

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
APRIL 11, 2023**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, April 11, 2023, inside the Assembly Room at the Hartselle Municipal Building, located at 611 Chestnut Street NW. Council President Pro-Tempore Dwight Tankersley called the meeting to order at 7:00 p.m.

Public Works Director Curtis Self gave the invocation. Mayor Randy Garrison led those present in the Pledge of Allegiance.

The following were present for the meeting: Council President Kenny Thompson, Council Members Dwight Tankersley, Chuck Gill, Virginia Alexander and Ken Doss. Mayor Randy Garrison, City Attorney Larry Madison, and City Clerk-Controller Rita S. Lee, who also acted as Secretary, were also present for the meeting. Having a quorum present, Council President Pro-Tempore Tankersley (who was filling in for Council President Thompson due to illness) declared the proceedings open for business.

Council President Pro-Tempore Tankersley called for approval of the minutes of the regular meeting held on Tuesday, March 28, 2023. Council Member Gill motioned to approve the minutes as presented; Council Member Doss seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the first item on the agenda, Ordinance 1585, Zoning Ordinance amendments, and called on City Planner Jeremy Griffith to discuss it with the Council. Mr. Griffith explained that if adopted, it would update and clarify a number of zoning definitions related to residential dwellings in order to better differentiate an “accessory structure” from a “dwelling unit.” It will also revise the parking ordinance definitions of “restaurant” and “fast-food restaurant” in order to establish that drive through only restaurants are held to lesser parking count requirements. The Planning Commission recommended approval 5-0-1. Council President Pro-Tempore Tankersley declared a public hearing open for comments. None were made. Council Member Doss motioned to close the public hearing; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council Member Doss motioned to adopt Ordinance 1585; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked Mr. Griffith to address the next item on the agenda, Ordinance 1586, Sign Ordinance amendments. Mr. Griffith explained that if adopted, it would update and clarify several zoning definitions related to signage in order to better differentiate between “permanent” and “temporary” signage, and to clarify that only the message conveying portion of a mural is to be counted as a “sign.” It will also provide for fueling station canopies to have building mounted signage (based on size, same as for a primary building), as long as such signs do not protrude above the roofline of the structure. The Planning Commission recommended approval 5-0-1. Council President Pro-Tempore Tankersley declared a public hearing open for comments. None were made. Council Member Doss motioned to close the public hearing; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council Member Doss motioned to adopt Ordinance 1586; Council Member Alexander seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked Mr. Griffith to address the next item on the agenda, Resolution 23-0411, acceptance of street/drainage improvements of Hickory Heights, Addition 10. Mr. Griffith explained this resolution is for immediate consideration, if adopted, it will accept the street/ drainage improvements of Hickory Heights, Addition 10 (end of Little Drive) into the city system for public maintenance. As this addition has been completed for three years and public traffic has utilized the street throughout this time, the developer is requesting waiver of the typical 12 month warranty requirement. Planning Commission recommended acceptance of these improvements with warranty waiver 6-0. Council Member Alexander motioned to approve Resolution 23-0411; Council Member Doss seconded the motion. The

motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the next item on the agenda, to consider request for alcohol license for Solomon Family LLC dba Hartselle Beverage 2 located at 1306 East Main Street, and called on Mayor Garrison to discuss with the Council. Mayor Garrison reviewed the application which was for a retail liquor off-premises only consumption package store. He informed the Council that the Alcohol Review Committee (ARC) had reviewed the application and recommended the conditional approval of the license upon the completion of the parking lot repairs to provide at least one handicap parking space. Council President Pro-Tempore Tankersley declared a public hearing open for comments. None were made. Council Member Doss motioned to close the public hearing; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council Member Gill motioned to approve the alcohol license conditionally for Solomon Family LLC dba Hartselle Beverage 2 pending parking lot completion; Council Member Doss seconded the motion. The motion carried by unanimous voice vote.

Mayor Garrison read aloud a proclamation declaring the month of April as Fair Housing Month.

Council President Pro-Tempore Tankersley asked for comments from the Mayor, Council Members or City Attorney. Mayor Garrison gave an update on sales tax collections and the storm relieve efforts and thanked Public Works Department, Fire Department and the Police Department for their outstanding service following the tornado that hit the City in March. No other comments were made.

Council President Pro-Tempore Tankersley asked for comments from the audience. Johnny Solomon, 608 Morgan St., came forward to ask for Sunday alcohol sales and to present a petition, signed by 18 business owners, to the City Council requesting the action. Council Member Doss motioned to accept the petition; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. No other comments were made.

There being no further comments from the audience, and as required by the Alabama Open Meetings Act, Mayor Garrison asked City Attorney Larry Madison to certify the need for the Council to call an executive session to discuss a counteroffer on real estate property the City was attempting to purchase. City Attorney Madison certified the reason given for the executive session met the guidelines of the law. Council Member Alexander motioned to adjourn to executive session and reconvene the meeting in 10 minutes at 7:23 p.m.; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council President Pro-Tempore Tankersley announced that the Council would adjourn to executive session and resume the meeting.

Council President Pro-Tempore Tankersley reconvened the meeting at 7:24 p.m. After a brief discussion between Council Members and City Attorney Madison, Council Member Gill motioned to accept the counteroffer as presented; Council Member Doss seconded the motion. The motion was carried by unanimous voice vote.

There being no further business to come before the Council, the meeting was adjourned at 7:30 p.m.

Dwight Tankersley
Council President Pro-Tempore

ATTEST:

Rita S. Lee, City Clerk - Controller