

PRE-COUNCIL MEETING OF THE CITY OF TARRANT, ALABAMA

HELD ON MONDAY, MAY 15, 2017

The City Council of the City of Tarrant, Alabama met in regular Pre-council Meeting on

Monday May 15, 2017, at 6:10 p.m. at City Hall.

The purpose of said meeting was to review the May 15, 2017 agenda of the 7 p.m. regularly scheduled City Council Meeting

The following officials were present:

Catherine "Cathy" Anderson	Councilor
John T. "Tommy" Bryant	Councilor
Tanyika Fields	Councilor
Laura D. Horton	Councilor
Joe A. Matthews	Councilor
Loxcil B. Tuck	Mayor

The following department heads and/or representatives were present:

City Clerk Dan Weinrib  
Building Inspections Officer David Boyd  
Electric Department Operations Manager Danny Chaviers  
Police Chief Dennis Reno  
Fire Chief Jason Rickels  
City Attorney Ben Goldman  
Accountant Lynn Juneau  
Parks & Recreation Director Chris O'Rear  
Public Works Director James Phillips  
Library Branch Chief Patrick Coleman

Also present were the following:

Tarrant resident Alvin Samples  
Jymalyn Redmond of Goodwyn Mills Cawood

Mayor Tuck called the meeting to order. General discussion followed.

There being no other public business to discuss, City Attorney Ben Goldman requested the Council go into executive session to discuss a real property matter. The Council voted unanimously to go into executive session at approximately 6:45 pm.

There being no other business to discuss, the open Pre Council meeting was adjourned.

READ AND APPROVED THIS THE 5th DAY OF JUNE, 2017.

APPROVED: *Loxcil B. Tuck*  
Loxcil B. Tuck, Mayor

ATTEST: *[Signature]*  
Dan Weinrib, City Clerk

MINUTES OF THE REGULAR MEETING  
OF THE CITY OF TARRANT, ALABAMA

HELD ON Monday, May 15, 2017

The Honorable City Council of the City of Tarrant, Alabama met in regular session on

the 15th day of May, 2017, at 7:10 pm in the Council Chambers at City Hall.

Mayor Loxcil B. Tuck called the meeting to order. Mayor Tuck requested that City Attorney Ben Goldman lead the prayer and Fire Chief Jason Rickels lead the pledge of allegiance.

Mayor Tuck asked City Clerk Dan Weinrib to call the roll. Upon roll call, the following officials answered present:

Catherine "Cathy" Anderson	Councilor
John T. "Tommy" Bryant	Councilor
Tanyika Fields	Councilor
Laura D. Horton	Mayor Pro Tempore & Councilor
Joe A. Matthews	Councilor
Loxcil B. Tuck	Mayor

Mayor Tuck stated that the council had been provided with copies of the following minutes from the Council meetings held on Monday, May 1st, 2017.

Mayor Tuck asked if there were any additions or corrections. The motion was made by Mayor Pro Tem Horton and seconded by Councilor Bryant, to approve said minutes as originally recorded. Upon roll call, the vote thereon was as follows:

AYES: Councilors Anderson, Bryant, Fields, Horton, Matthews and Mayor Tuck

NAYS: None

Mayor Pro Tem and Finance Committee Chair Laura Horton announced that she would submit minutes from her committee's meeting earlier on Monday to the City Clerk before the next Council meeting.

There was no unfinished business.

Whereupon, Bryant introduced the following ordinance for its second reading:

ORDINANCE NO. 1097

RATIFYING A MEMORANDUM OF UNDERSTANDING AND AGREEMENT BETWEEN THE CITY AND MUNICIPAL INTERCEPT SERVICES LLC FOR THE PURPOSES OF COLLECTING DELINQUENT DEBT AND ESTABLISHING AN APPEALS PROCESS, PURSUANT TO THE PROVISIONS OF THE CODE OF ALABAMA 1975, SECTIONS 40-18-100 THROUGH 40-18-103

WHEREAS, municipalities in the State of Alabama have been authorized pursuant to Ala. Code 1975, § 40-18-100 *et. seq.* to collect payment of outstanding and unpaid debts owed by individual taxpayers by setting off such debts against the individual's Alabama State income tax refund; and

**WHEREAS**, the City of Tarrant, Alabama desires to collect payment of outstanding and unpaid debts owed to the City by individual taxpayers by setting off such debts against the individual state income tax refunds of such taxpayers, and to authorize the Mayor to establish procedures by which the City may collect unpaid debts by submitting such debts to Municipal Intercept Services, LLC, and an appeals procedure by which individual taxpayers may contest the setoff of a debt against their Alabama State income tax refund; and

**WHEREAS**, the Mayor desires, pursuant to Alabama Code 1975, § 40-18-100 *et. seq.*, to execute a Memorandum of Understanding and Agreement (See Exhibit A) with Municipal Intercept Services, LLC for the collection of debts of twenty-five dollars (\$25.00) or more, which are owed by individual taxpayers to the City and which are unpaid and delinquent for a period of sixty (60) days or more; and

**WHEREAS**, the City Council has received and reviewed the Memorandum of Understanding and Agreement, and is satisfied that the provisions of said agreement are a reasonable means of collecting unpaid debts which are owed to the City by individual taxpayers in accordance with State law; and is also satisfied that such agreement serves the best interests of the City and should be ratified.

**THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA**, while in regular session on May 15th, 2017 that:

**Section 1.** The Mayor is hereby authorized to execute a Memorandum of Understanding and Agreement between the City and Municipal Intercept Services, LLC.

**Section 2.** The Mayor is hereby authorized to establish procedures by which the City may collect unpaid debts by submitting such debts to Municipal Intercept Services, LLC.

**Section 3.** In accordance with the provisions of Alabama Code 1975, § 40-18-100 *et. seq.*, the City shall implement an appeals procedure by which individual taxpayers may contest the setoff of a debt against their Alabama State income tax refund, specified by the Appeals Guidelines (See Exhibit B) provided by Municipal Intercept Services.

APPROVED: *Loxcil B. Tuck*  
Loxcil B. Tuck, Mayor

ATTEST:

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Tarrant, Alabama on the 15<sup>th</sup> day of May, 2017 and the same appears of record in the minute book of the City of Tarrant, Alabama, for said date.

The above and foregoing ordinance was published on the 16<sup>th</sup> day of May, 2017, by posting copies thereof in three public places within the City of Tarrant, one of which was the Mayor's office in the City of Tarrant.

Witness my hand and seal of office this 15th day of May, 2017

\_\_\_\_\_  
Dan Weirrib, City Clerk

Bryant moved, and Horton seconded, a motion to table the ordinance until the next council meeting.

Upon roll call, the vote thereon was as follows:

AYES: Councilors Anderson, Bryant, Fields, Horton, Matthews and Mayor Tuck

NAYS: None

Whereupon, Bryant introduced the following ordinance for its second reading:

**ORDINANCE NO. 1098**

**AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED FOR THE PURPOSES OF SELLING SURPLUS CITY OWNED REAL PROPERTY TO DAVID LEE ROSEBERRY AND TARA KAY ROSEBERRY IN ACCORDANCE WITH STATE CODE SECTION 11-47-21**

**THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA**, while in regular session on May 15th, 2017 that:

Section 1. It is hereby established and declared that the following described real property of the City of Tarrant, Alabama is no longer needed for public or municipal purposes, to-wit:  
**Lot 2, Block 1 of Kingwood Terrace**

Section 2. That the Mayor and City Clerk be, and thereby are, hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Tarrant, Alabama, a quit claim deed, a copy of which is on file in the office of the City Clerk, whereby the City does convey the premises described in Section 1 hereof to David Lee Roseberry and Tara Lee Roseberry for and in consideration of **five hundred dollars (\$500)**, pursuant to State Code Section §11-47-21.

ADOPTED AND APPROVED THIS THE 15TH DAY OF MAY, 2017.

APPROVED: *Louise B. Tuck*  
Loucil B. Tuck, Mayor

ATTEST:

\_\_\_\_\_  
Dan Weirrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Dan Weirrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Tarrant,

Alabama on the 15<sup>th</sup> day of May, 2017 and the same appears of record in the minute book of the City of Tarrant, Alabama, for said date.

The above and foregoing ordinance was published on the 16<sup>th</sup> day of May, 2017, by posting copies thereof in three public places within the City of Tarrant, one of which was the Mayor's office in the City of Tarrant.

Witness my hand and seal of office this 16th day of May, 2017

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Dan Weinrib, City Clerk

Bryant moved, and Horton seconded, a motion to approve the ordinance. Upon roll call, the vote thereon was as follows:

AYES: Councilors Anderson, Bryant, Fields, Horton, Matthews and Mayor Tuck

NAYS: None

Whereupon, Mayor Tuck opened the public hearing for comments on the Grass & Weeds notice.

With nobody in the audience interested in commenting, Mayor closed the public hearing.

