

**Regular Meeting of the Mayor and City Council of the
City of Guntersville, Alabama
Monday, March 4th 2024 at 12:00 p.m.
AGENDA**

The Mayor and City Council of the City of Guntersville, Alabama met in a pre-meeting in the Conference Room at City Hall in said city on March 4th, 2024 at 11:30 a.m. to discuss matters to come before the Council. In a regular meeting at the Guntersville Town Hall 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 was present and acted as Clerk for the meeting. Councilman Randy Whitaker led the Pledge of Allegiance. Mayor Dollar welcomed visitors, declared that a quorum was present, and opened the meeting for business.

Minutes

Mayor Dollar announced that copies of the minutes from the February 19th Regular Meeting have been distributed to the members of the Council. There being no corrections or additions to the minutes, there was a motion to approve made by Councilman Whitaker, seconded by Councilman Dink Myers passed unanimously by a voice vote of all Councilmembers present.

Personnel Report: Mayor Dollar called on Renea Rowan who gave the following Personnel Report:

Sanitation: Mr. Junior Kip Croft and Mr. Billy Pleasant was selected by Refuse Manager, Jamie Bishop to fill the open position of Laborer. Both applicants accepted our job offer and began their employment as full-time employees on 2/19/2024. There was a motion to approve made by Councilman Russell, seconded by Councilman Dink Myers and passed unanimously by a voice vote of all Councilmembers present.

Approve Application for Assistance to Firefighters Grant

Mayor Dollar introduced **Resolution No. 1369** to approve application for the AFG Assistance to Firefighters Grant. Chief Walls explained that he was applying for a fitness grant of \$69,118.00 with a City match of \$2,862.76. If awarded, this would cover \$15,600.00 in physical and mental health evaluations and \$57,255.24 in fitness equipment to enhance the current program. There was a motion to approve made by Councilman Whitaker, seconded by Councilman Watkins and passed unanimously by a voice vote of all Councilmembers present.

Address Breached Agreement for 3605 Smith Street

Next item on the agenda was to address the breached agreement from Resolution No. 1290 concerning 3605 Smith Street. Mayor Dollar announced that the Building Official and the City Attorney had received no response since the last Council Meeting on a timeline agreement. Councilman Russell had made it clear in the last Council Meeting that a timeline must be in an agreement and if any deadlines were missed the project would be halted and the building torn down. A new agreement was expected at this meeting. Councilman Whitaker made a motion to table and another letter be written to the owner and his lawyer expressing there must be a timeline and it must be adhered to. Councilman Russell seconded the motion and it passed unanimously by a voice vote of all Councilmembers present.

Ordinance authorizing Issuance by the City of its \$19,665,000 Aggregate Principal Amount General Obligation Warrants, Series 2024

Mayor Dollar called on Bob Young to discuss the City's proposed \$19,665,000.00 aggregate principal amount General Obligation Warrants, Series 2024. Mr. Young advised the council that the ordinance being considered by the Council for these warrants needed immediate consideration and then a vote to approve the ordinance. Mr. Young explained the rate is 4.12% over 30 years and the rate was based on the "AA minus" rating of the City. Mr. Young stated this rating is based on the economy and the city finances and that the Mayor and Council had done an excellent job as good stewards of the city money. Mr. Young complimented the Mayor for sending a video of the City to the bond rating committee.

Mr. Young also explained to the council that the rate is for the life of the warrant. It will not go up if rates increase, and if rates decrease the city would have an opportunity to refinance at a lower rate. Rod Kanter of Bradley Arant explained that the ordinance is similar to others approved by the Council when authorizing long term general obligation debt. He explained that if the City desired to refinance at a lower rate then it could do so after passage of the first ten year "call protection" period. Mayor Dollar asked if anyone in the audience wished to speak and no one spoke.

Motion for immediate consideration was made by Councilman Whitaker, seconded by Councilman John Myers. Councilman Wilson stated that this money could be used for the Veterans Park and Mayor Dollar listed the projects that it could be used for such as the Phase II Recreation, Senior Center, Rotary Cabin, Kawinis Pier and Pavilion and various park improvements. The City Clerk recorded 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	Yes

Councilman Russell stated that the vast majority of the income for the City comes from sales, lodging and alcohol taxes and as a result of visitors, the City is investing in taking care of infrastructure and the repair of buildings and piers will continue to bring tourist to sustain the City and it is a wise decision to bring prosperity. Councilman Whitaker stated that our current reserves are invested in rates higher than the cost of these warrants.

