

**CITY OF SPANISH FORT
CITY COUNCIL MEETING
AGENDA**

Regular Meeting
April 15, 2024
Spanish Fort Community Center
6:00 p.m.

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE
- V. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETINGS

Work Session April 1, 2024
Regular Meeting April 1, 2024

- VI. REPORTS OF COMMITTEES AND OFFICERS
- VII. PUBLIC PARTICIPATION
- VIII. ANNOUNCEMENTS

Congressman Jerry Carl has sent out a survey to Spanish Fort residents asking for feedback about our postal service. Please check your email inbox and fill out the survey. If you did not receive a survey, please send your comments to jerry.carl@mail.house.gov. It is important the Congressman and his staff receive your feedback.

Saturday, April 27, 2024, 9:00 a.m. to 3:00 p.m., the City is hosting the Fourteenth Annual Delta Woods & Waters Expo family day. The Expo will be held at 5 Rivers Delta Resource Center on the Mobile Bay Causeway. There will be lots of outdoor activities, including fly fishing, geocaching, demonstrations of turkey calling, archery and many other activities. Admission is free.

- IX. OLD BUSINESS
- X. NEW BUSINESS

Ordinance No. 665-2024-----An Ordinance Exempting Certain “Covered Items” from the Municipal Sales and Use Tax during the Third Weekend of July, 2024, as Authorized by the State Back-to-School Sales Tax Holiday Legislation

Resolution No. 1397-2024----A Resolution Authorizing the Mayor to Enter into a Memorandum of Understanding on behalf of the Spanish Fort Fire Rescue Department

Resolution No. 1405-2024----A Resolution Disposing of Surplus Property

Resolution No. 1406-2024----A Resolution Appointing Members to the Spanish Fort Public School Commission

Resolution No. 1407-2024---A Resolution Amending the Personnel Manual of the City of Spanish Fort

- XI. ADJOURN TO NEXT MEETING
- XII. Work Session and Regular Meeting, May 6, 2024

**Spanish Fort City Council
Minutes, Regular Meeting, April 1, 2024**

CALL TO ORDER

The City Council of the City of Spanish Fort, Alabama, met Monday, April 1, 2024, at 6:06 p.m., at the Spanish Fort Community Center, that being the scheduled date, time and place of such meeting.

ROLL CALL

The following Councilmembers were present: Curt Smith, Carl Gustafson, Shane Perry, J. R. Smith, Mary Brabner and Mayor McMillan.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation and Pledge of Allegiance was led by Councilmember Curt Smith.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

The minutes of the Meeting and Work Session of March 18, 2024, were distributed to each member, and Mayor McMillan called for any corrections. No corrections being offered, Mayor McMillan declared the minutes approved as written.

REPORTS OF COMMITTEES AND OFFICERS

There were none.

PUBLIC PARTICIPATION

There was none.

ANNOUNCEMENTS

On Saturday, March 23, 2024, the Baldwin Pops Band will be performing a free concert at the Spanish Fort Community Center at 6:00 p.m. Bring your tailgate chairs and enjoy the concert outside by the pond.

On Saturday, March 30, 2024, the City of Spanish Fort will partner with former Alabama and NFL football star Wallace Gilberry to present an Easter egg hunt at Integrity Park. The public is invited to begin arriving at noon, and the Easter egg hunt will occur at 2:30 p.m. There will be free food, prizes and drinks, along with over 10,000 Easter eggs.

Congressman Jerry Carl has sent out a survey to Spanish Fort residents asking for feedback about our postal service. Please check your email inbox and fill out the survey. If you did not receive a survey, please send your comments to jerry.carl@mail.house.gov. It is important the Congressman and his staff receive your feedback.

On Saturday, April 13, 2024, the Spanish Fort Junior City Council will conduct City Serve Day 2024 from 8:00 a.m. to 12:00 p.m. The Junior Council will lead volunteers in cleaning up the roadside along Jimmy Faulkner Drive. Participants should meet at 8:00 a.m. at the Spanish Fort High School Gymnasium parking lot and will be directed to a section for cleanup activities. The City will provide vests, disposable gloves and garbage bags as well as bottled water for volunteers.

On Sunday, April 14, 2024, the Mobile Pops Band will be performing at the Spanish Fort Community Center on Sunday, at 6:00 p.m. FAME, Fine Arts, Music & Entertainment will have an art guild show prior to the concert from 5:00 p.m. to 6:00 p.m.

