

**CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING
3 March 2008**

The City Council of the City of Talladega met in a regular meeting on Monday, 3 March 2008 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, Mayor Brian York and City Manager Sue Horn.

Invocation given by Bishop Kenneth Wilkins, Church of God of Prophecy.

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

SUMMARY OF INVOICES & EXPENDITURES

Transfer of Funds	155,856.88
Payroll Deductions, Benefits & Taxes	134,296.96
Refunds	30.00
City Council	23,465.31
Finance Department	25.81
City Clerk's Office	323.29
Police Department	10,386.50
Police Communications	91.82
Animal Control	122.50
Municipal Court Office	431.33
Fire Department	4,249.07
Public Works Department	1,871.09
Community Appearance Department	11,822.27
Parks & Recreation Department	30,282.13
City Building Expenditures	3,220.72
Non-Departmental Expenditures	57,640.93
Debt Service	20,331.27
Police Technology Grant	112.45
Total Invoices & Expenditures	454,560.33

Motion by Councilman Grissett with a second by Councilman Davis to approve the minutes of 18 and 25 February 2008 with corrections. AYES: All.

Keela Brown, Talladega Merchant's Association, stated that the Market Days on the Square would resume on the first Saturday of April, 2008. Ms. Brown also mentioned that the Merchants Association would be setting up a Market Day account with the Daily Home for advertising and in the future may request that the City help with funding for that account.

Motion by Councilman Miller with a second by Councilman Davis to approve the roadblock for Talladega High School Softball. AYES: All.

Resolution #1639 awarding the contract for the July 4th Fireworks Display to Pyrotecnico for a total cost of \$7,495.00.

Resolution #1640 awarding the contract for three backhoe loaders to Warrior Tractor & Equipment Co., Inc.

Resolution #1641 authorizing the purchase of a Hurst Tool ("Jaws of Life") from Ashland Volunteer Fire Department for a total cost of \$15,000.

Resolution #1642 authorizing renewal of the grant agreement for Services for the Elderly between East Alabama Regional Planning and Development Commission Area Agency on Aging and the City of Talladega for the 2008 Fiscal Year.

Resolution #1643 opposing proposed state legislation (SB 338 and HB 459) "which would seriously impede the authority of municipalities to regulate land use, specifically local zoning authority over wireless facilities, construction standards, permit fees and reviews".

Motion by Councilman Grissett with a second by Councilman Davis to adopt Resolutions 1639 through 1643. Roll Call. AYES: Councilman Miller, Councilman Davis, Councilman Grissett, Council President Patterson. Abstain: Councilman Tucker.

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

Expenditures for February 21-29, 2008

\$ 277,263.60

Motion by Councilman Miller with a second by Councilman Davis to appoint Mr. John Sawyer and Ms. Brenda Burt to renewed terms on the Cheaha Regional Mental Health/ Mental Retardation Board, Mr. Roger Scott and Ms. Keela Brown to the Historic Preservation Commission, and Mr. Wallis Elliott as the Ward 4 appointment to the Cemetery Board. AYES: All.

Motion by Councilman Davis with a second by Councilman Grissett to appoint Judge Hank Fannin as the Municipal Judge. AYES: All.

Discussion on the direction of the CDBG Project Application with Ms. Ellen Austin. Councilman Grissett states that he felt the City should apply for a community development grant in the sum of \$500,000 for a project that is related to replacement of deteriorating infrastructure, primarily sewer and water. Public Works and the Water Department are working together in this matter and would be supportive of that type of application. Councilman Tucker asked to consider a family life center for the Knoxville area and felt the City qualifies for it, but stated that if the council wishes to go for the infrastructure application, the area of Ward 2 also qualifies for that. Councilman Tucker wished to emphasize that the Knoxville area wants a family life center, but if the council decides that they want to go with infrastructure, they should look at Knoxville which is the "most needy" area with flooding problems, no sidewalks and lacking in curbs and gutters. Councilman Grissett stated that he felt the council should do an infrastructure project that would benefit all the people in the City of Talladega. Councilman Grissett further stated that he thought the council should defer to Water Department Head James Brasher to decide where to start and what would be the most needed area for replacement. Councilman Miller agreed that the money should be used for the entire city and water and sewage infrastructure would be the most important areas. Councilman Davis concurred that the council should use the "experts" to say where the most need is in the city. Councilman Tucker agreed that there were infrastructure problems but that they go further than just water and sewer. Councilman Tucker continued by saying that the city has decaying streets, sidewalks, no basic water and sewage in some areas of his district. Councilman Grissett re-emphasized that the Water Department may take the lead, but that it was a joint effort with the Public Works and Community Appearance Departments and that we are one City. Councilman Grissett also indicated that the Water Department had funds that could be used as matching funds and this would enhance the grant application.

Rick Nixon presented the council with the Attorney General opinions concerning payments of fines, court costs and restitutions collected by probation officers and private probation services. Mr. Nixon stated that Pell City and Sylacauga also use private probation services, though not the same one that the City of Talladega uses. Councilman Miller asked how often the Court office received funds from the probation service. Mr. Nixon indicated that a check was received twice a month.

Manager's comments included:

- Recognized Parks & Recreation Assistant Department Head Brian Hutton. Mr. Hutton informed the council that Talladega over the past weekend had hosted the District V Basketball tournament which included 29 teams and that two of Talladega's teams, 6-8 year olds and 9-10 year olds, advanced to the state tournament.

