

**MINUTES OF A REGULAR MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF HARTSELLE, ALABAMA  
JULY 25, 2023**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, July 25, 2023, inside the Assembly Room at the Hartselle Municipal Building, located at 611 Chestnut Street NW. Council President Pro-Tempore Tankersley called the meeting to order at 7:00 p.m.

Council Member Chuck Gill 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 President Pro-Tempore 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 Dwight Tankersley (who is 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, July 11, 2023. Council Member Gill motioned to approve the minutes as presented; Council Member Alexander seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the first item on the agenda, Ordinance 1592, which would amend the City's current ordinance for peddlers and solicitors in order to regulate home solicitation and to safeguard the citizens of the City, and called on City Attorney Larry Madison to discuss with the Council. Mr. Madison went over the ordinance with the Council and answered any questions concerning its enforcement. Mr. Madison did point out the new ordinance applies to all fundraising efforts, by law, the Council cannot make a distinction between non-profit and commercial solicitation. Council Member Doss motioned to approve Ordinance 1592; Council President Thompson seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the next item on the agenda, Ordinance 1591, rezoning Mountainview Road, and called on City Planner Jeremy Griffith to discuss with Council. Mr. Griffith explained this ordinance is for introduction only and if adopted, it would rezone approximately 24 acres on Mountainview Road from R-3 to R-1. This property was recently rezoned to R-3 by the previous owner. The new owner wishes to ensure that future subdivided acreage lots can only be used for single family dwellings. Approximately 8 acres of the original 32 acres rezoning area is excluded to remain R-3. The previous change to R-3 was from the current comprehensive plan, and the requested zoning of R-1 is in conformance. Planning Commission will make a formal recommendation at its August 1<sup>st</sup> meeting. Council Member Gill motioned to introduce Ordinance 1591; Council President Thompson seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the next item on the agenda, Resolution 23-0725, support of Cullman Regional's Ambulatory Surgical Center, and called on Mayor Garrison to discuss with the Council. Mayor Garrison explained the resolution's intent was to show a formal means of support to Cullman Regional, who is seeking approval from the Alabama Certificate of Need Board to locate an ambulatory surgical center in the City of Hartselle. Council Member Doss motioned to approve Resolution 23-0725; Council Member Alexander seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked Mayor Garrison to address the next item on the agenda, to consider request to extend contract with Mark Mizell of Marmac Real Estate for six (6) additional months until the property he was assisting the City in purchasing had closed. Council President Thompson motioned to approve the request to extend the contract; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley addressed the next item on the agenda, to consider revised and updated job description for Park Maintenance Supervisor, and called on HR Administrator Melee Laney to discuss with the Council. Ms. Laney reviewed the job description and reasons for the changes made with the Council. Council Member Doss motioned to approve the revised job description for Park Maintenance Supervisor; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked Mayor Garrison to address the next item on the agenda, to consider acceptance of the FY2022 Audit. Mayor Garrison touched on a few highlights from the audit and informed the Council that the audit received an “unqualified” opinion meaning the auditor was satisfied with the City’s financial reporting. Council President Thompson motioned to approve the FY2022 Audit; Council Member Doss seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked Mayor Garrison to address the next item on the agenda, to consider budget transfer request for Parks & Recreation for construction of a parking lot on Mountainview Road. Mayor Garrison explained that in order to cover the cost of materials for the parking lot the Public Works is constructing, there is a need to transfer \$30,000.00 from Vehicles and \$10,000.00 from Minor Equipment in the Parks and Recreation budget to Capital Projects to cover the anticipated \$40,000.00 cost. Council Member Alexander motioned to approve the budget transfer for Parks & Recreation; Council President Thompson 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 to declare items surplus for Administration, and called on City Clerk-Controller Rita Lee to discuss with the Council. Ms. Lee explained that the IT Department has several phones to declare surplus and is requesting permission to send the phones to Firstnet (AT&T) for bill credit instead of putting them on GovDeals. Council Member Doss motioned to approve the request to declare items surplus for Administration; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley recognized Police Chief Justin Barley to come forward to introduce two new police officers and the Mayor to swear them into office. Officer Vernon Loosier as a lateral transfer from the Morgan County Sherriff’s department, as a patrol officer. Officer Al Ballesteros, a retiree from the Decatur Police Department will serve as a SPO at the Intermediate School. He also told the Council that both officers came with a tremendous amount of experience and will be a huge asset to the department and City. Mayor Garrison administered the oath of office with Chief Barley issuing the police department oath. They were given a round of applause and welcomed to the City.

At this time, Council President Pro-Tempore Tankersley recognized Mayor Garrison who wished to add an item to the agenda. Mayor Garrison said he had been contacted by a representative with Habitat for Humanity about the City donating a piece of property on Pine Street to the organization to build a home for one of its Hartselle residents. City Attorney Madison informed the Council that an ordinance would be required, but if they were in favor he would prepare one for the next meeting Council Member Gill motioned to authorize City Attorney Madison to prepare the ordinance for the transfer of property; Council President Thompson seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley requested the Council go ahead and vote on an issue that was raised in the work session concerning an agreement with the school system. Council President Thompson motioned to approve the financial agreement as set forth by Chief Barley for the next budget year for SPO funding; Council Member Doss seconded the motion. The motion carried by unanimous voice vote.

Council President Pro-Tempore Tankersley asked for comments from the Mayor, Council Members or City Attorney. Mayor Garrison asked City Attorney Madison to approve an executive session to be held after the meeting to discuss the potential purchase of property by the City. Council Member Gill, Council Member Alexander and Council Member Doss

congratulated the new police officers and welcomed them to the City. City Attorney Madison also congratulated the officers and City staff on the successful audit. He also mentioned that he needed some directions on a contract he had drafted between the City and Huntsville Hospital for the donation of the former Hartselle Hospital property to the City for use to build a new library and event center. He outlined the changes the attorneys for the hospital were requesting and asked the Council for their approval or disapproval. Council President Thompson motioned to approve the changes as requested by Huntsville Hospital for the donation of the property; Council Member Alexander seconded the motion. The motion carried by unanimous voice vote. Council President Thompson and Council President Pro-Tempore Tankersley congratulated the new officers and the City staff for the positive audit results. No other comments were made.

Council President Pro-Tempore Tankersley asked for comments from the audience. Mr. Johnny Palmer, 404 Twin Oakes Drive, came forward to express concerns with flooding issues in his neighborhood. He shared some photos with the Council as well. No other comments were made.

At this time Council President Thompson motioned for the Council to adjourn to an executive session to discuss the purchase of property by the City and to return in 10 minutes to resume the meeting; Council Member Gill seconded the motion. Motion carried by unanimous voice vote. Mayor Garrison, City Attorney Madsion and all Council members left the room to attend the executive session with the exception of Council President Pro-Tempore Tankersley who did not attend the executive session due to a conflict of interest in the topic being discussed. The Council returned at 7:54, with Council President Pro-Tempore Tankersley calling the meeting back to order. Council Member Doss motioned to adjourn the meeting; Council Member Alexander seconded the motion. Motion carried by unanimous voice vote.

There being no further business to come before the Council, the meeting was adjourned at 7:55p.m.

Dwight Tankersley  
Council President Pro-Tempore

ATTEST:

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Rita S. Lee, City Clerk - Controller