

**MINUTES OF A REGULAR MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF HARTSELLE, ALABAMA  
JUNE 14, 2016**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, June 14, 2016, inside the Council Chambers at the Hartselle Municipal Building. Council President Thompson called the meeting to order.

Reverend Nathan Green, Pastor of Grace Baptist Church, gave the invocation.

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

Council President Thompson recognized Police Chief Ron Puckett to come forward to recognize Officer Brad Freeman and Officer Patrick Niles and honor them with a Life Saving Medal for their actions during a wreck on Ausley Bend Road on February 21, 2016. Chief Puckett gave a details of the event and recognized the accident victim who was also present for the officer's recognition. The officer's received a standing ovation from the audience for their heroic actions.

Council President Thompson called for the approval of the minutes of the regular meeting held on Tuesday, May 24, 2016. Council Member Roberson motioned to approve the minutes: Council Member Buckelew 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 1444. Mr. Griffith explained that this ordinance was for introduction only but if adopted, it would annex five acres of currently vacant property at the corner of Main Street West and Warren Road. The property is owned by the First Pentecostal Church and they have plans to construct a church campus on the property. The property partially comprises an unincorporated island and is a priority one for annexation in the current comprehensive plan, He also told the Council the applicant wishes to leave the remaining 1.5 acres of the property outside the city limits at this time, and the Planning Commission recommended approval 5-0. Council Member Chappell motioned to introduce Ordinance 1444; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Griffith to discuss Ordinance 1445, also for introduction only. Mr. Griffith explained that of adopted, this ordinance would zone land annexed in Ordinance 1444 as B-1, neighborhood shopping. He also told the Council that the property fronts Main Street West, and the requested zoning is in conformance with the current comprehensive plan, and the Planning Commission recommended approval 5-0. Council Member Roberson motioned to introduce Ordinance 1445; Council Member Chappell seconded the motion. Motion carried by unanimous by voice vote.

Council President Thompson then asked City Clerk-Controller, Rita S. Lee, to discuss Ordinance 1446. Ms. Lee explained to the Council Ordinance 1446, if adopted, would update the present ordinance for qualifying fees to reflect the same \$50.00 fee for those qualifying to seek election to the office of Board of Education, the same fee as that paid by the Mayor and City Council. She requested the Council suspend the rules for immediate consideration of the ordinance. Council Member Chappell motioned to suspend the rules for immediate consideration; Council Member Roberson seconded the motion. At this time Council President Thompson called for a roll call vote. The vote was as follows:

Council President Thompson: Yes  
Council Member Buckelew: Yes  
Council Member Chappell: Yes  
Council Member Roberson: Yes

Council Member Chappell motioned to adopt Ordinance 1446; Council Member Roberson

seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Ms. Lee to address Ordinance 1447. Ms. Lee explained that this ordinance, if adopted, it would update the use of electronic vote counting systems in municipal elections. She informed the Council that this ordinance would allow for the use of the electronic voting systems authorized and adopted by the Morgan County Commission and will continue to use whatever voting machines the County Commission adopts for future elections. Council Member Chappell motioned to suspend the rules for immediate consideration; Council Member Roberson seconded the motion. At this time Council President Thompson called for a roll call vote and the results were as follows:

Council President Thompson: Yes  
Council Member Buckelew: Yes  
Council Member Chappell: Yes  
Council Member Roberson: Yes

Council Member Chappell motioned to adopt Ordinance 1447; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Terry Acuff, with Community Consultants, to step forward and discuss Resolution 16-0614. Mr. Acuff explained that the Alabama Community Development Block Grant Program had been established to assist local governments in meeting community development and housing needs consistent with the objectives set forth in Title I of the Housing and Community Development Act of 1974. He also said that the city is eligible to apply for FY 2016 Community Development Block Grant (CDBG) funds to construct improvements to the water and sewer system along Rhodes Street, Brookline Street, Andy Street, Edgewood Street and Midway Street, and that he had advertised for a public hearing. Mr. Acuff then explained to the Council that if approved, this resolution would authorize Mayor Smelser to submit an application to the State of Alabama Department of Economic Affairs to request FY 2016 CDBG funds in the amount of \$450,000 to implement the Water and Sewer System Improvement Project, the Hartselle Utility Board will provide in-kind labor and equipment in the amount of \$321,551 in support of the project. Council President Thompson declared the public hearing open for comments. None were made. Council Member Chappell motioned to close the public hearing; Council Member Roberson seconded the motion. Council Member Roberson motioned to approve Resolution 06-1614 and grant Mayor Smelser the authorization to execute and submit the application for the grant; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next asked Mr. Acuff to discuss Resolution 06-0614A. Mr. Acuff explained to the Council that the City had applied for and received a FY2016 Transportation Alternatives Program Grant (TAP) in the amount of \$379,150.40 to rehabilitate and construct new handicapped accessible sidewalks along Hickory Street and Railroad Street. Mr. Acuff also said that by accepting this TAP Grant, the City agrees to provide a cash match of \$94,787.60 in support of this project, as well the costs associated with \$49,958 engineering design and \$15,000 for grant administrative services. Council Member Chappell motioned to approve Resolution 06-0614A and grant Mayor Smelser the authority to accept and sign the grant agreement; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on Ms. Lee to address the next item on the agenda, Resolution 06-0614B. Ms. Lee explained that the resolution would declare a moratorium on annexations into the corporate limits in order to stabilize boundaries of the City of Hartselle for purposes of qualifying persons to vote in the election on August 23, 2016 and if necessary, a run-off election on October 4, 2016. Ms. Lee also said annexations of commercial and manufacturing property would be exempt from the moratorium since voting rights would not be affected. Council Member Roberson motioned to approve Resolution 06-1416B and declare a moratorium on annexations; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Ms. Lee to discuss Resolution 06-1416C which would contract with Ed Sims to provide voting machine assistance with the upcoming municipal election. Mr. Sims would deliver, set up, assist with poll worker training and testing of said machines at the cost of \$300.00 per machine, with respect to the Municipal Election to be held on August 23, 2016 and in the case of a run-off election to be held October 4, 2016. Council

