

**THE MINUTES OF A REGULAR MEETING  
OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GUNTERSVILLE, ALABAMA  
HELD ON MARCH 20<sup>th</sup> 2023**

The Mayor and City Council of the City of Guntersville, Alabama met in a pre-meeting in City Hall in said city on March 20<sup>th</sup> 2023 at 4:30 a.m. to discuss matters to come before the Council. Afterwards in a regular meeting in Town Hall at 5:00 p.m. Mayor Pro Tem Randy Whitaker presided as Chairman in the absence of Mayor Dollar. 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 Pro Tem Whitaker announced that copies of the minutes from the March 6<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 Pro Tem Whitaker called upon Renea Rowan to give the Personnel Report:

**Police Department:** At the recommendation of Deputy Chief Ryan Darnell, and approval of Chief Jim Peterson, a job offer was made to Mr. Jaih’el Chavers for the position of Certified Police Officer. Mr. Chavers accepted the offer and is scheduled to start his employment with us on 4/10/23.

**Sanitation/Recycling:** Renea Rowan, Councilman Watkins, and Mayor Dollar recently conducted interviews to fill the open position of Refuse Manager (formally Sanitation Supervisor). The committee selected Mr. Jamie Bishop. Mr. Bishop has been serving as the Interim Supervisor. Mr. Bishop accepted the Mayors offer and we recommend this change be effective as of today, 3/20/23. Motion to approve was made by Councilman Watkins and seconded by Councilman Ray and passed unanimously by a voice vote of all Councilmembers present.

**Resolution to Surplus Items for the Recreation Center and Public Works**

Mayor Pro Tem Whitaker introduced **Resolution No. 1303** to surplus the following items to then be sold on govdeals.com:

**Parks & Recreation Department**

2001 Chevrolet Silverado 1500 VIN: 1GCEC14V91Z290261

2003 Ford F-150 VIN: 2FTRF17W23CA44598

2002 Chevrolet S-10 VIN: 1GCCS145328152300

2000 Kawasaki Mule 3000 SERIAL: JK1AFCG151B501307

**Public Works Department**

1998 Model H 40XM Forklift Vin# F177567409V 4,000 lb lift capacity Diesel engine

Motion to approve was made by Councilman Dink Myers and seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

**Resolution to Approve Lien (Fixing Cost of Demo) on Property Located at Old Alabama Highway 205**

Mayor Pro Tem Whitaker introduced **Resolution No. 1304** to approve a lien (fixing cost of demo) on property located at Old Alabama Highway 205 and called on Ordinance Enforcement Officer Cheryl Smythe to report. Mrs. Smythe stated this issue has in fact taken between 2 and 3 years to resolve. The cost of the lien is \$9,709.11 which includes the demolition, surveys, numerous notification processes, and attorney fees. The families of Bagwell, Moses and Pell have been notified. Melanie Moses of 5144 Pleasant Grove Road stated she had been notified for 3 years and the property does not belong to her and she did not know why she was here. Susan Pell of 213 Chaffin Road, Horton stated she felt the same way and that it was not hers. Both women knew about the house and stated that no one had lived there as long as they could remember (four generations) and that it is unclaimed.

City Attorney Dan Warnes stated the both owners of adjoining land claimed the house was not theirs. The County Court records could not tell who the owner was and that in 1959 T. E. Duncan had carved out a piece of each side where this house is and no taxes were ever paid on it. Brandon Allen Surveys have completed surveys and cannot make a determination. The City notified all concerned that could be found that this abandoned home was falling down and was a danger to the public, therefore, it was torn down. The Court will have to clarify the ownership at a later date. Mr. Warnes stated the City will impose a lien and at the proper time hold an auction to satisfy the lien. If no one purchases the property at that time then the City will purchase the lien and it will become City property. This land is not marketable and the court will have to decide at a later date the description of this land. Motion to approve was made by Councilman Russell and seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

**Approve the Final Change Order on the Gym, Roofs and Restroom Project**

Mayor Pro Tem entertained a motion to approve the final change order on the gym, roofs and restroom project and called on Matt Bryant to report. Mr. Bryant stated this was the final change order with credits taken and additional items added for a cost of \$6,536.14. The additions were 2 emergency lights, awning over 3 exits, power for bleachers and scoreboards and hand rails. These items could not be determined until the end of the project. Motion to approve was made by Councilman Ray and seconded by Councilman Dink Myers and passed unanimously by a voice vote of all Councilmembers present.

**Public Hearing for a Rezoning Request by Georgi Bragg**

Mayor Pro Tem Whitaker announced that this portion of the meeting would be a public hearing for a rezoning request by Georgi Bragg to rezone property located at 6 Woodvue Road from RS-2 to BG-1. Jimmy Hanson was absent and Mayor Pro Tem Whitaker asked Councilman Larry Wilson to report from the Planning Commission. Councilman Wilson reported that the rezoning had been turned down by the Planning Commission on a 4 to 1 vote citing the business rezoning was not consistent with a neighborhood of homes and would erode the boundaries. Also, another factor is that there was only 1 exit to this area.

