

**CITY COUNCIL MEETING  
MINUTES OF PRE-COUNCIL MEETING – MONDAY, DECEMBER 5, 2016  
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Monday, December 5, 2016 in pre-Council meeting at 5:30 P.M. in the pre-Council Chamber of Hueytown City Hall.

The meeting was called to order with President Zinnerman and Council members Contorno, Crane, Jacks and Pickens present. Mayor Ware and City Attorney Jon Terry were present.

The purpose of the meeting was to discuss general municipal business and review the City Council agenda.

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**MINUTES OF CITY COUNCIL  
CITY OF HUEYTOWN, ALABAMA  
MONDAY, DECEMBER 5, 2016**

A regular meeting of City Council of the City of Hueytown, Alabama was held in the Council Chamber of Hueytown City Hall on Monday, December 5, 2016. The meeting was called to order at 6:00 P.M. The invocation was given by Council member Pickens followed by the Pledge of Allegiance.

Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens were present. Mayor Ware and City Attorney Jon Terry were present.

**1. APPROVAL OF MINUTES**

Council member Pickens moved, seconded by Council member Contorno, that the minutes of pre-Council Meeting held Monday, November 21, 2016 and minutes of Regular Meeting held Monday, November 21, 2016 be approved as previously received and thereby dispensing with reading of the minutes. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the minutes approved.

**2. MAYOR’S REPORT**

Mayor Ware thanked everyone for attending the meeting. He informed that he is becoming more involved now with many municipal functions and operations. He expressed his pleasure to serve the community. The Mayor stated that he has met with several individuals and agencies during the past two weeks and is making plans to move the City forward. He thanked the many citizens and the City employees for their assistance in preparing the stadium area and setting the tree and decorations in place for the tree lighting event that was held last Friday.

**3. STANDING COMMITTEE REPORTS**

> Council Committees Report – Reject Bid Received For Jail Addition/Upgrade

At this time, Council member Crane reported that the one bid that was received at the Council meeting of July 12, 2016 for the new jail addition/upgrade (*rebid*) from Coston General Contracting, Inc., in the amount of \$2,543,000.00, has been reviewed extensively by all Council Committees. He noted that the bid received exceeded the City’s proposed budget allowance for the project, thereby, value engineering of this bid was also performed. He reported that the Council appreciates that the bidder extended the time frame as requested to allow for the Council to conduct a thorough review. He added that the full Council Committees have met and several discussions have occurred with the Council, City Engineer and City Attorney. Upon this report, Council member Crane then moved to reject the bid received from Coston General Contracting, Inc. for the jail addition/upgrade. The motion was seconded by Council member Contorno. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the bid rejected.

> Council member Contorno of the Finance Committee reported that the Council had received the financial condition statement of all funds through the period ending September 30, 2016, representing the City’s financial condition through the end of FY 2016. He briefly summarized the reports noting that the General Operating Fund ended the fiscal year with \$117,971.78 revenues over expenditures.

- > ABC License Application: 2891 Allison-Bonnett Memorial Drive  
Retail Beer (Off-Premises Only) and Retail Wine (Off-Premises Only)  
Applicant: ALDI INC./Pfortmiller and Marshall Trade Name: ALDI Store 29

Council member Crane of the Public Safety Committee announced that the ABC License Application (New) for 2891 Allison-Bonnett Memorial Drive, Hueytown, for Retail Beer (Off Premises Only); Applicant: ALDI INC./Vice-President Terry Edward Pfortmiller – 40W 657 Prairie Crossing, Elgin, IL 60124 and Vice-President Troy David Marshall – 9695 Sapphire Ct., Brentwood, TN 37027; Trade Name: ALDI Store 29, had been processed and clearance received from the Police Department and Zoning Department. Council member Crane then moved for approval of the ABC License application. The motion was seconded by Council member Jacks and upon roll call, unanimously carried.

There were no other Standing Committee reports.

4. OFFICERS’ REPORTS

Police Chief Chuck Hagler reported that the Police Department maintains up-to-date data regarding the number of arrests compared to the requirement of the use of force. He noted that use of force has been minimal.

There were no other officers’ reports. The Council received Court Department, Fire Department and Police Department reports for the month of November 2016 although these reports were not given verbally.

> At this time, President Zinnerman recognized Becky Williams of the Chamber of Commerce who thanked everyone who helped with the annual tree lighting and reminded that the Christmas Parade is Saturday, December 10, 2016.

5. CORRESPONDENCE

There was no written correspondence

6. BILLS FOR APPROVAL

Council member Contorno of the Finance Committee moved, seconded by Council member Crane, that the List of Bills be approved in the total amount of \$112,274.70. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. The motion unanimously carried.

