



CITY OF CREOLA
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William R. Criswell **Leanne Greene** **Harold Martin** **Ralph Walker** **Tonya Moss** **Kendal Hadaway**
Mayor **Place 1** **Place 2** **Place 3** **Place 4** **Place 5**

Carolyn Sue Cain **Linda Hoiles** **Doug Kirkland** **Jeff Reeves**
City Clerk **Court Clerk** **Chief of Police** **Fire Chief**

Minutes of the City of Creola City Council Meeting
Thursday, September 13, 2018 6PM
Creola City Hall
9615 Old Hwy. 43, Creola, AL
Workshop: 5:30PM

Mayor Criswell called the meeting to order.
Pastor Don Turberville gave the Invocation.
Pledge of Allegiance

Upon the call of roll, the following were found to be present
Councilwoman Greene ABSENT
Councilman Martin
Councilman Walker
Councilwoman Moss
Councilman Hadaway
Mayor Criswell
City Attorney –Mr. Danny Mims
City Clerk-Carolyn Sue Cain

Councilwoman Moss made a motion to accept the minutes of 08/23/2018 meeting.
Councilman Walker seconded, all favored, none opposed, motion carried.

CITIZENS ADDRESSING THE COUNCIL

Nothing to report.

RESOLUTIONS, ORDINANCES AND OTHER BUSINESS

Mayor Criswell states there will be a Municipal Leadership Institute in Prattville, Alabama on October 4, 2018. This is a training session for any council or mayor that would like to attend. The cost is \$175.00 for a six-hour workshop.

Mayor Criswell states that we have an ordinance to upgrade on our tobacco tax for the city that has not been upgraded since 1978.

Councilwoman Moss made a motion to vote on the tobacco ordinance 2018-15.

Councilman Walker second, all favored, none opposed, motion carried.

Mayor Criswell states the city has the need for a Vicious Dog Ordinance. The city attorney is drawing the ordinance up now, passing it through the powers to be in the court to make sure that we're within the compliance, a copy to some degree of the county ordinance. Mayor Criswell states that we will be bringing that in the next meeting to review and discuss the dangerous dog ordinance.

Mayor Criswell states there is a ROW (right of way) for the city property of Creola, Todd Jednat. Todd Jednat, citizen, owns 25 acres on Bentley Road. The access to his property is on the front side of Bentley Road which is the southwest side of his property. The northeast corner borders the gravel drive that access the water tower. Mr. Jednat asked the council for a second access to his property. Danny Mims, city attorney, ask Mr. Jednat to meet with him after the council meeting and he will give Mr. Jednat contact information so that Mr. Jednat can send him the information regarding his plans as to what he is trying to do.

Mayor Criswell states that Carney Road this is a ROW (right of way) not really a road, but it's a right of way that has been given to the city at the last administration. The public hearing will be held October 25, 2018. Danny Mims, city attorney, states what we need is a vote on whether to hold a public hearing, publish four weeks in the Call News.

Councilwoman makes a motion to publish the Carney Road public hearing. Councilwoman states it must be published for four weeks.

Councilman Walker seconds, all favored, none opposed, motion carried.

Mayor Criswell states that he received a letter from Governor Kay Ivey office stating that the city has a \$378,000.00 grant for sidewalks from Crenshaw park up to the subdivision by the park on the east side of Old Hwy 43. For the mayor to execute the document, Mayor Criswell needs a resolution from the council authorizing Mayor Criswell to activate the grant. The State of Alabama Department of Transportation provides \$303,000.00 and the city will make up the difference that will be spread over two years and we have two years to execute the grant which will be Phase I. Phase II is Frenchman's Bend and Phase III will be Rio Hondo Drive. The city is applying for these grants as we go. On October 11, 2018 the city will be meeting on the BP grant.

Mayor is asking for a vote for the resolution to authorize the mayor to sign paperwork and the city attorney to work with the city to begin working on that grant.

Councilman Walker makes a motion for the sidewalk.

Councilwoman Moss seconds, all favored, none opposed, motion carried.

Mayor Criswell states we're approaching LeMoyne Industrial Park Day (LIP) on November 3, 2018. The city receives a check for \$5,000.00 for the park. We received the check from LIP and deposited in the bank on August 30, 2018. The fire and police department give away safety material

for the kids. We had \$500.00 in safety material last year and ran out early. Typically, 1000-1500 people show up for LeMoyne Industrial Park Day (LIP).

Mayor Criswell asks the council to approve up to \$800.00 worth of safety equipment to be handed out to the children by the city fire and police department.

Councilman Walker makes a motion.

Councilman Hadaway seconds, all favored, none opposed, motion carried.

