



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING AGENDA

City Hall Annex - Meeting Room - 1412 9th St, Leeds, AL 35094

April 17, 2023 @ 6:00 PM

To view this meeting online:
<https://meet.goto.com/CityofLeeds>

CALL COUNCIL MEETING TO ORDER

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

CUTOFF FOR PUBLIC COMMENT SIGN-UP

Anyone wishing to address the Council during the Public Comment section of the meeting must have completed their registration by this point in the meeting.

APPROVE COUNCIL MINUTES

- [1.](#) Minutes from April 03, 2023

REPORTS OF OFFICERS:

2. Mayor's Report: Mayor David Miller
3. Police Department: Chief Irwin
4. Fire Department: Chief Parsons
5. Municipal Court: Magistrate Roberts
- [6.](#) Development Services Department: City Administrator Watson
Over-time Report
7. Public Works Department: Public Works Director Warren
8. Social Services Department: Director Bryan

PUBLIC HEARING

- [9.](#) RA22-000008: Ordinance assenting to the property rezoning at 8163 Lawley Avenue

OLD BUSINESS:

10. Executive Session
- [11.](#) Ordinance 2023-04-01: Consider a Modification to the Zoning Ordinance of the R-5, Garden Home District, and R-6, Patio Home District

NEW BUSINESS:

- [12.](#) Ordinance 2023-04-02: Consider a Rezoning Request from R-2, Single Family, to T-3, Form-Based Code, at 8163 Lawley Avenue

PUBLIC COMMENTS

All comments are to be limited to 2 minutes

ADJOURNMENT

In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-699-2585.

If you wish to speak at this meeting, please use the following web address:
<https://www.cognitoforms.com/CityOfLeeds1/PublicParticipationSpeakersSignUpSheet>

QR code to sign up



File Attachments for Item:

1. Minutes from April 03, 2023



CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING MINUTES

City Hall Annex - Meeting Room - 1412 9th St, Leeds, AL 35094

April 03, 2023 @ 6:00 PM

CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:03 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

CUTOFF FOR PUBLIC COMMENT SIGN-UP

APPROVE COUNCIL MINUTES

- Minutes from March 20, 2023

Motion to approve Minutes from April 03, 2023 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton. Voting Abstaining: Council member Latta, Council member Ragland-Pierce

REPORTS OF OFFICERS:

- Mayor's Report: Mayor David Miller

Mayor Miller read a proclamation recognizing April 10-14, 2023 as Public Safety Telecommunications Week and handed it to representatives from Blount County 911.

Mayor Miller read a proclamation honoring Rodean Russell and handed it to family representative Council member Devoris Ragland-Pierce.

A video was played informing those present of the Leeds Walking Trail celebrating the 100th birthday of the Leeds Jane Culbreth Library.

- Police Department: Chief Irwin

Chief Irwin acknowledged that dispatchers are critical for First Responders.

Council member Washington mentioned the 'trash' train that was stopped at the crossing on Henry Ellen Road. Chief Parsons added that 2 trains have been stopped at this crossing within the last 10 days. He met with a representative with Norfolk Southern Hazmat Unit regarding the 'trash' train. It was hauling garbage from New Jersey. Mayor Miller added that the railroad is exempt from everything except for Clean Water Act violations. Due to recent rain, the cargo cars were leaking and a complaint has been filed. Chief Parsons said to check the Fire Department's Face Book page for a link to report blocked crossings.

Council member Washington mentioned the destruction that Fentanyl has caused. Chief Irwin said that on March 23, 2023 House Bill 1 was passed in Montgomery and will soon go before Governor Ivey for her signature. Under this legislation, one gram of fentanyl would require a three-year sentence and up to eight grams would mean life in prison.

- Fire Department: Chief Parsons

Chief Parsons stated that 911 Dispatchers are the First Responder that you deal with if you call 9-1-1. He asked for prayers for LifeSaver 4 that recently crashed. He will have two graduating from firefighter school soon.

