

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

HELD ON Monday, February 20, 2017

The Honorable City Council of the City of Tarrant, Alabama met in regular session, on the 20th day of February, 2017, at 7:04 p.m. 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 regular Council meeting held on Monday, February 6, 2017.

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

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

NAYS: None

Mayor Tuck announced that Steve Barlow’s viewing would be on Tuesday February 21st from 5 pm to 7 pm at Jefferson Memorial Gardens; his funeral, Wednesday at 2 pm at Jefferson Memorial Gardens.

Mayor Tuck asked if there were any reports from committees. Mayor Pro Tem Laura Horton reported that the Council had a work session on Wednesday February 15th. In addition to all five councilors, Dennis Reno and Larry Rice of the Police department, Jason Rickels of the Fire department, as well as June Bailey, Ken Vaughan and Josh Davis of the Jefferson County Housing Authority were in attendance to discuss finances and a proposed annexation. Also, Finance Chair Horton reported that her committee met Thursday, February 16th with Lynn Juneau to review the City’s and Electric Department’s financial records. She and councilor Anderson were in attendance.

Under unfinished business, Horton gave the second reading of the following proposed ordinance:

ORDINANCE NO. 1094

AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE
CORPORATE LIMITS OF THE CITY OF TARRANT, ALABAMA
PURSUANT TO THE PROVISIONS OF § 11-42-21, *CODE OF
ALABAMA, 1975.*

WHEREAS, the City Council of the City of Tarrant does hereby determine that the matters set forth in the Petition of Jefferson County Housing Authority being the owner of the property sought to be annexed, a copy of said Petition is attached to this Ordinance is true and correct and they have signed a written petition requesting the property to be annexed and that no part of the property sought to be annexed lies within the corporate limits of any other municipality, and is not in the police jurisdiction of any other municipality, and that said property is contiguous to the present city limits of the City of Tarrant, and that it is in the public interest that said property be annexed to the City of Tarrant, Alabama.

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

Section 1. That pursuant to the provisions of § 11-42-21 of the *Code of Alabama, 1975*, the boundary lines of the City of Tarrant, Alabama be and the same is altered and rearranged so as to include within its present corporate limits the real estate described on attached Exhibits 1, 2, 3 & 4 and as shown on the map attached as Exhibit 5. The territory is contiguous to said city and not within the corporate limits of another municipality or the police jurisdiction of any other municipality, more particularly described in Exhibits 1, 2, 3, & 4 attached hereto and made a part hereof,

Section 2. That the City Clerk shall file a certified copy of the Petition requesting the annexation to the City of Tarrant of the properties described in Exhibits 1, 2, 3 & 4 attached hereto and as shown on the map attached as Exhibit 5, and a certified copy of this Ordinance with the Judge of Probate, Jefferson County, Alabama, and also cause a copy of this Ordinance to be published in a newspaper of general circulation.

Section 3. That this ordinance shall only become effective upon the execution of an annexation agreement in a form mutually to be agreed upon by the City and the petitioners. Any annexation pursuant to this section must provide for the petitioner to satisfy any and all financial obligations relative to the petitioner's fire district dues.

ADOPTED and APPROVED this the 6th day of February, 2017.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST:

DAN WEINRIB, CITY CLERK

EXHIBIT 1

Parcel ID# 13-00-08-3-001-002.000-RR

Owner/Assessee: JCHA Housing and Development Corporation

Site Address: 3661 Hickory Ridge Dr. Birmingham AL 35217

Deed Recording Book LR2010008 Pg 24324

Legal Description

All that tract or parcel of land lying in the northwest 1/4 of the southwest 1/4 of Section 28, Township 16 South, Range 2 West and being more particularly described as follows:

Commencing at 2 inch capped open top pipe found at the southwest corner of the northwest 1/4 of the southwest 1/4 of Section 28, Township 16 South, Range 2 West, said capped open top pipe being the TRUE POINT OF BEGINNING.

