

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
JUNE 15, 2015**

The City Council of the City of Leeds, Alabama met for a Public Hearing and a Regular Scheduled Council Meeting on Monday, June 15, 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 6:00 PM with Councilmembers Johnny Dutton, Devoris Roscha Ragland, Craig Wadsworth and Kenneth Washington present. Councilmember Eric Turner was absent

2. INVOCATION AND PLEDGE: The Invocation was led by Councilmember Washington.

**PUBLIC HEARING
Zoning Ordinance Proposed Changes**

The Mayor described the proposed changes in the Zoning Ordinance and opened the floor for comments from the audience.

Ms. Susan Carswell, 2120 Montevallo Road, expressed concern of allowing chickens in areas zoned R-1 and R-2. Ms. Carswell suggested possibility of changing the required confinement to 75' even- though she thinks that the 75' might not be enough. Ms. Carswell's other concerns include the infringement onto neighbors and the odor, as well as the added burden in the inspections department monitoring the enforcement of such a regulation. Also, concern about folks getting the chickens and not knowing what the commitment is to properly take care of chickens. Ms. Carswell thinks it belongs in AG and not in Residential districts. Inspections Superintendent informed the Mayor that the proposed Ordinance has reduced the number to 3 and also as a special exception and needs to be on a lot of 15,000 square feet exclusive of structures.

Kathye Drake, Forest Drive, stated that she researched the subject and the requirements it takes to have chickens. Ms. Drake is totally against allowing chickens.

Councilmember Washington asked Brad Watson, Inspections Superintendent, if chickens currently can go in R-1 and Mr. Watson responded in the affirmative, but added that a special exception is required. An application for the special exception hearing must be submitted; then notice will be placed at the proposed location so the neighborhood will be noticed of such an application being made.

Councilmember Dutton inquired if the above changes were included in the public hearing document supplied. Mr. Watson informed Councilmember Dutton that an updated version states the facts as presented tonight. Mr. Dutton asked about limiting chickens to AG zoning and remove from Residential zoning.

Mayor Miller asked the city attorneys if the proposed ordinance could be passed omitting the reference to chickens to allow more time to discuss the topic - but not to delay the passage of the proposed ordinance. The City attorneys indicated that passage could occur omitting the reference/section which relates to chickens.

With no other comments from the public, the Mayor closed the public hearing at 6:25 PM.

COUNCIL MEETING

3. REVIEW AND APPROVAL OF MINUTES: the Council reviewed minutes from the Council Meeting held June 01, 2015. Motion to approve the minutes as presented by Councilmember Ragland with a second by Councilmember Wadsworth; 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 reported that the new service station at the corner of Parkway Drive and Ashville Road will be an Exxon station, and stated the construction definitely improves the intersection. Mayor Miller also supplied a brief status of the new UAB Clinic on Rex Lake Road which appears to be ready in late July. The mayor announced that Grand River plans to have the drive in theater ready by late summer has been delayed and projects opening to occur in October due to construction issues. The Mayor reports the Splash Pad was inspected by the Jefferson County Health Department and scored 98%.

b) **Fire Department, Chief Pierce.** No Report.

c) **Police Department, Chief Jackson.** Report supplied.

d) **Library, Director Williams.** Ms. Williams announced for people to visit the Library's Facebook page for information about the Summer Program.

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.** Report supplied to Council.

6. **COUNCIL COMMITTEE REPORTS:**

a) **Finance Chairperson, Eric Turner.** Absent

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.** Absent, no report.

