

RECORD OF COUNCIL MEETING MINUTES  
CITY OF ARGO

Date: 4/24/2023  
Time: 5:24 PM  
Place: Municipal Complex  
**Regular Meeting**

ROLL CALL

Councilperson Dennis Griffin  
Councilperson Thomas Suggs  
Mayor Pro-Tem Dusty Stinson - Absent  
Councilperson Danny McCarley  
Councilperson Ann Brown  
Mayor Betty Bradley

Mayor Bradley called the meeting to order and asked the clerk for a roll call. The clerk called the roll, and the roll call is listed above.

The invocation was given by Councilperson Ann Brown, and the pledge of allegiance was recited by those in attendance.

Mayor Bradley read an opening statement thanking citizens for being present and reviewing rules for conduct at the council meeting.

Councilperson Griffin motioned to approve the Regular meeting minutes and Work Session minutes with correction from 4/10/2023. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Councilperson Brown motioned to extend for six months Ordinance 2022-11-28, Declaring a Moratorium on the acceptance of any applications and issuance of any permits for manufactured homes, mobile homes, modular homes, and recreational vehicle placement within the corporate limits of the city of Argo. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Councilperson Suggs made a motion to accept the resignation letter from Mayor Pro-Tem Dusty Stinson, effective immediately. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Mayor Bradley asked for a motion to appoint a new mayor pro-tem. Councilperson McCarley motioned to appoint Councilperson Ann Brown to the position of Mayor Pro-Tem. Councilperson Griffin seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-abstain and Mayor Bradley-yea. Motion carried.

Mayor Pro-Tem Ann Brown made a motion confirm the 1<sup>st</sup> reading of and set the public hearing for Ordinance 2023-04-24, Creation and Establishing Board of Adjustments. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Councilperson Griffin made a motion to accept the hiring of Reserve Officer Braxton Layton as a full-time police officer. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Mayor Pro-Tem Brown made a motion to send Officer Braxton Layton to the Police Academy on the condition that he sign a three-year contract with Argo. Councilperson McCarley seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Mayor Pro-Tem Brown made motioned to allow Mayor Bradley to enter into an agreement with Goodwyn Mills Caywood on the ATRIP II Grant Engineer Agreement. Councilperson McCarley seconded. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Councilperson Suggs made a motion to accept the proposal to upgrade the Local Government Software for City Hall to bring all systems current and functioning properly – at the cost of \$824 to come from the General Fund. Councilperson Griffin seconded the motion. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

Councilperson Griffin made a motion to purchase a ¼ page ad in the Trussville Tribune to congratulate the graduating seniors. The cost is \$240 and will come out the General Fund. Mayor Pro-Tem Brown seconded. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

**MAYOR REPORT** – Mayor Bradley notified the council and those in attendance that the full-time city clerk, Tiffany Westbrook, is going to be on vacation for a few days next week. A reminder was given that City Hall will be closed on Monday, May 29<sup>th</sup> in observance of Memorial Day. Mayor Bradley asked the city attorney for an update on the roofing bid for city hall. He stated that they are working on it.

**CITY COUNCIL** – No new business.

**CITY ATTORNEY** – No new business.

Brenda Leopard was in attendance with the Springville High School Girls' Softball Team. The team has earned the right to host the area tournament at Springville and move on to compete in regional and state and they need donations to help. The city attorney explained that the city could not make a donation directly to the team but would have to send it to the school and ask that it be designated for the softball team. Mayor Pro-Tem Brown asked if girls' sports are better funded now than they used to be when she played many years ago. The Springville Softball Head Coach explained that each sports team is responsible for fundraising for their own team needs.

Mayor Pro-Tem Brown motioned to make a \$1,000 donation to the school for the softball team. Councilperson McCarley seconded. Mayor Bradley called for roll call of votes: Griffin-yea, Suggs-yea, McCarley-yea, Brown-yea, and Mayor Bradley-yea. Motion carried.

#### **PUBLIC COMMENTS** –

John Sydney made a comment on the mobile home ordinance. He mentioned a modular home on Roulain Rd just before Cedar Creek Rd. He stated that it's the best-looking house on Roulain Rd and that the city is cutting itself short by eliminating an entire sector of affordable housing. He then asked about an animal control office and who is he supposed to call about dogs running through his yard and people not properly restraining their animals. Chief Busler said if the animals are damaging his property to call the Police Department and they'll bring a trap out.

Corkey Massey stated his displeasure about ordinance 2023-04-24 not being read aloud during the meeting or posted ahead of time for people to see. He claims the city is too vague with the agenda. He also complained about the extension of the mobile home ordinance that passed in tonight's meeting without people having proper notice. He proposed that work sessions and council meetings be held on separate nights and that ordinances should be posted in town before a vote. He asked the city attorney to clarify the legality of passing ordinances. The city attorney stated that the agenda line "1<sup>st</sup> reading" denotes that the council has read the ordinance for the first time prior to this meeting and has set the 2<sup>nd</sup> reading and public hearing at the next meeting – which is when public comment on the ordinance will be allowed. The city attorney stated that state law requires that notice be given. And notice has been given by posting the agenda at various places in the public and a reference given to identify the actual ordinance. Corkey claimed the number was wrong in the agenda (but that was a reference to a typo on the mobile home ordinance 2022-11-28 on the agenda which is NOT the ordinance that had its 1<sup>st</sup> reading and a public hearing set. 2022-11-28 is not a new ordinance.) The city attorney stated that any time there is something on the agenda that a citizen would like more information on, to please call the city clerk and request a copy of it. Citizens are entitled to public records if they request them. The city cannot post pages and pages of ordinances around town. Mr. Massey was still upset that regarding the mobile home ordinance, only an incorrect number was given on the

