

**MINUTES OF THE REGULAR MEETING
OF THE CITY OF TARRANT, ALABAMA
HELD ON MONDAY, OCTOBER 19, 2015**

The Honorable City Council of the City of Tarrant, Alabama reconvened from executive session to regular session on the 19th day of October, 2015 at 7:06 p.m., in the City Council Chambers of 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 Lieutenant Jerry Presley to lead the pledge of allegiance.

Lillian A. 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 Tuck stated that the Councilmembers had been provided with copies of the minutes of the Pre-council Meeting held on Monday, October 5, 2015, and the Regular City Council Meeting held on Monday, October 5, 2015, and 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 as written. Upon roll call, all members present voted yes.

Mayor Tuck stated that Truck-or-Treat would be held on Saturday, October 31, 2015 from 4:00 p.m. to 6:00 p.m. Mayor Tuck explained that the event would begin on Ford Avenue.

Mayor Tuck stated that the annual Thanksgiving Community Service would be held on Sunday, November 22, 2015 at 6:00 p.m., at Central Baptist Baptist Church. Mayor Tuck stated that the service has been traditionally recognized as the beginning of the "Tarrant Toy Drive". Mayor Tuck that contributions during the Thanksgiving Community Service, assist in providing families with food boxes and toys for children.

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

RESOLUTION NO. 8151

A RESOLUTION EXTENDING THE DEADLINE FOR THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 305 SPRINGDALE ROAD, TARRANT, AL 35217, PARCEL ID# 13-00-32-4-003-030.000, IN COMPLIANCE WITH SECTION 4-115(F) OF ORDINANCE NUMBER 1022 OF THE CITY OF TARRANT, ALABAMA

WHEREAS, a Public Hearing was held on April 6, 2015 at 7:00 p.m. and after due deliberation the City Council of the City of Tarrant, Alabama found that the structure standing at 305 Springdale Road,

Tarrant, AL 35217, Parcel ID# 13-00-32-4-003-030.000 was unsafe to the extent of becoming a public nuisance to the citizens of City of Tarrant, Alabama and was due to be condemned and demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the Code of Alabama (1975), and Ordinance Number 1022 of the City of Tarrant, Alabama;

WHEREAS, there exists a considerable amount of asbestos in the structure and the City had been discussing with the record owner of such structure about the record owner demolishing the structure but the record owner has failed to do so;

WHEREAS, on October 5, 2015, Ken Jones, the Building Inspector for the City of Tarrant, Alabama made a report to the City Council of the City of Tarrant, Alabama recommending an extension of the time for demolition for a reasonable period of time as set by the City Council of the City of Tarrant, Alabama; and

WHEREAS, on October 19, 2015, a public hearing was held before the City Council to determine whether to extend the time for demolition and whether to file suit against the record owner for failure to abate such public nuisance;

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, October 19, 2015 at 7:00 p.m. as follows:

Section 1. The City Council of the City of Tarrant, Alabama hereby extends the deadline for demolition of the structure standing at 305 Springdale Road, Tarrant, AL 35217, Parcel ID# 13-00-32-4-003-030.000 until the 31st day of December, 2016.

Section 2. That the Mayor and the City Attorney be and are hereby authorized to represent the City's interests in connection with pursuing a claim and/or filing suit against the record owner for failure to abate such public nuisance in accordance with the Complaint attached hereto as Exhibit A; and to take any and all actions necessary to advance the interests of the City in relation to the matters described herein, including all stages of litigation, discovery, trial, and appeal.

Section 3. That the Mayor and other officers and employees of the City are hereby authorized to execute any claim forms, pleadings, engagement agreements, waivers, or other documents that may be necessary to preserve the City's interests relative to the matters described herein.

ADOPTED this October 19, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

Motion for the adoption of Resolution Number 8151 was seconded by Councilmember Middlebrooks, 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 8151 duly and legally adopted.

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

RESOLUTION NO. 8152

A RESOLUTION RATIFYING THE EXECUTION AN TELEPHONE SYSTEM BASIC PROTECTION PLAN AGREEMENT BETWEEN THE CITY OF TARRANT AND LASERONE COMMUNICATIONS INC FOR THE PURPOSE OF MAINTENANCE FOR THE CITY OF TARRANT MUNICIPAL COMPLEX

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, October 19, 2015 at 7:00 p.m. as follows:

Section 1. That the execution of a Telephone System Basic Protection Plan agreement between the City of Tarrant and LaserOne Communication, Inc. for the purpose of maintenance for the City of Tarrant Municipal Complex, is hereby ratified; and

Section 2. That said amount of \$5,200.00 shall be paid from the City of Tarrant General Fund Line Item 01-6000-148, and the amount of \$1,300.00 shall be paid from the Tarrant Electric Department budget. That the total combined costs for the City of Tarrant and the Tarrant Electric Department shall not exceed the total amount of \$6,500.00; and

Section 3. That a copy of said agreement is attached hereto and made a part thereof,

ADOPTED THIS THE 19TH DAY OF OCTOBER, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

Motion for the adoption of Resolution Number 8152 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 8152 duly and legally adopted.

Mayor Tuck stated that the next item on the agenda would be a public hearing concerning property addresses not in compliance as of the week of October 6, 2015 with regard to the Weed

and Overgrown Vegetation Ordinance. Mayor Tuck therefore opened the public hearing. Mayor

Tuck asked that Mayor Pro Tem Horton read the following listed of property addresses:

<u>Street #</u>	<u>Street Name</u>	<u>City & State</u>	<u>Zip Code</u>	<u>Parcel I.D. Number</u>
<u>1425</u>	<u>Burlington Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-1-009-007.000-RR-00</u>
<u>1715</u>	<u>Damon Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-009-014.000-RR-00</u>
<u>Lot @</u>	<u>1812Day Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-011-008.000-RR-01</u>
<u>1945</u>	<u>Day Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-012-001.000-RR-00</u>
<u>1708</u>	<u>East Lake Blvd</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-020-010.000-RR-00</u>
<u>1720</u>	<u>East Lake Blvd</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-020-012.000-RR-00</u>
<u>1424</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-005-015.000-RR-00</u>
<u>1433</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-004.000-RR-00</u>
<u>1437</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-003.000-RR-00</u>
<u>1441</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-002.000-RR-00</u>
<u>1120</u>	<u>Elm Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-3-028-005.000-RR-00</u>
<u>1216</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-022.000-RR-00</u>
<u>1220</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-023.000-RR-00</u>
<u>Lot @1232</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-026.000-RR-00</u>
<u>1816</u>	<u>Hoke Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-012-021.000-RR-00</u>
<u>1820</u>	<u>Hoke Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-012-022.000-RR-00</u>
<u>1112</u>	<u>Linthicum Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-1-010-018.000-RR-00</u>
<u>1249</u>	<u>Maple Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-006-004.000-RR-00</u>
<u>1253</u>	<u>Maple Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-006-003.702-RR-00</u>
<u>1500</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-010-006.000-RR-00</u>
<u>1506</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-010-007.000-RR-00</u>
<u>1608</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-009-018.000-RR-00</u>
<u>1724</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-008-007.000-RR-01</u>
<u>1305</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-3-013-005.000-RR-00</u>
<u>1600</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-022-006.000-RR-00</u>
<u>1913</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-006-003.000-RR-00</u>

Mayor Tuck asked if there was anyone present who wished to speak regarding these properties.

Mayor Tuck therefore closed the public hearing as no one requested to speak.

Mayor Pro Tem Horton introduced and after reading at length moved for the

adoption of the following proposed resolution:

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 8153

**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 October 19, 2015, 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 AND APPROVED THIS THE 19TH DAY OF OCTOBER, 2015.

LOXCIL B. TUCK, MAYOR

ATTEST:

Lillian A. Keith, City Clerk

EXHIBIT "A"

<u>Street #</u>	<u>Street Name</u>	<u>City & State</u>	<u>Zip Code</u>	<u>Parcel I.D. Number</u>
<u>1425</u>	<u>Burlington Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-1-009-007.000-RR-00</u>
<u>1715</u>	<u>Damon Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-009-014.000-RR-00</u>
<u>Lot @</u>	<u>1812Day Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-011-008.000-RR-01</u>
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<u>1708</u>	<u>East Lake Blvd</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-020-010.000-RR-00</u>
<u>1720</u>	<u>East Lake Blvd</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-020-012.000-RR-00</u>
<u>1424</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-005-015.000-RR-00</u>
<u>1433</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-004.000-RR-00</u>
<u>1437</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-003.000-RR-00</u>
<u>1441</u>	<u>Elizabeth Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-012-002.000-RR-00</u>
<u>1120</u>	<u>Elm Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-3-028-005.000-RR-00</u>
<u>1216</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-022.000-RR-00</u>
<u>1220</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-023.000-RR-00</u>
<u>Lot @1232</u>	<u>Hanover Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-008-026.000-RR-00</u>
<u>1816</u>	<u>Hoke Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-012-021.000-RR-00</u>
<u>1820</u>	<u>Hoke Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-012-022.000-RR-00</u>
<u>1112</u>	<u>Linthicum Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-1-010-018.000-RR-00</u>
<u>1249</u>	<u>Maple Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-006-004.000-RR-00</u>
<u>1253</u>	<u>Maple Street</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-08-2-006-003.702-RR-00</u>
<u>1500</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-010-006.000-RR-00</u>
<u>1506</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-010-007.000-RR-00</u>
<u>1608</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-009-018.000-RR-00</u>
<u>1724</u>	<u>Mountain Drive</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-008-007.000-RR-01</u>
<u>1305</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-3-013-005.000-RR-00</u>
<u>1600</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-05-4-022-006.000-RR-00</u>
<u>1913</u>	<u>Wharton Avenue</u>	<u>Tarrant, AL</u>	<u>35217</u>	<u>23-00-09-2-006-003.000-RR-00</u>

Motion for the adoption of Resolution Number 8153 was seconded by Councilmember Anderson, 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 8153 duly and legally adopted.

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

RESOLUTION NO. 8154

A RESOLUTION AUTHORIZING CONTRIBUTIONS TO BE MADE BY THE CITY OF TARRANT AND THE CITY OF TARRANT ELECTRIC DEPARTMENT TOWARD EMPLOYEE SINGLE AND FAMILY COVERAGE HEALTH INSURANCE PREMIUMS UNDER THE LOCAL GOVERNMENT HEALTH INSURANCE PROGRAM ADMINISTERED BY THE STATE EMPLOYEES' INSURANCE BOARD

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, October 19, 2015 at 7:00 p.m. as follows:

Section 1. That the City of Tarrant and the City of Tarrant Electric Department are hereby authorized to contribute a maximum monthly amount of \$392.00 per each eligible employee, toward employee single coverage health insurance premiums, under the Local Government Health Insurance Program administered by the State Employees' Insurance Board; and,

Section 2. That the City of Tarrant and the Tarrant Electric Department are hereby authorized to contribute a maximum monthly amount of \$634.00 per each eligible employee, toward employee family coverage health insurance premiums, under the Local Government Health Insurance Program administered by the State Employees' Insurance Board; and,

Section 3. That said contributions toward employee health insurance premiums for eligible employees shall be effective October 1, 2015; and,

Section 4. That a copy of said resolution shall be forwarded to all eligible employees participating in said established insurance program,

ADOPTED THIS THE 19TH DAY OF OCTOBER, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

Motion for the adoption of Resolution Number 8154 was seconded by Councilmember Middlebrooks, 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 8154 duly and legally adopted. Mayor Pro Tem Horton stated that the health insurance premiums effective October 1, 2015, for the City of Tarrant and the Tarrant Electric Department had increased by 7.8%, since the prior fiscal year 2014 - 2015.

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

RESOLUTION NO. 8155

A RESOLUTION APPROVING AND ADOPTING THE GENERAL FUND BUDGET FOR THE CITY OF TARRANT FOR THE PERIOD BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016

WHEREAS, the Mayor and City Council unanimously agree that it would be in the best interest for the City to adopt and operate pursuant to a general fund budget for the full fiscal year beginning October 1, 2015 and ending September 30, 2016;

and

WHEREAS, the Mayor has prepared a “general fund budget” which has been reviewed and amended by the Finance Committee for said period reflecting anticipated revenue and expenditures in the amount of \$7,904,785 to be effective for the period beginning October 1, 2015, through September 30, 2016; and

WHEREAS, Title 11-43-57, Code of Alabama provides as follows:

Annual appropriation of funds for expenditures of all departments and interest on indebtedness: In all cities, the Council shall appropriate the sums necessary for the expenditures of the several City departments and for the interest on its bonded and other indebtedness, not exceeding in the aggregate within ten (10) percent of its estimated receipts, and such City Council shall not appropriate in the aggregate an amount in excess of its annual legally authorized revenue. But, nothing in this section shall prevent such cities from anticipating their revenues for the year for which such appropriation was made, or from contracting for temporary loans as provided in the applicable provisions of this title, or from bonding or refunding their outstanding indebtedness or from appropriating anticipated revenue at any time for the current expenses of the City and interest on the bonded and other indebtedness of the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in regular session on Monday, October 19, 2015 at 7:00 p.m. as follows:

Section 1. That the municipal general fund budget for the City of Tarrant, Alabama, prepared by the Mayor and submitted to the City Council is hereby approved and adopted to the extent of, but not exceeding, anticipated revenue of \$7,904,785, and for interest on its bonded and other indebtedness not exceeding in the aggregate within ten (10) percent of the estimated receipts; and

Section 2. That the Mayor is hereby authorized to expend the sum of \$7,904,785 from the General Fund for municipal expenses for the period beginning October 1, 2015, and ending September 30, 2016; and

Section 3.

That a copy of said budget is attached hereto, marked as Exhibit "A" and incorporated into this Resolution by reference, as though set out fully herein; and

Section 4.

That this Resolution shall become effective immediately upon its approval and adoption.

APPROVED AND ADOPTED THIS THE 19TH DAY OF OCTOBER, 2015.

APPROVED: _____
Loxcil B. Tuck, Mayor

ATTEST: _____
Lillian A. Keith, City Clerk

EXHIBIT A

**CITY OF TARRANT
FY 2016 GENERAL FUND BUDGET**

	REVENUE	
4000-000	ADVALOREM TAX - HEALTH & TRAN	56,000
4000-001	ADVALOREM TAX - COMM & MAP	25,000
4001-000	ADVALOREM TAX - OTHER	1,000,000
4002-000	SALES AND USE TAX	3,150,000
4003-000	ADVALOREM INSOLVENTS	2,500
4004-000	LAND REDEMPTIONS	30,000
4005-000	TAX EQUIVALENT - TARRANT ELECTRIC	410,000
4007-000	HOUSING AUTH IN LIEU OF TAX	6,500
4008-000	FRANCHISE TAX--ALABAMA GAS	26,000
4009-000	FRANCHISE TAX--B'HAM WATER WOR	70,500
4012-000	SALES TAX--ABC STORE	14,000
4013-000	CITY WINE TAX	2,000
4014-000	CITY LIQUOR TAX	2,000
4015-000	LEASE RENTAL TAX	75,000
4017-000	FRANCHISE TAX--ALLIED WASTE	20,500
4018-000	TARRANT OCCUPATIONAL TAX	550,000
4019-000	FRANCHISE TAX--CHARTER COMMUNICATIONS	50,000
4021-000	AT&T VIDEO FRANCHISE FEES	3,700
4101-000	ASSESSMENTS/LIENS	60,000
4201-000	BUSINESS LICENSES	1,200,000
4251-000	BUILDING PERMITS	11,000
4252-000	ELECTRICAL PERMITS	1,500
4253-000	PLUMBING PERMITS	350
4254-000	BUILDING INSPECTION FEES	15,000
4260-000	CELL TOWER FEES	-
4300-000	INSPECTION FEES/CONST PLANS	2,000
4301-000	MUNICIPAL COURT REVENUE	20,000
4303-000	PARK MEMBERSHIP FEES	500
4306-000	ELECTION QUALIFYING FEES	600
4310-000	PARK BALLFIELD RENTAL	250
4311-000	PARK RECREATION CENTER RENTAL	2,000
4312-000	SAFE STREETS--TOWING & STORAGE	15,000
4320-000	INSURANCE REIMBURSEMENT	10,000
4401-000	PARKING VIOLATION FEES	200
4402-000	RECORDERS COURT FINES	130,000
4403-000	LIBRARY FINES	200
4404-000	ACCIDENT REPORT FEES	1,000
4408-000	PROCEEDS FROM CAPITAL LEASE	-
4500-000	MISCELLANEOUS REVENUE	600

4501-000	INTEREST INCOME	200
4502-000	INTEREST INCOME--MONEY MARKET	250
4503-000	OFFICE RENTAL--ELECTRIC DEPT	16,320
4505-000	CITY PROPERTY RENT	20,200
4506-000	SALE OF SURPLUS PROPERTY	4,000
4507-000	NOTARY FEES/ASSESSMENT LETTERS	1,500
4508-000	WORKMENS COMP REIMBURSEMENT	5,000
4509-000	SALE OF SCRAP	500
4510-000	PARK CERAMIC FEES	115
4511-000	PARK FIRING CHARGES	100
4512-000	PARK SENIOR CITIZENS SERVICES	10,000
4513-000	INSF CHECK CHARGE	100
4605-000	SRO FUNDING	42,000
4610-000	POLICE REIMBURSEMENTS	20,000
4640-000	JCLC STATE AID LIBRARY	3,600
4814-000	ABC BOARD RECEIPTS	3,500
4817-000	STATE LAND SALES	10,000
4818-000	OIL PRODUCTION PRIVILEGE TAX	300
4911-000	COUNTY BEER TAX	30,000
4912-000	COUNTY AUTO TAX	110,000
4913-000	COUNTY AUTO LICENSE	25,000
4914-000	TOBACCO TAX	6,000
4915-000	GASOLINE TAX	62,000
4916-000	ROAD & BRIDGE TAX	75,000
4917-000	TAX EQUIVALENT - TVA	405,000
4940-000	MANUFACTURED HOME REGIS FEES	-
4941-000	AUTO SALES TAX (COUNTY)	15,000
4945-000	SALES TAX--BOATS	-
4950-000	MUNICIPAL REAL ESTATE LICENSES	200
4962-000	BUSINESS PRIVILEGE TAX FUNDS	33,000
4990-800	TRANSFER FROM OTHER FUNDS	42,000
	REVENUE TOTAL	<u>7,904,785</u>

6000-100	ADMINISTRATION	33,900
6000-101	ELECTED OFFICIALS	317,979
6000-102	SALARIES	10,000
6000-103	OVERTIME EXPENSE	37,500
6000-104	ACCTG SALARY AND FRINGE	27,684
6000-105	PAYROLL TAXES	45,533
6000-106	PENSION PAID BY THE CITY	35,832
6000-107	HOSPITAL INSURANCE	1,058
6000-108	LIFE INSURANCE EMPLOYEES	10,000
6000-109	UNEMPLOYMENT COMPENSATION	1,260
6000-110	DENTAL EXPENSE	1,500
6000-111	WORKMENS COMP INSURANCE	155,000
6000-112	LEGAL FEES	45,000
6000-113	MGMT AND ACCT SERVICE	300
6000-114	UNIFORM EXPENSE	2,500
6000-115	ENGINEERING AND APPLICATIONS	60,000
6000-117	CIVIL SERVICE EXPENSE	20,100
6000-119	RECORDERS COURT JUDGE	10,000
6000-121	BUILDING INSPECTOR - CONTRACT LABOR	7,000
6000-122	OFFICE SUPPLIES	900
6000-124	GAS, OIL AND TIRES	1,500
6000-128	SANITARY SUPPLIES	3,000
6000-129	DATA PROCESSING EXPENSE	1,500
6000-130	OPERATING SUPPLIES	500
6000-141	BUILDING INSPECTOR TOOLS/SUPPLIES	14,000
	BLDG REPAIRS & MAINTENANCE	

6000-142	EQUIPMENT MAINTENANCE	2,000
6000-143	COPY MACHINE EXPENSE	3,000
6000-148	SERVICE CONTRACTS	13,000
6000-150	UTILITIES	42,000
6000-151	STREET LIGHT RENTAL - APCO	4,000
6000-152	STREET LIGHT RENTAL - TVA	170,000
6000-161	TELEPHONE	25,000
6000-162	POSTAGE	2,000
6000-163	ADVERTISING/LEGALLY REQUIRED	2,500
6000-165	COMPUTER EQUIP/SUPPLIES	1,500
6000-166	PROBATE EXPENSE	500
6000-170	TRAVEL, EDUCATION, TRAINING	7,000
6000-171	EMP ASSISTANCE & DRUG TESTING	400
6000-180	INSURANCE	27,535
6000-181	INSURANCE/CLAIMS & DEDUCTIBLES	5,000
6000-199	RETIREE HEALTH COST	5,000
6000-207	DUES AND SUBSCRIPTIONS	7,000
6000-209	CITY ELECTION EXPENSE	25,000
6000-520	SALES TAX REBATE	6,000
6000-523	OCC TAX COLLECTION FEE	10,000
6000-524	OCC TAX AUDIT FEE	300
6000-525	SALES TAX COLLECTION FEE	24,000
6000-526	SALES & USE TAX AUDIT FEES	45,000
6000-527	BUS LICENSE COLLECTION FEE	38,000
6000-528	BUS LICENSE AUDIT FEE	3,000
6000-617	BANK SERVICE CHARGE	15,000
6000-618	BANK INTEREST	4,000
6000-650	CONTINGENCY	29,403
	TOTAL ADMINISTRATION	<u>1,360,684</u>

POLICE DEPARTMENT

6101-101	SALARIES	1,138,577
6101-102	OVERTIME EXPENSE--PATROL	40,000
6101-104	PAYROLL TAXES	90,161
6101-105	PENSION PAID BY THE CITY	162,901
6101-106	HOSPITAL INSURANCE	141,630
6101-107	LIFE INSURANCE	3,969
6101-109	DENTAL EXPENSE	4,725
6101-110	WORKMENS COMP INSURANCE	23,000
6101-113	UNIFORM EXPENSE	6,000
6101-119	POLICE DEPT-CONTRACT LABOR	18,720
6101-120	PHOTO FINGERPRINT SUPPLIES	500
6101-121	OFFICE SUPPLIES	2,500
6101-122	GAS, OIL AND TIRES	45,000
6101-123	LAW ENFORCEMENT SUPPLIES	4,700
6101-124	SANITARY SUPPLIES	500
6101-125	MEDICAL EXPENSE	1,200
6101-128	DATA PROCESSING EXPENSE	3,000
6101-130	FIREARMS TRAINING	200
6101-133	COPYING EQUIPMENT RENTAL	4,500
6101-141	BUILDING REPAIRS AND MAINT.	7,000
6101-142	EQUIPMENT MAINTENANCE	1,000
6101-143	COPY MACHINE EXPENSE	1,500
6101-144	EQUIP MAINT AND REPAIR--AUTO	33,000
6101-148	SERVICE CONTRACTS	15,000
6101-150	UTILITIES	26,000
6101-161	TELEPHONE	7,200
6101-164	EQUIP MAINT AND REPAIR--RADIO	700
6101-170	TRAVEL, EDUCATION AND TRAINING	7,000
6101-171	EMP ASSTANCE & DRUG TESTING	1,000

