

Replaced by
Ordinance No: 2018-1

~~ORDINANCE NO. 2013-10~~

AN ORDINANCE PROVIDING FOR THE DISBURSEMENT OF CERTAIN ALCOHOL REVENUE FOR THE BETTERMENT OF THE MARION COUNTY BOARD OF EDUCATION SCHOOLS LOCATED WITHIN THE CITY LIMITS OF THE CITY OF HAMILTON

WHEREAS, the Mayor and Council of the City of Hamilton (the "City") recognize that the schools of the Marion County Board of Education that are located in the City of Hamilton, namely, Hamilton Elementary, Hamilton Middle School, and Hamilton High School (the "Hamilton Schools") are not provided with sufficient funds for classroom instruction to enable them to best prepare their students for many of the challenges they will face in an increasingly competitive, high-tech, global economy; and

WHEREAS, the Mayor and Council of the City have been urged by a number of education professionals, civic leaders, and citizens in the City to help provide funding for the Hamilton Schools for classroom instructional purposes; and

WHEREAS, the City is authorized under Alabama law to expend funds for educational purposes which benefit its citizens; and

WHEREAS, the City has adopted the Hamilton Alcoholic Beverage Ordinance (the "Alcohol Ordinance") wherein the City collects filing fees, transfer fees, privilege or excise taxes, license fees and taxes on the sale and purchase of Alcoholic Beverages, as defined in the Alcohol Ordinance ("Alcohol Revenue"); and

WHEREAS, the City now desires to provide a certain percentage of Alcohol Revenue for the purpose of providing funding for classroom instruction purposes in the Hamilton Schools and wants to insure that the funds are properly administered and distributed;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council, as follows:

1. That an interest-bearing account be established at PeoplesTrust Bank, or at such other bank or banks which the Council shall from time-to-time designate, which shall be named "City of Hamilton Special School Account". All checks disbursing funds from the account shall bear the signature of the Mayor and City Clerk.

2. That the City Clerk shall directly deposit **THIRTY PERCENT (30%)** of the City's Alcohol Revenue into the City of Hamilton Special School Account once the revenues are collected and received by the City.

3. That by the 1st day of January and August of each year, or at any other times as the Mayor and City Council may deem appropriate, the City shall disburse the Alcohol Revenue that is deposited in the City of Hamilton Special School Account as follows: **thirty-three and one-third percent (33 1/3%)** for use at the Hamilton Elementary School; **thirty-three and one-third percent (33 1/3%)** for use at the Hamilton Middle School; and **thirty-three and one-third percent (33 1/3%)** for use at the Hamilton High School (the "Hamilton Schools Disbursements").

4. The Hamilton School Disbursements to the Hamilton Schools hereunder are intended to enhance student academics. The Hamilton School Disbursements may be used only for obtaining classroom educational and instructional materials, equipment, and supplies; equipment necessary for classroom education or extensions of classroom course work; and to provide educational experiences for students. The

Hamilton School Disbursements may not be used for maintenance (except for maintenance of classroom equipment used for instructional purposes); athletics or other extra-curricular activities; janitorial, housekeeping, and lunchroom supplies or equipment; salaries, supplements, or wages; or for purchasing office equipment.

5. The Advisory Committee for the Hamilton Schools (the "Advisory Committee"), shall consist of the Hamilton Elementary School Principal, the Hamilton Middle School Principal and the Hamilton High School Principal. Each member of the Advisory Committee shall be responsible solely for its respective school and shall be responsible for assuring that funds are expended only for the purposes designated herein and that accepted public accounting methods are employed to account for all funds distributed hereunder. The Advisory Committee shall develop their own internal guidelines and procedures to insure that funds are equitably distributed for school-wide applications and throughout all of the classrooms, and for determining how specific expenditures shall be authorized and disbursed.

6. All records of accounts and expenditure of funds hereunder shall be available at all times to the Mayor, City Clerk, and other agents of the City that the City Council shall from time-to-time designate. The Advisory Committee shall report to the Mayor and Council at its first regular meeting in January each year on the status of the Committee's operations and procedures, and present the expenditures for the previous year and any proposals for use of the Hamilton School Disbursements for the coming year.

Adopted and approved this 5th day of August, 2013.

Wade Williams
Mayor

ATTEST:

Jan Williams
City Clerk