Mayor Criswell states on November 17, 2018 at 11am the city will hold the Creola Christmas Parade. Tonya Moss, Major Holt and their group are working on the parade. Tonya Moss states the guys from the tricksters (Billy, David and Paul) that were in the parade last year would like to help again this year. Mrs. Moss estimates 25-30 different people or organizations in the parade this year. On Monday, September 10, 2018 a meeting was held where they are planning out the route. They have float information, Christmas parade rules and the entries at the city. There is no fee for the entry of the parade. The route will be posted on the Facebook page.

Mayor Criswell states that we have a resolution 2018-020 for selling off some of the used police vehicles. The city received five from the City of Mobile and purchased 3 new vehicles with a total of 8 new vehicles. The city is going to go out on a bid and let people bid on those units to get rid of them.

Police Chief Doug Kirkland states the units will be posted on the internet for about five days and let people bid on them.

Mayor Criswell states the Ford Escape was purchased under the State bid contract that they have with Ford Motor Company. The Ford Escape was purchased from the Long Lewis Ford dealership in Muscle Shoals, Alabama. This vehicle is for Creola SAIL Program.

Dana Douglas with the SAIL program states the new vehicle is going great for her. Dana states that she is delivering around twenty-nine meals from Axis to Creola. There are eighty-one meals delivered to the SAIL center.

Councilman Walker makes a motion.

Councilwoman Moss seconds, all favored, none opposed, motion carried.

PLANNING AND ZONING COMMITTEE

Nothing to report.

ZONING BOARD OF ADJUSTMENTS

Nothing to report.

PARKS AND RECREATION

Councilwoman Moss states Major Holt could not be in attendance tonight because of a coach's meeting. Major Holt has 285 kids that have already registered for the fall soccer team. The first soccer game will be Saturday, September 29, 2018. Councilwoman Moss states the police will need to be at the four way stop because it gets so crowded.

Mayor Criswell states on October 1, 2018 a \$50.00 charge and \$100.00 deposit will go into effect for rental on the pavilion. Once the renters are finished with what they are doing they will call the police department to inspect the area. The area will have to be cleaned, if not they will lose their \$100.00 deposit.

Mayor Criswell states we have a rental for a benefit, we can waive the \$50.00 charge. The \$100.00 deposit is still required. Once the area is cleaned up and checked out by the police department we'll refund the deposit.

UTILITIES AND SENIOR CITIZENS

Councilwoman Moss states the senior citizens made a handmade quilt and they will be taking donations for a \$1.00. Councilwoman Moss will have the quilt and tickets at the next meeting.

Councilwoman Moss states the grant for the senior van looks good.

FINANCE

Councilwoman Moss gave the financial report, giving a copy to the Council. (Details of report listed below), Councilman Walker making a motion to accept financial report as read, seconded by Councilman Martin, all favored, none opposed, motion carried.

Ending Balance totaled \$104,588.68 for 8/1/2018-8/31/2018.

Revenues totaled \$108,171.20 for 8/1/2018 -8/31/2018.

withdrawals totaled \$39,240.14 for 8/1/2018 -8/31/2018

POLICE AND FIRE

POLICE

Police Chief Kirkland states the two recruits are doing great at the academy. They should graduate on November 15, 2018.

Police Chief Kirkland states there were a few burglaries. Police Chief Doug Kirkland and Sergeant Don Turberville tracked them down, got the merchandise back and their case has gone to the grand jury.

Police Chief states there are two on night shift patrolling, making stops, if vehicles are out late they are going to stop you and find out if you're not residence or if you are a residence to make sure everything is okay.

Police Chief Kirkland states the police department recovered a stolen motorcycle on Wilson Boulevard. They recovered a missing car from Rio Hondo Drive and returned it back to Title Max.

Police Chief Kirkland states there was a drug issue at Filters Now. They arrested a girl with a long history and her case will be going to the grand jury. Police Chief Kirkland took two sheriffs with

dogs for a walk through and it worked out great. They will keep the pressure up on the drug issue. The drug issue leads to burglaries and selling the stolen merchandise. The merchandise was found at some of the trailers on Salco Road where they are trading off the merchandise for drugs or money.

Mayor Criswell states the two new vehicles will be out on the streets next week.

FIRE

Fire Chief Jeff Reeves states he checked on the radiator that was approved by the council not to exceed \$1000.00. The total repairs for the radiator and coolant will be \$1721.84, the radiator was higher than Jeff Reeves thought. The total is everything included, no labor charged. This will put Engine 2 back in service.

Councilman Martin makes a motion in the amount of \$721.84 for the repairs on the fire truck. Councilman Hadaway second, all favored, none opposed, motion carried.

