

**TARRANT CITY COUNCIL MEETING
CITY HALL, COUNCIL CHAMBERS
REGULAR MEETING
SEPTEMBER 16, 2024**

AGENDA

REGULAR SESSION – 7:00PM

- I. CALL TO ORDER**
- II. PRAYER**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**
- V. APPROVAL OF MINUTES**

September 4, 2024- Regular Meeting *p*

- VI. COMMUNICATIONS FROM THE MAYOR**
- VII. COMMITTEE REPORTS**
- VIII. OLD BUSINESS**

- A. **Resolution No. 9187** – A Resolution Authorizing the Payment of the Salary of the City Manager, Reinstatement of all Benefits Previously Provided to the City Manager, and Directing Back Pay of Any Salary and Benefits to the City Manager. *p*
- B. **Resolution No. 9191** – A Resolution Removing Chief Wendell Major from the office of Chief of Police for the City of Tarrant. *No Secunder*

IX. NEW BUSINESS

- A. **Resolution No. 9209** – A Resolution Concerning the Conditions at 1265 Etowah Street and Directing Action with Respect to the Condition of the Property. *p*
- B. **Resolution No. 9210** – A Resolution Concerning the Conditions at 1257 Etowah Street and Directing Action with Respect to the Condition of the Property. *p*
- C. **Resolution No. 9211** – A Resolution Concerning the Conditions at 2208 Toles Street and Directing Action with Respect to the Condition of the Property. *resolved*
- D. **Resolution No. 9212** – A Resolution Concerning the Conditions at 2052 East Lake Blvd and Directing Action with Respect to the Conditions of the Property. *p*
- E. **Resolution No. 9213** – A Resolution Regarding Notice of Claim Dated March 11, 2024.
- F. **Resolution No. 9214** – A Resolution Authorizing and Directing the Public Works Department of the City of Tarrant to Perform Lawn Care and Maintenance to All City Owned Property and Those Properties Used by the City Under a Written Agreement. *t*
- G. **Resolution No. 9215** – A Resolution Authorizing the Placement of Street Lights at Locations on Evergreen Street within the City of Tarrant. *p*
- H. **Resolution No. 9216** – A Resolution Authorizing the Chief of Police to Resolve or Otherwise Pursue All Pending Personnel Actions Involving Police Officers with the Personnel Board of Jefferson County. *passed with amendment*

X. VOUCHERS AND EXPENSES

- A. City of Tarrant Vouchers *p*
- B. City of Tarrant Electric Department Vouchers *p*

XI. PUBLIC COMMENTS

XII. ADJOURN

CITY OF TARRANT
COUNCIL MEETING MINUTES
SEPTEMBER 4, 2024
TARRANT CITY HALL

The City Council of the City of Tarrant, Alabama, met in a regularly scheduled meeting on Wednesday, September 4, 2024, at 7:00 PM at City Hall.

Mayor Wayman A. Newton called the meeting to order at 7:01 PM immediately following the council work session that began at 6:00PM to discuss items on the agenda and other matters.

City of Tarrant Fire Chief, Patrick Bennet, lead those in attendance in the invocation. City Attorney Michael Brymer lead those present in the Pledge of Allegiance.

Mayor Newton asked for a roll call. The following officials were present during the roll call:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews
Mayor Wayman A. Newton

Absent:

Councilor Catherine "Cathy" Anderson

A quorum was determined to be present at the meeting.

The minutes from the August 19, 2024 regularly scheduled council meeting were presented for review and approval. Council Threadford noted correction on page 3 of 5 in reference to motion Resolution No. 9202 that the word 'Appointing' be substituted to 'Re-Appointing' and that the word 'New' be removed. Mayor Newton also requested that addition of 'individual charged the council dais' during public comments speaker number one. Council Threadford also requested at bottom of page 4 and top of page 5 that 'the individual was being provoked' also for public comments speaker number one. Councilor Threadford moved to approve the minutes with the amendments for September 4, 2024. Councilor Bryant seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews

Nays:

None

Not voting:

Mayor Wayman A. Newton

The yeas being four (4) and the nays being zero (0), with one (1) member not voting, the motion to approve the minutes were adopted, and the minutes for August 19, 2024 council meeting were approved with the amendments.

The Mayor stated that the Storm Water Management Plan Draft link will be posted on the City of Tarrant webpage for 7 days to retrieve public comments input. The Mayor encouraged the public and the City Council to provide comments and suggestions when the link is posted. If there are no public comments or suggestions then the Draft will be submitted to the County for adoption. The Mayor also acknowledged and publicly thanked the Sheriff Pettway for coordinating the

arrests and confiscations of two shootings at Brummitt Heights that occurred within the past two to three weeks.

Councilor Freeman requested to go on record and informed that the City Hall needs to inform Blue Print Properties that trash bins are needed at their Apartment Complex, more specifically Apartment Complex 1113 on Elm Avenue, and 2221 and 2215 of Evergreen Street need street lights, cameras are needed in this area as well. Speed bumps needed at 2323 Treadwell, 3004 Grove Avenue, and 1738 Enfield Street. Councilor Freeman verbally provided Blue Print Properties business phone number. Councilor Freeman ended by reading a letter of complaint to the City of Tarrant delivered to her and provided by an anonymous individual. September 14, 2024 Traffic Light Celebration to be held at Brummit Heights. Councilor Freeman thanked and acknowledged City of Birmingham Councilmember JT Moore and Mayor Woodfin for the help in ensuring the traffic lights were installed.

Councilor Threadford informed all those in attendance that the City of Tarrant Electric Department will be accepting applications. Application intakes will be prioritized in accordance with City of Tarrant Residence and Business Proprietors. Reshonda McNeal will be coordinating and providing the application process for the City of Tarrant Electric.

Councilor Freeman also informed all those in attendance that the Coca Cola company are currently taking in applications for drivers.

There were no committee reports.

The Mayor and Council moved on to Old Business.

Councilor Bryant introduced and read Resolution No. 9188, A Resolution Authorizing the Contract Renewal of CivicPlus for the services of the City of Tarrant Webpage and Municode Design. Councilor Bryant moved to approve Resolution No. 9188. Councilor Threadford seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews

Nays:

None

Not voting:

Mayor Wayman Newton

The yeas being four (4) and the nays being zero (0) with one (1) member not voting, the motion to approve Resolution No. 9188 was agreed to, and the Resolution was approved.

Mayor Newton introduced and read Resolution No. 9191. A Resolution Removing Chief Wendell Major from the Office of Chief of Police for the City of Tarrant. Mayor Newton moved to approve the Resolution No. 9191. There was no seconder. Motion to adopt did not receive a second.

Next, the Council moved on to New Business.

Councilor Bryant introduced and read Resolution No. 9204, A Resolution Authorizing the Mayor to Declare 5 Police Vehicles as Surplus and Authorizing the Mayor to Sell in Accordance with Resolutions and Ordinances Pertaining to Surplus Property; Resolution No. 9205, A Resolution Authorizing the Mayor to Declare Tarrant Fire Engine 32 (2007 American LaFrance) to be Surplus and Authorizing the Mayor to Sell, Convey or Otherwise Dispose of the Same in Accordance With Resolutions and Ordinances Pertaining to Surplus Property; and Resolution No. 9206, A Resolution Authorizing the Payment of invoice from Alabama League of Municipalities.

Councilor Bryant moved to approve Resolution No. 9204, Resolution No. 9205, and Resolution No. 9206. Councilor Threadford seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews

Nays:

None

Not voting:

Mayor Wayman Newton

The yeas being four (4) and the nays being zero (0) with one (1) member not voting, the motion to approve Resolution No. 9204, Resolution No. 9205 and Resolution No. 9206 was agreed to, and the Resolutions were approved.

Next, Councilor Threadford introduced and read Resolution No. 9207, A Resolution Authorizing the Personnel Board of Jefferson County to Create a Classification System and Pay Schedule for All Tarrant Electric Department Employees. Councilor Threadford moved to approve Resolution No. 9207. Councilor Bryant seconded the motion. Mayor Newton requested to go on record that if there is a surplus and items are purchased with increased wages that City of Tarrant citizens are financially strained with power bills, and that this must be taken into consideration. Councilor Threadford advised the Mayor to meet with Tennessee Valley Authority (TVA) in response to negotiating and reaching an agreement in lowering the Electricity bills in the City of Tarrant. Mayor Newton agreed to call TVA. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews

Nays:

Mayor Wayman Newton

Not voting:

Mayor Wayman Newton

The yeas being four (4) and the nays being one (1) with zero (0) member not voting, the motion to approve Resolution No. 9207 was agreed to, and the Resolution was approved.

Councilor Bryant introduced and read Resolution No. 9208, A Resolution Approving the Use Agreement by and Between the City of Tarrant, Alabama, and the Tarrant City Schools Board of Education for Use of the Tarrant Recreation Center Gym and the Tarrant Baseball/Softball Complex. Councilor Bryant moved to approve Resolution No. 9208. Councilor Threadford seconded the motion. Mayor Newton requested to go on record that the City has no guaranties the board of education will give the City credit for the almost \$100k expended by the City to bring the old high school football field ready for use. The mayor emphasized his concern with taking action to approve any agreement with the board of education without some written guarantee from the board of education to give the city credit for the amount expended to get the field ready for play. Councilor Threadford responded that the City Council had already approved the football field letter use agreement at a prior meeting. The matter before the council is the Use Agreement for the Tarrant City Bord of Education to use the City's rec center gym and the City's baseball / softball

fields. The City Attorney Michael Brymer was questioned regarding the Use Agreement and the matter currently pending before the council. Mayor Newton referenced section 2 of Resolution No. 9208, and number 5 of the User Agreement. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman

Nays:

None

Abstain:

Councilor Deborah "Debbie" Matthews

Not voting:

Mayor Wayman Newton

The yeas being three (3), the nays being zero (0), the abstentions being one (1) with one (1) member not voting, the motion to approve Resolution No. 9208 was agreed to, and the Resolution was approved.

Next, the City Council reviewed the vouchers and expenses for the City of Tarrant for August 19, 2024. Councilor Threadford moved to approve the vouchers and expenses for the City of Tarrant week ending August 19, 2024. Councilor Bryant seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Deborah "Debbie" Matthews

Nays:

Councilor Veronica Bandy Freeman

Not voting:

Mayor Wayman A. Newton

The yeas being three (3) and the nays one (1) with one (1) member not voting, the motion to approve the vouchers and expenses for the City of Tarrant for August 19, 2024 was agreed to, and the vouchers and expenses were approved.

The Council reviewed the vouchers and expenses for the City of Tarrant Electric Department ending August 28, 2024. Councilor Threadford moved to approve the vouchers and expenses for the City of Tarrant Electric week ending August 28, 2024. Councilor Bryant seconded the motion. Mayor Newton called for a vote.

Yeas:

Councilor John T. "Tommy" Bryant
Councilor Tracie B. Threadford
Councilor Veronica Bandy Freeman
Councilor Deborah "Debbie" Matthews

The yeas being four (4) and the nays zero (0) with one (1) member not voting, the motion to approve the vouchers and expenses for the City of Tarrant Electric week ending August 28, 2024 was agreed to, and the vouchers and expenses were approved.

Next, the Council moved to Public Comments.

First, Chuck Winborn. Chuck Winborn provided an account of City of Tarrant business proprietor who was provided the wrong business license by the City Hall at Tarrant. In providing the account, Mr. Winborn informed all those in attendance that the business license was later revoked due to a zoning error for the original business application license. Mr. Winborn asked the Council to reinstate and find a way for the business proprietor to resume his business without conflict in the City of Tarrant. Mr. Winborn also reminded all those in attendance of the numerous vacant businesses in downtown Tarrant.

