

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
FEBRUARY 14, 2017

The City Council of the City of Trussville met in regular session on Tuesday, February 14, 2017 at 6:00 p.m. at Trussville City Hall. Council President Plant presided over the meeting and Lynn Porter, City Clerk, served as recording secretary.

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

Those persons answering present to roll call 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
Attorney Rick Stotser

Council President Plant introduced the minutes of the January 24, 2017 meeting for approval. Councilman Taylor moved they be approved, seconded by Councilman Steele, and the vote was unanimous.

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

Council President Plant introduced the minutes of the January 31, 2017 special meeting. Councilman Taylor moved they be approved, seconded by Councilman Freeman, and the vote was unanimous.

Mr. Jessie Odell, Thomas Hall Drive, was recognized and spoke on Board of Education term limits. He stated the Board needs to work with parents and would like to see others have a chance to serve.

Mr. Merchant, Skyline Way, asked for feed back from the City Council.

Council President Plant stated there was a lengthy discussion at the workshop, and asked were there any comments.

Councilman Taylor stated we said it was an item the Council needed to discuss in a workshop setting, but we are not ready tonight.

Councilman Cook stated he was not at the workshop, but thought that we needed to continue conversations on the whys and why nots.

Mr. Merchant stated they have mentioned electronic communication to the Board of Education. He asked if their ideas need to be sent to all Board members?

Council President Plant stated they would share, and Councilman Freeman stated if information was sent to him, he would forward it.

Ms. Connie Merchant, Skyline Way, asked when the workshop was? She stated the committee talked about putting a committee together to study this.

Mr. Merchant stated they will send a list of concrete ideas, and to show the format other school boards across the state use in similarly sized school systems.

Mayor Choat stated the email address of each Councilman is first initial, last name, @trussville.org.

Mr. Richard Epstein, Boulder Drive, asked about filling the ditches by Snake Hill, and asked could we get the Council to put up guardrails on Chalkville Road. He stated the Board of Education still needs a bigger sign that tells what they are. He stated he understands the Mayor is working with the power company to change out some of the yellow street lights. He stated he hoped to see the empty Braden's building torn down.

Ms. Sam Winbush, Pineview Road, stated his community is facing quality of life issues. He stated recently shots have been fired in the city, but when he called the police, they said it was in the County, without checking to see that it is in the city. He stated last year he complained about an auto repair shop being operated from a house and nothing was done. Now there are six old junk cars sitting there and garbage everywhere all around the house. He stated he is working with the County to get the park area with all of the debris, cleaned up. He stated the County sent out letters about dilapidated houses - now it is up to the city to do their part. He stated he has to travel through this, and it is not right.

Council President Plant asked Chief Bridges to look into this.

Mr. Winbush stated he talked to Mayor Melton about getting cable to their area, and he was working on it before the election. He asked could the Mayor follow up?

The consent agenda was presented as follows:

	Accounts Payable	
	<u>Regular</u>	<u>Addendum</u>
Liabilities	2009.68	15,089.96
Non-Departmental	98,654.21	17,258.29
Mayor and Council	3,031.57	330.00
Administration	20,385.49	353,180.26*
Inspections	2,401.28	3,371.81
Municipal Court	2,033.69	873.90
Police Department	34,863.08	10,486.60
Fire Department	29,683.08	12,807.23
Public Works Department	9,527.50	20,753.28
Garbage	163,031.18	
Parks and Recreation	53,432.95	39,901.12
Library	11,309.51	2,215.00
Rental Property	538.07	798.48
GENERAL FUND TOTAL	431,039.39	542,173.33
CORRECTIONS FUND	3,095.46	4,329.51
WARRANT FUND	106,368.23	
EDUCATION FUND		1,000.00
LOC-TUB	3,915.75	
TOTAL ACCOUNTS PAYABLE	544,418.83	547,502.84

*Includes total Workmen's Comp bill. Will be divided among departments.

- Trimm Landscape - trim crepe myrtles at interstate \$4,040.00
- Ala. Judicial College - Payne - April 13-14 - Birmingham - \$185.00
- AAPPA Conf - Jensen - July 27-28 - Montgomery - \$275, plus lodging
- Workmen's Comp annual billing
- Legislative Advocacy - Freeman - Montgomery - Feb 21 (pay by Feb 15) - \$125

Authorize payment of advertising costs St. Clair News Aegis for 10 acres adjacent Carrington Lakes, to be reimbursed by owner

Merit increases effective February 18, 2017

Police - Joseph D. Dunn - Grade 17, Step 8, plus 10%

Park & Recreation

Dorothy Larson Kelley - Grade 12, Step 5

Abel Jimenez Martinez - Grade 7, Step 8

Akeevia Smith - Grade 12, Step 5

Accept resignation of Bob Christmas, Administration eff. 1-31-2017

Hire Jenny Frances Shipp - Account Clerk II, Admin - Grade 16, Step 1, eff. Feb 9, 2017

