



**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
JUNE 19, 2017**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, June 19, 2017, at 6:00PM in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

1. CALL TO ORDER: Mayor David Miller called the meeting to order at 6:05PM with Councilmembers Ryan Bell, Johnny Dutton, Linda Miller, Eric Turner and Kenneth Washington present. Attorneys Scott Barnett and Johnny Brunson were also present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE: The invocation was given by Councilmember Eric Turner.

3. PUBLIC HEARING:

Mayor Miller asked for consent of the Council to add Item D to the agenda for the Public Hearing.

Motion to add Item D by Councilmember Turner with a second by Councilmember Bell; approval was unanimous.

a) Consider Determination of Certain Conditions To Be An Annoyance and Public Nuisance in Violant of Chapter 32 of the Code of Ordinances at 1620 Montague Street. City Attorney Brunson stated that legal counsel for the property owners met with him. It was suggested the Council table the issue until legal counsel can address the problems with the owner. Motion to table the matter by Councilmember Miller, seconded by Councilmember Turner; the motion to table passed unanimously. Council will consider in the Regular Meeting.

b) Consider the request from Leeds Coosa Mart, 7680 Parkway Drive, to transfer the ABC license to the new owners. The Mayor asked if there was anyone present to speak for or against the conditions. Inspections Department Supervisor Brad Watson indicated endorsement of this request. The matter was referred to Council.

c) Consider the application for Amusement and Vending Machines Business License at Lucky 7 Food Mart, LLC, 7502 Parkway Drive, Leeds. Mayor David Miller recommended that the application be tabled until the owners can document the machines and Jefferson County inspectors determine the machines are approved.

d) Consider application for Amusement and Vending Machines Business License at American Legion Post 107. Mayor Miller indicated that the application be tabled until the owners can document the machines and Jefferson County inspectors determine the machines are approved.

The Public Hearing was closed at 6:09PM.

4. REVIEW AND APPROVAL OF COUNCIL MINUTES: Minutes from the June 05, 2017 Public Hearing and Regular Scheduled Council Meeting were reviewed by Council. Motion to approve as presented by Councilmember Turner, with a second by Councilmember Bell; the motion passed unanimously.

5. REPORTS OF STANDING COMMITTEES OR SPECIAL BOARDS:

- a) **Finance Chairperson, Linda Miller.** No Report
- b) **Public Safety Committee, Kenneth Washington.** No Report
- c) **Public Works and Parks & Recreation Committee, Ryan Bell.** No Report

6. REPORTS OF OFFICERS

- a) **Administration, Mayor Miller.**

b) **Fire Department, Chief Parsons.** Monthly Report was distributed to Council. Chief Parsons reported 59 people in attendance at the breakfast for the Chamber of Commerce which was co-sponsored with the Police Department. The Department conducted a Child Car Seat Check at Walmart and will conduct a Weather and Fire Safety Event on Saturday, June 24, 2017 at Walmart from 11AM to 1PM.

c) **Police Department, Acting Chief Reaves.** The Department Report is included in the Council Packet. Chief Reaves reported the Department is in the final stages of hiring three new officers. Also, three new patrol cars are ready for use.

d) **Library, Director Carden.** Ms. Carden commented that one month into the Summer Reading Program, there is an increase of an additional 17 participants over last year.

e) **Municipal Court, Magistrate Roberts.** No Report.

f) **Inspection Department, Superintendent Watson.** No Report.

g) **Parks and Recreation Department, Supervisor Warren.** No Report.

h) **Streets and Sanitation Department, Supervisor Warren.** Councilmember Washington asked about the status of grass cutting on the side of the roads and Mr. Warren responded the Department is working on that. He reports one tractor needs repair. He also reported the bush hog/side arm machines have been repaired and will be ready for use by Tuesday, June 20th.

7. OLD BUSINESS:

a) **Resolution 2017-04-07 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1501 Harding Street.** Inspections Department Supervisor Watson recommended abatement. Motion to approve Resolution 2017-04-07 by Councilmember Linda Miller with a second by Councilmember Dutton; the motion passed unanimously.

8. NEW BUSINESS:

a) **Ordinance 2017-06-04 To Amend Truck Route Ordinance.** Jefferson County Attorney, Theo Lawson, requested an amendment to the truck route ordinance for environmental vehicles to service sanitary sewers. A driver was cited in Leeds. Magistrate Laura Roberts stated that City Police officers have now been informed about the exception in the ordinance and that she would anticipate no further problem. Attorney Barnett suggested that the Ordinance should be amended for future clarity.

