

STATE OF ALABAMA)
)
FRANKLIN COUNTY)

CITY OF RED BAY

Page 1 of 4

**MINUTES OF A REGULAR MEETING
RED BAY CITY COUNCIL
May 2, 2011
7:00 p.m.**

The City Council of Red Bay met in a regular scheduled meeting May 2, 2011, Red Bay City Hall Council Room, 203 4th Ave. S.E., Red Bay, AL. The meeting convened at 7:00 p.m.

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, Fire Chief Bud Strickland, and Street and Sanitation Supervisor Wayne Sims.

Park and Recreation Director Joey Allen was absent.

Police Patrol Officer Kyle Palmer was present and acting in the position of Sergeant at Arms.

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

Brad M. Bolton led the Invocation.

Charlene Fancher led the Allegiance to the Flag.

Mayor Bobby Forsythe called the meeting to order.

Mayor Bobby Forsythe requested that the Council allow each supervisor to monitor and document sick time away from work in their department and report the actual time used for the purpose of calculating payroll. If feasible employees will be allowed to make up the sick time instead of using sick hours accrued. If the employee has no accrued sick hours the employee will be paid for only hours worked. Mike Stockton made a motion to adopt the policy for paying sick time as presented, seconded by Charlene Fancher, unanimously passed.

Mike Kennedy made a motion to adopt Resolution #11-04-18B, a resolution electing to come under the provisions of 36-26-36.1 authorizing the conversion of unused sick leave to retirement service credit. Mike Stockton seconded the motion, unanimously passed.

Attachment A

A resolution vacating and annulling a portion of 6th Street West dated June 29, 1967 was discussed at length. No action was required of the Council since the resolution was already in place.

Mayor Bobby Forsythe called for a motion to amend the agenda to add **Item #11 Rehire Retired City Employee Tracy Wayne Brand**. Charlene Fancher made the motion; Brad M. Bolton 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 called for a motion to amend the agenda to add **Item #12 Easement Issue in Scott Meadows Subdivision**. Brad M. Bolton made the motion, seconded by David Tiffin; the roll call vote was as follows: Mike Kennedy “yeas”, Mike Stockton “yeas”, David Tiffin “yeas”, and Charlene Fancher “yeas”.

Mayor Forsythe presented an ordinance amending the 1993 Zoning Ordinance with the following two items:

- Page 27, Section 49.0, M-2 Industrial District (General Industry), Space and Height Restrictions, Maximum Height be amended to read as follows: “Maximum Height: One hundred (100) feet”
- Deed Book 336 Pg. 147, recorded 12/21/2010 by the Judge of Probate of Franklin County, AL and located within the incorporated limits of the City, rezoned from AG-1 Agricultural District to M-2 Manufacturing District (General Industry)

Mayor Forsythe then announced an upcoming public hearing that will give citizens the opportunity to voice their opinion concerning the ordinance. The public hearing will be held May 16, 5:30 p.m., in the Red Bay City Hall.

Mayor Forsythe requested that City Clerk Linda Holcomb contact the City’s workmen’s compensation carrier, Alabama Municipal Insurance, to obtain a list of preferred physicians in the area for the purpose of selecting workmen’s compensation physicians. Dr. Jim Nabors is presently the designated workmen’s compensation physician for the City. Dr. Nabors has elected to be a courtesy physician only at the Keller Hospital located in Red Bay. A report will be given to the Council at the next meeting.

Mayor Forsythe explained to the Council that one of the City of Red Bay storm shelters was built in error on property owned by Mike Stockton and Brooks Davis. The dimensions of the property are one hundred thirty feet in length and seventy-five feet in width, which is an area of .22 acres. Brad M. Bolton made a motion for Mayor Forsythe to have the land surveyed and appraised and to pay Mr. Stockton and Mr. Davis the appraised value. David Tiffin seconded the motion. Voting **for** were Mike Kennedy, David Tiffin, Charlene Fancher, and Brad M. Bolton. Mike Stockton **abstained**.

