

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
AUGUST 22, 2017**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, June 13, 2017, inside the Council Chambers at the Hartselle Municipal Building. Council President Pro Tem Dwight Tankersley presided over the meeting and called the meeting to order.

Reverend Phillip Hines gave the invocation.

Mayor Randy Garrison lead those present in the Pledge of Allegiance.

The following were present for the meeting: Council President Pro Tem Dwight Tankersley; Council Members Virginia Alexander, Matt Broom and Chuck Gill; Mayor Randy Garrison and City Attorney, Larry Madison, who also acted as Secretary in the absence of City Clerk/Controller, Rita S. Lee. Having a quorum present, the President Pro Tem declared the proceedings open for business.

Council Member Alexander moved to dismiss with the reading of and to approve the minutes of the work session of August 8, 2017; Council Member Broom seconded the motion. The motion carried unanimously by voice vote.

Council Member Alexander moved to dismiss with the reading of and to approve the minutes of the regular meeting of August 8, 2017; Council Member Broom seconded the motion. The motion carried unanimously by voice vote.

The next item on the agenda was consideration of an alcohol license application from Don Alejo Mexican Restaurant, LLC. As required, the President Pro Tem opened a public hearing. There being no comment, Council Member Broom moved to close the public hearing, seconded by Council Member Alexander. The motion carried unanimously by voice vote. Council Member Broom then moved to approve the application, seconded by Council Member Gill. The motion carried unanimously by voice vote.

The next order of business was consideration of Ordinance Number 1467, which would approve the annexation of certain property on Main Street West. The President Pro Tem declared a public hearing open. There being no comment, Council Member Broom moved to close the public hearing, seconded by Council Member Alexander. The motion carried unanimously by voice vote. Council Member Alexander then moved to adopt Ordinance Number 1467, seconded by Council Member Gill. The motion carried unanimously by voice vote.

The next order of business was consideration of Ordinance Number 1468, which would establish a zoning district for the property annexed by Ordinance Number 1467. The President Pro Tem declared a public hearing open. There being no comments, Council Member Gill moved to close the public hearing, seconded by Council Member Broom. The motion carried unanimously by voice vote. Council Member Broom then moved to adopt Ordinance Number 1468, seconded by Council Member Gill. The motion carried unanimously by voice vote.

The next order of business was consideration of Resolution Number 17-0822, which would endorse, ratify and approve the actions of the Mayor and the Library Board for seeking an appropriation of funds from the Morgan County Commission to assist with the Hartselle Public Library. Council Member Alexander moved to adopt Resolution Number 17-0822, seconded by Council Member Broom. The motion carried unanimously by voice vote.

The next order of business was consideration of Resolution Number 17-0822A, which is a request for funding for the Municipal Airport from the Morgan County Commission. Council Member Alexander moved to adopt Resolution Number 17-0822A, seconded by Council Member Broom. The motion carried unanimously by voice vote.

The next order of business was consideration of adoption of Resolution Number 17-0822B, which relates to the acceptance or rejection of a bid for a new truck for the Department of Development. Director Jeff Johnson address the Council regarding this matter. Only one bid was received, that being from Eddie Preuitt Ford in the amount of \$25,900.00. The bid specifications stated that a bid for a 2017 model was being requested, but the bid submitted was for a 2018 model. City Attorney Larry Madison advised the Council that because the truck was a newer model it actually exceeds specifications. Also, because only one bid was received, the Council could vote to reject it and authorize the Director to negotiate directly with Eddie Preuitt Ford to attempt to obtain a better price than that which was bid for the vehicle. Council Member Gill then moved to adopt Resolution Number 17-0822B rejecting the bid from Eddie Preuitt Ford and authorizing the Director of the Department of Development to negotiate for a better price. Council Member Broom seconded the motion. After discussion, the motion carried unanimously by voice vote.

The next order of business was consideration of Resolution Number 17-0822C. Jeff Johnson again addressed the Council and explained that this resolution authorizes him to seek an Alabama Community Development Block Grant for the purpose of constructing improvements to the water and sewer system along Rhodes Street, Brookline Street, Andy Street, Edgewood Street and Midway Street in Hartselle. The amount being sought would be \$450,000.00. If approved, the City would have to provide a local match of \$378,487.75, of which \$322,551.11 would be provided by Hartselle Utilities as in-kind labor and equipment and \$56,697.64 would be cash provided by the City of Hartselle. Council Member Alexander moved to adopt Resolution Number 17-0822C, seconded by Council Member Broom. The motion carried unanimously by voice vote.

