

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD JANUARY 10, 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 Danny Gambrell, Gary Cowen, and Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless, City Attorney Russell B. Robertson

Absent: Councilmember Jenny Brown Short

Invocation Police Chief J.C. Poe

Pledge of Allegiance: Ron Harris, *Daily Mountain Eagle*

Approval of Minutes:

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore that the minutes of the regular meeting December 10, 2022, be approved.

Vote

Councilmember Jenny Brown Short	Absent
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 Gambrell, seconded by Councilmember Cowen that the agenda be approved.

Vote

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

Consider approval of an event permit for Love Walker County by Storehouse, April 15, 2023, 10:00 am – 2:00 pm.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell to approve an event permit for Love Walker County by Storehouse, April 15, 2023, 10:00 am – 2:00 pm.

Vote

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

Consider a request for permission to purchase bleachers from the Sourcewell contract.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to approve a request to purchase bleachers from the Sourcewell contract.

Vote

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

Consider a request for permission to send bids for exclusive non-alcoholic beverage rights.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to approve a request to send bids for exclusive non-alcoholic beverage rights.

Vote

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

Consider a request for approval of overnight travel for Councilmember Smith to travel to Washington D.C.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to approve overnight travel for Councilmember Smith to travel to Washington D.C. for the National League of Cities convention.

Vote

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

Consider adoption of Budget Amendment #2022/2023-06.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell to adopt Budget Amendment #2022/2023-06.

Vote

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

Introduce Budget Amendment #2022/2023-07 to provide additional funding for the 19th Street West Jasper CDBG project and funding for the purchase of property located behind Oakhill Cemetery. The budget amendment was introduced by the City Clerk and will be considered at the next council meeting.

Consider adoption of a Resolution to set cost for Nuisance Abatement. Following two public hearings during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to adopt a Resolution to set cost for nuisance abatement.

Vote

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

(See following pages)

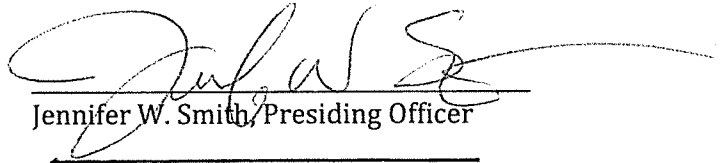
RESOLUTION NO: 2023 – 01

WHEREAS, the Jasper City Council has held a cost hearing on the abatement of nuisances on the following properties as presented in Exhibit "Cost Hearing Report 1/10/23" attached and made a part of this resolution;

WHEREAS, the Jasper City Council has affixed the costs associated with and incurred by the City of Jasper, Alabama as presented in Exhibit "Cost Hearing Report 1/10/23" attached and made a part of this resolution;

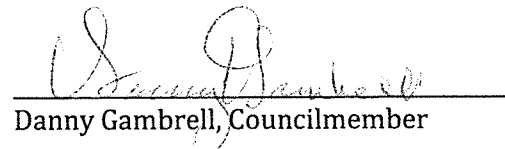
NOW, THEREFORE, BE IT RESOLVED, that the Jasper City Council hereby adopts and approves the setting of said cost of abatement of said properties.

ADOPTED this the 10th day of January, 2023.

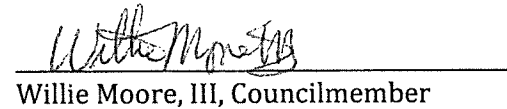


Jennifer W. Smith, Presiding Officer

Jenny Brown Short, Councilmember

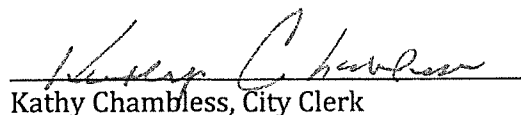


Danny Gambrell, Councilmember

Gary Cowen, Councilmember

Willie Moore, III, Councilmember

ATTEST:



