

Minutes of the Eva Town Council held on February 10, 1994, at the Eva Town Hall with the following present: Mayor Livingston, Mr. Nichols, Mr. Fowler, Mr. Alexander, late arrival Larry Smith. Also present was Martin Nelson concerning water rates in the Town of Eva. Meeting was opened with prayer by Mr. Nichols. After Mr. Fowler made motion to dispense reading of minutes, second by Mr. Nichols (carried) Mayor ask Mr. Nelson to present his concern.

Mr. Nelson stated that his water bill and many residents in Eva were in excess of normal rates. Namely, his bill averaged more than \$50.00 each month which meant he was suppose to be using more than 10,000 gal of water as other residents in Eva had also stated. He presented Council with a copy of the original contract from Cullman County Water System stating that rates would not increase without written consent from Farmers Home Administration - contract dated March, 1974. He also presented new rates as of June 26, 1989 with rates increased (copies attached). He had ask Jennifer Rodgers of Cullman Water Dept. for copies of the written approval and none was found. Also presented was copies of rates from different towns that was much lower than Cullman. He ask Larry Bennich, Morgan County Commisisoner if he would assist in the matter but Mr. Bennich stated it was out of his hands and that Cullman County Water Dept. was the source. Mr. Nelson ask Mayor if he would look into the matter maybe from a legal standpoint.

Mr. Alexander made motion to approve minutes of January 13th and February 1st, Mr. Fowler, second, carried.

#### 1. FINANCE/EDUCATION

- Mr. Nichols stated Mrs. Livingston was not present from Library Board and he had no report. Council reviewed finance report. Mayor stated General Fund C.D. would mature on Feb. 21, 1994. Mr. Alexander made motion for Mayor to seek best rates and make the decision on the best investment, Mr. Fowler second, carried.

#### 2. UTILITIES

- Mr. Alexander reported that the utility pole had been moved behind the Eva Church of Christ, cleaning service had been obtained for the Multi Purpose Center and an old refrigerator and file cabinet was at the carpet store that did not belong to Tommy Fowler. Mayor stated they were not property of town and ask Mr. Alexander if he would dispose of them.

- Mr. Alexander reported that William Neal was interested in a car wash at the Industrial Park. Mayor advised that Mr. Neal consult Ronnie Ryan on the Industrial Board.

#### 3. STREETS, PARKS, CEMETERIES

- Mr. Fowler stated that road banks were not cleaned off yet due to weather conditions and the phone company had not repaired the junction box. He advised Ricky Frost to haul gravel to a problem area at the entrance of John's Junque. He discussed the Horseshoe Pits with Mr. Henderson. Mr. Henderson did not know a cost for adding pits to the park, however, he would come talk to the council concerning this project at a later date when the town's revenue was better.

- Mr. Fowler had gotten an estimate to replace damaged gutters at Old Town Hall building. New tenants, Eva Carpet & Tile, had requested replacement along the long wall where the raising doors were located. Price on replacement by Graham Construction was \$160.00 for gutters and \$30.00 for screens. Mr. Fowler made motion to install, Mr. Nichols, second, carried.

Mayor advised that David Methvin, d/b/a Eva Carpet & Tile, would paint inside the building if the town would purchase the paint. Mr. Nichols made motion to do so, Mr. Fowler second, carried.

Mayor also advised that the town did not have a deed to the Ryan road and the town would not gravel or pave it without a deed. He also mentioned that the town did not have a deed to the Dennis Johnson road but he would check with the County on both roads to see if there was deeds to the County. Mayor suggested that the Street Committee, namely: Mr. Fowler, Mr. Nichols & Mr. Alexander, come up with guidelines pertaining to road paving.

