

CITY OF TALLADEGA
CITY COUNCIL PUBLIC HEARING
September 21, 2009

Public Hearing concerning weed abatement liens to be placed on 8 properties. Public Hearing was published in the Daily Home once during the last 10 days are required by Ordinance 1642. No property owners were present to comment.

Public Hearing for property owners who were notified that their properties were proposed for condemnation/demolition (4 properties).

Mr. Robinson (Resolution 1939) requested extension to get the remaining of the structures torn down and removed on the North Street and Tinney Street. The rain has hampered his efforts so far. The Council granted him a 60-day extension to complete the work.

Ms. Doris Turner, owner of 726 Pulliam Street (Resolution 1937) requested extension to repair the structure. Council granted a 60-day extension.

Tim Burt, owner of 118 Court Square South, was present. Community Development Director, Chris Stone stated the City has issues with the back deck on the building: no Certificate of Appropriateness was issued by the Historic Preservation Commission, no building permit was issued, no variance was given for the deck to be placed in the right of way of the City owned alley, footings were not inspected, deck was constructed on a Saturday and Sunday with no inspection, power lines are too close and the deck encroaches on fire escape of adjoining building. Mr. Burt replied as follows: the building was a work in process and not yet complete, would be happy to dig up for footing inspection, they plan to move the power lines, didn't think the HPC had to approve alley side changes, the deck is within six inches of his property lines and the adjoining property steps are inside his property line. Mr. Stone stated that the property owners could request the alley be vacated by the City but the City could not initiate it. Council members requested that a resolution be sought in the next few weeks.

CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING
September 21, 2009

The City Council of the City of Talladega met in a regular meeting on Monday, September 21, 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 Mark Wilson of the First Baptist Church.

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

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| Total Invoices & Expenditures for 8/24/2009 to 9/18/2009 | \$ 1,323,611.16 |
| General Operating Fund | 1,033,988.09 |
| Capital Improvement Project | 196,943.68 |
| Corrections Fund | 36,324.19 |
| Municipal Court | 3,939.27 |
| Senior Nutrition | 664.66 |
| Oil Trust Fund | 100.00 |
| Police Department Grants | 51,651.27 |

Motion by Councilman Grissett with a second by Councilman Davis for approval of minutes of the regular meeting of July 27, 2009 with corrections. AYES: All.

Councilman Donnie Miller presented the Top Gun award to Charlie Morgan Community Appearance Department Litter Crew for the month of September, 2009.

Ms. Polly Mitchell, owner of Café Royal on the Courthouse Square, was present to discuss the North Street parking lot and access to her backdoor. Ms. Mitchell stated that she appreciated the City making the improvements and requested a break in the curb to be able to load from her back door into the trucks for her catering business and to receive merchandise. City Attorney Mike O'Brien was

present and City Manager Michael Stampfler asked for him to speak on the issue. Mr. O'Brien indicated that he had been in contact with Ms. Mitchell's attorney concerning the parking lot and indicated that there was access to load and unload, but that the City could not provide a private parking space for one business. Ms. Martha Jordan was present and spoke about a curb in the back of Mr. Weaver's property where a parking space had been originally. Mr. Stampfler indicated that Mr. Terry Hanner would be the property owners' contact concerning this project and that the City would work with the property owners for a resolution.

Mr. John Manning with the Talladega Rescue Squad spoke concerning the cut in the City appropriation for his organization stating that the funding request was late because of their secretary's illness. Fire Chief Warwick indicating that the Squad provided manpower to his department to help with crowd control. Police Chief Watson stated that the Talladega Rescue Squad always helped the Police Department, especially during Race Weeks and Christmas.

Motion by Councilman Grissett with a second from Councilman Davis to provide funding of \$3,500 to the Talladega Rescue Squad for fiscal year 2009-2010.

Motion by Councilman Tucker with a second from Councilman Grissett to un-earmark the funding to the Community Action Agency, so that it can be used for any service the agency provides and not just transportation. AYES: All.

Lynn Bonner and Keela Brown were present and Council President Patterson asked if they wished to speak concerning their letters about the Historic Preservation Commission. Ms. Brown said she did not wish to speak during the Council meeting. Council President Patterson indicated that any response from the Historic Preservation Commission could be sent to the Council through the mail.

