

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

VII. APPROVAL OF MONTHLY BILLS:

- A. Approve April, 2017 - Monthly Bills

(Requested by Stacy Gilley, City Clerk)

RESULT:	ADOPTED [4 TO 0]
MOVER:	Paige Bibbee, District 3
SECONDER:	Kristi Hill, District 2
AYES:	Ard, Jackson, Hill, Bibbee
ABSTAIN:	Kirby

VIII. RESOLUTIONS:

- A. Resolution No. 17-97 -

Approve MUB Expenditure of \$3,589,000 for Stratford Road Lift Station Replacement

(Requested by Janice Armor, Municipal Utilities Board)

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

**RESOLUTION
17-97**

**APPROVE MUB EXPENDITURE OF \$3,589,000 FOR STRATFORD ROAD LIFT
STATION REPLACEMENT**

RESOLUTION

BE IT RESOLVED by the City Council of the City of Decatur in the State of Alabama that in accordance with the request of the Municipal Utilities Board of Decatur, Morgan County, Alabama by letter dated April 21, 2017, a copy of which shall be recorded in the minutes of this meeting, that the City Council does hereby consent to and approve of the following estimated expenditure by the Board of \$3,589,000 for Stratford Road Lift Station Replacement.

CERTIFICATE

I, Stacy Gilley, City Clerk of the City of Decatur, Alabama hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Decatur at a regular meeting of the same held on _____, 2017, as the same appears of record in the minutes of said meeting in my custody and control.

IN WITNESS WHEREOF, I have hereunto set my hand as City Clerk of the City of Decatur and affixed the seal of the City of Decatur to the certificate on this _____ day of _____, 2017.

Stacy Gilley
City Clerk

Enacted and approved this 15th day of May, 2017, at Decatur

B. Resolution No. 17-93 -

CONFIRMING AND RATIFYING THE LEVY AND APPROPRIATION TO THE DECATUR CITY BOARD OF EDUCATION OF A PORTION OF THE SALES TAX LEVIED BY THE CITY

(Requested by Stacy Gilley, City Clerk)

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

**RESOLUTION
17-93**

CONFIRMING AND RATIFYING THE LEVY AND APPROPRIATION TO THE DECATUR CITY BOARD OF EDUCATION OF A PORTION OF THE SALES TAX LEVIED BY THE CITY

A RESOLUTION CONFIRMING AND RATIFYING THE LEVY AND APPROPRIATION TO THE DECATUR CITY BOARD OF EDUCATION OF A PORTION OF THE **SALES TAX** LEVIED BY THE CITY

Be it resolved by the City Council (herein called "the Council") of the City of Decatur (herein called "the City"), in the State of Alabama, as follows:

Section 1. Findings. The Council hereby finds and declares that there is levied in the City, pursuant to the laws of the State of Alabama, a special privilege license or excise tax (herein called "the Sales Tax"), a portion of the proceeds of which (said portion presently amounting to approximately one-quarter of the net proceeds of the receipts thereof) is allocated and appropriated, annually, to the Decatur City Board of Education (herein called "the Board") to be used wholly for educational purposes; and that the Board

proposes to issue its Special Tax School Warrant in the approximate principal amount of \$1,750,000, Series 2017-QZAB (herein called "the Warrant"), for the purpose of providing various capital improvements for the public school system operated by the Board and to pledge, for the payment of the principal of and interest on the Warrant, so much as may be necessary therefor of that portion of the proceeds of the Sales Tax presently being allocated, apportioned and paid to the Board.

Section 2. Pledge. The City hereby in good faith pledges to the Board and to the registered owner of the Warrant that it shall continue to levy and provide for the collection of the Sales Tax and forward to the Board at a minimum payments in an amount sufficient to pay the debt service on the Warrant, until the final retirement of the Warrant, now expected to occur on or before September 30, 2028.

ADOPTED this _____ day of MAY, 2017.

President, Decatur City Council

APPROVED:

Mayor, City of Decatur

ATTEST:

City Clerk, City of Decatur

Enacted and approved this 15th day of May, 2017, at Decatur

C. Resolution No. 17-91 -

17-91 : Approve expenditure not to exceed \$75,000 for road improvements to Decatur Cemetery (to be paid from the Perpetual Care Fund)

(Requested by Tab Bowling, Mayor's Office)

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

RESOLUTION

17-91

APPROVE EXPENDITURE NOT TO EXCEED \$75,000 FOR ROAD IMPROVEMENTS TO DECATUR CEMETERY (TO BE PAID FROM THE PERPETUAL CARE FUND)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA, that the Mayor, on behalf of the City is authorized to take the necessary steps to

coordinate and expend up to \$75,000.00 for road improvements at the Decatur City Cemetery as part of the privately funded major improvements project fostered by the Baker family at the Cemetery's various entrances, with the money to be paid from the Decatur Cemetery Perpetual Care Fund.

