesday November

30th, or Monday December 5th. After some discussion the council decided on November 22nd at 5:30 at Rooster Hall.

Mayor Grayson stated he had told the council several weeks ago he would try to make it a point to bring them up to date as far as how the budget was operating. Mayor Grayson stated we are working on last year's budget for this year and he would like to bring to their attention the current revenue for the month was \$521,000 and change and we have spent \$456,000 of that. Mayor Grayson stated all our departments have seized the challenge and have kept their expenditures within the 8.66% range. Mayor Grayson stated the ones out of the range were the Horticulturist because of the fall planting and Animal Control which was not accurate due to the fact that last year we made a mistake and did not budget in any salaries. Mayor Grayson added the municipal court will be addressed due to the fact we have not factored in appropriate salaries and the Library is slightly over due to a book order they needed to fund. Mayor Grayson stated he expected the Library and Horticulturist to be at a 16.66% overage at the end of November. Councilman Congress asked if we have 3 greenhouses. Mayor Grayson stated yes. Councilman Congress asked why did we still buy plants. Mayor Grayson suggested he ask Ms. Blevins.

Departmental Reports

Projects

Dilapidated Housing: City Attorney William Poole stated he is about to issue certified mail notices to the property owners in connection with the 6 properties approved at the last Council meeting. Mr. Poole stated this would trigger their right to request a full hearing before the council and this would probably be in January.

Councilman Cooley asked Mr. Poole about Smart Fuels with the foul odor. Mr. Poole stated he had a rough draft of a lawsuit and a letter to Smarter Fuels along with letters to the witnesses to allow them to document their complaint or he'll go visit them and document specific dates and times and how it has affected them. Mr. Poole also stated he would like to discuss this in executive session because it would become a lawsuit. Mr. Poole added he generally wants to come up with more witnesses to strengthen our position.

New Business

ABC Application-Lounge Retail Liquor-Class II (Package): Mayor Grayson asked City Clerk Sam Gross to give details about the application. Ms. Gross stated this application was for a retail liquor license at Smoke N Chew at 1603 Highway 80 West. Ms. Gross stated they previously had a beer off premise license. Mayor Grayson asked if this application was for a package store. Ms. Gross stated yes. Police Chief Reese stated he had no objections. Councilman Meador then made a motion to approve the application. Councilman Yelverton seconded the motion and the motion passed with 4 yes votes and 2 abstain by the following roll call votes:

Mayor Grayson: abstain	Councilman Moore: yes	Councilman Congress: abstain
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

2012 Holiday Calendar: Mayor Grayson stated the council packet contained a calendar for 2012 that needed to be approved. Ms. Gross stated there was a correction on the calendar. It should read:

Tuesday January 1, **2013**. Councilman Moore made the motion to adopt the 2012 calendar. Councilman Yelverton seconded the motion and the motion carried with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton:yes	Councilman Meador: yes	Councilman Cooley: yes

Rescheduling the December 1st Council meeting: Mayor Grayson stated this item was added to the agenda by the Demopolis Chamber of Commerce which had requested the Mayor and City Council to attend the Christmas on the River lighting event at the city park on December 1st. Councilman Meador made the motion to move the December 1st meeting to December 6th at 5:15pm at Rooster Hall. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton:yes	Councilman Meador: yes	Councilman Cooley: yes

Redistricting: Mayor Grayson stated this would be moved to the December 6th meeting for the public hearing.

Unfinished Business

Water & Sewer Board re-appointment-Council appointment-6 year terms: Councilman Yelverton made the motion to table this until the next meeting. Councilman Congress seconded the motion and the motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson stated he would like to renominate Chuck Smith for another term.

Councilman Congress stated he would like to nominate Don Singleton to the Water & Sewer Board.

Councilman Congress made a motion to suspend the rules. The motion failed for a lack of a second.

Mayor Grayson stated nominees will be voted on during the December 6th Council meeting.

Budget: Mayor Grayson stated they had a good work session last night concerning the budget and that the floor was open. Councilman Congress made the motion to approve the amended budget that would include \$288,000 for Sunset Road, \$138,000 for Lem Wilson Road, \$750,000 for Fire Station, and \$4.5 million dollars for the port, \$125,000 for hospital, and \$1,000 one time pay adjustment for full time city employees and cut the Mayor and Councils travel expenses to \$4,000 for each. Councilman Yelverton seconded the motion and motion failed 2 yes and 4 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: no	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Councilman Moore recommended the budget he proposed the evening before. Councilman Moore stated he gave copies to everybody. Councilman Congress stated he opposed Councilman Moore's recommended budget. Councilman Congress also stated the 4 cent gas tax had yielded only \$149,000 and that amount would not cover the \$288,000 figure quoted to pave Sunset Road. Mayor Grayson asked if he could correct something, that Councilman Congress was incorrect about the 4 cent gas tax. As of September 30th, the balance was \$159,253. Councilman Congress stated that this still fell short of

the amount for the Sunset Road paving project. Councilman Congress then stated Mayor Grayson had asked if the residents would accept assessment and the property owners do not wish to do that. Councilman Congress stated if Councilman Moore's recommended budget was approved, it would negate the projects by the amounts the council has already approved unanimously. Councilman Congress noted this would be out of order and the motion would have to be rescinded from the budget. Mayor Grayson asked Councilman Moore if that was his motion. Councilman Moore stated yes. Councilman Yelverton seconded Councilman Moore's motion and the motion failed with 2 yes and 4 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Councilman Cooley then offered a suggestion that after the work session meeting on November 22nd they discuss the budget. Councilman Cooley stated due to time restrains he was unable to present a proposal. Councilman Cooley then stated this would give everyone the opportunity to prepare their recommendations. Mayor Grayson replied he would encourage everyone to look back at an email dated October 28th containing his budget proposal which was projected to leave the City \$5,121 in the black.

Bond Issue: Mayor Grayson stated the water department was willing to address the initial concerns of Lem Wilson Road about water. Mayor Grayson stated Councilman Yelverton had a discussion with Brooks Mc Cants about laying an 8" line at a later date for Lem Wilson Road. Mayor Grayson stated as for the paving of Sunset Road, if they went back to the original issue, the City could pay for that out of the gas tax. Mayor Grayson added as for the paving of the streets, Councilman Meador had removed that from the table. Mayor Grayson noted the other issue was the Fire Station # 2 renovation using USDA funds and that it would be in the Council's best interest to hear from Frank Dobson, ATRC and Nivory Gordon, USDA with their presentation.

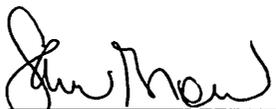
Personnel Policy Manual: After some discussion, Councilman Congress made a motion to remove this from unfinished business at that time. Councilman Cooley seconded the motion and motion passed with 5 yes and 1 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Councilman Cooley made the motion to adjourn at 6:05pm. Councilman Meador seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

December 5, 2011

The special called meeting of the Demopolis City Council convened at 5:15pm on Monday December 5, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District-3
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk

Department Heads:

- | | |
|-----------------------|--------------|
| • Police | Court |
| • Fire-Ron Few | Public Works |
| • Park & Recreation | Horticulture |
| • Building Official | Library |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation followed by the Pledge of Allegiance.

Unfinished Business

Bond Issue: Mayor Grayson stated our bond issue for the port property purchased by the City through Regions Bank through a loan will be extended. Mayor Grayson stated we have other project we have other funding for. Mayor Grayson asked that we dispense with Robert's rules of order to have an open discussion. Councilman Congress asked if we were at official council meeting. Mayor Grayson stated yes. Councilman Congress stated that it has to be unanimously vote to suspend the rules of Robert's rules of order.

Mayor Grayson opened the floor for discussion for the bond issue. Council Congress stated he is being over redundant concerning Sunset Road and that we voted unanimously to pave Sunset in the amount of \$288,000 plus dollars. Councilman Congress also stated that while it was recommended to use the 4 cents gas tax for it, the fund does not have that kind of money in there. Councilman Congress then stated that we have already decided to do the bond issue, so to do anything else we would have to rescind the action and would be out of order. Councilman Meador stated that we also voted unanimously to all or nothing. Councilman Meador stated since that time we have backtracked on the Lem Wilson Road, the paving project, and found other things that we want to pull out of. Councilman Meador stated that we couldn't have it both ways. Councilman Meador wanted to rescind his motion to the second part of the bond issue and only focus on the purchase of the port property for \$4.5 million dollars. Councilman Congress stated if you're going to rescind a motion it would have to be for the entire motion and then make a new motion.

Councilman Meador made a motion to rescind the entire motion. Councilman Cooley seconded the motion. Councilman Cooley stated a point of order, we agreed to do the projects, Lem Wilson, Sunset Road, paving, and Fire station. Councilman Cooley stated that we never voted on a total exact price/cost because we didn't know. Councilman Cooley stated that we never got bids on these projects, and the projected costs were nothing but estimates. Councilman Congress stated that we had a projected amount on every project except the fire station. Councilman Congress also stated that we voted at subsequent meetings on the amount of \$750,000 for the fire station. Councilman Congress asked how could you rescind a motion when you have already received the money for \$4.5 million dollars. Mayor Grayson stated this was a bridge loan. Councilman Congress stated that we authorized the Mayor to get the bridge loan for 180 days pending the bond issues. Councilman Yelverton asked if there was \$160,000 in the 4 cents gas tax. Mayor Grayson stated that it accumulates approximately \$55,000 a year and that we have used part of it for bridge inspections about two (2) years ago.

Councilman Meador stated the council was told that Lem Wilson Road did not have water, however, they did have water but the water pressure was the issue. Councilman Meador then stated this problem would be corrected at no cost to the City. Councilman Meador then stated about Sunset Road "I want to do it right but if we are going to do right we need to put in water and sewer". Councilman Moore asked if we could consider using the 4 cents gas tax this year and next year. Mayor Grayson stated in the budget there is a line item capital project match of \$50,000 but he wanted the council to be aware that they are committing the total amount budgeted in capital projects - approximately \$55,000 per year 4 cents gas tax and the current balance in that account of approximately \$160,000.

Councilman Meador withdrew his motion. Councilman Yelverton asked if we have a time period for the fire station to be started. Councilman Yelverton stated that he had missed the work session. Mayor Grayson stated he had a resolution and recapped his meet with Nivory Gordon USDA and Frank Dobson ATRC last week or the week before. Mayor Grayson stated they had sent a resolution that would need to be passed. Mayor Grayson stated was on the agenda for tomorrow night. Mayor Grayson then stated after meeting with them, he was very optimistic in terms of our chances of not only getting a USDA loan and the possibility of a partial USDA grant. Councilman Moore stated the timetable would be last March or early April.

Mayor Grayson asked for a recess at 6:05pm for five minutes.

Mayor and Council reconvened at 6:14pm.

Councilman Moore made the motion to fund the Sunset Road project using the 4 cent gas tax balance now and the amount contributed to it this year plus the \$50,000 capital project match in the budget for this year and commitment the balance to be paid in the next budget year 2012-2013 as a project outlay by Goodwyn Mills & Cawood. Mayor Grayson stated for the record that the capital project's expense account was 10-03-58914. Councilman Congress seconded the motion and the motion passed 4 yes votes and 2 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Bond Issue-Port Project: Mayor Grayson stated we have sent out an RFP for a bond issue for economic development. Mayor Grayson stated it was sent to five (5) investment banking groups with a deadline of 12 noon December 6th.

Councilman Moore asked if we needed a first reading on the budget tonight so it could be approved tomorrow on our schedule meeting.

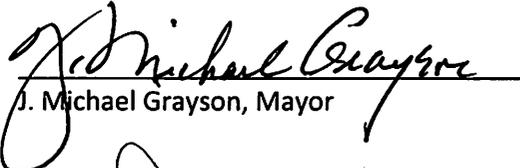
Councilman Moore made the motion to approve the first reading of \$4.5 million dollars for the bond issue. Councilman Cooley seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

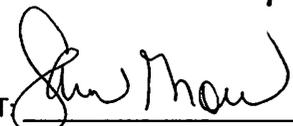
Budget: Councilman Moore stated the budget in the council's packet did not have anything in it for a one time pay adjustment for City employees. Councilman Moore stated he would be in favor of half the amount of last year. Councilman Cooley stated he would also be in favor of the \$500 one-time pay adjustment. Councilman Congress stated he bought up the issue of the hospital but his concerns were that employees were contacting him. Councilman Congress stated he heartily felt that our employees must come first and he would be in favor of a \$1,000 one time pay adjustment for city employees and cut the hospital by \$45,000 and give them \$80,000. Councilman Yelverton stated there are things in the budget that he personal didn't like but if the city employees could receive the \$1,000 one time pay adjustment he would vote for the budget. Mayor Grayson stated that he totally agreed with giving the city employees their one time pay adjustment because they had earned it. Mayor Grayson stated unfortunately that just can't happen because the numbers just won't work. Mayor Grayson then stated we are going to come in on budget this year. Councilman Cooley made the motion to pass the budget as structured in the first reading with one exception - that we include a \$500 one time pay adjustment to full time employees as of October 1, 2011. Councilman Moore seconded the motion and motion passed 4 yes votes and 2 no votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to adjourn at 6:04pm. Councilman Cooley seconded the motion and the passed unanimously.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

December 6, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Tuesday December 6, 2011 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District-3
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk

Department Heads:

- Police–Tommie Reese
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court-submitted
Public Works-Mike Baker-submitted
Horticulture
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Art Luckie followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress made the motion to approve the agenda. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the November 17, 2011 regular meeting. Councilman Meador made the motion to approve the minutes. Councilman Moore seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson stated no announcements at this time.

Departmental Reports

Mayor Grayson congratulated the Demopolis Police Department on the excellent resolution of the hit & run over the weekend.

Projects

Dilapidated Housing: City Attorney William Poole stated that title work is being done on the 6 properties approved by the council.

New Business

Public Hearing-Council Redistricting: Mayor Grayson read the public hearing notice on the proposed redistricting map. Mayor Grayson asked the public if anyone would like to speak for or against proposed redistricting map #5. Councilman Congress made the motion to adopt map # 5 redistricting map. Councilman Moore seconded the motion and the motion passed with 4 yes votes and 2 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

USDA Resolution: Mayor Grayson stated this Resolution was prepared by the Alabama Tombigbee Regional Commission. Mayor Grayson stated this is a follow up for the meeting with Nivory Gordon USDA and Frank Dobson ATRC to apply for USDA funding to renovate the downtown fire station. Councilman Cooley stated since he was not present when the vote enacted was taken concerning the fire station, he was going to use the time to express his feeling as everyone else has had an opportunity to do so. Councilman Cooley stated that he agreed when they built fire station on Highway 80 East and with the prior administration that the downtown fire station needed renovation and still does. Councilman Cooley stated the vote that was taken in his absence the majority rules and I understand that. Councilman Cooley stated that to spend \$750,000 on the downtown fire station renovation from a financial standpoint is totally out of place.

Councilman Cooley then stated the breakdown, as he understands it was rounded to \$750,000, that \$648,000 was for the architect and \$100,000 for geo technical and furnishing. Councilman Cooley stated that he talked with a architect and several engineers about geo technical aspects - which have to do with determining the compaction of the soil and do not have anything to do with environmental issues – which can run from \$5,000 to \$15,000, and possibly \$20,000 to accomplish. Councilman Cooley then stated if we use the “guestimate” of \$20,000, than this would only leave \$80,000 for furnishings. Councilman Cooley asked if the Council knew how much furnishings you could buy with \$80,000. Councilman Cooley added that he is 100% against that. Councilman Cooley stated secondly, in regard to the expected expenditure of \$648,000, he had spoken to an architect at length and had looked at the drawings. Councilman Cooley stated several of the things that are most costly include the removal of all the concrete inside the building to pour more concrete to hold heavier trucks supposedly, and to refinish the entire outside parking lot.

Councilman Cooley added the new plans also call for adding administration offices of which there are none now and a patio is included in the drawing along with three (3) bath facilities, yet at the other two (2) stations we only have two (2) bathroom facilities at each station. Councilman Cooley also stated the downtown station is currently staffed with two (2) firemen 24 hours a day and 7 days a week. Councilman Cooley stated that we are going to spend \$648,000 on a fire station that only will house two (2) firemen. Councilman Cooley then stated apparently someone else will be moving down to that location with the administration office located there. Councilman Cooley noted that this building could be spruced up and could look a lot better inside and out for far less than \$648,000. Councilman Cooley stated that his vote tonight on the USDA resolution would be no. Councilman Meador stated that he

was in agreement on some type of renovation for the fire station and that he voted for the \$648,000 renovation. Councilman Meador added the USDA loan has a lower interest rate than a bond issue. However, he echoes Councilman Cooley's concern over this fire station being only a sub-station and the amount of the renovation. Councilman Yelverton made the motion to approve the USDA resolution. Councilman Congress seconded the motion and the motion passed with 4 yes votes and 2 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Unfinished

Water & Sewer Board re-appointment-Council appointment-6 year term: Mayor Grayson stated he would like to nominate Chuck Smith to another term. Councilman Congress stated that he would like to nominate Don Singleton. Mayor Grayson stated since there were no new nominees and since they had been vetted by everyone whether they were voting one up or down, He was addressing the council to express their preference on who they were voting for. Mayor Grayson stated this vote was for Chuck Smith.

Mayor Grayson: yes	Councilman Moore: abstain	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson stated that Chuck Smith was reappointed to the Water & Sewer Board for another term.

Resolution 2011-13 Budget 2011-2012: Mayor Grayson stated that each of them had a summary of the budget in their packet. Councilman Congress stated that for those who were not here last night, they had agreed to pave Sunset Road but it was not to be included in the bond issue. Councilman Congress stated they had set aside \$159,000 from the 4 cents gas tax account along with \$50,000 under the capital project match. Councilman Congress stated that they were committing the gas tax projected for \$55,000 under the 2012 budget to the project and allocated the 4 cents gas tax for the future budget up to the \$288,000 outlined by Goodwyn, Miils, & Cawood. Councilman Congress then made the motion to pass resolution 2011-13 Budget 2011-2012. Councilman Moore seconded the motion and motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

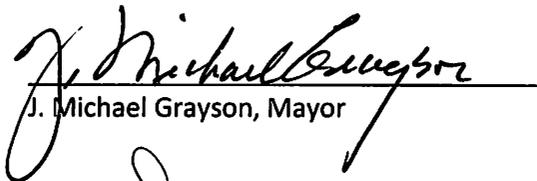
For the record Councilman Cooley voted yes with reservations.

