

**THE MINUTES OF A REGULAR MEETING
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GUNTERSVILLE, ALABAMA
HELD ON DECEMBER 20th 2021**

Council met in a pre-meeting at 4:30 p.m. Dan Warnes advised the Council that there is a need to discuss possible litigation and that he advised the Council to go into Executive Session to discuss. Motion to go into Executive Session was made by Councilman Russell, seconded by Councilman Dink Myers and passed unanimously on a roll call vote at 4:48 p.m. The Council came out of Executive Session at 5:03 p.m. on a motion made by Councilman Russell and seconded by Councilman Dink Myers and passed unanimously by a voice vote. In a regular meeting in Town Hall at 5:00 p.m. Mayor Leigh Dollar presided as Chairman of the meeting. The following members of the Council were present: Sanchez Watkins, Larry Wilson, John Myers, Carson Ray, Dink Myers, Rich Russell and Randy Whitaker. Betty Jones acted as City Clerk for the meeting. The Pledge of Allegiance was led by Councilman Randy Whitaker. Mayor Dollar welcomed visitors and declared that a quorum was present and opened the meeting for business.

Minutes

Mayor Dollar announced that copies of the minutes from the December 7th Regular Meeting have been distributed to the members of the Council. There being no corrections or additions the same on motion duly made and second stood approved.

Personnel Report – Mayor Dollar called on Renea Rowan to give the following Personnel Report:

Police Department: An interviewing committee has selected Jeremiah Gallaway to replace the open position of Police Officer. Mr. Gallaway accepted our job offer and began his employment as a full-time employee today, 12/20/21. Following an interviewing process, Chief Jim Peterson recommends the promotion of Sergeant Justin Young and Sergeant Ryan Bradford to the position of Lieutenant. These promotions shall be effective 12/26/21.

Fire Department: Following the Fire Departments promotional procedures, Chief Brian Waldrop recommends the promotion Firefighter Michael Varnell to the position of Engineer, Engineer Ben Lang, to the position of Lieutenant, and Lieutenant Stewart Mann to the position of Captain. These promotions shall be effective 12/26/21. Motion to approve was made by Councilman Russell and seconded by Councilman Dink Myers and passed unanimously by a voice vote of all Council Members present

Resolution to accept Endo Pharmaceuticals Settlement

Mayor Dollar introduced **Resolution No. 1235** to accept a settlement from Endo Pharmaceuticals Inc for the opioid litigation that has been ongoing and being handled by Beard and Beard. This is the first settlement in the amount of \$33,714.00. Motion to approve was made by Councilman Ray and seconded by Councilman Russell and passed unanimously by a voice vote of all Councilmembers present.

Resolution to Accept Bid for Lap Pool and Kiddie Pool Renovations and New Pool Slide

Mayor Dollar introduced **Resolution No. 1236** to accept a bid for lap pool and kiddie pool renovations and a new pool slide. Bids were sought and publicly opened. Low bidder was Turcho LLC DBA Pools Plus with a bid of \$123,400.00 for the lap pool, \$47,900.00 for the kiddie pool and \$132,750.00 for the slide for a total of \$304,050.00. This amount will be covered in the Recreation Center budget for this year. Motion to approve was made by Councilman Watkins and seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

Resolution for Demolition of 1908 Brown Street

Mayor Dollar called on Cheryl Smythe and Jimmy Hanson to report on the demolition of 1908 Brown Street. They reported that due to the unsafe building, Jimmy Hanson recommends the demolition according to international building code (City Ordinance No. 935). There are stress cracks, unsafe roof with holes, rain in the building and no electricity. The Council was shown several pictures of the building with the collapsed roof and cracked walls in the Council premeeting. Councilman Whitaker made a motion declaring the building unsafe and a public nuisance and that it be demolished. Council Dink Myers seconded and **Resolution No. 1237** was passed by a voice vote of all Councilmembers present.

Annexation Request by Clifford Kenamer

Mayor Dollar introduced an ordinance to annex property located at 21157 US Hwy 431 at the request of Clifford Kenamer. This annexation was recommended unanimously by the Planning Commission. This is the first reading of the Ordinance and it will be carried over to be considered at the next Council Meeting.

Rec Center Phase I Change Order

Mayor Dollar called on Garrett Younanian of Barge Design Solutions to report on a Recreation Center Phase I Change Order. Mr. Younanian reported that he currently had a change order from Phase I of \$79,358.00 that had started out in April 2020 of a cost savings to the City of \$5,7536.00 and it had progressed to a figure of an extra cost of \$90,887.00. He stated that this was part of a delegated design on the contractor and was not a design by Barge. Typically, a change order must be approved before the work is done and the contractor went ahead with the work without approval of the City and now with credits asking for \$79,358.00. Council asked why this was not submitted to the Council and Mr. Younanian stated that the contractor had never provided the documents to him to present to the Council for the increased costs. He stated that this began in April 2020. The Council questioned the number of days the contractor was over on completion and Mr. Younanian reported that was 264 days, from February 2021 to October 2021. Mr. Younanian stated again that the request was made in March 2020 but documentation was not received and was not forwarded to the Council due to lack of information. Councilman Russell made a motion to table and invite the contractor to explain. The motion was seconded by Councilman Whitaker and passed by a voice vote of all Councilmembers present.

