

CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING

20 April 2009, 5:30 p.m.

The City Council of the City of Talladega met in a regular meeting on Monday, 20 April 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: Councilman Eddie Tucker, Council President Horace Patterson, Councilman Donnie Miller, Councilman Lance Grissett, Councilman Jimmy Davis and City Manager Michael Stampfler.

Invocation was presented by Rev. Timothy Caldwell of Bellview Baptist Church.

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

Total Invoices & Expenditures for 4/03/2009 to 4/17/2009	\$ 558,787.70
General Operating	517,873.95
Capital Improvement Project	6,166.73
Corrections Fund	34,747.02

Motion by Councilman Grissett with a second from Councilman Davis to approve the minutes of the Regular Meeting of April 6, 2009 and Special Called Meeting of April 9, 2009 with changes. AYES: All.

Motion by Councilman Grissett with a second from Councilman Davis to excuse Councilman Miller's absence from the Special Called Meeting of April 9, 2009. AYES: All.

Motion by Councilman Davis with a second from Councilman Miller to approve 050 Retail Beer and 070 Retail Table Wine licenses for Benny's Stop and Shop II located at 545 Broadway Avenue and Stop and Shop I located at 501 West Street North. AYES: All.

Cathy Klein, 222 Bryant Street, Ponderosa Subdivision came before the Council to voice her concerns about stray dogs in her neighborhood. There was a great deal of discussion about a certain female hound dog that has eluded Animal Control officers for several years. Training programs for Animal Control officers, use of tranquilizer guns and hiring of a third party expert for trapping animals was also discussed.

Motion by Councilman Tucker with a second from Councilman Grissett to employ a third party expert to catch the dog in question and to explore training programs for current Animal Control employees. AYES: All.

Resolution #1849 approving contracts with Gallett & Associates for \$11,000 and Martin Engineering Company for \$10,000 to complete safety evaluations and hydraulic study of spillway capacity for the City's reservoir system. (tabled from previous meeting)

Resolution #1852 rescinding Resolutions #1818 which surplused the L&N Caboose located in the Chamber of Commerce parking lot.

Resolution #1853 approving purchase of 14 vehicles through the Alabama State Bid Contract for a total cost of \$260,905.92.

Resolution #1854 approving the application for financial assistance to the Alabama Department of Economic and Community Affairs, Law Enforcement/ Traffic Safety Division.

Resolution #1855 approving a contract with Kidz Zone for playground equipment per bid specifications for Amanda Bingham Park, Duncan Pinkston Park, Edythe Sims Park, Harmon Park, Veteran's Park and Westgate Park for a total cost of \$172,999.99.

Motion by Councilman Grissett with a second from Councilman Davis to approve Resolutions #1849 and #1852 through #1855. AYES: Councilman Davis, Councilman Grissett, Council President Patterson and Councilman Tucker. NAYS: Councilman Miller.

Councilman Miller explains that his objection was to Resolution #1849 and authorizing a hydraulic study on all the spillways when this may not be necessary. Councilman Miller indicated that safety studies should be done first and from that decide if hydraulic studies were necessary.

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

Total Invoices & Expenditures for 4/03/2009 to 4/17/2009 \$ 148,638.61

There was a great deal of discussion concerning the positions of Public Works Director and Assistant Public Works Director. Topics of concern were promoting from within the department, successor training of current employees, need for certified professional engineer, ability to coordinate roadwork between Public Works and the Water & Sewer Department, and expertise in stormwater management and other infrastructure issues. Council President Patterson asked if there was any way to strongly encourage those in higher paying City positions to be a resident of the City. Manager Stampfler questioned the legality of a residency requirement. Council President Patterson emphasized that a employee training program and employee recognition program are needed to improve and maintain the morale of the current loyal employees of the City.

Resolution #1856 creating the position of Assistant Public Works Director.

Motion by Councilman Miller with a second by Councilman Davis to approve Resolution #1856. Roll Call. AYES: All.

Motion by Councilman Grissett with a second from Councilman Miller to approve the following appointments: Mark Patrick as Public Works Director, Karen Phillips as Assistant Public Works Director and Beth Cheeks as City Clerk. AYES: All.