Bond Issue/RFP: Mayor Grayson stated they have identified 5 firms to submit RFP's. Mayor Grayson stated the RFP's were sent out and three (3) would be picked to come to the Council with a presentation. Mayor Grayson stated the deadline for the RFP's was December 6, 2011 at noon and that City Clerk Sam Gross had received one (1) RFP by email from Sterne Agee and after speaking with Tracy Roberts with the League that was not acceptable. Mayor Grayson stated the RFP's were from Frazier Lanier Company, Merchant Capital LLC, and Gardnyr Michael Capital, Inc. Mayor Grayson stated per our previous discussion we would invite representatives of these three (3) firms to come and make a formal presentation for the 4 million dollars bond issue. Mayor Grayson stated we had been talking about 5 million, but had not drawn down \$500,000 on the bridge loan so they would be only talking about a 4 million dollar bond issue. Mayor Grayson stated that AMFUND did not respond due to fact the application would have to be turned in by the City and the turn around time for AMFUND after the receiving the application would be 14 days and that would not meet the deadline.

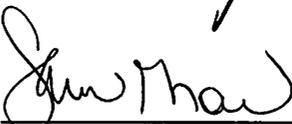
Councilman Moore stated that AMFUND's terms would only be for twenty (20) years. Councilman Congress asked if the \$500,000 would be used for the port. Mayor Grayson stated this amount would not be drawn down and that we were approved up to 4.5 million dollars. Mayor Grayson then stated the port property was only 4 million dollars and that the other \$500,000 was to be used for Geo technical and environment testing; as it turns out we would not need the testing. Mayor Grayson added the bridge loan note expires December 9th but Regions Bank would give us an extension on this until we get our bond set up. Councilman Meador made the motion to table this issue until the next regular schedule council meeting and ask the three (3) firms to show up for a presentation with no other matter on the agenda. Councilman Cooley seconded the motion and the motion passed 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to adjourn at 6:05pm. Councilman Moore seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

December 15, 2011

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday December 15, 2011 at the Demopolis Rooster Hall.

Present: J. Michael Grayson, Mayor
Council Members: Thomas Moore, Mayor Pro Tempore-District 1
William Meador, Jr.-District 4
Jack Cooley-District 5
Sam Gross, City Clerk
Absent: Mitchell Congress-District 2
Melvin Yelverton-District 3

- Department Heads:
- Police—Tommie Reese-submitted
 - Fire-Ron Few-submitted
 - Library
 - Park & Recreation
 - Building Official
- Court-submitted
Public Works
Horticulture
City Hall

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Councilman Cooley followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador made the motion to clear the agenda except for approval of the minutes on December 5th and December 6th and the Bond Issue RFP presentations. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the December 5, 2011 called meeting and December 6, 2011 regular meeting. Councilman Cooley made the motion to approve the minutes of December 5th and December 6th. Councilman Meador seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson stated no announcements at this time.

Departmental Reports

No department reports

Projects

Dilapidated Housing: City Attorney William Poole stated that letters would be sent out after the holidays.

New Business

Bond Issue RFP presentations: Mayor Grayson stated each investment groups would have 10 minutes for their presentation, 5 minutes for questions, and once they are done they would leave the building.

Schedule for RFP presentations:

- 5:30pm Frazer Lanier
- 5:45pm Gardnyr Michael Capital, Inc.
- 6:00pm Merchant Capital LLC
- 6:15pm Regions-Morgan Keagan
- 6:30pm Sterne Agee & Leach, Inc.

After the presentations, Councilman Meador asked to go into executive session for the purpose of preliminary negotiations in trade competition.

At 6:43pm the Mayor and Council moved into Executive Session, for preliminary negotiations in trade competition, 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 15th day of December 15, 2011 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 Meador for the Council to go into Executive Session for preliminary negotiations in trade competition and which motion was seconded by Councilman Cooley; and,

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

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

	Yeas	Nays
1. Mayor Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress		
4. Councilman Yelverton		
5. Councilman Meador	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 and Council for approximately 15 minutes.

Councilman Meador made the motion to reconvene into regular session at 7:09pm. Councilman Moore seconded the motion and motion passed with 4 yeas votes by the following roll call vote:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to accept Frazer Lanier. Councilman Moore seconded the motion and the motion passed with 4 yeas votes by the following roll call vote:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Councilman Cooley made a motion to adjourn. Councilman Meador seconded the motion.


 J. Michael Grayson, Mayor

ATTEST: 
 Sam Gross, City Clerk

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

Regular Meeting

January 5, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday January 5, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- Police–Tommie Reese-submitted
 - Fire-Carl Johnson-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
Public Works–Mike Baker-submitted
Horticulture
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor James Woods followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress made a motion to add hiring, Sunset Road, and Council discussion to the agenda. Councilman Yelverton seconded the motion and motion failed with 3 yes and 3 no votes by the following roll call votes:

Mayor Grayson: no Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: no Councilman Cooley: no

Councilman Moore made a motion to move executive session to the top of the new business. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Councilman Meador made a motion to approve the amend agenda. Councilman Moore seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: no
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the December 15, 2011 regular meeting. Councilman Meador made the motion to approve the minutes as written. Councilman Moore seconded the motion and the motion passed with 4 yes votes and 2 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: abstain
Councilman Yelverton: abstain Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated Happy New Year 2012.

Chamber after Hours at the Hospital main lobby, all are invited.

USDA loan is progressing.

Updating the City's committees and boards member list which will be updated by our next Council meeting on January 19th.

Budget status as of the end of December 2011. Mayor Grayson stated we should be ¼ of the way through the budget. Our revenues are a little lower than the 25%, but our expenditures are at 19% which is good.

Departmental reports

Departmental reports were submitted as indicated above.

Councilman Congress noted on the Fire Department report it stated there were 6 vacancies. Councilman Congress asked when the hiring freeze would end. Mayor Grayson stated he was not sure but that would be addressed.

Projects

Dilapidated Housing: City Attorney Poole stated the letters on the six (6) properties would be sent out on Tuesday or Wednesday.

New Business

Councilman Moore asked to go into executive session for the purpose of good name in character.

At 5:29pm the Mayor and Council moved into Executive Session, for general reputation and character, job performance, or compensation, 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 5th day of January 2012 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 Moore for the Council to go into Executive Session for general reputation, good name and character and which motion was seconded by Councilman Congress; 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 Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton	Yea	
5. Councilman Meador	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 and Council for approximately 15 minutes.

Councilman Meador made the motion to reconvene into regular session at 5:35pm. Councilman Moore seconded the motion and motion passed with 6 yes votes by the following roll call votes:

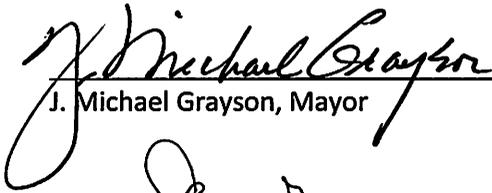
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Assignment and Assumption Agreement: Mayor Grayson stated this assignment and assumption pertains to the garbage contract. Mayor Grayson added City Attorney Bill Poole has some concerns about the language. Mayor Grayson then stated until Mr. Poole could sit down with the Water Department Attorney, Mr. Dinning, He was asking for this to be tabled until the next meeting on January 19th. Councilman Meador made the motion to table this matter. Councilman Moore seconded the motion and the motion passed with 5 yes and 1 no votes by the following roll call votes:

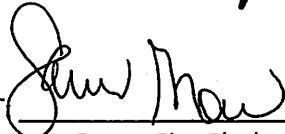
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Appointment of Marengo County Economic Development Authority Board of Directors: Mayor Grayson stated that we have 3 city appointment that have expired, Catherine Meador, William Martin, and Chuck Smith. Councilman Meador stated this was notice for the Council to make recommendation or reappointment at the next council meeting.

Councilman Meador made a motion to adjourn. Councilman Congress seconded the motion.



J. Michael Grayson, Mayor

ATTEST 

Sam Gross, City Clerk

- Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

January 19, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday January 19, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Bill Meador-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Thomas Moore, Mayor Pro Tempore-District
Mitchell Congress-District 2
Melvin Yelverton-District 3

Department Heads:

- | | |
|---|-------------------------|
| • Police–Rex Flowers | Court-Submitted |
| • Fire-Ron Few-submitted | Public Works–Mike Baker |
| • Park & Recreation | Horticulture |
| • Building Official-Clarence Brooker, Jr. | Library-submitted |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Mickey Green followed by the Pledge of Allegiance.

Mayor Grayson stated at this time a quorum was not present. Mayor Grayson stated that they would continue on items that do not need a vote in the hopes that one of the absent council members will arrive.

Announcements

Mayor Grayson announced that the Marengo County Youth Lead Class of 2011/12 was present.

The Marengo County Hall Of Fame induction banquet is February 13th at 6:30PM at Demopolis Civic Center.

The Candidate Forum the Chamber of Commerce will be hosting is Thursday February 23rd.

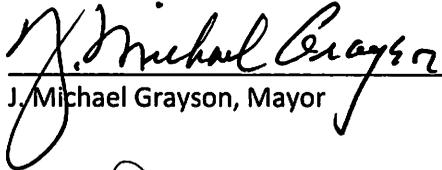
The Demopolis Chamber of Commerce annual meeting is March 5th at the Demopolis Civic Center.

Mayor Grayson stated he had spoken with Brandy Wilkerson, Alabama Tombigbee Regional Commission concerning the USDA loan for the Fire station # 2. Ms. Wilkerson stated she has sent the letter out and sent copies to Nivory Gordon the head of USDA Rural Development Loan Program.

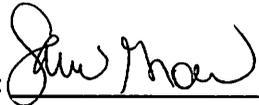
Mayor Grayson stated that he has spoken with Neely Ketzler - Goodwyn Mills & Cawood regarding Sunset Road. She is preparing a contract that will be here next Thursday and she is also preparing permits for this to go out for bid.

The Updated Board and Commission list is 90% complete.

Mayor Grayson stated due to a lack of quorum we have to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

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Present:

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Bill Meador-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Thomas Moore, Mayor Pro Tempore-District
Mitchell Congress-District 2
Melvin Yelverton-District 3

Department Heads:

- | | |
|---|-------------------------|
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| • Fire-Ron Few-submitted | Public Works–Mike Baker |
| • Park & Recreation | Horticulture |
| • Building Official-Clarence Brooker, Jr. | Library-submitted |
| • City Hall-Sam Gross | |

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J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

February 2, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday February 2, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Mitchell Congress-District 2

Department Heads:

- Police–Tommie Reese
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
Public Works–Mike Baker-submitted
Horticulture
Library-Morgan Grimes

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Frank Stiff followed by the Pledge of Allegiance.

Councilman Congress arrived at 5:20pm.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Cooley made the motion to amend the agenda to add the possibility of the sale of the old State Trooper property on Highway 80 East. Councilman Yelverton seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Mayor Grayson asked if there was a motion to approve the amended agenda. Councilman Yelverton made the motion to approve the amend agenda. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the January 5th and January 19, 2012 regular meeting. Councilman Meador made the motion to approve both minutes as written. Councilman Cooley seconded the motion and the motion passed with 4 yes votes and 2 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: abstain
Councilman Yelverton: abstain Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated the Marengo County Sports Hall of Fame induction banquet was Monday February 13th 6:30pm at the Demopolis Civic Center.

Thursday February 23th at 5:30pm at the Demopolis Civic Center will be the County Candidate’s Forum and that will be sponsored by the Demopolis Chamber of Commerce.

March 5th will be the Demopolis Chamber of Commerce banquet at 6pm at the Demopolis Civic Center.

Mayor Grayson stated on January 26th he signed the contract with Goodwyn Mills and Cawood for Sunset Road.

Mayor Grayson stated that also on January 26th he signed the application for the Intermodal Complex Access Road Grant.

Mayor Grayson stated he was informed that the Jackson Street CDBG water project was being rebid.

Mayor Grayson distributed the updated city board list.

Mayor Grayson stated that everything was in place for the USDA loan but the environmental impact studies. Per Brian Brooker, the studies will cost approximately \$15,000 that would be reimbursed to the City. Mayor Grayson stated, if in the study, they find something; the City would not be reimbursed for the correction of the problem.

Mayor Grayson stated he had a meeting January 6th at 9:30am with Smarter Fuel at the Water Board office.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: Mayor Grayson stated Mr. Poole’s secretary called and stated that Mr. Poole was in Tuscaloosa for a hearing and would be late.

New Business

Appointment of Cemetery Board: Mayor Grayson stated we have two (2) board members - Mary Lou Rogers and Edith Scott whose terms are up. Councilman Yelverton made the motion to reappoint Mary Lou Rogers and Edith Scott. Councilman Meador seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

- **Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.**

ABC application-Retail Beer & Retail Wine (Off Premises) 413 Highway 80 West: Mayor Grayson stated this is next to Sonic. Police Chief Reese stated he had no objection. Councilman Cooley made the motion to approve the application. Councilman Yelverton seconded the motion and the motion passed with 5 yes votes and 1 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: abstain
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Salaries for the next administration (Mayor & Council): Councilman Moore stated he felt that this needs to be revisited. Councilman Moore stated they spend a lot of time on City business and he feels this is a civic duty. Councilman Moore stated he would bring a hard recommendation to the next council meeting. Mayor Grayson stated he could not argue with Councilman Moore comments, how ever, since we have not been able to afford raises for our city employees over the last three years, Mayor Grayson stated he would have a problem with voting for an increase at this time. Councilman Cooley stated he's inclined to feel the same as Mayor Grayson.

State Trooper property: Councilman Cooley stated he thought the City had gotten an appraisal on this property. Councilman Cooley stated this property was the most profitable property the City owns. Councilman Cooley stated he would like for us to consider declaring this surplus property. Councilman Yelverton asked that the old police station be added too. Mayor Grayson stated we need to find out if appraisals have been done and go from there. Councilman Congress asked if we could get a list of all city properties we own.

Unfinished Business

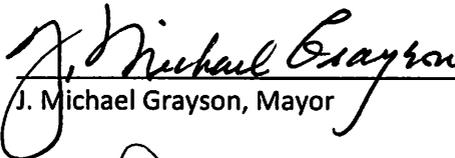
Assignment and Assumption Agreement: Mayor Grayson stated Mr. Poole had drafted a letter with several facts. After several discussions over the options the City has, Councilman Cooley asked this be tabled until the next council meeting February 16th.

Councilman Moore left due to sickness at 5:52pm.

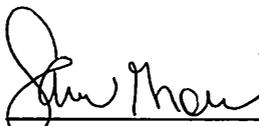
Appointment of Marengo County Economic Development Authority Board of Directors: Mayor Grayson stated we have three (3) members up for reappointment. Councilman Cooley made the motion to reappointment William Martin, Catherine Meador, and Chuck Smith. Councilman Meador seconded the motion and motion passed with 4 yes votes and 1 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: abstain Councilman Cooley: yes

Councilman Meador made a motion to adjourn. Councilman Congress seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

February 16, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday February 16, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Mitchell Congress-District 2
Melvin Yelverton-District 3

Department Heads:

- Police–Tommie Reese-submitted
 - Fire-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- | |
|--|
| Court |
| Public Works–Mike Baker |
| Horticulture-Barbara Blevins-submitted |
| Library-submitted |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Allan Atkins followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador made the motion to approve the agenda. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the February 2, 2012 regular meeting. Councilman Cooley stated on page 3 paragraph 3 it should read: "this property is the most ~~profitable~~ **marketable** property that the City owns".

Councilman Meador made a motion to approve the minutes with the correction. Councilman Cooley seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated Monday February 20th there would be a meeting at the Water Board with Smarter Fuels at 3:30PM.

Mayor Grayson stated Tuesday February 21st a Town Hall meeting would be held regarding Smarter Fuels. Mayor Grayson stated this would be an opportunity for the citizens to voice their concerns.

Thursday February 23rd at 5:30pm at the Demopolis Civic Center will be the County Candidate's Forum, which will be sponsored by the Demopolis Chamber of Commerce.

March 5th, the Demopolis Chamber of Commerce Banquet will be held at 6:00pm at the Demopolis Civic Center.

Mayor Grayson stated that we open bids today at 1:00pm on the Jackson Street water project. Mayor Grayson stated that this had to be re-bid due to several problems.

Mayor Grayson stated as a mayoral appointment He has appointed Jan Jennings to the Planning Commission and reappointed Ben Sherrod to the Planning Commission.

Mayor Grayson distributed copies of the budget through January 2012

Mayor Grayson stated that the Ethic forms are due by April 25th. City Clerk Sam Gross stated if you had a computer you could go on line, if not she would print the form. Ms. Gross also stated these will be mailed on April 25th at noon.

Councilman Cooley suggested that we invite the Daniel Wismulek Health inspector for Marengo County to the meeting on February 21st.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: Dilapidated Housing: City Attorney Bill Poole stated he has not had any response to the letters but he is expecting some phone calls and knocks on his doors. Mr. Poole stated he did not send out one (1) letter out due to a building permit had been purchased. Mr. Poole added he has not received any return receipts on the letters. Mr. Poole then stated he would notify the Council with the responses. Mayor Grayson then asked how many letters were sent. Mr. Poole stated five (5) properties. Mr. Poole also stated they have thirty (30) days to protest and ask for a hearing in front of the Council if not, we can proceed to demolition. Councilman Meador asked about beginning clean up to stop the process. Mr. Poole stated they would have to come forward with a plan to remedy the problem.

