

**CITY COUNCIL OF TALLADEGA  
REGULAR MEETING  
June 18, 2018-5:00 pm**

The City Council of the City of Talladega met in a regular meeting on Monday, June 18, 2018 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 Gerald Cooper, Councilman Horace Patterson, Councilman David Street, Councilman Ricky Simpson, Councilman Jarvis Elston, Mayor Jerry Cooper, and Interim City Manager Elizabeth Cheeks.

Invocation by Reverend Tommy Hardy of New Prospect Baptist Church.

Public Hearing on (22) twenty-two properties that are set for placement of weed abatement liens. There were no citizens or property owners present to comment or complain.

Motion by Council President Cooper with a second from Councilman Simpson to elect Councilman Patterson as Council President. Roll Call. AYES: Council President Cooper, Councilman Simpson, Councilman Street, and Councilman Elston ABSTAIN: Councilman Patterson

Motion by Councilman Elston with a second from Councilman Street to elect Councilman Simpson as Council President Pro-Tem. Roll Call. AYES: Council President Patterson, Councilman Patterson, Councilman Street, and Councilman Elston ABSTAIN: Councilman Simpson

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

**Total Invoices & Expenditures for 6/4/2018 to 6/15/2018** **\$349,057.91**

General Fund	132,634.77
Corrections Fund	24,970.05
Cemetery	8,801.94
Capital Projects	182,651.15

Motion by Councilman Elston with a second from Councilman Cooper for approval of minutes of the Regular Meeting of June 4, 2018. AYES: All.

Motion by Councilman Elston with a second from Councilman Simpson to approve the \$500 request for Eddie Duncan's Tools 4 School Supply Give Away with an additional \$100 from Councilman Elston's fund for various projects. AYES: All.

Motion by Councilman Elston with a second from Councilman Simpson for the approval of the Proclamation for Westside/Drewry Grand Reunion. YES: All.

Mayor Cooper presented to the Westside/Drewry Alumni Association the proclamation for their Grand Reunion.

Council President Patterson deferred to Interim City Manager Cheeks concerning the vacancies on various City Boards. It was stated that these vacancies have been advertised but with little success. Councilman Elston and Simpson both stated that they would reach out to their constituents concerning this matter.

Council President Patterson deferred to Interim City Manager Cheeks concerning advertising for a City Manager. A listing of previous methods of advertising done in 2015 was given to the Council with Councilman Elston requesting that they also advertise in the Birmingham Times and a request by Councilman Street to also advertise in the Mobile area. Councilman Elston stated that he would like to include in the advertisement the language negotiable or competitive work experience so as to not limit applicants. Salary and terms were discussed at some length with the consensus of the starting salary at \$85,000/negotiable. Council President Patterson stated that the advertising should start next week and requested that if any Council member has any suggestions to please get in contact with Interim City Manager Cheeks.

**Resolutions #4439-4460** to assess weed abatement liens.

Motion by Councilman Elston with a second from Councilman Cooper for the approval of Resolution #4439-Resolution #4460. Roll Call. AYES: All.

**Resolution #4461** approving the agreement with Elizabeth Cheeks as Interim City Manager.

Motion by Councilman Elston with a second from Councilman Simpson for the approval of Resolution #4461. Roll Call. AYES: All.

**Resolution #4462** approving the agreement with Joanna Medlen as Acting City Clerk.

Motion by Councilman Elston with a second from Councilman Simpson for the approval of Resolution #4462. Roll Call. AYES: All.

**Resolution #4463** approving the contact with E-911 Inter-Agency Contract with the Talladega County Emergency Management Communications District at an annual cost of \$3,842.61.

Motion by Councilman Elston with a second from Councilman Cooper for the approval of Resolution #4463. Roll Call. AYES: All.

Council President Patterson deferred to Chief Goodenough concerning the adoption of the 2015 version of the National Fire Prevention Association Codes by Ordinance #1838. It was stated that the amended codes will not bring major changes for local businesses, but in fact will help them.

**Ordinance No. 1838** adopting the NFPA Fire Codes of the 2015 International Fire Code (IFC).

Motion by Councilman Elston with a second from Councilman Street for Immediate Consideration of Ordinance #1838. Roll Call. AYES: All.

Motion by Councilman Elston with a second from Councilman Street for Reading of the Heading Only of Ordinance #1838. Roll Call. AYES: All.

AN ORDINANCE TO ADOPT A FIRE PREVENTION CODE RELATING TO INSPECTION ACTIVITIES OF THE CITY OF TALLADEGA, ALABAMA AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES; AND TO PROVIDE PENALTIES FOR VIOLATION OF SAID CODES.

Motion by Councilman Elston with a second from Councilman Simpson for the Adoption of Ordinance #1838. Roll Call. AYES: All.

