

STATE OF ALABAMA

CITY OF RED BAY

FRANKLIN COUNTY

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
FEBRUARY 7, 2005

The City Council of Red Bay met in a regular meeting February 7, 2005, at 7:00 p.m.

Present and presiding was Mayor Tommy G. Nelson. Council Members present were Bobby Nelson, Rayford Seahorn, Pat Hammock, Ann Wilkins, and Jeff Reid.

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

Jeff Reid led the Invocation.

Rayford Seahorn led the Allegiance to the Flag.

Others present were Police Chief Pat Creel and Fire Chief Bud Strickland.

Police Chief Pat Creel reported that the court collections had increased during the month of January 2005.

Fire Chief Bud Strickland gave a progress report on the repairs and maintenance of the fire station.

Bobby Nelson made a motion for the council to enter into "Executive Session". Seconded by Rayford Seahorn. Unanimously passed.

No action was taken during the "Executive Session".

Bobby Nelson made a motion to return to regular session. Rayford Seahorn seconded the motion. Unanimously passed.

Bobby Nelson made a motion to send Donnie Swindle for formal sewer certification training. Rayford Seahorn seconded the motion. There will be no cost to the City of Red Bay for the training. Voting for were Bobby Nelson, Rayford Seahorn, and Jeff Reid. Pat Hammock and Ann Wilkins abstained.

The close of term of office on the Education Board for Lisa Davis and Deloris Sparks was discussed. Lisa Davis will not be available to serve another term, Deloris Sparks will serve again. A drawing was held to fill Lisa Davis' position. The three names in the drawing were Lynette Horton, Anita Hardin, and Rita Jeffreys. Lynette Horton's name was drawn. Lynette Horton will serve a three-year term.

The maintenance contract for the new traffic light to be placed at the Hwy 19 and 24 intersections was discussed.

Jeff Reid made a motion to renew the 30-hour maintenance contract with Advance Micro Services for the maintenance and repair of city computers. Bobby Nelson seconded the motion. Unanimously passed.

Bobby Nelson made a motion to adopt Ordinance #05-01-17A changing our city sales tax collections to Sales Tax Auditing and Collection Services, Muscle Shoals, AL. Rayford Seahorn seconded the motion. Unanimously passed.

Adopting the drug ordinance was tabled until the next meeting.

Bobby Nelson made a motion to adopt the No Smoking Ordinance # 05-02-07. Pat Hammock seconded the motion. Unanimously passed.

Jeff Reid made a motion to allow all city employees to carry over sick days up to 90 days. The days carried over cannot be used for vacation and can only be taken if a doctor's excuse is presented. Rayford Seahorn seconded the motion. Unanimously passed.

A 1995 GMC truck was purchased for the Parks and Recreation Department. Cost \$4800.00.

Bobby Nelson made a motion to allow a roadblock to be held for Joseph Clack on February 12th from 10:00 a.m. until 1:00 p.m. Proceeds will go to help with medical expenses. Pat Hammock seconded the motion. Unanimously passed.

Frank Garrison spoke concerning his mother's property, located inside the city limits, Mr. Garrison is the administrator over the property. Mayor Tommy G. Nelson informed Mr. Garrison that the city has an ordinance on vacant lots stating the maintenance required and ask that Mr. Garrison comply. Mayor Nelson also gave instructions for a copy of the ordinance to be mailed to Mr. Garrison.

Bobby Nelson made a motion to purchase a side-mounted bushhog with a 20' extension. Rayford Seahorn seconded the motion. Voting for was Bobby Nelson, Rayford Seahorn, Ann Wilkins, and Jeff Reid. Pat Hammock abstained. Sealed bids are to be taken and opened at a council meeting, for the equipment.

Frankie Smith, Commander of the Red Bay American Legion Post 120, inquired to see if the City of Red Bay would be interested in purchasing the VFW Building on Golden Road. He proposed that the building be used for a fire station and training center for the city.

Bobby Nelson made a motion that the support of the council be given to place Franklin County on a ballot in Montgomery, AL, for the purpose of changing the county to a single district-voting place. Jeff Reid seconded the motion. Unanimously passed.