New Business

ABC Application-Restaurant Retail Liquor-973 Highway 80 West: Mayor Grayson stated they had an ABC application from Mr. Edward Davis. Mr. Davis, Jr. introduced himself to the Council. Police Chief Reese stated he had spoken with the ABC Board and they did not have a problem with this. Chief Reese also

had no objection. Councilman Moore made the motion to approve the ABC application. Councilman Meador seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-01 Budget Adjustment: Mayor Grayson asked City Clerk Sam Gross to give details on this. Ms. Gross stated this was scrap metal that Public Works had recycled by Rowley Recycling. Councilman Cooley made the motion to approve the Resolution 2012-01. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-02 Budget Adjustment: Mayor Grayson asked Chief Reese to give details. Chief Reese stated this was for the two wrecked police vehicles the insurance company had paid off. Councilman Meador made the motion to approve Resolution 2012-02. Councilman Cooley seconded the motion and the motion passed by 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-03 Budget Adjustment: Chief Reese stated this was for overtime that has been paid. Chief Reese added this has been paid back to the City from the entities. Councilman Meador made the motion to approve Resolution 2012-03. Councilman Moore seconded the motion and the motion passed by 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

17th Judicial Drug Task Force Grant: Chief Reese stated they wanted to apply for another grant for the continuation of the previous drug task force grant from last year. Chief Reese stated the request has been cut down money wise to \$89,500, which would come from ADECA. Chief Reese then stated this would be a 25% match in the amount of \$29,833.33, which the District Attorney and the Drug Force Task had solicited for and obtained the matching funds. Councilman Moore asked if there was an agreement in place for the Drug Task Force to pay the 25% match. District Attorney Greg Griggers stated he could not say there was an agreement per se. Mr. Griggers then stated there was an account set up because to continue this, they would have to come up with the match. Mr. Griggers added in order to get the grant they had to have the 25% match but there was no instrument stating this money in this account was to be used for matching funds if that was the question. Councilman Cooley asked if a letter could be written stating the 17th Judicial Drug Task Force account was set up for the 25% match and the City would not be liable for the match. Mr. Griggers stated this was correct. Councilman Cooley then made the motion to apply for the 17th Judicial Drug Task Force with language in a letter as the guarantor. Councilman Moore seconded the motion and the motion passed by 4 votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Board Appointments: Mayor Grayson stated he believed the list of Board appointments was current. Mayor Grayson added they had several boards that should have been done several months ago. Mayor Grayson asked if this could be the first reading if someone wanted to come back either to appoint someone or offer a new name at the next meeting. Councilman Meador asked if the names were

highlighted as first nominations for reappointments. Mayor Grayson stated that is correct. Councilman Moore stated he would like to nominate Nathan Hardy to the Board of Adjustment. Councilman Moore also stated he didn't know that an appointment was needed for the Park & Recreation Board. Councilman Moore added he had someone in mind but had not spoken with the person. Councilman Moore then asked if they could suspend the Park & Recreation board from the first reading. Mayor Grayson stated that all boards except the Park & Recreation Board would be voted on at the next Council meeting.

Unfinished Business

Assignment and assumption Agreement: Mayor Grayson stated they had three options and the contract with Advance Disposal expired December 31, 2011. Mayor Grayson stated they had negotiated a new contract with Advanced Disposal that was acceptable to the City and the Water Board. Mayor Grayson also stated the Water Board had brought to his attention the fact the City Council set the garbage rates. Mayor Grayson then distributed a copy of the ordinance. Mayor Grayson stated the first options on this topic were to do nothing. Mayor Grayson stated option two was if Advance Disposal upped their rates due to the CPI increase, and if the City did not pass an increase on the garbage fees thru an ordinance, that the City would have to pay for the increase. Mayor Grayson stated the third option was that the Council change the ordinance and give it to the Water Board thus allowing the Water Board to increase the rates while assuming there would be an increase.

Mayor Grayson then stated his opinion was, in Section 6 of the ordinance, to change everywhere you see written the City of Demopolis to the Water Works & Sewer Board. Councilman Moore then stated he had some concerns raised to him if they take the third option and allow the Water Board to have control over the rates because the Water Board was not subject to election and the new rates might be excessive. Councilman Moore then stated he was not in favor of this. Councilman Cooley stated his concern in addressing Councilman Moore's concerns would be: is there a precedent that indicates the Water Board has done this (raised rates) in the past that would cause them to continue in a similar fashion. Councilman Cooley stated he didn't know the answer but he thought our water rates were similar to most comparative rates. Councilman Cooley then stated the Water Board's manager was here and asked if he could give them an idea about comparative water rates in other cities. Brooks McCants, Water Board Manager stated the rates were close to other Cities. Mr. McCants stated he had also read up about solid waste in the Alabama League of Municipality's book.

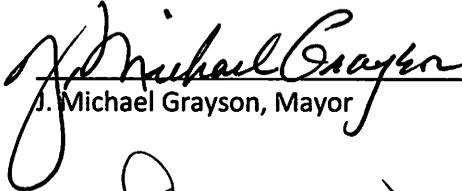
Mr. McCants then asked Councilman Moore if the information in the Alabama League Municipality book applied to the Water & Sewer Board. Councilman Moore stated he did know what he was referencing in the publication and he would have to read it to answer that. Mr. McCants stated in Section 6 they could not charge excessive rates above those deemed to be reasonable. Councilman Moore stated he would have to read it in context. Mr. McCants then stated if this book had jurisdiction over them, then they could not charge excessive rates. Councilman Moore stated this was a regulation not a law, and a regulation was just someone's interpretation of a law. Councilman Cooley then asked Mr. McCants if this governing body changed the ordinance, would the Water & Sewer Board accept it. Mr. McCants stated it would be determine according to the verbiage. Councilman Cooley stated he also had a problem with the one-year basis. Mayor Grayson then stated this would be tabled until the March 1st Council meeting.

State Trooper & Police Department Property: Mayor Grayson stated the appraisal had been found for both locations and the State Trooper property was assessed at \$135,000. After some discussion

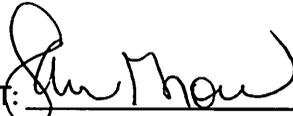
Councilman Cooley made a motion to declare the old State Trooper property surplus and put it on the market for bids, sale by owner. Councilman Moore seconded the motion and motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress:
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Councilman Moore made a motion to adjourn. Councilman Cooley seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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Councilman Moore made a motion to add Garbage Exemption # 6 under new business. Councilman Meador seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the February 16, 2012 regular meeting. Councilman Moore made the motion to approve the minutes. Councilman Cooley seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

March 5th, the Demopolis Chamber of Commerce Banquet will be held at 6:30pm at the Demopolis Civic Center.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: Dilapidated Housing: Mayor Grayson stated City Attorney Bill Poole had a report on the properties he was working on and their progress. Mayor Grayson stated we would monitor this.

New Business

Andrew Gwin: Mr. Gwin addressed the council on behalf of the students, the members of community, and the teachers. Mr. Gwin stated they had a petition less than 24 hours old that already had over 608 signatures. He then stated several facts concerning Mr. Leon Clark Principal at Demopolis High School and that the contract for Mr. Clark has 14 stipulations. Mr. Gwin then stated Mr. Clark felt at this time he could not sign the contract as written. Mayor Grayson then stated don't let this be the only time you come to a Council meeting, we meet on the 1st and 3rd Thursday of each month. Mayor Grayson also stated the Council would not make any comments that this is out of our oversight.

Resolution 2012-04 Authorize a Warrant Series 2012: Mayor Grayson stated we needed to approve the Resolution for Frazier Lanier in issuing General Obligation warrants to cover the intermodal complex. Councilman Cooley made the motion to approve Resolution 2012-04. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Resolution 2012-05 General Obligation Warrants-Regions: Mayor Grayson stated in researching that this was something that we did not pass but it was something that would put us in compliance regarding the bank with the bridge loan from Regions. Councilman Meador made the motion to approve Resolution 2012-05. Councilman Cooley seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yeverton: Councilman Meador: yes Councilman Cooley: yes

Resolution 2012-06 CGBD Grant: Mayor Grayson stated that this is to accept the low bid from Goldman Contractor for the Jackson Street Water Project. Mayor Grayson stated the bottom line cost was \$597,615 which needed a Resolution. Councilman Cooley made the motion to approve Resolution 2012-06. Councilman Moore seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Public Assembly: Mayor Grayson stated the application was for public assembly on March 18, 2012 from 2pm-4pm. Mayor Grayson stated this application was from Gracie Clayton and the purpose of the assembly was for a birthday party at 701 South Ash. Ms. Gracie Clayton addressed the Council for the purpose of the application. Police Chief Reese had no objection to the public assembly. Councilman Meador then made the motion to approve the public assembly on March 18, 2012. Councilman Moore seconded the motion and the motion passed with 4 votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Garbage Exemption: Councilman Moore stated it had been brought to his attention that after the garbage exemption had been approved by ordinance and the law that the City operates under. This application was forwarded to the Water Board and since then some individuals have been contacted for additional information. Councilman Moore stated first of all they were not the reviewing agency and the law allows the City Clerk to approve or disapprove the applications. Councilman Moore stated this is being disputed and someone needed to advise them it is not up for review once the exemption is granted and forwarded to the Water Department. Mayor Grayson asked the City Clerk to reflect Councilman Moore's situation and from this time forward pass this along to the Water Board.

Councilman Congress arrived at 5:38pm.

Unfinished Business

Assignment and assumption Agreement: Mayor Grayson stated this discussion is null and void, that he had a discussion that afternoon with the Water Board and they were not prepared for an agreement with the City Council so that had to be the case. Mayor Grayson saw no alternatives but to continue on business as usual. After some discussion Councilman Congress made the motion to authorize the Mayor to sign the contract. Councilman Moore seconded the motion and the motion passed 4 yes and 1 no by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: no

Board Appointments: Mayor Grayson stated currently on the Board of Adjustment we have Mark Dollar, Ann Hunter, Peter Jones, Mary Jo Martin, and Blair Parr. Mayor Grayson then stated on February 16th Nathan Hardy was nominated by Councilman Moore for a position on the board. Mayor Grayson added they had to proceed with appointing the officers at the first of the year. Mayor Grayson stated that Ann Hunter was appointed the Chair and Mark Dollar the Vice Chair and he would make the recommendation for Ann Hunter and Mark Dollar and then discuss the others. Mayor Grayson stated there are five (5) up for reappointment and he would recommend Nathan Hardy to replace Peter Jones. Councilman Congress made the motion to replace Peter Jones with Nathan Hardy. Councilman Meador seconded the motion and the motion passed with 5 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Mayor Grayson asked the City Clerk Sam Gross to notify the Board members for the reappointments and the new appointment.

Mayor Grayson stated the next Board was the Historic Preservation Committee. Mayor Grayson stated there was an error on this and that this Board had an opening, Jared Wingfield had resigned and was removed off the list. Mayor Grayson stated he had received an email from Sarah Chandler Hallmark, in which she recommended Hester Brown. Councilman Congress stated he would definitely recommend Hester Brown. Mayor Grayson then stated they had two (2) openings - the reappointment of Vince Deas and the opening due to the resignation of Jared Wingfield. Mayor Grayson also stated Hester Brown had been nominated and could be voted on next meeting and Vince Deas could be reappointed or replaced tonight. Councilman Meador then made the motion to reappoint Vince Deas. Councilman Cooley seconded the motion and the motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: abstain
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Councilman Congress made the motion to nominate Hester Brown. Councilman Moore seconded the motion and the motion passed with 5 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Mayor Grayson stated on the next board they had two (2) appointments for Park & Recreation and the two (2) up for reappointment were David Freeman and Chris Stewart. Councilman Moore stated he would like to nominate Maria Smith. Councilman Cooley stated he would like to reappoint David Freeman. Councilman Meador then stated he would like to reappoint Chris Stewart.

Mayor Grayson stated on the School Board they had one (1) to reappoint or replace and that Linda Russell's term was up on April 2011. Councilman Congress nominated Charles Jones, Sr. Mayor Grayson asked the term dates for Linda Russell.

Councilman Moore asked we could research the council minutes for clarification on the term.

The Mayor then asked for a motion to go into executive session for the purpose discussing business opportunity/financial matter.

At 6:05pm the Mayor and Council moved into Executive Session, for the purpose of discussing business opportunity/financial matter 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 March 2012 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 Congress for the Council to go into Executive Session for the purpose of discussing business opportunity/financial matter and which motion was seconded by Councilman Meador; 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 Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton		
5. Councilman Meador	Yea	
6. Councilman Cooley	Yea	

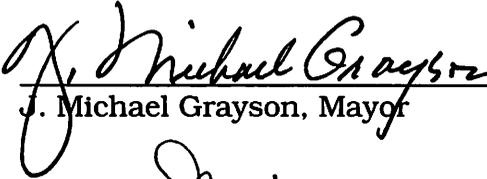
And Presiding Officer declared that a majority of the votes in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and Council for approximately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

Councilman Meador made the motion to reconvene into regular session at 6:22pm. Councilman Moore seconded the motion and motion passed with 5 yes votes by the following roll call votes:

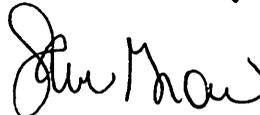
Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes

Councilman Yelverton: Councilman Meador: yes Councilman Cooley: yes

Councilman Meador made a motion to adjourn. Councilman Congress seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

- Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

March 15, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday March 15, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Mitchell Congress-District 2

Department Heads:

- Police–Tommie Reese-submitted
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
Public Works–Mike Baker-submitted
Horticulture
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Police Chief Tommie Reese followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Mayor Grayson asked they omit #1 Renaming of Street and #2 COPS Grant under new business. Mayor Grayson asked we add under unfinished business #3 the Historic Preservation Committee appointment. Councilman Meador made the motion to approve amended agenda. Councilman Moore seconded the motion and the motion passed with 5 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the March 1, 2012 regular meeting. Councilman Moore made a correction as follows on page # 3 under Garbage Exemption.

Garbage Exemption: Councilman Moore stated it had been ~~bought~~ brought to his attention after the garbage exemption had been approved by ordinance and the law the City operates under.

Councilman Meador made the motion to approve the minutes with the correction. Councilman Cooley seconded the motion and the motion passed with 4 yes votes and 1 abstains by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress:
Councilman Yelverton: abstain Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated he had given a mayoral pardon to Chris W. Elliot. Mayor Grayson stated by statute he had to inform the Council of this.

Councilman Congress arrives at 5:22pm.

Mayor Grayson distributed copies of the budget thru February. Mayor Grayson stated the important thing that should be noted was, to date, the expenses should be 41.6%, if you notice we are at 34.5%. Mayor Grayson stated our revenues are on track.

Mayor Grayson stated the Federal Department of Transportation has released money to be used by the State. Mayor Grayson stated this could be used to pave streets and bridge repairs. Mayor Grayson stated he would like to have a work session about this with representative from Almon Associates and Goodwyn, Mills & Cawood on Wednesday March 21st at 5pm. After some discussion the Mayor and Council agreed to email to set up a date due to several conflicts on the dates.

Mayor Grayson stated the Council and Industrial Development Board is invited to take a tour of New Era building with the plans that we have been working on with Rock Tenn, the School System, and also the University of West Alabama. Mayor Grayson stated this is scheduled for Monday March 19th at 12 noon.

Departmental reports

Departmental reports were submitted as indicated above.

Fire Chief Few stated his department is working on an evacuation plan. Mayor Grayson stated this could be discussed at the next Council meeting. Councilman Congress asked if Chief Few could look into who organizationally sponsors the weather radios.

City Clerk Sam Gross stated just as a reminder - the ethic forms are due by noon on April 25, 2012.

Projects

Dilapidated Housing: City Attorney Bill Poole stated at the last council meeting he had submitted to the Mayor and Council a letter stating the status of moving forward with demolition on certain properties. Mr. Poole stated he had received three (3) responses and that for the two (2) he had not heard from, a sign would be posted on the property and a notice placed in the newspaper that we are seeking demolition. Mr. Poole hopes this will make them respond. Councilman Cooley asked Mr. Poole what the status on the suit was. Mr. Poole stated he had dismissed and we are starting over with proper notices. Mr. Poole stated no suits have been filed yet and we are under a new statue. Councilman Cooley asked if we do not hear within thirty (30) days what happens then. Mr. Poole stated we could start the process of demolition of the property. Mr. Poole stated he and Mr. Brooker are working on getting estimates for the demolition and once the property has been demolished then we should assess it on their next year property taxes.

New Business

Mayor Grayson stated no New Business.

Unfinished Business

Park Recreation Board Appointment: Mayor Grayson stated we had three (3) people nominated at our March 1st meeting. Mayor Grayson stated two (2) are currently on the board for reappointment David Freeman and Chris Stewart. Mayor Grayson stated Maria Smith was nominated. Councilman Congress made a motion to appoint Maria Smith to replace Chris Stewart. Councilman Moore seconded the motion and the motion passed 4 yes, 1 no, and 1 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: no Councilman Cooley: abstain

Councilman Cooley made the motion to reappoint David Freeman for his second term. Councilman Congress seconded the motion and the motion passed 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

School Board Appointment: Mayor Grayson stated we have a board member who should have been reappointed or replaced April 2011. Mayor Grayson made a motion that we appoint Tanda Elliot to the school board. Councilman Congress stated that Tanda Elliot was not nominated at the previous meeting. Mayor Grayson stated he would like to nominate her. Councilman Congress stated the nominations were closed last meeting when Charles Jones Sr. was nominated. Mayor Grayson stated his understanding was that we were to determine first if she was serving an unappointed term. Councilman Congress also stated he would like to withdraw nomination of Charles Jones Sr. Councilman Congress made the motion to suspend the rules for the appointment and vote to reappoint Linda Russell or appoint Tanda Elliot. Councilman Congress stated he would like to vote on it that evening due to the turmoil over the contract with Mr. Clark and his contract. Councilman Meador seconded the motion. Councilman Cooley stated he would like to go into executive session in good name and character. Councilman Moore asked if Councilman Congress would withdraw his motion until after the executive session. Councilman Congress withdrew his motion.

The Mayor then asked for a motion to go into executive session for the purpose of good name and character.

At 5:43pm the Mayor and Council moved into Executive Session, for the purpose of good name and character 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 15th day of March 2012 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 good name and character 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 Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton	Yea	
5. Councilman Meador	Yea	
6. Councilman Cooley	Yea	

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

Councilman Meador made the motion to reconvene into regular session at 6:09pm. Councilman Congress seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

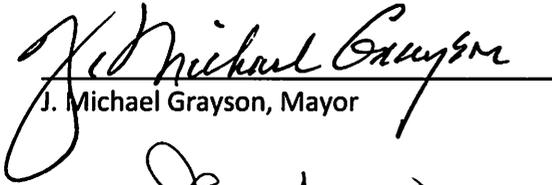
Mayor Grayson stated after some discussion they would vote on the nominees from last meeting, the reappointment of Linda Russell, or the nomination of Charles Jones Sr.. Councilman Meador made the motion to reappoint Linda Russell to the school board. Councilman Yelverton seconded the motion and the motion passed with 4 yes and 2 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: no

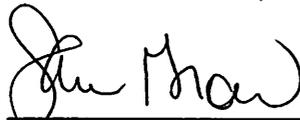
Historic Preservation Commission Appointment: Mayor Grayson stated they had a nomination for Hester Brown to replace Jared Winfield. Councilman Moore made the motion to appoint Hester Brown to the Historic Preservation Commission. Councilman Congress seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: no

Councilman Cooley made a motion to adjourn. Councilman Congress seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

- Audiotape is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

April 5, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday April 5, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- | | |
|-------------------------------|------------------------|
| • Police–Tommie Reese | Court-submitted |
| • Fire-Carl Johnson-submitted | Public Works–submitted |
| • Park & Recreation-submitted | Horticulture-submitted |
| • Building Official | Library-Morgan Grimes |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Sid Rowser followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Moore asked that he wanted to add to new business Park & Rec concession operates, # 2A. Councilman Moore made the motion to approve the amend agenda. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the March 15, 2012 regular meeting. Councilman Meador stated on page 3 there is a correction under school board appointment. The correction as follows:

Mayor Grayson stated his understanding was that we were to determine if ~~she~~ *Linda Russell* was serving a ~~unappointed~~ *unexpired* term.

