

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
APRIL 12, 2016**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, April 12, 2016, inside the Council Chambers at the Hartselle Municipal Building. Council President Kenny Thompson called the meeting to order.

Reverend Walter Blackman, Pastor of East Highland Baptist Church, led the invocation.

The following were present for the meeting: Council President Kenny Thompson, Council Members Billy Buckelew, Ken Doss, Mike Roberson, City Attorney Larry Madison and City Clerk – Controller Rita S. Lee, who acted as Secretary of the meeting. Council Member Tom Chappell and Mayor Bill Smelser were absent. Having a quorum present, Council President Thompson declared the proceedings open for business.

Council President Thompson called for the approval of the minutes from the work session held on March 22, 2016. Council Member Doss motioned to approve the minutes; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called for the approval of the minutes from the regular meeting held on March 22, 2016. Council Member Roberson motioned to approve the minutes; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on City Planner Jeremy Griffith to address the first item on the agenda, Ordinance 1438. Mr. Griffith explained to the Council that this ordinance was introduced at the previous meeting and up for a public hearing and final consideration. He also said that if adopted, this ordinance would update the permitted uses sections of the B1, B2 and B4 zoning ordinance sections, and the Planning Commission recommended adoption 5-1-1. Council President Thompson declared a public hearing open for comments. No comments were made. Council Member Doss motioned to close the public hearing; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote. Council Member Doss motioned to adopt Ordinance 1438; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Griffith to discuss Ordinance 1434, also for a public hearing and final consideration. Mr. Griffith told the Council that if adopted, this ordinance would update the permitted sections of the M1 and M2 zoning ordinance sections, and the Planning Commission had recommended adoption 6-0-1. Council President Thompson declared a public hearing open for comments. No comments were made. Council Member Roberson motioned to close the public hearing; Council Member Doss seconded the motion. Motion carried by unanimous voice vote. Council Member Roberson motioned to adopt Ordinance 1434; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Griffith to discuss Ordinance 1439. Mr. Griffith explained to the Council that this ordinance was up for introduction only, but if adopted, it would update the permitted uses sections of the AG and R-2 zoning ordinance sections and revise the side yard setback provisions of the R-5 (patio home) section. He also told the Council the Planning Commission had recommended adoption 5-0. Council Member Doss motioned to approve the introduction of Ordinance 1439; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Department of Development Director, Jeff Johnson, to discuss Ordinance 1441. Mr. Johnson explained that this ordinance was for introduction only, and if approved, would update provisions relating to adopting certain standard building codes regulations and establishing fees for the issuance of certain permits. Mr. Johnson also told the Council that if adopted, this ordinance would insure the Building Department's Insurance Organization Score (IOS) would remain consistent with other municipalities in Morgan County. He asked the Council to introduce the ordinance and noted a resolution would be presented at the

