

**CITY COUNCIL OF TALLADEGA
PRE-COUNCIL
May 6, 2013 – 5:00 pm**

Jason Daves, Director of the Greater Talladega Area Chamber of Commerce, informed the Council that the next Spotlight Business would be LMO's on June 6, 2013 at 4:30 pm.

Public Hearing – Licensing request by Truth Recovery Ministries to be located at 433 East Street. City Council was presented with signed petitions (over 200 names) who were opposed to Truth Recovery Ministries being located at 433 East Street. Mr. Jim Herbowy, Director of Truth Recovery Ministries, stated that this was a in-house recovery program that did not include any violent crime or sex offenders and that part of the program was to give back to the community (painting, cutting grass for the elderly, etc.) and to teach the word of God.

Cheryl Haywood, owner of daycare next door to the proposed location, stated that she is not opposed to the work being done by the “halfway house” but that she doesn't approve of the location. She said it would negatively impact her business. Council President Patterson asked for a show of hands of those opposed or for the request for licensing by Truth Recovery Ministries. There were 8 for and 14 against.

Laura Brown, El Saddai Ministries, stated her case that she was originally informed by Jerry Taylor, City's Building Inspector, that her building was going to be outside the City limits and that engineering drawings would not be needed. Ms. Brown stated that the current structure was built without City permit's or architectural drawings that had originally been drawn up by Cal Monroe. When the building was ready to have power hooked up to it, Alabama Power refused to do so until Jerry Taylor signed off on the project. Ms. Brown stated that Mr. Taylor then told her the building was inside the City limits and needed permits. Ms. Brown states that she believes she was mislead and is pleading for some help in this matter.

Mr. Taylor was present and stated that he informed Mr. & Mrs. Brown that the majority of their property was inside the City limits but if they built in the northern most part of their property (100 ft) from the property line they would be in the county and he would not need to see any drawings or require any permits. Councilman Elston stated to Ms. Brown that even if she was in the county, she would have had to provide engineering drawings because it is a public assembly building. Ms. Brown stated that Cal Monroe had told her that but she had been told by Mr. Taylor that she didn't need drawings.

Councilman Patterson asked City Manager Muenger to handle the matter. Manager Muenger stated that he had already been in contact with Cal Monroe and would keep the Council informed on the progress.

**CITY COUNCIL REGULAR MEETING
May 6, 2013 – 5:30 pm**

The City Council of the City of Talladega met in a regular meeting on Monday, May 6, 2012 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 Donnie Miller, Councilman Horace Patterson, Councilman Jarvis Elston, Councilman Joe Ballow, Councilman Rick Simpson and City Manager Brian Muenger.

Motion by Councilman Patterson with a second from Councilman Simpson to approve the amended agenda. AYES: All.

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

Total Invoices & Expenditures for 4/3/2013 to 4/11/2013		\$ 638,605.80
General Operating Fund	544,505.80	
Senior Nutrition Fund	765.25	
Corrections Fund	45,737.36	
Capital Improvements	47,549.50	
2,5 Mil Property Tax	47.89	

Motion by Councilman Elston with a second from Councilman Ballow for approval of minutes of the regular meeting of April 1, 2013. AYES: All.

Mayor Larry Barton swore in Dr. Ed Hall to the Cheaha Mental Health Board.

Representatives of Carr, Riggs & Ingram (City's auditors) made a presentation of the City's audit for fiscal year 2013.

Motion by Councilman Patterson with a second from Councilman Elston to approve the request for funding by Carolyn Conner, Chairperson of the Award Committee, for \$300.00 for the Talladega High School Academic Awards & Recognition Banquet. AYES: Councilman Patterson, Councilman Simpson, Councilman Elston, Councilman Ballow, NAY: Council President Miller.

Council President Miller stated that his negative vote was due to the fact that local restaurants were not allowed to bid on the food for the banquet.

City Manager Muenger informed the Council that a company called American Water Resources was advertising in the City of Talladega concerning maintenance agreements for water lines on private property and that the City Water & Sewer Department had no partnership or endorsement of this private company.

Three applications had been received for the Public Park Authority (TOP Trails). The Council decided that the City Manager, Councilman Ballow and Councilman Simpson would form a committee to interview the candidates and make a recommendation to the Council.

City Manager Muenger and Public Works Director Karen Phillips informed the Council that the paving of the section of Highway 77 from the 275 Bypass to the railroad would be done during the day and then the work around the Courthouse Square would be done at night. Because of the historic structures around the Courthouse Square, it was requested that no vibrating compactors be used by the contractor.

