

**COUNCIL MEETING**  
**Council Chambers – Harpersville Town Hall**  
**July 20, 2020 – 5:30 p.m.**

**MINUTES**

Proper notice of the regularly scheduled meeting of the Harpersville Town Council was given in advance of such public meeting and the notice remained posted throughout the scheduled meeting.

**Date:** July 20, 2020  
**Time:** 5:30 p.m.  
**Place:** Harpersville Town Hall  
**Present:** Mayor Don Greene  
Councilmember Beverly O. Johnson  
Councilmember Martin Dates  
Councilmember William Rayfield  
Councilmember Janet Gill

**Not Present:** Councilmember Sheila K. Rich

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Greene called the meeting to order at 5:31 p.m. William Carter led the invocation. The Pledge of Allegiance was led by Police Chief Jimmy Macon.

RECORD OF ATTENDANCE

The following elected officials were present:

Mayor Don Greene  
Councilmember Beverly O. Johnson  
Councilmember Martin Dates  
Councilmember William Rayfield  
Councilmember Janet Gill

It was noted for the record a quorum of the town council was present.

APPROVAL OF TOWN COUNCIL AGENDA

Councilmember Johnson made a motion to approve the town council agenda for July 20, 2020. Councilmember Rayfield seconded the motion. The motion passed unanimously by roll call vote of those members present and Mayor Greene declared the same passed. The roll call vote was recorded as follows:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

#### APPROVAL OF MINUTES

Councilmember Gill made a motion to approve and dispense with the reading of the regular council meeting minutes from July 6, 2020. Councilmember Rayfield seconded the motion. Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

#### APPROVAL OF INVOICE REPORT

The Town Clerk/Treasurer presented the invoice report. Councilmember Gill made a motion to approve the report as submitted. Councilmember Johnson seconded the motion. Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

## DEPARTMENT AND COMMITTEE REPORTS

### Police Department:

Police Chief Jimmy Macon asked all citizens to be careful while traveling on the roadways. He said with the violence and racial issues continuing to rise, he asked for prayer for the police department and all officers during this time. He encouraged all citizens to be safe and use common sense.

### Fire Department:

Fire Chief Heath Confer emphasized the need to be cautious due to growing concerns surrounding COVID-19. He noted the importance of social distancing, wearing a facemask, and to sanitize frequently touched surfaces.

### PROCLAMATIONS BY THE MAYOR – None

### PUBLIC HEARING

To consider an amendment to the Town of Harpersville district boundaries changing the present zoning A-1 (Agricultural District) to RG (Garden Home Residential District). Property Location: Shelby County Highway 444, across from Farmingdale Subdivision; Parcels 9 and 10, according to the Survey of Tanyard Branch Estates, as recorded in Map Book 30, Page 94, in the Probate Office of Shelby County, Alabama.

Applicant: Smith Douglas Homes

Councilmember Gill made a motion to recess the July 20, 2020 town council meeting. Councilmember Johnson seconded the motion. There being no further discussion, Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The town council meeting was recessed at 5:40 p.m.

It was noted for the record the Planning & Zoning Board voted unanimously on July 6, 2020 to recommend the rezoning application from Smith Douglas Homes to the town council for approval.

Mayor Greene stated the town council would now hear testimony from those speaking in favor of the rezoning:

Tahme Cox and Chris Smith, representing Smith Douglas Homes, spoke in favor of the rezoning request.

Ms. Cox stated Smith Douglas Homes has the 46.44-acre tract of land under contract. She stated it is their goal to building around 100 single-family homes on the property.

There were no other comments from the public speaking in favor of the rezoning.

Mayor Greene stated the town council would now hear testimony from those speaking against the rezoning:

Nick Wilson, adjacent landowner to the property under consideration to be rezoned, stated he had concerns. Mr. Wilson provided pictures of his property and stated it was his understanding a residential zoning district must have an 8-12 foot buffer around the property's boundary lines. He noted his property is used as a pasture and hayfield. He added he was concerned by the potential liability of having his livestock next to so many homes. Mr. Wilson also noted he sprays his hayfield with chemicals and was concerned with the potential of damaging shrubbery or other vegetation on the homeowners' property.

Mr. Wilson asked Smith Douglas Homes to consider placing a buffer along his side of the boundary line. He stated he has been in contact with Smith Douglas Homes throughout the rezoning process and feels as though he has been led on. He said there were discussions about his property being purchased for possible expansion and some designs called for stub roads to be built on his property. He said he has been promised many things but nothing his actually happened.

