

Minutes of the regular meeting of the Eva Town Council held on April 13, 2004, at 6:30 p.m. in the Eva Town Hall. Present: Mayor Gary Livingston, Council Members Bert Collins, Kent Chambers, Clarence Alexander, Brian Brown, James Henderson and Clerk Judy Fortenberry.

Guest: Joe Hill, Mike Miller and Joel Slaten

Mayor Livingston called the meeting to order. After roll call, informed all present that we open our meetings with prayer, if anyone objected, we would abstain from this practice at tonight's meeting. No one objected. Mayor asked Mr. Collins to open with prayer.

Mayor Livingston asked if everyone had read the minutes of the regular council meeting of March 9, 2004. Mr. Alexander motion to accept, Mr. Chambers seconded, carried.

A. FINANCE & EDUCATION - MR. CHAMBERS

No Report

B: UTILITIES – MR. ALEXANDER

Mr. Alexander reported that light on Lindler Street (John Smiths Drive Way) is going on and off.

C. STREETS, PARKS, & CEMETERIES – Mr. BROWN

Mr. Brown reported that vehicles are being parked on the walking trails near the playground. Work on the walking trail will begin this week. Rickey Frost is to give Brian a price on the French drain around the north side of the playground.

Also reported that baseball/softball season starts this coming weekend.

Reported that weights are needed on the new tractor, Brian will get price and order.

D. POLICE & FIRE – MR HENDERSON

Mr. Henderson reported that an ATV has been on the walking trail, what to do about it. Will report to the Deputy and ask him to patrol the area.

Mr. Henderson also reported that he had picked up 39 beer cans in the parking lot at the ballpark, he wanted to know if we could ask the Activities to pickup in this area.

E. RECREATION & SANITATION – MR. COLLINS

Mr. Collins discussed the Washington trip, and the ARC Grant Funds. Mr. Murphy will get deeds to the road going into the area of the sewer plant. Shannon Brown requested that he be permitted to plant grass on the land at the proposed sewer site. After discussion was decided for him to go ahead and plant.

REPORT OF SPECIAL COMMITTEES & OFFICERS

No Report

HEARINGS ON PETITIONS, APOLCS, COMPLAINTS, APPEALS, COMMUC. ETC

No Report

AUDITING ACCOUNTS – MOTION TO TRANSFER FUNDS & PAY BILLS

Motion to pay bills – Mr Chambers motioned to pay bills, Mr. Collins seconded, carried.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Mayor Livingston presented the quotes for the flooring for the Medial Building, Dentist Office, and the counter top quotes. Clerk was requested to call Larry Childers and get confirmation on his prices.

Mayor also presented bids for the security systems for buildings owned by the Town of Eva.

Work session to be called to work on the above projects.

Old Business:

Resolution Number: 02-04 Titled: Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for: Project Agreement for Amendment 666 Funds was presented by Council member Brown and read at length.

Council member Brown moved that the said resolution, giving number and title as introduced, be finally passed and adopted as introduced.

Council member Collins seconded this motion.

The presiding offer put the question of final passage and the adoption of said ordinance to vote of the council, and on call of the roll the results were as follows:

| | | | |
|--------------------------|-----|--------------------------|-----|
| Mayor Livingston | Yea | Council Member Alexander | Yea |
| Council Member Brown | Yea | Council Member Chambers | Yea |
| Council Member Henderson | Yea | Council Member Collins | Yea |

Presiding officer Mayor Livingston announced the result of the vote, and declared the Resolution finally passed and adopted.

Council member Collins moved that Ordinance – 03-03 Titled – An Ordinance Levying A License Tax On the Sale And Delivery Of Tobacco Products In The Town of Eva, Alabama, Requiring The Keeping of Records and making Reports, Proscribing Certain Acts and Omissions and Providing Punishments For Violations be finally passed and adopted as introduced.

Council member Brown seconded this motion.

The presiding officer put the question of final passage and the adoption of said ordinance to vote

of the council, and on call of the roll the results were as follows:

| | | | |
|--------------------------|-----|--------------------------|-----|
| Mayor Livingston | Nay | Council Member Alexander | Nay |
| Council Member Brown | Nay | Council Member Chambers | Nay |
| Council Member Henderson | Nay | Council Member Collins | Nay |

Presiding officer Mayor Livingston announced the result of the vote, and declared the ordinance failed to pass.

Mayor Livingston announced that the North Alabama Mayor's Association would hold their April meeting at Bobby's Fisherman Catch on April 15, 2004, asked council members if they would like to attend the meeting. Council member Brown and Clerk Judy Fortenberry will attend.

Mayor informed group that EPA has a workshop scheduled for May 12-13, in Destin, Florida, wanted to know if council wanted Town Clerk to attend. All voted no.

Mr. Brown motion to adjourn, Mr. Collins seconded, carried.

APPROVED

ATTEST: