

**CITY COUNCIL MEETING
MINUTES OF PRE-COUNCIL MEETING – TUESDAY, AUGUST 22, 2017
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Tuesday, August 22, 2017 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 Contomo and Jacks present. Council members Crane and Pickens were absent. 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.

* * *

**MINUTES OF CITY COUNCIL
CITY OF HUEYTOWN, ALABAMA
TUESDAY, AUGUST 22, 2017**

A regular meeting of City Council of the City of Hueytown, Alabama was held in the Council Chamber of Hueytown City Hall on Tuesday, August 22, 2017.

1. CALL TO ORDER, INVOCATION, ROLL CALL AND MEDIA RECOGNITION

The meeting was called to order at 6:07 P.M. with approximately 18 people in the audience. The invocation was given by Council member Jacks followed by the Pledge of Allegiance.

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

There was no media present.

2. APPROVAL OF MINUTES

Council member Contomo moved, seconded by Council member Jacks, that the minutes of pre-Council Meeting held Tuesday, August 8, 2017 and minutes of Regular Meeting held Tuesday, August 8, 2017, be approved as previously received and thereby dispensing with reading of the minutes. Upon roll call, President Zinnerman and Council members Contomo and Jacks voted yes. There were no nay votes. President Zinnerman declared the minutes approved.

3. MAYOR'S REPORT

Mayor Ware welcomed the audience. He announced that football is in the air and encouraged everyone to show "Gopher Pride" and support the teams.

Mayor Ware presented a proclamation proclaiming the week of September 17-23, 2017 as "Constitution Week" to honor this historical document and to emphasize citizens' responsibilities for protecting and defending the Constitution. Upon announcement by Jena Large (present in the audience) that she is a member of the DAR, Mayor Ware had her come forward and presented the proclamation to her although Ms. Large said she was not there to receive the proclamation.

The Mayor then presented a proclamation proclaiming September 2017 as "Ovarian and Gynecologic Cancer Awareness Month". Sharon Syx and Tammy Dabbs, both cancer survivors, were present to receive the proclamation.

4. STANDING COMMITTEE REPORTS

Council member Jacks of the Public Works and Parks Committee reported soccer and football registrations are ongoing and new equipment will be arriving for updates at Martin Luther King Park and Bud Newell Memorial Park.

There were no other Standing Committee reports.

> AMEND AGENDA: ADD RESOLUTION NO. 5596 - CURFEW FOR HHS
 HOMECOMING AND REMOVE ORDINANCE NO. 17-0822-2 - CONSIDER
 TRAFFIC SIGNAGE – INTERSECTION OF CHESAPEAKE DRIVE AT
 VICTORIA DRIVE (VIRGINIA RIDGE SUBDIVISION)

At this time, Council member moved to amend the agenda to add Resolution No. 5596 (as yet not in written form) - Curfew for HHS Homecoming and to remove Ordinance No. 17-0822-2 - Consider Traffic Signage – Intersection of Chesapeake Drive at Victoria Drive (Virginia Ridge Subdivision). Council member Contomo seconded the motion and upon roll call, the motion unanimously carried.

5. OFFICERS’ REPORTS

There were no officers’ reports.

6. CORRESPONDENCE

There was no written correspondence; however, the Council received the financial statement of all accounts for the period ending July 31, 2017.

7. BILLS FOR APPROVAL

Council member Contomo of the Finance Committee moved, seconded by Council member Jacks, that the List of Bills be approved in the total amount of \$98,540.42. Upon roll call, President Zinnerman and Council members Contomo and Jacks voted yes. There were no nay votes. The motion unanimously carried.