next meeting in order to set a public hearing before the ordinance can be adopted. Council Member Doss motioned to introduce Ordinance 1441; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Frank Miller, Parks and Recreation Director, to discuss Resolution 16-0412. Mr. Miller explained to the Council that the City had received a grant from the Alabama Department of Economic and Community Affairs (ADECA) for a Recreational Trails Program (RTP) Project in the amount of \$100,000.00. Mr. Miller also said that this project, referred to as the City of Hartselle Sparkman Park Multi-Purpose Trail Project, will expand the existing multi-purpose walking and biking trail in Sparkman Park. Mr. Miller also explained to the Council that the City had solicited bids from qualified construction companies and that Reed Contracting Services, Inc. had submitted the only bid. Mr. Miller explained the bid was \$30,000.00 over the estimated budget, but he along with the City's Grant Consultant, Terry Acuff, recommends the Council accept the bid as presented. He asked the Council to authorize Mayor Smelser to sign the contract with Reed Contracting Services, Inc. in the amount of \$150,144.15 to complete the multi-purpose trail project. Council Member Doss motioned to approve Resolution 16-0412; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on City Attorney Larry Madison to discuss Resolution 14-0412A. Mr. Madison explained to the Council that if approved, this resolution would allow him to file suit to seek a quiet title in the name of the City of Hartselle to the property needed to expand the Hartselle Municipal Cemetery. He explained the property in question involved two small parcels south of the cemetery that the City had been paying the property taxes on such 2000. Following extensive research the closest relatives to the deceased property owner that Mr. Madison had located reside in Athens, Greece. Following further discussion, Council Member Roberson motioned to approve Resolution 14-0412A; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next asked Fire Chief Daryl Fox to come forward and discuss his request for a budget transfer. Chief Fox explained to the Council that he had requested a budget transfer in the amount of \$1,000.00 from line item # 01-202-5307 Vehicle Maintenance to line item #01-202-5106 Physical Screen & Drug Testing. He told the Council that due to an employee drug test that had to be conducted at the emergency room, his department had gone over budget, but this transfer will cover annual TB tests for employees and volunteers as well as drug screens for the new firefighter positions for the remainder of the fiscal year. Council Member Doss motioned to approve the budget transfer; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Chief Fox to discuss his request for the Council to accept the updated Hartselle Fire Rescue Volunteer Fire. Council Member Roberson motioned to accept the updated volunteer roster; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next called on Mr. Miller again to discuss his request for a budget adjustment for Parks and Recreation to make the final retainage payment to Woodward Construction on the Hartselle Aquatic Center. Mr. Miller stated the company had completed the list of items that were of concern after the construction was complete. Also, he stated the City had received a written warranty agreement from Burleson Pool that had constructed the actual pool. Council Member Roberson motioned to approve the budget adjustment; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Johnson to step forward again and discuss his request for a budget adjustment for the Department of Development. Mr. Johnson explained to the Council that he had requested a budget adjustment in the amount of \$5,500.00 from line item #01-501-5406 Engineering to line item #01-501-5412 Legal Ads. Mr. Johnson said that the transferred funds would be used to pay for recent legal advertising expenses associated with updating sections of the Zoning Ordinance, adopting the most current Flood Damage Prevention Ordinance and adopting recent Building Codes. Member Doss motioned to approve the budget adjustment; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then told the Council the City had received applications for vacant positions on the Board of Zoning from the following applicants: George Herring, Bill King and Brian Bullard. Council Member Roberson motioned to re-appoint Mr. Herring and Mr. King to the Board, and appoint Mr. Bullard as an alternate member all for three year terms; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then announced the Council needed to appoint Voting Delegates for the Alabama League of Municipalities Convention coming up in May. Council Member Doss motioned to appoint Mayor Smelser as the voting delegate, Council President Thompson as first alternate and Council Member Roberson second alternate; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

At this time Council President Thompson announced that the City was accepting applications for the following boards:

- 1) Board of Zoning Adjustment (BZA): one (1) alternate position, three (3) year term
- 2) E-911 Board: one (1) regular position, four (4) year term

Applications are available at the City Clerk's office in City Hall or on the City's website. The applications must be turned in to the City Clerk's office by 4:00 p.m. on Friday, May 6, 2016.

At this time, City Attorney Larry Madison read aloud a proclamation from Mayor Smelser declaring the month of April as Fair Housing Month.

Mr. Madison also read aloud a proclamation from Mayor Smelser declaring April 16, 2016 as National Auctioneer's Day.

Council President Thompson then called for comments from the Mayor, Council Members and the City Attorney. Council Member Roberson asked Jeff Johnson when the bags over the downtown signals were going to be removed. Mr. Johnson stated they would try to get them down this week if it didn't rain. Council President Thompson mentioned he had several complaints of lawns not being mowed and buildings that need to be torn down. Jeff Johnson DOD Director responded by reviewed the laws and regulations over tearing down buildings and mowing lawns at the City's expense. He mentioned a new ordinance he was working on that would streamline the process. City Attorney Madison stated that the Town of Falkville had adopted the new ordinance that had been approved by the state years ago and he encouraged the Council to do the same.

Council President Thompson then called for comments from the audience. None were made.

With no other business to come before the Council, Council Member Roberson motioned to adjourn the meeting; Council Member Doss seconded the motion. The motion carried unanimously by voice vote and the meeting was adjourned at 7:34 p.m.

Kenny Thompson
Council President

ATTEST:

Rita S. Lee, City Clerk - Controller