

**Moody City Council - Minutes**  
**June 22, 2020**

Mayor Joe Lee called the meeting to order at 6:01 p.m.

WELCOME VISITORS:

PRAYER:

PLEDGE OF ALLEGIANCE:

ROLL CALL: All present

**APPROVE PUBLISHED AGENDA AND ALL ADDITIONS:** Motion was made by Council Member Linda Crowe to approve the agenda. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**CONSIDER APPROVING THE MINUTES OF May 26, 2020 Special called meeting:** Motion was made by Council Member Nick Rutledge to approve the minutes. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

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**1. Larry Horton** – Consider approval to purchase 2- Task Force Tips, Bubble Cup Foam Nozzles, Vendor: Darley Fire Equipment, Total Cost \$1,000.00, Budgeted 01-514-5400, ISO Equipment. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Matt Morris and all present voted AYE: Motion was carried by unanimous vote.

**2. Larry Horton** – Consider approval to purchase 1- Task Force Tips, Inline Foam Eductor, Vendor: Darley Fire Equipment, Cost \$750.00, Budgeted 01-514-5400, ISO Equipment. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**3. Larry Horton** – Consider approval to purchase Medical supplies, Cost - \$5,500.00 Vender – Boundtree Medical, Budgeted (01-514-5200) Medical Supplies. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**4. Larry Horton** – Consider approval to purchase Drugs Cost - \$500.00 Vender – St Vincent’s St Clair Budgeted (01-514-5200) Medical Supplies. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**5. Larry Horton** – Consider approval to change the Classification of Chris Hall to Captain. This will be a change in Hourly rate to \$15.29. He will be replacing Hunter Knight as the Captain on “A” shift. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Lynn Taylor and all present voted AYE: Motion was carried by unanimous vote.

**6. Larry Horton** – Consider approval to purchase 1940 Feet of 1.75” and 5” Fire Hose to replace the hose that FAILED the SERVICE TEST. Cost \$11,000.00. Vender: Bull Dog Hose Company. Line Item: ISO Equipment 01-514-5400 – Budgeted Item. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**7. Thomas Hunt** – Consider approval to purchase new tires for car 348 Chevrolet Tahoe. Vendor Vulcan \$651.63. Budgeted 524-4502. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**8. Thomas Hunt** – Consider approval to purchase new tires car 333 Dodge Durango. Vendor Vulcan \$614.32 Budgeted item 524-4502. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**9. Thomas Hunt** – Consider approval to purchase yearly ammunition purchase. Vendor: Gulf States (State Bid) \$5,074.00 Budgeted 513-2003. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**10. Thomas Hunt** – Consider approval to purchase new tires Car 347 Chev Tahoe. Vendor Vulcan \$572.00. Budgeted 524-4502. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Matt Morris and all present voted AYE: Motion was carried by unanimous vote.

**11. Thomas Hunt** – Consider approval to spend remaining amount on remodel of police department. \$8,000.00 Budgeted Capital 513-9999. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**12. Mike Staggs** – Consider approval to replace Laptop for Park, Cost: \$589.60, Vendor: ALW Technologies, Budgeted: Misc. Operating Cost 01-554-1000. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**13. Mike Staggs** – Consider approval to repair the AC at the Civic Center, Cost: \$1235.00, Vendor: Tri Counties Heating and Air, Budgeted: Maintenance B&G 01-526-2300. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**14. Mike Staggs** – Consider approval for the July 11, 2020 city fireworks, cost \$10,000.00. Budgeted item. 01-560-1000 Festival Exp. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Matt Morris and all present voted AYE: Motion was carried by unanimous vote.

**15. Lynn Taylor** – Consider approval of recommendation to give \$5,050.00 to The Moody Miracle League from Council Seat 2 Discretionary Council Seat Fund as per Ord. M2016-10-24B. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**16. Mayor Lee** – Consider approval to adopt Ordinance M2020-06-22 Flood Damage Prevention. Council Member Linda Crowe made a motion to suspend the rules. Motion was seconded by Council Member Nick Rutledge. A roll call vote was called and all present voted AYE. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Matt Morris, all present voted AYE: Motion was carried by unanimous vote.