Hire Shawn A. Robinson - laborer Civic Center - Grade 7, Step 2

Approve going out to bid on police Level IV protective vests (To be paid from confiscated fund)

Library Change order request No. 5 - \$34,763.00 excavate, haul off unsuitable soils, replace soils, and crushed stone, & stabilization fabric, plus 4 additional days

Library Change Order request No. 6 - Patch pipe - \$15,259.00, "0" additional days

Railroad Avenue Change Order #3 Man hole height adjustment - \$14,762

Railroad Avenue Changer order #4 Sawcut concrete pipe and flowable fill for hole behind Hardees - \$2,341.29

Hire Daniel Wade Swope, Police Officer, effective March 4-2017, Grade 17, Step 1

Hire Rheanna Poe, Inspections Admin - Grade 16, Step 6

Approve purchase of two pistols and holsters from seized funds

Approve Library Change Order number 8 adding three days to the contract

Councilman Taylor moved these items be approved, seconded by Councilman Cook and the motion carried with Council President Plant abstaining on one accounts payable item due to a conflict.

A public hearing to rezone property at 407, 413, and 417 Main Street and 203, 207, 211 Kenimer Avenue from I-1 (Light industrial) to C-2 (Commercial) for zoning compliance was opened. 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 approving this zoning change, seconded by Councilman Steele, and upon a roll call vote, the results were as follows:

Yeas Councilmen Plant, Cook, Freeman, Steele, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2017-006-PZ approving a zoning change on properties at 407, 413, and 417 Main Street and 203, 207, 211 Kenimer Avenue from I-1 (Light industrial) to C-2 (Commercial) be adopted as presented, seconded by Councilman Cook, and upon a roll call vote, the results were as follows:

Yeas Councilmen Plant, Cook, Freeman, Steele, and Taylor

Nays: None

An ordinance on an amendment to the zoning ordinance to remove unneeded language was presented. City Clerk Lynn Porter explained that prior to the establishment of the Downtown Overlay District, a section within the C-2 zoning set out criteria for development in the downtown area. This section was repealed with the adoption of the downtown district. What was inadvertently not removed at that time, were references in the general provisions, and a use classification listed in the commercial zoning districts, that are no longer needed. All of these things are now covered under the Downtown Overlay District, and are no longer needed in the other areas.

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 this ordinance, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Plant, Cook, Freeman, Steele, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2017-007-PZ removing this language be approved, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Plant, Cook, Freeman, Steele, and Taylor

Nays: None

An ordinance to add a classification to the Downtown Overlay District for a Brew Pub/Tap Room as a conditional use was presented. A public hearing was opened and Ms. Erica Huffman, 5424 Carrington Circle and Ms. Christy Jones, 310 Sloss Circle spoke in favor of this addition.

Councilman Freeman 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 Plant, Cook, Freeman, Steele, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2017-008-PZ adding a Brew Pub/Tap Room classification to the list of approved uses upon a conditional use approval process. This was seconded by Councilman Cook, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Plant, Cook, Freeman, Steele, and Taylor

Nays: None

A resolution to approve a modification to the Homestead Village PUD was presented. Mayor Choat stated a gas line runs through the berm in front of the shopping center, and the Utilities Board does not want a wall constructed over this line. The approved plan calls for a 42" wall to be constructed at road grade to obscure the backs of the buildings, and any mechanical units installed on the roofs of the buildings, from view from the highway. The berm is 6'9" tall at the highest point, thus provides a greater view barrier from the highway than the 42" fence would.

Councilman Freeman stated at the Thursday workshop, Planning and Zoning asked to see a landscape plan of what would be planted on the berm. At the meeting on Monday, they were given a drawing, but asked for more detail, and asked that someone appear before them to explain the changes and depict a sight view of the plantings at full maturity. They deferred action to their next meeting.

Mayor Choat stated he felt the plan was self-explanatory.

Councilman Freeman stated he had no problem with the plan. He stated we need to consider the feelings of Planning and Zoning on what is considered a minor change.

Mayor Choat asked the City Clerk what approval process is in place, and she replied, the PUD regulations require a determination of whether a change is a minor or a major change. A minor change requires no further approval. A major change requires a new PUD application, and going back through the full approval process of a PUD. The zoning requirement does not specify that the developer address how the change will be made, but only a determination of whether the change is a minor change or a major change.

Councilman Taylor stated one of the issues during the approval process was the building backing up to the road and dumpsters, and how this would look from the highway. He stated he goes out of Tutwiler Farms each day and he thinks that they have accomplished this. He stated he did not want to circumvent Planning and Zoning, but at the end of the day, it is a Council decision.

Mayor Choat stated he felt like a landscaped berm up to 6'9" was better than a 42" high fence at road level.

Councilman Freeman moved Resolution 2017-009 determining that this is a minor change to the Homestead Village PUD, be approved, seconded by Councilman Taylor, and the vote was unanimous.

