

## Chickasaw City Council

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

The Chickasaw City Council met in regular session on May 6, 2025, at 7:03 p.m. Present were Mayor Barry Broadhead, Councilmember Jim Trout, Jennifer White, and Ken Sterrett. Attorney Reynolds Sorrell filled in for City Attorney Nash Campbell. City Clerk Michelle Ross was present. Councilmember Hanson arrived at 7:16 PM. Councilmember JR Rawls was absent. Councilman Trout gave the invocation.

**ADOPTION OF AGENDA** - Councilmember Trout moved to approve the agenda for the regularly scheduled meeting on May 6, 2025. Councilmember Sterrett seconded the motion. The motion for final adoption was passed by the following voice votes: AYE – White, Broadhead, Trout, Sterrett, NAY- None

**APPROVAL OF MINUTES** – Councilmember White moved to approve the minutes from the regularly scheduled meeting on April 22, 2025. Councilmember Trout seconded the motion. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, White, Trout, Sterrett. NAY - None

#### **COMMUNICATION FROM THE MAYOR –**

- Councilmember White moved to approve a counteroffer on the 202 Hillside property of \$12,000; the original asking price was \$13,000. Attorney fees for closing and title work for the buyer's account. Seconded by Councilmember Sterrett. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None
- Councilmember Trout moved to approve Hembree doing repair work on the air conditioner at the Emergency Operation Center for \$4,582.29. Seconded by Councilmember White. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None
- Councilmember Trout moved to approve \$6,800 for purchasing and installing drapes at the Civic Center. Seconded by Councilmember White. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None
- Councilmember Sterrett moved to approve the purchase of a Metal Detector from Court Corrections funds, as the current metal detector is not working well. The cost for the metal detector is \$3,420.96. Seconded by Councilmember Trout. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None
- Councilmember White motioned to approve moving the pavement edge on Jefferson Street to accommodate the Pay-as-You-Go-Go TAP24 Grant. Seconded by Councilmember Sterrett. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None
- Councilmember Sterrett moved to approve Southern Software Analytics at a cost of \$950/year for the Police Department. Seconded by Councilmember White. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None

#### **RESOLUTIONS & ORDINANCES**

Councilmember White moved to adopt Resolution No. 25-29 – A Resolution awarding the TAPMP-TA(936) bid to PL Russell LLC. Seconded by Councilmember Sterrett. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None

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### RESOLUTION NO: 25-29

*AWARDING CONSTRUCTION CONTRACT FOR TAPMB-TA22(936) CONS REF#100074751*

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**WHEREAS**, the City of Chickasaw, Alabama, entered into an agreement with the State of Alabama acting by and through the Alabama Department of Transportation (ALDOT), for the purpose of completing a sidewalk project funded through the Transportation Alternatives Program (TAP), Project No. TAPMB-TA22; and

**WHEREAS**, the City did solicit construction bids for the project in accordance with applicable laws, rules, and regulations; and

**WHEREAS**, the City did receive six (4) bids which were opened and read aloud during the pre-council meeting held on April 22, 2025, at 6:00 pm; and

**WHEREAS**, the Project Engineer of Record at Neel Schaffer, Inc. did tabulate and certify the bids received and recommend awarding the contract for the said project to the lowest responsive responsible bidder, PL Russell, in the amount of \$236,133.14 to include the Total Base Bid and Bid Alternate 1; and

**WHEREAS**, to keep the project within budget, the City of Chickasaw will request that ALDOT eliminate bid alternates 2 and 3. Therefore, the City's share will not increase. The City's federal share for this project is \$65,937.60.

**NOW, THEREFORE, IT BE RESOLVED** that the City of Chickasaw, IN REGULAR SESSION, by this Resolution, the City of Chickasaw awards the construction contract for the City's TAPMP-TA22(936) to PL Russell LLC, in the amount of \$236,133.14.

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to execute all documents necessary to effectuate the award and proceed with the project in accordance with the agreement with ALDOT.

**APPROVED AND ADOPTED THIS 6<sup>th</sup> DAY OF May 2025**

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Councilmember Trout moved to adopt Resolution No. 25-30 – A Resolution for the City Employees 2026 Fiscal Year Holiday Schedule. Seconded by Councilmember White. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None

### RESOLUTION NO: 25-30

*A RESOLUTION INDICATING HOLIDAYS TO BE OBSERVED BY CITY EMPLOYEES FOR THE 2026 FISCAL YEAR*

**WHEREAS**, in accordance with the Rules and Regulations of the City of Chickasaw and the corresponding employee Handbook, the holidays (8 hours or equivalent) to be observed for Fiscal Year 2026 are as follows:

<b>HOLIDAY</b>	<b>8 &amp; 10 HR EMPLOYEES &amp; UTILITY BOARD</b>	<b>PUBLIC SAFETY EMPLOYEES</b>
Veteran's Day	Tuesday - November 11, 2025	Tuesday, November 11, 2025
Thanksgiving Holidays	Wednesday, November 26, 2025	Thursday, November 27, 2025

