

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF
JASPER, ALABAMA, HELD MAY 2, 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 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: Fire Chief Dante Fields

Approval of Minutes:

Motion

Moved by Councilmember Cowen, seconded by Councilmember Gambrell that the minutes of the regular meeting April 18, 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

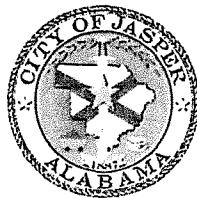
Moved by Councilmember Cowen, seconded by Councilmember Moore that the agenda be approved.

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 Mental Health Awareness Month. Mayor O'Mary read the proclamation for Mental Health Awareness proclaiming May Mental Health Awareness month in Jasper and presented it to Annalee Rubley of Northwest Alabama Mental Health Center.

(See following page)



PROCLAMATION

Office of the Mayor of Jasper, Alabama

WHEREAS, there is a proven connection between good mental health and overall personal health; and

WHEREAS, mental illnesses affect almost every family in America; and

WHEREAS, people with mental illnesses recover if given the necessary services and support in their communities; and

WHEREAS, people with mental illnesses make important contributions to our families and our communities; and

WHEREAS, millions of adults and children are disabled by mental illnesses every year; and

WHEREAS, only one out of two people with a serious form of mental illness seeks treatment for his or her mental illness; and

WHEREAS, stigma and fear of discrimination keep many who would benefit from mental health services from seeking help; and

WHEREAS, research shows that the most effective way to reduce stigma is through personal contact with someone with a mental illness; and

WHEREAS, good mental health is critical to the well-being of our families, communities, schools, and businesses; and

WHEREAS, greater public awareness about mental illnesses can change negative attitudes and behaviors toward people with mental illnesses.

NOW, THEREFORE, BE IT RESOLVED THAT I, David P. O'Mary, Mayor of the City of Jasper, Alabama, do hereby proclaim the month of May 2023 as MENTAL HEALTH AWARENESS MONTH and call upon all citizens, government agencies, public and private institutions, businesses, and schools to recommit our community to increasing awareness and understanding of mental illnesses, reducing stigma and discrimination, and promoting appropriate and accessible services for all people with mental illnesses.



In witness whereof, I have hereunto set my hand and caused this seal to be affixed this 2nd day of May 2023.

David P. O'Mary, Mayor

Kathy Chambless, City Clerk

City Council Meeting Minutes 5/2/2023

Consider approval of an event permit for a Celebration of Life Memorial Service by Justice for Tony/WCMA, May 6, 2023, at 12:00 pm at the courthouse square.

Motion

Moved by Councilmember Short, seconded by Councilmember Gambrell to approve an event permit for a Celebration of Life Memorial Service by Justice for Tony/WCMA, May 6, 2023, at 12:00 pm at the courthouse square.

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 a request for approval of travel for swim instructors to attend ALTS Masters Swimming training and clinic April 14-16, 2023, in Atlanta, GA.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to approve travel (retroactive) for swim instructors to attend ALTS Masters Swimming training and clinic April 14-16, 2023, in Atlanta, GA.

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 a request to renew the contract for Tires, Tubes & Services under the same terms and pricing.

Motion

Moved by Councilmember Short, seconded by Councilmember Cowen to approve a request to renew the contract for Tires, Tubes & Services with Southern Tire Mart under the same terms and pricing.

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 – 28

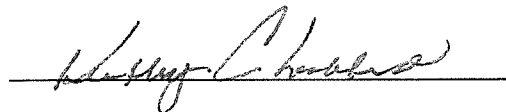
WHEREAS, the City Council of the City of Jasper, Alabama has previously awarded the contract for Tires, Tubes and Services, which contained an option to renew at the same terms,

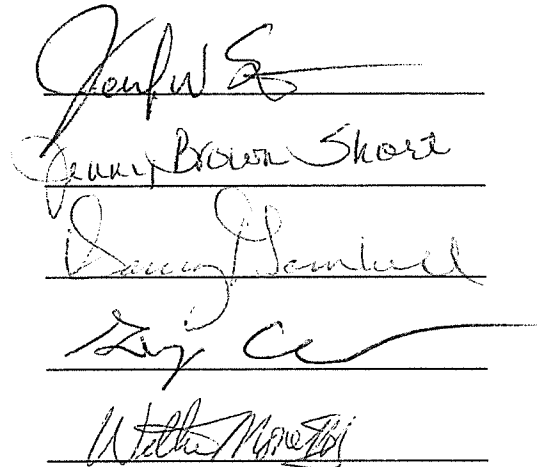
AND, WHEREAS, the City Council of the City of Jasper is desirous of exercising the option to renew with Southern Tire Mart.