8-08-2017

===== FUND TOTALS =====		
01	GENERAL FUND	54,968.86
11	7 CENT GAS TAX	13,746.05
13	EMERGENCY COMMUNICATIONS	2,082.01
14	4 CENT GAS TAX	547.08
15	GARBAGE FUND	53,105.45
16	U.N.I.T TASK FORCE FUND	103.54

	GRAND TOTAL:	124,552.99

8. RESOLUTION NO. 5593: AUTHORIZE AGREEMENT - TAX AUDITING,
 EXAMINATION AND ASSESSMENT SERVICES/TROBAUGH AND COMPANY, LLC

Resolution No. 5593 was introduced to authorize the Mayor to execute an agreement with Trobaugh and Company, LLC, 2727 Highland Avenue S., Unit 309, Birmingham, Alabama 35313 (P.O. Box 130165, Birmingham, Alabama 35205), for tax auditing, examination and assessment services with contract to be effective as of August 1, 2017 and to continue for a period of three years at the rate of \$86.00 per hour.

**RESOLUTION NO. 5593
 AGREEMENT FOR AUDITING SERVICES
 TROBAUGH AND COMPANY, LLC**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, that the Mayor is hereby authorized to execute an agreement with Trobaugh and Company, LLC, 2727 Highland Avenue S., Unit 309, Birmingham, Alabama 35313 (P.O. Box 130165, Birmingham, Alabama 35205), for tax auditing, examination and assessment services (Taxpayers’ Bill of Rights, Code of Alabama 1975 §40-2A-1, et seq); and

THAT said contract shall be effective as of August 1, 2017 and will continue for a period of three years at the rate of \$86.00 per hour.

ADOPTED this 22nd day of August, 2017.

Council member Jacks moved, seconded by Council member Contomo, adoption of the foregoing resolution. Upon roll call, Council members Contomo and Jacks voted yes. President Zimmerman declared the resolution adopted.

9. RESOLUTION NO. 5594: DECLARE SURPLUS - AUTHORIZE DISPOSAL; AND CONFIRM AUTHORIZATION FOR DISPOSAL OF ITEMS ADDED TO ONLINE AUCTION WITHOUT PRIOR DECLARATION OF SURPLUS BY COUNCIL RESOLUTION

Resolution No. 5594 was introduced to declare surplus and authorize disposal; and to also confirm authorization for the disposal of items (two sets of vehicle tires) that were sold through the online auction without prior declaration of surplus by City Council resolution.

**RESOLUTION NO. 5594
DECLARE SURPLUS AND AUTHORIZE DISPOSAL
CONFIRM AUTHORIZATION FOR DISPOSAL OF ITEMS ADDED TO ONLINE
AUCTION WITHOUT PRIOR DECLARATION OF SURPLUS**

WHEREAS, Section 11-43-56, Code of Alabama, 1975, authorizes the Municipal Governing Body to dispose of unneeded property, and

WHEREAS, the City Council of the City of Hueytown deems it in the best interests of the City of Hueytown to dispose of certain property which is no longer needed for municipal purposes,

NOW THEREFORE BE IT RESOLVED BY THE CITY OF HUEYTOWN, ALABAMA, that personal and/or abandoned property listed herein is hereby declared surplus.

FROM FIRE DEPARTMENT

1983 M923 5 Ton Cargo Truck (From EMA) Serial No. ML094-523-00119
1996 Ford Diesel E-350 Van (Donated ambulance) 1FDJE30F5THA75659
Brush Guard – fits 2008 Ford F-350
28 ft. aluminum ladder (damaged)

FROM POLICE DEPARTMENT

Craftsman Electronic Reciprocating Saw with Case (Model No. 315.171020)
Craftsman 7 14” Circular Saw with Case (Model No. 315.275420)
Sharp VL-L270 VHS Camcorder

FURTHER that the Mayor and City Clerk are hereby authorized to dispose of said personal and/or abandoned property “**AS-IS**” and in accordance with a procedure to ensure that the City receives a fair price; or to donate said personal and/or abandoned property as practicable to bona fide charities and/or other governmental entities.

WHEREAS, during the process of an online auction of properties declared surplus and authorized for disposal by Resolution No. 5561, adopted February 28, 2017, some items were subsequently added to the online auction without prior declaration of surplus by Council resolution;

NOW THEREFORE BE IT RESOLVED BY THE CITY OF HUEYTOWN, ALABAMA, that personal and/or abandoned property listed below is hereby declared surplus and authorization for disposal is hereby confirmed “**ex post facto**” (*after the fact*).

