

**CITY OF LEEDS, ALABAMA  
PUBLIC HEARING AND  
REGULAR SCHEDULED COUNCIL MEETING  
AUGUST 5, 2013**

The City Council of the City of Leeds, Alabama, met Monday, August 5, 2013, at 6:00 PM for a Public Hearing and Regular Scheduled Council Meeting in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds Alabama.

1. **CALL MEETING TO ORDER:** Mayor Miller called the Public Hearing to order at 6:07PM. Councilmembers present were Kenneth Washington, Eric Turner, Johnny Dutton, Craig Wadsworth and Devoris Roscha Ragland.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:** The invocation was given at the prior Public Hearing.

**Public Hearing Regarding the Providing of a Public Benefit to a Private Entity in reference to Phase II of the Grand River Project.**

**Mayor David Miller** explained the issue stated and opened the floor for the Public Hearing.

**Councilmember Kenneth Washington** stated that it was a good project for the City but would like to see a meeting held between the City Council and the Board of Education due to the amount of money involved.

**Councilmember Ragland** stated her agreement that there needed to be further discussion.

**Beth Stewart, 2717 7<sup>th</sup> Avenue So., Birmingham – The Cahaba River Society (CRS)** stated that she is pleased with the way the project is progressing and would like to play a role in making this a sustainable water project. She has been working with the Daniel Corporation to discuss ways to be involved. Ms. Stewart described the plan as the biggest project the Cahaba River has seen and CRS would like to be involved in plan review to make suggestions. They understand that the project is on a tight timeline, but they want to help make sure water quality is considered. CRS is interested in working with the School Board and the City in the design of the project to be sustainable. Ms. Stewart also stated she would like to work with the City on the Rex Lake Road project.

**Mayor Miller** stated that the City was approved for funding of the Rex Lake Road project by the Alabama Department of Transportation Rehabilitation and Improvement Program (ATRIP).

**Kenneth Washington** asked who would be the project manager. Attorney Schmitt responded saying that is to be determined. The School would need to appoint a project manager for the school to watch over funding and construction.

**Bobbie Rhodes, 6941 Rowan Road,** asked if this meeting was about the development of Phase II.

**Attorney Scott Barnett** stated that meeting would held Thursday, August 8 at the meeting of the Planning and Zoning Commission.

**ADJOURNMENT:** Mayor Miller asked if there were any other comments. No comments were offered. The Public Hearing was adjourned.

**REGULAR SCHEDULED MEETING**

The City Council of the City of Leeds, Alabama, met Monday, August 5, 2013, at 5:00 PM for a Regular Scheduled Council Meeting in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds Alabama.

1. **CALL MEETING TO ORDER:** Mayor Miller called the Public Hearing to order at 6:07PM. Councilmembers present were Kenneth Washington, Eric Turner, Johnny Dutton, Craig Wadsworth and Devoris Roscha Ragland.
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:** The invocation was given at the prior Public Hearing.
3. **REVIEW AND APPROVE COUNCIL MINUTES:** 1) Council Meeting Minutes of July 15, 2013; 2) Work Session Meeting Minutes of July 18, 2013; 3) Called Council Meeting Minutes of July 22, 2013. A motion to approve the three sets of Minutes was given by Councilmember Johnny Dutton, with a second by Councilmember Devoris Roscha Ragland. The Motion passed with all present voting yes.
4. **OLD BUSINESS:** There was no Old Business put before the Council.
5. **DEPARTMENT HEAD REPORTS:**
  - a) **Administration, Mayor Miller:** No report.
  - b) **Fire Department, Chief Pierce:** Chief Pierce announced the Open House for the new fire station will be Friday, August 9<sup>th</sup> from 10am to noon.
  - 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:** fall registration for baseball is scheduled for the weekend of August 9-10. Leeds Youth Football has begun practice.
  - g) **Streets and Sanitation Department, Supervisor Keating:** No report.
  - h) **Municipal Court, Magistrate Roberts:** The monthly report for July was provided in the Council Packet.
6. **COUNCIL COMMITTEE REPORTS:**
  - a) **Finance Chairperson, Eric Turner:** Advised that budget worksheets have been distributed to department heads. Mr. Turner asked to schedule a work session for Monday, September 9, 2013 at 6pm at the Civic Center. Motion to set work session as requested. The motion passed with all present voting yes.
  - b) **Public Safety Committee, Devoris Roscha Ragland:** No report.
  - c) **Parks & Recreation Committee, Craig Wadsworth:** No report.
7. **NEW BUSINESS:**
  - a) **Resolution 2013-08-01 Declaring Weeds A Nuisance On A Certain Parcel.** Mayor discussed the resolution. Motion to approve Resolution 2013-08-01 by Councilmember Wadsworth with a second by Councilmember Dutton. The motion passed with all present voting yes.
  - b) **Resolution 2013-08-02 Regarding Library Computer Lease.** Mayor Miller discussed the resolution. Motion to approve Resolution 2013-08-02 by Councilmember Washington with a second by Councilmember Turner. The motion passed with all present voting yes.

