

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD NOVEMBER 17, 2020**

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, Gary Cowen, Jennifer W. Smith and Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless and Russell B. Robertson, City Attorney.

Absent:

Invocation: Police Chief J.C. Poe

Pledge of Allegiance: City Planner Keith Pike

Approval of Minutes:

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen that the minutes of the regular meeting held November 3, 2020, be approved.

Vote

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

Consider amendments to the agenda. The agenda was amended to add one item: Consider adopting an Ordinance, by unanimous consent, to amend the Ordinance providing penalty for violations of state law.

Consider approval of the agenda.

Motion

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

Vote

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

Consider accepting \$7,000 in grant funds from Walker Area Community Foundation for James A. Cox Park.

Motion

Moved by Councilmember Moore, seconded by Councilmember Smith to accept \$7,000 in grant funds from Walker Area Community Foundation for James A. Cox Park.

Vote

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

Consider accepting \$550 in donations, in memory of Jackson Godfrey, for the Dream Team.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to accept \$550 in donations, in memory of Jackson Godfrey, for the Dream Team.

Vote

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

Consider adoption of Budget Amendment #2020/21-2.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to adopt Budget Amendment #2020/21-2 to provide funding for a Main Street project for planning and predevelopment of the Town Creek project and to provide improvements for curbing and sidewalk along 19th Street and 1st Avenue relating to Pinnacle Bank parking lot.

Vote

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

Consider adoption of Budget Amendment #2020/21-3, by unanimous consent, to provide funding for a culvert project for Jasper Housing Authority, Marion Avenue sidewalk, curb, and gutter, and purchase of a vehicle for the Natatorium.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Daniel that the rules be suspended and unanimous consent be given for immediate consideration of and action on said Budget Amendment.

Vote

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

Motion

Moved by Councilmember Cowen, seconded by Councilmember Daniel to adopt Budget Amendment #2020/21-3.

Vote

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

Consider a request for permission to purchase an SUV for the Natatorium.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Daniel to allow for purchase of a vehicle for the Natatorium.

Vote

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

Present City of Jasper's Updated Comprehensive Plan. Keith Pike, City Planner, stated that the updated comprehensive plan has been completed for Jasper. Jason Fondren, a consultant with KPS Group, gave a condensed version of plan.

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 Cowen to adopt a Resolution to set cost for Nuisance Abatement for grass/weeds.

Vote

| | |
|----------------------------------|-----|
| Councilmember Jed Daniel | Yes |
| 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 allow Mayor O’Mary to enter into an agreement with Alabama Department of Transportation to remove a traffic light on AL 5 at the Jasper Mall entrance.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Daniel to adopt a Resolution to allow Mayor O’Mary to enter into a Traffic Signal/Roadway Lighting Maintenance Agreement with ALDOT for the removal of a traffic light on AL 5 at the Jasper Mall entrance.

Vote

| | |
|----------------------------------|-----|
| Councilmember Jed Daniel | Yes |
| 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 rescind a lien placed on property at *605 27th Street.
*The address of the property is actually 2701 Florida Avenue.

Motion

Moved by Councilmember Moore, seconded by Councilmember Smith to adopt a Resolution to rescind a lien placed on property at 2701 Florida Avenue.

Vote

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

Consider adoption of a Resolution for nuisance abatement of unsafe structure and grass/weeds.

Motion

Moved by Councilmember Moore, seconded by Councilmember Cowen to adopt a Resolution for Nuisance Abatement of an unsafe structure.

Vote

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

Motion

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

Vote

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

Consider adoption of an Ordinance rezoning a .32 acre+- parcel(s) of land located at 1509 Alabama Avenue from the R-1 (Single Family Residential) Zoning District to the B-T (Transition Business) Zoning District for the purpose of future development. After a public hearing was conducted during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Daniel, seconded by Councilmember Cowen to adopt an Ordinance rezoning a .32 acre+- parcel(s) of land located at 1509 Alabama Avenue from the R-1 (Single Family Residential) Zoning District to the B-T (Transition Business) Zoning District for the purpose of future development.

