

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
FEBRUARY 01, 2016**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, February 01, 2016 at 6:00PM in 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 6:09PM with Councilmembers Johnny Dutton, Devoris Rosecha Ragland, Eric Turner, Craig Wadsworth, and Kenneth Washington present.

2. INVOCATION AND PLEDGE OF ALLEGIANCE: the invocation was given by Jesse Turner.

PUBLIC HEARING

a) Regarding Property Identified As Having Certain Conditions To Be An Annoyance And Public Nuisance In Violation of Chapter 32 Of The City of Leeds Code of Ordinances. Attorney Brunson addressed this issue (item a) as well as item c, at the same time. No one was present to speak on behalf of this property. Attorney Brunson stated that he has been in communication with the company's legal counsel and would like to speak at the business portion of the meeting on both issues (items).

b) The Revocation Of A Business License At 1081 Montevallo Road, Leeds, Alabama Pursuant To the City Code of Ordinances. Mayor Miller asked if anyone was present to speak. Sam Jackson came before the council to speak for his 80 year old mother who owns the property. Mr. Jackson described the history of her business, including ownership of six homes located around the Birmingham Metro area and asked why the business license was being revoked. The Mayor answered the question, citing a lack of resident supervision and excess calls to the police and fire departments for services from the site. Jackson described the property as an independent home where food and shelter are provided, but supervision is not required. Jackson states the facility must follow a prescribed process in order to evict undesirable tenants; they cannot just make them leave. Inspections Superintendent Watson described the property has a Zoning problem and is currently not in compliance with the description of a Boarding House. Councilmember Washington spoke of the history of the facility and his personal relationship and esteem for Mrs. Jackson, the owner.

Councilmember Ragland questioned if the facility was responsible for assisting with medication procedures. Councilmember Ragland spoke of all the police calls being dispatched to the site to resolve resident issues and the need to have a person to contact when a problem arises. Councilmember Washington expressed concern that the Council was not appraised of this matter in order to work to resolve these issues. Councilmember Dutton called attention of the Council to injustice to the tax-paying residents in the area near this facility. Attorney Brunson advised that the City develop a plan and give the expectations/set of standards to the Facility so as not to be a nuisance to the neighborhood. Jackson states there are 14 units in the facility with approximately 9 hours daily supervision. Councilmember Washington spoke of offering 60 days for compliance so there will be time to move the residents to another facility. Councilmember Ragland asked if the facility or the supervisor is considered the "overseer" of the individual when the individual is admitted.

Katlye Drake states this matter was an issue when her mother lived in the area of the facility long before 2013 and the issues today are nothing new. Councilmember Ragland asked Inspections Superintendent Watson concerning the zoning issue. Mr. Watson states the business changed the type of business filed with the State of Alabama a few years back to a Boarding Home type business.

c) The Revocation Of A Business License At 8044 Parkway Drive, Leeds, Alabama Pursuant To the City Code of Ordinances.

d) Consider Rezoning Certain Property From MR, Municipal Reserve District to R-1 Single Family District. Mayor asked if anyone present to speak of this matter, no one was present.

Mayor closed public hearing at 6:50PM

REGULAR SCHEDULED COUNCIL MEETING

3. REVIEW AND APPROVE COUNCIL MINUTES: a) January 11, 2015 Public Hearing and City Council Meeting. Motion to approve minutes as written by Councilmember Turner 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. Mayor spoke of the progress with the Drive In Theater possibility for the city. The Mayor also commended the City of Leeds Public Schools for being listed as Number One (1) “Up and Coming School System in the State” and Number Twenty-Sixth (26) “Up and Coming School System” in the Country.

b) Fire Department, Chief Parsons. Department Report was included in Council packet. New ISO Ratings (Insurance Services Office) are now in effect for residential and commercial properties. Chief Parsons also spoke of attending a New Chiefs Conference at the National Fire Academy.

c) Police Department, Chief Jackson. The Leeds Police captured the burgler that made the national news on You Tube and AL.COM.

d) Library, Director Williams. Ms. Williams urged the public to review the Library Report in *The Leeds Tribune*.

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. Amnesty Court has been scheduled for February 27, 2016.

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.

d) Primary School Construction Review Committee, Mr. Ben Watson, P.E. Mr. Watson reported a total of 44 rain days since construction started resulting in a solid two weeks delay. The current occupation date is August 15th 2016 and the operation is still on target but more rain will affect the opening date. Watson also reported that the base has been installed for asphalt and the main building is ready for roof shingles for the building to be “in the dry”. Mr. Watson is conferring with the contractor to schedule a tour date for the Council. Watson presented a payment request which totals \$910,513.98. Motion to approve payment by Councilmember Turner with a second by Councilmember Wadsworth; the motion passed with all present voting yes.

