



**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
SEPTEMBER 13, 2017**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, September 13, 2017 at 6:00PM in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094. The meeting scheduled for September 11, 2017 was rescheduled to this date due to inclement weather.

- 1. CALL TO ORDER:** Mayor David Miller called the meeting to order at 6:10PM with Councilmembers Johnny Dutton, Linda Miller, Eric Turner present. Ryan Bell and Kenneth Washington were absent.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE:** the invocation was led by Councilmember Eric Turner.
- 3. PUBLIC HEARING:**
 - a) Consider For Determination The Recommendation From Planning and Zoning Commission In Regards To Rezoning Certain Parcels Of Property From R-3-T and B-2 To R-6. The Inspections Department explained the plans for the property on Weaver Avenue allowing construction of garden homes and recommended approval. Clint Johnson from Hightower Construction was present to speak, as well as Lee Barnes, attorney. Shane Champion, 9043 Weaver Avenue, commented to the Council the problem with the traffic being beside his driveway, with almost a single lane road next to it. Mr. Barnes responded that the problem would be addressed by the Planning and Zoning Commission. The proposal was referred to Council.
 - b) Consider For Determination The Recommendation From Planning and Zoning Commission In Regards To Rezoning Certain Parcels Of Property From R-2 To I-1. The proposal was referred to Council.
 - c) Consider For Determination The Recommendation From Planning and Zoning Commission In Regard To Rezoning Certain Parcels Of Property From B-2 To I-1. The proposal was referred to Council.
 - d) Consider For Determination The Recommendation From Planning and Zoning Commission In Regards To Rezoning Certain Parcels Of Property From B-2 To T-5. The proposal was referred to Council.
 - e) Consider Authorizing the Issuance of General Obligation School Warrants. The Mayor deleted this item from the Public Hearing.
 - f) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1926 Arkansas Street.

The Mayor asked if anyone was present to speak on behalf of the property. No one was present and the matter was referred to Council.

g) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1276 Norman Drive. The case has been resolved and item g was withdrawn from the agenda.

h) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8823 Upton Street. The case has been resolved and item h was withdrawn from the agenda.

i) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 2313 Montevallo Road. The case has been resolved and item i was withdrawn from the agenda.

j) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8403 Thomas Avenue. The Mayor asked if anyone was present to speak on behalf of the property. No one was present and the matter was referred to Council.

k) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7596 Parkway Drive. The case has been resolved and item k was withdrawn from the agenda.

The Mayor closed the Public Hearing at 6:23PM.

4. Approve Council Meeting Minutes: August 21, 2017 Public Hearing and Council Meeting minutes were reviewed by the Council. Motion to approve the minutes as presented by Councilmember Turner, with a second by Councilmember Dutton; the motion passed by unanimous vote of all Councilmembers present.

5. Reports of Standing Committees or Special Boards:

a) Finance Committee Report: Linda Miller. Ms. Miller reported the Committee is nearing completion of budget and Ms. Miller commended Danielle Filmore, Interim Acting City Clerk for her excellent work with the Finance Committee.

b) Public Safety Committee Report: Kenneth Washington. Mr. Washington was absent. Motion to excuse the absence of Mr. Washington by Councilmember Turner, with a second by Councilmember Miller; the motion passed unanimously.

c) Public Works and Parks & Recreation: Ryan Bell. Mr. Bell was absent. Motion to excuse the absence of Mr. Bell by Councilmember Dutton, with a second by Councilmember Turner; the motion passed unanimously.

