

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD JULY 6, 2021**

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

Present: Presiding Officer Danny Gambrell, Councilmembers Jed Daniel, Jennifer W. Smith, Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless, and City Attorney Russ Robertson

Absent: Councilmember Gary Cowen

Invocation: Chief J.C. Poe

Pledge of Allegiance: City Planner Keith Pike

Approval of Minutes:

Motion

Moved by Councilmember Smith, seconded by Councilmember Moore that the minutes of the regular meeting held June 15, 2021, be approved.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Consider amendments to the agenda. No amendments were made to the agenda.

Consider approval of the agenda.

Motion

Moved by Councilmember Moore, seconded by Councilmember Daniel that the agenda be approved.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Receive report on bids for the following:

- a) **Old Russellville Road Pipe Project**
- b) **Dual Polyethylene Pipe**
- c) **Concrete Pipe**
- d) **Concrete Ready Mix**

Motion

Moved by Councilmember Smith, seconded by Councilmember Daniel to receive the report of the Purchasing Agent and reject the sole bid for the Old Russellville Project.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Motion

Moved by Councilmember Smith, seconded by Councilmember Daniel to receive the report of the Purchasing Agent and award the bid to the lowest bidder, J&G Culvert, Inc. for Dual Wall Polyethylene Pipe.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Motion

Moved by Councilmember Moore, seconded by Councilmember Smith to receive the report of the Purchasing Agent and reject the bid and negotiate for Concrete Pipe.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Motion

Moved by Councilmember Smith, seconded by Councilmember Daniel to receive the report of the Purchasing Agent and award the contract to North Alabama Concrete for Concrete Ready Mix.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Introduce Budget Amendment #2020/2021-13. The budget amendment was introduced by the City Clerk and will be considered at the next council meeting.

Consider adoption of a Resolution for Nuisance Abatement of Unsafe Structures, Inoperative Vehicles, and Grass/Weeds.

Motion

Moved by Councilmember Moore, seconded by Councilmember Daniel to adopt a Resolution for Nuisance Abatement of Unsafe Structures.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Motion

Moved by Councilmember Moore, seconded by Councilmember Daniel to adopt a Resolution for Nuisance Abatement of Grass/Weeds.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Motion

Moved by Councilmember Smith, seconded by Councilmember Daniel to adopt a Resolution for Nuisance Abatement of Inoperative Vehicles.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Consider adoption of an Ordinance rezoning a .20 +- acre parcel of land located at 1300 Highway 69 South from the B-1 (Neighborhood Business) Zoning District to the B-2 (Community Service) Zoning District for the purpose of operating a restaurant (commissary for a mobile food truck). (District Five)

A public hearing was conducted. Tiffany Davidson, a resident living at 1303 24th Street, lives directly behind the parcel of land up for rezoning. She believes residents have a hard enough time trying to get out of 13th Avenue, and there won't be enough room to get in and out if this food truck is allowed. She doesn't approve of it.

Cynthia Smith owns property nearby. She spoke to communication with Keith Pike who has mentioned potential fines.

City Attorney Russ Robertson stated that there is action for the violation of the zoning ordinance that is presently pending in Circuit Court. At this time, no action has occurred. Subsequent to that, the Zoning Board of Adjustment granted to this building, two variances that allow it to intrude into the backyard, rear yard, and the side yard. The granting of those variances has resolved the issues regarding the location of the building.

Councilmember Smith acknowledged complaints about getting in and out of 13th Avenue and asked if there is something that can be done to alleviate this issue.

Keith Pike responded saying Highway 69 is a state highway, therefore the city has no jurisdiction; however, 13th Avenue falls under the city's jurisdiction. Mr. Hamlin has placed a driveway on 13th Avenue in compliance with the minimum and maximum widths allowed by the zoning commission.

Presiding Officer Gambrell asked if the litigation was a problem for this rezoning.

City Attorney Russ Robertson stated there is no legal impediment in said litigation that would affect the council's decision whether to rezone the property.

After the public hearing concluded, a motion was considered.

Motion

Moved by Councilmember Moore, seconded by Councilmember Daniel to adopt an Ordinance rezoning a .20 +- acre parcel of land located at 1300 Highway 69 South from the B-1 (Neighborhood Business) Zoning District to the B-2 (Community Service) Zoning District for the purpose of operating a restaurant (commissary for a mobile food truck).

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Consider adoption of an Ordinance annexing parcels of land located at the end of Shepherd's Loop and near 25379 Highway 69 North. (District One)

Motion

Moved by Councilmember Daniel, seconded by Councilmember Moore to adopt an Ordinance annexing parcels of land located at the end of Shepherd's Loop and near 25379 Highway 69 North.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Comments:

Mayor O'Mary made no comments.

Councilmember Smith spoke to funding for secondary roads. She would like to discuss this at the next work session, suggesting each district come up with secondary roads that need fixed.

Councilmember Moore asked for a crew to look at 13th Avenue behind RJ's where a portion of the road is caving in again.

Consider adjournment of the meeting.**Motion**

Moved by Councilmember Smith, seconded by Councilmember Moore to adjourn the meeting.

Vote

Councilmember Jed Daniel	Yes
Councilmember Gary Cowen	Absent
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

10:19 a.m. – Meeting adjourned.

A P P R O V E D:

Danny Gambrell, Presiding Officer

A T T E S T:

Kathy Chambless, City Clerk/Administrator