

**CITY OF LEEDS, ALABAMA  
REGULAR SCHEDULED COUNCIL MEETING  
MAY 6, 2013**

The City Council of the City of Leeds, Alabama met for a regular scheduled council meeting on Monday, May 6, 2013 at 6:00 p.m. at the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

**1. CALL TO ORDER:** The Mayor called the meeting to order at approximately 6:15 PM with Councilmembers Kenneth Washington, Eric Turner, Johnny Dutton, Craig Wadsworth and Devoris Roscha Ragland present.

**2. INVOCATION AND PLEDGE:** The Invocation was given by Frank Little.

**3. REVIEW AND APPROVE COUNCIL MINUTES:** April 15, 2013 Council Meeting: Motion to approve Minutes by Councilmember Eric Turner with a second by Councilmember Ragland. The motion passed with all present voting yes.

**4. OLD BUSINESS:**

No Old Business was put before the Council.

**5. DEPARTMENT HEAD REPORTS::**

**a) Administration, Mayor Miller:** No Report.

**b) Fire Department, Chief Pierce.** Four new employees have completed recruit school.

**c) Police Department, Chief Jackson:** No Report

**d) Library, Director Williams:** Ms. Williams announced that a scholastic book sale is scheduled this month, May 13-20, during regular hours. The proceeds will be given to Friends of The Library support program. Registration for the summer reading program will begin May 20<sup>th</sup>, but the program will not start until the conclusion of the school year. Director Williams also called the Council's attention to pictures of activities at the library in the report distributed at this meeting.

**e) Inspection Department, Superintendent Watson:** No Report.

**f) Parks and Recreation Department, Supervisor Keating:** Two loads of clay dirt have been requested by Moton Park for the ball fields. Mayor Miller commented that he knows where to obtain this material. The Mayor also informed Council of the new concession stand at the park.

**g) Streets and Sanitation Department, Supervisor Keating:** Mr. Keating announced that this Department is working on potholes.

**h) Municipal Court, Magistrate Roberts:** Amnesty Week starts today, Monday, May 6<sup>th</sup> through Friday, May 10<sup>th</sup> with extended office hours on Friday.

**6. COUNCIL COMMITTEE REPORTS:**

**a) Finance Chairperson, Eric Turner:** No Report.

**b) Public Safety Committee, Devoris Roscha Ragland:** No Report.

**c) Parks & Recreation Committee, Craig Wadsworth:** No Report

**7. NEW BUSINESS:**

**a) Board Appointments:** Mayor appointed Councilmember Devoris Roscha Ragland to the Tree Commission as the Council's Representative.

Mayor Miller announced two openings on the CDA (Commercial Development Authority) and recommends reappointing Tim Jennings to fill one of the seats. A motion to reappoint Tim Jennings was stated by Councilmember Eric Turner with a second by Councilmember Johnny Dutton. The motion passed with all present voting yes.

A motion to appoint Pat Sewell to fill the second opening on the CDA Board by Councilmember Dutton, with a second by Councilmember Ragland. The motion passed with all present voting yes.

**b) Ordinance 2013-05-01 Add Section 20 To City Zoning Ordinance.** The Mayor briefed the Council on this matter and considers this as the first reading. Motion to consider this as the first reading was given by Councilmember Washington, with a second by Councilmember Dutton. The motion passed with all present voting yes.

**c) Ordinance 2013-05-02 Rezoning 1379 Montevallo Road.** The Mayor spoke to the details of this matter.

Councilmember Turner moved that Agenda Items C through Q be considered as a first reading and this was seconded by Councilmember Ragland. The motion passed with all present voting yes.

**d) Ordinance 2013-05-03 Rezoning 1453 Montevallo Road.**

**e) Ordinance 2013-05-04 Rezoning 1337 Montevallo Road.**

**f) Ordinance 2013-05-05 Rezoning 1343 Montevallo Road.**

**g) Ordinance 2013-05-06 Rezoning 1359 Montevallo Road.**

**h) Ordinance 2013-05-07 Rezoning 1365 Montevallo Road.**

**I) Ordinance 2013-05-08 Rezoning 1385 Montevallo Road.**

**j) Ordinance 2013-05-09 Rezoning 1397 Montevallo Road.**

**k) Ordinance 2013-05-10 Rezoning 1429 Montevallo Road.**

**l) Ordinance 2013-05-11 Rezoning 1601 Montevallo Road.**

**m) Ordinance 2013-05-12 Rezoning 1607 Montevallo Road.**

**n) Ordinance 2013-05-13 Rezoning 1613 Montevallo Road.**

**o) Ordinance 2013-05-14 Rezoning 1637 Montevallo Road.**

**p) Ordinance 2013-05-15 Rezoning 1840 Montevallo Road.**

**q) Ordinance 2013-05-16 Rezoning 1863 Montevallo Road.**

**r) Ordinance 2013-05-17 Assessment Officer Duties:** Attorney Barnett directed his comments to the Council concerning this proposed ordinance.

