

**CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING
September 14, 2020 – 5:00 pm**

The City Council of the City of Talladega met in a regular meeting on Monday, September 14, 2020 at 5:00 p.m. via Zoom. The meeting was called to order and the following were present: Council President Trae Williams, Councilman Horace Patterson, Council Member Vickey R. Hall, Council Member Betty C. Spratlin, Councilman Joseph K. Power, Jr., Mayor Ragland and City Manager Beth Cheeks.

Invocation by Councilman Horace Patterson.

Motion by Councilman Patterson with a second from Council Member Hall for the approval of the amended agenda. AYES: All.

Motion by Councilman Patterson with a second from Councilman Power to approve invoices and expenditures. Roll Call. AYES: All.

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| Total Invoices & Expenditures for 8/11/2020 to 9/4/2020 | \$ 420,604.44 |
| General Fund | 395,810.90 |
| Corrections Fund | 5,521.52 |
| Cemetery | 3,306.76 |
| Library Fund | 2,247.96 |
| Municipal Airport | 6,633.94 |
| Capital Projects Trust fund | 6,885.00 |
| Water/Sewer Fund | 198.36 |

There was discussion concerning the invoices and expenditures. Councilman Power inquired if the cost to heat the pool at the recreation center necessary and if it was a reasonable and common expense. City Manager Cheeks stated that this was the average monthly cost. Council President Williams requested that the City's insurance carrier be present during the soon to be scheduled budget work session to discuss the General Liability and property insurance. City Manager Cheeks stated that arrangements for a representative could be made. Council Member Spratlin requested that arrangements be made to have a representative for the Tier 1 – Tier 2 discussion. She also inquired about a \$450 payment for grass cutting which did not have an address listed. City Manager Cheeks commented that it was likely more than one lawn serviced; however, she would check on it and let her know.

Motion by Council Member Spratlin with a second from Council Member Hall for approval of minutes of the Regular Meeting of August 17, 2020. AYES: All.

Council Member Spratlin wished to discuss the minutes from the Budget Work Session of August 24, 2020. She stated that she had concerns about the minutes not going into detail; stating she had mentioned the bonds and City Manager Cheeks had told over 20 years about the company's difference in the amount of money. Also mentioned was the statement that the bonds look like apples and oranges wherefor City Manager Cheeks explained about the savings and Raymond James having dealt with the City for 20 years and had more insight. Council Member Spratlin requested that her comment of comparing apples to oranges concerning the bonds be inserted in the minutes. City Manager Cheeks commented that her reference was to the 20 plus years remaining on the bonds and not the relationship and in the 20 plus years remaining, Raymond James showed in their plan a \$5 million savings whereas the other two showed around a \$3 million saving. Council Member Spratlin then requested that the statement be put in minutes and rest could be discussed at later time. She also stated that she would make a motion to approve the Budget Work Session minutes with the corrections. City Attorney O'Brien stated that no motion was needed because it was not an official meeting of the City Council and strictly work session; and it is not normal to maintain records of that meeting.

Motion by Council Member Spratlin with a second from Councilman Power for the approval of the Alcohol License transfer for Dega Mini Mart LLC. AYES: All.

Council Member Spratlin wished to make a statement concerning the selection of the bond broker; inquiring if these are the only two 2010 bonds being voted on. It was requested that City Manager Cheeks explain the difference from apples and oranges on these bonds. City Manager Cheeks commented that only the Water Department 2010 bonds are up for refinancing. Council Member

Spratlin commented that in looking back on the paperwork, Raymond James combined both the 2010 and 2015 bonds whereas the other two did not. City Manager Cheeks stated that Raymond James came up with the proposal taking the 2015 bond, which is not tax exempt but taxable, and incorporating it into the refinancing of the 2010 and to come up with additional savings. It was also noted that all three broker companies were given the same information. Motion by Council Member Spratlin with a second from Council Member Hall for the Piper Sandler to handle the 2010 and 2015 Water Department bond. Roll Call. AYES: All.

