

**CITY COUNCIL MEETING
OZARK, ALABAMA
TUESDAY, SEPTEMBER 7, 2021**

The City Council of the City of Ozark, Alabama, met in Regular Session in the Council Chamber of the Municipal Complex at 5:30 P.M. on Tuesday, September 7, 2021. Upon roll call the following members were present:

Present: Mark Blankenship, Mayor
 Leah Harlow, Councilmember, Place No. 1
 Les Perault, Councilmember, Place No. 2
 Winston T. Jackson, Councilmember, Place No. 3
 Brenda Simechak, Council President, Place No. 4
 Stanley Enfinger, Councilmember, Place No. 5

Absent:

Also present: Denise Strickland, who acted as clerk of the meeting, Charles Ward, Denise Ellis, Bret Head, Joseph McNabb, Ryan Campbell, Steve Sherrill and Joe Adams.

Councilmember Enfinger gave the prayer followed by Mayor Blankenship leading everyone in the Pledge of Allegiance.

The Council having read the minutes from the Regular Council Meeting held on August 17, 2021 and the Special Meeting held on August 30, 2021 President Simechak asked the wishes of the Council. Councilmember Jackson made a motion to approve the minutes of the Regular Council Meeting held on August 17, 2021 and the Special Meeting held on August 30, 2021, which motion was seconded by Councilmember Enfinger. The Council voted unanimously in favor thereof.

Council President Simechak advised the Council that it was time to set the Agenda. Councilmember Enfinger made a motion to set the Agenda as presented with the addition of Item #17 to Rezone Property located at 161, 199 and 205 Chancey Street from B-3 to R-1 and Item #18 Executive Session to discuss potential litigation, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Jackson introduced a Resolution approving the disposal of Surplus Real Property located on Roy Avenue to Mary Crittenden in the amount of \$2,000 and moved for its adoption, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Perault introduced a Group Resolution Confirming the Cost of a Weed Lein at an Empty Lot on Broad Street in the amount of \$250 and 284 Gunter Street in the amount of \$290 and 104 Acker Avenue in the amount of \$300 and moved for its adoption, which motion was seconded by Councilmember Jackson. The Council voted unanimously in favor thereof.

Councilmember Harlow introduced a Group Resolution Declaring Certain Properties located at 124 Bonnie Drive and 3823 Campground Road a Public Nuisance and Setting a Public Hearing for September 21, 2021 at 5:00 PM and moved for its adoption, which motion was seconded by Councilmember Jackson. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to award the bid for Project No. TAPOA-TA21 (932) Sidewalks along Enterprise Road and MLK Jr. Ave. to Triple T Construction in the amount of \$353,565.28, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Harlow made a motion to approve an agreement for Construction Engineering and Inspection Services with Poly, Inc. for Project No. TAPOA-TA21 (932) Sidewalks along Enterprise Road and MLK Jr. Avenue, which motion was seconded by Councilmember Enfinger. The Council voted unanimously in favor thereof.

Councilmember Enfinger made a motion to award the bid for the 2021 Street Resurfacing Project to Wiregrass Construction Company, Inc. in the amount of \$527,267.62, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to approve the FY 2021-22 Budget as presented by Finance Officer Chris Peters, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Enfinger made a motion to approve the transfer of ARPA Funds to an Interest Bearing Money Market Checking Account at Synovus Bank, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Harlow made a motion to amend the City of Ozark's Policies and Procedures Handbook Chapter 8, Disciplinary Procedures, to add Section 8.8 Due Process for Municipal Law Enforcement Officers. Dismissal or suspension of Law Enforcement Officers will follow the Code of Alabama 1975, Article 11. § 11-43-230 thru § 11-43-232, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Council President Simechak advised the Council that there was a Court Report and Financial Report in their books for review.

Councilmember Perault made a motion to approve the City of Ozark sponsoring a Wiregrass RC & D Grant in the amount of \$25 000 for Amphitheatre improvements, which motion was seconded by Councilmember Enfinger. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to approve rezoning property located at 161, 199 and 205 Chancey Street from B-3 to R-1, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Enfinger made a motion to go into Executive Session to discuss Potential Litigation and asked that Attorney Nicky Bull, Attorney Joe Adams and City Clerk Denise Strickland attend, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Perault made a motion to come out of Executive Session, which motion was seconded by Councilmember Enfinger. The Council voted unanimously in favor thereof.

With there being no further business to come before this Regular Council Meeting of September 7, 2021, Councilmember Jackson made a motion to adjourn, which motion was seconded by Councilmember Enfinger. The Council voted unanimously in favor thereof.

Council President

City Clerk