

MINUTES OF CITY COUNCIL MEETING

VALLEY GRANDE, ALABAMA

Regular Meeting

May 1, 2017

Call to order by Matt Dobbs, Mayor at 6:00 PM

Meeting held at Valley Grande City Hall

Minutes submitted by: Janet Frasier, City Clerk

Presiding: Matt Dobbs, Mayor

Invocation: Matt Dobbs

In Attendance:

| | |
|-------------------|---------|
| Matt Dobbs, Mayor | Present |
| Tim White | Present |
| Ronald Sawyer | Present |
| Lamar Morgan | Present |
| Tammy Troha | Present |
| Jimmy Johnson | Present |

Quorum was made with all council members present.

The minutes from the April 17, 2017 regular meeting were presented by Janet Frasier. Motion was made by Ronnie Sawyer to accept the minutes as presented. Lamar Morgan made the second. Motion carried by unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

The minutes from the April 26, 2017 special meeting were presented by Janet Frasier. Motion was made by Jimmy Johnson to accept the minutes as presented. Tim White made the second. Motion carried by unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Reports of Officers:

Boyd Pugh /Public Safety Director: Boyd Pugh reported 11 fire calls during the month of April.

Sam Smitherman/Building Inspector: Sam Smitherman reported 9 houses in construction at this time.

Tim White /Zoning, Annexation and Sewer System: Tim White stated that he had looked at the instructions with the flag pole and felt that the council members could install it themselves. He asked that the get together and install it instead of paying someone else to do it.

Tim reported that he has gotten quotes on a shed to be placed at the flight field. The quote from Alabama Power sports was \$2,955 for a 24x22x8' shed. The quote from A Plus Carport for a 22x21x8' shed was \$2,267.50.

Ronnie Sawyer made a motion to purchase the \$2,267.50 shed from A Plus Carport. Mayor Dobbs opened the floor for discussion and stated his concerns regarding the small amount of people that use the flight field. There were questions regarding the insurance required and the permitting process for the City. Ronnie Sawyer explained that he felt more people would use the flight field if there was a shed with electricity so that planes could be recharged.

Mayor Dobbs stated that he would like to use the storage shed for a dual purpose of storing the tractor and use for the flight field. There was also discussion of the placement of the shed.

There was no second to the motion. Motion failed.

Jimmy Johnson asked Ronnie and Tim to try to find out how many people would be interested in purchasing permits to use the flight field and report back to the council.

Ronald Sawyer / Beautification and Education: No report.

Lamar Morgan / Public Safety: Lamar reported that the training for Firefighter 1 and the instructor for the classes have been scheduled for the volunteer firemen. He stated that 10 people have signed up to participate in the class. The cost of the books are \$95 each and the instructor needs to be paid \$10 per hour. The class will be from June until December, 2017.

Lamar Morgan made a motion to amend the public safety budget \$3,000 to cover the cost of the books and the instructor. Jimmy Johnson made the second. Motion carried with unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Tammy Troha asked if there would be further incentives for the firemen after completing the class. Lamar explained that there were others that have already completed the course and are certified. Mayor Dobbs stated that the previous increase to \$40 per call and paying for the classes for them is the incentive given at this time.

Tammy Troha / Parks and Recreation: Tammy Troha stated that she would like to get trophies for the ball teams. All council members approved.

Tammy Troha further suggested that the Independence Day budget be spent to increase the fireworks show and no longer have the games and activities during the day. She stated that she will check with the person that currently does the fireworks and report back to the council with a plan.

Jimmy Johnson / Business and Community Development: Jimmy Johnson reported that the contract has been written to purchase the property adjacent to the Public Safety Building. It has been signed by the seller and asked each council member to sign the agreement as well.

Old Business: None

New Business:

Mayor Dobbs presented the council with the Franchise agreement with Charter Communications. The agreement states that Charter Communications will continue to pay the City of Valley Grande 3% of the gross revenues annually.