**17. Mayor Lee** – Consider approval to adopt Ordinance M2020-06-22A, setting the Qualification Fees for the 2020 Municipal Election. Council Member Linda Crowe made a motion to suspend the rules. Motion was seconded by Council Member Matt Morris. A roll call vote was called and all present voted AYE. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Nick Rutledge, all present voted AYE: Motion was carried by unanimous vote.

**18. Mayor Lee** – Consider approval of Resolution R2020-06-22 appointing the city clerk as the election manager for the 2020 Municipal Election. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**19. Mayor Lee** – Consider approval of Resolution R2020-06-22A appointing poll workers for the 2020 Municipal Election. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**20. Mayor Lee** – Consider approval of Resolution R2020-06-22B Poll Workers Compensation for the 2020 Municipal Election. Motion was made by Council Member Ellis Key to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**21. Mayor Lee** – Consider approval of Resolution R2020-06-22C Alabama Department of Transportation Standard Project Resolution. Project # IM-I020(357), Pavement rehabilitation on I-20 from the Jefferson Co, line to 0.87 mile east of Kelly Creek Rd, MP 142.917 to MP 147.900. Motion was made by Council Member Nick Rutledge to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**22. Thomas Hunt** – Consider approval to promote a Patrol Lieutenant. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**23. Thomas Hunt** – Consider approval to accept a K-9 for the police department from IK9, Inc. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**24. Hemp 205, Inc. Hearing** - Consider revocation of Business License. **City Attorney** – City Attorney James Hill advised the Council as to their responsibilities and the standard by which they were to review business license revocations. The City Attorney then presented evidence related to the licenses applicable (Growing / Processing) to the Hemp industry and evidence that the Licensee’s agent (Patrick Leberte) had a Processing License revoked on August 29, 2019. Detective Mark Smith offered evidence that he worked with a confidential informant who was able to purchase what he was advised to be marijuana from within the premises of the licensee; said purchase being made prior to the reinstatement of the Licensee’s Processing License. He then obtained and executed a search warrant and confiscated product which tested positive for THC.

In response, Mr. Leberte asked that the proceedings be continued until after his criminal proceeding was completed.

City Attorney James Hill asked for the council to consider revoking the Business License based on the evidence presented. A motion to revoke was made by Linda Crowe and seconded by Lynn Taylor. All voted aye with the exception of Nick Rutledge who abstained. Motion carried.

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**25. Larry Horton** – Consider approval to purchase three new fire hydrants on Kerr Rd., installed by Odenville Water. Cost \$10,500.00. Capital Budget #01-514-9900. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

**26. James Hill** – City Attorney James Hill asked the council to consider approving an agreement with High Tide Oil Company, Inc. related to conclusion of the lawsuit, purchasing of Temporary Construction Easement(s) and removal of one access point and subsequent diminution of value. The City’s payment would be \$75,000 as the County would pay the other \$75,000. Motion was made by Council Member Lynn Taylor to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

**27A. James Hill** – Consider approval City Attorney James Hill asked the council to consider approving an agreement with Love’s, St. Clair County and Speedway related to improvements necessary at the Brompton intersection and payment of the same. The City’s entrance into the agreement is subject to approval by all other parties. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Lynn Taylor and all present voted AYE: Motion was carried by unanimous vote.

**27B. James Hill** – Consider approval City Attorney James Hill asked the council to consider approving an agreement with Speedway related to its construction and access; the City’s entrance into this agreement is subject to full approval of the Agreement described above. Motion was made by Council Member Ellis Key to approve. Motion was seconded by Council Member Linda Crowe and all present voted AYE: Motion was carried by unanimous vote.

**28. Mayor Lee** – Consider approval to pay the emergency expense to fly the police Chief home after the June 2, 2020 Moody Police Officer shooting. Cost \$1,792.40. Mayor and Council Exp. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Matt Morris and all present voted AYE: Motion was carried by unanimous vote.

**29. Mayor Lee** – Consider approval for Summer Dress Code for the fire department, 06-1-2020 thru 08-31-2020. (approved shorts) monitored by the Fire Chief. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

Motion was made by Mayor Lee to close the meeting at 6:32 P.M. with no further business before the city.

Approved this 13th day of June, 2020

Mayor Joe Lee \_\_\_\_\_

Attest: Tracy L. Patterson, City Clerk \_\_\_\_\_