Saturday, April 27, 2024, 9:00 a.m. to 3:00 p.m., the City is hosting the Fourteenth Annual Delta Woods & Waters Expo family day. The Expo will be held at 5 Rivers Delta Resource Center on the Mobile Bay Causeway. There will be lots of outdoor activities, including fly

fishing, geocaching, demonstrations of turkey calling, archery and many other activities. Admission is free.

The City of Spanish Fort would like to congratulate Spanish Fort Career Firefighter of the Year Tim Cooper and Volunteer Firefighter of the Year Steve LeMoyne who were honored at the annual Fire Department Awards Banquet on March 16, 2024. Congratulations to both gentlemen, and thank you for your service.

The City of Spanish Fort has partnered with Vector Disease Control International to conduct mosquito spraying in the City of Spanish Fort. VDCI will begin spraying the week of April 1, 2024, and will spray every City roadway each week during the warmer months.

OLD BUSINESS

There was none.

NEW BUSINESS

Proclamation of the Month of April 2024 as Child Abuse Awareness and Prevention Month in the City of Spanish Fort

Mayor McMillan issued a proclamation proclaiming the month of April 2024, as Child Abuse Awareness and Prevention Month in the City of Spanish Fort. David Conner read the proclamation. Mayor McMillan presented the proclamation to Care House, Inc., doing business as the Baldwin County Child Advocacy Center.

Proclamation of National Library Week in the City of Spanish Fort

Mayor McMillan issued a proclamation proclaiming the week of April 7-13, 2024, as National Library Week in the City of Spanish Fort. David Conner read the proclamation. Mayor McMillan presented the proclamation to Spanish Fort Public Library Board Chairman Curt Smith.

Swearing in of Police Department Employee

Mayor McMillan called upon City Clerk Rebecca A. Gaines, who administered the Oath of Office to Police Officer William Kent.

Promotion Ceremony for Police Department Employees

Mayor McMillan called upon Police Chief John Barber who performed promotion ceremonies for Sergeant Steven Mooney, who was promoted to Police Lieutenant, and Police Officer Jason Henson, who was promoted to Corporal.

Ordinance No. 658-2024

Mayor McMillan presented Ordinance No. 658-2024, an ordinance amending Ordinance No. 1994-11 of the City of Spanish Fort to amend the levy of a privilege or license tax on persons, firms or corporations in the business of selling at retail tangible personal property in the City of Spanish Fort, Alabama, or within its police jurisdiction; providing for the collection of the said taxes; and providing penalties for the violation of said ordinance. Discussion followed.

Ordinance No. 659-2024

Mayor McMillan presented Ordinance No. 659-2024, an ordinance amending Ordinance No. 1995-30 of the City of Spanish Fort providing for the levy and assessment of a tax on the leasing or renting of tangible personal property. Discussion followed.

Ordinance No. 660-2024

Mayor McMillan presented Ordinance No. 660-2024, an ordinance amending Ordinance No. 192-2003 of the City of Spanish Fort providing and levying a tax on cigarettes, tobacco products and rolling papers. Discussion followed.

Ordinance No. 661-2024

Mayor McMillan presented Ordinance No. 661-2024, an ordinance amending Ordinance No 1995-29 of the City of Spanish Fort providing for the levy of a use or excise tax against persons, firms or corporations which use or consume personal property in the City of Spanish Fort Alabama, or within its police jurisdiction and providing for the collection of such taxes. Discussion followed.

Ordinance No. 662-2024

Mayor McMillan presented Ordinance No. 662-2024, an ordinance amending Ordinance No 51-96 of the City of Spanish Fort, Alabama. David Conner explained the proposed ordinance. Discussion followed. Mayor McMillan opened the public hearing. There were no speakers. Mayor McMillan closed the public hearing.

A motion was made by Councilmember Brabner and seconded by Councilmember Gustafson to adopt Ordinance No. 662-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Ordinance adopted.

Ordinance No. 663-2024

Mayor McMillan presented Ordinance No. 663-2024, an ordinance amending Ordinance No. 51-96 of the City of Spanish Fort changing the zoning classification of certain property located on Battleship Parkway, Spanish Fort, Alabama, and bearing Tax Parcel No. 05-31-08-27-0-000-007.000 from R-1 to B-3. David Conner explained the proposed ordinance. Discussion followed. Mayor McMillan opened the public hearing. There were no speakers. Mayor McMillan closed the public hearing.

