

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
SEPTEMBER 27, 2016

The City Council of the City of Trussville met for a workshop session on Thursday, September 22, 2016 at 5:30 p.m. at Trussville City Hall. 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: Attorney Whit Colvin

The workshop was convened and the Council received a preliminary agenda and supporting documentation for the City Council meeting to be held on Tuesday, September 27, 2016. The Council reviewed the agenda and determined the order for consideration at the Council meeting.

The City Council moved to go into executive session to discuss good name and character, and announced that the workshop would not reconvene after the session. Council members-elect Jef Freeman and Zack Steele were invited into the executive session.

There being no further business, the workshop was adjourned.

The City Council of the City of Trussville met in regular session on Tuesday, September 27, 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 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 Whit Colvin

Council President Montalto introduced the minutes of the September 13, 2016 meeting for approval. The minutes were amended to correct the vote on the rezoning item at 421 Main Street to reflect that Councilman Cook voted no. Councilman Cook moved the minutes be approved as amended, seconded by Councilman Choat, and the vote was unanimous.

The agenda, consent agenda, and agenda addendum were presented for approval. Councilman Choat stated we have representatives here tonight from Fresh Value Market, and that he would like to add an item to approve a transfer of their lease and tax agreement to the agenda. Councilman Cook asked that the resolution on the RDA facade grant program be removed until RDA has had time to look it over, and the Council has had time to review it in light of budget funding. Councilman Plant moved the agenda be approved, seconded by Councilman Taylor and the vote was unanimous.

Ms. Dorthea Batiste, Circuit Judge, is seeking re-election and asked for support. She serves in divorce court also addressing matters of alimony, visitation, and child support

The Consent agenda was presented as follows:

| | Accounts Payable | |
|-------------------------|------------------|-----------|
| | Regular | Addendum |
| Liabilities | 34,584.80 | 464.00 |
| Non-Departmental | 32,038.50 | |
| Mayor and Council | 728.34 | 214.36 |
| Administration | 308.75 | 22,829.35 |
| Inspections | 1,502.79 | 1,168.73 |
| Municipal Court | 187.07 | 826.91 |
| Police Department | 7,096.83 | 19,493.24 |
| Fire Department | 10,751.98 | 4,426.34 |
| Public Works | 8,961.74 | 2,871.48 |
| Garbage | 1,180.00 | |
| Parks and Recreation | 3,798.59 | 36,979.01 |
| Library | 25.00 | 216.23 |
| Rental Properties | 25.00 | 34.46 |
| GENERAL FUND TOTAL | 101,189.39 | 89,521.11 |
| STREET IMPROVEMENT FUND | 1,250.00 | |
| CORRECTIONS FUND | 6,322.06 | |
| 2014 WARRANT | | 26.77 |
| TOTAL ACCOUNTS PAYABLE | 108,761.45 | 89,547.88 |

Wide Area Search - Scott Smith - Nov 7-9, 2016 - Mobile - No Fee, will have lodging & meals
Coding for Smarter Growth - Porter - Sept 30, 2016 - Gardendale - \$169.00
National Fire Academy - Tinney - Oct 10-21, 2016 - Meals \$300.48
Northeast Law Enforcement Academy - Middleton - Sept 12-Dec 8, 2016 - Jacksonville, AL - \$1,400.00 (includes materials, meals, and lodging)
Merit increases effective October 1, 2016
Administration - Winifred Payne - Grade 16, Step 9
Dispatch - Cynthia Morris - Grade 16, Step 7
Police - Benjamin Short - Grade 17, Step 7, plus 15%
Fire - Christopher Franklin - Grade 20, Step 9, plus 15%
Fire - Ricky Vest - Grade 17, Step 7, plus 5%
Approve liability and property coverage 10-1-2016 thru 9-30-2017 - \$308,257.00 (Pay in October)
Approve hiring Terry W. Bailey, part-time Civic Center
CNA Surety - ROW bond \$4,000.00 (to be paid in October)
Flood Insurance - \$19,706.00 (Pay in October)
City Clerk Certification - Porter - October 26-28 - Tuscaloosa - \$165 plus lodging (Pay in October)

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

Councilman Choat stated Fresh Value Market has operated in Trussville for several years. Mr. Norman owns and operates several stores, but this is the only one in this area, and they wish to

sell this store. Representatives, Mr. Calvin Petegrew, Larry Sheffield, Robbie Norman, and Jerry Delasandro, were asked to introduce themselves.

