

**CITY COUNCIL MEETING  
OZARK, ALABAMA  
TUESDAY, February 20, 2024**

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, **February 20, 2024**. Upon roll call the following members were present:

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

Absent:           Stanley Enfinger, Councilmember, Place No. 5

Also present: Chris Peters, who acted as clerk of the meeting, Captain Jerome Niles, Lt. Chris Juneau, Joseph McNabb, Heather Cohen, Colby Reid and Joe Adams.

Councilmember Jackson 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 February 6, 2024 President Simechak asked the wishes of the Council. Councilmember Jackson made a motion to approve the minutes of the Regular Council Meeting held on February 6, 2024, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Council President Simechak advised the Council that it was time to set the Agenda. Councilmember Perault made a motion to set the Agenda with the addition of Item#10 a motion to permanently suspend and deny renewal of business license of Smokin' Bones BBQ for failure to report and pay sales taxes and the addition of Item #11 to enter Executive Session to discuss legal options for pending litigation, which motion was seconded by Councilmember Jackson. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to approve the First and Second Reading Application 050 – Retail Beer (Off Premises Only) and 070 – Retail Table Wine (Off Premises Only): Applicant: Smart 101 Inc.; Trade Name: Beeline 101, 1412 Skipperville Road, Ozark, AL 36360. Owners: Kaushik K. Patel, 265 Folsom Road, Dothan, AL 36301, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to approve the First Reading Application 040 – Retail Beer (On Premises) and 060 – Retail Table Wine (On Premises): Applicant: 231 Seafood House; Trade Name: 231 Seafood House, 1148 S. US Highway 231, Ozark, AL 36360. Owner: Xiaokang Chan, 1274 Deese Road, Ozark, AL 36360, which motion was seconded by Councilmember Harlow. After discussion, Councilmember Jackson amended the motion to 040 – Retail Beer (On or Off Premises) and 060 – Retail Table Wine (On or Off Premises) which

amendment was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Perault made a motion to set a Public Hearing for March 5, 2024 at 5:00 PM for the consideration of rezoning Parcel No. 26-06-04-20-3-000-003.006 located on Marley Mill Rd Ozark, AL, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to suspend the rules to take action on Item #8, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Jackson introduced an Ordinance Repealing Section 5-1., Technical Codes Adopted by Reference: Exclusions; Deciding Disputes of Chapter 5, Article 1. In General, of the Code of Ordinances of the City of Ozark, Alabama and Replacing said Section 5-1. Technical Codes Adapted by Reference; Exclusions; Deciding Disputes., in its entirety, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Perault made a motion to suspend the rules to take action on Item #9, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Harlow made a motion to use Reserve Funds for additional costs of improvements to the Ozark Civic Center Project in the amount of \$150,000.00, which motion was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Harlow made the motion to permanently suspend and deny the renewal of business license of Smokin' Bones BBQ for failure to report and pay sales taxes which was seconded by Councilmember Perault. The Council voted unanimously in favor thereof.

Councilmember Jackson made a motion to go into Executive Session to discuss legal options for pending litigation, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

Councilmember Perault made a motion to come out of Executive Session to discuss legal options for pending litigation, which motion was seconded by Councilmember Harlow. The vote was recorded as to wit: Ayes, Councilmember Perault, Councilmember Harlow, Council President Simechak. No vote, Councilmember Jackson. The Motion passed.

With there being no further business to come before this Regular Council Meeting of February 20, 2024, Councilmember Perault made a motion to adjourn, which motion was seconded by Councilmember Harlow. The Council voted unanimously in favor thereof.

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Council President Pro Tem

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City Clerk