

**CITY OF LEEDS, ALABAMA
REGULAR SCHEDULED COUNCIL MEETING
AUGUST 19, 2013**

The City Council of the City of Leeds, Alabama met for a Regular Scheduled Council Meeting on Monday, August 19, 2013 at 6:00 p.m. at the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

- 1. CALL TO ORDER:** Mayor David Miller called the Council Meeting to order at approximately 6:05 PM with Councilmembers Johnny Dutton, Devoris Roscha Ragland, Eric Turner, Craig Wadsworth and Kenneth Washington present.
- 2. INVOCATION AND PLEDGE:**The Invocation was given at the Public Hearing.
- 3: REVIEW AND APPROVE COUNCIL MINUTES:** a) Council Public Hearing Minutes of August 5, 2013; b) Council Meeting Minutes of August 5, 2013; c) Council Work Session Minutes of August 8, 2013 were reviewed. Motion to approve the Minutes for the Public Hearing and the Regular Council Meeting on August 5, 2013 presented by Councilmember Eric Turner, with a second by Johnny Dutton. This Motion passed by all present voting yes. Motion to approve the Minutes for the Council Work Session of August 8, 2013 offered by Councilmember Eric Turner, with a second by Councilmember Johnny Dutton. Motion passed by a vote of 5 to 0 with one abstention by Councilmember Washington.
- 4. OLD BUSINESS:** There was no Old Business put before the Council.
- 5. DEPARTMENT HEAD REPORTS:**
 - a) Administration, Mayor Miller:** Announcement that the Splash Pad project has been approved by the Council.
 - b) Fire Department, Chief Pierce:** Chief Pierce thanked Ms. Drake for her help with the Open House, which was a big success.
 - c) Police Department, Chief Jackson:** Report provided.
 - d) Library, Director Williams:** Director Williams announced a program at the Library on Diabetes Basics on August 29th, 6-7PM and the Tot Time Program on August 20th at 10AM.
 - 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:** No Report.
- 6. COUNCIL COMMITTEE REPORTS:**
 - a) Finance Committee, Eric Turner:** A work session including Finance Committee and the Department Heads will be held at 6:00 PM on August 26, 2013.
 - b) Public Safety Committee, Devoris Roscha Ragland:** No Report.
 - c) Parks & Recreation Committee, Craig Wadsworth:** No Report.

7. NEW BUSINESS:

a) **Ordinance 2013-08-05 Amending City Zoning Map.** Mayor Miller informed Council concerning the proposed ordinance. Discussion: City Attorney Scott Barnett stated the need to suspend the rules and revote, since this would be a First Reading of the Ordinance.

Councilmember Dutton moved to suspend the rules, with a second by Councilmember Ragland. This motion passed with all voting yes.

Motion to adopt Ordinance 2013-08-05 by Councilmember Ragland with a second by Councilmember Wadsworth. The Motion passed by a roll call vote with all present voting yes.

b) **Resolution 2013-08-10 Awarding Street Improvement Bid.** The Mayor explained the need for the Resolution. There was a motion to approve Resolution 2013-08-10 by Councilmember Dutton with a second by Councilmember Wadsworth; the motion passed with all present voting yes.

c) **Resolution 2013-08-11 Approve Engineering Contract.** Mayor David Miller commented on the Resolution. Motion to approve Resolution 2013-08-11 by Councilmember Turner with a second by Councilmember Washington; the motion passed with all present voting yes.

d) **Resolution 2013-08-12 Approve Funding Agreement.** Motion to approve Resolution 2013-08-12 by Councilmember Dutton with a second by Councilmember Turner.

Discussion: Councilmember Washington questioned the amount being requested. The Mayor discussed the change in the state law requiring facilities for Pre K and a recent update from the schools indicating the need for a larger facility due to the annual growth in enrollment. Councilmember Washington asked how the funds were going to be dispersed and suggested that a board be assembled for the oversight. The Mayor answered indicating oversight would be provided by the Board of Education and City Council, precluding the need for another board in the mix.

Mr. Roland Isbell asked, quoting the current enrollment number of 792, when would the facility require another addition.

City Attorney Scott Barnett distributed an updated agreement document.

