November 5, 2012

The Mayor and Council of the City of Calera met on November 5, 2012 at 7:00 p.m. at Calera City Hall with the following present:

Mayor:	Jon G. Graham
Council Members:	Ernest Montgomery, Alan Watts, David Bradshaw, Chris Bunn, Philip Busby, Bobby Joe Phillips
Department Heads:	Doug Smedley, Sewer Operations Director Chris Pappas, City Engineer Sean Lemley, Police Chief Janet Greathouse, Library Director Mike Wood, Building Official David Jones, Public Works Director Roy Hadaway, Finance Director Sean Kendrick, Fire Chief
Guests:	Fred Hoskins, Clayton Smith, Daniel Crowson, Candice Griffith, Sandy Parks, Randy Krueger, Rebecca Krueger, Meagan Krueger, Emma Krueger, Pat Phillips, Keith Phillips, Debbie Byers, Jasper Levio, Harold Cole, Bill Davis, Olivia Davis, Donna Bradshaw, Mrs. Bradshaw, Dana Janney, Bobby Janney, Will Janney, Wes Janney, Emma Janney, Andrew Bradshaw, Amber Bradshaw, Paige Kendrick, Mia Kendrick, Mollie Brown, Daryl Payton, Daviston Payton, Billy Graham, Jane Graham, Nancy Graham, Shana Graham, Sam Graham, Ben Graham, Mac Graham, David Vinson, Tim Hyde, Michelle, Hyde, Jeremy Hyde, Tami Watts, Haley Watts, Jimmie Ruth Watts, Joshua Akers, Stephanie Akers, Denise Eddleman, Shea Westfall, Sam Meredith, Eleanor Meredith, Stephanie Busby, Brooke Busby, Tucker Busby, Lane Busby, Kristi Bunn, Noah Bunn, Nic Bunn, Richard Posey, Margie Posey

Jason Seales called the meeting to order and opened with a Word of Prayer and the Pledge of Allegiance.

Swearing-In Ceremony administered by Judge Daniel Crowson and Signing of the Oaths of Office for the following:

Jon G. Graham – Mayor
David Bradshaw – Councilmember
Chris Bunn – Councilmember
Philip Busby - Councilmember
Ernest Montgomery – Councilmember
Bobby Joe Phillips – Councilmember
Alan Watts - Councilmember

The Mayor and Councilmembers took the Oath of Office with their families.
Council Member Phillips made a motion to approve and dispense with the reading of the following minutes:

Council Member Bradshaw seconded said motion which was carried unanimously

REPORTS OF DEPARTMENT HEADS:

Chris Pappas, City Engineer presented the Aqua Pilot Agreement for approval. Mr. Pappas reported he had met with Alabama Bridge concerning the upcoming construction on I-65 at the 228 Exit.

Council Member Phillips made a motion to authorize Mayor Graham to sign the Pilot Agreement with Aqua. Council Member Bunn seconded said motion which was carried unanimously.

Roy Hadaway, Finance Director reported the year ended with an increase in revenues of 1.5% and expenditures down 4.9% below budget.

Sean Kendrick, Fire Chief reported the Fire Department received a grant to install an individual storm shelter to be located at each station.

David Jones, Public Works Director reported the street light at Carson Street has been installed.

COUNCIL MEMBER REPORTS:

Council Member Ernest Montgomery thanked the department heads for working with him over the last four years.

Council Member Alan Watts thanked his supporters for electing him and he pledged to work hard for the citizens.

Council Member David Bradshaw thanked the department heads for their part in the expenditures ending 4.9% below budget.

Council Member Chris Bunn announced he has enjoyed the last three years and is looking forward to the next four years serving the citizens.

Council Member Philip Busby stated he is looking forward to this opportunity to serve the citizens of Calera. Mr. Busby requested Chris Pappas, City Engineer look into the condition of the railroad crossing at Highway 22. Mr. Busby congratulated the Calera Eagle Football Team on making the High School Playoffs and encourages everyone to come out and support the team on Friday Night at 7:00 p.m.

