

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
JASPER, ALABAMA, HELD OCTOBER 3, 2023**

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10:00 a.m. - The meeting was called to order by Presiding Officer Jennifer Williams Smith in the Council Chambers, City Hall, 400 19<sup>th</sup> 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:** City Planner Brent McCarver

**Pledge of Allegiance:** Sanitation Superintendent Carmen Harris

**Approval of Minutes:**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Moore that the minutes of the regular meeting September 19, 2023, be approved.

**Vote**

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

**Consider amendments to the agenda.** There were no amendments to the agenda.

**Consider approval of the agenda.**

**Motion**

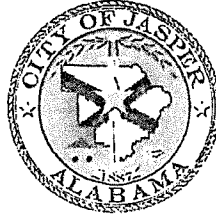
Moved by Councilmember Short, seconded by Councilmember Gambrell that the agenda be approved.

**Vote**

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

**Present a Proclamation for Breast Cancer Awareness.** Mayor O'Mary read the proclamation for Breast Cancer Awareness, proclaiming October Breast Cancer Awareness month in Jasper, and presented it to survivors, patients, and family members who were present.

(See following page)



# PROCLAMATION

*Office of the Mayor of Jasper, Alabama*

*WHEREAS, National Breast Cancer Awareness Month was founded in 1985 to promote mammography as the most effective weapon in the fight against breast cancer; and*

*WHEREAS, in 1993 the Breast Cancer Research Foundation was established with the pink ribbon as its symbol; and*

*WHEREAS, in 2009, Gwinna Boyd was diagnosed with Stage III breast cancer; following a double mastectomy, she began chemotherapy and radiation treatments; and*

*WHEREAS, in 2011, Gwinna organized the First Annual Cancer Survivors Award Luncheon fund raiser and donated all proceeds to the American Cancer Society; and*

*WHEREAS, in 2018, Walker County Hands of Hope, Incorporated, a non-profit organization, was formed to help with the needs of Walker Cancer Care patients; and*

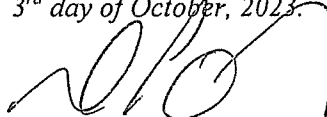
*WHEREAS, members of this valuable organization desire to partner with the city of Jasper to continue to make a difference in the lives of those affected by breast cancer.*

*NOW, THEREFORE, I, David P. O'Mary, Mayor of the city of Jasper, Alabama and on behalf of the Jasper City Council do hereby proclaim the month of October 2023, as*

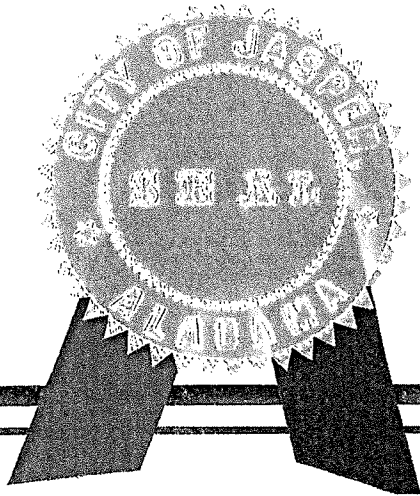
## *"Breast Cancer Awareness Month"*

*in our city and call upon all citizens to unite to increase awareness of breast cancer and to support those currently fighting this disease.*

*In witness whereof, I have hereunto set my hand and caused this seal to be affixed this 3<sup>rd</sup> day of October, 2023.*

  
\_\_\_\_\_  
David P. O'Mary, Mayor

  
\_\_\_\_\_  
Attest: Kathy Chambless, City Clerk



**Appointment of Robin Jackson as Animal and Environmental Control Officer.**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt a Resolution to appoint Robin Jackson as Animal and Environmental Control Office.

