

CITY OF TRUSSVILLE
CITY COUNCIL MINUTES
SEPTEMBER 9, 2020

The City Council of the City of Trussville met for a workshop session on Tuesday, September 9, 2020 at 5:30 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 6:00 p.m. The Council reviewed the agenda and determined the order for consideration at the Council meeting.

The Council indicated that they would like to discuss the golf cart ordinance at the next workshop.

Councilman Taylor stated the Public Safety Committee recommended a three-way stop at Linden Street and Glenn Avenue.

Mayor Choat stated Chalkville Road will be back open on Monday.

Councilman Taylor stated people using this by-pass are confused at this intersection and don't know what to do. The area is tight and it is difficult to maneuver turns. The Council asked to add this item to the agenda.

There being no further business, the workshop was adjourned.

The City Council of the City of Trussville met in regular session on Tuesday, September 8, 2020 at 6:00 p.m. at Trussville City Hall. 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 Jef Freeman
Councilman Brian Plant
Councilman Alan Taylor

Absent: Councilman Perry Cook

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

Council President Steele introduced the minutes of the August 19, 2020 special meeting on the Series 2020 warrants, August 20, 2020 regular meeting, and the September 1, 2020 election canvass meeting for approval. Councilman Freeman moved they be approved, seconded by Councilman Plant, and the vote was unanimous.

The agenda and consent agenda were presented for approval.

Accounts Payable

Liabilities	140.00
Non-Departmental	5,117.40
Mayor and Council	61.59
Administration	5,908.28
Inspections	819.09
Finance	390.00
Information Technology	68.18
Police Department	29,891.12
Fire Department	17,955.26
Public Works	21,612.37
Parks and Recreation	40,526.64
Parks Maintenance	2,087.52
Library	14,994.61
Rental Property	568.33
GENERAL FUND TOTAL	140,140.39
2018 CONSTRUCTION FUND	15,920.91
CAPITAL PROJECTS FUND	8,262.12
CORRECTIONS FUND	694.36
TOTAL ACCOUNTS PAYABLE	165,017.78

Alabama Licensing Officials - Poe & Shipp - Prattville - Dec 9-10 - \$125.00 ea. plus lodging \$123 per night

Drill Master Honor Guard Training - Tomlin - Mountain Brook - Sept 28-Oct 2 - \$390.00

Hire Garrett Allen - Firefighter - Grade 17, Step 1 effective Sept 12, 2020

Hire Park & Rec for gymnastics effective September 12, 2020

Jennifer Eaves - Grade 5, Step 2

Taylor Sweat - Grade 5, Step 2

Councilman Plant moved the agenda be approved, seconded by Councilman Freeman and the vote was unanimous.

A public hearing for off premise beer and wine sales for the new operator at Trussville Shell located at 199 Beechnut Street was called. Mr. Chowdhury, Oxford, AL, stated he took over this station and is asking that the alcohol license be transferred to him. He stated he owns three stations in Cleburne County and one in Calhoun County. He stated the employee that was disclosed as having sold to a minor in 2012 has been let go. He stated he did not operate the station at that time, but, since it was a good employee, the management did not fire her. Their policy not requires background checks.

When asked about prior violations, Chief Rush stated there have been two, one in 2012 and one that happened two years ago.

Mr. Mohammed Hague, manager of this site, stated their equipment now requires the driver's license to be scanned and will not let the purchase go forward until approved. In the event two years ago, the employee bypassed the system and did not check the ID.

Councilman Plant asked what happened to that employee and was told the employee was fired immediately.

Councilman Freeman asked if their personnel policy in place now will not let them hire people without a background check, how was the person involved in 2012 still employed, and was told the policy was changed after they took over and she was already employed.

Councilman Plant asked can the machine be bypassed?

Mr. Hague stated they do not train employees to bypass the machine, but he did not know if an employee could find a way to do so.

Mr. Chowdhury stated he said to fire her. Mr. Hague did not want to because she has been there a long time, is a good employee and good employees are hard to replace.

Councilman Steele stated he was uncomfortable dictating employee matters.

Councilman Taylor agreed, that it is their risk.

A public hearing was opened, and there being no comment, the hearing was closed.

Councilman Plant moved this application be approved, seconded by Councilman Freeman, and the vote was unanimous.

Resolution 2020-063 on the city's Transportation Plan as required by the Rebuild Alabama Act gasoline tax was presented. Funds received will be used to rehabilitate city roadways. Councilman Freeman moved it be approved, seconded by Councilman Plant, and the vote was unanimous.

Proclamation 2020-012 on Family Day/Week was presented. Councilman Taylor moved it be adopted, seconded by Councilman Freeman, and the vote was unanimous.

Resolution 2020-064 authorizing an easement and maintenance agreement at 199 Main Street was presented. The signal equipment for the Main Street and Chalkville Road intersection will be kept within this easement. Councilman Plant moved this be approved, seconded by Councilman Taylor, and the vote was unanimous.

