



CITY OF BOAZ  
Council Meeting Minutes  
June 26, 2023  
Boaz Senior Center – 6:00 PM

I. Call to Order

Mayor Dyar called the Council Meeting to order at 6:00 P.M.

PRESENT

Mayor David Dyar

Council Member David Ellis

Council Member Josh Greer

Council Member Johnny Willis

Council Member Jeff Sims

Council Member Mike Matthews

II. Invocation

Council Member Ellis gave the Invocation.

III. Pledge of Allegiance

Council Member Willis led the Pledge of Allegiance.

IV. Would anyone like to speak under Public Comments?

Mayor Dyar asked if anyone would like to speak under Public Comments.

Yvianne Richey of 445 Goldkist Street and Doris Knott of 1202 Snellgrove Avenue asked to speak under Public Comments.

V. Adoption of Agenda

Motion made by Council Member Willis, Seconded by Council Member Matthews.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

VI. Reading and/or Approval of Minutes of Previous Council Meeting

1. Adopt the minutes of the Special Called Council Meeting dated June 9, 2023 and the Work Session and Council Meeting dated June 12, 2023.

Motion made by Council Member Sims, Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

VII. Public Hearings

1. A public hearing to hear a request from Brett Keller. Mr. Keller is seeking to rezone property located at 465 Gold Kist Street St. From R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District). Mr. Keller seeks to build a duplex on the property.

Motion made by Council Member Ellis to open the Public Hearing at 6:04 P.M., Seconded by Council Member Greer.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

Mayor Dyar asked if there was anyone who would like to speak "for" or "against" the rezoning.

Yvonne Richey of 445 Goldkist Street spoke against the rezoning.

Doris Knott of 1202 Snellgrove Avenue spoke against the rezoning.

Motion made by Council Member Ellis to close the Public Hearing at 6:07 P.M., Seconded by Council Member Matthews.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

2. A public hearing to discuss an amendment of section 11.02.03 Procedure of the Boaz Zoning Ordinance no. 2021-1154, as follows:

Section 11.02.03 amended to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

City Attorney Christie Knowles explained that this is an amendment to provide an appeal procedure.

Motion made by Council Member Ellis to open the Public Hearing at 6:08 P.M., Seconded by Council Member Greer.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

Mayor Dyar asked if there was anyone who would like to speak "for" or "against" amending the Zoning Ordinance to add an appeal procedure.

There was no response.

Motion made by Council Member Matthews to close the Public Hearing at 6:09 P.M.,  
Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

#### VIII. New Business

1. Accounts Payable - Approve the accounts payable voucher dated June 9, 2023 through June 15, 2023 totaling \$247,094.34.

Motion made by Council Member Ellis, Seconded by Council Member Greer.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

2. Adopt the updated job description for Personnel Director.

Motion made by Council Member Sims, Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

3. Adopt the updated Boaz Corretional Facility Standard Operating Procedures.

Motion made by Council Member Sims, Seconded by Council Member Matthews.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

4. Adopt the updated Boaz Police Department Standard Operating Procedures.

Motion made by Council Member Willis, Seconded by Council Member Greer.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

5. Introduce Ordinance No. 2023-1175 to rezone the property located at 465 Gold Kist Street Boaz, Alabama 35957 from R-1 (Low Density Detached Residential District) to R-3 (High Density Single-Family Residential District).

Motion made by Council Member Sims to Introduce Ordinance No. 2023-1175, Seconded by  
Council Member Ellis.

Council Member Ellis asked if this went before the Planning Commission. Mayor Dyar  
responded that it did, and they approved it.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis,  
Council Member Sims, Council Member Matthews

6. Introduce Ordinance No. 2023-1176 amending Section 11.02.03 Procedure of the Zoning Ordinance of the City of Boaz, Alabama to add section (3) which provides as follows:

3. Upon receipt of a negative recommendation from the Commission, the Council review process may be initiated at the request of the Applicant. Any owner of adjoining property may also request the Council review process of any positive recommendation upon which the appealing adjoining property owner objected at the Commission hearing or in writing

prior to the Commission hearing. An appeal shall be submitted in writing, on any form prescribed for that purpose by the City and accompanied by the required fee, and shall state the decision appealed from, the facts and basis for the appeal, and the relief or action sought. No fee is required where an appeal is filed by the Building Official or other public official in pursuance of his/her official duties. For Commission decisions taken after May 1, 2023, all Commission decision appeals to the Council shall be filed within ten (10) calendar days following the decision that is being appealed. The time will extend to the next business day when the tenth day falls on a day the City is not open for business. For Commission decisions prior to May, 2023, all appeals must be filed within six (6) months of the decision appealed from. The timely filing of an appeal shall stay the operation of the decision of the Commission. The Council will conduct a public hearing on all appeals where a public hearing was held prior to the decision being appealed from. Notice shall be given of the proposed hearing in the same manner as was required for the decision being appealed.

Motion made by Council Member Sims to Suspend the Rules, Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

Motion made by Council Member Ellis to adopt Ordinance No. 2023-1176, Seconded by Council Member Matthews.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Greer, Council Member Willis, Council Member Sims, Council Member Matthews

IX. Mayor's Comments

1. The next Council Meeting will be July 10, 2023.

Mayor Dyar announced the next Council Meeting will be July 10, 2023.

X. Adjourn

The Council Meeting adjourned at 6:16 P.M.

Motion made by Council Member Willis, Seconded by Council Member Matthews. The motion passed by unanimous voice vote.

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David Dyar  
Mayor

ATTEST:

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Beth Stephens  
City Clerk/Treasurer