Motion to adopt **Ordinance No. 1150** was made by Councilman Ray, seconded by Councilman Watkins 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	Yes

Clase Azul Night Club & Bar Sales Tax/Business License

Mayor Dollar called on Jose Cepeda of Clase Azul Night Club & Bar 12361 US Hwy 431 S to report on sales tax/business license issue from the last meeting. Mr. Cepeda reported to the Council in writing that he had a payment plan worked out with Cassandra Miller of Avenu. Payments are to be drafted out of Redstone Federal Credit monthly and be paid off by 1/28/25, however he stated that expected to pay off much earlier. Mr. Cepeda has hired an accountant to file the taxes. Councilman Russell and Councilman Whitaker emphasized that he must pay the monthly tax on time in addition to paying the payment on the amount in arrears. Councilman Russell made a motion to authorize the City Clerk to issue the license, seconded by Councilman Wilson passed unanimously by a voice vote of all Councilmembers present.

Public Hearing for D Ray Enterprises

Mayor Dollar announced that this portion of the meeting will be a Public Hearing for D Ray Enterprises LLC DBA D Ray Enterprises Located at 2320 Taylor Street, Guntersville, AL 35976 for a Special 360 Retail License. No one spoke in opposition or support. Motion to grant license was made by Councilman Wilson, seconded by Councilman Dink Myers 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 |

Rezone Request for Property Located at 450 Reed Rd

Mayor Dollar announced a rezone request for Quoc Van Tran and Jessica T Tran for Property Located at 450 Reed Road from RS1 to RM1 had been withdrawn in writing and the public hearing was cancelled.

Special Event License for The Cottage

Mayor Dollar entertained a motion to consider a special event license for Creel Catering Cottage LLC DBA The Cottage for The Book Club located at Guntersville Town Hall 340 Blount Avenue, Guntersville on April 12th 2024. Motion to approve license was made by Councilman Dink Myers, seconded by Councilman Wilson 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 |

Approve Voting Delegates for League Meeting

Mayor Dollar entertained a motion to approve the Voting Delegates for the upcoming League Meeting. Mayor Dollar is listed with Councilman Whitaker 1st alternate and Councilman Dink Myers 2nd alternate. There was a motion to approve made by Councilman Ray, seconded by Councilman John Myers and passed unanimously by a voice vote of all Councilmembers present.

Announcements:

- Go vote tomorrow
- Wild Irish Run March 16th

Public Comments:

- Joel Kennamer commented that the council has one duty and that is to do what is lawful. He stated the city had exceeded the debt limit starting two years ago and was approaching \$100 million in debt when the limit for the City is under \$50 million. Mr. Kennamer stated the voters turned down the new school and by taking money from the school system to pay for the bond for the school it took money away from the schools is not a new revenue source. You will have to raise taxes or reduce city services. Mr. Kennamer stated when the harbor property was surplusd, it was unconstitutional. Mr. Kennamer told the council they should immediately resign.
- Rod Kanter, stated that the statement by Mr. Kennamer that the debt limit was exceeded was incorrect. Mr. Kanter explained the process to figure the debt limit. Net assessed value for city property is just under \$240 Million and 20% of that is the limit, or approximately \$48 million, is the City’s current debt limit. Mr. Kanter then explained that for cities over 6,000 population certain things are exempt and do not count against the debt limit, such as obligations issued for water works, sewer and school improvements. Mr. Kanter explained that the debt issued for the Series 2024 Warrants counts against the constitutional debt limit, but that the debt obligations the City issued in 2021 and 2023 to build the new high school are exempt from that debt limit because the City has a population of over 6,000. The City debt that is not exempt from the debt limit equals approximately \$26.9 million, which is under the debt limit by approximately \$21.1 million. He stated that the City is clearly within its constitutional debt limit.
- Mayor Dollar commented that the election held was not an election on building a school; it was an election on raising property taxes. Councilman Whitaker stated that the 1 cent increase in sales tax was in place before the election took place.

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 March 18th 2024 at 5:00p.m. at the Guntersville Town Hall

PASSED, APPROVED AND ADOPTED THIS THE 18th DAY OF MARCH 2024.

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

LEIGH DOLLAR, MAYOR

ATTEST: _____
BETTY JONES, CITY CLERK