Councilman Cooley made the motion to approve the amend minutes. Councilman Meador seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated that Goodwyn, Mills, and Cawood have begun the design phase on Sunset Road.

Mayor Grayson stated that Marengo County Economic Development has hired Brenda Tuck, she will began work on April 9th.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: City Attorney Bill Poole stated on the six (6) properties that he been dealing with two (2) have signed the certified mail giving them notices of our initiation to demolish unless the property improves. Mr. Poole stated if no response after thirty (30) days we will move to the next step. Mr. Poole stated that he would get in touch with Mr. Brooker to get estimates for demolishing those properties. Mr. Poole stated on the other four (4) he has no return on the certified mail. Mr. Poole stated that a notice is posted on the front door if he could get to the door, if not it is posted in the yard. Mr. Poole stated that he had received a response on one (1) out of the four since it had been posted of the property. Mr. Poole stated that he could tell that some work had been done on that property. Mr. Poole stated that he explained to the property owner what the City expected. Councilman Congress stated that he meant to ask this last meeting but why did we start all over from what Mr. Manley had started. City Attorney Poole stated that Mr. Manley had filed in the Circuit Court under the old statue and didn't think it was effective way to go forwarded. Mr. Poole stated the procedure that the Mayor and Council had received several months back allows us to notify by certified mail of the intent and then they have a chance to come forward and object to the classification or the determination that we want to demolish. Mr. Poole stated if they don't come forward then we can demolish the property and assess it to the next year property taxes and do not have to go to Circuit Court.

New Business

Resolution 2012-07 Surplus Vehicles: Police Chief Reese presented the Council with the Resolution. Police Chief Reese stated these are cars that we have been awarded from the court in Marengo County. Chief Reese stated these are seized from drug operations last year. Police Chief Reese stated that he would like to auction these vehicles and the proceeds go to the Police Department. Councilman Yelverton made the motion to pass the Resolution. Councilman Congress seconded the motion and the motion passed 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-08 Budget Adjustment: Mayor Grayson stated that this Resolution is for scrap metal that was sold to Rowley Recycling from the Public Works Department. Councilman Congress made the motion to pass the Resolution. Councilman Meador seconded the motion and the motion passed 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

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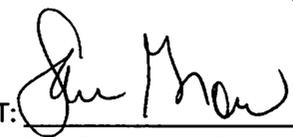
Concession Operations: Councilman Moore stated that it has been brought to his attention that Park & Recreation has given up the concession operation and given to the Quarterback Club. Councilman Moore stated we are expecting \$55,000 in concession income from Park & Recreation; today we have not received any. Councilman Moore asked if we have received any income from the Quarterback Club. Mayor Grayson stated no, not under this arrangement. Councilman Moore stated also on the expenditure side the vast majority of the part time help was designated for concession workers. Mayor Grayson stated a portion of it is but not the vast majority. Mayor Grayson stated that Park & Recreation Director Mark Pettus plans to hire more grass cutter for the 13 public parks that they maintain around the City and additional grass cutters at the Sports Plex itself. Councilman Moore asked how are we supposed to make up the \$55,000. Mayor Grayson stated that last year the net was only \$3,500. Councilman Moore stated it is \$5,500. Mayor Grayson stated he doesn't have a plan at this point. Councilman Moore stated that we already have a tight budget. Councilman Moore stated we have time to make up for the lost revenue. Councilman Moore asked if there is a written agreement with the Quarterback Club with liability insurance and worker comp. Mayor Grayson stated he would have to get back with him on that. Mayor Grayson stated we have no expense associated with this arrangement, we do not pay for inventory nor personnel cost, all that is with the Quarterback Club. Councilman Congress stated they are using City owned facility that is paid with City's tax payers and they are generating funds without paying any lease fees or anything to use public facility. After some discussion Councilman Moore agreed with Councilman Cooley in setting a meeting with the Park & Recreation Director and Park & Recreation board Chairman. Mayor Grayson stated work session would meet Tuesday April 17th at 4pm.

School Board Appointment: Mayor Grayson stated school board member Bobby Armstead term has expired. Mr. Armstead has served extremely well as a member and as board president. Mayor Grayson stated the board policy manual clearly states that you could serve two (2) full terms. Mayor Grayson stated that Mr. Armstead has served that, so we need to begin the process of appointing someone else. Mayor Grayson stated he has a couple of individuals that he would like to nominate but has not had the opportunity to talk with them. Mayor Grayson asked that we don't close the nomination and keep it open until the next meeting. Councilman Meador stated that he has spoken with several people about the position and situation. Councilman Meador stated that we have a policy but Councilman Meador would like to make a motion to delay the nomination process for (2) weeks. Mayor Grayson seconded the motion and the motion passed with 5 yes and 1 abstain by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: abstain	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to adjourn. Councilman Congress seconded the motion.


J. Michael Grayson, Mayor

ATTEST: 
Sam Gross, City Clerk

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

Reconvened Meeting

April 25, 2012

The reconvened meeting of the Demopolis City Council convened at 5:00pm on Wednesday April 25, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Thomas Moore, Mayor Pro Tempore-District 1

Department Heads:

- Police
 - Fire
 - Park & Recreation
 - Building Official
 - City Hall-Sam Gross
- Court
 - Public Works
 - Horticulture
 - Library

Mayor Mike Grayson called the meeting to order. Councilman Meador made the motion to go back into session. Councilman Congress seconded the motion and the motion passed with 5 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Mayor Grayson turned the floor over to Mr. Bob Young with Frazier Lanier. Mr. Young stated the reason for this meeting is to approve warrant Ordinance series 2012-A taxable bond and 2012-B refunding bond. Mr. Young stated the taxable issue sold at interest rate 3.89% and tax-exempt interest rate at 1.29%. Mr. Young stated that we are set to close next week and that wire funds of 4 million dollars will go into Regions bank account to pay off principal. The city will wire interest payments to Regions Bank. Series B debt would be wired to Robertson Bank to refund the 2003 issue. Councilman Cooley made the motion to suspend the rules for the first reading. Councilman Meador seconded the motion and the motion passed 5 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

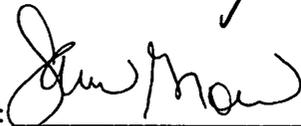
Councilman Meador made the motion to approve Ordinance 2012-02 General Obligation Warrants Series 2012-A and 2012-B. Councilman Cooley seconded the motion and the motion passed with 4 yes votes and 1 abstain by the following roll call votes:

Mayor Grayson: yes Councilman Moore: Councilman Congress: abstain
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Councilman Congress made the motion to adjourn. Councilman Cooley seconded the motion.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audio is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

May 3, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday May 3, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- Police–Tommie Reese
 - Fire-Ron Few-submitted
 - Park & Recreation-Mark Pettus
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
Public Works–Mike Baker-submitted
Horticulture-Barbara Blevins
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Frank Stiff followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress requested several items to be added to the agenda, (1) ALM Convention (2) Fire Department open house (3) Fire station #2. Mayor Grayson asked were these items council discussion. Councilman Congress stated yes. Mayor Grayson asked did he want to make a motion to that effect. Councilman Congress said it was his understanding when we allowed the elimination of council discussion that if we wanted to add something to agenda that we would be permitted to do so and not be voted on. Mayor Grayson stated if it is pertinent for council discussion and I'm no sure if two (2) of those are really council discussion. Councilman Congress made the motion to add these items to the agenda. Councilman Yelverton seconded the motion and the motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Councilman Congress made the motion to add council discussion on the agenda permanently. Yelverton seconded the motion. Councilman Yelverton asked why we have to vote to put it back on the agenda when there was not a vote to take it off. Councilman Congress stated without council discussion and everything approved by the council when it is always going to be a three (3) three (3) split. Councilman Congress stated councilmen are representatives of the citizens of the city who are elected to voice opinions. Councilman Congress stated things that are pertinent to bringing before this council and in our organization session council discussion were voted to be a part of organization meeting. Councilman Congress that Mayor Grayson doesn't have the right to just take it off at his discretion.

Councilman Congress stated if it was not added back, he would take necessary steps to have it add back. Councilman Congress stated even litigation. Councilman Congress stated the lack of council discussion muzzles councilmen. Mayor Grayson stated that is your opinion and if you want to pursue litigation; I encourage you to do so. Mayor Grayson asked that the record reflect that. The motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson stated that the reason is there are some items that are brought up that are apparently for personal edification that really doesn't need to see the light of day that could be handled by the department or the Mayor in conversation prior to or after the meeting. Councilman Congress stated we would let Judge Hardaway make that decision.

Councilman Meador made the motion to approve the agenda as presented. Councilman Cooley seconded the motion and the motion failed 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: no	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Councilman Congress made the motion to adjourn. The motion failed for a lack of a second. Councilman Congress stated without agenda you could not precede.

Councilman Meador made a motion to approve the agenda as written. Councilman Cooley seconded the motion. Mayor Grayson asked any discussion. Councilman Moore asked Mayor Grayson which items are not council discussion. Mayor Grayson stated the Alabama League of Municipalities convention is going to happen regardless. Councilman Congress stated if you would have added to the agenda you would have know what I was talking about and my concerns. Mayor Grayson asked why he didn't call before the meeting if he had concerns. Councilman Congress stated that he called Sam before the meeting to put something else on the agenda and she calls me back and leaves a message saying the Mayor said that I should call Mr. Poole. Councilman Congress stated that he should not have to get his permission to put something on the agenda. Councilman Congress stated it said if anyone wants anything on the agenda it has to be at City Hall by noon on Wednesday before the council meeting. Councilman Congress stated now everything has to go through you (Mayor) and you know you have a sure three (3) votes and anything that you don't want to discuss and it muzzles us. Councilman Congress stated this set a bad president and we cannot represent our district when you could only say what goes on the agenda. Mayor Grayson stated you mean to tell me that League of Municipalities has a direct impact on council district 2. Councilman Congress yes, the impact that it has is that you changed the travel policy procedure rules with out the consent of this council. Councilman Congress stated the change is that we have to pay for things up front and be reimbursed. Councilman Congress stated that we receive per diem and registration fees would be paid in advance. Mayor Grayson stated so you are not asking about the League of Municipalities, you want to discuss the travel policy. Councilman Congress stated yes travel policy as number one (1) and the Fire station # 2 that affect District 1 and every other district and the fire station open house and that this something that affect the whole city. Mayor Grayson asked aren't we having the open house? Councilman Congress stated the funds not being available. Mayor Grayson stated that if Chief Few had a problem I believe Chief Few would have come to the Mayor. Councilman Congress stated he had the problem. Councilman Congress asked Chief Few if he had access that the funds. Chief Few stated through the Mayor we have access to funds. Chief Few stated if I have a problem, he could speak for myself. Chief Few stated to answer your question I don't have the funds available at this time. Councilman Congress stated that these funds

were made available last year. Councilman Congress stated that he was speaking for himself. Mayor Grayson stated we have a motion to re-approve the agenda. Councilman Cooley stated that he thinks he understands Councilman Congress concerns but at the same time I want to clarify a statement that Councilman Congress made that is totally incorrect. Councilman Cooley stated that as a councilman he has not been muzzled. Councilman Cooley stated that he resents the implication that “you three would vote against him”. Councilman Cooley stated something that maybe important to an individual council member may not be of important to the others council members. Councilman Cooley stated when you have six (6) people acting in that manner we would consume untold amount of time discussing something, that could have been taken care of prior to the meeting. Councilman Cooley stated he is here to get a job done in a fashionable manner and gets the best result for the City. Councilman Meador made a motion to add council’s travel policy to new business # 7. Councilman Moore seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the April 19th and April 25th 2012 meeting. Councilman Moore made the following additions on April 19th page 2 dealing with the Park & Recreation concession.

Councilman Moore stated the motion should have included that if the City was not satisfied with the agreement that Park & Recreation would assume operation of the concession.

Councilman Congress made the motion to approve the minutes with the addition. Councilman Meador seconded the motion and the passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated if you haven’t been by the New Era building, you may have seen or noticed all the activities. Mayor Grayson stated this is the IRT Mission that is holding free medical care. Mayor Grayson stated we have had tremendous turn out.

Mayor Grayson stated that American in Bloom has just concluded their assessment today.

Mayor Grayson stated that Governor Robert Bentley would be in town tomorrow May 4th at 12:30 at New Era.

Departmental reports

Departmental reports were submitted as indicated above.

Chief Few presented a check from Alabama Power for the purchase of two (2) infrared thermal cameras.

Projects

Dilapidated Housing: City Attorney Bill Poole stated he was going forward as he discussed two weeks ago. Mr. Poole stated he would deliver copies of the letters tomorrow that is a little in-depth that will be in the council's mail slot.

New Business

Cecil Williamson-Application for Public Assembly: Mayor Grayson stated that this is the annual relay for life. Councilman Yelverton made the motion to approve the application. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

David Biddle-Airvac Lifeteam: Mayor Grayson introduced Mr. David Biddle to the Council. Mr. Biddle stated that he had the opportunity to meet with Mayor last week at a chamber event. Mr. Biddle stated he is the region manager for Airvac that is located at Bryan Whitfield Hospital. Mr. Biddle stated that the Mayor has given him permission to meet with the department heads. Mr. Biddle stated that our company is community minded and if there is anything that you would like us to be a part of or assistance we are here to service the community.

Resolution 2012-09 Severe Weather Preparedness Tax Holiday: Mayor Grayson stated this tax free holiday begins Friday July 6th at 12:01am and ending Sunday July 8th at 12 midnight. Mayor Grayson stated the list of item is listed in the resolution. Councilman Yelverton made the motion to approve Resolution 2012-09. Councilman Meador seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Ordinance 2012-03 Procedures for Wrecker Service/Rotation Log: Police Chief Reese proposed an ordinance for the wrecker service in town with guidance. Chief Reese stated that he had contacted several cities that have ordinances on this. Chief Reese stated that he and Mr. Poole have worked together along with the local wrecker services on this recommendation. Chief Reese stated that at this time businesses that are on the city's rotation can charge whatever rate they would like. Mayor Grayson asked if there is any problem in tabling this until May 17th council meeting due to several recommendations from the council. Everyone was in agreement.

Police Substation: Chief Reese handled out a copy of lease to the Mayor and Council. Chief Reese stated that Mr. Poole has reviewed the lease. Chief Reese stated that he had wanted to have a substation on Highway 80. Chief Reese stated most of the businesses are on Highway 80. Chief Reese stated that Vowell's has agreed to allow them a substation at their location at no charge to the City except telephone service. Chief Reese stated that Vowell's has agreed to make modification for entrance instead entering through the grocery store. Chief Reese stated that Vowell's would pay for all the modification to the building to have the benefit of the substation there. Chief Reese stated this would be a three year contract. Councilman Congress stated that it was his understanding that the City was receiving \$2,000 a month from Vowell's for security. Chief Reese stated that money was going directly to the officers off duty and not the department. Councilman Congress stated that he thinks that this is in kind service to Vowell's. Councilman Congress asked Mr. Poole legally can the City provide in kind service to a private entity for a use of a facility. Mr. Poole stated that he believes that you can but

he would check to make sure. Chief Reese stated that he called the league himself and they told me point blank that it is not uncommon for places to give space for substation. Chief Reese stated all we need is council approval. Councilman Cooley asked if the police department provide escort service to a private entity to the bank for a deposit. Chief Reese stated yes. Councilman Cooley asked if this would an in kind service that is offered to others. Councilman Congress stated that this would be in kind service with nothing in exchange. Councilman Moore stated on page 4 items # 9.1; I think all notices should go to the Mayor. Councilman Moore made the motion to approve the lease with the addition. Councilman Yelverton seconded the motion. Councilman Congress asked if this is something that needs to be looked into for legality. Councilman Moore stated that he was comfort with it right now. After some discussion the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Bridget Ryan-Application for Public Assembly: Mayor Grayson stated that this application is from Fairhaven Baptist Church for a fun run. Chief Reese approved the route. Councilman Yelverton made the motion to approve the application. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Travel Policy: Councilman Congress stated initial under the travel policy we were told to make our own reservation because there was a conflict in his travel arrangement concerning the hotel last year at the league convention in Huntsville. Councilman Congress stated so next time I contacted the City Clerk to get the credit card information to make reservation and I was told that the Mayor had the card and was out of pocket. Councilman Congress stated his first question is how many credit cards do we have? City Clerk Sam Gross stated City Hall has one (1). Councilman Congress asked Ms. Gross does she have a copy of credit card. Ms. Gross stated yes. Councilman Congress stated that he was lead to believe that the reservation could not be made. Councilman Congress stated if a councilman does not have a charge card to make reservation at convention and then be imbursement for the charges. Councilman Congress stated we have set aside a budget of \$10,000 for travel/training at \$2,000 each for travel. Councilman Congress stated this policy was never changed and believes per diem should be given. Mayor Grayson stated that the per diem has not changed. Councilman Yelverton asked that it go back the way it was with the City Clerk making all reservations. Mayor Grayson stated that City Hall is not a travel agency. Councilman Moore stated that he feels that the pre conference lodging for the first night should be placed on the city's credit card. Councilman Moore stated that the city should make it as comfortable for the Council to travel on council business. Councilman Moore stated that the commitment that we have to service should not come at our expense as a council member. Councilman Congress made the motion for the registration and hotel for the first night will be paid by the city's credit card as we did prior to the change. Councilman Yelverton seconded the motion. After some discussion Councilman Congress rescinds his motion. Councilman Yelverton made the motion to go back to prior to the change of the travel policy. Councilman Congress seconded the motion. Councilman Meador asked that we tabled this until we review what is in the travel policy before we vote. The motion passed with 4 yes votes and 2 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: yes

Unfinished Business

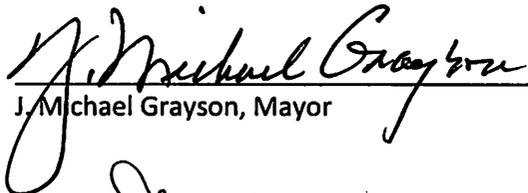
School Board Appointment: Mayor Grayson stated that we agreed to make nomination tonight after several delays. Mayor Grayson stated his nomination is Conrad Murdock. Councilman Moore nominated Freddie Armistead Jr. Councilman Congress nominated Delores Cunningham. Mayor Grayson stated the nomination are closed and will vote on May 17th Council meeting.

