

**MINUTES OF THE MEETING OF
THE CITY COUNCIL OF
THE CITY OF ARAB, ALABAMA
JUNE 19, 2017**

The City Council of the City of Arab, Alabama, met in regular session at 6:30 p.m. for its regularly scheduled meeting on Monday, June 19, 2017, in Arab City Hall, the time and place scheduled for such meeting.

Mayor Bob Joslin called the meeting to order. Upon roll call, the following answered present:

MIKE ALLEN
MARK GULLION
CHRIS HARPER
JOHNNY HART
RENAE WARREN

Also present were Tony Willis (City Clerk), Summer Bixler (Administrative Assistant), Rodney Edmondson (City Attorney), representatives of the media, and the public.

Mayor Joslin declared a quorum present and opened the meeting for the transaction of business. Council Member Hart led the pledge of allegiance. The invocation was given by Council Member Allen.

The minutes of the June 5, 2017, regular meeting were approved by unanimous vote upon a motion made by Council Member Allen and seconded by Council Member Harper.

Council Member Allen moved to amend the agenda to include a change of dates of the July 2017 Arab City Council meetings as Item 8. (e) of the Agenda. Council Member Hart seconded and all voted yes.

Mayor Joslin then moved to staff reports. The Mayor calls on Tony Willis who gives the Financial Report for the month of May and answered general questions regarding same. Next, the Mayor calls on Police Chief Ralston who reported that cameras are currently being installed in the park area. Next the Mayor calls on Eric Hayes who reported that he has had many good comments on Disc Golf and has developed a map of the course. The Arab City pool will be hosting a countywide swim meet on Saturday. Next, Melissa Cook reported on the status of several grants the City has received including grants for traffic improvements on Main Street and industrial access grants as well as a grant for the splash pad. Dameon Pittenger then stated that building

permits have increased this month as have violations. Lastly, Helen Stone reported that they are working on a project on 12th Avenue and she also reported that the City has taken on bigger projects and is doing more special requests but really asks the City Council to look at requests for equipment from her department because it is needed.

There being no more staff reports, Mayor Joslin moved to board appointments. He stated that there is one board position on the Library Board due to the resignation of Ms. Judy Rhodes. Mayor Joslin opened the floor for nominations. Council Member Hart nominated Mr. George Pollock. Council Member Gullion nominated Ms. Carmen Milligan. Council Member Harper moved to close the nominations. Council Member Warren seconded and all voted yes. Upon roll call, Council Members Hart, Warren, Gullion, Allen and Harper voted yes to appoint Mr. Pollock. Based on the majority vote, Mayor Joslin then declared Mr. Pollock appointed to the Library Board.

There being no more staff reports or board appointments, Mayor Joslin moved to the first item of old business, a motion to amend the Arab Alcohol Beverage Ordinance. Council Member Gullion moved to suspend the reading. Council Member Warren seconded and all voted yes. Council Member Hart moved to suspend the rules. Council Member Harper seconded and all voted yes. Council Member Hart moved to approve the amendments to the ordinance. Council Member Harper seconded. On roll call vote, Council Member Allen voted no and all others voted yes and thus the amendments to the Alcohol Beverage Ordinance were approved.

The next item of old business was consideration of a request for conditional use of a parcel of land located at 911 Mount Oak Drive Northeast. The Mayor opens the floor for discussion. Council Member Hart stated that the Planning Commission recommended approval subject to conditions and asked why that was. Pat Henry, chairperson for the Planning Commission, was present. She reported how the ordinance was brought up and discussed by the Commission and reported that the 200 foot setback was for the purpose of protecting neighbors, rather than for the citizens as a whole. Council Member Hart also stated that one of his concerns was with ensuring all neighbors were informed and he now understands that has happened twice. He further says he was concerned about how the Planning Commission evaluated this matter and wanted to ensure it was done the same as any other such request. Member Don Clark also adds that he believes the Planning Commission needs to look at each request and that this particular requirement is primarily for protection of neighbors. He also says a daughter of the neighbor was present and indicated she

had no problems as well. Mr. Clint Maze, as he reported earlier to the Council, indicated that he and Angela have signed and notarized statement that even if Mrs. Shipp or any future owner of the property asks him to move back to the 200 foot setback, they will do so. Council Member Mike Allen confirms with Mr. Maze that any new neighbor can void the waiver at any time in the future. Council Member Hart asks City Attorney, Rodney Edmondson, for clarification on this information. Mr. Edmondson stated the Council can approve conditional use with a waiver of 200 foot setback on eastern property line, subject to the Mazes' certification of the right of any owner to void or withdraw the waiver. Council Member Warren commended the Maze family for coming forward but she still cannot support the request because she doesn't think approval should be subject to a "patch." Mr. Clint Maze then stated that he believes that a hardship would come to his neighbors if he were not allowed to get a waiver of the 200 foot setback due to his special circumstances. He believes that this precedent is a good one for the City. Council Member Harper stated that he believes the Council must look at what is reasonable and he believes this is a very reasonable request. With no other person seeking permission to speak on the matter, Council Member Hart moved to approve the conditional use, subject to the waiver of the 200 foot setback on the eastern property-line shared with Mrs. Shipp and further subject to said waiver being "voidable" by Mrs. Shipp or any future owner. Council Member Allen seconded. Council Member Warren voted no and all others voted yes and the Mayor declared the conditional use, subject to the restrictions mentioned, approved.

There being no more old business, Mayor Joslin moved to the first item of new business, a public hearing regarding the close-out of the Community Development Block Grant (CDBG) obtained by the City for Highway 231 sewer system expansion. The Mayor opens the floor for a public hearing. No one present requested to speak on the matter and therefore the Mayor closed the public hearing.

The second item of new business was a public hearing regarding consideration of an application submitted by J and C Sanchez, LLC, DBA Fire Grill 231, located at 163 North Brindlee Mountain Parkway, requesting issuance of a Restaurant Retail Liquor Class I License. The Mayor opens the floor for a public hearing. With no one requesting to speak on the matter, the Mayor closed the public hearing. Council Member Hart then moved to approve the application as recommended by the Alcohol License Review Committee. Council Member Allen seconded and all voted yes.

The third item of new business was the consideration of an application submitted by New Life Church for the requested use of three (3) temporary signs. The Mayor then opens the floor for discussion. Council Member Gullion states that he is ok with the bucket truck with the temporary signs in front of it but not the portable signs. Council Member Allen then moved to approve the temporary signs requested by New Life Church for the use of the Bucket Truck with temporary signs around and on it as indicated (as long as otherwise in compliance with the sign ordinance). Council Member Gullion seconded. Upon roll call, Council Members Hart, Warren, Gullion, Allen and Harper all voted yes.

The fourth item of new business was a resolution of declaration of surplus of certain equipment and items from city inventory. Council Member Allen moved to suspend the reading of the resolution. Council Member Harper seconded and all voted yes. Council Member Allen moved to suspend the rules. Council Member Hart seconded and all voted yes. Council Member Gullion then moved to approve the resolution. Council Member Hart seconded and all voted yes.

The last item of new business was an amendment to change the dates of the Arab City Council meetings for July 2017. Council Member Warren then moved to change the meeting dates for July 2017 to July 10th and July 24th, 2017. Council Member Allen seconded and all voted yes.

With no more new business to address, Mayor Joslin then opened up the floor for public comment. Mr. Dwight Tipton commented that Arab High School scored the 6th highest in the State on ACT testing and he commended the City Council on a great school system. Since no one else sought recognition, Council Member Allen moved to adjourn the meeting. Council Member Hart seconded and all voted yes.