

The City Council of the City of Robertsdale, Alabama met Monday, June 20, 2005 at 8:00 a.m. in the Council Chambers of Robertsdale City Hall, that being the date, time and place for such meeting.

Upon roll call, the following members of the Council were found to be present: Councilmember Kitchens, Cooper, Grant, Kendrick, and Hollingsworth. Absent: Mayor Murphy. A quorum being present the meeting proceeded with the transaction of business.

In the absence of the Mayor, Mayor Pro-Tem Kitchens presided over the meeting. Shannon Ellison served as secretary. Ken Raines, city attorney, was also in attendance.

Motion was made by Councilmember Hollingsworth, seconded by Councilmember Cooper, with unanimous approval to approve the minutes of the previous meeting as presented.

Mayor Pro-Tem Kitchens called for questions regarding the bills presented for approval. Councilmember Cooper questioned Tank Pro Inc., and the Council was informed that Tank Pro is the company painting our water tank. There being no further questions, motion was made by Councilmember Hollingsworth, seconded by Councilmember Grant, with unanimous approval to accept the bills as presented. APPENDIX I

Mayor Pro-Tem Kitchens then closed the regular order of business and opened the public hearing on a rezoning request made by Ball Healthcare. It has been recommended by the Planning Commission to rezone Ball Family Limited Partnership's property on State Hwy 90 from R-3 to B-3. Mayor Pro-Tem Kitchens asked the representative present if he would like to make any presentation to the Council.

The representative for Ball Healthcare explained that they intended to construct a freestanding adult living facility.

Mayor Pro-Tem Kitchens called Peggy Wilson, who was not in attendance.

Councilmember Hollingsworth asked how much of the Ball Healthcare property was to be included in this rezoning. The representative informed the Council that it included about 2.15 acres. The property runs from the existing facility to the flagged wetlands, which he mentioned that in the future may be deeded over to the City.

Mr. Authur Zeech stated his concern with the drainage in the area and wanted to know what was being implemented to handle the additional construction. The representative stated that he was not aware of any problems. Councilmember Hollingsworth reassured Mr. Zeech that the City will address any drainage problems before building permits would be issued.

Mayor Pro-Tem Kitchens then closed the public hearing and resumed the regular order of business.

Mayor Pro-Tem Kitchens asked the Council if they wanted to address the "DROP" program or table the discussion on the program until the next council meeting in order to have the Mayor present to answer any questions they might have. Motion was made by Councilmember Hollingsworth, seconded by Councilmember Cooper, with unanimous approval to table the decision until the next meeting. Motion carried.

Mayor Pro-Tem Kitchens called for new business and stated that W.G. Linton requested a surrender of right-of-way. Mayor Pro-Tem Kitchens asked David Kilcrease if the utilities were clear on the property in question. Mr. Kilcrease stated that everything was clear except one pole which he would contact the electric foreman about. Councilmember Hollingsworth informed Mr. Kilcrease that he would need to get in touch with the electric foreman and clarify with him that the alleyway is clear of electrical service. Mayor Pro-Tem Kitchens suggested to the Council that this be tabled until the electric foreman can verify that the electric service is clear.

Councilmember Hollingsworth made the motion, seconded by Councilmember Cooper, to table this decision until the next council meeting. Motion carried.

Mayor Pro-Tem Kitchens stated next on the agenda was the ordinances and resolutions. Resolution No. 14-05 to participate in the Deferred Retirement Option Plan, (DROP), was tabled until the next council meeting. Travel Resolution No. 15-05, for Ann Simpson to attend the Alabama Association of Public Personnel Administrators 2005 Summer Conference was next on the agenda. Motion was made to approve Travel Resolution No. 15-05 by Councilmember Hollingsworth, seconded by Councilmember Grant. Motion carried. APPENDIX II

Mayor Pro-Tem Kitchens then called for action on a recommendation of the Planning Commission to rezone the property of Ball Family Limited Partnership. Motion was made by Councilmember Kendrick, seconded by Councilmember Cooper, that all rules unless suspended would prevent immediate passage and adoption of Ordinance No. 04-05, at this meeting and the same passed and adopted by unanimous vote of the Council. Mayor Pro-Tem Kitchens called for a roll call vote and the results were as follows: Yea: Mayor Pro-Tem Kitchens, Councilmember Cooper, Councilmember Grant, Councilmember Kendrick, and Councilmember Hollingsworth. Opposed: None. Motion carried.

