



**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
NOVEMBER 5, 2018**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, November 05, 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 6:04PM.

Present: Johnny Dutton
Linda Miller
Eric Turner
David Miller, Mayor

Also present were City Attorneys Johnny Brunson and Scott Barnett.

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

The Council requested an Executive Session to discuss pending litigation. Motion to retire to Executive Session by Councilmember Turner with a second by Councilmember Miller; the motion passed with all present voting yes. The Council left for Executive Session as 6:06 PM and returned at 6:35PM.

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:

- i. 2262 Clairmont Drive. Removed from agenda.
- ii. 1760 10th Court. There was no one to speak concerning the property; the issue was tabled by request of Zoning Administrator, Brad Watson.
- iii. 8524 Side Track. David Courson, 1043 Crest Road, requested an extension for consideration on the property. The issue was tabled by request of Zoning Administrator, Brad Watson.
- iv. 8350 Farley Avenue. Removed from agenda.
- v. 8403 Thomas Avenue. No one was present to speak; referred to Council.
- vi. 1724 11th Court, Suite 100. Nela Headley, 8375 Farley Ave. addressed the Council to report that the car has been removed.
- vii. 8077 Washington Avenue. No one was present to speak; referred to Council.
- viii. 1919 Heritage Road. No one was present to speak; referred to Council.

b) Consider Determination of Assenting to the Rezoning of Certain Property from R-2 to R-5 at 1250 Maitland Road. Allen McWilliams, 608 Forrest Drive, addressed the Council. It was explained that Rockhampton property has 91 lots; 2 lots comply with R5 zoning. The request is to rezone all the lots within the Rockhampton property.

Public comments:

- Johnny – Cedar Springs Circle: against rezoning due to increased traffic
- Jonathan S. Kirk – 8633 Blair Street: against rezoning due to increased traffic in neighborhood and on Hwy 411 along with Oliver Crossing traffic, possible flooding from storm water run-off onto neighboring properties
- Sonya Robinson – 8621 Mohring Place: against rezoning due to traffic and changes to surrounding wildlife
- Carolyn Hocutt – 8609 Blair Street: against rezoning due to increased flooding onto her property

c) Consider Approval of Fiscal Year 2018-2019 City Budget. Ms. Miller expressed appreciation for the team effort by all departments.

d) Consider Determination to Approve Business License Application at 1081 Montevallo Road. Sam Jackson, 6074 Lakeside Drive, Pinson, AL addressed the Council.

The Public Hearing was closed at 7:26PM.

Motion to consider New Business Item p Ordinance 2018-11-01 by Councilmember Turner with a second by Councilmember Dutton. The vote to consider Ordinance 2018-11-01 passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

Speaking in favor of the Ordinance were John J. Moore, Superintendent of Leeds City Schools, and Allan Zeigler, Attorney from Bradley Arant. Motion to adopt Ordinance 2018-11-01 by Councilmember Turner with a second by Councilmember Miller; the vote to adopt the Ordinance passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

4. **REVIEW AND APPROVAL OF COUNCIL MINUTES:** Minutes from the Council Meeting on October 15, 2018 were reviewed. Motion to approve as presented by Councilmember Miller, with a second by Councilmember Dutton; the vote to approve passed.

Ayes: Johnny Dutton
Linda Miller
Eric Turner

David Miller, Mayor

5. REPORTS OF STANDING COMMITTEES OR SPECIAL BOARDS:

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

6. REPORTS OF OFFICERS

- a) **Administration, Mayor Miller.** The Mayor described the City Trick or Treat Party as the most successful so far.

- b) **Public Safety, Mr. Atkinson:** No Report.

- c) **Fire Department, Chief Parsons.** Report included in packet. The Chief reported two Pumper Classes held this month. Chief Parsons will travel to Missouri November 27-29. Final inspection on the new fire truck is pending. CAD maps will be on vehicles by the end of the year.

- d) **Library, Director Carden.** Ms. Carden announced that the library will be closed for Veterans Day on November 12. The application for the Library Collection Development Grant will be discussed under New Business.

- f) **Municipal Court, Magistrate Roberts.** Report included in packet.

- g) **Planning and Zoning Administrator, Brad Watson.** No Report.

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

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

7. OLD BUSINESS: No Old Business.

8. NEW BUSINESS:

- a) **Resolution 2018-11-01 Consider Determination of Assenting to the Rezoning of Certain Property from R-2 to R-5 at 1250 Maitland Road.** Motion to deny Resolution 2018-11-01 by Councilmember Turner with a second by Councilmember Miller. The Motion to deny passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

- b) **Resolution 2018-11-02 2017 Consider Approval of Fiscal Year 2018-2019 City Budget.** Motion to approve Resolution 2018-11-02 by Councilmember Miller with a second by Councilmember Turner. The Motion passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

c) Resolution 2018-11-03 Consider Approval of 2017-2018 City Expenditures. Motion to approve Resolution 2018-11-03 by Councilmember Dutton with a second by Councilmember Turner. The Motion passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

d) Resolution 2018-11-04 Consider Adoption and Ratification of Monthly City Payables/Expenditures.

Motion to approve Resolution 2018-11-04 by Councilmember Miller with a second by Councilmember Dutton. The Motion passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

e) Resolution 2018-11-05 Consider Determination to Approve Business License Application at 1081 Montevallo Road. Motion to deny Resolution 2018-11-05 by Councilmember Turner with a second by Councilmember Dutton. The motion to deny passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

f) Resolution 2018-11-06 Consider Certain Professional Services Relating to Employee Benefits for City Employees. Motion to approve Resolution 2018-11-06 by Councilmember Turner with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

g) Resolution 2018-11-07 Consider Authorizing and Approving Library Collection Development Grant. Motion to approve Resolution 2018-11-07 by Councilmember Miller with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

h) Resolution PN18-000077 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 2262 Clairmont Drive. Resolution removed from consideration.

i) Resolution PN18-000084 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1760 10th Court. Motion to Table until December 3, 2018 Council Meeting by Councilmember Turner with a second by Councilmember Miller. The motion passed by the

following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

j) Resolution PN18-000085 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 8524 Side Track. Motion to Table until the December 3, 2018 Council Meeting by Councilmember Turner with a second by Councilmember Miller. The motion to Table passed by the following vote:

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

k) Resolution PN18-000086 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 8350 Farley Avenue. Resolution removed from consideration.

Motion to approve the following Resolutions by Councilmember Turner with a second by Councilmember Dutton; the motion to approve passed by the following vote;

Ayes: Johnny Dutton
Linda Miller
Eric Turner
David Miller

l) Resolution PN18-000087 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

m) Resolution PN18-000092 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1724 11th Court, Suite 100

n) Resolution PN18-000102 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 8077 Washington Avenue

o) Resolution PN18-000106 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

9. **COUNCIL COMMENTS:** None.

10. **PUBLIC PARTICIPATION:** None.

ADJOURNMENT: the meeting was adjourned at 7:51PM.

David Miller, Mayor

ATTEST:

Toushi Arbitelle, City Clerk
Toushi Arbitelle, Acting City Clerk