NOW, THEREFORE, BE IT RESOLVED, that the contract be renewed at the same terms as previously stated.

ADOPTED THIS THE 2nd DAY OF MAY, 2023.

ATTEST:





Receive report and consider a recommendation for the following:

- a. Physician Services
- b. Baseball
- c. Softball Officials
- d. Basketball Officials
- e. Volleyball Officials
- f. Concrete Ready Mix
- g. Grounds Maintenance for North Jasper Park
- h. Portable Toilets

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to receive the report of the Accountant/Purchasing Agent and approve her recommendation to award the bid to After Hours Clinic for physician services, Walker County Sports Officials Association for baseball officials, softball officials, basketball officials, and volleyball officials, North Alabama Concrete for concrete ready mix, Frontline Lawncare for grounds maintenance at North Jasper Park, and A Plus Portable Restrooms for portable toilets, the lowest responsible bidders.

Vote

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

(See following pages)

RESOLUTION NO.: 2023 – 29

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Physician Services.

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**

- After Hours Clinic

Physicals: \$40
 Drug Tests: \$20 (In-house)
 \$60 (Private Pay)
 Work-Related Injuries: \$1-\$480

- Med 360

Physicals: \$65
 Drug Tests: \$25 (In-house)
 \$50 (Private Pay)
 Work-Related Injuries: \$135-\$500

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 Physician Services be awarded to After Hours Clinic in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:

Robert Chambers

Jeff W. Brown
Glenn Brown Shore
Danny Gumbell
Ray A.
Walter M. Mott

RESOLUTION NO.: 2023 – 30

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Baseball Officials.

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**

- Walker County Sports Officials Association
- Jasper Umpires Association

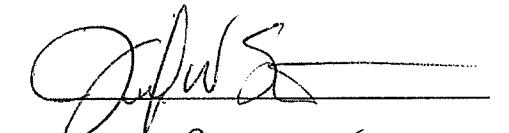
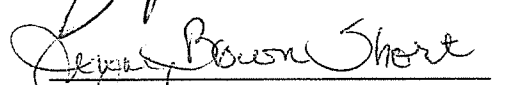
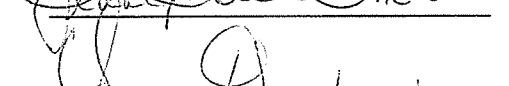
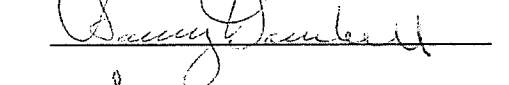

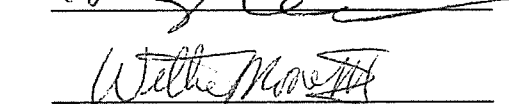
Booking Fee: \$350
\$35-\$50 (Ages 5-12)

Booking Fee: \$1,000
\$40 (Ages 8 and under)

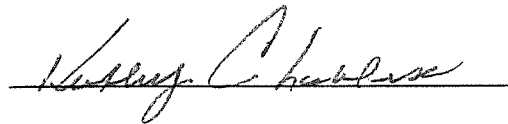
AND, WHEREAS, the City Council of the City of Jasper is desirous of awarding the bid to the lowest responsible bidder who has met bid specifications,

NOW, THEREFORE, BE IT RESOLVED, that the bid for Baseball Officials be awarded to Walker County Sports Officials in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:



RESOLUTION NO.: 2023 – 31

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Softball Officials.

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**

- Walker County Sports Officials Association

Booking Fee: \$350
\$35-\$45
(Ages 12 and under)

- Jasper Umpires Association

Booking Fee: \$1,000
\$30-\$45
(Ages 8-12)

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 Softball Officials be awarded to Walker County Sports Officials in the amount of per bid.

ADOPTED THIS THE 2nd DAY OF May, 2023.

ATTEST:

Kenneth Chisholm

[Signature]
Jerry Brown Shore
[Signature]
[Signature]
[Signature]
Walter Marshall

RESOLUTION NO.: 2023 – 32

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Basketball Officials.

