

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD JUNE 6, 2023**

10:00 a.m. - The meeting was called to order by Presiding Officer Jennifer W. Smith in the Council Chambers, City Hall, 400 19th Street West, Jasper.

Present: Presiding Officer Jennifer W. Smith, Councilmembers Jenny Brown Short, Danny Gambrell, Gary Cowen, and Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless, City Attorney Russell B. Robertson

Absent:

Invocation: Police Chief J.C. Poe

Pledge of Allegiance: Fire Chief Dante Fields

Approval of Minutes:

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell that the minutes of the regular meeting May 23, 2023, be approved.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider amendments to the agenda. There were two amendments to the agenda: 1) Consider accepting a release of general liability for the Street Department to cross private property located north of 505 3rd Avenue for the purpose of removing debris in and along Town Creek; 2) Consider acceptance of a performance bond from Norris Development Co., LLC in the amount of \$61,418.00 for Phase III of the Viking Cove Development.

Consider approval of amendments to the agenda.

Motion

Moved by Councilmember Short, seconded by Councilmember Cowen that the amendments be approved.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes

Presiding Officer Jennifer W. Smith Yes

Consider approval of the agenda.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell that the agenda be approved.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider approval of an event permit for 5K Camp Cool Boo-Run by Camp Cool Inc., Saturday, October 28, 2023, starting on Gamble Ave. and ending at Gamble Park.

Motion

Moved by Councilmember Short, seconded by Councilmember Moore to approve an event permit for 5K Camp Cool Boo-Run by Camp Cool Inc., Saturday, October 28, 2023, starting on Gamble Ave. and ending at Gamble Park.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider approval of a Non-Profit Special Event License for A Taste on Main by Jasper Main Street, Friday, June 16, 2023, on 3rd Avenue between 18th and 19th Street. After a public hearing during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to approve a Non-Profit Special Event License for A Taste on Main by Jasper Main Street, Friday, June 16, 2023, on 3rd Avenue between 18th and 19th Street.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider approval of Budget Amendment #2022/2023-15 to provide funding for the summer reading program at Carl Elliott Regional/Jasper Public Library.

Motion

Moved by Councilmember Moore, seconded by Councilmember Gambrell to approve Budget Amendment #2022/2023-15 to provide funding for the summer reading program at Carl Elliott Regional/Jasper Public Library.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider approval of Budget Amendment #2022/2023-16, by unanimous consent, to provide funding for air packs for firefighters, and picnic tables and umbrellas for APEX playground and area parks.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell that the rules be suspended and unanimous consent be given for immediate consideration of and action on said budget amendment.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to approve Budget Amendment #2022/2023-16 to provide funding for air packs for firefighters, and picnic tables and umbrellas for APEX playground and area parks.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

Consider adoption of a Resolution to allow Mayor O'Mary to sign an agreement to hire a structural engineer to evaluate property located at 1206 Highway 69 S.

Motion

Moved by Councilmember Moore, seconded by Councilmember Cowen to adopt a Resolution to allow Mayor O'Mary to sign an agreement to hire a structural engineer to evaluate property located at 1206 Highway 69 S.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

(See following page)


RESOLUTION NO: 2023 - 42

WHEREAS, the City Council of the City of Jasper, Alabama, wishes to retain professional engineering services to evaluate the structural integrity of an existing building; and

WHEREAS, the City of Jasper intends to accept a proposal from Barnett Jones Wilson, LLC to allow an engineer to perform a site visit to observe the condition of a structure located at 1206 Highway 69 S and thereafter submit a letter summarizing his findings.

NOW, THEREFORE, BE IT RESOLVED, that Mayor David P. O'Mary is authorized to accept the proposal from Barnett Jones Wilson, LLC to evaluate and report findings on property located at 1206 Highway 69 S.

ADOPTED this the 6th day of June, 2023.


Jennifer W. Smith, Presiding Officer

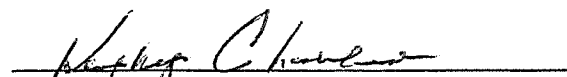

Jenny Brown Short, Councilmember


Danny Gambrell, Councilmember


Gary Cowen, Councilmember


Willie Moore, III, Councilmember

ATTEST:


Kathy Chambless, City Clerk

Consider adoption of an Ordinance annexing a parcel of land located at 3704 Florida Avenue.

