

CEDAR BLUFF TOWN COUNCIL MEETING
MONDAY, MAY 9, 2016 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 Martha Vera Lane, Cedar Bluff, Alabama on Monday, Monday 9, 2016 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:

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

The invocation was given by Councilmember Leatha Harp.
Mayor Crane led the Pledge of Allegiance.

1. Approval of Council Minutes from April 2016 meetings

The motion to approve the minutes from the April meetings was made by Councilmember Norman Burton and seconded by Councilmember Jerry Sprayberry.

Motion Carried: 5-0

Aye: Burton, Burkhalter, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Absent: Sanders

2. Financial Reports for April 2016

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

3. Police Department Report for April 2016

The report was read by Fire Chief Shawn Rogers as follows:

Reports:

Theft: 1

Harassment: 1

Accident/Priv Prop: 1

Forgery: 1
Rec Stolen Prop: 1
Animal Control: 1
Other: 1

Arrests:

UPOCS: 2
UPODP: 2
DUI: 2
Attempt to Elude: 1
UPOM: 1
PI: 2
Rec Stolen Prop: 1
Felony Warrant: 2
Mis. Warrant: 4

Traffic Citations:

Speeding: 8
No insuranc: 2
Susp/Rev. DL: 2
Imp Lane Change: 1
Child Restraint: 2
DUI: 1

Traffic Accidents: 3

4. Ordinance 2016-01 Levying a Lodging Tax

Councilmember Norman Burton made the motion to dispense with the reading of the ordinance. The ordinance is as follows:

ORDINANCE 2016-01

AN ORDINANCE LEVYING A PRIVILEGE OR LICENSE TAX AGAINST PERSON, FIRMS, AND CORPORATIONS ENGAGED IN THE BUSINESS OF FURNISHING ROOMS, LODGINGS, OR ACCOMMODATION TO TRANSIENTS IN THE TOWN OF CEDAR BLUFF PROVIDING PENALTIES FOR THE VIOLATIONS FO THIS ORDINANCE.

BE IT ORDAINED by the Town Council of the Town of Cedar Bluff, in the State of Alabama as follows:

Section 1. DEFINITION. The following words, terms and phrases when used in this ordinance, shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning:

- (a) The term "person" includes any individual, firm, co-partnership, association, corporation, receiver, trustee, or any other group or combination acting as a unit and the plural as well as the singular number.
- (b) The term "town" shall mean the Town of Cedar Bluff, Alabama.
- (c) The term "tax year" or "taxable year" means the calendar year.
- (d) The term "taxpayer" means any person liable for taxes under the provisions of this ordinance.
- (e) The term "transient" shall mean a person renting a room for a period of less than thirty (30) continuous days in a hotel, motel, inn, tourist camp, tourist cabin or in any other place or establishment in which rooms, lodgings or accommodations are furnished for a consideration.

Section 2. LEVY OF THE TAX IN THE TOWN. For the privilege of engaging or continuing with in the Town in the business activities hereinafter referred to, there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross receipts as follows:

- a. There is hereby levied and imposed in addition to all other taxes of every kind now imposed by law, a privilege or license tax upon every person, firm, or proportion engaging in the business of renting or furnishing any room or rooms, lodgings or accommodations to transients in any hotel, motel, inn, tourist camp, tourist cabin or any other place in which rooms, lodging, or accommodations are regularly furnished to transients for a consideration, in an amount to be determined by the application of the rate of three percent (3%) of the charge for such room, rooms, lodging, or accommodations, and services furnished in such room. The tax shall not apply to

rooms, lodgings or accommodations supplied for a period of thirty (30) continuous days or more in any place.

Section 3. PROVISIONS OF STATE LOGGING TAX STATUTES APPLICABLE TO THIS ORDINANCE AND TAXES HEREIN LEVIED. This ordinance and the taxes herein levied shall be subject to all definitions, exceptions, exemptions, proceedings requirements, rules, regulations, provisions, penalties, fines and punishments, and deductions, that are applicable to the taxes levied by the State lodging tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the state lodging tax statutes for enforcement and collection of taxes.

