

**CITY COUNCIL MEETING
MINUTES OF PRE-COUNCIL MEETING – MONDAY, MARCH 20, 2017
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Monday, March 20, 2017 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, MARCH 20, 2017**

A regular meeting of City Council of the City of Hueytown, Alabama was held in the Council Chamber of Hueytown City Hall on Monday, March 20, 2017. The meeting was called to order at 6:00 P.M. The invocation was given by Council member Crane 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 Jacks, that the minutes of the pre-Council Meeting held Tuesday, March 7, 2017 and the minutes of the Regular Meeting held Tuesday, March 7, 2017 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 thanked everyone for attending the meeting. He reported having attended the NLC (National League of Cities) Congressional City Conference held March 11 – 15, 2017. He noted that the conference was great and that the workshops were good networking for solutions to take back to cities to implement.

The Mayor presented a proclamation proclaiming the month of May 2017 as “Preeclampsia Awareness Month” to encourage efforts to reduce maternal and infant illness and mortality due to preeclampsia (formerly known as toxemia) and related hypertensive disorders of pregnancy.

At this time, Mayor Ware introduced Marquis Moore, a graduate of Hueytown High School, who is now employed with Honda North America. Mr. Moore informed that he had come to make Honda owners aware that there is a recall on airbags and although repeated notices have been sent, the records show that there are still about 2000 Honda vehicles (year models 2000 – 2003) in this area that are in the recall which have not been repaired. He was thanked for coming to Hueytown to let people know.

3. STANDING COMMITTEE REPORTS

Council member Pickens of the Planning and Development Committee reported that the Planning and Zoning Commission plans to address the food truck issue at its meeting tomorrow night.

There were no other Standing Committee Reports.

4. OFFICERS' REPORTS

There were no officers' reports.

5. CORRESPONDENCE

- > ABC License Application Transfer Application: 1561 Allison-Bonnett Memorial Drive Retail Beer (Off-Premises Only) and Retail Wine (Off-Premises Only)
Applicant: DIND Enterprises/Muigai Trade Name: CITGO FOOD MART
(Formerly Marathon Food Mart); Property Owner: PETROAMERICA, LLC

The Council received an ABC License Transfer Application for 1561 Allison-Bonnett Memorial Drive, Hueytown, for Retail Beer (Off Premises Only) and Retail Wine (Off-Premises Only); Applicant: DIND /Stephen Ndungu Muigai, Owner; Trade Name: CITGO FOOD MART (formerly Marathon Food Mart); Property Owner: PETROAMERICA, LLC. Council member Pickens moved, seconded by Council member Contorno, that the application be referred to the Public Safety Committee. President Zimmerman referred the application to the Public Safety Committee for processing and report back to the Council.

6. BILLS FOR APPROVAL

Council member Contorno moved, seconded by Council member Crane, that the List of Bills be approved in the total amount of \$383,881.50. Upon roll call, President Zimmerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. The motion unanimously carried.

3-20-2017

===== TOTAL FUND TOTALS =====		
01	GENERAL FUND	310,334.04
11	7 CENT GAS TAX	16,914.76
13	EMERGENCY COMMUNICATIONS	4,750.42
14	4 CENT GAS TAX	189.26
15	GARBAGE FUND	51,693.02
GRAND TOTAL:		383,881.50

7. RESOLUTION NO. 5567: LIBRARY BOARD REAPPOINTMENT/BROWN (D-5)

Resolution No. 5567 was introduced to reappoint John Alan Brown of 2697 Chesapeake Drive, Hueytown, Alabama 35023 (District 5), a qualified elector (registered voter), to the Hueytown Library Board to serve a term of four (4) years with term to expire April 30, 2021. (Current term expires 4-30-2017.) *NOTE: All terms end on their statutory date regardless of the date on which the new member's term begins.*

**RESOLUTION NO. 5567
LIBRARY BOARD APPOINTMENT/BROWN (D-5)**

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

THAT John Alan Brown of 2697 Chesapeake Drive, Hueytown, Alabama 35023 (District 5), a qualified elector (registered voter), is hereby reappointed to the Hueytown Library Board to serve a term of four (4) years with term to expire April 30, 2021. (Current term expires 4-30-2017.) *NOTE: All terms end on their statutory date regardless of the date on which the new member's term begins.*

ADOPTED this 20th day of March, 2017.