Whereupon, Fields introduced the following resolution:

**RESOLUTION NO. 8341**

**A RESOLUTION OF THE CITY OF TARRANT PURSUANT TO ORDINANCE NO. 1017 OF THE CITY OF TARRANT DECLARING CERTAIN PROPERTIES A PUBLIC NUISANCE.**

**WHEREAS**, an abundance of weeds and overgrown vegetation provide favorable conditions for the harboring of mosquitoes and other insects of like kind, and do otherwise have a negative impact on the health and safety of the citizens of Tarrant;

**WHEREAS**, Ordinance No. 1017 of the City of Tarrant was designed to deter and provide for the abatement of weeds and overgrown vegetation;

**WHEREAS**, on May 15, 2017, a public hearing was held before the City Council of Tarrant, Alabama, to determine whether certain properties constituted a public nuisance by reason of overgrown grass, weeds, and/or other voluntary or spontaneous growth; and

**WHEREAS**, the appropriate notice called for in Ordinance No. 1017 was given to the person or persons in possession of, in ownership of, or in charge or control of said property, with respect to the public hearing.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Tarrant, Alabama, as follows:

1. The properties on the list attached hereto as Exhibit "A" are hereby determined to be a nuisance by reason that the abundance of overgrown grass and/or weeds within the City is injurious to the general public health, safety, and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, and pests; that the height and dryness of said overgrown grass and weeds constitutes a serious fire threat or hazard; that said overgrown grass and weeds produces allergens that cause irritation to the throat, lungs, and eyes of the public; that said overgrown grass and weeds hides debris that could inflict injury on persons going upon the property; and/or that said overgrown grass and weeds are unsightly and in excess of twelve (12) inches in height.

2. Said nuisance shall be abated as provided for in Ordinance No. 1017 of the City of Tarrant, Alabama.

3. Those individuals abating the nuisance described herein shall render an itemized report in writing to the City Council showing the cost of removing the nuisance. Before the report is submitted to the City Council, a copy of the report shall be posted for at least five days prior thereto on or near the chamber door of the City Council, together with a notice of the time when the report shall be submitted to the City Council for confirmation.

ADOPTED this the 15<sup>th</sup> day of May, 2017

APPROVED: *Loxchil B. Tuck*  
LOXCIL B. TUCK, MAYOR

ATTEST: \_\_\_\_\_

Dan Weinrib, City Clerk

**CERTIFICATION OF CITY CLERK**

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 15th day of May, 2017 while in regular session on Monday, May 15th, 2017, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this 16th day of May, 2017

\_\_\_\_\_  
Dan Weinrib, City Clerk

# EXHIBIT "A"

<u>Parcel I.D. Number</u>	<u>Street #</u>	<u>Street Name</u>	<u>City</u>	<u>&amp;</u>	<u>State</u>	<u>Zip Code</u>
<u>1632</u>	<u>Burgin Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-1-026-016.000</u>	
<u>1704</u>	<u>Burgin Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-1-025-009.000</u>	
<u>1708</u>	<u>Burgin Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-1-025-010.000</u>	
<u>1712</u>	<u>Burgin Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-1-025-011.000</u>	
<u>1716</u>	<u>Burgin Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-1-025-012.000</u>	
<u>1436</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-018-019.000</u>	
<u>1440</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-018-020.000</u>	
<u>1520</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-019-024.000</u>	
<u>1528</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-019-025.000</u>	
<u>1608</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-019-031.000</u>	
<u>1708</u>	<u>East Lake Blvd</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-020-010.000</u>	
<u>1630</u>	<u>Graves St</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-04-3-013-019.000</u>	
<u>1321</u>	<u>Prosch Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-08-2-011-010.000</u>	
<u>1312</u>	<u>Sloan Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-3-013-004.000</u>	
<u>1439</u>	<u>Sloan Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-031-004.000</u>	
<u>1512</u>	<u>St. Joseph St</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-04-3-019-019.000</u>	
<u>1201</u>	<u>Wharton Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-3-014-010.000</u>	
<u>1212</u>	<u>Wharton Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-3-012-004.000</u>	
<u>1309</u>	<u>Wharton Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-027-004.000</u>	
<u>1312</u>	<u>Wharton Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-025-006.000</u>	
<u>1545</u>	<u>Wharton Ave</u>	<u>Tarrant</u>	<u>AL</u>	<u>35217</u>	<u>23-00-05-4-031-004.000</u>	

Fields moved and Bryant seconded a motion to adopt the resolution. Upon roll call, the vote thereon was as follows:

AYES: Councilors Anderson, Bryant, Fields, Horton & Matthews; and Mayor Tuck

NAYS: NONE

Whereupon, Horton moved and Bryant seconded a motion to approve payments of payroll & expense vouchers by the City Electric Department. Upon roll call, the vote thereon was as follows:

AYES: Councilors Anderson, Bryant, Fields, Horton & Matthews; and Mayor Tuck


NAYS: NONE

Whereupon, Horton moved and Bryant seconded a motion to go into a closed session meeting.

The motion carried unanimously. The open meeting adjourned at approximately 7:20 pm. The closed meeting adjourned at approximately 8:15 pm.

READ AND APPROVED THIS THE 5TH DAY OF JUNE, 2017

APPROVED:   
Loxcil B. Tuck, Mayor

ATTEST:   
Dan Weinrib, City Clerk