

CITY OF TRUSSVILLE

CITY COUNCIL

FEBRUARY 11, 2020

The City Council of the City of Trussville met for a workshop session on Thursday, February 5, 2020 at 5:30 p.m. at Trussville City Hall. Council President Steele presiding.

Those members present were as follows:

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

Absent: Councilman Perry Cook

Others present in Official Capacity: Mayor Buddy Choat

The workshop was convened and the Council received the agenda and supporting documentation for the City Council meeting to be held on Tuesday, February 11, 2020. 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, February 11, 2020 at 6:00 p.m. at Trussville City Hall. Council President Steele presided over the meeting and Lynn Porter, City Clerk, served as recording secretary.

Council President Steele called the meeting to order and asked Councilman Plant to lead in prayer. Boy Scout Troop 425 led the pledge to the flag.

Those persons answering present to roll call were as follows:

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

Absent: None

Others present in official capacity: Mayor Buddy Choat
Attorney Rick Stotser

Council President Steele introduced the minutes of the January 28, 2020 meeting for approval. Councilman Freeman moved they be approved, seconded by Councilman Cook, and the vote was unanimous.

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

Items included on the consent agenda were as follows:

Accounts Payable

Liabilities

482.60

Non-Departmental	20,996.42
Mayor and Council	17,461.05
Administration	5,030.79
Inspections	961.09
Municipal Court	6,475.86
Finance	22,018.00
Information Technology	99.90
Police Department	40,984.78
Fire Department	36,647.29
Public Works	10,127.15
Parks and Recreation	79,556.39
Library	23,020.28
GENERAL FUND TOTAL	263,861.60
CAPITAL PROJECTS FUND	6,797.00
MUNICIPAL COURT FUND	369.57
CORRECTIONS FUND	17,454.82
TOTAL ACCOUNTS PAYABLE	288,482.99

League of Municipalities Convention registration - Choat, Cook, Freeman, Porter - Tuscaloosa - May16-19 \$350 ea. plus lodging
Critical Task in Jail/Corrections Operations - Roberson -Feb 11-12 - Cullman -\$275.00
Bama Fire Protection service contract-\$5,303.55, plus police car extinguishers at \$5.95 ea
Fire Marshall's Association Conf - Fore - Guntersville -March 25-27 - \$75.00 plus lodging \$307.07
Fire Recruit School - Matthew Williams - Fort Payne - \$1,085 plus lodging \$250
Promote Dave Morrette to Police Captain, Grade 29, Step 5, effective Feb 15
Promote Greg Cardwell to Police Captain, Grade 29, Step 5, plus 5% effective Feb 15
Officer Michael Montana - Add 10% educational premium effective Jan 18
Promote Frank Jones to Public Works Assist Director II - Grade 23. Step 8, eff. Feb 15
Promote Barry Jones to Fire Prevention Inspector - Grade 19, Step 9, eff. Feb 15
Promote JR Malchus to Building Inspection Superintendent-Grade 28, Step 4,eff. Feb 15
Hire HR Project Coordinator Mandy Dixon, Grade 28, Step 9, effective March 9
Tree Commission appointment - John Edge through Feb 28, 2021
Tree Commission reappointments
John Floyd through Feb 28 2022
Ryan Dawkins through Feb 28 2023
Arnold Reichert through Feb 28 2023

Chief Rush was recognized, and stated the Captain position has been vacant for two years. Tonight we are promoting two lieutenants to Captain. These are Dave Morrette who has twenty-one years of experience, and Greg Cardwell who has 17 years. He stated he has great expectations of these two.

Mr. J. R. Malchus was recognized and congratulated on his promotion to Building Inspection Superintendent.

Ms. Elizabeth Walker, 6592 Jonathan Way, spoke on the schools' privatization of the summer child care program. The cost will be higher for parents. The YMCA will pay \$3,500 to the school for the use of the building, including utilities, cleaning, and maintenance. This will not cover the cost of this public facility paid for by tax dollars. This is extortion at the school's expense. There will be a lesser level of care. There was no communication with the parents prior to this decision. This is underhanded. She asked what the Council was going to do.