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

<b>Water Department Expenditures for 6/1/18-6/15/18</b>	<b>\$355,909.33</b>
Operations & Maintenance	238,341.50
North Talladega Water	5,000.12
Revenue	112,567.71

Brought before the Council was a discussion of ideas put forth by business owners for improving the Courthouse Square. Property owner Kevin Smith, who was not present, wished to present his ideas concerning outdoor seating and entertainment on the Courthouse Square. The correspondence from Mr. Smith was read by Interim City Manager Cheeks as follows:

*Idea from Kevin Smith:*

*Outdoor seating:*

*Half tables and half umbrellas for storefronts on the Square. The poles and tables can be secured to the walls. The chairs can be secured with cables so they can't be removed. Currently there is a line of trees, trash cans, and light poles that obstruct sidewalk traffic. We could easily fit tables into that same line between the trees and poles. I've been told two different reasons restricting outdoor seating on the Square.*

*Alabama Department of Transportation:*

*It appears that ALDOT jurisdiction stops at the curve.*

*AIDB:*

*People who are visually impaired like to eat outside as well. I would like to work with the shop owners and the City to resolve the restriction or perceived restrictions of outdoor seating on the Square.*

*I spoke with Dr. Mascia and we have AIDB support to help resolve this issue while ensuring the safety of the citizens of Talladega.*

*It's important to mention that it's not just about the outdoor seating. The tables and chairs are a form of advertising. I spoke with a restaurant owner on the Square who says that most people don't even know her restaurant exists on the Square because they can't see it. Outdoor eating conveys the theme that the Square is inviting and open for business.*

It was requested that a meeting be set with Interim City Manager Cheeks, AIDB, Talladega College, and a representative of ALDOT to gather their thoughts on this proposal. Historic Preservation Commission Member Nancy Lutchendorf also requested that the Historic Preservation Commission be invited to this meeting. Interim City Manager Cheeks deferred to Municipal Services Director Hanner concerning this matter. Director Hanner commented that some of the suggestions will not be possible until after the City completes a federal grant to make the Square more accessible to the disabled.

Council President Patterson deferred to Police Chief Busby concerning police department staffing. Chief Busby stated that currently there is one recruit at the academy in Jacksonville and three that will be starting at the academy in Montgomery. It is the first time since the mid to late 1980's; the department is sending officers in training to academies in Montgomery. The Police Department has been working to recruit interns from Talladega College.

Council President Patterson also deferred to Community Appearance Director Bast concerning inmate labor. It was stated that his department had a total of five inmates to work. Interim City Manager Cheeks stated that there was no guarantee for more inmate labor; however, filling those vacancies by employing more workers in the Public Works and Community Appearance department will be looked into.

Interim City Manager Cheeks commented that it is an honor to serve as Interim City Manager and wished to thank the Council for the opportunity. She also stated that she would do her best to accentuate the positive and fairly deal with the negative. It was also stated that updates on numerous large-scale projects would be presented at every Council meeting. The dates for Christmas on the Square were presented as December 7<sup>th</sup> to December 9<sup>th</sup> so students from Talladega College and AIDB could participate. Interim City Manager Cheeks also commented that plans for this event will be starting soon and would like to get everybody's input.

Mayor Cooper commented that in the past week he has a brand new great grandson. He also stated that he was proud of Interim City Manager Cheeks and Acting City Clerk Joanna Medlen. The commendations of employees from all departments of the City were also mentioned by Mayor Cooper. He requested that the roadway on Allen Street be looked into as the occupants are having difficulty maneuvering the road. He also requested that the sign on North Street for the hospital be looked at as it blocks the view of oncoming traffic. Councilman Street commented that it was a corporate issue and he would pass this information along to them.

Councilman Simpson wished to commend Interim City Manager Cheeks and the citizens. He also wished to thank Council President Patterson for his service.

Councilman Cooper also wished to thank Council President Patterson for his service and commented that the Square is looking better and better.

Councilman Street also wished to extend his appreciation to Interim City Manager Cheeks and Acting City Clerk Joanna Medlen for stepping in. He also requested that a letter from City Attorney O'Brien be read into the minutes confirming that the Historic Preservation Commission is not a party to the ongoing civil suit between himself and a neighbor.

*Gentlemen: At the request of Councilor Horace Patterson, I am enclosing by attachment the pleadings filed in the captioned cause, consisting of the initial Complaint, the Counter-claim, Cross-claim, and the amendments thereto. I have reviewed the pleadings and talked with the Crew's attorney, Mr. Charlie Gaines regarding the assertion by Mr. Jimmy Williams that the Historic Preservation Commission is a party to this lawsuit. I am confirming that my initial statement in regards to the question asked in the open Council meeting of whether the HPC is a party to this lawsuit is accurate. The HPC may be mentioned in the allegations of the Counter-claim, Cross-Claim and the amendments thereto, but the HPC is not a party. Mike O'Brien.*

Councilman Elston commented that he was glad to be back and stated that he had some concerns with Ward 2 which will be emailed to Interim City Manager Cheeks. He also wished to thank

Councilman Cooper for his willingness to serve and wished to thank Council President Patterson for his guidance.

Councilman Simpson also wished to commend Councilman Cooper and the Council for their work.

Councilman Cooper requested that the corner where the steps go down on the Square be looked at again for water drainage problems.

Council President Patterson wished to thank everyone for their statements and also commented that the salary schedule issue would be passed along to Interim City Manager Cheeks and contact will be made with Auburn to look at where we are and what can be done.

Motion from Councilman Simpson with a second from Councilman Elston to adjourn the meeting.

Minutes Recorded by: Joanna Medlen

#### **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, June 18, 2018, at 5:00 p.m. at the Talladega City Hall Council Chambers in the City of Talladega, Alabama.