

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
RESCHEDULED MEETING

JULY 9, 2020

The City Council of the City of Trussville met for a workshop session on Thursday, July 9, 2020 at 5:00 p.m. at Trussville City Hall. Council President Zack Steele presiding.

Those members present were as follows:

Council President Zack Steele
Councilman Perry Cook
Councilman Jef Freeman
Councilman Brian Plant
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 at 5:30 after the workshop.

Mr. James Thomas addressed the Council asking about acquiring the city property behind his house at 112 Anderson Circle to the river. The Mayor will work with him and bring any offer back to the City Council for approval.

Mayor Choat updated the Council saying that the development contract for Quad 1 has been extended to January 31, 2021, and business tax receipts reporting will begin two months afterwards.

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 a rescheduled regular session on Thursday, July 9, 2020 at 5:36:00 p.m. at Trussville City Hall, due to the election on Tuesday, July 14. Council President Steele presided over the meeting and City Clerk Lynn Porter served as recording secretary.

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

Those persons answering present to roll call were as follows:

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

Absent: None

Others present in Official Capacity: Mayor Buddy Choat
Attorney Michael Brymer

Council President Steele introduced the minutes of the June 23, 2020 meeting for approval. Councilman Taylor moved they be approved, seconded by Councilman Freeman, and the motion carried with Councilman Plant abstaining.

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

Items included on the consent agenda are as follows:

Accounts Payable

Liabilities	2,200.00
Non-Departmental	11,251.17
Mayor and Council	6,165.46
Administration	7,965.74
Inspections	153.66
Municipal Court	6,142.50
Information Technology	14.99
Police Department	18,861.36
Fire Department	14,219.25
Public Works	3,451.01
Parks and Recreation	28,601.87
Library	3,294.37
GENERAL FUND TOTAL	102,321.38
CAPITAL PROJECTS FUND	3,989.00
MUNICIPAL COURT FUND	571.05
CORRECTIONS FUND	350.00
TOTAL ACCOUNTS PAYABLE	125,173.59

- Economic Development Training - Dixon - Auburn - Sept 21-25, 2020 & Sept 20-23-2021 - \$850.00, plus lodging
- Critical Task in Jail/Corrections Operations - Morrette & Posey - Aug 6-7 - Cullman - \$295.00 each
- CVSA Examiner - Warmus & Jackson- Nashville, TN - Sept 14-18 - \$495.00 each, plus lodging
- Promote Erin Hamilton to Senior Planning Technician, Grade 18, Step 3
- Accept resignation of Stephen Szajko, FD effective July 2, 2020
- Reappoint John Patterson to Public Safety Committee thru Jan. 11, 2023
- Hire part-time Gymnastics - effective July 18, 2020
 - Elizabeth Whitten, Grade 5, Step 4
 - Tabatha Bonds, Grade 5, Step 1
- Acknowledge retirement of Doug Miller, PD, effective July 31, 2020
- Hire Jason Grant, Building Inspections Officer - Grade 23, Step 8, effective July 20, 2020

Mr. Richard Epstein suggested that the traffic signal on Chalkville Road by McDonald's that is blinking only, be removed and a stop sign placed on the side street.

Mayor Choat stated this is a County signal, but there are plans to remove it, since the new one is now operational.

An ordinance to change the speed limit on South Chalkville and Roper Road was presented. Councilman Taylor 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 Taylor then moved Ordinance 2020-024-PS changing the speed limit on Chalkville Road from Main Street to Queenstown Road to thirty-five miles per hour and changing

the speed limit on Roper Road from Queenstown Road to the county line at Moody to forty miles per hour be approved, 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

An ordinance to change the speed limit on Trussville Clay Road from Poplar Street to Memory Lane was presented. Councilman Taylor 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 Taylor then moved Ordinance 2020-025-PS changing the speed limit on Trussville Clay Road from Poplar Street to Memory Lane to thirty-five miles per hour be approved, 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 Taylor moved Resolution 2020-050 to install two speed humps on North Mall and two speed humps on South Mall be approved, seconded by Councilman Cook, and the vote was unanimous.

Councilman Cook moved Resolution 2020-051 on a temporary construction easement for the Highway 11 widening project at 176 Main Street in the amount of \$3,000 be approved, seconded by Councilman Freeman, and the vote was unanimous.

Councilman Freeman moved Resolution 2020-052 in support of the Jefferson County Health Department order requiring face coverings be approved, seconded by Councilman Plant, and the vote was unanimous.

Councilman Plant moved that the Mayor be granted the authority to negotiate with Mr. James Thomas on the possible purchase of property belonging to the City adjacent to his property at 112 Anderson Circle, with the understanding that the matter will be brought back to the City Council for approval. This was seconded by Councilman Taylor, and the vote was unanimous.

An ordinance to rezone 6632 and 6634 Bedford Circle from A-1 to R-2 was presented. A public hearing was opened and Mr. Michael Jeeley, 6631 Bedford Circle, stated he has no issue with this rezoning.

The public 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 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 2020-026-PZ be adopted changing this zoning, 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

An ordinance rezone 6270 Service Road from R-1 to CP was presented. A public hearing was opened and Ms. Gail Wright, 5033 Gihon Circle, homeowners' association officer, stated she was against this rezoning. She stated one of her objections is due to crime, as they don't need crime brought to their neighborhood. She circulated pictures of the current facility for this business.