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**

- | | |
|--|--|
| <ul style="list-style-type: none"> • Walker County Sports Officials Association | Booking Fee: \$350
\$35-\$40 per official
(Ages 5-12) |
| <ul style="list-style-type: none"> • Walker County Basketball Officials Association | Booking Fee: \$1,200
\$30 per official, 2 per game
(Ages 5-12) |

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 Basketball Officials be awarded to Walker County Sports Officials in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:

Walter Phillips

[Signature]
George Brown Shore
Dan Hamblin
[Signature]
Walter Phillips

RESOLUTION NO.: 2023 – 33

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Volleyball Officials.

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**

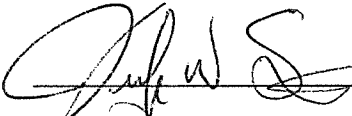
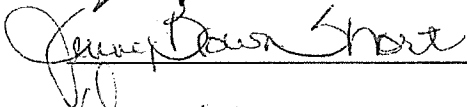
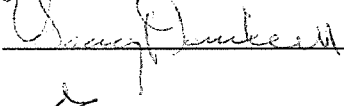
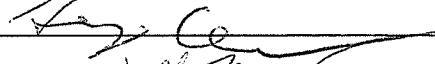

- Walker County Sports Officials Association

Booking Fee: \$350
\$35-\$40 per official


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 Volleyball Officials be awarded to Walker County Sports Officials in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:



RESOLUTION NO.: 2023 – 34

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Concrete Ready Mix.

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**

- North Alabama Concrete

Per Unit

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 Concrete Ready Mix be awarded to North Alabama Concrete in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:

Kelley Chase

Sammy D. Smith
James Brown Short
J. H. S.
L. J. A.
Walter M. Smith

RESOLUTION NO.: 2023 – 35

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Grounds Maintenance for North Jasper Park.

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**

- Frontline Lawncare

\$450 per cut

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 Grounds Maintenance for North Jasper Park be awarded to Frontline Lawn Care in the amount of \$450 per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:

Walter M. Moore

John W. R.
Henry Brown Sherr
Samy P. Anderson
Ray C.
Walter M. Moore

RESOLUTION NO.: 2023 – 36

WHEREAS, the City Council of the City of Jasper, Alabama has given its permission to send bid invitations for Portable Toilets.

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**

- A Plus Portable Restrooms
- HHH Sanitation

Per Bid

Per Bid

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 Portable Toilets be awarded to A Plus Portable Restrooms in the amount of per bid.

ADOPTED THIS THE 2nd **DAY OF** May, 2023.

ATTEST:

Kelsey Chubb

Jake
James Brown Short
Samy G. G. G.
Ray A.
Willie Moore

Consider a request for permission to send bids for roof replacement at the Street Department.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short for approval to send bids for roof replacement at the Street Department.

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 adoption of Mid-Year Budget Amendment #2022/2023-13.

Motion

Moved by Councilmember Short, seconded by Councilmember Gambrell to adopt Mid-Year Budget Amendment #2022/2023-13.

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 adoption of Budget Amendment #2022/2023-14.

Motion

Moved by Councilmember Short, seconded by Councilmember Gambrell to adopt Budget Amendment #2022/2023-14.

Vote

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

Consider adoption of a Resolution to authorize Mayor O'Mary to enter into an agreement with LaBella Associates to create a 5-year plan for the landfill.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore to adopt a Resolution to authorize Mayor O'Mary to enter into an agreement with LaBella Associates to create a 5-year plan for the landfill.

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)

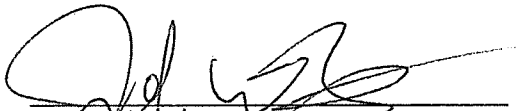
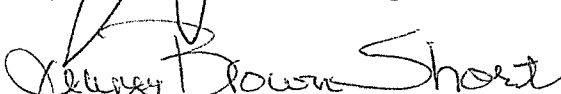
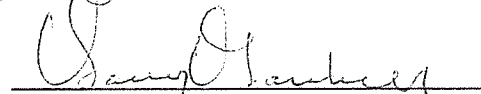
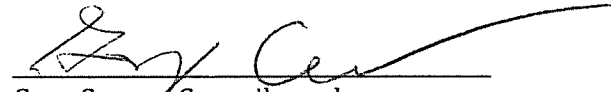

RESOLUTION NO: 2023 - 37

WHEREAS, the City Council of the City of Jasper, Alabama, wishes to retain professional environmental consulting services for the landfill; and

WHEREAS, the City of Jasper intends to enter an agreement with LaBella Associates, D.P.C. to provide a 5-year plan for the landfill.