7. **NEW BUSINESS:**

a) **Resolution 2015-06-06 Authorize Waiver of A Late Sales & Use Tax Penalty.** Motion to approve Resolution 2015-06-06 by Councilmember Dutton with a second by Councilmember Washington; the motion passed with all present voting yes.

b) **Resolution 2015-06-07 Approve Updates To City Employee Handbook.** The Mayor asked City Attorney Barnett to advise the Council concerning this matter. Mr. Barnett described the changes saying it is just an update and has the concurrence of the City's Department Heads. Motion to approve Resolution 2015-06-07 by Councilmember Wadsworth with a second by Councilmember Ragland. Discussion: Councilmember Washington asked if the proposed document was submitted to the Jefferson County Personnel Board. Mr. Barnett responded that the changes are not that comprehensive and should not conflict with the Board's regulations. With no further discussion, the motion passed with all present voting yes.

c) **Resolution 2015-06-08 Change July 6th Regular Council Meeting Date.** Motion to approve Resolution 2015-06-08 by Councilmember Dutton with a second by Councilmember Wadsworth; motion passed with all voting yes.

d) Resolution 2015-06-09 Award Bid and Authorize Expenditures.:

Motion to approve Resolution 2015-06-09 by Councilmember Dutton with a second from Councilmember Wadsworth; motion passed with all present voting yes.

e) Resolution 2015-06-10 Approval Of The Leeds Hazard Mitigation Plan.:

Inspections Superintendent Watson advised Council of this matter and states that this was recommended by the Planning and Zoning Commission. Motion to approve Resolution 2015-06-10 by Councilmember Wadsworth with second from Councilmember Dutton; motion passed with all present voting yes.

f) Resolution 2015-06-11 Determination of Certain Weeds & Overgrown Property As A Public Nuisance.

Motion to approve Resolution 2015-06-11 by Councilmember Dutton with a second by Councilmember Wadsworth, with no discussion from the audience the City's Inspections Superintendent Watson informed council that the Nuisance Resolutions being discussed at this meeting being rental properties; the motion passed with all present voting yes.

g) Resolution 2015-06-12 Determination of Certain Weeds & Overgrown Property As A Public Nuisance.

Mayor asked for comments from the public; with none, a Motion to approve Resolution 2015-06-12 by Councilmember Wadsworth with a second by Councilmember Washington; the motion passed with all present voting yes.

h) Resolution 2015-06-13 Determination of Certain Weeds & Overgrown Property As A Public Nuisance.

Mayor Miller asked if anyone in audience would speak concerning this matter; with none, motion to approve Resolution 2015-06-13 from Councilmember Ragland with a second by Councilmember Dutton; the motion passed with all present voting yes.

i) Resolution 2015-06-14 Determination of Certain Weeds & Overgrown Property As A Public Nuisance.

Mayor asked if anyone present in audience would speak to this matter. With none, motion to approve Resolution 2015-06-14 by Councilmember Wadsworth with a second by Councilmember Dutton; motion passed with all present voting yes.

j) Resolution 2015-06-15 Authorize A Certificate of Exemption.

Inspections Superintendent Watson advised the Council that the applicant does have a business in the City and has garbage service. Motion to approve Resolution 2015-06-15 by Councilmember Wadsworth with a second by Councilmember Ragland; the motion passed with all present voting yes.

k) Ordinance 2015-06-01 Adopt and Enact City Code.

City Attorney Barnett described the Ordinance as being a major accomplishment by this Administration to have all the city codes in one location. The last time this was completed was 1998. Mr. Barnett spoke positively of streamlining the city's codes, and having them online, available to the public in searchable format.

Motion to suspend the rules by Councilmember Dutton with a second by Councilmember Wadsworth..The motion passed with all present voting yes.

Motion to adopt Ordinance 2015-06-01 by Councilmember Dutton with a second from Councilmember Wadsworth. Discussion: Councilmember Washington questioned the fee and fine schedule. Both Magistrate Roberts and Attorney Brunson spoke to Councilmember Washington's questions. The motion passed with all present voting yes.

l) Ordinance 2015-6-02 Adopt City Fee and Fine Schedules.

