

CITY OF TALLADEGA
CITY COUNCIL PUBLIC HEARING
August 24, 2009

Public Hearing for properties owners of structures declared a public nuisance and proposed demolition or repair (6 properties).

Ms. Katrina Buchanan was present and requested an extension for work to be done on 516 W. Battle Street. A 60-day extension was granted.

Mr. Johnnie Lawler was presented and requested an extension for work to be done on 116 Chandler Street. A 60-day extension was granted.

Ms. Jackie Ragan was presented and requested an extension to complete demolition of 220 Wilson Street. A 60-day extension was granted.

CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING
August 24, 2009

The City Council of the City of Talladega met in a regular meeting on Monday, July 16, 2009 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: Council President Horace Patterson, Councilman Eddie Tucker, Councilman Donnie Miller, Councilman Lance Grissett, Councilman Jimmy Davis, Mayor Brian York and City Manager Michael Stampfler.

Invocation presented by Brother John Harris, Chandler Springs Baptist Church.

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

Total Invoices & Expenditures for 8/10/2009 to 8/21/2009	\$ 433,969.13
General Operating Fund	369,633.67
Capital Improvement Project	13,622.00
Corrections Fund	28,803.08
Cash Bond	709.00
Law Enforcement Fund	40.00
Cemetery Fund	19,808.41
Police Department Grants	352.97

Motion by Councilman Grissett with a second by Councilman Davis for approval of minutes of the regular meeting of July 16, 2009 with corrections. AYES: All.

Mayor Brian York presented the Top Gun award to Andrew Curry of the Water Department for the month of August, 2009.

Motion by Councilman Miller with a second from Councilman Grissett that a plaque be set up and hung in City Hall to record all Top Gun employees. AYES: All.

District Attorney Steve Giddens presented a level funding request to the Council for the Drug Task Force. There was a great deal of discussion concerning the drug problem in the area and the great work that the Drug Task Force did for the City.

Motion by Councilman Grissett with a second by Councilman Miller to provide level funding for fiscal year 2009-2010 to the Drug Task Force. AYES: All.

Ms. Barbara Fuller was present for discussion on her request at the last council meeting for the City to provide matching funds for her FEMA grant application. Mr. Chris Stone, Director of Community Development Department, made a recommendation that the City make an application to FEMA for several properties in the flood zone and not to do it piecemeal with one property at a time, indicating that it would be a better expenditure of funds. Mr. Stone also indicated that there was not sufficient time to complete such an application before this year's deadline. Council President Patterson indicated to Ms. Fuller that the Council did not want to minimize her problems, but that

her property would be included in next year's application for FEMA grants to alleviate the area's problems. Council President requested Mr. Stone to keep the Council informed on the progress of the FEMA application.

Motion by Councilman Grissett with a second by Councilman Davis to accept the Community Development Director's recommendation to proceed with a FEMA application in the upcoming year for several properties in the flood zone. AYES: All.

Mack Ferguson, Director of the Chamber of Commerce, Mr. Ken Allen, Sr. of the Walk of Fame Association, Keela Brown and Lynne Bonner of the Talladega Merchants Association, and others made a presentation to the Council of proposed upcoming events for the NASCAR Race Weekend, Hall of Fame Ceremony and Halloween activities on the Courthouse Square. The goal was to provide a safe environment for citizens, especially children, and to bring race attendees to the City and attract regional attention for the City's events. Numerous agencies had pledged money to fund these events and the funding level requested of the City Council was \$12,000.

Motion by Councilman Miller with a second by Councilman Grissett to fund the Halloween weekend events up to \$12,000. AYES: Council President Patterson, Councilman Grissett, Councilman Miller, Councilman Tucker; NAY: Councilman Davis.

Motion by Councilman Miller with a second by Councilman Grissett to fund the Talladega 175th Birthday Celebration events with funds not to exceed \$35,900.00 from the 2009-2010 fiscal year budget. AYES: Council President Patterson, Councilman Grissett, Councilman Miller, Councilman Tucker; NAY: Councilman Davis.
Councilman Davis stated that the limit should be \$30,000.00.

