



**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
MAY 15, 2017**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, May 15, 2017, at 6:00PM in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

1. CALL TO ORDER: The Mayor called the meeting to order at 6:08PM with Councilmembers Johnny Dutton, Linda Miller, Eric Turner and Kenneth Washington present. Councilmember Ryan Bell was absent.

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

3. PUBLIC HEARING:

a) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1536 Cogbill Street. The mayor asked if anyone was present to speak for or against this matter. Mr. Watson informed that this matter has been resolved. Five in total were resolved.

b) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8636 Dunnivant Road. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; matter was deferred to Council.

c) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8979 Bush Avenue. The mayor asked if anyone was present to speak for or against this matter. Mr. William Rice was present to represent the property. The Inspection Superintendent Brad Watson informed Council that the owner is cooperating with the City and and is seeking a 60 day extension to bring the property into compliance. The matter was deferred to the Council Meeting.

d) 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 for or against this matter. No one was present to speak; the matter was deferred to Council.

e) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8826 Azalea Drive. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; the matter was deferred to Council.

f) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7509 Faye Street. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; the matter was deferred 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 1623 Indiana Avenue. This property was determined to be in Compliance.

h) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7515 Faye Street. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; the matter was deferred to Council.

i) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8101 Skinner Avenue. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; the matter was deferred to Council.

j) Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7718 Cahaba Avenue. The mayor asked if anyone was present to speak for or against this matter. No one was present to speak; the matter was deferred 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 2089 Palmer Avenue. This property was determined to be in Compliance.

The Mayor closed the Public Hearing at 6:15PM.

4. REVIEW AND APPROVAL OF COUNCIL MINUTES: a) Minutes from the April 17, 2017 Public Hearing and Council Meeting were reviewed. Motion to approve as written by Councilmember Dutton with a second by Councilmember Miller; the motion passed unanimously.

b) Minutes from the May 01, 2017 Public Hearing and Council Meeting were considered. Motion to approve as written by Councilmember Dutton with a second by Councilmember Miller; 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. Absent.

6. REPORTS OF OFFICERS:

a) Administration, Mayor Miller. The Mayor presented certificates of achievement and of recognition to Chief Ron Reaves, Lt. Wilbert Griffin, Lt. Jeff Loebler, Sgt. Tony Barnwell, and Sgt. Erwin Jones who was absent. In presenting the certificates, Mayor Miller commended each of the officers:

Chief Reaves, for outstanding performance over a 19-year record with the City, promoted to Lieutenant in April 2017 and then to Acting Chief of Police.

Lt. Griffin, has been with the City for 20 years, and has performed in an exemplary manner. He will serve as Senior Patrol Lieutenant and Public Relations Officer.

Lt. Loebler has been with the City for 11 years and has an outstanding record of performance. Lt. Loebler will serve as the Department Administrative Officer.

Sgt. Barnwell has been with the City for 4 years of superior performance. He will serve as Night Shift Patrol sergeant.

Sgt. Jones, who could not be present, has 10 years of outstanding service and will also serve as Night Shift Patrol sergeant.

b) Fire Department, Chief Parsons. Captain McDaniel reported for the Department and informed everyone of the continuation of fire hydrant testing. The Captain informed everyone of the Department's involvement with the Explorer Program through the Boy Scouts.

c) Police Department, Acting Chief Reaves. Chief Reaves indicated the report is included in the Council's packet. Chief Reaves recognized Ms. Kathye Drake for the support she has given to the Police Department.

d) Library, Director Carden. Director Carden reported the successful Shred event this past weekend with over 5,000 pounds of paper shredded. Carden reported a local Author event which was well received. Director Carden also reported being at the Creek Bank event upcoming. Ms. Carden presented a certificate of those who supported the Children's Programs to Kathye Drake and to the Masonic Lodge, with Councilmember Turner receiving the certificate for the Lodge.

e) Municipal Court, Magistrate Roberts. Report included in the packet.

f) Inspections Department and Planning and Zoning Administrator Watson. No Report.

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

h) Streets and Sanitation Department, Supervisor Warren. Mr. Warren announced the Creek Bank Festival this coming weekend. May 20, 2017. The Mayor also commented that this will be the largest Festival we have had. The Soccer Field will be available for parking.

7. OLD BUSINESS:

a) Resolution 2017-03-08 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7310 Parkway Drive. Inspections Superintendent informed council this

matter is now in compliance. Mr. Gene Martin asked how to dispose of plastic which is a service provided by the City and he has been paying for the past several years. Mr. Martin was informed that the items should be taken to the recycling center as the city does not pickup those items.

8. NEW BUSINESS:

a) Resolution 2017-05-01 Consider Tax Payment Compromise. Motion to approve Resolution 2017-05-01 by Councilmember Turner with a second by Councilmember Washington; the motion passed unanimously.

b) Resolution 2017-05-02 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1536 Cogbill Street. The property is now in compliance.

c) Resolution 2017-05-03 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8636 Dunnivant Road. No one was present to speak about this property. The Inspections Department recommended to find property in violation and order its abatement. Motion to approve Resolution 2017-05-03 by Councilmember Turner with a second by Councilmember Miller; the motion passed unanimously.

d) Resolution 2017-05-04 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8979 Bush Avenue. Mr. William Rice requested a 60 day extension to bring the property into compliance. Motion to extend 60 days as requested by Councilmember Dutton with a second by Councilmember Turner; the motion to grant the 60 day extension passed by unanimous consent.

e) Resolution 2017-05-05 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. No one present to speak. The Inspections Department recommended finding the property in violation and ordering its abatement, as this property is a repeat offender. Motion to approve Resolution 2017-05-05 by Councilmember Turner with a second by Councilmember Miller; the motion passed unanimously.

f) Resolution 2017-05-06 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8826 Azalea Drive. The property is now in compliance.

g) Resolution 2017-05-07 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7509 Faye Street. No one was present to speak. The Inspections Department recommended finding the property in violation and ordering its abatement. Motion to approve Resolution 2017-05-06 by Councilmember Dutton with a second by Councilmember Miller; the motion passed unanimously.

h) Resolution 2017-05-08 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 1623 Indiana Avenue. The property is now in compliance.

