

# Chickasaw City Council

## **State of Alabama** **Mobile, County**

The Chickasaw City Council met in a regular session on Tuesday, April 9, 2024, at 7:00 p.m. Present were Mayor Barry Broadhead; Councilmembers Ken Sterrett, Jim Hanson, and Jim Trout. City Attorney Nash Campbell and City Clerk Michelle Ross attended. Councilmember Jennifer White & JR Rawls were absent. Father Saucier from St. Thomas gave the invocation.

**ADOPTION OF AGENDA** - Councilmember Trout moved to approve the agenda for the regularly scheduled meeting on April 9, 2024. Councilmember Sterrett seconded the motion. Motion for final adoption passed by the following voice votes: AYE – Hanson, Broadhead, Trout, Sterrett. NAY-None

**APPROVAL OF MINUTES** - Councilmember Hanson moved to approve the minutes from the regularly scheduled meeting on 26<sup>th</sup> March. Councilmember Trout seconded the motion. Motion for final adoption passed by the following voice votes: AYE – Hanson, Broadhead, Trout, Sterrett. NAY-None

### **COMMUNICATION FROM THE MAYOR**

**Purchase of 2013 Police Tahoe** - Councilmember Trout moved to approve the purchase of a used 2013 Police Pursuit Rated Chevrolet Tahoe for \$7,300 (equipped with lights and other police accessories). Councilmember Hanson seconded the motion. Motion for final adoption passed by the following voice votes: AYE – Hanson, Broadhead, Trout, Sterrett. NAY-None

**Purchase of an Asphalt Truck up to \$45,000** - Councilmember Hanson moved to approve the purchase of an Asphalt Truck up to \$45,000 (the current truck is from the 1980s) from the Restricted funds. Councilmember Sterrett seconded the motion. Motion for final adoption passed by the following voice votes: AYE – Hanson, Broadhead, Trout, Sterrett. NAY-None

### **RESOLUTIONS & ORDINANCES**

Councilmember Trout moved to suspend the rules to adopt Ordinance No. 24-15 – An Ordinance of the City of Chickasaw, Alabama to protect the Health, Safety, and General Welfare of its citizens relating to the development and the filing of business license applications for any age-restricted businesses and mature audience business within the corporate limits of the City of Chickasaw. Councilmember Hanson seconded this motion. Motion for final adoption passed by the following voice votes: Hanson-yes, Broadhead-yes, Trout-yes, Sterrett-yes NAY-None

Councilmember Trout moved to approve the adoption of Ordinance No. 24-15 – Moratorium Councilmember Hanson seconded the motion. Motion for final adoption passed by the following voice votes: AYE – Hanson, Broadhead, Trout, Sterrett. NAY-None

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## ORDINANCE NO: 24-15

**WHEREAS**, the City of Chickasaw continues to review and revise its planning efforts to continue to enhance the quality of life for its citizens; and

**WHEREAS**, the City of Chickasaw has adopted the City of Chickasaw Zoning Ordinance that regulates land use and zoning, and issues business licenses to businesses operating within the corporate limits of the City pursuant to state law; and

**WHEREAS**, there has been development in and around the City of Chickasaw, including some business activities that are age-restricted; and

**WHEREAS**, the City Council desires to review the existing zoning and business license ordinances as they relate to the appropriate zoning and other location restrictions as they pertain to age-restricted and mature-audience business and associated issues; and

**WHEREAS**, placing a moratorium of limited duration and scope would be in the public interest and promote orderly development.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICKASAW**, as follows:

