

CITY OF TRUSSVILLE  
CITY COUNCIL MINUTES

AUGUST 8, 2017

The City Council of the City of Trussville met for a workshop session on Thursday, August 3, 2017 at 5:30 p.m. at Trussville City Hall, with Council President Brian Plant presiding.

Those members present were as follows:

Council President Brian Plant  
Councilman Perry Cook  
Councilman Jef Freeman  
Councilman Zack Steele  
Councilman Alan Taylor

Absent: None

Others present in Official Capacity: Mayor Buddy Choat

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 8, 2017. 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, August 8, 2017 at 6:00 p.m. at Trussville City Hall. City Clerk Lynn Porter welcomed guests and stated that we find ourselves in an unusual circumstance where both the City Council President and the President Pro-Tempore are absent. The first order of business will be to take nominations for a presiding officer for tonight's meeting.

Councilman Steele nominated Councilman Taylor to preside at this meeting, seconded by Councilman Freeman, and the vote was unanimous. Acting Council President Taylor called the meeting to order. City Clerk Lynn Porter served as recording secretary.

Acting Council President Taylor asked Councilman Freeman to lead in prayer. Councilman Steele led the pledge to the flag.

Those persons answering present to roll call were as follows:

Councilman Jef Freeman  
Councilman Zack Steele  
Councilman Alan Taylor

Absent: Council President Brian Plant  
Councilman Perry Cook

Others present in Official Capacity: Mayor Buddy Choat  
Attorney Rick Stotser

Acting Council President Taylor introduced the minutes of the July 20, 2017 special meeting and the July 25, 2017 regular meeting for approval. Councilman Steele moved they be approved, seconded by Councilman Freeman, and the vote was unanimous.

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

Acting Council President Taylor recognized those who had signed in to speak. Ms. Brooke Cramers, 6543 Deerfoot Crossing Road was recognized and spoke on gun noise coming from the gun range. She stated they were first told there would be no noise, and then the owner said that he was not aware of any comments that there would be no noise. She stated these indoor facilities in other areas have solved the noise problems.

Mr. Eric Orr, 6450 Deerfoot Crossing Drive, stated that he enjoyed shooting, and would like to see this successfully resolved. He stated he can hear this noise while inside his house. He stated he was concerned that over the last eight to nine weeks, they have been told this would be addressed, but it has not been, and we now get no response from the owner. He stated he was concerned about property values. He said he could accept that this will take time. He stated he understood that an acoustical analysis was done. They just want to know something will be done.

Mr. Armmon Carter, 6426 Deerfoot Crossing Drive, stated he agreed with the earlier comments.

Mr. Randy Jenkins, 6526 Deerfoot Crossing Road, stated he agreed also.

Ms. Linda Orr, 6450 Deerfoot Crossing Drive, stated the noise is terrible.

Ms. Susan Weber, 5951 Deercress Lane, real estate agent, stated first Mr. Lombardo said he would take care of it. He got three quotes on ways to muffle the noise. He chose the less expensive fix and it did not work. She stated they do not know what to expect. A sound meter registered 74 to 78 decibels on the deck of one of the houses. A normal speaking voice is 60 to 65 decibels. This is a neighborhood of \$600,000-\$650,000 houses, and they are not selling due to the shooting noise. One sale was cancelled, and builders who had expressed an interest in the lots in the new sector, no longer want them.

Mr. Steven Weber, 5951 Deercress Lane, stated the noise can be heard inside and you cannot enjoy sitting on the deck.

Mr. Charles Kessler and Attorney Bruce Romeo were recognized. Mr. Kessler stated he was the developer and a builder. Two builders have refused to buy lots due to the noise. One owner bought in the subdivision and agreed to do something, but we do not know when.

Attorney Bruce Romeo, Mesrano Law Firm, 1801 Oxmoor Road, stated the city has the authority to abate nuisances. He stated he would like a time line for some action to take place

Mr. Joe Waite, 6449 Deerfoot Crossing Drive, stated the sound measurement was taken on his porch with all the leaves on the trees. He stated he cannot imagine what it will be like in the fall when trees are bare.

Ms. Janie Stennis, Deerfoot Lane, stated her house is far away from this facility and she can still hear the noise inside her house. She stated she is an enthusiast, and would love to have a membership, but she does not feel that she should add to the problem.