6101-180	INSURANCE	67,361
6101-183	DRUGS & INFORMANTS	250
6101-207	DUES AND SUBSCRIPTIONS	500
6101-330	PURCHASES/EQUIPMENT	-
6101-331	CAPITAL PURCHASE	-
6101-410	CAPITAL LEASE INTEREST	1,080
6101-420	CAPITAL LEASE PRINCIPAL	15,766
	TOTAL POLICE DEPARTMENT	<u>1,876,140</u>

	FIRE DEPARTMENT	
6102-101	SALARIES	741,673
6102-102	OVERTIME EXPENSE	15,000
6102-104	PAYROLL TAXES	57,885
6102-105	PENSION PAID BY THE CITY	106,718
6102-106	HOSPITAL INSURANCE	76,776
6102-107	LIFE INSURANCE EMPLOYEES	2,117
6102-109	DENTAL EXPENSE	2,520
6102-110	WORKMENS COMP INSURANCE	25,000
6102-113	UNIFORM EXPENSE	6,000
6102-121	OFFICE SUPPLIES	1,000
6102-122	GAS, OIL AND TIRES	15,000
6102-124	SANITARY SUPPLIES	2,500
6102-128	DATA PROCESSING EXPENSE	1,000
6102-129	OPERATING SUPPLIES	4,000
6102-131	RENTALS	33,000
6102-141	BUILDING REPAIRS AND MAINTENAN	8,000
6102-142	EQUIPMENT MAINTENANCE	6,000
6102-144	EQUIP MAINT AND REPAIR--AUTO	5,000
6102-146	EQUIP MAINT AND REPAIR ENGINES	22,000
6102-148	SERVICE CONTRACTS	13,600
6102-150	UTILITIES	30,000
6102-161	TELEPHONE	2,400
6102-162	POSTAGE	100
6102-164	EQUIP MAINT & REPAIR--RADIO	3,000
6102-170	TRAVEL, EDUCATION AND TRAINING	8,000
6102-171	EMP ASSISTANCE & DRUG TESTING	1,000
6102-180	INSURANCE	47,682
6102-201	MEDICAL RESCUE PROGRAM	12,000
6102-202	MEDICAL RESCUE EQUIPMENT	5,000
6102-203	FIRE PREVENTION MATERIAL	500
6102-204	VOLUNTEER FIREMEN EXPENSE	2,500
6102-205	TURN OUT GEAR	6,000
6102-207	DUES AND SUBSCRIPTIONS	1,500
6102-330	EQUIPMENT PURCHASES	-
6102-331	CAPITAL PURCHASES	-
6102-410	CAPITAL LEASE INTEREST	-
6102-420	CAPITAL LEASE PRINCIPAL	-
	TOTAL FIRE DEPARTMENT	<u>1,264,471</u>

	PUBLIC WORKS DEPARTMENT	
6302-101	SALARIES	616,656
6302-102	OVERTIME EXPENSE	18,000
6302-104	PAYROLL TAXES	48,551
6302-105	PENSION PAID BY THE CITY	87,823
6302-106	HOSPITAL INSURANCE	81,072
6302-107	LIFE INSURANCE EMPLOYEES	2,419
6302-109	DENTAL EXPENSE	2,880
6302-110	WORKMENS COMP INSURANCE	30,000
6302-113	UNIFORM EXPENSE	4,000
6302-114	ENGINEERING EXPENSE	4,000

6302-121	OFFICE SUPPLIES	1,400
6302-122	GAS, OIL AND TIRES	60,000
6302-124	SANITARY SUPPLIES	1,400
6302-129	OPERATING SUPPLIES	31,000
6302-131	RENTALS	2,400
6302-141	BUILDING REPAIRS AND MAINT.	2,200
6302-142	EQUIPMENT MAINTENANCE	1,800
6302-144	EQUIP MAINT AND REPAIR--AUTO	20,000
6302-147	HEAVY EQUIP MAINTENANCE	42,000
6302-148	SERVICE/MAINTENANCE CONTRACTS	7,400
6302-150	UTILITIES	14,000
6302-153	TRAFFIC CONTROL	8,000
6302-155	GARBAGE CONTROL	8,100
6302-160	DITCH/CULVERT REPAIRS	45,000
6302-161	TELEPHONE	3,600
6302-162	POSTAGE	100
6302-164	EQUIP MAINT & REPAIR--RADIO	250
6302-170	TRAVEL, EDUCATION & TRAINING	1,400
6302-171	EMP ASSISTANCE & DRUG TESTING	1,500
6302-179	CDL LICENSE EXPENSE	100
6302-180	INSURANCE	52,223
6302-191	COUNTY LANDFILL EXPENSE	13,000
6302-192	ANIMAL CONTROL	14,000
6302-207	DUES AND SUBSCRIPTIONS	300
6302-245	DEMOLITION EXPENSE	25,000
6302-246	SMALL TOOLS	600
6302-331	CAPITAL PURCHASES	-
6302-410	CAPITAL LEASE INTEREST	2,131
6302-420	CAPITAL LEASE PRINCIPAL	38,911
	TOTAL PUBLIC WORKS	<u>1,293,216</u>

PARK & RECREATION DEPARTMENT

6602-101	SALARIES	180,828
6602-102	OVERTIME EXPENSE	-
6602-104	PAYROLL TAXES	13,833
6602-105	PENSION PAID BY THE CITY	23,102
6602-106	HOSPITAL INSURANCE	21,720
6602-107	LIFE INSURANCE EMPLOYEES	605
6602-109	DENTAL EXPENSE	720
6602-110	WORKMENS COMP INSURANCE	4,000
6602-113	UNIFORM EXPENSE	1,000
6602-121	OFFICE SUPPLIES	1,000
6602-122	GAS, OIL AND TIRES	4,000
6602-124	SANITARY SUPPLIES	700
6602-125	MEDICAL SUPPLIES	50
6602-141	BUILDING REPAIRS & MAINTENANCE	6,000
6602-142	EQUIPMENT MAINTENANCE	1,000
6602-143	COPY MACHINE EXPENSE	100
6602-144	EQUIP MAINT & REPAIR--AUTO	1,000
6602-150	UTILITIES	30,000
6602-161	TELEPHONE	2,100
6602-170	TRAVEL, EDUCATION & TRAINING	400
6602-171	EMP ASSISTANCE & DRUG TESTING	450
6602-180	INSURANCE	23,835
6602-182	SAFETY SUPPLIES AND PROGRAM	100
6602-193	BRUMMIT HEIGHTS UTILITIES	1,500
6602-194	CWCBH PARK UTILITIES	1,500
6602-206	SENIOR CITIZENS EXPENSE	100
6602-207	DUES AND SUBSCRIPTIONS	200
6602-210	CERAMIC PROGRAM EXPENSE	200

6602-211	EQUIP PURCHASES--REC CENTER	500
6602-212	EQUIP PURCHASES-CWCBH PARK	500
6602-213	EQUIP PURCHASES--BRUMMIT HGTS	500
6602-214	DEPOT STREET MINI PARK	500
6602-215	BALLFIELD EXPENSE	800
6602-216	PEST CONTROL	750
6602-217	ALARM SERVICE	240
6602-330	PURCHASES/EQUIPMENT	-
6602-331	CAPITAL PURCHASES	-
	TOTAL PARK & RECREATION	323,833

	LIBRARY	
6603-101	SALARIES	75,807
6603-104	PAYROLL TAXES	5,799
6603-105	PENSION PAID BY THE CITY	6,710
6603-106	HOSPITAL INSURANCE	4,704
6603-107	LIFE INSURANCE EMPLOYEES	302
6603-109	DENTAL EXPENSE	180
6603-110	WORKMENS COMP INSURANCE	1,800
6603-121	OFFICE SUPPLIES	100
6603-124	SANITARY SUPPLIES	100
6603-129	OPERATING SUPPLIES	250
6603-141	BUILDING REPAIRS & MAINTENANCE	3,000
6603-143	COPY MACHINE EXPENSE	900
6603-148	SUPPORT AND SERVICE CONTRACTS	1,000
6603-150	UTILITIES	8,000
6603-162	POSTAGE	10
6603-170	TRAVEL, EDUCATION & TRAINING	1,800
6603-171	EMP ASSISTANCE & DRUG TESTING	200
6603-180	INSURANCE	9,660
6603-220	BOOKS PURCHASED	3,000
6603-221	MAGAZINES PURCHASED	25
6603-223	CLSI EXPENSE	12,500
6603-224	JCLC SUPPORT CHARGES	5,500
6603-235	SUMMER READING PROGRAM	50
6603-331	CAPITAL PURCHASE	-
	TOTAL LIBRARY	141,397

6700-900	BOE--STATE LAND SALES	4,000
6700-902	BOE--AD VALOREM TAX	432,400
6700-903	BOE--AUTO TAX	44,000
6700-904	BOE--LAND REDEMPTIONS	12,000
6700-905	BOE--AD VALOREM INSOLVENTS	1,000
6700-906	BOE--ABC BOARD RECEIPTS	1,400
6700-907	BOE--TAX EQUIVALENT	115,000
	APPR TARRANT BOE	609,800

6800-490	BOND ISSUE AGENT FEES	2,450
6800-800	TRANSFER DEBT SVC FUNDS 28&32	745,290
	DEBT RETIREMENT	747,740

6900-500	JEFFERSON COUNTY HEALTH DEPT	37,000
6900-501	TRANSIT AUTHORITY	21,000
6900-502	MAPPING REAPPRAISAL	15,000
6900-503	TAX ASSESSOR/COLLECTOR	15,000
6900-504	STORM WATER FEES	1,300
6900-505	JEFFCO MENTAL HEALTH AUTHORITY	800
6900-506	BEAUTIFICATION BOARD	2,000
6900-507	BREMMS	1,215

6900-508	EMA PROPORTIONATE SHARE	8,508
6900-511	REGIONAL PLANNING COMM	3,870
6900-514	MEALS ON WHEELS	1,500
6900-515	CLASTRAN	3,640
6900-516	PRESCOTT HOUSE	2,000
	INTERGOVERNMENTAL APPR	112,833
6902-101	SALARIES	37,000
6902-104	PAYROLL TAXES	2,820
6902-105	PENSION PAID BY THE CITY	5,300
6902-106	HOSPITAL INSURANCE	5,700
6902-107	LIFE INSURANCE	115
6902-109	DENTAL INSURANCE	135
	SCHOOL RESOURCE OFFICER	51,070
6930-800	TRANSFER OUT-LO WARRANT FUND	123,600
	TRANSFER TOTALS	123,600
	TOTAL	7,904,785
	NET INCOME / (LOSS)	-

Motion for the adoption of Resolution Number 8155 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 8155 duly and legally adopted. Mayor Pro Tem Horton explained that the current budget includes the reinstatement of employee merit increases in the amount of \$36,560 and the City had absorbed the increase in employee insurance premiums in the amount of \$40,218. Mayor Pro Tem Horton stated that the City's General Fund Budget for the FY 2014 – 2015 had been \$7,807,545 and the City's General Fund Budget for the FY 2015 – 2016 would be \$7,904,785.

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

RESOLUTION NO. 8156

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO IMPLEMENT STORM DRAINAGE IMPROVEMENTS IN THE VICINITY OF 2267 TREADWELL ROAD, TARRANT, ALABAMA

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama while in special session on Monday, October 19, 2015 at 7:00 p.m. as follows:

Section 1. A Resolution authorizing the Public Works Department to implement storm drainage improvements in the vicinity of 2267 Treadwell Road, Tarrant, Alabama, as follows:

A) Installation of two (2) driveway culverts and a swale ditch, on the west side of Treadwell Road, in the vicinity of 2267 Treadwell Road, Tarrant, Alabama. Said ditch will flow to the existing 15" culvert that crosses Treadwell Road, Tarrant, Alabama.

Section 2. That, said amount for improvements to implement improved storm drainage improvements to the property located in the referenced vicinity, shall be an amount not to exceed \$8,000.00, and shall be paid from the State 7-Cent Gasoline Tax Funds.

ADOPTED this the 19th day of October, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

Motion for the adoption of Resolution Number 8156 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 8156 duly and legally adopted.

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

RESOLUTION NO. 8157

A RESOLUTION SETTING FORTH THE OFFICIAL HOLIDAYS FOR EMPLOYEES OF THE CITY OF TARRANT FOR THE YEAR 2016

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session on Monday, October 19, 2015, at 7:00 p.m. as follows:

Section 1. That the following holidays are hereby established for employees of the City of Tarrant for the year 2016:

Friday, January 1, 2016	New Year's Day
Monday, January 18, 2016	Dr. Martin Luther King, Jr. Day
Monday, May 30, 2016	Memorial Day
Monday, July 4, 2016	Independence Day
Monday, September 5, 2016	Labor Day
Friday, November 11, 2016	Veterans Day
Thursday, November 24, 2016	Thanksgiving Day
Friday, November 25, 2016	Thanksgiving Holiday
Friday, December 23, 2016	Christmas Eve
Monday, December 26, 2016	Christmas Day
Friday, December 30, 2016	New Year's Eve
Employee's Birthday with Supervisor's Approval	Birthday

ADOPTED this the 19th day October, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

Motion for the adoption of Resolution Number 8157 was seconded by Councilmember Middlebrooks, 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 8157 duly and legally adopted. Mayor Tuck stated that the City Council had added one additional holiday, the employee's birthday. Mayor Tuck explained that should the holiday, for the employees' birthday, create a hardship in the department(s) scheduling, the supervisor of the department would be allowed discretion, so far as determining the date the employee utilized for this holiday benefit.

Mayor Tuck stated that the next item on the City Council Agenda would be the continuing of a public hearing from August 17, 2015, concerning the proposal to vacate portions of a public alley at the following property:

1st Street and Pinson Valley Parkway/Lying South of Lots 1 & 2, Block 1 Pittsburg Land Mining & Manufacturing Company; and
1st Street and Pinson Valley Parkway/Lying South of Lots 7 & 8, Block 2, Pittsburg Land Mining & Manufacturing Company

Mayor Tuck therefore opened the public hearing. Attorney Goldman stated that to clarify the vacation of the portions of a public alley, this vacation is in reference to the PalFleet Knapheide Manufacturing Company. Attorney Minor stated that he and Attorney Thomas M. "Mel" McElroy, II were present this evening on behalf of Knapheide Manufacturing Company. Attorney Minor stated that they would be happy to answer any questions concerning the project. Attorney Minor shared that his client is currently under contract regarding the purchase of property involved in this project and would appreciate the City Council moving forward this evening. Mayor Tuck asked if there were any questions. Mayor Tuck closed the public hearing as no one requested to speak. Councilmember Bryant introduced and after reading at length moved for the adoption of the following proposed resolutions:

RESOLUTION NUMBER 8127

A RESOLUTION VACATING A PORTION OF A 10' PUBLIC ALLEY BETWEEN 1ST STREET AND ALABAMA HIGHWAY NO. 79 (PINSON VALLEY PARKWAY)

WHEREAS, the City Council desires to vacate a portion of the alley (as described below, the "Alley Segment") located within the corporate limits of the City of Tarrant; and

WHEREAS, Section 23-4-2 of the Code of Alabama provides the procedures by which the governing body of a municipality may vacate a public street, alley, or highway, or portion thereof; and

WHEREAS, property abutting the Alley Segment is owned by (i) CBJ Investments LLC, an Alabama limited liability company, and (ii) FTEC, Inc., an Iowa corporation; and

WHEREAS, no property owner will be deprived of any right they may have to convenient and reasonable means of ingress and egress to and from their property as a result of the proposed vacation; and

WHEREAS, a public hearing was conducted by the City Council on Monday, September 21, 2015 at which time all citizens were given an opportunity to be heard in favor of or in opposition to the proposed vacation; and

WHEREAS, public notice of the public hearing was provided in accordance with Section 23-4-2 of the Code of Alabama; and

WHEREAS, the future property owner, Knapheide Truck Equipment Birmingham, requested that their report be given at the City Council Meeting scheduled for Monday, October 19, 2015; the Public Hearing was therefore continued until Monday, October 19, 2015 at 7:00 p.m.; and

WHEREAS, the City Council has determined that it is in the best interest of the public to vacate the Alley Segment.

NOW THEREFORE, BE IT RESOLVED that, pursuant to the provisions of Section 23-4-2 of the Code of Alabama, the City Council does hereby elect, assent to and approve the vacation of the Alley and the annulment of any prior dedication of the Alley Segment to the use of the public, which Alley Segment is described as follows:

A portion of a public alley lying South of Lots 1 & 2, Block 1, Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, situated in the Southwest ¼ of the Southeast ¼ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said alley being more particularly described as follows:
Begin at the Southwest corner of Lot 3, Block 1, of said subdivision; thence run South 00 degrees 57 minutes 26 seconds East along the extension of the East line of said Lot 2 for a distance of 10.00 feet to a point; thence run South 89 degrees 23 minutes 30 seconds West for a distance of 47.85 feet to a point; thence run North 00 degrees 36 minutes 30 seconds West for a distance of 10.00 feet to a point; thence run North 89 degrees 23 minutes 30 seconds East along the South line of Lots 1 and 2, Block 1 of said subdivision for a distance of 47.82 feet to the POINT OF BEGINNING. Said parcel contains 239 Square feet or 0.01 Acre.

BE IT FURTHER RESOLVED that the City of Tarrant does hereby remise, release, quitclaim to the aforesaid parties whatever right, title and interest the City of Tarrant may have acquired in the property by virtue of any prior dedication of said property, or otherwise, and that Loxcil B. Tuck, Mayor of the City of Tarrant, is authorized to execute and deliver one or more quitclaim deeds to the abutting landowners and the City Clerk be and is hereby authorized and directed on behalf of the City of Tarrant to attest the same.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be filed in the Probate Court of Jefferson County and shall further cause a copy of this resolution to be published once in a newspaper in Jefferson County no later than 14 days after its adoption.

ADOPTED AND APPROVED by the City Council, this the 19th day of October, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

ATTEST: _____
Lillian A. Keith, City Clerk

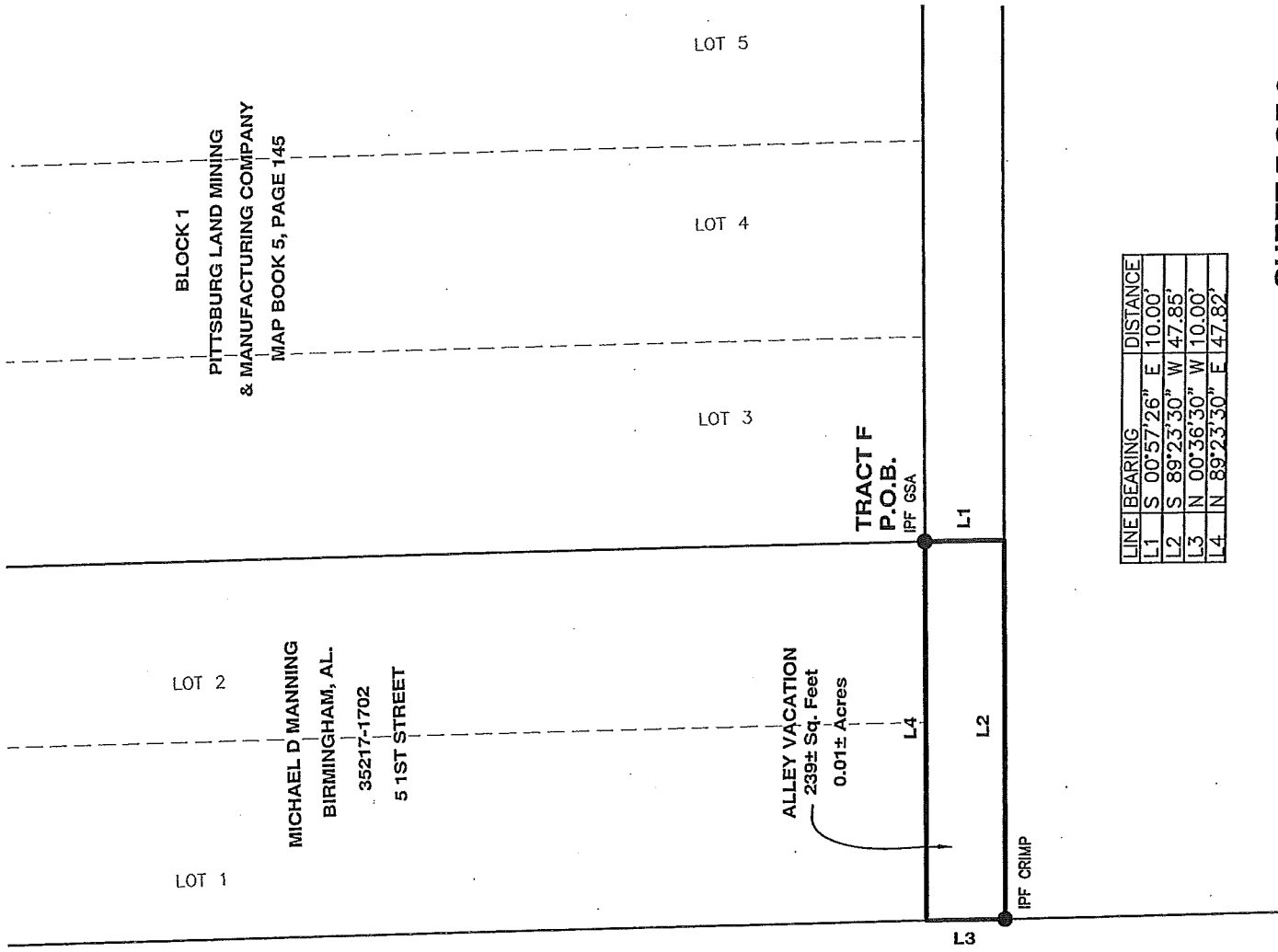
[INSERT ALLEY DIAGRAM]

EXHIBIT G

ALLEY VACATION

DRAWING: #27897

SW 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 2 WEST
TARRANT, JEFFERSON COUNTY, ALABAMA



LINE	BEARING	DISTANCE
L1	S 00°57'26" E	10.00'
L2	S 89°23'30" W	147.85'
L3	N 00°36'30" W	10.00'
L4	N 89°23'30" E	147.82'



NOT TO SCALE

SHEET 7 OF 8

ABBREVIATION
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING

GONZALEZ - STRENGTH & ASSOCIATES, INC.
ENGINEERING, LAND PLANNING, & SURVEYING
1206 PARKWAY LAKE DRIVE
TARRANT, TEXAS 76176
PHONE: (205) 842-2488
FAX: (205) 942-3023
www.Gonzalez-Strength.com

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RESOLUTION NUMBER 8128

A RESOLUTION VACATING A PORTION OF A 10' PUBLIC ALLEY BETWEEN 1ST STREET AND ALABAMA HIGHWAY NO. 79 (PINSON VALLEY PARKWAY)

WHEREAS, the City Council desires to vacate a portion of the alley (as described below, the "Alley Segment") located within the corporate limits of the City of Tarrant; and

WHEREAS, Section 23-4-2 of the Code of Alabama provides the procedures by which the governing body of a municipality may vacate a public street, alley, or highway, or portion thereof; and

WHEREAS, property abutting the Alley Segment is owned by (i) James Edward Bailey and Mary Helen Bailey, as joint tenants with right of survivorship, and (ii) FTEC, Inc., an Iowa corporation; and

WHEREAS, no property owner will be deprived of any right they may have to convenient and reasonable means of ingress and egress to and from their property as a result of the proposed vacation; and

WHEREAS, a public hearing was conducted by the City Council on September 21, 2015 at which time all citizens were given an opportunity to be heard in favor of or in opposition to the proposed vacation; and

WHEREAS, public notice of the public hearing was provided in accordance with Section 23-4-2 of the Code of Alabama; and

WHEREAS, the future property owner, Knapheide Truck Equipment Birmingham, requested that their report be given at the City Council Meeting scheduled for Monday, October 19, 2015; the Public Hearing was therefore continued until Monday, October 19, 2015 at 7:00 p.m.; and

WHEREAS, the City Council has determined that it is in the best interest of the public to vacate the Alley Segment.

