

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

February 1, 2010

A regular meeting of the Mayor and City Council of Hamilton, Alabama was held on February 1, 2010 at 6:00 p.m. in the Auditorium of Hamilton City Hall. Mayor Holliday called the meeting to order and welcomed all guests. April Steele led the Pledge of Allegiance. McDavid Franks led the invocation. Those present were:

Mayor:	Bobby Holliday
Council:	McDavid Franks Scotty Sanderson Annette Sherrill April Steele Paul Stidham
City Clerk:	Jan Williams
Guests:	Eve Jackson Earl Yates Jewell Yates Donna Samples Tami Williams Susan Rice Sue Taylor Don Gann Alissa Brown Shannon Nichols

The first order of business was a motion by Annette Sherrill to approve the Minutes from the last meeting. Scotty Sanderson seconded the motion which passed unanimously.

McDavid Franks made a motion to approve the Accounts Payable Bills once the Council has an opportunity to review them. Paul Stidham seconded the motion and all voted in favor.

Annette Sherrill made a motion to approve Resolution number 2010-2-1 for the purpose of clarifying that Ordinance number 2009-23 repeals and replaces ALL existing sales/use tax ordinances for the City of Hamilton. April Steele seconded the motion and all voted "Yes".

THE CITY OF HAMILTON
RESOLUTION NO.: 2010-2-1

WHEREAS, the City of Hamilton determined that the City's present fiscal situation warranted an increase in the general sales tax from 2% to 3%;

WHEREAS, in accordance with said determination, the City of Hamilton passed Ordinance No. 2009-23;

WHEREAS, the City of Hamilton has been made aware of possible confusion with the said Ordinance No. 2009-23;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF HAMILTON, ALABAMA, that the City of Hamilton expressly states that after the passing of Ordinance 2009-23, the General Sales Tax collected by the City of Hamilton shall be 3% and not 2% or 5%;

BE IT FURTHER RESOLVED, that all other Sales Tax, Consumer and Sellers Use Taxes shall remain as they were prior to the passing of Ordinance 2009-23.

ADOPTED AND APPROVED THIS THE 1st DAY OF FEBRUARY, 2010.

Mayor J. ROBERT HOLLIDAY, II

ATTEST:

City Clerk

The next item on the agenda was a recommendation for immediate consideration of Ordinance number 2010-3 for the sale of unneeded property in the City of Hamilton, Alabama. Paul Stidham motioned to approve the recommendation and Scotty Sanderson seconded the motion. Voting was as follows: Ayes: McDavid Franks, Scotty Sanderson, Annette Sherrill, April Steele and Paul Stidham. Nays: None. Immediate consideration was then given to the following ordinance.

ORDINANCE NO. 2010-3

AN ORDINANCE FOR THE SALE OF UNNEEDED MUNICIPAL PROPERTY IN THE CITY OF HAMILTON, ALABAMA.

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

SECTION 1. It is hereby established and declared that the following described real property of the City of Hamilton, Alabama, is no longer needed for public or municipal purposes, to-wit:

**Approximately 20 acres off Steele Street in
Section 9, Township 11 South, Range 14 West in
the City of Hamilton, Alabama.**

SECTION 2. That the mayor and the city clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Hamilton, Alabama a warranty deed, a copy of which is on file in the office of the City Clerk, whereby the City of Hamilton, Alabama, does convey the premises described in Section 1, hereof to the highest sealed bid on the 8th day of March , 2010 at 10:00 a.m. Said City of Hamilton may reject any and all bids if the highest bid is less than adequate consideration. (\$30,000.00) minimum.

**ADOPTED AND APPROVED THIS THE 1st DAY OF February,
2010.**

Bobby Holliday
Mayor for the City of
Hamilton

ATTEST:

Annette Sherrill made a motion that the foregoing ordinance be approved. McDavid Franks seconded the motion which passed without opposition.

Annette Sherrill made a motion for the following appointments to the Industrial Development Board. Paul Stidham seconded the motion and all voted "Yes".

1. Brent Thompson (re-appoint) Term Expires 12-31-2015
2. Tony Avery Term Expires 12-31-2015

3. Clyde Sudduth (re-appoint) Term Expires 12-31-2015

Scotty Sanderson made a motion to replace the boiler heating system at the Hamilton Recreation Center at an approximate cost of \$18,000.00 to be paid out of the Capitol Improvement Fund. McDavid Franks seconded the motion and voting was as follows: Ayes: McDavid Franks, Scotty Sanderson, Annette Sherrill, April Steele and Paul Stidham. Nays: None.

McDavid Franks made a motion to accept Employee Ron Hylton's retirement letter effective February 28, 2010. Paul Stidham seconded the motion which passed unanimously.

McDavid Franks motioned to promote Rodney Williams as Water Department Manager for a probationary period of six months at which time they will review his salary. Scotty Sanderson seconded the motion and all voted in favor.

Scotty Sanderson made a motion to transfer Mark Collier to the Water Treatment Plant to train as an operator. April Steele seconded the motion which passed without opposition.

There being no further items on the agenda, Mayor Holliday announced that Senator Richard Shelby will be at the Hamilton City Hall February 13th, 2010 at 10:00 a.m. for a Town Hall Meeting. Mayor Holliday encouraged the public to attend the meeting.

Mayor Holliday then asked for comments from the guest in attendance. Donna Samples addressed the Council regarding neglected animals in her neighborhood. Tami Williams asked if the police department had contacted other residents where animals had no shelter.

Mayor Holliday also announced that President's Day is an official holiday for the City of Hamilton; therefore, the next city council meeting will be on Tuesday, February 16th, 2010 at 6:00 p.m.. There will be a Work Session on Monday, February 15th, 2010 at 5:30 p.m. to discuss the proposed zoning ordinance.

There being no further business, Scotty Sanderson made a motion that the meeting be adjourned. April Steele seconded the motion, following a unanimous consent in favor Mayor Holliday declared the meeting adjourned.

Mayor

City Clerk

Council:
