

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
OCTOBER 27, 2015

The City Council of the City of Trussville met for a workshop session on Thursday, October 22, 2015 at 5:30 p.m. at Trussville City Hall. Council President Alan Taylor presiding.

Those members present were as follows:

Council President Alan Taylor
Councilman Buddy Choat
Councilman Perry Cook
Councilman Anthony Montalto
Councilman Brian Plant

Absent: None

Others present in Official Capacity: Mayor Eugene Melton

The workshop was convened and the Council received a preliminary agenda and supporting documentation for the City Council meeting to be held on Tuesday, October 27, 2015. The Council reviewed the agenda and determined the order for consideration at the Council meeting.

There being no further business, the workshop was adjourned.

The City Council of the City of Trussville met in regular session on Tuesday, October 27, 2015 at 6:00 p.m. at Trussville City Hall. Council President Taylor presided over the meeting and Lynn Porter, City Clerk, served as recording secretary.

Council President Taylor called the meeting to order and asked Councilman Choat to lead in prayer. Councilman Plant led the pledge to the flag.

Those persons answering present to roll call were as follows:

Council President Alan Taylor
Councilman Buddy Choat
Councilman Perry Cook
Councilman Anthony Montalto
Councilman Brian Plant

Absent: None

Others present in official capacity: Mayor Eugene Melton
Attorney Whit Colvin

Council President Taylor introduced the minutes of the September 28, 2015 special meeting to adopt the budget for approval. Councilman Montalto moved they be approved, seconded by Councilman Choat, and the vote was unanimous.

The minutes of the October 13, 2015 regular meeting were presented. Councilman Choat moved they be approved, seconded by Councilman Cook, and the vote was unanimous.

The agenda, consent agenda, and agenda addendum were presented for approval. Mayor Melton asked that an invoice for Superior Grading be added. This completes the drainage and paving project at the Middle School ballfields. Councilman Montalto asked that the Adopt-A-Mile item and six other items be removed from the accounts payable list until he can get additional information on them. Councilman Montalto moved the agenda be approved as amended, seconded by Councilman Plant and the vote was unanimous.

The Consent agenda was presented as follows:

	Accounts Payable	
	Regular	Addendum
Liabilities	34,606.35	4,310.11
Non-Departmental	1,447.00	150.00
Mayor and Council	32.00	
Administration	40,442.44	1,681.86
Inspections	2,359.61	504.78
Municipal Court	117.82	
Police Department	16,921.39	6,261.31
Fire Department	31,006.34	12,114.38
Public Works	5,406.54	48,947.23
Parks and Recreation	21,019.10	42,792.98
Library	2,186.40	9,830.21
Rental Properties		305.50
GENERAL FUND TOTAL	155,545.00	126,898.36
STATE GASOLINE-FOUR CENT FUND	495,480.75	
CORRECTIONS FUND	3,944.68	79.96
2014 WARRANT FUND	158,214.33	43.56
LINE OF CREDIT		6,875.00
TOTAL ACCOUNTS PAYABLE	813,184.76	134,000.38

- Adopt a Mile - Fire Department - \$25,000
- Martin Engineering - Vann Road drainage - \$3,375.00
- David Arnett - UNA - CAPZO Certification classes - Clay - \$636.00
- David Arnett - UNA - Sign Regulations for Small Towns - Gardendale - \$179.00
- Physio Control, Inc. Service Contract - \$10,128.00
- Approve purchase - Frost Systems - 3 projectors - \$3,500
- Upgrade for Parks and Recreation to Skilled Labor effective November 14
 - Josh Taylor, Grade 12, Step 1
 - Tim Keith, Grade 12, Step 2
- Upgrade Public Works employees to Truck Driver effective October 17, 2016
 - Justin Ferguson, Grade 13, Step 2
 - Robby Pruitt, Grade 13, Step 2
- Merit increases effective October 31, 2015
 - Timothy Wayne Keith - Park & Rec - Grade 7, Step 6
 - John P. Miller - Park & Rec - Grade 18, Step 10
 - Jeffrey W. Bridges - Police - Grade 29, Step 7
- Hire Steven Nicholas Roberson - Firefighter - Grade 17, Step 1, (replace Jonathan Powell)
- Endpoint Security - 100 user malware software - \$2307.00 year
- Superior Grading - Middle School ballfield project - \$4,820

Councilman Montalto moved these items be approved with the amendments made to the accounts payable, seconded by Councilman Plant, and the vote was unanimous.