Mr. Skip James, Marcus Cable Company Inc., Director of government relations in Georgia and Alabama, was present to answer the council's questions concerning the Charter Communications franchise agreement for the City of Talladega. Councilman Tucker immediately asked if an office could be kept in Talladega. Mr. James explained that the company was consolidating several offices into one centralized training office and that this was more economically feasible for the company than having several small counter offices that only took payments. Mr. James assured Councilman Grissett that holidays and weekends would be taken into consideration for payments received at the drop boxes. Servicing annexed areas of the City was also addressed by Mr. James and he indicated that the company wishes to take on more customers if it is economically feasible in those areas. There was discussion about how the franchise fee was calculated. The franchise fee is calculated on the gross receipts of the cable only and do not include phone or internet services as these are covered under federal law as information services. Councilman Grissett requested that all educational locations in Talladega be provided with free cable. Mr. James indicated that any municipal building would be provided with free cable.

Community Development Director Chris Stone updated the Council on the condemnation of the structure at 2203 Ashland Highway. The porch with a damaged roof had been removed but that left the back end of the building without a wall and open to the elements. If the structure is properly enclosed then the building would be condemned for repairs only and an update would be given at the next council meeting.

A report was presented on the Veterans Park safety hazards. Councilman Tucker noted in fairness to the maintenance department that most of the safety issues noted in the report had already been repaired. Councilman Miller recommended that a checklist be set up for those renting the pavilions at Veterans Park to insure that there is no damage before deposits are returned.

Manager Stampfler indicated that Mr. Clarence Trescott's complaint from the previous Council Meeting had been addressed and he was compensated the expense of a plumber.

A response to the Historic Preservation Commission's request for replacement of windows on the façade of the four City-owned buildings on the Courthouse Square indicated that preliminary costs for replacement would be about \$30,000 but that there were several other issues and overall repair needs associated with the buildings including the condition of the roof.

Councilman Davis commented on the City Schools Foundation dinner and its keynote speaker Congressman Artur Davis was very impressive. Councilman Davis also commented on how well the public grounds looked for the April in Talladega Pilgrimage. Councilman Davis' other comments included: wanting some figures on our legacy and retirement costs over the next five years, indicating former Governor Patterson's appearance at the library's brown bag lecture program, complimenting

Mr. Hanner and centralized purchasing on the playground proposals presented, and need to look into HUD money to revitalize neighborhoods. Councilman Davis also asked that Councilman Tucker present the City Manager with specific charges of racism and other issues so that they can be investigated.

Councilman Tucker indicated that he had already discussed the issues with the City Manager this week and asked for an investigation. Councilman Tucker then asked a person in the audience to come forward and discuss an incident involving the police at the local Kentucky Fried Chicken establishment. Mr. Scales indicated that he had taken pictures with his cell phone of the police beating a guy with a stick and that when the police saw him taking pictures he was arrested and the pictures were erased. Council President Patterson asked if he had filed formal complaint. Other members of the audience, including the brother of Mr. Scales and his mother made comments. Council President Patterson further emphasized that formal complaints needed to be filed and that improper language would not be allowed in the council chambers. Council President Patterson indicated that no other complaints would be discussed beyond the initial ones raised by Councilman Tucker in previous meetings and that to be fair such discussion should not be held without the police officers being present to discuss their actions.

Councilman Grissett commended the playground equipment booklet provided and the great job done by the Safety and Purchasing Director. Dr. Grissett also commended the departments for the extra work done during the recent storms. Councilman Grissett asked for an update on the annexation bill with the legislature.

Councilman Tucker commented on raw sewage coming up out into the streets throughout the manholes in the Avenue H area and needing more people to get all of this work done. Councilman Tucker commended the Parks & Recreation employees for the work done in the parks.

Councilman Miller commented on the street lights out in the Brecon area. Manager Stampfler indicated that the City was working on a procedure to report outages quicker and to monitor when the repairs were made so that discounts on the power bill could be requested for times when the lights were not operational. Councilman Miller also requested that a checklist be presented to the Chamber to give to businesses concerning what regulations, licenses and procedures are needed to set up a business in Talladega. Councilman Miller also requested an update on when spraying for mosquitoes would start in the parks.

Council President Patterson asked if additional employees are needed for the spring and summer months and to ask departments if they "needed more boots on the ground." Manager Stampfler indicated that no requests for additional employees have been refused and that maybe requests will come in during the next month or so. Council President Patterson requested a report for the next council meeting on the Job Access Grant.

Councilman Tucker also requested an update on the stimulus package and what the council needed to do at this time to be prepared.

Motion for adjournment.

AUTHENTICATION

I, Elizabeth Cheeks, 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 20, 2009, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks, City Clerk