**c) Resolution 2013-08-03 Assessing Weed Abatement Tax Lien.** Mayor discussed the resolution and asked Mr. Watson for comments. Mr. Watson stated the weeds had been abated. Motion to approve Resolution 2013-08-03 by Councilmember Dutton with a second by Councilmember Washington. The motion passed with all present voting yes.

**d) Resolution 2013-08-04 Assessing Weed Abatement Tax Lien.** Mayor Miller discussed the resolution. Motion to approve Resolution 2013-08-04 by Councilmember Dutton with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

**e) Resolution 2013-08-05 Regarding Alabama Constitution 772 Hearing.** Mayor David Miller discussed the resolution. The Mayor stated there needed to be a contingency clause included on getting an agreement with the school board.

Councilmember Turner gave a summary of the finance meeting last week. Mr. Miller informed the Council concerning a meeting with Superintendent John Moore and Harry Higdon, Chief Fiscal Officer Wednesday, August 7, 2013. The proposal includes: construction of a \$10mm school, \$1.5mm for infrastructure, \$1mm for debt rollover of existing school debt. The total debt would be \$12.5mm with a debt service of approximately \$500,000 for each entity. Councilmember Washington moved to approve Resolution 2013-08-05 contingent upon a funding agreement between the Board of Education and City of Leeds. The motion was seconded by Councilmember Ragland. The motion passed with all present voting yes.

**f) Resolution 2013-08-06 Authorizing Equipment Purchase at Civic Center.** The Mayor discussed the Resolution. Motion was stated to approve Resolution 2013-08-06 by Councilmember Dutton with a second by Councilmember Washington. Discussion: Councilmember Ragland asked how many treadmills the civic center currently has. Mr. Keating answered with the number of operating treadmills. Councilmember Ragland asked about the payment of membership fees. Mr. Keating answered they did collect the dues. The motion passed with all present voting yes.

**g) Resolution 2013-08-07 Approving ABC License Transfer.** Mayor Miller explained the resolution. Motion to approve Resolution 2013-08-07 by Councilmember Washington with a second by Councilmember Wadsworth. Councilmember Washington asked if there were distance issues but it was stated this is existing and this is simply a transfer. The motion passed with all present voting yes.

**h) Resolution 2013-08-08 Approving A Travel Request.** The Mayor discussed the Resolution. Motion to approve Resolution 2013-08-08 by Councilmember Turner with a second by Councilmember Wadsworth. Councilmember Ragland asked if this was an annual event. Roberts stated it was. Motion passed with all present voting yes.

**i) Resolution 2013-08-09 Awarding Splash Pad Bid.** Mayor Miller discussed resolution. He stated that the reason the bid was higher than expected was due to the quality of the equipment being used which will require less ongoing maintenance. Motion to approve Resolution 2013-08-09 by Councilmember Turner with a second by Councilmember Dutton.

Discussion: Councilmember Washington stated that the first bid included landscaping and the bid presented doesn't have landscaping. The City Attorney discussed that there had been negotiations with the contractor to reduce the price of the contract. The current resolution builds in excess over the proposed negotiation for unforeseen items. The Mayor stated that the Water Works Board has reduced their price by half. Councilmember Washington asked if we could get the landscaping done in the quoted amount. The Mayor stated that there is a time and materials contract that can be used to complete the landscaping. He stated that unlike other cities, Leeds has a site ready and that saves the City money. He believes that this is the best way to proceed based on discussions with other cities. The

Mayor would like to be open in the Spring of 2014. The motion passed with all present voting yes.