NOW THEREFORE, BE IT RESOLVED that, pursuant to the provisions of Section 23-4-2 of the Code of Alabama, the City Council does hereby elect, assent to and approve the vacation of the Alley and the annulment of any prior dedication of the Alley Segment to the use of the public, which Alley Segment is described as follows:

A portion of a public alley lying South of Lots 7 & 8, Block 2, Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, situated in the Southwest ¼ of the Southeast ¼ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

Begin at the Southwest corner of Lot 9, Block 2, of said subdivision; thence run South 00 degrees 36 minutes 30 seconds East along the extension of the East line of said Lot 8 for a distance of 10.00 feet to a point; thence run South 89 degrees 23 minutes 30 seconds West for a distance of 50.17 feet to a point; thence run North 00 degrees 36 minutes 30 seconds West for a distance of 10.00 feet to a found capped rebar stamped GSA, said point marking the Southeast corner of Lot 6, Block 2, of said subdivision; thence run North 89 degrees 23 minutes 30 seconds East along the South line of Lots 7 and 8, Block 2, of said subdivision for a distance of 50.17 feet to the POINT OF BEGINNING. Said parcel contains 251 Square Feet or 0.01 Acres more or less.

BE IT FURTHER RESOLVED that the City of Tarrant does hereby remise, release, quitclaim to the aforesaid parties whatever right, title and interest the City of Tarrant may have acquired in the property by virtue of any prior dedication of said property, or otherwise, and that Loxcil B. Tuck, Mayor of the City of Tarrant, is authorized to execute and deliver one or more quitclaim deeds to the abutting landowners and the City Clerk be and is hereby authorized and directed on behalf of the City of Tarrant to attest the same.

BE IT FURTHER RESOLVED that the City Clerk shall cause a copy of this resolution to be filed in the Probate Court of Jefferson County and shall further cause a copy of this resolution to be published once in a newspaper in Jefferson County no later than 14 days after its adoption.

ADOPTED AND APPROVED by the City Council, this the 19th day of October, 2015.

APPROVED: _____
LOXCIL B. TUCK, MAYOR

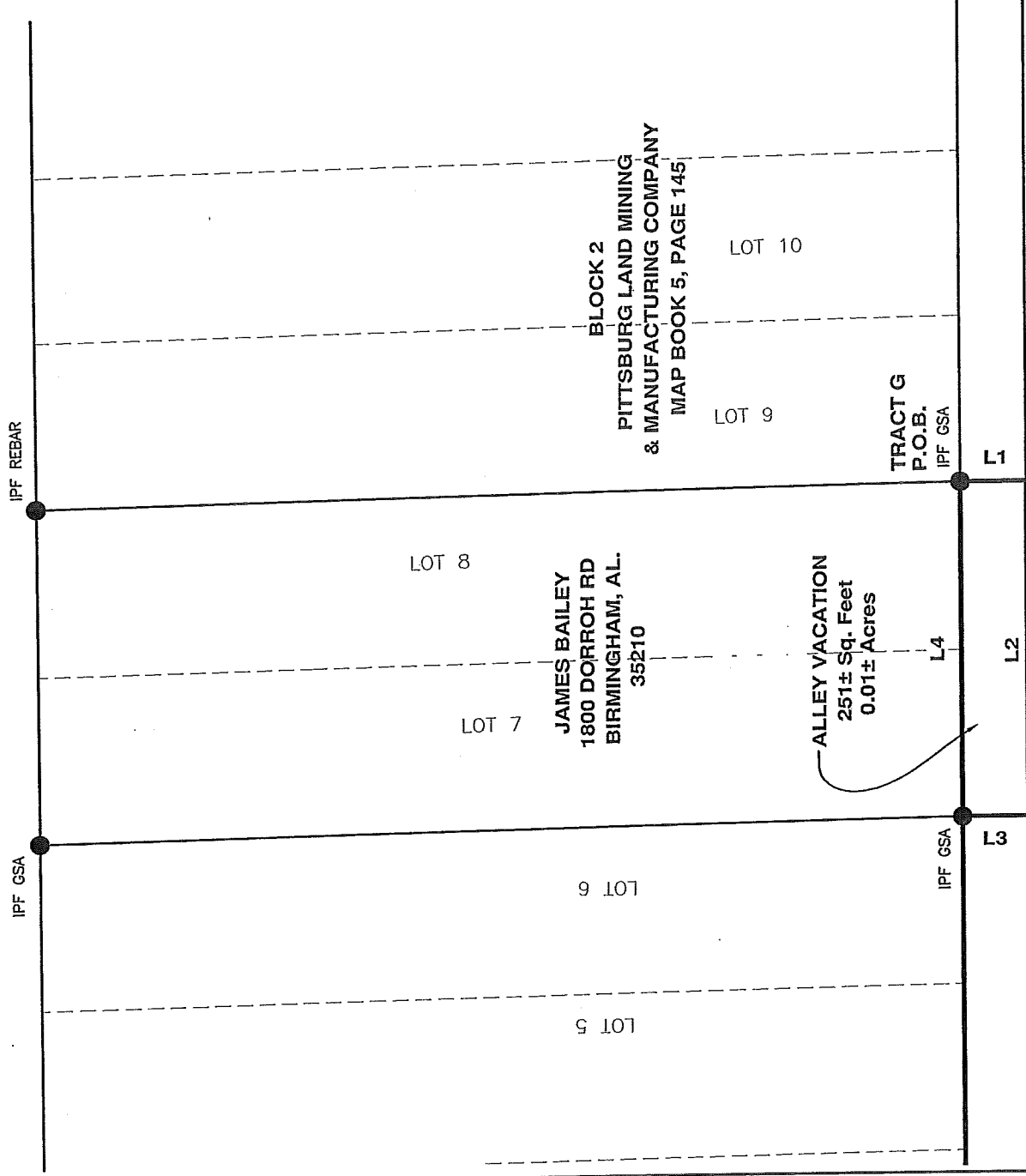
ATTEST: _____
Lillian A. Keith, City Clerk

[INSERT ALLEY DIAGRAM]

DRAWING: #27897

EXHIBIT H R.O.W. VACATION

SW 1/4 OF THE SE 1/4 OF SECTION 28, TOWNSHIP 16 SOUTH, RANGE 2 WEST
TARRANT, JEFFERSON COUNTY, ALABAMA



LINE BEARING	DISTANCE
L1 S 00°36'30" E	10.00'
L2 S 89°23'30" W	50.17'
L3 N 00°36'30" W	10.00'
L4 N 89°23'30" E	50.17'



NOT TO SCALE

ABBREVIATION
P.O.C. POINT OF COMMENCEMENT
P.O.B. POINT OF BEGINNING

SHEET 8 OF 8



GONZALEZ - STRENGTH & ASSOCIATES, INC.
 ENGINEERING, LAND PLANNING, & SURVEYING
 2176 PARKWAY LAKE DRIVE
 HOUSTON, TEXAS 77058
 PHONE: (281) 942-2489
 FAX: (281) 942-3033
 www.Gonzalez-Strength.com

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

Motion for the adoption of Resolution Numbers 8127 and 8128 was seconded by Councilmember Middlebrooks, 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 Numbers 8127 and 8128 duly and legally adopted.

Mayor Tuck stated that the next order of business would be a public hearing concerning the rezoning and pre-zoning petition of PalFleet Truck Equipment Company. Mayor Tuck explained that is the intent of the Mayor and City Council to allow all persons who desire to have an opportunity to be heard in opposition or in favor of the ordinance. Mayor Tuck stated that in the interest of the time, it would be necessary to all only three minutes per person, who desired to speak. Mayor Tuck therefore opened the public hearing. Attorney Goldman stated that he wished to clarify that this public hearing concerns the PalFleet Truck Equipment Company/Kanpheide Manufacturing Company. Mayor Tuck asked if there were any questions. Mayor Tuck closed the public hearing, as no one requested to speak.

Councilmember Bryant introduced proposed Ordinance Number 1073 and Ordinance 1074:

ORDINANCE NO. 1073

AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 974 HERETOFORE ADOPTED ON JUNE 5, 2006 BY THE CITY COUNCIL OF THE CITY OF TARRANT TO REZONE CERTAIN PROPERTY FROM ITS PRESENT ZONING OF R-AH AFFORDABLE HOUSING DEVELOPMENT ZONING TO PI - PLANNED INDUSTRIAL ZONE AND R6 (JEFFERSON COUNTY) TO PI - PLANNED INDUSTRIAL ZONE

BE IT ORDAINED by the City Council of the City of Tarrant, Alabama that

Zoning Ordinance No. 974, adopted June 5, 2006 be amended as follows:

Section 1. That the City Council of the City of Tarrant finds as follows:

- a. That the requested change in zoning classification is compatible with the City of Tarrant's comprehensive plan;
- b. That based upon the plans for the property to be rezoned submitted by the owner(s) of the property, there is available adequate public infrastructure and services, including water, sewer, roads, police and fire protection, etc., to support the proposed rezoning classification, and to the extent that improvements are required, the owner has agreed to make such improvements; and
- c. That based upon the plans for the property to be rezoned submitted by the owner(s) of the property, there will be no significant impact of the requested change in zoning classification on neighboring properties and the surrounding area, including traffic, noise, light, odors, etc.

Section 2. That the area described below be rezoned relevant to a proposed annexation of the property from its present zoning of R-AH - Affordable Housing Development Zone to PI - Planned Industrial Zone and R6 (Jefferson County) to PI - Planned Industrial Zone:

114 3rd Avenue, Birmingham, Alabama;
Parcel I.D.# 13-00-28-4-039-014.000

A portion of Lots 7 through 12, Block 6, Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, situated in the Southwest ¼ of the Southeast ¼ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

Begin at a found capped rebar stamped GSA marking the Northeast corner of Lot 12, Block 6, of said subdivision, said point lying on the West Right of Way of 3rd Avenue; thence run South 00 degrees 57 minutes 19 seconds East along the East line of said Lot 12, and along said West line of 3rd Avenue for a distance of 86.14 feet to a point; thence run South 89 degrees 23 minutes 30 seconds West for a distance of 149.96 feet to a point; thence run North 00 degrees 57 minutes 21 seconds West along the West line of Lot 7 of said subdivision for a distance of 84.44 feet to a point lying on the South line of 2nd Street, and the North line of said Block 6; thence run North 88 degrees 44 minutes 35 seconds East along the North line of Lots 7 through 12, Block 6 of said subdivision and along said 2nd Street Right of Way for a distance of 149.96 feet to the POINT OF BEGINNING. Said parcel contains 12, 790 Square Feet or 0.29 Acres more or less.

Street Addresses: 201 2nd Street, 209 2nd Street, 115 1st Street, 100 a/k/a 102 3rd Avenue, 108 3rd Avenue, and 110 3rd Avenue;
Parcel IDs: 13-00-28-4-039-002.000, 13-00-28-4-039-001.000, 13-00-28-4-039-006.000, 13-00-28-4-039-004.000, 13-00-28-4-039-013.000, and 13-00-28-4-039-003.000.

Exhibit A

Legal Description of the Property

Parcel 1

Lots 9, 10, 11, and 12, in Block 2, according to the map of the property of the Pittsburg Land Mining & Manufacturing Company, as shown by map of same recorded in the Probate Office of Jefferson County, Alabama, in Map Book 5, Page 145.

Parcel 2

A portion of Block 6, and a portion of Lots 1 through 6, Block 3, along with a portion of vacated Right of Way known as 1st Street, according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, situated in the Southwest ¼ of the Southeast ¼ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said parcel being more particularly described as follows:

Begin at a found capped rebar marking the Northwest Corner of Lot 1, Block 6, of said subdivision, said point lying on the South Right of Way of 2nd Street (50° R.O.W.); thence run North 88 degrees 44 minutes 35 seconds East along the North line of Lots 1 through 6 of said subdivision, and along the South Right of Way of said 2nd Street for a distance of 150.00 feet to a point, said point being the Northeast corner of Lot 6 of said subdivision; thence run South 00 degrees 57 minutes 21 seconds East along the East line of Lot 6 of said subdivision for a distance of 84.44 feet to a point; thence run North 89 degrees 23 minutes 30 seconds East for a distance of 149.96 feet to a point, said point lying on the East line of Lot 12 of said subdivision, said point also lying on the Westernmost Right of Way of 3rd Avenue (40° R.O.W.); thence run South 00 degrees 57 minutes 19 seconds East along the East line of Lot 12 and Lot 13 of said subdivision, and along said 3rd Avenue Right of Way for a distance of 215.00 feet to a found capped rebar stamped GSA; thence run South 72 degrees 05 minutes 30 seconds West for a distance of 313.58 feet to a found capped rebar stamped GSA, said point lying on the Easternmost Right of Way of 2nd Avenue (40° R.O.W.); thence run South 72 degrees 05 minutes 30 seconds West for a distance of 313.58 feet to a found capped rebar stamped GSA, said point lying on the Easternmost Right of Way of 2nd Avenue (40° R.O.W.) and the West line of Lot 1 Block 3 of said subdivision; thence run North 00 degrees 57 minutes 21 seconds West along said 2nd Avenue Right of Way, and the West line of Lots 24 and Lot 1 of said subdivision for a distance of 391.00 feet to a the POINT OF BEGINNING. Said parcel contains 91,017 Square feet or 2.09 Acres more or less.

0377449.5

Section 3. That this ordinance shall be effective when published by posting the same as required by law and upon its adoption.

ADOPTED AND APPROVED THIS THE 19TH DAY OF OCTOBER, 2015.

ATTEST:


Lillian A. Keith, City Clerk


LOYCIL TUCK, MAYOR

ORDINANCE NO. 1074

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, Alabama, ("City Council") has received the Petition of the Owner Co. requesting certain property to be annexed into the City of Tarrant, Alabama ("the City"), and a true and correct copy of said Petition is attached to this Ordinance;

WHEREAS, the City Council finds that PalFleet Truck Equipment Company, LLC is the sole property owner of the property sought to be annexed, that no part of the property sought to be annexed lies within the corporate limits of any other municipality or within the police jurisdiction of any other municipality, 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.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TARRANT 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 are altered and rearranged so as to include within its present corporate limits the real estate described on attached Exhibit "A" and as shown on the map attached as Exhibit "B". 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 Exhibit "A" 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 Exhibit "A" attached hereto and as shown on the map attached as Exhibit "B", 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.

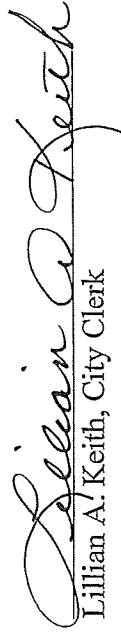
Section 3. This Ordinance is made pursuant to the terms of the Annexation Agreement attached hereto as Exhibit "C" and its terms are incorporated into this ordinance as if fully set forth herein. On behalf of the City, the Mayor is hereby authorized to execute the Annexation Agreement attached hereto as Exhibit "C"; and the City Clerk is hereby authorized to attest the same.

Section 3. In no case shall the City bear any costs, fees, or other sums related to enacting this Ordinance or effecting the annexation and terms authorized herein. The City shall not be responsible for the payment of any applicable fire district dues that may become payable upon annexation.

Section 4. This Ordinance shall become effective upon its adoption as provided by law.

ADOPTED AND APPROVED THIS THE 19TH DAY OF OCTOBER, 2015.

ATTEST:


Lillian A. Keith, City Clerk


LOYCIL TUCK, MAYOR

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Lillian A. Keith, 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 19th day of October, 2015.

The above and foregoing ordinance was published on the 20th day of October, 2015, by posting copies thereof in three public places within the City of Tarrant, one of which was the post office or the Mayor's office in the City of Tarrant.

Witness my hand and seal of office this 20th day of October, 2015.


Lillian A. Keith, City Clerk

ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT (this "Agreement") is made and entered into effective as of the 19th day of October, 2015 by and among the City of Tarrant, Alabama, an Alabama municipal corporation (the "City"), The Knapheide Manufacturing Company, an Illinois corporation ("Developer"), and PaFleet Truck Equipment Company, LLC, a Delaware limited liability company ("Owner").

RECITALS

Owner is the owner of certain real property situated in Jefferson County, Alabama, consisting of approximately 2.41 acres of real estate, which is more particularly described in the legal description attached hereto as Exhibit A and incorporated herein by reference (collectively, the "Property").

Developer contemplates developing all or a portion of the Property as a distribution and manufacturing facility (the "Project").

The Property is not situated within the corporate limits of any municipality, but is contiguous to real property which is in the City.

Developer is under contract to purchase the Property from Owner and has carefully planned for and commenced activities to have the Property considered and approved as a distribution and manufacturing facility in accordance with the required plans, prerequisites and specifications of city, county and state governmental and regulatory authorities.

In connection with the development of the Project, Developer has caused one or more applications to be filed to effect (i) the rezoning and pre-zoning of certain land owned by the Owner, including the Property, to PI (Planned Industrial) pursuant to the provisions of the Zoning Ordinance of the City of Tarrant, Alabama (collectively, the "Rezoning Applications") and (ii) the vacation of portions of one or more alleys and one or more streets within the City (collectively, the "Vacation Applications").

The City has agreed to accept the annexation of the Property on the terms and conditions hereinafter set forth to the fullest extents permitted by law.

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements set forth herein, the parties hereby agree as follows:

1. Annexation of Property. Owner has filed with the City and the City has accepted one or more petitions for annexation of the Property (collectively, the “Annexation Petitions”) by act of the City Council pursuant to ALA. CODE §§11-42-20 through 11-42-24 (1975).

2. Construction of Improvements. Except as otherwise provided herein to the contrary, the construction of any improvements on the Property, including without limitation, roads, streets, utilities, buildings, structures and any other improvement, shall satisfy all existing rules, regulations, ordinances, codes and other requirements of the City, and all applicable agencies, departments and bureaus of the State of Alabama.

3. Additional or Subsequent Governmental Requirements. Except as otherwise provided to the contrary in this Agreement, Developer, for itself and for its successors and assigns, agrees to comply with all existing governmental requirements of the City, as the same may be amended from time to time; provided, however, that in the event (a) any conflict or ambiguity arises between the terms and provisions set forth in this Agreement, and the terms and provisions set forth in any existing or future governmental requirements of the City, then the terms and provisions of this Agreement, shall at all times control and/or (b) the provisions of any existing governmental requirements of the City are amended or modified in any manner so as to impose more stringent requirements on the development or use of any portion of the Property, then such increased or additional requirements shall not be effective as applied to the Property unless such change is mutually agreed upon by the City and Developer.

4. Reversal of Annexation and Other City Approvals or Actions. If, for any reason whatsoever, on or prior to November 5, 2015, Owner or Developer request to nullify the annexation of the Property or either of the Rezoning Applications or the Vacation Applications is denied by the City, this Agreement shall be null and void and the City, Developer, and Owner shall promptly take all actions necessary to restore the parties to their respective positions as existed on the date immediately preceding the effective date of the annexation of any portion of the Property into the City, including, but not limited to, as applicable, (i) de-annexing the Property from the City, (ii) causing the Rezoning Applications to be withdrawn or dismissed, or both, and any approvals or actions taken by the City in connection therewith to be unwound or undone and (iii) causing the Vacation Applications to be withdrawn or dismissed, or

both, and any approvals or actions taken by the City in connection therewith to be unwound or undone.

However, in no event shall this require the City to pay any fees, costs, or other amounts of any nature whatsoever to any other party.

5. Payment of Fees. All publication costs incurred by the City in connection with providing any required notices in connection with the Annexation Petitions, the Rezoning Applications and the Vacation Applications shall be due and payable on or prior to October 19, 2015. In connection with the Vacation Applications, if approved by the City, Developer shall pay a vacation of right-of-way fee of \$19,530.85 assessed pursuant to ALA. CODE §11-49-6 (1975), which fee shall not be due and payable until the first to occur of (i) Developer has taken title to the Property or (ii) November 30, 2015.

6. Miscellaneous.

(a) This Agreement constitutes the entire agreement between the parties hereto with respect to the annexation and de-annexation of the Property and supersedes all prior discussions, understandings, agreements and negotiations between the parties hereto. This Agreement may be modified and amended only by a written instrument duly executed by the City, Developer, and Owner.

(b) This Agreement shall be binding upon and inured to the benefit of the parties hereto and their respective successors and assigns.

(c) This Agreement and all documents referred to herein shall be governed by, construed and interpreted in accordance with the laws of the State of Alabama and jurisdiction and venue shall be proper in Jefferson County, Alabama.

(d) If any term, covenant or condition of this Agreement, or the application thereto to any person or circumstance, shall to any extent be invalid or unenforceable, the remainder of this Agreement, or the application of such term, covenant or condition to other persons or circumstances, shall not be affected thereby, and each term, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law. The parties agree that if any pertinent existing resolution or ordinance of the City or any of the governmental requirements of the City are in any way inconsistent or conflict with any of the provisions set forth in this Agreement, then the provisions of this Agreement shall constitute lawful and binding amendments to, and shall supersede the terms of, said

inconsistent ordinance, regulation or governmental requirement of the City, as the same may relate to any portion of the Property.

