

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
OCTOBER 12, 2021**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 P.M. on Tuesday, October 12, 2021, inside the Council Chambers at the Hartselle Municipal Building. Council President Kenny Thompson called the meeting to order.

Council Member Dwight Tankersley 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 and Ken Doss. Mayor Randy Garrison, City Attorney Larry Madison and City Clerk-Controller Rita S. Lee, who also acted as Secretary of the meeting, were present for the meeting. Council Members Chuck Gill and Virginia Alexander were absent from the meeting. Having a quorum present, Council President Thompson declared the proceedings open for business.

Council President Thompson called for approval of the minutes of the regular meeting held on Tuesday, September 28, 2021. Council Member Doss motioned to approve the minutes as presented; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the first item on the agenda, Ordinance 1552, to amend the zoning ordinance for the definition of single family dwelling, and called on City Planner Jeremy Griffith to discuss it with the Council. Mr. Griffith explained, that if adopted, this ordinance would amend the zoning ordinance to establish a minimum square footage under the definition of “single family dwelling”. Currently there is no City standard minimum and the upcoming 2021 building code otherwise allows houses of less than 200 SF in size. The proposed definition amendment would establish a minimum condition space of 800 SF. The Planning Commission recommended adoption of the ordinance 5-0. Council President Thompson announced a public hearing open for discussion. No comments were made. Council Member Tankersley motioned to close the public hearing; Council Member Doss seconded the motion. Council Member Doss motioned to adopt Ordinance 1552; Council Member Tankersley seconded the motion. Motion carried by unanimous roll call vote.

Council President Thompson asked Mr. Griffith to address the next item on the agenda, Ordinance 1553. Mr. Griffith explained this ordinance would amend the zoning ordinance to define “halfway house” and establish the use as prohibited. It would also more clearly define “group home” as permitted under state law as well as “hospital” and “nursing homes” in order to ensure clarity between these terms as prohibited and/or allowed. Mr. Griffith also mentioned the City Attorney was heavily involved with the amendments as being proposed. The Planning Commission recommended adoption of this ordinance 5-0. Council President Thompson announced a public hearing open for discussion. No comments were made. Council Member Doss motioned to close the public hearing; Council Member Tankersley seconded the motion. Council Member Doss motioned to adopted Ordinance 1553; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, to authorize Public Works to perform drainage work at 1106 Lakewood Dr., and called on Director of Public Works Curtis Self or City Attorney Madison to discuss it with the Council. Mr. Madison pointed out the issue was whether the work involved was repairs to drainage on private property or the work was needed due to the failure of the City’s drainage system. Mr. Self pointed out his concern was not to violate the City code section 82-6 that prohibits the use of City resources, material or personnel to repair or maintain private driveways or roadways. He informed the Council that, in his opinion, the issue was a hole in the drainage pipe and not a driveway issue. At this time, Council Member Tankersley questioned City Attorney Madison

if he could vote on the matter since the resident of the property was his business partner. Mr. Madison informed him as long as he did not personally gain from the repairs to the driveway, he could vote on the issue or recuse himself, the decision was up to him. Council Member Doss motioned to approve the request for repairs to the drainage issue at 1106 Lakeview Drive; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, Ordinance 1555, rezoning South Railroad Street, and called on Mr. Griffith to discuss with the Council. Mr. Griffith explained this ordinance is for introduction only, and if adopted, it would rezone 3.6 acres on South Railroad Street from R-1 to R-5 to allow for a proposed 13-lot patio home development. He shared with the Council that the current comprehensive plan shows this area remaining detached residential, and this request is in keeping with that plan. The Planning Commission recommended approval 4-0-1. Council Member Tankersley motioned to introduce Ordinance 1555; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, Ordinance 1557, authorizing non-custodial arrest, and called on City Attorney Larry Madison to discuss with the Council. City Attorney Madison explained the revised court ordinance would promote more efficiency within the Police Department where certain offences could be handled by summons to the Magistrate instead of an arrest. He informed the Council that the changes were pursuant to Act. No 2021-495 of the Alabama Legislature. The ordinance would adopt the procedural. After a brief discussion among the Council, City Attorney and Police Chief, Council Member Tankersley motioned to suspend the rules for immediate consideration; Member Doss 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 Doss: Yes