A motion was made by Ronnie Sawyer to increase the Franchise agreement to 5% of the gross revenue. Tim White made the second. Motion failed with a majority of the council voting Nay by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | | X |
| Tim White | | X |
| Ronald Sawyer | X | |
| Lamar Morgan | | X |
| Tammy Troha | | X |
| Jimmy Johnson | | X |

A motion was made by Tammy Troha to accept the Franchise agreement as presented with Charter paying 3% of the gross revenues annually. Lamar Morgan made the second. Motion carried with a majority of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | | X |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Mayor Dobbs presented the council with Resolution 2017-71 accepting a bid for the purchase of a diesel tractor. Jimmy Johnson made a motion to accept the bid submitted by Clanton Tractor & Equipment due to the PTO horsepower being higher, the quick disconnect front end loader and the upgraded transmission and adopt Resolution 2017-71. Lamar Morgan made the second. Motion carried with unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Mayor Dobbs declared Resolution 2017-71 adopted as attached to these minutes.

RESOLUTION NO. 2017-71

A RESOLUTION ACCEPTING A BID FOR THE PURCHASE OF A DIESEL TRACTOR.

WHEREAS, The City of Valley Grande has solicited sealed bids as required under the Alabama bid law; and

WHEREAS, bids were opened on April 28, 2017 at Valley Grande City Hall with two (2) bids submitted; and

WHEREAS, said bids were as follows:

| | |
|-----------------------------|-------------|
| SunSouth, LLC | \$31,656.49 |
| Clanton Tractor & Equipment | \$31,974.25 |

WHEREAS, the bids were transmitted to the council at the next meeting of the council following the bid openings,

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF VALLEY GRANDE, ALABAMA;
AS FOLLOWS:**

1. The bid submitted by Clanton Tractor & Equipment is hereby accepted as low bidder due to the PTO horsepower being higher, the quick disconnect front end loader and the upgraded transmission
2. The Mayor be and is hereby authorized to enter into a written agreement with Clanton Tractor & Equipment for the amount set forth hereinabove, and in accordance with the terms of the corresponding bid documents.
3. This resolution to become effective immediately upon adoption by the Mayor and Council.

Adopted this 1st day of May, 2017.

Tammy Troha requested that the insurance company be contacted to verify who can be insured to drive the tractor.

A motion was made by Tammy Troha to pay for the tractor out of the general fund. Lamar Morgan made the second. Motion carried with unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Mayor Dobbs presented the council with Resolution 2017-72 authorizing the mayor to execute and deliver the contract for the purpose of purchasing the land described in the attached contract and to execute such closing statements and closing documents as may be necessary or required to consummate the purchase transaction, and to pay, with City funds, the purchase price called for by the contract and all costs reasonably incurred by the City in connection with said purchase.

Tammy Troha made a motion to adopt Resolution 2017-72. Jimmy Johnson made the second. Motion carried with unanimous consent of the council by a show of hands vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | X | |
| Ronald Sawyer | X | |
| Lamar Morgan | X | |
| Tammy Troha | X | |
| Jimmy Johnson | X | |

Mayor Dobbs declared Resolution 2017-72 adopted as attached to these minutes.

RESOLUTION 2017-72

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALLEY GRANDE, ALABAMA

I, JANET FRASIER, the City Clerk for the City of Valley Grande, Alabama, an Alabama Municipal Corporation, do hereby certify that the following is a true and correct copy of a Resolution adopted by the members of the City Council for the City of Valley Grande, Alabama, at a meeting duly called and held, a quorum being present, in Valley Grande, Alabama, on May 1, 2017, and that such Resolution is now in full force and effect:

RESOLVED, that the Mayor of the City of Valley Grande, Alabama, Matt Dobbs, be and he is hereby authorized and empowered, for and on behalf of the City, to execute and deliver the contract attached hereto as Exhibit "A" for the purpose of purchasing the land described in the attached Contract for public purposes.

IT WAS FURTHER RESOLVED that the Mayor of the City of Valley Grande, Alabama, is hereby authorized and empowered, for and on behalf of the City, to execute such closing statements and closing documents as may be necessary or required to consummate the purchase transaction here approved, and to pay, with City funds, the purchase price called for by the contract and all costs reasonably incurred by the City in connection with said purchase.

DONE and CERTIFIED on May 1, 2017.