Thence leaving said corner and continuing along the west line of Section 28 North 00 degrees 13 minutes 04 seconds West a distance of 1230.00 feet to a 5/8 inch capped rebar set (Alabama PLS 30188); Thence leaving said section line North 88 degrees 29 minutes 20 seconds East a distance of 155.00 feet to a 5/8 inch capped rebar set (Alabama PLS 30188); Thence North 01 degrees 05 minutes 03 seconds West a distance of 120.00 feet to a 5/8 inch capped rebar set (Alabama PLS 30188) on the southerly right of way of Industrial Parkway (having an apparent 80 foot right of way); Thence continuing along said right of way the following courses and distances: along a curve to the right, said curve having a radius of 735.68 feet, with an arc distance of 49.21 feet, with a chord bearing of South 88 degrees 26 minutes 59 seconds East and a chord length of 49.20 feet to a point; South 88 degrees 15 minutes 11 seconds East a distance of 455.80 feet to a 5/8 inch capped rebar set (Alabama PLS 30188); Thence leaving said right of way South 01 degrees 05 minutes 03 seconds East a distance of 1338.37 feet to a 5/8 inch capped rebar found on the south line of the northwest 1/4 of the southwest 1/4 of Section 28, Township 16 South, Range 2 West; Thence continuing along said south line South 89 degrees 56 minutes 27 seconds West a distance of 678.09 feet to a 2 inch capped open top pipe found at the southwest corner of the northwest 1/4 of the southwest 1/4 of Section 28, Township 16 South, Range 2 West, said capped open top pipe being the TRUE POINT OF BEGINNING.
Said tract of land contains 20.237 acres (881,506 square feet).

EXHIBIT 2

Parcel ID# 13-00-08-3-001-002.001-RR
Owner/Assessee: ICHA Housing and Development Corporation
Site Address: 201 Spring Gardens Road Birmingham AL 35217
Deed Recording Book LR201213 Pg 8625

[Legal Description]

The following described parcel of land situated in Jefferson County, Alabama in the northwest one-quarter of the southwest one-quarter of Section 28, Township 16 South, Range 2 West, being more particularly described as follows:

Commence at the southwest corner of the northwest one-quarter of the southwest one-quarter of Section 28, Township 16 South, Range 2 West; thence run east along the south line of said quarter quarter section for a distance of 678.17 feet; thence turn an angle to the left of 91 degrees 01 minutes 30 seconds and run in a northerly direction for a distance of 11.09 feet; thence continue along last described course for a distance of 1327.28 feet to the southerly right-of-way of a public road; thence turn an angle to the right of 92 degrees 37 minutes 00 seconds and run in an easterly direction for a distance of 157.97 feet to the point of commencement of a curve to the right, said curve having a central angle of 4 degrees 12 minutes 32 seconds and a radius of 2550.00 feet; thence travel in an easterly direction along said right-of-way and along the arc of said curve for a distance of 187.32 feet to the point of beginning; thence turn an angle to the right of 79 degrees 00 minutes 01 seconds from the tangent extended of said curve and run in a southeasterly direction for a distance of 87.08 feet; thence turn an angle to the right of 56 degrees 36 minutes 19 seconds and run in a southwesterly direction for a distance of 123.98 feet; thence turn and angle to the left of 53 degrees 00 minutes 36 seconds and run in a southeasterly direction for a distance of 33.77 feet; thence turn an angle to the right of 53 degrees 00 minutes 34 seconds and run in a southwesterly direction for a distance of 286.22 feet; thence turn an angle to the left of 52 degrees 25 minutes 50 seconds and run in a southeasterly direction for a distance of 360.34 feet; thence turn an angle to the left of 90 degrees 02 minutes 12 seconds and run in a northeasterly direction for a distance of 105.39 feet; thence turn an angle to the right of 53 degrees 13 minutes 15 seconds and run in southeasterly direction for a distance of 240.01 feet; thence turn an angle to the left of 53 degrees 13 minutes 15 seconds and run in a northeasterly direction for a distance of 83.96 feet; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a northwesterly direction for a distance of 22.00 feet; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a northeasterly direction for a distance of 91.68 feet; thence turn an angle to the left of 36 degrees 49 minutes 54 seconds and run in a northeasterly direction for a distance of 230.87 feet to the eastern right-of-way line of Murphree Road; thence turn an interior angle to the right of 127 degrees 27 minutes 06 seconds and run in a northwesterly direction along the westerly right of way line of Murphree Road for a distance of 130.18 feet to the point of commencement of a curve to the right, said curve having a central angle of 10 degrees 52 minutes 00 seconds and a radius of 2331.83 feet; thence continue along the westerly right-of-way line of said public road and the arc of said curve in a northeasterly direction for a distance of 442.25 feet; thence continue along the tangent extended for a distance of 80.41 feet to the point of commencement of a curve to the left, said curve having a central angle of 90 degrees 00 minutes 00 seconds and a radius of 50.00 feet; thence travel along the arc of said curve in a northwesterly direction for a distance of 78.54 feet; thence continue along the tangent extended and the southerly right-of-way line of a public road in a northwesterly direction for a distance of 114.72 feet to the point of commencement of a curve to the left, said curve having a central angle of 4 degrees 37 minutes 28 seconds and a radius of 2550.00 feet; thence travel along the arc of said curve and said right-of-way line in a northwesterly direction for a distance of 205.81 feet to the point of beginning. Said parcel contains 10.1540 acres.

