

MINUTES OF THE COUNCIL MEETING  
JUNE 9, 2014

The City Council of the City of Brewton, Alabama met in regular session at the Municipal Complex in said City on Monday evening, June 9, 2014 at 4:30 P.M. The meeting was called to order by Mayor Yank Lovelace, who presided as Chairman of the meeting. A Workshop was held in the afternoon at 3:30 P.M. with the same members present at roll call, as well as City Clerk John Angel. The upcoming Blacksher Lane sewer project, Non ATRIP paving, a transition to a different retirement system and a possible change in employee health care payments were discussed.

Councilman Littles then led the City Council and guests in the Pledge of Allegiance to the flag.

At roll call, the following persons were found to be present: Councilmen Frank Cotten, Bill Littles, Joe Watson, Fred Barton and Mayor Yank Lovelace. Absent was Councilman Pat Poole.

John F. P. Angel, City Clerk, was also present and acted as clerk of the meeting. A quorum being present, Mayor Lovelace announced that the meeting was open for transaction of business.

When Mayor Lovelace asked if there were any corrections to the minutes of May 27, 2014, there were none mentioned. As there was no discussion or changes to the minutes, Mayor Lovelace then asked if the Council would accept the May 27, 2014 minutes as presented.

A motion was made by Councilman Cotten and seconded by Councilman Littles to approve the minutes of the last Council Meeting as presented. Passed Una.

Mayor Lovelace then welcomed a number of visitors that were in the audience.

The Mayor then asked if the Council Meeting Agenda presented by the Clerk required any additions or deletions. City Clerk John Angel added a discussion about changing the date of the Regular Meeting scheduled for Monday, July 14, 2014. As there were no further items added or deleted, nor any discussion about the Agenda, a vote to approve the Agenda, as amended, was taken. Passed Una.

The only item under Old Business was a recommendation by the Committee of Councilmen Barton and Poole for a nominee to an upcoming Housing Board vacancy.

A motion was made by Councilman Barton and seconded by Councilman Watson to reappoint Billy Earl Cook to the Housing Board. Passed Una. This term is for five (5) years (June 9, 2019).

The first item under New Business was the approval of the City June 2014 Accounts Payable.

A motion was made by Councilman Watson and seconded by Councilman Barton to approve the City June 2014 Accounts Payable as presented. Passed Una.

City Clerk John Angel then took the floor and stated that the Brewton Natural Gas Department has two (2) instruments to sustain operations, those being a \$1.7 Million Line of Credit and a \$3 Million Letter of Credit. The original instruments were obtained from Bank Trust, which is now Trustmark Bank, and they require a Resolution to reissue these instruments. Mr. Angel then presented the following for approval.

**RESOLUTION NO. 14-0609**

**WHEREAS**, the Brewton Natural Gas Department maintains a Line of Credit and a Letter of Credit to support its operations; and

**WHEREAS**, the renewal of these instruments would constitute a Line of Credit for \$1.7 Million and a Letter of Credit for \$3 Million, both required for natural gas purchases and distribution; and

**WHEREAS**, Trustmark Bank is the new holder of these instruments, and was formerly known as Bank Trust.

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Brewton, Alabama, that the current Line of Credit and Letter of Credit, as stated, be renewed at their current levels with Trustmark Bank to support Brewton Natural Gas Department operations.

**ADOPTED AND APPROVED** this the 9th day of June, 2014.

---

Yank Lovelace, Mayor

ATTEST:

---

John F. P. Angel, CMC, City Clerk

A motion was made by Councilman Watson and seconded by Councilman Barton to approve Resolution No. 14-0609 as presented. Passed Una.

Steve Yuhasz then took the floor and stated that the Brewton Long Range Plan has a provision in it which would allow camping at the CCC Park (behind Arby's), which would also imply the possible use of campfires. To facilitate that, an Ordinance change is required to soften the current Burn Ordinance in effect. Anybody, or group, wishing to build a campfire could do so, only by obtaining a permit from the Brewton Fire Department. Ed Hines, City Attorney, has approved the following and Mr. Yuhasz recommended its Introduction.

**ORDINANCE NO. 14-0609**

**ADDS TO AND AMENDS CHAPTER 14, ARTICLE V, SECTION 14-104, OF  
THE CODE OF ORDINANCES, CITY OF BREWTON, ALABAMA**

**WHEREAS**, the Brewton Master Plan details the expansion of Jennings Park which is bordered to the east by Burnt Corn Creek, to the south by U.S. Highway 31, and to the west by College Drive; and

**WHEREAS**, this park expansion area is also known as the former CCC Park; and

**WHEREAS**, the Brewton Master Plan provides that certain park areas may be utilized for the enjoyment of outdoor camping.