Charlene Fancher made a motion to rehire Haley Blackburn, Jessica Forbus, Zachary Garrett, Leah Palmer, and Alyson Yarbrough and to hire Zachary Carpenter, Candice Funderburk, Zachary Humphrey, Deandra Lindsey, Kendra Lindsey, Brett McDowell, Clay

McNatt, Isaac Spencer, and Elizabeth Wooten as part-time temporary seasonal lifeguards. Mike Stockton seconded the motion, unanimously passed.

Mike Kennedy made a motion to table approving a teacher representative for the Education Committee. Mike Stockton seconded the motion, unanimously passed.

David Tiffin made a motion to reappoint Rachel Boyd to another six-year term on the Planning Commission. This term expires May 29, 2017. Charlene Fancher seconded the motion, unanimously passed.

Mayor Bobby Forsythe made a motion to post Joe Lofton's expired term on the Planning Commission until 4:00 p.m., May 16, 2011 for interested persons to sign. The new term will expire May 26, 2017. Mike Stockton seconded the motion, unanimously passed.

Mike Kennedy made a motion to reappoint Goldie Marie (Judy) Malone to another five-year term on the Cemetery Association Committee. This term expires May 1, 2016. Mike Stockton seconded the motion, unanimously passed.

Mayor Bobby Forsythe made a motion to post the expired term of Joy Berry on the Cemetery Association Committee until 4:00 p.m., May 16 for interested persons to sign. This new term will expire May 9, 2016. Charlene Fancher seconded the motion, unanimously passed.

Mike Kennedy presented the Education Committee's approved expenditure requests for final approval from the Council. Mike Kennedy made a motion to give final approval to the requests; the motion was seconded by Mike Stockton, unanimously passed.

Upon the recommendation of Mayor Forsythe, Mike Kennedy made a motion to rehire retired employee Wayne Brand as a part-time temporary employee to work up to thirty-nine hours per week as needed. Charlene Fancher seconded the motion, unanimously passed.

Mayor Forsythe explained that due to an error made in the Franklin County Tax Mapping Office a portion of land in the Scott Meadows Subdivision was charted as a city street. Upon the recommendation of City Attorney Senator Roger Bedford, Brad M. Bolton made a motion to declare the land in question as surplus property; Charlene Fancher seconded the motion, unanimously passed. Then continuing on the recommendation of Bedford, Bolton made a motion to quit claim the land back to the Page Family, with the quit claim deed exempting any and all utilities running across the property, and authorize Bedford to prepare the necessary documents. Charlene Fancher seconded the motion, unanimously passed.

Mike Stockton made a motion to approve the bills for payment. David Tiffin seconded the motion. David Tiffin **abstained** from voting for bills due to Community Spirit Bank, Tiffin Supply, and City Automotive Parts, but voted to pay all other bills. Brad M. Bolton **abstained** from voting for bills due to Community Spirit Bank but voted to pay all other bills. All bills were approved for payment.

Charlene Fancher made a motion to approve minutes for a regular scheduled council meeting and workshop held April 18, 2011. David Tiffin seconded the motion. Voting for were David Tiffin, Charlene Fancher, and Brad M. Bolton. Mike Kennedy and Mike Stockton abstained, motion carried.

Mayor Forsythe announced the date of the next regular scheduled meeting for the Red Bay City Council, Monday, May 16, 2011, 7:00 p.m., Red Bay City Hall Council Room, 203 4th Ave S.E., Red Bay, AL. The meeting will be preceded by a workshop. The time of the workshop will be published in the agenda on the Wednesday preceding the meeting.

Mike Kennedy made a motion to adjourn, seconded by David Tiffin, unanimously passed.

Time of adjournment: 8:15 p.m.



Bobby Forsythe
Mayor



Linda Holcomb CMC
City Clerk

Attachment A: 1 page