Less and Except:

Commence at southwest corner of the NW ¼ of the SW ¼ of Section 28, Township 16 South, Range 2 West; thence run east along the south line of said ¼ ¼ section for a distance of 678.17 feet; thence turn an interior angle to the right of 88 deg. 58 min. 30 sec. and run in a northerly direction for a distance of 1338.37 feet to a point on the southerly right of way of County Farm Road; thence turn an interior angle to the left of 87 deg. 23 min. 00 sec. and run along said right of way in a southeasterly direction for a distance of 157.97 feet to the point of commencement of a curve to the right, said curve having a central angle of 8 deg. 50 min. 00 sec. and a radius of 2550.00 feet; thence run in a southeasterly direction along the arc of said curve and right of way for a distance of 393.13 feet to the point of beginning of the herein described parcel; from the point of beginning, thus obtained, thence run in a southeasterly direction along the tangent if extended to said curve and right of way for a distance of 114.72 feet to the point of commencement of a curve to the right, said curve having a central angle of 90 deg. 00 min. 00 sec. and a radius of 50.00 feet; thence run in a southeasterly direction along the arc of said curve and right of way for a distance of 78.54 feet; thence run in a southwesterly direction along the tangent if extended to said curve and the northeasterly right of way of Murphree Road for a distance of 80.41 feet to the point of commencement of a curve to the left, said curve having a central angle of 5 deg. 02 min. 14 sec. and a radius of 2331.83 feet; thence run in a southwesterly direction along the arc of said curve and right of way for a distance of 205.01 feet; thence turn an interior angle to the left of 96 deg. 59 min. 52 sec. from the tangent if extended to said curve and run in a southwesterly direction for a distance of 71.05 feet; thence turn an interior angle to the left of 90 deg. 00 min. 00 sec. and run in a northwesterly direction for a distance of 56.32 feet; thence turn an interior angle to the right of 143 deg. 44 min. 27 sec. and run in a northwesterly direction for a distance of 195.05 feet; thence turn an interior angle to the right of 129 deg. 28 min. 09 sec. and run in a westerly direction for a distance of 85.99 feet; thence turn an interior angle to the left of 89 deg. 59 min. 19 sec. and run in a northerly direction for a distance of 175.04 feet to a point on the southerly right of way of County Farm Road; thence turn an interior angle to the left of 84 deg. 53 min. 47 sec. to the tangent of a curve to the right, said curve having a central angle of 3 deg. 42 min. 28 sec. and a radius of 2550.00 feet, and run in a southeasterly direction along the arc of said curve for a distance of 165.02 feet to the point of beginning; being situated in Jefferson County, Alabama.