May 1, 2017

REAL ESTATE SALES CONTRACT

1. The undersigned, MAXINE C. STURDIVANT, agrees to sell, and THE CITY OF VALLEY GRANDE, ALABAMA, an Alabama Municipal Corporation, hereby agrees to purchase, on the terms hereafter stated, the following described real estate and mobile home (the Property) situated in Dallas County, Alabama:

SEE EXHIBITS "A" AND "A-1"

2. The Purchase Price is \$57,000.00, payable to Seller in cash at the time of closing.

3. Seller shall furnish Purchaser an abstract of title, commencing title at a point accepted by Purchaser, extended to date, showing good and merchantable title free from all liens and encumbrances other than the Permitted Exceptions (hereafter defined); otherwise, the earnest money shall be refunded.

4. The Property will be conveyed to Purchaser by Warranty Deed and Warranty Bill of Sale subject to the following title exceptions (the Permitted Exceptions): (i) general and special taxes and assessments for the current year and subsequent years; and (ii) all recorded restrictions, reservations, easements, and rights-of-way which are approved by Purchaser.

5. Ad valorem taxes affecting the Property shall be prorated between Seller and Purchaser as of the Closing Date.

6. Purchaser and its agents may go onto the Property prior to the Closing Date and conduct such inspections as Purchaser deems reasonably necessary.

7. The sale shall be closed and the deed and bill of sale delivered on or before 65 days from the date hereof (the Closing Date) at the law offices of Pilcher & Pilcher, P.C., 28 Broad Street, Selma, Alabama. The Closing Date may be advanced to an earlier date if Seller can obtain possession of the Property from the current tenant. Time is and shall be of the essence of this Contract.

8. The Property is now leased to a third party tenant. Seller shall terminate the lease and deliver possession of the Property to Purchaser on the Closing Date.

9. Purchaser agrees to pay the following closing costs: (i) deed preparation charges due Pilcher & Pilcher, P.C.; (ii) survey costs; (iii) recording fees and deed taxes; (iv) attorney fees incurred by Purchaser; (v) abstract and title insurance charges; and (vi) all other costs incurred by Purchaser. Seller shall pay all costs incurred by Seller.

10. This Contract states the entire agreement of the parties relating to the purchase and sale of the Property, and merges in this Contract all statements, representations, and covenants heretofore made by the parties. All prior agreements, statements, representations, covenants, and understandings, oral or written, relating to the subject matter of this Contract are void and of no further force or effect. All amendments and alterations to this Contract shall be in writing and must be signed by all parties to this Contract.


11. This Contract shall inure to the benefit of and shall be

binding upon the parties and their respective heirs, successors, assigns, and legal representatives.


12. This Contract is made in Alabama and shall be construed in accordance with the laws of Alabama.

13. If, prior to the Closing Date, the mobile home located on the Property is damaged or destroyed Purchaser shall have the right to terminate this Contract by written notice to Seller.


14. No provision of this Contract shall be construed for or against any party by reason of authorship of any provision.


MAXINE C. STURDIVANT

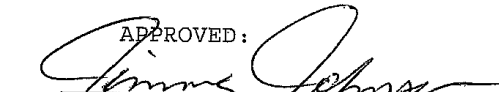
ATTEST

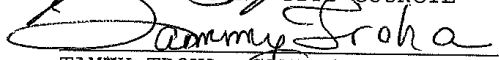

CITY CLERK FOR THE CITY OF
VALLEY GRANDE, ALABAMA

THE CITY OF VALLEY GRANDE,
ALABAMA

BY: 
MATT DOBBS, MAYOR OF THE
CITY OF VALLEY GRANDE, ALABAMA

APPROVED:


JIMMY JOHNSON, CITY COUNCIL


TAMMY TROHA, CITY COUNCIL


LAMAR MORGAN, CITY COUNCIL


TIM WHITE, CITY COUNCIL



RONALD SAWYER, CITY COUNCIL

Exhibit "A"

