

PRE-COUNCIL MEETING OF THE CITY OF TARRANT, ALABAMA

HELD ON MONDAY, MAY 1, 2017

The City Council of the City of Tarrant, Alabama met in regular Pre-council Meeting on Monday May 1, 2017, at 6:11 p.m. at City Hall.

The purpose of said meeting was to review the May 1, 2017 agenda of the 7 p.m. regularly scheduled City Council Meeting

The following officials were present:

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

The following officials was absent:

Tanyika Fields	Councilor
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The following department heads and/or representatives were present:

City Clerk Dan Weinrib
Building Inspections Officer David Boyd
Electric Department Operations Manager Danny Chaviers
Police Chief Dennis Reno
Fire Chief Jason Riekels
City Attorney Ben Goldman

The following department heads and/or representatives were absent:

Accountant Lynn Juneau
Parks & Recreation Director Chris O'Rear
Public Works Director James Phillips
Library Branch Chief Patrick Coleman

Also present were the following:

Tarrant resident Alvin Samples.

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

There being no other public business to discuss, City Attorney Ben Goldman requested the Council go into executive session to discuss a real property matter. The Council voted unanimously to go into executive session at approximately 6:25 pm.

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

READ AND APPROVED THIS THE 15th DAY OF MAY, 2017.

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

ATTEST: [Signature]
Dan Weinrib, City Clerk

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

HELD ON Monday, May 1, 2017

The Honorable City Council of the City of Tarrant, Alabama met in regular session, on the 1st day of May, 2017, at 7:16 pm in the Council Chambers at City Hall.

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

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

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

The following official was absent:

Tanyika Fields	Councilor
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Mayor Tuck stated that the council had been provided with copies of the following minutes from the Council meetings held on Monday, April 17th, 2017.

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

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

NAYS: None

Mayor Tuck announced that the annual Mayor's Prayer Luncheon will take place on May 5th at Central Baptist Church. The prayer service will start at 11 am; luncheon, at noon. The free event is open to the public.

Mayor Pro Tem and Finance Committee Chair Laura Horton submitted to the City Clerk a minutes from her committee's meeting on Thursday, April 27th, 2017.

There was no unfinished business.

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

ORDINANCE NO. 1096

AN ORDINANCE TO AMEND ORDINANCE NO. 1045 TO EXEMPT FROM THE MUNICIPAL SALES AND USE TAX DURING THE THIRD FULL WEEKEND OF JULY 2017 AND EACH CONSECUTIVE YEAR THEREAFTER, AS AUTHORIZED BY ACT 2017-120 OF THE ALABAMA LEGISLATURE, GENERALLY

**REFERRED TO AS THE STATE SALES TAX HOLIDAY
LEGISLATION.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA
while in regular session on Monday, April 17, 2017 at 7 p.m. as follows:

Section 1. That in conformity with the provision of Act 2017-120, enacted by the Alabama Legislature during the 2017 Regular Session providing for a State Sales Tax Holiday (Section 40-23-213, Code of Alabama, 1975), the City of Tarrant, Alabama hereby exempts "covered items", as that term is defined by the statute, from municipal sales and use tax during the period beginning at 12:01 a.m. on the third Friday in July and ending at twelve midnight the following Sunday at each and every year, commencing in July 2017; and

Section 2. That this ordinance shall be subject to all terms, conditions, definitions, time periods and ruled as provided by Act 2017-120; and

Section 3. That the City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Tarrant, Alabama and forward said certified copy to the Alabama Department of Revenue to be recorded and posted on said department's website; and

Section 4. This ordinance shall be effective upon its adoption and publication according to law.

APPROVED: _____

Loxcil B. Tuck, Mayor

ATTEST:

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Tarrant, Alabama on the 1st day of May, 2017 and the same appears of record in the minute book of the City of Tarrant, Alabama, for said date.