EXHIBIT 3

Parcel ID# 13-00-08-3-001-002.002-RR

Owner/Assessee: SG2, LLC

Site Address: 435 Spring Gardens Way, Birmingham AL 35217

Deed Recording Instrument #2016024752

Legal Description

Commence at the southwest corner of the northwest one-quarter of the southwest one-quarter of Section 28, Township 16 South, Range 2 West; thence run east along the south line of said quarter quarter section for a distance of 678.17 feet; thence turn an angle to the left of 91 degrees 01 minutes 30 seconds and run in a northerly direction for a distance of 11.09 feet to the point of beginning; thence continue along last described course for a distance of 1327.28 feet to the southerly right-of-way of a public road; thence turn an angle to the right of 92 degrees 37 minutes 00 seconds and run in an easterly direction for a distance of 157.97 feet to the point of commencement of a curve to the right, said curve having a central angle of 4 degrees 12 minutes 32 seconds and a radius of 2550.00 feet; thence travel in an easterly direction along said right-of-way and along the arc of said curve for a distance of 187.32 feet; thence turn an angle to the right of 79 degrees 00 minutes 01 seconds from the tangent extended of said curve and run in a southeasterly direction for a distance of 87.08 feet; thence turn an angle to the right of 56 degrees 36 minutes 19 seconds and run in a southwesterly direction for a distance of 123.98 feet; thence turn an angle to the left of 53 degrees 00 minutes 36 seconds and run in a southeasterly direction for a distance of 33.77 feet; thence turn an angle to the right of 53 degrees 00 minutes 34 seconds and run in a southwesterly direction for a distance of 286.22 feet; thence turn an angle to the left of 52 degrees 25 minutes 50 seconds and run in a southeasterly direction for a distance of 360.34 feet; thence turn an angle to the left of 90 degrees 02 minutes 12 seconds and run in a northeasterly direction for a distance of 105.39 feet; thence turn an angle to the right of 53 degrees 13 minutes 15 seconds and run in a southeasterly direction for a distance of 240.01 feet; thence turn an angle to the left of 53 degrees 13 minutes 15 seconds and run in a northeasterly direction for a distance of 83.96 feet; thence turn an angle to the left of 90 degrees 00 minutes 00 seconds and run in a northwesterly direction for a distance of 22.00 feet; thence turn an angle to the right of 90 degrees 00 minutes 00 seconds and run in a northeasterly direction for a distance of 91.68 feet; thence turn an angle to the left of 36 degrees 49 minutes 54 seconds and run in a northeasterly direction for a distance of 230.87 feet to the eastern right-of-way line of Murphee Road; thence turn an angle to the right of 127 degrees 27 minutes 06 seconds and run in a southeasterly direction for a distance of 545.00 feet; thence turn an angle to the right of 89 degrees 40 minutes 30 seconds and run in a southwesterly direction for a distance of 630.00 feet to the point of beginning.

EXHIBIT 4

Parcel ID# 13-00-08-3-001-002.003-RR

Owner/Assessee: SG3, LLC

Site Address: 201 Spring Gardens Road, Birmingham AL 35217

Deed Recording Instrument #2016024336

[Legal Description]