Motion

Moved by Councilmember Moore, seconded by Councilmember Short to adopt an Ordinance annexing a parcel of land located at 3704 Florida Avenue in District Five.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

(See following pages)

ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF JASPER, ALABAMA
Ordinance No.: 2023 - 08

WHEREAS, ON THE 6th day of June 2023, Kara Adams being the owner(s) of all the real property hereinafter described, did file with the City Clerk a petition that the said tract or parcels of land be annexed to and become a part of the City of Jasper, and

WHEREAS, said petition did contain the signature of all the owner(s) of the described territory and a map of said property showing its relationship to the corporate limits of the City of Jasper, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Jasper and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975:

NOW, THEREFOR IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF JASPER, ALABAMA AS FOLLOWS:

SECTION 1. The Council of the City of Jasper, Alabama, finds and declares, as the legislative body of the City that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of the Ordinance into the City of Jasper.

SECTION 2. The boundary line of the City of Jasper, Alabama, be, and the same is hereby, altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the City of Jasper, Alabama, and in addition thereto the following described territory, to-wit:

(See following page)

A parcel of land in the SW ¼ of the NW ¼ of Section 22, Township 14, Range 7 West, Walker County, Alabama, more particularly described as follows:

BEGIN at the point where the Northeast corner of Copeland Cemetery property intersects with the West boundary line of the Copeland Cemetery Road and run West along the North boundary of said cemetery property to the Northwest corner of said cemetery; thence continue to run West parallel with the South forty line to the East right of way line of the Jasper Sewer Plant Road; thence run in a Northeasterly direction along the East right of way of said Jasper Sewer Plant Road a distance of 210 feet; thence run East parallel with the South forty line to the West right of way of the Copeland Cemetery Road; thence run South along the West right of way of the Copeland Cemetery Road for a distance 210 feet to the POINT OF BEGINNING. Subject to EXISTING easements, usual mineral and mining rights excepted.

STATE OF ALABAMA

WALKER COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF JASPER

We, the undersigned property owners of the hereinafter described lands, do hereby petition the Mayor and City Council of the City of Jasper, Alabama, to adopt an ordinance assenting to the annexation of the hereinafter described property into the City of Jasper, Alabama.

Said property or territory is hereby described as follows:

(Property description including all subdivisions into lots, blocks, streets and alleys within the area if any and an accurate metes and bounds description of the territory. Also include map showing relationship to the Corporate City Limits.)

This 21st day of April, 2023.

Property Owners:

Name

Address

Kara Sargent - Adams

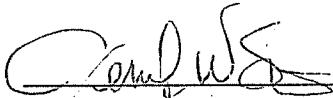
3704 Florida AV
Jasper AL 35501

SECTION 3. This Ordinance shall be published as provided by law and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Walker County, Alabama.

SECTION 4. This territory described in the Ordinance shall become a part of the corporate limits of Jasper, Alabama, upon publication of this Ordinance as set forth in Section 3 above.


SECTION 5. On the effective date of this ordinance, said territory shall be temporarily zoned Municipal Reserve.

ADOPTED THIS THE 6th DAY OF JUNE, 2023.

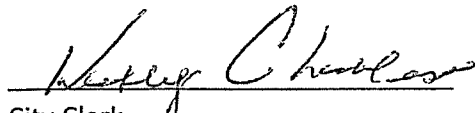


Presiding Officer

Approve/Veto



Mayor



City Clerk

Consider adoption of an Ordinance annexing a parcel of land located at 4021 Crescent Lane.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt an Ordinance annexing a parcel of land located at 4021 Crescent Lane in District Three.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

(See following pages)

ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF JASPER, ALABAMA
Ordinance No.: 2023 – 09

WHEREAS, ON THE 6th day of June 2023, Marco Hernandez being the owner(s) of all the real property hereinafter described, did file with the City Clerk a petition that the said tract or parcels of land be annexed to and become a part of the City of Jasper, and

WHEREAS, said petition did contain the signature of all the owner(s) of the described territory and a map of said property showing its relationship to the corporate limits of the City of Jasper, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Jasper and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975:

NOW, THEREFOR IT BE ORDAINED BY THE CITY COUNCIL OF THE CITY OF JASPER, ALABAMA AS FOLLOWS:

SECTION 1. The Council of the City of Jasper, Alabama, finds and declares, as the legislative body of the City that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of the Ordinance into the City of Jasper.