Member Roberson motioned to approve Resolution 06-1416C and contract with Ed Sims; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next called on Mayor Bill Smelser to discuss Resolution 06-1416D. Mayor Smelser explained to the Council that the resolution would authorize the request from the Morgan County Commission for financial assistance for the William Bradford Huie Library. Mayor Smelser also said these funds would be appropriated for the operation, maintenance and services provided by the library. Council Member Chappell motioned to approve Resolution 06-1416D; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council Member Thompson then asked Mayor Smelser to discuss Resolution 16-1416E, which would request financial assistance from the Morgan County Commission for the Hartselle-Morgan County Regional Airport. Mayor Smelser said these funds would be appropriated for the operation, maintenance and services provided by the airport. Council Member Roberson motioned to approve Resolution 06-1416E; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President called on Jeff Johnson, Director of the Department of Development, to come forward and discuss Resolution 06-1416F. Mr. Johnson said the City had received a FY2016 Transportation Alternatives Program Grant (TAP) for rehabilitation and construction of a new handicapped sidewalks along Hickory Street and Railroad Street, it must hire an engineer to design the project. He told the Council that according to ALDOT TAP program regulations, the City must pay for all required engineering design services with local funds. This resolution, if approved, would authorize Mayor Smelser to enter into a contract with Garver, LLC for \$49,958.00 to provide all engineering design services required to obtain approval of plans/specifications and to obtain authorization to bid this project from the Alabama Department of Transportation. Council Member Roberson motioned to approve Resolution 06-1416F and authorize Mayor Smelser to enter into a contract with Garver, LLC; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council Member Thompson asked City Planner Jeremy Griffith to address the next item on the agenda, Resolution 06-1416G. Mr. Griffith explained to the Council that this was a resolution if adopted, would vacate a portion of the never-opened service road alongside Hwy. 31 at Tanner Heights. He mentioned a previous Council had consented to the vacation of the entire service road several years ago. Since then, individual owns have petitioned to receive their portion of the property. He noted this segment fronts three lots owned by Ronnie Woodward. Council Member Chappell motioned to approve Resolution 06-1416G to vacate the property; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Frank Miller, Park and Recreation Director, to step forward and discuss a request to accept an alternate to the Sparkman Trail Project. Mr. Miller asked the Council to approve Additive Alternate No. 1 to the grant for a cost of \$23,029.20. He noted where the workers were there preparing the trail, they had offered to complete the additional work at a saving of around \$20,000.00. Council Member Chappell motioned to approve the change order; Council Member Roberson seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on Mayor Smelser to discuss a Special Events Permit received from the Morgan County Cattleman's Association. Mayor Smelser told the Council that the Morgan County Cattleman's Association had submitted the permit for the use of the City owned parking lot on Main Street on Saturday, June 18 to set up and sell steak sandwiches as a fundraiser for scholarships awarded by the Morgan County Cattleman's Association. Council Member Roberson motioned to approve the Special Event Permit and allow the Morgan County Cattleman's Association to use the parking lot; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Frank Miller, park and Recreation Director, to come forward and discuss his request for a budget transfer. Mr. Miller explained to the Council he had requested two budget transfers and one budget adjustment for the following:

- 1) Budget transfer in the amount of \$5,697.50 from 401-5700 (Vehicles) to 402-5503

- (Minor Equipment) to purchase a new pool vacuum
- 2) Budget transfer in the amount of \$4,478.00 from 401-5700 (Vehicles) to 402-5701 (Furniture and Fixtures) for the difference in the cost for a freezer for the Aquatic Center and installation of the condenser units
  - 3) Budget adjustment for \$9,600.00 to 40-101-5300 (State Capital Improvement Fund) for a new air conditioning unit for the Aquatic Center

Council Member Roberson motioned to approve the budget transfers and budget adjustment requests; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Ms. Lee to discuss the budget adjustment request from the William Bradford Huie Library. Ms. Lee told the Council the library had received a \$900.00 donation last month from the Current Review Club, and the library had requested a budget adjustment for \$897.00 from line item 01-103-4082 (Donations) to line item 01-103-5701 (Furniture & Fixtures) to purchase three bookcases for the Children's Department. Council Member Roberson motioned to approve the budget adjustment; Council Member Chappell seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Ms. Lee to discuss the request from the library to declare items surplus. Ms. Lee explained to the Council the following items were outdated, damaged or no longer in use at the library and had been requested to be declared surplus:

- 1) 12 shelf bottoms – do not fit any shelves currently used at the library
- 2) 3 black trays for stacking chairs
- 3) old microwave oven
- 4) 1 broken stool
- 5) 1 white stool
- 6) 4 office chairs no longer used
- 7) 949 library book

Council Member Roberson motioned to approve declaring the items surplus; Council Member Chappell second the motion. Motion carried by unanimous voice vote.

At this time Council President Thompson asked for comments from the Mayor, Council Members and the City Attorney. Mayor Smelser thanked the Police and Fire Department for their service to the City, for putting their lives in danger every day for the citizens. All the other Council Members agreed with the Mayor and thanked the departments for their service.

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

With no other business to come before the Council, Council Member Chappell moved to adjourn; Council Member Buckelew seconded the motion; the motion carried unanimously by voice vote and the meeting was adjourned at 7:25 p.m.

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Kenny Thompson, Council President

ATTEST:

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By: Rita S. Lee, City Clerk/Controller