Adopted this 15th day of May, 2017.

Enacted and approved this 15th day of May, 2017, at Decatur

D. Resolution No. 17-99 -

Request to Alabama State Department of Veterans Affairs Re: Former Hartselle hospital

(Requested by Herman Marks, Legal Department)

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

**RESOLUTION
17-99
REQUEST TO ALABAMA STATE DEPARTMENT OF VETERANS AFFAIRS RE:
FORMER HARTSELLE HOSPITAL**

RESOLUTION

A RESOLUTION REGARDING THE ACQUISITION OF THE FORMER HARTSELLE HOSPITAL TO BE A VETERANS HOME

WHEREAS, our military wartime veterans have faithfully defended our great nation and guaranteed our peace and freedom at great personal cost; and

WHEREAS, we owe them our respect and appreciation and tangible help in their times of need; and

WHEREAS, we have elderly wartime veterans who are dying before they can get into a state veterans home because of long waiting lists of up to two years; and

WHEREAS, they face the potential loss of their homes and property to pay for their nursing home care in private homes if legally required by the state, or the sacrifices of their spouse who are elderly themselves and are not able to care for them;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Decatur, Alabama, that it requests the Alabama State Department of Veteran Affairs to consider the acquisition of the former 120 bed Hartselle Hospital and to consider pursuing state and federal funding in an expeditious manner for its renovation for use as a state nursing home for elderly wartime veterans who are in need of nursing care.

ADOPTED this 15th day of May, 2017.

Enacted and approved this 15th day of May, 2017, at Decatur

IX. ORDINANCES:

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)
(First Reading held on 5/1/17)

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

**ORDINANCE
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)

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

BE IT ORDAINED BY THE CITY COUNCIL OF DECATUR, ALABAMA, AS FOLLOWS:

Section 1. That Section 14-62.1 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Section 14-62.1

(a) In conformity with the provisions of Act 2017-120 enacted by the Alabama Legislature during the 2017 Regular Session, providing for a State Sales Tax Holiday, the City of Decatur, Alabama, exempts “covered items” from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the third Friday in July of each year and ending at twelve midnight the following Sunday.”

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2017-120, as last amended.”

Section 2. The City Clerk is hereby authorized and directed to certify a copy of this Ordinance under the seal of the City of Decatur, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 3. This ordinance shall become effective upon its approval and publication as provided by law.

ADOPTED this ____ day of May 2017.

APPROVED this ____ day of May 2017.

Mayor

ATTEST:

City Clerk

BE IT ORDAINED BY THE CITY COUNCIL OF DECATUR, ALABAMA, AS FOLLOWS:

Section 1. That Section 14-62.1 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Section 14-62.1

(a) In conformity with the provisions of Act 2017-120 enacted by the Alabama Legislature during the 2017 Regular Session, providing for a State Sales Tax Holiday, the City of Decatur, Alabama, exempts “covered items” from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the third Friday in July of each year and ending at twelve midnight the following Sunday.”

(b) This section shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2017-120, as last amended.”

Section 2. The City Clerk is hereby authorized and directed to certify a copy of this Ordinance under the seal of the City of Decatur, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the

Department website.

Section 3. This ordinance shall become effective upon its approval and publication as provided by law.

ADOPTED this ____ day of May 2017.

APPROVED this ____ day of May 2017.

MAYOR

ATTEST:

City Clerk

Enacted and approved this 15th day of May, 2017, at Decatur

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)
(First Reading held on 5/1/17)

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

**ORDINANCE
17-4293
AMEND CODE OF DECATUR, ALABAMA SEC. 2-28.2 REGARDING AGENDA WORK
SESSION TIME CHANGE**

ORDINANCE NO. 17-4293-

**Amend Code of Decatur, Alabama Sec. 2-28.2 Regarding Agenda Work Session
time changeBE IT ORDAINED BY THE CITY COUNCIL OF DECATUR, ALABAMA, AS FOLLOWS:**

Section 1. That Section 2-28.1 of the Code of Decatur, Alabama is hereby amended to read as follows:

“Sec. 2-28.1. Agenda work sessions.

The council will hold an agenda work session at 5:00 p.m. on the closest Monday that is at least seven (7) days preceding the date of each regularly-scheduled council meeting for the purpose of reviewing the agenda for the regularly-scheduled council meeting, hearing public comment and other matters as deemed appropriate by the council. Agenda work sessions of the city council will be held on the seventh floor of city hall unless otherwise directed by the presiding officer. When the date and time of the agenda

work session is in conflict with a legal holiday, another scheduled agenda work session, a previously scheduled council meeting or a date and time when a quorum of the council is unavailable; the President of the Council may schedule that agenda work session at an alternative date and time. If the date and time of that agenda work session has not been otherwise scheduled pursuant to the above provisions it will be held one (1) hour before the related regularly-scheduled council meeting. Public comment at the agenda work session shall be limited to three (3) minutes per person upon recognition by the presiding officer.”

