

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF HARTSELLE, ALABAMA
DECEMBER 13, 2016**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, December 13, 2016 inside the Council Chambers at the Hartselle Municipal Building. Council President Kenny Thompson called the meeting to order.

Reverend Lynn Harvel, Pastor of Liberty Baptist Church, led the invocation.

The following were present for the meeting: Council President Kenny Thompson, Council Members Dwight Tankersley, Chuck Gill, Virginia Alexander, Matt Broom, Mayor Randy Garrison, 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 the approval of the minutes of the regular meeting held on Tuesday, November 22, 2016. Council Member Tankersley motioned to approve the minutes; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called for approval of the minutes of the special called meeting held on Tuesday, November 29, 2016. Council Member Alexander motioned to approve the minutes; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on City Planner Jeremy Griffith to discuss the first item on the agenda, Resolution 16-1213. Mr. Griffith explained to the Council that this resolution assents to the vacation of certain portions of an unopened frontage road alongside U.S. Highway 31 along the Tanner Heights Subdivision. He also said that in an effort to complete the vacation, City staff had contacted the owners of all ten remaining lots fronting this unimproved row, and all but two owners had responded. Council Member Alexander motioned to approve Resolution 16-1213 and vacate the portion of Highway 31 as presented; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on City Attorney Larry Madison to discuss Resolution 16-1213A. Mr. Madison explained to the Council that this resolution would authorize Mayor Randy Garrison to request an opinion from the Attorney General's Office as to the validity of the prohibition against the sale of single serving iced-down or chilled alcoholic beverages. The ordinance that was approved by the Council concerning the sale and distribution of alcohol included this provision to ban the sale of such items, but due to and Attorney General's opinion that raised questions about the proposed ban, a clear AG opinion is needed. Council Member Tankersley motioned to approve resolution 16-1213A and authorize Mayor Garrison to request the Attorney General's opinion; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next called on Jeff Johnson, Director of the Department of Development, to step forward and discuss his request for the Council to renew the Real Estate Brokerage and Professional Services Agreement with Ming Enterprises, LLC. Mr. Johnson explained to the Council that the current agreement will expire on December 31, 2016, and that the Department of Development is requesting a renewal of the previous agreement until December 31, 2017, with no changes being made and the brokerage commission remaining at 5%. Council Member Alexander motioned to renew the agreement with Ming Enterprises, LLC; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Tom Chappell, Parks and Recreation Director, to come forward and discuss his request for a budget adjustment. Mr. Chappell explained to the Council that he had requested a budget adjustment in the amount of \$13,378.33 to line Item #01-401-5300 Building Grounds Maintenance/Repairs. He said funds had been generated from scrap recycling and surplus property sold on Gov-Deals, and he intends on using the funds for

fertilization and weed control on all city athletic fields. Council Member Gill motioned to approve the budget adjustment for \$13,378.33; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next asked Mr. Griffith to come forward again to discuss the 2017 Safe Workplace Guidelines from the Municipal Worker's Compensation Fund. He explained that as in previous years, the Council must adopt the guidelines in order to qualify for an insurance premium discount from MWCF. He also noted the safety committee had met and reviewed the document, and recommends its adoption 4-0. Council Member Alexander motioned to adopt the 2017 Safe Workplace Guidelines; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Rita S. Lee, City Clerk-Controller, to discuss a request from the William Bradford Huie Library to declare items surplus. Ms. Lee explained to the Council the library currently has 523 books that they were requesting be declared surplus. These include books that are duplicates, damaged or outdated. Some will be given the "Friends of the Library" to be sold, donated to Headstart Program, the Caring Place or used for crafts. Council Member Broom motioned to declare the books surplus; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Ms. Lee to discuss the vacant position on the Morgan County Industrial Park and Economic Development Cooperative District Board. Ms. Lee explained to the Council that former Mayor Bill Smelser had resigned from the Board effective immediately, and the Board was requesting that the Council consider appointing Mayor Garrison to the Board for the remainder of the term, which would expire May 16, 2020. Council Member Alexander motioned to appoint Mayor Garrison to the Morgan County Industrial Park and Economic Development Cooperative District Board; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then announced the City had received two applications for the Hartselle Utilities Board, Mr. Ed Monroe and Mr. Jimmy Day. Council President Thompson called for a motion to appoint one of the two gentlemen to the position. No motion was made. City Attorney Madison informed the Council that they must either appoint one of the two applicants, open the application period again or table the issue. After a brief discussion, Council Member Gill motioned to table the appointment in order for the Council Members to study their applications more closely; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called for comments from the Mayor, Council Members or the City Attorney. Mayor Garrison thanked the department heads for their input concerning the capital needs of the City as it related to the future use of the alcohol tax revenue. Council Member Gill mentioned he thought the Christmas Parade was great and thanked all those that helped; Council Member Tankersley wished everyone a Merry Christmas; Council Member Alexander thanked the department heads as well and wished everyone a Merry Christmas. City Attorney Madison wished everyone a Merry Christmas as did Council President Thompson who also thanked all the city employees for the great job they do.

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

With no other business to come before the Council, Council Member Gill motioned to adjourn; Council Member Tankersley seconded the motion. Motion carried unanimously by voice vote and the meeting was adjourned at 7:14 p.m.

Kenny Thompson, Council President

ATTEST:

Rita S. Lee, City Clerk/Controller