Second, Scott Tidwell introduced himself as a new Proprietor in the City of Tarrant. Mr. Tidwell provided a brief account of his most recent positive and negative experiences in developing and building his rental business with the City of Tarrant.

Next, Councilor Threadford asked the Chief of Police to approach the podium in response to the recent Sheriffs co-ordinations with the City of Tarrant. The Chief of Police expressed his views on an Tarrant Police Department employee who could not perform service duties due to lack of payment from the City of Tarrant. There was debate and conflict on the hiring and terminating processes and court outcomes.

There being no further comments from the public, the Mayor entertained a motion to adjourn. Councilor Threadford made a motion to adjourn. Councilor Bryant seconded the motion. A verbal vote was taken. Meeting ended at 8:13 pm.

Respectfully submitted,

Dr. Laverne Knight
City Clerk September 4, 2024

City of Tarrant Council Meeting, Alabama

READ AND APPROVED this the 16th day of September, 2024.

The City of Tarrant, Alabama

APPROVED:

Wayman Newton, Mayor

ATTEST:

Dr. Laverne Knight

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9187

A RESOLUTION AUTHORIZING THE PAYMENT OF THE SALARY OF THE CITY MANAGER, REINSTATEMENT OF ALL BENEFITS PREVIOUSLY PROVIDED TO THE CITY MANAGER, AND DIRECTING BACK PAY OF ANY SALARY AND BENEFITS TO THE CITY MANAGER.

WHEREAS, on or about June 5, 2023, the City Council of the City of Tarrant, Alabama, ("City Council") by Resolution 9019, pursuant to Ordinance 1154, appointed and hired John Brown as city manager; and

WHEREAS, the appointment and Mr. Brown's authority to hold office of the city manager was challenged by State ex rel. Deanna Ceasor v. John Brown, 01-CV-2023-907397.000 (John Brown v. State of Alabama ex rel Deanna Ceasor, Alabama Supreme Court Docket No SC-2024-0066); and

WHEREAS, pursuant to Judge Ballard's order dated June 6, 2024, the execution of the judgment of the court is stayed pending appeal of the matter to the Alabama Supreme Court which has the effect of allowing Mr. Brown to remain as city manager until disposition of the appeal or may otherwise be ordered by the court (a copy of the order granting the stay of execution of the judgment is attached as Exhibit 'A' to this Resolution); and

WHEREAS, as Mr. Brown has continued his work as city manager but has yet to be paid, the City Council finds Mr. Brown is entitled to, since the circuit court order is stayed pending the disposition of the appeal or as may be otherwise ordered, reinstatement of his salary, benefits, reimbursement for out of pocket expenses related to the case or his job, and back pay from the date of the order of stay to present, and directs the city to pay same to Mr. Brown as soon as practical.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. a quorum being duly assembled as follows:

Section 1. The above stated preamble is hereby approved, ratified, and reinstated as if fully set out herein.

Section 2. Pursuant to the circuit court's order staying its final judgment pending the disposition of the appeal in the styled matter, Mr. John Brown is entitled to resume all salary payments, benefits, out of pocket expenses, including bond amount, and

back pay from the date of the order staying the circuit court's judgment (e.g., June 6, 2024) through present, and shall continue all payments due to Mr. Brown for his continued employment as city manager until the disposition of the appeal or which may be otherwise ordered by the circuit court or supreme court.

Section 3. The City shall, through its normal payroll operations and pursuant to policies, remit payment to Mr. Brown of the salary, benefits, out-of-pocket expenses including bond amount, and back pay as soon as practical. Any payments shall be subject to all tax and other withholdings as required.

Section 4. This Resolution shall become effective immediately upon its passage.

Adopted this the 16th day of September, 2024.

Adopted: _____

Attest: _____
Laverne Knight, PhD., City Clerk

Exhibit A

Circuit Court Order Staying Judgment



**IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION**

STATE OF ALABAMA, Ex Rel.)	
DEANNA CEASOR, Informant,)	
Plaintiff,)	
)	
v.)	01-CV-2023-901937
)	
JOHN C. BROWN,)	
Defendant.)	

ORDER

For good cause shown, the MOTION TO ACCEPT SUPERSEDEAS BOND AND TO STAY EXECUTION OF JUDGMENT filed by Defendant JOHN C. BROWN is GRANTED.

The bond attached to the Defendant's motion is accepted and, on that basis, the execution of judgment is STAYED pending the outcome of the appeal of this matter by the Defendant.

DONE and ORDERED this 6th day of June, 2024.

/s/ PAT BALLARD
CIRCUIT JUDGE

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9191

A RESOLUTION REMOVING CHIEF WENDELL MAJOR FROM THE OFFICE OF CHIEF OF POLICE FOR THE CITY OF TARRANT

WHEREAS, following the findings of an April 2024 independent investigation into the Office of the Chief of Police of the City of Tarrant, which revealed multiple areas of serious misconduct on the part of Chief Wendell Major, the City Council of the City of Tarrant has continually declined to remove Chief Major from office; and

WHEREAS, since the April 2024 report said misconduct has continued and / or escalated, exposing law enforcement officers, the citizens and the City of Tarrant to serious harm; and

WHEREAS, this ongoing misconduct includes: (a) continual closing of law enforcement cases preventing and / or obstructing active investigations (including cases which involve domestic and / or gun violence); (b) retaliation in violation of the Civil Rights Act of 1964; (c) allowing unauthorized personnel unsupervised access to sensitive and confidential areas of the Public Safety Building (including former employees who were terminated for misconduct); (d) hiring personnel outside the rules, policies and procedures as outlined by the Jefferson County Personnel Board and (e) approving contracts, services and / or expenditures without prior authorization; and

WHEREAS, based on the findings of misconduct from the April 2024 independent investigation and the current, ongoing misconduct and exposure to harm to law enforcement officers, citizens and the City of Tarrant, Chief Wendell Major is due to be removed from the Office of the Chief of Police of the City of Tarrant for cause.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. a quorum being duly assembled as follows:

Section 1. That the City Council of the City of Tarrant does hereby immediately remove, for cause, Wendell Major from the Office of the Chief of Police for the City of Tarrant by a majority vote of those elected to the Council.

Adopted this the 16th day of September, 2024.

Adopted: _____
Wayman Newton, Major

Attest: _____
Laverne Knight, PhD., City Clerk

No Seconded 09/16/24

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9209

**A RESOLUTION CONCERNING THE CONDITIONS AT 1265 ETOWAH STREET
AND DIRECTING ACTION WITH RESPECT TO THE CONDITION OF THE
PROPERTY**

WHEREAS, following a Public Hearing, the City Council finds the real property located at 1265 ETOWAH STREET, in the City's corporate jurisdiction, has maintained on the property an unlawful amount of overgrown grass and weed vegetation in violation of Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant; and

WHEREAS, notice to abate the nuisance on the subject property was supplied to and received by the identified property owners and, to date, said property owners have not taken any action to remove the sign as provided in Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant or otherwise bring the sign into compliance with the cited ordinance (see Exhibit "A"); and

WHEREAS, pursuant to the authority granted the Council under Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant Code of Ordinances, the Council adopts this resolution ordering the above-described overgrown grass and weed vegetation to be remediated and/or removed by the authorized city official.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA while in regular session a quorum duly assembled on September 16, 2024 at 7:00 pm. as follows:

1. The City Council finds that the overgrown grass and weed vegetation at 1265 ETOWAH STREET constitutes a violation Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant.
2. The authorized city official shall remove the above-described overgrown grass and weed vegetation and assess any and all costs of the overgrown grass and weed vegetation removal against the property owner as prescribed under the Ordinance.
3. Further, the authorized city official shall cause this resolution to be provided to the property owner(s) under this Ordinance.

ADOPTED this the 16th day of September, 2024.

Wayman Newton, Mayor

ATTEST:

Dr. Laverne Knight, City Clerk

Exhibit A
Nuisance Information and Notice

MICHAEL BRYMER
CITY ATTORNEY

WAYMAN A. NEWTON
MAYOR

DR. LAVERNE KNIGHT
CITY CLERK

CITY OF TARRANT

1604 Pinson Valley Parkway
P. O. Box 170220
Tarrant, Alabama 35217-0220
205/849-2800
Fax 205/849-2805

COUNCIL MEMBERS
CATHY ANDERSON
JOHN T. "TOMMY" BRYANT

COUNCIL MEMBERS
VERONICA BANDY FREEMAN
DEBORAH MATTHEWS

TRACIE B. THREADFORD
MAYOR PRO TEM

Date: Sep 5, 2024

Owner: Ulmer Deforest

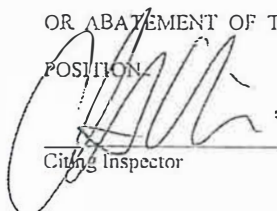
Address: 1265 Etowah St., Birmingham, AL. 35217


Tax Parcel I.D.: 23 00 05 4 032 001.000

Re: NOTICE OF OVERGROWN GRASS AND WEED VEGETATION VIOLATION

TARRANT CITY COUNCIL HEARING NOTICE

YOU ARE IN VIOLATION OF THE CITY OF TARRANT ORDINANCE, CHAPTER 9, ARTICLE 1, SECTION 9-17. A HEARING IS SCHEDULED BEFORE THE CITY COUNCIL ON 09/16/2024, AT 06:00PM, AT THE TARRANT CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1133 EAST LAKE DRIVE, TARRANT, ALABAMA 35217. YOU MAY ATTEND AND PRESENT EVIDENCE TO THE CITY COUNCIL ON YOUR POSITION. FAILURE TO ATTEND WILL RESULT IN THE CITY COUNCIL MAKING A DETERMINATION FOR CONTINUED LEGAL ACTION, PENALTY(S) AND OR ABATEMENT OF THE VIOLATION AT YOUR EXPENSES WITHOUT HEARING YOUR POSITION.


Citing Inspector


David Casian, Inspection Superintendent
Director of Public Works

Certification of City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9210

**A RESOLUTION CONCERNING THE CONDITIONS AT 1257 ETOWAH STREET
AND DIRECTING ACTION WITH RESPECT TO THE CONDITION OF THE
PROPERTY**

WHEREAS, following a Public Hearing, the City Council finds the real property located at **1257 ETOWAH STREET**, in the City's corporate jurisdiction, has maintained on the property an unlawful amount of overgrown grass and weed vegetation in violation of Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant (see Exhibit "A"); and

WHEREAS, notice to abate the nuisance on the subject property was supplied to and received by the identified property owners and, to date, said property owners have not taken any action to remove the sign as provided in Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant or otherwise bring the sign into compliance with the cited ordinance; and

WHEREAS, pursuant to the authority granted the Council under Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant Code of Ordinances, the Council adopts this resolution ordering the above-described overgrown grass and weed vegetation to be remediated and/or removed by the authorized city official.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA while in regular session a quorum duly assembled on Monday, September 16, 2024 at 7:00 pm. as follows:

1. The City Council finds that the overgrown grass and weed vegetation at **1257 ETOWAH STREET** constitutes a violation Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant.
2. The authorized city official shall remove the above-described overgrown grass and weed vegetation and assess any and all costs of the overgrown grass and weed vegetation removal against the property owner as prescribed under the Ordinance.
3. Further, the authorized city official shall cause this resolution to be provided to the property owner(s) under this Ordinance.

ADOPTED this the 16th day of September, 2024.

