

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
NOVEMBER 10, 2015

The City Council of the City of Trussville met for a workshop session on Thursday, November 5, 2015 at 5:30 p.m. at Trussville City Hall, with Council President Anthony Montalto presiding.

Those members present were as follows:

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

Absent: Councilman Alan Taylor

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, November 10, 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, November 10, 2015 at 6:00 p.m. at Trussville City Hall. Council President Montalto presided over the meeting and Lynn Porter, City Clerk, served as recording secretary.

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

Those persons answering present to roll call were as follows:

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

Absent: None

Others present in official capacity: Mayor Eugene Melton
Attorney Carl Johnson

Council President Montalto introduced the minutes of the joint workshop held with the Planning and Zoning Board on October 22, 2015 for approval. Councilman Taylor moved they be approved, seconded by Councilman Cook, and the vote was unanimous.

The minutes of the October 27, 2015 City Council meeting were introduced. Councilman Cook moved they be approved, seconded by Councilman Taylor and the vote was unanimous.

The agenda, consent agenda, and agenda addendum were presented for approval. Councilman Taylor asked that a proposal for ABC 33/40 Hometown Tour in the amount of \$10,000 be added to the consent agenda. Accounts Payable addendum be added to consent. Councilman Choat asked that Mr. Keith Corson be reappointed to the Library Board though October 25, 2019 and that we accept the resignation of Mr. Scott Wall from the Redevelopment Authority. Invoices from

Redevelopment Authority. Invoices from Trimm Landscaping were added to the consent agenda in the amount of \$10,920 for cleaning up the interstate interchanges. Councilman Plant moved the agenda be approved, seconded by Councilman Cook and the vote was unanimous.

Mr. George Glenn, 134 Dogwood Lane, was recognized and asked why Trussville would buy the Don's Carpet property and spend money for a road? He stated he was told this was to open up the property and to help traffic. The property this will open up is owned by George Barber and is in the Birmingham city limits. How does this help Trussville? You are proposing to spend \$2.5 million for the property, plus the cost of the road and the cost to tear down the buildings, all with Trussville tax dollars. You said three years ago, that you had to raise sales tax to meet payroll. Now you have bought the Braden Property, Sticks and Stuff, the old Edwards Grocery, and other property. Our pool was the envy of other communities in 1956, but now we can't have swim meets at our pool because it is too small, and nothing is being done to make improvements to it. We have not had any new ball parks in more than twenty years, but the city has outgrown what we have. Why do we spend money on Don's Carpet to benefit George Barber, who could afford to do his own improvements and who is not even in our city?

Council President Montalto stated some of the money will be recouped when we resell the property. The intent is to make road improvements possible. Without this, we would have had a traffic signal on the merge lane from I-59 into Highway 11 at the Barber property just a few feet from the ramp.

Mr. Glenn asked why we are improving property that benefits the City of Birmingham, not the City of Trussville. Why did Mr. Barber or DOT not buy this property to make the improvements? He stated he was told this was to settle a lawsuit between Mr. Barber and ALDOT. If the lawsuit is between them, why is Trussville involved?

Councilman Plant stated if a traffic signal is installed a few feet past the ramp, that would be awful for traffic.

Mr. Glenn stated DOT would never allow a traffic signal to go up there.

Councilman Taylor stated Mr. Glenn is correct that the lawsuit is between Mr. Barber and DOT, and DOT does not want a signal at that location, however, with the lawsuit, the decision would be made by a judge.

Mayor Melton stated traffic is the biggest issue. Several small shopping centers along Highway 11 struggle because people cannot get in and out. The driving factor is to improve the traffic flow in the area and allow businesses in this area to lease empty space. An intersection would be created with the new road across from Edwards Lake Parkway with the three-way signal converted to a four-lane signal. ALDOT does not want to take their chance with a judge. ALDOT will allow a right-turn only at the Barber property. This road through the Don's Carpet property would allow traffic from that property to get out at a light from an alternate point. We considered intervening as a friend of the court to stop this signal so close to the ramp. We hope to have this road finished by June. Ms. Olvey wants to retain the corner and move back to a new, smaller building. We will retain the back parcel and will sell it. Tortorigi could gain access to this road as well. He stated he believed we will see the benefit of the road improvement.

Mr. Glenn stated he did not agree that Trussville should have to fund this.

The consent agenda was presented as follows:

	Accounts Payable	
	<u>Regular</u>	<u>Addendum</u>
Liabilities	441.92	10,631.39
Non Departmental	10,104.50	1,545.31
Mayor and Council	247.30	
Administration	4,585.19	588.52

Engineering and Inspections	10,119.28	479.82
Municipal Court	527.13	324.34
Police Department	32,906.46	5,143.13
Fire Department	22,151.73	4,074.39
Street Department	27,104.84	2,986.56
Garbage		112,594.76
Parks and Recreation	42,486.06	21,247.56
Library	2,666.38	10,441.99
Rental Properties	3,249.53	20.44
GENERAL FUND TOTAL	156,590.32	170,08.22
STREET IMPROVEMENT FUND	23,403.43	
STATE GASOLINE 4-CENT FUND	93,193.32	
HISTORICAL FUND (VETERANS MONUMT)	600.00	
CONFISCATED FUND	3,842.20	
CORRECTIONS FUND	46.49	
WARRANT FUND	5,188.62	
LINE OF CREDIT	2,882.50	
TOTAL ACCOUNTS PAYABLE	285,746.88	170,078.22

SWAT Command seminar- Lovell- Tuscaloosa- Jan 18-22, 2016 - \$730.00 - no lodging
 Merit increases effective November 14, 2015
 David Arnett - Inspections - Grade 28, Step 7
 Michael Hollingsworth - Dispatch - Grade 19, Step 8
 Jeremy A. Faulkner- Parks - Grade 12, Step 7
 Susan Matlock- Library- Grade 12, Step 7
 Hire part-time Civic Center- Laurie M. Pitts
 Approve going out to bid for security system for Civic Center (Estimate \$20,000)
 Michael McCalib- Military leave of absence Nov 29, 2015 - Sept 9, 2016
 Upgrade Vivian Zimmerman from part-time to full-time, Grade 12, Step 1 eff. 11-28-2015
 Hire Geo Services for asbestos assessment 1445 & 1465 Gadsden Highway
 Approve ABC 33/40 Hometown Focus - \$10,000
 Reappoint Keith Corson to Library Board through October 25, 2019
 Accept resignation of Scott Walls from Redevelopment Authority
 Trimm Landscaping - interstate interchange- \$10,920

Councilman Cook moved these items be approved, seconded by Councilman Plant, and the vote was unanimous.

A hearing for a beer and wine license for Mr. Chen's Authentic Chinese Restaurant was called. Ms. Ann Gancayco stated they are asking permission to sell beer and wine.

Council President Montalto asked if she had experience with other establishments that sold alcohol, and she replied yes, they sell at their other restaurants.

Councilman Taylor asked if she was a member of the Responsible Vendor Program and she replied no. He asked would she be willing to become a member, and she replied yes. He asked where the other restaurants were and was told Tuscaloosa, Hoover, and Montgomery.

Councilman Taylor asked how they identify persons who buy alcohol and was told they look at driver's licenses before sales are made. He asked if they have any citations and she said none that she knew of.

Councilman Plant asked her relationship to Mr. Chen and was told he is her father. He asked if she managed the store and she replied no, that she assisted her parents who do not speak good English. He asked did she work at the restaurant and she replied no.

Council President Montalto stated we are strict on enforcement in Trussville. If cited, you could lose your license. He stated he feared that the owner may not understand this. The owner is currently having a problem understanding our sign ordinance and complying with it. The trailer sign

in the parking lot is not a legal sign, and it has not been removed after having been instructed to do so. He stated he would like to be sure that he understands what we require for alcohol sales.

A public hearing was opened, and there being no comment, the hearing was closed.

Councilman Taylor stated he was uncomfortable with having no representative who runs the store here. He stated we prefer to hear from the owner or manager of the restaurant who will be there on site.

Councilman Choat stated unless there is a large corporation with an established training policy, we feel the Responsible Vendor Program is a good training program.

Councilman Plant said normally someone connected to the organization comes here to answer questions.

Councilman Choat asked would there be a manager, and was told yes, her brother. He stated he would like to speak to someone associated with the day to day operation.

This matter will be carried over until Thursday, November 19 at 6:00 p.m. The Thanksgiving week Council meeting will be changed to this date as three Council members will be out of town.

The item on the amended Bethune agreement is carried over until the next meeting.

Mr. Jef Freeman, Chairman of the Redevelopment Authority was recognized to give a report for the Authority. He recognized other members here tonight, Keith Crumpton and Tommy Trimm. He presented a slide presentation showing proposed redevelopment, parking and circulation plans for the southwest quadrant of downtown that they have called Quad 1. He stated they have identified four properties, one under contract, and three under negotiation for acquisition and they have talked to the merchants in the area. The plan depicted showed a pavilion along the creek that could be used as a farmer's market or for community events, that is patterned after the old Trussville Depot. He stated they would hope for assistance from the city with sidewalks and trees.