The next order of business was consideration of a contract renewal with Morgan County E-911 for emergency dispatch services. The Morgan County E-911 Director, Ryan Welty, addressed the Council. He indicated it was essentially the same contract as the previous year, with the exception of the cost. He indicated that the contract had been reviewed by City Attorney Larry Madison, whose suggested changes had been made. Council Member Alexander abstained from participation in discussions or from voting on the matter due to her membership on the E-911 Board. Council Member Gill moved to approve the renewal of the contract, seconded by Council Member Broom. The motion carried unanimously among those voting by voice vote. For the record, three Council Members voted to authorize the contract to be executed, thereby constituting a majority.

The next order of business was consideration of contract renewal of Hartselle Utilities for fire hydrant maintenance. Hartselle Fire and Rescue Chief Daryl Fox addressed the Council. He expressed his issues with the contract. City Attorney Larry Madison gave a history of how the contract came to be in existence as it is. He explained that at one time relations between the City Council and the Utilities Board were very strained. During a period of reconciliation between the parties, it was agreed that the City would pay the Utilities Board for fire hydrant maintenance. Mr. Madison explained to the Council that under state law the hydrants belong to the Utilities Board and they can be required to maintain them. However, if this is done, they can also force the City to pay for water use. The compromise which was reached many years ago was for the City to pay a portion of the maintenance costs and for only a small water charge to be made each year. The contract before the Council for consideration now carries on that same arrangement. After hearing this explanation and further discussion, Council Member Gill moved to table consideration of the contract, seconded by Council Member Broom. The motion carried unanimously by voice vote.

The next order of business was consideration of the request of the Fire Chief for direction as to whether or not to accept an offer for the mini pumper which was placed on the market with Brindlee Mountain Fire Apparatus through its website called www.firetruckmall.com. The truck was first posted for sale on May 30. On July 17 the Hunt Volunteer Fire Department in Hunt, Texas made an offer of \$15,000.00. This is the only offer received to date. The offer was a contingent one whereby the buyer proposed to send \$1,500.00 to hold the truck until its representatives could come and view it. If they found it acceptable, they would pay \$13,500.00 within three days. If not, the deposit would be refunded. They would have to come and view it within two weeks of the City Council's acceptance of the proposal. Having heard this, Council Member Gill moved to accept the proposal, seconded by Council Member Broom. The motion

carried unanimously by voice vote.

The next order of business was consideration of appointments to the Hartselle Utility Board. Both appointments are for six year terms. Applications were received by Walton Ashwander, Dewayne Peebles, Terry Phillips and Ferrell Vest. Council Member Broom moved to appoint Ferrell Vest, seconded by Council Member Gill. The motion carried unanimously by voice vote. Council Member Broom then moved to appoint Terry Phillips, seconded by Council Member Alexander. The motion carried unanimously by voice vote.

The next order of business was a request by the Fire Department to consider two budget transfers, one of \$250.00 from Line Item 01-202-5309 to Line Item 01-202-5204. The second request is for a transfer of \$699.00 from Litem Item 01-202-5309 to Line Item 01-202-5421. Both of these are explained in the memorandum dated 8-21-17 from Chief Fox. Council Member Gill moved to approve the transfers, seconded by Council Member Broom. The motion carried unanimously by voice vote.

Next item on the agenda were requests from the Public Works Department to transfer \$4,500.00 from Line Item 01-303-5306 to two other Line Items and \$8,000.00 from 01-303-5306 for three other items. These are explained fully in two memos dated August 17, 2017 from Tommy Halbrooks, Department Director, who also explained them to the Council in person at the meeting. Council Member Alexander moved to approve the budget adjustments, seconded by Council Member Broom. The motion carried unanimously by voice vote.

The Council President Pro Tem next invited comments from the Mayor and Council. Mayor Randy Garrison presented service awards to two employees. Mandy Gandy received an award for fifteen years of service and Lt. Linda Fox, for twenty years of service.

The Council President Pro Tem invited comments from the audience. There were none.

There being no other business to come before the Council, Council Member Gill moved to adjourn; Council Member Alexander seconded the motion; the motion carried unanimously by voice vote and the meeting was adjourned at 7:32 p.m.

Dwight Tankersley, Council President
Pro-Tempore

ATTEST:

By: Rita S. Lee, City Clerk/Controller

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