

**MINUTES OF PRE-COUNCIL MEETING
TUESDAY, MAY 28, 2019
CITY OF HUEYTOWN**

The City Council of the City of Hueytown met on Tuesday, May 28, 2019 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 Jacks and Council members Pickens and Zinnerman present. Council members Contorno and Crane were absent. Mayor Ware and Attorney Fred Simpler of Waldrep Stewart & Kendrick, LLC 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, MAY 28, 2019**

A regular meeting of City Council of the City of Hueytown, Alabama was held in the Council Chamber of Hueytown City Hall on Tuesday, May 28, 2019.

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

The meeting was called to order at 6:02 P.M. with approximately 16 people in the audience. The invocation was given by Council President Jacks, followed by the Pledge of Allegiance.

Upon roll call, President Jacks and Council members Pickens and Zinnerman were present. Council members Contorno and Crane were absent. Mayor Ware and Attorney Fred Simpler of Waldrep Stewart & Kendrick, LLC were present.

There was no media present

2. APPROVAL OF MINUTES

Council member Pickens moved, seconded by Council member Zinnerman, that the minutes of the Pre-Council Meeting and Regular Council Meeting held Tuesday, May 14, 2019, be approved as previously received and thereby dispensing with reading of the minutes. Upon roll call, President Jacks and Council members Pickens and Zinnerman voted yes. There were no nay votes. President Jacks declared the minutes approved.

3. MAYOR'S REPORT

Mayor Ware welcomed everyone. He cautioned everyone to take care of themselves in the hot weather.

Mayor Ware presented a proclamation to recognize International Firefighters Day. He commended the Fire Department of the City. He presented the proclamation to Chief Scotty Morris who thanked the Mayor and Council.

Mayor Ware presented a proclamation to recognize Peace Officers Memorial Day and Police Week. He presented the proclamation to Chief Mike Yarbrough who thanked everyone for the opportunity to serve the City.

The Mayor noted he, as well as Council members Zinnerman and President Jacks, had attended graduation ceremonies for Hueytown High School at the BJCC Concert Hall and that there were a number of scholarships awarded. He congratulated the seniors.

4. STANDING COMMITTEE REPORTS

Council member Zinnerman of the Finance Committee reported that the Council had received the financial statements of all funds through the period ending April 30, 2019. She briefly summarized the reports.

Council member Pickens of the Public Works and Parks reported that the All-stars are going on and the park will be hosting baseball tournaments. He noted that the Park and Recreation Board paid for a window at MLK Park damaged by vandalism. He noted there was a plumbing issue as well. He stated the Park and Recreation Board is paying for updates on the tennis courts and they have just purchased a sign for Spruiell Park behind the pool.

There were no other Standing Committee reports.

5. OFFICERS' REPORTS

Police Chief Mike Yarbrough reported that the City is hiring three corrections officers. He noted that the department sold Autism Awareness shirts during April and he then gave \$640.00 to Rick and Carol Clark from Kids Outdoors, a local charity.

Barry Humphries, Building Inspector, of the Building and Zoning Department, gave a report of five new houses under construction; Huddle House on Allison-Bonnett Memorial Drive is under plan review; and a house next to the cemetery in Virginia Mines is slated for demolition.

There were no other officers' reports.

6. GREAT THINGS HAPPENING IN HUEYTOWN (Local Organizations/Chamber)

Becky Williams of the Chamber of Commerce recapped the success of the annual Chamber banquet; Citizen of the Year - Jane Bellew, Business of the Year - Brown Heating and Cooling; Educator of Excellence – Andrew Poe of Hueytown Middle School; Hueytown Scholarship – Reid Lafoy. She noted that Hueytown Family Dentistry is a new Chamber member.

Debbie Kiker, 6464 Aspen Lane, Hueytown, and Bridgett Baughan, owners of Angels Advertising, LLC, 168 Oxmoor Road, Birmingham, Alabama 35209, announced that they are releasing a quarterly magazine this week, Hueytown Lifestyle Magazine, to 5200 homes for free.