NOW, THEREFORE, BE IT RESOLVED, that Mayor David P. O'Mary is authorized to enter into an agreement with LaBella Associates, D.P.C. to provide a 5-year plan for the landfill.

ADOPTED this the 2nd day of May, 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

Consider adoption of a Resolution to authorize Mayor O'Mary to enter into an agreement with Alabama Power Company for a public Wi-Fi project.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Short to adopt a Resolution to authorize Mayor O'Mary to enter into an agreement with Alabama Power Company for a public Wi-Fi project.

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 - 38

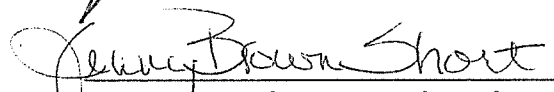
WHEREAS, the City Council of the City of Jasper, Alabama, wishes to provide public Wi-Fi in Jasper with grant assistance provided by Alabama Power Company; and


WHEREAS, the City of Jasper intends to enter an agreement with Alabama Power Company to install, maintain, and operate public Wi-Fi in Jasper through Wi-Fi contractor TengolInternet.


NOW, THEREFORE, BE IT RESOLVED, that Mayor David P. O'Mary is authorized to enter into an agreement with Alabama Power Company to install, maintain, and operate public Wi-Fi in Jasper.


ADOPTED this the 2nd day of May, 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

Consider adoption of an Ordinance to amend the Alcohol Ordinance.

Motion

Moved by Councilmember Short, seconded by Councilmember Moore to adopt an Ordinance to amend the Alcohol Ordinance.

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 NO. 2023 – 06

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JASPER, ALABAMA
TO ESTABLISH A NONPROFIT SPECIAL EVENTS RETAIL LIQUOR LICENSE
AND PROVIDE A PROCEDURE FOR OWNERSHIP CHANGES**

WHEREAS, the City of Jasper, Alabama, has previously enacted ordinances authorizing, regulating, and providing limitations upon the possession, consumption, sale and dispensing of alcoholic beverages within the City of Jasper, Alabama, which ordinances are collectively codified in the Code of Ordinances of the City of Jasper, Alabama, as Chapter 3 thereof; and

WHEREAS, it has been brought to the attention of the City Council of the City of Jasper, Alabama, that Act 2018-447 of the Alabama Legislature became law on March 29, 2018, to provide for the issuance of a nonprofit special events retail license for the sale of beer, wine, and liquor; to authorize the donation of distilled beer, wine, and liquor by non- licensed persons, and to provide that a manufacturer licensee of beer or wine may donate its product to a licensed nonprofit special event operated by a nonprofit organization; and

WHEREAS, the City Council of the City of Jasper, Alabama, is of the opinion that it should provide for the licensing of nonprofit events that desire to sell or dispense alcoholic beverages through the use of tickets, cover charges, door charges, gate fees, membership fees, or other like charges or other forms of consideration that entitle a person to possess or consume alcoholic beverages and

WHEREAS the ABC Board of the State of Alabama provides for an owner of a licensed alcohol establishment to move locations or to transfer a license to a new owner for 60 days without interruption of services based upon an established procedure and the city is desirous to provide the same procedure for its licensees.

BE IT THEREFORE ORDAINED, AS FOLLOWS:

Section 1. Section 3-14 of the Code of Ordinance of the City of Jasper, Alabama is hereby amended to include the following additional language:

(a) Transfer of state license; new city license required.

- (1) No city license issued under the provisions of this chapter shall be transferred or assigned from one location to another or from one licensee to another person.
- (2) Where a city licensee makes application with the ABC board for a transfer of its state license from one location to another or from one licensee to another person, then the transferee must obtain approval from the city for the state transfer and, in addition, must apply for a new license. The transferee shall have 60 days from the date the transfer application is made with the state to complete the transfer process and obtain a new city license, subject to extensions granted by the city clerk-treasurer upon written request for good cause shown. In the case of a location transfer, no business regulated by this chapter shall be conducted at the proposed location until the process is complete and a new license has been issued for the new location.
- (3) In the case of failure to complete the transfer process and obtain a new city license in a timely manner, where the ABC board in accordance with state alcoholic beverage control

law allows the original licensee to resume control and operation of the licensed premises, then the original city licensee shall also be allowed to resume its operation at the original location.