Motion for Unanimous Consent to consider the Ordinance was given by Councilmember Turner with a second by Councilmember Bell; the motion for Unanimous Consent passed with all present voting yes.

Motion to adopt Ordinance 2017-06-04 was offered by Councilmember Dutton with a second by Councilmember Turner; Ordinance 2017-06-04 was adopted unanimously.

b) Resolution 2017-06-06 In Consideration of a Request to Transfer of ABC Licensed Business at Coosa Mart. Motion to approve Resolution 2017-06-06 was given by Councilmember Bell with a second by Councilmember Miller; the motion passed unanimously.

c) Resolution 2017-06-07 In Consideration of a Business License Application for Amusement or Vending Machines Pursuant to the City Code of Ordinances at the Lucky 7 Food Mart LLC, 7502 Parkway Drive, Leeds. The Mayor recommends motion to Table. Motion to Table Resolution 2017-06-07 until appropriate documentation is provided declaring the machines to be legal by Councilmember Turner with a second by Councilmember Bell; the motion to Table passed unanimously.

d) Resolution 2017-06-08 Consider Rescheduling The Regular July 3, 2017 Meeting to July 10, 2017. Motion to Reschedule the July 3, 2017 Meeting to July 10, 2017 by Councilmember Miller with a second by Councilmember Bell; the motion passed unanimously.

e) Resolution 2017-04-07 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1620 Montague Street. Motion to Table Resolution 2017-04-07 to allow legal counsel to mediate by Councilmember Dutton with a second by Councilmember Turner; the motion to Table passed unanimously.

f) Ordinance 2017-06-01 Relating to Zoning: Amending Zoning Regulations, as Last Amended by Amending Article 6, Adding to Article 6, the Following Sections 19 and 20.

Motion for Unanimous Consent to Consider Ordinance 2017-06-01 by Councilmember Turner and seconded by Councilmember Bell; the motion passed unanimously.

Motion to Adopt Ordinance 2017-06-01 by Councilmember Turner with a second by Councilmember Miller. Discussion: Mr. Watson states these ordinances are referred by the Planning and Zoning Commission to accommodate the request from St. Theresa Catholic Church to hold Bingo events. Councilmember Washington questioned whether the amendment would apply to other locations and the response was that each location would be required to apply. The motion to Adopt passed unanimously.

g) Ordinance 2017-06-02 Relating to Zoning; Amending the Zoning Regulations, as Last Amended, by Amending Article 6, Section 13.

Motion for Unanimous Consent to Consider Ordinance 2017-06-02 by Councilmember Turner and seconded by Councilmember Bell; the motion passed with all present voting yes.

Motion to Adopt Ordinance 2017-06-02 by Councilmember Turner with a second by Councilmember Bell; the motion to Adopt passed unanimously.

h) Ordinance 2017-06-03 Assenting to the Rezoning of Certain Property or Parcel from R-3, Multi-Family District to Inst-1, Institutional District in the City of Leeds, Alabama.

Motion for Unanimous Consent to Consider Ordinance 2017-06-03 by Councilmember Dutton and seconded by Councilmember Washington; the motion passed with all present voting yes.

Motion to Adopt Ordinance 2017-06-03 by Councilmember Washington with a second by Councilmember Dutton; the motion to Adopt passed unanimously.

i) Consider Budget Amendment to pay cemetary claims totaling \$4,988.00. Motion to authorize payment by Councilmember Miller, with a second by Councilmember Turner; motion passed unanimously.

Motion to add Item J to the Agenda by Councilmember Dutton with a second by Councilmember Bell. Motion passed unanimously.

j) Resolution 2017-06-10 Renewal of Contract Agreement with City of Trussville Jail Facility.

Motion for Unanimous Consent to Consider Contract Agreement with City of Trussville by Councilmember Turner and seconded by Councilmember Bell; the motion passed unanimously.

Attorney Brunson stated that the contract is the same as the current contract which would expire in July. Magistrate Roberts asked if the City could withdraw from the contract if a better facility was found, to which the Attorney responded affirmatively.

Motion to renew Contract with City of Trussville by Councilmember Turner with a second by Councilmember Bell; the motion passed unanimously.