Commencing at the Northwest corner of Section 5, T17N, R11E, Dallas County, Alabama; thence run S 89°15'58"E for 67.69 feet to an old iron pipe on the southeast right-of-way of Alabama Highway No. 22; thence run S 25°27'52"W along said southeast right-of-way for 27.52 feet to an old iron pipe; thence continue along the said southeast right-of-way S 25°27'50"W for 371.19 feet to the Point of Beginning; thence run S 89°16'00" E for 342.56 feet to a set iron pipe; thence run S 24°28'24" W for 138.26 feet to a set iron pipe; thence run N 89°16'00" W for 346.72 feet to a set iron pipe on said southeast right-of-way; thence run N 26°55'23" E along the said right-of-way for 54.32 feet to a set iron pipe; thence run N 25°27'50" E along said southeast right-of-way for 85.68 feet to the Point of Beginning. Said described property contains 1.00 acre, more or less, and lies partly in the NW1/4 of NW1/4 of Section 5, T17N, R11E, and partly in the NE1/4 of NE1/4 of Section 6, T17N, R11E, Dallas County, Alabama.

EXHIBIT "A-1"

One (1) 1996 28 X 60 Chandeleur mobile home, VIN Number CH-2-AL02929A&B.

Janet Frasier explained to the council that Chad Scott with Aqua Products has been helping to resolve some of the problems that with the chlorination at the sewer lagoon. Mr. Scott also has set up a webinar for the employees and any council members that would like to attend. The webinar will explain the bio dredging and how it is more cost effective than mechanical dredging. The webinar will be Friday morning, May 5th at 9:00 am.

Janet explained that EMC had suggested that we install water lines from the street to the sewer lagoon to be able to control the water level in the lagoon. Boyd Pugh stated that he thought we should probably wait until Chad has had time to make further suggestions.

Ronnie Sawyer stated that residents in the Rountree Drive area have expressed concerns regarding the possibility of a mobile home subdivision in their area. He asked if the council could consider zoning areas to restrict mobile homes in certain areas of town. Mayor Dobbs explained that at this time there has not been a request for a subdivision to be considered nor have any permits been applied for in that area.

Mayor Dobbs further explained that the State of Alabama requires the City Council to appoint a Zoning and Planning Commission to prepare zoning. He has spoken to a civil engineer regarding the process of having an entire City plan with zoning prepared. Mayor Dobbs stated that surveys, proposals and plans for zoning the city could be considered in the future but the city would have to follow the proper steps required.

Tim White stated that residents had requested that a house on Highway 22 next to the Volunteer Fire Department be considered for condemnation. Mayor Dobbs requested Sam Smitherman evaluate the house and report back to the council.

Mayor Dobbs addressed the council regarding the annual school donations. He stated a letter has been received from the principal at Dallas County High School requesting that we continue with the \$6,000 donation previously given to them. The letter explained that the money helped pay for their Xerox machine and telephone bills. An email has been received from the principal at Martin Middle School thanking the city for its continued support of the schools and requesting the same. Mayor Dobbs met with the Superintendent and the Assistant Superintendent of the Board of Education.

He explained that the Dallas County School District IV encompasses Valley Grande and surrounding areas. However, residents of Valley Grande are zoned only for Dallas County High School, Martin Middle and Valley Grande Elementary. He further explained that the Superintendent of the Board of Education recommends that the City require a proposal and documentation to support the proposal from the schools for future donations.

Mayor Dobbs gave several options for the council to consider as to how to proceed with the donations to the schools. Jimmy Johnson made a motion that a letter be sent to all three schools asking for proposals and supporting documentation, by the end of July, to be evaluated by the council regarding the amount of the donations and the schedule of payment. Ronnie Sawyer made the second. Motion carried with majority consent of the council by a show of hands vote. Tim White abstained from the vote.

| <u>SHOW OF HANDS VOTE</u> | <u>YEA</u> | <u>NAY</u> |
|---------------------------|------------|------------|
| Matt Dobbs | X | |
| Tim White | Abstained | |
| Ronald Sawyer | X | |

| | |
|---------------|---|
| Lamar Morgan | X |
| Tammy Troha | X |
| Jimmy Johnson | X |

Mayor's Report: No report

There being no further business to come before the council, a motion to adjourn was made by Jimmy Johnson. Tammy Troha made the second. The motion was carried by unanimous consent of the council.

The meeting was adjourned at 7:45 PM.

Approved: _____
Matt Dobbs, Mayor

Attested: _____
Janet Frasier, City Clerk