

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL
OF THE CITY OF HARTSELLE, ALABAMA
FEBRUARY 14, 2017**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, February 14, 2017 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. Mayor Randy Garrison led the Pledge of Allegiance.

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, January 24, 2017. Council Member Alexander motioned to approve the minutes; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson proceeded with the first item under new business, which was the consideration of an alcohol license for Hartselle Beverages. He called on Mayor Garrison to review the application. Mayor Garrison explained that Johnny Solomon, dba Hartselle Beverages, had applied for a license for the store located at 1802 Highway 31 S.W., Suite B. His application requested the establishment be granted a license to sell retail liquor for off premises consumption (package store). Mayor Garrison informed the Council that the Alcohol Review Committee (ARC) had met, reviewed the application and made the recommendation to the Council that the license be granted. Council President Thompson announced a public hearing open to hear comments for or against the application. No comments were made. Council Member Tankersley motioned to close the public hearing; Council Member Gill seconded the motion. Motion carried by unanimous voice vote. Council Member Broom motioned to approve the alcohol license for Hartselle Beverages as requested; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson announced the next item under new business, a request for an alcohol license for The Freight House, Inc. He called on Mayor Garrison to review the application. Mayor Garrison explained that Sandra Sowder had applied for a license for her restaurant located at 200 Railroad Street. The application requested the restaurant be granted a Restaurant Class I license to sell retail beer (on or off premises) and retail table wine (on or off premises). Mayor Garrison informed the Council that the Alcohol Review Committee (ARC) had met, reviewed the application and made the recommendation to the Council that the license be granted. Council President Thompson announced a public hearing open to hear comments for or against the application. No comments were made. Council Member Gill motioned to close the public hearing; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote. Council Member Alexander motioned to approve the alcohol license for The Freight House, Inc. as requested; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item, a request for an alcohol license for Wal-Mart East LP #1124. He called on Mayor Garrison to review the application. Mayor Garrison explained that Wal-Mart East LP #1124 had applied for a license for the store located at 1202 Highway 31 N.W. The application requested the store be granted a license to sell retail beer (off premises only) and retail table wine (off premises only). Mayor Garrison informed the Council that the Alcohol Review Committee (ARC) had met, reviewed the application and made the recommendation to the Council that the license be granted. Council President Thompson announced a public hearing open to hear comments for or against the application. No comments were made. Council Member Tankersley motioned to close the public hearing; Council Member Gill seconded the motion. Motion carried by unanimous voice vote. Council Member Gill

motioned to approve the alcohol license for Wal-Mart East LP #1124 as requested; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Jeff Johnson, Director of the Building Department, to discuss the next item on the agenda, Resolution 17-0214. Mr. Johnson explained to the Council that if approved, this resolution would amend the development agreement between the City of Hartselle and Clintmiss, LLC for Zaxby's Fast Casual Restaurant. Mr. Johnson said that in the initial development agreement dated September 27, 2016, the City had agreed to reimburse the developer certain costs for infrastructure and site development costs up to a maximum of \$126,833.00. However, because of unanticipated additional infrastructure requirements imposed by the Alabama Department of Transportation (ALDOT) on the Developer, the actual cost of the infrastructure is estimated to be \$237,749.72, an increase of \$110,916.72. Mr. Johnson also said that if the Council authorizes Mayor Garrison to execute an amendment to the original agreement, the amendment would extend the timeframe for purchasing the required infrastructure through sales tax collected from each retail business within the newly defined project area from the initial seven year period to an amended ten year period. Council Member Alexander motioned to grant Mayor Garrison the authority to execute the amended development agreement with Clintmiss, LLC; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Mr. Johnson to discuss the next item on the agenda, Resolution 17-0214A. Mr. Johnson told the Council the City had recently solicited and accepted sealed bids for the material supplier for the new Hartselle Farmer's Market – Event Center, and that Corum's Building and Farm Center had submitted the only bid of \$49,998.00 for the materials for the project. Mr. Johnson requested the Council approve the resolution and accept the bid from Corum's Building and Farm Center for this project. Council Member Gill motioned to accept the bid; Council Member Alexander seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Mr. Johnson again to address the next item, which was a request to declare the existing Farmer's Market structure surplus. Mr. Johnson told the Council that if approved, the Public Works Department would take down the existing structure down the following day and hopefully move it to the Public Works Shop location to be used for storage. Council Member Alexander motioned to declare the existing Farmer's Market structure surplus as requested; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next addressed Resolution 17-0214B and called on Hartselle Police Chief Ron Puckett to discuss it with the Council. Chief Puckett explained that his department had recently solicited and accepted sealed bids for three (3) 2017 Ford Interceptor Sedans for the department. Chief Puckett said the following bids were received: Woody Anderson Ford- \$27,470.28 for each vehicle; Eddie Preuitt Ford- \$27,700.00 for each vehicle. Chief Puckett also said that since there is less than 3% difference in the bid received, and as allowed by law, he is requesting the Council's permission to accept Eddie Preuitt Ford's bid for the vehicles and purchase from our local merchant. Council Member Tankersley motioned to approve Resolution 17-0214B and accept the bid from Eddie Preuitt Ford; Council Member Alexander seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next called on Mayor Garrison to discuss the request to purchase a new bulldozer for the Public Works Department. Mayor Garrison told the Council that he and Public Works Director, Tommy Halbrooks, had done extensive research and that is was their recommendation that the current bulldozer be replaced instead of repaired. Mayor Garrison also stated that Tractor Equipment in Decatur, AL has offered a trade in allowance of \$19,500 on the 2006 Komatsu dozer the City currently owns, and that the purchase price of a 2016 Komatsu Model D61PX-24 will be \$257,400. He also told the Council that if approved, the purchase will be made through the Houston – Galveston Area Council (H-GAC) National Purchasing Cooperative, as approved by the State of Alabama Department of Examiners Public Accounts so it will not be required to be bid. Council Member Alexander motioned to approve the purchase of the new bulldozer to be paid out of the General Fund; Council President Gill seconded the motion. Motion carried by unanimous voice vote.