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

8. RESOLUTION NO. 5568: OPPOSING ALABAMA SB31 (HB58) EXEMPTS PRESCRIPTION DRUG SALES FROM CALCULATION OF GROSS RECEIPTS BUSINESS LICENSES

Resolution No. 5568 was introduced to express opposition to State Legislative SB31 (HB58) which exempts prescription drug sales from the calculation of gross receipts business licenses; and to oppose any similar legislation that would further restrict the municipality's authority to properly license business that is transacted within the municipality.

**RESOLUTION 5568
OPPOSING SB31 (HB58) WHICH EXEMPTS PRESCRIPTION DRUG SALES FROM
THE CALCULATION OF GROSS RECEIPTS
BUSINESS LICENSES**

WHEREAS, SB31 (HB58) exempts prescription drug sales from the calculation of gross receipts business licenses; and

WHEREAS, businesses that provide goods or services within the municipal corporate limits take advantage of the financial and other benefits they receive from the municipality including, but not limited to, the use of city streets and roads, the potential use of police and fire protection, and the potential use of city ambulances or rescue services; and

WHEREAS, revenue collected from business licensing provides a financial means for defraying the costs of providing essential services; and

WHEREAS, monies collected from business licensing are used not just for revenue purposes, but to protect citizens by helping provide services; and

WHEREAS, loss of revenue from the gross receipts licensing of prescription medications would currently cost the City of Hueytown approximately \$45,000.00 annually in general fund revenue; and

WHEREAS, legislatively carving out this type of business from the coverage of municipal business licensing creates fundamental unfairness to other businesses and is a slippery slope as other businesses and industries start to request similar legislative limitations on municipal license authority which could potentially cost the municipality a significant loss in revenue thereby resulting in a potential for devastating effects on the quality of life of our citizens.

NOW THEREFORE BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF HUEYTOWN expresses its strong opposition to SB31 (HB58) or any similar legislation that would further restrict the municipality's authority to properly license business that is transacted within the municipality.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF HUEYTOWN that its legislative delegation opposes the passage of SB31 (HB58).

ADOPTED this 20th day of March, 2017.

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

**9. RESOLUTION NO. 5569: SUPPORTING MINERS PROTECTION ACT - RETIREE
BENEFITS/U. S. CONGRESS - S175 (H.R. 179)**

Resolution No. 5569 was introduced to urge the United States Congress to pass S175 (H.R. 179) - the Miners Protection Act – to provide the full measure of retiree benefits for retired coal miners and widows.

**RESOLUTION NO. 5569
SUPPORTING MINERS PROTECTION ACT - RETIREE BENEFITS
U. S. CONGRESS - S175 (H.R. 179)
"KEEPING AMERICA'S PROMISE TO RETIRED COAL MINERS AND WIDOWS"**

WHEREAS, in 1946, faced with the prospect of a long strike that could hamper post-war economic recovery, President Harry Truman issued an Executive Order directing the Secretary

of the Interior to take possession of all bituminous coal mines in the United States and to negotiate with the United Mine Workers of America "appropriate changes in the terms and conditions of employment;" and

WHEREAS, after a week of negotiations, the historic Krug-Lewis agreement was announced and signed in the White House with Truman as a witness; and

WHEREAS, the agreement created a welfare and retirement fund that guaranteed lifetime payments to miners and their dependents and survivors in cases of sickness, permanent disability, death or retirement; and

WHEREAS, the agreement also created a separate medical and hospital fund; and

WHEREAS, in 1947, the government returned control of the mines back to their owners and a new collective bargaining agreement was reached with the companies that guaranteed retirement benefits to miners and their dependents and survivors for life; and

WHEREAS, for the next 70 years miners bargained for money to be dedicated to their health care in retirement, because they knew when they retired they would be sicker than the average senior citizen, with more nagging injuries and a greater risk of black lung or some other cardio-pulmonary disease; and

WHEREAS, the federal government has repeatedly confirmed its role in guaranteeing retirement benefits for coal miners, and

