

## REGULAR MEETING OF THE CITY OF TARRANT, ALABAMA

HELD ON TUESDAY, AUGUST 30, 2016

The City Council of the City of Tarrant, Alabama met in regular session on Tuesday, August 30, 2016 at 12:00 p.m., at City Hall.

Mayor Loxcil B. Tuck called the meeting to order. Mayor Tuck requested that Attorney Benjamin S. Goldman open the meeting with prayer. Mayor Tuck asked Chief Jason Rickels to lead the pledge of allegiance.

Lillian Keith, City Clerk, called the roll. Upon roll call, the following officials answered present:

Catherine "Cathy" Anderson	Councilmember
John T. "Tommy" Bryant	Councilmember
Laura D. Horton	Mayor Pro Tem
Debra M. Matthews	Councilmember
Betty S. Middlebrooks	Councilmember
Loxcil B. Tuck	Mayor

Mayor announced that a Mexican Restaurant would be opening soon. Mayor Tuck stated that the new restaurant would be located on Pinson Valley Parkway.

Mayor Tuck stated that the first order of business would be for the City Council to canvass the results, of the City of Tarrant 2016 Municipal Election. Mayor Tuck explained that the Jefferson County Board of Registrars had reviewed the City of Tarrant provisional ballots and had determined which provisional ballots, should be counted. Mayor Tuck recognized City Clerk Lillian Keith. Ms. Keith presented to Mayor Tuck the PB4 envelope containing the PB3 forms, the Jefferson County Provisional Ballot Detail Reports, along with the Provisional Ballot Box that had been secured following the election, and a prepared tally sheet for the Mayor and City Councilmembers. Mayor Tuck and each City Councilmember reviewed the Jefferson County Board of Registrars Provisional Ballot Detail Reports. City Clerk Lillian Keith requested that City Attorney Benjamin Goldman review the Jefferson County Board of Registrars Provisional Ballot Detail Reports. City Attorney Goldman after reviewing the Jefferson County Board of Registrars Provisional Ballot Detail Reports, stated that the first report listed four (4) ballots as having been rejected, as the voters had not registered at the time of election. City Attorney Goldman stated that the second Jefferson County Board of Registrars Provisional Ballot Detail Report listed one (1) provisional ballot, as having been accepted. City Attorney Goldman explained that the reason listed for the acceptance of the ballot, was noted as a Poll Worker error. Mayor Tuck opened the accepted PB1 secrecy envelope, containing the accepted ballot and read the office and the names of the candidates that had received votes. Mayor Tuck stated that the

voter had voted for Loxcil B. Tuck for Mayor and Laura D. Horton for City Council District 2.

Mayor Tuck asked that each City Councilmember record the provisional votes on their tally sheet.

Mayor Tuck read the total number of provisional votes, the votes received by each candidate on

Election Day and gave a total number of votes for each candidate. The results were as follows:

CITY OF TARRANT  
2016 MUNICIPAL ELECTION  
PROVISIONAL CANVASS SHEET

CANDIDATE	VOTE SUB-TOTAL	PROVISIONAL	VOTE TOTAL
Mayor			
Michael Miller	247	0	247
Jimmy Nelson Sr.	16	0	16
Loxcil B. Tuck	278	1	279
TOTAL	541	1	542
City Council District 1			
Tanyika Fields	90	0	90
James R. (Jim) Franklin	30	0	30
TOTAL	120	0	120
City Council District 2			
Laura D. Horton	71	1	72
Alvin Samples Jr.	69	0	69
TOTAL	140	1	141
City Council District 2			
Catherine (Cathy) Anderson	64	0	64
Douglas Howard	27	0	27
TOTAL	91	0	91

Whereupon, Mayor Pro Tem Horton introduced and after reading at length moved for the adoption of the following proposed resolution:

**RESOLUTION NO. 8257**

**A RESOLUTION TO CANVASS ELECTION RESULTS FROM MUNICIPAL ELECTION HELD TUESDAY, AUGUST 23, 2016**

**WHEREAS**, the general election for the City of Tarrant, Alabama was duly and legally held on Tuesday, August 23, 2016, as provided by law, and

**WHEREAS**, the municipal governing body of the City of Tarrant, Alabama met on this the 30<sup>th</sup> day of August, 2016, with a quorum being present, at 12:00 o'clock p.m., and has canvassed the returns, and has ascertained and determined the number of votes received by each candidate, and

**WHEREAS**, the municipal governing body has ascertained and determined the result of said election as follows:

<u>CANDIDATE FOR MAYOR</u>	<u>BOX 1</u>	<u>BOX 2</u>	<u>BOX 3</u>	<u>TOTAL WITH OUT CANVASS VOTES</u>	<u>%</u>	<u>PROVISIONAL</u>	<u>TOTAL</u>	<u>%</u>
Michael Miller	77	87	83	247	46%	0	247	46%
Jimmy Nelson Sr.	7	4	5	16	3%	0	16	3%
Loxcil B. Tuck	94	90	94	278	51%	1	279	51%
	<b>178</b>	<b>181</b>	<b>182</b>	<b>541</b>	<b>100%</b>	<b>1</b>	<b>542</b>	<b>100%</b>

