



**CITY OF LEEDS, ALABAMA  
PUBLIC HEARING AND  
REGULAR SCHEDULED COUNCIL MEETING  
JULY 09, 2018**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, July 09, 2018 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. Also present were the City Attorneys Johnny Brunson, and Jeff Sherrer.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE:** the invocation was led by Councilmember Turner.

Mayor David Miller asked if the cases listed on the agenda were still valid. Brad Watson, superintendent of the Inspections Department replied that all cases would be considered except Item c – 1723 Morgan Street, which has been withdrawn.

a) Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 7920 Texas Avenue. Mayor Miller asked if there was anyone present to speak for or against this property. There was no one present to speak and the matter was referred for Council consideration.

b) Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 1656 Parnell Drive. Mayor Miller asked if there was anyone present to speak for or against this property. There was no one present to speak and the matter was referred for Council consideration.

c) Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 1723 Morgan Street. Property in compliance. Withdrawn.

d) Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 8360 Thomas Avenue. Mayor Miller asked if there was anyone present to speak for or against this property. Mrs. Roderick Clarkson, 1723 Whitmire Street, reported to the Council about the conditions of the property. The Inspections Department recommended abatement. The matter was referred for Council consideration.

e) Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 1923 Heritage Road. Mayor Miller asked if there was anyone present to speak for or against this property. There was no one present to speak and the matter was referred for Council consideration.

f) Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance In Violation Of Chapter 32 Of the Code of Ordinances at 1919 Heritage Road. Mayor Miller asked if there was anyone present to speak for or against this property. There was no one present to speak and the matter was referred for Council consideration.

g) Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance In violation Of Chapter 32 Of the Code of Ordinances at 6290 Zeigler Road. The Mayor asked if there was anyone present to speak for or against this matter. Mr. Robert McClendon, 6290 Zeigler Road, explained to the Council that the complaint was about the cars on the property. Mr. McClendon reported that all cars were removed except one which was not working. In response to the question from the Mayor, Mr. McClendon reported that the cars were his. The Mayor referred the issue for Council consideration.

h) Consider Determination of Assenting to the Rezoning of Certain Property from R-2 to T-3 at 1916 Lane Drive. Mayor Miller stated that we all want to do what is right for the City. R 2 and T3 zoning requirements were explained. The Mayor stated that a committee of oversight will be formed following the Smart Zoning program. This committee will be given the responsibility of determining the number of houses which can be built and the right to determine how the houses are situated on the property.

The Public Hearing was closed at 6:13PM.

**4. REVIEW AND APPROVAL OF COUNCIL MINUTES:** Minutes of the June 18, 2018 Public Hearing and Regular Council Meeting were reviewed. Motion to approve the minutes as presented by Councilmember Turner, with a second by Councilmember Bell; the motion was approved with all present voting yes.

**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.** No Report.
- b) **Public Safety, Consultant Atkinson:** Mr. Atkinson referenced three items on the agenda.
- c) **Fire Department, Chief Chuck Parsons.** Report is included in the Council's packet. Chief Parsons also reported that the new truck is due in August or September.
- d) **Police Department, Chief Reaves.** Absent.

e) **Library, Director Carden.** Ms. Carden reported that over 4,000 books have been logged in the Summer Reading Program. Ms. Carden also described the partnership of the Library with Summer Camp and the Moton School.

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

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

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

i) **Streets and Sanitation Department, Supervisor Warren.** No Report.

**7. OLD BUSINESS:**

a) **Resolution 2018-06-04 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 7920 Texas Avenue.** Abatement was recommended by the Inspections Department. Motion to approve Resolution 2018-06-04 by Councilmember Bell with a second by Councilmember Miller; the motion passed with 5 affirmative votes and 1 abstention.

**8. NEW BUSINESS:**

Motion to approve New Business Items A, C, D, E, and F (Resolutions 2018-07-01 through Resolution 2018-07-06 with the exception of Resolution 2018-7-02) by Councilmember Turner with a second by Councilmember Bell; the motion passed unanimously.

a) Resolution 2018-07-01 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 1656 Parnell Drive. Approved.

b) Resolution 2018-07-02 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 1723 Morgan Street. Withdrawn.

c) Resolution 2018-07-03 Consider Determination of Certain Conditions to Be an Annoyance and Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 8360 Thomas Avenue. Approved.

d) Resolution 2018-07-04 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 1923 Heritage Road. Approved.

e) Resolution 2018-07-05 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 1919 Heritage Road. Approved.

f) Resolution 2018-07-06 Consider Determination of Certain Conditions to Be an Annoyance And Public Nuisance in Violation of Chapter 32 Of the Code of Ordinances at 6290 Zeigler Road. Approved.

g) Ordinance 2018-07-01 Consider Determination of Assenting to the Rezoning of Certain Property from R-2 to T-3 at 1916 Lane Drive. **Mayor Miller** explained that a committee including two public members would be in control under the Smart Zoning guidelines.

**Brad Watson**, Administrator of Zoning, agreed there is a level of control under Smart Zoning, where drainage is very important as well as increasing green space.