Council President Power deferred to City Manager Cheeks concerning the holiday schedule. City Manager Cheeks commented that City employees receive 13 paid holidays and the proposed dates have been through the Employee Committee for comments and approval. Motion by Councilman Patterson with a second from Council Member Hall to approve the holiday schedule. AYES: All.

The request for closure of Martin Luther King Jr. Drive came before the Council. Council President Williams wished to start a preliminary discussion concerning this issue and that a closure of a street was normal procedure to assure safety of students on college campuses and asked for any discussion upon this matter. Council Member Spratlin stated she was in favor of closing the road and inquired if the Council could vacate the street and let the college have it. Councilman Power commented that after speaking with the Fire Chief, it might affect the ISO rating affects property insurance and is a matter of safety. He also indicated his interest in a plan that would be amenable to both the City and Talladega College. He inquired if City Manager Cheeks had spoken with Talladega College President Hawkins to devise a proposal. City Manager Cheeks stated that she had not since the last additional meeting; however, after meeting with the Fire Chief and other City staff; have come up with another possible alternative plan. She also informed the Council that this plan had been passed to his staff and would get in contact with him. Councilman Patterson commented that he thought this matter had been dealt with and that he is in support of the College's request. It was requested that the City meet with the College President and staff before any decision be made to be sure that the proposal meets with their approval and that approval of the plan be delayed to the next Council meeting. Talladega College President commented that he was in support of closing the street. He also wished to introduce two student leaders who voiced their support of the closure of Martin Luther King Jr. Drive. Mayor Ragland wished to voice his support to keep the campus and requested to be involved in the meeting with the Fire Chief and Dr. Hawkins. Councilman Patterson requested that the City temporarily close the street from 6pm-6am. It was determined to that City Manager Cheeks, Fire Chief Warwick, Police Chief Busby, Councilman Patterson and Mayor Ragland meet with Dr. Hawkins tomorrow afternoon. Council Member Spratlin inquired of City Attorney O'Brien the Mayor's presence at the scheduled meeting. City Attorney O'Brien stated that while the Mayor was an elected official, he is not a part of the City Council that makes the decision and his attendance would not be an obstacle under the serial meeting portion of the Open Meetings Law. President Hawkins also commented that should Council move to turn street over to the college, he would commit the necessary resources to put down the appropriate type of closure so the Fire Department can gain access to the campus. Motion by Councilman Patterson with a second from Councilman Power to grant the temporary closure of Martin Luther King Jr. Drive from 6pm-6am. Roll Call. AYES: All.

Ordinance #1881 declaring and deeming Niki-Lu WWTP property as surplus and authorizing and approving conveyance.

Motion by Councilman Power with a second from Council Member Hall for the Reading of the Heading Only of Ordinance #1881. Roll Call. AYES: All.

AN ORDINANCE DECLARING AND DEEMING CERTAIN MUNICIPAL PROPERTY SURPLUS AND NOT NEEDED FOR PUBLIC PURPOSES AND AUTHORIZING AND APPROVING THE CONVEYANCE THEROF

Motion by Councilman Patterson with a second from Council Member Hall for the Immediate Consideration of Ordinance #1881. Roll Call. AYES: All.

Motion by Councilman Patterson with a second from Council Member Spratlin for the Adoption of Ordinance #1881. Roll Call. AYES: All.

Resolution #5100 approving a contract extension for the third year with Advanced Asphalt Products for asphalt repair material per bid specifications

Resolution #5101 approving a contract extension for the third year with Fleet Analytics for fleet tracking services per bid specifications

Resolution #5102 approving a contract extension for the second year with Taylor Power for generator services per bid specifications

Resolution #5103 approving a contract extension for the third year with Thomas Vaults for grave opening and closing services per bid specifications

Resolution #5104 approving a contract extension for the second year with Armbrester Electric for HVAC services per bid specifications

Resolution #5105 approving a contract extension for the third year with The Tree House for ink and toner per bid specifications

Resolution #5106 approving a contract extension for the second year with Payne Science for pest control services per bid specifications

Resolution #5107 approving a contract extension for the third year with RK Allen Oil Company for petroleum per bid specifications