Vote

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

Consider adoption of an Ordinance to amend the business license Ordinance in order to delete the requirement to charge interest on delinquent business licenses. After a public hearing was conducted during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt an Ordinance to delete the requirement to charge interest on delinquent business licenses.

Vote

| | |
|----------------------------------|-----|
| Councilmember Jed Daniel | Yes |
| 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 reduce the speed limit to 25 mph on a portion of 21st Street.

Motion

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

Vote

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

Motion

Moved by Councilmember Cowen, seconded by Councilmember Daniel to adopt an Ordinance to reduce the speed limit to 25 mph on a portion of 21st Street.

Vote

| | |
|----------------------------------|-----|
| Councilmember Jed Daniel | Yes |
| 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 place a 4-way stop at 13th Avenue and 21st Street, and a 3-way stop at 11th Avenue and 21st Street.

Motion

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

Vote

| | |
|--------------------------|-----|
| Councilmember Jed Daniel | Yes |
| Councilmember Gary Cowen | Yes |

| | |
|----------------------------------|-----|
| 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 adopt an Ordinance to place a 4-way stop at 13th Avenue and 21st Street, and a 3-way stop at 11th Avenue and 21st Street.

Vote

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

Consider adopting an Ordinance, by unanimous consent, to amend the Ordinance (Section 14-27) providing penalty for violations of state law.

Motion

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

Vote

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

Motion

Moved by Councilmember Smith, seconded by Councilmember Cowen to adopt an Ordinance to amend the Ordinance providing penalty violations of state law to add subsection d to Section 14-27 to say that any violation of any law or action having the force and effect of law would be a violation of municipal Ordinance.

Vote

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

Recognize Kim Mitchell.

Kim Mitchell, a resident who lives on Wright Street, addressed the council and Mayor. She would like to formally file the speed study conducted in June that showed 71% of the traffic on Wright Street was

speeding. She stated she wanted her concerns to be put on record and that something needs to be done. She asked the council to look at closing a portion of Wright Street to traffic with 3 or more axels. She also asked about the status of looking into the cost of permanent, flashing mph signage. Chief Poe responded, saying it would be \$3,500-5,000 for a sign of that kind. He will check to see if there is proper signage for trucks prohibited. Ms. Mitchell continued, saying in terms of having a permanent speed limit (flashing) sign on Wright Street, there are not public parks on most roads. A lot of pedestrian traffic travels on Wright Street. Presiding Officer Gambrell reiterated that they will look into whether there is currently proper signage on Wright Street. Ms. Mitchell further stated that at the time the speed study was done, school was out and there was a lockdown.

Comments:

Mayor O'Mary shared the operating results of Jasper, saying that results are 7 times greater than when he began his term in 2016. It is recommended that municipalities keep not less than 10% of annual receipts in reserves. On 9/30/16 the city's reserves stood at 6%, a 40% deficiency of what's recommended. Today the city's reserve balance is 3.5 times the recommendation. The bar for operating the city has been elevated. Mayor continued, saying there will be challenges in the next 4 years, but with this sort of reserve balance, it makes it easier to meet such challenges.

Councilmember Moore again thanked everyone for their contributions for the James A. Cox park renovation project and thanked council for their effort and contributions.

Councilmember Cowen reiterated Mayor O'Mary, saying that a sound financial city leads to business development and growth.

Attorney Charles Tatum addressed the Mayor and Council. He asked council to put career tech prep for students on the agenda and address it as a planned item. He stated his commitment to helping any way he can so discussions can be started. He also discussed the Dockery case and asked the council to look at the case and make a decision about what the council will do to address this situation.

Presiding Officer Gambrell reminded council about the executive session occurring immediately after the council meeting.

11:02 a.m. - **Meeting adjourned** by Presiding Officer Danny Gambrell.

A P P R O V E D:

Danny Gambrell, Presiding Officer

A T T E S T:

Kathy Chambless, City Clerk/Administrator