

**INDIAN SPRINGS VILLAGE
TOWN COUNCIL MEETING
November 3, 2020**

The Town Council of the Town of Indian Springs Village, Alabama met in an Organizational Special Session at the Town Hall on Tuesday, November 3, 2020. Town Clerk, Joan Downs called the meeting to order at 7:00 p.m. After the Pledge of Allegiance an Invocation was given by Brenda Bell-Guercio.

Joan Downs, Notary and Town Clerk conducted the Oath of Office. The Oath of Office was administered to Mayor Brenda Bell-Guercio, Herbert Robins, Jr., Place #1, Richard Harley, Place # 3, Walter Edwin Whatley, Place #4, and C. Dale Elliott, Place #5.

After the swearing-in ceremony a roll call was held and all councilmembers were present except Councilmember Mary Sue McClurkin.

Mayor Bell-Guercio asked for a nomination for Mayor Tempore. Councilmember Elliott made a motion to elect Councilmember Herb Robins as Mayor Tempore. Councilmember Harley seconded the motion and the vote was unanimous with Robins abstaining.

The minutes of October 20, 2020 were reviewed. Councilmember Harley made a motion to accept minutes as presented. Councilmember Robins seconded and the vote was unanimous. The minutes of October 20, 2020 work session were reviewed. Councilmember Harley made of motion to accept minutes as presented. Robins seconded and the vote was unanimous.

Ordinance 2021-00 Rules and Procedures of the Town Council was presented. Elliott made a motion to suspend the rules to vote on ordinance. Harley seconded and a roll call vote was held and the results were as follows.

Bell Guercio -	Yea
Robins -	Yea
Elliott -	Yea
Harley -	Yea
Whatley -	Yea

Elliott made a motion to accept the following ordinance as presented. Harley seconded and the vote was unanimous.

ORDINANCE NO. 2021-001

RULES AND PROCEDURES OF THE CITY COUNCIL

An ordinance to supersede and repeal the ordinances governing the order of procedures of the City

Council, dated November 7, 2020 entitled “ORDINANCE GOVERNING THE RULES AND PROCEDURES OF THE CITY COUNCIL”.

BE IT ORDAINED BY THE CITY COUNCIL OF INDIAN SPRINGS VILLAGE, ALABAMA, that the order of procedure in all instances for meetings of the council shall be as follows:

SECTION 1: That the rules or order of procedure herein contained shall govern deliberations and meetings of the City Council of Indian Springs Village, Alabama.

SECTION 2: Regular meetings of the Council shall be held on the first and third Tuesday of each month.

SECTION 3: All regular meetings shall convene at the Indian Springs Village Town Hall at 7:00 p.m. and all meetings, regular and special, shall be open to the public, except as noted in Section 5. On special occasions, meetings may be held at the Town Pavilion and on other dates and locations as determined by the Mayor, who shall preside over the meetings. In his absence, the Council Chairman Pro Tem shall preside.

SECTION 4: Special meetings may be held at the call of the Mayor by serving notice on each member of the Council not less than twenty-four hours before the time set for such special meetings. Special meetings may be held as provided by Section 11-43-50, Code of Alabama, 1975, which provides that two Council members may request, in writing, that the Mayor call a special meeting. Should the Mayor refuse to call the special meeting, then the two Council members shall have the right to call such meeting. Notice of all special meetings shall be posted on the City Hall bulletin board and posted electronically on the Indian Springs Village website.

SECTION 5: All meetings of the Council shall be open to the public, except when the Council meets in executive session as authorized by Section 36-25A-7, Code of Alabama, 1975, as amended. When a Council member makes a motion to go into executive session for an enumerated purpose, the presiding officer shall put the motion to a vote. If the majority of the Council votes in favor of the motion to go into executive session, the body shall then move into executive session to discuss the matter for which the executive session was called. No action may be taken in an executive session. When the discussion has been completed, the Council shall resume its deliberations in public.

SECTION 6: A quorum shall be determined as provided by Section 11-43-48, Code of Alabama, 1975, as amended.

SECTION 7: The order of business shall be as follows:

1. A call to order
2. Pledge of Allegiance
3. Roll Call by the Town Clerk
4. Review and approval of the minutes of the previous meeting
5. Reports of standing committees (PAZ, ZBA)
6. Reports of Officers (Sheriff, Fire)

7. Financials (when applicable)
8. Reports from Council members
9. Old Business
10. New Business
11. Mayor Report
12. Public Comments – If residents would like to comment, please notify Town Clerk prior to the Town Council Meeting and include subject matter.

