

**MINUTES OF A REGULAR MEETING
OF THE CITY COUNCIL OF
THE CITY OF HARTSELLE, ALABAMA
JULY 12, 2022**

The City Council of the City of Hartselle, Alabama, met in a regular session at 7:00 p.m. on Tuesday, July 12, 2022, inside the Assembly Room at the Hartselle Municipal Building, located at 611 Chestnut Street NW. Council President Kenny Thompson called the meeting to order at 7:00 p.m.

Police Chief Justin Barley gave the invocation. City Attorney Larry Madison led those present in the Pledge of Allegiance.

The following were present for the meeting: Council President Kenny Thompson, Council Members Dwight Tankersley and Chuck Gill. City Attorney Larry Madison and City Clerk-Controller Rita S. Lee, who also acted as Secretary for the meeting, were present for the meeting. Council Member Virginia Alexander joined the meeting at 7:06. Mayor Randy Garrison and Council Member Ken Doss 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, June 28, 2022. Council Member Tankersley motioned to approve the minutes as presented; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson addressed the first item on the agenda, Ordinance 1572, zoning residential parking amendment, and called on City Planner Jeremy Griffith to discuss with the Council. Mr. Griffith explained the ordinance, if adopted, would make adjustments to the single-family residential parking requirements adopted in 2020, clarifying that the required off-street parking spaces provided must be located outside of the right-of-way. This clarification will ensure that parking space being required by the City does not include area occupied by ADA required pedestrian sidewalks. In order for this revised standard to be satisfied without forcing 5 bedroom patio homes to be set back awkwardly from street, this ordinance also revises the required number of 8 x 16 spaces, creating a tiered system. Five (5) bedroom homes would require a minimum of four (4) off street parking spaces, and six (6) plus bedroom home would trigger the "one space per bedroom" requirement. The Planning Commission recommended adoption of this ordinance 5-0. Council President Thompson declared a public hearing open for comments. No comments were made. Council Member Tankersley motioned to close the public hearing; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council Member Tankersley motioned to adopt Ordinance 1572; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked Mr. Griffith to address the next item on the agenda, Ordinance 1573, sidewalk parking regulations. Mr. Griffith explained that, if adopted, this sister ordinance to Ordinance 1572 would add a provision to the general code under Manner of Parking, specifically stating that parking that obstructs a sidewalk, pedestrian crossing/ramp, or driveway is prohibited. This provision is intended to allow the City a means of ensuring that ADA required sidewalks are kept clear of vehicle obstructions. He also stated that since this provision does not fall within the zoning ordinance, the Planning Commission does not make a formal recommendation. Council President Thompson declared a public hearing open for comments. No comments were made. Council Member Tankersley motioned to close the public hearing; Council Member Gill seconded the motion. The motion carried by unanimous voice vote. Council Member Gill motioned to adopt Ordinance 1573; Council Member Tankersley seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked Mr. Griffith to address the next item on the agenda, Ordinance 1574, revisions to sign regulations of the zoning ordinance. Mr. Griffith explained this ordinance is for introduction only, and if adopted, it will make minor revisions to the sign regulations of the zoning ordinance in order to address several noted gray areas and potential conflicts. Specifically, the ordinance adds address lettering to the list of permit exempt signs,

