

**CITY OF LEEDS, ALABAMA
PUBLIC HEARING AND
REGULAR SCHEDULED COUNCIL MEETING
MAY 06, 2019**

The Council of the City of Leeds, Alabama met for a Public Hearing and Regular Scheduled Council Meeting on Monday, May 06, 2019 at 6:00PM in the Leeds Civic Center Meeting Room, 1000 Park Drive, Leeds, Alabama 35094.

1. CALL TO ORDER: Mayor David Miller called the meeting to order at 6:07PM.

Present: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington

Also present were City Attorneys Johnny Brunson, Scott Barnett and Jeff Sherrer.

2. INVOCATION AND PLEDGE OF ALLEGIANCE: the invocation was led by Councilmember Turner.

3. PUBLIC HEARING:

a) B-2019-002: A request for a Restaurant Retail Liquor License to operate at 1770 Ashville Road; Leeds, AL 35094. Mr. Brad Watson, Development Department, reported that the request has obtained a favorable recommendation from all departments. The matter was referred to the Council.

b) Consider the Use and Granting of Public Funds and Things of Value in aid to Private Entity Pursuant to Amendment 772 of the Alabama Constitution. Christine Strange and Hunter Lake addressed the Council as representatives of Shops @ Grand River and Neighbors Leeds, LLC. Phase 1 of the project will be the drive-in theater; Phase 2 "The Backyard"; Phase 3 will include a restaurant and pub. A future phase will focus on a drop-in for canoes. The plan is for an estimated 150 events to enhance and improve the site. Requested rebates are listed in the document of agreement. The matter was referred to City Council for decision.

c) Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at:

i. 6521 Hawks Place. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

ii. 1043 Crest Road. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

iii. 7508 Henry Ellen Road. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

iv. 1611 Parnell Drive. Mayor David Miller asked if there was anyone present to speak concerning this property. Ms. Robin Delawder, tenant, came forward and stated that the property has been cleared. Brad Watson responded that the pool frame is still on the property. Ms. Delawder explained that the landlord does not want to remove the frame. Mr. Watson stated that the conditions still constitute a public nuisance.

v. 8628 Mohring Place. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

vi.

vi. 520 Rockhampton Street. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

vii. 1333 Ashville Road. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

viii. 1704 Jones Street. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

ix. 1340 Ashville Road. Mayor David Miller asked if there was anyone present to speak concerning this property. No one came forward to speak and the matter was referred to City Council.

The Public Hearing was closed at 6:17PM.

4. REVIEW AND APPROVAL OF COUNCIL MINUTES: Minutes of the April 15, 2019 Public Hearing and City Council meeting were reviewed by the Council. Motion to approve the minutes as presented by Councilmember Turner, with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

5. REPORTS OF STANDING COMMITTEES OR SPECIAL BOARDS:

- a) **Finance Chairperson, Linda Miller.** No Report
- b) **Public Safety Committee, Kenneth Washington.** No Report
- c) **Public Works and Parks & Recreation Committee, Ryan Bell.** No Report

City Attorney Scott Barnett requested that the Council retire to Executive Session according to the Code of Alabama 36-25A-7 paragraph (3) and (7). Executive Session is required to discuss a potential project and pending litigation. Motion for unanimous consent for Council to go to Executive Session by Councilmember Bell, with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

Council retired to Executive Session at 6:19PM and returned at 7:15PM.

6. REPORTS OF OFFICERS

a) **Administration, Mayor Miller.** No Report.

b) **Public Safety, Chief Atkinson:** No Report.

c) **Fire Department, Chief Parsons.** Chief Parsons announced that the department will conduct the annual fire hydrant inspections in May.

d) **Library, Director Carden.** Ms. Carden reported that the Library will be closed May 17 for a Staff Work Day. Ms. Carden made staff announcements: Debbie Bennett will retire as of June 1, 2019 and Amy Shorter will change her status to full time.

e) **Municipal Court, Magistrate Roberts.** Report included in Council Packet.

f) **Development Services Department, Zoning Administrator, Brad Watson.** No Report.

g) **Parks and Recreation Department, Supervisor Warren.** No Report.

h) **Streets and Sanitation Department, Supervisor Warren.** No Report.

7. **OLD BUSINESS:** There was no Old Business to come before the Council.

8. **NEW BUSINESS:**

a) **Resolution 2019-05-01 Consider Approval of Issuance of Alcohol License to Half Shell LLC /dba/ Wintzell's.** Motion to approve Resolution 2019-05-01 by Councilmember Bell, with a second by Councilmember Turner. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

b) **Resolution 2019-05-02 Consider Use and Granting of Public Funds and things of Value in aid to a Private Entity Pursuant to Amendment 772 of the Alabama Constitution.** Motion to approve Resolution 2019-05-02 by Councilmember Turner, with a second by Councilmember Bell. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

Motion to approve for abatement each of the following Resolutions, with the exception of Resolution 19-000641 (item f) by Councilmember Turner, with a second by Councilmember L. Miller.

c) **Resolution 19-000463 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 6521 Hawks Place**

d) **Resolution 19-000629 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1043 Crest Road**

e) **Resolution 19-000635 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 7508 Henry Ellen Road**

g) **Resolution 19-000642 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 8628 Mohring Place**

h) **Resolution 19-000643 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 8520 Rockhampton Street**

i) **Resolution 19-000669 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1333 Ashville Road**

j) Resolution 19-000683 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1704 Jones Street

k) Resolution 19-000687 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1340 Ashville Road

f) Resolution 19-000641 Consider Determination of Certain Conditions to be an Annoyance and Public Nuisance in Violation of Chapter 32 of the Code of Ordinances at 1611 Parnell Drive. Ms. Robin Delawder requested an extension and was granted a 45-day extension or immediate abatement.

The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

l) Resolution 2019-05-03 Consider Authorizing the Mayor to Execute Temporary License Agreement with Lehigh Cement Company. Motion to approve Resolution 2019-05-03 by Councilmember Bell, with a second by Councilmember L. Miller. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

m) Resolution 2019-05-04 Consider Authorizing the Mayor to Execute Property Transfer Agreement. Motion to approve Resolution 2019-05-04 by Councilmember Dutton, with a second by Councilmember Bell. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
David Miller, Mayor
Nay: Kenneth Washington

n) Resolution 2019-05-05 Consider the 2019 Parking Lot Paving Contract. Motion to approve Resolution 2019-05-05 by Councilmember Turner, with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

o) Resolution 2019-05-06 Consider Authorizing and Approving Banking Relationships for City Court Funds. Motion to approve Resolution 2019-05-05 subject to the City's Standard Operating Procedures by Councilmember Turner, with a second by Councilmember Dutton. The motion passed by the following vote:

Ayes: Ryan Bell
Johnny Dutton
Linda Miller
Eric Turner
Kenneth Washington
David Miller, Mayor

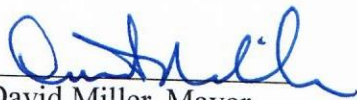
9. **COUNCIL COMMENTS:** There were no Council comments.

10. **PUBLIC PARTICIPATION:**

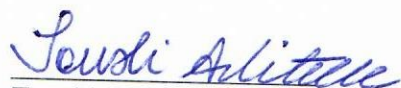
Carol Bettis, 839 Wood Trace Circle, informed those present that she is operating an online marketing business from her residence.

Fannie Burt, 6721 Martin Luther King Drive, commented on her enjoyment of the Library.

ADJOURNMENT: motion to adjourn the meeting. The meeting was adjourned at 7:34PM.


David Miller, Mayor

ATTEST:


Toushi Arbitelle, City Clerk