

CEDAR BLUFF TOWN COUNCIL MEETING
MONDAY, JANUARY 12, 2015 AT 5:30 PM

The Town Council of the Town of Cedar Bluff, County of Cherokee, State of Alabama, met in Regular Session in the Council Room at Town Hall, 3420 Spring Street, Cedar Bluff, Alabama on Monday, January 12, 2015 at 5:30 p.m. pursuant to notice duly posted as prescribed by law. Mayor Tammy Crane presided and called the meeting to order. Members in attendance were as follows:

Tammy Crane Mayor	Billie Burkhalter District 1
Dewayne Agan District 2	Jerry Sprayberry District 3
Norman Burton District 4	Leatha Harp District 5

The invocation was given by Leatha Harp

Mayor Crane led the Pledge of Allegiance.

1. Approval of Council Minutes from December 8, 2014

The motion to approve the minutes from December 8, 2014 was made by Norman Burton and seconded by Dewayne Agan.

Motion Carried (6-0)

A YE: Agan, Burton, Burkhalter, Harp, Sprayberry, Crane

NAY: None

ABSTAIN: None

2. Planning Commission Minutes from November 6, 2014 and December 4, 2014

The Planning Commission Minutes from November 6 and December 4 meetings were recognized.

3. Utility Board Minutes from November 18, 2014

The Utility Board Minutes from November 18, 2014 meeting were recognized.

4. Diane Glenn East Alabama Planning

Diane Glenn with East Alabama Planning Commission addressed the Council and presented them with several options for grants to apply for in the upcoming year.

5. **Vickie Robinson Cherokee Herald**

Vickie Robinson with the Cherokee County Herald addressed the Council and asked them to participate again with the papers annual Review and Forecast Progress Edition publication. The Council agreed to do the same ad as the Town had last year at a cost of \$183.96. The Mayor stated she would like to use some newer pictures in the ad.

6. **Herb Sherwin – Requirements for City Engineer**

Herb Sherwin addressed the Council concerning the Town looking into acquiring the services of a Town Engineer. Councilmember Norman Burton asked Mr. Sherwin to further look into the matter and report back to the council. The services would be on a as needed basis.

7. **New Business**

a. **Financial Report for December**

The financial reports were distributed to the council for their review.

b. **Approval of New Bank Accounts for Municipal Court**

Mayor Tammy Crane stated due to the reestablishing of the Town's Municipal Court the town would need to open two new checking accounts. One for the Bonds and another for the court. Councilmember Billie Burkhalter made the motion to use Union State Bank and open the two accounts with the minimum to open the account for the Bond Account and \$3,000.00 to open the court account and Councilmember Norman Burton seconded the motion.

Motion Carried (6-0)

AYE: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

NAY: None

ABSTAIN: None

c. **Renaming of Spring Street**

Mayor Tammy Crane stated she wanted to bring before the Council the idea of renaming Spring Street in honor of past Mayor Martha Baker. She stated it would only be the first block which goes in front of Town Hall. She said she would like to name it Martha Vera Lane. Councilmember Norman Burton made the motion to rename the first block of Spring Street to Martha Vera Lane and Councilmember Dewayne Agan seconded the motion.

Motion Carried (5-0)

AYE: Agan, Burton, Harp, Sprayberry, Crane

NAY: None

ABSTAIN: Burkhalter

d. **Annexation Ordinances.**

Ordinances 2015-01, 2015-02, 2015-03 and 2015-04 was read by Town Clerk Susie Surrent as follows:

Ordinance No. 2015-01

Annexation of Property for Robert J and Wendy Hall

WHEREAS, on the 7th day of November, 2014, Robert J. Hall and Wendy S. Hall, being owners of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the Town of Cedar Bluff; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Cedar Bluff; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Cedar Bluff and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20, Code of Alabama 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CEDAR BLUFF, ALABAMA, AS FOLLOWS:

Section 1. The Council of the Town of Cedar Bluff, Alabama, finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of the ordinance into the Town of Cedar Bluff.

Section 2. The boundary lines of the Town of Cedar Bluff, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Cedar Bluff, Alabama, and in addition thereto the following described territory, to-wit:

Said lands hereby conveyed being bounded on the North by the North boundary line of the Northeast Quarter of the Northeast Quarter of Section 35, Township 9 South, Range 10 East; bounded on the South by Lot Number 1 of Block A of Meadows Estates Subdivision as foresaid; and, bounded on the West by an existing public County Road.

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Cherokee County, Alabama.

Section 4. The territory described in this ordinance shall become a part of the corporate limits of Cedar Bluff, Alabama, upon publication of this ordinance as set forth in Section 3, above.

ADOPTED THIS THE _____ DAY OF _____, 2015.

