

**CITY COUNCIL MEETING
MINUTES OF PRE-COUNCIL MEETING – MONDAY, NOVEMBER 21, 2016
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Monday, November 21, 2016 in pre-Council meeting at 5:30 P.M. in the pre-Council Chamber of Hueytown City Hall.

The meeting was called to order with President Zinnerman and Council members Contorno, Crane, Jacks and Pickens present. Mayor Ware and City Attorney Jon Terry were present.

The purpose of the meeting was to discuss general municipal business and review the City Council agenda.

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**MINUTES OF CITY COUNCIL
CITY OF HUEYTOWN, ALABAMA
MONDAY, NOVEMBER 21, 2016**

A regular meeting of City Council of the City of Hueytown, Alabama was held in the Council Chamber of Hueytown City Hall on Monday, November 21, 2016. The meeting was called to order at 6:00 P.M. The invocation was given by Council member Contorno followed by the Pledge of Allegiance.

Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens were present. Mayor Ware and City Attorney Jon Terry were present.

1. APPROVAL OF MINUTES

Council member Pickens moved, seconded by Council member Crane, that the minutes of pre-Council Meeting held Tuesday, October 25, 2016; minutes of Regular Meeting held Tuesday, October 25, 2016; minutes of pre-Council meeting held Monday, November 7, 2016; minutes of Organizational Meeting – Regular Meeting held Tuesday, November 7, 2016 and minutes of Work Session held Monday, November 14, 2016 be approved as previously received and thereby dispensing with reading of the minutes. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the minutes approved.

2. MAYOR'S REPORT

Mayor Ware welcomed everyone. He informed that the last couple of weeks have been eventful noting he had attended an Alabama League of Municipalities Orientation Conference on November 10, 2016 in Birmingham and that it was very informative. He had attended a ribbon-cutting at TRC Studio, LLC, located at 260 Forest Road - formerly Merle Norman Cosmetic Studio which has a new owner, Ms. Taylor Cater. He noted he had attended a college softball scholarship-signing party for Nicole "Coco" Morrison who signed to play for Faulkner University; and then attended the musical "Hair Spray" performed by the talented students in the Hueytown High School drama program.

3. STANDING COMMITTEE REPORTS

There were no Standing Committee reports.

4. OFFICERS' REPORTS

There were no officers' reports. The Council received Court Department, Fire Department and Police Department reports for the month of October 2016 although these reports were not given verbally.

5. CORRESPONDENCE

- > ABC License Application: 2891 Allison-Bonnett Memorial Drive
Retail Beer (Off-Premises Only) and Retail Wine (Off-Premises Only)
Applicant: ALDI INC./Pfortmiller and Marshall Trade Name: ALDI Store 29

The Council received an ABC License Application (New) for 2891 Allison-Bonnett Memorial Drive, Hueytown, for Retail Beer (Off Premises Only) and Retail Wine (Off-Premises Only); Applicant: ALDI INC./Vice-President Terry Edward Pfortmiller – 40W 657 Prairie Crossing, Elgin, IL 60124 and Vice-President Troy David Marshall – 9695 Sapphire Ct., Brentwood, TN 37027; Trade Name: ALDI Store 29. Council member Crane moved, seconded by Council member Contorno, that the application be referred to the Public Safety Committee. President Zinnerman referred the application to the Public Safety Committee for processing and report back to the Council.

> Tax Refund Request: Centauri Specialty Insurance Company

The Council received a letter postmarked October 25, 2016 from Centauri Specialty Insurance Company, 5391 Lakewood Ranch Boulevard, Suite 303, Sarasota, FL 34240, requesting refund in the total amount of \$169.43 (\$15.51 for 2014; \$35.84 for 2015 and \$118.08 for 2016), for overpayment of Alabama Municipal Premium Tax for filed return(s) that erroneously included all premiums written in the City of Hueytown instead of only new premiums as outlined in AL Sec. 11-51-121(a). Payment of the tax amounts had been verified through the City Clerk. Council member Pickens moved, seconded by Council member Crane, that the request for refund be approved. Upon roll call, the motion unanimously carried.

> Charter Communications

The Council received notice dated November 4, 2016 from Charter Communications that a new channel (Fuse) will be added to Premiere Channels on or after December 6, 2016.

6. BILLS FOR APPROVAL

Council member Contorno of the Finance Committee announced that during the busy election month of August 3016, one List of Bills was inadvertently overlooked for approval; therefore, there are two Lists of Bills for consideration at tonight’s meeting – August 30, 2016/\$20,984.95 and November 21, 2016/\$136,179.26. He then moved, seconded by Council member Crane, that the two Lists of Bills be approved. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. The motion unanimously carried.