7. NEW BUSINESS:

a) **Resolution 2016-02-01 Consider Solid Waste Exemption.** Motion to approve by Councilmember Dutton with a second by Councilmember Wadsworth; motion passed with all present voting yes.

b) **Resolution 2016-02-02 Authorization To Take The Necessary Actions To Enforce And Collect License Fees, Excise Taxes And Related Costs And Fees.** Motion to approve by Councilmember Ragland with a second by Councilmember Wadsworth; the motion passed with all present voting yes.

c) **Resolution 2016-02-03 Consider Alabama Power Contract For Street Lighting Project.** Inspections Superintendent provided the Council with addition information. Motion to approve by Councilmember Dutton with a second by Councilmember Wadsworth; the motion passed with all present voting yes.

d) **Resolution 2016-02-04 Consider Supplement Compensation To Leeds City Board of Education.** Mayor Miller spoke of this matter. Motion to approve by Councilmember Turner with a second by Councilmember Ragland, motion passed with all present voting yes. Coach Ethridge was presented with a check and a proclamation from the council. Coach Ethridge spoke of his appreciation and his accomplishments being a coach in his home town.

e) **Resolution 2016-02-05 Consider The revocation Of A Business License Pursuant To the City Code Of Ordinances.** Councilmember Washington spoke of giving the facility 60 days to come into compliance or first meeting of council meeting in April. Motion to table this matter until the first council meeting in April by Councilmember Washington with a second by Councilmember Wadsworth; the motion to table passed with all present voting yes. Mayor Miller advised Inspections Superintendent Watson to communicate with the facility concerning the council's action and expectations. Watson spoke of this being a significant challenge and will require multiple other governmental agencies working with this matter as well as the City's legal team.

f) **Resolution 2016-02-06 Consider The revocation Of A Business License Pursuant To the City Code Of Ordinances.** Attorney Brunson suggested tabling this matter until the first council meeting in March meeting as there are ongoing communications with the legal counsel of the business. Motion to table this matter until the first meeting in March by Councilmember Washington with a second by Councilmember Turner; the motion to table passed with all present voting yes.

g) **Ordinance 2016-02-01 Consider Amending Prohibited Parking Areas Along The City's Truck Route.**

Motion for unanimous consent for adoption of Ordinance 2016-02-01 by Councilmember Turner with a second by Councilmember Wadsworth; the motion for unanimous consent passed with all present voting yes.

Motion to adopt Ordinance 2016-02-01 by unanimous consent by Councilmember Turner with a second by Councilmember Washington to discuss this matter; motion passed with all present voting yes.

Attorney Brunson asked that the petition concerning this ordinance received today be included in the minutes. Councilmember Washington stated that the parking in question has been used for years and an additional consideration of a church in the vicinity of the proposed no parking area. Mayor Miller identified parking areas for the church such as the bank, First Avenue and Eighth Avenue. Councilmember Dutton commented that he had not been notified about the proposed change.

Motion to approve Ordinance 2016-02-01 by Councilmember Ragland with a second by Councilmember Turner; the motion passed with four "yes" votes, with Councilmember Dutton and Councilmember Washington as "no" votes; the motion passed with 4 yes votes and 2 no votes. Councilmember Turner stated that this is a request from Lehigh.

h) Ordinance 2016-02-02 Consider Rezoning Certain Property or Parcel From Municipal Reserve District To R-1 Single Family District.

Motion for unanimous consent to consider Ordinance 2016-02-02 by Councilmember Wadsworth with a second by Councilmember Turner; the motion passed with all present voting yes.

Motion to adopt Ordinance 2016-02-02 by Councilmember Wadsworth with a second by Councilmember Dutton; the motion passed with all present voting yes.

j) Ordinance 2016-02-03 Consider Updating The City's Truck Route.

Motion for unanimous consent to consider the ordinance by Councilmember Wadsworth with a second by Councilmember Turner; motion passed with all present voting yes.

Motion to adopt Ordinance 2016-02-03 by Councilmember Wadsworth with a second by Councilmember Turner; the motion passed with all present voting yes.

9. PUBLIC COMMENT:

Ken Grisson, 1270 Vivian Street, spoke of receiving a notice to abate 1287 Rosa Parks Circle and the matter was supposed to be on the agenda. Inspections Superintendent Watson responded of this being an item that was removed from the agenda. Watson advised Mr. Grisson to contact him tomorrow to discuss details.

Ms. Burt expressed appreciation to the council for attending the Martin Luther King Unity Breakfast.

Director Williams commented on the fact that the City offers free parking, which was not the case when she worked in Birmingham.

ADJOURNMENT: Motion to adjourn by Councilmember Washington. The meeting was adjourned at 7:38PM.



David Miller, Mayor

ATTEST:



Kevin Fouts, City Clerk