adds definitions for the terms “box area” and “menu sign,” clarifies that halo-lit channel lettering is permissible in certain locations where internally illuminated signs are otherwise prohibited, clarifies that menu signs are allowed at drive-thru lanes in addition to other permitted permanent signage, and removed content-specific sign language from the provisions of the MHR (Mobile Home Rental) zone. The Planning Commission recommended approval 5-0-1. Council Member Tankersley motioned to introduce Ordinance 1574; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, Resolution 22-0712, to approve a FY2022 CDBG Grant application and called on Director of Development Jeff Johnson to discuss with the Council. Mr. Johnson explained the City proposes to apply for an Economic Development Grant to construct road improvements to serve the Mapco locating on Uncle Herschel Way just off of I-65 at Exit 328 in the amount of \$300,000.00 and the City will provide a cash match of \$205,235.56. Council Member Tankersley motioned to approve Resolution 22-0712; Council Member Alexander seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson addressed the next item on the agenda, Resolution 22-0712A, authorizing future agreements of opioid settlements, and called on City Attorney Larry Madison to discuss with the Council. Mr. Madison explained two additional settlements had been reached with Johnson & Johnson and McKesson, and if approved the resolution would authorize City Clerk – Controller Lee to sign those settlement agreements and any further settlement agreements without them having to come before the Council each time for a vote. Council Member Gill asked Mr. Madison if we had received any information as to the dollar amount of the settlements. Mr. Madison replied that at this time no information had been received. Council Member Alexander motioned to approve Resolution 22-0712A; Council Member Tankersley seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked City Clerk-Controller Rite Lee to address the next item on the agenda, a request for an alcohol license for El Carrizal LLC dba El Carrizal located at 2110 U.S. Highway 31 S.W. The application is for a Restaurant Class 1 retail liquor license. The Alcohol Review Committee (ARC) had reviewed the application and recommended the license be granted. Council President Thompson declared a public hearing open for comments. None were made. Council Member Gill motioned to close the public hearing; Council Member Tankersley seconded the motion. The motion carried by unanimous voice vote. Council Member Tankersley motioned to approve the alcohol license for El Carrizal LLC dba El Carrizal; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked Ms. Lee to address the next item on the agenda, a request for an alcohol license for TA Smoke Shop, Inc. dba T & A Smoke Shop located at 1524 U.S. Highway 31 S. The application is for retail beer (off premises only) and retail table wine (off premises only). The Alcohol Review Committee (ARC) had reviewed the application and recommended the license be granted. Council President Thompson declared a public hearing open for comments. None were made. Council Member Tankersley motioned to close the public hearing; Council Member Gill seconded the motion. The motioned carried by unanimous voice vote. Council Member Tankersley motioned to approve the alcohol license for TA Smoke Shop, Inc. dba T & A Smoke Shop; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked Ms. Lee to address the next item on the agenda, to consider a budget transfer request for Public Works. Ms. Lee explained Public Works would like to make the following budget transfers:

\$420.00 from Landfill Workman’s Comp to Landfill Solid Waste Disposal Fees

\$1,330.00 from Landfill Heavy Equipment to Landfill Vehicle Maintenance

\$1,200.00 from Landfill Utilities to Landfill Vehicle Maintenance

\$526.00 from Sanitation Containers to Landfill Vehicle Maintenance

\$580.00 from Landfill Workman’s Comp to Landfill Vehicle Maintenance

Council Member Alexander motioned to approve the budget transfer for Public Works; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson addressed the last item on the agenda, a request to declare items

surplus for the Police Department and called on Police Chief Justin Barley to discuss with the Council. Chief Barley explained he is requesting the Council declare Tasers listed in “attachment A” surplus property. These items are out of warranty and no longer covered by Taser’s liability/legal defense insurance policy. Because of concerns for safety and liability, he stated he planned to sell these direct to Accredited Security. They will assume all liability risks for death or jury for any future use of these devices. Chief Barley stated he plans to use the proceeds from the sale of these items to address equipment needs within the police department. Also, would like to request our portable trailer as surplus. This item will be listed for auction on GovDeals.com and proceeds will be used to address equipment needs within the Police Department. Council Member Alexander motioned to approve declaring items surplus for Police Department; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson asked Chief Barley to address the next item on the agenda, to consider a Special Event Permit for the 12th Annual Hartselle Area Veterans’ Parade. Chief Barley explained Mr. Lee Y. Greene is requesting a Special Event to have a Veteran’s Parade on Nov 5, 2022 and recommended the Council approve issuance of the permit. Council Member Alexander motioned to approve the Special Event Permit for the Veteran’s Parade; Council Member Gill seconded the motion. The motion carried by unanimous voice vote.

Council President Thompson addressed the last item on the agenda, to consider a Special Event Permit for the Hartselle Area Chamber of Commerce and called on Jaime Hatcher with the Chamber of Commerce to discuss with the Council. Ms. Hatcher explained the Chamber of Commerce would like to have Serve Day Pep Rally on Saturday, July 16th and requested the Council approve the issuance of the permit. Council Member Alexander motioned to approve the Special Event Permit for the Chamber of Commerce; Council Member Tankersley seconded the motion. The 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. No comments were made.

There being no further business to come before the Council, the meeting was adjourned at 7:18 p.m.

Kenny Thompson
Council President

ATTEST:

Rita S. Lee, City Clerk - Controller