SECTION 8: No Council member or officer shall speak more than twice on the same subject without permission of the presiding officer.

SECTION 9: No person, not a member of the Council, shall be allowed to address the same while the Council is in session without the permission of the presiding officer.

SECTION 10: Motions shall be reduced to writing when required by the presiding officer or any member of the Council. All resolutions and ordinances shall be in writing.

SECTION 11: Motions to reconsider must be by a Council member who voted with the majority, and at the same or next succeeding meeting of the Council.

SECTION 12: Whenever it shall be required by one or more members, the “yeas” and “nays” shall be recorded; and any member may call for a division on any question.

SECTION 13: All questions of order shall be decided by the presiding officer with the right of appeal to the Council by any member.

SECTION 14: The presiding officer of the council may, at his or her discretion, call any member to take the chair, allow him or her to address the council, make a motion or discuss any other matter at issue.

SECTION 15: Motions to lay any matter on the table shall be first in order; and on all questions, the last amendment, the oldest item, and the largest sum shall be first put.

SECTION 16: The rules of the Council may be temporarily suspended by a favorable vote of two-thirds of the members present. The rules of the Council may be amended in the same manner as any other ordinance of a general or permanent nature.

SECTION 17: The chairperson of each respective committee shall submit or make all reports to the Council when so requested by the presiding officer or any member of the Council.

SECTION 18: All ordinances, resolutions or propositions submitted to the Council, which require the expenditure of money, shall lie over until the next meeting; provided that such ordinances resolution or propositions may be considered earlier by unanimous consent of

the Council. Such consent shall be by roll call and the vote thereon spread on the minutes. Furthermore, this rule shall not apply to the periodic bills and obligations of a recurring nature, including contractual payments, and wages of the employees of the Town.

SECTION 19: The clerk, engineer, attorney, and such officers or employees of the Town of Indian Springs Village shall, when requested attend all meetings of the Council and shall remain in the Council chamber for such length of time as the Council may direct.

SECTION 20: No Ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent is obtained for the immediate consideration of such ordinance or resolution. Such consent shall be by roll call and the vote thereon spread on the minutes.

SECTION 21: An entire reading of a proposed ordinance or resolution may be dispensed with if unanimous consent is given.

SECTION 22: *Robert's Rules of Order* is hereby adopted as the rules of procedure for this Council in those situations which cannot be resolved by the rules set out in this ordinance.

ADOPTED: This 3rd day of November, 2020.

Herb Robins - Council Chairman Pro Tem

APPROVED: This 3rd day of November, 2020

Brenda Bell Guercio - Mayor

ATTESTED: This 3rd day of November, 2020

Joan Downs, Town Clerk

CERTIFICATION

I, Joan Downs, Town Clerk of the Town of Indian Springs Village, Alabama, hereby certify the attached to be a true and correct copy of an ordinance adopted by the Town Council of the Town of Indian Springs Village, at its regular meeting held on November 3, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on November 4th, 2020 at the following public places, which copies remain posted for five days as provided by law.

Town Hall	2635 Cahaba Valley Road
NSFD Station No. 2	5560 Caldwell Mill Road
Shelby Food Mart	3125 Cahaba Valley Road
NSFD Station No. 1	4617 Valley

Joan Downs – Town Clerk

Date

Resolution 11-03-20-01 to Appointment of Town Attorney was presented. Elliott made a motion to accept the following resolution. Harley seconded and the vote was unanimous.

RESOLUTION NO. 11-03-20-01

**A RESOLUTION APPOINTING HAND ARENDALL
HARRISON SALE LLC AS TOWN ATTORNEY.**

WHEREAS, the Town Council of the Town of Indian Springs Village, Alabama (the “Town”) desires to appoint a Town Attorney;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of Indian Springs Village, Alabama, while in regular session on Tuesday, November 3, 2020, at 7:00 p.m. as follows:

1. Hand Arendall Harrison Sale LLC (“the Firm”) is hereby appointed to serve as the Town Attorney of the Town of Indian Springs Village, Alabama. Benjamin S. Goldman shall be the primary contact for the Firm, and such other attorneys in the Firm that he or the Firm deems necessary are authorized to assist in the representation.