Kathy Chambless, City Clerk

**COST HEARING REPORT
1/10/23**

207 Southridge Rd (Ray A. & Kelly R. Goggins), District Three

\$75.00	Cutting Overgrown Grass/Weeds
25.00	Administrative Fees
<hr/>	
\$100.00	Total

1642 Hwy 185 N (Jenny Lou O'Rear), District Three

\$10,120.00	Removal of Unsafe Structure
25.00	Administrative Fees
<hr/>	
\$10,145.00	Total

Consider adoption of a Resolution to award the bid for construction of the 19th Street West and 10th Avenue Improvements, CDBG #LR-CM-CP-21-010, to Avery Landscape and Associates, LLC, the lowest responsible bidder.

Motion

Moved by Councilmember Moore, seconded by Councilmember Cowen to adopt a Resolution to award the bid for construction of the 19th Street West and 10th Avenue Improvements, CDBG #LR-CM-CP-21-010, to Avery Landscape and Associates, LLC, the lowest responsible bidder.

Vote

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

(See following page)

CITY OF JASPER
RESOLUTION #: 2023 – 02

WHEREAS, the Alabama Community Development Block Grant Program has been established to assist local governments in meeting community development and housing needs consistent with the objectives as set forth in Title I of the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the City of Jasper has received an Appalachian Regional Planning Commission (ARC) and a Community Development Block Grant (CDBG) to construct infrastructure improvements in the 19th Street West Neighborhood.

THEREFORE, in accordance with ARC and CDBG regulations the City of Jasper in has advertised and received bids from qualified contractors to construct the above referenced improvements.

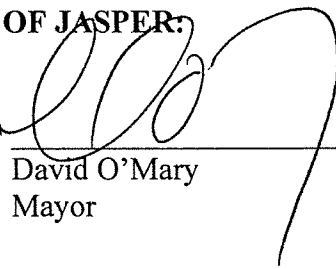
NOW, THEREFORE, be it resolved that the City of Jasper has received bids on this project from interested contractors and the City of Jasper, the Jasper Waterworks and Sewer Board, and Nelson Engineering have determined that Avery Landscaping and Associates, LLC, is the qualified low bidder for this project and is not on HUD's debarred contractor list; and

THAT, David O' Mary, Mayor, is hereby authorized to enter a contract on behalf of the City of Jasper with Avery Landscaping and Associates, LLC in the amount of \$1,476,711.00 based on the attached Bid Reduction Agreement to construct the above referenced infrastructure improvements in the 19th Street Neighborhood

READ AND ADOPTED this the 10th day of **January 2023**.

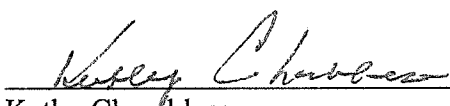
CITY OF JASPER:

By:



David O'Mary
Mayor

Attest:



Kathy Chambless
City Clerk-Controller

Consider approving the installation of a streetlight on an existing pole located on a portion of College Hill Drive.

Motion

Moved by Councilmember Moore, seconded by Councilmember Cowen to approve the installation of a streetlight on an existing pole located on a portion of College Hill Drive.

Vote

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

Consider adoption of a Resolution for Nuisance Abatement for an unsafe structure.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell to adopt a Resolution for Nuisance Abatement for an unsafe structure on 409 6th Street.

Vote

Councilmember Jenny Brown Short	Absent
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 – 03

WHEREAS, the Jasper City Council finds a nuisance for unsafe structure exists at:


1. 409 6th Street, Stephen C Sanders c/o Cameron Sanders, District Four

pursuant to ORD. 2001-718-A; and

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

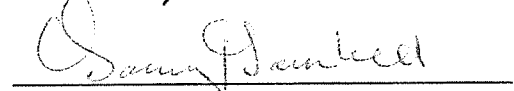
NOW, THEREFORE, BE IT RESOLVED, that the Jasper City Council hereby approves the abatement of said nuisances.

