

The Wilsonville Town Council met in regular session, Monday, December 03, 2012, in the Council Chamber Room at Wilsonville Town Hall. Mayor Lee McCarty called the meeting to order at 6:32 P. M.

The meeting opened with prayer by the Reverend Glenn Wilson.

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

The minutes of the November 05, 2012, meeting (mailed to the council members prior to the meeting) were reviewed. Terry Newman made a motion to approve the minutes, as presented. Dennis Blackerby 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.

Mayor McCarty announced the annual safety meeting/dinner is planned for Tuesday, January 15, 2013, at the 4-H Center. In the future, the dinner will alternate between the 4-H Center and the United Methodist Church Christian Life Center.

A plan for review of town checks and financial reports was discussed. Mayor McCarty stated he wants all checks reviewed by the entire council before they are mailed. There was discussion in which the following ideas were mentioned: have a second meeting each month; let the treasurer and mayor pro tem inspect as representatives of the council; have a work session rather than a formal meeting each month without paying members to attend, saving \$175.00 per month; table the issue one more month with the understanding a decision must be made in January. At the conclusion of the discussion period, Terry Newman made a motion to have two meetings a month, with the second meeting to be held the next to the last Monday of each month, beginning at 6:00 P. M., amending Ordinance Number 001008, Section 2. Patricia Johnson seconded. The motion passed with the following vote: Dennis Blackerby, yes; Don Davis, yes; Patricia Johnson, yes; Ricky Morris, no; Terry Newman, yes; Alan Revis, yes.

Ordinance Number 001008, Order of Procedure, Amended 10/04/04, was discussed, as follows:

ORDINANCE 001008
ORDER OF PROCEDURE
AMENDED 10/04/04

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, that the order of procedure in all instances for meetings of the council shall be as follows:

Section 1. That the rules or order of procedure herein contained shall govern deliberations and meetings of the council of Wilsonville, Alabama.

Section 2. Regular meetings of the council shall be held on the following dates: The first Monday of each month. (Only one meeting per month is required in municipalities of less than 2,000 population).

Section 3. Special meetings may be held at the call of the 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 meetings.

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

Section 5. All regular meetings shall convene at 6:30 o'clock p. m. at the Town 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. Prayer
3. Roll Call
4. Approval of the minutes of the previous meeting
5. Approval of invoices/bills
6. Resolutions, ordinances, order and other business
7. Reports
8. Public comment

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

Section 8. Motions to reconsider must be by a member who voted with a majority and at the same of next succeeding meeting of the council.

Section 9. 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 10. 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 11. 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, make a motion, or discuss any other matter at issue.

Section 12. 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 be shall be first put.

Section 13. 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 14. The council may meet in executive session only for the 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 the 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 15. A motion for adjournment shall always be in order.

Section 16. The rules of the council may be amended in the same manner as any other ordinance of general and permanent operation.

Section 17. The rules of the council may be temporarily suspended by a vote of two-thirds of the members present.

Section 18. All ordinances, resolutions or propositions submitted to the council which require the 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 expenses of, or contracts previously made with, or regular salaries of officers, or wages of employees of the town.

Section 19. The clerk, engineer, attorney, chief of police, and such other officers or employees of the Town of Wilsonville, 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 20. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be 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 21. Robert's Rules 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 22. This ordinance (as amended shall go into effect upon the passage and publication as required by law.

Town of Wilsonville:

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Council Member

Passed and Approved this the 3rd day of December, 2012

- Clerk

Alan Revis made a motion to amend Ordinance 001008 as follows:

Section 2 will be amended to read as follows: Regular meetings of the council shall be held on the following dates: The first Monday of each month **and the next to last Monday of each month (two meetings a month).**

Section 5 will be amended to read as follows: **The first regular meeting of the month shall convene at 6:30 P. M.; the second regular meeting of the month shall convene at 6:00 P. M.** at the Town Hall. All meetings, regular and special, shall be open to the public.

Section 8 will be amended to read as follows: Motions to reconsider must be by **either** a member who voted with a majority **or did not vote** and at the same or next succeeding meeting of the council

Section 17 will be amended to read as follows: The rules of the council may be temporarily suspended by a **unanimous** vote of the members present.

Don Davis seconded the motion which 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.

Ordinance Number 121203, Appointing Mayor Superintendent of Waterworks was presented as follows:

ORDINANCE 121203

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

Section 1. The Mayor of the Town of Wilsonville, Alabama, E. Lee McCarty, III, is hereby required to act as the full-time Superintendent of the Wilsonville Waterworks, and as such shall serve as purchasing agent for such system, make all purchases authorized by the Town Council therefor, keep a check on meter readings and billings for service and collection thereof, see that the system is kept in proper repair and operation, keep an inventory showing the supplies and equipment on hand for such system, keep a full and complete monthly financial statement of all operation costs and receipts, keep a proper inventory of the physical assets of such system, and have all such data and information relative to such system available for the Town Council on its first meeting in each calendar month.

Section 2. In addition to the salary now fixed and paid to the Mayor of the Town of Wilsonville, Alabama, there shall be paid to the Mayor for his services as Superintendent of the utility system named in Section 1 of this ordinance the sum of \$0.00 per month payable on the last day of each calendar month out of the receipts of such utility system.

