

**CITY OF TALLADEGA
CITY COUNCIL REGULAR MEETING
22 January 2008**

The City Council of the City of Talladega met in a regular meeting on Tuesday, 22 January 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 Pastor Barbara Embry of the Christ Deliverance Christian Center.

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

SUMMARY OF INVOICES & EXPENDITURES

Transfer of Funds	153,345.35
Payroll Deductions, Benefits & Taxes	285,238.00
Refunds	110.00
City Council	1,693.49
City Manager's Office	520.91
Finance Department	11,078.83
City Clerk's Office	2,820.69
Police Department	33,724.85
Animal Control	3,520.75
Municipal Court Office	8,640.80
Fire Department	2,947.17
Public Works Department	14,796.00
Community Appearance Department	10,519.96
Parks & Recreation Department	23,730.16
City Building Expenditures	7,258.10
Non-Departmental Expenditures	111,403.56
Debt Service	151,349.15
Police Technology Grant	30,579.88
Total Invoices & Expenditures	853,277.64

Councilman Miller stated that if the City had proper maintenance contracts on equipment that were bid out, and a person responsible for all City building maintenance, that the cost to the City of maintenance and repairs would go down. Council President Patterson requested that the City Manager arrange a meeting with all department heads to discuss the maintenance issue.

Motion by Councilman Tucker with a second by Councilman Grissett to approve minutes of 7 January 2008 meeting. AYES: All.

Council President Patterson remarked that though as citizens of the United States we may have a difference of opinion on the War in Iraq, we should still support our troops, and he wanted to acknowledge the safe return of the City's Fire Chief Danny Warwick from his second tour in Iraq.

Bill McGehee of Antique Talladega and George Culver of the Ritz Theater continued their presentation from the Pre-Council meeting on the economic impact of the Ritz Theater and its programs. A commissioned economic impact study from an independent firm put the dollar value of the Ritz Theater to the area at \$840,000 annually. Mr. Culver presented figures of 20,000 visitors to over 70 events during the last program year (2007). He also stated that over 75% of the operating/administrative expense was generated from sources other than the City. Dr. Buck from Talladega City Schools' Administrative Office and Ms. Shirley Simmon-Sims of the Talladega City Board of Education commented on the value of the Ritz Theater events by offering the students exposure to productions and programs that they would otherwise not have access to, including Shakespearean productions and other art education programs. Councilman Davis stated that the Ritz Theater and the Courthouse were very important to the revitalization of the Square area. Councilman Tucker indicated that there was no question that the programs

offered by the Ritz Theater were important and needed, but he felt the real issue was the City being responsible for the physical improvements and upkeep of the Theater building itself. Councilman Tucker also stated that he felt the attorney's opinion indicated that the City should be the one actually overseeing the improvements and renovation to the building. Council President Patterson agreed that the "buck stops here" at the Council for responsibility of the Ritz Theater building and the maintenance of the building should be under the duties of Public Works Department. But each instance would be dealt with on an individual basis and the process for the current renovation is underway and will continue until completed.

Mayor York presented David McDaniel, the Band Director for Talladega High School with a certificate recognizing the awards the band won in December at the Liberty Bowl in Memphis, Tennessee.

Resolution #1631 to vacate Burns Avenue and authorize quit claim deed.

Resolution #1632 to vacate alley and authorize quit claim deed.

City Attorney, Michael O'Brien was present to provide information on the alleyways and their right-of-ways that needed to be vacated. Councilman Tucker asked which property owners were to receive the deeds for these areas. Mr. O'Brien indicated that it would be worked out among the three property owners.

Motion by Councilman Grissett with a second from Councilman Davis to approve Resolutions 1631 and 1632. Roll Call. AYES: All.

Joint Resolution between City and County of Talladega to adhere the court ruling concerning ambulance service. There will be a daily rotation between the three ambulance services in the area in the interim.

Motion by Councilman Tucker with a second from Councilman Grissett to approve the Joint Resolution. Roll Call. AYES: All.

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

Expenditures for January 3-17, 2008

\$ 243,147.29

Council President Patterson asked for any update on the flags to be placed on Stephen White Blvd. Mitch Bast, Community Appearance Department Head, stated that there was about a ¼ mile stretch on the road that would work for flag poles. Mr. Bast suggested that each pole should be about 10-12 feet high and spaced every 50 ft. He also suggested that proper lighting should be installed. Current estimate on cost was at least \$5,000. Council President Patterson requested that Mr. Bast present drawings on two display options with cost estimates at the next council meeting.

Motion by Councilman Tucker with a second from Councilman Miller to appoint Mr. Willie Nesby and Mr. John Twymon to the Recreation Advisory Board. Roll Call. AYES: All.

Motion by Councilman Davis with a second from Councilman Grissett to appoint Nancy L. Lutchendorf and Lynne Bonner to the Historic Preservation Board. Roll Call. AYES: All.

