

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
MAY 04, 2015**

The City Council of the City of Leeds, Alabama met for a Public Hearing and a Regular Scheduled Council Meeting on Monday, May 04, 2015 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 meeting to order at 6:09 PM with Councilmembers Johnny Dutton, Devoris Roscha Ragland, Eric Turner, Craig Wadsworth and Kenneth Washington present.
2. **INVOCATION AND PLEDGE:** The Invocation was led by Jesse Turner.

**PUBLIC HEARING
Granting the Use of Public Funds To A Private Entity For Economic Development**

Mayor Miller gave a brief description regarding the purpose of the Public Hearing. City Attorney Barnett introduced Judge Jim Hill, who is representing the developer. Mr. Hill discussed the specifics of the developer's investment of the proposed Economic Tax Rebate. Judge Hill spoke of a \$100,000 annual rebate cap.

The Mayor invited comments from the public; no one came forth. Councilmember Washington asked if 50% of the rebate could be refunded back to the developer up to \$100,000 annually.

Sam Pezillo, 1497 Montevallo Road, Chairman of the RDA (Redevelopment Authority) spoke in favor of this proposed rehabilitation development.

The mayor closed the Public Hearing at 6:17PM.

REGULAR SCHEDULED COUNCIL MEETING

3. **REVIEW AND APPROVE COUNCIL MINUTES:** minutes for the April 20, 2015 Council Meeting were reviewed. Motion to approve the minutes as presented by Councilmember Turner, with a second by Councilmember Ragland; the motion passed with all present voting yes.
4. **OLD BUSINESS:** there was no Old Business to come before the Council.
5. **DEPARTMENT HEAD REPORTS:**
 - a) **Administration, Mayor Miller:** The Mayor announced the receipt of a gift of \$2,000 towards the operation of the Splash Pad. Mayor Miller also announced this fills the gap of what the Shops of Grand River and TNT fireworks.
 - b) **Fire Department, Chief Pierce:** Captain Parsons was present for the Department. No Report.
 - c) **Police Department, Chief Jackson:** No Report.
 - d) **Library, Director Williams:** Director Williams commented that the library is busy: there are 7 public computer workstations and there were 50 users today. Ms. Williams also announced "The Great Give", a Jefferson County Library Cooperative fundraising event scheduled May 12-13, 2015. Donations may be mailed to JCLC, 2100 Park Place, Birmingham, AL 35203 or dropped off at the Leeds Public Library.
 - e) **Inspection Department, Superintendent Watson:** No Report.
 - f) **Parks and Recreation Department, Supervisor Keating:** Mr. Keating announced the opening of the Splash Pad on Memorial Day Weekend, May 23-25. The facility will be closed May 26-31, then open June 1 for the summer schedule. Mayor Miller announced that the BOE (Board of Education) will supply students to supervise the use of the pad.
 - g) **Streets and Sanitation Department, Supervisor Keating:** Paving projects began today on Crest Road. Mayor Miller requested that Councilmembers submit a survey of their Districts for repairs to be scheduled during the next round of paving projects.
 - h) **Municipal Court, Magistrate Roberts:** Ms. Roberts reported her plans to be in Mobile this summer to teach new magistrates.

5. **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.

d) Primary School Construction Review Committee, Mr. Ben Watson, P.E.: Mr. Watson reported that Wednesday, May 6th will be the start date of boring for the relocation of the AT&T Line. The relocation is expected to be completed May 15th and then the General Contractor can move in and begin once the relocation has been approved. A ground breaking ceremony is scheduled for May 21st. Watson reports that using June 1st as the construction start date, the school should be completed by June 2016. Mr. Watson approves and presented an invoice from Goodwin Mills and Caywood for payment. Motion to approve payment of the invoice by Councilmember Wadsworth, second by Councilmember Dutton; the motion passed with all present voting yes.

Mayor David Miller requested permission of the Council to move Item H to be considered first on the agenda.

