

STATE OF ALABAMA)
)
FRANKLIN COUNTY)

Page 1 of 4

CITY OF RED BAY

MINUTES OF A REGULAR SCHEDULED MEETING
RED BAY CITY COUNCIL
August 3, 2009

The City Council of Red Bay met in a regular scheduled meeting August 3, 2009, 7:00 p.m. The meeting was held in the Red Bay City Hall Council Room, 203 4th Ave. S.E., Red Bay, AL

Present and presiding was Mayor Bobby Forsythe. Council Members present were Mike Kennedy, David Tiffin, Charlene Fancher, and Brad M. Bolton.

Council Member Mike Stockton was absent.

Also present were City Attorney Senator Roger Bedford, Acting Police Chief Janna Jackson, Fire Chief Bud Strickland, and Street and Sanitation Supervisor Wayne Sims.

Scottie Belue was present as Sergeant at Arms.

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

Mike Kennedy led the Invocation.

David Tiffin led the Allegiance to the Flag.

Johnny Dill, Vice President of Joe Jolly & Co., addressed the Council concerning the proposed capital outlay plan for 2009.

Monica Grubbs, representing the Big Brothers Big Sisters Program, addressed the Council. Ms. Grubbs gave a progress report for the Red Bay program. After the report Brad M. Bolton made a motion to recess in order to give Senator Bedford an opportunity to present a check to the program representatives. Mike Kennedy seconded the motion, unanimously passed. Mayor Bobby Forsythe called the meeting back to order within ten minutes.

Rick Ferrell, Regional Manager for Metro Cast Cable Co., addressed the Council and gave a progress report on the company's efforts to give better television reception in Red Bay. The Council questioned Mr. Ferrell extensively concerning the poor service for Alabama television channels.

Mike Kennedy made a motion to table amending the employee handbook. David Tiffin seconded the motion, unanimously passed.

Mayor Bobby Forsythe made a motion to leave the sign up sheet for the Little League Board up until the next regular scheduled council meeting. Mike Kennedy seconded the motion, unanimously passed.

Upon the request of Mayor Forsythe, Brad M. Bolton made a motion to amend the agenda to add the following items:

- a. Application Supporting International Broadband Electric Communications
- b. Principal Sparks request funding for 2 tutors for 09-10 reading program
- c. Burned out mobile home in Red Bay City Limits

Charlene Fancher seconded the motion. The roll call vote was as follows: Mike Kennedy "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas".

David Tiffin made a motion for the Council to give Mayor Bobby Forsythe the authority to review and approve an ordinance to be prepared by City Attorney Senator Roger Bedford amending the present ordinance for state and county court costs. The court costs are scheduled to increase effective August 3, 2009. Mike Kennedy seconded the motion, unanimously passed.

Mayor Bobby Forsythe introduced Resolution #09-08-03A, City to apply for 2009 Energy Efficiency Community Development Block Grant funds from the State of Alabama for the purpose of retrofitting the existing wastewater treatment system. Mike Kennedy made a motion to adopt the resolution, seconded by Charlene Fancher, unanimously passed. **Attachment A**

Mayor Bobby Forsythe introduced Resolution #09-08-03B, a resolution for the City to commit matching funds on the proposed energy grant. Brad M. Bolton made a motion to adopt the resolution, seconded by David Tiffin, unanimously passed. **Attachment B**

David Tiffin made a motion to close FEMA-HMGP Drain Project #1 (1605-0199) Hester Avenue/Meadow Drive area and FEMA-HMGP Drain Project #2 (1065-0198) Double H Avenue/Hester Avenue. Mike Kennedy seconded the motion, unanimously passed.

Brad M. Bolton made a motion to grant a request submitted by Lewis & Clark Circus, Easley, South Carolina, to hold a September 23, 2009 performance at the Red Bay Easy Field and for the Chief of Police to coordinate water utilities for the company. David Tiffin seconded the motion, unanimously passed. The company met the requirement of presenting the City of Red Bay with a certificate of insurance naming the City as additional insured. The City will receive three hundred dollars or fifteen percent of the gate revenue, which ever is greater.

Brad M. Bolton made a motion to close a portion of 8th Avenue South after morning school traffic. Charlene Fancher seconded the motion, unanimously passed.

