

**Moody City Council - Minutes
February 14, 2022**

Mayor Joe Lee called the meeting to order at 6:00 p.m.

WELCOME VISITORS:

PRAYER:

PLEDGE OF ALLEGIANCE:

ROLL CALL: All Present

APPROVE PUBLISHED AGENDA AND ALL ADDITIONS: Motion was made by Council Member Lynn Taylor 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 January 10, 2022 (tabled on January 24, 2022) Motion was made by Council Member Matt Morris to approve the minutes. Motion was seconded by Council Member Ellis key and all present voted AYE: except Lynn Taylor and Nick Rutledge abstained. Motion was carried.

CONSIDER APPROVING THE MINUTES OF January 24, 2022, Motion was made by Council Member Linda Crowe to approve the minutes. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: except Lynn Taylor and Matt Morris abstained. Motion was carried.

Committee & Departmental Reports: January 2022

Park and Recreation:	Mike Staggs
Police Department:	Thomas Hunt
Fire Department:	Larry Horton
Public Inspections Department:	David Crowe
Public Works Department:	Steve Mitchell - out
Library:	Patsy Spradley
Municipal Court:	Tim Senft - out
Senior Center:	Addie Duke

1. Bobby R McKleroy – Hearing in front of the Mayor and Council. Ref: Dangerous Animal Case violation of Ord. M2001-07-09. Opened Hearing – 6:10pm:

City Attorney James Hill advised the Council as to its responsibility pursuant to the Ordinance and the Order of Euthanasia (the "Order") issued by the Animal Control Officer for the two dogs at issue of Mr. McKleroy. After Mr. McKleroy's notice of appeal, the matter goes to the council for determination as to said Order. Ltd. Reece Smith addressed the council and showed the videos taken from the cameras of the victim's house on the date at issue and depicting the events giving rise to the Order. Lee Barnes, owner of the deceased dog addressed the council as to the prior (multiple) attacks involving the dogs at issue and his concern as to future attacks on animals or children. Mr. McKleroy addressed the council and questioned whether both of his dogs were involved in the attack although both are shown on the videos.

After all parties had opportunity to be heard: Councilmember Lynn Taylor made a motion to uphold the Order and for said euthanasia to occur on February 22, 2022 to allow Mr. McKleroy the opportunity to appeal the council's decision to the Circuit Court if he so desired. Matt Morris seconded the motion; all voted aye. Motion carried. Closed Hearing – 6:47pm.

2. Thomas Hunt – Consider approval of payment to Cellebrite for yearly subscription for cell phone examinations. Cost: \$6,775.00. Budgeted item Capital 513-9900. 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.

3. Thomas Hunt – Consider approval of travel room for Lt. Hicks, FBI training class Huntsville, AL. Cost: \$369.70. Budgeted item Travel 513-1200. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Ellis Key and all present voted AYE: Motion was carried by unanimous vote.

4. Thomas Hunt – Consider approval of payment for partial yearly ammo purchase. Cost: \$1,095.00 vendor: Gulf States. Budgeted item Ammo 513-2003. 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.

5. Thomas Hunt – Consider approval for car #348 2016 Tahoe new tires. Cost: \$873.00 vendor: Moody Auto. Budgeted item 513-4502. 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.

6. Thomas Hunt – Consider approval to post part time police clerk position for police department. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

7. Thomas Hunt – Consider approval for Chief Thomas Hunt to attend Chiefs winter conference Mobile, AL February 2022. Cost \$700. Budgeted item Travel 513-1200. 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.

8. Thomas Hunt – Consider approval of yearly payment to Leads on Line. Cost: \$2,370.03. Budgeted item Contract 513-3000. 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.

9. Steve Mitchell – Consider approval to have the floors at Whites Chapel Community Center, cleaned, stripped and buffed. Vendor; Perfection Cleaning, cost: \$1,000.00. Funded Sec 6 capital fund. 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.

