

The City Council of the City of Robertsdale, Alabama met Monday, December 19, 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: Mayor Murphy, Councilmember Kitchens, Cooper, Grant, and Hollingsworth. A quorum being present the meeting proceeded with the transaction of business. (Councilmember Kendrick arrived later in the meeting as noted.)

Mayor Murphy 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. Motion carried.

Mayor Murphy called for questions regarding the bills presented for approval. Motion was made by Councilmember Kitchens, seconded by Councilmember Hollingsworth, with unanimous approval to accept the bills as presented. Motion carried. APPENDIX I

Mayor Murphy stated there are two items which need to be added to the agenda. The first is the acceptance of the donation of property from B.J. Blanchard, and the other is to make a decision on the January 16<sup>th</sup> meeting date which falls on a holiday.

Mayor Murphy then closed the regular order of business and opened the public hearing as scheduled stating that the Council has received a rezoning request from Mr. Racine to rezone a piece of property on Krchak Lane from R-3 to B-2. Mayor Murphy informed the Council that the Planning Commission has recommended this rezoning.

Councilmember Kendrick arrived at this time.

Mayor Murphy called for any discussion from the public or Council. There were no questions from the public. Councilmember Hollingsworth asked for clarification on the location and amount of land. Mayor Murphy explained that this piece of property is between Ford Lumber Company and Jamestown Apartments. Mr. Buddy Long, representative for Mr. Racine, stated there are 2.8 acres of land in which Ford Lumber is interested in purchasing to increase their parking. With no further discussion, Mayor Murphy closed the public hearing and resumed the regular order of business.

Mayor Murphy stated that the Council has received a recommendation to fill a vacancy on the Industrial Development Board with Judy Ikner and asked the Council for a motion. Motion was made by Councilmember Hollingsworth, seconded by Councilmember Cooper with unanimous approval to accept this recommendation to fill the vacancy on the Industrial Development Board with Judy Ikner. Motion carried.

Mayor Murphy stated the next item of business is the request by the utility department to accept bids for a reel mower and a field dresser for the recreational park which was approved in the capital expenditure in the 2006 budget. Mayor Murphy stated the close of bids will be on January 11, 2006 at 2:00 p.m., bringing the results back to the Council at the next council meeting for a final decision. Motion was made by Councilmember Cooper, seconded by Councilmember Grant, with unanimous approval to begin accepting bids on these items. Motion carried.

Mayor Murphy stated the Council has received a request for ABC License from Willy T's. Motion was made by Councilmember Kitchens. Mayor Murphy asked Vice-Chairman Kitchens if he would accept the Chair, Vice-Chairman Kitchens accepted. Mayor Murphy seconded the motion, and Vice-Chairman returned the Chair to Mayor Murphy, opening the floor for discussion. Councilmember Cooper asked for clarification that this is for on premise use only. Councilmember Kendrick questioned the establishment receiving the license being so close to the schools. Mayor Murphy stated that the City has no ordinance which prohibits the sale of alcohol in the vicinity of schools or churches. Councilmember Cooper added also that there is no state law which prohibits

the location of alcohol sales. Mayor Murphy asked for any other questions, there being none, calling for a vote. After vote, motion passes with unanimous approval to grant the ABC License to Willy T's. Motion carried. Abstaining: Councilmember Hollingsworth.

Mayor Murphy stated the next item of business is to make a decision on the next council meeting date due to the New Year holiday taken on the regular meeting date of January 2<sup>nd</sup>. Motion was made by Councilmember Kitchens, seconded by Councilmember Cooper, with unanimous approval to change the next meeting date to January 3, 2006. Motion carried.

Mayor Murphy stated that also before the Council is the acceptance of the land donation from B.J. Blanchard of his property at State Highway 59 and State Highway 90. Motion was made by Councilmember Grant, seconded by Councilmember Cooper, with unanimous approval to accept this donation of land at State Highway 59 and State Highway 90. Motion carried.

Mayor Murphy moved on to Resolution No. 31-05, which is for the purchase of property from B.J. Blanchard for \$200,000.00 and financing from Regions Bank of \$175,000.00. Motion was made by Councilmember Kitchens, seconded by Councilmember Cooper, with unanimous approval to approve Resolution No. 31-05 for the purchase and financing of this property. Motion carried. APPENDIX II

Mayor Murphy called for action on the proposed Ordinance No. 07-05, regarding the rezoning request by Jimmy Racine. Mayor Murphy called for motion to suspend the rules. Motion was made by Councilmember Cooper, seconded by Councilmember Hollingsworth, that all rules unless suspended would prevent the immediate passage and adoption of Ordinance No. 07-05 at this meeting and the same passed and adopted by unanimous vote of the Council. Mayor Murphy called for a roll call vote and the results were as follows: Yea: Mayor Murphy, Councilmember Kitchens, Cooper, Grant, Kendrick, and Hollingsworth. Nay: None. Motion carried.

Motion was Made by Councilmember Kitchens, seconded by Councilmember Hollingsworth, that Ordinance No. 07-05, rezoning Jimmy Racine's Property on Krchak Lane from R-3 to B-2, be finally passed by unanimous vote of the Council. Mayor Murphy called for a roll call vote and the results were as follows: Yea: Mayor Murphy, Councilmember Kitchens, Cooper, Grant, Kendrick, and Hollingsworth. Nay: None. Mayor Murphy declared the Ordinance adopted. APPENDIX III

Mayor Murphy called for a decision on changing the meeting date for the second council meeting in January due to the Martin Luther King Jr. holiday. Motion was made by Councilmember Hollingsworth, seconded by Councilmember Cooper, with unanimous approval to chance the January 16<sup>th</sup> meeting date to January 17, 2006. Motion carried.

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

APPROVED THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 2005

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SECRETARY

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MAYOR