(e) The City agrees to provide to Developer and Owner with certified copies of resolutions and ordinances of the City Council, and any and all other departments or agencies of the City having jurisdiction over the Property authorizing and approving all of the terms and provisions of this Agreement and any and all exhibits and attachments hereto.

(f) All notices, requests, demands or other communications hereunder shall be in writing and shall be delivered by hand, or sent by certified United States mail, postage prepaid, return receipt requested or sent by national overnight courier, to the addresses and with such copies as designated below. Any notice, request, demand or other communication delivered or sent in the manner aforesaid shall be deemed given or made (as the case may be) when actually delivered to the intended recipient in the case of any deliveries by hand or upon deposit in the United States mail or with a national overnight courier as provided above.

For the City: The City of Tarrant
Attention: Mayor
1604 Pinson Valley Parkway
Tarrant, AL 35217

With a copy to: Benjamin S. Goldman, City Attorney
Hand Arendall LLC
1200 Park Place Tower
2001 Park Place North
Birmingham, AL 35203

For Developer: The Knapheide Manufacturing Company
1848 Westphalia Strasse
P.O. Box 7140
Quincy, IL 62305-7140
Attention: Rob Overholser

With a copy to: Maynard Cooper & Gale, P.C.
1901 Sixth Avenue North
2400 Regions Harbert Plaza
Birmingham, AL 35203-2618
Attention: Thomas M. McElroy II

For Owner: PalFleet Truck Equipment Company, LLC
4151 West State Route 18
Tiffin, OH 44883
Attention: Tony Reser

With a copy to: Hodgson Russ LLP
140 Pearl Street, Suite 100
Buffalo, New York 14202
Attention: Elizabeth A. Holden

(g) This Agreement may be executed in any number of counterparts, each of which so executed shall be deemed an original, and when taken together shall constitute one and the same agreement.

[signature pages follow]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective as of the day and year first above written.

ATTEST:

CITY OF TARRANT

By: *Delean A Tuck*

By: *Loycil B Tuck*

Its: City Clerk

Printed Name: Loxcil B. Tuck

Its: Mayor

Date: October 20, 2015

ATTEST:

THE KNAPHEIDE MANUFACTURING COMPANY

By: *Jandy Wetland*

By: *Robert Overholser*

Its: _____

Printed Name: Robert Overholser

Its: Secretary/Treasurer

Date: 9-28-2015

ATTEST:

PALPLEET TRUCK EQUIPMENT COMPANY, LLC

By: _____

By: _____

Its: _____

Printed Name: _____

Its: _____

Date: _____

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed effective as of the day and year first above written.

ATTEST:

CITY OF TARRANT

By: *Diliana A. Heath*

By: *Loxcil B. Tuck*

Its: City Clerk

Printed Name: Loxcil B. Tuck

Its: Mayor

Date: October 20, 2015

ATTEST:

THE KNAPHEDE MANUFACTURING COMPANY

By: _____

By: _____

Its: _____

Printed Name: _____

Its: _____

Date: _____

ATTEST:

PAFFLEET TRUCK EQUIPMENT COMPANY, LLC

By: *[Signature]*

By: *[Signature]*

Its: _____

Printed Name: EDWARD GERKEN

Its: PRESIDENT

Date: 9/30/2015

Exhibit A

Legal Description of the Property

Parcel 1

Lots 9, 10, 11, and 12, in Block 2, according to the map of the property of the Pittsburg Land Mining & Manufacturing Company, as shown by map of same recorded in the Probate Office of Jefferson County, Alabama, in Map Book 5, Page 145.

Parcel 2

A portion of Block 6, and a portion of Lots 1 through 6, Block 3, along with a portion of vacated Right of Way known as 1st Street, according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, situated in the Southwest ¼ of the Southeast ¼ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said parcel being more particularly described as follows:

Begin at a found capped rebar marking the Northwest Corner of Lot 1, Block 6, of said subdivision, said point lying on the South Right of Way of 2nd Street (50' R.O.W.); thence run North 88 degrees 44 minutes 35 seconds East along the North line of Lots 1 through 6 of said subdivision, and along the South Right of Way of said 2nd Street for a distance of 150.00 feet to a point, said point being the Northeast corner of Lot 6 of said subdivision; thence run South 00 degrees 57 minutes 21 seconds East along the East line of Lot 6 of said subdivision for a distance of 84.44 feet to a point; thence run North 89 degrees 23 minutes 30 seconds East for a distance of 149.96 feet to a point, said point lying on the East line of Lot 12 of said subdivision, said point also lying on the Westernmost Right of Way of 3rd Avenue (40' R.O.W.); thence run South 00 degrees 57 minutes 19 seconds East along the East line of Lot 12 and Lot 13 of said subdivision, and along said 3rd Avenue Right of Way for a distance of 215.00 feet to a found capped rebar stamped GSA; thence run South 72 degrees 05 minutes 30 seconds West for a distance of 313.58 feet to a found capped rebar stamped GSA, said point lying on the Easternmost Right of Way of 2nd Avenue (40' R.O.W) and the West line of Lot 1 Block 3 of said subdivision; thence run North 00 degrees 57 minutes 21 seconds West along said 2nd Avenue Right of Way, and the West line of Lots 24 and Lot 1 of said subdivision for a distance of 391.00 feet to a the POINT OF BEGINNING. Said parcel contains 91,017 Square feet or 2.09 Acres more or less.

STATE OF ALABAMA
JEFFERSON COUNTY

DECLARATION OF VACATION

We, the undersigned, constituting all of the owners of all property abutting portions of the (i) the right of way (unpaved street) of 1st and 2nd Avenue Streets and (ii) an existing 10' public alley (collectively, the "Vacated Lands") as same appear on the Plat of Pittsburg Land Manufacturing Co. which Plat is recorded in Plat Book 5, at Page 145, in the Probate Office of Jefferson County, Alabama, do hereby declare that each of said Plats embraced within the boundaries of said Vacated Lands as the same appears of record on the Plat to be vacated, and said Vacated Lands are hereby declared vacated. The undersigned do hereby respectfully represent and warrant as follows:

1. This Declaration of Vacation of the Vacated Lands is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 35-2-54, Code of Alabama, 1975.

2. It is in the best public interest that the Vacated Lands be closed and vacated.

3. Except as noted in this Section 3, such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property. Kathy R. Branch (the "Non-Abutting Property Owner") is the owner of that certain property with a street address of 2530 Pinson Valley Parkway that is currently occupied by Tarrant Auto Land, Inc. ("Auto Land"). Employees and customers of Auto Land currently use a portion of the 2nd Avenue Street right of way to access the rear portion of the land owned by the Non-Abutting Property Owner. The Knapheide Manufacturing Company ("Knapheide") is the contract vendee of all of the property listed herein currently owned by Palfleet Truck Equipment Company, LLC (the "Palfleet Land"), which land is the only privately owned land that abuts the Vacated Land. Employees and customers of Auto Land currently use a portion of the 2nd Avenue Street right of way to access the rear portion of the land owned by Non-Abutting Property Owner. The Non-Abutting Property Owner has executed this declaration, out of an abundance of caution, to acknowledge its consent and approval to the closure and vacation of the Vacated Lands pending execution and delivery of a formal access and easement agreement between Knapheide and the Non-Abutting Property Owner in connection with the acquisition by Knapheide of the Palfleet Land.

4. The Vacated Lands are situated in the City of Tarrant, Jefferson County, Alabama. A copy of the maps reflecting the location of the Vacated Lands is attached hereto as Exhibit A and incorporated into this Declaration of Vacation as a part hereof.

5. The street address and legal description of all property abutting the Vacated Lands and the names and addresses of the owner of said abutting properties are as follows:

A. Street Address: 2490 Pinson Valley Pkwy, Birmingham, AL 35217

Legal Description:

A parcel of land in the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, Birmingham Division, being more particularly described as follows:

Being at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 16 South, Range 2 West and run in a Northerly direction along the West line of Southwest 1/4 of the Southeast 1/4 of said Section a distance of 482.28 feet to a point; thence 89°30' to the right in an Easterly direction a distance of 770.87 feet to a point on the Northerly right-of-way line of the Tarrant-Pinson Highway (Alabama Highway No. 79); thence 148°45' to the right in a Southwesterly direction along the Northerly right-of-way of the said Tarrant-Pinson Highway a distance of 483.87 feet to a P.C. (point of curve); thence continuing in a Southwesterly direction along the Northerly right-of-way of the said Tarrant-Pinson Highway, in a curve to the left, said curve having a radius of 3245.35 feet and a central angle of 7°13'48", for a distance of 409.05 feet to a point on the South line of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 16 South, Range 2 West; thence 38°48'18" to the right (angle measured to tangents) in a Westerly direction along the South line of the Southwest 1/4 of the Southeast 1/4 of said Section a distance of 16.62 feet to the point of beginning.

LESS AND EXCEPT:

A part of the Southwest 1/4 of the Southeast 1/4 of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, Birmingham Division, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Southeast 1/4 of said Section and run Northerly along West line of said 1/4 - 1/4 Section for a distance of 482.19 feet; thence turn right 80°30'00" and run Easterly for a distance of 680 feet to the point of beginning; thence continue along East described course for a distance of 80.63 feet to point intersecting the Northerly right-of-way of Alabama Highway #79; thence turn right 148°55'59" and run Southwesterly along said right-of-way for a distance of 106.28 feet; thence turn 120°34'10" and run Northerly for a distance of 64.32 feet to point of beginning.

Owner's Name(s): Palfleet Truck Equipment Company, LLC

B. Street Address: 25 1st St, Birmingham, AL 35217

Legal Description:

Lots 3 through 12 inclusive, Block 1, according to the Survey of Pittsburg, as recorded in Map Book 6, page 146, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

Owner's Name(s): Palfleet Truck Equipment Company, LLC

C. Street Address: 104, 105 and 103 1st St, Birmingham, AL 35217

Legal Description:

Lots 1 and 2, Block 2, according to the Survey of Pittsburg Land & Manufacturing Co., as recorded in Map Book 6, page 146, in the Probate Office of Jefferson County, Alabama, Birmingham Division.
Lots 3, 4, 5 and 6, Block 2, according to the Survey of Pittsburg, as recorded in Map Book 6, page 146, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

Owner's Name(s): Palfleet Truck Equipment Company, LLC

D. Street Address: 115 1st St, Birmingham, AL 35217

Legal Description:

Lots 9, 10, 11 and 12, Block 2, according to the Survey of the Pittsburgh Land Mining & Manufacturing Company, as recorded in Map Book 5, page 145, in the Probate Office of Jefferson County, Alabama, Birmingham Division.

Owner's Name(s): Palfleet Truck Equipment Company, LLC

6. All of the undersigned do hereby declare the Vacated Lands to be vacated, and respectfully request the assent of the City Council of the City of Tarrant, Alabama to said vacation of the Vacated Lands and its approval of the same.

7. This Declaration of Vacation may be executed in any number of counterparts, each of which so executed shall be deemed an original, and when taken together shall constitute one and the same declaration.

[Signature pages to follow]

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on this the 30th day of September, 2015.

SIGNATURES OF ADJUTING PROPERTY OWNERS:

PALFLEET TRUCK EQUIPMENT COMPANY, LLC

By: [Signature]
Name: Edward Gerken
Title: President

STATE OF KENTUCKY

JEFFERSON COUNTY

GENERAL ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that EDWARD GERKEN, whose name as PRESIDENT of PALFLEET TRUCK EQUIPMENT COMPANY, LLC signed to the foregoing Declaration of Vacation, and who is known to me, acknowledged before me on this day and that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 30 day of SEPTEMBER, 2015.

AFFIX SEAL

[Signature]
Notary Public

My commission expires: JULY 9, 2019

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on this the ____ day of
September, 2015.

SIGNATURE OF NON-ABUTTING PROPERTY OWNER:

Kathy R. Branch
KATHY R. BRANCH

STATE OF ALABAMA

JEFFERSON COUNTY

GENERAL ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Kathy R. Branch, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the ____ day of _____, 20____.

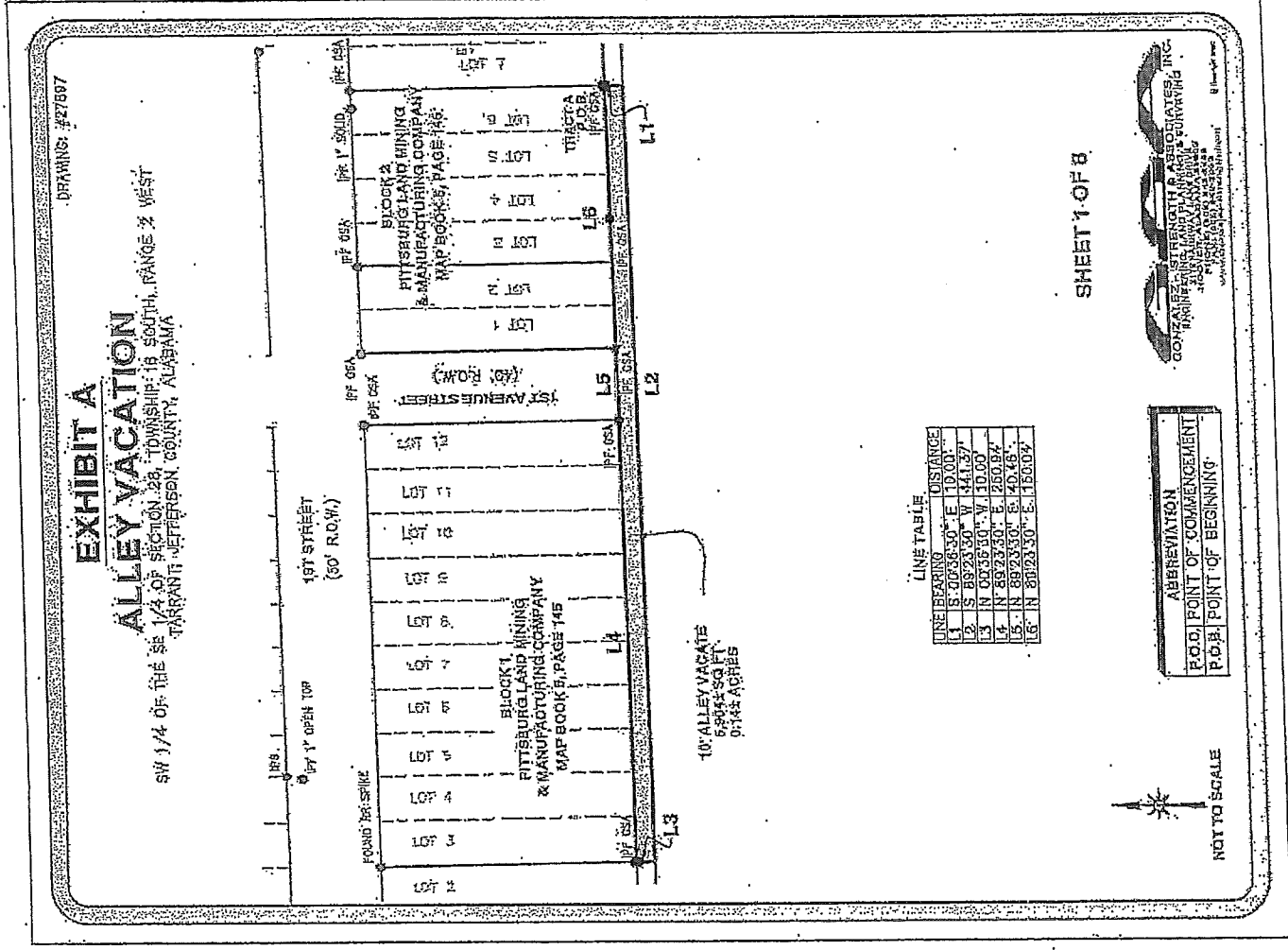
AFFIX SEAL

Notary Public

My commission expires: _____

03306696.4

Exhibit A
Map of Vacated Land



033066964

Exhibit B

Legal Descriptions

Tract 'A':

A portion of a public alley according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, said alley lying South of Block 1 & 2 of said subdivision and situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

Begin at a found capped rebar stamped GSA marking the Southeast corner of Lot 6, Block 2 of said subdivision; thence run South 00 degrees 36 minutes 30 seconds East along the Easternmost line of said alley for a distance of 10.00 feet to the Southeast corner of said alley; thence run South 89 degrees 23 minutes 30 seconds West along the South line of said alley for a distance of 441.37 feet to a point; thence run North 00 degrees 36 minutes 30 seconds West along the West line of said alley for a distance of 10.00 feet to a point; thence run North 89 degrees 23 minutes 30 seconds East long the South line of Lots 3 through 12, Block 1 of said subdivision for a distance of 250.94 feet to a found capped rebar stamped GSA; thence run North 89 degrees 23 minutes 30 seconds East along the South line of 1st Avenue Street for a distance of 40.46 feet to a found capped rebar stamped GSA; thence run North 89 degrees 23 minutes 30 seconds East along the South line of Lots 1 through 6, Block 2 of said subdivision for a distance of 150.04 feet to the POINT OF BEGINNING. Said parcel contains 5,904 Square Feet or 0.14 Acres more or less.

Tract 'B':

A portion of a public alley according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, said alley lying South of Block 2 of said subdivision and situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

Begin at a found capped rebar stamped GSA marking the Southeast corner of Lot 8, Block 2 of said subdivision; thence run North 89 degrees 23 minutes 30 seconds East along the South line of Lots 9 through 12, Block 2 of said subdivision for a distance of 100.00 feet to a found capped rebar stamped GSA. Said point marking the Southeast corner of Lot 12, Block 2 of said subdivision; thence run South 00 degrees 36 minutes 30 seconds East for a distance of 10.00 feet to a point; thence run South 89 degrees 23 minutes 30 seconds West for a distance of 100.00 feet to a point; thence run North 00 degrees 36 minutes 30 seconds West for a distance of 10.00 feet to the POINT OF BEGINNING. Said parcel contains 1,000 square feet or 0.02 Acres more or less.

Exhibit B Continued
Legal Descriptions

Tract 'C':

A portion of Public Right of Way known as 1st Avenue Street according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, said Right of Way lying between Block 1 & 2 of said subdivision and situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

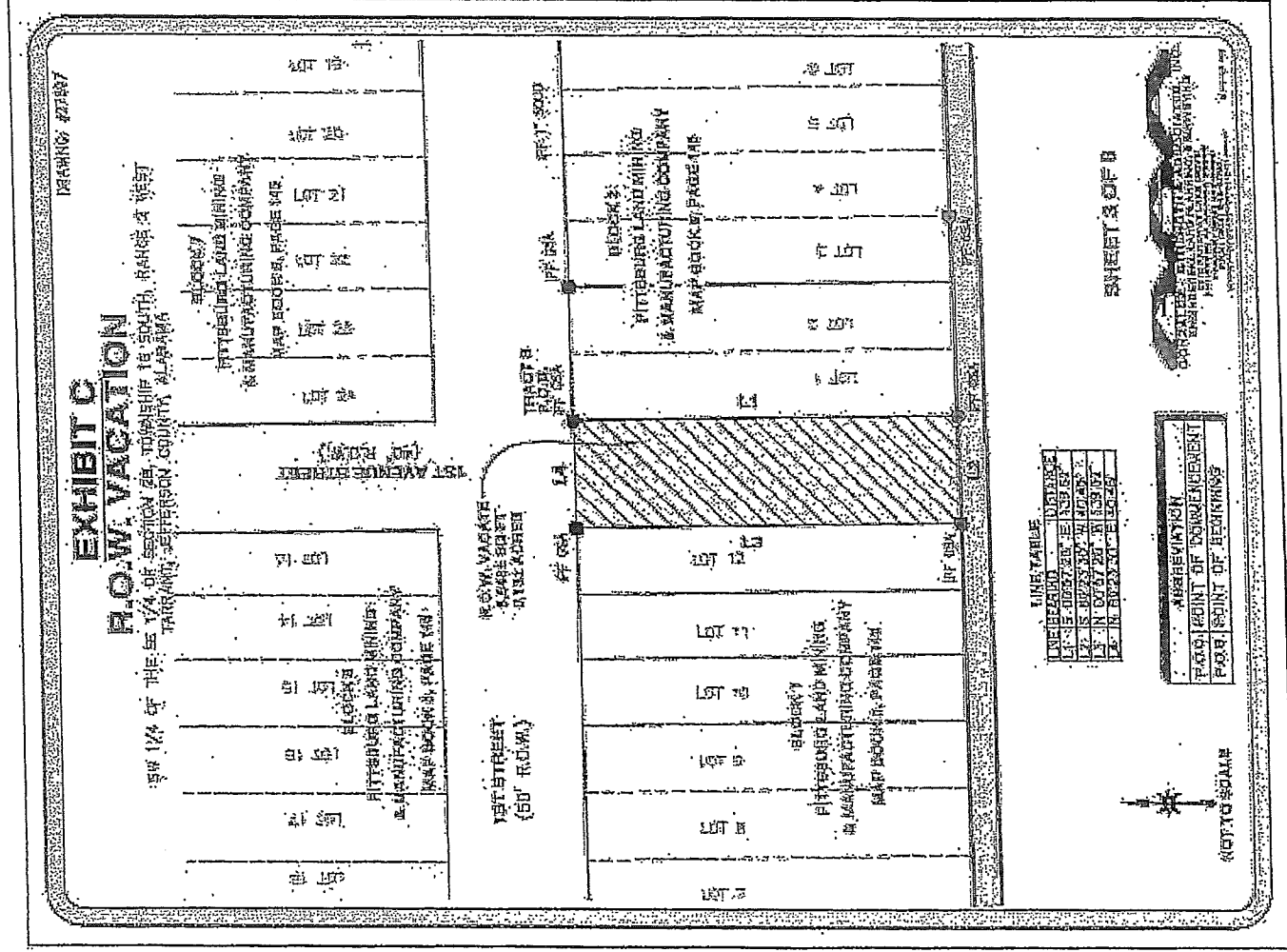
Begin at a found capped rebar stamped GSA marking the Northwest corner of Lot 1, Block 2 of said subdivision; thence run South 00 degrees 57 minutes 26 seconds East along the West line of Lot 1, Block 2 of said subdivision for a distance of 139.62 feet to a found capped rebar stamped GSA; thence run South 89 degrees 23 minutes 30 seconds West along the South Right of Way of said 1st Avenue Street for a distance of 40.46 feet to a found capped rebar stamped GSA; thence run North 00 degrees 57 minutes 26 seconds West along the East line of Lot 12, Block 2 of said subdivision for a distance of 139.62 feet to a found capped rebar stamped GSA; thence run North 89 degrees 23 minutes 30 seconds East for a distance of 40.46 feet to the POINT OF BEGINNING. Said parcel contains 5,648 Square Feet or 0.13 Acres more or less.