Public Hearing for Buffalo Eddie’s Pour House

Mayor Dollar announced this portion of meeting would serve as a Public Hearing for a Restaurant Liquor License for Aqua Restaurant located at 2140 Gunter Avenue, Guntersville AL 35976 (due to a change in ownership). No one spoke in opposition or support. Motion to approve the license was made by Councilman Russell and seconded by Councilman Watkins and passed by the following roll call vote:

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|--------------------|-----|-------------------|---------|
| 1. Sanchez Watkins | Yes | 5. Dink Myers | Yes |
| 2. Larry Wilson | Yes | 6. Rich Russell | Yes |
| 3. John Myers | Yes | 7. Randy Whitaker | Abstain |
| 4. Carson Ray | Yes | 8. Leigh Dollar | Yes |

Public Hearing for Buffalo Eddie’s Pour House

Mayor Dollar announced this portion of meeting would serve as a Public Hearing for a Lounge Liquor License for Buffalo Eddie’s Pour House located at 2140 Gunter Avenue, Guntersville AL 35976 (due to a change in ownership). No one spoke in opposition or support. Motion to approve the license was made by Councilman Dink Myers and seconded by Councilman Watkins and passed by the following roll call vote:

- | | | | |
|--------------------|-----|-------------------|---------|
| 5. Sanchez Watkins | Yes | 5. Dink Myers | Yes |
| 6. Larry Wilson | Yes | 6. Rich Russell | Yes |
| 7. John Myers | Yes | 7. Randy Whitaker | Abstain |
| 8. Carson Ray | Yes | 8. Leigh Dollar | Yes |

Public Hearing for The Blow Dry Bar

Mayor Dollar announced that this portion of the meeting would serve as a Public Hearing for an On and Off Premise Wine and Beer License for the Blow Dry Bar located at 501A Blount Avenue, Guntersville AL 35976. No one spoke in opposition or support. Motion to approve the license was made by Councilman Dink Myers and seconded by Councilman John Myers and passed by the following roll call vote:

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|--------------------|-----|-------------------|---------|
| 1. Sanchez Watkins | Yes | 5. Dink Myers | Yes |
| 2. Larry Wilson | Yes | 6. Rich Russell | Yes |
| 3. John Myers | Yes | 7. Randy Whitaker | Abstain |
| 4. Carson Ray | Yes | 8. Leigh Dollar | Yes |

Public Hearing for Working Late Lounge

Mayor Dollar announced that this portion of the meeting would serve as a Public Hearing for a Lounge Liquor License for Working Late Lounge LLC located at 12361 US Hwy 413, Guntersville AL 35976 (due to a change in ownership). No one spoke in opposition and the owner Jeremy Davis spoke in support stating that he was a 15-year veteran that planned to retire from the military and own the lounge. Motion to approve the license was made by Councilman Russell and seconded by Councilman Dink Myers and passed by the following roll call vote:

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|--------------------|-----|-------------------|---------|
| 1. Sanchez Watkins | Yes | 5. Dink Myers | Yes |
| 2. Larry Wilson | Yes | 6. Rich Russell | Yes |
| 3. John Myers | Yes | 7. Randy Whitaker | Abstain |
| 4. Carson Ray | Yes | 8. Leigh Dollar | Yes |

Announcements

- City will close Thursday 23rd and Friday 24th for Christmas and Friday the 31st for New Years
- The next Council Meeting will be held January 3rd 2022 at 12:00 NOON

Public Comments

- Randall Vickers of 5159 AL Hwy 227, chairman of the Freedom Park spoke to the Council stating that he had heard rumors that the group planned to build a building at the requested site and that was not true. Also, Mr. Vickers heard that there were numerous calls for and against the project and wished to know if the calls were being logged.

There being no further business to come before the Mayor and Council at this time, the meeting on motion duly made and seconded, stood adjourned until January 3rd 2022 at 12:00 p.m.

PASSED, APPROVED AND ADOPTED THIS THE 3rd DAY OF JANUARY, 2022

**CITY OF GUNTERSVILLE, ALABAMA
A MUNICIPAL CORPORATION**

LEIGH DOLLAR, MAYOR

ATTEST: _____
BETTY JONES, CITY CLERK