Demopolis High School Football-Concession Workers: Mayor Grayson stated one (1) of things we have asked for was a hold harness agreement. Mayor Grayson stated that Mr. Poole has been in contact with the school board attorney Alex Braswell. Mr. Poole stated that Mr. Braswell has applied for liability policy to cover their actives at the concession stands. Mr. Poole stated that he had received the 70 pages and reviewed. Mr. Poole stated the purpose is to protect the city from liability. Mr. Poole stated there are several amendments that need to be made to the policy. Councilman Congress stated any department of the school board should have been approved by the school board. After some discussion Councilman Congress made the motion to table this until this is verify by the school board that this was approved. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

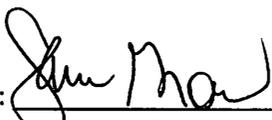
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to adjourn. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audio is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

May 17, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday May 17, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- Police–Tommie Reese-submitted
 - Fire-Ron Few-submitted
 - Park & Recreation-Mark Pettus
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court-submitted
Public Works–Mike Baker
Horticulture
Library-Morgan Grimes-submitted

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Carl Williams followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador made the motion to approve the agenda as presented. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the May 3, 2012 regular meeting. Councilman Cooley made the motion to approve the minutes. Councilman Moore seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated a status report on Sunset Road. Burns Whitaker, Goodwyn Mills & Cawood stated they are in the middle of their design to start the bid process within the 30 days and 90 days from that for completion.

Mayor Grayson stated contractors would begin May 21st on the Jackson Street project.

Mayor Grayson presented the council with budget through April 2012. The highlight to the program is that we took in approximately \$670,000 and spent \$568,000 with a net of \$105,000. Year to date we are operating on a 2 million dollar surplus but from this point forward most of the revenue have been received and it will be primarily for the most part tax revenue. We should be at 58.3% and received 70% of revenue; we are only spent 48.6%. Mayor Grayson wants to applaud the department heads on doing a great job. Tax revenue we grossed \$423,000 in April that was a slight 3% decrease from last year.

Departmental reports

Departmental reports were submitted as indicated above.

Park & Recreation Director Mark Pettus report the Demopolis High School annual rodeo would be May 18th-19th.

Projects

Dilapidated Housing: City Attorney Bill Poole stated on 1812 A Street and 1814 A Street has received a bid of \$ 2,625 to demolish. Mr. Poole stated that he has conveyed that to the owner and given them until May 21st to agree to accept and agree to it. Mr. Poole stated the lot has been cleaned up and certain kind of work on the house but they are still in bad shape.

1608 Blacks Drive we have an initial bid of \$2,460 to demolish but this bid was withdrawn from the bidder and resubmitted at \$4,760. Mr. Poole stated that he is communicating with an elderly lady on this property.

301 North Front Avenue: The family has started the demolish themselves. Mr. Poole stated they have cleaned the lot.

New Business

Grievance Hearing: Mayor Grayson suggested that they go into executive session.

At 5:26pm the Mayor and Council moved into Executive Session for preliminary negotiations involving matters of personnel issue, 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 May, 2012 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 Moore for the Council to go into Executive Session for preliminary negotiations involving matters of personnel issue, and which motion was seconded by Councilman Cooley; and,

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

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

	<u>Yeas</u>	<u>Nays</u>
1. Mayor Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton	Yea	
5. Councilman Meador	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 and Council for approximately 15 minutes.

Councilman Meador made the motion to reconvene into regular session at 5:50pm. Councilman Congress seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson asked if the council had a motion on the grievance hearing. Councilman Congress stated the little information that I just received and the questions and concerns that I have along with another councilman have. Councilman Congress made a motion to change the decision of the personnel committee and not terminate the person in question and to suspend him for two (2) weeks and give him back his job. Councilman Moore seconded the motion and the motion failed with 4 no votes to 2 yes votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: no	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson stated with the lack of another motion the personnel committee decision will be up held.

Councilman Congress made the motion not to up held the personnel committee decision for termination. Mayor Grayson stated with the lack of another motion the personnel committee decision would be up held.

Resolution 2012-10 Surplus Vehicles: Police Chief Reese submitted to the Mayor and Council for approval of Resolution 2012-10. Chief Reese stated the Marengo County Judge forfeit these vehicles to the Demopolis Police Department. Councilman Yelverton made the motion to approve the Resolution

2012-10. Councilman Meador seconded the motion and the motion passed by 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-11 Budget Adjustment: Police Chief Reese stated Resolution 2012-11 is reimbursement for overtime through Alabama Tombigbee Regional Commission grant. Councilman Cooley made the motion to approve Resolution 2012-11. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Process of issuing business license: Councilman Cooley stated briefly if you look at item #6 it states under normal circumstance the license should be issued within 72 hours it should be one (1) week. Councilman Cooley explained there have been two incidents in last couple years that have caused challenge situations with the City and certain department. The process and procedure at City Hall of purchasing a business license they get general information to the clerk and the license is then purchased. Councilman Cooley stated with virtual have no information what is going on. Councilman Cooley stated the most recent incident that has occurred was approximately six (6) months ago with the old Best Western Motel wanted to put in a convenience store and gas pumps. Councilman Cooley stated they came in and purchased the license. Councilman Cooley stated that is a required within the Water department and up held by ADEM that anytime tanks are in ground within 400' of service acting water well it could cause serious problems. Councilman Cooley stated that this could put the City liable. Councilman Cooley stated another situation was Smarter Fuels. Councilman Cooley stated when Mr. Killian came and made his presentation he was asked by a council member do you have all your permits. Mr. Killian stated yes. Councilman Cooley stated that was not the case. Councilman Cooley stated all complains that we have received from concerns citizens about the smell. Councilman Cooley stated if we had a process in place if someone wanted a business license and just general information sheet was filled out and then given to each department within the City plus the Water board for their active response positive or negative to ensure that nothing takes place to interfere with services. Councilman Cooley stated 72-hour period from department heads with positive response then the license would be issued. Mayor Grayson asked City Clerk Sam Gross just for the record what is the process. City Clerk Sam Gross stated if someone comes in to apply for a business license, we check the address to make sure they are in the correct zone and with a tax ID number and then the license is issued. Building Official Clarence Brooker stated concerning the tanks that were installed at the old Best Western we spent maybe a year or longer in looking into that. We also checked with Bryon Cook who happens to be here at that time at the Water department. There were no problems far as he was concerned. I'm not sure if I called ADEM but the best I can remember we did. We were concerned about the well as well. Mr. Brooker stated that wasn't just issuing a business license as such. First of all they have to have a permit from the Building Official department. We check the zone as City Clerk Sam Gross stated. We make sure that the contractor that comes in has a state license if the job is a certain amount and a City license before we issue the contractor a license to do the work as well. Mr. Brooker stated the job is inspected and photos are taken. Mr. Brooker stated fuel tanks are now doubled or tripled lined and the lines that feed from the tanks to the pumps they are also monitored if there is a leak it is trapped. Mr. Brooker stated the State has to put a sticker on the pumps after inspected them. Mr. Brooker stated the business license is not issued out haphazard. Councilman Congress asked if there is a hazard to our citizens with this pumps being 400' from the well. Councilman Cooley stated it is a muted point. Councilman Moore asked if this could be tabled until June 7th Council meeting. Everyone agreed.

David Nash and Jeff Beck-location of Police Sub Station: Mr. Jeff Beck the owner of Demopolis Gateway Plaza that has Marvin's, Dirt Cheap, Market Place, and Main Moon. Mr. Beck stated his concerns are of the recent decision the City has made and can you house a substation inside Vowel's. Mr. Beck feels as a taxpayer and developer that this is an unfair advantage. Mr. Beck stated that he came late on the deal and contacted the Mayor. Mr. Beck stated he didn't have a clue or he would have come in early to express his concerns. Mr. Beck stated he has spoken with several store managers and they have expressed the same concerns. Mr. Beck stated they feel that it is providing a service that they could not provide for everyone. Mr. Beck stated that he would like the same opportunity. Councilman Cooley stated that Vowel's approached the City about the substation. Vowel's was paying about \$2,000 a month to the off duty officer. Councilman Meador stated his understanding is that Vowel's is creating a space that happens to be within the store but there is no access in or out of the store. Mayor Grayson asked Mr. Beck to meet with Chief Reese in morning to see if we could come up with a plan on how we could address some of his concerns. Mayor Grayson stated the deal with Vowel's is a done deal. Councilman Moore states in all fairness we need to discuss it with all business managers that have concerns. Mayor Grayson stated that he has not received any calls with concerns from any of the others. Mayor Grayson again asked Mr. Beck to meet with Chief Reese with his concerns.

Unfinished Business

School Board Appointment Nominates: Mayor Grayson asked that they go into executive session for good name and charter.

At 6:20pm the Mayor and Council moved into Executive Session for good name and charter of individual/individuals, 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 May, 2012 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 Meador for the Council to go into Executive Session for preliminary negotiations involving matters of personnel issue, and which motion was seconded by Councilman Cooley; and,

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

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

	Yeas	Nays
1. Mayor Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton	Yea	
5. Councilman Meador	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 and Council for approximately 15 minutes.

Councilman Meador made the motion to reconvene into regular session at 5:46pm. Councilman Cooley seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson stated we have three (3) nominates Conrad Murdock, Freddie Armstead, Jr., and Delores Cunningham. Mayor Grayson made the motion to appoint Conrad Murdock. Councilman Meador seconded the motion and the motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: no	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Councilman Moore made the motion to appoint Freddie Armstead, Jr. Councilman Yelverton seconded the motion and the motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Councilman Congress made the motion to appoint Delores Cunningham. Councilman Yelverton seconded the motion and the motion failed with 2 yes votes and 4 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: no	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson stated in lack of a positive appointment Mr. Bobby Armstead will continue to serve until the next council meeting with nomination. Councilman Congress made the motion that nominees could not be nominate no more than twice. Councilman Congress withdrew his motion.

Demopolis High School Football-Concession Workers: Mr. Poole stated that he has been working with Mr. Alex Braswell to get the City as addition entity insurer on the policy that is being obtained. Mr. Poole stated the hold harness agreement would be included. Mr. Poole stated we still have some issues to work out. Councilman Congress stated that he has spoken with Chairman of school board and superintendent had no knowledge of any contract or agreement. Councilman Congress stated he also has spoken the State Board of Education and they said no entity of the school could enter in agreement unless the superintendent or school board has recommended it and approved. Councilman Cooley asked Mr. Poole to point that out to school board Attorney Alex Braswell. Councilman Meador made

the motion to table this until the next council meeting. Councilman Cooley seconded the motion. Councilman Moore stated for the record I'm opposed to this because we are in no man land and we are going in that direction with our eyes wide open. Councilman Moore stated he opposes of the operation of group that is out there now because we have no coverage. Councilman Moore made a subsequence motion that they cease and desist until they get the agreement and if the concession needs to be open the Park & Recreation resume operations. Councilman Congress seconded the motion. Mayor Grayson stated that there is already a motion and a second on the floor. Mayor Grayson stated the vote for the tabling this matter failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: no	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson stated the vote is on the subsequence motion from Councilman Moore and seconded by Councilman Congress. Mayor Grayson asked Park & Recreation Director Mark Pettus how long it would take for you to assembly Park & Recreation concession tonight. Mr. Pettus stated that inventory would have to be purchased and hire concession workers, approximately ten (10) days. Mayor Grayson asked if there is any active in the next ten days. Mr. Pettus stated four (4) ball teams going on tonight and next week we will have twelve (12) games on Monday, Tuesday, Thursday, and Friday. Councilman Congress asked if we could hire the workers out there now. Mr. Pettus stated they are volunteers. Demopolis High School Principal Leon Clark stated that this was only for a fundraiser. Mr. Clark stated no fundraisers have to go before the school board for approval. Councilman Cooley asked if Councilman Moore would consider an amendment to his motion. Councilman Cooley asked if we could give the other parties involved a 72 hours to complete every requested that we have asked for and if not the Park & Recreation would take over. Councilman Moore stated that we have talked about this in length and if anything happens and we had knowledge of it. Councilman Moore stated that he would not support that.

Mayor Grayson called the motion to question. The motion failed with 3 yes votes and 3 no votes by the following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Mayor Grayson asked Mr. Poole to act with all urgency.

David Biddle-Air Evac Lifeteam: Mr. Biddle stated Air Evac offer a membership program that we currently have with Cities and Counties. Mr. Biddle stated that he meet with department heads last week and they were interested in the program. Mr. Biddle stated that if 50 or more needs to sign up there would be a discount offered to the City. Mr. Biddle stated this would be paid by the City but deduct from the employee's payroll check over a three (3) pay periods. Mayor Grayson stated Mr. Biddle is asking for approval for a payroll deduction for membership. Councilman Congress made the motion for the approval. Councilman Cooley seconded the motion and the motion passed with 6 yes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

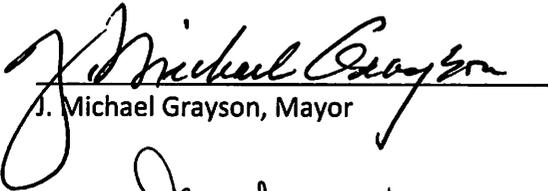
Ordinance 2012-03 Procedures for Wrecker Service/Rotation Log: Police Chief Reese stated that he presented this to Council for review at the last Council meeting. Chief Reese stated that one thing that was brought up was the insurance to cover the City. Chief Reese and Mr. Poole researched and in Section 1-08 B cover the City. Mayor Grayson stated another thing that was discussed was the penalties

Section 1-10 and the terms for violations. Chief Reese stated we took out the first (1st) violation to a written warn and second (2nd) violation would be within 12 months would be 30 days suspension. Councilman Yelverton made the motion to approve Ordinance 2012-03 with the amendment of ninety (90) days to come in to compliance with the procedure. Councilman Meador seconded the motion and the motion passed with 5 yes votes and 1 no votes by the following roll call votes:

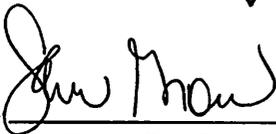
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Councilman Congress made the motion to adjourn. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audio is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

June 7, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday June 7, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5
City Clerk: Sam Gross

Department Heads:

- Police–Rex Flowers-submitted
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court
Public Works–submitted
Horticulture-Barbara Blevins-submitted
Library-submitted

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress made a motion to approve the agenda as presented. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the May 17, 2012 regular meeting. Councilman Congress stated that the exchange that he and Councilman Cooley had concerning the amount that Vowell’s was paying the City is not included. Mayor Grayson stated the minutes are a summary of the issue of the topic and it’s not a transcript. Councilman Congress stated he thought that it was germane in the conversation and hope in the future that those things germane would be included. Councilman Meador made a motion to approve the minutes as presented. Councilman Yelverton seconded the motion and motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: no
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated he had received endorsement of insurance policy but basically this is invalid because the Park & Recreation has assumed concession operation.

Mayor Grayson presented a schedule for 2012-2013 budgets with the department heads, personnel committee, and finance committee.

Mayor Grayson stated chamber after hours would be at the Mustard Seed tonight starting at 5:30pm.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: City Attorney Bill Poole stated we have received two (2) new properties that need to be added (1) 1st Avenue (2) Knox Circle. Mr. Poole stated the existed dilapidated properties one on Front Avenue the property owners are demolishing on their own. On A Street the bid was withdrawn by the contractor and resubmitted that is more than doubled. The property owners are having a disagreement on this. Councilman Meador asked why the bids are doubled. Mr. Poole stated that he and Mr. Brooker has been discussing this and contractors have stated that the dumps are charging more due to EPA regulations. Councilman Congress stated that he has informed City Attorney about property at Knox Circle and 2nd Avenue. Councilman Congress stated that the residences are adamant about the house being demolished. Councilman Congress stated the residence complain during the day there are animals and children in the house, that causes a health hazard. Councilman Congress stated at night it is occupied by drug dealers. Councilman Congress stated there are elderly people that live in surrounding area that are afraid.

New Business

Ordinance 2012-04 Rezone property at 1327 Highway 80 East: Building Official Clarence Brooker stated this is the site where the old Waffle House is located. Mr. Brooker stated that Bill Mackey was the overseer of the property and suggested that the building be removed. Mr. Brooker stated they have someone that is interested in the property. Mr. Brooker stated at one time Sun South was interested in parking their equipment on this property. Mr. Brooker stated the Planning Commission heard the case and voted the favorable recommendation to rezone from B-3 to BLI zone. Councilman Cooley asked what the property zone around this location was. Mr. Brooker stated B3 zone but Mr. Windham has a piece of property that is to the west of Windham Motor Co. that is BLI zone. Councilman Congress stated that he would hope that would wait until we know who is purchasing property before we rezone. Councilman Congress stated that this location is important. Mr. Brooker stated that we have regulations on the height and setback in the zone. Mayor Grayson stated we couldn't dictate what can be put there. Councilman Meador made the motion to pass Ordinance 2012-04 for rezoning from B-3 to BL-I zone at 1327 Highway 80 East. Councilman Yelverton seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Qualifying Fee: Mayor Grayson stated the qualifying fee is set at \$50.00. Mayor Grayson stated this is only on the agenda if the council chooses to change the fee. The council agrees not to change it.

Alex Besteder-Mobile car wash: Mr. Besteder was not present. Councilman Congress stated he has had several people talking about mobile car washes and it is his understanding that we have no such license for this. Councilman Congress understanding was that instead of the customer coming to me that they would go the customer. Mr. Brooker stated it's not in our table of permitted uses in our zoning regulation. Mr. Brooker stated car wash is required to have a sand trap. Mr. Brooker stated if we allowed mobile car wash the sand and grease would go into the storm sewer that would end up in the river. Mr. Brooker stated that he has spoken with Mr. Besteder and suggested that he may want to contact vacant car wash businesses that have the sand trap. Councilman Meador made the motion to move on since Mr. Besteder is not present. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

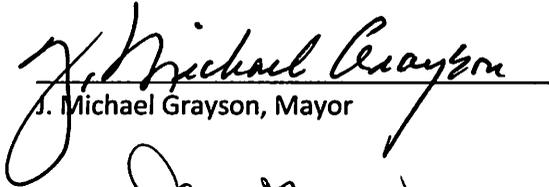
Unfinished Business

School Board Appointment Nominates: Mayor Grayson asked if anyone has nominations for the place that is held by Bobby Armstead. Councilman Congress stated that Delores Cunningham ask that she not be nominated. Councilman Congress made that motion to suspend the rules and nominate and vote tonight. The motion dies for a lack of a second. Mayor Grayson nominated Conrad Murdock for the school board appointment. Councilman Moore nominated Freddie Armstead, Jr. for school board appointment. Mayor Grayson stated that nominations are closed.