Section 4. ADDING AMOUNT OF TAX TO PRICE. Any person on whom the taxes levied by this ordinance are imposed may add the tax herein to the receipt from rental of rooms, lodgings or accommodations and may collect the same from the occupants of such rooms, but this section is not mandatory.

Section 5. THIS ORDINANCE CUMULATIVE TO GENERAL LICENSE CODE. This ordinance shall not be construed to repeal any of the provisions of the general license code or ordinance of the Town, but shall be held to be cumulative, and the amounts of the taxes herein levied shall be in addition to the amounts of all other license taxes imposed by the Town, by its general license code or ordinance.

Section 6. SERERABILITY. Each and every provision of this ordinance is hereby declared to be an independent provision and the holding of any provision hereof to be void and invalid shall not affect any other provision hereof, and it is hereby declared that the other provisions of this ordinance would have been enacted regardless of any provision which might have been held invalid.

Section 7. EFFECTIVE DATE. This ordinance shall become effective on the first day of June 2016 and the first payment of taxes hereunder shall be due and payable on the 15th day of July 2016. This ordinance shall remain in full force and effect and shall apply to each month of the years 2016 beginning with the month of June 2016 and to each month and each calendar year thereafter from year to year.

ADOPTED AND APPROVED THIS 9TH DAY OF MAY, 2016.

Councilmember Norman Burton made the motion to adopt the ordinance and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (5-0)

Aye: Burkhalter, Burton, Harp, Sprayberry, Crane

Nay: None

Abstain: None

Absent: Sanders

At 5:38 pm, Councilmember Donald Sanders joined the meeting.

5. Citizens Comments – John Hyatt – Community Improvement Program

At this time Mr. Hyatt addressed the Council with a plan outline regarding various improvements the community improvement program would like to see accomplished around the town. He explained several areas that the group would like to focus on at the start of the plan. He explained that something in the service industry would be a good direction for the town to move in. He said the group is looking at what can be done to get moving in this direction.

6. Proposed Park Lease

At this time Councilmember Norman Burton explained to the council that some research had begun looking into do a park on the lake at the end of Reese St. He said the property belonged to Alabama Power and it would have to be leased by the town from them. He said would like to include an area for overnight camping by the day for RVs. Mayor Crane stated she had spoken with someone from Alabama Power and once the Council decided to go forward she would get with them again to see if the lease would be possible. Councilmember Norman Burton made the motion to approve the proposed park plan and pursue the lease with Alabama Power and Councilmember Billie Burkhalter seconded the motion.

Motion Carried (6-0)

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

Nay: None

Abstain: None

7. Other Business

Mayor Crane announced that it would be necessary to have a special called meeting next week for the LWCF grant for the park. It was decided to have the meeting on the 18th at 4:00 pm.

Next Mayor Crane asked Fire Chief Shawn Rogers to address the Council regarding the radios for the Cedar Bluff Fire Department. Chief Rogers explained that since the time the radios were applied CBVFD has gained 3 additional fire fighters. He stated he had the cost of the radios in his budget. He said the price for 4 radios, with a 45% discount would be \$6,015.92. Councilmember Leatha Harp made the motion to approve the purchase of the radios and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried: (6-0)

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

Nay: None

Abstain: None

Next Chief Rogers address the Council in regards to the purchase of radios for the Cedar Bluff Police Department. He stated that with the 45% discount, it would be the best opportunity for the Town to purchase the radios for the Police Department. He explained the purchase would be for 6 hand held and 5 mobile radios for a total cost of \$19,356.13. Mayor Crane stated this was not included in the Police Department budget so the funds would need to come from another fund. She suggested it should be taken for the alcohol fund. Councilmember Donald Sanders made the motion to purchase the radios using funds from the alcohol account and Councilmember Jerry Sprayberry seconded the motion.

Motion Carried (6-0)

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

Nay: None

Abstain: None

8. Adjourn

Councilmember Jerry Sprayberry made the motion to adjourn.

Motion Carried.

Approved: June 13, 2016

Tammy Crane, Mayor

ATTEST

Susie Surrect, Town Clerk