Commence at the Southwest corner of the Northwest one-quarter of the Southwest one-quarter of Section 28, Township 16 South, Range 2 West; thence run East along the South line of said quarter-quarter section for a distance of 678.17 feet; thence turn an interior angle to the right of 88°58'30" and run in a Northerly direction for a distance of 1338.37 feet to a point on the Southerly right of way of County Farm Road; thence turn an interior angle to the left of 87°23'00" and run along said right of way in a Southeasterly direction for a distance of 157.97 feet to the point of commencement of a curve to the right, said curve having a central angle of 8°50'00" and a radius of 2550.00 feet; thence run in a Southeasterly direction along the arc of said curve and right of way for a distance of 393.13 feet to the point of beginning of the herein described parcel; from the point of beginning thus obtained, thence run in a Southeasterly direction along the tangent if extended to said curve and right of way for a distance of 114.72 feet to the point of commencement of a curve to the right, said curve having a central angle of 90°00'00" and a radius of 50.00 feet; thence run in a Southeasterly direction along the arc of said curve and right of way for a distance of 78.54 feet; thence run in a Southwesterly direction along the tangent if extended to said curve and the Northeasterly right of way of Murphree Road for a distance of 80.41 feet to the point of commencement of a curve to the left, said curve having a central angle of 5°02'14" and a radius of 2331.83 feet; thence run in a Southwesterly direction along the arc of said curve and right of way for a distance of 205.01 feet; thence turn an interior angle to the left of 96°59'52" from the tangent if extended to said curve and run in a Southwesterly direction for a distance of 71.05 feet; thence turn an interior angle to the left of 90°00'00" and run in a Northwesterly direction for a distance of 56.32 feet; thence turn an interior angle to the right of 143°44'27" and run in a Northwesterly direction for a distance of 195.05 feet; thence turn an interior angle to the right of 129°28'09" and run in a Westerly direction for a distance of 85.99 feet; thence turn an interior angle to the left of 89°59'19" and run in a Northerly direction for a distance of 175.04 feet to a point on the Southerly right of way of County Farm Road; thence turn an interior angle to the left of 84°53'47" to the tangent of a curve to the right said curve having a central angle of 3°42'28" and a radius of 2550.00 feet and run in a Southeasterly direction along the arc of said curve for a distance of 165.02 feet to the point of beginning.

Less and except any portion of subject property lying within a road right of way.

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 6th day of February, 2017.

The above and foregoing ordinance was published on the 7th day of February, 2017 by posting copies thereof in four public places within the City of Tarrant: Tarrant Municipal Building, Tarrant Public Library, Tarrant Board of Education and the Tarrant Recreation Center.

Witness my hand and seal of office this 7th day of February, 2017.

Dan Weinrib, City Clerk

Horton moved for its adoption, which Anderson seconded. Upon roll call, the vote thereon was as follows:

AYES: Mayor Tuck

NAYS: Councilmembers Anderson, Bryant, Fields, Horton & Matthews

Whereupon, Bryant introduced for further consideration the following resolution:

RESOLUTION NO. 8314

**A RESOLUTION PLACING CONDITIONS ON THE LICENSE OF
A CERTAIN BUSINESS PURSUANT TO THE CITY'S BUSINESS
LICENSE CODE.**

WHEREAS, Doug Howard d/b/a JMW Mortuary is a business that has held a business license issued by the City of Tarrant, Alabama ("City") pursuant to the City's Business License Code, Ordinance No. 979 as amended and, pertinently, as amended by Ordinance No. 1067;

WHEREAS, Section 19 of the City's Business License Code provides that, upon ten (10) days' notice and a public hearing, a business license may be non-renewed for the following reasons:

- (i) for the violation by the licensee, his agent, servant, or employee of any provision of [the City's Business License Code] or of any ordinance of the municipality, or any statute of the State of Alabama relating to the business for which such license is issued, including, but not limited to, those violations occurring under color of such license or those violations occurring, in whole or in part, at any place where the licensed business is carried on;
- ...
- (iii) if, in connection with the issuance or renewal of any license, the licensee or his agent filed or caused to be filed any application, affidavit, statement, certificate, book, or any other data containing any false, deceptive or other misleading information or omission of material fact; or
- (iv) if the licensee, his agent, servant, or employee operates the business for which such license is issued in such a manner as to be detrimental to the public health, safety or welfare or so as to constitute a nuisance, or has done so within the twelve months preceding the issuance of notice for the revocation hearing

See Ordinance No. 1067, Sec. 1.