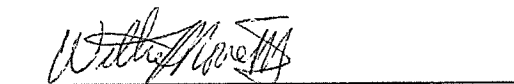
DONE this the 10th day of January, 2023.


Jennifer W. Smith Presiding Officer

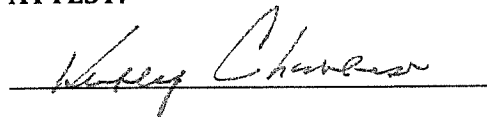
Jenny Brown Short, Councilmember


Danny Gambrell, Councilmember


Gary Cowen, Councilmember


Willie Moore, III, Councilmember

ATTEST:



Conduct a public hearing concerning economic development assistance and consider adoption of a Resolution to authorize Mayor O'Mary to execute the agreement to provide economic development assistance for Mar-Jac Poultry, AL, LLC. After a public hearing during which no comments were made, a motion was considered.

Motion

Moved by Councilmember Gambrell, seconded by Councilmember Cowen to adopt a Resolution to grant economic development assistance to Mar-Jac Poultry, AL, LLC.

Vote

Councilmember Jenny Brown Short	Absent
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 – 04
RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF JASPER, ALABAMA

WHEREAS, Mar-Jac Poultry AL, LLC, has located within the City of Jasper, Alabama, a poultry processing plant on Third Avenue South in the southern portion of the City of Jasper; and

WHEREAS, Mar-Jac Poultry AL, LLC, proposes a major expansion and renovation of the said facility, which expansion and renovation shall result in new employment opportunities for citizens of the City of Jasper and the surrounding area, the utilization of underutilized property within the City, and other economic benefits for the citizens of the City of Jasper, Alabama; and

WHEREAS, Mar-Jac Poultry AL, LLC, has applied to the City Council of the City of Jasper, Alabama, for economic development assistance with the project, including, specifically, the abatement of non-educational sales and use taxes and non-educational property taxes related to the project; and

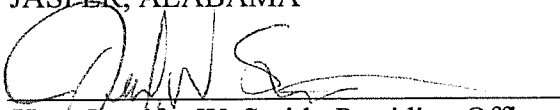
WHEREAS, the City Council of the City of Jasper, Alabama, has conducted a hearing at a regularly scheduled City Council meeting, and has determined that the proposed assistance is a valid public purpose and is in the best interests of the citizens of the City of Jasper;

BE IT THEREFORE RESOLVED, by the City Council of the City of Jasper, Alabama, as follows:

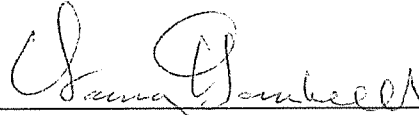
- 1). That the City Council of the City of Jasper, Alabama, does grant the abatement of the non-educational portion of the sales and use taxes and the non-educational portion of the property taxes associated with the Project;
- 2). That the City Council of the City of Jasper, Alabama, does approve and ratify the Economic Development Agreement between the City of Jasper and Mar-Jac Poultry AL, LLC; and
- 3). That Mayor David P. O'Mary is authorized to act on behalf of the City of Jasper, Alabama, and execute the Economic Development Agreement with Mar-Jac Poultry AL, LLC, for the abatement of the non-educational portion of the sales and use taxes and non-educational portion of the property taxes for the construction phase of the expansion and renovation of Mar-Jac's poultry processing plant located within the City of Jasper.

WHEREUNTO, we have set our hands and seals on this the 10th day of January, 2023.

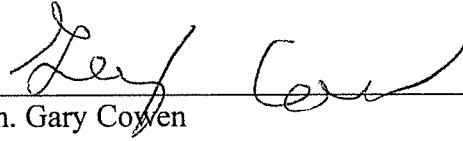
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA


Hon. Jennifer W. Smith, Presiding Officer

Hon. Jenny Brown Short



Hon. Danny Gambrell



Hon. Gary Cowen



Hon. Willie Moore, III

ATTEST:



Hon. Kathy Chambless, City Clerk

Consider adoption of a Resolution to set a public hearing on consideration of the application to provide economic development assistance for Rural King Realty, Inc.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to adopt a Resolution to set a public hearing date of January 17, 2023, on consideration of the application to provide economic development assistance for Rural King Realty, Inc.

Vote

Councilmember Jenny Brown Short	Absent
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 – 05
RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF JASPER, ALABAMA

WHEREAS, the City Council of the City of Jasper, Alabama, is authorized by §94.01 of the Constitution of Alabama (2022 Recomp.), and has previously adopted Ordinance 2011-015, providing for the granting of certain economic development incentives to qualified developers upon proper application; and

WHEREAS, the City has received an application for such economic development assistance from Rural King Realty, Inc., relative to a proposed improvement which will have a development cost in excess of Six Million Dollars (\$6,000,000.00) and which will involve the creation of an estimated fifty-five (55) full-time equivalent jobs; and

WHEREAS, the City Council of the City of Jasper, Alabama, is to adopt a resolution setting a public meeting and hearing on the application pursuant to § 17-25(6), Code of Ordinances of the City of Jasper, Alabama;

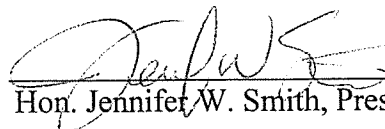
BE IT THEREFORE RESOLVED,

1). That there is scheduled, for the regular meeting of the City Council of the City of Jasper, Alabama, on January 17, 2023, at 10:00 a.m., a public meeting and hearing concerning the Application for Economic Development Assistance submitted on behalf of Rural King Realty, Inc., for consideration of adoption of a Resolution to grant such assistance to said developer;


2). That the City Clerk shall cause Notice of such meeting to be published in the Daily Mountain Eagle in accordance with § 94.01, Constitution of Alabama (1901) and Ordinance 2011-015, which is codified as § 17-25(6), Code of Ordinances of the City of Jasper, Alabama.

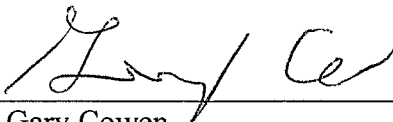
WHEREUNTO, we have set our hands and seals on this the 10th day of January, 2023.


CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA


Hon. Jennifer W. Smith, Presiding Officer

Hon. Jenny Brown Short



Hon. Danny Gambrell



Hon. Gary Cowen

Hon. Willie Moore, III

ATTEST:



Hon. Kathy Chambless, City Clerk

Introduce an Ordinance to establish a “No Truck” zone on 14th Avenue NE. The Ordinance was introduced by the City Planner and will be considered at the next council meeting.

Comments: Mayor recognized the exemplary performance of several firefighters at a recent call-out and recognized them individually: Firefighter Timothy Caffee, Firefighter Bennett Prestridge, Firefighter Payton Phillips, Lieutenant Justin Vinson, and Firefighter Blake Kelley. He read some comments from a citizen who praised the firefighters for their compassion and professionalism.

Presiding Officer Smith reminded everyone of the next regular meeting on January 17, 2023.

Fire Chief Dante Fields recognized his firefighters and department personnel for their professionalism on each call-out and for representing Jasper well.

Consider adjournment of the meeting.

Motion

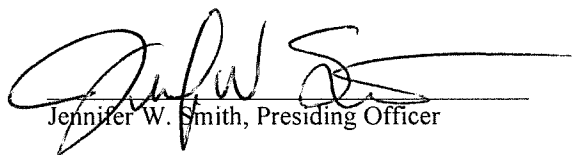
Moved by Councilmember Cowen, seconded by Councilmember Moore to adjourn the meeting.

Vote

Councilmember Jenny Brown Short	Absent
Councilmember Danny Gambrell	Yes
Councilmember 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