Wayman Newton, Mayor

ATTEST:

Dr. Laverne Knight, City Clerk

Exhibit A

Notice and Nuisance Information

MICHAEL BRYMER
CITY ATTORNEY

WAYMAN A. NEWTON
MAYOR

DR. LAVERNE KNIGHT
CITY CLERK

CITY OF TARRANT

1604 Pinson Valley Parkway
P. O. Box 170220
Tarrant, Alabama 35217-0220
205/849-2800
Fax 205/849-2805

COUNCIL MEMBERS
CATHY ANDERSON
JOHN T. "TOMMY" BRYANT

COUNCIL MEMBERS
VERONICA BANDY FREEMAN
DEBORAH MATTHEWS

TRACIE B. THREADFORD
MAYOR PRO TEM

Date: Sep 5, 2024

Owner: SFR 2 LLC

Address: 1257 Etowah St Birmingham. AL 35217


Tax Parcel I.D.: 23 00 05 4 02 003.000

Re: NOTICE OF OVERGROWN GRASS AND WEED VEGITATION VIOLATION

TARRANT CITY COUNCIL HEARING NOTICE

YOU ARE IN VIOLATION OF THE CITY OF TARRANT ORDINANCE, CHAPTER 9, ARTICLE 1, SECTION 9-17. A HEARING IS SCHEDULED BEFORE THE CITY COUNCIL ON 09/16/2024, AT 06:00PM, AT THE TARRANT CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1133 EAST LAKE DRIVE, TARRANT, ALABAMA 35217. YOU MAY ATTEND AND PRESENT EVIDENCE TO THE CITY COUNCIL ON YOUR POSITION. FAILURE TO ATTEND WILL RESULT IN THE CITY COUNCIL MAKING A DETERMINATION FOR CONTINUED LEGAL ACTION, PENALTY(S) AND OR ABATEMENT OF THE VIOLATION AT YOUR EXPENSE WITHOUT HEARING YOUR

POSITION



Chief Inspector



David Casian, Inspection Superintendent
Director of Public Works

Certification of City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9211

A RESOLUTION CONCERNING THE CONDITIONS AT 2208 TOLES STREET AND DIRECTING ACTION WITH RESPECT TO THE CONDITION OF THE PROPERTY

WHEREAS, following a Public Hearing, the City Council finds the real property located at 2208 TOLES STREET, in the City's corporate jurisdiction, has maintained on the property an unlawful amount of overgrown grass and weed vegetation in violation of Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant (see Exhibit "A"); and

WHEREAS, notice to abate the nuisance on the subject property was supplied to and received by the identified property owners and, to date, said property owners have not taken any action to remove the sign as provided in Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant or otherwise bring the sign into compliance with the cited ordinance; and

WHEREAS, pursuant to the authority granted the Council under Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant Code of Ordinances, the Council adopts this resolution ordering the above-described overgrown grass and weed vegetation to be remediated and/or removed by the authorized city official.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 pm as follows:

1. The City Council finds that the overgrown grass and weed vegetation at 2208 TOLES STREET constitutes a violation Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant.
2. The authorized city official shall remove the above-described overgrown grass and weed vegetation and assess any and all costs of the overgrown grass and weed vegetation removal against the property owner as prescribed under the Ordinance.
3. Further, the authorized city official shall cause this resolution to be provided to the property owner(s) under this Ordinance.

ADOPTED this the 16th day of September, 2024.

Wayman Newton, Mayor

ATTEST:

Dr. Laverne Knight, City Clerk

Exhibit A

Notice and Nuisance Information

Resolved 9.16.24

MICHAEL BRYMER
CITY ATTORNEY

WAYMAN A. NEWTON
MAYOR

DR. LAVERNE KNIGHT
CITY CLERK

CITY OF TARRANT

1604 Pinson Valley Parkway
P. O. Box 170220
Tarrant, Alabama 35217-0220
205/849-2800
Fax 205/849-2805

COUNCIL MEMBERS
CATHY ANDERSON
JOHN T. "TOMMY" BRYANT

COUNCIL MEMBERS
VERÓNICA BANDY FREEMAN
DEBORAH MATTHEWS

TRACIE B. THREADFORD
MAYOR PRO TEM

Date: Sep 5, 2024

Owner: SMRZ 3 LLC

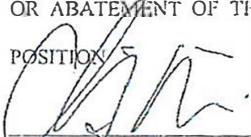
Address: 2208 Toles St. Birmingham, AL. 35217


Tax Parcel I.D.: 100 33 4 003 001.001

Re: NOTICE OF OVERGROWN GRASS AND WEED VEGITATION VIOLATION

TARRANT CITY COUNCIL HEARING NOTICE

YOU ARE IN VIOLATION OF THE CITY OF TARRANT ORDINANCE, CHAPTER 9, ARTICLE 1, SECTION 9-17. A HEARING IS SCHEDULED BEFORE THE CITY COUNCIL ON 09/16/2024, AT 06:00PM, AT THE TARRANT CITY HALL COUNCIL CHAMBERS, LOCATED AT 1133 EAST LAKE DRIVE, TARRANT, ALABAMA 35217. YOU MAY ATTEND AND PRESENT EVIDENCE TO THE CITY COUNCIL ON YOUR POSITION. FAILURE TO ATTEND WILL RESULT IN THE CITY COUNCIL MAKING A DETERMINATION FOR CONTINUED LEGAL ACTION, PENALTY(S) AND OR ABATEMENT OF THE VIOLATION AT YOUR EXPENSE WITHOUT HEARING YOUR POSITION.


Citing Inspector


David Casian, Inspection Superintendent
Director of Public Works

Certification of City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

Resolved 9.16.24

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9212

**A RESOLUTION CONCERNING THE CONDITIONS AT 2052 EAST LAKE BLVD
AND DIRECTING ACTION WITH RESPECT TO THE CONDITION OF THE
PROPERTY**

WHEREAS, following a Public Hearing, the City Council finds the real property located at **2052 EAST LAKE BLVD**, in the City's corporate jurisdiction, has maintained on the property an unlawful amount of overgrown grass and weed vegetation in violation of Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant (see Exhibit "A"); and

WHEREAS, notice to abate the nuisance on the subject property was supplied to and received by the identified property owners and, to date, said property owners have not taken any action to remove the sign as provided in Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant or otherwise bring the sign into compliance with the cited ordinance; and

WHEREAS, pursuant to the authority granted the Council under Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant Code of Ordinances, the Council adopts this resolution ordering the above-described overgrown grass and weed vegetation to be remediated and/or removed by the authorized city official.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 pm. as follows:

1. The City Council finds that the overgrown grass and weed vegetation at **2052 EAST LAKE BLVD** constitutes a violation Chapter 9, Article 1 Section 9-17 of the Code of Ordinances of the City of Tarrant.
2. The authorized city official shall remove the above-described overgrown grass and weed vegetation and assess any and all costs of the overgrown grass and weed vegetation removal against the property owner as prescribed under the Ordinance.
3. Further, the authorized city official shall cause this resolution to be provided to the property owner(s) under this Ordinance.

ADOPTED this the 16th day of September, 2024.

Wayman Newton, Mayor

ATTEST:

Dr. Laverne Knight, City Clerk

Exhibit A
Notice and Nuisance Information

MICHAEL BRYMER
CITY ATTORNEY

WAYMAN A. NEWTON
MAYOR

DR. LAVERNE KNIGHT
CITY CLERK

CITY OF TARRANT

1604 Pinson Valley Parkway
P. O. Box 170220
Tarrant, Alabama 35217-0220
205/849-2800
Fax 205/849-2805

COUNCIL MEMBERS
CATHY ANDERSON
JOHN T. "TOMMY" BRYANT

COUNCIL MEMBERS
VERONICA BANDY FREEMAN
DEBORAH MATTHEWS

TRACIE B. THREADFORD
MAYOR PRO TEM

Date: Sep 5, 2024

Owner: SFR 2 LLC

Address: 2052 East Lake Blvd. Birmingham AL. 35217


Tax Parcel I.D.: 23 00 04 3 012 015.000

Re: NOTICE OF OVERGROWN GRASS AND WEED VEGITATION VIOLATION

TARRANT CITY COUNCIL HEARING NOTICE

YOU ARE IN VIOLATION OF THE CITY OF TARRANT ORDINANCE, CHAPTER 9, ARTICLE 1, SECTION 9-17. A HEARING IS SCHEDULED BEFORE THE CITY COUNCIL ON 09/16/2024, AT 06:00PM, AT THE TARRANT CITY HALL, COUNCIL CHAMBERS, LOCATED AT 1133 EAST LAKE DRIVE, TARRANT, ALABAMA 35217. YOU MAY ATTEND AND PRESENT EVIDENCE TO THE CITY COUNCIL ON YOUR POSITION. FAILURE TO ATTEND WILL RESULT IN THE CITY COUNCIL MAKING A DETERMINATION FOR CONTINUED LEGAL ACTION, PENALTY(S) AND OR ABATEMENT OF THE VIOLATION AT YOUR EXPENESE WITHOUT HEARING YOUR

POSITION


Citing Inspector
David Casian, Inspection Superintendent
Director of Public Works

Certification of City Clerk

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9213

A RESOLUTION REGARDING NOTICE OF CLAIM DATED MARCH 11, 2024.

BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. as follows:

Section 1. The City Council of the City of Tarrant, Alabama, ("City Council") has reviewed the notice of claim and relevant information attached hereto as Exhibit "A" which is incorporated as if fully set out herein.

Section 2. The City Council finds it in the best interest of the City to resolve the claim outlined in Exhibit "A."

Section 3. The City Council further makes the payment of the claim contingent upon a fully executed general release and waiver of all claims by the claimant as a condition to the payment of the claim.

Section 4. The Mayor, his designee, or the City Attorney is hereby authorized to take any all actions necessary and reasonable to effectuate the purpose and intent of this Resolution.

Section 5. This Resolution shall become effective immediately upon its passage.

Adopted this the 16th day of September, 2024.

Approved: _____
Wayman Newton, Mayor

Attest: _____
Laverne Knight, PhD., City Clerk

Exhibit A

Notice of Claim

Date Submitted _____

City of Tarrant

ACCIDENT/INCIDENT REPORT

Employee Name: Chase Tomlin Department: Public Works
cell 205 283-5218

Date and Time of Incident/Accident: 3-11-24 9:35 am

Location of Incident/Accident: Springdale Rd by dove st.

Describe Incident/Accident: Rock came from mower and hit my
drivers door.

Nature of Incident/Accident: _____

Witness(es) to Incident/Accident: _____

What action was taken? _____

Medical/First aid administered: _____

Brian A. Munn R.
Employee Signature

[Signature]
Witness or Supervisor Signature

Mycalee Stults

From: Michael Brymer
Sent: Friday, September 13, 2024 2:03 PM
To: Jim Ward
Cc: Juwan Burrow; Mycalee Stults
Subject: RE: Chace Tomlin.

Jim-

Confirming the amount.

\$2,187.00 as the cost for repairs
\$576.73 for the cost of a weekly rental
Total: \$2,763.73 as the total amount of the claim.

Please confirm.

Thanks,
MB

From: Jim Ward <jward@wardcooperlaw.com>
Sent: Wednesday, September 11, 2024 3:12 PM
To: Michael Brymer <mbrymer@msnattorneys.com>
Cc: Juwan Burrow <jburrow@wardcooperlaw.com>; Mycalee Stults <mstults@msnattorneys.com>
Subject: Re: Chace Tomlin.

Michael

We sent you the repair estimate. We sent you total cost of rental and by week. I think Chace is entitled to the total of both without any deduction by week.

What are you recommending?

Please let me hear from you and thanks for your efforts on this one.

