

STATE OF ALABAMA)
)
FRANKLIN COUNTY)

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CITY OF RED BAY

MINUTES OF A CALLED MEETING
RED BAY CITY COUNCIL
September 8, 2009
1:00 p.m.

The City Council of Red Bay met in a called meeting September 8, 2009, 1:00 p.m. The meeting was held in the Red Bay City Hall Council Room, 203 4th Ave. S.E., Red Bay, AL

Present and presiding was Mayor Bobby Forsythe. Council Members present were Mike Kennedy, Mike Stockton, David Tiffin, Charlene Fancher, and Brad M. Bolton.

Also present were City Attorney Senator Roger Bedford, Police Chief Janna Jackson, and Street and Sanitation Supervisor Wayne Sims.

Janna Jackson was present as Sergeant at Arms.

Linda B. Holcomb, City Clerk, was present and recording.

Mike Kennedy led the Invocation.

Charlene Fancher led the Allegiance to the Flag.

Vehicle maintenance reports were presented by department heads.

Mayor Forsythe presented a letter of waiver from Bradley, Arant, Boulton, Cummings, LLP referencing the loan from the Alabama Water Pollution Control Authority. The firm is presently engaged by the City in connection with two loans, one for the City's 2009 Capital Outlay Plan and the other for the 2009-CWSRF/ARRA-DL sewage upgrade. The named firm requested that Mayor Forsythe sign the letter. After the Council reviewed the letter David Tiffin made a motion for the Mayor to sign, seconded by Charlene Fancher, unanimously passed. **Attachment A**

Mayor Forsythe presented Ordinance #2009-09-09-08, an ordinance to authorize the issuance of General Obligation Warrant Series 2009-CWSRF/ARRA-DL, total loan amount seven hundred sixteen thousand seven hundred & sixty-nine dollars (\$716,769.00), with a total loan repayment amount of four hundred fifty-five thousand dollars (\$455,000.00). Mayor Forsythe explained that the City of Red Bay had been approved to receive two hundred and sixty-one thousand seven hundred & sixty nine dollars (\$261,769.00) in stimulus funds under the American Recovery and Reinvestment Act (ARRA) for sewage upgrades.

Brad M. Bolton made a motion that the rules be suspended and unanimous consent be given for immediate consideration of and action on the Ordinance. Mike Kennedy seconded the motion; the roll call vote was as follows: Mike Kennedy "yeas", Mike Stockton "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas". Mayor Bobby Forsythe declared that the motion for unanimous consent for immediate consideration of and action on the said Ordinance had been unanimously carried. **Attachment B**

Brad M. Bolton made a motion for the foregoing ordinance to be adopted. David Tiffin seconded the motion; the roll call vote was as follows: Mike Kennedy "yeas", Mike Stockton "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas". Mayor Forsythe declared that the motion for adoption of the said Ordinance had been unanimously carried.

Mayor Bobby Forsythe presented the Special Authority Loan Conditions Agreement Series 2009 CWSRF/ARRA-DL. David Tiffin made the motion to accept and sign the agreement, seconded by Charlene Fancher, the roll call vote was as follows: Mike Kennedy "yeas", Mike Stockton "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas". Mayor Forsythe requested that each Council Member sign below his signature. The document was passed and each official signing the document. **Attachment C**

Mayor Forsythe made a motion to table discussing the 2009 Capital Outlay Plan until the bond attorney had collected all necessary information. Mike Stockton seconded the motion, unanimously passed.

Charlene Fancher made a motion to table amending the 2008-2009 Budget. Brad M. Bolton, seconded the motion, unanimously passed.

Mayor Bobby Forsythe presented Ordinance #09-08-03. The Mayor was given the authority to approve the ordinance at the August 3, 2009 meeting. Brad M. Bolton made a motion to accept the ordinance, seconded by Mike Kennedy, unanimously passed. The ordinance increases court costs collected by the county and state. **Attachment D**

Mayor Forsythe called for a motion to amend the agenda to add the following two items:

- #9. Open bids for the restroom renovation and fence projects at the landfill
- #10. Weather Radios

Mike Kennedy made the motion, seconded by Charlene Fancher, the roll call vote was as follows: Mike Kennedy "yeas", Mike Stockton "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas".

Mayor Bobby Forsythe made a motion to table discussing fiber optic internet services for the City. The motion was seconded by Mike Kennedy, unanimously passed.

Mayor Forsythe presented the two following proposals for air quality inspection at Red Bay School:

- a. Terrell Technical Services, Inc. Madison, AL \$995.00
- b. ENSAFE, Jackson, MS \$3,733.00

Mike Stockton made a motion to authorize the Mayor to enter in to a contract with ENSAFE, Jackson, MS, at a cost of three thousand seven hundred thirty-three dollars (\$3,733.00) due to the in-depth scope of work offered in their proposal. The motion was contingent upon the approval of the Franklin County School Board. Charlene Fancher seconded the motion, unanimously passed.

