

**CITY COUNCIL REGULAR MEETING**

**May 5, 2014 – 5:30 pm**

The City Council of the City of Talladega met in a regular meeting on Monday, May 5, 2014 at 5:30 p.m., at the Talladega City Hall Council Chambers. The meeting was called to order and the following were present: Council President Miller, Councilman Rick Simpson, Councilman Horace Patterson, Councilman Jarvis Elston, Councilman Joe Ballow, Mayor Larry Barton and City Manager Brian Muenger.

Invocation by Councilman Patterson.

Motion by Councilman Elston with a second from Councilman Ballow to appoint Joanna Medlen as Acting City Clerk. AYES: All.

Motion by Councilman Ballow with a second from Councilman Elston for the approval of the amended agenda. AYES: All.

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

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|----------------------------------------------------------------------|------------|----------------------|
| <b>Total Invoices &amp; Expenditures for 04/21/2014 to 05/2/2014</b> |            | <b>\$ 658,366.75</b> |
| General Operating Account                                            | 548,589.80 |                      |
| Municipal Court                                                      | 3,992.46   |                      |
| Cash Bond                                                            | 137.00     |                      |
| Corrections                                                          | 9,122.82   |                      |
| CDBG Fund                                                            | 182.00     |                      |
| Oil Trust Fund                                                       | 6,556.14   |                      |
| Capital Improvement Fund                                             | 89,786.53  |                      |

Motion by Councilman Ballow with a second from Councilman Simpson for approval of minutes of the Regular Meeting of April 21, 2014. AYES: All.

Council President Miller recognized the Zora Ellis Archery Team for their accomplishments and noted that the team is headed to Kentucky for a competition on May 8, 2014. Council President Miller also presented the Archery team with a fundraiser check from Miller's BBQ.

Brought before the Council was the notification that two members of the Civil Service Board appointed by the City Council have terms that will expire at the end of May 2014. Chairman, Carl Wesler and Vice-Chairman Horace Sims have both stated that they would like to be re-appointed for another term. Motion by Councilman Ballow with a second from Councilman Simpson to re-appoint Carl Wesler and Horace Sims to the Civil Service Board. AYES: All.

Mignon Bowers came before the Council concerning a Special Use Permit for Verizon for a co-location on the telecommunications tower at 1 Court Square. Ms. Bowers stated that this was a 911 tower and hopefully this would bring other carriers.

Mayor Barton and Dr. Jim Williams, President of the National Active and Retired Federal Employees (NARFE) presented Resolution #3133 recognizing Public Service Recognition Week. Dr. Williams stated that Public Service Recognition Week was not only for Federal employees but also local employees who work hard for the public.

**Resolution #3133** recognizing Public Service Recognition Week.

Motion by Councilman Ballow with a second by Councilman Simpson to approve Resolution #3133. Roll Call. AYES: All.

**Resolution #3134** approving a Special Use Permit for Verizon co-location on the telecommunication tower at 1 Court Square.

Motion by Councilman Ballow with a second by Councilman Simpson to approve Resolution #3134. Roll Call. AYES: All

**Resolution #3135** approving the Section 5311 Non-urbanized Area Public Transportation program for FY 2015 at a 50/50 match of \$36,726.

Motion by Councilman Elston with a second by Councilman Patterson to approve Resolution #3135. Roll Call. AYES: All.

**Resolution #3136** surplusing the Old Jail Property located on Bednash Drive.

Motion by Councilman Elston with a second by Councilman Ballow to approve Resolution #3136. Roll Call. AYES: All.

**Resolution #3137** surplusing two 2005 Exmark Lazer HP Mowers.

**Resolution #3138** approving a contract with Talladega Tractor Company for purchase of two Kawasaki Zero Turn Mowers for a total cost of \$17,200.

Motion by Councilman Elston with a second by Councilman Simpson to approve Resolution #3137 and Resolution #3138. Roll Call. AYES: All.

**Resolution #3139** approving an 18 month lease with Lindsey Moses of LMo and Company for 119 North Court Square for \$450/month with an automatic renewal of one year.

Motion by Councilman Elston with a second by Councilman Ballow to approve Resolution #3139. Roll Call. AYES: All.

