

**CITY COUNCIL MEETING
MINUTES OF PRE-COUNCIL MEETING – TUESDAY, SEPTEMBER 12, 2017
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Tuesday, September 12, 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 Crane, Jacks and Pickens present. Council member Contomo was 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.

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**MINUTES OF CITY COUNCIL
CITY OF HUEYTOWN, ALABAMA
TUESDAY, SEPTEMBER 12, 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, September 12, 2017.

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

The meeting was called to order at 6:09 P.M. with approximately 19 people in the audience. The invocation was given by Council member Crane followed by the Pledge of Allegiance.

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

There was no media present.

2. APPROVAL OF MINUTES

Council member Pickens moved, seconded by Council member Jacks, that the minutes of pre-Council Meeting held Tuesday, August 22, 2017 and minutes of Regular Meeting held Tuesday, August 22, 2017, be approved as previously received and thereby dispensing with reading of the minutes. Upon roll call, President Zinnerman and Council members Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the minutes approved.

3. MAYOR'S REPORT

Mayor Ware welcomed the audience. He thanked everyone for helping make this year's Hueytown High School Homecoming week a success by participating in "Paint the Town Purple" and coming out to support the team.

The Mayor presented a proclamation proclaiming September 2017 as "Childhood Cancer Awareness Month" to recognize the impact of pediatric cancer on families within the community and to honor the memory of those children from the community whose lives have been cut short by cancer.

4. STANDING COMMITTEE REPORTS

Council member Pickens had no report but noted that the Planning and Zoning Commission meeting is next Tuesday, September 19, 2017.

Council member Crane of the Public Safety Committee reported that bids are coming in next week on the new jail addition/upgrade and there should be a report at the next Council meeting.

Council member Jacks of the Public Works and Parks Committee reported that over 500 adults came through the gates at the first Hueytown Harvest Farmers Market on August 12, 2017

at Stadium Park and suggested everyone be on the look-out for future dates referring to the Park and Recreation Board website to find out dates for park-related activities. He noted that volunteers are needed for a “park clean-up” scheduled for Saturday, September 23, 2017 at Bud Newell Memorial Park.

There were no other Standing Committee reports.

5. OFFICERS’ REPORTS

There were no officers’ reports. The Council received the Court Department, Fire Department and Police Department reports for the month of August 2017 although the reports were not given verbally.

6. CORRESPONDENCE

There was no written correspondence.

7. BILLS FOR APPROVAL

In the absence of Council member Contomo, Council member Crane of the Finance Committee moved, seconded by Council member Pickens, that the List of Bills be approved in the total amount of \$208,082.10. Upon roll call, President Zinnerman and Council members Crane, Jacks and Pickens voted yes. There were no nay votes. The motion unanimously carried.

9-12-2017

===== FUND TOTALS =====		
01	GENERAL FUND	129,923.55
11	7 CENT GAS TAX	13,377.65
13	EMERGENCY COMMUNICATIONS	1,812.80
15	GARBAGE FUND	53,378.59
16	U.N.I.T TASK FORCE FUND	2,681.04
22	2014 GOW	6,908.47

	GRAND TOTAL:	208,082.10

8. RESOLUTION NO. 5597: DECLARE PUBLIC NUISANCE AND ORDER ABATEMENT (AUTHORIZE PUBLIC HEARING/WEED ABATEMENT) - 3086 ALLISON-BONNETT MEMORIAL DRIVE, 924 ARCADIA CIRCLE, 113 GWIN AVENUE, 110 HART AVENUE, 102 KNIGHT AVENUE, 105 PINE STREET, 917 PINEHAVEN DRIVE, 3675 SOUTH STREET, 3017 TERESA AVENUE, 124 VANN STREET, 1718 WEBB STREET, 110 WICKSTEAD ROAD, 116 WICKSTEAD ROAD, 121 WICKSTEAD ROAD, 1507 29TH AVENUE NORTH, 1727 29TH AVENUE NORTH

Resolution No. 5597 was introduced to declare overgrown weeds a public nuisance, order abatement and to authorize Notice of Public Hearing for 3086 Allison-Bonnett Memorial Drive, 924 Arcadia Circle, 113 Gwin Avenue, 110 Hart Avenue, 102 Knight Avenue, 105 Pine Street, 917 Pinehaven Drive, 3675 South Street, 3017 Teresa Avenue, 124 Vann Street, 1718 Webb Street, 110 Wickstead Road, 116 Wickstead Road, 121 Wickstead Road, 1507 29th Avenue North and 1727 29th Avenue North.