12-05-2016

=====		TOTAL FUND TOTALS	=====
01	GENERAL FUND		76,457.61
11	7 CENT GAS TAX		16,263.61
13	EMERGENCY COMMUNICATIONS		145.23
14	4 CENT GAS TAX		19,131.24
15	GARBAGE FUND		277.01
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		GRAND TOTAL:	112,274.70
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7. **PUBLIC HEARING:** ITEMIZED REPORTS FOR “WEED LIENS” FROM PUBLIC WORKS SUPERINTENDENT  
 RESOLUTION NO. 5547: PUBLIC NUISANCE AND WEED ABATEMENT – ASSESSING COST FOR REMOVAL OR ABATEMENT – “WEED LIENS” – 3642 MEMORY LANE, 100 VINE’S AVENUE AND 2513 21<sup>ST</sup> STREET NORTH

President Zinnerman announced that now is the time and place for Public Hearing pursuant to assessment of the costs for removal or abatement of weeds at 3642 Memory Lane, 100 Vines Avenue and 2513 21<sup>st</sup> Street North (previously declared public nuisances, abatement ordered, and the City's jurisdiction to proceed confirmed by resolutions adopted by City Council). *(Properties at 901 Pinehaven Drive and 2009 27<sup>th</sup> Avenue North had been abated and removed from the list.)*

Public Works Director Lee Posten was present to confirm that Street Department personnel had cut and cleaned up the nuisances at each address and that he had kept an account of the costs and had submitted an "Itemized Report for Weed Liens" in writing to the City Council for each address; and that the reports, together with a notice of the time when the reports would be submitted to the City Council, had been posted on the City bulletin board outside the door to the Council Chamber for at least five (5) days prior to the report being submitted to the City Council tonight. The reports were presented verbally informing of abatement cost for each address.

President Zinnerman asked if anyone wished to speak in regard to the reports. There was no one present to speak for or against the report.

Council member Jacks moved, seconded by Council member Contorno, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Zinnerman declared the Public Hearing closed.

➤ RESOLUTION NO. 5547 – ASSESSING COST FOR REMOVAL OR ABATEMENT

Resolution No. 5547 was then introduced by the City Attorney to confirm that the amounts shown on the itemized reports as the costs for abating the nuisances at the addresses listed in the resolution now constitute a "Weed Lien" on each property and that copies of the report will be forwarded to the Tax Collector of Jefferson County to add the "Weed Liens" to the next regular bill for taxes per the "Optional Method of Taxation".

**RESOLUTION NO. 5547  
PUBLIC NUISANCE AND WEED ABATEMENT  
ASSESSING COST FOR REMOVAL OR ABATEMENT  
"WEED LIENS"**

**WHEREAS**, pursuant to the provisions of Ordinance No. 94-0809-1 (adopted September 27, 1994 in accordance with Section 11-47-140, Code of Alabama 1975) and Ordinance No. 09-0825-1 (adopted September 22, 2009, in accordance with amendments in Title 11-67-60, et seq., Code of Alabama), Resolution No. 5516, adopted September 13, 2016, declared weeds at the addresses set out herein below to be public nuisance(s); and

**WHEREAS**, after Public Hearing, Resolution No. 5529, adopted October 25, 2016, deemed the City Council to have acquired jurisdiction to proceed to perform or have performed the work for removal or abatement; and

**WHEREAS**, said work for removal abatement having been completed, an itemized report kept by the Public Works Director, (which was posted as per aforementioned ordinances) was rendered to the City Council showing the cost of removing the nuisance on each separate lot, or in front of the lot; to be:

**3642 MEMORY LANE (PARCEL IN TAX SALE) COST:\$596.57**  
**ASSESSEE: MIKE ELROD BUILDERS INC**  
**PARCEL ID 30-31-2-1-18**  
**LOT 15 BLK 1 CRESTVIEW 4TH SECTOR**

**100 VINES AVENUE (PARCEL IN TAX SALE) COST:\$383.07**  
**ASSESSEE: MICHAEL R BRANYON (RESALE PURCHASER)**  
**PARCEL ID 30-30-2-4-27**  
**LOT 40 41 HARDY & VINES**

**2513 21ST STREET NORTH COST:\$596.57**  
**ASSESSEE: BARBARA J POORE**  
**PARCEL ID 30-32-3-23-10**  
**LOT 13 BLK 7 BESSEMER GARDENS**

**NOW THEREFORE BE IT RESOLVED THAT**, the Council having received and considered the report, does hereby confirm that the amounts of the cost for abating the nuisance in front of or upon the

various parcels of land mentioned in said report shall hereinafter be referred to as “weed liens” and shall constitute a “weed lien” on the property for the amount of such weed liens, respectively; and

**FURTHER THAT** a copy of the report shall be forwarded to the Tax Collector of Jefferson County by the Building and Zoning Department to add the costs of the respective “weed liens” to the next regular bills for taxes levied against the respective lots and parcels of land per the “Optional Method of Taxation”.

