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# CITY OF LEEDS, ALABAMA

## REGULAR COUNCIL MEETING MINUTES

Leeds Municipal Annex - 1412 9th Street; Leeds, Alabama 35094

April 19, 2021 @ 6:00 PM

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### CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:04 pm.

### ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

#### PRESENT

Mayor David Miller  
Council member Kenneth Washington  
Council member Eric Turner  
Council member Johnny Dutton  
Council member Angie Latta  
Council member Devoris Ragland-Pierce

#### INVOCATION

Council member Eric Turner

#### PLEDGE OF ALLEGIANCE

Mayor David Miller

### PUBLIC HEARING

1. Revocation of A Business License Pursuant to The City Code of Ordinances at 7310 Parkway Drive

Mr. Clarence Dortch III, attorney for Green Wave Collision and its owners, asked for a continuance. Mr. Johnny Brunson, City Attorney, states that he has previously spoken with Green Wave's counsel prior to tonight's meeting and is ok with the continuance if the Council approves it. Mr. Scott Barnett, City Attorney, asked for anyone in the audience to be allowed to speak. Mr. Jeff Hilley, a Green Wave Collision customer, stated he dropped off his car at Green Wave Collision over 6 months ago and paid for the estimate given. He further states there has been delay after delay, and he still does not have his car. He would like his car returned and money refunded. Mr. Dortch states that his car is ready for pick up. A motion to continue was made by Mr. Washington. Motion fails due to lack of a second. There was no other comment made. The matter is referred to Council.

2. Revocation Of A Business License Pursuant To The City Code Of Ordinances at 1234 Markeeta Spur Road

Mr. Jonathan Hayes, owner of Hayes Construction, stated that he is a state licensed home builder. Regarding the structure at 2133 Montevallo Road, Mr. Hayes thought the property owner obtained variance approval. Mayor asked Mr. Watson for clarification. Mr. Watson referred to his inspector, Kathy Capps. Ms. Capps stated that Mr. Hayes did not have a permit nor variance approval. Mr. Watson stated that Mr. Hayes has started work without a permit on another project. There was no other comment made. The matter was referred to Council.

3. B21-000004: Request for an Alcoholic Beverage License to Himalaya Leeds Corporation, trade name Lucky 7s at 7502 Parkway Drive

Mr. Watson reported there were no issues with this application from other departments. There was no other comment made. The matter was referred to Council.

Public Hearing closed at 6:18 pm.

### APPROVE COUNCIL MINUTES

4. Minutes from April 05, 2021

Motion to approve minutes from April 05, 2021 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Ragland-Pierce and Council member Latta.

Voting Abstaining: Council member Washington

#### **REPORTS OF OFFICERS:**

5. Mayor's Report: Mayor David Miller  
Mayor Miller announced 2 new business openings: Cell Phone Repair and Blossom Spa.
6. Police Department: Chief Atkinson  
No report.
7. Fire Department: Chief Parsons  
Chief Parsons thanked everyone for coming early to view Alabaster's new fire truck which is identical to the one we just ordered except for the color scheme. He will be traveling to Ohio in May for a pre-construction meeting with Sutphen Fire Trucks. Also, there will be a Live Burn Trailer for department training this week at Station 1.
8. Library: Library Director Carden  
No report.
9. Municipal Court: Magistrate Roberts  
Ms. Roberts announced that since cameras have been installed on the school buses there have been 36 citations issued for passing a stopped school bus. The cameras are front and rear-facing.
10. Development Services Department: City Administrator Watson  
No report.
11. Public Works Department: Public Works Director Warren  
Absent

#### **OLD BUSINESS:**

There was none.

#### **NEW BUSINESS:**

12. Ordinance 2021-04-01: Consider Re-approval of Spectrum Franchise Renewal  
Motion for Unanimous Consent to consider Ordinance 2021-04-01 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.  
Mr. Barnett explained the changes: Spectrum is giving the City the full franchise fee of 5% and there will be no free services for City buildings.  
Motion to approve Ordinance 2021-04-01 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.
13. Resolution 2021-04-04: Consider Approving 2021 "Back-to-School" Sales Tax Holiday  
Motion to approve Resolution 2021-04-04 made by Council member Washington, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.
14. Resolution 2021-04-05: Consider Approval to Make Certain Budget Amendments to Purchase Various Equipment  
Motion to approve Resolution 2021-04-05 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.
15. Resolution 2021-04-06: Consider Revocation Of A Business License Pursuant To The City Code Of Ordinances at 7310 Parkway Drive

Mr. Watson advised the Mayor and Council that in addition to the complaints heard tonight he has received several public nuisance complaints, and they are non-compliant in their zoning and previous variance approval from 2003.

Ms. Roberts advised the Mayor and Council that she has received many complaints at Court which have been pre, during and post pandemic. The complaints are similar: their vehicle is never repaired or it's not repaired correctly. She is concerned that when the complainants make a complaint to the Jefferson County DA's office or the Attorney General's office that they will think she's not doing her job. However, this is a private matter between each complainant and Green Wave Collision. She's had to refer complainants to get an attorney to handle their issues with Green Wave Collision. This is not an isolated incident.

Mr. Dortch presented their case with multiple exhibits to request that the license not be revoked. Mr. Dortch called upon Mr. Alan Spradlin, 4725 Woodfield Lane-Trussville, to give his expert knowledge on salvage auto parts. He has managed one for over 40 years.

Mr. Watson showed the Mayor and Council pictures from previous abatements in 2019. Engines and leaking oil are violation to our Storm Water regulations as they are harmful to our MS4. He read to them the 2003 definition of vehicle repair-major and the limitations of the 2003 variance approval. His recommendation is to revoke the business license.

No motion was made. Resolution 2021-04-06 fails for lack of a motion.

16. Resolution 2021-04-07: Consider Revocation of a Business License Pursuant to The City Code of Ordinances at 1234 Markeeta Spur Road

Mr. Jonathan Hayes, spoke and wants his 2021 business license in order to complete the 2 open jobs mentioned earlier. After their completion, he will leave Leeds.

Mr. Watson offered no recommendation. Mr. Hayes has not obtained any permits, and the property owners are at their own expense of removing his unpermitted work by a Municipal Court ruling. Mayor Miller makes a recommendation to revoke his business license.

No motion was made. Resolution 2021-04-07 fails for lack of a motion.

17. Resolution 2021-04-08: Consider Approval of Alcohol License to Himalaya Leeds Corporation, trade name Lucky 7s at 7502 Parkway Drive

Motion to approve Resolution 2021-04-08 made by Council member Ragland-Pierce, Seconded by Council member Turner. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

## **PUBLIC COMMENTS**

There was none.

## **ADJOURNMENT**

Motion to adjourn made by Council member Washington, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

The meeting adjourned at 7:34 pm.

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David Miller, Mayor

Attest:

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Toushi Artbitelle, City Clerk