

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF  
JASPER, ALABAMA, HELD JANUARY 17, 2023**

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9:58 a.m. - The meeting was called to order by Presiding Officer Jennifer W. 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, Gary Cowen, and Willie Moore, III, Mayor David P. O'Mary, City Clerk/Administrator Kathy Chambless, City Attorney Russell B. Robertson

**Absent:** Councilmember Danny Gambrell

**Invocation** Police Chief J.C. Poe

**Pledge of Allegiance:** Aquatics Director/Natatorium Manager Stacy Smothers

**Approval of Minutes:**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short that the minutes of the regular meeting January 10, 2023, be approved.

**Vote**

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Absent
Councilmember Gary Cowen	Yes
Councilmember Willie Moore, III	Absent
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 Cowen, seconded by Councilmember Short that the agenda be approved.

**Vote**

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

**Consider a request for approval of travel for Municipal Court magistrates to attend scheduled certification training for 2023.**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to approve travel for Municipal Court magistrates to attend scheduled certification training for 2023.

**Vote**

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

**Consider a request for approval of travel for police personnel to attend the Alabama Association of Chiefs of Police Winter Conference February 13 – 16, 2023, in Montgomery, AL.**

**Motion**

Moved by Councilmember Short, seconded by Councilmember Cowen to approve a request for police personnel to attend the Alabama Association of Chiefs of Police Winter Conference February 13 – 16, 2023, in Montgomery, AL.

**Vote**

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

**Councilmember Moore arrived at 10:02 a.m.**

**Consider adoption of Budget Amendment #2022/2023-07.**

**Motion**

Moved by Councilmember Moore, seconded by Councilmember Cowen to adopt Budget Amendment #2022/2023-07.

**Vote**

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

**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.

**Vote**

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

(See following pages)

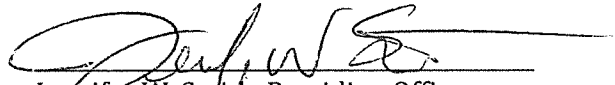
**RESOLUTION NO: 2023 – 06**

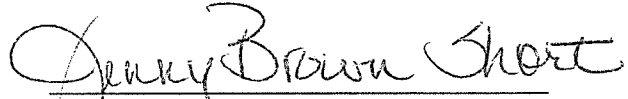
**WHEREAS**, the Jasper City Council has held a cost hearing on the abatement of nuisances on the following properties as presented in Exhibit "Cost Hearing Report 1/17/23" attached and made a part of this resolution;

**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 1/17/23" 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 17<sup>th</sup> 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**  
**1/17/23**

**601 24<sup>th</sup> Street (Charles Tatum), District Five**

\$6,800.00	Removal of Unsafe Structure
25.00	Administrative Fees
<hr/>	
<b>\$6,825.00</b>	<b>Total</b>

**Consider adoption of a Resolution to allow Mayor O'Mary to enter into an agreement with ALDOT for right-of-way mowing**

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt a Resolution to allow Mayor O'Mary to enter into an agreement with ALDOT for right-of-way mowing

**Vote**

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

(See following page)

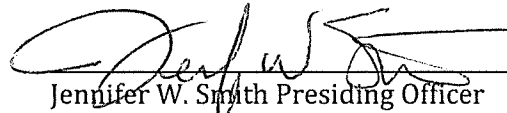
**RESOLUTION NO.: 2023 - 07**

**WHEREAS**, the City Council of the City of Jasper, Alabama believes that the continued beautification of Alabama 69, Alabama 269, AL Highway 118 and Alabama 5 which run through the city limits is vital to the city's beautification program; and

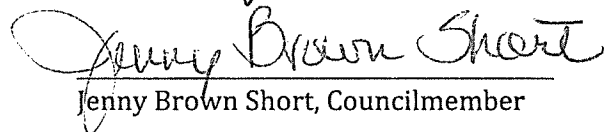
**WHEREAS**, the City Council of the City of Jasper, Alabama feels that its beautification goals can be better achieved through control of the mowing along sections Alabama 69, Alabama 269, Highway 118 and Alabama 5.

**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 enter into an agreement with the Alabama Department of Transportation for cooperative maintenance of public right-of-way, as it relates to Alabama 69, Alabama 269, AL Highway 118 and Alabama 5.

**ADOPTED** this the 17<sup>th</sup> day of January, 2023.



Jennifer W. Smith Presiding Officer

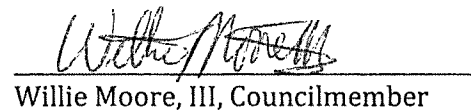


Jenny Brown Short, Councilmember

Danny Gambrell, Councilmember

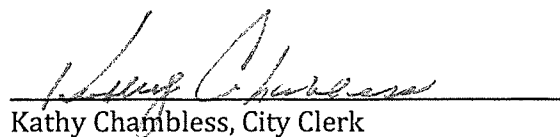


Gary Cowen, Councilmember



Willie Moore, III, Councilmember

**ATTEST:**



Kathy Chambless, City Clerk

**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 Rural King Realty, Inc.** After a public hearing during which no comments were made, a motion was considered.

**Motion**

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt a Resolution to grant economic development assistance to Rural King Realty, Inc.