WHEREAS, said notice has been provided and evidence, including sworn testimony, has been taken and considered;

WHEREAS, on February 6, 2017, a public hearing was set before the City Council of the City of Tarrant, Alabama ("City Council") regarding whether the business license issued for Doug Howard d/b/a JMW Mortuary should be revoked pursuant to Section 19 of the City's Business License Code, and the appropriate notice was given with respect to said public hearing; and

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

A. That the business license issued for Doug Howard d/b/a JMW Mortuary is hereby subjected to the following conditions pursuant to Section 19 of the City's Business License Code:

1. Doug Howard d/b/a JMW Mortuary shall not engage in any business activities at the Business Location other than the sale of funeral supplies or funeral merchandise, including the sale of caskets, urns, and related items and making arrangements and plans for funerals that are not held at the Business Location.
2. Doug Howard d/b/a JMW Mortuary shall not perform, hold, or allow any funeral or any part of a funeral (as that term is defined by Section 34-13-1 of the *Code of Alabama* (1975)), including funeral services, dispositions, visitations, ceremonies, or memorials, at the Business Location.
3. Doug Howard d/b/a JMW Mortuary shall not allow at the Business Location the performance of embalming, cremation, or other services related to the preparation of human remains for disposition.
4. Doug Howard d/b/a JMW Mortuary shall not allow the remains of any person who has died (including a dead human body or cremated remains) to enter or remain upon the Business Location at any time.
5. Doug Howard d/b/a JMW Mortuary shall not allow the Business Location to be used as a place of worship as defined by the City's Zoning Ordinance.
6. Doug Howard d/b/a JMW Mortuary shall pay when due all taxes and fees related to his business, including, but not limited to the occupational license fee and sales tax.
7. Doug Howard d/b/a JMW Mortuary shall keep in good standing all licenses that he is required to maintain by the Alabama Board of Funeral Service, including, but not limited to, his Funeral Director license and a Funeral Establishment license. In the event that any of the licenses held by Doug Howard d/b/a JMW Mortuary should be suspended, non-renewed, revoked, or transferred, Doug Howard d/b/a JMW Mortuary must in writing inform the City Clerk of the City of Tarrant, Alabama, of the same within five (5) business days.
8. Doug Howard d/b/a JMW Mortuary must make the Business Location available for inspection to the City of Tarrant, Alabama, including, but not limited to, upon the request of the Building Official, the Fire Marshal, or an officer of the Tarrant Police Department.
9. Doug Howard d/b/a JMW Mortuary and its agents, officers, and employees must commit no further crimes, offenses, or violations related to the business of Doug Howard d/b/a JMW Mortuary under federal, state, or local law or ordinance.
- B. That the conditions placed upon Doug Howard d/b/a JMW Mortuary's business license shall continue from year to year unless and until revoked or modified by subsequent resolution of the City Council;

ADOPTED AND APPROVED THIS THE 20TH DAY OF FEBRUARY, 2017.

ATTEST:

LOXCIL TUCK, MAYOR

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinnib, 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 adopted by the City Council of the City of Tarrant, Alabama, on the 20th day of February, 2017.

Witness my hand and seal of office this 21st day of February, 2017.

Dan Weinnib, City Clerk

Bryant moved, and Matthews, seconded the motion to adopt. Discussion ensued, which included questions and answers between the City leaders and JMW Mortuary owner Doug Howard.

As a consequence, Horton moved, and Bryant seconded, an amendment to Resolution No. 8314, as to read

4. Doug Howard d/b/a JMW Mortuary shall not allow the remains of any person who has died (including a dead human body, but excluding cremated remains) to enter or remain upon the Business Location at any time.