A motion was made by Councilmember J. R. Smith and seconded by Councilmember Brabner to amend Ordinance No. 663-2024 to rezone the property bearing Tax Parcel No. 05-31-08-27-0-000-007.000 from R-1, Single Family Residential, to B-2, Local Business District. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the motion carried and the proposed Ordinance was amended.

A motion was made by Councilmember Brabner and seconded by Councilmember Curt Smith to adopt Ordinance No. 663-2024, as amended to rezone the subject property to B-2, Local Business District. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Ordinance adopted.

Ordinance No. 664-2024

Mayor McMillan presented Ordinance No. 664-2024, an ordinance amending Ordinance No 51-96 of the City of Spanish Fort extending the rezoning of certain property located at 10284 US Highway 31, Spanish Fort, Alabama, from R-1 to B-1. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Curt Smith and seconded by Councilmember Gustafson to adopt Ordinance No. 664-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, and Mayor McMillan. Voting “nay” were none. Councilmember Brabner recused herself from the vote. Mayor McMillan declared the Ordinance adopted.

Ordinance No. 665-2024

Mayor McMillan presented Ordinance No. 665-2024, an ordinance exempting certain “Covered Items” from the municipal sales and use tax during the third weekend of July, 2024, as authorized by the state Back-to-School Sales Tax Holiday Legislation. David Conner explained the proposed resolution. Discussion followed.

Resolution No. 1395-2024

Mayor McMillan presented Resolution No. 1395-2024, a resolution authorizing the Mayor to execute an agreement between the City of Spanish Fort and Matthew Jones Engineering. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Gustafson and seconded by Councilmember Perry to adopt Resolution No. 1395-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1396-2024

Mayor McMillan introduced Resolution No. 1396-2024, a resolution authorizing the Mayor to enter into an agreement with Sunset Contracting, Inc., for repairs at Alder Avenue. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Gustafson and seconded by Councilmember Curt Smith to adopt Resolution No. 1396-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1397-2024

Mayor McMillan introduced Resolution No. 1397-2024, a resolution authorizing the Mayor to enter into a Memorandum of Understanding on behalf of the Spanish Fort Fire Rescue Department. David Conner explained the proposed resolution. Discussion followed.

Resolution No. 1398-2024

Mayor McMillan introduced Resolution No. 1398-2024, a resolution authorizing the Mayor to enter into an agreement between the City of Spanish Fort and Baldwin County Emergency Communications District d/b/a Baldwin County 9-1-1. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Perry and seconded by Councilmember Brabner to adopt Resolution No. 1398-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1399-2024

Mayor McMillan introduced Resolution No. 1399-2024, a resolution rejecting bids for the construction of a new central Fire Station No. 1 in the City of Spanish Fort, Alabama. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember J. R. Smith and seconded by Councilmember Curt Smith to adopt Resolution No. 1399-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1400-2024

Mayor McMillan introduced Resolution No. 1400-2024, a resolution appointing a voting delegate from the City of Spanish Fort, Alabama, to serve as the City’s voting delegate to the Alabama League of Municipalities 2024 Annual Convention. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Curt Smith and seconded by Councilmember Gustafson to adopt Resolution No. 1400-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1401-2024

Mayor McMillan introduced Resolution No. 1401-2024, a resolution authorizing the Mayor and Police Chief of the City of Spanish Fort to make applications for the Homeland Security Grant Program. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Gustafson and seconded by Councilmember J. R. Smith to suspend the rules for immediate consideration of Resolution No. 1401-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared motion carried, and the rules were suspended to allow for immediate consideration of the resolution.

A motion was made by Councilmember Brabner and seconded by Councilmember J. R. Smith to adopt Resolution No. 1401-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1402-2024

Mayor McMillan introduced Resolution No. 1402-2024, a resolution authorizing the Mayor and Fire Chief of the City of Spanish Fort to make application for the Staffing for Adequate Fire and Emergency Response (SAFER) Grant from the Department of Homeland Security. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember Perry and seconded by Councilmember Brabner to suspend the rules for immediate consideration of Resolution No. 1402-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared motion carried, and the rules were suspended to allow for immediate consideration of the resolution.

