

Minutes of the regular meeting of the Eva Town Council held on March 10, 2003, at 6:30 p.m. in the Eva Town Hall. Present: Mayor Gary Livingston, council members C. C. Mosteller, Clarence Alexander, Brian Brown and Clerk Judy Fortenberry.

Guest: Garold Carnell, Jeff Frost and Jason Holmes

After roll call Mayor Livingston asked Mr. Mosteller to open the meeting with prayer.

Mr. Brown motion to dispense with reading of the minutes until after hearing from our guests, Mr. Alexander seconded, motion carried.

Mayor Livingston thanked everyone for coming to the meeting and reported that Mr. Carnell had the deed to the 12 acres that had been approved by the council to purchase. At this time Mr. Alexander presented and read at length Ordinance No. 03-02 – Titled: An Ordinance Authorizing the Mayor to Execute All Documents Necessary To Take Title To And Close The Transaction For The Purchase Of A Certain Parcel Of Real Property From Garold C. Carnell For the Sum Of \$66,000.

Council member Brown 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.

Council member Mosteller seconded this motion.

The question was put before the council and on roll call the vote was as follows:

| | | | |
|----------------------|-----|--------------------------|-----|
| Mayor Livingston | Yea | Council Member Mosteller | Yea |
| Council Member Brown | Yea | Council Member Alexander | Yea |

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

Council Member Mosteller moved that the said ordinance, Ordinance No. 03-02 as introduced, be finally passed and adopted as introduced.

Council Member Brown seconded this motion.

Mayor Livingston 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 | Yea | Council Member Mosteller | Yea |
| Council Member Brown | Yea | Council Member Alexander | Yea |

Mayor Livingston presiding officer announced the result of the vote, and declared Ordinance 03-02 finally passed and adopted.

Mayor accepted deeds to the 12 acres of land and presented a check in the amount of \$66,000 to Mr. Carnell.

Mr. Carnell left the meeting at 6:45 P.M.

Mayor turned the meeting over to Jason Holmes with the Park and Recreation Board. Mr. Holmes presented to the Council a drawing of the purposed building to enclose the existing batting cages at the ballpark. Two buildings were presented one being a 50' x 60' building which would leave approximately 14 feet between the fence and the building, the second building would be a 60' x 60' with 4 feet between the building and the fence. Mayor told them that we would have to keep an opening wide enough to exit the ballpark if an emergency call to evacuate that way. Both buildings would be the color of the existing buildings at the park and would have an 18" or a 24" drainage pipe under the building. After a lengthy discussion Mr. Brown motion to put up a 60' x 60' building with a 24" drainage pipe, Mr. Alexander second, carried. Mr. Frost will order the building. (See attached purchase order and price estimate).

Also mention at this time was the septic tank at the concession stand. Mr. Frost stated that it was not the concession stand tank, but the tank at the Community Center. Clerk will have Joe Hill check out the septic tank.

Mayor Livingston asked if everyone had read minutes of the February 10, regular council meeting. Mr. Brown motion to approve, Mr. Alexander seconded, carried.

A. FINANCE & EDUCATION - MR. MOSTELLER

Reported all is well with the finance and education program.

B. UTILITIES – MR. ALEXANDER

Mr. Alexander reported the light at the Earwood Building would be installed within the next few days. Also reported trees could not be cut on private property.

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

Mr. Brown reported that the soil samples from the ball fields had returned from Auburn and would be given to the company applying the fertilizer.

Also, reported that we need to purchase a box blade for the park, the one we have is beyond repair. A new box blade will cost around \$630 from Dixie Tractor.

Mr. Brown motion to purchase box blade from Dixie Tractor, Mr. Mosteller second, carried.

Clerk to check with Don Stisher on week killer for the park, make sure it will be safe for the children.

D. POLICE & FIRE – MR CHAMBERS

Mayor reported that the fire department had made two payments plus \$12,000 on the loan for the fire truck, for a total of \$46,567.30, which will leave a balance of \$45,000.

Mayor reported that 6 EMT, 3 structural fires, and 2 grass fires for the month of February.

E. RECREATION & SANITATION – MR. COLLINS

No Report

REPORT OF SPECIAL COMMITTEES & OFFICERS

No Report

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

No Report

AUDITING ACCOUNTS – MOTION TO TRANSFER FUNDS & PAY BILLS

Motion to pay bills – Mr. Mosteller motioned to pay bills, Mr. Alexander seconded, motion carried.

RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS

Dora Woodard and John Babchak Morgan County Board Of Education arrived at the meeting at 7:45 p.m.

Mayor reported that we had a problem with someone demonstrating in front of the Medical Building this past month. To prevent this happening again he had requested the Town Attorney Larry Madison to write an ordinance against such actions.

Ordinance Number 03-01 Titled: An Ordinance Requiring A Permit For Parades, Processions, Assemblies, Events and Demonstrations In Or Upon The Public Streets And Ways In The Town Of Eva, Alabama; Declaring It A Misdemeanor To Violate The Provisions hereof; and Providing Punishment For Violation. was introduced by Council Member Mosteller and read at length.

Council Member 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.

Council Member Brown seconded this motion.

The question was put before the council and on roll call the vote was as follows:

| | | | |
|----------------------|-----|--------------------------|-----|
| Mayor Livingston | Yea | Council Member Mosteller | Yea |
| Council Member Brown | Yea | Council Member Alexander | Yea |

Mayor Livingston presiding officer declare the motion adopted by unanimous vote of the members present.

Council Member Mosteller moved that the said Ordinance No. 03-01 as introduced, be finally passed and adopted as introduced.

Council Member Brown seconded this motion.

Mayor Livingston 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:

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|----------------------|-----|--------------------------|-----|
| Mayor Livingston | Yea | Council Member Mosteller | Yea |
| Council Member Brown | Yea | Council Member Alexander | Yea |

Mayor Livingston presiding officer announced the result of the vote, and declared Ordinance 03-01 finally passed and adopted.

Mayor reported that Don Murphy had called and would arrive around 8:30. Mayor called for a break at this time.

Sheila Bert Eva School arrived at 8:00 p.m. for the meeting.

Don Murphy arrived at the meeting at 8:35 p.m.; at which time the Mayor call the meeting to order. Mayor turned the meeting over to Mr. Murphy. Mr. Murphy presented a drawing of the purposed school building. The building will be a two-story building with lower grades on the ground floor and the older children on the second floor. Mr. Murphy stated that construction would start the day after school is out for summer break.

Mr. Murphy did ask the Council if they wanted the old agriculture building, he stated that the county did not have any money for the building. Mayor reported that we had been in touch with the Alabama Historical Commission and that they had no grant money available for any buildings at this time. Mr. Murphy stated that the committee evaluating the school buildings stated the agriculture building was the worst of all the building, and that it would take a lot of money to restore the building. The building would need to be moved or the new building relocated if the building remained in its present location.

After a lengthy discussion Mr. Mosteller motion to go along with Superintendent Don Murphy, Mr. Brown Second, carried.

Mr. Mosteller motion to adjourn, Mr. Brown second, carried.

APPROVED

ATTEST:

Eva Towfi Clerk