Council Member Bobby Joe Phillips thanked everyone for coming out to support the Mayor and Council this evening and the citizens for allowing him to serve.

MAYOR REPORT:

Mayor Graham thanked all of the citizens for attending the meeting and for all that came to support their family member. Mayor Graham reported he is looking forward to serving the citizens for another four years.

Mayor Graham reported that city was recently awarded a grant to build a Community Storm Shelter.

OLD BUSINESS:

NEW BUSINESS:

Mayor Graham introduced the following Resolution:

RESOLUTION NO. R-2012-29

A RESOLUTION ACCEPTING A BID FOR GRASS MOWING SERVICES FOR THE CITY OF CALERA, ALABAMA.

WHEREAS, the City of Calera has solicited sealed bids as required under the Alabama bid law; and

WHEREAS, bids were opened at Calera City Hall on October 22, 2012 at 10:00 a.m.; and

WHEREAS, bids were as follows:

Jimmy Lee	$55.00 per hour
C T Hauling and Materials, LLC	$45.25 per hour

WHEREAS, the Mayor and Council of the City of Calera, at the Regular Meeting on November 5, 2012 considers the recommendation of the City Engineer, Mr. Chris Pappas. The Mayor and Council will award the bid for the Grass Mowing Service in the amount of $45.25 per hour to C T Hauling and Materials, LLC not to exceed the budget amount.

(Copy of City Engineer, Chris Pappas' letter attached to this Resolution)(Copies of Bids attached to this Resolution)

Council Member Bunn moved that Resolution No. R-2012-29 be adopted. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham declared Resolution No. R-2012-29 adopted.

Adopted this 5th day of November, 2012.

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Jon G. Graham, Mayor

ATTEST:

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Connie Payton, City Clerk

Resolution No. 2012-30 has been pulled from the agenda at the request of Mr. Byers.

An application from Nami (National Alliance on Mental Illness) was present to use the Calera Community Center free of charge.

Council Member Bradshaw made a motion to approve usage of the Calera Community Center free of charge to NAMI. Council Member Montgomery seconded said motion which was carried unanimously.

Greater Shelby County Chamber of Commerce presented a request for advertising. This item was tabled till the next meeting.

APPOINTMENT OF ADMINISTRATIVE OFFICES:

Mayor Graham recommended the following appointments:

City Clerk	Connie B. Payton
Fire Chief	Sean Kendrick
Police Chief	Sean Lemley
Municipal Judge	Daniel Crowson
City Prosecutor	Casey Duncan

Council Member Bradshaw made a motion to appoint Connie B. Payton as City Clerk, Sean Kendrick as Fire Chief, Sean Lemley as Police Chief, Daniel Crowson as Municipal Judge, and Casey Duncan as City Prosecutor. Council Member Bunn seconded said motion which was carried unanimously.

APPOINTMENT OF PLANNING COMMISSION MEMBERS:

Mayor Graham recommended the appointment of Randy Krueger to the Planning Commission to replace Russell Crowe.

Council Member Busby made a motion to appoint Ernest Montgomery as the Council Member Representative to the Planning Commission. Council Member Phillips seconded said motion which was carried unanimously.

Council Member Bunn made a motion to appoint Randy Krueger to the Planning Commission. Council Member Phillips seconded said motion which was carried unanimously.

APPOINTMENT TO EMPLOYEES SICK LEAVE COMMITTEE COUNCIL REPRESENTATIVE:

Council Member Phillips made a motion to appoint Council Member Bunn to the Sick Leave Committee as the City Council's representative with term expiring at the end of the Council Member term. Council Member Montgomery seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Phillips

NAYS: Graham, Bradshaw, Busby, Watts

OBSTAIN: Bunn

Council Member Busby made a motion to appoint Council Member Watts to the Sick Leave Committee as the City Council's representative with term expiring at the end of the Council Member term. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

OBSTAIN: Watts

ELECTION OF MAYOR PRO-TEM:

Council Member Bunn made a motion to appoint Council Member Bradshaw as Mayor Pro-Tem. Mayor Graham seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Graham, Bunn, Busby, Phillips

