

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES

AUGUST 9, 2016

The City Council of the City of Trussville met for a workshop session on Thursday, August 4, 2016 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
Councilman Alan Taylor

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, August 9, 2016. The Council reviewed the agenda and determined the order for consideration at the Council meeting.

The Council was asked to give input to City Attorney Whit Colvin on how they would like to proceed with the Downtown Facade Improvement Grant program. It has been generally discussed that the Council will provide funding for the RDA to administer the program, but the details remain to be settled. The question was asked, did not the document provided by RDA cover this, and the response was that the document provided by RDA set out draft guidelines for applicants, but guidelines as to the RDA's responsibilities to the Council, and general program guidelines must be established by the City Council.

The solid waste disposal bid draft was discussed. Suggestions were made to reduce the required time the company has done business in Alabama in order to be able to bid from six years to three years. The time for the contractor to report direct complaints to the city and for the company to respond to complaints was changed to read 24 hours or the next business day. A change was suggested in the area addressing renewals at the end of the three year period, that the contractor make his intent known six months prior to the expiration of the contract, to allow time to rebid the contract should the contractor not wish to renew or should the city decide it was in the City's best interest to rebid. There was discussion about provisions for successor contractors, but it was determined that this language is already contained in the document.

There being no further business, the workshop was adjourned.

The City Council of the City of Trussville met in regular session on Tuesday, August 9, 2016 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 Plant to lead in prayer. Councilman Taylor led the pledge to the flag.

Those persons answering present to roll call were as follows:

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

Absent: Councilman Perry Cook

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

Council President Montalto introduced the minutes of the July 26, 2016 meeting for approval. Councilman Taylor moved they be approved, seconded by Councilman Choat, and the vote was unanimous.

The agenda, consent agenda, and agenda addendum were presented for approval. Councilman Plant moved the agenda be approved, seconded by Councilman Choat and the vote was unanimous.

Mr. Kevin Sargent and Ms. Christy McDonald, Brik Realty, 192 Main Street, stated they are a new real estate agency in town and would like to show their support of law enforcement by Turning Trussville Blue on August 25. The first 150 people will get blue ribbons for their mailbox. On September 1 police and fire are invited to a first responder's cookout in the parking lot.

The consent agenda was presented as follows:

	Accounts Payable	
	<u>Regular</u>	<u>Addendum</u>
Liabilities		33283.70
Mayor and Council	890.00	518.00
Administration	2,818.52	518.00
Engineering and Inspections	1,091.92	190.22
Municipal Court	640.27	557.16
Police Department	15,134.47	3,552.94
Fire Department	11,514.34	3,176.18
Public Works	5,843.11	292.19
Parks and Recreation	4,442.14	23,581.54
Library	2,803.85	479.39
Rental Properties		205.00
GENERAL FUND TOTAL	45,178.62	65,806.32
CORRECTIONS FUND	892.58	
2014 WARRANT FUND	24,961.25	
TOTAL ACCOUNTS PAYABLE	71,032.45	65,806.32

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

A public hearing to consider rezoning property belonging to LAMB Investments, LLC at 3661 Vann Road from A-1 to Q-C-2 was called, and presented by owner Ms. Karen Bonham and attorney Mr. Matthew Wright, 3644 Vann Road, Suite 148. Mr. Wright stated this is a ten-acre tract at the end of Vann Road. He stated Planning and Zoning recommended this rezoning.

Councilman Choat asked would this be developed like the brick buildings already there?

Mr. Wright replied yes, similarly, with nicer exteriors. There will be the same type of tenants also. He stated they have already agreed to exclude a number of uses and to give an additional buffer.

The City Clerk was asked to read these qualifiers as follows: Qualified Commercial 2 to restrict day care centers, dry cleaning or laundromat, plant shop or nursery, tanning salon, audio/visual rental, auto, light truck, boat and motorcycle sales and repair, car wash, commercial parking, funeral home, gasoline service station/convenience store, hotel or motel, indoor sports facility, small engine repair, and facilities with outdoor animal runs from the approved uses and to

grant an additional 10 foot buffer that will be replanted if disturbed in addition to the required 20 foot buffer.

Mr. Henry Toliver, 315 Tutwiler Drive, asked had the decision already been made? He stated he felt this should stay a residential neighborhood without this development below them. He stated 30-feet is not much of a buffer. He stated he did not think this was suitable due to the proximity to homes. He stated this will not affect all of Tutwiler, just those houses bordering this property. He stated he did not know why we need commercial on every inch of property. He stated he feared dumpsters and diminished property values.