SECTION 2. The boundary line of the City of Jasper, Alabama, be, and the same is hereby, altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the City of Jasper, Alabama, and in addition thereto the following described territory, to-wit:

(See following page)

A lot in the NW ¼ of the NE ¼, of Section 21, Township 13 South, Range 7 West, according to a survey and map by Charles E. Westbrook as recorded in Miscellaneous Record Book 1054 page 289, in the Walker County, Alabama, Courthouse, more particularly described as follows:

Commence at the Farmstead corner, as shown on the above-described map, proceed North 1° 21' West for a distance of 416 feet to the point of beginning; thence run West a distance of 210 feet; thence run North a distance of 210 feet; thence run East a distance of 210 feet; thence run South a distance of 210 feet to the POINT OF BEGINNING. This lot contains one acre, more or less. Minerals and usual mining rights excepted. See attached volume 1054 page 289 and attached statement of Charles E. Westbrook correcting said forty to show that the property at volume 1054 page 289 is located in the NW ¼ of the NE ¼ rather than the SW ¼ of the NE ¼.

STATE OF ALABAMA

WALKER COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF JASPER

We, the undersigned property owners of the hereinafter described lands, do hereby petition the Mayor and City Council of the City of Jasper, Alabama, to adopt an ordinance assenting to the annexation of the hereinafter described property into the City of Jasper, Alabama.

Said property or territory is hereby described as follows:

(Property description including all subdivisions into lots, blocks, streets and alleys within the area if any and an accurate metes and bounds description of the territory. Also include map showing relationship to the Corporate City Limits.)

This 5th day of May, 2023.

Property Owners:


Name	Address
MARCO HERNANDEZ VICTOR GARCIA	4021 CRESCENT LN 35503
marco Hernandez VICTOR GARCIA	

SECTION 3. This Ordinance shall be published as provided by law and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Walker County, Alabama.

SECTION 4. This territory described in the Ordinance shall become a part of the corporate limits of Jasper, Alabama, upon publication of this Ordinance as set forth in Section 3 above.

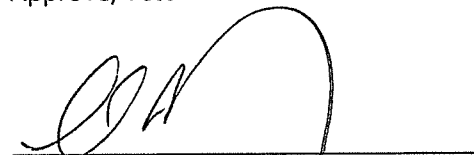
SECTION 5. On the effective date of this ordinance, said territory shall be temporarily zoned Municipal Reserve.

ADOPTED THIS THE 6th DAY OF JUNE, 2023.

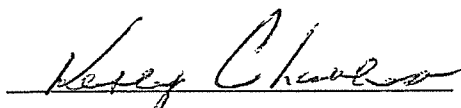


Presiding Officer

Approve/Veto



Mayor



City Clerk

Consider accepting a release of general liability for the Street Department to cross private property located north of 505 3rd Avenue for the purpose of removing debris in and along Town Creek.

Motion

Moved by Councilmember Short, seconded by Councilmember Gambrell to accept a release of general liability for the Street Department to cross private property located north of 505 3rd Avenue for the purpose of removing debris in and along Town Creek.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes


(See following page)

RESOLUTION NO: 2023 - 44

WHEREAS, the City Council of the City of Jasper, Alabama, desires to accept a General Liability Release Form to allow the Street Department to gain access to property located north of 505 3rd Avenue to remove debris in and along Town Creek.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jasper is authorized to accept said General Liability Release Form to allow for the removal of debris in and along Town Creek.

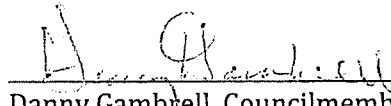
ADOPTED this the 6th day of June, 2023.



Jennifer W. Smith, Presiding Officer



Jenny Brown Short, Councilmember



Danny Gambrell, Councilmember

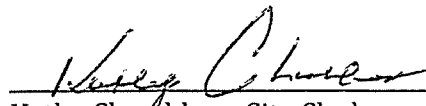


Gary Cowen, Councilmember



Willie Moore, III, Councilmember

ATTEST:



Kathy Chambless, City Clerk

Consider acceptance of a performance bond from Norris Development Co., LLC in the amount of \$61,418.00 for Phases III and IV of the Viking Cove Development.