- The last bill from Alexander Construction to repair potholes and pave where water leaks had been repaired was for \$17,373, so many repairs are being done. Councilman Grissett indicated that he had seen the bill and it was for several months and after asking some questions of Mr. Terry Hanner of the Water Department, he was satisfied that all repairs were being checked and followed up on.
- Wanted to commend all departments for the work they had done during the last round of storms.
- The City was awarded an enhancement grant for the Caboose Park several months ago. The original plan was to repair one caboose and add another caboose and a pavilion with a stage, etc. But sometimes you can not afford these grants once you pay out engineering and administrative fees. Councilman Davis stated that he did not believe the caboose was worth spending any money on it and should be junked.
- Financing is being sought on the police cars and the backhoes that the council recently approved.

Councilman Grissett also commended the departments that worked diligently after the last storm and that he had been informed by Mr. Swinford of the Public Works Department that a total of 27 streets had to be cleared of fallen trees. Councilman Grissett indicated that the Court Street project was completed and traffic was now flowing on that street. He also asked for an update on the surplus fire truck. City Manager indicated that the Fire Chief had a request to donate the fire truck for a museum in Birmingham, but that before that is considered every sister city will be contacted including volunteer fire departments to see if they wanted it. Councilman Grissett also mentioned that he continues to get cable complaints concerning inconsistencies in fees, etc. Councilman Grissett then asked for an update on the installation on the pool heater. Councilman Miller stated that the contractor indicated to him that it would be up and running this week. Councilman Grissett commented that he enjoyed his first Officer of the Year Banquet.

Councilman Davis stated that the Task Force Committee for the Renewal of the Courthouse Square planned to have a meeting on April 15th at the Courthouse, the time will be indicated later. There would be a presentation made by East Alabama Planning and Development Commission at that meeting and the committee would like to have some input from everyone involved with the Square. Councilman Davis stated that the City Manager Search Committee will be meeting at the Library on March 13th at 5:00 p.m. to review applications.

Mayor Brian York stated that on Friday the Talladega High School Girls Basketball team competed in the state tournament for the very first time. They lost by nine points but it was an excellent game and many of the team players are returning, so they have a better shot at the state championship next year. O'Bryan Davis on the Talladega High School Boy's Basketball team was one of the two finalists in the three point shooting contest in Birmingham and he finished in second place.

Councilman Miller indicated that he had received some calls from the Allen Street and Nimitz Road areas concerning the ATVs running in those neighborhoods and he had gotten with Chief Watson to try and control that so the ATVs only run out near the annex and not on the roads. Councilman Miller requested that the road sign for Allen and Nimitz Road be repaired. Councilman Miller asked for a clarification on the ordinance concerning restaurants selling alcoholic drinks on the Courthouse Square and the Manager indicated that it would be looked into. Councilman Miller's last comment concerned the status of the air conditioner at Brecon Recreation Center. Department Head Beth Martin stated that the unit had been ordered.

Councilman Tucker asked for an update on his request for allowing double wide trailers in his Ward. Manager indicated that the attorney was contacted and stated that the Planning Commission would have to go in and change their designations and that will take a great deal of work and that more details are forthcoming. The Manager further stated another way to do it would be to change the Comprehensive Plan by creating a specific zoning designation for double-wide mobile homes, and then redoing the zoning maps to show the areas for that zoning designation. Councilman Tucker indicated that that is exactly what he wanted to do and had brought it before the Planning Commission in the beginning to be included in the Comprehensive Plan but it was not done.

Councilman Tucker then re-visited the sidewalk issue, indicating that no sidewalks had been repaired in his district. Council President Patterson requested that the discussion be delayed until the report on the sidewalks was received from Mr. Swinford.

Councilman Tucker requested to see the contract for the City Manager search and what was advertised and who was on the committee. Councilman Tucker made references to the differences between the last search process and the process for the present City Manager search. Councilman Davis responded by saying that there was a signed contract presented to the council and that the firm would have the expertise to do a search. Councilman Davis indicated that there were 47 applicants who were narrowed down to those presented to the search committee and at the announced meeting those applications will be narrowed down to at least five to be presented to the Council for interviews. Council President Patterson asked Councilman Davis to request a letter from the Mercer Group detailing exactly what they did and address it to the council. Council President Patterson further indicated that there is a process to the search and that the council should stay with the process to its completion.

Councilman Miller asked for an update on the uniform policy. Manager indicated that it was sent to the Department Heads for review and input.

Councilman Tucker requested that a pothole on Battle Street in front of Mt. Canaan Church be repaired. Council President Patterson asked for an update on the flags for the Stephen J. White Blvd and the Jimmy Freeman roadway and asked if the Veterans of Foreign Wars (VFW) were contacted about donating flags. The City Manager was to continue to explore that possibility.

Council President Patterson indicated that he had heard that there was a possibility that the cable company was closing their Talladega office and reopening it in Childersburg and wanted a clarification on whether there was a clause in the current operating contract that said that an office had to be maintained in the city limits. The City Manager was requested to look into this.

There was some discussion concerning the building inspector and when it was appropriate for the inspector to go on-site. The Manager stated that the building inspector was only to inspect completed work and not to aid a contractor in deciding how the work was to be done.

Councilman Grissett motioned for adjournment with a second from Councilman Miller.

The meeting was called back to order to include one last matter of business.

Motion by Councilman Grissett with a second from Councilman Miller to authorize the submittal of the proposal for the 2008 Extension-Funded Alabama Association of Resource Conservation and Development Councils grant written by Ms. Bobbye Trammell for a total request of \$7,692.34. AYES: All.

The meeting was again adjourned.

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, 3 March 2008, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Elizabeth Cheeks
Acting City Clerk