

The Wilsonville Town Council met Monday, March 18, 2013, in the Council Chamber Room of the Wilsonville Town Hall. Mayor Lee McCarty called the meeting to order at 5:58 P. M.

The meeting opened with prayer by Chuck Webb, Wilsonville Baptist Church.

The following council members answered roll call: Dennis Blackerby, Don Davis, Calvin Gill, Patricia Johnson, Ricky Morris, Terry Newman, Alan Revis.

The minutes of the March 04, 2013, regular council meeting, mailed to the council members prior to the meeting, were reviewed. Patricia Johnson made a motion to correct the minutes as follows: page three, paragraph two, sentence three; remove the word "only". Terry Newman seconded, and the motion passed with the following vote; Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes. Ricky Morris made a motion to approve the minutes with the above mentioned correction; Calvin Gill seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

The checks were reviewed by the council members. Patricia Johnson questioned expenditures made for park and recreation repair and maintenance. She said these expenditures were not cleared with the council ahead of time and should be. These are annual expenditures to prepare the parks for baseball season such as pressure washing and painting. There are funds included in the budget; however, they should be brought before the council beforehand for approval. Dennis Blackerby will handle the issue with the Park and Recreation Board and see that this procedure is followed in the future.

Alan Revis made a motion to mail the checks, as presented; Don Davis seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, no; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

Mayor McCarty reported the roof has been replaced on the bank building. Terry Bell, Commercial Development Authority, reported he found a leak inside the building Saturday, after the job was completed, and he is not pleased with the way the flashing was done. Mayor McCarty will look into these issues.

The mayor stated the trees have been planted at Helms Park.

The dump truck purchase was addressed. Don Davis distributed appraisal information as did Mayor McCarty. Don Davis made a motion to purchase a 1998 Chevrolet 3500 HD dump truck from Ben King for \$10,000.00; Terry Newman seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, no; Patricia Johnson, no; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

Mayor McCarty asked the excess property (Ford F250 truck, Crown Victoria automobile) be sold as soon as possible.

Picnic tables at Helms Park were discussed. The mayor suggested two tables (one from each of the two small pavilions) at Oak Meadow Park be moved to Helms Park since they are not utilized much. Depending on the use of these two tables, a decision will be made whether or not to purchase more. Terry Newman stated more tables will be needed if there is a post season tournament at Helms Park.

Annexation of the Covin property, introduced at the March 04, 2013, meeting was reviewed as follows:

ORDINANCE NO. 130304

WHEREAS, Grady Covin and Patricia Covin filed a petition with the Town of Wilsonville, Alabama, as required by §§ 11-42-20 and 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the Town of Wilsonville, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, and the signatures of the owners of the property described were signed thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

1. That the Town of Wilsonville, Alabama, does adopt this Ordinance assenting to the annexation of the following described property to the municipality of the Town of Wilsonville:

Commence at the Northeast corner of the South 1/2 of the NE 1/4 of the NE 1/4 of Section 23, Township 21 South, Range 1 East, Shelby County, Alabama; run thence South 88 degrees 33 minutes 00 seconds West for 49.98 feet; run thence South 20 degrees 40 minutes 30 seconds West for 54.02 feet; run thence South 20 degrees 48 minutes 51 seconds West for 42.63 feet to the point of beginning; run thence South 83 degrees 28 minutes 48 seconds West for 157.28 feet; run thence South 49 degrees 48 minutes 46 seconds East for 297.63 feet; run thence South 69 degrees 46 minutes, 14 seconds East for 236.70 feet; run thence South 20 degrees 13 minutes 46 seconds East for 102.96 feet; run thence South 54 degrees 54 minutes 47 seconds West a distance of 276.49 feet to a lake shore; run thence in a Southerly and Easterly direction along said shore to a point on

the current Wilsonville town limit line that is South 20 degrees 48 minutes 40 seconds West and 647 feet, more or less, from the point of beginning; run thence North 20 degrees 48 minutes 40 seconds East for 647 feet, more or less, along the current Wilsonville town limit line to the point of beginning; being situated in Shelby County, Alabama.

2. That the corporate limits of the Town of Wilsonville, Alabama, be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That the Town Clerk be and she is hereby authorized and directed to file a copy of this Ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, to which said property is being annexed, in the office of the Judge of Probate of Shelby County, Alabama.

4. That the Zoning Map of the Town of Wilsonville, Alabama, and any other official maps or surveys of the Town shall be amended to reflect the annexation of the above-described property, and that a copy of this Ordinance be transmitted to the Town Planning Commission.

5. That this property is temporarily zoned HZ as provided in the Zoning Ordinance of the Town of Wilsonville, Alabama.

This ordinance was adopted and passed by the Town Council of the Town of Wilsonville, Alabama, this the ___ day of _____, 2013.

Town of Wilsonville, Alabama

by _____
Mayor

Attest:

Clerk

Alan Revis made a motion to approve the annexation; Ricky Morris seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Reivs, yes.

Ordinance Number 130318, annexation of the England property was introduced as follows:

ORDINANCE NO. 130318

WHEREAS, Michael England and Deborah England filed a petition with the Town of Wilsonville, Alabama, as required by §§ 11-42-20 and 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the Town of Wilsonville, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, and the signatures of the owners of the property described were signed thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

1. That the Town of Wilsonville, Alabama, does adopt this Ordinance assenting to the annexation of the following described property to the municipality of the Town of Wilsonville:

A parcel of land in the South half of the Northeast Quarter of the Northeast Quarter of Section 23, Township 21 South, Range 1 East, being more particularly described as follows: Commencing at the Northeast corner of the South half of the Northeast quarter of the Northeast quarter of said Section 23; thence South 88 degrees 33 minutes 00 seconds West,

a distance of 49.98 feet to a point; thence South 20 degrees 40 minutes 30 seconds West, a distance of 96.23 feet to a point; thence South 83 degrees 28 minutes 48 seconds West, a distance of 157.28 feet to the point of beginning; thence South 83 degrees 28 minutes 48 seconds West, a distance of 280.35 feet to a 1/2" rebar, found; thence South 54 degrees 03 minutes 36 seconds West, a distance of 297.48 feet to a 1/2" rebar, found; thence North 78 degrees 54 minutes 46 seconds West, a distance of 203.37 feet to a point on the 397 foot contour of Lay Lake; thence along said 397 foot contour, South 59 degrees 00 minutes 55 seconds West, a distance of 74.68 feet to a point; thence along said 397 foot contour, South 04 degrees 31 minutes 02 seconds West, a distance of 52.49 feet to a point; thence along said 397 foot contour, South 23 degrees 02 minutes 27 seconds East, a distance of 173.46 feet to a point; thence along said 397 foot contour, South 35 degrees 11 minutes 06 seconds East, a distance of 136.74 feet to a point on the current Wilsonville town limit line; thence North 54 degrees 54 minutes 47 seconds East along the current Wilsonville town limit line, a distance of 276.49 feet to a 1/2" rebar, set; thence North 18 degrees 32 minutes 43 seconds West, a distance of 103.12 feet to a 1/2" rebar, set; thence North 69 degrees 40 minutes 14 seconds East, a distance of 236.70 feet to a 1/2" rebar, set; thence North 49 degrees 48 minutes 46 seconds East, a distance of 297.21 feet to the point of beginning. Situated in Shelby County, Alabama.

2. That the corporate limits of the Town of Wilsonville, Alabama, be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That the Town Clerk be and she is hereby authorized and directed to file a copy of this Ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, to which said property is being annexed, in the office of the Judge of Probate of Shelby County, Alabama.

4. That the Zoning Map of the Town of Wilsonville, Alabama, and any other official maps or surveys of the Town shall be amended to reflect the annexation of the

above-described property, and that a copy of this Ordinance be transmitted to the Town Planning Commission.

5. That this property is temporarily zoned HZ as provided in the Zoning Ordinance of the Town of Wilsonville, Alabama.

This ordinance was adopted and passed by the Town Council of the Town of Wilsonville, Alabama, this the ___ day of _____, 2013.

Town of Wilsonville, Alabama

by _____
Mayor

Attest:

Clerk

This annexation will be considered at the April 01, 2013, regular council meeting.

Resolution 130318 authorizing the mayor to seek an attorney general's opinion was introduced as follows:

RESOLUTION NUMBER 130318

WHEREAS, the Town of Wilsonville, Alabama, wishes to request an Alabama Attorney General's opinion on a matter.

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of Wilsonville, Alabama, as follows:

That the Council authorizes the Mayor to contact the Alabama Attorney General's Office to seek an opinion on the franchise/business license fees in the Town's police jurisdiction for Alabama Power Company.

That the Council agrees there is a legitimate dispute in this matter.

THEREFORE, _____, a member, moved and _____, a member seconded the motion that said resolution be given vote, and said resolution passed by a vote of all members of the Council present.

ADOPTED, this the 18th day of March, 2013.

E. L. McCarty, III, Mayor

Kay M. Ray, Town Clerk

I, the undersigned qualified and acting clerk of the Town of Wilsonville, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the Town Council of said town, at a regular meeting of such Council held on the 18th day of March, 2013, and that such resolution is on file in the office of the Town Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town on this the 18th day of March, 2013.

Kay M. Ray, Town Clerk

Terry Newman made a motion to adopt the Resolution 130318; Alan Revis seconded. The motion passed with the following vote: Dennis Blackerby, yes; Dan Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

Mayor McCarty asked the council to change the second meeting in May from Monday, May 20, to Tuesday, May 21. He will be attending the Alabama League of Municipalities Convention and will not be able to get back in time that Monday for the meeting. Don Davis made a motion to reschedule the May 20 meeting to May 21; Patricia Johnson seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

Committee Reports – There were none.

Council Agenda

Terry Newman asked that replacing the roof on the Fire Department Meeting House be on the April 01 agenda. Estimates will be obtained and presented at that time.

Council Comment – There was none.

Public Comment – There was none.

There being no further business to come before the council, Calvin Gill made a motion to adjourn. Ricky Morris seconded, and the motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Calvin Gill, yes; Patricia Johnson, yes; Ricky Morris, yes; Terry Newman, yes; Alan Revis, yes.

The meeting was adjourned at 7:00 P. M.

E. L. McCarty, Mayor

Attest