

City of Ashville
Emergency Council Meeting
Tuesday, July 14, 2015
5:00 PM

Mayor David Thompson called the Council meeting to order at 5:01 PM on Tuesday, July 14, 2015.

Present were: Councilmen Adam Abernathy, Marty Crews, and Derrick Mostella. Councilman Tipton was unable to attend due to hospitalization and Councilman Williams was unable to attend.


City Attorney James Hill was present and asked that the Council convene an executive session to discuss with legal counsel a pending litigation. Mayor Thompson ask for a motion to convene an executive session, Councilman Abernathy made a motion to convene an executive session, Councilman Mostella seconded the motion. A roll call vote was taken to approve the motion: Councilman Abernathy voted yes. Councilman Mostella voted yes. Councilman Crews voted yes. Mayor Thompson voted yes. Motion approved. Mayor Thompson, the Councilmen and City Attorney James Hill convened to executive session at 5:03pm.

At 5:16pm Mayor Thompson re-convened the council meeting turning the meeting over to City Attorney James Hill. Mr. Hill stated he received the information on Friday and the response is due Wednesday, July 15, 2015 hence the need for the emergent meeting. The information is related to the BP Oil Spill and to resolve a claim therein. Mr. Hill recommended to the Council that they pass the resolution, which authorizes us to accept the offer from BP.


Mayor Thompson ask for a motion to pass the Resolution discussed related to the BP Oil Spill claim. Councilman Crews made a motion to pass the Resolution discussed related to the BP Oil Spill claim, Councilman Mostella seconded the motion. A roll call vote was taken to approve the motion: Councilman Abernathy voted yes. Councilman Mostella voted yes. Councilman Crews voted yes. Mayor Thompson voted yes. Motion approved.

Mr. Hill then advised the public of the resolution and tentative offer from BP of \$20,525 gross. Attorney fees and additional costs would be approximately 15% thus netting the amount to the City of Ashville approximately \$17,000.

Councilman Abernathy made a motion to adjourn, Councilman Mostella seconded the motion, with all voting yes, Mayor Thompson adjourned the meeting.



David Thompson, Mayor



Chrystal St. John, City Clerk

ALEXANDER M. WEISSKOPF
JAMES E. HILL
CANDACE B. CRENSHAW

**HILL, WEISSKOPF
& HILL, P.C.**

ATTORNEYS AT LAW

MATT E. GOSSETT
JUDGE JAMES E. HILL, JR.
OF COUNSEL

July 13, 2015

Mayor and City Council Members
City of Ashville, Alabama
211 8th Street,
Ashville, AL 35953

Re: ***Opinion on Applicability of Executive Session***

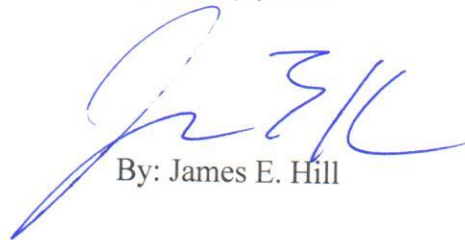
Dear Mayor and City Council Members:

I am an attorney licensed to practice law in the State of Alabama.

This is to advise you that I have reviewed the matter which the City Council is considering. I am of the opinion that said matter constitutes a matter for which the Council may convene an executive session for a discussion with legal counsel regarding pending litigation and/or controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the City Council pursues a proposed course of action. In my legal opinion, this matter is appropriate for executive session under Section 7(a)(3) of Act No. 2005-40.

Pursuant to Section 7(a)(3) of Act No. 2005-40, a copy of this letter should be attached to the minutes of the City Council meeting wherein the City Council considers a motion to convene an executive session to discuss this matter.

Very truly yours,



By: James E. Hill