I) Resolution 2017-05-09 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7515 Faye Street. No one was present to speak. Inspections Department recommended finding the property in violation and ordering its abatement. Motion to approve Resolution 2017-05-09 determining this property to be a nuisance by Councilmember Dutton with a second by Councilmember Miller; the motion passed unanimously.

j) Resolution 2017-05-10 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 8101 Skinner Avenue. No one was present to speak. Inspections Department recommended to find the property in violation and order its abatement. Motion to approve Resolution 2017-05-10 to determine this property to be a nuisance by Councilmember Turner with a second by Councilmember Dutton; the motion passed unanimously.

k) Resolution 2017-05-11 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 7718 Cahaba Avenue. No one was present to speak. Inspections Department recommended finding the property in violation and ordering its abatement. Motion to approve Resolution 2017-05-11 to determine this property to be a nuisance by Councilmember Dutton with a second by Councilmember Turner; the motion passed unanimously.

l) Resolution 2017-05-12 Consider Determination Of Certain Conditions To Be An Annoyance And Public Nuisance In violation Of Chapter 32 Of The Code Of Ordinances at 2089 Palmer Avenue. This property is now in compliance.

m) Resolution 2017-05-13 Consider Tax Payment Compromise. Motion to approve Resolution 2017-05-13 by Councilmember Miller with a second by Councilmember Dutton; the motion passed unanimously.

n) Resolution 2017-05-14 Consider Tax Payment Compromise. Motion to approve Resolution 2017-05-14 by Councilmember Turner with a second by Councilmember Dutton, motion passed unanimously.

o) Resolution 2017-05-15 Consider The Offer And Potential Purchase Of Real Property. Motion to reject Resolution 2017-05-15 by Councilmember Dutton with a second by Councilmember Turner; the motion to reject Resolution 2017-05-15 passed unanimously.

p) Executive Session To Consider Economic Development Matters. Motion to convene into Executive Session. Attorney Barnett certified that the meeting meets the criteria with the Alabama Open Meetings Act since the matters to be discussed are regarding the potential purchase of property and economic development and pending or open litigation if Council takes certain actions. The Council went into Executive Session at 6:44PM. Council returned to the meeting room at 7:35 PM.

9. **COUNCIL COMMENTS:** There were no comments from the Council.

10. **PUBLIC PARTICIPATION:**

Jim Riley, 1335 Wake Forest Drive, requested a special permit and license to operate bingo games at St. Theresa Catholic Church. The function is for a fundraiser to payoff the recently built parish hall debt of \$600,000.00. The Church would like to operate two meetings a month. Attorney Barnett advised Council that the city code allows much less than the requested amount. This matter has been taken under advisement to allow the City Attorney determine points which may need to be addressed in the City code.

Mr. Herman Neil Gann, Jr. addressed the council regarding the matter in which he was cited by the City's Ordinance Enforcement Officer. Mr. Gann also discussed a matter regarding drainage that was diverted across his property. Mr. Gann asked to have the drainage pipe removed which the city installed under Mayor Patterson's administration. Mr. Gann indicated there was no formal survey completed when the drainage pipe was installed.

Mr. Jim Huggins, 8144 Third Avenue, Leeds commented on the rough condition of Ashville Road between Parkway Drive and Whitmire Street. The Mayor informed Mr. Huggins that the project has been considered by the engineer and it getting ready for construction bidding.

Don Mock, Leeds, thanked the Mayor and Council for the consideration of St. Theresa's request to host the Bingo Games. Mock indicated the funds are used for work outside of Leeds and the food bank program.

Rachel Shore, 8987 Bush Avenue, reported the roads are in bad condition around Beech Street.

Jamel Davis, Mt. Luther King Drive, brought to the Council's attention that where Self Street meets Skinner Avenue a chunk of the roadway is missing. She also commented that Mt. Luther King Drive has pot holes.

Charles Winslett, 2201 Moss Avenue asked about the increased truck traffic on Moss Avenue which is destroying the roadway. Mayor informed Mr. Winslett of Moss Avenue being in both the City of Leeds and St. Clair county. The portion of the roadway which is in the City of Leeds will be placed on a list prioritized for paving projects based on severity of the roadway condition. Mr. Winslett also mentioned the property at 2150 Moss Avenue regarding the concrete supply company being built which was supposed to have access from Spruiell Street which has been abandoned and now the access will be from Moss Avenue due to line of sight issues at the proposed entrance on Spruiell Street.

Mr. Dexter Winslett, 2150 Moss Avenue, reported he was denied to vote. Mr. Winslett indicated the property owned by Ray Rich has been deannexed. Mayor indicated the property is not within the City of Leeds.

Attorney Brunson stated that the City has not deannexed any property within the last ten years except at the site of the Alabama Auto Auction north side of I-20.

Mr. Davis described 7363 Mississippi Avenue as being a Masonic property and reported there are squatters on the property.

ADJOURNMENT: Meeting adjourned at 8:04PM upon motion from Councilman Turner.

David Miller, Mayor

ATTEST:

Kevin Fouts, City Clerk