



SUMMARY • MAY 1, 2017

Council Chambers	Regular Meeting	6:00 PM
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**402 LEE STREET
DECATUR, AL 35601**

I. CALL MEETING TO ORDER:

Council President Ard called the meeting to order at 6:00PM.

II. INVOCATION:

The invocation was provided by Parks and Recreation Director Jeff Dunlap.

III. PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Parks and Recreation Director Jeff Dunlap.

IV. ROLL CALL OF ELECTED OFFICIALS:

Attendee Name	Title	Status	Arrived
Chuck Ard	Council President	Present	
Billy Jackson	District 1	Present	
Kristi Hill	District 2	Present	
Paige Bibbee	District 3	Present	
Charles Kirby	District 4	Present	

V. PRESENTATIONS:

A. Proclaim May as National Travel and Tourism Month

Council President Ard presented Melinda Dunn, President of the Decatur-Morgan County Convention and Visitors Bureau a proclamation declaring May as the National Travel and Tourism Month in Decatur, Alabama.
(Requested by Tab Bowling, Mayor's Office)

B. Municipal Clerks Week- May 7-13, 2017

Council President Ard presented City Clerk-Treasurer, Stacy Gilley a proclamation declaring May 7-13, 2017 as Municipal Clerks week.

VI. APPROVAL OF MINUTES:

A. April 17, 2017 - 9:30AM Work Session

(Requested by Stacy Gilley, City Clerk)

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Paige Bibbee, District 3
SECONDER:	Charles Kirby, District 4
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

B. City Council - Regular Meeting - Apr 17, 2017 10:00 AM

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paige Bibbee, District 3
SECONDER:	Charles Kirby, District 4
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

VII. PUBLIC HEARINGS:

A. Resolution No. 17-90 -

17-90 : Request for a Special Events Retail Liquor License for Ingalls Entertainment Inc. d/b/a Hollenbeck Wedding at 133 2nd Ave N.E. Decatur, AL 35601 on June 3rd, 2017.

(Requested by Sal Jasso, Revenue Department)

Council President Ard opened the public hearing for comments having none he then entertained a motion from Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Kirby, District 4
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

RESOLUTION

17-90

REQUEST FOR A SPECIAL EVENTS RETAIL LIQUOR LICENSE FOR INGALLS ENTERTAINMENT INC. DBA. HOLLENBECK WEDDING AT 133 2ND AVE N.E. DECATUR, AL 35601 ON JUNE 3RD, 2017.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR , ALABAMA that the application for an alcohol beverage license for Special Events Retail liquor for Ingalls Entertainment d.b.a. The Hollenbeck Wedding on June 3rd 2017 at 133 2nd Avenue N.E., hereby approved, subject to the approval by Building, Fire, Health and Revenue Departments.

ADOPTED this first day of May 2017

Enacted and approved this 1st day of May, 2017, at Decatur

B. Ordinance No. 17-4290 -

17-4290 :Rezoning Request 1308-17: A tract of land containing approximately .79 acres and is located south of 7th Street SE and east of 11th Avenue SE currently zoned R-3, Single-Family Residential District, changed to R-6, Single-Family Semi-Attached Residential (First Reading 4/3/17)

(Requested by Karen Smith, Planning Department)

Council President Ard opened the public hearing for comments having none he then entertained a motion from Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristi Hill, District 2
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**ORDINANCE
17-4290**

REZONING REQUEST 1308-17: A TRACT OF LAND CONTAINING APPROXIMATELY .79 ACRES AND IS LOCATED SOUTH OF 7TH STREET SE AND EAST OF 11TH AVENUE SE CURRENTLY ZONED R-3, SINGLE-FAMILY RESIDENTIAL DISTRICT, CHANGED TO R-6, SINGLE-FAMILY SEMI-ATTACHED RESIDENTIAL (FIRST READING 4/3/17)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA

Section 1. That the district boundaries of the City of Decatur Official Zoning Map, heretofore adopted by Section 27-1, Code of Decatur, Alabama, 1956, now Section 25-1, Code of Decatur, Alabama, as thereafter amended, are further amended, changed and modified as follows:

Rezoning Request No. 1308-17

The property being considered for rezoning is a tract of land containing .79 acres more or less and is located south of 7th Street SE and east of 11th Avenue SE.

Lots 1, the N ½ of Lot 3, the S ½ of Lot 3, 5, 7, and 9, Block 76 of Decatur Land Improvement and Furnace Company’s Addition No. 4 to Decatur, Alabama, according to the map or plat of said Addition on file and record in the Office of the Judge of Probate of Morgan County, Alabama, and containing 0.79 acres, more or less, which area is now shown and classified on said map as being in a R-3, Single-Family Residential District, and shall be shown as a R-6, Single-Family Semi-Attached Residential District, subject to all rules, regulations and requirements therefore set forth in Section 25-10.2, Code of Decatur Alabama, and other provisions applicable therefore.

