

**THE MINUTES OF A REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GUNTERSVILLE, ALABAMA  
HELD ON JANUARY 3<sup>rd</sup> 2023**

The Mayor and City Council of the City of Guntersville, Alabama met in a pre-meeting in the Guntersville Public Library Auditorium in said city on January 3<sup>rd</sup> 2023 at 11:30 a.m. to discuss matters to come before the Council. In a regular meeting in the Library Auditorium at 12:00 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 12<sup>th</sup> 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 upon Renea Rowan to give the Personnel Report:

**Recycling Department**

Jamie Bishop, Interim Sanitation Supervisor, recommended Ms. Salacy Woody to fill the open position of Laborer. Ms. Woody accepted our job offer and began employment as a full-time employee on 12/19/22.

**Street/Maintenance Department**

Charlie Minor, Street/Maintenance Supervisor, recommended Mr. Lamin Johnson-Moore to fill the open position of Laborer. Mr. Moore accepted our job offer and he began employment as a full-time employee on 12/19/22. Motion to approve was made by Councilman Whitaker and seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

**Resolution to Approve Contract with Cadence Equipment Finance**

Mayor Dollar introduced **Resolution No. 1292** to approve a contract with Cadence Equipment Finance for the purchase of equipment for the Public Works Department. This has been done in a previous meeting; however, Cadence Bank required a certain resolution and on advice of counsel, the Council is passing their recommended resolution. Motion to approve was made by Councilman Whitaker and seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

**Resolution to Approve Lien on Property Located at 1721 Williamson St**

Mayor Dollar introduced **Resolution No. 1293** to approve a lien (fixing cost of demo) on property located at 1721 Williamson Street in the amount of \$7,667.70. Cheryl Smythe reported to the Council that she had sent out notices to 5 persons that the property would be demoed and that a lien would be affixed. She reported that the notices had started going out in July and the procedure had been followed each step of the way when all notices were sent to the 5 persons. There were no responses from anyone until today.

Mr. Buford Fennell of Hixon, Tennessee stated that he had not received any packet of information. Mr. Fennell said he signed two notices but did not remember a 21-page packet. Ordinance Enforcement Officer Cheryl Smythe showed Mr. Fennell the signature receipt at his address and he stated that was his daughters’ signature. He still insisted he should have been notified even though his daughter signed for the packet at his address. Councilman Whitaker stated the City would have no way of knowing that he wasn’t notified if the packet was delivered at his address and a signature receipt was returned to the City. Cheryl Smythe shared all of the signed receipts signed by a Mr. Fennell at the address to the Council members. Mr. Fennell stated that he got a notice stating the house would be torn down and there would be a charge of \$10,000. Mrs. Smythe stated original packet went out July 27<sup>th</sup> 2022 and was signed for at his address on July 29<sup>th</sup>. Mayor Dollar stated that the notifications went out in July and with no response, the action was taken to demo the unsafe house.

Councilman Russell asked Mr. Fennell what he wanted out of this meeting? He said he wanted to keep the property. Mayor Dollar stated that this would put a lien on the property for the cost of \$7,667.70. Dan Warnes explained that Mrs. Smythe had followed the law exactly and he had done a title search to determine who the heirs might be and notices were sent to persons who could be interested that the building had become unsafe and that give the heirs opportunity to act to correct. If the heirs do not correct, then the City must act. There was no response from the notices the next step is to sell the property in order to recoup the City cost of demolition. It will be offered for sale and that anyone can purchase the land for a minimum bid of \$7,667.70. If it sells for more the excess will be distributed to the heirs. If no one bids, the City will bid. The property will be advertised for 3 weeks and wait 30 days to sell.

Karen Fennell Polk of 1527 Carlisle stated that there was an executor over everything and the executor who was her sister mishandled everything. She stated she had paid the property taxes and that found out a bank had a lien on the property. Councilman Russell asked Mrs. Polk to investigate to find out if the executor was bonded and perhaps the bonding company could help with the mishandling. Mrs. Polk stated that she had received the notices. She also confirmed with Rebecca Fennell who was also at the meeting that she had received notices and Rebecca Fennell said she had received notices. Mrs. Polk stated again that the executor had failed to do her duty.

Councilman Whitaker made a motion to approve **Resolution No. 1293** and it was seconded by Councilman Dink Myers. Councilman Russell asked about extending the time before the sale and Councilman Whitaker amended the time frame to 60 days later to try to pay the lien or make some arrangements. Councilman Dink Myers agreed and it was passed unanimously by a voice vote of all Councilmembers present.

