

COUNCIL MEETING
Council Chambers – Harpersville Town Hall
November 16, 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: November 16, 2020
Time: 5:30 p.m.
Place: Harpersville Town Hall
Present: Mayor Theoangelo Perkins
Councilmember Beverly O. Johnson
Councilmember Martin Dates
Councilmember Sheila K. Rich
Councilmember William Carter
Councilmember Janet Gill

CALL TO ORDER, INVOCATION, AND PLEDGE OF ALLEGIANCE

Mayor Perkins called the meeting to order at 5:30 p.m. Mayor Perkins led the invocation. The Pledge of Allegiance was led by Councilmember Rich.

RECORD OF ATTENDANCE

The following elected officials were present:

Mayor Theoangelo Perkins
Councilmember Beverly O. Johnson
Councilmember Martin Dates
Councilmember Sheila K. Rich
Councilmember William Carter
Councilmember Janet Gill

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

APPROVAL OF TOWN COUNCIL AGENDA

Councilmember Carter made a motion to approve the town council agenda for November 16, 2020. Councilmember Johnson seconded the motion. The motion passed unanimously by voice vote of those members of the council present and Mayor Perkins declared the same passed.

APPROVAL OF MINUTES

Councilmember Gill made a motion to approve and dispense with the reading of the regular council meeting minutes from November 2, 2020. Councilmember Rich seconded the motion. The motion passed unanimously by voice vote of those members of the council present and Mayor Perkins declared the same passed.

APPROVAL OF INVOICE REPORT

The Town Clerk/Treasurer presented the invoice report. Councilmember Dates made a motion to approve the report as submitted. Councilmember Rich seconded the motion. The motion passed by a majority voice vote of those members of the council present, with Councilmember Gill abstaining, and Mayor Perkins declared the same passed.

It was noted for the record the Harpersville Municipal Court account summary report for the month of October 2020 was provided to the town council.

DEPARTMENT AND COMMITTEE REPORTS

Police Department:

Police Chief Jimmy Macon distributed a written report to the town council for the month of October 2020. He noted 305 calls for service compared to 457 in October 2019. Chief Macon said the investigation is still ongoing regarding a shooting at the Harpersville Motel. He also reported a motorcyclist, who was involved in an accident last month, passed away this week as a result of his injuries.

Fire Department:

Fire Chief Heath Confer thanked the town council for allowing the fire department to use CARES Act money to purchase a cardiac monitor. He said this is an important piece of equipment and a tremendous upgrade. He said the decals are being installed on the new fire truck this week. He added the truck will go back to the manufacturer for additional equipment installation after Thanksgiving. Chief Confer said once the truck is back in Harpersville, a ceremony will be held to officially place the truck in service.

Library:

Librarian Marsha Moore distributed a written report to the town council.

PROCLAMATIONS BY THE MAYOR – None

PUBLIC HEARING – None

REQUEST(S) TO ADDRESS THE COUNCIL

1. Chelsea Wrecker Service – Robert King

Robert King addressed the town council. Mr. King inquired why his company had been removed from the wrecker rotation for the Harpersville Police Department. He said all of his drivers and employees are nationally certified. He carries \$1 million in liability coverage on his wreckers and \$2 million in liability coverage on his heavy wrecker. He noted his business license with the town is current.

Councilmember Carter said the town adopted an ordinance in 2009 regarding the approved companies authorized to provide wrecker services.

Mr. King said he has provided all the necessary documentation to Chief Macon and felt as though his company should be allowed to stay on the wrecker rotation.

Councilmember Carter said because the town has an ordinance, only another ordinance can address the matter.

Mayor Perkins reiterated Councilmember Carter's comments. He said it is important for the town council to review and authorize the wrecker services being used for Harpersville related vehicle accidents. He also suggested revisiting the ordinance. He added even though a business license was purchased, that does not automatically give authority to the company to begin providing wrecker services.

Chief Macon noted the police department does not control the order of the rotation. He said once Shelby County dispatch is notified, the next wrecker service on the rotation is sent to the scene.

It was the consensus of those members of the town council present more research needed to be conducted in order to make a proper decision.

2. Gill's Service Center – Bim Gill

Bim Gill addressed the town council. Mr. Gill said he would never be against anyone trying to make a good living for themselves. He said he would like to see the companies who own businesses within the town limits be shown favor regarding the wrecker service rotation. He said they are team players in the community and buy from other local businesses in town.

Mayor Perkins thanked Mr. Gill and his company for 60 years of service in Harpersville. He said attracting and recruiting new businesses is good, but it is equally as important to take care of the business who have been pillars of the community.

Mr. Gill said he spoke with another wrecker service who was interested in taking some of the smaller wrecker service calls while allowing Gill's to still take the larger calls. Mr. Gill thanked the town council for allowing him the opportunity to speak at tonight's meeting.

Mayor Perkins noted Broken Spur Towing and Logistics Company was in attendance at tonight's meeting. He said while they were not on the agenda, they were also interested in being placed on the wrecker service rotation. He added they own a towing yard in the town limits.

Councilmember Carter said it is important for the council to review the ordinance. He stated his opinion was to protect town businesses.

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

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2020-11-16-01** for consideration to accept the voluntary resignation letter of Town Clerk/Treasurer Jonathan Seale was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Resolution 2020-11-16-01 and Councilmember Rich seconded the motion.

Town Clerk/Treasurer Jonathan Seale thanked the town council for the opportunity to serve the Town of Harpersville.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>No</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-11-16-01 passed by a majority roll call vote of those members present, with Councilmember Dates dissenting, and the mayor declared the same passed.

