

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD OCTOBER 20, 2020**

10:03 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 V.L. “Sonny” Posey (by phone), Gary Cowen, Jennifer W. Smith and Willie Moore, III, Mayor David P. O’Mary, City Clerk/Administrator Kathy Chambless and Judson B. Allen, Esq.

Absent: Russell B. Robertson, City Attorney

Invocation: Brent McCarver, Revenue Compliance Officer

Pledge of Allegiance: Keith Pike, City Planner

Approval of Minutes:

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen that the minutes of the regular meeting held October 6, 2020, be approved.

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Danny Gambrell	Yes

Consider amendments to the agenda. The agenda was amended to add one item: consider approval of travel for Councilmember Smith to attend a League meeting at the Municipal League Institute in Montgomery October 27 – 28, 2020.

Consider approval of the agenda.

Motion

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

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Absent
Presiding Officer Danny Gambrell	Yes

Presiding Officer Danny Gambrell announced that the next meeting of the Council will be held on Monday, November 2, 2020, at 10:00 a.m. for the City of Jasper’s Organizational Session.

Councilmember Moore entered the meeting at 10:05 a.m.

Consider approval of travel for Councilmember Smith to attend a League meeting at the Municipal Leadership Institute in Montgomery October 27 – 28, 2020.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to approve travel for Councilmember Smith to attend a League meeting at the Municipal Leadership Institute in Montgomery October 27 – 28, 2020.

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Presentation of Main Street Awards. Mary Helmer, President/State Coordinator with Main Street Alabama spoke and presented Main Street awards to 5 recipients.

Consider adoption of a Resolution to allow Mayor O’Mary to enter into an agreement with Alabama Power to provide LED street lighting at Friendship Estates.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Smith to adopt a Resolution to allow Mayor O’Mary to enter into an agreement with Alabama Power to provide LED street lighting at Friendship Estates.

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Consider adoption of a Resolution to provide economic development assistance for a retail establishment.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to adopt a Resolution to provide economic development assistance to FIDC 109, LLC for a retail establishment.

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Conduct a Public Hearing and consider adoption of a Resolution to set cost for Nuisance Abatement. Following a public hearing during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Moore, seconded by Councilmember Smith to adopt a Resolution to set cost for Nuisance Abatement for grass/weeds and unsafe structures.

Vote

Councilmember V. L. “Sonny” Posey	Did Not Vote
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

Consider adoption of an Ordinance, by unanimous consent, to provide for the enforcement of the Safer at Home Health Order issued by Governor Ivey. Jasper Municipal Judge Jim Brakefield was recognized to speak about the proposed Ordinance. He stated that currently, in order for Jasper Police to enforce Governor Ivey’s order, there would need to be a custodial arrest made. There is an Alabama Supreme Court rule called a Uniform Non-Traffic Citation and Complaint (UNTCC) that would allow for a municipality to issue a citation (similar to a traffic ticket) thereby allowing that citizen to either pay their citation to the magistrate or go to court to dispute or pay at that time. However, an Ordinance would have to be adopted in order for a municipality to be able to use the UNTCC. Assistant Police Chief Paul Tucker noted that to this point there have only been two (2) instances where an arrest had to be made due to refusal to comply with the Governor’s order. Councilmember Cowen stressed that the Governor’s Stay at Home is still in effect, but as it stands now, if a citizen is non-compliant and JPD must enforce the Governor’s Order, the police officer’s only option would be to make a custodial arrest. The citizen would then have to appear before the court, pay a fine of up to \$500 plus court fees, which are set by the state, and bond out. If the Ordinance were adopted, JPD would have the option to issue a citation for a \$25.00 fine (plus court costs) or make a custodial arrest. Mayor O’Mary clarified that as Mayor of a class 7 city, he does not sit with the council and consequently has no authority to vote. He went on to say that whatever decision the council comes to, he will support. Councilmembers ultimately agreed that the Ordinance would be introduced at this meeting and placed on the next council meeting agenda for approval.

Introduce an Ordinance Rezoning a .43 acre+- parcel(s) of land located at 2209-2211 Indiana Avenue from the R-2 (Single Family Residential) Zoning District to the B-1 (Neighborhood Business) Zoning

District for the purpose of establishing a Funeral Home. (District Five) The Ordinance was introduced by the City Planner and will be considered at the next council meeting.

Introduce an Ordinance Rezoning a .28 acre+- parcel(s) of land located just south of 804 20th Avenue East from the R-1 (Single Family Residential) & B-T (Transition Business) Zoning Districts to the B-2 (Community Service) Zoning District for the purpose of commercial development. (District One) The Ordinance was introduced by the City Planner and will be considered at the next council meeting.

Comments:

Mayor O’Mary spoke about what retail means to the city and shared some statistics about Jasper’s retail numbers. 60% of Jasper’s revenue comes from sales tax revenue. The proposed project will be a tremendous addition. Bringing in businesses will enable the city to continue to give raises, buy police cruisers, and other items necessary to run Jasper. Mayor shared that he is optimistic about the opportunities ahead.

Councilmember Smith is excited about the retail opportunity. She thanked Linda Lewis for her hard work. She noted that she appreciates giving economic incentives and bringing in larger retailers, but would also like to look at the opportunity to give some smaller economic incentives to smaller local businesses.

Eric Richardson who lives in District One spoke concerning livestock running the streets on North Delaware Avenue - between Wright Street and Myrtle.

Zach Baker announced that the lineup for Foothills is complete. The lineup will be announced on social media in mid-November. Dates for the Foothills Festival are April 30 and May 1, 2021.

Consider adjournment of the meeting.

Motion

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

Vote

Councilmember V. L. “Sonny” Posey	Absent
Councilmember Gary Cowen	Yes
Councilmember Jennifer W. Smith	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Danny Gambrell	Yes

11:00 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