

MINUTES OF A REGULAR MEETING OF
THE MAYOR AND CITY COUNCIL OF
THE CITY OF HAMILTON, ALABAMA

November 3, 2008

The organizational meeting of the City of Hamilton Mayor and Council was held on Monday, November 3, 2008 at 6:00 p.m. in the auditorium of Hamilton City Hall. Those present were:

Mayor:	Bobby Holliday
Council:	McDavid Franks Scotty Sanderson Annette Sherrill April Steele Paul Stidham
City Clerk:	Jan Williams
Guests:	Many Family & Friends

Mayor Holliday welcomed all in attendance and introduced the 877th Engineering Battalion to present colors and led everyone in the Pledge of Allegiance. The Honorable John Bentley, Presiding Circuit Judge of the 25th Judicial Circuit then administered oaths of office to the Mayor, Council and City Clerk. This ceremony was ended by prayer by Bro. Todd Clippard.

At this time Mayor Holliday called the meeting to order.

April Steele made a motion that Annette Sherrill be appointed as Mayor Pro Tempore. This motion was seconded by Scotty Sanderson and passed unanimously.

Paul Stidham motioned for immediate consideration of Ordinance 2008-7- to amend the 2004 Ordinance for rules and procedure. Annette Sherrill seconded the motion which passed unanimously and the following Ordinance 2008-7 was presented:

ORDINANCE 2008-7
CITY OF HAMILTON
RULES OF PROCEDURE

BE IT ORDAINED BY THE COUNCIL OF HAMILTON, ALABAMA, that the order of procedure in all instances for meetings of the Council shall be as follows:

SECTION 1. That the rules of order of procedure herein contained shall govern deliberation and meetings of the Council of Hamilton, Alabama

SECTION 2. Regular meetings shall be held on the following dates: The first and third Monday nights of each month at 6:00 p.m.

SECTION 3. Special meetings may be held at the call of the presiding officer by serving notice on each member of the council not less than twenty-four hours before the time set for such special meetings; or special meetings may be held as provided by Section 11-43-50 of the Code of Alabama of 1975, whenever two Council members request in writing that the presiding officer call such meeting; upon the failure or refusal of the

presiding officer to call such meeting when requested, the two Council members making the request shall have the right to call such meeting.

SECTION 4. A quorum shall be determined as provided by Section 11-43-48 of the Alabama Code of 1975.

SECTION 5. All regular meetings shall convene at 6:00 p.m. o'clock at the City hall and all meetings, regular and special, shall be open to the public.

SECTION 6. The order of business shall be as follows:

1. A call to order
2. Roll call
3. Reading and approving of the last meeting's minutes
4. Reports of standing committees
5. Reports of special committees
6. Reports of officers
7. Hearings on petitions, applications, complaints, appeals, communications, etc.
8. Auditing accounts
9. Resolutions, ordinances, orders and other business

SECTION 7. No member shall speak more than twice on the same subject without permission of the presiding officer.

SECTION 8. No person, not a member of the council, shall be allowed to address the same while in session without permission of the presiding officer. Each person's address to the council shall be limited to a total of five minutes.

SECTION 9. Every officer, whose duty it is to report at the regular meetings of the Council, who shall be in default thereof, may be fined at the discretion of the council.

SECTION 10. Motions shall be reduced to writing when required by the presiding officer of the Council or any member of the Council. All resolutions and ordinances shall be in writing.

SECTION 11. Motions to reconsider must be by a member who votes with the majority, and at the same or next succeeding meeting of the Council.

SECTION 12. Whenever it shall be required by one or more members the "yeas" and "nays" shall be recorded; and any member may call for a division on any question.

SECTION 13. All questions of order shall be decided by the presiding officer of the council with the right of appeal to the council by any member.

SECTION 14. The presiding officer of the council, may at his discretion, call any member to take the chair, to allow him to address the council, make a motion or discuss any other matter at issue.

SECTION 15. Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the most distant day and the largest sum shall be first put.

SECTION 16. All meetings of the council shall be open to the public, except when the council meets in executive session as authorized by state law.

SECTION 17. The council may meet in executive session only for the purpose authorized by state law. When a council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the council shall vote in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the council shall resume its deliberation in public.

SECTION 18. A motion for adjournment shall always be in order.

SECTION 19. The rules of the council may be amended in the same manner as any other ordinances of general and permanent operation.

SECTION 20. The rules of the council may be temporarily suspended by a vote of two-thirds of the members present.

SECTION 21. The chairman of each respective committee, or the council member acting for him or her, shall submit or make all reports to the council when so requested by the presiding officer or any member of the council.