Councilman Taylor asked what he would like to see on the property?

Mr. Toliver stated he did not know. He stated he would prefer Agricultural to Commercial. He stated he would have to see what they brought back to the Council.

Councilman Taylor clarified that if it was an agricultural use, they would not have to come back to the Council.

Councilman Choat asked how far back the actual buildings would be?

Mr. Wright stated there is a big change in elevation from Tutwiler to this property. He stated they probably will not need all of the property, but it is currently unknown how much will be needed for a leach field. He stated it will probably be closer to 50 to 60 feet that is not usable. The buildings will lie in the flat area near the end of Vann Road.

Mr. Vann Horne, 311 Tutwiler Drive, stated they have a lot of confidence that Ms. Bonham will do as she says. He pointed out that a thirty-foot buffer is less than one-half acre. A 66-foot buffer would only be one acre.

The public hearing was closed.

Councilman Taylor stated Ms. Bonham lives in Tutwiler, and has a similar business across the street from this property that has not caused any problems for the neighborhood. He asked Mr. Wright if there was any consideration of an additional buffer over what has been given?

Mr. Wright stated that has not been discussed.

Councilman Plant 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, Plant and Taylor

Nays: None

Councilman Plant moved Ordinance 2016-030-PZ rezoning this property be adopted, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Montalto, Choat, Plant and Taylor

Nays: None

Councilman Plant presented Proclamation 2016-014 in memory of former Public Works Director and Volunteer Fire Fighter Lewis "Cooter" Simpson, and moved it be approved, seconded by Councilman Choat, and the vote was unanimous.

Council President Montalto presented Proclamation 2016-015 in memory of former City Councilman and Volunteer Fire Fighter Joe Hocutt. Councilman Taylor moved this proclamation be approved, seconded by Councilman Choat, and the vote was unanimous.

Councilman Taylor moved Resolution 2016-040 authorizing a withdrawal from the Education Trust Fund for startup costs for the two new elementary schools be approved, seconded by Councilman Plant. Councilman Taylor explained that withdrawals from this fund require a request from the Board of Education and approval by the City Council to initiate the action. The vote was unanimous.

Councilman Choat reported for Parks and Recreation that Youth Football will hold a jamboree at the Hewitt-Trussville Stadium. He reported that our Seniors just returned from a trip to Niagara Falls. For the Library he reported that bid opening has been delayed one week and that bids will be opened on August 30.

Councilman Choat stated RDA meets on the first Thursday of each month at Bryant Bank. They are discussing a grant proposal to enhance downtown.

Council President Montalto reported that there were 10 new home starts last month and one business retail strip was started at Edwards Lake Road and Morrow Road.

Councilman Plant carried over his report.

Councilman Taylor reported that the Board of Education is gearing up for school. There will be a ribbon cutting for the Cahaba School on August 18. The Downtown Merchants Association will hold a block party on Saturday, August 13. The Chamber will hold an ice crème social on Friday, August 12 as part of their Seven Months of celebration of Seventy Years of the Chamber of Commerce. The Chamber will hold a Teacher Appreciation welcome for new teachers. Mr. Rob Bramlet, the Auburn play by play commentator will be the speaker at the Chamber luncheon.

Deacon Jones, Trussville-Clay Road was recognized and asked was it true that the Magnolia School is behind schedule on the completion and would there be a penalty, and was told yes, they are about a month behind. The school is slated to be turned over to the Board on September 23.

Councilman Taylor announced that Chamber Director Dianne Poole has been named Chamber Executive of the Year.

Mayor Melton stated the City is fulfilling their obligation by paving around Cahaba School and Magnolia School. The Utilities Board project downtown is complete. We are waiting on the Railroad to complete paperwork to allow our low bidder to commence work on the Railroad Avenue project.

Ms. Mary Ann Vann, Brentwood Avenue, asked what happens to the students since this school is not completed. She was told the students will go to Paine Elementary. These children will be in one area of the school with the teacher that will follow them to the new school and will ride the buses that will transport them once the new school is opened. Paine will be losing students with the opening of Cahaba Elementary.

Ms. Vann asked is the construction at Paine Elementary complete, and will this be a problem?

Councilman Taylor stated there is a plan in place for this problem. He stated Magnolia being late, has not taken us completely by surprise. The school has a plan and will try to make this a positive for the kids.

Council President Montalto announced the next City Council meeting has been rescheduled to Thursday, August 25, 2016 due to the Municipal Election on Tuesday the twenty-third.

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

Respectfully submitted,

Lynn B. Porter
City Clerk