Council was presented with a petition from resident to make the alleyway between Cedar and Oak Streets as a one-way street due to safety concerns.

Ordinance #1659 to designate alleyway between Cedar and Oak Street as a one-way street.

Motion by Councilman Miller with a second from Councilman Davis for immediate consideration of Ordinance #1659. Roll Call. AYES: All.

Motion by Councilman Grissett with a second from Councilman Miller to allow for the reading of the heading only of Ordinance #1659. Roll Call. AYES: All.
AN ORDINANCE TO DESIGNATE THE ALLEYWAY BETWEEN OAK STREET AND CEDAR STREET AS A ONE-WAY STREET.

Motion by Councilman Miller with a second by Councilman Grissett for approval of Ordinance #1659. Roll Call. AYES: All.

Resolution #1843 authorizing demolition of structure at 2203 Ashland Highway

Resolution #1859 authorizing demolition of structure at 919 West Battle Street

Resolution #1864 authorizing demolition of structure at 124 Long Street

Resolution #1865 authorizing demolition of structure at 128 Long Street

Motion by Councilman Davis with a second by Councilman Grissett to approve Resolutions #1843 and #1864. AYES: All.

Resolutions #1859 and #1864 were granted extensions.

Resolution #1915 authorizing demolition of structure at 210 5th Street.

Resolution #1916 authorizing demolition of structure at 516 West Battle Street.

Resolution #1917 authorizing demolition of structure at 116 Chandler Street.

Resolution #1918 authorizing demolition of structure at 143 Elbert Davis Street.

Resolution #1919 authorizing demolition of structure at 224 North Spring Street.

Resolution #1920 authorizing demolition of structure at 220 Wilson Street.

Motion by Councilman Grissett with a second by Councilman Miller to approve Resolutions #1915, #1918 and #1919. AYES: All.

Resolutions #1916, #1917 and #1920 were granted 60-day extensions.

Resolution #1921 approving a contract with C.W. Owens Enterprises LLC for demolition of three structures (127 Lane Street, 108 Jackson Street and 202 Savory) for a total cost of \$7,400.00.

Motion by Councilman Miller with a second by Councilman Davis to approve Resolution #1921. AYES: All.

Resolution #1922 to accept a USDA Rural Business Enterprise Grant for \$99,999 to renovate the City-owned Kenwin-Waldrep Building on the Courthouse Square and provide assistance to a new locally-owned, retail business to purchase equipment and start-up materials to occupy the first floor of the building.

Motion by Councilman Davis with a second by Councilman Miller to approve Resolution #1922. AYES: All.

Resolution #1923 authorizes opening non-interest bearing checking account at the First National Bank of Talladega for the United States Department of Agriculture Rural Business Enterprise Grant money.

Motion by Councilman Miller with a second by Councilman Davis to approve Resolution #1923. AYES: All.

Resolution #1924 approving the FY2010 contribution to the Talladega County-Cities Juvenile Fund for the amount of \$76,188.10 to be paid out in equal payments over 12 months.

Motion by Councilman Davis with a second by Councilman Miller to approve Resolution #1924. AYES: All.

Resolution #1925 approving a contract with Gallet & Associates for sample analysis, site assessment and compliance reporting to ADEM for a lump sum of \$3,980.00 with an additional estimated cost of \$5,000.00 for proper disposal of tanks and contaminated soils.

Motion by Councilman Grissett with a second by Councilman Davis to approve Resolution #1925. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis to approve invoices and expenditures for the Water Department. AYES: Council President Patterson, Councilman Davis and Councilman Miller NAY: Councilman Tucker

Expenditures for 8/13/09 to 8/20/09	\$ 156,277.24
General Fund	141,690.40
Coleman Circle Project	14,586.84

Councilman Grissett passed out to the Council members a revised City Manager evaluation form and requested that the completed form be completed by Thursday, August 27, and returned under sealed cover to the City Clerk. Councilman Davis requested that the rating scale be changed from 1-unsatisfactory to 4 – excellent. Council approved change to rating scale and revised evaluation instrument was presented to members at the end of the meeting. A called meeting was scheduled for August 31st to present results of the City Manager’s evaluation.