Mr. Jordan Huffstutler, David Actor Builders, stated he has built many houses in this subdivision, but this is a deal breaker for them. People will not purchase a home with all of this gun noise.

Mr. Vincent Thomas, Deerfoot Crossing Drive, stated he agreed with these comments.

Mr. Quentin Riggins, Deerfoot Crossing Drive, stated he picked this development because of its beauty and sereness. He is concerned about his property value.

Mr. Eddie Collins, Deerfoot Crossing, agreed.

Mr. Mike Phillips, Deercress Lane, stated he can hear the noise inside.

Ms. Latisha Smiley, agreed

Mr. John Bayer, stated he lives on the back road and when he cooks and eats outside the noise is disturbing.

Ms. Weber stated as a real estate agent, this is affecting her earning ability.

Mr. Steven weber stated their subdivision was here first.

Acting Council President Taylor stated we hear and understand the issue and your concerns. Our expectation is that there will be no noise outside. We want to be friendly to business and want to see them succeed, but not at the expense of the neighbors.

Councilman Steele stated they have a right not to hear gunfire.

Mayor Choat stated he has been out there many times and is aware of the problem. He stated he is also aware that Sheep Dog is trying to address the matter. The first attempt made a little difference. The construction is well insulated. The last assessment indicated that the ventilation system may be the problem. He stated he was assured at our April 15 meeting that there would be no noise. We have an ordinance that addresses noise. We will try to work with them. We don't know how long it will be. The material has been ordered to try a different solution. He asked that they be given an opportunity to fix this. If they can't, we will address it.

Acting Council President Taylor stated that it seems to us that Sheep Dog is willing to work to resolve this when the Council has asked them. It seems that the response to the neighbors may be different.

Councilman Freeman asked should we ask Sheep Dog to limit bigger caliber weapons and ammunition?

Mayor Choat stated Saturday was bad, but on Sunday, not so much.

Councilman Taylor stated we have heard you, and our expectations were the same as yours. He asked that we find out hold long it will take the materials to arrive and be installed, and get with the neighborhood.

The consent agenda was presented as follows:

	Accounts Payable	
	<u>Regular</u>	<u>Addendum</u>
Liabilities		13,871.04
Non-Departmental	6,252.07	41,697.60
Mayor and Council	40.24	7,096.25
Administration	2,041.46	7,347.68
Inspections	1,218.11	4,395.27
Municipal Court	48.50	690.27
Information Technology		40.00
Police Department	15,995.53	21,314.02
Fire Department	21,474.77	5,062.19
Public Works	5,049.24	4,121.31
Garbage	65,332.55	
Parks and Recreation	25,469.08	33,160.11
Library	3,994.54	1,464.03
Rental Properties	178.72	
GENERAL FUND TOTAL	247,560.56	140,398.77
STREET IMPROVEMENT FUND	6,393.00	123,254.40
CONFISCATED FUND	9,414.30	
MUNICIPAL COURT	107.99	
CORRECTIONS FUND	13,610.07	

2017 WARRANT FUND	228,504.45	3,017.50
EDUCATION FUND		2,000.00
TOTAL ACCOUNTS PAYABLE	499,197.37	268,670.67

PLX Basic Analysis - Short - Nashville - Sept 19=21 - \$1,195.00 plus lodging  
 Merit increases effective August 8, 2017

Street - Jeffery Jerome Bryant - Grade 7, Step 3  
 Police

Samuel Filetti - Grade 17, Step 7  
 Richard Golden - Grade 17, Step 7, plus 10%  
 Nathanael Holloway - Grade 17, Step 7, plus 10%

Fire - Ryan McQueen - Grade 7, Step 5

Merit Increases effective August 19, 2017 - Fire

Matthew Panepento - Grade 17, Step 5, plus 5%  
 Stephen K. Sanders - Grade 17, Step 4  
 Chris Slaughter - Grade 17, Step 4, plus 10%

Approve Street lights

Ballard Place at Mary Munger Road  
 Barclay Terrace at Mary Munger Road  
 Assume lighting costs for Foxwood Estates (8-9 lights)

Accept Resignation Lt. Herb Rosenbaum eff. Sept 1, 2017

Approve educational incentive for police officers

Adam Anderson - 10%  
 Stephen Jordan - 10%

Approve purchase of Tahoe for PD - \$38,332.00

Approve contract with Trussville Tribune for monthly Gateway news - \$720 month

Approve RDA request for funding - \$20,000

Replace flooring in part of Police Patrol Building - \$6,675 - N & B Flooring

Councilman Steele moved these items be approved, seconded by Councilman Freeman, and the vote was unanimous.

