

Minutes of the regular meeting of the Eva Town Council held on January 13, 1998, at 6:30 p.m. in the Eva Town Hall. Present: Mayor Livingston, C. C. Mosteller, James Fowler, Clarence Alexander, Larry Smith, and Bert Collins. Also present, Athelia Gibbs, Friends of Eva Public Library; Ed Sims, Morgan County Revenue Officer; Darrell Haga, President of Eva Activities, and Steve Henderson, Eva resident.

After roll call, Mr. Collins opened with Prayer. Mr. Mosteller made motion to dispense reading minutes until hearing from guests, Mr. Fowler second, carried.

First to speak, Athelia Gibbs, Friends of Eva Public Library, advised council that she was present on behalf of Eva Public Library needing funds for an expansion to the library. As a library volunteer and a member of the Friends, she is asking for permission from the council to begin a fund raiser for an expansion project. More space is needed to shelve books and have the children's programs which includes crafts. Video equipment can not be carried upstairs nor is the upstairs handicap accessible. The upstairs section is mainly used for storage. Since only one volunteer works at a time, if that person is upstairs working it is impossible to know when patrons come in downstairs. In addition, space is needed for the additional computer received through the Gates Foundation. That computer will be received in April which includes internet. Connection for a phone line will be furnished but the monthly bills will not be included. The Friends of Eva Library realize that the town is limited on funds and are prepared to raise the funds if it takes two to three years. They would like to double the size of the present facility which would be open into the additional space.

The original drawings were picked up from the town clerk then Mrs. Gibbs discussed the addition with Harold Eddleman who drew the plans. Mr. Eddleman suggested going out the side but the Friends would like to go out the back of the building. Mrs. Gibbs added that she has a copy of the new Public Works Code of Alabama revised April 1997 and realizes that the new drawing may have to be certified. However, they plan to follow whatever guidelines are necessary for the addition. Mr. Eddleman has agreed to work on some plans but at present has a family medical problem. Mayor suggested that he, Mr. Mosteller, and Mr. Eddleman meet and discuss some possibilities.

Next to speak was Darrell Haga, President of Eva Activities. Mr. Haga expressed gratitude of the Eva Activities Association for cooperation and support from Eva Town Council concerning activities for children and youth in Eva. He expressed the long time need for basketball/tennis courts at the park. Size needed is 100' x 100' with a total cost of \$14,549.74 (estimate on file). The association received a grant of \$3250.00 toward this project. He has requested funds from Eva Lions Club and expects to receive \$1500 to \$2000 if approved. The members of Eva Activities are dedicated to activities for children and youth and have submitted a financial report for town records (copy on file). According to board requests, they plan to keep approximately \$7000.00 in their operating funds. They have applied for another grant of \$3250.00 for 1998 but will not receive funds until late fall. Total amount requesting from Eva Town Council is \$8000.00. Mayor asked if lights included in this price but Mr. Haga said they did not plan for lights immediately. Mayor then asked Mr. Haga to get an estimate on lights and installation for the courts. Mr. Haga advised that his term would expire in November and would like to see this project complete before then. Mayor advised that the budgeted funds for the park would be reviewed and then discussed.

Final guest to speak was Mr. Ed Sims, Morgan County Revenue Officer. Mr. Sims advised that town council needs to approve the contract agreement that Mr. Shinn, county attorney, has prepared and submitted to council. A signed agreement is necessary before his office can set up information, get materials printed, obtain information from town clerk, and send notices to businesses. He added that a separate post office box will be set up, a separate cash register for receipts, a deposit book for town's bank account, and a locking bank bag is necessary. These funds will be recorded in the deposit book with

a report of sales/use tax paid and delivered to the town clerk within ten days of that month's receipts. After the person transporting those funds and the clerk verify total receipts, town clerk will issue a receipt to Morgan County for those funds.

He advised that a resolution needs to be adopted by the Eva Town Council authorizing three Morgan County employees as License Enforcement Officers or License Inspectors to issue citations for delinquent privilege license in the Town of Eva, Alabama. Those officers would be Edward L. Sims, O'Neal Terry, and Alphonso Patterson. Also, he needs to know if they will be collecting the \$1.50 citation fee as set forth in the license ordinance.

After discussion, since the council has already approved Mayor entering a contract with Morgan County Commission to collect one cent Sales/Use tax and Rental Tax, Mr. Mosteller made motion that Mayor Livingston enter an agreement with Morgan County Commission authorizing Morgan County employees named Edward L. Sims, O'Neal Terry, and Alphonso Patterson as License Enforcement Officers or License Inspectors and issue citations for the Town of Eva, Alabama, Mr. Collins second, carried.

After reading minutes of December 9, Mr. Fowler referred to person named to repair the tractor was Sanford Smith not Joe Mead, Clerk made corrections to minutes, then Mr. Smith made motion to approve, Mr. Alexander second, carried. After reading minutes of called meeting on January 6, Mr. Collins made motion to approve, Mr. Fowler second, carried.

