

**CITY COUNCIL OF TALLADEGA  
REGULAR MEETING  
April 15, 2019-5:00 pm**

The City Council of the City of Talladega met in a regular meeting on Monday, April 15, 2019 at 5:00 p.m., at the Talladega City Hall Council Chambers. The meeting was called to order and the following were present: Council President Horace Patterson, Councilman Jarvis Elston, Councilman David Street, Councilman Ricky Simpson, Councilman Gerald Cooper, Mayor Jerry Cooper, and City Manager Elizabeth Cheeks.

Invocation by Deacon Jamie Wheeler from Southside Baptist Church.

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

**Total Invoices & Expenditures for 4/1/2019 to 4/12/2019** **\$162,074.17**

General Fund	126,894.07
Corrections Fund	16,856.60
Cemetery	1,950.00
Capital Projects Trust Fund	15,777.50
Water/Sewer Fund	596.00

Motion by Councilman Elston with a second from Councilman Simpson for the approval of the regular minutes of April 1, 2019. AYES: All.

Public Hearing was opened for anyone wishing to comment about the Charter Communications Franchise Renewal. No one was present to comment and the public hearing was closed.

Mayor Cooper swears in Chad Turner to the Industrial Development Board.

Brought before the Council was the application of Dr. Adia Winfrey to the Historic Preservation Commission. Motion by Councilman Street with a second from Councilman Simpson for the approval of Dr. Adia Winfrey's application to the Historic Preservation Commission. *Councilman Simpson withdrew his second.* There was some discussion as to whether she was considered qualified to apply to the Commission as the ordinance states the applicant must either live in a historic district or have training/experience in historic preservation. It was agreed upon that the passage in her application concerning her work with the McClellan Knoxville Cemetery would suffice as experience and that it was the City Manager's appointment to make. City Manager Cheeks wished to nominate Dr. Adia Winfrey to the Historic Preservation Commission. Motion by Councilman Street with a second from Councilman Elston for the approval of Dr. Adia Winfrey's application to the Historic Preservation Commission. AYES: All.

Motion by Councilman Elston with a second from Councilman Simpson for the approval of a contribution request to The Wille and Betty Fariior Family Foundation in the requested amount of \$1,000.00. AYES: All.

**Ordinance #1849** approving a franchise to Spectrum Southeast, LLC also known as Charter Communications to construct, operate and maintain a cable system in the City of Talladega, Alabama

Motion by Councilman Elston with a second from Councilman Cooper for the Reading of the Heading Only of Ordinance #1849. Roll Call. AYES: All.

AN ORDINANCE GRANTING A FRANCHISE TO SPECTRUM SOUTHEAST, L.L.C., LOCALLY KNOWN AS CHARTER COMMUNICATIONS, TO CONSTRUCT, OPERATE, AND MAINTAIN A CABLE SYSTEM IN THE CITY OF TALLADEGA, ALABAMA SETTING FORTH CONDITIONS ACCOMPANYING THE GRANT OF THE FRANCHISE; RIGHTS-OF-WAY AND PRESCRIBING PENALTIES FOR THE VIOLATIONS OF THE PROVISIONS HEREIN

Motion by Councilman Elston with a second from Councilman Simpson for Immediate Consideration of Ordinance #1849. Roll Call. AYES: All.

Motion by Councilman Elston with a second from Councilman Simpson for the Adoption of Ordinance #1849. Roll Call. AYES: All.

**Resolution #4750** approving nuisance abatement on junk car on Marshall St.

**Resolution #4751** approving nuisance abatement on junk car on Chandler St.

**Resolution #4752** approving nuisance abatement on junk car on Chandler St.

**Resolution #4753** approving nuisance abatement on junk car on Family Lane.

Motion by Councilman Elston with a second from Councilman Cooper for the approval of Resolution #4750-Resolution #4753. Roll Call. AYES: All.

**Resolution #4754** approving a request for an opinion from the Attorney General as to whether email communication, non-email correspondence, and other communication documents between City officials and City employees constitute public records subject to disclosure under Ala. Code 1975 §36-12-40

Motion by Councilman Simpson with a second from Councilman Elston for the approval of Resolution #4754. Roll Call. AYES: Councilman Elston, Councilman Street, and Councilman Simpson NAYS: Council President Patterson and Councilman Cooper. There was some discussion upon this matter as to whether a Councilman could request information; City Attorney O'Brien stated that an individual Councilman would be considered a regular citizen requesting information. It was also requested that a revote be done. Motion by Councilman Simpson with a second from Councilman Elston. Roll Call: AYES: Council President Patterson, Councilman Elston, Councilman Street, and Councilman Simpson NAYS: Councilman Cooper.