The motion was made by Councilmember Norman Burton to accept Ordinance 2015-01 to annex into the Town said property of Robert J and Wendy Hall and Councilmember Dewayne Agan seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Ordinance No. 2015-02
Annexation of Property for Charles and Darlene Young.

WHEREAS, on the 12th day of November, 2014 Charles and Darlene Young, being the owners of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the Town of Cedar Bluff; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Cedar Bluff; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Cedar Bluff and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CEDAR BLUFF, ALABAMA, AS FOLLOWS:

Section 1. The Council of the Town of Cedar Bluff, Alabama, finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the Town of Cedar Bluff.

Section 2. The boundary lines of the Town of Cedar Bluff, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the Town of Cedar Bluff, Alabama, and in addition thereto the following described territory, to-wit:

Lot No. 1 in Block A, of the Meadows Estate Subdivision as the same appears of record in Plat Book 8 at page 29 in the Probate Office of Cherokee County, Alabama, being located partly in the Northeast Quarter of the Northeast Quarter of Section 35, and partly in the Northwest Quarter of the Northwest Quarter of Section 36, in Township 9 South, Range 10 East.

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Cherokee County, Alabama.

Section 4. The territory described in this ordinance shall become a part of the corporate limits of Cedar Bluff, Alabama, upon publication of this ordinance as set forth in Section 3, above.

ADOPTED THIS THE _____ DAY OF _____, 2015.

Motion was made by Councilmember Jerry Sprayberry to accept Ordinance 2015-02 to annex into the Town said property of Charles and Darlene Young and Councilmember Leatha Harp seconded.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Ordinance No. 2015-03
Annexation of Property for Ross and Fleta M. Clifton

WHEREAS, on the 17th day of December, 2014 Ross and Fleta Clifton, being the owners of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the Town of Cedar Bluff; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Cedar Bluff; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Cedar Bluff and it did further determine that all legal requirements for annexing said property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CEDAR BLUFF, ALABAMA, AS FOLLOWS:

Section 1. The Council of the Town of Cedar Bluff, Alabama, finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the Town of Cedar Bluff.

Section 2. The boundary lines of the Town of Cedar Bluff, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the Town of Cedar Bluff, Alabama, and in addition thereto the following described territory, to-wit:

Lot No. 5 of the Trotter Subdivision according to the Plat or Plan of said Subdivision as the same appears of record in the Probate Office of Cherokee County, Alabama, in Plat Book 5 at page 56. Said lot of land lying in and being a part of the Northeast Quarter of Section 34, Township 9 South, and Range 10 East.

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Cherokee County, Alabama.

Section 4. The territory described in this ordinance shall become part of the corporate limits of Cedar Bluff, Alabama, upon publication of this ordinance as set forth in Section 3, above.

ADOPTED THIS THE _____ DAY OF _____, 2105

The motion was made by Councilmember Norman Burton to accept Ordinance 2015-03 to annex into the Town said property of Ross and Fleta M. Clifton and the motion was seconded by Councilmember Leatha Harp.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Ordinance No. 2015-04
Annexation of Property for Ronald D. and Margie N. King

WHEREAS, on the 16th day of December, 2014 Ronald D. and Margie N. King, being the owners of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the Town of Cedar Bluff; and

WHEREAS, said petition did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Cedar Bluff; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Cedar Bluff and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF CEDAR BLUFF, ALABAMA, AS FOLLOWS:

Section 1. The Council of the Town of Cedar Bluff, Alabama, finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the Town of Cedar Bluff.

Section 2. The boundary lines of the Town of Cedar Bluff, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the Town of Cedar Bluff, Alabama, and in addition thereto the following described territory, to-wit:

Lot No. 13 of Wild Acres Subdivision according to the plat or plan of said subdivision as the same appears of record in the Office of the Judge of Probate of Cherokee County, Alabama, in Plat Book 6, Page 20, as revised by a revision of a portion of said subdivision as the same appears of record in Plat Book 6, Page 26 in said Office. Said lot of land lying in and being a part of Section 34 and 35 in Township 9 South, Range 10 East, and Cherokee County, Alabama.

Lot No. 16 of Block A of McElrath Subdivision as the same appears of record in Plat Book 8 at Page 78 in the Probate Office of Cherokee County, Alabama. Said lot lies and is situated in the Northeast Quarter of the Northwest Quarter of Section 35, Township 9 South, Range 10 East, and Cherokee County, Alabama.

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Cherokee County, Alabama.

Section 4. The territory described in this ordinance shall become a part of the corporate limits of Cedar Bluff, Alabama, upon publication of this ordinance as set forth in Section 3, above.