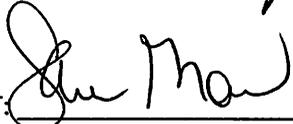
Process of issuing business license: Councilman Cooley suggested at the last council meeting that we take a look at manner in which a business license are issued. Councilman Cooley stated current situation anyone that desires to buy a business license from the city and it is categorize in license book with a few questions and payment that a license is issued on the spot. Councilman Cooley concerns are that we could put a little more thought into and not delay the issuing of license by involving the department heads within the city that would be in position to take a look at a new business opening and determine of anything in their department with a question about this business. Councilman Cooley stated that Fire, Police, Building inspector, and Public Works would be the departments. Councilman Cooley asked if the letter in our packet from ADEM is concerning the gas pump at the old Best Western Motel. Building Official Clarence Brooker stated yes, I wanted to let the council know that ADEM was involved in the process. Councilman Cooley stated that this is simply for discussion. Mayor Grayson stated that he respectfully disagrees with points about this. Mayor Grayson stated to delay a business license would be sending out the wrong message and we are trying to portray Demopolis as business friendly. Mayor Grayson stated that concerns would be addressed. Councilman Congress asked if a precaution measure was in place on disclosure so if someone is required to have some type of permit by it ADEM or EPA, we should make sure they have to present it before the license is issued. Councilman Congress stated if they don't have the proper permits we should automatic reject issuing the license. Councilman Congress stated that this would not be a liability on the City. Mayor Grayson stated we have that already in place. Mr. Brooker stated that Ms. Murray just doesn't issue license. Councilman Congress asked how the gas pumps were installed. Mr. Brooker stated that Bryon Cook was here at the time and had no problem with it. Mr. Brooker stated that the gas tanks have monitors on them in case of a leak.

Councilman Moore commented Fire Chief Few and his department for a successful 3rd Annual Open House. Councilman Moore stated it was a great opportunity to see the Demopolis finest at work with demonstration and drills of various kinds with a great turn out.

Councilman Congress made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

June 21, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday June 21, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5
Kim Rodrigues, Account Payable, Recording Secretary

Absent: Sam Gross, City Clerk

Department Heads:

- Police-submitted
 - Fire-submitted
 - Park & Recreation
 - Building Official-submitted
 - City Hall
- Court-submitted
 - Public Works
 - Horticulture-submitted
 - Library

Mayor Mike Grayson called the meeting to order and opened the meeting with the invocation by Pastor Hank Atkinson followed by the Pledge of Allegiance.

Mayor Grayson stated that City Clerk Sam Gross was absent because she is attending an Election Training Session and Attorney Poole was on vacation this week.

Mayor Grayson then entertained a motion to approve the agenda. Mayor Grayson made a motion to amend the agenda reason being Brenda Tuck was out of town and not available to present report. Mayor Grayson would like to add Almon Associates to present their Engineering Proposal for replacement of Jackson Street bridge. Councilman Meador also requested to amend the agenda to change the next council meeting from July 5th to July 2nd due to the upcoming Fourth of July holiday. Councilman Moore along with Councilman Congress stated that concerned citizens calling about the report mailed from the Water Department. Councilman Moore requested a representative from the Water Department to explain the letter that was mailed out about the water test results. Councilman Cooley stated he was at the Water Board meeting and would address the council as to the current status of the water test. Councilman Congress asked that Fire Station #2 be added to the agenda under unfinished business. Councilman Meador made the motion to amend the agenda. Councilman Moore seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the June 7, 2012 regular meeting. Mayor Grayson requested a correction be made to page 4, line 1 should read:

Councilman Moore ~~commented~~ **commended** the Fire Chief.

Councilman Congress made correction to page 3 line2 should read:

Councilman Congress stated the Delores Cunningham ask that she not be ~~nominated~~ **re-nominated**.

Councilman Meador made a motion to approve the amended minutes. Councilman Yelverton seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated the Chamber of Commerce has the Birmingham Army Band performing in the public square and encourage the Council to attend.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: Mayor Grayson stated that City Attorney Bill Poole is on vacation this week. No report at this time.

New Business

ATRIP: Mr. Phillip Guin and Mr. Scott Dollar, Almon Associates presented the proposal for Jackson Street bridge project. Mr. Guin presented copies for the Mayor and Council of the proposal. Mr. Guin addressed the breakdown of three (3) phases of project feasibility study of \$18,000, ATRIP applications preparation \$45,000 and final engineering of \$67,000. Mayor Grayson addressed Mr. Guin making sure the breakdown is on page 2. Councilman Cooley requested clarification with detail. Mr. Guin states the proposed bridge plan is to be a two (2) lane multi-span bridge about 200' in length. This construction will likely consist of drilled concrete piers supporting concrete bents with superstructure consisting of precast concrete AASHTO girders supporting a concrete deck wearing surface. The plan is to leave the existing bridge in place to support attached existing utilities. Mr. Guin told the council a detour would not be required during construction of the new bridge. Councilman Cooley asked if the bridge would be open to the traffic. Mr. Guin told the council it would not, it would be a utility bridge and would not have to follow ALDOT maintenance. It would be taken off the bridge inventory and that ALDOT would not regulate the inspection of this bridge, it would be the City of Demopolis responsibility. Councilman Cooley stated that \$70,000 to \$80,000 had been spent on the bridge repair in last seven (7) years and it would only be for pedestrian traffic. Councilman Cooley expressed reservations about the project. Mayor Grayson stated we would not decide on this part tonight, we will focus on the feasibility study.

The proposal fee/ATRIP grant on the new bridge and to keep from putting additional money into the old bridge. Councilman Congress stated that the council should go ahead and approve the \$18,000 project feasibility study along with ATRIP application preparation of \$4,500, which would total \$22,5000. Mayor Grayson agrees to approve the contract or not approve the contract. Councilman Congress made a motion to approve and Councilman Yelverton seconded the motion. Councilman Moore clarified the stipulations and that \$90,000 is the project fee. Mr. Guin stated that if the project stops the fee would only be applied to the work that was performed to that stop date. Councilman Congress made a motion to approve the total \$90,000. Councilman Yelverton seconded the motion and the motion passed with 5 yes votes and 1 abstains by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: abstain

Freedom on River: Jenn Tate, Director Chamber of Commerce is unable to attend. Ms. Tate is requesting use of the City landing for upcoming Freedom on the River. This would require access to Fulton Street and Commissioner Avenue and it would include a firework display. Councilman Congress asked Chief Reese and Chief Few if they have received and reviewed any paperwork pertaining to the firework display. Both Chiefs responded with a no and if the firework display were the same as last year and the same location they would both sign off on it. Councilman Moore made a motion to approve pending the approval of the public safety. Councilman Congress seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: no

Resolution 2012-12 Election Duty Official: Mayor Grayson stated that he is not eligible to perform the election duty because he is running for re-election. Councilman Congress questions if state law requires an alternate/backup to this position and who would be the City Clerk's alternate/backup? Mayor Grayson stated at this time City Clerk Sam Gross and Revenue Clerk Teresa Murray are in Florence Alabama for election training June 21st and 22nd. Councilman Moore stated that when Dolly Ward was the City Clerk if she could not fulfill her duties during the election for whatever reason the City Attorney would be appointed to fulfill the position of election duty official. Councilman Meador made the motion to approve Resolution 2012-12. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-13 Traffic Signal Highway 80 & Maria: Mayor Grayson addressed the council concerning a letter from ALDOT requesting upgrade on the traffic signal located Highway 80 and Maria Avenue. Mayor Grayson stated it is the City's responsible for the maintenance of the traffic signal. Councilman Meador questioned if the City has to pay for the upgrade and the type of upgrade being done. Mayor Grayson stated the letter did not specify the type of upgrade being made. Councilman Congress asked if the upgrade traffic signal performed would be the same or will it have added features. Mayor Grayson again stated he is only going by what the ALDOT letter states, that an upgrade is needed. Councilman Yelverton made a motion to approve Resolution 2012-13 Traffic Signal Highway 80 and Maria Avenue. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

ABC Restaurant Retail Liquor application La Gran Acienda, LLC: Mayor Grayson asked if a representative from La Gran Aceinda would approach the council. Aurelo Ayala the owner addressed the council. Mr. Ayala stated that the only thing changing is the ownership everything would remain the same. Councilman Cooley asked Chief Reese if this is a normal procedure or can liquor license be transferred. Councilman Cooley also asked Chief Reese if he has any objections to this application. Chief Reese stated he has no objections and that transfer of liquor license is not allowed. Councilman Cooley made the motion to approve ABC application. Councilman Yelverton seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

City Council meeting reschedule: Request by Councilman Meador to change the next City Council meeting due to the upcoming holiday from July 5th to July 2nd. Councilman Meador made a motion to change the meeting date from July 5th to July 2nd. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Water Board letter: Councilman Cooley addressed the Council concerning the letter that was sent out by the Water Department concerning water sample report. Councilman Cooley was at the Water Board meeting on June 11, 2012 when the water samples were taken from particular location required by ADEM and the presence of coliform was found in the sample taken. Once this was located, two (2) follow up test were performed without any faults or finds. Once a negative test result appears it has to be disclosed to the citizens. The Water Works employee's was questioned about the test and how it was performed. The test was found improperly handled and Brooks McCants Manager of Demopolis Water Woks has reprimanded those employees. Councilman Cooley stated the water is safe.

Unfinished Business

School Board Appointment Nominates: Mayor Grayson addressed the two (2) applicants that are nominated; Mr. Conrad Murdock and Mr. Freddie Armstead, Jr. were in attendance tonight. Councilman Congress stated, "I'd like for us to do nomination tonight so that Mr. Murdock or Mr. Armstead will know whether or not they have been nominated." Mayor Grayson asked for a vote for Mr. Conrad Murdock. The following roll call votes:

Mayor Grayson: yes	Councilman Moore: no	Councilman Congress: no
Councilman Yelverton: no	Councilman Meador: yes	Councilman Cooley: yes

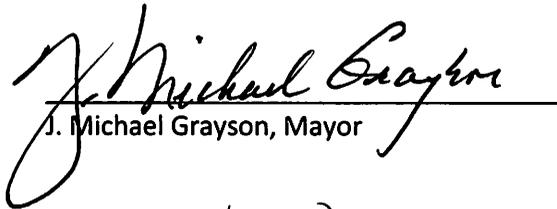
Mayor Grayson asked for a vote for Mr. Freddie Armsead, Jr. The following roll call votes:

Mayor Grayson: no	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

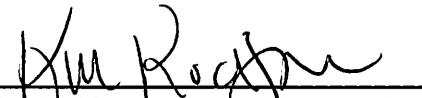
Mayor Grayson suggested that the floor be opened for nominations. Mayor Grayson nominates Mr. Conrad Murdock for consideration. Councilman Congress nominates Clarence Jackson. Councilman Meador asked if this is not a conflict of interest working in another school system. Councilman Moore requested the Council to table this appointment until they can develop consensus. Mrs. Virginia Goodlet asked the Council if citizens were allowed to nominate a person for the school board. Councilman Congress stated they would have to submit in writing and give their nominee to the Mayor or Councilman in order to be nominated. The Council deliberated and agreed to table this appointment.

Fire Station #2 Status update: Councilman Congress asked for a status update on Fire Station # 2. Mayor Grayson stated that we are waiting to hear from Nivory Gordon, USDA on the status of our grant that the City has applied for. Councilman Congress stated that the joint motion initially passed was still enforced it was not rescinded. Councilman Cooley stated that the \$750,000 was the amount set not appropriated. Councilman Congress disagreed. Councilman stated we need to refer to the minutes from that meeting.

Councilman Meador made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Kim Rodrigues, Account Payable, Recording Secretary

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

Regular Meeting

July 2, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Monday July 2, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- | | |
|---------------------------------|------------------------------|
| • Police-Tommie Reese | Court |
| • Fire-submitted | Public Works-Mike Baker |
| • Park & Recreation-Mark Pettus | Horticulture-Barbara Blevins |
| • Building Official | Library |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Reverend Lacornia Harris followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Mayor Grayson suggested that the agenda be amended to added resolution 2012-14 Election Machine, Resolution 2012-15 Compensation Absentee Election Manager, and Resolution 2012-16 Sales Tax Holiday due to timely bases. Councilman Congress asked to add to the agenda to change the next schedule council meeting due to his father having surgery. Councilman Meador made the motion to approve the agenda as amended. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson informed the council the minutes of June 21st will be approved at the next Council meeting due to the City Clerk just returning back after a week out for surgery and has not had time to proof reading minutes that were prepared by Kim Rodrigues.

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated that Buzz Sawyer burial ceremony would be Friday, July 6th at 11:00am at the Alabama National Cemetery in Montevallo.

Mayor Grayson stated that the West Alabama and East Mississippi Mayors network is having a governor's summit at the first of November this will be determine at a later date but will be at the Bell Conference Center located on University of West Alabama campus.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: City Attorney Bill Poole stated at 1812 A Street the owner's have demolished the house and some of the lumber has been taken away but I would follow up with that. Mr. Poole stated that this property has been accomplished without the cost to the City. Mr. Poole stated that he has spoken with owner there was discussing that it would be improved but it is overgrown again and when does it start again. Mr. Poole stated he was going to proceed with demolishing. Mr. Poole stated we have a bid to do both properties at 1812 and 1814 A Street, this bid would have to be adjusted.

608 Blacks Drive- Mr. Poole stated that he had spoken with an elderly but has not had any contact in a while. Mr. Poole stated he would proceed on this property.

301 North Front: Mr. Poole stated the property owners have demolished the house and almost completely removed but there is a shed in the backyard that has not been removed at this time. Mr. Poole stated again without cost to the City.

Two new properties 513 First Avenue and 601 First Avenue, Mr. Brooker and I are working on this and will begin the steps. The letters have been sent out and the property posted. Mr. Poole stated a gentleman has purchased one of properties at a tax sale. He has stated he would demolish it himself.

1801 Second Avenue: Mr. Poole has posted notice on the property and a letter has been sent out. Mr. Poole stated he has received a call about revamping the property.

New Business

Demopolis Public Library Budget Amendment: Morgan Grimes, Librarian stated the 15-ton air conditioning unit and compressor on the second floor has gone out. At this time Anderson Heating and Plumbing has gotten half of the unit working. Miss Grimes stated that Anderson gave us two (2) options. First (1) option would be to replace the compressor which they advised against because the unit id approximately 25 years old. Second (2) option would be to replace the whole unit. Miss Grimes stated she had received two (2) quotes one (1) from Anderson Heating, Plumbing, and Electric and other from Jennings Service Co., Inc. Councilman Cooley asked how old is the unit? Miss Grimes stated they estimated 20 to 25 years old. Councilman Congress if they have it in their budget. Miss Grimes stated she has \$3,778, \$2,000 out of capital expenditures, \$1,000 building repair/maintenance, and \$778 travel/training. Miss Grimes stated the Library board would like to know if the City could contribute the remaining balance of \$10,746.29. Councilman Cooley stated his thoughts are since the unit is 20 to 25 years old if the compressor is the only thing replaced, it would be just a matter of time until the other parts of the unit would go out. Councilman Cooley stated he would be leaning more to replacing the whole unit with the lowest bidder with the better warranty. Councilman Meador asked how are we going to budget this. Mayor Grayson stated we are past our rich revenue time and it is based on merely

sales tax revenue at this time. Mayor Grayson stated we are working on \$52,000 deficit budget that was passed to begin with assuming that the revenues hold true and expenses remain the same. This would expand the deficit by another \$10,700 assuming the City pays 100% of the difference. Mayor Grayson asked if the Friends of the Library are going to contribute anything. Miss Grimes stated their thoughts since the City owns the building it should be their responsible for the maintenance. Councilman Congress stated he feels that it is the City's responsible. Councilman Moore stated the other department's budgets come in, I think our deliberation to deal with library budget and the reserves because everybody else budget is tight, we should not factor what they need. Mayor Grayson stated as of June the Library budget is running under budget for the total operation. Councilman Yelverton made the motion to replace the unit with Anderson Heating, Plumbing, and Electric. Councilman Congress seconded the motion. Councilman Moore asked where is the funds coming from. After some discussion, Councilman Moore asked what account would this come from. Mayor Grayson stated we would charge it out of the Library budget, which would show over budget, but it would come out of the general fund. Councilman Moore asked would this factor in other departments. Councilman Congress stated the mission that the Librarian and the number of students and other uses the library, I feel \$10,700 is well worth spending. Mayor Grayson stated it would come out of reserve. Councilman Moore asked again what account would this come out of. The motion passed with 5 yes votes and 1 abstains due to not knowing what account this would come from. The following roll call votes:

Mayor Grayson: yes	Councilman Moore: abstain	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Wanda Akins: Ms. Akins concerns are with the dogs running loose at the Sports Plex. Ms. Akins states that she walks at the Sports Plex and there are dogs that runs lose on the walking trail without leashes. Councilman Congress stated that Ms. Akins has brought this to his attention on several occasion I informed her needs to bring this to the Council. Mayor Grayson asked Park Director Mark Pettus what is the policy concerning dogs. Mr. Pettus stated the Park & Recreation policy is no dogs not allowed around the fields or crowds. Councilman Cooley stated since the City has a leash law why can't we put up signs. Mayor Grayson we need to enforce the law

Resolution 2012-14: City Clerk Sam Gross stated this Resolution is the electronic voting machine that would be used for the municipal election. The machines have already been precleared through the Department of Justice provided by Marengo County Judge of Probate. Ms. Gross stated this Resolution would have to be sent in the Secretary of State. Councilman Yelverton made the motion approve Resolution 2012-14. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-15 Compensation for Absentee Election Manager: City Clerk Sam Gross stated Resolution 2012-15 is for compensation for absentee election manager. The sum is \$50 per day for each day absentee elections services is performed. Councilman Meador made the motion to adopt Resolution 2012-15. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Resolution 2012-16 Sales Tax Holiday: City Clerk Sam Gross stated the sales tax holiday would begin 12:01am Friday August 3rd and ends Sunday August 5th at 12:00am. Ms. Gross states that City has done

this for several years. The sales tax holiday pertains to school clothing and supplies. Councilman Moore made the motion to adopted Resolution 2012-16. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Change of the July 19th council meeting: Mayor Grayson stated this request is from Councilman Congress due to a family medical. After some discussing, Councilman Congress made a motion to change regular schedule meeting of July 19th until July 26th at 5:15pm at Rooster Hall. Councilman Moore seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Unfinished Business

School Board Appointment Nominates: At 5:56pm the Mayor and Council moved into Executive Session, for the purpose of good name and character 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 2nd day of July 2012 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 Congress for the Council to go into Executive Session for the purpose of good name and character 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 Mike Grayson	Yea	
2. Mayor Pro Tempore Moore	Yea	
3. Councilman Congress	Yea	
4. Councilman Yelverton	Yea	
5. Councilman Meador	Yea	
6. Councilman Cooley	Yea	

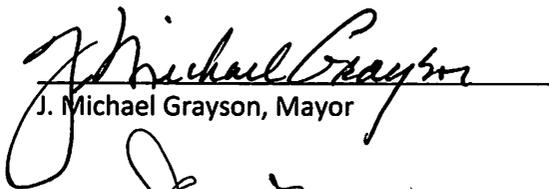
And Presiding Officer declared that a majority of the votes in favor of the motion, that such motion had therefore passed and the Council would forthwith recess into Executive Session for the purpose as stated in said motion and no other purpose, in accordance with the Act and Council for approximately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

Councilman Meador made the motion to reconvene into regular session at 6:10pm. Councilman Congress seconded the motion and motion passed with 6 yes votes by the following roll call votes:

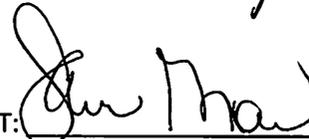
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson asked were there any nomination at this time. At this time there were no nomination.

