



**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
NOVEMBER 6, 2017**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, November 6, 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 6:06PM with Councilmembers Ryan Bell, Johnny Dutton, Linda Miller, Eric Turner and Kenneth Washington present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE: the invocation was led by Councilmember Eric Turner.

3. PUBLIC HEARING:

a) Revocation of a Business License Pursuant To The City Code of Ordinance at 1081 Montevallo Road. City Attorney Scott Barnett explained that the City provided notice to the business concerning revocation of the license due to violation of ordinance.

Mr. Samuel Jackson, Jr. came forward to address the Council. Mr. Jackson's attorney was unable to attend this meeting and requested a contingency from City Attorney Barnett.

Attorney Barnett responded that he is not authorized to grant such a request.

Mr. Jackson reported that he renovated a building at 1808 30th Street North, Birmingham, AL. During a previous Council Meeting, Mr. Jackson stated that improvements could be made by the end of the year, hopefully in 30 days.

Attorney Barnett asked if the facility allowed permission for City Inspections employees to enter without a warrant. Workers entered and the building was vacant.

Mr. Jackson pointed out that the Inspections Department had a warrant, which he considered unnecessary.

Brad Watson, Inspections Department, presented a video of the inspection taken by Inspections Department, Toushi Arbitelle, with Mr. Watson and Adam Courington, Fire Marshall.

Mr. Jackson stated that everything shown in the video could be fixed in 24 hours. He also stated that the Health Department checked the facility and did not cite the violations. Mr. Jackson said that the Inspections Department should inspect on a quarterly basis instead of two years, which he felt was not fair.

Mayor Miller stated that the conditions have resurfaced which called for an inspection.

Mr. Jackson stated that if he was the manager, he would be there more often.

Councilmember Washington commented that it is the desire of the City to see that people are living in a safe environment, and that the Health Department should have found these violations. It was his opinion that the residents need to vacate and the owners must keep the facility up to code.

Laura Roberts, Magistrate, stated that the residents should not have been there due to the notice to vacate. She also stated that Samuel Jackson was on the notice for Court and has been served.

Mr. Jackson stated that he doesn't want to purchase the business with the license revoked.

City Attorney Brunson stated that there is no obligation for the City to advise on how to run the business. The issue is about the license and allowing residents to return, and that is what prompted the notice.

Attorney Barnett clarified that there are two issues: the business license and the unsafe building. This item is not for condemnation of the structure, it is just revoking the license.

Magistrate Roberts: The notice was to get the residents out.

Councilmember Washington asked if the license is revoked, could the owner still bring the building up to code.

Attorney Barnett answered that code would only involve the structure. Tonight's action would determine if the tenants need to get out.

Councilmember Turner asked what would happen if there was a change of ownership.

Attorney Brunson stated the new owner could request transfer of the old license from the City.
Mr. Jackson stated that he is financing the repairs; he will eventually be the owner.
Councilmember Washington asked if the City revoked the license tonight, who would come to seek a license.
Attorney Barnett replied that it could be an agent of the owner or even a different scenario.
Mr. Jackson asked if the license could be issued if the building was brought up to code.
The Mayor responded that the question would be determined at a later date.
Mr. Jackson stated that in the future there he is a full-time nurse and would supervise the clients' medications.
Councilmember Washington responded that the Council was told there were no medications given.
Mr. Jackson answered that the residents in the future would be strictly elderly and and perhaps low functioning 50-year-olds.
Councilmember Washington stated there must be a plan by December 18, 2017.
Councilmember Miller commented her unwillingness to allow elderly people to reside there and asked Mr. Jackson if he would allow his own parents to live there.
Mr. Jackson replied that he would not allow his own parents live there.

The Public Hearing was closed at 6:41PM.

4. **REVIEW AND APPROVAL OF COUNCIL MINUTES:** Minutes of the October 15, 2017 Public Hearing and Council Meeting were reviewed by the Council. Motion to approve minutes as presented by Councilmember Turner, with a second by Councilmember Ball; 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) **Mayor's Report, Mayor David Miller.** No Report.
 - b) **Fire Department: Chief Chuck Parsons.** Chief Parsons reported the Department's participation in the Downtown Trick or Treat even, with over 1,400 pieces of candy distributed.
 - c) **Police Department: Chief Ron Reaves.** Chief Reaves announced the "No Shave November" project by officers. Donations made will be given to charity. Councilmember Washington voiced his appreciation for the Public Safety Meeting.
 - d) **Library; Director Melanie Cardigan.** Library staff participated in the Street Party Monday October 30th, and over 500 people came. Lt. Griffin spoke to the library staff about active shooter procedures. It was suggested that steps be taken to vacate and secure the building in that event.
 - e) **Municipal Court: Magistrate Laura Roberts.** Ms. Roberts reported participation in the Downtown Trick or Treat event. The Magistrate expressed concern that the families coming to the Court were not told the business was closing for repairs of the floors.