5. Municipal Court: Magistrate Roberts
Absent
6. Development Services Department: City Administrator Watson
No Report
7. Public Works Department: Public Works Director Warren
No Report
8. Social Services Department: Director Bryan
No Report

PUBLIC HEARING

9. RA22-000007: Ordinance assenting to the modification of the Zoning Ordinance to modify the R-5, Garden Home District and to delete the R-6, Patio Home District

Mr. Edward Cook, Leeds Planning & Zoning Chairman, stated this is a follow-up to the previously approved moratorium. It would apply to any future R-5 development.

Mr. Dave Mackey, Leeds Planning & Zoning Vice-Chair, added if terrain is an issue then the driveway can be in the front with the garage in the rear.

Mr. Joe White, local developer - 7129 Elliott Lane, Agrees with the changes however it will increase pricing of new homes and will create a crisis in affordability.

Ms. Susan Carswell, 2120 Montevallo Road, stated that first-time homebuyers do not need brand new homes.

There was no other public comment. The item was referred to Council.
10. A request for an Alcoholic Beverage License to Neal B. Jackson DBA Jackson Rime Realty at 310 Rex Lake Road; Leeds, AL 35094

Mr. Neal Jackson, applicant - Jackson Rime LLC dba Hampton Inn, stated this is a requirement for all Hampton locations. All front desk clerks will be trained.

There was no other public comment. The item was referred to Council.

Public Hearing closed at 7:05 pm.

OLD BUSINESS:

There was no Old Business.

NEW BUSINESS:

11. Executive Session

City Attorney Johnny Brunson addressed Council and stated the Executive Session is advisory only and can be tabled to the next meeting.

Motion to table Executive Session until the next meeting made by Council member Washington, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce
12. Ordinance 2023-04-01: Consider a Modification to the Zoning Ordinance of the R-5, Garden Home District, and R-6, Patio Home District

Motion for Unanimous Consent to Consider Ordinance 2023-04-01 made by Council member Turner, Seconded by Council member Latta. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce. Voting Nay: Council member Washington.
13. Resolution 2023-04-01: Consider Approval of Issuance of Retail Beer License (on-premise) and Retail Table Wine License (on-premise) to Neal B. Jackson, DBA Jackson Rime Realty at 310 Rex Lake Road; Leeds AL 35094

Motion to approve Resolution 2023-04-01 made by Council member Turner, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

14. Resolution 2023-04-02: Consider Adopting the Division "G" Multi-Jurisdictional Hazard Mitigation Plan

Motion to approve Resolution 2023-04-02 made by Council member Dutton, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

15. Resolution 2023-04-03: Consider Approving Budget Adjustment for Public Works Department to refurbish Holiday Lighting

Motion to approve Resolution 2023-04-03 made by Council member Turner, Seconded by Council member Latta. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

16. Resolution 2023-04-04: Consider Approval of 2023 "Back-to-School" Sales Tax Holiday

Motion to approve Resolution 2023-04-04 made by Council member Ragland-Pierce, Seconded by Council member Washington. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Latta, Council member Ragland-Pierce

PUBLIC COMMENTS

Ms. Amber Vines, Main Street Leeds, gave an update of their progress.

Ms. Laurie Ward, 1252 Norman Drive, declined to speak.

Mr. Randy Ray, 6287 Ziegler Road - representative of Leeds Historical Society, they are working with Leeds Jane Culbreth Library on a historic downtown walking tour to celebrate 100 years of the library.

Ms. Donna Williams, 7263 Maine Avenue, gave thanks to the City regarding efforts made to help move the stopped train at RR crossing on Henry Ellen Road.

ADJOURNMENT

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

The meeting adjourned at 7:20 pm.