A motion was made by Councilmember J. R. Smith and seconded by Councilmember Curt Smith to adopt Resolution No. 1402-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1403-2024

Mayor McMillan introduced Resolution No. 1403-2024, a resolution opposing the passage by the Alabama Legislature of House Bill 268 and any other similar legislation. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember J. R. Smith and seconded by Councilmember Curt Smith to adopt Resolution No. 1403-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

Resolution No. 1403-2024

Mayor McMillan introduced Resolution No. 1403-2024, a resolution opposing the passage by the Alabama Legislature of House Bill 306 and any other similar legislation. David Conner explained the proposed resolution. Discussion followed.

A motion was made by Councilmember J. R. Smith and seconded by Councilmember Curt Smith to adopt Resolution No. 1403-2024. Discussion followed. Mayor McMillan called for a polling of votes. Voting “aye” were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting “nay” were none. Mayor McMillan declared the Resolution adopted.

ADJOURNMENT

There being no further business before the Council, the meeting adjourned at 7:06 p.m.

Approved this ____ day of _____, 2024.

Rebecca A. Gaines
City Clerk.

Spanish Fort City Council

Minutes, Work Session, Monday, April 1, 2024

The City Council of the City of Spanish Fort, Alabama, met Monday, April 1, 2024, at 4:08 p.m., at the Spanish Fort Community Center, that being the scheduled date, time and place of such meeting.

The following Councilmembers were present: Curt Smith, Carl Gustafson, Shane Perry, Mary Brabner, J. R. Smith and Mayor McMillan. A quorum being present, the work session proceeded.

The Council discussed general municipal business.

City Attorney, David Conner made a recommendation that the City Council go into executive session in accordance with the Alabama Open Meetings Act to discuss the general reputation and character of certain individuals and, subject to the limitations set out therein, to discuss the job performance of certain public employees; and to discuss the legal ramifications of and legal options for pending litigation, controversies not yet being litigated, but imminently likely to be litigated, or imminently likely to be litigated if the governmental body pursues a proposed course of action. Mr. Conner made an oral declaration that the exceptions under the Open Meetings Act are applicable to the planned discussion. A motion was made by Councilmember J. R. Smith and seconded by Councilmember Perry to go into executive session at 5:08 p.m. to discuss the aforementioned matters. Mayor McMillan called for the polling of votes. Voting "aye" were Councilmembers Curt Smith, Gustafson, Perry, J. R. Smith, Brabner and Mayor McMillan. Voting "nay" were none. Mayor McMillan announced that the executive session would last approximately 60 minutes and that the Work Session would resume upon the conclusion of the executive session.

The Council reconvened at 5:48 p.m.

The Council discussed general municipal business.

There being no further business before the Council, the work session adjourned at 5:52 p.m.

Approved this _____ day of April, 2024.

Rebecca A. Gaines, CMC
City Clerk

ORDINANCE NO. 665-2024

AN ORDINANCE EXEMPTING CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE THIRD WEEKEND OF JULY 2024, AS AUTHORIZED THE STATE BACK-TO-SCHOOL SALES TAX HOLIDAY LEGISLATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

Section 1. In conformity with the provisions of *Code of Alabama* (1975) § 40-23-210 through § 40-23-213, providing for a State Back-to-School Sales Tax Holiday, the City of Spanish Fort, Alabama, exempts “covered items” from the 1½% municipal sales and use tax during the same period, beginning at 12:01 a.m. on the third Friday in July 2024 (July 19, 2024) and ending at twelve o’clock midnight on the following Sunday (July 21, 2024).

Section 2. This Ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by *Code of Alabama* (1975) § 40-23-210 through § 40-23-213, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this Ordinance under the seal of the City of Spanish Fort, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This Ordinance shall become effective upon adoption.

ADOPTED AND APPROVED this ____ day of April, 2024.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines, CMC
City Clerk

RESOLUTION NO. 1397-2024

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A
MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE SPANISH
FORT FIRE RESCUE DEPARTMENT**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT,
ALABAMA, AS FOLLOWS:**

SECTION 1. The City Council of the City of Spanish Fort, Alabama, hereby authorizes the Mayor to execute a Memorandum of Understanding on behalf of the Spanish Fort Fire Rescue Department regarding the application for and administration of potential grant funding to purchase communications equipment that will be P25, Phase II, 7/800 MHz compliant, subject to any changes approved by the Mayor. A copy of the proposed agreement is attached hereto As Exhibit 1.