Bobby Nelson made a motion to purchase a used motor for the D6E Dozer used at the city landfill, cost \$8700.00. Jeff Reid seconded the motion. Unanimously passed.

Mayor Tommy G. Nelson stated that 3 buildings located on 10th St. S.E. needed to be condemned and one location located on 10th St. N.E. has starving horses. Bobby Nelson made a motion to mail notices to the owners stating that they must comply with the city rules concerning their property. Rayford Seahorn seconded the motion. Unanimously passed.

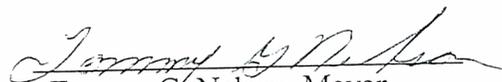
Mayor Tommy G. Nelson spoke concerning his ongoing battle with cancer. He will continue to serve the City of Red Bay as Mayor as long as his health permits.

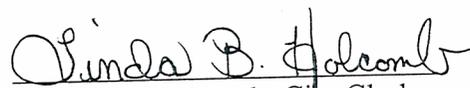
Jeff Reid made a motion to approve the bills. Pat Hammock seconded the motion. Unanimously passed.

Pat Hammock made a motion to amend the minutes of January 17, 2005 to state: Councilman Bobby Nelson made a motion to amend Dog Ordinance 95-11-27 with Ordinance 05-01-17. Rayford Seahorn seconded the motion. Unanimously passed.

Jeff Reid made a motion to approve the amended minutes. Ann Wilkins seconded the motion. Unanimously passed.

Rayford Seahorn made a motion to adjourn the meeting. Bobby Nelson seconded the motion. Unanimously passed.


Tommy G. Nelson, Mayor


Linda B. Holcomb, City Clerk

Non-Smoking Ordinance

WHEREAS, the possession of lighted smoking material is a nuisance and is hazardous to the public health, safety, comfort, convenience and indoor environment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RED BAY, ALABAMA, AS FOLLOWS:

1. Smoking, which shall mean inhaling, exhaling, burning or carrying any lighted cigarette, pipe, cigar, weed, plant or other combustible substance in any enclosed facility, dwelling, building or vehicle owned or operated by the City of Red Bay shall be unlawful.
2. The City Clerk shall be responsible for posting "No Smoking" signs of an appropriate nature in every building owned, used or leased by the City of Red Bay.
3. Any person who violates any provision of this Ordinance shall be guilty of an infraction and may be punished by a fine not exceeding One Hundred Dollars (\$100.00) for the first violation and a fine not exceeding Five Hundred Dollars (\$500.00) for any second or subsequent violations.
4. If any provision, clause, sentence or paragraph of this Article or the application thereof to any person or circumstance shall be held invalid, such

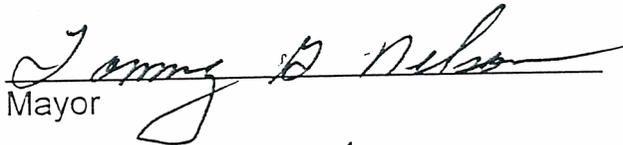
invalidity shall not affect the other provisions of this Article which shall be given effect without the invalid provision or application.

5. This ordinance shall be effective 30 days from and after the date of its adoption and publication.

ADOPTED and APPROVED this 7th day of

February, 2005.

COUNCIL OF THE CITY OF RED BAY,
ALABAMA



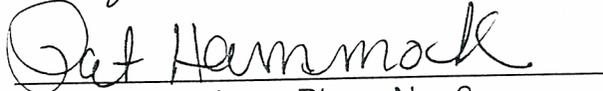
Mayor



Council Member - Place No. 1



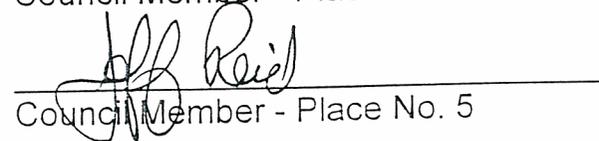
Council Member - Place No. 2



Council Member - Place No. 3



Council Member - Place No. 4



Council Member - Place No. 5