Councilman Grissett indicated that it had come to his attention that many of the City's Boards were being served by members with expired terms or had too few members to hold a meeting. City Manager said that some members are serving on expired terms because the applications to renew their terms had not been turned in and that there simply was no one else available to fill the vacancy. Manager indicated that she would get more information on the vacancies in the Boards and advertise to fill those vacancies. The resolution concerning Board members and their terms of service needed to be reviewed

Brief discussion on the agency contracts with the City. Council President Patterson stated the issue of building maintenance needed to be stated specifically in the contract with Antique Talladega. Councilman Davis mentioned that since the Chamber building was a City building the maintenance agreement also needed to be spelled out in their contract.

Motion by Councilman Grissett with a second from Councilman Davis to amend the budget by \$10,000 to pay Alabama Department of Transportation to replace the traffic light at the corner of Battle and Johnson.

Councilman Miller asked about his request for a blinking yellow light on Ft. Lashley. Public Works Director James Swinford said he had spoke with the ALDOT representative about that and an alternative plan had been suggested by ALDOT and that they would meet with Councilman Miller to discuss it.

Motion by Councilman Tucker with a second from Councilman Davis to ratify the purchase of heating and air conditioning units for Spring Street and Brecon Centers. This purchase had already been declared an emergency by the City Manager. AYES: All.

Councilman Tucker stated that the swimming pool heater was out again. Parks & Recreation Department Head, Beth Martin, indicated that if the Council approved the purchase tonight the new pool heater and proper venting of the room where the heater was housed could be completed by next week. Ms. Martin also stated that she had spoken with a Raypack (indoor pool) representative about the necessary specifications and proper maintenance contract that was needed to keep the pool heaters from burning out so quickly. Council President Patterson requested that Ms. Martin and the Council liaisons get together to work out what needed to be done.

Motion by Councilman Grissett with a second from Councilman Tucker to declare the purchase of the pool heating system an emergency with an estimated cost of \$15,000. AYES: All.

City Manager's comments included:

- ADEM requested the full amount for penalties which came to \$31,000. The earlier discount of about \$20,000 for the environmental project at Coleman Circle had been withdrawn because the project was still not finalized.

Motion by Councilman Davis with a second by Councilman Grissett to authorize the Water and Sewer Department to pay the \$31,000 penalty requested by ADEM. AYES: All.

- Spraymax contract to spray herbicide on drainage canals/ditches is coming up for renewal at approximately \$30,000 for three years. Resolution will be presented at next meeting.
- Ms. Mosca will be present at the next meeting to discuss cable franchise issue.
- Final inspection certificate has been done on Avenue H project.
- Presentation on citywide wireless system will be given next meeting by consultant.
- Need clarification on whether accumulated sick leave could be used as service credit towards the 25 years for retirement for insurance coverage purposes.

Motion by Councilman Davis with a second from Councilman Grissett to allow accrued sick leave to be used as service credit for insurance coverage purposes.. AYES: All

Councilman Miller's comments included:

- Mr. Hurst, a swimming pool contractor, requesting permission to fill a newly constructed pool that was contracted before the Water Restriction Ordinance went into effect. Manager was requested to have ordinance amended for next meeting if possible.
- Status of garbage contract, many constituents have complained about not getting their trash picked up. Manager instructed those who had complaints about garbage pickup to contact the City Manager's secretary, Carolyn Ricks, and she would contact the garbage company to rectify the situation.
- Stated that the department heads should "know where their people are" at all times.

Councilman Tucker asked the Fire Chief if leaf burning was allowed under the current conditions. Fire Chief Warwick indicated that leaf burning was allowed without a permit, but that rubbish pile burning required a permit. Councilman Tucker asked for an update from Public Works Director Swinford about the new sidewalk he requested for his ward. Mr. Swinford indicated that there was not enough right-of-way to install a sidewalk and that at least 8 property owners would have to vacate a portion of their property to increase the right-of-way to allow a sidewalk.

Councilman Grissett asked Mr. Swinford for an update on the street sweeper issue. Mr. Swinford indicated that Public Works Department was conducting an experiment to determine how effective the street sweeper was by taking a designated route and for three weeks only

sweeping one side of the street and then comparing the results with the other unswept side of the street. Councilman Grissett also commended all those involved with getting the hole in Court Street filled and resolved.

Motion by Councilman Grissett with a second from Councilman Tucker to declare the old ladder fire truck as surplus for sale or donation and authorize disposition by Manager.
AYES: All.

Councilman Davis promoted the library's CD collection and offered the library's new meeting room for local clubs to use. Councilman Davis invited the Council to use the Library for an upcoming Council Meeting. Council President Patterson indicated that it could be arranged for the second meeting in February or the first one in March.

Councilman Davis indicated that the new office trailer for Animal Control was being set up. He would also like to investigate using the internet and other technology to advertise the animals for adoption through the Animal Control Department.

Motion by Councilman Grissett with second by Councilman Davis to adjourn.

Minutes recorded by: _____
Elizabeth Cheeks

AUTHENTICATION

I, Sue A. Horn, 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 Tuesday, 22 January 2008, at 5:30 p.m. at City Hall in the City of Talladega, Alabama.

Sue A. Horn
City Clerk/ City Manager