Councilman Congress made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

* Audio is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

July 26, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday July 26, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- Police—Tommie Reese
 - Fire-submitted
 - Park & Recreation-submitted
 - Building Official
 - City Hall-Sam Gross
- Court-submitted
Public Works—submitted
Horticulture-Barbara Blevins
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Police Chief Tommie Reese followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador made the motion to approve the agenda. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes June 21, 2012 and July 2, 2012 regular meeting. Councilman Meador made a correction on June 21st minutes on page 2 under new business should read the following:

Mr. Guinn addressed the breakdown of three (3) phases of project feasibility study of \$18,000, ATRIP applications preparation ~~\$45,000~~ **\$4,500** and final engineering of \$67,000.

Councilman Congress asked for clarity for a backup person of Ms. Gross for some reason she could not perform the duties of election official manager. Councilman Congress stated since Teresa Murray went with Ms. Gross to election training, can we officially name Teresa Murray as alternate election manager. Councilman Meador stated this needs to be put on next agenda because the agenda has already been approved. Councilman Congress requested the rules to be suspended and add to the agenda. Councilman Cooley made the motion to make that change now. Councilman Congress seconded the motion and the motion passed with 6 yes votes by the following roll call vote:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Councilman Moore stated on July 2nd page 2 under dilapidated 608 Blacks Drive should include the following:

608 Blacks Drive- Mr. Poole stated that he has spoken with an elderly *woman* but has not had any contact in a while.

Councilman Moore stated on page 3 under Wanda Akins, should read the following correction:

Mr. Pettus stated the Park & Recreation policy is ~~no~~ *that* dogs are not allowed around the fields or crowds.

Councilman Congress stated there was some conversation under Wanda Akins that Mr. Baker was asked to put signs that states no dogs allowed under the leash law and would not be allowed unless they were on a leash. Councilman Congress stated that conversation was also with Police Chief Reese about leash law and Mike Baker with a time frame of the signs to be installed.

Councilman Moore made the motion to approve June 21, 2012 minutes and table July 2, 2012 minutes until the next council meeting. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson stated as a Mayoral appointment I have reappointed Rodney Allen to the Housing Authority.

Mayor Grayson stated that we have requested if the City gives money to organizations that we at least get an activity report. Mayor Grayson presented a report from the Marengo County Economic Development from Brenda Tuck.

Mayor Grayson stated we are currently negotiating with a company for a short-term lease for the use of the intermodal complex building. Mayor Grayson stated we have the benefit to still show the building and a thirty (30) day cancellation on the lease. Councilman Congress asked if the council would be included in setting the fee for the lease. Mayor Grayson stated the mayor can negotiate a contract and that is what I have done.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Housing: City Attorney Bill Poole stated we are on the final stages at 608 Blacks Drive and 1814 A Street and soliciting few more bids for the lowest price and would forward to the council for approval. Mr. Poole stated we are at beginning the process of demolishes at 513 First Avenue. Mr.

Poole stated that the two (2) properties is the same owner that was purchased at a property tax sale. Mr. Poole stated it is a double lot and on the south lot there is a house that has deterioration. Mr. Poole stated the Building Official Clarence Brooker is in the opinion that is dilapidated. Mr. Poole stated we are moving forward on that one. Mr. Poole stated he has received a few new ones and would report on these at the next council meeting. Councilman Congress asked if he has received the address on Knox Circle. Mr. Poole has already written a letter to the property owner and in the starting stages.

New Business

Audit 2010-2011: Mr. Richard Leroy, CPA with LeCroy, Hunter & Company, P.C. presented the council with a copy of the auditors letter of communication along with financial statements and reviewed the financial highlights. There were questions and discussion on various points of interest by council. Mr. LeCroy presented and reviewed management letter that is highlighted recommendations for improvement of the internal control system and other areas of operation. The Council reviewed and signed an exit conference for year ended September 30, 2011.

Councilman Meador made the motion to accept and approve the audit ending September 30, 2011. Councilman Yelverton seconded the motion and motion passed with 6 yes votes by the following roll votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador:	Councilman Cooley: yes

Request from A.J. McCampbell: Mayor Grayson gave a little back ground that Mr. McCampbell currently has an office that is on Highway 80 West. Mr. Grayson stated that there is a grass median that separates the eastbound and westbound lanes. Mayor Grayson stated in Mr. Campbell's request letter that we as Mayor and Council to request to Alabama Department of Transportation to remove the raised median from Lake Lane to Janet Street. Mayor Grayson stated we couldn't just go out there and remove them, this is state highway. Councilman Cooley asked what would be the benefit of removing just that one. Mayor Grayson stated that his rational is it discourages people from getting into those businesses on an ease bases. Mayor Grayson stated that they would have to go passed the business and around the median to come back in if traveling westbound. Councilman Meador asked if anyone else has ever asked for the median to be removed. Councilman Moore stated that we have asked for the raised median to be removed but ALDOT has rejected. Councilman Cooley stated what about the businesses on Highway 80 East that could benefit with the raised median removed. Councilman Cooley stated that he has reservation for just the small area for removal if we are going to considerate we need to do all the way up. Councilman Moore suggested that we ask ALDOT to revisit the removal of the medians. Councilman Meador asked if this is what we want to do, I think there nice and well maintained. Councilman Cooley stated the City does that. Mayor Grayson asked Ms. Gross for the record that it is the Council decision is to ask ALDOT to review removal of all raised medians and get their input.

Resolution 2012-17 Official Elected Without Opposition: Mayor Grayson stated Resolution 2012-17 is for no opposition in District 4 which declares Bill Meador for term commencing on the first Monday in November. Councilman Moore made the motion to approve Resolution 2012-17. Councilman Congress seconded the motion and the motion passed 5 yes votes and 1 abstains by the following roll call votes:

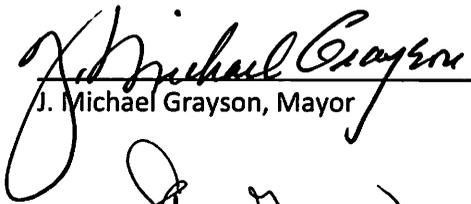
Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador:	Councilman Cooley: yes

Certificate of Election: Mayor Grayson states the certificate of election is for District 4 Bill Meador for term commencing on November 5, 2012.

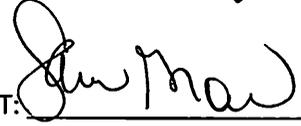
Resolution 2012-18 Budget Adjustment: Police Chief Tommie Reese asked the council to amend the budget of \$14,797.59 back to his overtime budget. Mr. Reese stated that this has been reimbursement back to the City for security. Councilman Yelverton made the motion to approve Resolution 2012-18. Councilman Meador seconded the motion and the motion passed 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Councilman Meador made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

August 2, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday August 2, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- | | |
|-------------------------------|--------------|
| • Police—Tommie Reese | Court |
| • Fire-Carl Johnson-submitted | Public Works |
| • Park & Recreation | Horticulture |
| • Building Official-submitted | Library |
| • City Hall-Sam Gross | |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor Carl Williams followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress made a motion to add appointment to the school board. Councilman Yelverton seconded the motion and motion failed with 2 yes and 4 no by the following roll call votes:

Mayor Grayson: no	Councilman Moore: no	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: no	Councilman Cooley: no

Councilman Congress made the motion to add sign ordinance to the agenda. Councilman Yelverton seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Mayor Grayson stated sign ordinance would be # 3 under new business.

Councilman Cooley made the motion to approve the agenda as amended. Councilman Meador seconded the motion and the motion passed with 5 yes votes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the July 2, 2012 regular meeting. Councilman Meador made the motion to approve the minutes. Councilman Cooley seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson wants to propose to Council to add council discussion back to the agenda with perimeter the council would get one (1) topic per councilman and a 3 minute max for the topic and anything that requires a vote would be place on the agenda for the next council meeting. Councilman Cooley put that in a form of a motion. Councilman Moore seconded the motion and the motion passed with 5 yes and 1 no vote by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Departmental reports

Departmental reports were submitted as indicated above.

Councilman Congress asked if we have a requirement that department heads have the discretion to come to the Council meeting or not. Mayor Grayson stated that department heads are encouraged to attend and if they do not attend they have to give a valid reason before they are excused.

Project

Dilapidated Housing: Mayor Grayson stated no report in the absence of Mr. Poole.

New Business

Resolution 2012-19 Appointment of Election Officers: City Clerk Sam Gross stated the Resolution 2012-19 is election officers that would be working the municipal election on August 28th and the run off on October 9th. Ms. Gross states August 13th is the last day to appoint election officials. Councilman Moore asked if everyone on the list physically able. Ms. Gross stated that she had spoken with everyone and they have committed to work. Councilman Cooley made the motion to pass Resolution 2012-19. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Proposal from PELA Geo Environmental-Smarter Fuel: Mayor Grayson stated in your council packet you would see a proposal from PELA Geo Environmental regarding Smarter Fuels. Mayor Grayson stated that Mr. Poole has contacted this group and they would charge us \$2,000 for a preliminary investigation. Mayor Grayson stated they would determine the possible odor producers and no toxic chemicals. Councilman Moore asked if they want us to pay for this. Mayor Grayson stated yes. Councilman Moore

stated that he doesn't agree with that. Councilman Meador asked if we have a pending law suit with Smarter Fuel. Mayor Grayson has instructed Mr. Poole to draw up an action against Smarter Fuel. Councilman Moore asked if the suit has been filed yet. Mayor Grayson stated not to my knowledge it has not. Councilman Meador stated that it could get more costly the farther we go. Councilman Congress asked if the EPA could not do it for free. Mayor Grayson stated that he did not know. Mayor Grayson stated that he has not received any calls from any residence recently. Mayor Grayson stated that the residence have hired their own council. Councilman Congress stated a residence has asked where the City was on this matter. Councilman Congress stated he thought it was resolved because he has not received any more complains from the citizens of that area. Councilman Cooley stated that he has two (2) concerns about the performance letter that is asking us to sign. Councilman Cooley stated on the second page next to the last paragraph reads the following:

If this scope of work and cost estimate meet with your approval, please sign in space provided below.

Councilman Cooley stated if you read the whole entire letter it really doesn't define the work that they would perform. Councilman Cooley stated on the third page the additional charges that could go beyond the regular cost estimate including and up to Level X technician services at \$200 per hour and under a and b transportation, if they use commercial travel vehicle or a airplane is their cost plus 15%. Councilman Cooley stated this is too open-ended and he would be against it. Councilman Congress stated it also states per diem plus lodging billed plus 15%. Councilman Moore stated that he is against it period. Councilman Meador stated that he would echo what Councilman Congress stated to contact ADEM, if they offer the service. Councilman Congress made the motion reject the contract from PELA Geo Environmental and we look for other options. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Sign Ordinance: Councilman Congress stated every local election we have a problem where the signs can go. Councilman Congress stated that some would be considered on the right of way. Councilman Congress would like for it to be established that if we are going to allow signs to go on the right of way, that we allow everybody's signs to be on the right of way. Councilman Congress stated that he would not want the signs to be pick up in a help-hazard way. Mayor Grayson stated that the sign ordinance is in place so therefore we need to enforce it. Councilman Congress stated his point is the county election is not being enforced. Councilman Congress stated that signs are already out and it's not being enforced now. Councilman Cooley stated the signs on the right of way are being enforced and the county election Public Works pulls them up and keeps them at their facility. Councilman Cooley stated that the candidate is called and offered to pick them up. Mayor Grayson stated one correction, they do not call the candidates and if their signs are missing they should call the Public Works. Councilman Congress asked whose responsibility is it to enforce the sign ordinance. Mayor Grayson stated that Public Works is the ones picking up the signs. Councilman Meador asked if we have an ordinance-enforcing officer. Mayor Grayson stated yes. Councilman Meador stated that it would be his responsibility. Councilman Congress stated that Ola Mae Nixon contacted me and she stated that she had a sign in the center of her yard and that Mr. Brooker came and laid the sign down because the sign was too large. Councilman Congress stated that he called Mr. Brooker concerning the sign and Mr. Brooker stated that the sign was too large. Councilman Congress stated that we need Mr. Steven Aultman Code Enforcement Officer and Mr. Baker Public Works to pick up the signs in a uniform matter and not nick picking on who the candidate is. Mayor Grayson stated this is an example of why this need to be on the agenda we could make sure that the necessary people would be here that could answer the question. Councilman

Congress asked if this could be on the agenda for the next meeting. Mayor Grayson stated that this could be done for August 16th. Councilman Moore asked if anyone could answer what is the maximum dimension of sign. Mayor Grayson stated 4x2 or 8 square feet. Councilman Cooley stated in the county race Kenny Freeman had a sign locate at the old Harold Johnson tire store that was more than that size and it had to be removed.

Unfinished Business

No unfinished business at this time.

Council Discussion

District 1: Nothing at this time.

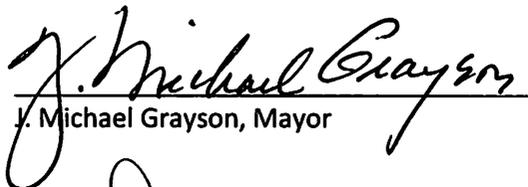
District 2: Councilman Congress stated his understanding when we go back to nominations for the school board that the nomination would have to be at one meeting and not vote on until the next meeting by the policy. Mayor Grayson stated that is correct.

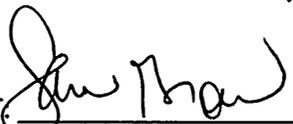
District 3: Nothing at this time.

District 4: Councilman Meador stated we applied and got a grant for Industrial Park to tie in road to make a loop, what is the status on it. Mayor Grayson stated that the grant was returned because the prospect was based on the grant and it turned out they went belly up. Mayor Grayson stated this is on the south Industrial Park connector road.

District 5: Nothing at this time.

Councilman Moore made the motion to adjourn.


J. Michael Grayson, Mayor

ATTEST: 
Sam Gross, City Clerk

* Audio is used by City Clerk to prepare minutes and will be maintained not less than seven years from date of approval.

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

Regular Meeting

August 16, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday August 16, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Department Heads:

- Police-Tommie Reese-submitted
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- Court-submitted
 - Public Works-Mike Baker
 - Horticulture
 - Library-Morgan Grimes

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Pastor LaCornia Harris followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Meador asked to amend the agenda to add under new business for the change of September 20th regular scheduled council meeting due to a conflict in scheduling. Councilman Congress made the motion to amend the agenda. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of the July 26, 2012 and August 2, 2012 regular meeting. Mayor Grayson made a correction on July 26th on page 2 as follows:

Councilman Congress stated that ~~conservation~~ **conversation** was also with Police Chief Reese about the leash law and Mike Baker with a time frame of the signs to be installed.

Mayor Grayson made a correction on July 26th on page 2 as follows:

Mr. Poole stated we are at the beginning the process of ~~demeishes~~ **demolition** at 513 First Avenue.

Mayor Grayson made a correction on July 26th on page 3 as follows:

Mayor Grayson stated that they would have to go ~~passed~~***past*** the business and around the median to come back in if traveling westbound.

Councilman Cooley made a correction to add on August 2nd on page 3 as follows:

Councilman Cooley stated the signs on the right of way are being enforced and ***in*** the county election, Public Works pulls them up and keeps them at their facility.

Councilman Moore made a correction to August 2nd on page 2 as follows:

Mayor Grayson wants to propose to Council to add council discussion back to the agenda with ~~perimeter~~***parameters*** the council would get one (1) topic per Councilman and a 3 minute max for the topic and anything that requires a vote would be place on the agenda for the next council meeting.

Councilman Moore made a correction to add on August 2nd on page 2 as follows:

Councilman Moore asked if everyone on the list ***is*** physically able.

Councilman Meador made the motion to approve the amended minutes for July 26th and August 2nd. Councilman Yelverton seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson announced Representative A. J. Mc Campbell presented the City of Demopolis with a check for \$2,000 with no stipulation. Mayor Grayson stated that we appreciate the help from Reprnsative A. J. Mc Campbell.

Departmental reports

Departmental reports were submitted as indicated above.

Fire Chief Few announced to the Council that he has several resigned from his department. Councilman Moore asked Mayor Grayson if all departments are not able to replace people when they leave. Mayor Grayson stated every department but Fire and Police when necessary and only replacing the necessary personnel.

