

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
FEBRUARY 18, 2013**

The City Council of the City of Leeds, Alabama met for a public hearing and a regular scheduled council meeting on Monday, February 18, 2013 at 6:00 PM at the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

PUBLIC HEARING

Mayor David Miller called the Public Hearing to order at 6:00PM with Councilmembers Kenneth Washington, Eric Turner, Johnny Dutton, Craig Wadsworth and Devoris Roscha Ragland present.

Public Hearing Regarding Charter Communication Cable TV Franchise Renewal Request.

The Mayor read a letter from Ms. Kathy Drake regarding the Public Hearing matter.

Mr. Skip James from Charter Communications addressed the Council. Mr. James indicated that the company is focusing on improved customer service and reliability of the plan. The company is now doing scheduled preventive maintenance of the system, checking parts of the system to detect equipment failures before they occur. Better monitoring systems have been installed. Mr. James indicated that Charter has improved customer service in order to eliminate customer's long waits on hold. The majority of their calls appear to be billing-related which is typically concerning a promotional service that has expired.

PUBLIC COMMENT: The Mayor opened the floor for the Public to comment.

City Attorney Barnett asked Mr. James if Charter has remitted to the City the amount of \$1,800 which the City invoiced in December 2012. The City Auditors felt that Charter owed the City this amount for not collecting franchise fees in certain areas. Mr. James indicated he is waiting for a response regarding this invoice from the company's finance department as soon as they close out their books for 2012.

City Attorney Barnett asked Mr. James to comment on the City's request to Charter Communications for comments regarding the upcoming franchise agreement review. This request asked Charter to submit their comments by February 22nd. There have been no responses so far. The request is required by the Cable Act. The franchise agreement can be changed to reflect a response to public problems with the system. The Attorney plans to send a reminder note to Charter covering both these issues.

Mr. James commented that there have not been unresolved customer service issues. Since no one in the meeting expressed any dissatisfaction with Charter Communications, Mr. James commented that Charter must be doing a good job.

COUNCIL COMMENTS: The Mayor opened the floor for Council comments. Councilmember Washington asked about rate adjustments. Mr. James indicated that there have been recent rate increases and customers are notified 30 days in advance of a rate increase.

Councilmember Dutton indicated that there are problems of poor reception in various subdivisions in his district, including Country Club Estates, Zeigler Road, Rowan Springs, Terry Walker Estates, and areas along Highway 25. Even when reported, the issues are not resolved in a timely manner. Mr. James made a note of these areas.

Councilman Washington commented that some areas of the City do not have the same services as other areas of the city: Mr. James responded that when services are going to be offered in an area the company looks for a 5 year or less payback to invest in the area. This guideline usually means at least a 50% participation by customers in the area.

There were no additional comments.

Mayor Miller closed the Public Hearing at 6:20PM.

REGULAR SCHEDULED COUNCIL MEETING

The Mayor called the Regular Scheduled Council Meeting to order at 6:20 PM.

1. **INVOCATION AND PLEDGE OF ALLEGIANCE:** The invocation was given by Councilmember Washington.
2. **REVIEW AND APPROVE COUNCIL MINUTES:** a) February 4, 2013 Council Meeting minutes were reviewed. Motion to approve by Councilmember Turner with a second by Councilmember Dutton. The Motion passed by all present voting yes. b) Minutes from February 07, 2013. Motion to approve with corrections suggested by attorney by Councilmember Turner with a second by Councilmember Ragland. The motion passed by five votes to approve. Councilmember Washington abstained.
3. **OLD BUSINESS:**
 - a) **Resolution 2013-01-01 Regarding Municipal Courts Professional Fees.** Motion to table Resolution by Councilmember Wadsworth with a second by Councilmember Dutton. The motion to table passed by all present voting yes.
4. **DEPARTMENT HEAD REPORTS:**
 - a) **Administration, Mayor Miller:** No Report.
 - b) **Fire Department, Chief Pierce:** No Report.
 - c) **Police Department, Chief Jackson:** No Report.
 - d) **Library, Director Williams:** No Report.
 - e) **Inspection Department, Superintendent Watson:** No Report.
 - f) **Parks and Recreation Department, Supervisor Keating.** No Report.
 - g) **Streets and Sanitation Department, Supervisor Keating:** No Report.
 - h) **Municipal Court, Magistrate Roberts:** Reported the Amnesty court this Friday. Ms. Roberts indicated her disappointment in how few have asked to be heard. The media has been alerted and this is a great chance for issues to be resolved.
5. **COUNCIL COMMITTEE REPORTS:**
 - a) **Finance Chairperson, Eric Turner:** No Report.
 - b) **Public Safety Committee, Devoris Roscha Ragland:** No Report.
6. **NEW BUSINESS:**
 - a) **Board Appointments:** Mayor Miller announced there are two openings on the Zoning Board of Adjustments. Councilmember Ragland nominated Johnny Kile with second by Councilmember Wadsworth. The motion passed with all present voting yes.

Councilmember Turner nominated Brad Pool with a second by Councilmember Ragland. The motion passed by five positive votes and Councilmember Dutton abstaining.

Mayor Miller announced that the Leeds Water Works Board has an opening. Councilmember Washington nominated Lee Barnes, Sr. with a second by Councilmember Ragland. The motion passed with all present voting yes. Mr. Barnes' term will begin once the current one expires.

An opening on the Commercial Development Board was announced. Councilmember Johnny Dutton nominated George Yeckley, with a second by Councilmember Eric Turner. The motion passed with all present voting yes.

b) Ratify The Fiscal Year 2012 City Audit.

c) Set Public Hearing Date For Amending The City's Zoning Ordinance 2010-07-01 For The Added Classification of A Planned Community District "PCD". Mayor Miller explained the term "mixed use" (Elementary School). Inspector Brad Watson explained the posting requirements. Motion to hold the Public Hearing Monday, April 1, 2013 at 5:00PM by Councilmember Johnny Dutton, with a second by Councilmember Craig Wadsworth. The Motion passed with all present voting yes.

d) Resolution 2013-02-10 Relating To A Tax Refund Request. Motion to approve by Councilmember Dutton, seconded by Councilmember Wadsworth. The motion passed with all present voting yes.

e) Resolution 2013-02-11 Relating To A Tax Refund Request. Motion to approve by Councilmember Turner, seconded by Councilmember Dutton. The motion passed with all present voting yes.

f) Resolution 2013-02-12 Relating To Awarding The Time and Material Bid. Councilmember Dutton corrected the amount to be \$87,445. Motion to approve the bid by Councilmember Johnny Dutton with a second by Councilmember Craig Wadsworth. The Resolution was approved with all present voting yes.

g) Resolution 2013-02-13 Relating to City Hall Site Relocation. Mayor Miller gave a brief explanation of this matter. Motion to approve the Resolution by Councilmember Washington with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

Mayor David Miller asked to suspend the rules to add an agenda item **Resolution 2013-02-14 Regarding the Amnesty Court.** Motion to suspend the rules by Councilmember Turner with a second by Councilmember Ragland. The motion passed with all voting yes.

Motion to approve Resolution 2013-02-14 Regarding Amnesty Court by Councilmember Johnny Dutton with second by Councilmember Craig Wadsworth. There was no discussion, and the motion passed with all present voting yes.

8. PUBLIC COMMENT: There was no public comment.

ADJOURNMENT: Motion to adjourn at 7:05PM by Councilmember Wadsworth, with a second by Councilmember Dutton



David Miller, Mayor

ATTEST:



Kevin Fouts, Acting City Clerk