Referencing the item from the Public Hearing, Councilmember Washington asked how the residents reentered the building and commented that no doors were boarded. Magistrate Roberts reported that a family member of a resident called and was told that the business was closed for repairs to the floors.

f) Inspections Department: Planning & Zoning Administrator Brad Watson. Mr. Watson reported Departmental participation in the Downtown Trick or Treat Event.

g) Parks and Recreation Department: Supervisor Johnny Warren. Mr. Warren reported Departmental participation in the Downtown Trick or Treat Event.

h) Street and Sanitation Department: Supervisor Johnny Warren. No Report.

7. **OLD BUSINESS:** There was no Old Business to come before the Council.

8. **NEW BUSINESS:**

a) Resolution 2017-11-01 Consider Revocation Of A Business License Pursuant To The City Code Of Ordinances 1081 Montevallo Road. Motion to approve Resolution 2017-11-01 by Councilmember Turner with a second by Councilmember Bell; the motion passed with all voting yes.

b) Resolution 2017-11-02 Consider Changing Fire Department Employee Kelly Hours. Motion to approve Resolution 2017-11-02. By Councilmember Bell, with a second by Councilmember Miller. Discussion: the Resolution does not change Employee Kelly's yearly pay. The motion passed unanimously.

c) Resolution 2017-11-03 Consider Deeming Police Property as Surplus. Chief Reaves commented that the older police cars would be advertised on Government Deals website. Motion to approve Resolution 2017-11-03 by Councilmember Bell, with a second by Councilmember Miller; the motion passed unanimously.

d) Proclamation Recognizing Arbor Day. Tree Commission Chairman Eddie Cook explained the process of Arbor Day as part of the activities of Tree City USA. Motion to approve the Proclamation by the City of Leeds by Councilmember Miller, with a second by Councilmember Bell; the motion passed unanimously.

e) Resolution 2017-11-04 Consider Certain Improvements To I-20 And I-459 As Prepared By ALDOT. The Mayor described the planned improvements. Motion to approve Resolution 2017-11-04 by Councilmember Bell, with a second by Councilmember Dutton; the motion passed with all voting yes.

f) Resolution 2017-11-05 Consider Adopting New Heavy Equipment Operator Pay Scale. The Mayor explained that the purpose of the action is to address the problem that the City does not have operators, because the City pay rate is too low. The Mayor also commented that the pay rate problem should bring the City rate to equal the Jefferson County rate. Councilmember Washington asked if the increased pay rate would apply to current employees, to which Mr. Watson replied that it would. Motion to approve Resolution 2017-11-05 by Councilmember Turner, with a second by Councilmember Bell; the motion passed unanimously.

g) Resolution 2017-11-06 Payment Of Property Claim Resulting From Storm Damage. A claim has been submitted for repairs due to storm damage from Stacy King Tidwell. The claim is for damages when her car fell in the Bryant Avenue collapse, incurring \$3,800 to fix the car. Councilmember Washington inquired as to payment by the insurance company and it was explained that it is not covered as an act of God. Motion to approve Resolution 2017-11-06 by Councilmember Bell, with a second by Councilmember Washington; the motion passed unanimously.

h) Resolution 2017-11-07 Consider Agreement With St. Clair County Regarding Their Paving Assistance. Motion to approve Resolution 2017-11-07 by Councilmember Miller, with a second by Councilmember Bell; the motion passed unanimously.

l) Board of Zoning Adjustments Appointments. Two open positions on the Board were announced. Applications from Andrea Howard and Andy Watkins were submitted to the Council. Motion to appoint Andrea Howard for a full-time position to the Board of Zoning Adjustments was offered by Councilmember Dutton, with a second by Councilmember Turner; the appointment was approved unanimously.

Motion to appoint Andy Watkins as a supernumerary member to the Board of Zoning Adjustments by Councilmember Turner, with a second by Councilmember Bell; the motion passed unanimously.

9. COUNCIL COMMENT: The Mayor asked for Unanimous Consent of the Council to cover the cost of the pre-game meal for the Leeds High School Football Team.

Motion to suspend the rules to consider by Councilmember Dutton, with a second by Councilmember Bell; The motion to suspend the rules passed unanimously.

Motion to approve by Councilmember Dutton, with a second by Councilmember Bell; the motion passed with 5 aye votes and 1 abstention.

10. PUBLIC COMMENT:

Anthony Smith, 1656 Brasher Street, requested a “No Trucks” sign at Spruiell Street. Mr. Watson explained that the trucks are part of the Concrete Supply Company constructing a three-way stop at that location.

Donna Williams, 7163 Maine Avenue, commented on the resolution of the dumping problem near the railroad, but reported additional dumping on Saturday.

Magistrate Roberts responded that she is working with the Police Department on the dumping issue.

ADJOURNMENT: Motion to adjourn by Councilmember Turner. The meeting was adjourned at 7:24PM.