Motion carried by unanimous voice vote. Council Member Doss motioned to adopt Ordinance 1557; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Mr. Madison to address the next item on the agenda, Resolution 21-1012, a temporary sign moratorium. Mr. Madison explained he felt it in the best interest of the public to temporarily suspend acceptance of sign permit applications pending consideration of the proposed amendments. No sign permit applications will be accepted for processing between October 12, 2021 and close of business on November 16, 2021. This should not construed to apply to any application filed prior to adoption of this Resolution. Council Member Doss motioned to approve Resolution 21-1012; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, Resolution 21-1012A, Airport Improvement Funding Assistance FY2022, and called on Director of Development Jeff Johnson to discuss it with the Council. Mr. Johnson explained the City intends to apply for state matching funds for an airport improvement project for the Hartselle Morgan County Regional Airport during fiscal year 2022. Council Member Tankersley motioned to approve Resolution 21-1012A; Council Member Doss seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Mr. Johnson to address the next item on the agenda, Resolution 21-1012B, a resolution to call for a public hearing on the matter of adopting the most recent building codes. Mr. Johnson explained the City finds it in the best public interest to consider adopting 2021 Building Codes and explained the law provided that a public hearing on the matter must be advertised as a resolution twice in the newspaper. The public

hearing would be held at the regularly scheduled Council meeting on November 9th. Council Member Doss motioned to adopt Resolution 21-1012B; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, to consider a Special Event Permit application for a Veteran's Day Parade, and called on Mayor Garrison to discuss with the Council. Mayor Garrison explained the Veteran's Day Parade will be held on November 6, 2021 from 10:00 AM to 11:30 AM starting at Hartselle Intermediate School and ending at the Tractor Supply Shopping Center. This event is to welcome home and thank all our local Veterans for their service. The committee organizing the parade also asked for permission to use the parking lot of the Farmer's Market for parking and unloading purposes. Council Member Doss motioned to approve the Veteran's Day Parade Special Event Permit; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, to consider request from Parks & Recreation for two (2) temporary employees, and called on HR Administrator Melee Laney to discuss with the Council. Ms. Laney explained out of eleven maintenance positions, four (4) are out and one (1) is on light duty, leaving the department with six (6) full time maintenance employees. One (1) of the department's office personnel is out for medical leave as well. The Director is asking to hire two (2) temporary maintenance employees as soon as possible. Council Member Doss motioned to approve the request for two (2) temporary employees; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked Ms. Laney to address the last item on the agenda, to consider request for vacation carryover. Ms. Laney explained due to employee shortages in all departments and Covid-19, there are several employees (20+) that will possibly end up forfeiting some of their vacation time. Because the City runs such a lean employee work force when there are special projects going on (renovation of City Hall, Public Works projects, etc.), absences due to employee sickness, family illnesses and family deaths, and employee shortages due to retirement, resignations, and terminations, it makes it extremely difficult for the remaining staff to take vacation leave. She requested the Council allow them to carry over their full remaining vacation balance at the end of this calendar year. Council Member Doss motioned to approve the vacation carryover; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote.

Council President Thompson asked for comments from the Mayor, Council Members or City Attorney. No comments were made.

Council President Thompson asked for comments from the audience. Mr. Burt Brewer, Hwy. 31 South asked when the weight room at the Civic Center was going to be reopened. The Mayor informed the Council it was closed due to Covid-19 and faulty equipment. HR Administrator Melee Laney informed the Council that the personnel study was completed and was ready for presentation at a work session. The decision was reached to hold a special called work session on Monday, October 25th at 6:00 P.M. No other comments from the audience were made.

There being no other business to come before the Council, Council Member Doss motioned to adjourn the meeting; Council Member Tankersley seconded the motion. Motion carried by unanimous voice vote and the meeting adjourned at 7:25 p.m.

Kenny Thompson,
Council President

ATTEST:

Rita S. Lee, City Clerk-Controller