**Resolution #4755** approving a lease with AT&T for use of City property located on George Holdridge Lane for installation of a cell tower with a rent amount of \$1,000 per month with a 10% increase every five years with an automatic renewal for seventeen (17) additional five (5) year terms.

Taylor Vice from Spectrum came before the Council to inform them that the franchise has been expired since 2012 and commented that the fact that the franchise lease has been expired had no bearing on the quality of service and stated that if anyone were to have an issue; he would be glad to handle it.

Motion by Councilman Elston with a second from Councilman Street for the approval of Resolution #4755. Roll Call. AYES: All.

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

<b>Water Department Expenditures for 4/1/19-4/12/19</b>	<b>\$136,582.33</b>
Water/Sewer Fund	136,582.33

City Manager Cheeks wished to apologize for the confusion of Resolution #4754 and also wished to extend her appreciation to City Attorney O'Brien for his help on it. She also stated that the weather cooperated well for the Parks and Recreation Department's opening of the baseball/softball season as well as for April in Talladega – also mentioning that the Square looked very good. She also wished to thank all the employees for their hard work to make April in Talladega a success. She also wished to thank Jimmy Williams for giving her a tour of the Hall of Heroes and Valerie White for a tour of the quilt exhibit at Heritage Hall. Also mentioned was the upcoming Sunshine Saturday event this weekend and the NASCAR race the weekend after that. It was also stated that the next Council meeting would be held on Thursday, May 9<sup>th</sup>.

Councilman Elston wished to update the Council on the City Manager's evaluation form; stating that with the aid of City Attorney O'Brien, it should be prepared for the next meeting. He also commented that he had received a call from a constituent who had heard that the Council would not be helping with purchasing the rings for the basketball team; and wished to state openly that they are currently exploring other opportunities.

Councilman Street wished to thank the Council for excusing his absence at the last meeting and also requested that he get a copy of the handout at that meeting. He also wished to report that at the last Historic Preservation Commission meeting, Michael Gee was awarded a COA for a sign and stated that he appreciated Mr. Gee for following the ordinance. He also extended his appreciation to George Culver and Talladega College for the two shows put on at the Ritz Theatre. It was also mentioned that TOP Trails' Spring Mud Jam would be scheduled for May 3-5 with an estimated 5,000 people attending. He also asked if traffic recorders were used in deciding which roads would be paved and asked if the Council would mind requesting that information. City Manager Cheeks stated that it was included in the data and deferred to Public Works Director Phillips, who stated that traffic count not only was included in deciding which roads would be paved, but a lot of other factors as well from road conditions, type of material, and type of roads. There was some discussion about this with Public Works Director Phillips stating that if anyone wished to see the data, she would be glad to share it with them.

Councilman Simpson commented that the Council needs to figure out as a whole how to ask questions of the City Manager without overwhelming her office with request. Perhaps running it through the body as a whole to say yes or no.

Councilman Cooper wished to exalt the workmanship and beautiful pieces at the museum and asked if there Christmas on the Square was scheduled for this year.

City Manager Cheeks commented that there would be another Christmas on the Square event this year with plans already in the works.

Mayor Cooper wished to thank everyone for their hard work and asked why the City could not hire an engineer instead of hiring an engineer from other companies to do work. Council President Patterson stated that in some situations that since public funds are involved it necessitates certified engineers, but deferred to the City Manager. City Manager Cheeks commented that they've heard this question before and agreed with Dr. Patterson as a lot of projects require the professional seal of an engineer; however, there are many different types of engineers and it would be too daunting to ask one individual to do it all; whereas a company employs many engineers with different specialties.

Councilman Elston wished to acknowledge the presence of School Board Member Mary McGhee.

Council President Patterson stated that he was honored to be apart of this past April in Talladega at his church and was impressed with the interaction of people who were amazed with the elegance of the City and had heard many compliments. He also inquired about the proposed splash pad, stating that he had some ideas to add to it and would like for the initial work to depict the splash pad along with what else could be placed in that area. City Manager Cheeks stated that they have started with an engineering firm to flesh out some ideas with a general idea of what might or might not go into the design and then the actual cost.

Motion by Councilman Street with a second from Councilman Simpson to adjourn.

#### **AUTHENTICATION**

I, Joanna Medlen, 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, April 15, 2019, at 5:00 p.m. at the Talladega City Hall Council Chambers in the City of Talladega, Alabama.