

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF
HARTSELLE, ALABAMA
SEPTEMBER 27, 2016**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. Tuesday, September 27, 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, led the invocation.

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

Council President Thompson called for approval of the minutes of the work session held on Tuesday, September 13, 2016. Council Member Doss motioned to approve the minutes; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called for approval of the minutes of the regular meeting held on Tuesday, September 13, 2016. Council Member Doss motioned to approve the minutes; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Jeremy Griffith, Hartselle City Planner, to address the first item on the agenda, Ordinance 1450. Mr. Griffith explained to the Council the ordinance, for introduction only, would re-zone a proposed lot on Barkley Bridge Road from AG-1 to R-1 to permit its division from a larger AG acreage tract. He also told the Council this request is in conformance with the current comprehensive plan and the Planning Commission will make a recommendation at its next meeting before the public hearing on October 11th. Council Member Doss motioned to introduce Ordinance 1450; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Department of Development Director Jeff Johnson to discuss Resolution 16-0927. Mr. Johnson explained to the Council that the resolution would authorize the Mayor, under the City's Commercial Development Incentive Policy, to execute a design and construction agreement for a Zaxby's Fast Casual Restaurant between the City and Clintmiss, LLC, the restaurant to be located on Highway 31 N.W. Council Member Doss motioned to authorize Mayor Smelser to execute the agreement with Clintmiss, LLC; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Mr. Johnson to discuss the request to approve the development agreement with Clintmiss, LLC for the restaurant. Mr. Johnson explained the agreement states the City agrees to pay a reasonable amount expended by the developer for the acquisition and construction of the infrastructure for the project, not to exceed \$126,833.00. The funds to be paid by the City, over a seven year period, will be paid solely from sales tax revenue collected by the City from the retail establishments located within the project area. Quarterly payments, equal to 50% of the sales tax revenue, commencing forty-five days following the end of the quarter in which the City begins receiving sales tax revenue. (Only 3% of the sales tax collected by the City will be included in the reimbursement; the 1% for education is excluded from the agreement.) Council Member Doss motioned to authorize Mayor Smelser to sign the development agreement with Clintmiss, LLC. Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on Tommy Halbrooks, Public Works Director, to come forward and discuss Resolution 16-0927A. Mr. Halbrooks explained to the Council that this resolution will be the next step in the extension of the current landfill project, allowing the use of additional land within the municipal landfill for disposal of solid waste. He also told the Council the expansion would not affect the current waste type, waste stream or the current waste volume

permitted in the landfill. Council Member Doss motioned to approve Resolution 16-0927A for the landfill extension; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked City Attorney Larry Madison to discuss Resolution 16-0927B, which if approved, would call for a Municipal Option Election as to whether to change the status of the City of Hartselle from “dry” to “wet” and allow the legal sale and distribution of alcoholic beverages within the City of Hartselle. Mr. Madison explained to the Council that a petition had been filed with the City Clerk containing signatures of 30% of the number of voters who voted in the last preceding general election, which would call for a referendum as to whether the sale and distribution of alcoholic beverages should be allowed in the City. Council Member Doss motioned to approve Resolution 16-0927B; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on Mr. Madison again to discuss Resolution 16-0927C. Mr. Madison explained to the Council that if approved, this resolution would approve and appoint a successor to the Hartselle Veteran’s Day Parade Committee to plan, stage and conduct the annual Veteran’s Day Parade. Mr. Madison told the Council that it had been proposed the Hartselle Lion’s Club serve as successor to the Hartselle Veteran’s Day Parade Committee, and the Hartselle Lion’s Club would be vested with the same duties, responsibilities and privileges effective immediately. Council Member Doss motioned to approve and appoint Hartselle Lion’s Club to succeed the Hartselle Veteran’s Day Parade Committee; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Mr. Jeff Johnson again to discuss Resolution 16-0927D. Mr. Johnson told the Council that the City of Hartselle had received a Hazardous Mitigation Grant from the Federal Emergency Management Agency (FEMA) to implement Phase II of a flood reduction project. Mr. Johnson also said according to FEMA regulations, the city had solicited and received proposals from qualified engineering firms to implement the project and had selected Amec Foster Wheeler to provide engineering services for the project. If approved, this resolution would allow Mayor Smelser to enter into a contract with Amec Foster Wheeler for all engineering services required to implement the project. Council Member Doss motioned to authorize Mayor Smelser to execute the contract with Amec Foster Wheeler; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Madison to discuss Resolution 16-0927E. Mr. Madison explained that if approved, this resolution would declare an immediate moratorium on annexation pending results of the Municipal Option Election to be held on Tuesday, November 8, 2016. He noted the moratorium would only apply to residential property. Council Member Doss motioned to approve resolution 16-0927E; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Lee Greene Jr. to discuss the Special Event Permit application that was submitted for the annual Veteran’s Day Parade. Mr. Greene explained that if approved, the parade will be held on Saturday, November 12, 2016 with set up beginning at 9:00 a.m. and ending at noon. Mr. Greene also said the parade will begin at the Depot on Railroad Street and end up at Tractor Supply’s parking lot, taking the same route as the Christmas Parade. Council Member Doss motioned to approve the Special Event Permit application for the annual Veteran’s Day Parade; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, which was a request to declare items surplus. Parks and Recreation Director Tom Chappell came forward and explained to the Council he had several items he had requested to declare surplus, and they are as follows:

- 1) 1989 Ford Ranger XLT pickup, VIN #2279
- 2) 1996 Dodge Dakota pickup, VIN #5171
- 3) Gravely 272Z mower, S#001595
- 4) Numerous mowers and attachments, cooler, freezer, pool items and other miscellaneous items to be declared surplus

Mr. Chappell noted some items would be sold on GovDeals, while some would be sold as surplus metal. Council Member Doss motioned to approve declaring the items surplus; Council

Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Rita S. Lee, City Clerk-Controller, to discuss the FY2017 Budget for all funds. Ms. Lee requested the Council approve the 2017 Budgets for the following funds that had been discussed at the two previous work sessions: General Fund, Municipal Gasoline Fund, WoodChipper Fund, Police Donation Account, Telecommunication Fund, Municipal Court Fund, Corrections Fund, State Capital Improvement Fund, Education Sales Tax Fund. Council Member Doss motioned to approve the FY2017 Budgets for all funds; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Ms. Lee to discuss the 2016 year-end budget transfers for all funds. Ms. Lee reviewed the year- end transfers, noting there were no adjustments, just transfers between line items for the year end. Council Member Doss motioned to approve the 2016 year-end budget transfers; Council Member Buckelew seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then announced the City of Hartselle is accepting applications for positions on the following board:

Library Board, two (2) expired positions, four (4) year terms.
Applications are available at the City Clerk's office in City Hall or on the City's website.
Applications must be turned in to the City Clerk's office by Friday, October 14, 2016 at 4:00 p.m.

At this time, Council President Thompson asked for comments from the Mayor, Council Members or City Attorney. Mayor Smelser thanked Ms. Lee and all of the department heads for their work on the budget, and also thanked Ben Williams with Zaxby's and welcomed them to Hartselle. All other Council Members welcomed Zaxby's as well. Council Member Tankersley reminded everyone of the Run-Off Election October 4th , and Ms. Lee mentioned that Thursday, September 29th was the last day to vote absentee in the run-off.

Council President Thompson then asked for comments from the audience. Park & Recreation Director Tom Chappell came forward to invite everyone to an event being called Hartselle Hay Day, co-sponsored by the City, Chamber of Commerce, Downtown Merchants, and Life Church on October 28th. He noted Highway 36 would be blocked off from 5-8 P.M., with hays rides, food trucks, games, and booths. Downtown merchants were being urged to remain open and hand out candy to children. Merchants not located downtown could request a booth to hand out candy as well. Mr. Chappell mentioned he thought it would be good for the city to man a booth, maybe have each employee donate a bag of candy. Fire Chief Daryl Fox came forward to inform the Council that the bridge on Vaughn Bridge Road would be closed soon for repairs that could take several months. He had been asked by Oak Ridge Fire Department to assist with any fires on the Hartselle side of the bridge while it was out of service, and just wanted the Council to be aware.

With no other business to come before the Council, Council Member Doss motioned to adjourn; Council Member Tankersley seconded the motion. Motion carried unanimously by voice vote and the meeting was adjourned at 7:23 p.m.

Kenny Thompson, Council President

ATTEST:

Rita S. Lee, City Clerk/Controller