Council Present Thompson called on Mr. Halbrooks to discuss his request to declare the 2006 Komatsu D61PX-15 dozer (SN B40733) surplus. Council Member Tankersley motioned to approve declaring the dozer surplus; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called on Mayor Garrison to discuss the Special Event Permit application the City had received for the Morgan County Sheriff's Rodeo Parade to be held on Saturday, April 1, 2017. Mayor Garrison said the event will begin at the Posse Fairgrounds on Vest Road, on to Lane Road across Highway 31 to Sparkman Street, down Main Street to Railroad Street and will take the reverse route back to the Posse Fairgrounds. Council Member Alexander motioned to approve the Special Event Permit for the Morgan County Sheriff's Rodeo Parade; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Mr. Halbrooks to discuss his request to hire temporary employees for the Public Works Department. Mr. Halbrooks explained to the Council he has a few employees out due to health issues, and he was requesting to hire up to two temporary employees until they were able to return to work. Mr. Halbrooks also said the additional employees would enable the Public Works Department to continue providing great service to the citizens of Hartselle. Council Member Gill motioned to approve the hiring of up to two temporary employees for Public Works; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next asked Mr. Halbrooks to discuss his request to apply for a grant for a new recycling truck through the Alabama Department of Environmental Management (ADEM). Council Member Alexander motioned to approve the application for the grant for the new recycling truck through ADEM; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson announced he thought some of the Council wanted to vote on two permits that were discussed at the work session, held just before the meeting, but were not on the agenda. Council Member Broom announced he would like to consider the Special Event Permit application the City had received from Shane Alexander on behalf of the Prayers for Kayleigh (PFK) Foundation due to the timely nature of the event. He had requested permission to host a Prayers for Kayleigh 5K Run and a 1Mile Fun Run on Saturday, May 13, 2017 as a fundraiser for St. Jude's Hospital and DIPG cancer research. The event will begin and end at Hartselle Junior High School, but the race route will require both Main Street and Sparkman Street to be closed from 6:00 a.m. to 11:00 a.m., and both the Police Chief and Fire Chief had approved the route. Council Member Broom motioned to approve the Special Event Permit for the PFK Foundation to host the 5K and 1Mile Fun Run; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then discussed the Special Event Permit application the City had received from Shane Alexander on behalf of the PFK Foundation to host a benefit concert for the Prayers For Kayleigh (PFK) Foundation to be held on May 13, 2017. The PFK Foundation had submitted the permit application to host the concert at the City owned soccer fields on Garner Road, with an approximate attendance of over 10,000. This event had also been discussed at length during the work session. City Attorney Madison advised the Council could approve the permit pending a contract that he would draw up to include the agreement between the parties for the event, the requirement for insurance and a bond to cover the anticipated costs that would be incurred by the City. Council Member Broom motioned to approve the Special Event Permit contingent on a contract being drawn up by the City Attorney, to the Mayor's satisfaction that would be brought back to the City Council for final approval; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson next addressed an issue that was discussed during the work session concerning a mobile food truck ordinance. It was decided that a committee would be formed to research the matter and make a recommendation to the Council. City Attorney Madison suggested adding two members of the public at large or business community to the committee. Council Member Tankersley motioned to appoint City Planner Jeremy Griffith, Council Member Gill and Council Member Broom and to allow them to appoint up to two members of the public to form the committee; Council Member Alexander 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 mentioned the recent purchase of a new bulldozer for the Public Works/Landfill and thanked the Council for their support. He also wished everyone a Happy Valentine's Day. Council Member Gill acknowledged the recent purchase of the equipment for Public Works but also noted that other departments were in need of new equipment as well. He also wished the organizers of the PFK Foundation best of luck with their events. Council Member Alexander wished the event organizers best of luck as well as did Council Member Broom. Council President Thompson wished everyone a Happy Valentine's Day and wished organizers good luck with the events.

Council President Thompson called for comments from the audience. Jeff Johnson, DOD Director, came forward to recognize Mr. Avery McAdory, a Joe Wheeler employee, who was attending the meeting with his son who was working on his Eagle Scout designation. Don Sanders, 301 Hickory Street, came forward to present letters to each Council Member, Mayor, City Attorney and Police Chief outlining his concerns with the Police Department over the past four years.

With no other business to come before the Council, Council Member Gill motioned to adjourn; Council Member Broom seconded the motion. Motion carried unanimously by voice vote and the meeting adjourned at 7:31p.m.

Kenny Thompson
Council President

ATTEST:

Rita S. Lee, City Clerk - Controller