Councilmember Billie Burkhalter made the motion to accept Ordinance 2015-04 to annex into the Town said properties of Ronald D. and Margie N. King and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None
Abstain: None

e. Approval of Letter from Corey Chambers

Mayor Tammy Crane stated the Town had received a letter from County Engineer Corey Chambers on his inspection of the construction of a subdivision road for Summer Breeze Subdivision. After discussion Councilmember Norman Burton made the motion to table the issue and Councilmember Billie Burkhalter seconded.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

f. Resolution 2015-01 to Surplus Town Property

Resolution 2015-01 was read by Town Clerk Susie Surrentt as follows:

RESOLUTION 2015-01

WHEREAS, the Town of Cedar Bluff, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF CEDAR BLUFF, ALABAMA AS FOLLOWS:

(SEE ATTACHED LIST OF ITEMS)

SECTION 1. That the Mayor and Town Clerk be, and they hereby are, authorized and directed to dispose of the personal property owned by the Town of Cedar Bluff, Alabama, described in Section 1.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2015.

MAYOR

S.E.A.L.
ATTEST:

TOWN CLERK

ITEMS TO BE SURPLUSED

2 30KW GENERATORS

Motion was made by Councilmember Norman Burton to surplus the items and seconded by Councilmember Dewayne Agan.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

g. Approval of Firefighters Deric Howard Guice & Eugene Smith

Councilmember Norman Burton made the motion to accept the firefighters pending the return of clear drug tests and background checks and Councilmember Dewayne Agan seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

8. Old Business

There was no old business.

9. Police Department Report for December 2014

The police report for December 2014 was presented as follows:

Incident/Offense		Arrest Reports	
Theft of Property	7	Public Intoxication	1
Domestic Violence	1	Poss. Of Marijuana	1
Burglary	1	Poss. Of Drug Para.	1
Other	9	DUI	1
Harassment	1		
Criminal Mischief	1		
Accident Reports		Traffic Citations	
Accident Reports	3	Speeding	0
		Leaving Scene	0
		Driving w/ Suspend	0
Town Limits		Police Jurisdiction	
	21		5

10. Fire Department Report for December 2014

The fire department report for December 2014 was read by Chief Matthew Sprayberry as follows:

Structure Fires	2
Grass Fires	1
Vehicle Wrecks	4

Medical Calls	5
Other	4
Total Incidents	16

11. Building Inspector Report for December 2014

Council was presented with the building inspector report for December 2014 as follows:

One Electrical Permit

12. Other Business

Councilmember Dewayne Agan at this time stated he felt the Town's Wrecker Rotation policy needed to be addressed due to a local wrecker service wanting to be on our rotation and due to our policy stating a wrecker service has to be on state rotation he was unable to be on ours. He felt the Town's policy should be more in line with other local policies. Councilmember Agan stated he would like to put this in a form of a motion and Councilmember Norman Burton seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

At this time Mayor Tammy Crane stated she wanted to announce the Town has hired two new Police Officers, Tom Duke and Leigha Blake.

Mayor Crane stated she has talked with Police Chief Steve Walden and discussed putting him on salary and they had agreed on a salary of \$48,000.00 yearly. Councilmember Norman Burton made the motion to put him on salary of \$48,000.00 a year and Councilmember Dewayne Agan seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Mayor Crane also stated at this time she wanted to bring before the council giving raises to Town employees for cost of living of .50 cents per hour. With the exception of Town Clerk, Susie Surrett and Assistant Town Clerk, Sabrina Minton who will be getting raises due to adding the Municipal Court. Councilmember Dewayne Agan made the motion to give the raises and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (6-0)

Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None
Abstain: None

Mayor Crane stated she would like to bring before the Council the need to give raises to the Town Clerk, Susie Surret and Assistant Town Clerk, Sabrina Minton due to the increase in work with the municipal court. Councilmember Norman Burton made the motion to table the raises till some numbers are gathered to see what starting salaries are for other towns and have a special called meeting to bring it back before the Council. Councilmember Dewayne Agan seconded.

Motion Carried (6-0)
Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane
Nay: None
Abstain: None

At this time Councilmember Norman Burton made the motion to go into executive session to discuss the good name and character of an individual.

Time out: 6:48pm Time returned: 6:57pm

Councilmember Norman Burton made the motion due to the ongoing legal matters with the Utility Board that it would be in the best interest of the town to hire an Attorney with municipal experience for the case and Councilmember Dewayne Agan seconded the motion.

Motion Carried (6-0)
Aye: Agan, Burkhalter, Burton, Harp, Sprayberry, Crane
Nay: None
Abstain: None

13. Adjourn

A motion was made by Norman Burton to adjourn.

Motion Carried

Approved February 9, 2015

Tammy Crane, Mayor

ATTEST

Susie Surrent, Town Clerk