6. Reports Of Officers:

a) **Mayor's Report: Mayor David Miller.** The Mayor reported the collapse of a culvert on Bryant Avenue. It is thought that the road will be out of commission for a week, but the contractor will assess the problem soon.

b) **Fire Department: Chief Chuck Parsons.** No Report.

c) **Police Department: Chief Ron Reaves.** Chief Reaves reported that two new police recruits will graduate from training in November. The Chief also expressed appreciation to Valley View Baptist Church and First Baptist Church for supplying snacks for the department.

d) **Library: Director Melanie Carden.** Ms. Carden announced that the Library will accept donations of non-perishable items for Leeds Outreach in lieu of payment of fines up to \$10. Upcoming events will include an author who will speak on Saturday, the Mommy and Me Yoga Class, and planning of the bi-centennial.

e) **Municipal Court: Magistrate Laura Roberts.** Ms. Roberts reported the court will begin bond forfeitures for failure to appear in court. Ms. Roberts will be away at a conference next week.

f) **Inspection Department: Planning & Zoning Administrator Brad Watson.** No Report.

g) **Parks and Recreation Department: Supervisor Johnny Warren.** .

h) **Streets and Sanitation Department: Supervisor Johnny Warren.**
Mr. Warren was absent due to illness.

7. Old Business:

a) **Resolution 2017-08-21 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1704 Linden Street.** The Inspections Department recommended abatement. Motion to approve Resolution 2017-08-21 by Councilmember Turner, with a second by Councilmember Miller; the motion passed unanimously.

8. New Business:

Attorney Scott Barnett requested the Council to go into Executive Session. Motion to move into Executive Session by Councilmember Miller with a second by Councilmember Turner; the motion passed unanimously. The Council went into Executive Session at 6:36PM and returned at 7:13PM.

a) **Ordinance 2017-09-01 Consider For Determination The Recommendation From Planning and Zoning Commission In Regard To Rezoning Certain Parcels Of Property From R-3-T and B-2 To R-6.**

Motion for Unanimous Consent to consider the Ordinance by Councilmember Dutton, with a second by Councilmember Turner. the motion passed unanimously

Discussion included explanation of the purpose for the change. Motion to adopt Ordinance 2017-09-01 by Councilmember Turner with a second by Councilmember Miller; the motion passed with all present voting in favor.

b) Ordinance 2017-09-02 Consider For Determination The Recommendation From Planning and Zoning Commission In Regard To Rezoning Certain Parcels Of Property From R-2 To I-1.

Motion for Unanimous Consent to consider the Ordinance 2017-09-02 by Councilmember Dutton, with a second by Councilmember Turner; the motion passed unanimously.

Motion for Unanimous Consent to consider Ordinance 2017-09-02, Ordinance 2017-09-03, Ordinance 2017-09-04, and Ordinance 2017-09-05 by Councilmember Turner with a second by Councilmember Miller; the motion passed with all present voting in favor.

c) Ordinance 2017-09-03 Consider For Determination The Recommendation From Planning and Zoning Commission In Regard To Rezoning Certain Parcels Of Property From B-2 To I-1. Motion to adopt Ordinance 2017-09-03 by Councilmember Miller, with a second by Councilmember Turner; the motion passed unanimously.

d) Ordinance 2017-09-04 Consider For Determination The Recommendation From Planning and Zoning Commission In Regard To Rezoning Certain Parcels Of Property From B-2 To T-5. Motion to adopt Ordinance 2017-09-04 by Councilmember Dutton, with a second by Councilmember Miller; the motion passed unanimously.

e) Ordinance 2017-09-05 Consider Authorizing the Issuance of General Obligation School Warrants. David Langahm, a representative from INTL FCStone Financial Inc., spoke to the Council, describing the opportunity to refinance the 2013 Warrants at 3.2% interest, producing savings. Motion to adopt Ordinance 2017-09-05 by Councilmember Turner, with a second by Councilmember Miller; the motion passed unanimously.

f) Resolution 2017-09-01 Renewing Franchise Agreement for Solid Waste Collection and Disposal. The Resolution will allow a first renewal at the same rates. Motion to approve Resolution 2017-09-01 by Councilmember Dutton, with a second by Councilmember Miller; the motion passed unanimously.

