

**CITY OF TALLADEGA**  
**CITY COUNCIL REGULAR MEETING**  
March 1, 2010

The City Council of the City of Talladega met in a regular meeting on Monday, March 1, 2010 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: Council President Horace Patterson, Councilman Eddie Tucker, Councilman Donnie Miller, Councilman Lance Grissett, Councilman Jimmy Davis, Mayor Brian York and City Manager Michael Stampfler.

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

<b>Total Invoices &amp; Expenditures for 2/15/2010 to 2/26/2010</b>	<b>\$ 1,120,382.92</b>
General Operating Fund	1,074,852.33
Corrections Fund	4,476.34
Oil Trust Fund	15,346.50
Capital Improvement Fund	9,301.65
Law Enforcement Fund	16,406.10

Motion by Councilman Miller with a second by Councilman Davis for approval of minutes of the called meeting of February 4, 2010 with corrections. AYES: All.

Mr. William Cooper spoke to the Council concerning a garbage charge on his water bill. Mr. Cooper indicated that he had moved back into town about three years and when he had water turned on at his residence he was charged with a garbage fee on his water bill. He had been using the dumpster located next door which is used by the five mobile homes and two other rental houses on his property. Mr. Cooper further stated that there was no residential container or pick up and that his dumpster was safer and more efficient. Cathy Fuller stated that the City ordinance states that a house or mobile home with a separate water meter must have a separate garbage container. Ms. Fuller further stated that Mr. Cooper had refused to take a residential garbage container. Mr. Cooper stated that he thought he was grandfathered in because he had previous to the ordinance used a commercial dumpster. Council President Patterson requested that the issue be referred to the City's legal representative.

Councilman Miller presented the Ogles family request for a stop sign on Ponderosa Drive at the intersection of Robin Circle. He indicated that there were visibility and speeding issues. City Manager Stampfler indicated that the matter would be looked into and a solution presented at the March 15<sup>th</sup> meeting.

**Resolution #2033** authorizing demolition of the structure at 401 West Street South.  
Council authorized a 45-day extension.

**Resolution #2034** authorizing demolition of the structure at 100 West McMillian Street  
Council took no action until the residences of the burned out structure could be notified in person.

**Resolution #2035** authorizing demolition of the structure at 507 East McMillian Street  
Council authorized a 30-day extension.

**Resolution #2036** approving an agreement with Camp & Associates for payroll and accounting services for the Water Department at a minimum rate of \$725.00/month.

Motion by Councilman Davis with a second by Councilman Miller to approve Resolution #2036.  
Roll Call. AYES: Councilman Davis, Council President Patterson, Councilman Tucker, Councilman Miller, ABSTAIN: Councilman Grissett

**Resolution #2037** approving a contract with Waites Construction for removal of five condemned structures for a total cost of \$11,100.00.

Motion by Councilman Grissett with a second by Councilman Davis for approval of Resolution #2037. Roll Call. AYES: All.

**Ordinance #1668** rezoning Parcel ID 61-13-05-22-1-000-004 currently owned by Housing Authority of Talladega from M-1 Limited Industrial Zoning District to R-6 High Density Multi-Family Residential Zoning District.

Motion by Councilman Grissett with a second by Councilman Tucker for immediate consideration of Ordinance #1668. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Tucker for reading of the heading only of Ordinance #1668. Roll Call. AYES: All.

Motion by Councilman Tucker with a second by Councilman Grissett for adoption of Ordinance #1668. Roll Call. AYES: All.

**Ordinance #1669** rezoning several parcels from M-1 Limited Industrial Zoning District to R-4 Low Density Multi-Family Residential Zoning District.

Motion by Councilman Grissett with a second by Councilman Davis for immediate consideration of Ordinance #1669. Roll Call. AYES: All.

Motion by Councilman Miller with a second by Councilman Davis for reading of the heading only of Ordinance #1669. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis for adoption of Ordinance #1669. Roll Call. AYES: All.

**Ordinance #1670** rezoning several parcels from M-1 Limited Industrial Zoning District to C-3 General Commercial Zoning District.

Motion by Councilman Grissett with a second by Councilman Miller for immediate consideration of Ordinance #1670. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis for reading of the heading only of Ordinance #1670. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Miller for adoption of Ordinance #1670. Roll Call. AYES: All.

**Ordinance #1671** approving a lease with Dale Jarrett Racing Adventure, Inc. at the Talladega Municipal Airport.

Motion by Councilman Grissett with a second by Councilman Davis for immediate consideration of Ordinance #1671. Roll Call. AYES: All.

Motion by Councilman Davis with a second by Councilman Miller for reading of the heading only of Ordinance #1671. Roll Call. AYES: All.

Motion by Councilman Davis with a second by Councilman Miller for adoption of Ordinance #1671. Roll Call. AYES: All.

Motion by Councilman Grissett with a second by Councilman Davis to approve invoices and expenditures for the Water Department. AYES: Council President Patterson, Councilman Davis, Councilman Grissett and Councilman Miller; NAY: Councilman Tucker

<b>Water Department Expenditures for 2/17/10 to 2/26/2010</b>	<b>\$ 211,013.77</b>
General Fund	147,923.26
Coleman Circle Project	63,090.51

There was some discussion on the Water & Sewer Department issues. Council President Patterson and Councilman Grissett stated that there were to be two public hearings before any decision was to made on the management of the Water & Sewer Department.

Councilman Miller indicated that he had issues with the recreation department, registration for baseball is down from previous years, felt the athletics needed to be advertised more. Council President Patterson stated that there were more kids at the Recreation Center after school than he had seen in a long time and that the senior program was very active. Councilman Miller stated that he wanted activities at the Sports Complex to increase such as tournaments. It was agreed that Parvin Neloms, Parks & Recreation Director should come before the Council and address these issues.

Councilman Tucker reiterated comments made during the Pre-Council that he wanted to see the transportation vans up and running again to serve the community's senior and handicapped citizens. Council President Patterson stated that he hoped rates to ride the transportation van would not be increased. City Manager Stampfler indicated that this was a tough situation that he would continue to study.

Update on Coleman Circle indicated that a final inspection had been done and there were no major deficiencies and that the project was closed within the necessary timeframe to apply for another CDBG.

Councilman Grissett asked if the Lawson Heights pumping station was operational. Terry Hanner informed him that it was still out of service.

City Attorney Michael O'Brien stated that a matter needed to come before the Council that should be discussed in executive session. This matter is an action that may result in litigation and therefore falls in the except of the law for an executive session. The Council would reconvene in approximately 30 minutes.

Motion by Councilman Miller with a second by Councilman Davis to enter into Executive Session. AYES: All

Council reconvened and called back to order 7:04 p.m.

City Attorney Michael O'Brien stated that in November 2009 the Council adopted a resolution for demolition of the structure at 113 Jemison. Under the City's condemnation ordinance there are two categories of condemnation. One category is condemnation for demolition when the structure is 50% deteriorated and the other is condemn for repair. Due to an error in communications the structure at 113 Jemison was erroneously condemned for demolition instead of condemned for repair.

**Resolution #2038** rescinds Resolution #1899 and condemns 113 Jemison for repairs.

Motion by Councilman Miller with a second by Councilman Grissett to rescind Resolution #1899 and approved Resolution #2038 which condemns 113 Jemison for repair. Roll Call. AYES: Councilman Grissett, Council President Patterson, Councilman Davis, Councilman Miller. NAY: Councilman Tucker.

Motion by Councilman Grissett for adjournment.

#### 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 regular session on Monday, March 1, 2010, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

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Elizabeth Cheeks  
City Clerk