

The Town Council of the Town of Wilsonville, Alabama, met Monday, November 07, 2011, 6:30 P. M., in the Council Chamber at the Wilsonville Town Hall.

Mayor Rosemary Liveoak called the meeting to order at 6:30 P. M.

The meeting was opened with prayer by S. S. McEwen.

The following council members answered roll call: Dennis Blackerby, Calvin Gill, Patricia Johnson, Lee McCarty, Terry Newman, Alan Revis, Melissa Rosetta.

The minutes of the October 03, 2011, regular council meeting, which had been mailed to the council members before the meeting, were reviewed. Calvin Gill made a motion to accept the minutes, as presented; Alan Revis seconded. The motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The October financial reports, mailed to the council members prior to the meeting, were reviewed. Melissa Rosetta made a motion to accept the financial reports, as presented. Calvin Gill seconded, and the motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, no; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

James W. Blackmon, Junior, addressed the council, and presented a petition, along with Ivan C. Greene and Frances L. Phelps, requesting permission to incorporate a Commercial Development Authority for the Town of Wilsonville. The Authority would promote trade and commerce in Wilsonville, possibly buying property to sell or lease, beginning with the bank building on North Main Street.

The petition was read by the town clerk as follows:

STATE OF ALABAMA  
COUNTY OF SHELBY

TO MAYOR ROSEMARY LIVEOAK AND THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA:

We, the undersigned natural persons, each of whom is a duly qualified elector of the Town of Wilsonville, Alabama, hereinafter called the "Town," hereby file with you as the governing body of the Town this application in writing for the authority to incorporate a public corporation pursuant to the provisions of §§ 11\_54\_170 through 11\_54\_192, Code of Ala. 1975, as amended, under the name, "The Commercial Development Authority of Wilsonville," for the purpose of promoting trade and commerce by inducing commercial enterprises to locate new facilities within the Town and expand existing facilities in the Town. Such development will promote the public good and general welfare, trade, commerce, industry and employment opportunities

within the Town of Wilsonville. The principal office of the corporation shall be located at the Town Hall of the Town of Wilsonville, Alabama.

We further request that the Town Council of the Town of Wilsonville, Alabama adopt a Resolution declaring that it is wise, expedient and necessary that the proposed Authority be formed, and authorizing the undersigned to proceed to form the proposed Authority by filing for record a Certificate of Incorporation in accordance with § 11-54-173, Code of Ala. 1975, as amended. A copy of the proposed certificate accompanies this application.

IN WITNESS WHEREOF, we have set our hands and seals this \_\_\_\_ day of \_\_\_\_\_, 2011.

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Ivan C. Greene

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James W. Blackmon, Jr.

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Frances L. Phelps

Discussion followed. Lee McCarty expressed objections to government getting involved in the free market, asking if another bank could directly buy the bank building without a middle man involved. Bill Justice, town attorney, stated he does not know. He asked if the Authority could be dissolved by the council. Bill Justice answered no, however, the authority could dissolve itself if they became debt free in less than ten years and would dissolve at the end of ten years, in any case. Lee complemented the mayor on her efforts to retain M & F Bank in Wilsonville. Terry Newman stated checks and balances would be in place because the council would have to approve anything the authority did. Melissa Rosetta stated the need for new business in town, as did Davy Edwards. S. S. McEwen stated there is a need for a bank in town to keep the businesses we now have. Don Davis stated the Town does not need to be in the banking business. Ivan Greene said there is a possibility the Authority could attract businesses over the next ten years other than a bank but agreed the bank is the most urgent need now.

Mayor Liveoak made an impassioned plea in favor of forming the Authority. M & F Bank has told her their signage, computers, and paperwork will be removed from the building and everything else will remain. It will be, at the earliest, February 15, 2012, before another bank could open at the North Main Street location. Another bank has expressed an interest in the building and has looked at the facility. She feels it is necessary to have a bank in Wilsonville.

Terry Newman made a motion to adopt Resolution Number 111107 as follows:

**RESOLUTION # 111107**

WHEREAS, Ivan C. Greene, James W. Blackmon, Jr., and Frances L. Phelps, natural persons and duly qualified electors of the Town of Wilsonville, Alabama, filed on the \_\_\_ day of \_\_\_\_\_, 2011, an application to form a public corporation pursuant to the provisions of §§ 11-54-170 through 11-54-192, Code of Ala. 1975, as amended, to be known as The Commercial Development Authority of the Town of Wilsonville; and

WHEREAS, the application was accompanied by a proposed certificate of incorporation for the Authority; and

WHEREAS, the Council has determined that it is wise, expedient and necessary that such public corporation be formed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Town Council of the Town of Wilsonville, Alabama (hereinafter referred to as "Town"), as follows:

1. That the application to form The Commercial Development Authority of Wilsonville is regular in all respects and complies with all requirements of the laws of Alabama under which said corporation is proposed to be organized; that the proposed Certificate of Incorporation is in proper form; and that it is wise, expedient and necessary that such public corporation be formed.