Tract 'D':

A portion of Public Right of Way known as 2nd Avenue Street according to the map of Pittsburg Land Mining & Manufacturing Company, recorded in map Book 5, Page 145, said Right of Way lying between Block 2 & Block 3 of said subdivision and situated in the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 28, Township 16 South, Range 2 West, Jefferson County, Alabama, said portion being more particularly described as follows:

Begin at a found capped rebar stamped GSA marking the Northeast Corner of Lot 12, Block 2, of said subdivision; thence run North 89 degrees 02 minutes 39 seconds East along the South line of 1st street for distance of 39.79 feet to a point to the Northwest corner of Lot 1, Block 3 of said subdivision; thence run South 00 degrees 57 minutes 21 seconds East along the West line of said Lot 1 for a distance of 43.49 feet to a point; thence run South 89 degrees 02 minutes 34 seconds West for a distance of 39.79 feet to a point on the East line of Lot 12, Block 2 of said subdivision; thence run North 00 degrees 57 minutes 26 seconds West along the East line of Lot 12, Block 2, of said subdivision for a distance of 43.50 feet to the POINT OF BEGINNING. Said parcel contains 1,731 Square feet or 0.04 Acres more or less.

Exhibit A Continued
 Map of Vacated Land



03306696.4

Whereupon, Councilmember Bryant moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of proposed Ordinance Number 1073 and Ordinance Number 1074 at this meeting, be and the same are hereby suspended for the purpose of permitting said ordinances to be finally passed and adopted at this meeting. Councilmember Middlebrooks seconded the motion, 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

Mayor Tuck declared the motions adopted by unanimous vote of the members present.

Whereupon, Councilmember Bryant moved that said Ordinance Number 1073 and Ordinance Number 1074, be finally passed and adopted as introduced. Councilmember Middlebrooks seconded the motion. Mayor Tuck put the question of final passage and the adoption of said ordinances to the vote of the council, and on call of the roll the results were as follows:

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

NAYS: None

ABSENT: None

Mayor Tuck declared Ordinance Number 1073 and ordinance Number 1074 finally passed and adopted.

Mayor Tuck stated that the next item on the City Council Agenda would be a public hearing, concerning the rezoning petition of Blue Pine Holdings, LLC. Mayor Tuck explained that is the intent of the Mayor and City Council to allow all persons who desire to have an opportunity to be heard, in opposition or in favor of the ordinance. Mayor Tuck stated that in the interest of the time, it would be necessary to all only three minutes per person, who desired to speak. Mayor Tuck therefore opened the public hearing. Mayor Tuck asked that Randy Jones of Vulcan Materials Company be allowed to give a presentation concerning the rezoning petition. Mayor Tuck explained that one (1) councilmember had not seen the presentation, previously given by Vulcan Materials Company. Mayor Tuck recognized Randy Jones of Vulcan Materials Company and asked that he give the presentation, concerning the rezoning petition. Mr. Jones stated that Vulcan Materials has acquired five parcels of land (indicated by picture presentation)) as outlined in red, between Tarrant Huffman Road, Treadwell Road, all adjacent to the current property and lies behind Lily Baptist Church, over the former Franklin house and then pick up a couple of properties

along Tarrant Huffman Road. Mr. Jones stated that Vulcan Materials Company does own those properties and requests that they be allowed to rezone these properties, from Residential to Industrial. Mr. Jones stated that the reason for this request is (showing picture presentation of area behind Lily Baptist Church, the quarry and Tarrant Huffman Road, Treadwell); the rezoning would only affect those five properties and not go beyond those five properties. Mr. Jones stated that notices were sent to property owners within 500 feet of the area proposed for rezoning, but it does not affect the zoning of your property. Mr. Jones stated that what Vulcan Materials Company proposes to do is to repurpose this land. Mr. Jones stated that there is a natural valley, as you come down Tarrant Huffman Road. Mr. Jones explained that Vulcan Materials Company would like to take the materials, which is what you would find in anyone's yard, consisting of clay, top soil and the first layer of rock that we come to, which is not material that we can sell in our business for asphalt and concrete, remove this unneeded material and place it in the designated area (presented by picture presentation). Mr. Jones stated that once the project is completed, it is our intent to bring in top soil level, engineer the slopes but will not meet the lines of the adjacent property owners. Mr. Jones explained that a natural barrier of trees to shield this area would be left. Mr. Jones stated that the finished property would be leveled off, outer terrace slopped to help control water and direct to natural diversion already in place. Mr. Jones stated, "We will put enough soil, to sustain grass and trees." Mr. Jones stated, "When we are finished with the retentions, this is what you would see (picture of completed project displayed and also another visual at a different angle)." Mr. Jones stated that a member of Lily Baptist Church had requested to know the proximity of the new property, in association with the Church property. Mr. Jones presented a drawing displaying the new property lines, but explained that Vulcan Materials Company does not plan on extending to the new property lines and will leave a natural barrier. Mr. Jones displayed several drawings illustrating the proposed property, after completion. Mr. Jones displayed a drawing of a completed project on Highway 72, located between Huntsville and Scottsboro. General discussion followed. Mayor Tuck recognized Attorney Goldman. Attorney Goldman asked for clarification for the record, if a *Declaration of Restriction* was being offered as a supplement, to the Blue Pine Holdings, LLC Rezoning Petition. Attorney Goldman stated that in other words if acted upon tonight, that it is contingent and subject to the *Declaration of Restrictions that* you have submitted. Mr. Jones stated, "Yes, Sir." Attorney Goldman asked Mr. Jones who Vulcan Materials Company had worked with, to develop the property restrictions for the property. Mr. Jones stated that the original request was brought up at a meeting held at Lily Baptist Church with the Pastor, Board of Deacons and the Church Director. Mr. Jones stated that the first concern of the Church was the

possible land use in the future, such as the possibility of a tire shop being placed on the property.

Mr. Jones explained that immediately upon leaving the Church, he contacted the internal lawyer for Vulcan Materials Company; City Attorney Ben Goldman concerning the legal ramification and the Brummitt Height Representative Mrs. Betty Middlebrooks. Mr. Jones stated that they worked together to provide the right document, to protect the rights of the citizens of Brummitt Heights.

Mr. Jones stated, "It is our desire to ensure that Vulcan Materials Company does this right, gives the neighbors the greatest protection we can and to make sure we had the right legal document."

Attorney Goldman stated that for the benefit of everyone, so that they will understand what is a part of this, he would read the enforceable parts of this provision: #1) that portion of the property which adjoins the property of Lilly Baptist Church as more particular described in the legal description offered as Exhibit B, attached hereto the restrictive property will only be used as follows: rocks and soils will be placed on a portion of the restrictive property to establish a raised slope, which will be planted and the balance of the restrictive property will remain undisturbed; #2) the restrictive property was previously zoned to a residential classification. The restrictive property may not be improved with non-residential buildings; #3) the terms and provisions of this declaration shall run with the lands and shall remain in full force and effect until the City Council of the City approves any other zoning classification; and #4) the terms and provisions of this declaration shall be enforceable by the City. Attorney Goldman asked, "If the City Council acts on this, you are asking that this be made a part of your petition?" Mr. Jones stated, "Vulcan Materials Company does ask that this be made a part of their petition, to give the citizens additional protection." Attorney Goldman stated that it was his understanding that as a part of this, no building could ever be built on this property. Mr. Jones stated, "That this is correct." Attorney Goldman asked, "The only thing that could be done with the property is to place rocks and soils on the portions that you have stated and there could not be mining, blasting or any other operations that might be associated with the quarry on the property." Mr. Jones stated, "That this is correct." Mr. Jones stated, "There will nothing other than placing of material on the property; no mining activity will take place, outside the current quarry." Attorney Goldman asked if Vulcan Materials Company would be committing the land as a perpetual buffer, in that effectively once it is completed it can only be used as Green Space." Mr. Jones stated, "That is correct." Attorney Goldman asked, "There would be no other purpose, what so ever?" Mr. Jones stated, "No other purpose what so ever." Attorney Goldman asked, "With that, does this place more restrictions on the property, than if it were left with the current zoning of multi-family residential, whereas you might have an apartment complex or something else constructed there in the future should someone want to?" Mr.

Jones stated, "That is correct." Attorney Goldman stated that he had been asked one question by the residents and the City Council, that he would like Mr. Jones to answer. Attorney Goldman stated that the question is: if the property is going to be used for that purpose, why go through the rezoning of the process. Attorney Goldman stated that an example would be a story that was on the news about 10 years ago, regarding the dirt pile on 280 in Mountain Brook where Whole Foods was built. Attorney Goldman stated that the City Council of Mountain Brook had turned down, the zoning request. Attorney Goldman stated following the decision the requesting party said that they didn't need zoning, to move soil or to build a gigantic dirt pile. Attorney Goldman stated that the residents decided that they liked multi-use zoning, rather than a big dirt pile. Attorney Goldman stated that eventually the situation was worked out and the property was rezoned. Attorney Goldman stated that he had noticed that during this process, it had presented an opportunity for the declaration of restrictions to work, in addressing these concerns. Attorney Goldman stated that he had not attended the last Municipal Planning Commission Meeting; however, he understood that there were some drainage questions that came up and that Vulcan Materials is trying to address these more directly. Attorney Goldman asked Mr. Jones if this was why Vulcan Materials had chosen to go through this process, in order to have a public conversation. Mr. Jones explained, "Yes, Vulcan Materials initially went to the Church on our own accord, as they are the closest affected areas. Mr. Jones stated that they had met with the Brummitt Heights Community at the Church and also thanked the Church for allowing the meeting. Mr. Jones shared that they had met with Ms. Middlebrooks who had set up a meeting, with the people who would be affected by the rezoning request. Mr. Jones stated that they had tried to respond to every concern that had been brought up, through this process. Mr. Jones stated that they had not heard about drainage issues, until it was brought up at the Municipal Planning Commission Meeting. Mr. Jones explained that the issue discussed at the MPC meeting was an area on Victoria Street across from Tarrant Huffman Road, at one of the houses. Mr. Jones explained that the drainage issue is at this location and involves a driveway. Mr. Jones shared that this would actually be a simple fix for Vulcan Materials, as the driveway would not be needed. Mr. Jones explained that when the driveway is removed, the sloped burr would enable an opening as a natural drainage and two pipes further down the hill will allow the drainage to run to the north side of Tarrant Huffman Road and go into the natural drainage. Mr. Jones stated that what they are planning to do will actually improve the drainage in that area. Attorney Goldman stated that obviously this is a bit of an untraditional zoning. Attorney Goldman stated, "Usually when you go through the zoning process, you are perhaps trying to construct something or to put it to a use, for some particular business." Attorney

Goldman stated, "You are telling us, this is not the purpose of this particular zoning." Mr. Jones stated, "That is correct, this is not an engineered constructed field that you would build on."

Attorney Goldman asked, "So as a result of the conversation that has developed, that Vulcan Materials initiated and started, even before the petition was filed; that through the zoning process this will become a more restrictive piece of property than how it sits today." Mr. Jones stated, "That is correct." Attorney Goldman asked, "Today something could be built there, but it is again your representation and on the records and you understand that this is being taken down in the minutes and will become a part of the record that the City keeps perpetually, that this property cannot be developed in the future." Mr. Jones stated, "That is correct." Mr. Jones stated, "We understand and are good with that, in that we want to help the residents." A lady asked, "You are telling us that after all the years that you have been blasting, that you are not going to blast anymore". The lady stated that she was not a member of Lily Baptist Church but, does live next to the former Franklin home. Mr. Jones stated that Vulcan Materials will continue to blast, but will not increase blasting as a result of this. Mr. Jones stated that blasting would not be moved closer to the Church or Treadwell Road, as a result of this. Mr. Jones explained that there would be no blasting, in the area requested for rezoning. General discussion followed. Mayor Tuck stated that she wished to recognize our Representative Mary Moore. Mayor Tuck asked Representative Moore if she wished to speak. Representative Moore stated, "Please listen and if there are too many concerns and you reach an impasse, I will lend whatever support that I can".

Mayor Tuck stated that the next point of business would be a public hearing for the petition and request for rezoning made by Blue Pine Holdings, LLC and is as follows:

Blue Pine Holdings, LLC /Vulcan Materials Company has requested that certain properties currently zoned as R-HD (High-Density Single Family Zone) be changed to GI (General Industrial Zone). The properties for consideration are:

Street Address: 2239 Treadwell Road, Tarrant, Alabama 35217
Parcel I. D. No.: 23-00-04-1-005-007.000

Street Address: 2249 Treadwell Road, Tarrant, Alabama 35217
Parcel I. D. No.: 23-00-04-1-005-006.000

Street Address: 1720 Tarrant Road, Tarrant, Alabama 35217
Parcel I. D. No.: 23-00-04-1-005-008.000

Street Address: 1758 Tarrant Huffman Road, Tarrant, Alabama 35217
Parcel I. D. No.: 23-00-04-1-005-011.000

Street Address: 1730 Tarrant Huffman Road, Tarrant, Alabama 35217
Parcel I. D. No.: 23-00-04-1-005-010.000

Mayor Tuck stated that she had received a letter on or about October 15, 2015 from Reverend James F. Brooks who had requested that the following people be allowed to speak: Pastor James F. Brooks, Sheila Long, Lamont Johnson, Patricia Hammond, and Evelyn Boykin. Mayor Tuck stated that following public comments from the above referenced people, those who had signed in to speak to the City Council would be allowed to speak. Mayor Tuck stated that following those comments and/or questions, all others wishing to speak would be allowed to do so.

Mayor Tuck recognized Reverend James F. Brooks of Lily Baptist Church. Pastor Brooks thanked Mayor Tuck and the City Council Chair Laura Horton for allowing him to speak. Pastor Brooks stated that he had come tonight to represent the Church, where he had served for twenty years. Pastor Brooks stated that he did not want us to get into a push/pull, I'm mad at everybody type situation. Pastor Brooks stated that we have a problem and we need to resolve it, the best way we can. Pastor Brooks stated that he thought that all of us on both sides of the fence, love Tarrant and want the best for Tarrant. Pastor Brooks stated that they had met with the Vulcan Materials Company representatives. Pastor Brooks stated that the representatives had been very open. Pastor Brooks stated that he knew the Mayor and City Councilmembers and felt that they were very honorable people. Pastor Brooks stated he wanted to speak to the spiritual situation. Pastor Brooks stated, "This has caused a lot of stress on my congregation, because most of what they have for their retirement and savings, is in their houses; so that means so much to us. Pastor Brooks stated that this is an old community. Pastor Brooks stated that they understood the rock quarry, as they have been there with them. Pastor Brooks stated that what they wanted from Vulcan Materials is for them to consider other ways. Pastor Brooks stated that this is the only reason that he chose to speak, in opposition. Pastor Brooks stated that the City Attorney had brought out a lot tonight and some other alternatives that we might try. Pastor Brooks explained that what they are concerned about is there property values. Pastor Brooks stated, "It's just that simple". Pastor Brooks stated that they did not know engineering, mining and other things. Pastor Brooks stated, "I'm just a Pastor. Amen!" Pastor Brooks stated that they wanted to respect each other. Pastor Brooks stated, "We don't want anyone to run over us or to make decisions, without asking us." Pastor Brooks stated, "That's all we want." Pastor Brooks thanked the Mayor and City Council, for allowing him to speak.

Mayor Tuck recognized Ms. Sheila E. Long of 6240 Victory Street, Tarrant, Alabama. Ms. Long stated that at the meeting of October 1, 2015 held before the City Municipal Planning Commission, many of residents spoke and none were in favor of this rezoning. Ms. Long stated,

"We are not in favor of a rezoning that benefits everybody, except the people that would be affected daily." Ms. Long stated, "We would face this on a day, to day basis." Ms. Long stated, "We are not in support of anything that adversely affects our health, the environment, safety, the general physical setting of the community and the property." Ms. Long stated, "When you bring in, as the Attorney used the term, dirt pile and I'm glad that he used the term, as I tried to think of term but, had been saying stock pile, the stock pile of the dirt." Ms. Long stated, "The stock pile of dirt is bound to affect the air quality and the pollution." Ms. Long stated, "The resolution passed tonight, number 8153, used the term injurious to the public." Ms. Long stated, "I had pinpointed that and said to myself, I hope that they remember that when voting on the rezoning, because that dirt, clay, earth, left over materials stacked up is injurious, to our community, to our residents." Ms. Long stated, "We have talked about traffic and the increase in noise." Ms. Long stated, "Vulcan Materials acknowledged that the noise would increase, but their answer was that they would start at 7:00 a.m." Ms. Long stated, "We are not concerned about what time you start; we are concerned about what you are doing and how it affects us." Ms. Long stated, "The time doesn't matter, the noise does." Ms. Long stated, "General Industrial Zone - under the ordinance this zone is intended to provide locations for manufacturing and processing industries, service industries, warehousing, or research and testing operations that, due to employment of heavy equipment or machinery or to the nature of the materials and processes involved, require special locations and development safeguards to prevent pollution of the environment by noise, vibration, odors or other factors." Ms. Long asked, "I want to know how our community qualifies, as one these special locations?" Ms. Long stated, "I had a question before when you were showing your diagrams and you showed one, I've forgotten the place but, I wanted to know if this was within a community, because it sounded like it was out on the highway somewhere." Ms. Long stated that she would ask that the Council in considering and reaching their decision, to consider the residents of the neighborhood - consider the people who will be affected on a day to day basis. Ms. Long stated, "We will be most affected and we don't get any benefits from this. Ms. Long stated, "I've yet to hear how the neighborhood benefits."

Mayor Tuck recognized Mr. Lamont Johnson of 2247 Treadwell Road, Tarrant, Alabama. Mr. Johnson stated, "To the Mayor and Council, I am the one that actually asked them that question." Mr. Johnson stated, "I am representing the Church also." Mr. Johnson stated, "The biggest question that was asked of them and was asked of you, Mayor, before the Zoning Board, what would happen to property value and that question was never answered." Mr. Johnson stated, "I asked did you have a subject matter expert that would look at what would happen to the property

values, when it is zoned from Residential to Industrial, not Commercial but Industrial and what would happen to the quality of life, to those people who are still living there." Mr. Johnson stated, "You give them over to Vulcan." Mr. Johnson stated, "I said that Vulcan is not a subject matter expert, concerning this." Mr. Johnson asked, "My question is, did we ever get an answer?" Mayor Tuck asked Attorney Goldman if he would answer Mr. Johnson's question. Attorney Goldman stated that the best answer that he could offer is that this is again, really not a true Industrial Rezoning because you end up with property that cannot be used and property that actually cannot be put through an Industrial purpose. Mr. Johnson asked, "My question to you then is - are you saying that this would not impact the property value of the residents that are there and still zoned Residential and that the property there is zoned Industrial?" Mr. Johnson asked, "If I went to sell my property and we represent the Church, we have a million dollar Church standing there, what would happen to Lily Baptist Church because all of a sudden, would it still be a million dollars?" Mr. Johnson asked, "Are you telling me that?" Attorney Goldman stated, "I am the Attorney and there are things that I can say and answer to try to be helpful and things that I cannot." Mr.

Goldman stated, "What I can tell you is that the purpose of the property will not change, so you end up with property that is just green space." Mr. Johnson stated that the next question that he had concerning the rezoning is that if it is passed and it does impact the value, what compensation will be given?" Mr. Johnson asked, "Has this been addressed or looked at, at all? Mr. Johnson asked if the zoning passed what would happen compensation wise with the surrounding residents, plus the Church. Mayor Tuck answered that it had not been discussed. Mr. Johnson thanked Mayor Tuck.

Mayor Tuck recognized Patricia Hammond of 2259 Treadwell Road, Tarrant, Alabama. Ms. Hammond stated that she had attended the last meeting, but did not think to bring up the question about utilities, but they did explain about the rezoning. Ms. Hammond stated, "My concern is this, I appreciate Vulcan putting in the covenant, the Attorney said that if someone buys the property the covenant still stands." Ms. Hammond stated, "That is all business, but they can ask to buy something else and rezone." Ms. Hammond asked, "If they keep rezoning little pieces of our community, what will happen to our utilities, will they go up?" Ms. Hammond asked, "The City Council regulates the rates of the utilities, am I correct?" Mayor Tuck explained that power rates are regulated by TVA and other utilities, such as Alabama Gas and so on. Ms. Hammond stated, "So the City Council would not be there to help residents, with the regulation of their utilities." Mayor Tuck stated that business rates are regulated as a whole, by consumption. Mayor Tuck stated that the rates for a business are set at a different rate and are not the same as a residential rate. Ms. Hammond stated that Vulcan Materials had stated that they had acquired certain properties but,

they don't go out looking for these properties. Ms. Hammond stated that she lives next to Lily Baptist Church. Ms. Hammond asked if the property is rezoned and if she didn't like it, if she asked them to buy her property, would they buy the property. Ms. Hammond stated that this is something that the other residents need to think about. Ms. Hammond stated that she did not know how Vulcan Materials acquired these properties but, if she did not like the noise and all her neighbors didn't like the noise either.

Mayor Tuck recognized Evelyn Boykin of 2017 Weatherly Avenue, Tarrant, Alabama. Ms. Boykin stated, "I speak in opposition to you coming any closer, to our community, Brummitt Heights. Ms. Boykin stated, "We are all in the City of Tarrant, one way or another." Ms. Boykin stated, "If we are not residents of Tarrant, we attend Lily Baptist Church." Ms. Boykin stated, "So it is a grave concern to each of us." Ms. Boykin stated, "I employ you, don't come any closer." Ms. Boykin stated, "Take your garbage and your trash and your stuff, you know when you dig up this dirt that you can't use, that you say is gravel and sag, that is what it is to us." Ms. Boykin stated, "We don't want it there." Ms. Boykin stated, "We don't want the heavy trucks coming in and tearing up the streets." Ms. Boykin stated, "We have a hard enough time now getting our streets paved, and this and that." Ms. Boykin stated, "We don't want the heavy trucks coming in." Ms. Boykin stated, "I say this not schemingly, I say it heavily, so that you will understand the gravity of our concern." Ms. Boykin stated, "We do not want Vulcan Materials to come to Brummitt Heights, next to our Church, any closer." Ms. Boykin stated, "You have purchased a home, an area under Residential." Ms. Boykin stated, "You can live in it, you can tear it down, you can do whatever, but we ask that you do not dig up dirt, from wherever you are getting it - don't dig it up and bring it up that hill." Ms. Boykin stated, "We don't want to have one of those slides there, that he showed as the before they put the dirt in and after." Ms. Boykin stated, "I believe you mentioned that this was in Huntsville." Ms. Boykin stated, "It looked like a forest there." Ms. Boykin asked that Mr. Jones display the before and after slides, of Huntsville again. Mr. Jones explained that the only before and after presentations with him this evening, were of the Brummitt Heights area. Mr. Jones displayed all of the illustrations that he had brought with him. General discussion followed. Ms. Boykin stated, "Don't come any closer."

