

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
SPECIAL CALLED COUNCIL MEETING
FEBRUARY 7, 2013**

The City Council of the City of Leeds, Alabama met for a Public Hearing and a Special Called Council Meeting on Thursday, February 7, 2013 at 6:00 p.m. at the Leeds Civic Center Meeting Room-1000 Park Drive, Leeds, Alabama 35094.

PUBLIC HEARING

CALL TO ORDER: Mayor David Miller called the Public Hearing to order at 6:00 P.M. with Councilmembers Johnny Dutton, Devoris Roscha Ragland and Eric Turner present. Councilmembers Kenneth Washington and Craig Wadsworth were absent.

Mayor Miller explained the purpose of the Public Hearing was a fact-finding hearing related to the removal of a member of the City Planning and Zoning Commission. City Attorney Brunson advised that the format was not a "questions and answer" to the Council but a Public Meeting for fact finding purposes and that at the close of the meeting, the Mayor and Council would need to make a finding on the subject of the hearing.

A report was given by the Mayor informing the Council of several facts related to Mr. Brett Isom's service as a member of the Planning and Zoning Commission as follows:

1. That Mr. Isom has a conflict of interest in that he is an employee of the Regional Planning Commission which has interests which are not congruent with the interests of the City of Leeds. This Council is aware of at least one specific example of this conflict wherein Mr. Isom's employer was asked if it were not a conflict for Mr. Isom to work for the Regional Planning Commission and also be involved in the development of the Master Plan of the City of Leeds as part of his duties as a member of the Leeds Planning and Zoning Commission. Mr. Isom's employer replied to this question by stating that Mr. Isom "is not and would not be involved with the development of the Master Plan for the City of Leeds", thereby clearly indicating that he felt this involvement would be a conflict of interest. Despite this, Mr. Isom was directly involved in the development of this plan.
2. That Mr. Isom was tasked by the City Council on December 17, 2012 to provide a recommendation from his commission as to Draft 4 of the Zoning Overlay and the Planned Community Development Plan provided them, within 30 days. According to Mr. Isom's own statement, this document had been before the commission for "some time and had been worked on for weeks". In fact, this plan had been in the commission's possession for years. Mr. Isom was neglectful and inefficient in providing council a recommendation on this plan and was also negligent and inefficient in complying with this recent tasking and has not, to date, provided those recommendations. Mr. Isom has, in fact, made the statement in public at one of his commission's meetings that they would take as long as they wanted, probably at least six months, to review these documents and provide a recommendation to the Council.
3. That Mr. Isom was requested to quickly provide minutes of the meetings where his Commission worked on the zoning overlay and PCD in question as he stated that they did. Mr. Isom was neglectful and inefficient in that these documents were never provided to the Council.
4. That Mr. Isom was inefficient in the conduct of the Planning and Zoning Commission's meetings in that we have received numerous verbal and written reports as to Mr. Isom's inability to control the meetings, and the Commission was unable to move the agenda forward. These are the items pertinent to this meeting.

COMMENTS FROM THE COUNCIL: There was no discussion by the Council.

City Attorney Brunson addressed the Alabama State Code pertaining to how we are to proceed in a meeting of this order. The Alabama Code does require a question and answer period. Mr. Brunson Stated there are basically two ways to remove a member from the Commission following a Public Hearing and a finding for either inefficiency or malfeasance: one is for the Mayor to remove the member; the other is by vote of the City Council. Mr. Brunson stated that Mayor and City Council were in compliance with the Alabama State Code.

Mayor Miller closed the Public Hearing at 6:04PM.

CALLED COUNCIL MEETING

CALL TO ORDER: The Mayor called the Council Meeting to order at 6:05PM.

NEW BUSINESS:

a) **Council's Consideration of Removing A Member of the City of Leeds Planning and Zoning Commission.** Attorney Brunson addressed the council with a suggested motion to remove Mr. Brett Isom as a member of the City of Leeds Planning and Zoning Commission due to inefficiency and neglect. This motion was offered by Councilmember Dutton, with a second by Councilmember Ragland. The motion passed with all present voting yes.

b) **Council's Consideration to approve filling a vacancy on the City of Leeds Planning and Zoning Commission.** Mayor appointed Mr. Ken Mudd as the new member of the Planning and Zoning Commission.

ADJOURNMENT: Motion to adjourn by Councilmember Ragland with a second by Councilmember Turner. The meeting adjourned at approximately 6:07PM.



David Miller, Mayor

ATTEST:



Kevin Fouts, Acting City Clerk