**FOR COUNCIL  
DISTRICT NO. 1**

Tanyika Fields	32	29	29	90	75%	0	90	75%
James R. Franklin	12	10	8	30	25%	0	30	25%
	<b>44</b>	<b>39</b>	<b>37</b>	<b>120</b>	<b>100%</b>	<b>0</b>	<b>120</b>	<b>100%</b>

**FOR COUNCIL  
DISTRICT NO. 2**

Laura D. Horton	23	24	24	71	51%	1	72	51%
Alvin Samples Jr.	26	17	26	69	49%	0	69	49%
	<b>49</b>	<b>41</b>	<b>50</b>	<b>140</b>	<b>100%</b>	<b>1</b>	<b>141</b>	<b>100%</b>

**FOR COUNCIL  
DISTRICT NO. 3**

Catherine Anderson	22	18	24	64	70%	0	64	70%
Douglas Howard	8	13	6	27	30%	0	27	30%
	<b>30</b>	<b>31</b>	<b>30</b>	<b>91</b>	<b>100%</b>	<b>0</b>	<b>91</b>	<b>100%</b>

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

**Section 1.** That Tanyika Fields received a majority of the votes cast for the office of City Council District 1 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2016.

**Section 2.** That Laura D. Horton received a majority of the votes cast for the office of City Council District 2 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2016.

**Section 3.** That Catherine Anderson received a majority of the votes cast for the office of City Council District 3 and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2016.

Section 4. That Loxcil B. Tuck received a majority of the votes cast for the office of Mayor and is hereby declared duly elected to that office for the term beginning on the first Monday in November, 2016.

ADOPTED this the 30th day of August, 2016.

Loxcil B. Tuck, Mayor

Laura D. Horton, Mayor Pro Tem

Catherine "Cathy" Anderson, Council Member

John T. "Tommy" Bryant, Council Member

Deborah M. Matthews, Council Member

Betty S. Middlebrooks, Council Member

Attest:

Lillian A. Keith, City Clerk

Whereupon, Mayor Pro Tem Horton moved for the adoption of Resolution Number 8257. Motion for the adoption of Resolution Number 8257 was seconded by Councilmember Bryant, regularly put and upon roll call; the vote thereon was as follows:

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

NAYS: None

ABSENT: None

The Recording Secretary announced the vote, whereupon Mayor Tuck declared Resolution Number 8257 duly and legally adopted.

Whereupon, Councilmember Bryant introduced and after reading at length moved for the adoption of the following proposed resolution:

RESOLUTION NO. 8258

A RESOLUTION RATIFYING AND AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF TARRANT AND ASSOCIATED COOLING & HEATING FOR THE PURPOSE OF INSTALLING ONE (1) FIFTEEN (15) TON SPLIT SYSTEM AIR CONDITIONER FOR THE TARRANT PUBLIC SAFETY BUILDING

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Tuesday, August 30, 2016 at 7:00 p.m. as follows:

**Section 1.** A resolution ratifying and authorizing an agreement between the City of Tarrant and Associated Cooling & Heating for the purpose of installing of one (1) fifteen (15) ton split system air conditioner at the Tarrant Public Safety Building (Tarrant Fire and Rescue and Jail) located at 2593 Commerce Circle, Tarrant, Alabama; and

**Section 2.** That said agreement includes the following: low voltage wiring modifications, duct modifications, Freon lines and drain – that may be necessary; one (1) year warranty and additionally providing a five (5) year factory warranty for the compressor and one (1) year parts warranty; and

**Section 3.** That the total cost shall not exceed the amount of \$24,500.00 (twenty-four thousand, five hundred dollars and no cents); and

**Section 4.** That said cost shall be paid from Fund 21 – General Obligation Warrants in the amount of \$13,876.73 (thirteen thousand, eight hundred, seventy-six dollars and seventy-three cents and from Fund 01 – General Fund in the amount of \$10,623.27 (ten thousand, six hundred, twenty-three dollars and twenty-seven cents), amending Funds 21 and 01 accordingly; and,

**Section 5.** That a copy of said agreement shall be attached hereto and made a part thereof.

ADOPTED this the 30th day of August, 2016.

APPROVED: \_\_\_\_\_  
LOXCIL B. TUCK, MAYOR

ATTEST: \_\_\_\_\_  
Lillian Keith, City Clerk

# Proposal

## ASSOCIATED COOLING & HEATING

8927 Gadsden Highway  
Trussville, AL 35173

205-854-7900  
205-765-6785

Proposal Submitted To: <b>City of Tarrant</b>	Job Name	Job #
Address	Job Location <b>Fire Dept / JAIL</b>	Date of Plans
Phone #	Date <b>8-23-16</b>	Architect
Fax #		

We hereby submit specifications and estimates for: the installation of a 15 ton split system. This unit services the fire dept and jail. This includes the low voltage wiring and any modifications to the duct system, freon lines, and drain that may be necessary.