Jim

James S. Ward

2100 Southbridge Parkway
Suite 645
Birmingham, Alabama 35209
Telephone: 205-871-5540
Facsimile: 205-871-5758

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From: Michael Brymer <mbrymer@msnattorneys.com>
Sent: Wednesday, September 11, 2024 10:10:42 AM
To: Jim Ward <jward@wardcooperlaw.com>
Cc: Juwan Burrow <jborrow@wardcooperlaw.com>; Mycalee Stults <mstults@msnattorneys.com>
Subject: Re: Chace Tomlin.

Jim-

Resolution on the agenda for Monday regarding the claim.

I do need to verify the amount with you though.

Thanks,
MB



Michael Brymer, Attorney

Direct: 205-838-9006 Facsimile: 205-838-9026 Main: 205-838-9000
1780 Gadsden Highway, Birmingham, AL 35235

Email: mbrymer@msnattorneys.com
Website: www.msnattorneys.com



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On Sep 10, 2024, at 11:26, Jim Ward <jward@wardcooperlaw.com> wrote:

Status please

Thanks

James S. Ward

2100 Southbridge Parkway

Suite 645

Birmingham, Alabama 35209

Telephone: 205-871-5540

Facsimile: 205-871-5758

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promoting, marketing or recommending a partnership or other entity, investment plan or arrangement, without our express written consent.

From: Jim Ward <iward@wardcooperlaw.com>
Sent: Thursday, September 5, 2024 5:40:43 PM
To: Michael Brymer <mbrymer@msnattorneys.com>
Cc: Juwan Burrow <jborrow@wardcooperlaw.com>; Mycalee Stults <mstults@msnattorneys.com>
Subject: Re: Chace Tomlin.

Michael

Thanks for your email

When will I hear back from you?

Thanks

Get [Outlook for iOS](#)

From: Michael Brymer <mbrymer@msnattorneys.com>
Sent: Thursday, September 5, 2024 5:25:46 PM
To: Jim Ward <iward@wardcooperlaw.com>
Cc: Juwan Burrow <jborrow@wardcooperlaw.com>; Mycalee Stults <mstults@msnattorneys.com>
Subject: RE: Chace Tomlin.

Jim-

Congratulations to Chace! Hope the new baby and mother are doing well to date.

Thanks for the information. I will get this information before the council for them to consider how to handle the claim.

Thanks,
MB

<msnlogo4c_d8fcbc35-9948-4bdc-8ad0-a55b662c4a9e.png>

Michael Brymer, Attorney

Direct: 205-838-9006 Facsimile: 205-838-9026 Main: 205-838-9000
1780 Gadsden Highway, Birmingham, AL 35235
Email: mbrymer@msnattorneys.com
Website: www.msnattorneys.com

<videopic_7b98b8f6-f471-49f3-877d-bdb2211c9ec7.jpg>

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[<facebook_32x32_246e5789-a734-42ba-9295-5f47ef3ed78f.png>](#)

From: Jim Ward <jward@wardcooperlaw.com>
Sent: Wednesday, September 04, 2024 11:38 AM
To: Michael Brymer <mbrymer@msnattorneys.com>
Cc: Juwan Burrow <jburrow@wardcooperlaw.com>
Subject: Chace Tomlin.

Michael

Hope all is well. Waited to file as Chace just had a baby . Of course, he was rather busy
Enclosed is the weekly rental

You now have all you requested

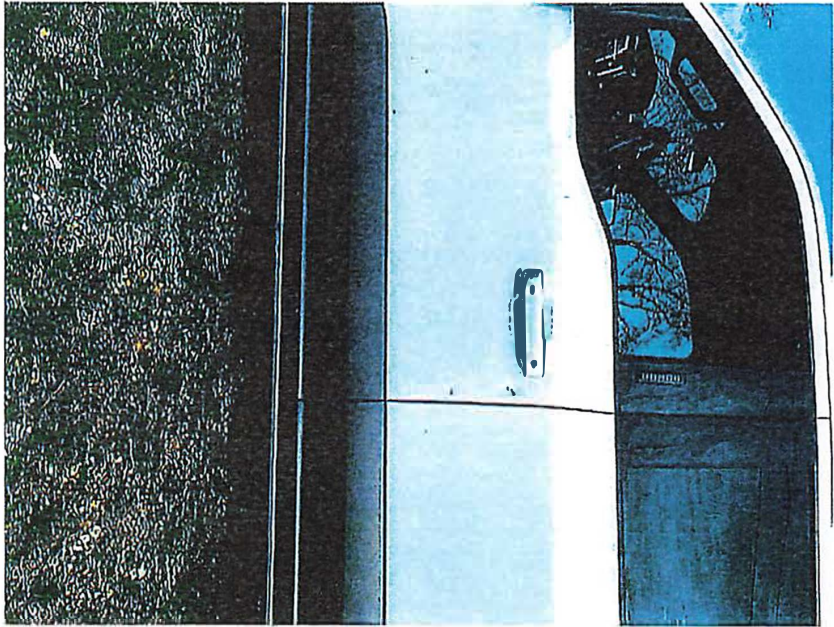
Let me know when I will receive check and release

Thanks

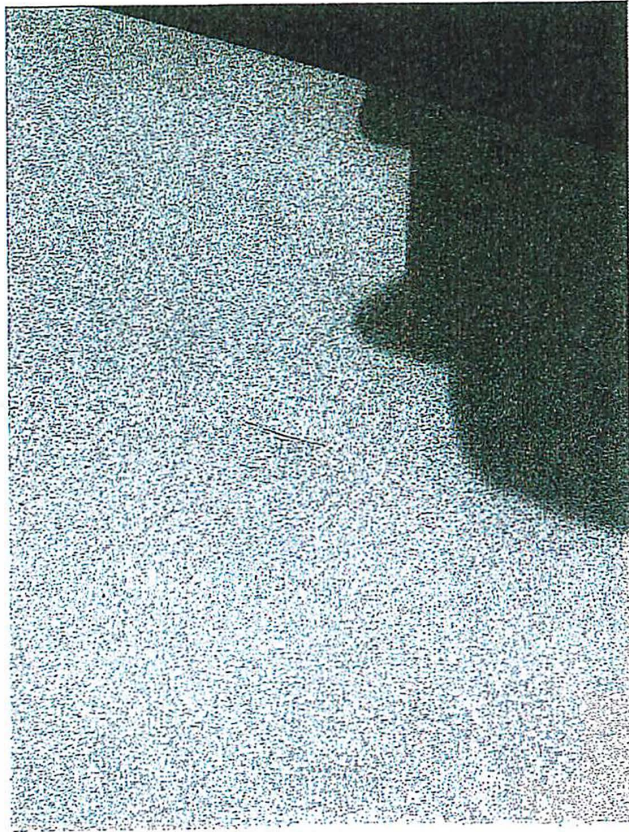
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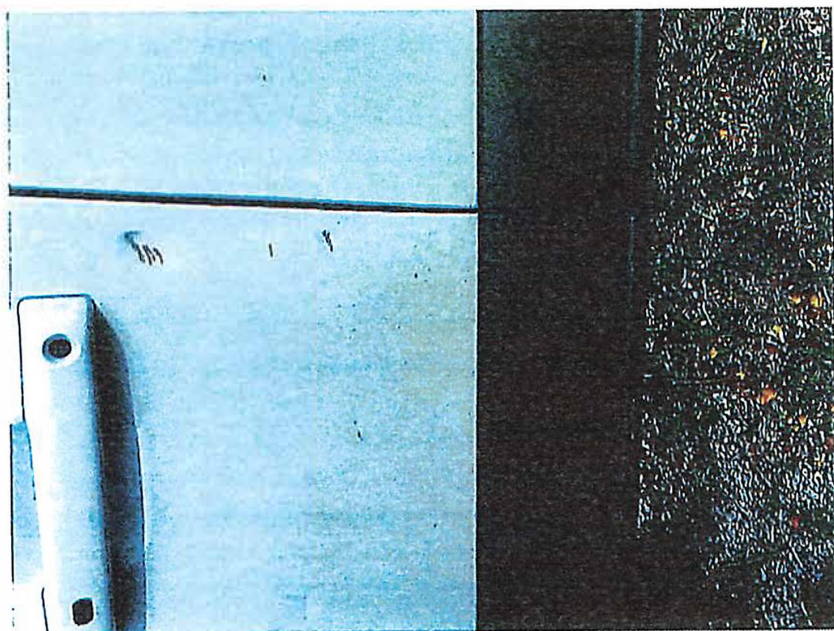
To: Jim Ward <jward@wardcooperlaw.com>
Subject: Weekly rate
<image001.jpg>

Chace
Sent from my iPhone













Classic Car Motoring Inc.
 3900 Grants Mill Rd, Irondale, AL 35210
 Office: (205) 841-2153
 Fax: (205) 841-3875
 chris@classicarmotoring.com
 www.classicarmotoring.com
 Tax ID: 631150129

Estimate ID
 17591254
 Original

****This is a preliminary estimate. Additional changes to the estimate may be required for the actual repair.****

Owner
 Chace Tomlin
 1281 Grants Way
 Irondale, AL 35210
 (205) 283-5218 (Home)
 tomlin.chace@gmail.com

Appraiser
 Mike Rollins
 mike@classicarmotoring.com

Classification
 None

Customer Pay

Payer	Loss Type	Deductible
Customer	Unknown	Unknown

2022 Ford F-150 King Ranch 4 Door Crew Cab 145" WB 6 Foot Bed 5.0L 8 Cyl Gas Injected 4WD

Exterior Color	License	VIN	Drivable
AZ (Star White Pearl)	AL-9046BA5	1FTFW1E50NFB17195	Unknown

Odometer	Production Date	Mitchell Service Code
47583	05/2022	912329

Primary Point of Impact
 Right Front Side (2)

Options

4 Wheel Drive	4WD or AWD	Air Conditioning	Alum/Alloy Wheels	AM-FM Stereo
Anti-Lock Brake Sys. (ABS)	Auto Air Condition	Automatic Headlights	Auxiliary Input	Bluetooth Wireless Connectivity
Cruise Control	Daytime Running Lights	Driver Seat With Power Lumbar Support	Driver-Front Air Bag	Dual A/C
Electric Defogger	Electronic Parking Aid	Electronic Stability Control	Exterior Memory Mirrors	First Row Bucket Seat
Fog Lights	Front Cooled Seats	Front Heated Seats	Front Seats With Power Lumbar Support	Genuine Wood Trim
HD Radio	Heated Mirror	Heated Seats	Heated Steering Wheel	Interior Automatic Day/Night Or Electrochromatic Mirror
Keyless Entry System	Leather Seats	Leather Steering Wheel	Left-Curtain Air Bag	Memory Seats
MP3 Player	Navigation Sys.	Passenger-Front Air Bag	Power Door Locks	Power Driver Seat
Power Folding Exterior Mirrors	Power Passenger Seat	Power Remote Mirror	Power Steering	Power Windows
Power-Adjustable Pedals	Premium Sound Sys.	Privacy Glass	Rain Sensing Wipers	Rear Bench Seat
Rearview Camera	Remote Vehicle Starter System	Running Boards	Satellite Radio	Second Row Side Airbag With Head Protection

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 Mitchell Estimating 23.5
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Profile
 2023 Standard Rates
 Profile Version
 4.0

Page 1 of 5

Options

Side Airbags	Side Blind Zone Alert	Smart Key System	Steering Wheel Mounted Audio Control	Telematic Systems
Theft Deterrent Sys.	Tilt Steering Wheel	Tire Pressure Monitoring System	Traction Control/Electronic	Trailer Hitch
Trip Computer	Universal Garage Door Opener			