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	& Thursday, Nov 27, 2025	& Friday, November 28, 2025
Christmas Holidays	Wednesday, Dec. 24, 2025 Thursday, December 25, 2025	Wednesday, Dec. 24, 2025 & Thursday, December 25, 2025
New Year's Day	Thursday, January 1, 2026	Thursday, Jan 1, 2026
MLK Day	Monday, January 19, 2026	Monday, January 19, 2026
Mardi Gras	Monday, February 16, 2026 & Tuesday, February 17, 2026	Monday, February 16, 2026 & Tuesday, February 17, 2026
Memorial Day	Monday, May 25, 2026	Monday, May 25, 2026
Independence Day	Thursday, July 2, 2026	Saturday, July 4, 2026
Labor Day	Monday, September 7, 2026	Monday, September 7, 2026
*Two Personal Days	Employee's Choice	Employee's Choice

\*Do not carry over to the next year

ADOPTED AND APPROVED this 6<sup>th</sup> day of May 2025

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Councilmember White moved to suspend the rules to adopt Ordinance No. 25-31 – An Ordinance to increase the lodging tax. Councilmember Sterrett seconded this motion. The motion for final adoption was passed by the following roll call vote: Broadhead-yes, Trout-yes, Sterrett-yes, and White-Yes. NAY-None

Councilmember Sterrett moved to approve the adoption of Ordinance No. 25-31. Councilmember White seconded the motion. The motion for final adoption passed.

## ORDINANCE 25-31

*AN ORDINANCE TO INCREASE THE LODGING TAX AGAINST PERSONS, FIRMS OR CORPORATIONS ENGAGING IN THE CITY OF CHICKASAW, ALABAMA, IN THE BUSINESS OF RENTING OR FURNISHING ROOMS FOR LODGING TO TRANSIENTS, PROVIDING FOR THE COLLECTION THEREOF; PROVIDING FOR THE COLLECTION THEREOF; PROVIDING FOR THE MAINTENANCE AND EXAMINATION OF CERTAIN REQUIRED RECORDS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.*

BE IT ORDAINED by the City Council of the City of Chickasaw, Alabama, as follows:

**Section 1. Levy of Tax.** For the privilege of engaging or continuing, within the City, in the business activities hereinafter referred to, there is hereby levied and imposed, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amounts to be determined by the application of rates against gross receipts upon every person, firm, or corporation engaging in the business of renting or furnishing any room or rooms, lodgings, or accommodations to transients in any hotel, motel, inn, tourist court, or in any other place or establishment in which rooms, lodgings or accommodations are regularly furnished to transients for a consideration in an amount to be determined by the application of the rate of thirteen percent (13%) of the charge for such room, rooms, lodgings, or accommodations, including the charge for use or rental of personal

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property and services furnished in such room. The tax shall not apply to rooms, lodgings, or accommodations supplied for a period of one hundred eighty (180) continuous days or more in any place.

**Section 2.**      **Due Date of Taxes and Monthly Reports.** The taxes levied under the provisions of this ordinance, except as otherwise provided herein, shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues. On or before the twentieth day of each month after this ordinance has taken effect, every person on whom the taxes levied by this ordinance are imposed, shall render to the City Clerk, on a form prescribed by said City Clerk a true and correct statement showing the gross proceeds of the business subject to said tax for the then next preceding month, together with such other information as the City Clerk may demand and require, and at the time of making such monthly report the taxpayer shall compute the taxes due and shall pay to the City Clerk the amount of taxes shown to be due.

**Section 3.**      **Credit Collections.** Any person subject to the taxes herein levied who conducts business on a credit basis may defer reporting credit rentals and charges until after their collections, and in the event he so defers reporting them, he shall thereafter include in such monthly report all credit collections made during the then preceding month and shall pay the amount of taxes measured thereby at the time of filing such report.

**Section 4.**      **Maintenance of Records.** It shall be the duty of every person engaging or continuing in any business subject to the taxes herein levied to keep and preserve suitable records:

- (a) Of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he or it is liable under the provisions of this ordinance, and
- (b) A register in which the name and address of every transient renting a room is recorded, together with records showing the charge made to each such transient. Each transient shall, upon his registration, be required to record his true and correct name and address.

Such records shall be kept and preserved for a period of five (5) years and shall be open for examination at any time by the City Clerk or any duly authorized representative of the City.

**Section 5.**      **Violation of this Ordinance Made Unlawful.**

- (a) It shall be unlawful for any person subject to the provisions of this ordinance to fail to make the reports as herein required or to fail to keep records as herein required. Each month of such failure shall constitute a separate offense.
- (b) It shall be unlawful for any person to refuse to make the report herein required or to refuse to permit the examination of his or its records by the City Clerk or her duly authorized agent or other authorized agent of the City. Each month of failure to make such report shall constitute a separate offense, and each refusal of a written demand of the City Clerk to examine, inspect or audit such records shall constitute a separate offense.
- (c) It shall be unlawful for any person to register under any name or address which is not true and correct.