Upon the request of Mayor Bobby Forsythe, Mike Kennedy made a motion to hire Alan Wood as a full-time employee with benefits as of August 5, 2009. David Tiffin seconded the motion, unanimously passed. Wood was hired with a ninety-day probation period on June 2, 2009.

Upon the request of Mayor Bobby Forsythe, Brad M. Bolton made a motion to enter into "**Executive Session**" for the purpose of discussing the good name and character of an employee, Charlene Fancher seconded the motion. The roll call vote was as follows: Mike Kennedy "yeas", David Tiffin "yeas", Charlene Fancher "yeas", and Brad M. Bolton "yeas". Mayor Forsythe announced that the Council would return in approximately fifteen minutes. The time was 8:11 p.m.

The Council returned at 8:19 p.m. Mayor Forsythe announced that no motions or decisions were made. Mayor Forsythe then called the meeting to order in "**Regular Session**".

David Tiffin made a motion to promote Assistant and Acting Police Chief Janna Jackson to the position of Chief of Police. Brad M. Bolton seconded the motion, unanimously passed.

Mayor Bobby Forsythe made a motion to reappoint Herbert Trulove to the City Tree Commission for another three-year term and to post the expiring terms of Larry Smith and Carlton Lofton until the next regular council meeting. Charlene Fancher gave her approval, all other Council Members approved of the appointment. All three terms are set to expire September 2009.

Upon the recommendation of Mayor Bobby Forsythe, Brad M. Bolton made a motion to reappoint Mary Ellen Collum to another six-year term on the Sewage Board. Mary Ellen's term is set to expire September 15, 2009. Mike Kennedy seconded the motion, unanimously passed.

Johnny Hargett's six-year term on the Sewage Board will expire September 15, 2009. Mr. Hargett is unable to serve another term. The opening will be posted until the next regular scheduled council meeting.

Upon the recommendation of Mayor Bobby Forsythe, Charlene Fancher made a motion to reappoint Joel Rooker and Mark Armstrong to another three year term. Mike Kennedy seconded the motion, unanimously passed. Joel Rooker's new term will expire September 15, 2012. Mark Armstrong's new term will expire March 18, 2012.

Mike Kennedy made a motion to support the application of International Broadband Electric Communications Inc. (IBEC) for a grant, loan or combination of grant and loan funding to deploy broadband equipment and services in the territory served by Franklin Electric Cooperative. David Tiffin seconded the motion, unanimously passed.

Charlene Fancher made a motion to honor a request submitted by Red Bay School Principal Kenny Sparks to fund two tutors for the elementary reading program by pledging to transfer eight thousand dollars (\$8,000.00) more in addition to the yearly transfer from the occupation tax fund to the education fund to be made October 1, 2009. Mike Kennedy seconded the motion, unanimously passed.

Charlene Fancher made a motion for Mayor Bobby Forsythe to have City Attorney Senator Roger Bedford draft a letter to a local property owner with a burned out mobile home on the property and for this letter to set the standard for all like situations. The property owner has ignored all correspondence from the Mayor to remove the fire damaged mobile home and clean up the property. Mike Kennedy seconded the motion, unanimously passed.

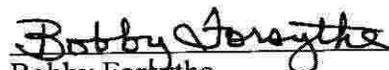
David Tiffin made a motion to approve the bills for payment, seconded by Brad M. Bolton. Voting for were Mike Kennedy and Charlene Fancher. David Tiffin abstained from voting for payments to Community Spirit Bank, City Auto Parts, and Tiffin Supply Co. but approved payment for all other bills. Brad M. Bolton abstained from voting for payments to Community Spirit Bank but approved payment for all other bills. All bills were approved for payment.

Charlene Fancher made a motion to approve the workshop minutes and council minutes for July 20, 2009, Brad M. Bolton seconded the motion. Unanimously passed.

Mayor Forsythe announced that the next regular scheduled meeting of the Red Bay City Council will be Monday, August 17, 2009, Red Bay City Hall Council Room, 203 4th Ave. S. E., Red Bay, AL.

Brad M. Bolton made a motion to adjourn, seconded by Mike Kennedy, unanimously passed.

Time of Adjournment: 8:40 p.m.


Bobby Forsythe
Mayor


Linda Holcomb, CMC
City Clerk

Attachment A: 1 page

Attachment B: 1 page