**Vote**

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

(See following pages)

RESOLUTION NO. : 2023-56

**RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF JASPER, ALABAMA**

WHEREAS, the City Council of the City of Jasper, Alabama, desires to further the goals of its overall animal control program by providing for a trained animal control officer to enforce laws concerning the welfare of citizens and animals within the City of Jasper; and

WHEREAS, § 4-42, Code of Alabama (1975), authorizes the Jasper City Council to appoint a chief animal control officer, and to take certain other actions; and

WHEREAS, it has been brought to the attention of the City of Jasper, Alabama, that it should make such appointment with regard to the recently employed animal control officer, to ensure that the animal control officer has the authority necessary to effect the terms of the ordinances and laws of the City of Jasper, Alabama, in its animal control program;

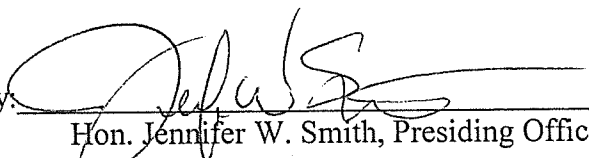
BE IT THEREFORE RESOLVED, as follows:

1). The City Council of the City of Jasper, Alabama, appoints Robin Jackson as the chief animal control officer for the City of Jasper, Alabama, and confers upon her as the result of such appointment all rights, duties and privileges appurtenant to her office;


2). The City Council of the City of Jasper, Alabama, authorizes Hon. David P. O’Mary, Mayor of the City of Jasper, and Hon. Kathy Chambless, City Clerk, to execute any and all documents and make any and all necessary appropriations or other actions to give effect to the provisions of this Resolution, and confirms the supervisory authority of the Office of the Mayor of the City of Jasper, Alabama, over the activities of the animal control department.

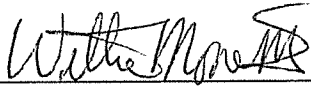
WHEREUNTO, we have set our hands and seals on this the 3<sup>rd</sup> day of October, 2023.

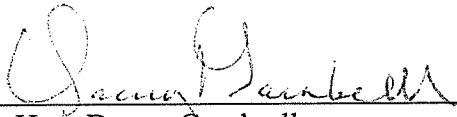
CITY COUNCIL OF THE CITY OF JASPER,  
ALABAMA

By:   
Hon. Jennifer W. Smith, Presiding Officer


By:   
Hon. Jenny Brown Short

By:   
Hon. Gary Cowen

By:   
Hon. Willie Moore, III

By:   
Hon. Danny Gambrell

ATTEST:

By:   
Hon. Kathy Chambless  
City Clerk

**Consider approval of an event permit for the Fall Fest presented by various local churches, October 29, 2023, in downtown Jasper with road blockages around the courthouse square.**

**Motion**

Moved by Councilmember Short, seconded by Councilmember Cowen to approve an event permit for Fall Fest.

**Vote**

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

**Receive report and consider a recommendation for the Wright Street CMP Culvert Repair Project.**

**Motion**

Moved by Councilmember Short, seconded by Councilmember Moore to receive the report of the Purchasing Agent to award the contract for the Wright Street CMP Culvert Repair Project to Gillespie Construction, the lowest responsible bidder.

**Vote**

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

(See following page)

**RESOLUTION NO.: 2023 - 53**

**WHEREAS**, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Repair of a Double 60" Cmp Culvert

**WHEREAS**, the City Council of the City of Jasper, Alabama has received bids from the below listed in the below listed amounts,

**BIDDER**




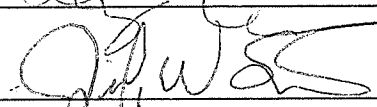

**AMOUNT PER SERVICE CALL**

- GILLESPIE CONSTRUCTION \$218,047.50

**AND, WHEREAS**, the City Council of the City of Jasper is desirous of awarding the bid to the lowest responsible bidder who has met bid specifications,

**NOW, THEREFORE, BE IT RESOLVED**, that the bid for Repair of a Double 60" Cmp Culvert be awarded to Gillespie Construction in the amount of per bid.

ADOPTED THIS THE 3rd DAY OF October, 2023 .

  
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ATTEST:

  
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**Consider adoption of a Resolution to allow Mayor O'Mary to enter into an on-call agreement with Sain Associates, Inc. to provide engineering support services.**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt a Resolution to allow Mayor O'Mary to enter into an on-call agreement with Sain Associates, Inc. to provide engineering support services.