**RESOLUTION NO. 5597
TO DECLARE PUBLIC NUISANCE AND ORDER ABATEMENT
(AUTHORIZE PUBLIC HEARING/WEED ABATEMENT)**

WHEREAS, 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) provide procedures to control and abate the nuisance created by overgrown weeds and vegetation within the City limits of Hueytown; and

WHEREAS, pursuant to provisions of said ordinances, the City’s Building Inspections Superintendent has determined that weeds located at the addresses set out herein below are overgrown to the extent that they create public nuisances;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, ALABAMA, hereby declares the weeds at the addresses set out herein below are a public nuisance and their abatement is hereby ordered.

3086 ALLISON-BONNETT MEMORIAL DRIVE – 30-20-3-3-71
 924 ARCADIA CIRCLE – 38-6-4-4-12
 113 GWIN AVENUE – 30-29-2-21-6
 110 HART AVENUE – 30-29-3-1-6 (PARCEL IN TAX SALE)
 102 KNIGHT AVENUE – 30-20-3-6-15
 105 PINE STREET – 30-21-2-11-14 (PARCEL IN TAX SALE)
 917 PINEHAVEN DRIVE – 30-30-3-4-11
 3675 SOUTH STREET – 30-21-1-12-7 (PARCEL IN TAX SALE)
 3017 TERESA AVENUE – 30-32-2-5-10.30
 124 VANN STREET – 30-20-3-3-61
 1718 WEBB STREET – 30-21-4-0-8
 110 WICKSTEAD ROAD – 30-19-4-7-20
 116 WICKSTEAD ROAD – 30-19-4-7-17
 121 WICKSTEAD ROAD – 30-20-3-8-4.1
 1507 29TH AVENUE NORTH – 38-6-1-13-3
 1727 29TH AVENUE NORTH – 38-6-1-7-1

FURTHER that Notice of Public Hearing shall be given by the Building and Zoning Department as set out in the above-mentioned ordinances to inform the owner (owner as on record in the Office of the Tax Assessor of Jefferson County, Alabama, Bessemer Division) of the time, date, and place of the hearing and the reason for the hearing.

ADOPTED this 12th day of September, 2017.

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

9. RESOLUTION NO. 5598: MUNICIPAL GOVERNMENT CAPITAL IMPROVEMENT FUND ACCOUNT

Resolution No. 5598 was introduced to authorize the Mayor and City Clerk to establish a separate account for Municipal Government Capital Improvement Trust Funds received from the Alabama Trust Fund, with the new account to be entitled “Capital Improvement Trust Fund” with restricted use for capital improvement purposes as set out by law of the State of Alabama.

**RESOLUTION NO. 5598
 MUNICIPAL GOVERNMENT
 CAPITAL IMPROVEMENT TRUST FUND ACCOUNT**

WHEREAS, Sections 11-66-1 through 11-66-7, Code of Alabama 1975, gives municipalities in Alabama 10 percent of the interest derived from the investment of the Alabama Trust Fund, Amendment 450 (Section 219.02), Alabama Constitution, 1901, in any fiscal year in which the interest equals or exceeds \$60 million; and

WHEREAS, said interest funds, known as a city’s Municipal Government Capital Improvement Trust Fund, must be used for capital improvement purposes and must be maintained in a separate account; and

WHEREAS, it has recently been brought to our attention that the City of Hueytown has not had a separate account for said Municipal Government Capital Improvement Trust Fund,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN, that the Mayor and City Clerk are hereby authorized to establish a separate account to be entitled “Capital Improvement Trust Fund” with restricted use as set out by law of the State of Alabama.