Motion by Councilman Davis with a second by Councilman Miller to approve transfer of a 020 – Restaurant Retail Liquor license to the new owners of the Triangle Restaurant and Lounge located at 12 Fort Lashley Avenue. AYES: All.

Resolution #1928 assessing lien against property at 527 Angus Street (Parcel ID 13-08-33-3-000-001.023) for weed abatement.

Resolution #1929 assessing lien against property at 823 Allen Street (Parcel ID 13-06-14-4-012-002.000) for weed abatement.

Resolution #1930 assessing lien against property at 35161 Highway 21 North (Parcel ID 14-04-19-2-000-006.000) for weed abatement.

Resolution #1931 assessing lien against property at 304 Westwood Circle (Parcel ID 13-05-22-1-000-020.000) for weed abatement.

Resolution #1932 assessing lien against property at 13 Sloan Avenue (Parcel ID 13-05-22-3-008-001.000) for weed abatement.

Resolution #1933 assessing lien against property at 623 Knox Street (Parcel ID 13-06-23-3-015-009.000) for weed abatement.

Resolution #1934 assessing lien against property at 621 Knox Street (Parcel ID 13-06-23-3-015-010.000) for weed abatement.

Resolution #1935 assessing lien against property at 302 Brignoli Street (Parcel ID 13-05-22-4-036-004.000) for weed abatement.

Motion by Councilman Grissett with a second from Councilman Miller to approve Resolutions #1928 through #1935. Roll Call. AYES: All.

Resolution #1936 authorizing the demolition of the deck at 118 Court Square South.

Resolution #1937 authorizing the demolition of the structure 726 Pulliam Street

Resolution #1938 authorizing the demolition of the mobile homes on Reddish Lane.

Resolution #1939 authorizing the demolition of structures on North Street and Tinney Street.

Motion by Councilman Miller with a second from Councilman Davis to approve Resolution #1938. Roll Call. AYES: All.

Resolutions #1937 and #1939, property owners were granted 60-day extensions.

Resolution #1936, property owner and Community Development Department to work out solution and report back to the City Council.

Resolution #1940 approving a contract with Clements Dean Building Company for the renovations of the Police Department for a total cost of \$374,000.00.

Motion by Councilman Grissett with a second from Councilman Miller to approve Resolution #1940. Roll Call. AYES: Councilman Grissett, Councilman Miller, Council President Patterson, Councilman Davis. NAY: Councilman Tucker.

Ordinance # 1661 – An ordinance to regulate the disposal of fats, oil and grease by food service facilities into the sanitary sewer system of the City of Talladega and to repeal Ordinance Number 1044 and any amendments thereto.

City Manager Stampfler indicated that this ordinance is required for EPA compliance for the Water Department and every food service facility must have a grease trap.

Motion by Councilman Davis with a second from Councilman Grissett for immediate consideration of Ordinance #1661. Roll Call. AYES: All.

Motion by Councilman Grissett with a second from Councilman Davis to allow for the reading of the heading only of Ordinance #1661. Roll Call. AYES: All.

An ordinance to regulate the disposal of fats, oil and grease by food service facilities into the sanitary sewer system of the City of Talladega and to repeal Ordinance Number 1044 and any amendments thereto.

Motion by Councilman Grissett with a second by Councilman Davis for approval of Ordinance #1661. Roll Call. AYES: All.

Ordinance # 1662 - An ordinance declaring certain municipal property surplus and not needed for public purposes and approving and ratifying lease agreement with Richard L. Woodruff for municipal property located at the Talladega Municipal Airport.

Motion by Councilman Grissett with a second from Councilman Davis for immediate consideration of Ordinance #1662. Roll Call. AYES: All.

Motion by Councilman Grissett with a second from Councilman Davis to allow for the reading of the heading only of Ordinance #1662. Roll Call. AYES: All.

An ordinance declaring certain municipal property surplus and not needed for public purposes and approving and ratifying lease agreement with Richard L. Woodruff for municipal property located at the Talladega Municipal Airport.

Motion by Councilman Grissett with a second by Councilman Tucker for approval of Ordinance #1662. Roll Call. AYES: All.

Ordinance #1663 – An ordinance to re-designate the street presently named Garvin Street to Canaan Way.

Motion by Councilman Grissett with a second from Councilman Miller for immediate consideration of Ordinance #1663. Roll Call. AYES: All.