Mr. Wilson concluded by saying he was not against the development or the growth of Harpersville. He said he believes this is a good thing for the town. He wanted to express his concerns and asked Smith Douglas Homes to consider a buffer along the boundary line.

Rhona Waldrep stated she is a neighbor of Mr. Wilson and she had a few concerns as well. She asked what the plan for the water run-off would be. Mr. Smith stated all storm water would be collected and diverted into a detention pond. Mr. Wilson, Ms. Waldrep, and Mr. Smith engaged in further conversation regarding the specifics of the preliminary plans for the development. Ms. Waldrep was assured by Mr. Smith permits issued by Alabama Department of Environmental Management (ADEM) would not allow for storm water to be diverted onto adjacent properties.

Ms. Waldrep asked how residents could be assured the development will not construct more than the estimated 100 homes. Ms. Cox said the topography of the land would not allow for much more than 100 homes. She said the more likely scenario is the number of homes would decrease. Ms. Waldrep asked about the covenants of the development. Ms. Cox said the Home Owners Association (HOA) and covenants would be established by Smith Douglas Homes. Once the housing occupancy in the development is around 75%, the HOA will be turned over to the residents. Ms. Waldrep asked if all of the lots would be certified. After further discussion and clarification, Mr. Smith said all the lots would have compaction reports on file.

There were no other comments from the public speaking against the rezoning.

There being no further discussion, Mayor Greene called the July 20, 2020 town council meeting back to order at 5:56 p.m.

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2020-07-20-01** for consideration to authorize a grant application through Alabama Power Company for welcome signage was introduced by Mayor Greene.

Councilmember Gill moved to adopt Resolution 2020-07-20-01 and Councilmember Johnson seconded the motion.

There being no further discussion, Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-07-20-01 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

2. **Resolution 2020-07-20-02** for consideration to establish the compensation for Elections Officers for the 2020 Municipal Election was introduced by Mayor Greene.

Councilmember Gill moved to adopt Resolution 2020-07-20-02 and Councilmember Rayfield seconded the motion.

There being no further discussion, Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-07-20-02 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

3. **Resolution 2020-07-20-03** for consideration to appoint an 2020 Assistant Municipal Elections Manager and Absentee Elections Manager was introduced by Mayor Greene.

Councilmember Gill moved to adopt Resolution 2020-07-20-03 and Councilmember Dates seconded the motion.

There being no further discussion, Mayor Greene called for a roll call vote:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Not Present</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-07-20-03 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

4. **Ordinance 2020-04** an amendment to the zone district boundaries of the Town of Harpersville changing the present zoning A-1 (Agricultural District) to RG (Garden Home Residential District) for property located on Shelby County Highway 444, across from Farmingdale Subdivision. Applicant: Smith Douglas Homes (First Reading)

Mayor Greene called on Town Clerk/Treasurer Jonathan Seale to read Ordinance 2020-04 in its entirety. Mr. Seale said a draft copy of Ordinance 2020-04 is available for review at Town Hall during normal business hours. This Ordinance will likely be considered by the town council at a future council meeting.

#### COUNCIL AND PUBLIC COMMENTS

Mayor Greene noted receiving a thank you email from a citizen who was cited for speeding. He said the citizen was complimentary and noted the professionalism of the police officer and of Court Clerk Misty Hepp.

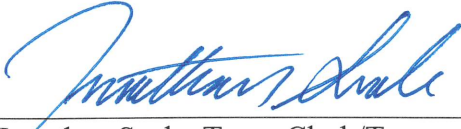
#### PUBLIC ANNOUNCEMENTS

1. The 2020 Census is happening now. You can respond online ([my2020census.gov](https://my2020census.gov)), by phone (844-330-2020), or by U.S. Mail.
2. The qualifying period for candidates for the offices of mayor and town council is Tuesday, July 7th at 8:00 a.m. through Tuesday, July 21 at 5:00 p.m. Candidates shall qualify with the Town Clerk/Treasurer at Town Hall located at 83 Town Hall Lane during regular office hours. The qualifying period ends **promptly** at 5:00 p.m. on Tuesday, July 21st. Candidates seeking office **must** be qualified by 5:00 p.m.

## ADJOURNMENT

With no other business before the council, Councilmember Gill moved to adjourn the council meeting and Councilmember Johnson seconded the motion. By voice vote, the motion passed unanimously by those members present and the council meeting was adjourned at 6:08 p.m.

Respectfully submitted this 20th day of July 2020,



Jonathan Seale, Town Clerk/Treasurer



Don Greene, Mayor