**Request by the City to Annex Property Located at 105 Buck Island Drive**

Mayor Dollar introduced an ordinance to annex property located at 105 Buck Island Drive at the request of the City. This is City property at the Airport that was deeded to the City by Ace. This annexation has been approved by the Planning Commission. It is part of the Airport and needs to be in the City. Mayor Dollar read a portion of the description of the property with the remainder to be included as if set out in full. Motion for Immediate Consideration was made by Councilman Russell and seconded by Councilman John Myers and passed unanimously by a roll call vote:

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

Mayor Dollar announced that this will be zoned as I-1 and entertained a motion to annex. Motion was made by Councilman Ray to annex by **Ordinance No. 1138** and was seconded by Councilman Russell and was passed unanimously by a voice vote of all Councilmembers present.

**Public Hearing for Moody Brews Coffee & Lounge**

Mayor Dollar announced that this portion of the meeting will be a Public Hearing for Moody Brews Coffee & Lounge LLC DBA Moody Brews Coffee & Lounge for a On and Off Premise Beer and Wine License Located at 385 Gunter Ave, Guntersville AL 35976. No one spoke in opposition or support. Motion to approve was made by Councilman Ray and seconded by Councilman Watkins and passed by the following roll call vote:

- |                    |     |                   |         |
|--------------------|-----|-------------------|---------|
| 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 Ewin Properties DBA Pizza ED**

Mayor Dollar announced that this portion of the meeting will be a Public Hearing for Ewin Properties DBA Pizza ED for a On and Off Premise Beer and Wine License located at 373 Gunter Ave, Guntersville AL 35976. No one spoke in opposition or support. Motion to approve was made by Councilman Ray and seconded by Councilman Watkins and passed by the following roll call vote:

- |                    |     |                   |         |
|--------------------|-----|-------------------|---------|
| 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 David Busha DBA Bucks Lounge**

Mayor Dollar announced that this portion of the meeting will be a Public Hearing for David Busha DBA Bucks Lounge for a Lounge Liquor License Located 12470 US Hwy 431, Guntersville AL 35976. No one spoke in opposition. Mr. Busha spoke in support stating that this had been his dream to own and thanked the Council for their support. Motion to approve was made by Councilman Dink Myers and seconded by Councilman John Myers and pass by the following roll call vote:

- |                    |     |                   |         |
|--------------------|-----|-------------------|---------|
| 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     |

**Set a Public Hearing for Braxton LLC DBA Wake Eatery**

Mayor Dollar entertained a motion to set a Public Hearing on Feb 17 for Braxton LLC DBA Wake Eatery Located at 2485 Paddle Wheel Drive for a Restaurant Liquor License. Motion was made by Councilman Whitaker and seconded by Councilman Ray and passed unanimously by a voice vote of all Councilmembers present.

**Set a Public Hearing for DML Enterprises DBA Jax Bar & Grill**

Mayor Dollar entertained a motion to set a Public Hearing on Feb 17 for DML Enterprises DBA Jax Bar & Grill Located at 1525 Blount Avenue for a Restaurant Liquor License. Motion was made by Councilman Whitaker and seconded by Councilman Dink Myers and passed unanimously by a voice vote of all Councilmembers present.

**Big Brothers Big Sisters Proclamation**

The Big Brothers Big Sisters Proclamation on the agenda will be presented next Council Meeting. The representative cancelled attending due to the weather.

**Announcements:**

Mayor Dollar announced that the next Council Meeting already set for February 17<sup>th</sup> due to the Martin Luther King Fr Holiday will be held in Town Hall because the floors are expected to be finished.

**Public Comments**

Linda Harber of 3018 Woodvue stated that she had 3 questions:

1. Is there a location to find the Agenda? Mayor answered yes, she would show her where to find it.
2. A teacher was fired for not following procedure. Does a lawsuit result from that affect the City? Mayor answered that the School System is a separate entity.
3. The 1% sales tax increase that the county imposed, can the amount going to the Guntersville schools be refunded? Mayor answered that the County followed a State law that allowed them to tax the cities one time and split it among the school systems. The Guntersville city school system will only receive 10%-11% of the one cent. Mrs. Harber asked that the City consider reducing the amount the City gives the school system.

**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 17<sup>th</sup> 2023 at 5:00 p.m. at the Guntersville Town Hall**

**PASSED, APPROVED AND ADOPTED THIS THE 17<sup>th</sup> DAY OF JANUARY, 2023**

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

\_\_\_\_\_  
**LEIGH DOLLAR, MAYOR**

**ATTEST:** \_\_\_\_\_  
**BETTY JONES, CITY CLERK**