Motion for unanimous consent by Councilmember Wadsworth with a second by Councilmember Dutton; motion for unanimous consent passed with all present voting yes. Motion to adopt Ordinance 2015-06-02 by Councilmember Ragland

with a second by Councilmember Wadsworth; the motion passed with all present voting yes.

m) Ordinance 2015-06-03 Declaring Certain Conditions To Be Public

Nuisances: Motion for unanimous consent by Councilmember Washington with a second by Councilmember Wadsworth; the motion passed with all present voting yes. Motion to adopt Ordinance 2015-06- 03 by Councilmember Dutton with a second by Councilmember Wadsworth; motion passed with all present voting yes.

n) Ordinance 2015-06-04 Regulate The Establishment, Maintenance, and Operation of Bingo. Mayor Miller stated adoption of the ordinance would bring the city into compliance with the current state law. Motion to consider passage by unanimous consent by Councilmember Dutton with a second by Councilmember Wadsworth; motion passed with all present voting yes. Motion to adopt Ordinance 2015-06-04 by Councilmember Wadsworth with second by Councilmember Dutton; motion passed with all present voting yes.

o) Ordinance 2015-06-05 Regulate Animal Control. Motion to consider by unanimous consent by Councilmember Wadsworth with a second by Councilmember Ragland; motion passed with all present voting yes. Motion to approve Ordinance 2015-06-05 by Councilmember Wadsworth with a second by Councilmember Dutton, motion passed with all present voting yes.

p) Ordinance 2015-06-06 Adopt Zoning. Motion to consider adoption of this ordinance by unanimous consent by Councilmember Wadsworth with a second by Councilmember Dutton; the motion passed with all present voting yes. Motion to approve Ordinance 2015-06-06 with the omission related to urban chickens by Councilmember Washington with a second by Councilmember Ragland; the motion passed with all present voting yes.

r) Concerned Citizens To Address Council.

Mayor David Miller established ground rules for this matter and states that the School Superintendent is also present to field questions. Mayor asked that each person must wait to be recognized and to limit comments to three minutes. The mayor also states that the same topic will not be revisited multiple times.

Mr. Kenneth Wilson, 1270 Vivian Street, stated that the property across the street from his home is grossly overgrown and he is worried for his children and grandchildren because of the vermin/pests being on the property. He has noticed the City putting notice at the property addressing the weeds. Mr. Watson spoke of asking Jefferson County if they have CDBG funds to demolish the structure. Mr. Watson said it could be a decade before City funds could be available, but that the overgrowth can be addressed immediately.

Ms. Carol Phillips, 537 Forest Avenue. Ms. Phillips referred to her time serving as a Council person and commended the school football program where it is today with the leadership of Coach Ethridge. Ms. Phillips also called attention to the work of the new Regional Development Authority and states that she has submitted signs for their review and consideration.

Demetris Oden, Kings Forest Drive. Ms. Oden asked why the Board of Education members are appointed and not elected. The Mayor stated that this has been the preferred method by the Council. Attorney Brunson spoke that most all cities the size of Leeds appoint rather than elect. Also, Ms. Oden asked about the financial condition of the schools. Mayor Miller stated that the schools are in excellent condition financially and referred the question to School Superintendent Moore.

Mr. John Moore states there is a \$900,000 fund balance and is the single largest employer in the City with a \$14.4 million budget and is the 20th of a well funded system of 136 systems in the state which ranks the system in the top 15% of local

funding effort of the systems in the State of Alabama. Moore also stated that the City Council has no governance over the schools but the Board of Education does.

Councilmember Washington stated that he had this topic on the agenda. Mr. Washington indicated that he had multiple inquiries about the schools from his constituents and wanted to discuss with people in authority to determine the facts and stop the rumors being generated. Superintendent Moore spoke of two teachers that were not renewed and were mistakenly overlooked. Two teachers were not renewed of a staff of 205. Moore stated that there is minimal staff turnover. Washington thanked Superintendent Moore for attending the meeting tonight. Mr. Moore spoke of the minutes being posted online along with the check register from the general fund. There is time for public comment at all regular board meetings.

9. **PUBLIC COMMENT:** there were no additional public comments.

ADJOURNMENT: Motion by Councilmember Washington to adjourn. The mayor adjourned the meeting at 6:40PM.



David Miller, Mayor

ATTEST:



Kevin Fouts, City Clerk