**Vote**

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

(See following page)

**RESOLUTION NO.: 2023 - 54**


**WHEREAS**, the City Council of the City of Jasper, Alabama, desires to have an engineering firm perform engineering support services on an as-needed basis; and


**WHEREAS**, Sain Associates, Inc. is qualified to do business in the State of Alabama and has agreed to provide engineering support services to the City of Jasper; and


**WHEREAS**, the City of Jasper and Sain Associates, Inc. desire to enter into an Agreement under which Sain Associates, Inc. shall provide professional engineering support services on an on-needed basis.

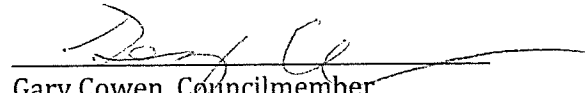
**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Jasper, Alabama, that Mayor David P. O'Mary is hereby authorized to execute an agreement between the City of Jasper and Sain Associates, Inc.

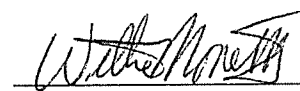
**ADOPTED** this the 3<sup>rd</sup> day of October, 2023.

  
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Jennifer W. Smith, Presiding Officer


  
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Jenny Brown Short, Councilmember

  
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Danny Gambrell, Councilmember

  
\_\_\_\_\_  
Gary Cowen, Councilmember

  
\_\_\_\_\_  
Willie Moore, III, Councilmember

**ATTEST:**

  
\_\_\_\_\_  
Kathy Chambless, City Clerk

**Introduce Budget Amendment #2023/2024-1.** The budget amendment was introduced by the City Clerk and will be considered at the next regular council meeting.

**Consider adoption of a Resolution to for nuisance abatement for grass/weeds.**

**Motion**

Moved by Councilmember Moore, seconded by Councilmember Cowen to adopt a Resolution for nuisance abatement for grass/weeds.

**Vote**

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

(See following page)

**RESOLUTION NO.: 2023 - 55**

**WHEREAS**, the Jasper City Council finds a nuisance for grass/weeds exists at:

1. 1608 Barker Street, Judy Blaine, District Five
2. 102 Fernway Drive, Donald & Margaret Reisner, District Two
3. 2105 Florida Avenue, James & Regina Martin, District Five
4. 1205 N. Airport Road, GFK Properties, District Two
5. 1107 21<sup>st</sup> Street, David & Mary Tucker, District Five
6. 1411 21<sup>st</sup> Street, Mary Gonon, District Five
7. 1209 8<sup>th</sup> Avenue, Specialized Trust Company, District Four

pursuant to ORD. 2001-718-A; and

**WHEREAS**, the Jasper City Council finds that the abatement of said nuisances should be taken.

**NOW, THEREFORE, BE IT RESOLVED**, that the Jasper City Council hereby approves the abatement of said nuisances.

**DONE** this the 3<sup>rd</sup> day of October, 2023.





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Jennifer W. Smith Presiding Officer




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Jenny Brown Short, Councilmember



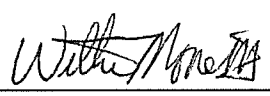

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Danny Gambrell, Councilmember




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Gary Cowen, Councilmember




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Willie Moore, III, Councilmember

**ATTEST:**




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Kathy Chambless, City Clerk

**Consider adoption of an Ordinance to amend the Garbage Ordinance to provide a garbage rate increase and other changes.**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt an Ordinance to amend the Garbage Ordinance to provide a garbage rate increase and other changes.

**Vote**

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Yes
Councilmember 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 – 10

**TO AMEND THE MANDATORY GARBAGE COLLECTION ORDINANCE  
OF THE CITY OF JASPER, ALABAMA**

WHEREAS, the City of Jasper, Alabama, has, since the year 2000, mandated the participation in its garbage collection system; and

WHEREAS, the City of Jasper, Alabama may not charge more for such mandatory services than the collective cost of said services to the citizens of the City; and

WHEREAS, the City of Jasper, Alabama, has operated the garbage collection system by charging less than the cost of the operation of the system; and

WHEREAS, it is the opinion of the City Council of the City of Jasper, Alabama, that the fees collected for the operation of such system should be closer to the cost of the operation of the system, and that the level of service to the citizens of the City of Jasper should not be decreased at the present time;