(b) Change of ownership, management, or name of licensee, expansion of city licensed premises.

(1) Change of ownership, etc. Subject to the provisions of Section 3-14(a) concerning state transfers and new city licenses, city licenses shall be deemed to expire, terminate, or otherwise be void when there is a substantial change of ownership in the licensee; when a licensed establishment is leased, rented, or abandoned; or when possession is otherwise surrendered to another person. A city license issued to a corporation does not terminate by transfer of ownership of its stock, and a new license is not required even with a complete change in ownership of capital stock of a corporate licensee, although the provisions of subsection (b)(4), below, shall apply.

(2) Temporary closure or interruption. Upon the death of an individual city licensee, sale of the licensed business, temporary closing of the licensed business, or other interruption in the operation of a licensed business, the city license shall immediately be delivered to the city clerk-treasurer, to be held pending the reopening of said business according to this chapter. However, where there is a surviving partner in a partnership entity possessing a city license, or a surviving spouse of a deceased licensee, such survivor may complete the current license year operating as a city licensee, having the same rights and responsibilities as the named licensee, without obtaining a new city license, provided: (1) the survivor notifies the city clerk-treasurer in writing within 20 days after the death of the licensee, and (2) the survivor is otherwise qualified to hold a city license. A surviving spouse or partner must complete a new application in his\her own name and receive approval prior to operation in the next license year.

(3) New officers or directors of licensed corporation. When a licensed corporation elects new officers or directors, said corporation shall notify the city clerk-treasurer in writing within 20 days thereafter. Such notification shall contain the names, positions, social security numbers, places of birth, dates of birth, home addresses, and how long the newly elected officials have lived at said addresses. No person shall serve as a director or officer of a licensed corporation who is otherwise unqualified to obtain an original city license in their own name, and the city license shall be subject to action being taken against the license, where the person continues to hold the position of director or officer with the licensed corporation. This section shall not apply to corporations whose shares are customarily and regularly traded or sold on recognized stock exchanges.

(4) New shareholders of licensed corporations. When ownership of twenty percent (20%) or more of a corporation's shares is transferred or there occurs a cumulative 20% transfer of shares within any licensing year, a corporation shall notify the city clerk-treasurer in writing within twenty (20) days thereafter. The letter shall contain the name of the person(s) to who the stock transferred, social security number, place of birth, date of birth, home address, how long the stock transferee has lived at the address, and what quantity of shares was transferred. No person shall own shares through transfer or accrual in a licensed corporation who is otherwise unqualified to obtain an original city license in her or his own name. The city council shall have discretion in determining the qualifications of any transferee of stock shares, and may, in its discretion, suspend the corporation's license during the period of time that the unqualified shareholder retains

ownership of said shares, subject to the right of appeal to the city council. This section shall not apply to corporations whose shares are customarily and regularly traded or sold on recognized stock exchanges.

(5) Noncorporate licensees. When a noncorporate licensee has a change of ownership affecting 20% or more thereof, the licensee shall notify the city clerk-treasurer in writing within 20 days thereafter, and a new application shall be submitted by the new entity created by such change of ownership. No person shall become the owner or otherwise be interested in the operation of a noncorporate city licensed premises who is otherwise unqualified to obtain license in their own name.

(6) Additional information. Additional information concerning licensed businesses and person associated therewith shall be submitted when requested by the city clerk-treasurer.

(7) Change of trade name. In the event a city licensee changes its trade name during a license year, the licensee must notify the city clerk-treasurer within 20 days of such change.

Section 2. There is hereby enacted Section 3-22.1 of the Code of Ordinance of the City of Jasper, Alabama to provide as follows:

Section 3-22.1 – Issuance of a special events retail liquor licenses to nonprofit qualifying organizations.

- (a) Definitions. As used in this section, the following words shall have the following meanings:
 - (1) Nonprofit Special Events Retail License. A license issued pursuant to subsection (b) for the sale of beer, wine, or liquor.
 - (2) Qualifying Organization. A bona fide nonprofit organization operating in the state that satisfies all the following requirements:
 - a. Operates without profit to the organization's members.
 - b. Is exempt from taxation under Section 501 of the Internal Revenue Code.
 - c. Satisfies at least one of the following requirements:
 - 1. Has been continuously in existence in the state for a minimum of three (3) years.
 - 2. Is affiliated with a parent organization that has been in existence in the state for a minimum of three (3) years.
 - 3. Has reorganized and is continuing its mission under a new name on file with the Secretary of State and with a new tax identification number after having satisfied the requirements set forth in either subparagraph 1 or 2.
- (b) License authorized. The City may issue a nonprofit special events retail license for the sale of beer, wine, and liquor to a qualifying organization.
- (c) Applications for nonprofit special events retail license.
 - (1) Applications for a nonprofit special events retail license shall be made with the city clerk at least 25 calendar days prior to the event on forms provided by the ABC Board and shall be verified by oath or affirmation of an officer or director of the qualifying organization who is authorized to do so.
 - (2) The applicant shall provide the City all of the following:
 - a. Documentation to show that the nonprofit is a qualifying organization.