Upon roll call, the vote on the amendment thereon was as follows:

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

NAYS: None

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

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

NAYS: None

Whereupon, Bryant introduced the following resolution for consideration:

RESOLUTION NO. 8321

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF TARRANT AND KELLIS VEGETATION MANAGEMENT, INC. FOR THE PURPOSE OF PROVIDING VEGETATION MANAGEMENT

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, February 20, 2017 at 7:00 p.m. as follows:

Section 1. That the Mayor is hereby authorized to execute an agreement between the City of Tarrant and Kellis Vegetation Management, Inc. for the purpose of vegetation management by providing herbicide application services,

Section 2. That Kellis Vegetation Management will provide specified services at the specified rates in Proposal No. 769. That a copy of said proposal is attached hereto and made a part thereof,

Proposal



Kellis Vegetation Management
 P.O. Box 1375
 Columbiana, AL 35051 US
 (205) 613-6688
 office@kellisvegetation.com
 www.kellisvegetation.com

ADDRESS
 City of Tarrant
 Accounts Payable
 2515 Commerce Way
 Tarrant, AL 35217

PROPOSAL #	DATE	EXPIRATION DATE
769	02/05/2014	05/21/2009

Please detach top portion and return with your payment.

SHIP DATE
 05/21/2009

DATE	ACTIVITY	AMOUNT
02/05/2014	IWC Industrial Weed Control	7,200.00
	FREE FOLLOW UP VISITS !! Our technicians stop in every 6-10 weeks, inform you that they are on site, and reapply to any areas that have weeds.	
02/05/2014	Control and prevention on all undesirable vegetation in the following areas... Etowah Ditch (runs parallel to Etowah with access point halfway along ditch)	0.00
02/05/2014	IWC:IWC itemized Carraway Clinic Ditch	0.00
02/05/2014	IWC:IWC itemized Pawnee Ditch	0.00
02/05/2014	IWC:IWC itemized Sidewalks Downtown	0.00
02/05/2014	Misc ditches. Ball field, hewitt park, lithicum, hatchett, edna	0.00
02/05/2014	New ditch between houses - added 2014	0.00
02/05/2014	New ditches on 79 - added 2015 (no charge)	0.00
02/05/2014	New Projects	
	Weed control on vacant lots: Control of all undesirable vegetation to reduce or eliminate need for mowing. Two applications per year necessary, prices are per application.	
	\$50 for small lots \$75 for medium lots \$100 for large lots	
02/05/2014	IWC:IWC itemized Curb and gutter: Control of all vegetation on curbs and gutters on Hwy 79 from Pinson to Jefferson St. Medians and road shoulders included	1,850.00
02/05/2014	Services New ditches for 2017: Apache Machine, Georgia 1, and Georgia 2 (all near substation)	300.00

DATE	ACTIVITY	AMOUNT
02/05/2014	IWC:IWC itemized Alleyways	0.00
02/05/2014	IWC:IWC itemized 5 block	576.00
02/05/2014	IWC:IWC itemized Prosh	192.00
02/05/2014	IWC:IWC itemized Waterworks Alley	360.00
02/05/2014	IWC:IWC itemized Sloan	384.00
02/05/2014	IWC:IWC itemized Wharton	304.00
02/05/2014	IWC:IWC itemized Mountain Drive	568.00
02/05/2014	IWC:IWC itemized Elizabeth	256.00
02/05/2014	IWC:IWC itemized Tarrant Huffman	184.00
TOTAL		\$12,174.00

Accepted By

Accepted Date

PROPOSAL

1-30-17

DATE

4045 NIXON ROAD S.E.
BESSEMER, AL 35022

NAME Tarrant City

ADDRESS Alley between Pinson & 79th

CITY _____

ASPHALT	<u>Clean Overlay</u>	1 1/2 inch overlay
GRADING	<u>370 FT X 16 FT.</u>	
BASE	<u>6 inch of well Fargo</u>	
GRAVEL	_____	
TOP SOIL	_____	
ROCK HAUL TON	_____	
LIQUID SEAL COATING	_____	
TOTAL		<u>12,000.00</u>

\$12,000.00

We furnish all material and labor.
All bills payable on completion of job.