A motion to suspend the rules was stated by Councilmember Wadsworth, with a second by Councilmember Dutton. The motion passed with all voting yes.

Motion to approve Ordinance 2013-05-17 by Councilmember Dutton with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

**s) Resolution 2013-05-01 Approving Travel Request.** Motion to approve request by Councilmember Turner with a second by Councilmember Ragland. The motion passed with all present voting yes.

**t) Resolution 2013-05-02 Approving Travel Request.** Motion to approve request by Councilmember Wadsworth with a second by Councilmember Dutton. The motion passed with all present voting yes.

**u) Resolution 2013-05-03 Authorize Grant Application.** Police Chief Jackson addressed the Council about this matter. Motion to approve Resolution by Councilmember Turner with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

**v) Resolution 2013-05-04 Authorize Electrical Service Installation.** Mayor Miller spoke to this matter. Motion to approve by Councilmember Dutton with a second by Councilmember Ragland. The motion passed with all present voting yes.

**w) Resolution 2013-05-05 To Repurchase 2006 B Warrants.** Note - typographical error on the original published agenda incorrectly referenced this matter as the 2002B warrants. Under consideration are the 2006B Warrants and not the 2002B Warrants. Attorney Barnett offered counsel on this matter. Motion to repurchase the 2006B warrants by Councilmember Dutton with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

**x) Resolution 2013-05-06 Weed Abatement.:** Motion to approve by Councilmember Dutton with a second by Councilmember Turner. The motion passed with all present voting yes.

**y) Resolution 2013-05-07 Award Bid.** Mayor Miller spoke to this item and recommends that this matter be tabled. Motion to table Resolution 2013-05-07 by Councilmember Washington, with a second by Councilmember Turner. The motion passed with all present voting yes.

**z) Discussion and vote on Proposed Splash Pad.** The Mayor reviewed the research conducted about re-opening the City's pool as a Splash Pad. Mr. Miller commented that he had viewed the facility at the City of Springville. Mayor Miller explained that the necessary equipment would cost \$203,000 and the engineering services would cost approximately \$15,000. with additional costs to renovate the existing poolhouse, with goal of Grand Opening on July 4th. Motion by Councilmember Turner to approve an expenditure of up to \$300,000 using funds from the AL Trust Fund with a second by Councilmember Ragland. The motion passed with all present voting yes.

**za) Rescind Ordinances 2009-09-01 and 2009-09-03.:** Mayor apprised the Council of details of this matter and City Attorney Brunson expanded on this subject with regard to Bingo games. There was a motion to table in order for legal counsel to evaluate this matter by Councilmember Washington, with a second by Councilmember Dutton. The motion passed with all present voting yes.

## 8. PUBLIC COMMENT:

**Dr. Carl Marbury, 8569 Apple Street,** distributed material to the Council and referenced Ms. Fernessa McGonecch and thanked the Council and the legal team with regard to the case being dropped in County Court.

Marbury spoke to the matter of the Moton Center for various projects and the Cooperative Agreement between the City and the Moton Center. Councilmember Kenneth Washington presided at the initial meeting and the plan is to meet again within the next two weeks.

Dr. Marbury also distributed to Council material which included a progress report about the ACE Program and the upcoming designation of the City as an "Alabama Community of Excellence". Marbury spoke about all the progress that the City has achieved the past five years of work and its accomplishments in the program. Dr. Marbury introduced Ms. Pat Hall, who gave a brief statement from the report. Ms. Hall explained that leveraging the designations as a Scenic Byway and the ACE title helped to obtain various grants.

**Charlotte Earnest 1712 Carlisle Circle**, congratulated the Council on the progress of the Splash Park. Items she would like to bring before the Council concern issues with weeds at 7<sup>th</sup> Street and Railroad Avenue within the downtown parameter. Also, As a Friend of the Library member, Ms. Ernest asked if any mold remediation was taking place. Acting City Clerk Fouts responded that he is working with a company to address this problem. A letter will be sent to Councilmember Eric Turner requesting information as to the cost of the stop work order on City Hall which is due May 20, 2013.

**Mr. James Kelley, 8100 Skinner Avenue**, raised the question of the business license fee in Leeds, compared to Moody and Pell City. Councilmember Washington will look into this matter.

**Keith Ethridge, Leeds City School Sports**. Mr. Ethridge announced that the Leeds program has been invited to be on the cover of a Football Magazine. Mr. Ethridge requested that the City purchase a \$500 advertisement in the magazine. Mayor David Miller approved the purchase of the ad.

**Mayor David Miller** commented regarding the ACE (Alabama Community of Excellence) program which has been spearheaded for Leeds by Dr. Carl Marbury, Ms. Pat Hall and Mr. Bill Richardson of the CDA (Commercial Development Authority). The Mayor described the opportunities that will be available to Leeds as an ACE city.

**ADJOURNMENT:** A motion to adjourn was offered by Councilmember Dutton, with a second by Councilmember Washington. The motion passed with all present voting yes.



David Miller, Mayor

ATTEST:



Kevin Fouts, Acting City Clerk