Ms. Kathy Prince, 109 Magnolia Street, asked for an update on the time line at the Civitan Park. Council President Taylor stated the Mayor would make this update at the end of the meeting.

An ordinance to rezone property at 6838 and 6850 Gadsden Highway from C-P and R-2 to Q-C-P was presented for a second reading. Council President Taylor stated the public hearing was closed at the last meeting, but if anyone had information not previously brought to the Council's attention, he would allow it.

Mr. Don McGriff, 125 Black Walnut Lane, stated by now the Council has received a petition and a stack of letters from residents in the area. He stated those who drafted this ordinance, must have thought this would be a problem since they made it a special exception use rather than a permitted use. He stated there are 390 homes in three nearby subdivisions.

Ms. Suzanne Gallant, 106 Chestnut Oak, stated it is a fight to get out of the subdivision and turn left to go to the elementary school. She asked the Council to remember traffic concerns.

Council President Taylor stated the front of this property is already C-P and the rear is R-2. As zoned now, certain uses could be utilized or an application for a restaurant could be made to the Board of Zoning Adjustment, and homes could be built on the rear. He stated he understood that there was an agreement with the owner and the subdivision on some concessions to minimize the impact to the subdivision.

Councilman Plant stated the buffer between the commercial portion and the adjoining homes is currently twelve feet and no buffer on the rear. The owner has agreed to a 35' to 40' buffer on three sides.

Council President Taylor stated if this is not approved, the current zoning will stand. If it is approved, the additional buffer and other qualifications will go into effect.

Councilman Cook confirmed that the zoning would not change on the front.

Councilman Choat confirmed that the zoning would change on the rear.

Councilman Montalto stated the qualifiers would increase the buffer to 35-40 feet on three sides of the property, restrict the building height to two stories and place architectural design restrictions on any building. He stated this was recommended by Planning and Zoning, but it was not unanimous.

Mr. McGriff stated the problem is that only adjoining property owners are notified if a matter goes to BZA, and this is only eight to ten houses. With zoning about 75 to 80 houses were notified. He stated he would rather see it left as is, if a restaurant use cannot be eliminated.

Councilman Plant stated the properties to be notified is set out by the Code of Alabama, and there are different requirements for different types of actions.

Councilman Choat stated he lives in Sherman Oaks. He stated it was his understanding that the applicant went to Planning and Zoning and was asked to meet with the homeowners' associations, and all was done as was asked. Several concessions were made, but there is only the one item that could not be agreed upon between the applicant and the associations. He was told this is correct.

Councilman Montalto moved Ordinance 2015-0023-PZ to rezone property at 6838 and 6850 Gadsden Highway, from C-P and R-2 to Q-C-P be approved, seconded by Councilman Cook, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Taylor, Choat, Cook, Montalto, and Plant

Nays: None

An ordinance to amend the smoking ordinance to add a section on e-cigarettes was presented. Councilman Plant moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance, seconded by Councilman Montalto, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Taylor, Choat, Cook, Montalto, and Plant

Nays: None

Councilman Plant moved Ordinance 2015-024-PS amending the smoking ordinance be adopted as presented, seconded by Councilman Montalto, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Taylor, Choat, Cook, Montalto, and Plant

Nays: None

A resolution to award the bid for the asbestos abatement and building demolition at 156-158 Main Street, also known as the Sticks 'N Stuff building, to Milam and Company at a cost of \$79,596.00 was presented. Councilman Cook moved Resolution 2015-043 be approved, seconded by Councilman Choat, and the vote was unanimous.

Councilman Choat reported for the Library that the demolition of the former Community Center to make way for the library expansion is completed. Bhate Engineering is now on site to determine the underlying soil conditions and prepare a report of their findings. Once this is done, we will be able to go out to bid on the construction of the new expansion and the renovation of the existing library.

Library Report
September 2015

Total Circulation:	
All activity including items checked out, checked in, and renewed	37,402
Downloadable Audio/E-Books	1,327
Computer Use:	1,490
Library Visits:	17,255
Reference Transactions:	6,051
Library Programs:	19
Program Attendance:	647
New Members	64

September Food for Fines campaign: 1,607 items delivered to TEAM. Library waived up to \$10 in fines for non-perishable food items at \$1 per item.