SECTION 22. All ordinances, resolution or propositions submitted to the council which require the expenditure of money shall lie over until the next meeting; provided, that such ordinances, resolutions or propositions may be considered earlier by unanimous consent of the council; and provided further, that this rule shall not apply to the current expenses of, or contracts previously made with, or regular salaries of officers or wages of employees of the city.

SECTION 23. The clerk, engineer, attorney, and chief of police and such other officers or employees of the City of Hamilton, shall, when requested, attend all meetings of the council and shall remain in the council room for such length of time as the council may direct.

SECTION 24. No ordinances or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread on the minutes.

SECTION 25. Robert's Rules of Order is hereby adopted as the rules of procedure for this council in those situations which cannot be resolved by the rules set out in this ordinance.

SECTION 26. This ordinance shall go into effect upon the passage and publication as required by law.

McDavid Franks motioned that said Ordinance 2008-7 be approved. April Steele seconded the motion. Voting was as follows: Ayes: Annette Sherrill, April Steele, McDavid Franks, Paul Stidham and Scotty Sanderson. Nays: None.

The following committees were appointed:

Downtown-sidewalks, cleaning streets, etc- Chairman McDavid Franks, April Steele
& Scotty Sanderson

Cost Control-Chairwoman Annette Sherrill, April Steele & Scotty Sanderson

Law Enforcement-Chairwoman April Steele & Paul Stidham

Recreation-Chairman Scotty Sanderson, McDavid Franks & Paul Stidham

Building Inspection-Chairman Paul Stidham & Annette Sherrill

Seniors-Chairman McDavid Franks & Annette Sherrill

Next on the agenda was a motion by McDavid Franks to ratify the use of present depositories for the city funds until such time as the Mayor and Council shall permanently designate such depositories. Paul Stidham seconded the motion. Voting was as follows: Ayes: Mayor Holliday, Annette Sherrill, McDavid Franks, Scotty Sanderson and April Steele. Nays: None.

Annette Sherrill made a recommendation to re-appoint Jan Williams as City Clerk at her current rate of pay. McDavid Franks seconded the motion which passed without opposition.

Paul Stidham then made a motion to re-appoint Teena Fields Chief of Police at her current rate of pay. April Steele seconded the motion which passed unanimously.

The next item on the agenda was the recommendation to re-appoint Barron Wiginton as Chief of Fire at his current rate of pay. Scotty Sanderson made a motion to accept this recommendation. Annette Sherrill seconded the motion which passed without opposition.

Annette Sherrill made a motion that all employees continue in their respective duties temporarily pending such time as the Mayor and Council shall make permanent appointments. McDavid Franks seconded the motion. Motion passed unanimously.

A recommendation was made by April Steele that Mayor Bobby Holliday be appointed to the Northwest Alabama Gas District Board. Annette Sherrill made a motion that this recommendation be approved. McDavid Franks seconded the motion which passed without opposition.

The next item on the agenda was the recommendation by Mayor Holliday to appoint Guin, Cantrell & Company, LLC., as the City Accounting Firm. McDavid Franks made that motion with a second by Annette Sherrill. Voting was as follows: Ayes: McDavid Franks, Annette Sherrill, Paul Stidham & April Steele. Abstained: Scotty Sanderson. Motion passed by majority vote.

Mayor Holliday made a recommendation to appoint Wyatt Howell as the Municipal Judge. McDavid Franks made a motion that this recommendation be approved. April Steele seconded the motion. Voting was as follows: Ayes: McDavid Franks, April Steele, Paul Stidham & Annette Sherrill. Abstained: Scotty Sanderson. Motion passed by majority vote.

Mayor Holliday then recommended the reappointment of Hammitte & Hunt as legal counsel for the City of Hamilton. Paul Stidham made that motion. McDavid Franks seconded. Voting was as follows: Ayes: Paul Stidham, McDavid Franks, Annette Sherrill & April Steele. Abstained: Scotty Sanderson. Motion passed by majority vote.

Scotty Sanderson made a motion that the Minutes from the last meeting be approved. Motion was seconded by Annette Sherrill and passed unanimously.

Annette Sherrill made a motion that the Accounts Payable Bills be approved for payment with the exception of Marion County Commission's bills. McDavid Franks seconded the motion. All voted "Yes".

At this time Mayor Holliday and each of the Council Members addressed the audience expressing their heartfelt thanks to their family members and friends for their support, and pledged their commitment to work together for the betterment of the City of Hamilton. Also, everyone was invited to stay for refreshments and fellowship.

There being no further business to come before the council, Scotty Sanderson motioned that the meeting be adjourned. Following a second by Paul Stidham and a unanimous vote in favor, the meeting was declared adjourned.