<u>ITEM</u>	<u>SOLD DATE – ON OR ABOUT</u>
4 BF Goodrich All-terrain Tires 285/75R16	3-27-2017
4 Michelin Defender Tires 225/60R17	6-07-2017

ADOPTED this 22nd day of August, 2017.

Council member Jacks moved, seconded by Council member Contomo, adoption of the foregoing resolution. Upon roll call, Council members Contomo and Jacks voted yes. President Zinnerman declared the resolution adopted.

10. RESOLUTION NO. 5595: CONFIRM AND APPROVE ACCEPTANCE OF MASS CASUALTY RESPONSE UNIT DONATED BY JEFFERSON COUNTY EMA (ASSIGNED TO FIRE DEPARTMENT)

Resolution No. 5595 was introduced to confirm and approve acceptance of a "Mass Casualty Response Unit" which was placed with the City of Hueytown Fire and Rescue in 2004 by the Jefferson County Emergency Management Agency (EMA); and which, by letter dated October 31, 2016, has subsequently been donated by Jefferson County EMA to the City of Hueytown.

**RESOLUTION NO. 5595
CONFIRM AND APPROVE ACCEPTANCE OF MASS CASUALTY RESPONSE UNIT
DONATED BY JEFFERSON COUNTY EMA
CURRENTLY ASSIGNED TO THE FIRE DEPARTMENT**

WHEREAS, in 2004, the City of Hueytown received one Mass Casualty Response Unit (trailer equipped with medical and decontamination items) from the Jefferson County Emergency Management Agency (EMA) as part of the Metropolitan Medical Response System (MMRS) to be used in the case of terrorist attacks or natural disasters; and

WHEREAS, through the years, the Jefferson County EMA has maintained ownership and provided insurance coverage for said Mass Casualty Response Unit stationed with the City of Hueytown Fire Department; and

WHEREAS, by letter dated October 31, 2016 addressed to the Hueytown Fire Department, the Jefferson County Emergency Management Agency (EMA), donated said Mass Casualty Response Unit (*Serial No. 40LFB10103P090503, Model #CS610SA, Manufacture Date 12-28-2002*) to the City of Hueytown, and

WHEREAS, the Certificate of Title has now been received in the office of the City Clerk from the Hueytown Fire Department on August 17, 2017;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA that acceptance of the donated Mass Casualty Response Unit from the Jefferson County Emergency Management Agency is hereby confirmed and approved.

ADOPTED this 22nd day of August, 2017.

Council member Contomo moved, seconded by Council member Jacks, adoption of the foregoing resolution. Upon roll call, Council members Contomo and Jacks voted yes. President Zinnerman declared the resolution adopted.

10A. RESOLUTION NO. 5596: CURFEW DURING HHS HOMECOMING WEEK

Resolution No. 5596 (as yet not in written form) – which was added to tonight's Agenda/Item No. 4 - was introduced regarding curfew for September 5, 2017 through September 8, 2017 during Hueytown High School Homecoming Week. (*It was later noted that Ordinance No. 05-0921-1/adopted September 21, 2005 granted the authority to issue curfews to the Mayor and that a procedure is in place.*)

**RESOLUTION 5596
CURFEW
HUEYTOWN HIGH SCHOOL HOMECOMING WEEK**

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF HUEYTOWN is in favor of a curfew being issued for September 5, 2017 through September 8, 2017 during Hueytown High School Homecoming Week. (*Reference Ordinance No. 05-0921-1/adopted September 21, 2005 which granted the authority to issue curfews to the Mayor.*)

ADOPTED this 22nd day of August, 2017.

Council member Jacks moved, seconded by Council member Contomo, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Contomo and Jacks voted yes. President Zinnerman declared the resolution adopted.