**j) Zoning Board of Adjustments Board Member Appointment.** Mayor Miller explained that there was an opening on the Zoning Board of Adjustments (ZBA) and asked for nominations. Councilmember Dutton nominated Gerald Miller for ZBA, with a second by Councilmember Turner. The motion passed with all present voting yes.

**k) Commercial Development Authority (CDA) Presentation to Council.** Dr. Carl Marbury, representing CDA, addressed the council regarding the ACE Award. Out of the five cities that started five years ago, Leeds was the only one to finish. The next phase is three years which requires recertification. He would like Leeds to be known for doing things and making a difference for its residents. The CDA has discussed the proposal for moving forward and presented a proposal of the policies to move forward. Dr. Marbury would like to see all entities involved work together. The proposal includes all parties meet every 5<sup>th</sup> Monday with the City Council to discuss their progress. Dr. Marbury requested that the Council review the process before the next meeting and give the CDA and participants feedback.

Dr. Marbury then introduced Pat Hall. Mayor Miller stated that Pat Hall worked with GMC on the ATRIP funding for the Rex Lake Road project.

Pat Hall addressed the Council, explaining how ACE certifications help bring in business and funding to the City. Ms. Hall spoke about the people involved in the ACE process.

The Mayor commended Rep. Dickie Drake for his help on the ACE program.

**l) Ordinance 2013-08-01 Amending the Zoning Ordinance.** Proposal from the Zoning Board of Adjustments. Mayor Miller discussed the ordinance. Motion to approve Ordinance 2013-08-01 by Councilmember Turner with a second by Councilmember Wadsworth. Motion passed with all present voting yes.

**m) Ordinance 2013-08-02 Amending the Zoning Ordinance-Home Occupation.** The Mayor discussed the ordinance. Motion to approve Ordinance 2013-08-02 by Councilmember Dutton with a second by Councilmember Wadsworth. The motion passed with all present voting yes.

**n) Ordinance 2013-08-03 Amending the Zoning Map.** Mayor discussed the ordinance. Motion to approve Ordinance 2013-08-03 by Councilmember Ragland with a second by Councilmember Dutton. Councilmember Washington asked why this was being changed. The Mayor stated this was left off and the residents did want the zoning changed. The motion passed with all present voting yes.

**o) Ordinance 2013-08-04 Amending the Zoning Ordinance – Buffer Matrix.** The Mayor discussed the ordinance. Motion to approve Ordinance 2013-08-04 by Councilmember Dutton with a second by Councilmember Wadsworth.

Discussion: Councilmember Washington asked how the City was changing the buffers. Mr. Watson discussed the differences between the current rules and the proposed changes. Councilmember Washington then asked who would control this. Mr. Watson stated that the Planning and Zoning Commission would be in control for most instances, while others would be administrative in function. The motion passed with all present voting yes.

## 8. PUBLIC COMMENT:

**Shirley Rafford, 6762 Southern Trace Circle** expressed her appreciation to the Mayor and City Council for the financial support for the Leeds Summer Camp. Many participants were able to have experiences they have never had before. thanks. She stated that one choir has won several awards and has been invited to Toledo,

Ohio to perform.

**Rev. Clyde Beverly** thanked the City Council for all of the support. Rev. Beverly then asked for a cooperative agreement to define the relationship between the City and Clear. A proposal has been presented to the City Attorney. They are unable to move forward with many initiatives due to the lack of a written agreement.

**Councilmember Kenneth Washington** offered to meet with the City Attorney to go over proposal. The City attorney stated that a meeting would be good to move forward.

**Mayor David Miller** stated that he is working diligently to find a doctor to move to Leeds. Without a doctor in the City, efforts to obtain tax credits and funding for assistance is greatly hindered.

**Councilmember Washington** stated the City needs a health program in Leeds and stressed the importance of the health of the people in Leeds.

**ADJOURNMENT:** Motion to adjourn by Councilmember Washington with a second by Councilmember Ragland. The Meeting was adjourned at 7:14pm.



David Miller, Mayor

ATTEST:



Kevin Fouts, Acting City Clerk