Ordinance #1744 to prohibit commercial trucks in both directions on the section of Eastaboga Road beginning at the intersection of Alabama Highway 275 By-pass and ending at the intersection of Alabama Highway 21.

Motion by Councilman Elston with a second from Councilman Simpson for immediate consideration of Ordinance #1744. Roll Call. AYES: All.

Motion by Councilman Elston with a second from Councilman Patterson for reading of the heading only of Ordinance #1744. Roll Call. AYES: All.

AN ORDINANCE TO PROVIDED FOR THE CONTROL OF COMMERCIAL TRUCK TRAFFIC ALONG THE PORTION OF EASTABOGA ROAD FROM THE INTERSECTION OF EASTABOGA ROAD AND AL HWY 275 BY-PASS CONTINUING TO THE INTERSECTION OF EASTABOGA ROAD AND AL HWY 21 PROHIBITING THE COMMERCIAL TRUCK TRAFFIC HAVING A WEIGHT OF GREATER THAN 26,000 POUNDS GROSS VEHICLE WEIGHT AND/OR HAVING MORE THAN TWO AXLES FROM TRAVERSING THIS SECTION OF CITY ROAD.

Motion by Councilman Patterson with a second from Councilman Elston to adopt Ordinance #1744. Roll Call. AYES: All.

Resolution #2782 amending Resolution #2750 to increase the City's grant match to \$4,000 for the application for the Alabama Historic Commission grant for Design Guidelines for the Historic Courthouse Square District.

Motion by Councilman Elston with a second from Councilman Simpson for approval of Resolution #2782. Roll Call. AYES: All.

Resolution #2783 approving the application for an ALDOT Transportation Enhancement Grant for up to \$400,000 to improve ADA accessibility of the Courthouse Square area with the City providing a 25% local match of \$100,000.

Motion by Councilman Ballow with a second from Councilman Elston for approval of Resolution #2783. Roll Call. AYES: All.

Resolution #2784 approving participation in the 2013 Summer Food Service Program sponsored by the Alabama Department of Education through USDA funds.

Motion by Councilman Elston with a second from Councilman Patterson for approval of Resolution #2784. Roll Call. AYES: All.

Resolution #2785 approving the SunTrust Lease Purchase Financing – Energy Performance Contract for \$854,998.00 over 156 months at 2.6% interest.

Motion by Councilman Ballow with a second from Councilman Elston for approval of Resolution #2785. Roll Call. AYES: All.

Resolution #2786 approval to reinstate a step raise for all full time current City employees employed during 2010.

Resolution #2787 approval to pay off outstanding debt on the 2001 Honda Bond (\$98,000) and the fire truck (\$269,310).

Resolution #2788 approval to transfer \$400,000 from the General Fund to the Oil Trust Fund for paving projects.

Resolution #2789 approval to transfer \$400,000 from the General Fund to the Capital Improvements Account to be used as grant matching funds.

Resolution #2790 approval to set aside \$300,000 from the General Fund for the purpose of financing post-employment benefits and to set a policy for annual funding of this accrued liability.

Resolution #2791 approval to set aside \$669,000 for completion of the Veterans' Park renovation.

Resolution #2792 approval of a contract with Neel-Schaffer Engineering for plan modification, bidding and on-site observation of the Veterans' Park renovation for a total cost of \$55,000.

Resolution #2793 approval of a revised Employee Vacation Policy.

Motion by Councilman Patterson with a second from Councilman Elston for approval of Resolutions #2786 to #2793. Roll Call. AYES: All.

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

Water Department Expenditures for 4/4/2013 to 4/11/2013	\$ 322,771.86
Operations Fund	229,892.69
Revenue	92,879.17

Resolution #2794 approval of purchase of .275 acres around the Amanda Bingham Well from the Board of Education for a cost of \$1,200.

Motion by Councilman Elston with a second from Councilman Simpson for approval of Resolution #2794. Roll Call. AYES: All.

Resolution #2795 approving an agreement with SunTrust for financing of three backhoes and one dump truck at a cost of \$314,488.44 at a fixed rate of 1.4% over 48 months.

Motion by Councilman Elston with a second from Councilman Patterson for approval of Resolution #2795. Roll Call. AYES: All.

Motion by Councilman Patterson with a second from Councilman Elston for approval of revised job descriptions for Assistant Director of Parks & Recreation, City Clerk, Administrative Clerk, Finance Director and Revenue Officer. Roll Call. AYES: All.

Motion for adjournment from Councilman Simpson.

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, April 15, 2013, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks, City Clerk