BE IT HEREBY ORDAINED, by the City Council of the City of Jasper, Alabama, as follows:

**Section 1.** Section 12-57(b)(1) of the Code of Ordinances of the City of Jasper, Alabama, shall be amended to provide as follows:

Upon every person who is the occupant of a dwelling, unit, other than apartments and multi-family dwellings classified as business establishments by Section 12-40 of this chapter, a fee in the amount of Nineteen and no/100 Dollars (\$19.00) per month per dwelling unit, up to one ninety-eight (98) gallon can per dwelling unit. In the event that a dwelling unit requires or desires an additional 98-gallon can, the resident shall pay to the city, in addition to other applicable fees, the sum of Ten and no/100 Dollars (\$10.00) per month for each additional can. There is further levied upon every business establishment as designated by the Director or Superintendent of the Department of Sanitation pursuant to subsection (d) of this section a fee in the amount of Fifty and no/100 Dollars (\$50.00) per month. The terms “occupant” and “person operating” may refer to the person(s) and/or business(es) residing or licensed to operate at such location, as well as, in the alternative or conjunctive and without limitation, the person or business in whose name water, power, gas or other utilities are subscribed.

**Section 2.** Section 12-57(d) of the Code of Ordinances of the City of Jasper, Alabama, is hereby amended to provide as follows:

The Director or Superintendent of the Department of Sanitation is authorized, in his discretion, and with approval of the Mayor, to include within the residential service provided under this chapter those business establishments located on normal residential routes or business routes (where possible), provided that such establishments do not generate more than ninety-eight (98) gallons of refuse per week. In the event of such inclusion under this subsection, the person operating such establishment shall pay the minimum commercial rate of Fifty Dollars (\$50.00) per month, in the manner prescribed for the payment of residential bills herein. In the event that a business establishment generates more than 98 gallons of

refuse per week, said business shall not be entitled to subscribe to this minimum commercial service, but shall instead be subject to the commercial service, pursuant to §12-58 of this chapter.

**Section 3.** Section 12-57(f) of the Code of Ordinances of the City of Jasper, Alabama, is hereby amended to provide as follows:

Billing schedule – Residential customers, including without limitation businesses which qualify for residential pickup service at the minimum commercial rate of Fifty Dollars (\$50.00) per month, pursuant to subsections (d) and (e) of this section, shall be billed, at such frequency as is determined to be appropriate by the City of Jasper, including quarterly, in advance, for such service. Payments shall be due on the terms to be set by the City Clerk, with approval of the Mayor and/or City Council. Failure to make the required payment shall be a violation of this chapter, and such nonpayment shall be punishable as provided elsewhere within this Code of Ordinances, but only to the extent as permitted by the laws of the State of Alabama.

**Section 4.** Section 12-58(1) of the Code of Ordinance of the City of Jasper, Alabama, is hereby amended to provide as follows:

Upon every person operating a business establishment as defined in section 12-40 of this chapter (except those designated for residential service) pursuant to subsection (d) or (e) of section 12-57 hereof, a service fee per month per business establishment to be determined upon the below schedule by taking into account the container size furnished to such business establishment and the pickups per week, minimum of one (1) per week, for such business establishment, as follows:

CITY OF JASPER SANITATION DEPARTMENT COMMERCIAL REFUSE COLLECTION RATES/WEEK

Container Size Yards	Pickups/Week					
	1	2	3	4	5	6
8	\$40.00	\$55.00	\$65.00	\$75.00	\$85.00	\$95.00
10	\$45.00	\$65.00	\$75.00	\$90.00	\$100.00	\$115.00

**Section 5.** Section 12-58(c) of the Code of Ordinance of the City of Jasper, Alabama, is hereby amended to provide as follows:

Extra pickups will be Forty Dollars (\$40.00).

**Section 6.** Section 12-82 of the Code of Ordinance of the City of Jasper, Alabama, is hereby amended to provide as follows:

That the following fee schedule shall apply to customers of the mandatory garbage collection service within the city:

<b>Residential:</b>	
One Can	\$19.00 per month
Each additional can	\$10.00 per month
<b>Commercial:</b>	
Can	\$50.00 per month
Eight-yard Dumpster	\$40.00 per week (first lift); \$15.00 (second lift); \$10.00 third and subsequent lifts.