The above and foregoing ordinance was published on the 1st day of May, 2017, by posting copies thereof in three public places within the City of Tarrant, one of which was the Mayor's office in the City of Tarrant.

Witness my hand and seal of office this 2nd day of May, 2017

Dan Weinrib, City Clerk

Horton moved and Bryant seconded a motion to approve Ordinance No. 1096. Upon roll call, the vote thereon was as follows:

AYES: Councillors Anderson, Bryant, Horton, Matthews and Mayor Tuck

NAYS: None

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

ORDINANCE NO. 1097

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

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

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

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

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

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA, while in regular session on May 1st, 2017 that:

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

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

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

ADOPTED AND APPROVED THIS THE 1ST DAY OF MAY, 2017.

APPROVED: _____

Loxcel B. Tuck, Mayor

ATTEST:

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Tarrant, Alabama on the 1st day of May, 2017 and the same appears of record in the minute book of the City of Tarrant, Alabama, for said date.

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Witness my hand and seal of office this 2nd day of May, 2017

Dan Weinrib, City Clerk

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

ORDINANCE NO. 1098

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

THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TARRANT, ALABAMA, while in regular session on May 1st, 2017 that:

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

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

ADOPTED AND APPROVED THIS THE 1ST DAY OF MAY, 2017.

APPROVED: _____

Loxcel B. Tuck, Mayor

ATTEST:

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Tarrant, Alabama on the 1st day of May, 2017 and the same appears of record in the minute book of the City of Tarrant, Alabama, for said date.

The above and foregoing ordinance was published on the 1st day of May, 2017, by posting copies thereof in three public places within the City of Tarrant, one of which was the Mayor's office in the City of Tarrant.

Witness my hand and seal of office this 2nd day of May, 2017

Dan Weinrib, City Clerk

Whereupon, Horton introduced the following resolution:

RESOLUTION NO. 8340

A RESOLUTION REAPPOINTING DEBBIE HALL TO THE TARRANT BOARD OF EDUCATION FOR A FIVE YEAR TERM; SAID TERM TO BEGIN JUNE 1, 2017 AND EXPIRE JUNE 1, 2022

BE IT RESOLVED by the **City Council of the City of Tarrant, Alabama** while in regular session on Monday, May 1, 2017 at 7:00 p.m. as follows:

Section 1. That Debbie Hall is hereby reappointed to the Tarrant Board of Education for a five year term,

Section 2. That said term shall begin June 1, 2017 and expire June 1, 2022,

Section 3. That a copy of this Resolution be forwarded to the above member and said board, ADOPTED this the 1st day of May, 2017.

APPROVED: _____

Loxcel B. Tuck, Mayor

ATTEST: _____

Dan Weinrib, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Tarrant, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly and legally adopted by the City Council of the City of Tarrant, Alabama, on the 1st day of May, 2017 while in regular session on Monday, May 1, 2017, and the same appears of record in the minute book of said date of said City.

Witness my hand and seal of office this 2nd day of May, 2017.

Dan Weinrib, City Clerk

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

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

NAYS: NONE

During Petitions & Other Communications, resident Beverly Richardson addressed the Council, praising the improved local post office branch as well as complaining about the unsightly barren appearance of a neighboring lot at the intersection of Cooper Street & Wharton Avenue. She also expressed concern about the low cable lines running above the ditch behind her home. She also wants the Public Works department to pick up pruned twigs and remaining dirt debris, rather than leave them behind. Spring Gardens resident Juanita Turner wants to organize a memorial service for deceased neighbors some day in June whenever Mayor Tuck has time to attend as a guest speaker.

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

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

NAYS: NONE

Whereupon, Horton moved and Bryant seconded for motion to adjourn the meeting. The motion carried unanimously. The meeting adjourned at approximately 7:35 pm.

READ AND APPROVED THIS THE 15TH DAY OF MAY, 2017

APPROVED:

Loxcil B. Tuck, Mayor

ATTEST:

Dan Weinrib, City Clerk