Mr. Delasandro stated his family has been in the grocery business since 1951. They focus on fresh meats and produce. Both companies use the same wholesaler, AG Grocers, and even share the same accountant. We want to make sure the lease and the tax incentive agreement can be transferred to us. We will still operate as cost plus, and will have the same employees.

Councilman Taylor asked where we are on the lease, and Attorney Whit Colvin responded RDA holds the lease and has subleased to Triple N. This group wants to assume the lease. The City is the grantor to the RDA lease. Triple N also wishes to assign the tax agreement to the new owner. Mr. Norman will receive one more check representing taxes for the quarter ending in September, then future checks will go to the new owner. Our current agreement includes a transfer clause.

Councilman Taylor stated the original lease was for eight years. He asked how much is left, and was told five years. He stated there was a personal guarantee signed by Mr. Norman, he asked what would happen with it.

Attorney Colvin stated they have already provided financials and Mr. Delasandro has agreed to the personal guarantee.

Councilman Taylor asked about the escalation clause in the lease, and was told the escalation clause is triggered at the end of the first term and the next term.

Councilman Taylor asked had RDA had any discussion, and RDA member Jeff Freeman stated they recommend transferring the agreement as is.

Councilman Choat stated this will be subject to RDA approval of the sublease transfer.

Attorney Colvin stated this is a way to streamline the process.

Councilman Plant verified that RDA meets next Thursday.

Mr. Freeman stated Triple N has been a great tenant, and he feels that Mr. Delasandro will be a great operator.

Councilman Choat moved the City Council approve the transfer of the lease and the assignment of the tax agreement, and releasing Mr. Norman from the personal guarantee, subject to RDA approval. This was seconded by Councilman Taylor and the vote was unanimous.

Councilman Choat moved Resolution 2016-047 declaring eleven spin bikes at the Civic Center as surplus, and to give them to the schools, be approved. This was seconded by Councilman Plant and the vote was unanimous.

Councilman Taylor moved Proclamation 2016-023 in support of the downtown merchants Fall in Love with Trussville event be approved, seconded by Councilman Cook, and the vote was unanimous.

Council President Montalto announced the municipal runoff election will be held on Tuesday, October 4, 2016. He also announced that the runoff election canvass will be held at 11:00 a.m. on Tuesday, October 11.

Council President Montalto announced we will hold a meeting on Friday, September 30 at 9:00 a.m. to discuss and adopt the budget. He stated we will also discuss refunding a portion of the 2014-D warrants. This opportunity could give us a \$500,000 to \$600,000 savings.

All City Council reports were waived.

Councilman Taylor moved the Council go into an executive session to discuss good name and character, and to reconvene at the end of the session. This was seconded by Councilman Choat, and the vote was unanimous.

The meeting reconvened at 7:45.

Council President Montalto stated information has been brought to our attention that we feel we need to address.

Councilman Taylor moved that we hire an external law firm to conduct a detailed investigation of the volunteer fire department, and instruct the Mayor to inform Fire Chief Russell Ledbetter and Fire Marshal Steve Reasonover that they are placed on administrative leave pending the outcome of the investigation. This was seconded by Councilman Cook, and the vote was unanimous.

Mayor Melton stated the chain of command will place Assistant Fire Chief Tim Shotts in charge of the department.

Council President Montalto stated these employees will be instructed to turn in all building keys, vehicles and keys, cell phones, and computers, and will be restricted from coming onto city property. He stated no one has been found guilty of anything. This is just an investigation.

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

Respectfully submitted,

Lynn B. Porter
City Clerk