10. Steve Mitchell – Consider approval to have the Public Works Dump truck repaired. Vendor: Randy Evans, cost: \$2700.00. Budget vehicle Maintenance 01-515-4502. 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.

11. Patsy Spradley – Consider approval to renew the yearly Book Systems’ Atrium Circulation System. Cost is \$2,285.00 for hosting and technical support, eZcat, and OPAC Snapshot (Budgeted item Periodicals/Books). Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

12 Mike Staggs – Consider approval of a Public Works Project to remodel the rear park restrooms. Not to exceed \$25,500.00, Budgeted Item: 01-517-9900 Capital Request, Vendor: Clapper Restoration. 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.

13 Mike Staggs – Consider approval to purchase a new desktop computer for Civic Center Manager: Vendor: ALW Technologies, Cost: \$1,017.66, Budgeted: Office Equipment 01-526-2504. 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.

14. Larry Horton – Consider approval to renew our yearly reporting software, Vendor: EOS Solutions, Cost: \$2,741.20, Budgeted 01-514-5400 ISO Equipment. 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.

15 Larry Horton – Consider approval to purchase of cleaning and maintenance supply’s for apparatus. Vendor: Momar, Cost: \$725.00 Budgeted 01-514-4502 Vehicle maintenance. 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.

16. Larry Horton – Consider approval for Service and test to be performed on the Breathing Air Compressor. Vendor: Emergency Equipment Professionals, Cost: \$860.00, Budgeted 01-514-4800 Firefighting Station Tools/Equipment. Motion was made by Council Member Linda Crowe to approve. Motion was seconded by Council Member Nick Rutledge and all present voted AYE: Motion was carried by unanimous vote.

17. Larry Horton – Consider approval to replace the processor on one of the Fire Pumps at the Moody Industrial Park, Vendor: Hydro Technologies, Cost: \$6,968.03, Budgeted 01-514-5100 Fire Pumps. 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.

18. Larry Horton – Consider approval to have Dividers for equipment fabricated for the rescue truck, Vendor: Valley Repair Service, Cost: \$3,200.00, Budgeted 01-514-5401, 2-Mil tax. 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.

19. Linda Crowe – Consider approval to purchase 60th Anniversary banners for the City of Moody. Vendor; CAST, Cost: not to exceed \$800.00. 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.

20. Linda Crowe – Consider approval to add tele-work and workplace safety to the City Hall downstairs conference room. (No contact Zoom meetings, web based meetings and classes) Equipment: Monitors/TV, computer, software, network and re-model. Cost not to exceed \$5,000.00, Re-funded from American Rescue Plan Act. Motion was made by Council Member Linda Crowe 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 R2022-02-14 a resolution for Fire Protection Services Fees for the Moody Industrial Park. James Hill reviewed the resolution, 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.

22 James Hill – Consider convening into an Executive Session to discuss matters of pending litigation or actions being considered by the City which, if taken, are imminently likely to lead to litigation. James Hill – Opinion on Applicability of Executive Session, session should be about 20 minutes. Motion was made by Council Member Matt Morris to approve. Motion was seconded by Council Member Nick Rutledge and Roll Call Vote all present voted yes: Motion was carried by unanimous vote. Session: open 6:58pm – council returned at 7:15pm.

23. James Hill – Consider any action related to the executive session, if any. Matt Morris made a motion to enter into the Settlement Agreement resolving the lawsuit with Ms. Jackson as recommended by the City Attorney; Nick Rutledge seconded the motion; all voted aye except for Councilmember Lynn Taylor who abstained. Motion carried.

24. Mayor Lee – Consider approval to survey the city property on Carl Jones Road behind Publix, vendor: City Engineer Keith Hager, cost: \$3,350.00. Commercial Development 01-510-1500. 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.

Motion was made by Mayor Lee to close the meeting at 7:17PM with no further business before the city.

Approved this 28th day of February, 2022

Mayor Joe Lee _____

Attest: Tracy L. Patterson, City Clerk _____