**Bill Morace, 1806 Linden Street**, stated that he has attended all the zoning meetings. His concerns are increased traffic, drainage, and mosquitos.

**Hannah Fitzpatrick, Lyle Street**, added that the condition of Lyle Avenue is already a problem.

**Ray Garrett, 120 Linden Street**, inquired as to whether the new houses would tie in to the sewer line.

**Mr. Watson and Mayor Miller** responded there would be a tie to sewer line under restrictions of code.

**Kelvin Davis, 8161 Lyle Avenue**, reported the drainage problem in his back yard. Mr. Davis stated that sewage is already shown by tests of the Little Cahaba River. Mr. Davis added that Greenbrier community floods the same way. His request is that any new construction be permitted conservatively, but that 7 houses would be okay with him.

**Mayor Miller** responded that Smart Zoning program would give that control.

**Gary Davis, 1908 Lane Drive**, stated his concerns about drainage because a retention pond would hold water and impact his property.

**Kevin Chamberlin, 1942 Lane Drive**, stated that his concerns are about the high grass on the property currently. He also inquired as to the price of the homes which would be built, and the increased traffic.

**Mayor Miller** stated that all construction would have to meet the requirements, then the prices would be set by the Smart Zoning regulations. The grass must be cut according to City ordinances.

**Jay Buchan, 8064 Hardy Avenue**, stated his preference that the property remain zoned as R2, and that the neighborhood stay the same.

**Councilmember Washington** asked why the builder would want to change the zoning to T3.

**Brad Watson** responded that T3 would probably wind up with the same number of houses, but with less exact placement of the home and much less green space.

**Councilmember Washington** asked who would be responsible for the maintenance of the holding pond.

**Brad Watson** stated that the holding pond would protect property both upstream and downstream.

Mr. Alan McWilliams, developer of the property, requested that the Council table the Ordinance. Motion to table Ordinance 2018-07-01 by Councilmember Washington with a second by Councilmember Turner; the motion to Table the Ordinance passed unanimously.

**h) Resolution 2018-07-07 Consider Determination of Approving and Authorizing a Budget Amendent to Transfer Funds in Support of the City of Jacksonville.**

Tree Commission Chairman Eddie Cook explained the role of Tree City USA in the decision to send funds to replace one tree on city property in the City of Jacksonville, AL, following the devastating loss of trees in the Spring tornado. Mr. Cook introduced Mr. Liner and Mr. Cobb from the State Forestry Commission. The City of Leeds was awarded its 28<sup>th</sup> year designation as a member of Tree City USA. Motion to approve Resolution 2018-07-07 by Councilmember Bell, with a second by Councilmember Dutton; the motion passed unanimously.

**i) Resolution 2018-07-08 Consider Determination of Budget Amendment to Purchase Police Vehicle.**

Mr. Atkinson clarified, explaining that the action would be to move an office to drug enforcements. The office will be trained with multiple drug associations and the amount of \$3,500 in the Budget amendment would be assigned to drug enforcement. Motion to approve Resolution 2018-07-08 by Councilmember Turner with a second by Councilmember Bell; the motion passed unanimously.

**j) Resolution 2018-07-09 Consider Determination of Creation of the Position of Captain Within the City Police Department.**

Attorney Brunson called attention to the procedures involved in creating the position. Councilmember Miller observed that the amount to fund such a position is not in the budget. Discussion followed. Motion to approve Resolution 2018-07-09 by Councilmember Bell, with a second by Councilmember Dutton; the motion passed unanimously.

**k) Resolution 2018-07-10 Consider Determination the Refunding of Funds to the Leeds Youth Athletic Association Inc. for the benefit of the Baseball Program.**

The Resolution would award a \$2,500 grant to the 11 year old Green Machine for winning the State Championship. This money would be for the Dizzy Dean World Series. Motion to approve Resolution 2018-07-10 by Councilmember Bell with a second by Councilmember Turner; the motion passed unanimously.

**l) Resolution 2018-07-11 Consider Determination of Rescheduling the second Council Meeting in July.**

The second Council Meeting in July was scheduled for July 19, 2018. Motion to approve Resolution 2018-07-11 by Councilmember Dutton with a second by Councilmember Bell; the motion passed with all present voting yes.

**9. COUNCIL COMMENTS:** there were no Council comments.

**10. PUBLIC PARTICIPATION:**

**Ms, Fannie Burt, Martin Luther King Drive,** asked about the absence of the Police Chief and was informed that he is still on staff.

**Vann Minor, 350 Odenville Road,** asked about the procedure for obtaining a new business license. Brad Watson responded that there are advertising period for new businesses and those deadline are set.

**Jay Buchan, 8064 Hardy Avenue**, with regard to the rezoning request for at 1916 Lane Drive. Mr. Buchan stated that acreage shown in is incorrect.

**ADJOURNMENT:** the meeting was adjourned at 7:34PM.

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David Miller, Mayor

ATTEST:

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Danielle Filmore  
Interim Acting City Clerk