Mayor Tuck recognized Victoria Winborn of 1735 Mountain Drive, Tarrant, Alabama. Ms. Winborn stated that she had a question concerning the declaration. Ms. Winborn asked, "What is in the declaration that would keep them from later amending the declaration, doing something different?" Attorney Goldman explained that this is called a Restrictive Covenant. Attorney Goldman stated that once it is filled out and signed, if approved, it is then filed with the Probate

Judge of Jefferson County. Attorney Goldman stated that at that point, they lose the ability to come in utiiaerally or any of their successors in interest to change it. Attorney Goldman stated that it is a covenant to the deed. Attorney Goldman explained that it is similar to a subdivision, with a covenant and things of that sort. Ms. Winborn asked, "So you are saying that this is indefinite, set in stone, there is no way for them to rectify what this already says, there is no way to amend it or to make further declarations toward this amount of property that they purchased?" Attorney Goldman stated that this has not been filed yet, because it is pending. Ms. Winborn asked, "So as of now it is not set in stone?" Attorney Goldman stated that if it is approved, then it would be set in stone. Ms. Winborn stated, "So it is, an if? Attorney Goldman stated that it is an if, as to whether the Council approves it. Ms. Winborn stated, "I have another concern regarding the community portion that you purchased is insufficient, what stops you from purchasing more property, later on?" Ms. Winborn asked that Vulcan Materials not answer the question, at that moment. Ms. Winborn stated, "I do not live in the exact community; I stay further down the street." Ms. Winborn stated, "I own a 501(c) 3 that works families, with disabled children." Ms. Winborn explained that she is looking at purchasing in this area, for these families with disabled children. Ms. Winborn stated, "This makes me worry that I need to go somewhere else, because I have to worry when I have an autistic child and with the heavy trucks and all of the concerns that the community has, what is that going to do to them." Ms. Winborn stated, "So now you have run my business away." Ms. Winborn stated, "What is going to stop you later from buying more?" Mr. David Langer of Vulcan Materials stated, "Just like any of you, Vulcan Materials could buy property." Mr. Langer explained that the Franklin Family had approached Vulcan Materials, concerning the purchase of their home and Vulcan Materials did purchase the property.

Mayor Tuck recognized Eva Carnes of 2271 Treadwell Road, Tarrant, Alabama. Ms. Carnes stated, "I have lived in Tarrant for forty years and I have lived in my home for forty years." Ms. Carnes stated, "Number One - I do not intend to let anyone buy my home, because you do not have enough money to buy my home and Number Two - It is just not right for the area that I live in to become a rezoned area, instead of a residential area." Ms. Carnes stated, " It is not fair to me personally or to any of us, to do that." Ms. Carnes stated, "You wouldn't do that close to your house either." Ms. Carnes stated, "The property that already belongs to them, let them have it, but we don't want to be rezoned."

Mayor Tuck recognized Mr. Leroy Perry of 2274 Treadwell Road, Tarrant, Alabama. Mr. Perry stated, "A lot of residents in this area have gotten letters for an application, for rezoning." Mr. Perry stated, "This one states that this is to advise you that a Petition and Application for

Rezoning has been filed with the City Clerk of the City of Tarrant, Alabama, to rezone the above-referenced property." Mr. Perry stated, "When they put the above referenced, they gave a Parcel Number but when I looked this up, it is next door to Ms. Carson's house." Mr. Perry asked, "If they have acquired the properties down on the other end down there, why would they want to rezone these properties. Mr. Perry stated, "They live across the street, directly in front of me, so they are coming closer." "Mr. Perry stated, "The lot is next door to Ms. Carson." Mr. Perry stated, "Ms. Hammond got one, Ms. Coates got one, everyone is getting these letters and it is referencing to their parcel numbers, their property, so that means that evidently they are trying to get those properties." Mr. Perry stated, "That is, from what I see." Mayor Tuck recognized Attorney Goldman. Attorney Goldman stated, "Sir, I would like say that everyone that received a letter is owed an apology." Attorney Goldman stated, "That was a clerical error that went out." Attorney Goldman explained, "The secretary that was given the letter to send out misunderstood and thought that she was suppose to put the address of the person receiving the letter, in the reference for the street address." Attorney Goldman stated, "A second round of letters was sent out, to correct the error." Attorney Goldman stated, "On behalf of the City, we apologize for the confusion." Ms. Winborn stated that she did not receive a letter." Attorney Goldman explained that only property owners within 500 feet, would have received a letter.

Mayor Tuck asked if there was anyone else who wished to speak. Mayor Tuck recognized Ms. Betty Richard Vostick. Ms. Vostick stated, "My Mother lives at 2221 Treadwell Road." Ms. Vostick stated that her Mother is nearly 90 years old. Ms. Vostick stated, "I am there three times a day, to check on her." Ms. Vostick stated, "I had to back up last week because there were two huge trucks, with big heavy equipment on them." Ms. Vostick stated, "They couldn't even make the turn to come up Treadwell Road, off of Tarrant Huffman Road." Ms. Vostick stated, "My Mother loves to go outside; she cleans the ditches out." Ms. Vostick stated, "She gets out there with a rake daily." Ms. Vostick stated, "I don't want my Mother to get hit, by one of those truck." Mayor Tuck asked, "Was that a Vulcan Materials truck?" Ms. Vostick stated, "I don't know I didn't see the name, but it really disturbed me." General Discussion. Ms. Vostick stated, "There is property everywhere that they could go and not disturb people who have lived here all of their lives, especially when they are elderly." Ms. Vostick stated, "You take an elderly person out of their environment, Alzheimer's, it is just inhumane." Ms. Vostick stated, "You wouldn't want your parents mistreated." Ms. Vostick stated, "I think there are too many properties that are vacant, that could go somewhere else." Ms. Vostick stated that she did not get a letter of apology. Ms. Vostick stated that her Mother did not understand. Ms. Vostick stated that she is 71 years old and a senior. Ms. Vostick stated, "So there

are a lot of problems out there." Ms. Vostick stated, "I don't know where they get all this dirt from, it may be contaminated with health problems, because it has to be something for them to put it there." Ms. Vostick stated, "We just pray and ask the Lord to be with us and that everything will be done the right way.

Mayor Tuck recognized a woman who requested to speak. The lady stated that she wished to piggy back off what she had heard. The lady stated, "You said that Ms. Middlebrooks is the Council Member for the Brummitt Heights." Mayor Tuck stated, "She is the Council Member for your district." The lady stated, "Before when you all were getting all of these resolution and etc., well she should have been speaking for Brummitt Heights." The lady stated, "The time to speak for Brummitt Heights was before we got here." The lady stated, "You should have spoken with Brummitt Heights and found out what Brummitt Heights wanted." The lady stated, "Not be in the area and come down here and then when she assisted you, with your paper work and etc., then we enter here; perhaps it should have been heard prior to Ms. Middlebrooks getting all this." The lady stated, "If I am going to represent you, I need to find out what your ideas are." The lady stated, "I need to find out how you feel about this before I go draw up something just because I can and then come here." The lady stated, "You haven't heard from the citizens of Brummitt Heights." The lady stated, "I didn't even know you, except to know that your name, when I came to Church." The lady stated, "You didn't ask our opinion prior, to this." The lady stated, "You assisted this Council, assisted them in drawing up your papers." The lady stated, "Now we are down here in this dilemma." The lady stated, "I think it is inhumane." The lady stated, "I think you didn't consider Brummitt Heights." The lady stated, "If you had just walked your street, Ms. Richards lives right there on the corner and Ms. Richards a ninety years old and ask her." The lady stated, "Ask two or three more, then go the neighborhood or call a neighborhood meeting." The lady stated, "This greatly affects us." The Lady stated, "I am not opposed to anybody removing what is contaminated or they can't use, but I don't want it in my front yard." The lady stated, "Vulcan you are a million dollar corporation, you can find somewhere to dump it and pay for it."

Mayor Tuck recognized a lady. The lady stated, "You talk about rezoning close to people's property, they get upset because nobody really knows what the future holds." The lady asked, "The question that I have is – In order to create a Green Space, is rezoning the only way, that it has to be rezoned or whatever you are asking for, in order to create a Green Space?" The lady stated, "It is my understanding that it is supposed to be a Green Space." The lady asked, "Is there some optional zone, like a Park Zone for Green Space?" The lady stated, "When you are talking about Industrial or Commercial, people are really concerned about their property values." The lady

stated, "From their perspective of when they get ready to sell residential property, when you have your property appraised they go and look at so many miles from your house." The lady stated, "I used to do that, a long time ago." The lady stated, "I have forgotten the specifics, but I know that if I want to sell my house and say it is across the street from Lily Baptist Church and behind Lily Baptist Church has been rezoned Commercial or something like that, then when they look at my house and appraise it, they will take that in consideration for residential." The lady asked, "My suggestion and question at the same time is – Is there an alternative, since they said nothing would ever be built on it and will be used basically for a Green Space?" The lady asked, "Are there any alternative zoning options that you would have that would reduce some their fears about Industrial Zoning for economic development, even though they say nothing will be built on it." The lady stated, "I know that I have had similar problems when I was President of the *ACIPCO Neighborhood*." The lady stated, "That's industry, but in order to stop any additional Industrial Zoning in Birmingham, they did what is called a Q Zone." The lady stated, "That helped us because any purpose other than Green Zone or whatever, a Q Zone would be attached to it and then we would have to come back." The lady stated, "If it is just going to be Green Space it seems to me, that there should be another option." The lady stated, "It goes deeper than you are saying that it is Green Space, but it is being rezoned, this is leary." The lady stated, "The problem comes up when I get ready to sell my house." The lady stated, "I will have to have my house appraised." The lady asked, "How are they going to look at – just a few feet from my house there is a piece of Industrial property?" The lady stated, "I know from the experience of doing Real Estate as well as mortgages and appraisals, you look at that to determine the value of people's houses." The lady stated, "I think that you could probably solve the situation if it is going to be Green Space, never to be built on, if there is an alternative zone." The lady stated, "I guess that your attorney could find that out." The lady stated, "I think that it would help out a lot if it is not zoned Industrial or whatever, just for Green Space."

Mayor Tuck recognized Councilmember Anderson. Councilmember Anderson asked the lady who spoke prior to the last comment, for her name. The lady stated, "My name is Winfred Gill." Councilmember Anderson asked, "Where do you live." Ms. Gill stated, "I live on Evergreen Street and I attend Lily Baptist Church."

Mayor Tuck recognized a lady. The lady stated, "I have one question, as things stand what affects do you think that the things that you have done, would have on enhancing the community as far as our property values are concerned." The lady stated, "I have property in the area, but I don't live there." The lady stated, "I wanted to live their 61 years ago, but they didn't have what I wanted,

so I went elsewhere.” The lady stated, “Now I am 83 years old.” The lady stated, “I was thinking about putting a house there and when I get to the point where I have to have a walker, roll across the street to the Church.” The lady stated, “If the community is not looking forward to growing, I want to know what it is that we can look at, as far as growing the community and making it a better place to live, instead of diminishing it?” Mayor Tuck stated, “It is my understanding that Vulcan Materials Company plans to fill the hole, then plant grass and trees.” Mayor Tuck stated, “That is all that they are going to do.” The lady asked, “If this be true, then what you think that would contribute, to encouraging others to come into the community?” Mayor Tuck stated, “I don’t know what it would contribute to anything, but I don’t know that it would keep them out.” The lady stated, “But that is what we are looking for.”

Mayor Tuck recognized Councilmember Betty Middlebrooks. Councilmember Middlebrooks stated, “I am the representative for Brummitt Heights. Councilmember Middlebrooks stated, “To say that I have not brought the issue to you is a misstatement.” Councilmember Middlebrooks stated, “There was no one here at the City Council Meeting, when this matter was brought to the table.” Councilmember Middlebrooks stated, “No one would have even known that Vulcan Materials Company intended to rezone, had I not gone to Vulcan Materials.” Councilmember Middlebrooks stated, “I explained to Vulcan Materials Company that before they did anything, we needed to talk to Lily Baptist Church and the citizens of Brummitt Heights.” Councilmember Middlebrooks stated, “This was done in an expedite manner.” Councilmember Middlebrooks explained, “We had approximately two weeks to get that done, before the next City Council Meeting.” Councilmember Middlebrooks stated, “For the record you would not have known about any petition that affected your property in Brummitt Heights, had I not brought it to you.” Councilmember Middlebrooks stated, “I did not need to go door to door, to everyone.” Councilmember Middlebrooks stated, “We went to the masses of people.” Councilmember Middlebrooks stated, “First, we went to Lily Baptist Church and then we put out flyers to the neighborhood, so that everyone could come to the meeting at Brummitt Heights.” A lady stated, “Ms. Middlebrooks, I looked today at 2239, Ms. Franklins’ house, and saw a sign that was almost bent to the ground.” The lady stated, “I had to stoop over to see what it was.” The lady stated, “It was about the meeting.” The lady stated, “If those were the signs that they have been putting out, it’s no wonder no one knew about it.” Councilmember Middlebrooks stated, “I am not talking about the sign that you saw on the property; I am talking about signs concerning a meeting of – *Concerned Citizens of Brummitt Heights*.” Councilmember Middlebrooks stated, “This would have been a colored sign and it did not come from Vulcan Materials.” Councilmember Middlebrooks stated, “A

few people went down their streets, passing those out, so that you would come to these meetings.” A lady asked, “If you can come in and rezone and put in Industrial, what would stop you in two or three years from getting another spot and doing it Industrial?” Councilmember Middlebrooks stated, “Before property can be rezoned, it must go through this same process.” The Lady stated, “If we had not gotten the flyer, we would not have known and everything would have gone on and we would have never known and it would have been Industrial.” Councilmember Middlebrooks stated, “That is why you have someone on the City Council to bring it to you; if you are not in Council Meetings.” The Lady asked, “What if we are not here again?” Councilmember Middlebrooks stated, “I will bring it to the citizens, if I am here.”

Mayor Tuck recognized Ms. Winborn. Ms. Winborn stated, “I don’t know why this was not brought to light, when they purchased the property.” Councilmember Middlebrooks stated, “I was not there, when they bought the property.” Councilmember Middlebrooks explained, “Purchasing the property would not have been a zoning issue.” Ms. Winborn stated, “They were purchasing the property for a reason.” Ms. Winborn asked, “Why wouldn’t you want to know something like that, prior to?” Councilmember Middlebrooks stated, “We don’t know when people are buying property.” Councilmember Middlebrooks asked David Langer, Director of Support Services of Vulcan Materials Company, “When did Vulcan Materials buy these properties?” David Langer stated, “At various times, over a period of several years.” Councilmember Middlebrooks stated, “The matter was only brought to the attention of the City Council, when Vulcan Materials petitioned to rezone.”

Mayor Tuck recognized Attorney Goldman. Attorney Goldman stated, “If I could answer one specific question, if you don’t have an advocate like Ms. Middlebrooks was in this situation, what would make sure that you got notice in order to rezone.” Attorney Goldman stated, “We are required to send out notice to everyone that is within 500 feet of the property, this is a built into the procedure.” Attorney Goldman stated, “I want to highlight that Ms. Middlebrooks did, and to correct what was said in this room, there was no one who has worked harder to make sure that this room was full tonight and also to ensure that the Municipal Planning Commission Meeting was full, than Ms. Middlebrooks.” Attorney Goldman stated, “This process worked because you are here tonight, because we are having a conversation about this.” Attorney Goldman stated, “Actually rather than being upset about the process, whatever happens tonight is an unqualified success for the citizenship of this community, because we are having this conversation.” Attorney Goldman stated, “Do not rain on your own parade by calling it anything else, because frankly tonight is a night where the process worked and the conversation happened.” Attorney Goldman stated, “It is when the room

is empty, that the process has failed.” Attorney Goldman stated, “Because the room is full rather than attack your representative, you should thank her for making sure that this happened and playing that role.” Attorney Goldman stated, “Ms. Middlebrooks made sure that the meeting happened, before Vulcan Materials put their petition on file.” The Lady stated, “We are not going against Ms. Middlebrooks.” The Lady stated, “We appreciate her, because she is up there representing us.” The Lady stated, “If she wasn’t, we wouldn’t have any representation.” Attorney Goldman stated, “In this particular process, and I have never seen this happen before, it happened because of leadership, the first meeting occurred before the petition went on file, so those particular issues that were addressed in the *declaration*, which was discussed and came about, because of the conversation with Lily Baptist Church.” Attorney Goldman stated, “That happened before the petition was on file.” Attorney Goldman stated, “This has been a longer process, a more communitive process, a deliberative process and I want for everyone to understand the role that Ms. Middlebrooks played in bringing this to you early.” Ms. Boykin stated, “Sir, I have spoken once, but I would like to say this – Today, I visited several homes in our community: Mr. and Mrs. Leroy Perry, Ms. Janet Carter, Ms. Janet Coates, Ms. Trulane Carter (Davis), Freddie Carter and some other homes.” Ms. Boykin stated, “Ms. Janet Coates carried me into her home; I didn’t want to go in but, she insisted.” Ms. Boykin stated, “They blasted so much that her ceiling fell, down on her.” Ms. Boykin stated, “She went to the doctor and they refused her co-pay.” Ms. Boykin stated, “We are concerned about our children, our health problems, our families, homes, leaning, any of our homes being swiped out.” Ms. Boykin stated, “You cannot see from that that picture (Vulcan Materials presentation), but that is a chimney.” Ms. Boykin stated, “I understand that there is a drop off behind Ms. Franklins’ house.” Ms. Boykin stated, “That is the portion, if you don’t know, that they are trying to dig the slag and gravel, that they can’t use and don’t want, to bring it up and put in at the back of Ms. Franklins’ house.” Ms. Boykin stated, “Then level it over, knock the house down, level it over and plant grass there.” Ms. Boykin stated, “We want houses, not just vacant property with trees.” Ms. Boykin stated, “We aren’t saying that they are not going to be beautiful trees, but we want homes.” Ms. Boykin stated, “Don’t let anyone tell you it’s not going to bring your property values down.” Ms. Boykin stated, “I live in Brummitt Heights and my home has a zig zag, where is it split.” Ms. Boykin stated, “We met at the Church on Monday at 10:31 a.m., there was a bloom - bloom, after which I caught myself by holding on to the sink.” Ms. Boykin stated, “On Monday at 11:32 a.m. there was another bloom – bloom – bloom.” Ms. Boykin stated, “I don’t know if you do all of your blasting on Mondays, but that’s Monday Monday.”

Mayor Tuck recognized a lady. The Lady stated, "I have only one thing that I would like to say and that is that it seems that none of your residents want that to happen in the neighborhood." The Lady stated, "I, myself, do not want to see this happen in the neighborhood." The Lady stated, "So the question has been asked – What is this going to do, to the property value?" The Lady stated, "I personally think, that this is going to bring our property values down." The Lady stated, "I have sold real estate and do understand how this works." The Lady stated, "What I hear the City Council saying to us, is that they don't know what it is going to do." The Lady stated, "I employ you not to make a decision on that, until you do know what it is going to do." The Lady stated, "Any other decision would be made for Vulcan Materials Company and not for the residents of this town."

Mayor Tuck recognized a lady. The Lady stated, "Vulcan doesn't care anything about Brummitt Heights." The Lady stated, "Ms. Franklins' house used to have the Beautification Award every year, now it's an eyesore." The Lady stated, "All of the bushes are growing into my house." The Lady stated, "They haven't been concerned about this." The Lady stated, "I have had to pay, to have these bushes cut down and all of those in her yard." The Lady stated, "I have been paying money, to keep the bushes from growing into my house."

Mayor Tuck recognized a gentleman. The gentleman stated, "I am only concerned about the property value of my home." The gentleman stated, "That blasting is going to go on." The gentleman stated, "It's been going on for forty years." The gentleman stated, "I am worried about the money that I have put into my home."

Mayor Tuck recognized a Lady. The Lady stated, "My question is to Vulcan – Your intention it seems was always to get Ms. Franklins' house and whoever else you got and to do what you are doing, since you said that the area that you have, you can't do anything with it." The Lady asked, "My question is this – Why can't you, because I know that companies of your sort, have a Plan "B", why can't you go to your Plan "B"?" The Lady stated, "We are a community that wants to remain a community." The Lady asked, "Have you done this before?" David Langner stated, "None that I am aware of." Mr. Langner stated, "I am not here to tear down Brummitt Heights and it is not the intention of Vulcan Materials to tear down Brummitt Heights." Mr. Langner stated, "A question was asked earlier about the properties that we have bought, in Tarrant." Mr. Langner stated, "We have been purchasing properties around the quarry, for approximately ten years, I don't know specifically" Mr. Langner stated, "Vulcan Materials also has property, off of Tarrant Huffman Road," The Lady asked, "Did you do the same thing as far as the materials, in making it look like you did in Scottsboro?" Mr. Langner stated, "Yes, Ma'am, it looks like this picture but, I don't think that I understand your question." The Lady asked, "Those areas that you have purchased, have you

done the same thing that you are trying to do in Brummitt Heights; did you do the same thing in the areas where you have bought properties?" The Lady asked, "Are we the first one other than Scottsboro that you came into a community and did the same thing?" Mr. Langner stated, "Yes Ma'am we have bought lots in other communities." Mr. Langner stated, "Let me tell you my area of influence, Vulcan Materials is a Birmingham Company that works all around country." Mr. Langner explained, "We work in Alabama." Mr. Langner stated, "I have been with Vulcan Materials Company, since 1983 and had worked in and around Tarrant, since 1983." Mr. Langner stated, "Yes, we have bought property around quarries." The Lady asked, "My question is did you do the same things with those areas, that you are trying to do here. Mr. Langner stated, "Yes Ma'am, we have done that in several places." Mr. Langner stated, "We have a quarry in Helena, Alabama that you might be familiar with." Mr. Langner stated, "The quarry can be located off I-65 South in Shelby County and go South/West on 261." Mr. Langner stated, "There is a Vulcan Quarry that has been there since 1968." Mr. Langner stated, "We have purchased numerous properties around the quarry and expanded numerous times. Mr. Langner stated, "There are actually two quarries, one on each side of the highway." The Lady asked, "Is it located in a remote area?" Mr. Langner stated, "No Ma'am." The Lady asked, "Is it a full community. Mr. Langner stated, "Yes Ma'am." Mr. Langner stated, "It is actually one of the most successful residential areas in Alabama and one of the fastest growing communities in Alabama." Mr. Langner stated, "I would like to give you a thought about property values; everybody has an opinion about property values." Mr. Langner stated, "I can tell you that in the Helena Community, Vulcan Materials hired a licensed appraiser." Mr. Langner explained, "He looked at two quarries for us and created a study from 1984-1985; one of which was in Helena." Mr. Langner, stated, "The properties adjoining the quarry went up 45% a year, in value." Ms. Winborn stated, "That's inflation, not Vulcan Materials." Mr. Langner stated, "Inflation goes up about 3% a year, property inflation goes up a lot more than that and can go down." Mr. Langner stated, "Normally it is a two year point." Mr. Langner stated, "The point being, that you feel that we are going to deflate your property." Mr. Langner stated, "I would tell you that there is a lot more that does into that, other than a rock quarry, such as the schools and the community." Mr. Langner stated, "This is an example of a local quarry that the property value has gone up tremendously, over the last decade." Mr. Langner stated, "Just like the Brummitt Heights neighborhood that built around the quarry, houses have built around the quarry in Shelby County, the last forty years." Ms. Winborn asked, "What about Gadsden where Vulcan has a quarry in the Flatwood Community, right beside the City High School." Ms. Winborn stated, "The Gadsden High School shut down and now you have properties that are decrepit and overgrown areas, within the

property that you have.” Mayor Tuck interrupted Ms. Winborn and requested that she allow the citizen standing, to complete her questions and comments. Mayor Tuck recognized the previous resident. The Lady stated, “I want to employ you to please to consider the community of Brummitt Heights; what are our feelings, what our desires are.” The Lady stated, “I understand that it will probably be beautiful, but it is not what we want.” The Lady stated, “Please go to your Plan “B”.” The Lady stated, “Companies of your sort have a Plan “B”, always.”