4. POLICE/FIRE

- Mr. Smith ask Mayor to report on ISO inspection since he was involved in the inspection. Mayor stated that he hoped the Fire Dept. would receive a "5" rating for the town. Inspector had advised that the dept. needed better record keeping on equipment. He also stated that if the Fire Dept. would cover 85% of the structures in the city with large hydrants at 1,000 ft then the department would get a "5" rating. The department would lay out all this information when they hear from this ISO report.

- Mr. Smith advised council that the Busby's behind Johnny Stacey would run a 6" water line to their residence if the town would place a fire hydrant. Mayor advised that the town had made this agreement in the past and would place a hydrant there.

5. RECREATION/SANITATION

- Mr. Collins was absent due to sickness. Mayor advised that Debra Martin, Girl Scouts leader was seeking a project for the troupe. Mayor advised he would discuss this with Mr. Collins.

6. No report from Special Committee

7. No report from Officers

8. Hearing on Petitions, Appeals, Complaints, Appeals, Commun. etc

- Mayor advised he had not met with owner of Spices of Life concerning curbs but would at earliest convenience since the business had been closed for water damage.

9. Auditing Accounts.

- Mr. Fowler made motion to transfer funds and pay bills, Mr. Smith second, carried.

10. Resolutions, Ordinances, Orders & Other Business:

- Mayor presented amendment to Ordinance 90-1 (3) (As amended) Sections 2 & 3 pertaining to the Lease of Unneeded Property since Eva Carpet & Tile wanted to lease Old Town Hall. After reading of the Ordinance, Mr. Nichols made motion to adopt this Ordinance, Mr. Smith second, Mayor ask for votes by roll call as follows: Nichols - yea, Alexander - yea, Fowler - yea, Smith - yea, Livingston - yea. Unanimous consent passed the adoption of Amendment to Ordinance 90-1 (3) as amended.

- Mayor suggested that council consider salary increase for clerk since she had been employed six months. After discussion of pay increase, Mr. Nichols made motion to increase by \$1.00 per hour effective February 14, 1994, Mr. Alexander second, carried.

Mr. Alexander made motion to adjourn, Mr. Fowler second, carried.

# TOWN OF EVA

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

"The Little Town With A Big Heart"

ORDINANCE 92-1 (3) (As amended)

TITLE: An Ordinance amending Sections 2 & 3 pertaining to the Lease of Unneeded Property

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF EVA, ALABAMA, to amend Section 2 & 3 to read as follows:

SECTION 2. The Town of Eva, Alabama, having received an offer from A. C. Methvin & David Methvin, Owners of Capitol Carpets, d/b/a Eva Carpet & Tile, to lease that real property described in Section 1, above, it is hereby declared to be in the best interest of the public and the Town of Eva, Alabama, to lease said real property to A. C. Methvin & David Methvin, Owners of Capitol Carpets, d/b/a Eva Carpet & Tile, under the following terms and conditions, to-wit:

The term of this lease shall commence on the 1st day of March, 1994, at a monthly rental rate of \$250.00 per month for the next six months, then beginning September 1, 1994, a monthly rental rate of \$400.00 per month for a total period of 12 months lease, ending on the 28th day of February, 1995. Rent is payable to the Town Clerk on the 1st day of each month. Lease is renewable with an option to purchase that real property at the end of that 12 months. Lessor reserves the right to give Lessee 90-day notice of termination should property to sold. (see lease attached.)

SECTION 3. Pursuant to the authority granted by Section 11-47-21 of the Alabama Code of 1975, the Mayor of the Town of Eva, Alabama, is hereby directed to execute a lease agreement with A. C. Methvin & David Methvin, Owners of Capitol Carpets, d/b/a Eva Carpet & Tile, for the Town of Eva, Alabama, according to the terms set out in Section 2, above, and he is hereby authorized to execute said lease agreement in the name of the Town of Eva, Alabama.

ADOPTED AND APPROVED THIS THE 10<sup>th</sup> DAY OF February, 1994.

MAYOR

ATTEST:

EVA TOWN CLERK

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MAYOR

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EVA TOWN CLERK