- b. A notarized, signed statement of proper authority from the person signing the application.
 - c. Date, time, and address of the event location. The applicant may also include an alternate event date or location.
 - d. Documentation of authority for use of property for the requested event
- (d) A qualifying organization that applies for a nonprofit special events retail license shall not be required to provide evidence of liquor liability insurance.
 - (e) A copy of the State ABC License must be provided prior to the event.
 - (f) Nonprofit special event retail licenses are not renewable and are valid for a period not to exceed seven (7) days, and are issued upon terms and conditions as the board may prescribe.
 - (g) Donated alcohol. Beer, wine, and liquor may be donated by a non-licensed person.
 - (h) Applicants for a non-profit special events retail liquor license as described in section 2(a) shall not be required to submit an application fee but shall be required to pay the license fee imposed by subsection 3-15 (q) of the Code of Ordinance of the City of Jasper, Alabama.
 - (i) The Chief of Police shall not be required to conduct the full investigation of the application of such applicant as described in section 2(a) of this section; rather, the chief of police shall be authorized to conduct such investigation as he or she, or his or her designee, determines in his or her discretion is appropriate for such application.
 - (j) The notice and publication requirements of subsection 3-15(a) and (c) of this Code of Ordinances shall not apply to the application of an applicant described in section 2(a) of this section; provided, however, that the notice requirements of subsection 3-5 (b) of this Code of Ordinances, related to notice to nearby property owners, shall apply to such application.

Section 3. Section 3-15 (j) of the Code of Ordinance of the City of Jasper, Alabama, is hereby deleted.

Section 4. Section 3-15(i) of the Code of Ordinances of the City of Jasper, Alabama, is hereby amended to provide as follows:

- (i) Retail table wine license for on or off premises consumption. Each person licensed by the board to sell table wine at retail for on or off premises consumption under Section 28-3A-1 et seq. of the Code of Alabama shall pay to the city an annual license fee of seventy-five dollars (\$75.00).


Section 5. There is hereby added to the Code of Ordinances of the City of Jasper, Alabama, Section 3-15(q), which shall provide as follows:

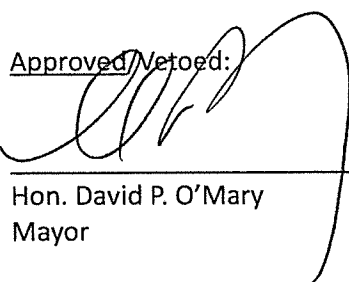
- (q) Special Event Retail Liquor License-Non-Profit. Each applicant who has obtained a special event retail license from the ABC Board under Section 28-3A-1 Code of Alabama as a qualified nonprofit, shall pay to the city a license fee of seventy five dollars (\$75.00). No such license shall be issued for a period greater than seven days (7) days.

Section 6. Effective Date. This Ordinance shall become effective upon its passage and publication in accordance with the laws of the State of Alabama.

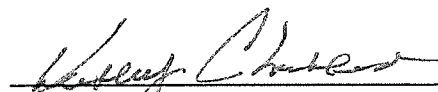
DONE AND ORDAINED, this the 2nd day of May, 2023.

CITY COUNCIL OF THE CITY OF JASPER, ALABAMA

By: 
Hon. Jennifer W. Smith
Council Presiding Officer

Approved/Vetoed: 
Hon. David P. O'Mary
Mayor

ATTEST:


City Clerk Kathy Chambless

Comments: Presiding Officer Smith praised five Maddox Intermediate students for their work and presentation on some of their concerns with Town Creek. The students made a PowerPoint presentation to outline the issues along with possible solutions. She thanked the Street Department for quickly addressing a downed tree.

Consider adjournment of the meeting.

Motion

Moved by Councilmember Cowen, seconded by Councilmember Moore 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

10:22 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