Resolution #5108 approving a contract extension for the second year with Galls for Police and Fire Department uniforms per bid specifications

Resolution #5109 approving a contract extension for the second year with Alexander Construction for sidewalk restoration per bid specifications

Resolution #5110 approving a contract extension for the second year with Alexander Construction for street patching per bid specifications

Resolution #5111 approving a contract extension for the third year with Waites Tire for tire maintenance per bid specifications

Resolution #5112 approving a contract extension for the third year with A1 Tree Service for tree cutting services per bid specifications

Resolution #5113 approving a contract extension for the second year with Guardian Systems for water and sewer testing per bid specifications

Motion by Councilman Patterson with a second from Council Member Hall for the approval of Resolution #5100 to Resolution #5113. Roll Call. AYES: All.

Resolution #5115 accepting the 2019 Assistance to Firefighters Grant (AFG)

Motion by Councilman Power with a second from Councilman Patterson for the approval of Resolution #5115. Roll Call. AYES: All.

Motion by Councilman Patterson with a second by Council Member Hall to approve invoices and expenditures for the Water Department. AYES: All.

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| Water Department Expenditures for 8/11/2020 to 9/3/2020 | \$ 258,462.17 |
| General Fund | 184.62 |
| Water/Sewer Fund | 258,277.55 |

A Budget Work Session was scheduled for September 21, which would move the Regular City Council meeting to September 28th. Requested to attend the Work Budget were representatives for the City's General Liability and property insurance along with a representative to speak upon the Tier 1 Tier 2 issue. Councilman Patterson requested that the Council commit themselves to have the Tier 1 situation resolved by October 1. Council Member Spratlin also wished to request Finance Director Stamps' presence at the Budget Work Session.

City Manager Cheeks mentioned that there was a student march at Talladega College scheduled for tomorrow at 10am.

Councilman Patterson inquired if there were City employees in City Hall who's work schedule differ from others. City Manager Cheeks commented that due in part to Covid-19; those with child care issues are still covered under the Covid-19 exceptions, thus some are working 8am-5pm and some are 7am-4pm. and other responsibilities where the employee would have to work over the weekend; there are different schedules. And due to the fact that there are several different schedules notices are posted to visit City offices by appointment. Councilman Patterson then asked if the position that was recently approved had been hired for. City Manager Cheeks stated that the position had been advertised, interviewed and hired. Councilman Patterson requested the applications of those who applied. City Manager Cheeks inquired from City Attorney O'Brien if the applications would be considered public record. City Attorney O'Brien stated that once the process was complete and if it is maintained in

public records then it would constitute a public record, however if there should be sensitive information it could be redacted. City Manager Cheeks informed Councilman Patterson that the requested information would be made available to him tomorrow. Councilman Patterson also wished to discuss litter laws; asking that the City put priority in renewing property owned by the City. He also asked City Manager Cheeks if she had any idea what could be done to legally strengthen litter laws. City Manager Cheeks commented that they are in the process of consulting with City Attorney O'Brien on what could be done. Councilman Patterson then stated that there should be heavy emphasis put on cleaning high traffic areas especially focusing on the water ways. He also requested an update on this issue. City Manager Cheeks commented that a schedule had been set. It was also mentioned that although a spraying program had been discussed, due to new regulations on what can be sprayed in blue line streams, the City is leaning away from spraying and more into manually dealing with the ditches by hand, however a schedule to where to set the heavy equipment had been made. Brought forth for discussion by Councilman Patterson was the brochure for tourism. City Manager Cheeks stated that the ones used in the past at welcome centers in Alabama would be reprinted using a grant from Alabama Power. Councilman Patterson also inquired about the work done to the Chamber of Commerce building. City Manager Cheeks stated that she was pleased with the work the Community Appearance Department had done in landscaping. It was also mentioned that the roof of the Chamber of Commerce building was in need of repair. City Manager Cheeks commented that citizen Jimmy Williams had brought forth a plan for the painting of the exterior of that building. Also mentioned was the repair of the gutter system which the Chamber of Commerce had commented that they would help financially in that repair. However, since the City is handling all the maintenance work, the vendors used must go by the Purchasing policy. A plan of action will be brought forth and will be presented during the next Council meeting. City Manager Cheeks also commented that a company had been contacted for an estimate to do a mural on the side of the Chamber building. Councilman Patterson requested that City Manager Cheeks contact a couple who had been trying to set up a meeting with the Board of Adjustments and Appeals. City Manager Cheeks stated that if a quorum exists, they will be scheduled on the agenda. He also inquired about correspondence from Dixie Bonner. City Manager Cheeks stated that she will follow up on the email.