Section 2. This Ordinance shall take effect and be in force from and after the date of its adoption and publication as required by law.

ADOPTED this the _____ day of _____, 20 ____.

Authenticated:

Stacy Gilley

APPROVED this the ____ day of _____, 20 ____.

Tab Bowling, Mayor

Enacted and approved this 1st day of May, 2017, at Decatur

VIII. RESOLUTIONS:

A. Resolution No. 17-87 -

Authorize the donation of 1997 KME Fire Engine to the Stonewall Volunteer Fire Department in Fayette, AL (Declared surplus Resolution No. 17-20)

(Requested by Tony Grande, Fire & Rescue)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Kirby, District 4
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-87**

AUTHORIZE THE DONATION OF 1997 KME FIRE ENGINE TO THE STONEWALL VOLUNTEER FIRE DEPARTMENT IN FAYETTE, AL (DECLARED SURPLUS RESOLUTION NO. 17-20)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA in support of emergency service delivery in rural Alabama the city will donate a 1997 KME fire engine, VIN #1K9AF4280VN058625 to Stonewall Volunteer Fire Department, Fayette, Alabama.

Enacted and approved this 1st day of May, 2017, at Decatur

B. Resolution No. 17-88 -

17-88 :Authorize Brindlee Mountain Fire Apparatus to facilitate the sale of Decatur Fire and Rescue Ladder Truck (Declared surplus Resolution No. 17-71)

(Requested by Tony Grande, Fire & Rescue)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Kirby, District 4
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-88**

AUTHORIZE BRINDLEE MOUNTAIN FIRE APPARATUS TO FACILITATE THE SALE OF DECATUR FIRE AND RESCUE LADDER TRUCK (DECLARED SURPLUS RESOLUTION NO. 17-71)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA the desire to enter a brokerage agreement with Brindlee Mountain Fire Apparatus to assist in the sale of a 2004 Pierce Ladder truck.

Enacted and approved this 1st day of May, 2017, at Decatur

C. Resolution No. 17-89 -

Approve request by Verizon for an extension of the Special Use Permit to co-locate equipment on existing tower at 1015 McEntire Lane NW

(Requested by Sal Jasso, Revenue Department)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Billy Jackson, District 1
SECONDER:	Charles Kirby, District 4
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-89**

APPROVE REQUEST BY VERIZON FOR AN EXTENSION OF THE SPECIAL USE PERMIT TO CO-LOCATE EQUIPMENT ON EXISTING TOWER AT 1015 MCENTIRE LANE NW

RESOLUTION NO. _____

WHEREAS, Resolution 16-400 for a Special Use Permit for Towercom, LLC to construct a new wireless telecommunications facility, to be located in the police jurisdiction at 1015 McEntire Lane NW, Decatur, AL, was approved by the City Council of the City of Decatur on the 21th day of November 2016, and;

WHEREAS, Verizon Wireless will be the anchor tenant on the proposed tower, and;

WHEREAS, Towercom, LLC has requested a 180-day extension of Resolution 16-400 for the construction of the new wireless telecommunication facility and the installation of Verizon’s equipment to be located at 1015 McEntire Lane NW, in the City of Decatur, and;

WHEREAS, Towercom, LLC has complied with City’s Ordinance No. 99-3536A and has demonstrated the need for a wireless facility to consistently deliver reliable services in the identified area, and;

WHEREAS, both the City and Verizon customers in Decatur will benefit from improved service; and,

WHEREAS, the City’s consultant, The Center for Municipal Solutions (CMS), recommends the granting the extension of the Special Use Permit for this construction of the new wireless telecommunications facility, located at 1015 McEntire Lane NW, which consists of a 199’ monopole tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur, Alabama that Verizon is hereby granted the extension of the Special Use Permit to co-locate equipment on the exiting self-support tower located at 1015 McEntire Lane NW.

As recommended by CMS, the Special Use Permit is subject to compliance with the following condition prior to the issuance of said permit and/or a Certificate of Completion:

1. To prevent warehousing of permits or authorizations and to assure the best service to the City’s residents as expeditiously as possible, the facility must be built, activated and be providing service *no later than one hundred eighty (180) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the City.* Towercom, LLC may petition the City of an extension of this for good cause shown, but the decision whether or not to grant the extension shall exclusively be the prerogative of the City.

- 2. Towercom, LLC must provide contractor information with construction schedule to City and to CMS prior to issuance of the Building Permit.
- 3. At the completion of construction, the Applicant must notify the City's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.
- 4. Towercom, LLC or Verizon shall not be permitted to actually provide service commercially until the Certificate of Occupancy or its functional equivalent is issued or risk forfeiting its Permit.
- 5. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.