Mayor Forsythe recommend that the vacant position of investigator with the police department be posted for four weeks and to begin accepting applications immediately. David Tiffin made the motion, seconded by Mike Kennedy, unanimously passed.

Upon the request of Mayor Forsythe, Charlene Fancher made a motion to enter into executive secession for the purpose of discussing the good name and character of employees. Mike Stockton seconded the motion, the roll call vote was as follows: Mike Kennedy "yeas", Mike Stockton "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas". The time was 1:27 p.m., Mayor Forsythe stated that the estimated time of return would be in five minutes.

Mayor Bobby Forsythe called the meeting back to regular session at 1:36 p.m.

Charlene Fancher made a motion to table discussing employee Stanley Credille's hourly wage to supervise the inmates on release from Hamilton Work Release Center. Mike Stockton seconded the motion, unanimously passed.

David Tiffin made a motion to approve the 2009-2010 North Alabama Council of Local Government's Senior Aide Program at a cost of one thousand dollars (\$1000.00) per aide, with a total of seven aides. Charlene Fancher seconded the motion, unanimously passed.

Charlene Fancher made a motion to reappoint Martha Mitchell to another six-year term on the Senior Citizen Board, with the new term expiring October 1, 2015. Mike Kennedy seconded the motion, unanimously passed.

Brad M. Bolton made a motion to fund the yearly donation request from Safe Place, Inc. at a cost of seven hundred & fifty dollars (\$750.00). Mike Stockton seconded the motion, unanimously passed.

Charlene Fancher made a motion to fund the yearly donation request for the Franklin county Sheriff's DARE Program of five hundred dollars (\$500.00). Mike Kennedy seconded the motion, unanimously passed.

Mayor Forsythe requested Charlene Fancher to open the sealed bids received for the landfill bathroom renovation project and the fence project. The bids were as follows:

Fence (six feet high) Project:

- a. Junior Smith Jr./dba Smith Pools and Fencing \$5,950.00
- b. Emerson Garage Doors \$6,000.00

Restroom Renovation Project:

- a. D & D Construction \$3,123.92
- b. Page Clearing \$3,000.00

Brad M. Bolton made a motion to award the fence project bid to Emerson Garage Doors and implement the three percent variance rule for local vendors. Charlene Fancher seconded the motion, unanimously passed.

Charlene Fancher made a motion to accept the low bid from Page Clearing for the restroom renovation project. Mike Kennedy seconded the motion, unanimously passed.

Mike Stockton made a motion to purchase twenty-four weather radios for a total cost of seven hundred twenty dollars (\$720.00) and for the purchase to be made locally if possible. Mike Kennedy seconded the motion, unanimously passed. Fire Chief Bud Strickland will be responsible for distributing the radios to local citizens meeting the income requirement.

Charlene Fancher made a motion to approve the bills, seconded by Mike Stockton, David Tiffin **abstained** from voting for payments to Community Spirit Bank, City Auto Parts, and Tiffin Supply Co. but approved payment for all other bills. Brad M. Bolton **abstained** from voting for payments to Community Spirit Bank but approved payment for all other bills. All bills were approved for payment.

Mike Stockton made a motion to approve the workshop and council meeting minutes held August 17, 2009. David Tiffin seconded the motion, unanimously passed.

Charlene Fancher made a motion to approve the minutes for the workshop held August 24, 2009. Brad M. Bolton seconded the motion, unanimously passed.

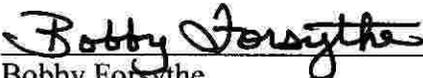
Mayor Forsythe announced that a Whelan WPS 2904 Weather Siren had been installed on Water Plant Road with funding made possible by Senator Roger Bedford. Total value thirteen thousand five hundred dollars (\$13,500.00).

Mayor Forsythe announced his reappointment of Wanda Mills to another five-year term on the Housing Authority of Red Bay Board. The new term expires October 23, 2014.

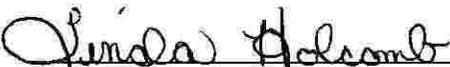
Mayor Forsythe announced that the next regular scheduled meeting of the Red Bay City Council will be Monday, September 21, 2009, 7:00 p.m., Red Bay City Hall Council Room, 203 4th Ave. S. E., Red Bay, AL.

Brad M. Bolton made a motion to adjourn, seconded by Charlene Fancher, unanimously passed.

Time of Adjournment: 2:23 p.m.



Bobby Forsythe
Mayor



Linda Holcomb, CMC
City Clerk

Attachment A: 2 pages

Attachment B: 27 pages

Attachment C: 46 pages

Attachment D: 2 pages