Motion was made by Councilmember Kendrick, seconded by Councilmember Cooper, that Ordinance No. 04-05, rezoning the property of Ball Family Limited Partnership from R-3 to B-3, be finally passed by unanimous vote of the Council. Mayor Pro-Tem Kitchens called for a roll call vote and the results were as follows: Yea: Mayor Pro-Tem Kitchens, Councilmember Cooper, Grant, Kendrick, and Hollingsworth. Opposed: None. Mayor Pro-Tem Kitchens declared the Ordinance adopted. APPENDIX III

Mayor Pro-Tem Kitchens called for the action on the recommendation of the Planning Commission to deny the rezoning request of Peggy Wilson. Motion was made by Councilmember Cooper, seconded by Councilmember Kendrick, that all rules unless suspended would prevent immediate passage and adoption of Ordinance, at this meeting and the same passed and adopted by unanimous vote of the Council. Mayor Pro-Tem Kitchens called for a roll call vote and the results were as follows: Yea: Mayor Pro-Tem Kitchens, Councilmember Cooper, Councilmember Grant, Councilmember Kendrick, and Councilmember Hollingsworth. Opposed: None. Motion carried

Motion was made by Councilmember Cooper, seconded by Councilmember Kendrick, that the rezoning request made by Peggy Wilson, be finally denied by unanimous vote of the Council. Mayor Pro-Tem Kitchens called for a roll call vote and the results were as follows: Yea: Mayor Pro-Tem Kitchens, Councilmember Cooper, Councilmember Grant, Councilmember Kendrick, and Councilmember Hollingsworth. Opposed: None. Motion carried.

Mayor Pro-Tem Kitchens introduced Mr. Eartis Lancaster. Mr. Lancaster, who resides at 22187 College Avenue, stated he is still having problems with his sewer. He wanted to know if the City was still working on the problem. Mayor Pro-Tem Kitchens asked David Kilcrease, Public Works Director, if he has any time frame on the progress. Mr. Kilcrease stated that the sewer foremen was checking on restructuring the sewer lines in that area. Councilmember Cooper reminded Mr. Kilcrease that Mr. Lancaster has been having problems for a long time.

Mayor Pro-Tem Kitchens introduced Chief Kendrick. Chief Kendrick wanted to introduce the Council to Howard King, our new sergeant over patrol. Sergeant King has over 20 years of experience. Chief Kendrick also wanted to let the Council know that Officer Anthony Dobbins has been promoted to Investigator.

Mayor Pro-Tem shared a letter that was received from Mrs. Mary Rivers, thanking the City for the Bible she was presented with on Memorial Day, and wanting everyone know how beautiful she thinks all our flags are.

Councilmember Cooper stated that they met inside and due to weather and traffic noise, and meeting indoors turned out to be a great place. She thought the City should consider planning the event inside next year. Councilmember Cooper asked David Kilcrease the status of the new flag poles. Mr. Kilcrease informed the Council that the new flag poles had been ordered and they will be much easier to maintain. Councilmember Cooper also wondered if the painting of the flag on the water tank had been completed. Mr. Kilcrease stated that it was not yet complete. Councilmember Cooper stated that what had been done looked great.

There being no further business to come before the Council, motion was made by Councilmember Cooper, seconded by Councilmember Kendrick, with unanimous approval to adjourn. Motion Carried.

APPROVED THIS _____ DAY OF

_____, 2005

SECRETARY

MAYOR