Mr. James Hunter, 6283 Service Road, stated his family owns residential property on Service Road, and would not like to see commercial.

Ms. Ann Hydrick, 5100 Kidron Drive, stated access and line of sight to this property is dangerous.

The public 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 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 this rezoning request be approved, seconded by Councilman Plant, and upon a roll call vote, the results were as follows:

Yeas: None

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

An ordinance rezone 510 Main Street from R-2 to Q-C-2 was presented. A public hearing was opened and Mr. James Proctor and Mr. John Whitson, Realty Link, 4209 Autumn Lane, Birmingham, Alabama presented their proposal. M.r Proctor stated they are developing the adjacent property and wish to have this property rezoned in the same manner. Mr. Whitson stated all of this parcel is not developable, but the westerly portion will be used for restaurant or retail use if approved. They have committed to a 50' buffer with 25' left undisturbed and 25' to be re-vegetated to form a visual barrier.

Councilman Freeman asked how much fill will be used and was told eight to ten feet.

Councilman Plant questioned the pipe and where the water goes when it leaves this lot, and was told to Pinchgut Creek.

Wayne Sullivan stated the pipe under Highway 11 is existing. He said detention will actually help to release the water more slowly.\

Councilman Cook asked where the water from the pipe goes and was told Pinchgut Creek. He expressed concern about trash, pollutants from restaurants, and runoff to the Cahaba.

Wayne Sullivan stated the release rate from the detention pond can be no greater that the flow today. Any excess water will be detained and released slowly.

Councilman Taylor asked was the release the same as now, except slower?

Wayne Sullivan stated the amount of drainage leaving the site cannot be increased. It must be the same or lower post-development, than it was pre-development. There is a throttling structure that will let the water out at the same rate, and maximum rates cannot exceed the current.

Mr. Whitson pointed out that the system the effluents from the restaurant go through, is a separate system from the ground water runoff system.

Wayne Sullivan stated under our MS4 permit, we must comply and anyone building must comply with discharge regulations.

Ms. Jamie Anderson, 4289 Lexie Circle, stated she did not believe that what is proposed will happen. The prior developer on the adjoining property cut every tree. She stated all of the swimming pools on Birch Street were filled with mud, and nothing was done about it.

Mr. Whitson stated in the time they have owned the adjoining property, he has not heard anything about mud in swimming pools.

J. R. Malcus of the Inspections Department and Wayne Sullivan in Public Works were asked, and both said they had received no complaints about swimming pool getting mud in them.

Ms. Cheryl Hamilton, who lives of Birch Street, was asked if she had heard of this, and she replied that she had not heard anything about swimming pools.

Ms. Anderson stated she was contacted on her Facebook page about this.

Mayor Choat stated there is a 50' buffer by ordinance on this piece of property, that was not a part of the prior approval.

Mr. Whitson stated they answer to the City of Trussville on enforcement. He stated the rear portion of the larger Hamilton property had few trees along the rear, and those were thin.

Ms. Anderson stated they were shown a map with a tree save area, but every tree was taken out.

Mr. Whitson stated on the subject property tonight, there will be a 50' buffer and 25' will not be touched. The other 25 feet will be replanted after it is filled.

Councilman Taylor stated he was concerned about what he has heard tonight that the plan is not being followed. He asked was there still an eight-acre park, and was told yes. The plan has not changed. Councilman Taylor stated the first plan submitted called for residential to abut Birch Street and commercial on the highway, but the neighbors did not want more residential. The next plan submitted showed all commercial, and that is what was approved. He stated, personally, he thought the residential would have been better against the existing homes.

Mr. Cheryl Hamilton, Birch Street, stated she felt they were mislead. She stated it was not in the ordinance, but they said they wouldn't cut all of the trees. She stated the young couple who just bought a home near her are devastated that this will happen behind them.

Mr. Whitson stated the park will still be built and it will be built to ADA standards.

Councilman Plant asked Mr. Malchus and Mr. Sullivan if trees were cut that were not supposed to be cut, and both said no. Mr. Malchus stated the drone footage of the site before it was cleared shows very few trees on the rear of the property. Mr. Farmer said in the meeting that he would save as many trees as he could, provided they were not in the area where the road or building footprints were going to be. He stated the buffer on the back of that property has not changed between then and now.

Ms. Anderson stated Connor Farmer showed the tree save area, and apologized if she spoke out of turn.

The public 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 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 2020-027-PZ be adopted changing this zoning, seconded by Councilman Plant, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Steele, Plant, and Taylor

Nays: Councilmen Cook and Freeman

Councilman Cook carried over his report.

Councilman Freeman stated at Rotary yesterday Dr. Neill shared their school startup plan options. We have a great team.

Councilman Plant carried over his report.

Councilman Taylor carried over his report.

Councilman Steele carried over his report, but commented that it is an impossible task to get our kids back in school while keeping both the kids and the teachers safe.

Mayor Choat thanked Councilman Taylor and First Baptist Church for the Freedom Celebration on Fourth of July. He stated this was well managed and enjoyed by many people.

Councilman Taylor stated it was a total team effort by the Church, the City, Police, Fire, and Public Works.

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

Respectfully submitted,

Lynn B. Porter
City Clerk