2. **Resolution 2020-11-16-02** for consideration to approve or deny an employment status change from part-time to full-time for an employee in the Harpersville Fire Department was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Resolution 2020-11-16-02 and Councilmember Johnson seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-11-16-02 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

3. **Resolution 2020-11-16-03** for consideration to appoint a municipal court judge was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Resolution 2020-11-16-03 and Councilmember Johnson seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-11-16-03 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

4. **Resolution 2020-11-16-04** for consideration to appoint a municipal court prosecutor was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Resolution 2020-11-16-04 and Councilmember Dates seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-11-16-04 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

5. **Resolution 2020-11-16-05** for consideration to appoint a municipal court public defender was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Resolution 2020-11-16-05 and Councilmember Dates seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>

Sheila K. Rich, Councilmember Yes

William Carter, Councilmember Yes

Janet Gill, Councilmember Yes

The motion to adopt Resolution 2020-11-16-05 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

6. **Resolution 2020-11-16-06** for consideration to appoint a councilmember to the Harpersville Planning Commission was introduced by Mayor Perkins.

Councilmember Rich made a motion to appoint Councilmember Dates to the Harpersville Planning Commission. Councilmember Gill seconded the motion. The motion passed unanimously by voice vote of those members of the council present.

Councilmember Gill moved to adopt Resolution 2020-11-16-06 and Councilmember Rich seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor Yes

Beverly O. Johnson, Councilmember Yes

Martin Dates, Councilmember Yes

Sheila K. Rich, Councilmember Yes

William Carter, Councilmember Yes

Janet Gill, Councilmember Yes

The motion to adopt Resolution 2020-11-16-06 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

7. **Resolution 2020-11-16-07** for consideration to appoint a Fire Chief for the Town of Harpersville was introduced by Mayor Perkins.

Councilmember Gill made a motion to appoint Heath Confer as Fire Chief of the Harpersville Fire Department. Councilmember Dates seconded the motion. The motion passed unanimously by voice vote of those members of the council present.

Councilmember Gill moved to adopt Resolution 2020-11-16-07 and Councilmember Dates seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor Yes

Beverly O. Johnson, Councilmember Yes

Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Resolution 2020-11-16-07 passed by a unanimous roll call vote of those members present and the mayor declared the same passed.

8. **Resolution 2020-11-16-08** for consideration to appoint a Police Chief for the Town of Harpersville was introduced by Mayor Perkins.

Councilmember Dates made a motion to appoint Jimmy Macon as Police Chief of the Harpersville Police Department. Councilmember Johnson seconded the motion. The roll call vote was recorded as follows:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>No</u>
William Carter, Councilmember	<u>No</u>
Janet Gill, Councilmember	<u>No</u>

The motion to appoint Jimmy Macon as Police Chief of the Town of Harpersville Police Department failed due to a 3-3 tie.

It was noted for the record Resolution 2020-11-16-08 would likely be taken under consideration at a future town council meeting.

9. **Resolution 2020-11-16-09** for consideration to approve or deny a part-time hire for the Harpersville Police Department was introduced by Mayor Perkins.

Mayor Perkins noted Lt. Diane McCain had been serving the police department since October of 2015; first as a reserve police officer, then as a part-time employee. He said her part-time position was phased into a full-time police department administrator position.

Councilmember Rich asked if there was a job description on file for this part-time position. Town Clerk/Treasurer Jonathan Seale said he did not have one on file that all parties had agreed to. Chief Macon spoke to some of the duties Lt. McCain currently performs and noted she would serve as a back up to the police department administrator. Councilmember Rich said it appears the duties of both positions are being duplicated.

Councilmember Rich made a motion to table Resolution 2020-11-16-09 until a job description can be reviewed and approved by the town council and to extend the employment of Lt. McCain through December 7, 2020. Councilmember Johnson seconded the motion.

The motion passed by unanimous voice vote of those members of the council present.

10. **Ordinance 2020-05** for consideration to adopt council rules of order and procedure (First Reading was on November 2, 2020) was introduced by Mayor Perkins.

Councilmember Gill moved to adopt Ordinance 2020-05 and Councilmember Dates seconded the motion.

There being no further discussion, Mayor Perkins asked the Town Clerk/Treasurer for a roll call vote:

Theoangelo Perkins, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Yes</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Carter, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>

The motion to adopt Ordinance 2020-05 passed by unanimous roll call vote of those members present and the mayor declared the same passed.

COUNCIL AND PUBLIC COMMENTS

Mayor Perkins reported the town received the FY2019 audit report and financial statement last week. He said it would be brought to the town council at a future meeting for review and approval.

Mayor Perkins said he and Councilmember Carter had the opportunity to attend an orientation conference hosted by the Alabama League of Municipalities last month. He said economic development was a key aspect of the conference, which gave him some great ideas. He said it would be imperative for the town council to be organized and work together while hitting the ground running.

Councilmember Carter said there was a lot of good information shared at the conference, more than he anticipated. He said there are many resources at Harpersville's disposal in Montgomery.

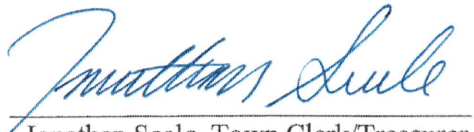
PUBLIC ANNOUNCEMENTS

1. Harpersville town offices will be closed Thursday, November 26th and Friday, November 27th in observance of the Thanksgiving Holidays.

ADJOURNMENT

With no other business before the council, Councilmember Rich moved to adjourn the council meeting and Councilmember Gill seconded the motion. By voice vote, the motion passed unanimously by those members present and the council meeting was adjourned at 6:20 p.m.

Respectfully submitted this 16th day of November, 2020.


Jonathan Seale, Town Clerk/Treasurer


Theoangelo Perkins, Mayor