2. That the application is hereby allowed and the persons signing said application are authorized to file and record a Certificate of Incorporation for The Commercial Development Authority of the Town of Wilsonville in the form accompanying the application and in the manner provided by the laws of Alabama under which said corporation is proposed to be organized.

3. That a copy of this Resolution shall be spread upon the minutes of the meeting of the Council at which it was adopted, and the Clerk is directed to certify a copy of the application as filed with the Town as well as to certify a copy of this resolution, to be filed with the certificate of incorporation of the authority as provided by law.

ADOPTED and APPROVED this \_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Rosemary C. Liveoak, Mayor

\_\_\_\_\_  
Attest

Alan Revis seconded the motion, which passed with the following vote:  
Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, no;

Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The sewer/storm water ditch was the next item on the agenda. Mayor Liveoak stated she has met with all the property owners concerning access to the easement along the ditch. All the property owners were in favor of the needed actions (making an access for the backhoe and other equipment to get to the entire ditch and installing gates, where needed for access). The property owners will be responsible for installing gates on any fencing installed in the future.

The mayor announced new hours for the Vernice Stoudenmire Library which is now open until 6:00 P. M. on Tuesdays and Thursdays. She has hired Joyce Saxon to work part time, fifteen (15) hours a week. There will be some overlapping hours with Mrs. Saxon and Mrs. Stoudenmire working together.

Zoning Ordinance Number 111107-2, introduced at the October meeting, was addressed. Lee McCarty made a motion to adopt the ordinance; Terry Newman seconded. The motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

Action on the public hearing concerning violation of Nuisance Ordinance Number 050802. was discussed. It was agreed progress is being made. A letter will be sent detailing what needs to be done and stating a time limit for completion.

Ordinance Number 111003, annexation of Fluker property was the next item on the agenda. The ordinance reads as follows:

ORDINANCE NO. 111003-1

WHEREAS, on or about the 14<sup>th</sup> day of January, 2009, W. G. Fluker and Nancy W. Fluker 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:

Lots 1 & 2, Fluker Family Subdivision, as recorded in Map Book 40, Page 103, in the Probate Office of Shelby County, Alabama

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 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.

4. 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.

5. 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 \_\_\_ day of \_\_\_\_\_, 2011.

Town of Wilsonville, Alabama

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Rosemary C. Liveoak, Mayor

Attest:

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Lee McCarty made a motion to adopt Ordinance Number 111003. Patricia Johnson seconded. The motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The mayor announced the annual safety meeting dinner will be held Tuesday, December 06, 2011, at the Wilsonville Elementary School. This is the fiftieth anniversary of the Wilsonville Volunteer Fire Department, and all former firemen will be invited. Sixty-seven invitations have been mailed to date. Fire Chief Davy Edwards plans to have an open house this spring.

Mayor Liveoak stated Whigmaleerie Day was a success this year. All the vendors seem to have done well, and the weather was much better this year!

Lee McCarty made a motion to suspend the rules so an excess property item, not on the agenda, could be discussed; Terry Newman seconded. The motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

Roger Perry stated the Water Department has a two horsepower motor for a pump which we bought and never used. Attalla Water has inquired about purchasing the motor from us. Lee McCarty made a motion to declare the motor excess property and sell it to Attalla for the best offer. Terry Newman seconded. The motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.

The town clerk read thank you letters from ClasTran and Columbiana Middle School for the annual donations the town made to them.

Public Comment.

Melissa Rosetta congratulated Dennis Blackerby for completing Leadership Shelby County.

There being no further business to come before the council, Calvin Gill made a motion to adjourn. Melissa Rosetta seconded, and the motion passed with the following vote: Dennis Blackerby, yes; Calvin Gill, yes; Patricia Johnson, yes; Lee McCarty, yes; Terry Newman, yes; Alan Revis, yes; Melissa Rosetta, yes; Rosemary Liveoak, yes.. The meeting was adjourned at 7:30 P. M.

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Rosemary C. Liveoak, Mayor

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Attest