NAYS: None

OBSTAIN: Bradshaw

APPOINTMENT OF PARK AND RECREATION MEMBERS:

Mayor Graham made a motion to appoint Council Member Busby to the Park and Recreation Board. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Phillips

NAYS: None

OBSTAIN: Busby

APPOINTMENT TO WATER WORKS BOARD COUNCIL REPRESENTATIVE:

Council Member Bunn made a motion to appoint Mayor Graham to serve as the City's Council representative on the Water Works Board with term expiring with the Mayor term. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Bunn, Busby, Phillips

NAYS: None

OBSTAIN: Graham

APPOINTMENT TO WATER WORKS BOARD COUNCIL REPRESENTATIVE:

Council Member Bradshaw made a motion to appoint Council Member Bunn to serve as the City's Council representative on the Water Works Board with term expiring with the Council Member term. Council Member Busby seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Busby, Phillips

NAYS: None

OBSTAIN: Bunn

APPOINTMENT OF THE HISTORIAL DISTRICT PLAN REVIEW BOARD MEMBERS:

Mayor Graham recommended Council Member Phillips to be appointed to the Historical District Plan Review Board. Council Member Phillips declined the appointment.

Mayor Graham made a motion to appoint Council Member Bradshaw to the Historical District Plan Review Board as the City's Council representative. Council Member Watts seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Graham, Bunn, Busby, Phillips

NAYS: None

OBSTAIN: Bradshaw

Mayor Graham recommended the established council meetings dates and time for the following year will be as follows: the first and third Monday of each month, the pre-council work session will begin at 6:00 pm and the council will begin at 6:30 pm. The work session will be held in the conference room and the council meeting in the chambers.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon setting the council dates, place and time for the following year. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said motion.

Council Member Phillips moved for the approval of council dates, place and time for the following year, which motion was seconded by Council Member Bradshaw and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham recommended the established Planning and Zoning meetings dates and time for the following year will be: the first Tuesday of each month, the pre-meeting work session will begin at 5:30 pm and the Planning and Zoning Meeting will begin at 6:00 pm. The work session will be held in the conference room and the Planning and Zoning meeting in the chambers.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon setting the Planning and Zoning dates, place and time for the following year. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said motion.

Council Member Phillips moved for the approval of Planning and Zoning dates, place and time for the following year, which motion was seconded by Council Member Watts and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Mayor Graham recommended the established Water Board meetings dates and time for the following year will be as follows: the third Tuesday of each month, the Water Board meeting will begin at 5:00 pm. The Water Board meeting will be held in the conference room.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon setting the Water Board Meetings dates, place and time for the following year. Council Member Bradshaw seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said motion.

Council Member Bunn moved for the approval of Water Board Meeting dates, place and time for the following year, which motion was seconded by Council Member Phillips and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

ESTABLISHMENT OF DEADLINE DATE FOR AGENDA:

Council Member Phillips made a motion to establish the Wednesday before Council Meeting as the deadline date for the Council agenda and 5:00 pm as the deadline time. Council Member Bradshaw seconded said motion which was carried unanimously.

Mayor Graham introduced the following Ordinance:

ORDINANCE NO. 2012-17

RULES OF COUNCIL PROCEDURE

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF CALERA, ALABAMA, that the order of procedure in all instances for meetings of the Council shall be as follows:

SECTION 1. That the rules of order of procedure herein contained shall govern deliberations and meetings of the Mayor and Council for the City of Calera, Alabama.

SECTION 2. Regular meetings of the Council shall be held on the following dates: the first and third Mondays of each month.

SECTION 3. Special meetings may be held at the call of presiding officer by serving notice on each member of the Council not less than 24 hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, whenever two Council Members making the request shall have the right to call such meeting. Notice of all special meetings shall be posted on a bulletin board accessible to the public at least 24 hours prior to such meeting.

SECTION 4. A quorum shall be determined as provided by Section 11-43-48, Code of Alabama, 1975.