Mayor Pro Tem Whitaker opened the floor for comments in Opposition.

- Bert Boykin of 2001 Park Place, Charles Langford of 4005 Wildwood Road, Susan Pell of Horton, Linda and Andy Harber of 2018 Woodvue Road S, Randy and Renee Norman of 3025 Woodvue Road all spoke against the rezoning citing safety issues with the ramp speed, the amount of traffic increase to an already dangerous intersection, that it was not consistent with the residential neighborhood and that it would devalue the properties.

Mayor Pro Tem Whitaker asked if there were no more in opposition, would anyone like to speak in support:

- Dr. Matthew Ticola stated he wished to put his pediatric dentist office on the property and that he was only there to help people not hurt them.
- Adam Weiger stated this would be a \$2 million investment with a 4,000 ft one story office. He stated this sets a precedence for properties facing 431 that should be zoned business.

Councilman Ray asked for a site plan and asked where would you tie on to the sewer. Realtor Adam Weiger asked that the rezoning take place and then they would spend the \$30,000-\$40,000 to get a plan. Councilman Ray asked if they were willing to get more information or do we vote on what we have? They said to vote on this information.

Councilman Russell stated that he considered the exit ramp too fast and that ramp was a major concern for him.

Councilman Dink Myers wanted to table for two weeks and asked if the doctor did not use it for business would it revert to residential? Councilman Dink Myers made a motion to table and it died for lack of a second.

Councilman Wilson made a motion to deny the rezoning which was seconded by Councilman Russell and the clerk recorded the following roll call vote:

1. Sanchez Watkins	Yes	5. Dink Myers	No
2. Larry Wilson	Yes	6. Rich Russell	Yes
3. John Myers	Yes	7. Randy Whitaker	Yes
4. Carson Ray	Yes	8. Leigh Dollar	Absent

**Consider a Special Event License for Mosley Monogram**

Mayor Pro Tem Whitaker entertained a motion to consider a special event license for Mosley Monogram, LLC for an event at Civitan Park located 1120 Sunset Drive, Guntersville for the City of Guntersville’s 175<sup>th</sup> Birthday Celebration.

Motion to approve was made by Councilman Russell and seconded by Councilman John Myers and passed on 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	Yes
4. Carson Ray	Yes	8. Leigh Dollar	Absent

**Announcements:**

- Spring Fling by Downtown Merchants April 15<sup>th</sup>
- Art on the Lake will be April 15<sup>th</sup> and 16<sup>th</sup>
- Chamber Banquet will be April 20<sup>th</sup> at the Harbor Event Center
- Guntersville’s 175<sup>th</sup> Birthday Celebration will be April 21<sup>st</sup> at Civitan Park

**Councilman Whitaker read the following statement concerning the article in the Advertiser-Glean concerning the new County tax:**

First of all, the paper reported that I wanted the new county .1 cent sales tax to go strictly for capital improvements which I do and I don’t make any apologies for that.

The reason for that comment is for long term planning for future school construction, I don’t want the School Board coming back to any future Council about additional funding when they want to build a new school.

If you will remember, before the current new high school was bid, the enter School Board and the previous Superintendent all but demanded they needed a full .1 cent sales tax to build the high school. As it turned out, after the ad valorem tax vote failed, and then the new Superintendent was hired (Jason Barnett) along with the Mayor (who is a CPA) calculated that it was possible to build the school with the half cent all earmarked for Capital Improvements and with a “tightening of the belt” for the school system. Not only that, the Superintendent told me in a conversation that we have I believe 5 months of operating reserve which is much more than the state requires and much more than we’ve had in a while.

Where the Advertiser-Glean misunderstood the Mayor and I’s discussion at the last Pre-Council Meeting was on the raises of members of the Central Office. The Mayor an I had switched and were talking about the 12.5 mil ad valorem tax that was approved by the voters in the early 60’s for the construction of Carlisle Park School. After that school was paid off the 12.5 mills would end, but the school School Board at that time put it on the ballot and was voted to approve to permanently keep the 12.5 mills, but the wording that went on the ballot was that it could be used for any educational needs, not just Capital Improvements.

That is what the Mayor was talking about when she said that quote “I have read the act, though and that’s not entirely how the money can be used.” All this was about the 12.5 mills, not the half cent sales tax for Capital Improvements.

So the Central Office raises were out of the “operating funds” which now include the 12.5 mills which they are paid out of along with other operating expenses.

**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 April 3<sup>rd</sup> 2023 at 5:00 p.m. at the Guntersville Town Hall**

**PASSED, APPROVED AND ADOPTED THIS THE 3<sup>rd</sup> DAY OF APRIL, 2023**

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

**RANDY WHITAKER, MAYOR PRO TEM**

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