The vote followed. Yes: Councilmembers David Miller, Eric Turner, and Johnny Dutton. No: Councilmembers Craig Wadsworth, Kenneth Washington, and Devoris Ragland. The mayor stated that the motion failed due the lack of a majority vote.

e) **Resolution 2013-08-13 Approve St. Clair Economic Development Council (EDC) To Offer Incentives.** Motion to approve Resolution 2013-08-13 by Councilmember Washington with a second by Councilmember Wadsworth. The motion passed with Councilmember Dutton voting no.

f) **Resolution 2013-08-14 Authorize Mayor To Enter Into Negotiations With Insurance Carriers.**

Motion by Councilmember Washington to move Item "f" to to Item "m" with a second by Councilmember Turner. The motion passed with all present voting yes.

g) **Resolution 2013-08-15 Set Public Hearing Date For Amending City Zoning Map.** Motion to approve Resolution 2013-08-15 by Councilmember Turner with a second by Washington. The motion passed with all present voting yes.

h) Resolution 2013-08-16 Approve Telecommunications Consultant Agreement. Acting City Clerk Kevin Fouts explained the Resolution. Motion to approve Resolution 2013-08-16 by Councilmember Washington with a second by Councilmember Dutton. The motion passed with all present voting yes.

i) Resolution 2013-08-17 Approve Engineering Services To Expand Cedar Grove Cemetery. Motion to approve Resolution 2013-08-17 by Councilmember Washington with a second by Councilmember Ragland. Discussion followed. Councilmember Washington stated that the city should look into the rates being charged. Kathy Drake commented about the poor current maintenance of the cemetery. Charlotte Earnest spoke questioning the City's need to be in the cemetery business as the lots are under-charged and the opening/closing is too inexpensive to cover the expenses for the perpetual care of the cemetery.

Councilmember Ragland withdrew her second of the motion and Councilmember Washington withdrew the motion.

Motion to table this matter until further study by Councilmember Washington, with a second by Councilmember Wadsworth. The motion to table passed with all present voting yes.

j) Resolution 2013-08-18 Approve Tax Incentive Abatement – Bag Company: Motion to table items J and K until further discussion by Councilmember Turner with a second by Dutton. The motion passed with all present voting yes.

k) Resolution 2013-08-19 Approve Tax Incentive Abatement – Limbaugh Equipment. See Motion to table stated above.

l) Resolution 2013-08-20 Approve Engineering Services. Mayor David Miller explained the Resolution. Motion to approve Resolution 2013-08-20 by Councilmember Turner with a second by Councilmember Wadsworth. Motion to approve Resolution 2013-08-20 passed with all present voting yes.

City Attorney Scott Barnett requested that the Council go into Executive Session and declared that the session would meet proper guidelines for Executive Session per the Alabama Sunshine Law since it involved a potential legal matter and the good name and character of a person. Motion to adjourn to Executive Session by Councilmember Washington with a second by Councilmember Turner. The Council approved the Motion and departed at 7:17PM .

Council reconvened the Regular Scheduled Council Meeting at 8:03PM.

m) Resolution 2013-08-14 Authorize Mayor To Enter Into Negotiations With Insurance Carriers. Motion to approve Resolution 2013-08-14 by Councilmember Kenneth Washington, with a second by Councilmember Turner. The motion passed with all present voting yes.

9. PUBLIC COMMENT:

Marsha Mason, 1104 Beech Street: Ms. Mason expressed her concern about third and fourth generation residents of Leeds and the neglect of their neighborhoods. There have been sinkholes on the road for years that have not been repaired. Mayor indicated that if there is serious need, she should contact Street Superintendent Keating. Ms. Mason indicated that the City Inspector Brad Watson has seen the problem along with Councilwoman Ragland. Ms. Mason restated that her neighborhood needs to have the roads repaired and asked for a completion date.

Judy Powell, 1114 Beech Street: Ms. Powell stated her concern about the care of the street. She stated that she has maintained her portion of the street for many years but is no longer able to take care of having the ditches cleaned out. Inspector Brad Watson has confirmed that the City does not have right of way easement for maintenance on Holly Avenue. Mr. Watson indicated that the Courson administration paved the road.

Lavinia Hall, 1719 Henry Ellen Road: Ms. Hall described the problem with water coming under the Rail Road track which causes problems with her property.

ADJOURNMENT: Motion to adjourn by Councilmember Washington with a second by Councilmember Turner. The motion passed with all present voting yes. The Meeting was adjourned at 8:22PM.



David Miller, Mayor

ATTEST:



Kevin Fouts, City Clerk