**Section 7.** Section 12-41(b) of the Code of Ordinance of the City of Jasper, Alabama, is hereby amended to provide as follows:

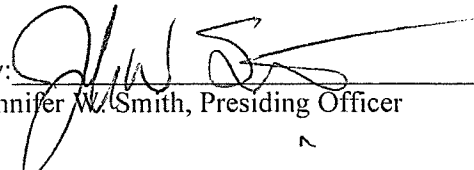
Accounts shall become delinquent on the twenty-first day of the billing month, pursuant to the fee schedule set forth in section 12-28 of this Code of Ordinances. A penalty, or "late fee", of Ten Dollars (\$10.00), shall be assessed against each account as of the date of its delinquency. Any accounts for which payment is not made by the 15<sup>th</sup> day of the month following the billing month are subject to having their garbage receptacle confiscated by the city as the result of said nonpayment. In order to have collection reinstated, the customer must pay all amounts due on the account and pay any deposits necessary to obtain a new garbage receptacle.

**Section 8.** Section 12-50 (d) of the Code of Ordinance of the City of Jasper, Alabama, is hereby amended to provide as follows:

Effective April 1, 2010, and at all times hereafter, any person utilizing a "dumpster" shall pay to the city a partially refundable deposit for the obtaining of such "dumpster" in the amount of Two Hundred Fifty Dollars (\$250.00). In the event that the person relocates within the city, the sanitation department shall, upon proper notice, transfer the dumpster from the old location to the new location at no charge. In the event that the dumpster is returned to the City of Jasper in good condition, normal wear and tear excepted, the amount of Two Hundred Dollars (\$200.00), shall be returned from the deposit. If lost or destroyed, no refund shall be provided, and a new deposit shall be required in order to obtain possession of a new dumpster.

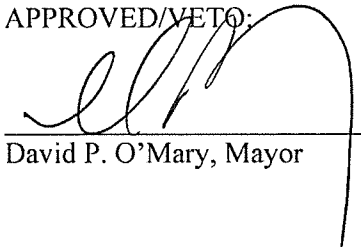
**Section 9.** Adopted and approved this 3<sup>rd</sup> day of October, 2023.

CITY COUNCIL OF THE CITY OF  
JASPER, ALABAMA

By:   
Jennifer W. Smith, Presiding Officer

ATTEST:

  
Kathy Chambless, City Clerk

APPROVED/VETO:  
  
David P. O'Mary, Mayor

**Comments:** Mayor reminded the council that fiscal year 2024 has just begun. He informed the council that he and other city employees recently presented a State of the City presentation to community members and received positive reviews. He is optimistic that 2024 will be another great year.

Wayne Howton lives on 21<sup>st</sup> Street. He asked about the law on animals roaming on other’s property. He believes it is a problem that needs to be fixed. Chief Poe encouraged Howton to call the police department when he sees an animal roaming.

Deidre Tatum of the Walker County Community Action Agency asked the council what their plans are for possibly supporting the new building for the WCCAA. The council will continue to discuss an amount to contribute and will let Ms. Tatum know their decision as soon as possible.

Seth Diamond asked if the council would consider a reduction in grocery sales tax.

**Consider adjournment of the meeting.**

**Motion**

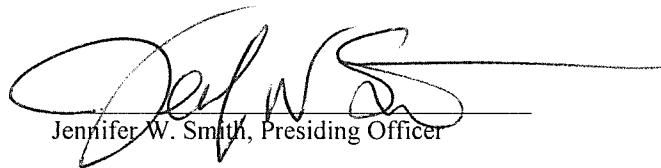
Moved by Councilmember Cowen, seconded by Councilmember Short to adjourn the meeting.

**Vote**

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

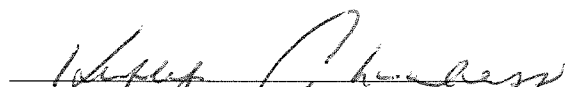
10:36 a.m. – Meeting adjourned.

APPROVED:



Jennifer W. Smith, Presiding Officer

A T T E S T:



Kathy Chambliss, City Clerk/Administrator

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