11. ORDINANCE NO. 17-0808-1: ANNEX 3047 KING STREET
FINAL READING/CEPHUS

President Zinnerman announced that Ordinance No. 17-0808-1 to annex 3047 King Street; property of Wilma K. Cephus. Received first reading at the Council meeting of August 8, 2017 and now was the time for consideration for adoption. Council member Contomo moved, seconded by Council member Jacks, for adoption. Upon roll call, President Zinnerman and Council members Contomo and Jacks voted yes. There were no nay votes. President Zinnerman declared the ordinance adopted.

ORDINANCE NO. 17-0808-1
AN ORDINANCE TO ANNEX CERTAIN REAL PROPERTY
WHICH IS CONTIGUOUS TO THE CITY OF HUEYTOWN, ALABAMA

WHEREAS, certain petitions signed by the owners of the territory therein described, that said territory be annexed to the City, together with a map of said territory showing its relationship to the corporate limits of the City has been filed with the City Clerk of the City of Hueytown; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petitions are true and that it is in the public interest that said property be annexed to the City of Hueytown.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hueytown as follows:

SECTION ONE: That said Council hereby assents to the annexation of the said territory to the City of Hueytown, Alabama and the corporate limits of the City are hereby extended and rearranged pursuant to the provisions of Ala. Code § 11-42-20, et seq. (1975) as amended, so as to embrace and include said territory, in addition to the territory already within its present corporate limits, within the corporate area of the City of Hueytown, which said territory is not within the corporate limits of another municipality and the new boundary line does not lie at any point more than half the distance between the old boundary line of the City of Hueytown and the corporate boundary of any other municipality. Said territory is described on Exhibit A attached hereto and made a part hereto and a map showing said territory is attached hereto as Exhibit B and made a part hereof.

SECTION TWO: The City of Hueytown hereby agrees to comply with those provisions of Act No. 604 of the 1976 Regular Session of the Legislature of Alabama pertaining to the payment of an annexed fire district's debt or the payment to said fire district of an amount equal to six times the amount of dues that the portion of said fire district being annexed paid to said fire district during the preceding year.

SECTION THREE: There is excluded from the territory annexed pursuant to this Ordinance any portion of the territory described above which may be found to be the property of any person, firm or corporation other than the named petitioners.

SECTION FOUR: Pursuant to Section 81(b) (4) of the Hueytown Zoning Ordinance, the annexed territory shall be temporarily zoned MR. The City Clerk is directed to transmit a copy of this Ordinance to the Planning Commission and the Zoning Administrator.

SECTION FIVE: The City Clerk shall file the original or a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Bessemer Division, Alabama and also cause a copy of this Ordinance to be published as provided by law.

ADOPTED this 22nd day of August, 2017.

12. ORDINANCE NO. 17-0808-2: FINAL READING – ANNEX 3057 KING STREET
(VACANT PROPERTY) FINAL READING/CEPHUS

President Zinnerman announced that Ordinance No. 17-0808-2 to annex 3057 King Street; vacant property of Wilma K. Cephus, received first reading at the Council meeting of August 8, 2017 and now was the time for consideration for adoption. Council member Jacks moved, seconded by Council member Contomo, for adoption. Upon roll call, President Zinnerman and Council members Contomo and Jacks voted yes. There were no nay votes. President Zinnerman declared the ordinance adopted.

ORDINANCE NO. 17-0808-2
AN ORDINANCE TO ANNEX CERTAIN REAL PROPERTY
WHICH IS CONTIGUOUS TO THE CITY OF HUEYTOWN, ALABAMA

WHEREAS, certain petitions signed by the owners of the territory therein described, that said territory be annexed to the City, together with a map of said territory showing its relationship to the corporate limits of the City has been filed with the City Clerk of the City of Hueytown; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petitions are true and that it is in the public interest that said property be annexed to the City of Hueytown.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hueytown as follows:

SECTION ONE: That said Council hereby assents to the annexation of the said territory to the City of Hueytown, Alabama and the corporate limits of the City are hereby extended and rearranged pursuant to the provisions of Ala. Code § 11-42-20, et seq. (1975) as amended, so as to embrace and include said territory, in addition to the territory already within its present corporate limits, within the corporate area of the City of Hueytown, which said territory is not within the corporate limits of another municipality and the new boundary line does not lie at any point more than half the distance between the old boundary line of the City of Hueytown and the corporate boundary of any other municipality. Said territory is described on Exhibit A attached hereto and made a part hereto and a map showing said territory is attached hereto as Exhibit B and made a part hereof.