Motion to add Item K to the Agenda by unanimous consent by Councilmember Dutton with a second by Councilmember Turner. Motion passed with all present voting yes.

k) Resolution 2017-06-11 In Consideration of a Business License Application for Amusement or Vending Machines Pursuant to the City Code of Ordinances at the American Legion Post 107. Mayor David Miller suggested that the Council Table the Resolution to allow documentation of machines involved. Motion to Table Resolution 2017-06-11 until appropriate documentation is provided declaring the machines to be legal by Councilmember Washington with a second by Councilmember Miller; the motion to Table passed unanimously.

9. COUNCIL COMMENTS: there were no additional comments by the Council.

10. PUBLIC PARTICIPATION:

Mayor David Miller opened the floor for Public Comment, asking each person to be recognized and to state name and address before commenting.

Huey Blakey, 8764 Sunset Drive, expressed concerns about city street conditions and mentioned several specific locations. Mr. Blakey also mentioned burned house on Dorough Street and now may be used for drug activity. Mayor Miller asked the Police Department and Inspections Department to investigate. Mr. Blakey asked about flags to be destroyed and was directed to the Boy Scouts groups in Leeds.

Hobert Thomas, 8675 Dover Drive, expressed appreciation to Councilmember Linda Miller for assistance in reporting potholes and presented the Council with a list of problem locations. Mr. Thomas asked about the City's responsibility for cutting the grass between the sidewalk and the street, as well as along Highway 119 residential areas. Brad Watson stated on the basis of an opinion from the Attorney General that it is the responsibility of the owner to cut that grass. Mrs Mitsy Hobert asked how to force the owners to mow; Brad Watson replied that a complaint can be filed on the City's website and the Inspections Department will investigate. Mr. Hobart also called attention to the disrepair of the fence surrounding the Jefferson County Sewage Treatment Plant in Oliver Crossings and asked who is responsible for fence repair. City Attorney Brunson stated that the fence is owned by the Sewage Treatment Plant and should be repaired by that facility. Mr. Hobert also inquired about the move of Blue Grass Barbecue to the property formerly owned by Ole Smokey Barbecue.

Lewis Carson, 1241 Maitland Road, presented his concerns about trees which overhang the streets in his neighborhood, making it difficult to drive his camper onto his property. Mr. Carson provided a list of addresses with trees overhanging the street. The Mayor asked that the Inspections Department investigate. Mr. Carson also voiced his concerns about cars with out of state plates driving around in his neighborhood. When he reported to Police, he was not satisfied with the response.

Jonathan Hayes, 7709 Michael Circle, asked if golf carts were allowed on city streets as well as the road by WalMart. Mr. Watson commented that golf carts can be licensed by the State for street use. Mr. Hayes asked about the status of the paving of Ashville Road. Mr. Hayes mentioned a homeowner on Markeeta Road having an influx of deer and his concern that they not running on the interstate.

Bonnie Garrett, 7538 Poplar Avenue, asked about the schedule for demolition of the house at 7530 Poplar Avenue. She was informed of the 30-day waiting period after notice was served.

Fannie Bert, 6721 Martin Luther King Drive, asked that a time limit be enforced on speakers.

Kathye Drake, 1008 Kings Forest Drive, brought her concern over damage to her husband's grave. The monument has been glued, but is still broken and will cost \$100 to repair. Ms. Drake feels she should not have the expense. Mayor Miller responded that the City does not know who damaged the monument and therefore could not relieve her of the expense.

Jim Riley, 1151 Lake Joyce Road, Moody. Mr. Riley expressed his appreciation to the City for enacting the necessary legislation to allow Bingo at St. Theresa Catholic Church. City Attorney Brunson suggested that the Council could give approval with the license pending Zoning Board approval.

Motion to add Item L to agenda to consider Resolution 2017-06-12 by Councilmember Turner with a second by Councilmember Bell; motion passed unanimously.

Motion to approve Resolution 2017-06-12 to allow the church to move ahead with the Bingo activities, subject to the approval of the Zoning Board by Councilmember Turner with a second by Councilmember Bell; the motion passed unanimously.

ADJOURNMENT: Motion to adjourn meeting by Councilmember Turner. The meeting was adjourned at 7:11PM.

David Miller, Mayor

ATTEST:

Danielle Filmore, Interim Acting City Clerk