Ms. Cheryl Hannon, reiterated prior statements. She stated the school system was why they moved here. Trussville is not about low quality. There is no parent involvement in the YMCA package program. Teachers are used in the school program. Teenagers are used in the YMCA program. The YMCA has no security. No identification is required to remove a child from the YMCA building. We want the program to be enriching and safe. This program is not. The first offer was to open the program to out of city children with families who had not stake in these facilities. We understand this is off of the table now. If we wanted our children to go to the YMCA,

we would take them there. We would like the opportunity to have a discussion before these things are decided.

Mr. Preston Pendegraph, Johnathan Way, stated Trussville is a great community. He stated he is a cyclist and a part of a marathon group. We have a beautiful Civic Center Now we are losing everything that is uniquely Trussville. The Y has said they don't know who will be working there this summer. They said they are willing to work at a loss. That does not make business sense. Already some of the parents applying to churches for these services. Don't sell out to the Y. In Hoover, when their school program was disbanded, the schools were given \$500,00. Why are we getting only \$3,500?

Mr. Justin Rogers, Roper Tunnel Road, agreed with statements made. He stated they came here in 2006 for the schools. He stated their daughter was in after school care and Summer care. He stated they will miss the connectivity with the school staff. He stated they will pay an extra 50% this summer. They are a two-earner household and it is necessary. We were caught unaware. He stated he was glad that now the program will be limited to Trussville children.

Council President Steele stated he appreciated everyone coming out. We did not know about this either. The School Board liaison may have heard something at a meeting, but the rest of us had not. We do not have answers tonight.

Ms. Hannon stated the school has had a lack of response to parents. She stated she knew the way they conduct their meetings is their prerogative, but they do not encourage parent involvement.

Mr. Pendegraph asked what it would take to make this an elected school board so we can get accountability?

Ms. Hannon stated she understood the board can be appointed.

Councilman Plant pointed out that this is an independent entity. We do appoint their members. We are accountable to you. The Council is a legislative body. The school board is not whether they are elected or appointed.

Ms. Hannon stated they plan to go to the next meeting. The last one was cancelled. She stated it is a shame that they have to wait five years for a change.

Council President Steele stated there was no much we can do except sympathize with you.

Councilman Freeman stated he is the school board liaison and he resented the implication that he knew information and did not pass it along. There was an article in the newspaper.

Council President Steele, stated he apologized if he offended Councilman Freeman, but that was not what he meant. He only meant the rest of the Council did not attend Board meetings where this might have been discussed.

Mr. Hannon, we have heard that none of you are aware. This was in the news and on Facebook.

Mayor Choat stated he was aware of this at the same time parents were. He stated before he commented, he would like to learn more. He stated there is a parent advisory group. He stated he believed what they say. He stated he was as blind sided as anyone.

Ms. Walker said the YMCA said that they had been negotiating for a year.

(Don't know who said) The school board has made some incredibly difficult decisions over sixteen years. Some decisions, like tonight, are not popular. I recommend you attend the next school board meeting and see what response you get.

Councilman Freeman stated for accreditation, the Council must limit what it tells the school board to do or not to do.

Ms. Walker stated they were not advocating that the Board be accountable to the Council. They are advocating the Board be accountable to the students and parents. The numbers do not add up.

Councilman Taylor stated he did not want to give the impression that he had no heard of this. He stated the School Board has not met since December. He suggested he take this to them. The Council appoints one board member each year. He stated he has never had a member come to him and ask to be reappointed. They try to look at things and make a decision as a whole, like we do.

Councilman Plant stated no matter the issue, you can talk to us. We can't guarantee you will get your way, but we can guarantee you will get your say.

Council President Steele state we do not know what happened or why the decision was made.

A request to rezone property at 6987 and 6991 Gadsden Highway from I-1 (light industrial) to C-2 (Commercial) was presented by Ms. Gloria Forehand, Paradise Circle. She stated she has a potential tenant who needs a commercial zoning.

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

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

Nays: None

Councilman Freeman then moved Ordinance 2020-005-PZ be adopted changing this zoning, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

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

Nays: None

A request to rezone property at 1751 Gadsden Highway from Inst-1 (Institutional) to C-2 (Commercial) was presented by Mr. Jerry Tortorigi, Lake Street, representing Mr. Steve Serra.