SECTION TWO: The City of Hueytown hereby agrees to comply with those provisions of Act No. 604 of the 1976 Regular Session of the Legislature of Alabama pertaining to the payment of an annexed fire district's debt or the payment to said fire district of an amount equal to six times the amount of dues that the portion of said fire district being annexed paid to said fire district during the preceding year.

SECTION THREE: There is excluded from the territory annexed pursuant to this Ordinance any portion of the territory described above which may be found to be the property of any person, firm or corporation other than the named petitioners.

SECTION FOUR: Pursuant to Section 81(b) (4) of the Hueytown Zoning Ordinance, the annexed territory shall be temporarily zoned MR. The City Clerk is directed to transmit a copy of this Ordinance to the Planning Commission and the Zoning Administrator.

SECTION FIVE: The City Clerk shall file the original or a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Bessemer Division, Alabama and also cause a copy of this Ordinance to be published as provided by law.

ADOPTED this 22nd day of August, 2017.

13. ORDINANCE NO. 17-0822-1: REZONE 808 NAVY DRIVE
FIRST READING/LEWIS

Ordinance No. 17-0822-1 was introduced to rezone 808 Navy Drive, Hueytown, Alabama 35023; property of Francine Lewis, from MR to R2. Upon Public Hearing, Francine Lewis, property owner, spoke in favor of the rezoning. Council member Jacks moved, seconded by

Council member Contomo, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Zinnerman declared the Public Hearing closed.

14. **ORDINANCE NO. 17-0822-2: CONSIDER TRAFFIC SIGNAGE – INTERSECTION OF CHESAPEAKE DRIVE AT VICTORIA DRIVE (VIRGINIA RIDGE SUBDIVISION) REMOVED FROM AGENDA**

Ordinance No. 17-0822-2 to consider traffic signage at the intersection of Chesapeake Drive at Victoria Drive in the Virginia Ridge Subdivision was removed from the agenda earlier in the meeting. (Reference Item No. 4/Standing Committee Reports.)

15. **EXTEND FLOOR TO PUBLIC**

Prior to extension of the floor to the public, President Zinnerman 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, James Lee Johnson, 325 James Avenue, Hueytown, invited everyone to attend Hueytown Fun Day at Martin Luther King Park on Saturday, September 2, 2017. President Zinnerman added that the event is from 11:00 A.M. until whenever.


Jena Large, 3009 Lee Ann Drive, Hueytown, again noted that she was not prepared to accept the proclamation for Constitution Week when the Mayor presented it to her earlier in tonight's meeting. She stated she is thrilled that the City is recognizing Constitution Week and the work of the DAR (Daughters of the American Revolution). She stated she is honored to be associated with the group and gave a brief overview of the work of the DAR.

Roger James, 408 Wright Avenue, Hueytown, commended the City taking care of maintenance of the alleyway between Wright Avenue and Sunrise Boulevard as it helps students who walk through there to the Hueytown Middle School. He requested an update regarding road striping by Jefferson County since there was a resolution adopted at the last Council meeting. Mayor Ware responded that the process is ongoing.

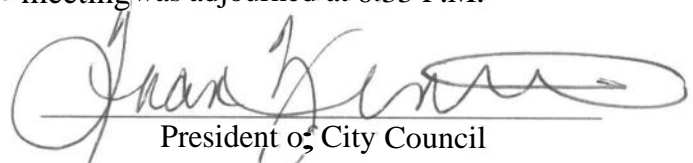
At this time, Mayor Ware commended the Public Works Department for staying on top of everything during all the unusual weather issues.

16. **ADJOURNMENT**

There being no further business to come before the meeting, and upon the motion of Council member Contomo which unanimously carried, the meeting was adjourned at 6:33 P.M.



City Clerk and Treasurer



President of City Council