WHEREAS, in 1992 Congress passed and President George H.W. Bush signed into law the Coal Act, which established an industry-funded mechanism for paying for the health care of retirees whose companies had gone out of business, and

WHEREAS, in 2006, Congress and President George W. Bush amended the Coal Act to expand the financial resources available to the Fund; and

WHEREAS, a depression reigns in America's coalfields today, with tens of thousands of jobs eliminated, and

WHEREAS, multiple companies have filed for bankruptcy, and received approval from bankruptcy courts to shed their retiree obligations, leaving more than 26,000 retirees confronting the loss of their health care benefits; and

WHEREAS, like many other multiemployer pension funds, the UMWA 1974 Pension Fund lost a significant portion of its value in the 2008-09 recession and due to the devastation of the coal industry will not receive enough contributions from the employers to make up the shortfall, leading the Fund to likely become insolvent by 2022; and

WHEREAS, on December 9, 2016, Congress passed a Continuing Resolution (C.R.) to continue funding for federal programs and services until April 28, 2017, including a provision providing \$45 million for continued health care benefits for these retirees and their families until April 30, 2017, and

WHEREAS, Senators Joe Manchin (D-W.Va.) and Shelley Moore Capito (R-W.Va.) have introduced legislation, S. 175, the Miners Protection Act, co-sponsored by Republicans and Democrats that would amend the Coal Act to allow retirees from recently bankrupt companies to get health care coverage from the UMWA Health and Retirement Funds and would repurpose the balance of an existing appropriation to provide funding to shore up the Pension Plan; and

WHEREAS, Rep. David McKinley (R-W.Va.) has introduced the Miners Protection Act in the House as H.R. 179, co-sponsored by both Republicans and Democrats; and

WHEREAS, America's coal miners have sacrificed much for our nation, with more than 105,000 killed on the job in the last century and more than 100,000 having died from coal workers' pneumoconiosis, or Black Lung, and

WHEREAS, knowing those risks, miners have continued to go to work every day to provide for their families, build a secure future for themselves and produce the fuel that has allowed America to become the most powerful nation on earth;

NOW THEREFORE BE IT RESOLVED that America has an obligation to our retired coal miners for the sacrifices they have made for our nation, and be it further; and

FURTHER THAT the City Council of the City of Hueytown, Alabama hereby urges the United States Congress to pass the Miners Protection Act as soon as possible and provide the full measure of benefits these retirees were promised and have earned.

ADOPTED this 20th day of March, 2017.

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

10. ORDINANCE NO. 17-0320-1: ANNEX – 3024 KING STREET, BESSEMER, AL
TERRY AND LEE/FIRST READING

Ordinance No. 17-0320-1 was introduced to annex 3024 King Street, Bessemer, Alabama 35023; property of Luella M. Terry and Herman Leon Lee. Upon Public Hearing, there was no one present for or against the ordinance. Council member Pickens moved, seconded by Council member Crane, that the Public Hearing be closed. Upon roll call, the motion unanimously. President Zinnerman declared the Public Hearing closed.

11. ORDINANCE NO. 17-0320-2: ANNEX – 2614 MITCHELL ROAD, BESSEMER, AL
REID/FIRST READING

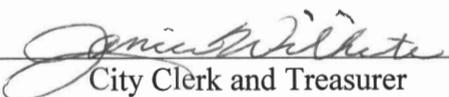
Ordinance No. 17-0320-2 was introduced to annex 2614 Mitchell Road, Bessemer, Alabama 35023; property of Vallie M. Reid. Upon Public Hearing, there was no one present for or against the ordinance. Council member Pickens moved, seconded by Council member Crane, that the Public Hearing be closed. Upon roll call, the motion unanimously. President Zinnerman declared the Public Hearing closed.

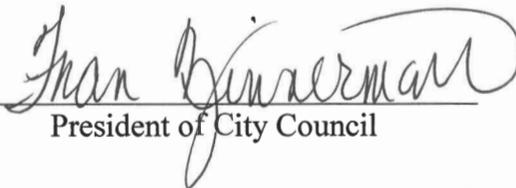
12. EXTEND FLOOR TO THE PUBLIC

Prior to extension of the floor to the public, President Zinnerman 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.

13. ADJOURNMENT

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


City Clerk and Treasurer


President of City Council