Mayor Tuck recognized another lady. The Lady stated, “When you are making your decision, search your heart.” The Lady stated, “I am reminded of the *Bible*, when the rich man came to see *Jesus* and asked - Master, what must I do to get into heaven? *Jesus* told him, go and give all of riches to the poor. The man walked away sad because he couldn’t do it. A disciple came to *Jesus* and asked, why is that? *Jesus* said, “It is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of *God*.”

Mr. Langner stated, “We will be glad to try and answer any of your concerns.” Mr. Langner stated that he and Randy Jones had made notes of things that had been said, through the meeting. Mr. Langner stated, “I don’t owe Ms. Middlebrooks a thing.” Mr. Langner stated, “I knew her husband.” Mr. Langner stated, “The first time that I met her was through this process.” Mr. Langner stated, “I will tell you this, she insisted that we have at least two meetings in the community, before any this ever got done. Mr. Langner asked Ms. Middlebrooks if these statements were correct. Ms. Middlebrooks stated, “That is correct.” Mr. Randy Jones stated, “Ben said it, we did not file the petition until after she was notified, set up the meetings and then it was filed.” Mr. Jones stated, “She was notified first, the Church was notified first, the petition came after.” Mr. Jones stated, “There has been a lot that has come up, about trucks on the road.” Mr. Jones stated, “Vulcan does not put trucks, on Treadwell Road.” Mr. Jones stated, “I don’t know what trucks you saw up there, but they were not Vulcan Materials.” Mr. Jones stated, “We do not send any king of trucks, on Treadwell Road.” Mr. Jones explained, “The luxury of this property that we own, next to the quarry, is we don’t have to put trucks on the road.” Mr. Jones stated, “This is one of the good things about this, we do not increase truck traffic on the highway.” Mr. Jones explained, “We come off the property that we own, right on to the five new properties that we are requesting to be rezoned.” Mr. Jones stated, “If we do this, you will not have any trucks on the road hauling, what is clean dirt.” Mr. Jones stated, “There is a lot of concern.” Mr. Jones stated, “We have told you from the beginning at the previous meeting that you can come and look at this dirt.” Mr. Jones stated, “It is not contaminated, it is not anything other than dirt.” Mr. Jones stated, “There is nothing in it.” Mr. Jones stated, “Vulcan is an environmental steward in the industry and we have environmental

standards.” Mr. Jones stated, “This is clean dirt, as clean as what is in your yard.” Mr. Jones stated, “We are not bringing any kind of waste material, into this area.” Mr. Langner stated, “We offered before, if anyone from the community or if you would like to all come at one time, to tour the whole facility; we would love to have you.” Mr. Langer stated, “We have visitors all the time.” General discussion. Mr. Langner stated, “We can also take you up and show you the material, which is dirt, clay and soil.” Mr. Langner stated, “Several people have mentioned toxic, slag and gravel; this is just dirt.” General discussion. Mayor Tuck at this time closed the public hearing. Mayor Tuck recognized a lady. The lady stated, “I do understand their operation, whoever that dug that, dug into the rock bed too much and according to ADEM they have to fill it – Not that I am saying I am with it.” The lady stated, “Could it be used for the community benefit such as a tornado shelter?” The lady stated, “We don’t have one.” The lady stated, “When the last tornado came through, a lot of the elderly people could not get out of their homes.” The lady stated, “Make use for it.” The lady stated, “I do understand that they can’t just take the dirt anywhere; they have to build and place in the hole.” The lady stated, “Put it back into the residents; such as a tornado shelter or two shelters, or a recreation center.”

Whereupon, Councilmember Middlebrooks moved that all rules governing the council which might, unless suspended, prevent the passage and adoption of proposed Ordinance Number 1075 at this meeting, be and the same are hereby suspended for the purpose of permitting said ordinance to be finally passed and adopted at this meeting. Councilmember Bryant seconded the motion, regularly put and upon roll call; the vote thereon was as follows:

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

NAYS: None

ABSENT: None

Mayor Tuck declared the motions adopted by unanimous vote of the members present.

Whereupon, Councilmember Middlebrooks introduced and read at length proposed Ordinance Number 1075 as follows:

ORDINANCE NO. 1075

**AN ORDINANCE TO AMEND ZONING ORDINANCE NO. 974
HERETOFORE ADOPTED ON JUNE 5, 2006 BY THE CITY
COUNCIL OF THE CITY OF TARRANT TO REZONE CERTAIN
PROPERTY FROM ITS PRESENT ZONING OF R-HD HIGH-
DENSITY SINGLE-FAMILY ZONE TO GI – GENERAL
INDUSTRIAL ZONE**

BE IT ORDAINED by the City Council of the City of Tarrant, Alabama that

Zoning Ordinance No. 974, adopted June 5, 2006 be amended as follows:

Section 1. That the City Council of the City of Tarrant finds as follows:

- a. That the requested change in zoning classification is compatible with the City of Tarrant's comprehensive plan;
- b. That based upon the plans for the property to be rezoned submitted by the owner(s) of the property, there is available adequate public infrastructure and services, including water, sewer, roads, police and fire protection, etc., to support the proposed rezoning classification, and to the extent that improvements are required, the owner has agreed to make such improvements; and
- c. That based upon the plans for the property to be rezoned submitted by the owner(s) of the property, there will be no significant impact of the requested change in zoning classification on neighboring properties and the surrounding area, including traffic, noise, light, odors, etc.

Section 2. That Zoning Ordinance No. 945, adopted June 5, 2006, be amended so that the areas described below be rezoned from its present zoning of R-HD High Density Single-Family Zone to GI – General Industrial Zone:

ADDRESS: 2239 Treadwell Road, Tarrant, AL 35238
Parcel ID# 23-00-04-1-005-007.000

Legal description:

Parcel I

That part of the NW ¼ of the NE ¼ of Section 4, Township 17 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the southwest corner of said ¼ - ¼ section and run thence northwardly along the west line thereof for a distance of 226.4 feet; thence turn an angle to the right of 92 degrees and ten (10) minutes and run eastwardly for a distance of 663.12 feet to a point on the east line of the SW ¼ of said NW ¼ of NE ¼; thence turn an angle to the right of 87 degrees and 48 minutes and run southwardly along the east line of said SW ¼ of NE ¼ for a distance of 211.7 feet to a point on the south line of said NW ¼ of NE ¼; thence run westwardly along the south line of said ¼ - ¼ section for a distance of 662.91 feet to the point of beginning, situated in Jefferson County, Alabama.

Parcel II

Commence at the NE corner of the SW ¼ of the NW ¼ of the NE ¼ Section 4, Township 17 South, Range 2 West; thence run South along the East line of said SW ¼ of the NW ¼ of the NE ¼ a distance of 466.32 feet to a point; thence turn an angle to the right of 98 degrees 10 minutes and run 8.00 feet to a Northwesterly direction to a point in the Southwesterly right of way of a county road, said point being the point of beginning of the tract herein described; thence continue along last described course a distance of 142.09 feet to a point; thence turn 160 degrees 36 minutes to the right and run 79.57 feet in a Northeasterly direction to a point in the Southwesterly right of way of a county road; thence run along the Southwesterly boundary of said county road and the arc of a curve to the left having a central angle of 18 degrees 01 minute 47 seconds a distance of 73.79 feet to the point of beginning.

Parcels I and II also being described as:

Part of the Northwest ¼ of Northeast ¼ of Section 4, Township 17 South, Range 2 West, Jefferson County, Alabama, being more particularly described as follows:

Beginning at an existing ½" bolt being the locally accepted Southwest corner of the Northwest ¼ of the Northeast ¼ of said Section 4, run in a northerly direction along the west line of said ¼ ¼ section for a distance of 225.25 feet to an existing 1" open top iron pipe; thence turn an angle to the right of 92°37'31" and run in an easterly direction for a distance of 517.37 feet to an existing 1" open top pipe; thence turn an angle to the left of 17°24'24" and run in a northeasterly direction for a distance of 81.20 feet to an existing iron rebar set by Weygand and being on the Southwest right of way of Treadwell Road and said Southwest right of way line being 25.0 feet from the center of the existing asphalt; said Southwest right of way line having the following curve characteristics: a radius of 175.0 feet, a central angle of 20°32'40" and a chord of 62.41 feet; thence turn an angle to the right (46°51'11" to the chord of said curve) and run in a Southeasterly direction along the arc of said curve and along the Southwest right of way line of Treadwell Road for a distance of 62.75 feet to an existing cross cut in a concrete drive still being on the Southwest right of way line of Treadwell Road; thence turn an angle to the left (18°40'41" from last mentioned chord line) and run in a Southeasterly direction along the Southwest right of way line of Treadwell Road for a distance of 8.03 feet to an existing iron rebar set by Weygand; thence turn an angle to the right of 75°21'55" and run in a southerly direction for a distance of 204.69 feet to an existing 1 ½" crimp iron pin; thence turn an angle to the right of 92°44'53" and run in a westerly direction for a distance of 660.71 feet, more or less, to the point of beginning.

2. ADDRESS: 1720 Tarrant Road, Tarrant, AL 35217

Parcel ID# 23-00-04-1-005-008.000

Legal description:

Begin at the NW corner of the SW 1/4 of the NE 1/4, Section 4, Township 17, Range 2 West; run South along 1/4 line 330.0 feet; thence 88°43' left 264.0 feet; thence 91°17' left 330.0 feet; thence 88°43' left 264.0 feet to point of beginning; situated in Jefferson County, Alabama, Birmingham Division.

3. ADDRESS: 1758 Tarrant Huffman Road, Tarrant, AL 35217
Parcel ID# 23-00-04-1-005-011.000
Legal description:

Begin at NW corner of Northeast Quarter of Southwest Quarter of Northeast Quarter of Section 4, Township 17 South, Range 2 West; thence east along the north boundary of said quarter-quarter section 143.91 feet, said point being in a road; thence 88°50' right 277.06 feet to the north right of way boundary of the Tarrant & Huffman road; thence 71°01' right along said north boundary 152.15 feet; thence 108°59' right 320.48 feet to the point of beginning.

Also:

Commence at the Northwest corner of Northeast Quarter of Southwest Quarter of Northeast Quarter of Section 4, Township 17 South, range 2 West; thence east along the north boundary of said quarter-quarter section 143.91 feet to the point of beginning, said point being in a road; thence continue same straight line 178.03 feet; thence 88°50' right 212.16 feet to the north boundary of the Tarrant and Huffman road; thence 71°01' right 188.23 feet along said north boundary; thence 108°59' right 277.06 feet to the point beginning.

4. ADDRESS: 1730 Tarrant Huffman Road, Tarrant, AL 35217
Parcel ID# 23-00-04-1-005-010.000
Legal description:

Part of the Southwest 1/4 of the Northeast 1/4 of Section 4, Township 17 South, Range 2 West, situated in Jefferson County, Alabama more particularly described as follows:

Commence at the Northwest corner of the Southwest 1/4 of the Northeast 1/4 of said Section 4 and run east along the north line of said 1/4-1/4 section a distance of 264 feet to the point of beginning. Said point also being the northeast corner of the "Willie Harris Tract" as described in Volume 4155, Page 516; thence continue east along the north line of said 1/4-1/4 section a distance of 396 feet; thence 88 degrees 43 minutes right and run south 330 feet; thence 91 degrees 17 minutes right and run west 396 feet to a point on the east line of the "Harris Tract" as described aforesaid; thence turn 88 degrees 43 minutes right and run north along the east line of the "Harris Tract" a distance of 330 feet to the point of beginning.

5. ADDRESS: 2249 Treadwell Road, Tarrant, AL 35217
Parcel ID# 23-00-04-1-005-006.000
Legal description:

A part of the SW 1/4 of the NW 1/4 of the NE 1/4 of Section 4, Township 17, Range 2 West being more particularly described as follows:

Beginning at a point in the West line of the Northwest 1/4 of the Northeast 1/4 of Section 4, Township 17 South, Range 2 West 226.4 feet North of the Southwest corner of said Northwest 1/4 of the Northeast 1/4 of said Section, thence run in a Northerly direction along the said West line of said Northwest 1/4 of the Northeast 1/4 of said Section 441.15 feet to the Northwest corner of the Southwest 1/4 of the said Northwest 1/4 of the Northeast 1/4 of said Section; thence 90°50' to the right in an Easterly direction along the North line of said Southwest 1/4 of the Northwest 1/4 of the Northeast 1/4 of said Section 195.52 feet; thence 89°09' to the right in a Southerly direction and parallel to the West line of said Northwest 1/4 of the Northeast 1/4 of said Section 445.65 feet; thence 92°10' to the right in a Westerly direction 195.64 feet to the point of beginning.

Section 3. That this ordinance shall be effective when published by posting the same as required by law and upon its adoption.

Notice is hereby given that at the aforesaid time and place all persons who desire shall have an opportunity to be heard in opposition to or in favor of the change or changes proposed by said proposed ordinance.

Lillian A. Keith
City Clerk

Whereupon, Councilmember Middlebrooks moved that said Ordinance Number 1075, be finally passed and adopted as introduced. Councilmember Bryant seconded the motion. Mayor Tuck put the question of final passage and the adoption of said ordinances to the vote of the council, and on call of the roll the results were as follows:

AYES: Mayor Tuck

NAYS: Councilmembers Anderson,

Councilmember Bryant stated, “Before I give my vote, I would like to address a couple of comments please.” Councilmember Bryant stated, “First of all, for those who wanted to drag the City Council Member.” Councilmember Bryant stated, “This Council Member has done an excellent job, in doing what she had to do and should do.” Councilmember Bryant stated, “She handled this very professionally and anyone that thinks that she has not done the proper job – you don’t know what you are talking about.” Councilmember Bryant stated, “Second, my Daddy always said that there is more than one way, to skin a rabbit.” Councilmember Bryant requested to address Pastor Brooks. Councilmember Bryant asked Pastor Brooks, “If this had been proposed to you as Vulcan Materials would like to come in and take this property, and because it has this hole to it and come in and fill it, cover with top soil and make a recreation area; how would you have liked that?” General discussion. Councilmember Bryant asked, “If it had not been zoned Industrial, but zoned Recreational?” Pastor Brooks stated, “This is the way that I would respond to that – We would love to have met and been in the planning process.” Councilmember Bryant stated, “Yes and that would have been another way to skin the rabbit.” Pastor Brooks stated, “The thing about it is, we were not in the planning process.” Councilmember Bryant asked, “If you looked at it, in that it was not going to decrease your property values, but actually would have helped your community; would it have been a better fit for you?” Councilmember Bryant asked Pastor Brooks if he understood, what he was saying. Pastor Brooks stated that he did understand. Councilmember Bryant stated that on that note, his vote was no.

AYES: Mayor Tuck

NAYS: Councilmember Anderson, Bryant, Horton, Matthews, and Middlebrooks

ABSENT: None

Mayor Tuck declared Ordinance Number 1075 had failed to pass.

Whereupon, Mayor Pro Tem Horton moved for the payment of the following list of payroll and expense vouchers for the City of Tarrant and the Tarrant Electric Department:

TARRANT ELECTRIC VOUCHER LIST 10/19/2015

9-3C-15	ALABAMA DEPT OF REVENUE - STATE W/H	\$ 2,214.41
9-10-15	DEPOSIT REFUNDS 9/30/15	\$ 681.45
9-14-15	ALABAMA DEPT OF REVENUE - UTILITY TAX	\$ 19,682.31
9-15-15	ERRP - H I LOANS	\$ 127.03
9-47-15	AAA ENVIRONMENTAL	\$ 133.31
9-48-15	TRIGREEN	\$ 75.98
9-49-15	EMPLOYEE ASSISTANCE SERVICES	\$ 21.42
10-3A-15	FEDERAL & FICA 10/9/15 PAYROLL	\$ 8,572.01
10-3F-15	ASSURANT / UNION SECURITY	\$ 180.18
10-3J-15	LIBERTY NATIONAL	\$ 448.92
10-4-15	CITY OF TARRANT RENT	\$ 1,360.00
10-5-15	CITY OF TARRANT TAX EQUIVALENT	\$ 34,446.09
10-6A-15	REGIONS 2009 BOND PAYMENT	\$ 37,614.58
10-6AA-15	REGIONS 2011 BOND PAYMENT	\$ 6,142.71
10-10-15	DEPOSIT REFUNDS 10/8/2015 TO 10/12/15	\$ 1,969.63
10-18-15	CLASSIC CAR MOTORING, GENERATION PARTNERS	\$ 1,657.36
10-19-15	WATER BILL, WAREHOUSE	\$ 219.83
10-20-15	BEVERLY SELF \ GUNTERSVILLE INSURANCE UPDATE	\$ 99.07
10-21-15	CBT ENGINEERING	\$ 9,040.00
10-22-15	AAA ENVIRONMENTAL	\$ 25.00
10-23-15	ADVANTAGE WRECKER	\$ 157.00
10-24-15	ALTEC	\$ 168.22
10-25-15	ANSWERTEL OF ATHENS	\$ 224.45
10-26-15	ARMOR SERVICES, INC	\$ 180.00
10-27-15	BSE INDUSTRIAL CONTRACTORS, INC	\$ 580.00
10-28-15	CARR RIGGS & INGRAM	\$ 35,772.28
10-29-15	EXCELERON SOFTWARE LLC	\$ 2,022.06
10-30-15	FRONT END ALIGNMENT CENTER	\$ 1,522.00
10-31-15	JOHNSON POWER EQUIPMENT/ DBA RENT ONE	\$ 76.63
10-32-15	LASER ONE COMMUNICATIONS	\$ 1,300.00
10-33-15	O'REILLY AUTO PARTS	\$ 10.36
10-34-15	QUALITY PETROLEUM	\$ 934.57
10-35-15	RICHARDSON HARDWARE	\$ 106.58
10-36-15	SOUTHERN AUTOMATION INC	\$ 77.98
10-37-15	VANGUARD	\$ 1,631.27
10-38-15	VERIZON WIRELESS	\$ 531.50
10-39-15	WRIGHT & ASSOCIATES	\$ 535.00
10-40-15	AT WORK	\$ 257.41
10-41-15	ACTION TIRE	\$ 1,208.12
10-42-15	CSA	\$ 3,855.01
10-43-15	TENNESSEE VALLEY PUBLIC POWER ASSN.	\$ 450.23
10-44-15	VANGUARD	\$ 1,684.39
	NET PAYROLL 10/9/2015	\$ 20,455.48
	TOTAL	\$ 198,451.83
	TVA SEPT 2015 POWER BILL	\$ 434,377.67

CITY OF TARRANT
VOUCHER LIST
OCTOBER 19, 2015

GENERAL FUND

24444-24453	ACCOUNTS PAYABLE RUN	7,697.28
24454-24463	ACCOUNTS PAYABLE RUN	2,504.31
24464-24508	ACCOUNTS PAYABLE RUN	140,308.12
24509-24514	ACCOUNTS PAYABLE RUN	2,310.84
24515-24537	ACCOUNTS PAYABLE RUN	38,048.72
24538-24563	ACCOUNTS PAYABLE RUN	142,787.95

SALES & USE TAX

676	VOID	
677	VOID	
678	CITY OF TARRANT GENERAL FUND	300,000.00

Fund Control: 01

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24444	1011	ADS SECURITY		10/02/2015	153.84	EX 01-6302-148
24445	1413	AT & T		10/02/2015	940.00	205 840-2806 SEP 2015 EX 01-6000-161 EX 01-1500-000
24446	2501	BAMA FOOD SERVICES		10/02/2015	922.75	TAX REBATE 14 EX 01-6000-520
24447	2331	BANCORPSOUTH EQUIPMENT FINANCE		10/02/2015	2,101.04	EX 01-6302-410 EX 01-6302-420
24448	1057	CHARTER COMMUNICATIONS		10/02/2015	233.97	OCTOBER 2015 REMITTANCE EX 01-6102-150
24449	2566	HALL, LAKIAH W.		10/02/2015	684.00	2015 MAGISTRATION CERTIFICATION EX 01-6000-170
24450	1041	PIRAAF-DEFERRED COMPENSATION		10/02/2015	2,172.00	SEPTEMBER 2015 REMITTANCE EX 01-2044-000
24451	2538	REGIONS COMMERCIAL BANKCARD		10/02/2015	101.50	EX 01-6101-148
24452	1151	SOUTHERNLING WIRELESS		10/02/2015	30.47	EX 01-6101-161

Number Of Checks: 9
 Total Check Amount: 7,339.57

Fund Control: 10

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24453	2322	DISTRICT ATTY SOLICITORS FUND		10/02/2015	357.71	AUGUST 2015 REMITTANCE EX 10-2056-000

Number Of Checks: 1
Total Check Amount: 357.71

** Final Totals **
Number Of Checks: 10
Total Check Amount: 7,697.28

Fund Control: 01

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24454	1004	AAA ENVIRONMENTAL SERVICES		10/05/2015	123.65	SANITARY SUPPLIES EX 01-6000-124
24455	1508	ALABAMA MOWER SERVICE		10/05/2015	287.41	EX 01-6302-142 133.00 EX 01-6302-142 154.41
24456	1931	APCO EMPLOYEES CREDIT UNION		10/05/2015	200.00	DEDUCTIONS THRU OCTOBER 2, 201 EX 01-2037-000
24457	2403	AYCOCK, MIKE		10/05/2015	720.00	DISPATCH SEPTEMBER 19 - OCTOBE EX 01-6101-119
24458	1090	HAND ARNDALL, L.L.C.		10/05/2015	320.00	GOLDMAN RETAINER OCTOBER 2015 EX 01-6000-111
24459	1290	MOMAR, INCORPORATED		10/05/2015	258.96	COMBO INDEX-TEND SM/MBD PRYBAR EX 01-6102-201
24460	1105	PROTECTIVE LIFE INSURANCE CO		10/05/2015	219.29	EX 01-2038-000
24461	1205	SAM'S CLUB		10/05/2015	280.00	OPERATING SUPPLIES EX 01-6603-129 180.00 EX 01-6603-124 100.00
24462	2503	WATER WAY DISTRIBUTING		10/05/2015	15.00	OCTOBER 2015 COOLER RENTAL EX 01-6000-129 15.00