We provide a one year labor warranty. The factory provides a 5 year compressor and one year parts warranty.

We propose hereby to furnish material and labor — complete in accordance with the above specifications for the sum of:

\$ 24500<sup>00</sup> Dollars  
with payments to be made as follows: upon completion

Any alteration or deviation from above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted

*Mike Moh*

Note — this proposal may be withdrawn by us if not accepted within 30 days.

### Acceptance of Proposal

The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

Date of Acceptance \_\_\_\_\_ Signature \_\_\_\_\_

Whereupon, Councilmember Bryant moved for the adoption of Resolution Number 8258. Motion for the adoption of Resolution Number 8258 was seconded by Mayor Pro Tem Horton, regularly put and upon roll call; the vote thereon was as follows:

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

NAYS: None

ABSENT: None

The Recording Secretary announced the vote, whereupon Mayor Tuck declared Resolution Number 8258 duly and legally adopted.

Whereupon, Councilmember Bryant moved that the rules and procedures of the Council be suspended, to allow proposed Resolution Number 8259, to be added to the agenda. Said motion was seconded by Mayor Pro Tem Horton, regularly put and upon roll call; the vote thereon was as follows:

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

NAYS: None

ABSENT: None

The Recording Secretary announced the vote, whereupon Mayor Tuck declared that proposed Resolution Number 8259 had been added to the agenda, for immediate consideration.

Whereupon, Councilmember Bryant introduced and after reading at length moved for the adoption of the following proposed resolution:

**RESOLUTION NO. 8259**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF TARRANT AND HERRING HEATING & AIR CONDITIONING FOR THE PURPOSE OF INSTALLING ONE (1) FIVE (5) TON OUTDOOR HEAT PUMP – 3 PHASE, ONE (1) FIVE (5) TON AIR HANDLERS, ONE (1) FIFTEEN KW ELECTRIC HEATERS – 3 PHASE AND THERMOSTAT AT THE TARRANT PUBLIC LIBRARY**

**BE IT RESOLVED by the City Council of the City of Tarrant, Alabama** while in regular session on Tuesday, August 30, 2016 at 7:00 p.m. as follows:

**Section 1.** A resolution authorizing an agreement between the City of Tarrant and Herring Heating & Air Conditioning for the purpose of installing of one (1) five (5) ton Heat Pump 4TWA3060B3000A 230 Volts 3 Phase, One (1) Five (5) Ton Air Handlers TEM4AOC6OS51SA, One (1) 15 KW Electric Heaters BAYHTR3515LUGC 3 Phase and Thermostat at the Tarrant Public Library located at 1143 Ford Avenue, Tarrant, Alabama; and

**Section 2.** That said agreement also includes the following: one (1) year parts warranty, one (1) year labor warranty and providing a five (5) year compressor warranty; and

**Section 3.** That the total cost shall not exceed the amount of \$8,500.00 (eight thousand, five hundred dollars and no cents); and

**Section 4.** That said cost shall be paid from Fund 01 – Tarrant General Fund, amending said fund accordingly; and,

**Section 5.** That a copy of said agreement shall be attached hereto and made a part thereof.

ADOPTED this the 30th day of August, 2016.

APPROVED: \_\_\_\_\_  
LOXCIL B. TUCK, MAYOR

ATTEST: \_\_\_\_\_  
Lillian Keith, City Clerk





Whereupon, Councilmember Bryant moved for the adoption of Resolution Number 8259. Motion for the adoption of Resolution Number 8259 was seconded by Mayor Pro Tem Horton, regularly put and upon roll call; the vote thereon was as follows:

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

NAYS: None

ABSENT: None

The Recording Secretary announced the vote, whereupon Mayor Tuck declared Resolution Number 8259 duly and legally adopted.

Whereupon, Mayor Pro Tem Horton made a motion calling for an Executive Session (12:29 p.m.) for the purpose of discussing with the City's attorney the consideration the body is willing to offer or accept when considering to buy, sell, lease, or exchange real property or when considering the market value of real property. . Said motion was seconded by Councilmember Bryant regularly put and upon roll call, the vote thereon was as follows:

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


NAYS: None

ABSENT: None

The Recording Secretary announced the vote, whereupon Mayor Tuck declared that the motion had carried and that the City Council would adjourn, following the Executive Session.

READ AND APPROVED THIS THE 12TH DAY OF SEPTEMBER, 2016.

APPROVED:

  
Loycil B. Tuck, Mayor

ATTEST:

  
Lillian A. Keith, City Clerk