**ADOPTED** this 5<sup>th</sup> day of December, 2016.

Council member Crane moved, seconded by Council member Pickens, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contorno, Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

8. **ORDINANCE NO. 16-1121-1: AMEND BUSINESS LICENSE SCHEDULE – MOBILE FOOD SERVICES/FINAL READING**

President Zinnerman announced that Ordinance No. 16-1121-1 to amend the City’s Business License Schedule to change business license classification Code 722330 regarding Mobile Food Services received first reading at the Council meeting of November 21, 2016 and now was the time for consideration for adoption.

Council member Crane moved, seconded by Council member Pickens, for adoption. Upon roll call, President Zinnerman and Council members Crane, Contorno, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the ordinance adopted.

**ORDINANCE NO. 16-1121-1  
AN ORDINANCE TO AMEND BUSINESS LICENSE SCHEDULE  
ADJUSTMENT TO MUNICIPAL BUSINESS LICENSE ISSUANCE FEES  
MOBILE FOOD SERVICES**

**BE IT HEREBY ORDAINED** BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, as follows:

**THAT** Article 3 Section 18-41 of the Business License Schedule is hereby amended to change business license classification Code 722330 as follows:

<u>CODE</u>	<u>TITLE</u>	<u>FEE SCHEDULE</u>
722330	Mobile Food Services	A

**FURTHER** that the below-listed business license classification is hereby deleted from the Business License Schedule:

<u>CODE</u>	<u>TITLE</u>	<u>FEE SCHEDULE</u>
722370	Food Services - Mobile	BC

**FURTHER THAT** the provisions of this ordinance shall become effective immediately upon its adoption and publication.

**ADOPTED** this 5<sup>th</sup> day of December, 2016.

9. **ORDINANCE NO. 16-1205-1: SOUTHERN LIGHT, LLC. FRANCHISE – FIBER-OPTIC TRANSMISSION LINE/FIRST READING (Originally assigned Ordinance No. 15-0324-1) (Could not put on March 10, 2015 Agenda for lack of Exhibits A and B)**

Ordinance No. 16-1205-1 was introduced to consider granting a non-exclusive right-of-way use agreement to Southern Light, LLC (Headquarters – 107 St. Francis Street, Suite 1800, Mobile, Alabama 36602), for the purpose of constructing and maintaining a fiber-optic transmission line within certain public rights-of-way within the City of Hueytown. Upon Public Hearing, there was no one present for or against the ordinance. Council member Crane moved, seconded by Council member Contorno, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Zinnerman declared the Public Hearing closed.

10. REMINDER - 2016 Holiday Season (Set at 10-25-2016 Council meeting)  
*(Monday, December 19, 2016 - Mtg. 6:00 P.M./Pre-Council Mtg. 5:30 P.M.)*

President Zimmerman reminded that the remaining 2016 Holiday Season meeting date is December 19, 2016 at 6:00 P.M. with pre-Council meeting at 5:30 P.M. *(and that the City Clerk has authority to pay usual customary bills as necessary in December 2016 and January 2017).*

11. EXTEND FLOOR TO THE PUBLIC

Prior to extension of the floor to the public, President Zimmerman reminded that anyone wishing to address the Council should state their name and address, and must be a resident of Hueytown in order to speak and should limit comments to three minutes.

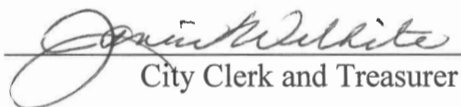
Upon extension of the floor to the public, Regina Evans, 919 Pinehaven Drive, Hueytown, asked about updates for the City's website. Attorney Terry informed that the City is reviewing options for upgrading the site.

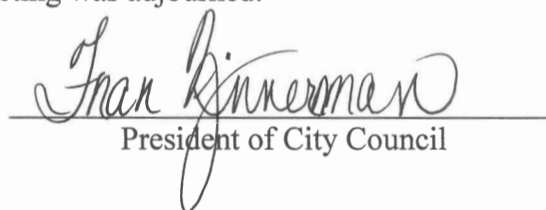
Ms. Evans requested that the Mayor and Council members refer any volunteers interested in cleaning up the City to her. She stated that the roadside clean-up is scheduled for Saturday, December 17, 2016.

Roger James, 408 Wright Avenue, Hueytown, informed that traveling on Virginia Drive from the intersection of Hueytown Road toward the Westwind subdivision is very dangerous especially in dark conditions. He acknowledged that this is a County road but added that it needs to be restriped as soon as possible and wondered if the City could help. President Zimmerman referred the matter to the City Attorney. Mr. James noted that he appreciates that pre-Council meetings are open to the public.

12. ADJOURNMENT

There being no further business to come before the meeting, and upon the motion of Council member Contorno which unanimously carried, the meeting was adjourned.

  
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 City Clerk and Treasurer

  
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 President of City Council