Library Report
FY 2015 Annual Report

Total Circulation:	
All activity including items checked out, checked in, and renewed	477,831
Downloadable Audio/E-Books	16,469
Computer Use:	16,974
Library Visits:	273,101
Reference Transactions:	104,271
Library Programs:	223
Program Attendance:	8,663
New Members	1,158
Registered Borrowers	14,654
Total Grant Funding	\$13,500

September FOOD FOR FINES: 1,607 items donated to TEAM
Databases available to the public: Alabama Virtual Library, Tutor.com, Learning Express Library, Newsbank Birmingham News, Novelist Plus, Auto Repair Reference Center, Little Pim Languages for Young People

Councilman Montalto reported that design review met and approved an addition to a home at 106 Oak Street, the installation of a flag pole at Complete Cleaners, and three business signs, and carried over business signs for Bradens.

Councilman Montalto told Mr. Nix that we expect the report for a traffic signal at Deerfoot Parkway and Happy Hollow Road by Friday. He told Ms. Prince that we are working with ALDOT on traffic issues along Highway 11.

Council President Taylor reported for education that the football team is in the playoffs. The Hewitt versus Clay Chalkville, Paws and Claws game is this week. The Maple Leaf Run is next weekend. The Chamber luncheon speaker in November will be Sheriff Mike Hale.

Mayor Melton reported on the Civitan Park Greenways and Walkways project. The State and Federal bid opening was held on September 25. Massengill Construction, the same contractor that did the parking lot area around the Veteran's monument, was the low bidder. He has 45 days to submit his paperwork. The City has already delivered our match on this project. There will be a preconstructing meeting here to discuss how to get the project going. The work done by the first contractor will have to be torn out. We hope to get this started before the end of November, and then he will have so many work days to complete the project. We hope this can be done before next summer. This includes a pedestrian bridge to connect the Senior Center to the library and school area. He stated he hopes that we can coordinate this with the construction at the library.

Mayor Melton stated the City has also paid our match on the ATRIPS project for Trussville Clay Road and Service Road. This will fix the bridge approaches and add acceleration/deceleration lanes at Service Road where a traffic signal will be installed. He stated he hopes we can get through football playoffs before this work begins.

Ms. Prince asked will landscape be included in the Civitan Park or is it just sidewalks?

Mayor Melton stated this includes landscaping, benches, and lighting. Once the project is completed, the maintenance will be handed back over to the city.

Mayor Melton stated the river restoration project in the Civitan Park required a five-year maintenance bond, and includes a covenant that we cannot build anything or plant any non-native species within the stream bank restoration area.

Ms. Prince asked did the entire project have to be completed before the fence comes down, and was told yes.

Councilman Montalto asked does the project have a particular sequence as to when what items are done, so that we might be able to get the Highway 11 frontage done and the fence moved back?

Wayne Sullivan stated there is no defined sequencing on these projects. The contractor controls the entire site for the period of the contract. We can certainly bring this up at the preconstructing meeting, but the state is not likely to come out and release a portion of the project without the entire project being completed. The contractor has 180 calendar days in the contract, and he can include weather days that he was not able to work. This could extend the time required to eight or nine months if there is a great deal of bad weather.

Ms. Wanda McKoy, Service Road, asked about tree root protection for her trees when the Service Road project begins. Mayor Melton stated we will make the contractor aware of this. The contractor on that project is Carcel and G out of Hanceville.

Mr. Richard Epstein, Boulder Drive, thanked Council President Taylor for his service and welcomed Anthony Montalto as incoming Council President, and welcomed the Mayor back. He asked about getting a guardrail along the ditch on Chalkville Road near Snake Hill. He stated the stripping at Walmart needs to be redone, and asked if any progress has been made on the street lights on Chalkville Road to convert them to LED?

Mayor Melton stated the County is aware of the ditch. They have recently stripped and placed lane delineators in this area. He stated we will look at the stripping near Walmart, and he would follow up with Darrell McFarland about replacing the lights.

Mr. David Nix, 5211 Kirby Lane, asked since the County has announced that they will pave 100 miles of roads, can Trussville get some of this?

Mayor Melton stated the County has 2200 miles of roads in its jurisdiction, but we will try to get all that we can have.

Mr. Jef Freeman, 318 Woodward Road, commented that he was excited to see a large crowd here tonight, but then they all left after one item was finished. He stated he was glad to see that the demo will be starting on Main Street. He said the RDA has a good vision for this area.

Council President Taylor stated this will be his last meeting as Council President, and expressed his appreciation for the opportunity to serve. He stated after three years together, he could attest that we have five folks on this Council who really care about the City, and he appreciated them and their support. The decision to rotate the Council President position was made three years ago. This Council has done a ton of work. He stated he appreciated those in the audience who come every meeting and voice their concerns. This shows that you care.

No other business coming before the Council, motion was made to adjourn.

Respectfully submitted,

Lynn B. Porter
City Clerk