Number Of Checks: 9
 Total Check Amount: 2,424.31

Fund Control: 20

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24463	1102	COLE, ALICIA		10/05/2015	80.00	INTERPRETER THROUGH OCTOBER 2, EX 20-6200-103

Number Of Checks: 1
Total Check Amount: 80.00

** Final Totals **
Number Of Checks: 10
Total Check Amount: 2,504.31

Fund Control: 01

Date: 10/07/2015
Time: 15:29
User: SHERRI

Check No	Vendor	Check Date	Check Amount	-----Name-----	Check Date	Check Amount	-----Distribution/Remarks-----
24464	1004	10/07/2015	25.17	AAA ENVIRONMENTAL SERVICES	10/07/2015	25.17	SANITARY SUPPLIES EX 01-6302-124
24465	1009	10/07/2015	143.26	ACTION TIRE CO.	10/07/2015	143.26	FLAT REPAIR EX 01-6302-122 19.00 EX 01-6302-122 24.93 EX 01-6302-122 25.00 EX 01-6302-122 74.33
24466	2568	10/07/2015	1,550.40	ADVANCED COMPUTER ENGRAVING	10/07/2015	1,550.40	EX 01-6900-506 1,550.40
24467	1439	10/07/2015	350.00	ALABAMA TITLE COMPANY	10/07/2015	350.00	2015-2136A KULANDAISAMY EX 01-6000-111 350.00
24468	2460	10/07/2015	49.35	ALSCO - BIRMINGHAM	10/07/2015	49.35	MATS EX 01-6101-141 24.67 EX 01-6102-141 24.68
24469	1017	10/07/2015	2,989.64	BIRMINGHAM WATER WORKS	10/07/2015	2,989.64	300377-0 1126 FORD AVE SEPTEMB EX 01-6000-150 47.99 EX 01-6602-150 47.99 EX 01-6602-193 24.04 EX 01-6102-150 44.92 EX 01-6602-194 82.62 EX 01-6102-131 2,742.08
24470	1142	10/07/2015	2,145.07	BLUE CROSS AND BLUE SHIELD	10/07/2015	2,145.07	OCTOBER 2015 REMITTANCE EX 01-6000-109 107.08 EX 01-6101-109 367.05 EX 01-6102-109 275.32 EX 01-6302-109 214.11 EX 01-6602-109 91.76 EX 01-6603-109 15.29 EX 01-2028-000 1,074.46
24471	1033	10/07/2015	1,168.85	CITY OF TARRANT	10/07/2015	1,168.85	SEPTEMBER 2015 OCCUPATIONAL TA EX 01-2019-000 1,168.85
24472	1015	10/07/2015	75.32	COMIN EQUIPMENT COMPANY, INC.	10/07/2015	75.32	EX 01-6302-129 75.32
24473	2569	10/07/2015	318.32	DISTRICT COURT	10/07/2015	318.32	EDWARDS GARNISHMENT 10/02/2015 EX 01-2025-000 159.16 EX 01-2025-000 159.16

Check No	Voucher No	Vendor	Name-----	Check Date	Check Amount	-----Distribution/Remarks-----
24474	1331	DUTCH LUBRICANTS, LLC		10/07/2015	404.15	EX 01-6302-122 404.15
24475	1029	EMPLOYEE ASSISTANCE SERVICES		10/07/2015	128.58	SEPTEMBER 2015 COUNSELING SERV 21.43 EX 01-6102-171 21.43 EX 01-6000-171 21.43 EX 01-6101-171 21.43 EX 01-6302-171 21.43 EX 01-6602-171 21.43 EX 01-6603-171 21.43
24476	1040	EMPLOYEES RETIREMENT SYSTEM		10/07/2015	50,497.97	SEPTEMBER 2015 REMITTANCE 50,497.97 EX 01-2031-000 50,497.97
24477	1123	FASTENAL COMPANY		10/07/2015	41.44	KNOT CAP BRUSH 41.44 EX 01-6102-141 26.59 EX 01-6302-129 10.81 EX 01-6302-129 4.04
24478	1224	FLYING COLORS		10/07/2015	100.90	WIRE STANDS / SIGNS 100.90 EX 01-6000-130 100.90
24479	1207	HATCHER HEAVY DUTY SERVICES		10/07/2015	65.00	TOW FIRE TRUCK/REINSTALL DRIVE 65.00 EX 01-6102-146 65.00
24480	2409	J & S FLEET SERVICE & REPAIR		10/07/2015	404.60	EX 01-6102-146 404.60
24481	1079	LASER ONE COMMUNICATIONS		10/07/2015	5,200.00	10/01/2015 TO 09/30/2016 SERVI 5,200.00 EX 01-6000-148 5,200.00
24482	1619	LEGALSHIELD		10/07/2015	15.95	EX 01-2043-000 15.95
24483	1844	LIBERTY NATIONAL		10/07/2015	1,311.23	OCTOBER 2015 REMITTANCE 1,311.23 EX 01-2038-000 1,311.23
24484	1136	MUNICIPAL & COMMERCIAL		10/07/2015	353.00	UNIFORMS - HAMILTON, DANNY 353.00 EX 01-6102-113 353.00
24485	1134	NAFECO INC.		10/07/2015	479.36	EX 01-6102-141 479.36
24486	1024	NEXAIR, LLC		10/07/2015	76.00	HIGH PRESSURE OXYGEN 76.00 EX 01-6102-142 38.00 EX 01-6102-142 38.00

Fund Control: 01

Check No	Vendor	Check Date	Check Amount	-----Distribution/Remarks-----
24487	1319 O'REILLY AUTO PARTS	10/07/2015	64.13	EX 01-6102-146 13.18 EX 01-6102-146 -11.68 EX 01-6102-146 11.68 EX 01-6102-146 6.00 EX 01-6102-146 12.99 EX 01-6102-146 11.98 EX 01-6102-146 19.98
24488	1031 PEOPLES FIRST FEDERAL	10/07/2015	840.00	EX 01-2037-000 840.00 DEDUCTIONS THROUGH OCTOBER 2,
24489	1217 RENO PLUMBING	10/07/2015	285.00	EX 01-6101-141 285.00
24490	1049 RICHARDSON HARDWARE COMPANY	10/07/2015	189.44	FIRE SEPTEMBER 2015 EX 01-6102-141 10.59 EX 01-6101-141 22.22 EX 01-6101-141 156.63
24491	1338 ROCIC	10/07/2015	300.00	JUL 2015 - JUN 2016 SERVICE FE EX 01-6101-207 300.00
24492	1016 SEWER AND WATER BILL	10/07/2015	1,214.56	257378-0 FIRE SEPTEMBER 2015 EX 01-6101-150 378.82 EX 01-6102-150 378.81 EX 01-6603-150 190.39 EX 01-6602-150 130.52 EX 01-6302-150 136.02
24493	2455 SOUTHEASTERN EMERGENCY	10/07/2015	555.00	BAG BREATHSAVER D ROYAL BLUE EX 01-6102-201 555.00
24494	2532 SOUTHERN DATA AUTOMATION INC.	10/07/2015	311.90	EX 01-6000-161 311.90
24495	2262 SOUTHERN STATES	10/07/2015	207.00	SEPTEMBER 2015 REMITTANCE EX 01-2039-000 207.00
24496	1846 ST. VINCENT'S EAST	10/07/2015	192.45	SEPTEMBER 2015 REMITTANCE EX 01-6102-202 192.45
24497	1098 STERICYCLE, INC.	10/07/2015	355.97	EX 01-6102-201 355.97

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24498	1191	STONE & SONS ELECTRICAL CONT.		10/07/2015	326.63	HWY 79 @ CEDAR STREET REPLACED EX 01-6302-153
24499	1096	TARRANT ELECTRIC DEPARTMENT		10/07/2015	3,122.14	SEPTEMBER 2015 - JUNEAU, LYNN EX 01-6000-103
24500	1177	UNION SECURITY INSURANCE CO.		10/07/2015	759.78	OCTOBER 2015 REMITTANCE EX 01-6000-107 75.60 EX 01-6102-107 151.20 EX 01-6101-107 272.79 EX 01-6302-107 184.59 EX 01-6602-107 50.40 EX 01-6603-107 25.20
24501	1244	UNITED WAY OF CENTRAL ALABAMA		10/07/2015	370.92	3RD QUARTER 2015 REMITTANCE EX 01-2042-000 370.92
24502	1021	VERIZON WIRELESS		10/07/2015	702.51	FIRE EX 01-6102-161 182.61 EX 01-6101-161 519.90
24503	1505	WARD & WILSON, L.L.C.		10/07/2015	3,343.76	APRIL 2015 RECORDER JUDGE EX 01-6000-117 1,671.88 EX 01-6000-117 1,671.88
24504	1087	WESTWOOD AUTO PARTS, INC.		10/07/2015	82.56	WIPER BLADES EX 01-6101-144 56.92 EX 01-6101-144 25.64

Number Of Checks: 41
Total Check Amount: 81,117.31

Fund Control: 20

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24505	2493	FOOD OUTLET #69		10/07/2015	258.94	PRISONER MEALS OCTOBER 3, 2015
					20.33	EX 20-6200-126
					84.63	EX 20-6200-126
					90.75	EX 20-6200-126
					57.25	EX 20-6200-126
					5.98	EX 01-6101-121
24506	1132	SALT & LIGHT, LLC		10/07/2015	170.72	
					85.36	EX 20-6200-129
					85.36	EX 01-6000-129
24507	2466	WILLIS, JUSTIN		10/07/2015	100.00	COURT OCTOBER 6, 2015
					100.00	EX 20-6200-103
				Number Of Checks: 3 Total Check Amount: 529.66		

Fund Control: 31

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24508	1701	REGIONS BANK		10/07/2015	58,661.15	OCTOBER 2015 REMITTANCE
					28,583.54	EX 31-1010-000
					2,240.63	EX 32-1012-000
					27,836.98	EX 33-1010-000

Number Of Checks:	1
Total Check Amount:	58,661.15
Number Of Checks:	45
Total Check Amount:	140,308.12

** Final Totals **

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24509	1651	JEFFERSON COUNTY CLERK'S		10/08/2015	50.00	2016 JCCA ANNUAL MEMBERSHIP DU EX 01-6000-207
24510	2526	JONES, KENNETH		10/08/2015	58.53	SEPTEMBER 28 - OCTOBER 2, 2015 EX 01-6000-170
24511	1136	MUNICIPAL & COMMERCIAL		10/08/2015	12.95	EX 01-6102-113
24512	1472	BERDIDO BEACH RESORT		10/08/2015	528.36	2015 CLERK WINTER CONFERENCE-K EX 01-6000-170
				Number Of Checks: 4		
				Total Check Amount: 649.84		

Fund Control: 05

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24514	2564	MABREY, WENDY WALKER		10/08/2015	1,593.00	BOND RETURNED MCL3-0000756 MAB EX 05-2052-000
24513	2570	HALL, RYAN RODGREGEST		10/08/2015	68.00	BOND RETURNED - HALL, RYAN ROD EX 05-2052-000
** Final Totals ** Number Of Checks: 2 Total Check Amount: 1,661.00 Number Of Checks: 6 Total Check Amount: 2,310.84						

Fund Control: 01

Date: 10/12/2015
Time: 17:28
User: SHERRI

CITY OF TARRANT
Check Register
File ID: AP16

Check No	Vendor	Check Date	Check Amount	-----Distribution/Remarks-----
24515	1004 AAA ENVIRONMENTAL SERVICES	10/12/2015	24.93	FLAT REPAIR EX 01-6302-122
24516	1508 ALABAMA MOWER SERVICE	10/12/2015	9,827.22	EX 01-6602-331
24517	1420 COLMAN, PATRICK	10/12/2015	136.85	2015 APLS ADMINISTRATORS EX 01-6603-170
24518	1022 VOID-VOID-VOID	10/12/2015	0.00	Voided Check
24519	1022 GENUINE PARTS COMPANY	10/12/2015	1,483.52	FUEL PUMP ASSY EX 01-6101-144 169.49 EX 01-6101-144 141.11 EX 01-6101-144 363.44 EX 01-6101-144 25.04 EX 01-6101-144 307.69 EX 01-6101-144 153.42 EX 01-6101-144 499.69 EX 01-6101-144 31.48 EX 01-6101-144 -339.48 EX 01-6101-144 -20.00 EX 01-6101-144 76.15 EX 01-6101-144 24.68 EX 01-6101-144 50.81
24520	1097 MCPHERSON ALABAMA TAX EXEMPT	10/12/2015	2,830.66	SEPTEMBER 2015 GASOLINE EX 01-6101-122 2,610.90 EX 01-6102-122 219.76
24521	1031 PEOPLES FIRST FEDERAL	10/12/2015	2,722.99	EX 01-6101-410 106.32 EX 01-6101-420 1,297.53 EX 01-6302-410 106.33 EX 01-6302-420 1,212.81
24522	1295 POSTENS OVERHEAD DOOR CO.	10/12/2015	114.00	2 CANS OF OIL EX 01-6302-141 114.00
24523	1609 SOUTHERN GAS AND SUPPLY, INC.	10/12/2015	57.60	HIGH PRESSURE 09/2015-09/2016 EX 01-6302-129 57.60
24524	1233 SPENCER ENGINEERING, INC.	10/12/2015	300.00	TRADWELL ROAD DRAINAGE EX 01-6302-114 300.00

Fund Control: 01

Check No	Voucher No	Vendor Name	Check Date	Check Amount	-----Distribution/Remarks-----
24525	1131	SUNBELT FIRE	10/12/2015	60.11	EX 01-6102-202
24526	1118	TERMINIX	10/12/2015	58.00	PEST CONTROL EX 01-6302-148
24527	1114	THOMPSON TRACTOR CO., INC.	10/12/2015	8,733.88	EX 01-6302-147
			13	26,349.76	Total Check Amount:

Fund Control: 10

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24528	1158	ALABAMA CRIME VICTIMS COMP COM		10/12/2015	404.00	SEPTEMBER 2015 REMITTANCE EX 10-2039-000
24529	1039	ALABAMA PEACE OFFICERS ANNUITY		10/12/2015	479.00	SEPTEMBER 2015 REMITTANCE EX 10-2029-000
24530	1938	CHIEF FINANCE OFFICER		10/12/2015	93.00	SEPTEMBER 2015 REMITTANCE EX 10-2054-000
24531	2324	CIRCUIT CLERK JUDICIAL ADM FUND		10/12/2015	261.81	SEPTEMBER 2015 REMITTANCE EX 10-2057-000
24532	2322	DISTRICT ATTY SOLICITORS FUND		10/12/2015	1,365.00	SEPTEMBER 2015 REMITTANCE EX 10-2055-000
24533	1157	VOID-VOID-VOID-VOID		10/12/2015	0.00	Voided check
24534	1157	FINANCE DEPARTMENT, STATE		10/12/2015	6,353.96	SEPTEMBER 2015 EX 10-2030-000 1,793.50 EX 10-2045-000 91.50 EX 10-2034-000 480.50 EX 10-2032-000 971.50 EX 10-2033-000 209.00 EX 10-2043-000 910.00 EX 10-2046-000 273.00 EX 10-2047-000 391.00 EX 10-2048-000 784.00 EX 10-2049-000 244.50 EX 10-2050-000 123.00 EX 10-2062-000 27.51 EX 10-2061-000 54.95
24535	1154	LEGAL AID SOCIETY		10/12/2015	1,500.00	SEPTEMBER 2015 REMITTANCE EX 10-2036-000 1,500.00
24536	2325	PRESIDING CIRCUIT JUDGE ADM FUND		10/12/2015	262.81	SEPTEMBER 2015 REMITTANCE EX 10-2057-000 262.81
24537	2323	STATE JUDICIAL ADMIN FUND		10/12/2015	979.38	SEPTEMBER 2015 REMITTANCE EX 10-2058-000 979.38
** Final Totals **		Number Of Checks:	10	Total Check Amount:	11,698.96	
		Number Of Checks:	23	Total Check Amount:	38,048.72	

Fund Control: 01

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24538	1004	AAA ENVIRONMENTAL SERVICES		10/14/2015	93.72	BLUE MIRROR SAFETY GLASSES EX 01-6602-182 26.00 EX 01-6302-129 36.88 EX 01-6000-141 30.84
24539	1050	ADVANCED MOWER		10/14/2015	61.76	REGULATOR EX 01-6602-142 61.76
24540	1313	AIRGAS USA, LLC		10/14/2015	179.15	ACETYLENE/OXYGEN EX 01-6302-129 90.95 EX 01-6102-202 88.20
24541	1013	ALABAMA POWER		10/14/2015	361.21	17072-24003 SEPTEMBER 2015 EX 01-6000-151 361.21
24542	1413	AT & T		10/14/2015	1,601.68	205 841-0575 052 0542 OCTOBER EX 01-6603-223 131.68 EX 01-6000-161 574.65 EX 01-1500-000 365.35 EX 01-6603-223 530.00
24543	2019	AUTOZONE		10/14/2015	230.88	OIL FILTER/GREASE/MOTOR OIL EX 01-6602-144 37.19 EX 01-6602-144 21.00 EX 01-6602-144 89.99 EX 01-6602-144 33.52 EX 01-6602-144 41.95 EX 01-6602-144 7.23
24544	1074	CINTAS FIRST AID		10/14/2015	96.57	FIRST AID EX 01-6302-129 96.57
24545	1540	CLASTRAN		10/14/2015	2,408.25	FY 2014 - 2015 EX 01-6900-515 2,408.25
24546	1125	GEM ALARM SYSTEMS		10/14/2015	60.00	OCT/NOV/DEC '15 EX 01-6602-217 60.00
24547	2525	GREATER BIRMINGHAM		10/14/2015	1,055.08	SEPTEMBER 2015 REMITTANCE EX 01-6302-192 1,055.08
24548	1229	JEFFERSON-BLOUNT-ST. CLAIR		10/14/2015	800.00	FY 2015-2016 APPROPRIATION EX 01-6900-505 800.00

Check No	Vendor	Check Date	Check Amount	-----Distribution/Remarks-----
24549	JONES, KENNETH	10/14/2015	82.28	MILEAGE OCTOBER 5-9, 2015 EX 01-6000-170
24550	VOID-VOID-VOID-VOID	10/14/2015	0.00	Voided check
24551	MUNICIPAL & COMMERCIAL	10/14/2015	1,573.60	BOOTS EX 01-6101-113 99.95 EX 01-6101-113 181.80 EX 01-6101-113 393.60 EX 01-6101-113 287.70 EX 01-6101-113 290.70 EX 01-6101-113 100.00 EX 01-6101-113 85.00 EX 01-6101-113 89.90 EX 01-6101-113 44.95
24552	MUNICIPAL EMERGENCY SERVICES	10/14/2015	19,979.00	EX 01-6102-330 3,429.00 EX 01-6102-331 16,550.00
24553	NAFECO INC.	10/14/2015	308.95	BOOTS EX 01-6102-205 308.95
24554	REGIONS	10/14/2015	591.25	SERIES 2010 BI # 3836 EX 01-6800-490 591.25
24555	RICHARDSON HARDWARE COMPANY	10/14/2015	234.04	PARK SEPTEMBER 2015 EX 01-6602-141 234.04
24556	SANSOM EQUIPMENT CO., INC.	10/14/2015	1,954.19	CONVEYOR BELTS EX 01-6302-147 1,954.19
24557	TECHNOLOGY CAPITAL LLP	10/14/2015	212.10	EX 01-6000-143 212.10
24558	VERIZON WIRELESS	10/14/2015	415.74	EX 01-6000-161 189.19 EX 01-6302-161 174.86 EX 01-6602-161 51.69
Number of Checks: 21				
Total Check Amount: 32,299.45				

Fund Control: 10

Date: 10/14/2015
Time: 15:51
User: SHERRI

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24559	2322	DISTRICT ATTY SOLICITORS FUND		10/14/2015	593.74	SEPTEMBER 2015 REMITTANCE EX 10-2056-000

Number Of Checks: 1
Total Check Amount: 593.74

Date: 10/14/2015
Time: 15:51
User: SHERRI

CITY OF TARRANT
Check Register
File ID: AP16

Fund Control: 20

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
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24560	1161	SAM'S CLUB/SYNCHRONY BANK		10/14/2015	991.31	SEPTEMBER 2015 PURCHASES
					307.09	EX 20-6200-129
					179.28	EX 01-6101-143
					71.44	EX 20-6200-126
					32.17	EX 01-6101-121
					401.33	EX 01-6101-129

Number Of Checks: 1
Total Check Amount: 991.31

Date: 10/14/2015

Time: 15:51

User: SHERRI

Fund Control: 26

-----Distribution/Remarks-----

Check No Voucher No Vendor Name-----

24561 2557 FORESTRY ENVIRONMENTAL 10/14/2015 97,911.63 EX 26-6907-333 PAYMENT REQUEST #2

24562 1549 GOODWYN, MILLS AND CAWOOD, INC 10/14/2015 9,945.44 EX 26-6907-331

Number Of Checks: 2

Total Check Amount: 107,857.07

CITY OF TARKANT
Check Register
File ID: AP16

Fund Control: 40

Check No	Voucher No	Vendor	Name	Check Date	Check Amount	-----Distribution/Remarks-----
24563	1413	AT & T		10/14/2015	1,046.38	205 M78-6595 595 0547 OCTOBER EX 40-6600-161
		Number Of Checks:		1		
		Total Check Amount:		1,046.38		
** Final Totals **		Number Of Checks:		26		
		Total Check Amount:		142,787.95		

Motion for payment of the above list of payroll and expense vouchers was seconded by Councilmember Bryant, regularly put and upon roll call thereon; the vote was as follows:

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

NAYS: None

ABSENT: None


Whereupon Mayor Pro Tem Horton moved that the meeting be adjourned. Said motion was seconded by Councilmember Bryant, regularly put and carried, whereupon the meeting adjourned at 8:55 p.m.

READ AND APPROVED THIS THE 16TH DAY OF NOVEMBER, 2015.



LOXCIL B. TUCK, MAYOR

Attest:



Lillian A. Keith, City Clerk