

The Wilsonville Town Council met in regular session, Monday, July 11, 2011, in the Council Chamber at the Wilsonville Town Hall. The meeting was called to order by Mayor Rosemary Liveoak at 6:30 P. M.

The meeting was opened with prayer by Councilman Calvin Gill.

The following council members answered roll call: Calvin Gill, Patricia Johnson, Lee McCarty, Melissa Rosetta. Dennis Blackerby, Terry Newman, and Alan Revis were not present.

The minutes of the June 06, 2011, meeting (mailed to the council members prior to the meeting) were reviewed. Calvin Gill made a motion to accept the minutes as presented; Patricia Johnson seconded. The motion passed with the following vote: Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The financial reports, mailed to the council members before the meeting, were reviewed. Calvin Gill made a motion to accept the financial reports, as presented; Melissa Rosetta seconded. The motion passed with the following vote: Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, no; Melissa Rosetta, yes; Rosemary Liveoak, yes.

Annexation of property on Old Lokey Ferry Road, belonging to Shelby County, was discussed. This property is within five miles of a fire station; therefore, the ISO rating will not be affected. There was also discussion concerning annexation requests from residents on Heron Cove and Hummingbird Lane. Some of these residents would like be on the Town's water system. If they are added, they would be required to pay for the materials to run the line to the intersection of Hummingbird Lane and Old Lokey Ferry Road. The estimated cost, at this time, is \$5,784.00. This cost is subject to change since the cost of materials varies; some of the costs are affected by petroleum prices.

Councilman Alan Revis arrived at the meeting at 6:44 P. M.

Gordon Fluker, resident of Heron Cove, addressed the council. He has petitioned to have his property annexed. He stated there is a possibility of nine homes which would be added to the water system. He did not think the residents would be required to pay for materials for the water line. Lee McCarty asked if annexation and the water line were two separate issues. Mr. Fluker replied yes and no; the residents would probably want to be on the water system if they are annexed. He also stated there is a possibility of a subdivision being developed in the area sometime in the future, and it would be advantageous to annex the Shelby County property for that reason.

Lee McCarty made a motion to annex the Shelby County property as follows:

ORDINANCE NO. 110711

WHEREAS, on the 9th day of August, 2010, Shelby County, Alabama, filed a petition with the Town of Wilsonville, Alabama, as required by §§ 11-42-20 and 11-42-

21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the Town of Wilsonville, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, and the signatures of the owners of the property described were signed thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

1. That the Town of Wilsonville, Alabama, does adopt this Ordinance assenting to the annexation of the following described property to the municipality of the Town of Wilsonville:

A Parcel of Land to be annexed into the Town of Wilsonville, Alabama, situated in Sections 13 and 24, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an axle found locally accepted to be the Northwest corner of said Section 24; thence run South along the West line of said Section 24 for a distance of 619.06 feet to a point; thence turn an angle to the left of 91 degrees, 30 minutes, 29 seconds and run in an Easterly direction for a distance of 676.11 feet to a point; thence turn an angle to the left of 89 degrees, 43 minutes, 57 seconds and run in a Northerly direction for a distance of 322.70 feet to a point; thence turn an angle to the right of 66 degrees, 06 minutes, 46 seconds and run in a Northeasterly direction for a distance of 171.86 feet to a point on a curve to the right having a central angle of 22 degrees, 48 minutes, 26 seconds and a radius of 469.11 feet; thence turn an angle to the radius of said curve to the left of 21 degrees, 28 minutes, 43 seconds and run in a Northwesterly direction along the arc of said curve for a distance of 186.73 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 44.02 feet to a point on a curve to the left having a central angle of 60 degrees, 43 minutes, 49 seconds and a radius of 172.22 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 182.54 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 248.53 feet to a point on a curve to the left having a central angle of 15 degrees, 55 minutes, 23 seconds and a radius of 25.00 feet; thence turn an angle to the left to the radius of said curve of 168 degrees, 27 minutes, 47 seconds and run in a Southwesterly direction along the arc of said curve for a distance of 6.95 feet to the **Point of Beginning**, being a point on a compound curve to the left having a central angle of 11 degrees, 37 minutes, 59 seconds and a radius of 744.19 feet; thence run in a Southwesterly to Southeasterly

direction along the arc of said curve for a distance of 151.10 feet to a point; thence run tangent to last stated curve in a Southeasterly direction for a distance of 470.49 feet to a point on a curve to the right having a central angle of 06 degrees, 31 minutes, 33 seconds and a radius of 886.28 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 100.95 feet to a point on the South line of Lokey Property; thence turn an angle from the chord of last stated curve to the right of 95 degrees, 46 minutes, 39 seconds and run in a Westerly direction along said South line for a distance of 60.06 feet to a point on a curve to the left having a central angle of 06 degrees, 20 minutes, 36 seconds and a radius of 826.28 feet; thence turn an angle to the left to the radius of said curve of 02 degrees, 41 minutes, 50 seconds and run in a Northwesterly direction along the arc of said curve for a distance of 91.47 feet to a point; thence run tangent to the last stated curve in a Northwesterly direction for a distance of 470.49 feet to a point on a curve to the right having a central angle of 12 degrees, 27 minutes, 16 seconds and a radius of 804.19 feet; thence run in a Northerly direction along the arc of said curve for a distance of 174.81 feet to a point on the Southwest line of the 20 foot wide Shelby County Raw Water Intake right of way; thence continue in a Northeasterly direction along the arc of a curve to right having a central angle of 45 degrees, 07 minutes, 44 seconds and a radius of 804.19 feet for a distance of 632.20 feet to a point; thence run tangent to last stated curve in a Northeasterly direction for a distance of 1308.50 feet to a point on a curve to the left having a central angle of 76 degrees, 31 minutes, 25 seconds and a radius of 694.01 feet; thence run in a Northeasterly to Northwesterly direction along the arc of said curve for a distance of 926.91 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 322.78 feet to a point on a curve to the right having a central angle of 117 degrees, 52 minutes, 13 seconds and a radius of 446.37 feet; thence run in a Northwesterly to Northeasterly direction along the arc of said curve for a distance of 918.29 feet to a point; thence run tangent to last stated curve in an Easterly direction for a distance of 267.60 feet to a point; thence turn an angle to the right of 06 degrees, 14 minutes, 15 seconds and run in a Southeasterly direction for a distance of 685.06 feet to the West right-of-way line of Old Lokey Ferry Road, being 40 feet in width; thence turn an angle to the right of 69 degrees, 41 minutes, 50 seconds and run in a Southeasterly direction along said West right-of-way line for a distance of 63.98 feet to a point; thence turn an angle to the right of 110 degrees, 18 minutes, 10 seconds and run in a Northwesterly direction for a distance of 703.99 feet to a point; thence turn an angle to the left of 06 degrees, 14 minutes, 15 seconds and run in a Westerly direction for a distance of 264.33 feet to a point on a curve to the left having a central angle of 117 degrees, 52 minutes, 13 seconds and a radius of 386.37 feet; thence run in a Southwesterly to Southeasterly direction along the arc of said curve for a distance of 794.85 feet to a point; thence run tangent to last stated curve in a Southeasterly direction