A public hearing on a zoning request filed by Joel and Peggy Rickles for their property at 312 Main Street (part), from R-4 (Residential) to C-2 (Commercial) for compliance with its use was presented. This is a small area that lies behind the restaurant that was purchased at a different time on which the zoning was never changed. This is utilized as a service area for the business.

A public hearing was opened, and there being no comment, the hearing was closed. Councilman Freeman moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of an ordinance to change this zoning, seconded by Councilman Steele, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Freeman, Steele, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2017-036-PZ be approved, seconded by Councilman Steele, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Freeman, Steele, and Taylor

Nays: None

A public hearing on an amendment to the Zoning Ordinance Off Street Parking requirements to prohibit parking commercial or recreational vehicles in front forward of the front of a house or on the street in front of a house. Councilman Freeman moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of an ordinance to approve this amendment, seconded by Councilman Steele, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Freeman, Steele, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2017-036-PZ be approved, seconded by Councilman Steele, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Freeman, Steele, and Taylor

Nays: None

Councilman Steele moved Resolution 2017-037 authorizing the Mayor to sign an agreement with Jefferson County consenting to County participation in the resurfacing of Vann Road with the understanding that the road would then be turned over to and accepted by the City of Trussville for future maintenance, seconded by Councilman Freeman, and the vote was unanimous.

Councilman Steele moved Resolution 2017-038 authorizing the Mayor to sign an agreement with Jefferson County consenting to County participation in the resurfacing of Service Road with the understanding that the road would then be turned over to and accepted by the City of Trussville for future maintenance, seconded by Councilman Freeman, and the vote was unanimous.

Councilman Steele moved Resolution 2017-039 authorizing the Mayor to sign an agreement with Jefferson County consenting to County participation in the resurfacing of Valley Road, convert the traffic flow at the Valley Road intersection with Chalkville Road to a right in, right out only, to install a traffic signal at Pineview Road, Green Drive, and Chalkville Road intersection, and to install a turn lane at Pineview Road, with the understanding that the road would then be turned over to and accepted by the City of Trussville for future maintenance, seconded by Councilman Freeman, and the vote was unanimous.

Acting Council President Taylor stated these roads are in need of paving, and the County has agreed to help us, and then we will maintain them from here on out.

Councilman Freeman reported for Planning and Zoning saying that they recommend the two zoning matters approved on our agenda tonight. Inspections is moving forward with ordinance revisions.

Councilman Steele carried over his report.

Councilman Taylor gave the Fire Department report as follows:

He stated that First Baptist Church had to utilize their services today. He thanked them for the quick response and for going the extra mile to assist in removing water from the building.

Mayor Choat stated he welcomed our citizens to come and share. He stated we approved an agreement with the Trussville Tribune tonight to keep our citizens informed and aware of what is happening in the city and to highlight our various departments. This will serve the purpose of the former Gateway newsletter that the city formerly published. This will be both print and video coverage. There is a new tour of Trussville on our city web site. It talks about quality of life, business, education, and the Chamber. He stated he felt this will be beneficial to the city. The Library closed last week for renovations. We have disposed of furnishings that will not be used in the new library. The schools and some city departments received most of these furnishings, and the Town of Red Level will get the cubicles.

Mayor Choat stated Park and Recreation is removing the flooring on the older bridge within the greenways project. It will be painted and the flooring replaced. The lights in the park are not working properly.

Mayor Choat stated he felt the road acceptance is good. Valley Road has been talked about for years. The traffic signal at Green Drive and creating the right in, right out at Valley will help

traffic congestion. A pipe will be placed in the ditch in the curve on Chalkville as a part of this project.

Mr. Mike Lombardo, Sheep Dog Firearms, was recognized and stated they have been working hard to figure this problem out, and they are working on it. They are installing some solutions this week. He stated they will stay in touch with the city. They want the city to be happy with them.

Councilman Steele asked Mr. Lombardo if this problem was a surprise to them and was told yes, they did not expect this. He stated they were told it would be quiet with the measures taken during construction.

Mr. Tony Greene, 504 Parkway Drive, asked was there any consideration of selling the vacant lot that the city owns next to his home?

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

Respectfully submitted,

Lynn B. Porter  
City Clerk