**Vote**

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

(See following pages)



**RESOLUTION NO.: 2023 – 08****RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JASPER, ALABAMA**

WHEREAS, Rural King Realty, Inc. proposes to located within the City of Jasper, Alabama, a retail sales facility at the Jasper Mall property within the City of Jasper; and

WHEREAS, Rural King Realty, Inc., proposes a major 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, the infill of vacant and potentially blighted property within the City, and other economic benefits for the citizens of the City of Jasper, Alabama; and

WHEREAS, Rural King Realty, Inc., has applied to the City Council of the City of Jasper, Alabama, for economic development assistance with the project, including, specifically, a cash payment and a rebate of a portion of future sales taxes generated by retail activities on the property; 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;

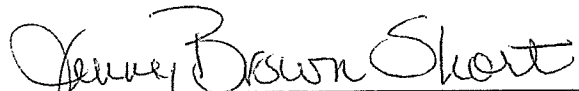
BE IT THEREFORE RESOLVED, by the City Council of the City of Jasper, Alabama, as follows:

- 1). That the City Council of the City of Jasper, Alabama, does approve of the proposed cash payment and abatement of a portion of future sales taxes generated by retail activities on the property;
- 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 Rural King Realty, Inc.; 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 Rural King Realty, Inc., for the payment and for the abatement of a portion of future sales taxes generated from retail activities on the property.


WHEREUNTO, we have set our hands and seals on this the 17<sup>th</sup> day of January, 2023.


CITY COUNCIL OF THE CITY OF JASPER, ALABAMA

By  \_\_\_\_\_  
Hon. Jennifer W. Smith, Presiding Officer

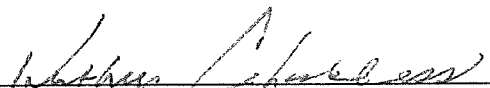
  
\_\_\_\_\_  
Hon. Jenny Brown Short

\_\_\_\_\_  
Hon. Danny Gambrell

  
\_\_\_\_\_  
Hon. Gary Cowen

  
\_\_\_\_\_  
Hon. Willie Moore, III

ATTEST:

  
\_\_\_\_\_  
Hon. Kathy Chambless, City Clerk

**Consider adoption of an Ordinance to establish a “No Truck” zone on 14th Avenue NE.**

**Motion**

Moved by Councilmember Short, seconded by Councilmember Moore to adopt an Ordinance to establish a “No Truck” zone on 14th Avenue NE from 2<sup>nd</sup> Street NE to Pineview Road.

**Vote**

Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Absent
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 – 01

To Amend the Ordinance Designating Truck Routes Within the City of Jasper, Alabama

WHEREAS, the City of Jasper, Alabama, has designated certain roadways within the City of Jasper, Alabama, as “truck routes”, being those roads on which commercial vehicles are permitted to travel; and

WHEREAS, it is the opinion of the City Council of the City of Jasper, Alabama, that 14<sup>th</sup> Avenue NE from 2<sup>nd</sup> Street NE to Pineview Road is not an acceptable “truck route” within the City of Jasper;

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

**Section 1.** To the extent that 14<sup>th</sup> Avenue NE from 2<sup>nd</sup> Street NE to Pineview Road has been designated a “truck route”, the same is revoked, amended, and reversed, and 14<sup>th</sup> Avenue NE from 2<sup>nd</sup> Street NE to Pineview Road shall not be a “truck route” within the City of Jasper, Alabama.

**Section 2.** The provisions of this Ordinance are severable, such that if any portion of the Ordinance is ruled invalid by a court of competent jurisdiction, the remaining portions of said Ordinance shall be unaffected thereby.

**Section 3.** This Ordinance shall become effective immediately upon its passage and approval in the manner required by the laws of the State of Alabama.

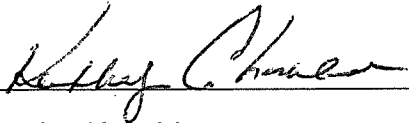
Adopted and approved this the 17<sup>th</sup> day of January, 2023.

CITY COUNCIL OF THE CITY OF  
JASPER, ALABAMA

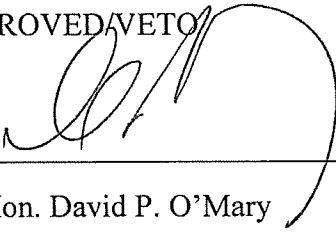
By: \_\_\_\_\_

Hon. Jennifer W. Smith  
Presiding Officer

ATTEST:

By:   
Kathy Chambless  
City Clerk

APPROVED/VETO

By:   
Hon. David P. O'Mary  
Mayor

**Comments:** Councilmember Cowen thanked Councilmembers Moore and Smith for delaying the 19<sup>th</sup> Street project until it could be done right. He applauded their long-term planning.

Councilmember Smith asked for prayers for CJ Harris' family.

**Consider adjournment of the meeting.**

**Motion**

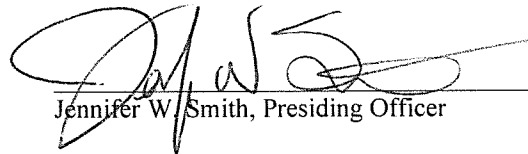
Moved by Councilmember Cowen, seconded by Councilmember Short to adjourn the meeting.

**Vote**

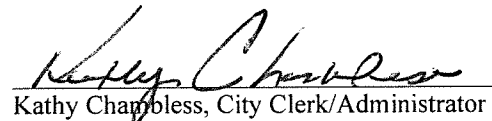
Councilmember Jenny Brown Short	Yes
Councilmember Danny Gambrell	Absent
Councilmember Gary Cowen	Yes
Councilmember Willie Moore, III	Yes
Presiding Officer Jennifer W. Smith	Yes

10:09 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