Proclamation 2020-013 on Constitution Week was presented. Ms. Charlotte Gibson of the Daughters of the American Revolution was recognized and stated this is September 17-23 each year in honor of the 233-year-old United States Constitution. Councilman Freeman moved it be approved, seconded by Councilman Taylor, and the vote was unanimous.

Ordinance 2020-032-PS authorizing a 3-way stop sign at Linden Street and Glenn Avenue was introduced. 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, Freeman, Plant and Taylor

Nays: None

Councilman Taylor then moved Ordinance 2020-032-PS be adopted as presented, seconded by Councilman Plant, and upon a roll call vote, the results were as follows:

Yeas: Councilmen Steele, Freeman, Plant and Taylor

Nays: None

Councilman Freeman stated the Board of Education met in a Zoom meeting. They awarded \$500 to teachers for achievement in dealing with remote learning during COVID-19. They also passed their budget.

Councilman Plant gave the Library report that included their reopening schedule. He stated they are trying to balance COVID-19 restrictions with public needs.

Councilman Taylor stated the Public Safety Committee met last week. The Utility Board lobby is closed and business is being conducted at the drive-thru, by mail, and on-line. They are planning updates to their building, and are considering closing the lobby permanently.

He reported that September 26 will be CityFest and will wind up in our entertainment district.

Mayor Choat reported the Greenway Ballfields fence should be completed by September 15. He met with Alabama Power on our Highway 11 widening project and we will lose the street lights on the south side of the road. He stated he met with Mark Davis about the fallen soldier's bust that will be placed in our Veteran's Memorial. They want to dedicate this during Veterans' Day Week.

Mr. John Griscom, Annette Street, was recognized and spoke on National Preparedness Month to make people aware of how to protect themselves and know what to do. He also stated Patriot Day should be recognized on September 11. National Night Out will not be held this year due to COVID.

Dr. Eric Reed, 7676 Barclay Terrace, HOA President, was recognized and wanted to make the Council aware of their road situation. He stated he spoke to Mayor Choat in 2017. The road is full of pot holes and indentations to the point it is affecting home values. He stated real estate agent Ms. Fran Aldridge has had one home listed for 410 days due to the road. He stated small cars will drag on the ruts in the road. Everyone uses the better lane to bypass this, but this creates a traffic and safety concern. There has been a recent acceleration of the deterioration of the road. He asked the bond situation. He stated he moved here in 2014.

Mr. Charles Kessler who is building in the community stated he was not the original developer. He stated he has built four homes and there are twelve to thirteen lots remaining that probably cannot be sold until the road is repaired. He stated he will agree to take out four bad spots using his equipment, if the city can take care of the base, binder and seal. He stated he did not know the depth to be removed until he gets in there. This will probably cost him \$50,000, but it needs to be done now before winter.

Mr. Johnny Smith, Barclay, stated the original developer was Kyle Culverhouse, but he lost the development in the economic downturn in the early 2000s.

Wayne Sullivan stated at the Mayor's request, we patched the base in places, but these roads have not been turned over to the city, and won't be accepted until they are brought up to standards. He stated this is not the only area with this type of problem in the city.

Councilman Plant stated we need to look hard at the numbers to get an idea of the cost and quantity. He stated he appreciated Mr. Kessler's offer. He asked what this would cost?

Wayne Sullivan stated he does not have the measurements to estimate the cost. The road will need to be milled and shaped, and drainage may need to be put in to keep this from happening again. He stated he would get the costs.

Mr. Kessler stated, if we can get the road fixed, he felt the lot sales would follow.

Councilman Taylor asked how we got so far off of the bond amount?

Wayne Sullivan stated at the time the bond required was 100% of the uncompleted improvements, which was the seal coat. Now the bond is 150%, but even if it had been 200% at the time of installation, after this much time it would not be enough, and the problem now is not just the seal. The binder is bad and the base has not held up.

Mr. Kessler stated since the 2006 and 2007 downturn, we have seen this type of thing all over the state.

Ms. Teresa Percy, 4579 Trussville Clay Road, spoke on the speed limit change from 25 miles per hour to 35 miles per hour. She said this is a residential area between Parkway Drive and Happy Hollow Road with 32 driveways. The speed makes it hard to get in and out of these driveways. She stated she was astonished that the speed was increased, and feels it is excessive for a neighborhood. She stated drivers exceed the 25 MPH, so now this allows them to drive faster.

Mayor Choat stated the Council followed the recommendation of the Public Safety Committee. He asked Chief Rush if another study was needed to see if speeds have changed?

Chief Rush stated typically they do another study in six months, but they can do one now if we need to. He stated the 85th percentile speed, meaning 85% of the traffic was traveling at 35 MPH or lower, was accepted for this county through road., and they felt it was appropriate.

Ms. Percy stated she did not understand the logic of rewarding people who do not follow rules.

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

Respectfully submitted,

Lynn B. Porter
City Clerk