Chace Tomlin | 2022 Ford F-150 King Ranch

Parts Profile N/A Parts Profile Version N/A

Line #	Description	LABOR				PART				
		Operation	Type	Total Units	CEG	Type	Number	Qty	Total Price	Tax
Front Door										
1	200291 L Frt Door Assembly	Remove / Install	Body	0.7	0.7	Existing				
2	200296 L Frt Door Shell	Repair	Body	6.0#	5.2	Existing				
3	AUTO L Frt Door Outside	Refinish Only	Refinish	2.4 C	2.4	Existing				
4	200901 L Frt Rear View Mirror	Remove / Install	Body	0.3#	0.3	Existing				
5	205902 L Frt Door Rear Sash Moulding	Remove / Install	Body	0.6#	0.6	Existing				
6	AUTO L Frt Otr Door Belt Moulding	Remove / Install	Body	0.2	0.2					
7	204549 L Frt Inr Door Belt Weatherstrip	Remove / Install	Body	0.1#	0.1	Existing				
8	AUTO L Frt Door Trim Panel	Remove / Install	Body	0.4	0.4					
9	202312 L Frt Otr Door Handle	Remove / Install	Body	0.3#	0.3	Existing				
10	202290 L Frt Lwr Door Weatherstrip	Remove / Install	Body	0.2r	0.2	Existing				
11	202292 L Frt Door Weatherstrip	Remove / Install	Body	0.5r	0.5	Existing				
12	201005 L Frt Door Glass Run	Remove / Install	Body	0.3#	0.3	Existing				
Rear Door										
13	201297 L Rear Door Outside	Blend	Refinish	1.0 C	1.2	Existing				
14	201405 L Rear Door Assembly	Remove / Install	Body	0.7	0.7	Existing				
15	201411 L Rear Door Front Sash Moulding	Remove / Install	Body	0.2#	0.2	Existing				
16	AUTO L Rear Otr Door Belt Moulding	Remove / Install	Body	INC	0.2					
17	205588 L Rear Inr Door Belt Weatherstrip	Remove / Install	Body	INC#	0.1	Existing				
18	AUTO L Rear Door Trim Panel	Remove / Install	Body	0.4	0.4					
19	202286 L Rear Otr Door Handle	Remove / Install	Body	0.3#	0.3	Existing				
20	205629 L Rear Door Front Seal	Remove / Install	Body	0.1r	0.1	Existing				
21	205160 L Rear Door Rear Seal	Remove / Install	Body	0.2r	0.2	Existing				

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Page 2 of 5

Line #	Description	LABOR				PART				
		Operation	Type	Total Units	CEG	Type	Number	Qty	Total Price	Tax
22	200326 L Rear Door Weatherstrip	Remove/Install	Body	0.4r	0.4	Existing				
23	205631 L Rear Door Glass Run	Remove/Install	Body	0.4r#	0.4	Existing				
Additional Costs & Materials										
24	AUTO Paint/Materials	Additional Cost							\$387.00*	
25	AUTO Shop Materials	Additional Cost							\$12.00*	Yes
26	AUTO Hazardous Waste Disposal	Additional Cost							\$8.00*	
Additional Operations										
27	AUTO Three Stage	Additional Operation	Refinish	2.4	0.0				\$0.00	
28	933003 Tint Color	Additional Operation	Refinish	1.0*	0.0				\$0.00	
29	933005 Restore Corrosion Protection	Additional Operation	Refinish*	0.5*	0.0				\$15.00*	
30	933007 Feather, Prime & Block	Additional Operation	Refinish	1.8*	0.0				\$0.00	
31	933017 Finish Sand And Buff	Additional Operation	Refinish	1.4	0.0				\$0.00	
Special / Manual Entry										
32	900500 Cavity Wax	Remove/Replace	Body*	0.3*	0.0	Sublet		1	\$15.00*	
33	900500 RESET WINDOW AUTO FEATURE	Additional Labor	Body*	0.5*	0.0	Existing		0		
34	900500 Clean Vehicle	Additional Labor	Body*	0.0*	0.0	Sublet		1	\$25.00*	
35	900500 Pre-Repair Scan	Additional Labor	Mechanical*	0.0*	0.0	Sublet		1	\$95.00*	
36	900500 Post-Repair Scan	Additional Labor	Mechanical*	0.0*	0.0	Sublet		1	\$95.00*	

* Judgment Item
 T Included in Two Tone Calculation
 # Labor Note Applies
 d Discontinued by Manufacturer
 C Included in Clear Cost Calculation
 A Included in Clear Cost and Two Tone Calculation
 r CEG R&R Time Used for this Labor Operation
 [] Verify the part number and price before ordering

Estimate Totals

Labor	Units	Rate	Sublet	Add'l Amount	Totals
Body Labor	13.1	\$65.00	\$25.00		\$876.50
Refinish Labor	10.5	\$65.00		\$15.00	\$697.50
Mechanical Labor	0.0	\$125.00	\$190.00		\$190.00
Total Labor	23.6		\$215.00		\$1,764.00
				Taxable	\$0.00
				Tax 0.0000%	\$0.00
				Non-Taxable	\$1,764.00
				Pre-Tax Discount 0.00%	\$0.00
				Labor Total	\$1,764.00
Parts		Amount			
Taxable Parts		\$0.00			\$0.00

Estimate Totals

		Parts Adjustments	\$0.00
		Tax 10.0000%	\$0.00
		Non-Taxable	\$15.00
		Pre-Tax Discount 0.00%	\$0.00
		Parts Total	\$15.00
Costs	Amount		
Other Additional Costs	\$20.00		\$20.00
Paint Materials	\$387.00		\$387.00
		Taxable	\$12.00
		Tax 10.0000%	\$1.20
		Non-Taxable	\$395.00
		Pre-Tax Discount 0.00%	\$0.00
Paint Materials Rate: \$45.00		Costs Total	\$408.20
Rate Max: 99.9 units			
Additional Rate: \$0.00			
Gross Totals	Amount		
Gross Total	\$2,187.20		\$2,187.20
		Taxable	\$12.00
		Tax	\$1.20
		Non-Taxable	\$2,174.00
		Pre-Tax Discount	\$0.00
		0.00%	
		Gross Total	\$2,187.20
Adjustments	Amount		
Total Customer Responsibility			\$0.00
		Net Estimate Total	\$2,187.20

*This is a preliminary estimate and may change once the vehicle is disassembled and the current total may be different from the final bill. As a reminder, our standard body labor rates are \$65 per hour and may be different than the insurance company that is covering your claim due to training and specialized equipment required (excluding large passenger or commercial vehicles). Classic Car Motoring does not use aftermarket, used, or reconditioned parts. We will only use new OE (manufacturer) parts. Also, the insurance covering your claim may not pay for all the necessary procedures to repair your vehicle as close as possible to pre loss condition. The afore mentioned items may cause some out of pocket expenses due to the insurance company not paying the complete bill.

CCM provides a limited lifetime warranty for all paint and workmanship provided by CCM to the current owner of the vehicle at the time of repair. The warranty is nontransferable to future owners. All parts carry the warranty provided by the parts manufacturers.

*PRICES SUBJECT TO INVOICE
 SERVICES AUTHORIZATION

I AUTHORIZE THE ABOVE REPAIRS TO BE COMPLETED. YOUR EMPLOYEES HAVE PERMISSION TO OPERATE MY VEHICLE FOR REPAIR PURPOSES. I UNDERSTAND THAT YOU WILL NOT BE RESPONSIBLE FOR MECHANICAL FAILURE OR ANY DAMAGE TO MY VEHICLE DUE TO NATURAL CAUSES.

SIGNED: _____ Date: //

Estimate Event Log

Job Created 3/12/2024 12:48 PM
Estimate Started 3/12/2024 12:54 PM
Estimate Printed 3/12/2024 02:22 PM
Estimate Committed Estimate Not Committed
Estimate Retrieval ID 1000427434

Download On

Version
Mitchell Estimating 23.5
OEMMAR_24_V

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Printed On
3/12/2024
02:22 PM

Profile
2023 Standard Rates
Profile Version
4.0

Page 5 of 5

From: [Jin Ward](mailto:Jin.Ward@wardlaw.com)
To: [Chase Temlin](mailto:Chase.Temlin@cityoftarrant.com)
Subject: **FWD: Chase Temlin Vehicle Damage caused by City of Tarrant**
Date: **Wednesday, July 3, 2024 4:37:25 PM**
Attachments: **IMG_4343.jpeg**

From: Jin Ward <jward@wardlaw.com>
Sent: Wednesday, July 03, 2024 3:03 PM
To: Michael Bryner <mbryner@munatortneys.com>
& Juwan Buttrick <jbuttrick@wardlaw.com>
Subject: Chase Temlin Vehicle Damage caused by @ty of Tarrant

IMG_4343.jpeg



Michael

Above is the cost of rental while Chase's vehicle is in for repairs

I will suspend any further activity until after the next council meeting. If not a favorable response by then, will file suit

Have a good 4h

Jim
James S. Ward

2100 Southbridge Parkway
Suite 645
Birmingham, Alabama 35209
Telephone: 205-871-5540
Facsimile: 205-871-5758


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IRS CIRCULAR 230: Treasury Regulations (31 CFR Part 10, Section 10.35) require a statement that, to the extent this communication contains tax advice, it is not intended or written to be used, and cannot be used, for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code. The sender's written advice may not be used in promoting, marketing or recommending a partnership or other entity, investment plan or arrangement, without our express written consent.

Pay in \$

Pay in Points

 Best Match

1/2 Ton Pickup

Ford F150 or similar

 Automatic

 4 People

 4 Bags




PAY LATER

\$1,879.70
Per Month

\$2,672.44
Total

Select

Features & Price Details 

 Best Match

Premium Pickup 4WD

Ford F150 4WD or similar

 Automatic



AA

 enterprise.com



CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9214

A RESOLUTION AUTHORIZING AND DIRECTING THE PUBLIC WORKS DEPARTMENT OF THE CITY OF TARRANT TO PERFORM LAWN CARE AND MAINTENANCE TO ALL CITY OWNED PROPERTY AND THOSE PROPERTIES USED BY THE CITY UNDER A WRITTEN AGREEMENT.

WHEREAS, throughout the City of Tarrant, Alabama ("City") there are public parks, recreation centers, city complexes, city properties, and other areas used by the City all for public purposes which are in need of routine lawn care and relevant maintenance in order to keep those areas in good repair and for use by the citizens and guests within Tarrant; and

WHEREAS, in addition to the public parks, the City has recently entered into various license agreements with the Tarrant City Schools Board of Education ("TCSBOE") property for use of TCSBOE property by the City and use of City property by the TCSBOE, namely the football field at the old Tarrant High School and the City baseball and softball complex; and

WHEREAS, in addition to § 11-47-19 and § 11-47-130 of the Code of Alabama (1975), the City Council find it in the best interest of the health, safety, and welfare of its citizens and guests or visitors who may use these various city facilities; and

WHEREAS, to avoid any confusion regarding the maintenance of any city owned or properties used by the City pursuant to a written agreement, the City Council authorizes and directs the public works department to ensure these areas are properly maintained.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. as follows:

Section 1. The above-stated preamble is hereby adopted and incorporated as if fully set out herein.

Section 2. The City Council hereby directs the public works department, by and through its director, to ensure all public parks, City parks, City facilities City complexes, properties used by the City pursuant to written agreement, and / or any other City owned property that is commonly and routinely maintained by the City's public works department are maintained through routine lawn care, grass cutting, and all necessary maintenance performed as necessary to maintain these areas in a healthy and safe manner.

Section 3. Further, the City Council authorizes the Mayor and the director of public works to take all reasonable and necessary steps as required under the terms of the this Resolution to comply with same.

Section 4. This Resolution shall not be strictly construed. Rather, it shall be broadly construed so as to achieve the stated purpose herein.