8-30-2016

===== TOTAL FUND TOTALS =====		
01	GENERAL FUND	12,137.26
11	7 CENT GAS TAX	2,400.00
13	EMERGENCY COMMUNICATIONS	3,068.56
16	U.N.I.T TASK FORCE	3,379.13

	GRAND TOTAL:	20,984.95

11-21-2016

===== TOTAL FUND TOTALS =====		
01	GENERAL FUND	44,977.29
11	7 CENT GAS TAX	12,451.66
13	EMERGENCY COMMUNICATIONS	4,877.97
14	4 CENT GAS TAX	20,356.76
15	GARBAGE FUND	53,265.83
17	CORRECTIONS FUND	249.75

	GRAND TOTAL:	136,179.26

7. – 7E. OLD BUSINESS – RESOLUTIONS TABLED NOVEMBER 7, 2016

Council member Crane moved to take Resolution No. 5539 from the table for consideration (tabled at the Council meeting of November 7, 2016). The motion was seconded by Council member Pickens and upon roll call, unanimously carried.

7A. RESOLUTION NO. 5539: CITY ATTORNEY - TERRY

Resolution No. 5539 was introduced to appoint Jon B. Terry, Bains and Terry, 1813 3rd Avenue, Bessemer, Alabama 35020, to serve as City Attorney of the City of Hueytown, and to appoint Jon B. Terry, Jon David Terry, Bains and Terry, to represent the City of Hueytown in all legal matters pertaining to the City of Hueytown and any subsequent City appeal cases in the Circuit Court of Jefferson County which originate in the Municipal Court of the City of Hueytown.

**RESOLUTION NO. 5539
CITY ATTORNEY**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA as follows:

THAT in an official meeting duly assembled, a quorum thereof being present,

THAT Jon B. Terry, Bains and Terry, 1813 3rd Avenue, Bessemer, Alabama 35020, is hereby appointed to serve as City Attorney of the City of Hueytown, Alabama and is hereby elected as duly qualified to hold office; and

FURTHER THAT Jon B. Terry, Jon David Terry, Bains and Terry, are hereby appointed to represent the City of Hueytown in all legal matters pertaining to the City of Hueytown and any subsequent City appeal cases in the Circuit Court of Jefferson County which originate in the Municipal Court of the City of Hueytown.

ADOPTED this 21st day of November, 2016.

Council member Pickens moved, seconded by Council member Contorno, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

7B. RESOLUTION NOS. 5540, 5541 AND 5542 – TAKE FROM THE TABLE

Council member Contorno moved to take Resolutions No. 5540 (Prosecuting Attorney), 5541 (Presiding Municipal Court Judge) and 5542 (City Engineer) from the table (*tabled at the Council meeting of November 7, 2016*). The motion was seconded by Council member Pickens and upon roll call, unanimously carried.

7C. RESOLUTION NO. 5540: PROSECUTING ATTORNEY - HESTER

Resolution No. 5540 was introduced to appoint Teresa Hester, 1351 Hueytown Road, Hueytown, Alabama 35023, as Prosecuting Attorney of the City of Hueytown.

**RESOLUTION NO. 5540
PROSECUTING ATTORNEY**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA as follows:

THAT in an official meeting duly assembled, a quorum thereof being present,

THAT Teresa Hester, **1351 Hueytown Road, Hueytown, Alabama 35023**, is hereby appointed as Prosecuting Attorney of the City of Hueytown, Alabama, and is hereby appointed as duly qualified to serve.

ADOPTED this 21st day of November, 2016.

Council member Jacks moved, seconded by Council member Crane, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

7D. RESOLUTION NO. 5541: PRESIDING MUNICIPAL COURT JUDGE - MOORE

Resolution No. 5541 was introduced to appoint L. Kenneth Moore, 1714 4th Avenue, Bessemer, Alabama 35020, to serve as Presiding Municipal Court Judge for the City of Hueytown, Alabama to serve for the following term: first Monday in November 2016 to the first Monday in November 2018 at such salary that is now fixed and as may be amended hereafter from time to time by the City Council.

**RESOLUTION NO. 5541
PRESIDING MUNICIPAL COURT JUDGE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA as follows:

THAT in an official meeting duly assembled, a quorum thereof being present,

THAT L. Kenneth Moore, 1714 4th Avenue, Bessemer, Alabama 35020, is hereby appointed to serve as Presiding Municipal Court Judge for the City of Hueytown, Alabama to serve for the following term: first Monday in November 2016 to the first Monday in November 2018 at such salary that is now fixed and as may be amended hereafter from time to time by the City Council.

ADOPTED this 21st day of November, 2016.

Council member Pickens moved, seconded by Council member Jacks, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

7E. RESOLUTION NO. 5542: CITY ENGINEER

Resolution No. 5542 was introduced to appoint Ronald Gilbert of Engineering, Environmental and Forestry Services Company (EEFS), 1930 2nd Avenue North, Suite 150, Bessemer, Alabama 35020, as City Engineer of the City of Hueytown, Alabama.

**RESOLUTION NO. 5542
CITY ENGINEER**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA as follows:

THAT in an official meeting duly assembled, a quorum thereof being present,

THAT Ronald Gilbert of Engineering, Environmental and Forestry Services Company (EEFS), 1930 2nd Avenue North, Suite 150, Bessemer, Alabama 35020, is hereby appointed as City Engineer of the City of Hueytown, Alabama and is hereby elected as duly qualified to hold office.

ADOPTED this 21st day of November, 2016.

