

**CITY OF TALLADEGA  
CITY COUNCIL REGULAR MEETING**

7 April 2008

5:30 p.m.

The City Council of the City of Talladega met in a regular meeting on Monday, 7 April 2008 at 5:30 p.m., in the City Hall Auditorium, the regular place for such meetings. The meeting was called to order and the following were present: Councilman Eddie Tucker, Council President Horace Patterson, Councilman Donnie Miller, Councilman Lance Grissett, Councilman Jimmy Davis, and Mayor Brian York.

Invocation given by Leeann Scarbrough - First Presbyterian Church.

Motion by Councilman Grissett with a second from Councilman Davis to appoint Teri St. James as Acting City Manager. AYES: All.

Motion by Councilman Davis with a second from Councilman Miller to approve invoices and expenditures. AYES: All.

**SUMMARY OF INVOICES & EXPENDITURES**

<b>Transfer of Funds</b>	<b>12,773.21</b>
<b>Payroll Deductions, Benefits &amp; Taxes</b>	<b>441,457.01</b>
<b>Refunds</b>	<b>515.00</b>
<b>City Council</b>	<b>32,463.12</b>
<b>City Manager</b>	<b>151.58</b>
<b>Finance Department</b>	<b>374.17</b>
<b>City Clerk's Office</b>	<b>4,437.64</b>
<b>Police Department</b>	<b>11,918.31</b>
<b>Police Communications</b>	<b>478.30</b>
<b>Animal Control</b>	<b>1,822.58</b>
<b>Municipal Court Office</b>	<b>29,050.38</b>
<b>Fire Department</b>	<b>3,587.22</b>
<b>Public Works Department</b>	<b>11,207.73</b>
<b>Community Appearance Department</b>	<b>10,245.91</b>
<b>Parks &amp; Recreation Department</b>	<b>41,542.41</b>
<b>City Building Expenditures</b>	<b>9,891.84</b>
<b>Non-Departmental Expenditures</b>	<b>10,834.69</b>
<b>Debt Service</b>	<b>21,821.33</b>
<b>CDBG Fund</b>	<b>6,705.00</b>
<b>Total Invoices &amp; Expenditures</b>	<b>651,277.43</b>

Motion by Councilman Grissett with a second by Councilman Davis to approve the minutes of 17 and 24 March 2008 with corrections. AYES: All.

Request for roadblock by Senior Pack "08" as part of fundraiser was denied. Reason cited was that such a roadblock should be for charitable fundraisers only and the Senior Pack "08" request was for a senior trip.

There was discussion on the petition requesting the city take over the maintenance of a dirt road off of Mountain View Road. Mr. Casey Waites was present and stated to the council that the road had originally had county maintenance many years ago but had fallen into such disrepair that emergency vehicles could no longer go up the road. Dr. Davis indicated that the owners would have to pay for a survey and that the whole issue needed further research. The council requested that Mr. Swinford put together an estimated cost of paving the road.

Calvin Miller of the Economic Development Association (EDA) presented a report on progress made over the last five years including increase in personal per capita income in Talladega County of 33% and the economic ranking of Talladega County as 13th out

of the 67 counties in Alabama. Discussion on closing of Georgia Pacific and the job fair that the EDA was setting up for these employees. Other topics discussed: the 120 acre industrial park on Highway 77 which has about 33 acres left, the Honda plant adding the production of the Ridgeline truck to the assembly plant, and that the area is still below the national average percentage for unemployment with a current workforce of over 40,000.

**Resolution #1649 awarding contract to Siberton Fence Sales Inc. for the installation of an enclosure around the Spring Street Recreation Center's pool heating unit for a total cost of \$2,059.75. (tabled last meeting)**

**Resolution #1650 awarding contract to RBC Centura for financing three Public Works Department backhoes. (tabled last meeting)**

**Resolution #1651 awarding contract to First National Bank for financing five Police Department vehicles.**

Motion by Councilman Davis with a second by Councilman Grissett to adopt Resolutions 1649 through 1651. Roll Call. AYES: Councilman Davis, Councilman Grissett, Council President Patterson and Councilman Tucker. NAY: Councilman Miller.

**Ordinance #1637 to make the intersection of West Street and South Street a 2-way stop with South Street being the through street.**

Motion by Councilman Davis with a second by Councilman Grissett for immediate consideration of Ordinance #1637. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Miller for reading of the heading only of Ordinance # 1637. Roll Call. AYES: All.

**An Ordinance to provide for the control of traffic entering the intersection of South Street and West Street from West Street in both directions while traveling south on and along West Street, north of South Street, and traveling north on and along West Street, south of South Street; to provide for and require that all traffic, vehicular or otherwise, come to a full and complete stop before entering the intersection of South Street and West Street while traveling south on and along West Street to the intersection of South Street and traveling north on and along West Street to the intersection of South Street; to provide for the removal of the stop sign at the east intersection of South Street and West Street and the removal of the stop sign at the west intersection of South Street and West Street; to provide for South Street to be a through way street at the intersection of South Street and West Street; to provide for the erection of a stop sign at the north intersection of West Street and South Street to control traffic entering the intersection traveling south along West Street from the north and to provide for the erection of a stop sign at the south intersection of West Street and South Street to control traffic entering the intersection traveling north on West Street; and to provide punishment for the violation thereof.**

Motion by Councilman Grissett with a second by Councilman Davis for adoption of Ordinance # 1637. Roll Call. AYES: All.