for a distance of 322.78 feet to a point on a curve to the right having a central angle of 76 degrees, 31 minutes, 25 seconds and a radius of 754.01 feet; thence run in a Southeasterly to Southwesterly direction along the arc of said curve for a distance of 1,007.04 feet to a point; thence run tangent to last stated curve in a Southwesterly direction for a distance of 308.50 feet to a point on a curve to the left having a central angle of 37 degrees, 10 minutes, 42 seconds and a radius of 744.19 feet; thence run in Southwesterly direction along the arc of said curve for a distance of 482.89 feet to a point; thence run Southerly to the Point of Beginning.

2. That the corporate limits of the Town of Wilsonville, Alabama, be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That, in accordance with the petition for annexation, this annexation is subject to the following conditions: Shelby County retains the right to access its raw water main, fiber optic cable, and other equipment and facilities using the roadway on the annexed property and all rights to use the annexed property for ingress and egress to and from its facilities and the installation, construction, and maintenance of water lines, water mains, and utilities in the sole discretion of Shelby County; and Shelby County shall have free right of access to and from and over said annexed land and the Town of Wilsonville, its successors or assigns, shall not erect any structures, place any fill dirt or other surface materials, excavate or remove any part of the surface soil or surface materials, or in any way alter the ground elevation or surface on the portion of the annexed property, or do anything which would in any way interfere with, damage, place at risk, or pose future risk or possible risk to any utilities, water lines, pipes, or appurtenances, or otherwise interfere with the right of Shelby County to enter upon said annexed property at any time

and have immediate access thereto and to all utilities and other improvements located therein or thereon.

4. That the Town Clerk be and she is hereby authorized and directed to file a copy of this Ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, to which said property is being annexed, in the office of the Judge of Probate of Shelby County, Alabama.

5. That the Zoning Map of the Town of Wilsonville, Alabama, and any other official maps or surveys of the Town shall be amended to reflect the annexation of the above-described property, and that a copy of this Ordinance be transmitted to the Town Planning Commission.

6. That this property is temporarily zoned MR as provided in the Zoning Ordinance of the Town of Wilsonville, Alabama.

This ordinance was adopted and passed by the Town Council of the Town of Wilsonville, Alabama, this the 11th day of July, 2011.

Town of Wilsonville, Alabama

By:

Mayor

Attest:

Clerk

Patricia Johnson seconded. The motion passed with the following vote: Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The mayor requested the capital improvement item for park and recreation in the general fund be amended, adding \$10,000.00. The final payment for the matching funds for Oak Meadow Park was in the budget, but the money was spent for other items. This was an oversight until the invoice came from Shelby County. Melissa Rosetta made a motion to amend the budget; Alan Revis seconded. The motion passed with the following vote: Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, no; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

Mayor Liveoak has received correspondence from the Alabama Department of Transportation concerning the extension of Highway 145 to Highway 61 near Merrell-Lokey Road. They will be purchasing rights-of-way to do this work. Originally, in the plan, there was a flyover at the railroad track, but this has been taken out of the plan due to budget restraints. Lee McCarty asked if there were drawings available to view. The mayor referred him to the Birmingham office of ALDOT.

The mayor reported the following updates: the sewer plant safety needs will be presented in either August or September; God and Country Celebration went well, though the crowd was down due to inclement weather; there will be a committee next year to plan the God and Country Celebration which will include representatives from the area churches, clubs, businesses, etc.; Filled to the Prim is closing downtown, and Coosa Valley Milling has rented and will occupy the building.

Public Comment

Patricia Johnson mentioned the ordinances are not being updated on the town website. The clerk will take care of this.

James and Pamela Williams addressed the council concerning a problem in the Homestead Subdivision with dogs running at large. These dogs have killed a cat and are threatening to people. Deputy Goza stated there is a state statute which is enforceable in the Town of Wilsonville. Police reports will need to be filed. The problem is the Williams are not sure to whom the dogs belong. Mayor Liveoak stated a letter will be sent to all the residents of Homestead Subdivision enclosing a copy of the statute and the existing dangerous situation.

There being no further business to come before the council, Calvin Gill made a motion to adjourn the meeting; Alan Revis seconded. The motion passed with the following vote: Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The meeting was adjourned at 7:22 P. M.

Rosemary C. Livoak, Mayor

Attest