Project

Dilapidated Housing: City Attorney Bill Poole stated 1812 A Street and 301 North Front have demolished the structure/houses have been demolished by the property owners. Mr. Poole stated debris is still on the ground but they are slowly removing that. Mr. Poole stated at 513 and 601 First Avenue has been purchased by Alex Roberson at the tax sale and Mr. Roberson has contacted me and has begun demolition to those two (2) properties. Mr. Poole stated he has two (2) properties (1) 606 Blacks Drive

and (2) 812 A Street is ready for demolition. Mr. Poole stated 1012 Third Avenue has one (1) more letters to be sent out for demolition. Mr. Poole stated Councilman Congress have given him the address at 1801 Second Avenue, Mr. Poole stated that he has pictures of this location and correspondence. Mr. Poole state Ms. Grace Clayton-Motley has come forward and I have explained that the yard needs to be cut and plans for renovation has to be submitted and at that point we would waiver that. Councilman Cooley asked if any action has been taken on the house on Maria Avenue. Mr. Poole stated that he has written the property owner Mr. Wegner and I understand that the yard has been cleaned up right after the letter went out. Mr. Poole stated that there are some building supplies still in the yard and I will follow up on that. Councilman Cooley stated that his concerns are that apparently this is only done when a letter is sent out when the City is involved in it.

New Business

Resolution 2012-20 Budget Adjustment: Police Chief Reese asked the Council to restore his overtime budget for overtime for holiday traffic grant from Alabama Tombigbee Regional Commission. Councilman Congress made the motion to approve Resolution 2012-20 budget adjustment. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Re-schedule Council meeting September 20, 2012 and time: Councilman Meador made motion to change September 20th meeting to Monday, September 17th at 4pm. Councilman Congress seconded the motion and motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton: yes	Councilman Meador: yes	Councilman Cooley: yes

Unfinished Business

Sign Ordinance: Councilman Congress stated that he has spoken about this at the last meeting. Councilman Congress concerns is that some signs are being pulled up on the right of way and other is not. Councilman Congress stated he would like the sign ordinance to be enforced in equal lateral fashion.

Council Discussion

District 3: Nothing at this time.

District 2: Councilman Congress questioned the concerns that Councilman Moore has concerning about State regulation that requires a certain level of staffing at the Fire Department. Mayor Grayson stated he has spoken with Alabama League of Municipality and the only department that has to have level of staff is the Police Department. Mayor Grayson stated that everything else is at the leisure of that community. Councilman Congress stated so if we have two (2) calls at one time for the Fire Department and we don't have adequate staff. Councilman Congress asked Chief Few how many men are you short at this time? Chief Few stated at this time seven (7). Councilman Congress asked how could we adequately respond if we have two (2) fire calls and down seven (7) men. Mayor Grayson stated that is why we pay the department heads to figure that out. Mayor Grayson stated they need to use the available personnel and that includes them. Mayor Grayson stated that if we look at the activity level of the calls we are in recently good shape. Mayor Grayson stated that we couldn't predict when accidents

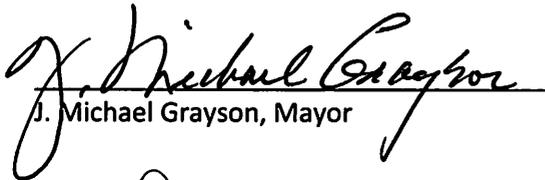
are going to happen; if we could it would not be an accident. Mayor Grayson stated that the only two (2) departments authorized to fill positions are the ones that I stated a moment ago the Police and Fire. Councilman Congress asked if the Fire is authorized to replace staffing, why haven't the Fire Department not replaced the seven (7) men. Mayor Grayson stated that this is the Mayor supervising the department. Mayor Grayson stated that he would speak with Councilman Congress after the meeting. Councilman Meador asked if this is the vacancy at the Fire Department. Councilman Congress stated yes. Councilman Congress asked Fire Chief Few how many he has in hid department. Chief Few stated 31.

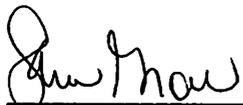
District 5: Councilman Cooley pointed out on the Library report on page 3. Councilman Cooley wanted to high light and commends our Librarian Morgan Grimes in the last 3 figures the percent increased from 2011 by 40% and by 51% total attendance and 36% total material circulation. Councilman Cooley stated this is awesome. Councilman Congress stated that he also would like to commend Ms. Grimes.

District 1: Nothing at this time.

District 4: Nothing at this time.

Councilman Meador made the motion to adjourn.


J. Michael Grayson, Mayor

ATTEST: 
Sam Gross, City Clerk

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

Special Called Meeting

September 4, 2012

The special called meeting of the Demopolis City Council convened at 8:05am on Tuesday 4, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Mayor Mike Grayson called the meeting to order.

A tabulation sheet was distributed for the purpose of canvassing the election results. The envelopes marked "Canvassing Board" were inspected and opened. The votes was tabulated with the following results in Resolution 2012-21:

Resolution 2012-21
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 28, 2012, as provided by law, and

WHEREAS, the municipal governing body of the City of Demopolis met on this 4th day of September, 2012, all members thereof being present or a quorum thereof being present, at 8:00 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 results of said election as follows:

Candidate	District 1	District 2	District 3	District 4	District 5	Total
Mayor						
Mike Grayson	159	150	132	312	350	1170
Donald Singleton	203	223	111	136	162	866
Absentees						
Mike Grayson	67					
Donald Singleton	31					
Council District 1						
Charles Jones, Jr.	238					249
Grace Clayton-Motley	23					23
Robert Shepherd	97					101
Absentees						
Charles Jones, Jr.	11					
Grace Clayton-Motley	0					
Robert Shepherd	4					
Council District 2						
Mitchell Congress		247				256
Nathan Hardy		127				146
Absentees						
Mitchell Congress	9					
Nathan Hardy	19					
Council District 3						
D. Harris Nelson			170			181
Melvin Yelverton			73			84
Absentees						
D. Harris Nelson	11					
Melvin Yelverton	11					
Council District 5						

Councilman Cooley made the motion to approve Resolution 2012-21. Councilman Moore Seconded the motion and motion passed with 4 yes votes by the following roll call votes:

Mayor Grayson: yes

Councilman Moore: yes

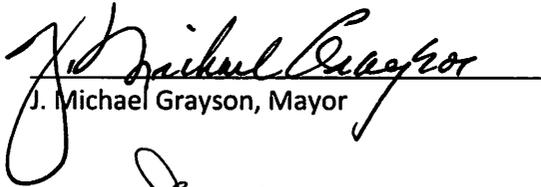
Councilman Congress:

Councilman Yelverton:

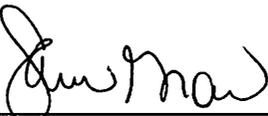
Councilman Meador: yes

Councilman Cooley: yes

Councilman Meador made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

September 6, 2012

The regular meeting of the Demopolis City Council convened at 5:15pm on Thursday September 6, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Melvin Yelverton-District 3

Department Heads:

- Police-Tommie Reese
 - Fire-Ron Few-submitted
 - Park & Recreation
 - Building Official-Clarence Brooker, Jr.
 - City Hall-Sam Gross
- | |
|--|
| Court |
| Public Works |
| Horticulture-Barbara Blevins-submitted |
| Library |

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Chief Tommie Reese followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Cooley asked to amend the agenda to add under old business the appointment the vacant seat of the Board of Education. Jack Cooley made the motion to amend the agenda. Councilman Meador seconded the motion and the motion passed with four to one by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: no
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

The Council reviewed the minutes of the August 16, 2012 and Special called meeting held on election canvassing on September 4, 2012. Jack Cooley made a correction on September 4, 2012 on page 2 stating the election returns for District 5 council were not included and needed to be added to the minutes. Councilman Cooley did not have page 2 which failed to copy; although had been included. With the addition of the page that did not copy. Councilman Meador made the motion to approve the minutes with the corrections and Councilman Cooley seconded the motion and the motion passed with all in favor by the following roll call votes:

Mayor Grayson: yes	Councilman Moore: yes	Councilman Congress: yes
Councilman Yelverton:	Councilman Meador: yes	Councilman Cooley: yes

Announcements

Mayor Grayson made the following announcements:

Mayor Grayson announced that National Night Out conducted by the Police Department was a great success bringing in a large number of people. Mayor Grayson commended Chief Tommie Reese and the police department for a job well done.

Departmental reports

Departmental reports were submitted as indicated above.

Project

Dilapidated Housing: City Attorney Bill Poole stated he had a complaint in reference to 810 Jackson Street and he would look at it and start the process, 1012 3rd Avenue noticing paper on property. Mr. Poole stated the main owner of 1012 3rd Avenue was deceased and he would locate the current owner and follow through with proper procedure and that he was keeping an eye on 801 2nd Avenue.

Old Business

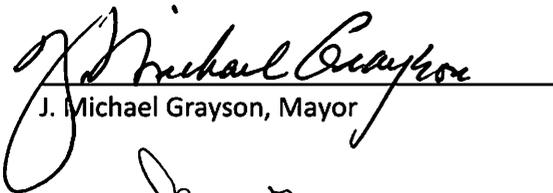
Councilman Cooley made a motion to nominate Conrad Murdock and Councilman Congress made a motion to nominate Freddie Armstead, Jr. to the vacant seat for the Board of Education. Mayor Grayson asked since both were nominated in past was there any discussion. Councilman Congress stated at the previous meeting there were no nominations and those nominations were withdrawn and that this would be new nominations for both of them. Congress said he had asked the question and refers to the minutes of the August 2, 2012 minutes on page 4 where this would be a nomination only and the seat would be filled in the next meeting by policy. Councilman Cooley asked if this was in the form of a policy or resolution or just on general agreement. Councilman Congress states this is what we've done all of the time and has never been in a resolution. Councilman Meador made the statement and we voted that night in form of a policy that we nominate one meeting to have the opportunity to know the ones being nominated and to elect the next meeting. Councilman Congress states that at previous meetings (August 2nd) it was said there was no nominations and that he asked to make sure he understood correctly that nominations would be made at one meeting and elections the next. Councilman Congress stated that Mayor Grayson told him that was correct. Councilman Cooley stated these are renominations and certainly not new names and since this is not a resolution it doesn't override the fact that we can change the policy. Councilman Congress states in order to change the policy the rules would have to be suspended. In order to suspend the rules the Council would have to vote and in order to rescind the policy or divert from it you have to suspend the rules the same as if you have a second reading of an ordinance. Councilman Cooley asked for the City Attorney's input and Mr. Poole states he would have to look into Robert's Rules of Conduct for documentation. Councilman Meador states the jest of the policy as he understands it is that we get new names of nominees one night and vote the next meeting in order to get to know the ones being elected. Councilman Meador also states in this case some people have come up before so we've already had that opportunity. Councilman Moore is in disagreement. Councilman Congress asked to withdraw his nomination for Freddie Armstead, Jr. and to nominate Lester Mitchell. Councilman Congress spoke to Lester Mitchell and states he was interested in the position and this would give everyone time in the next two week to know him. Councilman Cooley was asked if he was willing to withdraw his nomination. Councilman Cooley asked to allow the City Attorney to look into this. Councilman Cooley has several questions regarding Robert's Rules of Order. Councilman Cooley disagrees with Councilman Congress in regards to putting off until next week. Councilman Cooley suggests going ahead and vote and if in finding we have violated anything directly or

indirectly the appointment would be null and void. Councilman Congress states that in 2008 the council adopted the Robert's Rules of Order as the governing procedure they operated under. Those rules trump any votes by the council because the fact the counsel has to conduct itself under the rules which they operate; which are Robert's Rules of Order under policy and procedure. Councilman Congress states once a person has been appointed you can not go back and unappoint them based on the findings of the City Attorney or anyone else. Mayor Grayson states Robert's Rules of Order as adopted but we have adhered with a very liberal stance and if we adhere strictly that we would be have a number of violations. The most import thing is the business of the city of the people is being conducted in civil and professional manner; which is based on the Robert's Rules of Order. Councilman Moore states they should operate on what we agreed to and everybody knows what is played here today. Councilman Moore totally disagrees. Councilman Cooley stands by his nomination. Councilman Congress states that Councilman Yelverton absence would make a difference and the vote would not be. At this point Councilman Congress and Councilman Moore leave the meeting so the vote would not stand.

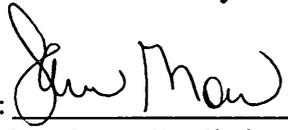
Mayor Grayson apologized to the remainder of the agenda for not having a quorum to finish the meeting.

Councilman Cooley made the motion to adjourn.

The next meeting scheduled for Monday, September 17, 2012 at 4:00 p.m. at Rooster Hall.



J. Michael Grayson, Mayor

ATTEST: 

Sam Gross, City Clerk

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

Regular Meeting

September 17, 2012

The regular meeting of the Demopolis City Council convened at 4:00pm on Monday September 17, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Bill Meador, Jr.-District 4
Jack Cooley-District 5

City Clerk: Sam Gross

Absent: Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3

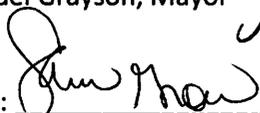
Department Heads:

- Police-Tommie Reese-submitted
 - Fire-Carl Johnson
 - Park & Recreation
 - Building Official
 - City Hall-Sam Gross
- Court-submitted
Public Works-Mike Baker-submitted
Horticulture-Barbara Blevins
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Councilman Cooley followed by the Pledge of Allegiance.

Mayor Grayson called roll District 1 Thomas Moore. City Clerk Sam Gross stated that she had received an email at 1:54pm stating that he not be back in town in town for council meeting. Mayor Grayson stated that he had received a call from District 2 Councilman Congress stating that a member of congregation needs conformity and that he would not be able to attend the council meeting. Mayor Grayson asked about District 3 Councilman Yelverton. City Clerk Sam Gross stated that he called the office approximately 2:20pm stating that he would not be able to make the meeting. Mayor Grayson stated with three (3) absentees we would not have a quorum so therefore we will not have a meeting. Mayor Grayson stated we need to reschedule this meeting and the sooner would be better. After some discussion the date was set for Tuesday September 18th at 1:30pm. Mayor Grayson asked City Clerk to contact the other councilmen with the date and time. Mayor Grayson stated this meeting is adjourned.


J. Michael Grayson, Mayor

ATTEST: 
Sam Gross, City Clerk

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

Regular Meeting

September 18, 2012

The regular meeting of the Demopolis City Council convened at 1:30pm on Tuesday September 18, 2012 at Demopolis Rooster Hall.

Present:

Council Members: J. Michael Grayson, Mayor
Thomas Moore, Mayor Pro Tempore-District 1
Mitchell Congress-District 2
Melvin Yelverton-District 3
Bill Meador, Jr.-District 4
Jack Cooley-District 5
City Clerk: Sam Gross

Department Heads:

- Police—Tommie Reese-submitted
 - Fire
 - Park & Recreation-submitted
 - Building Official
 - City Hall-Sam Gross
- Court-submitted
Public Works-Mike Baker-submitted
Horticulture-Barbara Blevins
Library

Mayor Mike Grayson called the meeting to order and opened the meeting with invocation by Mayor Mike Grayson followed by the Pledge of Allegiance.

Mayor Grayson then entertained a motion to approve the agenda. Councilman Congress made the motion to approve the agenda. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

The Council reviewed the minutes of September 6th and September 17th. Mayor Grayson made correction on September 17th minutes as follows:

Mayor Grayson stated that he had received a call from District 2 Councilman Congress stating that s member of congregation needs ~~conformity~~ comforting and that he would not be able to attend the council meeting.

Councilman Congress made the motion to approve the minutes with the correction. Councilman Meador seconded the motion and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Announcements

There are no announcements.

Departmental reports

Departmental reports were submitted as indicated above.

Projects

Dilapidated Houses: Mr. Poole not present. Councilman Congressman asked who needs to be called in reference to overgrown properties. Mike Baker is to be called for overgrown properties.

New Business

ABC Application-Sports Café of AL Inc.: Jenn Tate spoke on behalf of the NRC applying for a liquor license for a one-time event being held at the New Era building. Mrs. Tate gave a 30 word overview to describe the event. Councilman Congress made a motion to approve and Council Meador seconded. Councilman Cooley had concerns in reference to The City of Demopolis’ being held responsible for any incidents that might occur during the function since New Era is owned by the city. Councilman Congress made a motion to adjust his request to approve until the City has a written and executed hold harmless agreement from the NRC. Councilman Congress made a motion to pass with the amendment and Councilman Meador seconded and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Public Assembly Application Jeanette Johnson: Jeanette Johnson made a request for public assembly for the annual Breast Cancer Awareness. Chief Reese approved the route for the event. Council Meador made a motion to approve the request and Councilman Cooley seconded and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

ABC Application-Amanda Williams’s dba/Amanda’s Restaurant: Amanda Williams made a request for approval of a restaurant retail liquor license. Amanda Williams stated that the restaurant would not have a lounge or a bar. Chief Reese stated that he did not have any concerns. Councilman Yelverton made a motion to pass the request and Councilman Meador seconded and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Public Assembly Application-John Essex High School: John Essex High School made a request for public assembly on October 5th for their homecoming parade. Chief Reese had no concerns. Councilman Cooley made a motion to pass the request and Council Congress seconded and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes Councilman Moore: yes Councilman Congress: yes
Councilman Yelverton: yes Councilman Meador: yes Councilman Cooley: yes

Public Assembly Application-Demopolis High School: Demopolis High School made a request for public assembly on October 12th for their homecoming parade. Chief Reese had no concerns. Council Meador made a motion to approve the request and Councilman Yelverton seconded and the motion passed with 6 yes votes by the following roll call votes:

Mayor Grayson: yes

Councilman Moore: yes

Councilman Congress: yes

Councilman Yelverton: yes

Councilman Meador: yes

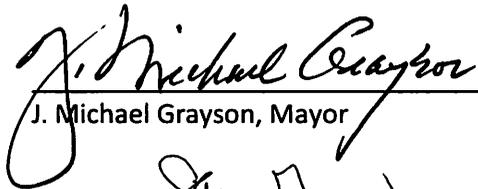
Councilman Cooley: yes

Council Discussion

Councilman Congress requested copies of all department budgets. Council Congress submitted a letter for the request to Sam Gross. Council Congress stated the use was for the council to see what each department was requesting and if they had it in their budget. Council Congress asked Mrs. Gross the amount of charge for the request and Mrs. Gross stated .25 per page.

Councilman Cooley made a request for the vacancy to the Board of Education is added to the next council meeting. Councilman Yelverton stated he could not remember whether they voted or not but his opinion was that this request was tabled for the next council. Councilman Cooley states he will go back to the minutes and if this is the case he withdraws his request.

Councilman Meador made the motion to adjourn.



J. Michael Grayson, Mayor

ATTEST:



Sam Gross, City Clerk

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