**Ordinance #1638 to make the intersection of Warwick and Bellview Streets a 4-way stop.**

Motion by Councilman Grissett with a second by Councilman Davis for immediate consideration of Ordinance #1638. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis for reading of the heading only of Ordinance # 1638. Roll Call. AYES: All.



- Could the city finances be audited since there have been some significant personnel change-overs. Teri St. James indicated that the final audit for 2007 was almost complete. Council President Patterson asked the manager to ask the auditor about feasibility of auditing the partial year of FY 2008-09.
- Stressed an adherence to safety standards for all employees.
- Starting clean-up of Veterans' Park in preparation for Sunshine Saturday on May 3rd.

Councilman Tucker's comments included:

- Also voiced concerns with the garbage collection contract and service.
- Requested increase police patrols in Knoxville area.

Councilman Grissett's comments included:

- Meeting with Mr. Swinford, Chief Watson and Dr. Horton, School Superintendent, about the signal light at the intersection of Elm Street and South Street. It was agreed that the signal light would only flash during school hours with the South Street side flashing red and the Elm Street side flashing yellow. At all other times the light will be off. Signs should be erected indicating stopping on South Street during school hours. There was also discussion concerning the traffic flow problems at the high school and Houston Elementary. Current solution is to install flashing pedestal lights at the exits.
- Water Department indicated that even with the recent 18" of rain, conservation was still needed. James Brasher, Water Department Head, requested that the City consider going on every other day type restrictions to continue to conserve water. Jefferson County is also still on water restrictions though other counties may have lifted theirs.
- Leak on Westwood Circle is a private line that is leaking. Some council discussion on whether in the case of a private line the owner would be given a certain number of days to repair the leak or water may be cut off.
- R.K. Allen Oil Co. is locating their distribution center behind Precision Strip on Highway 21. James Brasher, Water Department Head, requests council approval to run an 8" line 2500 ft into the industrial park area (Smelley property). The estimated cost is \$18,000 with R.K. Allen agreeing to pay ¼ of the cost (\$4,500) if their tap fee is waived.

Motion by Councilman Grissett with a second from Councilman Davis to run the 8" water line into the industrial park area on Highway 21 at an estimated cost of \$18,000. AYES: All.

Motion by Councilman Grissett with a second from Councilman Davis to run about 400 ft of sewer line to serve the east side of Coffee Street from Johnson Ave. to Norman C. Wood to accommodate the Walgreens on the corner of Battle St. and Johnson Ave. AYES: All.

Councilman Davis comments included:

- Meeting to be held at the courthouse of the Downtown Revitalization Task Force on April 15 at 5:00 p.m. Pat Greene has been asked to head up the Task Force and Mary Shell of the East Alabama Planning and Development Commission will be making a presentation.
- April 16th at 5:00 p.m. there will be a council work session with Mr. Jim Mercer of Mercer Group concerning the interview process for the City Manager position.
- Actual interviews will be held at the Armstrong-Osborne Public Library on April 18th and 19th (Friday and Saturday).
- Reception at Heritage Hall on Friday night at 5:00 p.m. and is open to the public.
- Initial background checks have been completed on the candidates and are looking good.

Council President Patterson informed the council that he had received notice of a lawsuit filed against the City by United Community Developers, Inc. (Mr. Johnny Lawler) concerning upkeep of the Westview Cemetery from 1980 to 1999. Council President Patterson provided some background information on the topic: Mayor Larry Barton had deeded Westview Cemetery to the United Community Developers Inc. in

June 1980 and the corporation was then to be responsible for upkeep. Westview Cemetery was taken back over by the City in 1999. In 2004, Mr. Lawler presented an invoice to the City and City Manager Thomas Christie responded in a letter dated September 30, 2004 as follows:

"Dear Mr. Lawler, I am in receipt of your letter of September 30, 2004 regarding an invoice to the City of Talladega for 'responsibility and liability' services in connection with your association with Westview Cemetery. I also note your offer to 'settle' your demand for twenty thousand dollars.

After reviewing the available information and consultation with City Staff, I must conclude that your demand and your invoice cannot be seriously considered by the City for payment. During the time period referenced in your invoice you were the owner of the property. Any 'liability or responsibility' incurred during that period would be yours alone and should have been offset by any fees for services or sales you acquired during the same period.

The City declines your request for payment."

Motion by Councilman Grissett with a second from Councilman Davis to refer this matter to the City's attorney to resolve. AYES: All.

Councilman Grissett motioned for adjournment.

#### **AUTHENTICATION**

I, Elizabeth Cheeks, Acting 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, 7 April 2008, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

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Elizabeth Cheeks  
Acting City Clerk