Mr. Roy Wages asked how successful they have been in getting property owner participation, and was told, they seemed amenable with the right proposal when they were contacted. The creation of additional parking is attractive to them.

Councilman Choat stated the Authority identified the need for parking and the city agreed to invest in the Littlefield property to allow for the creation of these spaces. We have struggled to find a starting point, but we think we have found it.

Councilman Taylor stated we also feel cleaning up some properties and removing some others will help. He stated Tuscaloosa has done a good job with their pavilion on the river.

Councilman Cook stated the Board has worked hard and we must start somewhere to spark new development.

A request to annex property located at 3130 First Street was presented. Council President Montalto stated this was recommended by Planning and Zoning, and is bordered on three sides by the city limits. Councilman Choat moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

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

Nays: None

Councilman Cook moved Ordinance 2015-025-ANX be adopted annexing this property, seconded by Councilman Choat, and upon a roll call vote, the results were as follows:

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

Nays: None

A request to annex property located at 4900 Branchville Road was presented. Council President Montalto stated this was recommended by Planning and Zoning, and is bordered on three sides by the city limits. Councilman Cook moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance, seconded by Councilman Choat, and upon a roll call vote, the results were as follows:

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

Nays: None

Ms. Yvonne Montgomery, real estate agent for the seller and Will Davenport, agent for the prospective buyer were present. Ms. Montgomery stated her client did not realize that they were not in the city. Councilman Cook moved Ordinance 2015-026-ANX be adopted annexing this property, seconded by Councilman Choat, and upon a roll call vote, the results were as follows:

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

Nays: None

Councilman Plant moved Resolution 2015-044 authorizing longevity pay for 2015 be approved, seconded by Councilman Cook, and the vote was unanimous.

Councilman Choat reported the Park and Recreation Board met last night. We have 200 kids signed up for baseball. The Trussville Baseball Association and the Husky Baseball Association travel ball group have come to an agreement that will allow Husky Baseball to hold tournaments on our fields. He stated we have been waiting on the soils report from Bhate on the former Community Center site. He reported author Todd Gerald who wrote the book the movie "Woodlawn" was based upon will hold a book signing at our Library on Sunday.

Councilman Cook stated we have three vacuum trucks running through the city, and are cleaning out ditches. Poplar Street is completed and looks good. He reported the IDB will hold a quarterly luncheon in January.

Councilman Plant stated the police and fire departments have been busy. Sheriff Hale will be the speaker at the Chamber luncheon.

Councilman Taylor reported for Education that a SACS accreditation team conducted a three-day review. This included parents in one session, and a visit to the schools. Our accreditation stands. He stated their representative stated her team had not had a system that scored over 300 in all four assessment areas before.

For the Chamber he reported the Christmas Parade will be Saturday, December 12 at 3:00 p. m.

Council President Montalto reported for Planning and Zoning that a rezone request for two sectors of Carrington Lakes from R-2 to RG was not recommended. There were concerns about the increase in the number of lots, and homeowners are concerned about home values due to the quality of homes being constructed by the new owner. Black Orchid has not been willing to work with the homeowners, and were not present at the meeting.

Mayor Melton reported the Utilities Board has been working with ALDOT on a permit to rehabilitate water and gas lines in the downtown area over the next several months. Directional Bore is the contractor for the Utilities. They will begin with Railroad Avenue and we will come behind them with the road work. On the north side of Main Street, the water line that is under the curb and

street will be abandoned, and the buildings will then be served from the rear. They will try to minimize the impact to the businesses. The work will progress from Hardees to Railroad Avenue and then Cedar Street.

Mayor Melton thanked all who thought about and prayed for him during his recent illness, and stated he is doing much better. He stated he is trying to get his arms around all of the city projects again.

Mayor Melton stated all of the properties that have been acquired are to improve traffic or for road improvements. He stated tomorrow he will be sending out a city financial report for the period ended September 30, 2015 along with the FY 2015-2016 budget. We must try to determine what the future holds. We estimate revenues and expenses and work to stay in balance. He stated the land acquisitions may seem willy-nilly, but in the big picture, this is to make downtown better. He stated he will also post a list of projects from 2012-2016. We must stay ahead of the game with our infrastructure to keep up with development and to keep Trussville a place where people want to come and shop to fund our community's quality of life through our tax base.

Mayor Melton thanked the RDA for showing their plan, and said we must take advantage of opportunities as they come along. He stated, if we can get DOT approval, we will install sod and sidewalks when the Utilities completes their work.

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

Respectfully submitted,

Lynn B. Porter
City Clerk