Section 5. This Resolution shall become effective immediately upon its passage.

Adopted this the 16th day of September, 2024.

Approved: _____
Wayman Newton, Mayor

Attest: _____
Laverne Knight, PhD., City Clerk

Tabled 9.16.24

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

Tabled 9.16.24

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9215

A RESOLUTION AUTHORIZING THE PLACEMENT OF STREET LIGHTS AT LOCATIONS ON EVERGREEN STREET WITHIN THE CITY OF TARRANT.

WHEREAS, the City of Tarrant, Alabama, ("City") is responsible for the health, safety, and general welfare of its citizens; and

WHEREAS, the City Council of the City of Tarrant ("City") has been approached requesting streetlights at two locations along Evergreen Street within the corporate limits of Tarrant for the purpose of providing lights along these areas of Evergreen Street, so as to ensure citizens within these areas have adequate lighting for safety.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. as follows:

Section 1. The above-stated preamble is hereby adopted and incorporated as if fully set out herein.

Section 2. The City Council finds it in the best interest of the citizens of Tarrant to authorize the placement of streetlights at 2215 Evergreen Street and 2221 Evergreen Street.

Section 3. The City Council further authorizes the lights to be installed by the City of Tarrant Electric Department the costs of installation of which shall be paid by the City from the City's general fund and the monthly electric service cost also be paid by the City as all other electric bills from the City of Tarrant Electric Department are paid.

Section 4. This Resolution shall become effective immediately upon its passage.

Adopted this the 16th day of September, 2024.

Approved: _____
Wayman Newton, Mayor

Attest: _____
Laverne Knight, PhD., City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the ____ day of September, 2024.

Laverne Knight, City Clerk

CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA

RESOLUTION NO. 9216

A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO RESOLVE OR OTHERWISE PURSUE ALL PENDING PERSONNEL ACTIONS INVOLVING POLICE PERSONNEL WITH THE PERSONNEL BOARD OF JEFFERSON COUNTY.

WHEREAS, on or about July 1, 2024, the City Council of the City of Tarrant, Alabama ("City Council") adopted Ordinance 1162 formally establishing the City of Tarrant Police Department ("TPD") and, subject to City Council oversight, placed the Chief of Police as the head of the department, its resources, and its personnel (see copy of Ordinance 1162 attached as Exhibit "A"); and

WHEREAS, on July 24, 2024, the circuit court issued an order and judgment affirming the Chief of Police as the appointing authority for the TPD (see copy of order Exhibit "B"); and

WHEREAS, on or about September 6, 2024, the Personnel Board of Jefferson County ("PBJC"), by and through its executive director, Dr. Jeff Crenshaw, recognized the Chief of Police as the appointing authority for the TPD (see attached correspondence from PBJC attached as Exhibit "C"); and

WHEREAS, there remain pending certain police ~~officer~~ personnel actions with the PBJC that need to be resolved through formal hearings, settlement, or otherwise, and the City Council finds it appropriate, in consideration of the foregoing, to authorize the Chief of Police to resolve or direct to resolve all pending personnel actions pending before the PBJC through formal hearing on the merits, settlement, or otherwise.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Tarrant, Alabama, while in regular session a quorum duly assembled on Monday, September 16, 2024, at 7:00 p.m. a quorum being duly assembled as follows:

Section 1. The above stated preamble is hereby approved, ratified, and reinstated as if fully set out herein.

Section 2. The Chief of Police, as the recognized appointing authority of the TPD is hereby authorized to resolve or direct to resolve any and all pending police personnel actions with the PBJC.

Section 3. The Chief of Police is authorized to take any and all actions reasonably necessary to effectuate the intent and purpose of this Resolution. Further, the

Chief shall, upon completing any resolution of the current police personnel actions pending with the PBJC, shall make written report of the pending cases and the outcome of those cases to the City Council.

Section 4. The Chief of Police's authority to resolve these pending personnel actions shall be limited only to those personnel actions pending from all current or former police officers and no other employees with the City of Tarrant.

Section 5. The City Clerk shall submit an executed and certified copy of this resolution to the PBJC upon its adoption.

Section 6. This Resolution shall become effective immediately upon its passage.

Adopted this the 16th day of September, 2024.



Adopted: John Boyard
City of Tarrant, Council Member

Grace Bradford
City of Tarrant, Council Member

Attest: L. Knight
Laveme Knight, Ph.D., City Clerk

Exhibit A

Ordinance 1162

ORDINANCE NO. 1162

**AN ORDINANCE ESTABLISHING AND CREATING THE CITY OF TARRANT
ALABAMA POLICE DEPARTMENT.**

SECTION 1. TITLE

This Ordinance shall be known and cited as the "City of Tarrant Alabama Police Department Ordinance" and shall be codified as determined by the editor of the Code of Ordinances of the City of Tarrant.

SECTION 2. PURPOSE

The purpose of the City of Tarrant Alabama Police Department is to protect and to serve the residents and visitors of the City by maintaining public order, deterring crime, investigating criminal activities, and upholding the laws and ordinances of the City, the laws and Constitution of the State of Alabama, and the laws and Constitution of the United States of America.

SECTION 3. CREATION OF THE POLICE DEPARTMENT

A. Under the authority granted to the Council in Alabama Code § 11-43-55 (1975), the City of Tarrant Alabama Police Department is the primary law enforcement agency for the City.¹

B. The Police Department is responsible for enforcing local, state, and federal laws within the City limits.

SECTION 4. ORGANIZATION AND STRUCTURE

A. The Police Department shall consist of the following divisions or units, which may be modified as deemed necessary by the Chief of Police:

1. Patrol Division;
2. Investigations Division;
3. Special Operations Division;
4. Administrative Division;
5. Dispatchers; and
6. Corrections.

B. Under Alabama Code § § 11-43-5 and 11-43-55 (1975), the Chief of Police shall be appointed by the City of Tarrant Alabama City Council and shall be responsible for the general supervision of the City of Tarrant Alabama Police Department. Nothing in this paragraph, however, is intended to affect any rights the Mayor has under the Alabama Code or to remove any rights of the Mayor under Alabama law.

¹ Alabama Code § 11-43-55 (1975): "Except as otherwise provided in this title, the council shall have power to establish a police force and to organize the same under the general supervision of the chief of police, and to provide one or more station houses and to require all things necessary for the maintenance of an efficient police department."

SECTION 5. POWERS AND AUTHORITY

A. Officers of the Police Department shall have the authority to enforce all applicable laws, ordinances, and regulations within the City at the direction, and under the supervision of the Chief of Police duly appointed by the Tarrant City Council in conformity with the laws of the State of Alabama and the rules and regulations of the Alabama Peace Officer Standards and Training Commission ("APOST"). Nothing in this paragraph, however, is intended to affect any rights the Mayor has under the Alabama Code or to remove any rights of the Mayor under Alabama law.

B. The Police Department members having been certified as sworn law enforcement officers by the APOST, holding such certification and having been recommended to the City Council by the Police Chief of the City of Tarrant, shall have the power to make arrests, conduct investigations, and use reasonable force when necessary to carry out their duties, in conformity with applicable Alabama State Laws and Constitution of the State of Alabama and the Constitution of the United States.

C. All Officers of the Police Department selected and appointed shall be from a list of eligibles provided by the Personnel Board of Jefferson County, Alabama ("PBJC"), consistent with its rules and regulations and subject to PBJC jurisdiction.

SECTION 6. RESPONSIBILITIES AND DUTIES

- A. The Police Department shall be responsible for, at minimum, the following:
1. responding to emergency calls and maintaining public safety;
 2. recording such calls and reports of public safety concerns and regularly report same to the City Council on a monthly basis;
 3. the Chief of Police shall serve as the City's custodian of all police records and any record generated by any officer or employee of the Tarrant Police Department;
 4. investigating and preventing criminal activities;
 5. collaborating with other law enforcement agencies;
 6. providing community outreach and engagement programs;
 7. maintain and operate a jail or similar such facility to house individuals ordered held by the Tarrant Municipal Court or any Court of competent jurisdiction;
 8. register monitor and report the registration of convicted sex offender in compliance with state and federal law
 9. acquire, assign, account for, store all equipment owned operated and used in the ferreting out of criminal violation of the City;
 10. maintaining records and documentation in accordance with legal requirements;

11. the Police Chief in cooperation with the City Attorney shall promulgate rules, regulations, policies, and procedures and shall timely submit same to the Tarrant City Council for ratification and implementation of those rules, regulations, policies, and procedures;
12. any other activity or duty routinely handled by a police department within the state of Alabama and for which the department is authorized to handle by state and federal law; and
13. any other duty or requirement as may be directed by the City Council that the Police Department is lawfully permitted to take.

SECTION 7. BUDGET AND FUNDING

A. The City of Tarrant Alabama City Council shall allocate necessary funds for the operation and maintenance of the Police Department through the annual City budget. The Chief of Police shall be responsible for creating a budget on an annual basis and submitting same to the Mayor and the City Council for consideration.

B. The Police Department may receive funding from state and federal grants, as well as other sources, to enhance its capabilities and services. All such funds shall be held by the City of Tarrant pursuant to its normal financial accounting practices.

SECTION 8. REPEALER

Any and all provisions in an existing ordinance of the City of Tarrant Code of Ordinances that conflicts with or are contrary to any term or provision in this Ordinance shall be and are hereby repealed. Specifically, but not limited to, any provision in section 2 – 1 of the City of Tarrant Code of Ordinances that is contrary to or in conflict with this Ordinance is hereby repealed.

SECTION 9. SAVINGS CLAUSE

Any part, section, paragraph, sentence, clause, or word which may be declared unconstitutional or invalid by a court of competent jurisdiction shall not affect or otherwise alter the remainder of the Ordinance which shall remain in full force and effect.

SECTION 10. EFFECTIVE DATE

This ordinance shall take effect upon its adoption, approval, and publication or otherwise provided for by law.

ADOPTED AND APPROVED this the 15th day of July, 2024.



Attest:

Laverne Knight
Laverne Knight, Ph.D., City Clerk

Adopted:

Lance B. Shred
John Buzard

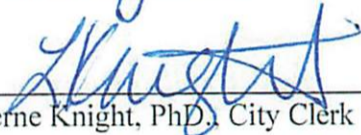
CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Laverne Knight, 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 and legally adopted by the City Council of the City of Tarrant, Alabama on the 1st day of July, 2024, and the same appears of record in the minute book of said date of said City and published by posting copies thereof at the following public places, which copies remained posted for five (5) days as required by law:

Tarrant City Hall;
Tarrant Recreation Center; and the
Tarrant Public Library.

Witness my hand and seal of office this the 1st day of July, 2024



Laverne Knight, PhD., City Clerk



Chronic Court Order

Exhibit B

ELECTRONICALLY FILED
7/26/2024 11:54 AM
01-CV-2024-901091.00
CIRCUIT COURT OF
JEFFERSON COUNTY, ALABAMA
JACQUELINE ANDERSON SMITH, CLERK

IN THE CIRCUIT COURT OF JEFFERSON COUNTY, ALABAMA
BIRMINGHAM DIVISION

WAYMAN NEWTON, In His Official)
Capacity as Mayor of Tarrant City,)
Plaintiff,)
v.) 01-CV-2023-904087
WENDELL MAJOR, In His Official)
Capacity as Chief of Police of Tarrant)
City, ET AL.,)
Defendants.)

CONSOLIDATED WITH

WENDELL MAJOR,)
Plaintiff,)
v.) 01-CV-2024-901091
SHAYLA MYRICK, In Her Official)
Capacity as the Principal Accountant of)
Tarrant City, ET AL.,)
Defendants.)