Section 2. This ordinance shall become effective on June 1, 2017.

ADOPTED this ____ day of May, 2017.

APPROVED this _____ day of May, 2017.

Mayor

ATTEST:

City Clerk

Enacted and approved this 15th day of May, 2017, at Decatur

C. Ordinance No. 17-4294 -

Approve Annexation Request: 352-17 - Millwood Property
(Requested by Karen Smith, Planning Department)
(First Reading held on 5/1/17)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Billy Jackson, District 1
SECONDER:	Kristi Hill, District 2
AYES:	Ard, Jackson, Hill, Bibbee, Kirby

**ORDINANCE
17-4294
APPROVE ANNEXATION REQUEST: 352-17 - MILLWOOD PROPERTY**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DECATUR, ALABAMA as follows:

Section 1. A written petition having been signed and filed by the owners of the below described property with the City Clerk, together with a map of the said territory showing its relationship to the corporate limits of the City of Decatur to which said property is proposed to be annexed, requesting that such below described property or territory be annexed to the City of Decatur, a municipal corporation, in the State of Alabama, which petition is brought under, and is found to comply fully with the provisions of Section 11-42-20 to Section 11-42-24, inclusive, Code of Alabama 1975, as amended, said property being contiguous to the present corporate limits, and it being in the public interest for such property to be made a part of the municipality in addition to the territory already within the corporate limits, the City Council of the City of Decatur does hereby assent to the annexation of said property or territory to the City of Decatur, and the corporate limits of the City of Decatur be and hereby are extended and rearranged so as to embrace and include such property, which is described as follows, situated in Morgan County, Alabama, to-wit:

A parcel of land lying in the NW $\frac{1}{4}$ of NW $\frac{1}{44}$, Section 26, Township 5 South, Range 5 West, Morgan County, Alabama, described as follows: Beginning at the NW corner of Section 26, Township 5 South, Range 5 West, and running east 475 feet to a point; thence turning an angle of 90° and running South 525 feet to the true point of beginning; thence continuing South 204.80 feet to the North margin of the Moulton-Decatur Road (Old Highway No. 24); thence turning an angle of $127^\circ 57'$; measured counter clockwise from back tangent and running southwesterly 167 feet to a point; thence turning an angle of $56^\circ 51'$ measured counter clockwise from the back tangent and running northwesterly 310.03 feet to a point; thence turning an angle of $85^\circ 12'$ measured counter clockwise from back tangent and running east 160 feet to the true point of beginning.

And

A tract of land lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, of Section 26, Township 5 South, Range 5 West, Morgan County, Alabama, described as follows: Beginning at the northwest corner of Section 26, Township 5 South, Range 5 West and running east along the section line 475 feet to a point; thence turning an angle 90° and running southerly 625.22 feet to the true point of beginning; thence continuing southerly 104.85 feet to the northerly margin of the Old Moulton-Decatur Road; thence turning an angle of $52^\circ 03'$ measured clockwise from back tangent and running northeasterly along the northerly margin of the Old Moulton-Decatur Road 38.30 feet to a point; thence turning an angle of $107^\circ 30' 38''$ measured clockwise from back tangent and running northwesterly 86.47 feet to the true point of beginning, subject to the right of way to Morgan County, Alabama, recorded in ROW Book 9 at Page 631 in the Office of the Probate Judge Morgan County, Alabama.

LESS AND EXCEPT:

A tract of land lying in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 26, Township 5 South, Range 5 West, described as beginning at the Northwest corner of Section 26, Township 5 South, Range 5 West, and running east along the section line 475 feet to a point, being a point of beginning of the tract hereby conveyed; thence turning an angle of 90° and running southerly 525 feet to a point; thence turning an angle of $20^\circ 26' 22''$ and running southeasterly 169.34 feet to a point on the northerly margin of the Old Moulton Road, thence turning an angle of $107^\circ 30' 38''$ counterclockwise from the back tangent and running southwesterly along the northerly margin of said road 36.70 feet to a point; thence turning an angle of $107^\circ 30' 38''$ clockwise from the front tangent and running northwesterly 186.69 feet to a point; thence turning an angle of $20^\circ 26' 22''$ and running northerly 6.31 feet to a point; thence northerly parallel to and 35 feet west of the east line as this tract as above described, 525 feet to a point of the north line of said Section 26, 35 feet west of the point of beginning; thence east 35 feet to the true point of beginning.

ADOPTED this day of May, 2017.

Authenticated:

Stacy Gilley, City Clerk

APPROVED this day of May, 2017.

Tab Bowling
Mayor of the City of
Decatur, Alabama

Enacted and approved this 15th day of May, 2017, at Decatur

X. ADJOURNMENT:

Having no further business the meeting adjourned with a motion by Hill and a second by Bibbee at 11:12 AM.