

Minutes of the regular meeting of the Eva Town Council held on December 7, 1993, at 7:00 p.m. at Eva Town Hall with the following present: Mayor Livingston, Mr. Nichols, Mr. Collins, Mr. Smith, Mr. Alexander & Mr. Fowler. Also present from Library Board, Eloise Livingston and a guest, Joe Holmes from Joe Wheeler, EMC. After roll call and prayer by Mr. Alexander, Mayor Livingston gave the floor to Joe Holmes who presented to the council a pamphlet entitled Legislative Liaison being published quarterly and to keep co-op members such as the town informed of the issues affecting more than 100,000 electric consumers served by Joe Wheeler. He also stated that Circuit Judge David Rains had ruled that cities could tax the co-ops for use of the right-of-ways but was not sure when a settlement would be.

Mr. Nichols made motion to approve minutes of November 9th and December 7th, second by Mr. Collins, carried.

1. Finance & Education Report - Mr. Nichols

Library report by Eloise Livingston on statistics and circulation (copy on file). She also reported that several expensive books were checked out and never returned by one nursing student in Cullman County. A sample ordinance was presented (copy on file) concerning possible adoption by the Town of Eva in order to handle situations such as this when books are never returned. Mayor advised that he and the council would read and discuss all possibilities and would also check with Sheriff Crabbe for any type ruling.

Financial report for November was discussed and Mayor advised there would be a budget review in January as to future revenue & expense.

2. Utilities - Mr. Alexander

The following report was given:

- Old Town Hall has been painted, gutters repaired and caulking complete.
- Natural gas would be in the area by Spring supplied by Cullman-Jefferson Gas Company.
- Street light at Foodland needs possible replacement and would contact Joe Wheeler, EMC.
- Utility pole behind Eva Church of Christ would have to be moved to finish any paving. Clerk advised would write concerning the matter.

3. Streets, Parks & Cemeteries - Mr. Fowler

The following report was given:

- Hwy 55W patched in worst places but driveways were not repaired - residents are not happy about this.
- Phone company is working to repair junction box but not complete.
- Council needs to meet and plan future work with paving since Shelby Contracting had advised it needs to be on their schedule and planned. Mayor advised it would be reviewed in January.
- Dennis Johnson road is not complete because Shelby ran out of material.

4. Recreation & Sanitation - Mr. Collins

- Frontier Days committee reported to him that all expenses were paid.
- Some complaints from residents that several areas in town needed to be cleaned up.

5. Police & Fire - Mr. Smith

The following report was given:

- Since Mr. Smith is the new councilman, Mayor gave report. ISO report had been returned to Fire Dept. for additional information on water consumption and would have to be obtained from Cullman Water Dept.
- No police report.

6. No report from Special Committees

7. No report from Officers

8. Hearings on Petitions, Applications, Complaints, Appeals, Communc., etc.
- Mr. Nichols reported that there had been complaints that the parking curbs in front of Spices of Life Restaurant and being used by customers were actually City property. Mayor advised he would consult with Mr. Gregory, owner.

9. Auditing Accounts:

- After review of monthly expenses, Mr. Collins made motion to transfer funds and pay bills, second by Mr. Alexander, carried.

10. Resolutions, Ordinances, Orders & Other Business:

- Mayor advised council that the Industrial Development Board of Eva would be meeting in January with new Chairman, Ronnie Ryan, and they would be carrying out all duties set forth by this board.
- Fine Pine financial situation is not substantial and did not feel this would not be a good venture.
- After discussion concerning location of Mayor's office, Mr. Alexander made a motion to declare Eva Town Hall the Mayor's Office, Mr. Fowler second, carried.
- After review of Ordinance No. 93-1, concerning natural gas to the Eva area, it was adopted by unanimous consent. Councilmember Collins made motion that Ordinance No. 93-1 as introduced be passed and adopted. Councilmember Nichols second. Mayor Livingston ask for vote of council, and on call of roll the results were as follows:

Yeas: Nichols, Fowler, Alexander, Collins, Smith & Livingston

- After review of Ordinance No. -1 (1) as amended Section 7 concerning place of Town Council meetings and procedures, it was adopted by unanimous consent. Councilmember Alexander made motion that Ordinance No. 1 (1) as amended Section 7 as introduced be passed and adopted. Councilmember Smith second. Mayor ask for vote of council, and on call of roll the results were as follows:

Yeas: Nichols, Fowler, Alexander, Collins, Smith & Livingston

- Mayor reported that the certification program for Municipal Clerks would begin in February and explained importance of the Eva Clerk being certified. Clerk reported that exact expense was not available and had written for all information and availability of scholarships. Mr. Nichols made motion that Donna W. Ray, Eva Town Clerk should be able to attend classes for certification, Mr. Collins second, carried.

- There being no further reports, Mr. Collins made motion to adjourn, Mr. Alexander second, carried.

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Insert to the minutes - at this point before the Standing Committee Reports were given:

Councilman Larry J. Smith was sworn in since this meeting was the First regular meeting after election by the council.

Approved:

1/13/94

Attest:

Eva Town Clerk

December 7, 1993

MEMO TO: Mayor Livingston & Eva Town Council

SUBJECT: Resignation

Due to my election as a Councilman, I hereby offer my resignation from the Eva Industrial Board. This resignation is effective immediately.

Regards,

Larry W. Smith

**TOWN OF EVA**

P.O. Box 68 • Eva, Alabama 35621 • 205/796-7360

*"The Little Town With A Big Heart"*

O A T H O F O F F I C E

**STATE OF ALABAMA**

**COUNTY OF MORGAN**

**TOWN OF EVA**

I, \_\_\_\_\_ solemnly swear or affirm,  
that I will support the Constitution of the United States and  
the Constitution of the State of Alabama, so long as I continue  
a citizen thereof; and that I will faithfully and honestly  
discharge the duties of the office upon which I am about to  
enter, to the best of my ability, so help me God.

Sworn to and subscribed before me this 7 day of October, 1993.

EVA TOWN CLERK and  
Administering Officer