Section 3. The Town Council of the Town of Wilsonville, Alabama, may at any regular meeting or special meeting called therefor, discontinue the services of the Mayor as Superintendent of the utility system, and in the event of such discontinuance of his services as such Superintendent of such system, all compensation authorized to be paid in Section 2 hereof shall lapse.

Section 4. This ordinance shall become effective on December 03, 2012, and shall expire on November 7th, 2016, and sooner if the present mayor shall vacate the office.

ADOPTED THIS THE 3rd DAY OF DECEMBER, 2012.

E. L. McCarty, Mayor

Attest: Town Clerk

Although the council voted by motion to authorize this last month, an ordinance is required. Ricky Morris made a motion to approve Ordinance Number 121203, as presented. 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.

Council Committees

Don Davis, Treasurer, reported the following:
General Fund
Water

Patricia Johnson reported she is working with Wayne Morris updating the website

Fire Department Committee – no report tonight

Boards and Committees

There are three boards/committees which require council representation. Mayor McCarty appointed the following council members: Patricia Johnson and Alan Revis, Cemetery Committee; Patricia Johnson, Planning and Zoning Board; Dennis Blackerby, Park and Recreation Board. They will serve until the end of their elected term.

The contract with the Shelby County Sheriff's Office for law enforcement was discussed. The mayor had asked all council members to talk with their constituents about whether or not more deputies were needed. During discussion, it was noted there is protection around the clock. Wilsonville is covered by the officers patrolling the county when our designated deputy is not on duty. There would be an option to share a deputy with another municipality. There is also an option of a COPS program such as Chelsea has. Following the discussion, it was decided to leave things as they are for now.

Business license fees were discussed. There is an option to raise the issuance fee on the licenses from \$10.00 to \$12.00; there was no interest in doing this. There was discussion about category 531A, Real estate, lessors of – each residential unit -- \$50.00.

Mayor McCarty recommended exempting those who only own one residential unit and continuing to charge those who own two or more units. Patricia Johnson made a motion to charge only those real estate lessors who own more than one unit for a business license; Don Davis 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.

Yard sale permits were discussed. Patricia Johnson made a motion to eliminate the \$10.00 charge for a permit, issue a permit for no charge, and limit the number of yard sales to two a year. 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.

The town clerk read a thank you letter from Wilsonville Elementary School for the \$3,000.00 donation from the Town.

Ordinance Number 121105 was reviewed as follows:

ORDINANCE NO. 121105

WHEREAS, Mack R. Heaton and Sandra W. Heaton 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 Northwest Corner Section 24, Township 21 South, Range 1 East and run South 00 degrees 10 minutes West for 622.01 feet; thence run North 88 degrees 35 minutes East for 340.0 feet to the point of beginning; thence run South 03 minutes 49 seconds West for 1227.16 feet along the Town of Wilsonville limit line; thence

run South 65 degrees 57 minutes East for 75.52 feet; thence run South 32 degrees 20 minutes East for 145.97 feet; thence run South 49 degrees 34 minutes East for 139.56 feet; thence run North 84 degrees 44 minutes East for 162.05 feet; thence run South 49 degrees 26 minutes East for 94.55 feet; thence run North 48 degrees 32 minutes East for 90.45 feet; thence run North 42 degrees 39 minutes East for 99.99 feet; thence run North 26 degrees 18 minutes East for 77.16 feet; thence run North 30 degrees 44 minutes East for 114.55 feet; thence run North 27 degrees 27 minutes East for 99.41 feet; thence run North 68 degrees 16 minutes West for 308.05 feet; thence run North 09 degrees 46 minutes West for 102.12 feet; thence run North 33 degrees 39 minutes West for 174.42 feet; thence run North 14 degrees 09 minutes East for 69.19 feet; thence run North 39 degrees 44 minutes West for 243.12 feet; thence run North 10 degrees 48 minutes West for 68.83 feet; thence run South 56 degrees 18 minutes East for 17.21 feet; thence run North 00 degrees 05 minutes West for 185.22 feet; thence run North 12 degrees 21 minutes West for 229.81 feet; thence run South 88 degrees 35 minutes West for 28.06 feet; thence run North 03 degrees 49 minutes East for 35.0 feet; thence run South 88 degrees 35 minutes West for 50.21 feet to the point of beginning.

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 MR 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 _____, 2012.

Town of Wilsonville, Alabama

by _____
Mayor

Attest:

Clerk

Ricky Morris made a motion to adopt Ordinance Number 121105, as presented. Don Davis 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.

Council Agenda

Patricia Johnson made a motion to include the Town Website on the January council meeting agenda. Terry Newman seconded.

Council Comment

Alan Revis mentioned the need for street repair on Brothers Avenue.

Public Comment

Jane Johnson addressed her concerns about her eighty-six year old father-in-law who lives on Niven Street. There are numerous free roaming dogs in his neighborhood. He was knocked down one day trying to get his mail out of his mailbox. She feels it is not right he cannot even go out into his own yard without fear and danger. Mayor McCarty suggested law enforcement be notified whenever such incidents occur.

Mr. Sprayberry thanked the council for the change in licensing rental property owners.

There being no further business to come before the council, Don Davis made a motion to adjourn the meeting; Calvin Gill seconded. The motion passed with a unanimous vote.

The meeting was adjourned at 7:44 P. M.

E. L McCarty, III, Mayor

Attest