Make all checks payable to:

CURTIS MURRAY, Owner
Phone: (205) 428-0500
Cell: (205) 908-1484

MURRAY PAVING

PROPOSAL

1-30-11
DATE

4045 NIXON ROAD S.E.
BESSEMER, AL 35022

NAME TARRANT City

ADDRESS 4 AVE

CITY _____

ASPHALT <u>200ST X 15 FT</u>	inch OVERLAY
GRADING <u>Clear Overlay 1 1/2</u>	
BASE _____	
GRAVEL _____	
TOP SOIL _____	
ROCK HAUL TON _____	
LIQUID SEAL COATING _____	
<u>TOTAL \$ 7000.00</u>	

We furnish all material and labor.
All bills payable on completion of job.

Make all checks payable to:

CURTIS MURRAY, Owner

Feb 9-17
DATE

PROPOSAL

4045 NIXON ROAD S.E.
BESSEMER, AL 35022

NAME Tarrant City

ADDRESS _____

CITY Princeton ST
between Bir 50 and Forest ST

ASPHALT OVERLAY 3.80x 13

GRADING _____

BASE _____

GRAVEL _____

TOP SOIL _____

ROCK HAUL TON _____

LIQUID SEAL COATING _____

TOTAL 10,560.00

10,560.00

We furnish all material and labor.
All bills payable on completion of job.

All bills payable to:

PROPOSAL

1-30-17
DATE

4045 NIXON ROAD S.E.
DECEMBER, AL 35022

NAME Tarrant City
ADDRESS Valley Ln
CITY _____

ASPHALT	<u>Clear Overlay</u>	<u>1 1/2 inch</u>
GRADING	<u>370 FT X 13 FT</u>	<u>2"</u>
BASE	_____	
GRAVEL	_____	
TOP SOIL	_____	
ROCK HAUL TON	_____	
LIQUID SEAL COATING	_____	
TOTAL		\$ 9800.00

9800.00

We furnish all material and labor.
All bills payable on completion of job.

Make all checks payable to:
CURTIS MURRAY, Owner
Phone: (205) 428-0500
Cell: (205) 908-1484

Whereupon, Matthews introduced the following resolution for consideration:

RESOLUTION NO. 8323

**A RESOLUTION RELEASING LIEN AND AMENDING RESOLUTION
NUMBER 8114 ASSESSMENT FOR PROPERTY LOCATED AT 1045
OVERTON AVENUE, TARRANT, ALABAMA HAS BEEN PAID IN
FULL**

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, February 20, 2017, at 7:00 p.m. as follows:

Section 1. That Resolution Number 8114, adopted September 10, 2015, assessing the cost of abatement for the property located at 1045 Overton Avenue, Tarrant, Alabama, as provided in Ordinance Number 937 is hereby amended,

Section 2. That said resolution is hereby amended and the referenced lien released, as said assessment has been paid in full as follows,

<u>Resolution No.</u>	<u>Property</u>	<u>Assessment</u>	<u>Parcel I. D. No.</u>
8114	1045 Overton Avenue	\$250.00	23-00-08-2-009-3.000-RR

Section 3. A copy of said resolution shall be forwarded to Judge of Probate and to the current owner of said property.

ADOPTED this the 20th day of February, 2017.

APPROVED:

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 20th day of February, 2017 while in regular session on Monday, February 20, 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 21st day of February, 2017.

Dan Weinrib, City Clerk

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

AYES: Councilmembers Anderson, Bryant, Fields, Horton, Mathews, and Mayor Tuck

NAYS: None

Whereupon, Horton moved & Bryant seconded for motion to adjourn the meeting. The motion carried unanimously. The meeting adjourned at approximately 7:39 pm.

READ AND APPROVED THIS THE 6TH DAY OF MARCH, 2017

APPROVED: 
Loxcil B. Tuck, Mayor

ATTEST: 
Dan Weirrib, City Clerk