1. A temporary moratorium is established. Except as hereafter set forth, a moratorium is imposed on the acceptance of applications for rezoning, pre-zoning, site plan review, or business licenses for any property that would result in the operation of an age-restricted or mature-audience business within the corporate limits of the City of Chickasaw.
2. For purposes of this Ordinance, "age-restricted business" means any business that includes any one or more of the following regulated activities or products, but not limited to: Body Piercing Studio; CBD or other "legal" cannabis or hemp-derived products; Liquor Store; Palm Reader/Fortune Teller; Smoke Shop; Tobacco Shop; Tattoo Parlor; or Vape Shop. The term "age-restricted business," however, shall not be construed to include:
  - a. Professional offices or schools of licensed physicians, chiropractors, psychologists, physical therapists, teachers, or similar licensed professionals performing functions authorized under the license(s) held; or
  - b. Establishments or businesses operated by or employing licensed cosmetologists or barbers, performing functions authorized under licenses held.
3. For purposes of this Ordinance, "mature audience business" means any type of business using the term "adult" where said term is used in a sexual context as it relates to the business, such as, but not limited to: adult arcade, adult bookstore, adult motion picture theater, adult motion picture rental, adult mini-motion picture theater, adult steam room/bathhouse/sauna facility, adult companionship establishment, adult rap/conversation parlor, adult massage parlors, adult health/sport club, adult cabaret, adult novelty store, adult motion picture arcade, adult modeling studio, adult hotel/motel, adult body painting studio, escort, escort agency, sexual encounter establishment, nude studio, or any other commercial or business enterprise which has as a primary focus of its business the offering for sale, rent, or exhibit, or the exhibit of, items or services intended to provide sexual stimulation or sexual gratification to the customer, or which places an

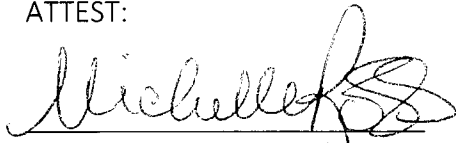
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emphasis on the presentation, display, depiction or description of sexual activities or of nude persons.

4. Exemption of current projects. Applications which were submitted and accepted as complete applications prior to the effective date of this ordinance, applications now under review by the Planning Commission, and applications already approved by the Planning Commission are exempted from this moratorium.
5. Effective period. The moratorium shall be effective immediately upon passage and publication as required by law, and shall continue for a period of one hundred twenty (120) days unless terminated sooner or extended by action of the Chickasaw City Council.
6. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any provision of this Ordinance be pre-empted by State or Federal law or regulation, such decision of pre-emption shall not affect the validity of the remaining provisions of this Ordinance or its application to other persons or circumstances.

ADOPTED AND APPROVED this 9th day of April 2024

ATTEST:

  
Michelle Ross, City Clerk

  
Barry Broadhead, Mayor

### REPORTS FOR DECEMBER 2023

*Fire Department:* Total of 88 calls – 57 calls were medical.

*Police Department:* March – 394 Total Calls, 103 written reports, 12 accidents, 22 citations written.

February – 346 Total Calls, 80 written reports, 13 accidents, 75 citations written.

*Animal Control Officer:* March – 18 Dogs picked up; 4 citations.

February – 7 Dogs picked up; 4 citations.

*Building Inspector Report:* 40 Permits – 22/Building, 7/Electrical, 2/Mechanical, 6/plumbing – 3 Misc

*Environmental Report:* 16 Evo – 16 Warning letters

*Attorney's Report:* Next Meeting report on 2 lawsuits and update on Prichard Water – Executive Session

**FINANCIAL REPORT** - Accounts Payable: \$31,349.64 - Councilmember Trout moved to put the accounts payable in line for payment. The motion was seconded by Councilmember Sterrett. Motion for final adoption passed by the following voice votes: AYE –Trout, Sterrett, Hanson, Broadhead. NAY-None.

### MISCELLANEOUS BUSINESS & ANNOUNCEMENTS

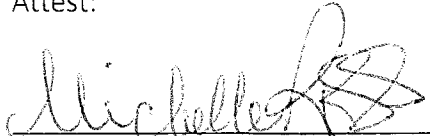
- Presentation to Chickasaw Police Department of a memorial plaque honoring officers who gave their lives in service to the Community. Father Saucier with St Thomas Church along with Don Fogerty & Charlie Glovers from the Knights of Columbus St. Thomas Council. Raymond Jarrell/September 1974 & John Dodson/April 1980

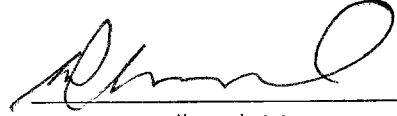
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PUBLIC COMMENT - No one spoke during the Public Comment

**ADJOURNMENT** With there being no further business, Councilmember Sterrett moved to adjourn the regularly scheduled council meeting at 7:15 p.m. Seconded by Councilmember Trout. Motion carried, and so ordered.

Attest:

  
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Michelle Ross, City Clerk

  
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Barry Broadhead, Mayor