ORDER OF JUDGMENT

This case came before the Court on July 26, 2024, for a hearing on offsetting motions for summary judgment filed by the Parties to these consolidated cases. Based upon the Court's review of the written submissions of the Parties and extensive oral argument by counsel, the Court concludes that there are no genuine issues of material fact and that WENDELL MAJOR, Defendant in Case Number 01-CV-2023-904087, and Plaintiff in Case Number 01-CV-2024-901091 as well as the CITY COUNCIL OF TARRANT CITY, Defendant in both cases, are entitled to judgment as a matter of law.

Accordingly, JUDGMENT is hereby entered in Case Number 01-CV-2023-904087, *Wayman Newton, in His Official Capacity as Mayor of Tarrant City v. Wendell Major, in His*

Official Capacity as Chief of Police of Tarrant City, et al. in favor of Defendants WENDELL MAJOR, In His Official Capacity as Chief of Police of Tarrant City and THE CITY COUNCIL OF TARRANT CITY and against Plaintiff WAYMAN NEWTON, In His Official Capacity as Mayor of Tarrant City, and JUDGMENT is hereby entered in Case Number 01-CV-2024-901091, *Wendell Major v. Shayla Myrick, in Her Official Capacity as Principal Accountant of Tarrant City, et al.* in favor of Plaintiff WENDELL MAJOR, and In His Official Capacity as Chief of Police of Tarrant City and Intervenor THE CITY COUNCIL OF TARRANT CITY and against Defendants SHAYLA MYRICK, In Her Official Capacity as Principal Accountant of Tarrant City, and TARRANT CITY, and Intervenor WAYMAN NEWTON and the Court further FINDS and ORDERS as follows:

1. The Court adopts and incorporates the Findings and Orders contained in its Order dated May 20, 2024, as if fully stated herein.
2. THE CITY COUNCIL OF TARRANT CITY has properly reserved to itself the supervision of Chief of Police WENDELL MAJOR.
3. THE CITY COUNCIL OF TARRANT CITY properly overrode and nullified the administrative leave imposed upon Chief of Police WENDELL MAJOR by Mayor WAYMAN NEWTON.
4. THE CITY COUNCIL OF TARRANT CITY has properly reserved to the Chief of Police of Tarrant City the supervision of the Tarrant City Police Department.
5. Costs taxed to are Plaintiff WAYMAN NEWTON, In His Official Capacity as Mayor of Tarrant City in Case Number 01-CV-2023-904087.
6. Costs are taxed to Defendants SHAYLA MYRICK, In Her Official Capacity as Principal Accountant of Tarrant City, and TARRANT CITY, and Intervenor WAYMAN

NEWTON in Case Number 01-CV-2024-901091.

7. This Order disposes of Case Number 01-CV-2023-904087 in its entirety and, therefore, the Court hereby severs Case Number 01-CV-2023-904087 from Case Number 01-CV-2024-901091.

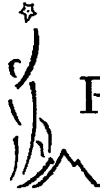
8. The only issue remaining in Case Number 01-CV-2024-901091 is whether Plaintiff WENDELL MAJOR is entitled to an award of attorneys' fees. Plaintiff WENDELL MAJOR shall have 30 days from the date of this Order within which to file a motion, supported by appropriate evidence and citations to law seeking any award of attorneys' fees. If such a motion is not filed within 30 days from the date of this Order, the request will be deemed waived and the Court will summarily finalize the judgment in Case Number 01-CV-2024-901091.

DONE and ORDERED this 26th day of July, 2024.

/s/ PAT BALLARD
CIRCUIT JUDGE

Exhibit C

Personnel Board Correspondence Dated Sept. 6, 2024



Personnel Board of Jefferson County

The Foundation of Your Merit System Career

September 6, 2024

City of Tarrant
Attention: Mayor Newton / Tarrant City Council / Police Chief Major
P.O. Box 170220
Tarrant, Alabama 35217

RE: Recognition of Appointing Authorities

Mayor Newton, City Council, & Police Chief Major:

As you are aware, the Personnel Board has historically recognized the Mayor as the Appointing Authority for Classified positions within the City of Tarrant. Personnel Board Rule 1.3 has defined an Appointing Authority as follows:

Appointing Authority. Any person, officer, board, council, commission or other governmental body whose lawful jurisdiction or powers are confined wholly or primarily within the territorial limits of Jefferson County and who or which possesses final power to appoint persons to services, jobs, offices or positions, the compensation of which is paid in whole or in part from the public funds of Jefferson County or from the public funds of a municipality in Jefferson County subject to this Act. Except as otherwise provided by law, the Board will consider the mayor to have final decision making authority on behalf of a municipality.

In light of efforts made by the City Council to modify the Appointing Authority for certain Classified positions through adopted City ordinance and recent orders issued by Judge Ballard in Case Number 01-CV-2023-904087 (see attached), the Personnel Board has modified its recognition of the Appointing Authority for certain City positions. This letter is intended to clarify these changes and the manner in which the City must proceed for execution of all actions requiring Appointing Authority approval.

Appointing Authority for City of Tarrant Classified Positions

Police Chief & Fire Chief Positions

The Personnel Board views the positions of Police Chief and Fire Chief to be Classified positions under its Rules & Regulations (henceforth referred to as "the Rules"). As previously communicated in correspondence on June 21, 2024 to Mayor Newton and the City Council through Mayor Pro Tempore Tracie Threadford, consistent with Judge Ballard's court order on May 20, 2024 upholding the Tarrant City Council's authority under Section 11-43-55 of the Alabama Code, the Personnel Board



2121 Reverend Abraham Woods, Jr. Blvd, Suite 100 Birmingham, Alabama 35203-2387
www.pbjca.org

Bessemer Birmingham CenterPoint Emergency Management Fairfield Fultondale Gardendale Homewood Hueytown
Irontdale Jefferson County Commission Jefferson County Health Department Leeds Midfield Mountain Brook Pleasant Grove
Tarrant Trussville Vestavia Hills Warrior

recognized the City Council as the Appointing Authority with respect to the employment of a Police Chief and Fire Chief. Although the City executed a change to the Appointing Authority for these positions, nothing about this change should be viewed as modifying the rights of these positions or the occupying employees provided under Act 248, H. 580 of the Alabama Legislature of 1945 or the Rules.

All employment actions for these positions requiring approval of the Appointing Authority under the Rules and Personnel Board processes shall be executed within Workday (i.e., the Personnel Board's human resources system) by a *single* member (which may include the Mayor) designated by the Council. At this time, Ms. Threadford as Mayor Pro Tempore is established as that member in Workday; however, this may be modified at the desire of the Council, ideally through a properly adopted ordinance. It should be noted that the single member will have *no individual authority* to take any employment action on either of these positions within Workday. For any employment action initiated in Workday for either of these positions, the action *must* be accompanied by an appropriately adopted ordinance of the Council outlining the desire to take such action. Failure to include such ordinance in support of the action, will lead to the action being denied by the Personnel Board.

Municipal Clerk Position

Pursuant to Sections 11-43-3 and 11-43-4 of the Alabama Code, the Personnel Board has historically viewed the City Council as the Appointing Authority for of the Classified position of City Clerk (also referred to as Municipal Clerk) for all Merit System municipalities. Despite the fact that the Personnel Board has historically recognized the City Council as the Appointing Authority for this position, the execution of employment actions for this position within effectively functioning municipalities has been through the Mayor authorizing the employment actions for City Clerk on behalf of the Council. The lack of effective cooperation among and between the Tarrant Council and Mayor has necessitated a change to this process. As such, as with the aforementioned Chief positions, the Personnel Board will require that the Council designate, through a proper ordinance filed with the Personnel Board, a single Councilmember (or Mayor) to take any employment action on this position within Workday. Again, no action entered into Workday by the designated individual will be approved by the Board absent an appropriate ordinance outlining the desired action on the part of the Council as a whole. Any other positions within the City Clerk office and/or reporting to the City Clerk will be treated in accordance with the section on "All Other City Positions" presented below.

Police Force Positions in the Police Department Other than Police Chief

Through his July 24, 2024 Order, Judge Ballard recognized Tarrant City Ordinance 1162 as valid and established the Police Chief as the Appointing Authority for positions within the Police Department effective July 1, 2024. In accordance with this Order, the Personnel Board recognizes the Police Chief as the Appointing Authority for police force positions designated within the Police Department. All employment actions for police force positions within the Police Department requiring approval of the Appointing Authority under the Rules and Personnel Board processes shall be executed within Workday by the Police Chief (or his/her authorized designee) and shall require no further approval of the Council or Mayor. Although the City executed a change to the Appointing Authority for these positions, nothing about this change should be viewed as modifying the rights of these positions or the occupying employees provided under Act 248, H. 580 of the Alabama Legislature of 1945 or the Rules. Also, the Personnel Board recognizes the active appeal of this Circuit Court's decision and, should the aforementioned order be reversed based on that appeal, the Board will modify its recognition of the Appointing Authority accordingly.



All Other City Positions

The Personnel Board retains recognition of the Mayor for all other positions of the City of Tarrant not listed above. All employment actions for these positions requiring approval of the Appointing Authority under the Rules and Personnel Board processes shall be executed within Workday by the Mayor (or his/her authorized designee) and shall require no further approval of the Council.

Responsibilities of the Appointing Authority

It is the responsibility of the Appointing Authority to be fully aware of, and comply with, the requirements for executing and processing employment actions in accordance with the Personnel Board Rules & Regulations. No actions will be processed by the Personnel Board without appropriate authorization and the Personnel Board will not be responsible for delays or denials of employment actions due to the failure of the Appointing Authority to properly execute actions or provide appropriate authorization. The City of Tarrant shall be responsible for supplying payroll files in a timely fashion as required by the Personnel Board for proper review and certification of payroll.

In order for the various Tarrant Appointing Authorities to initiate employment actions and for the Personnel Board to appropriately monitor those actions, the Personnel Board must reconfigure its Workday system to reflect the appropriate reporting patterns and approval workflow. The City of Tarrant has not maintained a functional organizational chart within Workday. In order to finalize the appropriate Appointing Authority reporting structure, it is necessary for the City of Tarrant to supply a legitimate and correct organizational reporting structure for all current positions and employees. I am requesting that each of the Appointing Authorities provide an organizational structure for all positions under their authority. Once these are received, the Personnel Board will finalize configuration of the positions in Workday and initiation of employment actions by the Appointing Authorities for their designated positions may be executed.

Other Internal City Disputes

The Personnel Board has no authority to resolve other disputes arising out of the execution of the City's operations under the Appointing Authority structure established by the City of Tarrant. Resolution of such disputes shall be the responsibility of the City and respective Appointing Authority(ies). Failure to resolve any such disputes shall not be viewed as a legitimate basis by any Appointing Authority for failing to comply with any Personnel Board process or Rule.

Regards,



Jeffrey Crenshaw, Ph.D.
Director, Personnel Board of Jefferson County

cc: Personnel Board Department Heads
Leslie Coyne, Legal Counsel for the Personnel Board



CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, Laverne Knight, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 16th day of September, 2024, while in regular session on Monday, September 16, 2024, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this the 16th day of September, 2024.