Motion

Moved by Councilmember Short, seconded by Councilmember Cowen to accept a performance bond from Norris Development Co., LLC in the amount of \$61,418.00 for Phases III and IV of the Viking Cove Development.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

(See following pages)

RESOLUTION NO.: 2023 - 43

WHEREAS, Church Norris Development Co, LLC as Principal, and United Fire & Casualty Company as Surety, are held and firmly bound unto the City of Jasper, Alabama, as Obligee, in the sum of \$61,418.00 for the payment whereof to the Obligee, the Principal and the Surety bind themselves firmly as evidenced by Performance Bond No. 54-248506; and

WHEREAS, application was made to and approved by the Jasper Planning Commission on 6/5/2023, for a preliminary plat of a subdivision plan entitled: Viking Cove Phase III and IV and application was made to and approved by the Jasper Engineer on 6/5/2023, for construction plans for required improvements within said subdivision; and

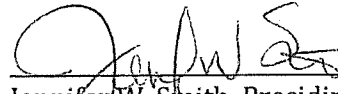
WHEREAS, based upon the City Engineer's estimated construction costs for required improvements in said subdivision, the Planning and Zoning Commission determined that a performance bond in the amount of \$61,418.00 be posted with the City and be approved by the City Council, said amount to guarantee the completion of certain improvements within said subdivision.; and

WHEREAS, the condition of this obligation is such that if the above named Principal shall within one year from the date of final plat approval by the Planning and Zoning Commission (time may be extended for up to one additional year by the City Council) will and truly make and perform the required improvements and construction of public improvements in said subdivision in accordance with approved construction plans and final plat, otherwise this obligation to remain in full force and effect; and

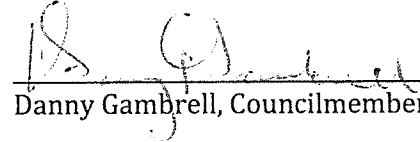
WHEREAS, that in the event that any required improvements have not been installed as provided in the Jasper Subdivision Regulations and the Planning and Zoning Commission resolution approving the final plat, within the terms of the performance bond, the City Council may thereupon declare the bond to be in default and collect the sum remaining payable thereunder and upon receipt of the proceeds thereof, the City shall cause the installation of such improvements as are covered by the Performance Bond and commensurate with the extent of development that has taken place in the subdivision but not exceeding the amount such proceeds.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Jasper, Alabama that Church Norris Development Co, LLC as Principal, and United Fire & Casualty Company as Surety, are held and firmly bound unto the City of Jasper, Alabama, as Obligee, in the sum of \$61,418.00.

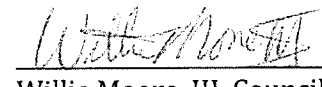
ADOPTED this the 6th day of June, 2023.


Jennifer W. Smith, Presiding Officer



Jenny Brown Short, Councilmember


Danny Gambrell, Councilmember


Gary Cowen, Councilmember


Willie Moore, III, Councilmember

ATTEST:


Kathy Chambless, City Clerk

Comments: Mayor O’Mary introduced Kelli Wolfe, West Alabama Field Representative for U.S. Senator Katie Britt, who briefly spoke to the council about what she and Senator Britt’s office can assist with.

Mayor O’Mary shared with the council that the numbers look good so far for fiscal year 2023 and called on the council to stay focused and be mindful of funding in the last quarter. Mayor then announced that Jasper now has a newly paved 9th Avenue. He commended the engineering firm and the contractor for their efforts.

Presiding Officer Smith announced the next regular council meeting will be Tuesday, June 13, and the regular meeting thereafter will be on Tuesday, July 11 as previously voted on by the council. She also thanked Sergeant Agnew for bringing the new council name plates provided by the Walker County School of Technology.

Lewis Jordan, who lives in district one on Pine Street, addressed the council. He said the street is deteriorating and believes the street has not had any work done on it in the past 18 years.

Consider adjournment of the meeting.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell to adjourn the meeting.

Vote

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember Officer Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

10:25 a.m. – Meeting adjourned.

A P P R O V E D:

Jennifer W. Smith, Presiding Officer

A T T E S T:

Kathy Chambless, City Clerk/Administrator