There was a brief discussion on the jail area/ City Hall renovations and the possible expiration of the contractor’s quote for the project. City Manager Stampfler indicated that this was a sizeable sum and suggested that the Council wait on a decision until it could be discussed in a budget work session.

Motion by Councilman Grissett with a second from Council President Patterson to freeze out-of-state travel for all city employees. Roll Call. AYES: Councilman Grissett, Council President Patterson and Councilman Tucker. NAY Councilman Miller and Councilman Davis.

Motion by Councilman Grissett with a second from Councilman Miller to approve a hiring freeze with the stipulation that the City Manager may make recommendations for emergency needs especially for police officers and firemen. Roll Call. AYES: Councilman Grissett, Council President Patterson, Councilman Tucker, Councilman Miller. NAY: Councilman Davis.

The City Street Light policy was tabled.
No action was taken on Civil Service Board nominations.

Council President Patterson commented on the previous recommendations given by the City Manager for allegations of racism and corruption in the Police Department. Council President Patterson indicated that as for the creation of a Deputy Chief position, it was illegal to create a position for a minority though on a job announcement it could be stated that "all minorities are encouraged to apply."

Motion by Councilman Grissett with a second by Councilman Miller to table the recommendation for creation of a Deputy Chief position. AYES: Councilman Miller, Councilman Grissett, Councilman Davis, Council President Patterson; NAY: Councilman Tucker.

Council President Patterson recommended that Talladega College's diversity training services be used for all employees.

Councilman Tucker stated that he did not believe this would resolve discrimination in the hiring process. There was a great deal of discussion on the hiring of minorities and the Civil Service testing method.

Council President Patterson requested a report on the bar at the golf course, concerning hours of operation, liability coverage and the lease.

Chris Stone gave an update on the Census 2010 committee. There was some discussion on the number of members that should be on the committee. The Council asked Mr. Stone to come back in two weeks with a recommendation.

Councilman Davis commented that he believed he came in on the "short end of the stick on several issues" and indicated that he thought the council should handle issues with the budget and be careful about adding non-budgeted items .

Councilman Grissett expressed appreciation for all employees who helped on the ground breaking ceremony at Coleman Circle and for the grand opening of the playgrounds.

Councilman Grissett made a request for an update on the inspections being done for the Coleman Circle project. Council President Patterson requested a report on this at the next meeting.

City Attorney Michael O'Brien made an oral declaration as follows: "My recommendation is that this council go into executive session. The purpose of the executive session is to discuss with the city attorney pending litigation and it qualifies as a valid session under the rules."

Motion to go into Executive Session by Councilman Miller.

Council entered Executive Session at 7:45 p.m. Council returned from Executive Session and the meeting was again called to order at 8:30 p.m.

Council President Patterson indicated that there were two items on the agenda that needed to be addressed in order to make certain that the City was in compliance and they are as follows:

Resolution #1926 approving the "Professional Code of Ethics for the City of Talladega – Water & Sewer Department" and to appoint the Director of Water & Sewer Operations as the Ethics Compliance Officer retroactive to September 2007.

Ordinance #1660 amending the Purchasing Policy (Ordinance #1644) to require the City of Talladega to confirm that all contractors and subcontractors are not on the Excluded Parties List System (EPLS).

Motion by Councilman Grissett with a second by Councilman Davis to approve Resolution #1926. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis for immediate consideration of Ordinance #1660. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis for reading of the heading only of Ordinance #1660. Roll Call. AYES: All.

AN ORDINANCE TO AMEND ORDINANCE NO. 1644 ESTABLISHING PURCHASING POLICY AND PROCEDURE FOR THE CITY OF TALLADEGA, ALABAMA.

Motion by Councilman Grissett with a second by Councilman Davis for adoption of Ordinance #1660. Roll Call. AYES: All.

Motion for adjournment from Councilman Davis.

Councilman Grissett moved 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, August 24, 2009, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks
City Clerk