David Miller, Mayor

Attest:

Toushi Artbitelle, City Clerk

File Attachments for Item:

6. Development Services Department: City Administrator Watson
Over-time Report

Department Hours- OT

From 03/21/23 to 04/03/23

Department	OT	Totals
	147:57	147:57
ADM-1	13:15	13:15
DEV-50	0:57	0:57
FIRE2-26	10:15	10:15
POL-22	117:57	117:57
STR-80	5:33	5:33

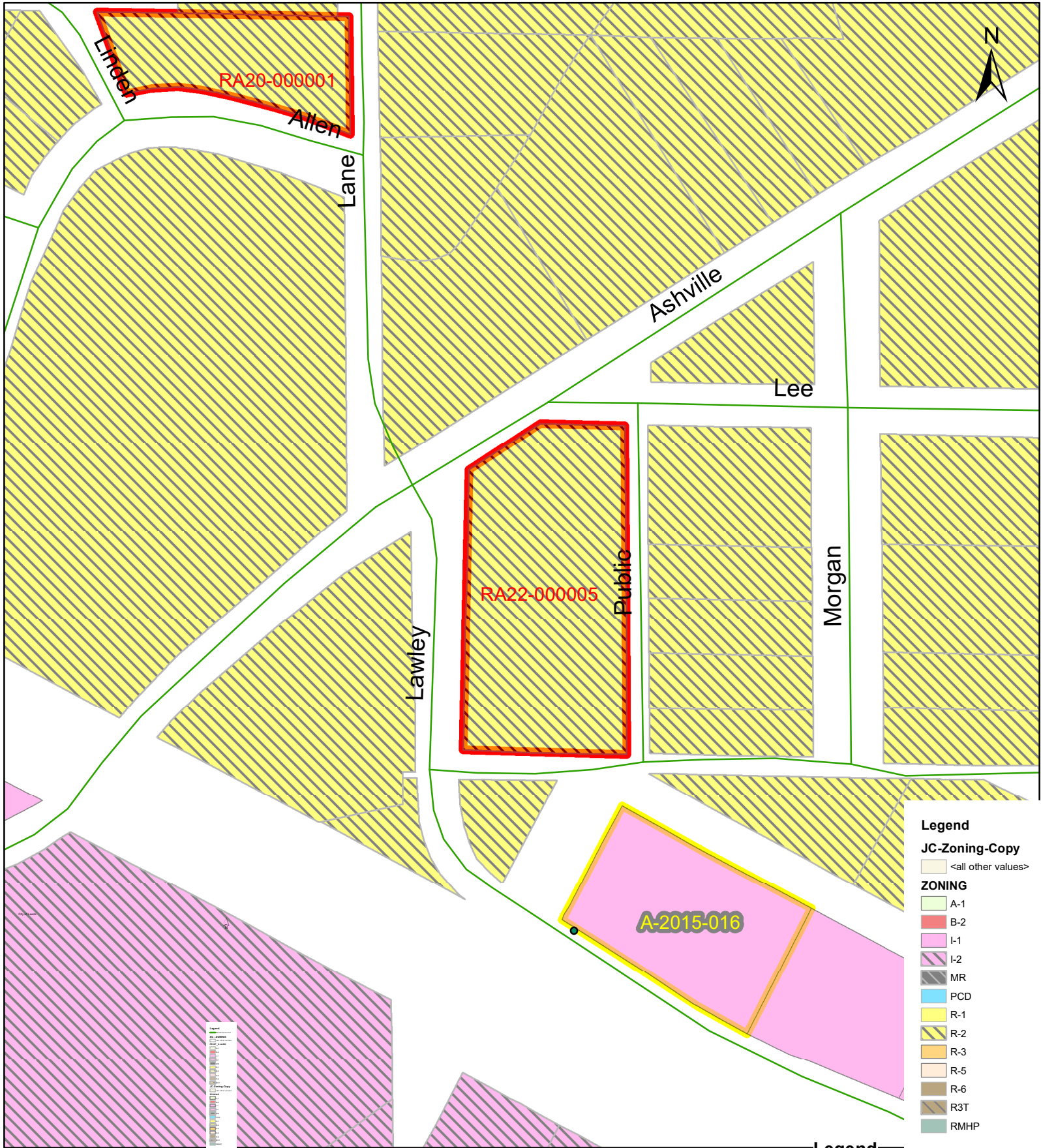
File Attachments for Item:

9. RA22-000008: Ordinance assenting to the property rezoning at 8163 Lawley Avenue

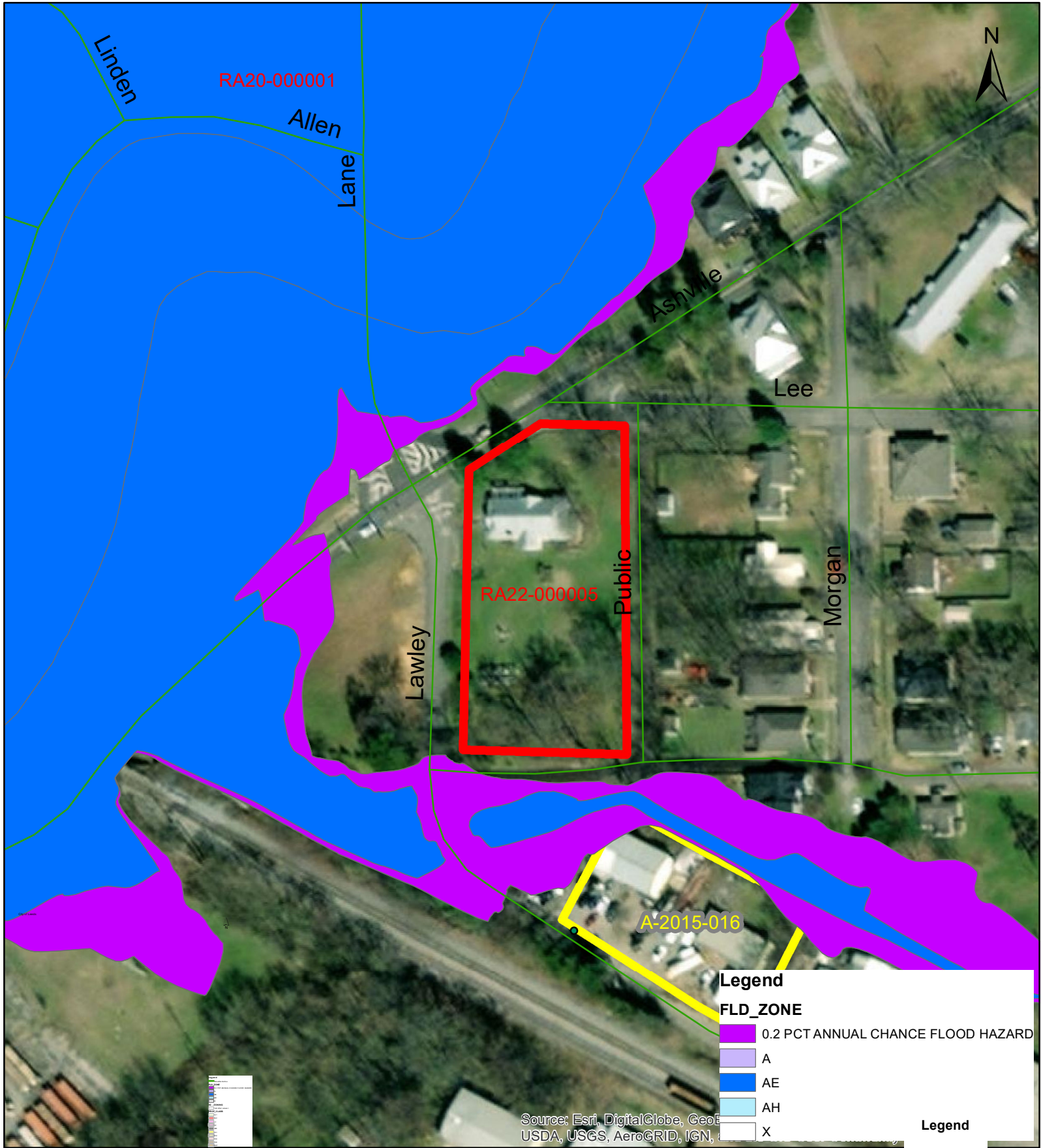
RA22-00005
8163 LAWLEY AVE
2500164013009000
AERIAL