An amendment to the recent resolution to change the work period used for the computation of public safety overtime. The date stated in the previous resolution did not coincide with the beginning of the pay period. The effective date of this change will be January 21, 2017. Councilman Taylor moved Resolution 2017-010 be approved, seconded by Councilman Steele, and the vote was unanimous.

Councilman Freeman moved Resolution 2017-011 in support of the Jefferson County Ad Valorem tax renewal for schools be approved, seconded by Councilman Cook and the vote was unanimous. The vote will be held countywide on March 7.

Councilman Cook stated people need to realize that this is a tax renewal, not a new tax.

Council President Plant stated this generates \$3 million annually for our school system.

The vote was unanimous.

St. Clair County E-911 has notified us that a proposed street name in Carrington Lakes, Sector 8 conflicts with a street name in a different area of St. Clair County that has mail delivery from the Trussville post office. The lots on this street have not been given final approval, and no permits have been issued at this point. Councilman Cook moved Resolution 2017-012 changing this street name from Crestview Lane to Lakeview Lane be approved, seconded by Councilman Freeman, and the vote was unanimous.

Councilman Taylor moved the quotation from J C Roofing for repairs to the City Hall roof in the Administrative area in the amount of \$2,531.02 be approved, seconded by Councilman Freeman, and the vote was unanimous.

Councilman Plant gave the Library report for January as follows:

TRUSSVILLE PUBLIC LIBRARY
City Council Report

Date: February 14, 2017

Figures for the month of January 2017

Total Circulation

All Circulation Activity including items
checked out, checked in and renewed: 31,615

Downloadable Audio/E-Books 1,575

Computer Use 1,014

Library Visits 13,655

Reference Transactions 4,101

Public libraries are one of the few places that still provide federal and state tax forms to the public. We offer this service at no charge. Due to budget cuts within the IRS, federal instruction booklets were not available this year. Our Adult Services Librarian, Maura Davies, down loaded multiple copies of the most requested booklets and made them available for use in the library. Library staff will download tax forms that are not sent in bulk from the IRS and the State of Alabama for patrons.

Councilman Cook stated the IDB will meet next week.

Councilman Freeman met last night and gave two preliminary subdivision approvals. For the Board of Education, he reminded people to come out and vote.

Councilman Steele stated the Parks and Recreation Board met last night and gave unanimous approval to the dog park, pending the blessing of the Cahaba River Society and ADEM. The Seniors are planning a trip. They will hold a Mardi Gras party on Friday. ACTA will perform "Love Thy Neighbor" and "Tom Sawyer."

Councilman Taylor reported the Public Safety Committee discussed a Continuity of Operations Plan, procedures for release of a body from the police to a funeral home, and some requests for 5K runs. Chief Shotts discussed the Everbridge Communications System that will identify residences with disabled individuals in emergencies.

For the Chamber he stated they assisted on National Signing Day where several Hewitt athletes signed sports college scholarships. Twinkle Cavanaugh was the speaker at the Chamber luncheon this month. A food drive for TEAM was held last Saturday. The annual Chamber banquet will be held February 25. RDA is continuing to work on plans and hopes to have something citizens can see soon.

Mayor Choat stated the Homestead Village shopping center is coming along. Hobby Lobby will be the first to open, followed by Home Goods, and others to follow close behind. The Railroad Avenue project has asphalt down, sidewalks in and should be open soon.

Mayor Choat stated Dunn Construction is working on paving quotes in some critical spots. He stated he has approached Commissioner Joe Knight for help in paving Service Road. The quote to pave from end to end is \$730,000. The traffic signal at the civic center is ready to go.

Mayor Choat thanked the Council for approving the three new police officers. We hired three firefighters recently. This gets us closer to our goal. Inspections has moved to Cherokee Drive and we have filled their vacancy.

Councilman Taylor read a thank you to the Fire Department for their actions after a recent accident from Ginny Choat.

Councilman Freeman asked was there an update on the Civitan Park bridge, and Mayor Choat responded the new bridge is in place. The City will rehab and paint the old bridge.

Mr. Odell, Thomas Hall Drive, stated there has been some shooting lately near the trailers on Camp Coleman Road.

Ms. Erica Huffman, Carrington Circle, stated there is a lot of retail leaving. American Eagle and Buckle have closed and there are several vacant units near WalMart, she asked why is the city building a new shopping center? She was told a new larger building will be built where

the vacancies near WalMart are.

Councilman Taylor state the city is not building a shopping center. A developer is building a shopping center.

Council President Plant stated interest has been shown for some of this space. Anyone may apply to develop their property. They sometimes work with us to bring new tenants. Our incentive package does not allow credit for any retailer that moves from one spot in the city to the new center. Brick and mortar industries are under tremendous pressure from Internet sales, and for many people the economy is still shaky.

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

Respectfully submitted,

Lynn B. Porter
City Clerk