Jeff Parsons of the Hueytown Public Library announced that the June programs are themed as “A Universe of Stories” with the Library Arts Council to meet June 12, 2019 to do Rocket Craft; and an Ambassador from NASA will be at the Library on June 19, 2019. He stated Story Time will be on Thursdays at 12:00 during the month of June. He noted that the Library had received a bronze award recognition by the Alabama Library Association.

Jake Ware, 6634 Red Leaf Lane, Hueytown, noted that City Fest (a bicentennial event) will be June 8, 2019 at Hueytown High School from 4:00–10:00 P.M. with 15 food trucks, 50 vendors, crafts, clothes, five live bands, fireworks with free admission. He noted you can check them out at Hueytown Arts Council on Facebook. He said “Movies in the Park” will be at Stadium Park beginning next Friday, from June through August (2nd and 4th Fridays).

7. CORRESPONDENCE

There was no written correspondence.

8. BILLS FOR APPROVAL

Council member Zinnerman of the Finance Committee moved, seconded by Council member Pickens, that the List of Bills be approved in the total amount of \$105,047.56. Upon roll call, President Jacks and Council members Pickens and Zinnerman voted yes. There were no nay votes. The motion unanimously carried.

5-28-2019

===== FUND TOTALS =====	
01	GENERAL FUND 99,821.89
11	7 CENT GAS TAX 3,953.61
14	4 CENT GAS TAX 343.06
16	U.N.I.T TASK FORCE FUND 929.00

	GRAND TOTAL: \$105,047.56

9. RESOLUTION NO. 5780: VACATION OF ALLEY BETWEEN 4154 HOKE AVENUE AND 1721 FIRST AVENUE, DOLOMITE, AL 35061; APPLICANT: EDWARD M. MOLISH, ENK INDUSTRIAL FILTER AND BATTERY, INC.

Resolution No. 5780 was introduced to vacate the alley between 4154 Hoke Avenue and 1721 First Avenue, Dolomite, Alabama 35061; Applicant – Edward M. Molish, ENK Industrial Filter and Battery, Inc. to add to his property

**RESOLUTION NO. 5780
VACATION OF ALLEY
BETWEEN 4154 HOKE AVENUE
AND 1721 FIRST AVENUE, DOLOMITE, AL 35061**

WHEREAS, a declaration vacating the following described street, alley or portion thereof which has been duly signed by the owners of all of the lands abutting the said described street, alley or portion thereof, situated in the City of Hueytown, County of Jefferson, State of Alabama, has been duly presented to the City Council of the City of Hueytown, Alabama, for the assent and approval of said governing body, said declaration with map attached being hereto affixed, marked Exhibit “A”(Part 1, and Part 2) and made a part hereof; and

WHEREAS, the street, alley or portion thereof above referred to is more particularly described as follows:

See Exhibit “A” (Part 3) attached hereto.

WHEREAS, it appears to the Council of the City of Hueytown, Alabama, that the vacation of said street, alley or portion thereof is in order and that convenient and reasonable means of ingress and egress is afforded to all other property owners owning properties in the tract of land embraced in said map attached hereto as Exhibit “B”.

WHEREAS, this vacation is subject to the City of Hueytown retaining by agreement with property owners a permanent public utility easement for the public use and benefit.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hueytown, Alabama, that the vacation of the hereinabove described street, alley or portion thereof is assented to and approved subject to the retention by the City of Hueytown of a permanent public utility easement and same is hereby vacated pursuant to the provisions of Ala. Code § 23-4-20.

RESOLVED FURTHER, that the vacation of the hereinabove described street, alley or portion thereof shall not become final except and until the property owner(s) has submitted to the City for recording with the Judge of Probate a resurvey map showing the property as vacated.

ADOPTED this 28th day of May, 2019.