**Section 6.**      **Interest and Penalty.** Any person who fails to pay the tax herein levied within the time required by this ordinance shall pay, in addition to the tax, a penalty of ten percent (10%) of the amount of tax due, together with interest thereon at the rate of one-half of one percent (0.5%) per month, or fraction thereof, from the date which the tax herein levied became due and payable, such penalty and interest to assessed and collected as part of the tax.

**Section 7.**      **General Penalty.** Any person who shall do any act made unlawful by this ordinance or fail to do any act which failure is made unlawful by this ordinance shall, upon conviction therefore, be punished by a fine of up to five hundred dollars (\$500.00) or by imprisonment for up to one hundred eighty (180) days or by both fine and imprisonment.

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**Section 8.** Provisions of State Lodgings Tax Statutes Applicable to this Ordinance and Taxes Herein Levied. This ordinance and the taxes levied herein shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, discounts, penalties, fines, punishments, and deductions that are applicable to the taxes levied by the State Lodging Tax statutes, except where inapplicable or where herein otherwise provided, including all provisions of the State Lodging Tax statutes for enforcement and collection of taxes.

**Section 9.** This Ordinance is Cumulative to the General License Code Ordinance. This ordinance shall not be construed to repeal any of the provisions of the general license code or ordinance of the City, but shall be held to be cumulative, and the amounts of the taxes levied herein shall be in addition to the amounts of all other license taxes imposed by the City by its general license code or ordinance.

**Section 10.** Severability. If any section, subsection, clause, provision or part of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such holding or holdings shall not affect any other section, subsection, clause, provision or part of this ordinance which is in itself valid and constitutional.

**Section 11.** Repealer. The tax levied and assessed by this ordinance is levied and assessed in lieu of any similar taxes levied or assessed by the City of Chickasaw through any prior ordinance, and such ordinance is hereby repealed to the extent of its contradiction with this ordinance as of the effective date of this ordinance.

**Section 12.** Effective Date. This ordinance shall become effective upon passage and publication as required by law and shall commence on the first day of June 2025. The first payment of taxes hereunder shall be due and payable on the first day of July 2025

ADOPTED AND APPROVED this 6<sup>th</sup> day of May 2025

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Councilmember White moved to adopt Resolution No. 25-32 – A Resolution for the collection of the lodging tax. Seconded by Councilmember Trout. The motion for final adoption was passed by the following voice votes: AYE – Broadhead, Sterrett, Trout, White. NAY-None

### RESOLUTION NO: 25-32

#### *RESOLUTION REGARDING THE COLLECTION AND DISTRIBUTION OF LODGING TAX REVENUES*

WHEREAS, the City of Chickasaw has the authority to collect and distribute lodging tax revenue as outlined in Ordinance 25-31; and

WHEREAS, the distribution of lodging tax revenue shall be based on the distribution rates as well as a schedule of fees for collection, management, and distribution as detailed in Exhibit A

NOW, THEREFORE, BE IT RESOLVED, that the City of Chickasaw Council that

1. Collection of Lodging Tax

- The lodging tax shall be collected from all lodging establishments operating within the City of Chickasaw, Alabama, in accordance with the State of Alabama and City of Chickasaw Ordinance #25-31
- The lodging tax will be remitted to Avenu Insights on a monthly basis, as required by applicable law.

2. Schedule of Fees

- The schedule of fees associated with the collection, management, and distribution of lodging tax revenue is detailed in Exhibit A.

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### REPORTS FOR APRIL 2025

*Fire Department:* Total Calls 146 = 124 EMS, 3 Fire, 0 Hazmat, 5 False Alarms

*Police Department:* Given by Chief Parker - Total Calls 744; 11 accidents, 37 arrests, 97 traffic citations

*Animal Control Officer:* 19 Dogs were picked up, 4 dead animals & 6 citations

*Building Inspector Report:* 42 Total Permits: 21 Building, 10 Electrical, 4 Plumbing, 4 Mechanical, 6 utility

*Environmental Report:* 48 citations mailed and 114 certified warning letters

*Attorney's Report:* Moving forward on dilapidated houses.

**FINANCIAL REPORT** - *Accounts Payable \$43,850.72* - Councilmember Trout moved to put the accounts payable in line for payment, seconded by Councilmembers Hanson & Sterrett. Motion carried and so ordered. The motion for final adoption was passed by the following voice votes: AYE – White, Trout, Broadhead, Sterrett, and Hanson. NAY-None.

### MISCELLANEOUS BUSINESS & ANNOUNCEMENTS

- None

**PUBLIC COMMENT** – No public comments

**ADJOURNMENT**—With no further business, Councilmember White moved to adjourn the regularly scheduled council meeting at 7:20 p.m., seconded by Councilmember Sterrett. The motion carried, and so it was ordered.

ATTEST:

*Barry Broadhead*  
Barry Broadhead, Mayor

*Michelle Ross*  
Michelle Ross, City Clerk