



CITY OF BOAZ
Council Meeting Minutes
September 25, 2023
Boaz Senior Center – 6:00 PM

I. Call to Order

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

PRESENT

Mayor David Dyar

Council Member David Ellis

Council Member Johnny Willis

Council Member Matt Brannon

Council Member Mike Matthews

ABSENT

Council Member Josh Greer

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.

Mark Turk of 2378 US Hwy 431 Boaz, Alabama 35957 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 Willis, Council Member Brannon, Council Member Matthews

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

1. Adopt the Work Session minutes and Council Meeting minutes from September 11, 2023.

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

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

VII. Committee Reports

1. The City of Boaz Planning Commission will hold a public hearing on Thursday, September 28th, 2023 at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public

hearing will be to hear a request of a Conditional Use Approval from Blake King who represents Kings Discount Home Center, LLC. This property is located at 2807 US HWY 431 Boaz, AL 35957. The property owner seeks to operate a retail home improvement business that would consist of a showroom as well as a covered lumber yard/ outside sales.

Mayor Dyar announced the City of Boaz Planning Commission will hold a public hearing on Thursday, September 28th, 2023 at 6:00 P.M. in the Mastin Room at the Boaz Public Library. The purpose of the public hearing will be to hear a request of a Conditional Use Approval from Blake King who represents Kings Discount Home Center, LLC. This property is located at 2807 US HWY 431 Boaz, AL 35957. The property owner seeks to operate a retail home improvement business that would consist of a showroom as well as a covered lumber yard/ outside sales.

VIII. Public Hearings

1. A public hearing to hear a request for appeal from Dr. Mark L.Turk, O.D. for a petition to rezone lots 11 & 12 of the Hospital Heights Extension from R-1 (low density detached residential district) to B-2 (community commercial district). The Boaz Planning Commission denied the requested rezoning at the Planning Commission Meeting dated February 2, 2023. The applicant then filed an appeal with the City of Boaz City Council which is the subject of this public hearing. The subject property adjoins Dr. Turk's existing medical office property located at 2378 US Hwy 431. The subject property is located in a residential and business area. The property will be used for a medical office and ancillary uses with access to the subject property off Hwy 431.

Motion made by Council Member Ellis to open the public hearing at 6:05 P.M., Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

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

Rodney Edmondson with an office address of 130 N Main Street Arab, Alabama and 321 N Blount Street Guntersville, Alabama asked to speak on behalf of his parents that reside at 1147 James Street Boaz, Alabama.

Mayor Dyar announced they put a time limit of five minutes.

Speaking "against" the rezoning:

Rodney Edmondson

130 N Main Street

Arab, AL

Council Member Willis made a motion to close the public hearing.

Council Member Matthews asked about the location of Shirley Edmondson's house. Rodney Edmondson and Shirley Edmondson responded.

Council Member Matthews asked Dr. Mark Turk about the exit or entrance for James Street. Dr. Turk responded that there will be no exit or entrance on James Street.

City Attorney Christie Knowles explained that there was a Q&A last time, so we will be more formal this time because it was not productive. Mrs. Knowles explained that if you want to speak, you can raise your hands, and you have five minutes to speak.

Speaking "against" the rezoning:

Blake Farmer

1117 James Street

Boaz, Alabama 35957

Travis Mullinax

1208 James Street

Boaz, Alabama 35957

Speaking "for" the rezoning:

Mark Turk

2378 US Hwy 431

Boaz, Alabama 35957

Speaking "against" the rezoning:

Rodney Frix

2400 Mountain Drive

Boaz, Alabama 35956

Motion made by Council Member Willis to close the public hearing at 6:29 P.M., Seconded by Council Member Matthews.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

The public hearing closed at 6:29 P.M.

IX. New Business

1. Accounts Payable - Approve the accounts payable voucher dated September 11, 2023 through September 15, 2023 totaling \$832,972.02.

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

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

2. Introduce Ordinance No. 2023-1177 to rezone lots 11 and 12 of the Hospital Heights Extension adjoining Dr. Turk's property located at 2378 US Hwy 431 Boaz, Alabama 35957 from R-1 (Low Density Detached Residential District) to B-2 (Community Commercial District).

Motion made by Council Member Willis to suspend the rules, Seconded by Council Member Ellis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

Motion made by Council Member Ellis to adopt Ordinance No. 2023-1177, Seconded by Council Member Willis.

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

3. Adopt Resolution No. 2023-1758 authorizing the purchase of a PowerEdge R450 tailor made server for the Boaz Public Library in the amount of \$5,474.60 and a PowerEdge R350 server for the Boaz Fire Department in the amount of \$4,597.04 through the Dell National Cooperative Purchasing Alliance- NCPA.

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

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

4. Adopt Resolution No. 2023-1759 to approve Change Order No. 1 to TKG Project No. 22-0065 as requested from Alabama Grading & Excavation and The Kelley Group deducting the amount of \$18,478.60 and to make the original contract price \$350,205.00, leaving the contract price after incorporating this Change Order to be \$331,726.40.

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

Voting Yea: Mayor Dyar, Council Member Ellis, Council Member Willis, Council Member Brannon, Council Member Matthews

X. Public Comments

1. Mark Turk of 2378 US Hwy 431 Boaz, Alabama 35957 stated he had already made his comments.

XI. Mayor's Comments

1. The next Council Meeting will be October 9, 2023.

Mayor Dyar announced the next Council Meeting will be October 9, 2023.

XII. Adjourn

The meeting adjourned at 6:34 P.M.

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

David Dyar
Mayor

ATTEST:

Beth Stephens
City Clerk/Treasurer