Council Member Hall requested the status of the Eastside School. City Manager Cheeks deferred to City Attorney O'Brien. Attorney O'Brien commented that the last correspondence from Kay Jennings was in July; where she followed up with HUD but has not gotten release from them to convey the buildings along with real property. The buildings so attached to the permanent structure that to remove them, which is required by arrangements that was made with HUD originally, would cause serious damage to existing buildings. It was also noted that there was no explanation to the delay in response from HUD, but City Attorney O'Brien will follow up with Ms. Jennings.

Councilman Power wished to thank City Manager Cheeks for responding quickly to the massive illegal dump notified to her. He also suggested that City staff turn a report of work done whether it be an illegal dump cleanup, ditch cleanup, or pothole; every Friday and for her to inspect the report to ensure completion; and report back to the Council with it. It was also mentioned for the City Manager to get involved and notifying the heads of departments instead of the citizens calling to report a problem. Also mentioned was his pleasure in seeing the Chamber of Commerce's improvements; stating he agreed with Councilman Patterson that this is a first change of improvement of look of the City and would like to see the Chamber finished.

Council Member Spratlin commented that at the previous meeting she had asked City Manager Cheeks for details on the mattresses left on the side of the road, noting that some have been picked up; however, there are still some left. She also commented that she was excited to see Community Appearance out working. It was also questioned concerning the Chamber building why the painting and roofing work had to be bid out and if the City could hire someone to do the painting and the roofing. City Manager Cheeks stated that it does not have to bid out necessarily if it is less than \$15,000 for each item. The quotes received were over the threshold where more than one estimate would be needed and those vendors would need proper insurance. It was also stated that the City had received an estimate and are hoping to have another estimate this week so they can start process. Council Member Spratlin also wished to inform City Manager Cheeks of a stop sign on McMillan St. that was covered with vegetation and requested that this be looked into. She also requested that the ditch be looked into as well toward Graham Elementary.

Mayor Ragland inquired how bids were advertised and what are the requirements to make a bid as far as insurance. City Manager Cheeks stated that the state bid law mandates the advertisement of the bid for 4 weeks and the required insurance is a City ordinance, which is part of the Purchasing Policy.

Also mentioned was the fact that there has to be a certain amount of liability insurance and as the ordinance states, work on a City building requires Worker's Comp, otherwise the City would have to pay for it. State bid law also indicates only allows a contract for 3 years, advertising is done locally and in the Birmingham paper. Mayor Ragland also informed the Council that he had been contacted by Talladega College student Britney Wynn concerning a contribution request for the National Miss UNCF competition in the amount of \$500. Motion by Councilman Patterson with a second from Council President Williams for the approval of the \$500 request for the National Miss UNCF competition to Britney Wynn. AYES: All.

Council President Williams wished to thank City Manager Cheeks and the Parks and Recreation department for making sure all the flags were at half-staff to honor 9/11. He also wished to thank the Public Works department for the work put in for curb and gutter issues. He also mentioned that the street crossing signs around the Square are up and looked well. He also wished to thank City employees for their hard work on some complaints he had reported.

Motion by Councilman Patterson with a second from Council Member Hall for adjournment. AYES: All.

AUTHENTICATION

I, Joanna Medlen, City Clerk of the City of Talladega, Alabama, do hereby attest that the foregoing is a true and correct copy of the proceedings of the City Council of Talladega, Alabama, which met in a regular session on Monday, September 14, 2020, at 5:00 p.m. at City Hall in the City of Talladega, Alabama.