FINANCE & EDUCATION - MR. MOSTELLER

Mr. Mosteller stated that the library and finance topics has been discussed but he understands an agreement is needed from East Morgan IDB concerning the property sale at the industrial park. Mr. Smith advised that the board meets on Thursday, January 20 and he is suppose to get the necessary papers.

UTILITIES - MR. ALEXANDER

Mr. Alexander advised that he did not have a report and did not know of any utility problems. He added that the water bills in Eva are reasonable - at the present time.

STREETS, PARKS, & CEMETERIES - MR. FOWLER

Mr. Fowler advised that the walking trail did not wash any from the heavy rains. The picnic tables can be set next to the retaining wall but rock is needed to level the area. He added that Moses Road withstood the heavy rains therefore it must be repaired well. Repairs are needed on Highway 55. Mr. Collins advised that some drains need cleaned out from broken limbs. Mr. Mosteller added that he has looked at the Nutrition Site storage room that was flooded during the rains. There is water running into the room under the wall because the concrete drive under the canopy is higher than the building floor. Maybe clear caulking could be used to seal the wall.

POLICE & FIRE - MR. SMITH

Mr. Smith advised that the town still does not have a police contract from Morgan County Commission. He added that this needs to be discussed with Mr. Bennich. Mr. Smith did not know of any problems in the fire department.

RECREATION & SANITATION - MR. COLLINS

Mr. Collins advised that he picked up a report for a proposed sewer project from Brenda Horn of the Cullman Industrial Development Board. He has also asked for a water usage report on businesses in Eva from the Cullman Water Department. When the report is complete on water usage, he will pick it up

also. Mr. Collins then advised council that he will contact Mr. David Chaffin about the tire shop cleanup before the end of January.

NO REPORTS OF SPECIAL COMMITTEES & OFFICERS
NO HEARINGS ON PETITIONS, APPLCS., COMPLAINTS, APPEALS, COMMUNC., ETC.

AUDITING ACCOUNTS

Mr. Collins made motion to transfer necessary funds and to pay all bills, Mr. Mosteller second, carried

OTHER BUSINESS

Mr. Mosteller introduced Ordinance #98-1, Levying a Privilege, License or Excise Tax Against Persons, Firms or Corporations Storing, Using, Otherwise Consuming or Engaged in the Business of Selling Tangible Personal Property at Retail or Conducting Places of Amusement in the Town of Eva, Alabama; Providing for the Collection of the Said Tax; and Providing Penalties for the Violation of this Ordinance. Mr. Fowler moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of the ordinance at this meeting, be and the same are hereby suspended for the purpose of permitting the said ordinance to be finally passed and adopted at this meeting. Mr. Smith seconded this motion. Mayor Livingston asked for roll call vote follows:

Mayor Livingston - yea	Councilman Mosteller - yea
Councilman Fowler - yea	Councilman Alexander - yea
Councilman Smith - yea	Councilman Collins - yea

Mayor Livingston declared the motion adopted by unanimous vote of the members present.

Councilman Mosteller moved that the said Ordinance #98-1 as introduced, be finally passed and adopted as introduced. Mr. Collins seconded this motion. Mayor Livingston 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	Councilman Mosteller - yea
Councilman Fowler - yea	Councilman Alexander - yea
Councilman Smith - yea	Councilman Collins - yea

Mayor Livingston announced the result of the vote, and declared the ordinance finally passed and adopted, reference to Section 11-45-2, Code of Alabama, 1975, for the required vote on final passage.

Mr. Mosteller introduced Ordinance # 98-2, Levying and Imposing on Lessors or Renters of Tangible Personal Property an Additional License Based on the Gross Proceeds of Such Business of Leasing or Renting Tangible Personal Property. Mr. Alexander moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of the ordinance at this meeting, be and the same are hereby suspended for the purpose of permitting the said ordinance to be finally passed and adopted at this meeting. Councilman Smith seconded this motion. Mayor Livingston asked for roll call vote.

Mayor Livingston - yea	Councilman Mosteller - yea
Councilman Fowler - yea	Councilman Alexander - yea
Councilman Smith - yea	Councilman Collins - yea

Mayor Livingston declared the motion adopted by unanimous vote of the members present. Councilman

Mosteller moved that the said ordinance, #98-2 as introduced, be finally passed and adopted as introduced. Councilman Collins seconded this motion. Mayor Livingston put the question of final passage the adoption of said ordinance to vote of the council by roll call vote as follows:

Mayor Livingston - yea	Councilman Mosteller - yea
Councilman Fowler - yea	Councilman Alexander - yea
Councilman Smith - yea	Councilman Collins - yea

Mayor Livingston announced the result of vote, and declared the ordinance finally passed and adopted, reference to Section 11-45-2, Code of Alabama, 1975.

Mayor Livingston then added that the Alabama League Convention package will be received by end of January and needed to know who will be attending. Since there was lodging problems last year the league will be handling all reservations so names must be mailed to them prior to February 2. Clerk will check with councilman after the package is received.

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

Approved

2/10/98

Attest:

Eva Town Clerk