2. The Town’s Mayor is authorized to enter into an engagement agreement with the Firm on such terms that the Mayor deems appropriate and may make any amendments required over time, including waivers of conflict, if applicable.

3. As needed and in coordination with the Mayor and/or the Town Council, the Town Attorney is authorized to represent the Town’s interests in litigation and other contested matters, through all potential stages, including before and after the institution of proceedings, the initiation of proceedings, through trial, and all stages of appeal, and the Mayor and such other necessary City officials are hereby authorized to execute any pleadings or other documents that may be necessary to assert and/or preserve the City’s interests in connection with such representation authorized by this Resolution.

ADOPTED: This 3rd day of November, 2020.

Herb Robins
Council Chairman Pro Tem

ADOPTED: This 3rd day of November, 2020.

Brenda Bell-Guercio
Mayor

ATTESTED: This 3rd day of November, 2020.

Joan Downs
Town Clerk

CERTIFICATION OF TOWN CLERK

STATE OF ALABAMA)
SHELBY COUNTY)

I, Joan Downs, Town Clerk of the Town of Indian Springs Village, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the Town Council of the Town of Indian Springs Village, Alabama, on the 3rd day of November, 2020, while in regular session, and the same appears of record in the minute book of said date of said Town.

Witness my hand and seal of office this ____ day of November, 2020.

Joan Downs, Town Clerk

Resolution 11-03-20-02 to Appoint Town Treasurer was presented. Robins made a motion to

accept resolution as presented. Elliott seconded and the vote was unanimous.

RESOLUTION NO. 11-03-20-02

A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD HARLEY AS THE TOWN TREASURER

WHEREAS, the Mayor is authorized to appoint, with the advice and consent of the Town Council, an individual to serve as the Town Treasurer; and

WHEREAS, the Mayor seeks the advice and consent of the Town Council concerning the appointment; and

WHEREAS, the Mayor desire to appoint Richard Harley as the town Treasurer for the Town of Indian Springs Village; and

WHEREAS, the Town Council desires to consent to this appointment of Richard Harley as the Town Treasurer.

THEREFORE, be it resolved that the Town of Indian Springs Village hereby adopts this Resolution consenting to the appointment of Richard Harley as the Town Treasurer.

This Resolution shall take effect on November 3, 2020.

Passed and adopted by action of the Town of Indian Springs Village in open session on this 3rd day of November, 2020.

ADOPTED: This 3rd day of November, 2020

Herb Robins
Council Chairman Pro Tem

ADOPTED: This 3rd day of November, 2020

Brenda Bell-Guercio
Mayor

ATTESTED: This 3rd day of November, 2020

Joan Downs
Town Clerk

CERTIFICATION OF TOWN CLERK

STATE OF ALABAMA)
SHELBY COUNTY)

I, Joan Downs, Town Clerk of the Town o Indian Springs Village, Alabama, do hereby certify that the above and foregoinig is a true and correct copy of a Resolution duly and legally adopted y the Town Council of the Town of Indian Springs Village, Alabama, on the 3rd day of November, 2020, while in regular session, and the same appears of record in the minute book of said date of said Town.

Witness my hand and seal of office this ____day of November, 2020.

Joan Downs, Town Clerk

Bell-Guercio asked for a motion to appoint Joan Downs as Administrative Officer of Planning and Zoning. Elliott made the motion and Harley seconded. The vote was unanimous.

Bell-Guercio asked for a motion to appoint Herb Robins as Council Representative to Planning and Zoning. Whatley made the motion and Elliott seconded. The vote was unanimous.

Bell-Guercio asked for a motion to appoint Tom Allison as ex officio member to Planning and Zoning. Robins made the motion and Elliott seconded. The vote was unanimous.

Harley presented the financials for September 2020. Harley made a motion to accept financials as presented. Elliott seconded and the vote was unanimous.

Robins reported the retirement party held for Chief Buddy Tyler was memorable and he also welcomed Chief Randy Sipes to his new position as Chief. He stated the Town of Indian Springs looks forward to continuing our great relationship with the NSFD.

Bell-Guercio adjourned the meeting at 7:30 pm.

Respectfully submitted,

Joan Downs, Town Clerk