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Brewton, Alabama, that Chapter 14, Article V Section 14-104, Exception to Prohibition, is amended by adding thereto paragraph (b)(3) and amending paragraph (d) thereof so that the same shall now read as follows:

(b)(3) Campfires within the CCC Park but only with respect to those campfires ignited by campers who are supervised by at least one person age 21 or older. The permit fees set forth in 14-105(d) shall not apply to permits issued for the campfires in the CCC Park.

\*\*\*\*\*

(d) Except for fires located in parks and other properties owned or operated by the City of Brewton, no open burning permit, safety permit, or notification is required for fires used for cooking of food including barbecues and outdoor fireplaces. Only clean fuel not containing garbage, rubber, plastics, or other refuse is permitted.

This Ordinance shall become effective upon its approval and publication as provided by law.

**ADOPTED** this the 9th day of June, 2014.

---

John F. P. Angel, CMC, City Clerk

**APPROVED** this the 9th day of June, 2014.

---

Yank Lovelace, Mayor

Councilman Watson offered the following scenario: if a Boy Scout Camporee is in the park, with several troops, does each troop need to get a separate burn permit for a campfire, or can the "group" get one (1) permit? Mr. Yuhasz stated he would not speak for the Fire Chief, but if it is felt a permit could be issued for an "event" or a "group", that would be acceptable.

A motion was made by Councilman Barton and seconded by Councilman Watson to Introduce Ordinance No. 14-0609 as presented. The following vote was recorded.

YEAS: Councilmen Cotten, Littles, Watson, Barton

NAYS: None

The motion passed by majority.

A motion was made by Councilman Barton and seconded by Councilman Watson for Immediate Consideration of Ordinance No. 14-0609 as presented. The following vote was recorded.

YEAS: Councilmen Cotten, Littles, Watson, Barton, Mayor Lovelace

NAYS: None

The motion passed unanimously.

A motion was made by Councilman Barton and seconded by Councilman Watson to Approve Ordinance No. 14-0609 as presented. The following vote was recorded.

YEAS: Councilmen Cotten, Littles, Watson, Barton

NAYS: None

The motion passed by majority.

The next item was an annual Sales Tax Holiday offered by the State, normally held the first weekend of August each year and only including certain school supplies and items. Mayor Lovelace recommended that this Sales Tax Holiday be approved for this August 1, 2 and 3, with the following generated.

### **RESOLUTION NO. 14-0609-1**

**WHEREAS**, the Governor of Alabama signed Act 2006-574 into law, which provides an exemption of local sales and use taxes on certain school related items during the first full weekend in August of each year; and

**WHEREAS**, the Act would prohibit municipalities from providing for a sales and use tax exemption during any period other than the first full weekend in August; and

**WHEREAS**, the first full weekend in August 2014 is defined as beginning at 12:01 A.M. on Friday, August 1, 2014 and the City of Brewton has the option to approve its portion of the tax holiday on certain school related items no later than June 30, 2014.

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Brewton, Alabama, that the City of Brewton adopts the tax holiday on certain school related items as specified in Act 2006-574, and in accordance with Rule 810-6-3-.65, covering said items purchased on August 1, 2 and 3, 2014.

**ADOPTED AND APPROVED** this 9th day of June, 2014.

\_\_\_\_\_  
Yank Lovelace, Mayor

ATTEST:

\_\_\_\_\_  
John F. P. Angel, CMC, City Clerk

A motion was made by Councilman Watson and seconded by Councilman Cotten to approve Resolution No. 14-0609-1 as presented. Passed Una.

The next item was approval of the Annual Blueberry Festival signs. City Clerk John Angel took the floor and stated that each year, direction and information signs are put up Thursday evening (June 19, 2014) to route visitors to the proper area(s). They would normally be in contravention of the current Sign Ordinance, so Mr. Angel requested this exception for the Festival, with the signs to be retrieved Sunday (June 22, 2014).

A motion was made by Councilman Barton and seconded by Councilman Watson to approve the emplacement of the Annual Blueberry Festival signs as presented. Passed Una.

Mr. Angel continued with a request for the John L. Fisher Center. The group in charge is now poised to sign a lease for the complex at 301 Liles Boulevard, and they now have clients willing to occupy the building(s). In order to promote their success, a recommendation was made to support the Center's overhead (mainly the cost of utilities), through this budget year, up to \$5,000.00. The following was then presented.