SECTION 2. The Agreement shall be executed by the Mayor on behalf of the City, and the City Clerk shall attest the same and affix the Seal of the City thereto.

SECTION 3. This Resolution shall become effective upon its adoption.

ADOPTED AND APPROVED this ____ day of _____, 2024.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines, CMC
City Clerk

Exhibit 1

MEMORANDUM OF UNDERSTANDING

The purpose of this Memorandum of Understanding (MOU) is to document the mutual understand of the four (4) Fire Departments in Baldwin County, Alabama in obtaining and administration of funding to purchase Communication Equipment that will be P25, Phase II, 7/800 MHz Compliant.

The following Departments have agreed to support a grant application to the 2023 Assistance to Firefighter Grant Program to fund the purchase of this equipment: Loxley VFD, Daphne FD, Silver Hill FD, and Spanish Fort Fire Department.

This equipment will enable the departments to utilize the Alabama Interoperable Radio System (AIRS) which will enable interoperability with emergency responders throughout Alabama.

The Departments collectively agree to the following:

1. Loxley VFD will serve as the host agency to submit the Application and serve as the grant administrator for the Departments in the event of approval.
2. Ed Vaughn will be the primary point of conduct for all matters pertaining to this grant.

Upon notification that the grant has been awarded, the Departments agree to the following:

1. Loxley VFD will be responsible for ensuring the procurement process followed is according to Code of Federal Regulations (CFR) Part 200 Subpart D Chapter 200.317 through 200.326-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
2. Loxley VFD will be responsible for coordination of the **single audit** required by OMB Circular A-133 if it is required.
3. All items approved under the Application will be procured and administered through Loxley VFD.
4. The Departments agree to accept the 2023 AFG Regional Award and accept their respective equipment as listed in the Application.
5. Loxley VFD agrees, as the host agency, to provide accountability for the assets acquired under the Regional AFG award and provide reporting requirement deliverables. As such, the Departments agree to provide Loxley VFD with this information on a timely basis to remain in compliance with the requirements of the grant.
6. Loxley VFD will be responsible for submitting any and all performance reports required by the AFG program to be submitted to FEMA. *and as approved based on*
7. Loxley VFD will serve as the representative for the group when FEMA conducts an audit of the grant award.
8. The Departments agree to provide the required match in the amount of the total cost of their requested items as detailed in the Application as required under the Regional AFG Notice of Funding Availability (NOFA). The Departments understand that FEMA may reduce the amount and quantity requested in the application before a grant award is made. The match will be adjusted accordingly. *adjustment*
9. The Departments understand that if FEMA makes an ~~adjust~~ *approved or adjusted* to the amount or quantity requested, it does not release the Department's obligation to purchase the ~~requested~~ *requested* quantity.
10. The required match will be paid by the Departments within 30 days after receipt of an invoice from Loxley VFD in advance of equipment delivery. The match will be divided among the four (4) Departments based upon the approved schedule of items in Attachment A. *and provide the adjusted matching funds based on the adjusted quantity.*
11. The equipment purchased with the funds from the grant award will be distributed to each Department based upon the schedule of requested and awarded items approved prior to submission of the grant application.
12. Any expenditure by the Department beyond the grant award will be the responsibility of the Department and invoiced by the vendor directly to the Department, separately from the purchase made with grant funds.
13. The Departments understand and agree that if a Department ceases operation before the end of life of the equipment or becomes in default after paying their financial share; the equipment will be returned to Loxley VFD. Redistribution will be determined by the remaining Departments included in this agreement.
14. The Departments will implement this potential collaboration during the Period of Performance commencing on the effective date of the Period of Performance. Unless renewed by the Parties, the MOU will expire at the end of the grant's Period of Performance and approved close out.

EWV

JR

15. Each Department warrants and represents that it has the full power and authority to enter into and perform this MOU; and that the person signing on behalf of each Department has been properly authorized and empowered to enter this MOU.