g) Resolution 2017-09-02 Regarding Temporary Street Closure. The closing will provide for a Motorcycle Rodeo downtown. Motion to approve Resolution 2017-09-02 by Councilmember Turner, with a second by Councilmember Dutton; the motion passed unanimously.

h) Resolution 2017-09-03 Authorize Mayor to negotiate PBJC issue. The Resolution will allow the City to negotiate an exit from the JCPB (Jefferson County Personnel Board). Benefit will be an upgrade in the quality of people available and current employees will be protected. Motion to approve Resolution 2017-09-03 by Councilmember Miller, with a second by Councilmember Dutton. Discussion started by Scott Morrow, an attorney representing unnamed officers, questioned of hiring of another legal firm and the costs incurred by this new legal team brought about an amendment to the motion. Councilmembers Miller and Dutton agreed to the Amended motion which included specific language that legal fees would not be paid unless successful in leaving the JCPB; the amended motion passed unanimously.

i) Resolution 2017-09-04 2013-14 Refunding Resolution. Resolution was not needed approved as ordinance instead.

j) Resolution 2017-09-05 Contract with In-Time-Temp services for Laborers. Motion to approve Resolution 2017-09-05 by Councilmember Dutton, with a second by Councilmember Miller; the motion passed unanimously.

k) Resolution 2017-09-06 Judicial Pay Rate Equalization. Motion to approve Resolution 2017-09-06 by Councilmember Turner, with a second by Councilmember Dutton; the motion passed unanimously.

l) Resolution 2017-09-07 Closing of Harding Street. Motion to approve Resolution 2017-09-07 by Councilmember Dutton, with a second by Councilmember Turner; the motion passed unanimously.

m) Resolution 2017-09-08 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1926 Arkansas Street. Motion to approve Resolution 2017-09-08 by Councilmember Dutton, with a second by Councilmember Miller; the motion passed unanimously.

n) Resolution 2017-09-09 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1276 Norman Drive. Resolution was withdrawn, the property is in compliance.

o) Resolution 2017-09-10 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8823 Upton Street. Resolution was withdrawn, the property is in compliance.

p) Resolution 2017-09-11 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 2313 Montevallo Road. Resolution was withdrawn, the property is in compliance.

q) Resolution 2017-09-12 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8403 Thomas Avenue. Motion to approve Resolution 2017-09-12 by Councilmember Turner, with a second by Councilmember Miller; the motion passed unanimously.

r) Resolution 2017-09-13 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7596 Parkway Drive. Resolution was withdrawn, the property is in compliance.

s) Discuss Phillips Drive Drainage. Motion to table discussion by Councilmember Miller, with a second by Councilmember Dutton; the motion to table passed unanimously.

9. Council Comments:

Motion to add Resolution 2017-09-14 Approval of emergency action to repair collapsed culvert on Bryant Avenue by Councilmember Turner, with a second by Councilmember Dutton; motion to add Resolution 09-14 passed unanimously.

Discussion included estimate of \$184,000 to repair the culvert. Motion to approve Resolution 2017-09-14 by Councilmember Dutton, with a second by Councilmember Miller; the motion passed unanimously.

10. PUBLIC COMMENTS:

Lauren Jennings, Leeds, stated that she works for the City of Leeds Police Department and her concern is that wages are low even though the people are competent, but the city granted a raise for the judge. Mayor Miller commented that the city is recruiting new business to bring in better revenues to address the problem.

Heather Kelly, Moss Avenue, reports that the grass on Moss Avenue has not been cut in two months, and the 18-wheel trucks are still coming on the street. She states she has called the Street Department and entered a complaint.

J. R. Kelly, Moss Avenue, asked why the city takes refuse to the landfill in Moody.

ADJOURNMENT: Motion to adjourn. The meeting was adjourned at 8:01PM.

David Miller, Mayor

ATTEST:

Danielle Filmore, Interim Acting City Clerk