7. **NEW BUSINESS:**

- a) **Resolution 2015-05-01 Declaration of The Jones Street Bridge to Be Private Property:** Motion to approve Resolution 2015-05-01 by Councilmember Turner with a second by Councilmember Ragland; the motion passed with all present voting yes.
- b) **Resolution 2015-05-02 Authorize Service Agreements:** Motion to approve Resolution 2015-05-02 by Councilmember Ragland with a second by Councilmember Dutton; the motion passed with all present voting yes.
- c) **Resolution 2015-05-03 Award Patch Paving Bid:** Motion to approve Resolution 2015-05-03 by Councilmember Dutton with a second by Councilmember Turner; the motion passed with all present voting yes.
- d) **Resolution 2015-05-04 Authorize Economic Development Tax Abatement Agreement:** Motion to approve Resolution 2015-05-04 by Councilmember Dutton with a second by Councilmember Wadsworth; the motion passed with all present voting yes.
- e) **Resolution 2015-05-05 Authorize Economic Development Tax Abatement Agreement.** Motion to approve Resolution 2015-05-05 by Councilmember Dutton with a second by Councilmember Wadsworth; the motion passed with all present voting yes.
- f) **Resolution 2015-05-06 Authorize Audit Contract.** Motion to approve Resolution 2015-05-06 by Councilmember Turner with a second by Councilmember Dutton; the motion passed with all present voting yes.
- g) **Resolution 2015-05-07 Dedicate Certain Property as Public Right of Way.** Motion to approve Resolution 2015-05-07 by Councilmember Dutton with a second by Councilmember Wadsworth; the motion passed with all voting yes.
- h) **Resolution 2015-05-08 Authorize Use of Public Funds And Grant to Private Entity.** Motion to approve Resolution 2015-05-02 by Councilmember Turner with a second by Councilmember Wadsworth; the motion passed with all present voting yes. Attorney Brunson spoke of competing a certificate of indebtedness and will be filing for a validation hearing before the Circuit Court in Jefferson County.
- i) **Resolution 2015-05-09 Authorize Lease Agreement.** Motion to approve Resolution 2015-05-09 by Councilmember Wadsworth with a second by Councilmember Dutton; the motion passed with all present voting yes.
- j) **Resolution 2015-05-10 Authorize Participation In The Municipal Workers Compensation Fund.** Attorney Brunson addressed Council with background information regarding this matter. Motion to approve Resolution 2015-05-10 by Councilmember Wadsworth with a second by Councilmember Dutton; the motion passed with all present voting yes.
- k) **Ordinance 2015-05-01 Authorize Annexation Petition.**

Motion to suspend the the rules to consider this Ordinance 2015-05-01 at this meeting by Councilmember Wadsworth with a second by Councilmember Dutton. The motion passed with all present voting yes.

Motion to adopt Ordinance 2015-05-01 by Councilmember Wadsworth with a second by Councilmember Dutton. Attorney Barnett called attention to a typographical error in the Exhibit Page which needs to be corrected; the motion passed with all present voting yes.

8. COUNCIL COMMENTS:

Mayor Miller informed the council concerning the Letter of Default which was sent to Advanced Disposal; The Mayor asked council's consent to add the letter to agenda.

Motion to add to the agenda the letter to Advance Disposal by Councilmember Turner, seconded by Councilmember Wadsworth; motion passed with all present voting yes.

Brad Watson spoke of the process with Advanced Disposal to correct the deficiencies with the service. Watson stated that Advanced has stepped up to the plate sufficiently to satisfy the deficiencies that were stated in the letter. Attorney Barnett addressed the deficiency letter sent to Advanced Disposal and the 30 day time frame the Company had to resolve the issues stated in the letter. Attorney Barnett suggests the Council authorize the Mayor to sign the letter which indicates the major defaults stated in the letter have been resolved. Motion to authorize Mayor David Miller to sign the letter to Advanced Disposal by Councilmember Wadsworth with a second by Councilmember Dutton; motion passed with all present voting yes.

9. Public Comment:

Deanna Bagby, Cedar Avenue lot 23, Leeds described problems with a home purchased from Keith Hall. Problems described were: the porch separating from the structure, floors buckling, wall bowing and presence of a water spring under the home. She added that she was not able to have a yard as promised, and of debris that accumulates on her property/drive entrance. Ms. Bagby hired a structural engineer to evaluate the structure and she sleeps downstairs due to safety concerns. Ms. Bagby stated that she would like to have Mr. Hall's license revoked and her money refunded. Mayor Miller asked Inspection Department head, Brad Watson, what could be done. Ms. Bagby was informed that she should file a complaint with the Alabama Homebuilders Association. City Attorney Brunson informed council that he could assist Ms. Bagby's Attorney with filing the correct paperwork with the approval of Council.

Maureen Gunn, 1740 Carlilse Circle, complained about limbs that have been on the street for over a month. Brad Watson indicated that the video would be pulled to determine if in fact the street has been missed for a month.

Ted Johnson, asked if his property was annexed in the City. The Mayor confirmed that he was annexed into the City via the Ordinance which was passed at the meeting tonight.

Mr. Kendrick, Peach Street, called attention to the condition of Peach Street. Mr. Kendrick was informed that the bid was awarded this evening to repair the street.

James Lewis, Birmingham Times, commented about the newspaper that is being distributed in the area. The paper is published in Birmingham and is working an emphasis on St. Clair County. Mr. Lewis can be contacted at elewis111@birminghamtimes.com; His phone number is 205-251-5158, ext 15.

ADJOURNMENT: Motion by Councilmember Turner to adjourn. The meeting was adjourned at 7:19PM.



David Miller, Mayor

ATTEST:


Kevin Fouts, City Clerk