A public hearing was opened, and there being no comment, the hearing was closed. Councilman Freeman stated this was recommended unanimously by Planning and Zoning. 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 Steele, Cook, Freeman, Plant, and Taylor

Nays: None

Councilman Freeman then moved Ordinance 2020-006-PZ be adopted changing this zoning, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

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

Nays: None

A request to rezone property on the south side of the 7500-7800 block of Bethune Parkway from A-1 (Agricultural) to Q-RG (with lots to meet R-2 zoning requirements with the exception of the front setback line which shall be the 20' RG setback) was presented by Mr. Richard Johnston, Stockton Partners, representing Sun Valley Developing. He stated this development will not extend Bethune Parkway. He stated they will maintain the R-2 lot size and side and rear setbacks, but this will allow them to leave more property in a natural state by placing the homes nearer the road, and it will also match the rest of the subdivision. He stated they are talking with adjoining property owner Jody Saiia. This property is one mile from Camp Coleman Road.

A public hearing was opened, and Mr. Paul Bentley, Carriage Cove was recognized. He stated they are concerned that as RG zoning comes closer to their homes, that it may make the next property easier to rezone RG.

Mr. Jim Nolan, Caldwell Drive, stated he loved Stockton, but he hates what has been done about stormwater management and the BMPs for stormwater. He said the road becomes covered in mud after rains. He asked the status of the traffic signal, and was told since the second access was opened, the counts did not warrant a signal.

The hearing was closed. Councilman Freeman stated this was recommended unanimously by Planning and Zoning. Councilman Freeman moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance, seconded by Councilman Plant, and upon a roll call vote, the results were as follows:

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

Nays: None

Councilman Freeman then moved Ordinance 2020-008-PZ be adopted changing this zoning, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

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

Nays: None

Resolution 2020-009 was presented to appoint City Clerk Lynn Porter as elections manager for the 2020 municipal election cycle. There are certain duties assigned to the mayor that he cannot perform if he intends to become a candidate, that must be reassigned. The City Clerk is absentee elections manager by statute. Councilman Taylor move this resolution be approved, seconded by Councilman Plant, and the vote was unanimous.

The City uses election machines provided by the county. The County has purchased new handicap marking machines, and the City must certify the use of these machines in municipal elections. Councilman Plant moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance of a permanent nature, seconded by Councilman Taylor, and upon a roll call vote, the results were as follows:

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

Nays: None

Councilman Plant then moved Resolution 2020-010 be adopted authorizing the use of these machines, seconded by Councilman Freeman, and upon a roll call vote, the results were as follows:

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

Nays: None

Councilman Cook moved Resolution 2020-011 authorizing the acquisition of additional construction easements and rights-of-way for the downtown loop road, seconded by Councilman

Freeman, and the motion carried with Councilman Taylor abstaining. Councilman Taylor stated he is employed by First Baptist Church who is also a part of these negotiations.

Councilman Cook reported we have 356 children in baseball, and 102 in travel ball. There will be several baseball clinics, and a tournament. The season will begin on March 14. For TRA he reported the building at 110 Chalkville Road has been removed.

Councilman Freeman stated last month there were 21 new residential permits and six alterations and renovations, and two commercial alterations.

Planning and Zoning met last night and approved several items. Design Review and the Board of Education will meet soon.

Councilman Plant stated we promoted two Lieutenants to Captain tonight. The Historical Board met last week. Jane Alexander said that 118 people signed the book at the Museum in January and we had hundreds at the Civic Center in February. The finance committee met last Thursday. We work extremely hard to assure we are in a sound financial position, and able to provide services.

For the Library Councilman Plant reported a retirement party for Laura Edge and Karen Davis. They have touched the lives of thousands of children.

Councilman Taylor thanked the two chiefs for their participation in the funeral of a fellow officer from Morris yesterday. The utilities had a surprise inspection yesterday on their operations. There were a few areas for improvement. They have a new payment portal. They are discussing updates to their buildings.

Council President Steele carried his report over.

Mayor Choat stated a contractor for Jefferson County Sewer will close the road from Chalkville Road to Meadow Lane for repairs. Cedar Lane is open now. Landscaping is about to go in, in downtown. The bicentennial event was great Saturday. He encouraged everyone to attend. We are working on rights-of-way for Alabama Power to install lights along the Valley Road extension.

Mr. Charles Alexander, candidate for tax collector, stated he was a revenue collector in Bessemer for twelve years. He stated he is a doer, and believes it is time for new energy.

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

Respectfully submitted,

Lynn B. Porter
City Clerk