ADOPTED this 12th day of September, 2017.

Council member Crane moved, seconded by Council member Jacks, adoption of the foregoing resolution. Upon roll call, President Zinnerman and Council members Crane, Jacks

and Pickens voted yes. There were no nay votes. President Zinnerman declared the resolution adopted.

10. ORDINANCE NO. 17-0822-1: ANNEX 808 NAVY DRIVE - FINAL READING/LEWIS

President Zinnerman announced that Ordinance No. 17-0822-1 to rezone 808 Navy Drive, Hueytown, Alabama 35023; property of Francine Lewis, from MR to R2, received first reading at the Council meeting of August 22, 2017 and now was the time for consideration for adoption. Council member Pickens moved, seconded by Council member Crane, for adoption. Upon roll call, President Zinnerman and Council members Crane, Jacks and Pickens voted yes. There were no nay votes. President Zinnerman declared the ordinance adopted.

ORDINANCE NO. 17-0822-1

WHEREAS, the City Council has received resolution of the Hueytown Planning and Zoning Commission adopted at their meeting held July 18, 2017, **recommending** rezoning property as described on attached Exhibit A, as shown on attached maps Exhibits B and C and legal description as shown on attached Exhibit D;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUEYTOWN AS FOLLOWS:

THAT the zoning ordinance and map of the City of Hueytown, Alabama, are hereby amended as follows:

THAT property located at **808 Navy Drive, Applicants: Francine Lewis**, and as described in attached Exhibit A is hereby rezoned from **MR** to **R2**. Property was previously annexed into the City of Hueytown on June 13, 2017 by Ordinance No. 17-0523-2.

NOW THEREFORE BE IT FURTHER ORDAINED that this ordinance shall become effective upon its adoption, approval, and publication.

ADOPTED this 12th day of September, 2017.

11. ORDINANCE NO. 17-0912-1: ANNEX 2751 ALLISON-BONNETT MEMORIAL DRIVE - FIRST READING/BOHLER ENGINEERING

Ordinance No. 17-0912-1 was introduced to annex 2751 Allison-Bonnett Memorial Drive, petitioner - Bohler Engineering, 211 Perimeter Center Parkway, Suite 1070, Atlanta, GA 30346, acting as "authorized agent" on behalf of property owner, Bonnie Moore. Upon Public Hearing, there was no one present for or against the ordinance. Council member Pickens moved, seconded by Council member Jacks, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Zinnerman declared the Public Hearing closed.

Council member Pickens moved, seconded by Council member Crane, to suspend the rules for immediate consideration. Upon roll call, President Zinnerman and Council members Crane, Jacks and Pickens voted yes. There were no nay votes. The motion unanimously carried.

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

ORDINANCE NO. 17-0912-1

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 hereof 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 12th day of September, 2017.

12. EXTEND FLOOR TO 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.

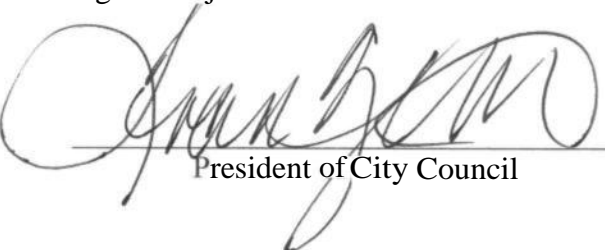
Upon extension of the floor to the public, Jena Large, 3009 Lee Ann Drive, Hueytown, gave information regarding the organization of the Hueytown Harvest Farmers Market, Inc. noting it is a non-profit organization formed by Charlene Myers, Lisa Elrod, Regina Evans Barrentine and herself to promote economic development and provide a community gathering place where locals can sell directly to the consumer. She thanked everyone for their support.

13. ADJOURNMENT

There being no further business to come before the meeting, and upon the motion of Council member Crane which unanimously carried, the meeting was adjourned at 6:25 P.M.



City Clerk and Treasurer



President of City Council