Laverne Knight, City Clerk

CITY OF TARRANT
VOUCHER LIST
MONDAY, SEPTEMBER 16 , 2024

GENERAL FUND

5063	ACCOUNTS PAYABLE RUN	\$ 2,746.92
53988-54022	ACCOUNTS PAYABLE RUN	\$ 61,575.18
54023-54057	ACCOUNTS PAYABLE RUN	\$ 77,449.19

NET PAYROLL

9/13/2024	PAY PERIOD 08/24/2024-09/06/2024	\$ 151,107.06
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<u>Bank Name</u>		<u>Bank Number</u>					
E911 Account							
<u>Payment Number</u>	<u>Type</u>	<u>Vendor Name</u>	<u>Vendor ID</u>	<u>Pymt Grp.</u>	<u>Payment Date</u>	<u>Payment Amount</u>	
5063	CHK	At & T Mobility	1857		09/04/2024	\$2,746.92	
Bank Total:						\$2,746.92	
Bank Payment Count:						1	

<u>Bank Name</u>		<u>Bank Number</u>					
General Fund							
<u>Payment Number</u>	<u>Type</u>	<u>Vendor Name</u>	<u>Vendor ID</u>	<u>Pymt Grp.</u>	<u>Payment Date</u>	<u>Payment Amount</u>	
53988	CHK	Aaa Environmental Services	4		09/04/2024	\$405.50	
53989	CHK	Alabama Administrative	1776		09/04/2024	\$121.42	
53990	CHK	Alabama Crime Victims Comp Com	156		09/04/2024	\$28.00	
53991	CHK	Alabama Peace Officers Annuity	160		09/04/2024	\$70.00	
53992	CHK	At & T Mobility	1857		09/04/2024	\$1,286.42	
53993	CHK	Atkins & Goolsby	1996		09/04/2024	\$1,984.07	
53994	CHK	Baker & Taylor Entertainment	208		09/04/2024	\$125.25	
53995	CHK	Bama Fire Protection Lic	1839		09/04/2024	\$75.00	
53996	CHK	Bennett, Patrick	642		09/04/2024	\$1,249.30	
53997	CHK	Circuit Clerk Judicial Adm Fund	1305		09/04/2024	\$30.29	
53998	CHK	City Of Tarrant Park And Rec	43		09/04/2024	\$500.00	
53999	CHK	Dolphin Pest Control	62		09/04/2024	\$369.00	
54000	CHK	ETA	3160		09/04/2024	\$850.00	
54001	CHK	Express Oil Change Lic	66		09/04/2024	\$98.99	
54002	CHK	Finance Department, State	155		09/04/2024	\$709.00	
54003	CHK	Globe Life Liberty National	832		09/04/2024	\$458.55	
54004	CHK	Grainger	63		09/04/2024	\$2,200.70	
54005	CHK	HHH SANITATION INC	3217		09/04/2024	\$425.00	
54006	CHK	International Code Council Inc	415		09/04/2024	\$130.50	
54007	CHK	Jefferson County District	927		09/04/2024	\$402.00	
54008	CHK	Kyocera Document Solutions	1498		09/04/2024	\$208.52	
54009	CHK	Legal Aid Society	152		09/04/2024	\$1,500.00	
54010	CHK	Local Government Corporation	275		09/04/2024	\$20,672.00	
54011	CHK	Lowe's	258		09/04/2024	\$324.61	
54012	CHK	Mcperson Oil Products	96		09/04/2024	\$6,014.47	
54013	CHK	Momar, Incorporated	286		09/04/2024	\$460.07	
54014	CHK	Phillip Jackson	3228		09/04/2024	\$189.35	
54015	CHK	Presiding Circuit Judge Admin	1985		09/04/2024	\$30.29	
54016	CHK	Quality Petroleum	1132		09/04/2024	\$9,947.64	
54017	CHK	Quill	76		09/04/2024	\$115.32	
54018	CHK	Regional Training Institute RTI	3244		09/04/2024	\$316.00	
54019	CHK	Republic Services Mt Olive Msw	2033		09/04/2024	\$1,378.25	
54020	CHK	Trigreen Equipment, Lic	683		09/04/2024	\$584.67	
54021	CHK	Virtual Academy	2049		09/04/2024	\$855.00	
54022	CHK	We R Smart Lic	1887		09/04/2024	\$7,460.00	
Bank Total:						\$61,575.18	
Bank Payment Count:						35	

Bank Name

Bank Number

General Fund

<u>Payment Number</u>	<u>Type</u>	<u>Vendor Name</u>	<u>Vendor ID</u>	<u>Pymt Grp.</u>	<u>Payment Date</u>	<u>Payment Amount</u>
54023	CHK	Affordable Counseling Therapy & Emplc	28		09/12/2024	\$300.00
54024	CHK	Alabama Child Support	37		09/12/2024	\$1,612.51
54025	CHK	Alabama League Of	484		09/12/2024	\$3,573.00
54026	CHK	Alabama Power	12		09/12/2024	\$503.40
54027	CHK	American Fidelity Assurance	1731		09/12/2024	\$1,102.00
54028	CHK	At & T	407		09/12/2024	\$205.52
54029	CHK	Avenu	1773		09/12/2024	\$1,834.00
54030	CHK	Bama Exterminating Co., Inc.	1480		09/12/2024	\$345.00
54031	CHK	Barnes & Barnes Law Firm, P.C.	3257		09/12/2024	\$2,000.00
54032	CHK	Birmingham Water Works	16		09/12/2024	\$6,502.16
54033	CHK	BJCTA BIRMINGHAM JEFFERSON COUN	1974		09/12/2024	\$5,086.67
54034	CHK	Bradford W. Caraway	2121		09/12/2024	\$237.50
54035	CHK	Bsn Sports	1978		09/12/2024	\$43.11
54036	CHK	City Of Tarrant	32		09/12/2024	\$1,112.72
54037	CHK	City of Tarrant Petty Cash, Public Work	3246		09/12/2024	\$500.00
54038	CHK	Coleman, Patrick	414		09/12/2024	\$817.36
54039	CHK	Dell Financial Services	975		09/12/2024	\$317.57
54040	CHK	Demco	338		09/12/2024	\$163.66
54041	CHK	Dolphin Pest Control	62		09/12/2024	\$82.00
54042	CHK	Dunn Construction Co., Inc.	562		09/12/2024	\$301.70
54043	CHK	Express Oil Change Llc	66		09/12/2024	\$2,871.59
54044	CHK	Genesis Tire	1291		09/12/2024	\$471.00
54045	CHK	Gulf States Distributors	57		09/12/2024	\$4,142.00
54046	CHK	Hughes Printing	1531		09/12/2024	\$334.30
54047	CHK	International Code Council Inc	415		09/12/2024	\$69.00
54048	CHK	Jacqueline Anderson Smith	1851		09/12/2024	\$674.30
54049	CHK	Municipal And Commercial Uniform And	134		09/12/2024	\$54.95
54050	CHK	O'rear Hardware	1855		09/12/2024	\$1,321.95
54051	CHK	Republic Services #802	60		09/12/2024	\$2,013.48
54052	CHK	State Of Alabama Department	883		09/12/2024	\$115.55
54053	CHK	Thompson Tractor Co, Inc	3209		09/12/2024	\$4,565.70
54054	CHK	United Way Of Central Alabama	241		09/12/2024	\$20.00
54055	CHK	US Specialty Coatings	3381		09/12/2024	\$645.50
54056	CHK	WALDREP STEWART & KENDRICK, LLP	3156		09/12/2024	\$23,009.99
54057	CHK	We R Smart Llc	1887		09/12/2024	\$10,500.00

Bank Total: \$77,449.19

Bank Payment Count: 35

TARRANT ELECTRIC DEPARTMENT

VOUCHER LIST

September 16, 2024

Batch ID: CHK09052024KH
 Batch Comment:

Audit Trail Code: PMCHK00001031
 Posting Date: 9/4/2024

Checkbook ID: EL02

* Voided Checks

Check Number	Date	Payment Number	Vendor ID	Check Name	Amount
043525	9/4/2024	00000000000013670	1220	VANGUARD ALLIANCE	\$5,877.05
043526	9/4/2024	00000000000013671	1391	DOLPHIN PEST CONTROL	\$132.00
043527	9/4/2024	00000000000013672	1601	ATKINS & GOOLSBY, INC	\$1,195.50
043528	9/4/2024	00000000000013673	1707	WAYNE HOBSON, P C	\$93.75
043529	9/4/2024	00000000000013674	1922	SUNBELT SOLOMON SERVICES, LLC	\$7,150.00
043530	9/4/2024	00000000000013675	1945	TEK I.D. INC.	\$1,787.37
043531	9/4/2024	00000000000013676	2298	PITNEY BOWES GLOBAL FINANCIAL	\$121.11
043532	9/4/2024	00000000000013677	301	CINTAS	\$176.41
043533	9/4/2024	00000000000013678	4035	CHRISTOPHER THOMPSON	\$595.00
043534	9/4/2024	00000000000013679	4050	TYLER PAYNE	\$297.50
043535	9/4/2024	00000000000013680	5272	ROGER VOSS	\$595.00
043536	9/4/2024	00000000000013681	672	LIBERTY NATIONAL LIFE INSURANC	\$326.79
043537	9/4/2024	00000000000013682	738	NOVA-TEC INC.	\$199.40
043538	9/4/2024	00000000000013683	7875	JASON HILL	\$140.00
043539	9/4/2024	00000000000013684	CSM000384	PARADISE INC.	\$25.08
043540	9/4/2024	00000000000013685	CSM002291	BARRINGTON REALTY	\$226.99
043541	9/4/2024	00000000000013686	CSM005979	SFR3 LLC	\$130.57

Total Checks: 17

Checks Total: \$19,069.52

Batch ID: CHK09122024KH
 Batch Comment:

Audit Trail Code: PMCHK00001032
 Posting Date: 9/11/2024

Checkbook ID: EL02

* Voided Checks

Check Number	Date	Payment Number	Vendor ID	Check Name	Amount
043542	9/11/2024	00000000000013690	109	ALTEC CAPITAL	\$65,580.00
043543	9/11/2024	00000000000013691	1240	BIRMINGHAM WATER WORKS BOARD	\$109.18
043544	9/11/2024	00000000000013692	15700	SOUTHERN CASH SOLUTION	\$240.00
043545	9/11/2024	00000000000013693	1780	MASSEY, STOTSER & NICHOLS PC	\$3,203.83
043546	9/11/2024	00000000000013694	2368	CORBITT POWER & LIGHT LLC	\$26,000.01
043547	9/11/2024	00000000000013695	281	CAPE ELECTRICAL SUPPLY LLC	\$8,851.20
043548	9/11/2024	00000000000013696	34	AMERICAN FAMILY LIFE ASSURANCE	\$46.44
043549	9/11/2024	00000000000013697	4035	CHRISTOPHER THOMPSON	\$297.50
043550	9/11/2024	00000000000013698	44	AIR SOLUTIONS	\$1,088.00
043551	9/11/2024	00000000000013699	5272	ROGER VOSS	\$595.00
043552	9/11/2024	00000000000013700	532	LINDSAY BUMPERS	\$201.25
043553	9/11/2024	00000000000013701	738	NOVA-TEC INC.	\$397.00
043554	9/11/2024	00000000000013702	7875	JASON HILL	\$140.00
043555	9/11/2024	00000000000013703	9109	QUALITY PETROLEUM OF ALABAMA	\$992.21
043556	9/11/2024	00000000000013704	9810	PITNEY BOWES RESERVE ACCOUNT	\$65.00
043557	9/11/2024	00000000000013705	989	SHRED-IT USA	\$116.58
043558	9/11/2024	00000000000013706	CSM002291	BARRINGTON REALTY	\$404.90
043559	9/11/2024	00000000000013707	CSM002856	TMI REALESTATE	\$107.46
043560	9/11/2024	00000000000013708	CSM005660	KENNETH E WILLIS	\$21.46
043561	9/11/2024	00000000000013709	CSM006008	TINA SEAY	\$90.17
043562	9/11/2024	00000000000013710	CSM006481	EVERNEST LLC	\$454.76

Total Checks: 21

Checks Total: \$109,001.95