### **RESOLUTION NO. 14-0609-2**

**WHEREAS**, the John L. Fisher Coalition is poised to sign a lease for the complex at 301 Liles Boulevard, formerly known as the Old Middle School; and

**WHEREAS**, the John L. Fisher Center will sponsor and conduct programs and activities for a direct public benefit, as well as have constant activity at the complex; and

**WHEREAS**, it is for the public good that the Center have jump start support, at least for utilities, while operations are determined and implemented.

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Brewton, Alabama, that, for the public good, the John L. Fisher Center be appropriated an amount not to exceed five thousand dollars (\$5,000.00) for this budget year, to alleviate initial overhead as operations begin.

**ADOPTED AND APPROVED** this the 9th day of June, 2014.

---

Yank Lovelace, Mayor

ATTEST:

---

John F. P. Angel, CMC, City Clerk

A motion was made by Councilman Cotten and seconded by Councilman Barton to approve Resolution No. 14-0609-2 as recommended. The following vote was recorded.

YEAS: Councilmen Cotten, Littles, Barton

NAYS: None

ABSTAIN: Councilman Watson

The motion passed by majority.

Mr. Angel, continued, once again, with a recommended Contract for Services with the Compassion for Brewton Outreach Center. They have already been appropriated funds for movies and events at their Center, but only by Resolution. Since public funds are being used there, even if to support events the City would normally have done, a Contract for Services should be signed and Mr. Angel requested permission to have the document prepared and signed.

A motion was made by Councilman Barton and seconded by Councilman Littles to approve the Contract for Services with the Compassion for Brewton Outreach Center as recommended. Passed Una.

Gerald Thomas then took the floor with a request for the Block Party he would be conducting on Saturday, June 14, 2014. Mr. Thomas asked for permission to block MLK Drive at its intersection at Jones Road, as well as the end of Montgomery Alley. Mayor Lovelace asked if that was what was done in the past; the answer was 'yes', with the hours being 12 Noon to 6:00 P.M. The party begins at 10:00 A.M., but this would allow enough time for participants to get to the site before the roads are blocked.

Councilman Barton asked about the antique vehicles that might show up; Mr. Thomas stated he would have personnel there to get the vehicles in. Councilman Watson asked if this had not been approved already; there was a question, not about the Block Party itself, but about blocking the streets. Councilman Littles then asked if the blocking had been cleared with the local residents; the answer was 'yes'.

A motion was made by Councilman Barton and seconded by Councilman Watson to approve blocking the streets as presented. Passed Una.

Mayor Lovelace then took the floor for the added item, that being changing the date of the Regular Meeting scheduled for Monday, July 14, 2014 at 4:30 P.M. The Mayor requested that the meeting be changed to the Monday prior, that being July 7, 2014, same time, same location. The following was generated by that request.

### **RESOLUTION NO. 14-0609-3**

#### **A ONE TIME DATE CHANGE FOR A REGULAR COUNCIL MEETING**

**WHEREAS**, a recommendation has been made to change the meeting time for a Regular Meeting of the City Council, lawfully being held on the 2nd and 4th Mondays of each month.

**THEREFORE, BE IT RESOLVED** by the City Council of the City of Brewton, Alabama, that the Regular Meeting scheduled for Monday, July 14, 2014 at 4:30 P.M. is hereby rescheduled on the Monday a week prior, that being Monday, July 7, 2014 at 4:30 P.M.

**ADOPTED AND APPROVED** this the 9th day of June, 2014.

\_\_\_\_\_  
Yank Lovelace, Mayor

ATTEST:

\_\_\_\_\_  
John F. P. Angel, CMC, City Clerk

A motion was made by Councilman Watson and seconded by Councilman Barton to approve Resolution No. 14-0609-3 as requested. Passed Una.

There were no Announcements.

There was one (1) Comment, that being from John Robert Fountain on behalf of the Adult Softball League. For the last six (6) years or so, the group has operated through the support of the teams and the Greater Brewton Area YMCA, with a good majority of the teams located in Brewton. They play about 132 game season per year, with a 22 game competition. It is established as a 154 game league, with two (2) umpires and two (2) score keepers at each game. The cost per year is approximately \$6,000.00 and Mr. Fountain asked for any assistance that could be provided.

Mayor Lovelace asked when the games started; they start after Little League, Babe Ruth and Girls' Softball have finished (around June 23, 2014). Mayor Lovelace stated that the request would be considered and discussed at the next Regular Meeting (June 28, 2014).

There being neither any further comments from the floor nor any further business to come before the Council, the meeting was then adjourned.

ADOPTED

JUNE 9, 2014

APPROVED

JUNE 9, 2014

\_\_\_\_\_  
John F. P. Angel, CMC, City Clerk

\_\_\_\_\_  
Yancey E. Lovelace, Mayor