

Council Meeting
January 6, 2014

Members Present: Mayor Richard C. Barr, members Jody Greene, Chandler Hill, Buddy Duke, Greg Paige and Butch Fausett.

Others Present: John Flythe, Rhonda Rowe, Tim Tanner, Chad Castleberry, Wayne Giddens, and members of the public and press.

Invocation was given by Councilman Hill.

Swearing-In of Council: Attorney Tim Tanner presided over the swearing-in of the following members and administered the oath of office.

Dextinn Chandler Hill	-	District 1, Post 1 Council
William P. Greene, II	-	District 2, Post 1 Council
Luther L. Duke, III	-	Council At Large

Mayor Pro-tem: Mayor Barr advised that in previous years the position of Mayor Pro-tem has been rotated by chair. Last year, the rotation fell to Councilman Paige who declined due to health issues and Councilman Folsom was appointed. Mayor Barr advised that Councilman Paige is willing to assume these duties this year if it is the wishes of the other members. Councilman Duke made a motion to appoint Councilman Paige as Mayor Pro-tem for 2014. Councilman Hill seconded with all in favor.

Approval of Minutes: Councilman Hill made a motion to approve the minutes of December 16, 2013. Councilman Fausett seconded. The decision was unanimous.

Beer License Application: The council was reminded that at the last meeting a temporary license was issued to Manchar One Corporation, d/b/a Mega Mart located at 100 N. Hutchinson Avenue until today's date until further information could be obtained regarding felony criminal offenses against the applicant of record. Mr. Tanner provided copies of the city code, Section 6-82 to the council which gives the grounds for denial of a license. Sub-paragraph 1-C specifically states that any criminal law which is classified as a felony is a violation that could result in denial. The code does not require a conviction in order to deny; however, if you deny an applicant, you must give a show case hearing. Mr. Tanner stated that according to the District of Attorney's office, this applicant is currently in a pre-trial conversion program. It essentially puts the defendant on unofficial probation. If he satisfies this, his charges will not go before the judge. Pre-trial diversion is not synonymous with conviction. He has not been convicted nor has he pled nolo. Mayor Barr requested an extension of his temporary license until the second meeting in March. If the charges are cleared up, his application would be considered at that time. Councilman Paige asked how long a background check takes. He was advised that portion is complete. The only thing now is the case in pre-trial conversion and the case was originally made in September 2011. Attorney Tanner stated that we could table any action until the 2nd meeting in March,

however, a decision must be made on that date. Councilman Duke made a motion to table any action until the 2nd meeting in March. Councilman Paige seconded. His temporary license would be extended to that date as well. Councilman Fausett stated that in his opinion, if he was guilty when it happened, he will still be guilty in March. After a call of the votes, all voted in favor of the motion with the exception of Councilman Fausett, who opposed.

Paving Project Change Order: City manager John Flythe advised the council that when bids were originally received for the paving project, the city had planned to do piping on one of the roads. In order to ensure the grade level is correct, etc., and to not void the warranty on that portion of the road, staff feels it would be in the best interest to allow the contractor to install the piping. This would result in an increase of \$4985. Councilman Fausett made a motion to approve the change order. Councilman Paige seconded. Councilman Duke asked if the change order still allows Reames & Son to be the low bidder. He was advised that it did. After a call of the votes, all were in favor of the action.

John H. Folsom Proclamation: Mayor Barr read a proclamation of appreciation to John H. Folsom for his 39 years of service as a councilman for the City of Adel.

Debris Disposal Contract Renewal: The council was advised that on January 11, 2011 we signed a contract with Alley-Cat Service & Sales for debris disposal. The contract was based on an average of 159 tons per month at \$23.00 per ton. The city manager asked for permission to re-bid for this service and obtain additional options from other vendors. Councilman Fausett made a motion to approve the request. Councilman Hill seconded with all in favor. Councilman Duke asked how the number of tons was arrived at. Public Works Supt. Wayne Giddens stated that was the average weight they were hauling to the site per month.

Meeting Date Change: Due to the Martin Luther King, Jr. holiday, Councilman Paige made a motion to move the next meeting to Tuesday, January 21st. Councilman Hill seconded. All were in favor.

Power Discussion: City manager John Flythe stated that he will be presenting information at the next meeting regarding power and the future direction it is headed.

There was no further business and the meeting was adjourned.

Rhonda P. Rowe, City Clerk

Richard C. Barr, Mayor