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

10. RESOLUTION NO. 5781: DECLARE PUBLIC NUISANCE AND ORDER ABATEMENT WEED ABATEMENT - 200 CEDAR CIRCLE, 119 CYPRESS STREET, 1723 EDGEHILL DRIVE, 105 FAIRY AVENUE, 101 FOUST AVENUE, 226 FULLER STREET, 318 JAMES AVENUE, 304 MARSH AVENUE, 2013 MISSISSIPPI AVENUE, 1000 OLD WARRIOR RIVER ROAD, 112 PINE STREET, 2704 PINEVIEW LANE, 1719 ROBINS STREET, 1732 ROBINS STREET, 1760 ROBINS STREET, 1718 WEBB STREET, 2727 19TH STREET NORTH, 2130 26TH AVENUE NORTH AND 2038 27TH AVENUE NORTH

Resolution No. 5781 was introduced to declare overgrown weeds a public nuisance, order abatement and to authorize Notice of Public Hearing for 200 Cedar Circle, 119 Cypress Street, 1723 Edgehill Drive, 105 Fairy Avenue, 101 Foust Avenue, 226 Fuller Street, 318 James Avenue, 304 Marsh Avenue, 2013 Mississippi Avenue, 1000 Old Warrior River Road, 112 Pine Street, 2704 Pineview Lane, 1719 Robins Street, 1732 Robins Street, 1760 Robins Street, 1718 Webb Street, 2727 19th Street North, 2130 26th Avenue North and 2038 27th Avenue North.

**RESOLUTION NO. 5781
TO DECLARE PUBLIC NUISANCE AND ORDER ABATEMENT
(AUTHORIZE PUBLIC HEARING/WEED ABATEMENT)**

WHEREAS, Act 95-574 (approved July 31, 1995 in accordance with Section 45-37A-251, Code of Alabama 1975) 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.

200 CEDAR CIRCLE – 30-21-2-3-20 (IN TAX SALE)
119 CYPRESS STREET – 30-21-2-10-15.1 (IN TAX SALE)
1723 EDGEHILL DRIVE – 38-6-1-3-2
105 FAIRY AVENUE – 30-29-2-20-2
101 FOUST AVENUE – 30-30-2-7-2.1
226 FULLER STREET – 30-19-2-5-14
318 JAMES AVENUE – 30-20-1-5-8 (IN TAX SALE)
304 MARSH AVENUE – 30-20-1-6-11 (IN TAX SALE)
2013 MISSISSIPPI AVENUE – 30-32-4-6-23
1000 OLD WARRIOR RIVER ROAD – 30-21-3-2-4
112 PINE STREET – 30-21-2-12-4
2704 PINEVIEW LANE – 30-32-4-12-7
1719 ROBINS STREET – 30-21-4-0-22
1732 ROBINS STREET – 30-21-4-0-10
1760 ROBINS STREET – 30-21-4-0-14
1718 WEBB STREET – 30-21-4-0-8
2727 19TH STREET NORTH – 30-32-3-16-29
2130 26TH AVENUE NORTH – 30-32-3-19-11
2038 27TH AVENUE NORTH – 30-32-3-16-50

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 28th day of May, 2019.

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

**11. ORDINANCE NO. 19-0528-1: ANNEX 654 McPHEARSON LANE
FIRST READING/McCLIN**

Ordinance No. 19-0528-1 was introduced to annex 654 McPhearson Lane, property of David and Demetra McLin. Upon Public Hearing, there was no one present for or against the ordinance. Council member Zinnerman moved, seconded by Council member Pickens, that the Public Hearing be closed. Upon roll call, the motion unanimously carried. President Jacks declared the Public Hearing closed.

At this time, Council member Zinnerman moved, seconded by Council member Pickens, for suspension of the rules for immediate consideration. Upon roll call, the motion unanimously carried.

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

ORDINANCE NO. 19-0528-1
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 28th day of May, 2019.

12. EXTEND FLOOR TO PUBLIC

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

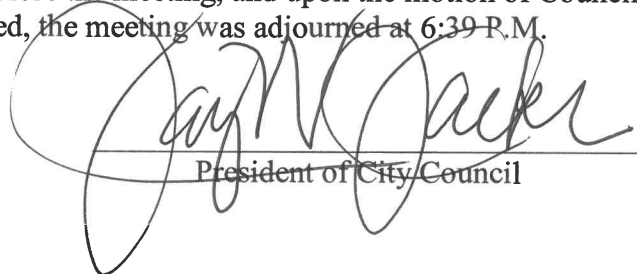
Upon opening the floor to the public, no one came forward.

13. ADJOURNMENT

There being no further business to come before the meeting, and upon the motion of Council member Zinnerman, which unanimously carried, the meeting was adjourned at 6:39 P.M.



City Clerk and Treasurer



President of City Council