RA22-00005
8163 LAWLEY AVE
2500164013009000
ZONE



RA22-00005
8163 LAWLEY AVE
2500164013009000
FLOOD



File Attachments for Item:

11. Ordinance 2023-04-01: Consider a Modification to the Zoning Ordinance of the R-5, Garden Home District, and R-6, Patio Home District

ORDINANCE NO. RA22-000007

ORDINANCE ASSENTING TO THE MODIFICATION OF THE ZONING ORDINANCE TO MODIFY THE R-5, GARDEN HOME DISTRICT AND TO DELETE THE R-6, PATIO HOME DISTRICT IN THE CITY OF LEEDS, ALABAMA

WHEREAS the Planning Commission of the City of Leeds, Alabama, has voted to recommend to the City Council an amendment to the City's Zoning Ordinance to modify the R-5, GARDEN HOME DISTRICT AND DELETE R-6, PATIO HOME DISTRICT - see the attached exhibit;

WHEREAS, the City of Leeds City Council held a formal public hearing to consider an ordinance to amend the zoning map of the City in accordance with said zoning request on April 3, 2023; and

WHEREAS, Resolution and Proposed Ordinance were published in accordance with State Law and City Ordinance by posting in four (4) conspicuous places.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEEDS, ALABAMA, AS FOLLOWS:

The City's Official Zoning Ordinance shall be amended to **MODIFY THE R-5, GARDEN HOME DISTRICT, AND DELETE R-6, PATIO HOME DISTRICT.**

READ, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Leeds, Alabama, on 04/17/2023.

BE IT FURTHER ORDAINED that the Mayor and City staff shall have the full authority to do those things, perform those functions, and sign necessary documentation to carry out the actions authorized herein.

BE IT FURTHER ORDAINED that the provisions of this Ordinance are severable if any part of this Ordinance is determined by a court of law to be invalid, unenforceable, or unconstitutional; such determination shall not affect any other part of this Ordinance.]

AYES _____
NAYS _____
ABSENT FROM VOTING: _____
ABSTAIN: _____

David Miller, MAYOR

DATE

ATTEST:

Toushi Arbitelle, City Clerk

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Leeds at a regular meeting held on 04/17/2023.

Toushi Arbitelle, City Clerk

§8.00 R-5 Garden Home Residential District

8.01 Intent

To provide areas suitable for the development of residential garden homes along with selected institutional and commercial uses which are integrally related to residential neighborhoods.

8.02 Uses Permitted

The following uses shall be permitted in the R-5 Garden Home District:

- A. Agricultural Uses
 - 1. Non-Commercial Greenhouses and Gardens
- B. Residential Uses
 - 1. Residential Garden Homes
 - 2. Accessory Structures and Buildings, subject to Article VII, § 6.00.
- C. Institutional Uses
 - 1. Home Instruction
 - 2. Public Utility Services
- D. Temporary Uses
 - 1. Garage of Yard Sales, subject to Article VII, § 9.00.

8.03 Special Exception Uses

The following uses may be permitted subject to approval of the Zoning Board of Adjustment and the appropriate permits being issued by the City. See Article VIII, Special Exception Uses, § 1.00 and subsections 1.01 and 1.02.

- A. Commercial Uses
 - 1. Home Occupations, subject to Article VIII, § 9.00.

8.04 Area and Dimensional Regulations

Except as may be provided for elsewhere in this Ordinance, the following area and dimensional regulations shall be required:

Minimum Lot Width at	
The Building Line:	60 Feet

Minimum Lot Area: 6,000 Square Feet

Minimum Yards:

Front 7 Feet
Rear: 5 Feet
Side: 5 Feet

Maximum Height 38 Feet or 2 1/2 Stories

Minimum Livable Floor

Area in Square Feet: One Story – 1,200 Total
One and One-Half Story – 800 First Floor
Second Floor – 400 for total of 1,200
Two Story – First Floor – 700
Two Story – Second Floor – 700 for total of 1,400

Corner Lots: Setbacks shall be the same on streets, roads, or highways.

