

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
DECEMBER 12, 2017**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, December 12, 2017, inside the Council Chambers at the Hartselle Municipal Building. Council President Kenny Thompson called the meeting to order.

Reverend Clayton Speed, Pastor of First Baptist Church, led the invocation. Mayor Randy Garrison led the pledge of allegiance.

The following were present for the meeting: Council President Thompson, Council Members Dwight Tankersley, Virginia Alexander, Matt Broom and Chuck Gill; 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, President Thompson declared the proceedings open for business.

Council President Thompson called for the approval of the minutes from the regular meeting held on November 28, 2017; Council Member Alexander motioned to approve the minutes; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson called for the first item on the agenda, Ordinance 1472, and asked Jeremy Griffith, City Planner, to come forward and discuss it with the Council. Mr. Griffith explained that the ordinance, for introduction only, would rezone certain blocks currently zoned B-3, Central Business District (CBD), to B-1, neighborhood shopping. He also said this zoning was recommended 4-0 by the CDB Design Review Board as these blocks lie outside of the historically designated area. The Planning Commission recommended the rezoning by a vote of 7-0 at its last meeting. Mr. Griffith stated the areas in question are Main Street West (west of Corsbie St) and City Hall/Police department block, and if adopted, this ordinance would make Corsbie Street the west boundary of the CBD and Chestnut Street the northern boundary. Council Member Broom motioned to introduce Ordinance 1472; Council Member Alexander seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked City Clerk-Controller, Rita S. Lee, to discuss Ordinance 1474. Ms. Lee explained to the Council the Alabama Legislature recently adopted Act 2017-415, which amended the laws relating to municipal delivery licenses and interest charged on delinquent licenses. Ms. Lee also said in order to comply with Act 2017-415, this ordinance would make the following changes to Section 18-37 and Section 18-42 of Chapter 18 of the Code of Ordinances, which is the City's Business License Code:

- 1) In lieu of any other type of license, a taxpayer may at its option purchase a delivery license for the purpose of delivering its merchandise in the municipality (as long as all criteria was met and gross receipts do not exceed \$75,000.00) for \$100.00 with the issue fee not to exceed \$10.00
- 2) If a taxpayer that otherwise meets the criteria for the purchase of a delivery license is not required to purchase a delivery license or a regular business license if their gross receipts do not exceed \$10,000.00 and they have no other physical presence within the municipality during the year
- 3) All delinquent accounts (license, taxes and penalties) shall also be charged interest at the rate established in Section 11-3-11.39(h), Code of Alabama, 1975 and as said Section 11-3-11.3(h) may be amended from time to time

Council Member Alexander motioned to suspend the rules for immediate consideration of the ordinance; Council Member Gill seconded the motion. Council President Thompson called for a roll call vote and the results were as follows:

Council President Thompson:	Yes
Council Member Tankersley:	Yes
Council Member Gill:	Yes
Council Member Alexander:	Yes
Council member Broom:	Yes

Motion carried by unanimous voice vote.

Council Member Alexander motioned to adopt Ordinance 1474; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked David Aymett, AT&T, to come forward and address the next item on the agenda, Resolution 17-1212. Mr. Aymett explained that AT&T had submitted an application and submitted all fees for a Special Use Permit to modify equipment on the existing monopole tower located at 999-A Railroad Street. He also told the Council both the City, as well as AT&T customers, would benefit from improved service. Mr. Aymett stated the City's consultant, The Center for Municipal Solutions (CMS), had recommended the permit be granted. Council Member Alexander motioned to approve Resolution 17-1212; Council Member Gill seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then called on Ms. Lee again to discuss Resolution 17-1212A. Ms. Lee explained that if approved, this resolution would authorize Mayor Garrison to enter into an agreement with Municipal Intercept Services (MIS) as a debt recovery program through the Alabama Department of Revenue (ADOR). Ms. Lee also stated this agreement would allow the City to submit debts to ADOR for interception under procedures established in Act 2014-321 setting off against any refund for any debts owed to the City. Council Member Gill motioned to approve Resolution 17-1212A; Council Member Broom seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson then asked Hartselle Police Chief Ron Puckett to come forward and discuss his request to declare items surplus. Chief Puckett informed the Council that the Police Department had several bikes they had picked up over the past few months that have not been claimed by their owners. He requested the bikes be declared surplus and donated to the Caring Place as a donation. City Attorney Madison advised the Council that the motion needed to include a statement that the donation serves a public purpose. Council Member Gill motioned to approve declaring the bikes surplus and that a public purpose would be served by donating them to the Caring Place; Council Member Broom seconded the motion. Motion carried by unanimous voice vote. Council Member Alexander abstained from the vote.

Council President Thompson called for comments from the Mayor, City Council and City Attorney. Mayor Garrison recognized Sergeant David Franklin with the Police Department who is retiring from the force with 26 years of service. Sgt. Franklin was given a standing ovation from the audience for his dedication and years of service to the City. Mayor Garrison also mentioned that sales tax collections were up, the Christmas Parade would be held Thursday night at 7:00 and that the Council Members were invited to ride on the Chamber of Commerce float in the parade. City Attorney Madison mentioned that a pending lawsuit involving one of the Police Officers had been postponed until March, he indicated the City had no liability in the case. City Clerk- Controller Lee reminder the Council of their next meeting, Tuesday, December 19th at 9:00 immediately following the Administration Breakfast held at 8:00.

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

With no other business to come before the Council, Council Member Gill moved to adjourn; Council Member Broom seconded the motion; the motion carried unanimously by voice vote and the meeting was adjourned at 7:13 p.m.

Kenny Thompson
Council President

ATTEST:

Rita S. Lee, City Clerk/Controller