Council member Crane moved, seconded by Council member Contorno, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

8. RESOLUTION NO. 5545: LIBRARY BOARD APPOINTMENT/MINK

Resolution No. 5545 was introduced to appoint Judy W. Mink of 3609 Memory Lane, Hueytown, Alabama, (District Four), to the City of Hueytown Public Library Board to fulfill the unexpired term of Lela M. "Sis" Lucas (D-4) (who resigned from the Board effective September 15, 2016) with term to expire April 30, 2019. *NOTE: All terms end on their statutory date regardless of the date on which the new member's term begins.*

RESOLUTION NO. 5545**LIBRARY BOARD APPOINTMENT/MINK (D-4)**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, AS FOLLOWS:

THAT Judy W. Mink of 3609 Memory Lane, Hueytown, Alabama, (District Four), a qualified elector (registered voter), is hereby appointed to the City of Hueytown Public Library Board to fulfill the unexpired term of Lela M. "Sis" Lucas (D-4) (who resigned from the Board effective September 15, 2016) with term to expire April 30, 2019. *NOTE: All terms end on their statutory date regardless of the date on which the new member's term begins.*

ADOPTED this 21st day of November, 2016.

Council member Jacks moved, seconded by Council member Crane, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

9. **RESOLUTION NO. 5546: E-911 AGREEMENT AND ASSIGNMENT OF FUNDS
EMERGENCY COMMUNICATION DISTRICT (ECD) ALABAMA'S
NEXT GENERATION EMERGENCY NETWORK (ANGEN)**

Resolution No. 5546 was introduced to authorize the Mayor, as President of the City of Hueytown's E-911 Board of Commissioners, to execute an "Agreement and Assignment of Funds" contract provided by the Alabama Statewide 911 Board for continued funding of the Alabama Next General Emergency Network ("ANGEN").

**RESOLUTION NO. 5546
E-911 AGREEMENT AND ASSIGNMENT OF FUNDS
EMERGENCY COMMUNICATION DISTRICT (ECD)
ALABAMA'S NEXT GENERATION EMERGENCY NETWORK (ANGEN)**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, that the Mayor, as President of the City of Hueytown's E-911 Board of Commissioners, is hereby authorized as Representative of the Emergency Communications District to execute the "Agreement and Assignment of Funds" contract provided by the Alabama Statewide 911 Board for continued funding of the Alabama Next General Emergency Network ("ANGEN").

ADOPTED this 21st day of November, 2016.

Council member Crane moved, seconded by Council member Pickens, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

10. **ORDINANCE NO. 16-1121-1: AMEND BUSINESS LICENSE SCHEDULE –
MOBILE FOOD SERVICES/FIRST READING**

Ordinance No. 16-1121-1 was introduced to amend the City's Business License Schedule to change business license classification Code 722330 regarding Mobile Food Services. Upon Public Hearing, there was no one present for or against the ordinance. Council member Contorno moved, seconded by Council member Crane, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Zinnerman declared the Public Hearing closed.

11. **REMINDER - 2016 Holiday Season (Set at 10-25-2016 Council meeting)
(Monday, December 5, 2016 and Monday, December 19, 2016 - Mtgs. 6:00 P.M./Pre-Council Mtgs. 5:30 P.M.)**

President Zinnerman reminded that the 2016 Holiday Season meeting dates (approved October 25, 2016) are December 5, and December 19, 2016 with Council meetings to begin at the regular time of 6:00 P.M. and pre-Council meetings to begin at the regular time of 5:30 P.M. (and that the City Clerk has authority to pay usual customary bills as necessary in November 2016, December 2016 and January 2017).

12. EXTEND FLOOR TO THE PUBLIC

Prior to extension of the floor to the public, President Zimmerman reminded that anyone wishing to address the Council should state their name and address, and must be a resident of Hueytown in order to speak and should limit comments to three minutes.

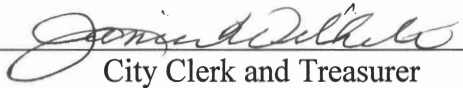
Upon extension of the floor to the public, Regina Evans, 919 Pinehaven Drive, Hueytown, invited everyone to meet with "Hueytown Life " volunteers regarding an Adopt-a-Mile program to promote a series of roadside clean-ups in December 2016, February 2017 and April 2017.

Matthew Rutherford, 240 Crossway Drive (Dolomite area), President of Neighborhood Watch in his area, voiced support for the new Mayor.

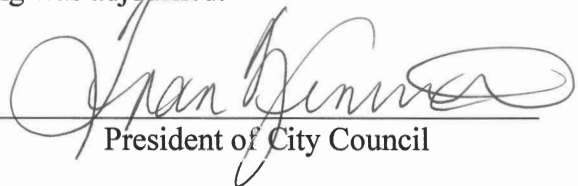
Roger James, 408 Wright Avenue, Hueytown, asked Atty. Jon Terry how many of the Council members he represents. Atty. Terry informed that is attorney-client privileged information and could not be disclosed without the express consent of the client.

13. ADJOURNMENT

There being no further business to come before the meeting, and upon the motion of Council member Pickens which unanimously carried, the meeting was adjourned.



City Clerk and Treasurer



President of City Council