Motion by Councilman Elston with a second by Councilman Simpson to approve the invoices and expenditures for the Water Department. AYES: All.

|                                                            |                      |
|------------------------------------------------------------|----------------------|
| <b>Water Department Expenditures for 4/23/14 to 5/1/14</b> | <b>\$ 401,017.18</b> |
| Operations & Maintenance                                   | 156,676.41           |
| Revenue                                                    | 244,340.77           |

City Manager Muenger brought before the Council Water complaints lodged with ADEM over water quality in the Mount Olive area. As directed by ADEM, the City is performing daily tests at each residence, both at the meter and within the home. Based on these tests, the property at 250 Crestview Road has been declared clear by ADEM. Other properties are still undergoing ongoing testing. The test results at the meter for both residences are positive to date. The property located on Goodwin Lane has exhibited readings inside the home that are 4 times as high as at the meter. Despite this, the water at the meter is within acceptable limits. The City will continue to flush the system as needed and continue to plan toward future system improvements. Councilman Simpson had some questions as to how the water T's off and requested a map. City Manager Muenger stated that copies of the map will be given to all Council members.

**Resolution #3140** approval of the MWPP Annual Report for the Talladega Main Wastewater Treatment Plant.

**Resolution #3141** approval of the MWPP Annual Report for the Talladega Airport Wastewater Treatment Plant.

**Resolution #3142** approval of the MWPP Annual Report for the Talladega Brecon Wastewater Treatment Plant.

Motion by Councilman Ballow with a second by Councilman Elston to approve Resolutions #3140-#3142. Roll Call. AYES: All.

**Resolution #3143** approving a contract with Griffin Excavating for road repair at Mump Creek Reservoir for a total cost of \$7,400.00.

Motion by Councilman Ballow with a second by Councilman Simpson to approve Resolution #3143. Roll Call. AYES: All.

In other business, City Manager Muenger brought before the Council South Street issues that was brought up at the meeting of April 7, 2014. There have been improvements that have been made to date along South St. Community Appearance Bast has met with a representative of Project Bear, the fiber optic project which excavated some of the right of ways in the area, in order to discuss improvements needed to return the area to its pre-excavation state. In regards to the sidewalks in the

area, the City has already released its annual contract for sidewalk repair and improvement with South Street being on the list for repair. Regarding truck traffic, Chief Busby has continued to focus additional patrol on the area to help better manage traffic issues. This was continued throughout the month of April resulting in several trucks being stopped, all which were deemed to be making local deliveries. At the Historic Preservation Commission (HPC) meeting of May 1, 2014, the Commission approved five additional houses to be cited for failing to provide proper maintenance. The HPC has laid out a plan to incrementally cite homes that are in violation of the Historic Preservation Ordinance section that have been allowed to deteriorate through a failure to provide ordinary maintenance. A courtesy newsletter will be distributed to all historic district properties informing the owners of the Commission's intent to enforce this provision of the ordinance.

The subject of the road repair at Mump Creek Reservoir was brought before the Council. District Ranger Gloria Nielson will be visiting the site May 6, 2014 to review the situation. The road has suffered a great deal of erosion and requires repair. This repair will be necessary regardless of whether the Council opts to open this facility to the public, as it currently causes hardship to even four-wheel drive vehicles. The specifications call for the removal of the existing drainage pipes, installation of new piping, and repair of damaged areas of the road. The City will be responsible for providing the pipe and gravel. These repairs should greatly improve drainage in the area significantly, while also repairing eroded areas of the road that currently hold water.

City Manager Muenger stated that he received correspondence from Municipal Court Judge Nelson and with permission from the Council would like to start advertising through the county bar associations for filling Judge Nelson's previous position as Public Defender. Councilman Elston had some questions as to what the qualifications were and if it had been established. City Manager Muenger said it was established by state law and would forward a copy to the Council. There was a bit of discussion upon this matter. Motion by Councilman Patterson with a second by Councilman Ballow to advertise Judge Nelson's previous position of Public Defender. Roll Call. AYES: Councilman Ballow, Council President Miller, Councilman Patterson, and Councilman Simpson. NAYS: Councilman Elston

Council went into Executive Session at 5:58 p.m. and reconvened at 6:44 p.m. with no action taken.

Motion by Councilman Ballow to adjourn the meeting.

#### **AUTHENTICATION**

I, Elizabeth Cheeks, 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, May 5, 2014, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.