Name	Department	Signature	Date
Ed Vaughn	Loxley VFD	<u>Deputy Chief Ed Vaughn</u> <small>Deputy Chief Ed Vaughn (Mar 8, 2014 10:06 CST)</small>	08/03/2024
Joey Holasz	Daphne Fire Department		
Joshua Rice	SilverHill VFD	<u>Joshua Rice</u> <small>Joshua Rice (Mar 8, 2014 10:06 CST)</small>	08/03/2024
Roger Few	Spanish Fort Fire & Rescue		

2023 AFG Application EMW-2023-FG-08059
 BALDWIN COUNTY ALABAMA
 REGIONAL GRANT APPLICATION
 Radios

	36	45	24	44	149
Portable Radio-per Riding position					
COST PER RADIO	\$ 6,625.00	\$ 6,625.00	\$ 6,625.00	\$ 6,625.00	\$ 6,625.00
TOTAL COST	\$ 238,500.00	\$ 298,125.00	\$ 159,000.00	\$ 291,500.00	\$ 987,125.00
Federal Share	\$ 216,818.18	\$ 271,022.73	\$ 144,545.45	\$ 265,000.00	\$ 897,386.36
Department Match	\$ 21,681.82	\$ 27,102.27	\$ 14,454.55	\$ 26,500.00	\$ 89,738.64

JR

Signature:
 Email: rfew@spanishfortfire.org

RESOLUTION NO. 1405-2024

A RESOLUTION DISPOSING OF SURPLUS PROPERTY

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

WHEREAS, the City of Spanish Fort, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

WHEREAS, Ala. Code §11-43-56 (1975) authorizes the municipal governing body to dispose of unneeded personal property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

Section 1. That the following personal property owned by the City of Spanish Fort, Alabama, is not needed for public or municipal purposes:

One 2015 Chevrolet Tahoe PPV, VIN # 1GNLC2EC4FR538876

One 2015 Chevrolet Tahoe PPV, VIN # 1GNLCEC6FR542590

One 2015 Chevrolet Tahoe PPV, VIN # 1GNLGNLC2EC7FR609133

One 2015 Chevrolet Tahoe PPV, VIN # 1GNLC2EC1FR609287

One 2016 Chevrolet Tahoe PPV, VIN # 1GNLCDEC8GR397548

Section 2. That the Mayor and City Clerk be and are hereby authorized and directed to dispose of the personal property owned by the City of Spanish Fort, Alabama, described in Section 1 above, by the best method to receive the most monies as adequate consideration for the personal property.

ADOPTED AND APPROVED this _____ *day of* _____, **2024**.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines
City Clerk

RESOLUTION NO. 1406-2024

**A RESOLUTION APPOINTING MEMBERS TO THE
SPANISH FORT PUBLIC SCHOOL COMMISSION**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

SECTION 1. The following persons are hereby re-appointed to serve as members of the Spanish Fort Public School Commission and for terms set forth below:

- a. _____ for a term of three years as recommended by the Rockwell Elementary School principal, as of April 5, 2024.
- b. _____ for a term of three years at large as recommended by the City Council as of April 5, 2024.
- c. Councilmember _____ for a term of three years representing the City of Spanish Fort as of April 5, 2024.

SECTION 2. All appointments made by this Resolution are subject to the terms and conditions contained in Resolution No. 1075-2019, as amended.

ADOPTED and APPROVED the ____ *day of April, 2024.*

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines
City Clerk

RESOLUTION NO. 1407-2024

A RESOLUTION AMENDING THE PERSONNEL MANUAL OF THE CITY OF SPANISH FORT, ALABAMA

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT,
ALABAMA, AS FOLLOWS:**

SECTION 1. Amendment to Personnel Manual. The City Council of the City of Spanish Fort has determined that it is in the best interest of the City to revise certain personnel policies and procedures for the City of Spanish Fort, and the City Council hereby amends **SECTION XV COMPENSATION, B. PAY PLAN., and C. PAY PLAN ADMINISTRATION.**, of the Personnel Manual of the City of Spanish Fort, Alabama, to read in its entirety as follows:

B. PAY PLAN.

1. The pay of all employees, other than those whose pay is established by state law, shall be fixed by the City Council. The approved pay rates for every job listed in the Job Classification List will be established and maintained through the City Pay Scale.
2. The Pay Scale will be used in conjunction with the Job Classification List to determine the pay of those employees who are paid from City funds.
3. The City Clerk is responsible for ensuring that the City Pay Scale is strictly followed, subject to changes approved by the City Council.
4. New employees will be paid according to the pay grade established for that position.
5. New hires paid above the beginning of the range because of experience or other reasons must have prior approval of the Mayor.
6. The City Clerk will review the established Pay Scale once per year to ensure that rates of pay are current and competitive. Any recommended change(s) will be presented to the City Council for consideration and approval.
7. Cost of Living consideration may be given to the established ranges during the budget process.
8. The City may compensate those employees for satisfactory completion of specific state or national certifications; i.e., Certified Municipal Clerk, Certified Revenue Officer, Certified Building Inspector, EMT Certification for firefighters or other professional certifications which involve an extensive period of testing and/or achievement. A step increase within the respective grade may be awarded when the City Clerk receives a copy of the certification from the employee's supervisor. Employees are encouraged to confer with the Mayor and City Clerk in order to determine whether or not the certification will qualify under this section, and the employee shall receive written approval from the Mayor that said certification does qualify under this section prior to beginning the course work.
9. The City may also compensate those employees for attainment of additional education above that required in the Position Description. An employee who possesses an Associate's degree either at the commencement of employment or obtains such degree during his or her employment is eligible for a step increase within his or her respective pay grade. Upon subsequent completion of a Bachelor's degree, employees previously earning Associate Degrees would

be entitled to an additional one step increase within the respective pay grade. Employees who earn or possess a Bachelor's degree without having first earned an Associate's degree shall be entitled to a two-step increase within the respective paygrade. Employees earning or possessing Master's degrees or higher shall be entitled to a one-step increase within his or her respective pay grade. Regardless of degrees held, an employee whose salary upon commencement of employment is higher than the lowest step on the pay scale for his or her pay grade is not eligible for any initial step increase, as such experience and education is factored into the initial higher salary offered. The increase may be awarded by the Mayor when the City Clerk receives a copy of the Degree from the employee's Department Head.

10. The Mayor may allow for a additional step increases within an employee's respective pay grade for job performance which consistently exceeds satisfactory performance standards, includes assistance with additional tasks or job duties and/or depicts exemplary contributions to the City, in the discretion of the Mayor.

C. PAY PLAN ADMINISTRATION.

1. Definitions:

Anniversary Date - The anniversary date is the date on which an employee begins his/her employment with the City of Spanish Fort.

2. Procedures:

- a. To initiate the plan, current employees will be designated a step within their respective grade based on their existing salary or pay.
- b. All classified employees may be eligible to move up a step within their grade on their Anniversary Date as long as the employee's performance has been satisfactory. Each grade change must have prior approval of the City Clerk and the Mayor.
- c. The Anniversary Date for all current employees will be the date on which they officially became employed by the City of Spanish Fort.

3. Evaluations:

- a. Annual employee evaluations shall be performed for all employees by their Supervisor.
- b. Employees with satisfactory job performance who receive an overall score that meets performance standards as determined by their performance evaluation will be eligible to receive a one step increase within their respective pay grade, unless the City Council suspends pay increases, in its discretion.
- c. Employees who fail to receive an overall score that meets performance standards as determined by their performance evaluation will be informed of the areas of substandard performance and will receive quarterly evaluations during the following year, unless further corrective or disciplinary action is deemed necessary. Failure to achieve satisfactory performance and meet performance standards may result in disciplinary action up to and including termination.
- d. Performance evaluations shall be performed on forms approved by the City Council.

SECTION 2. Personnel Manual Not a Contract; Amendments. The Personnel Manual adopted by the City of Spanish Fort is not a contract between the City of Spanish Fort and any employee, and it is not intended to create contractual obligations of any kind. The City Council reserves the right to make changes to the Personnel Manual and to increase, reduce, abolish, or alter pay, benefits, or any other terms and conditions of employment at any time, in its sole discretion.

SECTION 3. Repealer Clause. Except as expressly amended herein, all terms, conditions and provisions contained in the Personnel Manual, as amended, shall remain in full force and effect.

SECTION 4. Severability Clause. If any part, section or subdivision of this Resolution shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Resolution, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. Effective Date. This Resolution shall become effective immediately upon its adoption.

ADOPTED AND APPROVED this ____ day of _____, 2024.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines, CMC
City Clerk