SECTION 5. All regular meeting shall convene at 6:30 o’clock p.m. at the City Hall and all meetings, regular and special, shall be open to the public.

SECTION 6. The order of business shall be as follows:

1. A call to order
2. Roll Call
3. Approval of the minutes of the previous meeting
4. Reports of standing committees
5. Reports of special committees

6. Reports of officers
7. Reports of Council Members
8. Reading of petitions, applications, complaints, appeals, communications, etc.
9. Auditing accounts
10. Resolutions, Ordinances, Orders, and other business
11. Public Comments

SECTION 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

SECTION 8. No person, not a member of the Council, shall be allowed to address the same while in session without permission of the presiding officer.

SECTION 9. Every officer, whose duty it is to report at the regular meetings of the Council, who shall be in default thereof, may be fined at the discretion of the Council.

SECTION 10. Motions shall be reduced to writing when required by the presiding officer of the Council or any member of the Council. All resolutions and ordinances and any amendments thereto shall be in writing at the time of introduction.

SECTION 11. Motions to reconsider must be by a member who voted with a majority and at the same or next succeeding meeting of the Council.

SECTION 12. Whenever it shall be required by one or more members, the "yeas" and "nays" shall be recorded and any member may call for a division on any question.

SECTION 13. All questions of order shall be decided by the presiding officer of the Council with the right of appeal to the Council by any member.

SECTION 14. The presiding officer of the Council may, at his or her discretion, call any member to take the chair, to allow him or her to address the Council, makes a motion, or discusses any other matter at issue.

SECTION 15. Motions to lay any matter on the table shall be first in order, and on all questions, the last amendment, the most distant day, and the largest sum shall be first put.

SECTION 16. All meetings of the Council shall be open to the public, except when the Council meets in executive session as authorized by state law.

SECTION 17. The Council may meet in executive session only for those purposes authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the Council shall vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the Council shall resume its deliberations in public.

SECTION 18. A motion for adjournment shall always be in order.

SECTION 19. The rules of the Council may be amended in the same manner as any other ordinance of general and permanent operation.

SECTION 20. The rules of the Council may be temporarily suspended by a vote of two-thirds of the members present.

SECTION 21. The chairman of each respective committee, or the Council Member acting for him or her, shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

SECTION 22. All ordinances, resolutions or propositions submitted to the Council which require expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the Council; and provided further, that this rule shall not apply to the current expense of, or contracts previously make with, or regular salaries of officers, or wages of employees of the City.

SECTION 23. The clerk, engineer, attorney and chief of police, and such officers or employees of the City of Calera, shall when requested, attend all meetings of the Council and shall remain in the Council room for such length of time as the Council may direct.

SECTION 24. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

SECTION 25. Robert's Rule of Order is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set out in this Ordinance.

SECTION 26. This ordinance shall go into effect upon the passage and publication as required by law.

Council Member Phillips moved that unanimous consent of the Council be given for the immediate action upon said Ordinance No. 2012-17. Council Member Bunn seconded said motion and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Thereupon, the Mayor declared said motion carried and unanimous consent given for the consideration of said Ordinance.

Council Member Bradshaw moved that Ordinance No. 2012-17 be adopted, which motion was seconded by Council Member Busby and upon vote, the results were as follows:

AYES: Montgomery, Watts, Bradshaw, Graham, Bunn, Busby, Phillips

NAYS: None

Adopted this 5th day of November, 2012.

Mayor Graham declared Ordinance No. 2012-17 adopted.

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Connie B. Payton, City Clerk Jon G. Graham, Mayor

DESIGNATION OF DEPOSITORY FOR CITY FUNDS:

Council Member Bradshaw made a motion to designate Central State Bank as depository for City Funds. Council Member Phillips seconded said motion which was carried unanimously.

Mayor Graham administered the Oath of Office to Judge Daniel Crowson.

Council Member Phillips made a motion to adjourn the meeting at 7:50 p.m.

Approved this 19th day of November, 2012.

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Jon G. Graham, Mayor

ATTEST:

Connie B. Payton, City Clerk