

CITY OF TALLADEGA
CITY COUNCIL CALLED SPECIAL MEETING
23 February 2009, 5:00 pm

The City Council of the City of Talladega met in a Called Special Meeting on Monday, 23 February 2009, at 5:00 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.

A representative of *The Daily Home* newspaper was present for the meeting.

Council President Patterson called the meeting to order and asked each Council Member for their opinion on the proposed annexation.

Councilman Miller stated that after reviewing the map he wished to go forward with three separate annexation resolutions: 1) 275 Bypass, 2) industrial park south of Highway 21 and 3) the Highway 77 corridor area. Councilman Miller indicated that he had talked with a few folks in the affected areas and that is why he has limited his recommendations to the bypass and Highway 77 areas which will be good for commercialization.

Councilman Tucker stated he thought the City should go forward with all of it, but that the three areas that Councilman Miller indicated would be good for Phase I and that the City must ask the legislature to allow taking in commercial development space on the highway and the industrial park at the airport. Councilman Tucker further stated that all of the proposed annexation will be beneficial to the City.

Councilman Davis proposed that annexation of the bypass should be the number one priority and that the City should then ask the legislature for support on the Highway 21 development and the Highway 77 corridor.

Councilman Grissett presented to the City Clerk a petition signed by 15 residents who did not wish to be annexed into the City.

Council President Patterson acknowledged the presence of Representative Steve Hurst and Talladega County Commissioner Jack Swinford in the audience. Commissioner Swinford stated that his phone has rung off the hook and that none of those who had voiced an opinion were in favor of the annexation. He further stated that he appreciated the Council scaling the annexation down and did request that any annexation stop at the Eastaboga Road. Commissioner Swinford wished to know what the hurry was on annexation. Council President Patterson indicated that the goal was to get the annexation completed during this legislative session. Council Patterson also stated that East Alabama Regional Planning and Development Commission has informed Talladega that the City is "land locked" and that it is important to expand, but the City at the same time does not wish to get in a battle with its neighbors.

Representative Steve Hurst commented that he had received numerous calls and faxes and that the people who are opposed to the annexation are very well organized. Rep. Hurst also indicated that he had some concerns over the broad scope of the original annexation proposed. He believed that the annexation would currently affect about 200 school students in the area and that obtaining city water was also an issue. Rep. Hurst ended by saying that he believed the annexation should be condensed down to industrial development and with respect for the feelings of the citizens in the area.

Council President Patterson stated that the Council was being responsive to the wishes of the citizens who opposed the original proposed annexation which is why the initial proposal was withdrawn.

Councilman Grissett stated that he has been pro-annexation from day one and that the City is not after people's children and their farms, but after the commercial and industrial areas. Councilman Grissett made a motion to table the annexation proposal. There was no second.

There was further discussion on what should be included in the annexation and discussing this with the local legislative delegation to determine what would have the best chance of passage. The general consensus of the Council was to proceed with annexation of the bypass, the industrial park area and Highway 77 corridor. Representative Steve Hurst informed the Council that annexation proposal must be advertised for four weeks before being presented to the legislature whose last day in session is May 18th.

Manager Stampfler presented the Council with the City attorney's opinion concerning annexation of the Coosa River Storage Annex Property. Council President Patterson stated that he was initially under the impression that the City was to receive an opportunity to present a detailed plan to the federal office in charge of awarding the property. President Patterson further stated that it does appear that it is not in the City's best interest to spend \$11,000 for a professionally prepared master plan for the Coosa River Storage Annex Property at this time. Manager Stampfler stated that the City had today received a copy of the letter from Mr. Huie to Mr. Wayne Hall, Talladega County Administrator, and quoted the following:

"Dear Mr. Hall: By this time, we had hoped that the Talladega County Commission would have provided a draft transfer deed for our review. As we directed in our letter of January 27, 2009, Talladega County was to prepare a deed to transfer the 2,832-acre Coosa River Storage Annex to the City of Lincoln. Three examples of recently-approved transfer deeds were included with our letter to assist you in this task. Because we have not heard from you, we believed that it had become necessary to initiate an involuntary reversion of the subject property, and started proceedings with the assistance of our Regional Solicitor. Reversion to the Grantor (United States of America) is included on page 2 as Condition No. 1 in the Quitclaim Deed to Talladega County, dated September 15, 2003. In our letter of May 16, 2008, to the Honorable Kelvin Cunningham, Chairman of the Talladega County Commission, we notified the County that we were placing the property in a noncompliance, subject to reversion status. After five years of County ownership, there was no County action to follow the approved Program of Utilization and development schedule, and thus, there was no public park and recreation use of the property. Since that letter was issued, we are not aware that there has been any further attempt by Talladega County to develop this property for public park and public recreation use. On January 27, 2009, we approved the application from the City of Lincoln and requested your cooperation in the transfer. Unless we hear from you by February 25, 2009, that Talladega County will voluntarily transfer the subject property to the City of Lincoln, involuntary reversion proceedings will continue. We regret that we must take this action, but the public's recreational needs are not being met by delaying this transfer any longer."

Consensus of the Council was that the matter of obtaining the Coosa River Storage Annex Property was not closed.

City Manager Stampfler announced that tomorrow is the City's Arbor Day celebration. Manager Stampfler also informed the Council that he would be out of town February 25-27 with the local Chamber of Commerce delegation to Washington DC to discuss pending grant applications with both of Alabama's U.S. Senators.

Councilman Tucker asked a hypothetical question concerning employees at the Water Department and their retirement options if the Water Department were to be privatized. Council President Patterson stated that if and when the Water Department issue comes before the Council it will be discussed at that meeting and all questions will be answered. Manager Stampfler stated that there are many different options to help the City get through the current financial situations and that a whole lot of options that may or may not work are being considered but would not be coming forward any time soon.

Councilman Tucker commented on the recent audit done of the Mabra Center and emphasized that it is an excellent program. Manager Stampfler indicated that the audit merely pointed out a couple of items that needed to be corrected (like leaving the cash box out) and that the City had made the necessary changes, therefore it was time to move on.

Councilman Tucker requested stadium lights for Knoxville as youth baseball season is rapidly approaching and this park is one of the most used parks in the City. Councilman Tucker also asked for an update on the playground equipment. Manager Stampfler indicated that bids were out for certain types of playground equipment.

No further business was before the Council and the meeting was adjourned.

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 Called Special Meeting on Monday, 23 February 2009, at 5:00 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks
Acting City Clerk