Motion by Councilman Grissett with a second from Councilman Tucker to allow for the reading of the heading only of Ordinance #1663. Roll Call. AYES: All.

An ordinance to re-designate the street presently named Garvin Street to Canaan Way.

Motion by Councilman Tucker with a second by Councilman Grissett for approval of Ordinance #1663. Roll Call. AYES: All.

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

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| Expenditures for 8/21/09 to 9/18/09 | \$ 511,984.65 |
| General Fund | 426,709.23 |
| Coleman Circle Project | 85,275.42 |

Council President Patterson commented on the question of salaried employees receiving comp time. A legal opinion on the subject had been received from the League of Municipalities stating that comp time in the City's policy only applies to hourly employees who are eligible for overtime. Council President Patterson also read from a memo written by former City Manager Sue Horn to Department Heads in 2008 stating that comp time for salaried personnel was discontinued and that comp time amounts were frozen in May 2004 for department heads to be paid out on termination of employment. Also, it stated that accrued comp time for hourly employees was limited to 240 hours (480 hours for public safety employees).

Council President Patterson then brought up the question of alcoholic beverages being purchased on a City credit card during travel to the Brownfield workshop. City Manager Stampfler stated that the situation had been remedied. Council President Patterson requested that a form be signed by employees when the City credit card is picked up which states the City credit card policy and regulations.

City Manager Stampfler stated that the health insurance premiums had increased for the next fiscal year by 10%. The City had budgeted for a 5% increase. The recommendation was to divide the increase evenly between the City and the employee.

Motion by Councilman Davis with a second by Councilman Grissett to increase the employee's share of the health insurance premium by 5% and the City's share by 5%. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis to approve the 2009-2010 Holiday schedule for City employees. AYES: All.

The first draft of the Central Dispatch contract was presented to the Council with the City Attorney's comments attached as a memo. There were still items to be worked out concerning personnel costs and protocols. A final draft of the contract will be placed before the Council within the next month for approval.

City Manager Stampfler presented a memo from Purchasing Director Terry Hanner giving an update on the safety evaluation and hydraulic study approved by the Council on April 20, 2009. Recommendations were provided to the Water Department Director James Brasher for investigation and remedy.

An update was presented to the Council concerning the rezoning of the 275 Bypass. A public hearing had been held by the Planning Commission and those citizens present at the hearing were against the rezoning of the area. Councilman Grissett commented that the rezoning was needed but that at this time the citizenry did not want it.

City Manager Stampfler presented an amended Capital Improvement Plan (CIP) for FY 2009-2010 to include the Police Department renovation (Alternative 3) as requested during the September 3, 2009 Budget Review and Goal Setting session of the City Council. The amended CIP is shown below:

| CITY OF TALLADEGA FIVE YEAR CAPITAL IMPROVEMENT PROGRAM FY 2008-2010 | | | | | | |
|--|---|---------------------|--------------------------|---|---|------------------------------|
| | ORIGINAL AMOUNT | PAYMENT | AMOUNT SPENT 08-09 | ALTERNATE 1 AMOUNT TO BE SPENT 09-10 | ALTERNATE 3 AMOUNT TO BE SPENT 09-10 | TOTAL AMOUNT 2008-2010 |
| 2008 Honda Bond - Paving | 2,085,000.00 | 160,645.50 | | | | |
| 2007 Bond | 4,095,000.00 | 265,325.00 | | | | |
| 2000 Honda Bond | 500,000.00 | 48,641.03 | | | | |
| 1998 Bond | 1,560,000.00 | 140,842.50 | | | | |
| 2007 Fire Truck | 499,535.12 | 60,975.96 | | | | |
| 2008 Impalas | 105,748.45 | 37,642.68 | | | | |
| 2008 Backhoes | 94,209.00 | 32,652.84 | | | | |
| 2009 Golf Carts | 66,388.80 | 19,900.00 | | | | |
| 2009 Capital Projects Bond | 3,500,000.00 | 254,500.00 | | | | |
| TOTAL ANNUAL PAYMENTS | | 1,021,125.51 | | | | |
| Capital Projects, 2009 Bond: | | | | | | |
| 1. Recreation Center Renovation | 1,000,000.00 | | 4,500.00 | 945,518.00 | 914,901.00 | 950,018.00 |
| 2. Playground Equipment | 250,000.00 | | 250,000.00 | - | - | 250,000.00 |
| 3. Golf Course Upgrades | 400,000.00 | | 25,982.00 | - | - | 25,982.00 |
| 4. Veteran's Park Stormwater Drainage | 800,000.00 | | 2,550.00 | 797,450.00 | 797,450.00 | 800,000.00 |
| 5. Police Dept Renovations | 300,000.00 | | 24,000.00 | - | 409,000.00 | 24,000.00 |
| 6. Capital Equipment | 285,000.00 | | 285,000.00 | 145,000.00 | 72,000.00 | 430,000.00 |
| 7. Fire Equipment | 70,000.00 | | - | 70,000.00 | 70,000.00 | 70,000.00 |
| 8. Sidewalks, Curbs, Gutters | 55,000.00 | | 55,000.00 | 55,000.00 | 55,000.00 | 110,000.00 |
| 9. Entry Signs | 60,000.00 | | 4,617.00 | 55,383.00 | - | 60,000.00 |
| 10. Public Works Renovation | 180,000.00 | | - | - | - | - |
| 11. Fire Truck | 100,000.00 | | - | 330,000.00 | 330,000.00 | 330,000.00 |
| 12. Brownfield Cleanup | | | 128,000.00 | 72,000.00 | 72,000.00 | 200,000.00 |
| 13. City Building Maintenance- | | | - | 250,000.00 | - | 250,000.00 |
| | Chamber of Commerce Ritz, Otts, Kenwin | | | | | |
| | | | 779,649.00 | 2,720,351.00 | 2,720,351.00 | 3,500,000.00 |
| Street Paving | 666,666.00 | | 72,000.00 | 1,928,000.00 | 1,928,000.00 | 2,000,000.00 |
| Fire Truck Grant | 400,000.00 | | - | - | - | - |
| Public Works Facility Grant | 1,000,000.00 | | - | - | - | - |

Motion by Councilman Davis with a second by Councilman Miller to approve the amended Capital Improvement Budget for FY2009-2010 as presented. AYES: Council President Patterson, Councilman Grissett, Councilman Davis, Councilman Miller. NAY: Councilman Tucker.

Community Development Director Chris Stone presented an update on the 2010 Census Complete Count Committee. Mr. Stone's recommendations were to have members who were representatives of organizations that would be eligible for additional \$3,000 grants for promotional materials for the 2010 Census.

Motion by Councilman Grissett with a second from Councilman Davis authorizing Mr. Stone to compile a listing of seven committee members for the 2010 Census Complete Count Committee.
AYES: All.

Councilman Tucker's commented on the need for more training and certifications for those working as dispatches with E911. Councilman Tucker also commented on improvements he has noticed over the years such as better drainage that has reduced flooding, hard work done by Code Enforcement concerning grass cutting and condemnations.

Councilman Grissett commented on the good job Public Works Department has done on clearing ditches all over the town. Councilman Grissett also commented on the collection efforts on business licenses done by the Revenue Division, the awarding of Police Department grants and that the Water Department is almost 100% on radio read meters for residential customer.

Councilman Davis commented on the need for better telecommunication coverage and asked that the letter be sent out to telecommunication carriers to inquire about any planned expansion in the City. Councilman Davis also commented on a need to improve the public transportation for our elderly and hoped that someday a dispatch center could be set up using city vehicles to increase this service.

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 Grissett with a second from Councilman Davis. AYES: All.

Council entered Executive Session at 7:00 p.m. Council returned from Executive Session and the meeting was again called to order at 7:30 p.m.

Council President Patterson indicated that the 2009-2010 Budget contained an increase in the water and sewer fees of 8% per the EPA compliance order, the ADEM consent order and to address other risk assessment issues. Council President Patterson further commented that the budget could be adopted today and amended later as needed.

Motion by Councilman Miller with a second from Councilman Tucker to adopt the 2010 Budget as presented. AYES: All.

Councilman Miller nominated Mr. Chuck Roberts and Mr. Joe Ballow for the two City's positions on the Coosa River Annex Board.

Motion by Councilman Miller with a second by Councilman Davis to appoint Mr. Chuck Roberts and Mr. Joe Ballow to the Coosa River Annex Board. AYES: All.

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, September 21, 2009, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks
City Clerk