Fire Chief Jeff Reeves states on October 27, 2018 the #32 Boy Scouts troops of Satsuma will be working with American Legion of Saraland and the Blackwell Lodge to do a flag retirement ceremony at 9am. The ceremony is open to the public.

Fire Chief Jeff Reeves states he had their board meeting with 911. They were informed there is some legal action being taken against 911 that Jeff feels like it might affect our city as well as other cities. Newman's services are suing 911, Mobile County EMS and he believes they wrapped the county commission in there also for loss of revenue stating that Mobile County EMS is pushing them out of business, by taking on business. Mobile County EMS is not county owned or ran, it is a designated ambulance service that Mobile County Commission that has appointed for this county, they are under a rescue squad type. The Mobile County Commission gives them money each year, but they have their own board, make their own money. They are a 501 C, so they are non-profit. Newman's claim that they're profitable. The lawsuit is not something that will affect the city, but they're trying to have an injunction for Mobile County EMS to cease all services until litigation is complete. Danny Mims, city attorney, will look at the Circuit Court lawsuit before we get citizens to sign a letter.

Fire Chief Jeff Reeves asked that you remember those dealing with Hurricane Florence in the Carolina's.

STREETS/PUBLIC WORKS

Mayor Criswell states Wayne Miller with the Public Works department has a need for a backpack blower. The backpack blower the Public Works Department had stopped working. Mayor Criswell states that we may have to cut Hwy 43 one more time this year.

Mayor Criswell states the Public Works Department did some spraying and someone filed a complaint and Mayor Criswell received a letter from the U.S. Environmental Protection Agency Region #4 out of Atlanta. The U.S. Environmental Protection Agency sent a man down, the accusation was we were dumping Round-Up herbicides by the city employees in the Gunnison Creek, within the town limits of the City of Creola. The U.S. Environmental Protection Agency found no evidence of "dumping" could be determined, but spot applications of a Hi-Yield Super Concentrate Killzall III by a Creola city employee during late June 2018 were documented. The City does not have a certified person to handle weed killer. However, **Chapter 2-27-52** of the **Code of Alabama** exempts municipal employees from certain requirements of the statute (including certification and recordkeeping requirements) if we don't do any contract work. We have

determined that there is insufficient evidence for the Department to pursue enforcement action related to this incident.

Mayor Criswell states that we need to purchase of a lower unit backpack blower. We have prices from L&L Saw in Chickasaw on a Stihl, Garden Center in Saraland from Jerry Drinkard on a Stihl and Husqvarna brand and a price from Gulf South from Trey Thompson. The county has an agreement on certain items that we can buy under the county purchase order. We can buy a Stihl brand under the purchase order system from the State of Alabama which is about \$300.00-\$350.00.

Councilwoman Moss made that motion to buy the new Stihl backpack blower.
Councilman Walker seconded, all favored, none opposed, motion carried.

BUILDING INSPECTOR

Mayor Criswell states that we have a new roll line for the hot belt line for SSAB drawings that Don Moss, Building Inspector, will be inspecting this week. DR Horton is continuing their surveying for the 300 homes that will be built off Jackson Road. The engineering company out of Birmingham that is designing the project for DR Horton was working at the site, cutting right of way and staking it out.

MAYOR'S DISCUSSION

Mayor Criswell states on there will be a hunting class taught by Terry Foster. In October there will be an announcement that will go up, any one that was born after 1978 must have the training class to obtain a hunting license.

OTHER ANNOUNCEMENTS

Councilwoman Moss states the St. Andrews Chapel will be having a yard sale Saturday, September 15, 2018 from 7am until 3pm at SAIL Center. They will serve sausage dogs with all the trimmings. This yard sale will be for the scholarship and building fund.

Mayor Criswell states that he received notice from the Pay-As-You-Go roads that have been chosen for 2018. Mayor Criswell states that we didn't do very well. We had Brown Road in it and it came to \$1.25 million that would take everything that Satsuma, Chickasaw and Creola has coming. There were some other roads listed for resurfacing. We did get the resurfacing for Old Hwy 43., Halls Branch Road (where there will be bridge repair) and Wards Lane that was paved thirty-eight years ago. The county picks the roads that will be listed in the Pay-As-You-Go program. The city was informed the street down in front of St. Andrews Chapel is a county road not a city road.

Mayor Criswell states the Hurricane program is registered with EMS.
Mayor Criswell states there were no complaints within the city during the Hurricane Gordon.

ADJOURNMENT

MOTION BY: Councilwoman Moss
SECONDED BY: Councilman Hadaway
Meeting adjourned @ 6:50 p.m.
Respectfully submitted,

Carolyn Sue Cain
City Clerk

c.m. 09.13.18