Note: A Site Development Plan is required for all garden home developments as per Article subsection 2.02.

8.05 Buffer Requirements

As described in the Buffer Matrix and subsection 1.05 of this Article. 8.06

8.06 Additional Regulations

- 1. No fence shall be permitted forward of the front building face of the house, other fences shall not exceed seven (7) feet in height.
2. No two homes constructed in this district shall be closer to one another than fifteen (15) feet.
3. All utilities shall be placed underground.
4. There shall be two (2) paved parking spaces provided for each dwelling, the depth of which shall be measured from the back of the curb. Twenty percent (20%) of the parking shall be dedicated to landscaping. There shall be no on-street parking along existing interior streets.
5. Customary accessory buildings or structures, one (1) per lot, shall not exceed two hundred (200) square feet.
6. All lots shall have vehicular access from the rear of the property (front access shall only be permitted by exception of the Planning Commission)
7. An ADA compliant sidewalk shall be provided on each lot – as designed during the subdivision process. All new subdivisions shall require a sidewalk system (this requirement may be waived upon the issuance of a waiver by the Planning and Zoning Commission).

[END OF R-5, GARDEN HOME RESIDENTIAL DISTRICT]

Delete R-6, Patio Home District

File Attachments for Item:

12. Ordinance 2023-04-02: Consider a Rezoning Request from R-2, Single Family, to T-3, Form-Based Code, at 8163 Lawley Avenue

Notice of Public Hearing

Notice is hereby given that the City Council of the City of Leeds will conduct a public hearing and consider the ordinance detailed below at a meeting on 04/17/2023 at 06:00 PM in the Leeds Annex Meeting Room, located at 1412 9th St, Leeds, AL 35094. Any person wishing to voice their opinion in either favor or oppose the proposed ordinance may do so at the date, time, and location mentioned above.

ORDINANCE NO. (TBD)

ORDINANCE ASSENTING TO THE REZONING OF CERTAIN PROPERTY OR PARCEL FROM R-2, SINGLE FAMILY DISTRICT, TO T-3 FORM-BASED CODE DISTRICT IN THE CITY OF LEEDS, ALABAMA

WHEREAS, the Planning Commission of the City of Leeds, Alabama, has received a request to amend the City's Official Zoning Map and has made a report of their recommendations concerning the rezoning of the following parcel of property from to rezone from R-2, Single Family District to T-3, Form Based Code; and

TPID	Address	Property Owner
2500164013009000	8163 LAWLEY AVE	MILLER LINDA S.

WHEREAS, the City of Leeds City Council held a formal public hearing to consider an ordinance to amend the zoning map of the City in accordance with said zoning request on December 8, 2022; and

WHEREAS, Resolution and Proposed Ordinance were published in accordance with State Law and City Ordinance by posting in four (4) conspicuous places.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEEDS, ALABAMA, AS FOLLOWS:

The City's Official Zoning Map shall be amended to rezone the above-listed parcel of property from R-2, Single Family District to T-3, Form Based Code, according to the City's current zoning regulations.

READ, APPROVED, AND ADOPTED at a regular meeting of the City Council of the City of Leeds, Alabama, on 04/17/2023.

BE IT FURTHER ORDAINED that the Mayor and City staff shall have the full authority to do those things, perform those functions, and sign necessary documentation to carry out the actions so authorized herein.

BE IT FURTHER ORDAINED that the provisions of this Ordinance are severable if any part of this Ordinance is determined by a court of law to be invalid, unenforceable, or unconstitutional; such determination shall not affect any other part of this Ordinance.]

AYES: _____

NAYS: _____

ABSENT FROM VOTING: _____

ABSTAIN: _____

CITY OF LEEDS, ALABAMA

David Miller, MAYOR

DATE

ATTEST:

Toushi Arbitelle, City Clerk

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Leeds at a regular meeting held on 04/17/2023.

Toushi Arbitelle, City Clerk