agenda with no description of what it was about. Attorney Payne clarified that ordinance 2022-11-28 is a temporary moratorium until the zoning boards are in place. Once the boards are in place and can start handling requests, the council can lift the moratorium even if it has not been six months. Mr. Massey expressed further concerns about the proposed zoning of his property. Mayor Bradley expressed that the plans are merely a proposal made by an outside firm who analyzed the city and made a plan on what the city could look like in the future and what the best use of land would be in the city in their opinion. The actual zoning will be up to the zoning boards and the citizens. Attorney Payne stressed that the maps that were presented were part of a general plan and was just a step in the process. Mr. Massey was concerned that the board would have justification to change someone's property. Attorney Chesney explained that the proposed plan is aspirational (something to aspire to/a goal to reach). If one day in the future someone wanted to change the zoning of their current property, the property owner would have to file an application. The zoning board would then refer to the plan and see what that land as been identified as best use for. If the property owner wanted to change their property to commercial and it has been identified as a good area for commercial, the zoning board will be more inclined to allow a commercial rezoning. But the board, the proposed plan, nothing changes what any privately-owned property is currently used for. Mr. Massey is upset that an amphitheater and splash pad are shown on his property. Attorney Payne stressed again that the proposal is a rendering done by an engineering firm to show what a developed city center would look like for the city of Argo. Mr. Massey wanted to know if he would be allowed to build another mini storage building on the land that has been shown as a city center. Attorney Payne stressed again that no board can make changes to the use of anyone's property. To have a property use change, the property owner must come before the board and file an application. The property owner must be the one to request it. If someone has a farm, they will be allowed to continue using it as a farm for as long as they want to use it as a farm. Mr. Massey then rattled off a list of other Argo residents and he was asked by Mayor Bradley to stay on topic and get to his question because other people were waiting to speak. Mr. Massey said he would like to be considered for the vacant city council position. Mayor Bradley said he could put in an application. Mr. Massey went on to say that he feels like he represents more people in Argo than anyone else and went on to start naming people he feels that he represents. Mayor Bradley asked if he had a question. Mr. Massey said he didn't have to have a question; he has a right to speak. Mayor Bradley stressed that the council couldn't stay all night and a belligerent Mr. Massey told the council to leave and he would run the meeting himself. Councilman McCarley asked for some civility. Mr. Massey claimed that he has been "downtrodden on by her (indicating the mayor) for the last 10, 15 years." Mayor Bradley then asked Mr. Massey again to ask his question. Mr. Massey stated that he had "had enough" and he sat down.

Paul Jennings asked the City Attorney to clarify that whatever a property is used for today, until the property owner asks for it to be changed, it will remain. Attorney Payne stressed there are two things everyone needs to understand. The maps that everyone has seen have been prepared by a firm to identify how the future development of the city could progress at some point in the future. The maps are not binding on any property owner. He explained the application process again. The idea behind zoning is to put in place a citizen board to review potential changes in the use of property. This structure is necessary in a growing municipality. He referenced the Moody Landfill fire and explained the reason why there was a landfill in the middle of nice houses is because St. Clair County has no zoning within the county so there is no ability to control or

prevent situations like that from occurring. He stressed again that whatever you are using your property for, you can continue to use it. Mr. Jennings asked that if he were to sell his property to someone, are they bound by what's shown in the zoning plan? The city attorney replied, no. They are bound by current land use at the time of sale. He also wanted to make clear that when the zoning board is put into place, all property will be "zoned" for what it is currently used for. No one will be making any changes to current land use. Under zoning law, all property is grandfathered in as its current use and will not be changed until the property owner applies for changes. Mr. Jennings stated his opinion that the temporary mobile home moratorium is discriminatory. Then he asked for an update about the traffic light at the railroad crossing on Argo-Margaret/HWY 11. Mayor Bradley says that Stone & Sons has come out several times and have not found anything wrong with the light. Mr. Jennings stated that the camera and light timing is not working properly and hasn't been for a while. It worked properly in the beginning, and it is not the same anymore. Mayor Bradley said they have been checked and it costs \$500-\$1500 every time the company comes out to check it. Councilman Griffin shared his opinion on the traffic light as a resident of Misty Pines and asked Mr. Jennings to clarify his problem. Chief Busler explained that the box the camera is attached to is not functioning. The redlight timer is working properly but the camera is probably not communicating with the timer. Mr. Jennings also said he would be applying for the vacant council seat.

June Mack presented a packet of suggestions to the council on consensus building with ideas on how the city can better communicate with the public and how to navigate a roomful of heated opinions. She proposed several de-escalation techniques. She explained how citizens are being misled by wording on the ArgoAlive website. She gave each council member a copy of her ideas.

A motion was made to adjourn. All in favor. Meeting adjourned.

APPROVED:



Betty Bradley, Mayor

ATTEST:



Tiffany Westbrook, City Clerk