ADOPTED this 1st day of May, 2017.

Enacted and approved this 1st day of May, 2017, at Decatur

D. Resolution No. 17-92 -

Authorize the Mayor to execute Strategic Alliance Memorandum with United States Small Business Administration

(Requested by Herman Marks, Legal Department)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Kirby, District 4
SECONDER:	Kristi Hill, District 2
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-92**

AUTHORIZE THE MAYOR TO EXECUTE STRATEGIC ALLIANCE MEMORANDUM WITH UNITED STATES SMALL BUSINESS ADMINISTRATION

BE IT RESOLVED by the City Council of the City of Decatur, Alabama that the Mayor is authorized on behalf of the City to execute the attached Strategic Alliance Memorandum with the United States Small Business Administration to foster additional economic development in Decatur.

ADOPTED this 1st day of May, 2017.

Enacted and approved this 1st day of May, 2017, at Decatur

E. Resolution No. 17-94 -

3187 : Authorize the Mayor to execute the necessary documents for the Children's Trust Fund Grant
(Requested by Allen Stover, Community Development)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Paige Bibbee, District 3
SECONDER:	Charles Kirby, District 4
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-94**

AUTHORIZE THE MAYOR TO EXECUTE THE NECESSARY DOCUMENTS FOR THE CHILDREN’S TRUST FUND OF ALABAMA GRANT

WHEREAS, the ADCANP Program has been developed by the Youth Services Department of the City of Decatur to consolidate the Parenthood Initiative Program, the Family Cohesiveness and Job Readiness Program, and the Mentorship Program; and

WHEREAS, the ADCANP Program has been developed by the Youth Services Department of the City of Decatur to facilitate parent education and support for families currently facing challenges within non-custodial situations; and

WHEREAS, the ADCANP Program has been developed by the Youth Services Department of the City of Decatur to promote self-sufficiency by equipping families receiving governmental assistance to enter the workforce through job-readiness services; and

WHEREAS, the ADCANP Program has been developed by the Youth Services Department of the City of Decatur to provide professional counseling and mentorship opportunities to Decatur families; and

WHEREAS, the Children’s Trust Fund of Alabama has grant funds available that can be used toward the prevention of child abuse and neglect; and

WHEREAS, this is a \$150,000.00 grant that will require an in-kind match of \$37,500.00 and a cash match of \$37,500.00,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Decatur, in the State of Alabama, as follows:

SECTION 1. That Mayor Tab Bowling is hereby authorized to apply for this grant from the Children’s Trust Fund of Alabama,

SECTION 2. That Mayor Tab Bowling is hereby authorized and directed to act as the official representative of the City of Decatur in connection with said grant,

SECTION 3. That Mayor Tab Bowling shall take any such other actions as may be requested or required in the implementation of this grant.

ADOPTED this the _____ day of _____, 2017.

Enacted and approved this 1st day of May, 2017, at Decatur

F. Resolution No. 17-95 -

17-95 :Award Bid #17-018 for a High Roof Cargo Van to Lynn Layton Ford in the amount of \$30,115 (to be paid from departmental budget)

(Requested by Charles Booth, Purchasing Department)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Charles Kirby, District 4
SECONDER:	Kristi Hill, District 2
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**RESOLUTION
17-95**

AWARD BID #17-018 FOR A HIGH ROOF CARGO VAN TO LYNN LAYTON FORD IN THE AMOUNT OF \$30,115 (TO BE PAID FROM DEPARTMENTAL BUDGET)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA that Bid # 17-018 for a high roof cargo van is hereby awarded to Lynn Layton Ford being the lowest responsible bidder with a bid price of \$30,115.00 and the expenditure is approved using previously budgeted departmental funds and the Purchasing Agent is hereby authorized to approve the purchase order.

Enacted and approved this 1st day of May, 2017, at Decatur

G. Resolution No. 17-96 -

Authorize a designated Test Area for Increased Grass Cutting and Maintenance and evaluate the impact on departmental budget

(Requested by Herman Marks, Legal Department)

RESULT:	ADOPTED [4 TO 1]
MOVER:	Charles Kirby, District 4
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Hill, Bibbee, Kirby
NAYS:	Jackson

**RESOLUTION
17-96**

AUTHORIZE A DESIGNATED TEST AREA FOR INCREASED GRASS CUTTING AND MAINTENANCE AND EVALUATE THE IMPACT ON DEPARTMENTAL BUDGET

RESOLUTION NO. _____

WHEREAS, the City Council deems it appropriate to designate a test area for property maintenance and grass cutting to evaluate budget impact and effectiveness using more concentrated efforts by our Contractor and the Parks and Recreation Department; and

WHEREAS, the City Council hereby determines that it serves a public purpose to provide increased coverage/maintenance including grass cutting, weed killing, ant killing, curb edging, and litter pickup for the following geographical area:

4th Avenue SE at the 14th Street overpass (area to 14th street, 4th Avenue Access Road between 14th and Cooks Pest Control, cloverleaf south of 14th street Row on railroad side of 4th Avenue to the traffic light on top of the Brewer overpass and areas under the overpass).

THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur, Alabama that the Mayor and the Parks and Recreation Department are hereby authorized to implement the increased coverage/maintenance activities described above with the impact on the Parks and Recreation Department budget to be evaluated and that budget adjusted accordingly.

ADOPTED this 1st day of May 2017.

Enacted and approved this 1st day of May, 2017, at Decatur

IX. ORDINANCES - FIRST READINGS:

A. Ordinance No. 17-4292 -

Amend Section 14-62.1 of the Code of Decatur, Alabama "Designating State Sales Tax Holiday School Items on the third weekend in July" (Continuing)

(Requested by Stacy Gilley, City Clerk)

RESULT:	FIRST READING	Next: 5/15/2017 10:00 AM
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B. Ordinance No. 17-4293 -

Amend Code of Decatur, Alabama Sec. 2-28.2 Regarding Agenda Work Session time change

(Requested by Stacy Gilley, City Clerk)

RESULT:	FIRST READING	Next: 5/15/2017 10:00 AM
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C. Ordinance No. 17-4294 -

Approve Annexation Request: 352-17 - Millwood Property

(Requested by Karen Smith, Planning Department)

RESULT:	FIRST READING	Next: 5/15/2017 10:00 AM
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X. ORDINANCES:

A. Ordinance No. 17-4291 -

Approve Annual Ad Valorem Tax Levy for FY 18 (First Reading 4/17/17)

(Requested by Stacy Gilley, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristi Hill, District 2
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

ORDINANCE**17-4291****APPROVE ANNUAL AD VALOREM TAX LEVY FOR FY 18 (FIRST READING
4/17/17)****ORDINANCE NO. 17-**

BE IT ORDAINED by the City Council of the City of Decatur, in the State of Alabama as follows:

SECTION 1: That a general tax for the municipal tax year beginning October 1, 2017 of six-tenths of one per centum (6 mills) on the assessed valuation of all property of every kind and description located and situated within the corporate limits of the City of Decatur, Alabama, and subject to taxation by the said City and liable therefore under the Constitution and laws of the State of Alabama, be and the same is hereby levied and laid for general municipal purposes.

SECTION 2: That a special tax for the municipal tax year beginning October 1, 2017 of thirty-six one hundredths of one per centum (3.6 mills) on the assessed valuation of all property of every kind and description located and situated within the corporate limits of the City of Decatur, Alabama, and subject to taxation by the said City and liable therefore under the Constitution and laws of the State of Alabama, be and the same is hereby levied and laid as a special school tax, and said school tax, when collected, shall be applied exclusively for the public schools of said City.

SECTION 3. That an additional ad valorem tax for the municipal tax year beginning October 1, 2017 of nine-tenths of one per centum (9 mills) on the assessed valuation of all property of every kind and description located and situated within the corporate limits of the City of Decatur, Alabama and subject to taxation by the said City and liable therefore under the Constitution and laws of the State of Alabama, be and the same is hereby levied, and laid, and the proceeds of which, when collected, shall be applied exclusively for school purposes, including without limiting the generality thereof, the construction, enlargement, improvement and equipment of public school buildings and acquisition of land therefore.

SECTION 4. This Ordinance shall be published one time in THE DECATUR DAILY, a newspaper published and having general circulation in the City of Decatur, Alabama.

Adopted this the ____ day of May, 2017.

Authenticated:

Stacy Gilley, City Clerk

Approved this the ____ day of May, 2017.

Tab Bowling, Mayor of the City of Decatur

Enacted and approved this 1st day of May, 2017, at Decatur

XI. BOARDS AND COMMITTEES:

- A. Appoint Police Chief Allen to the Morgan County Emergency Management Communications Board (E-911) - Term Expiring 4/11/19

(Requested by Stacy Gilley, City Clerk)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kristi Hill, Charles Kirby
SECONDER:	Paige Bibbee, District 3
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

XII. OTHER BUSINESS:

Council Member Jackson recognized two Boy Scouts from troop 142 in attendance at the meeting working towards their Citizenship in the Community and Communications Badge.

Council President Ard shared condolences to Council President Pro-Tempore Paige Bibbee on the loss of her father.

XIII. ADJOURNMENT:

Having no further business the meeting adjourned at 6:38PM.