

MINUTES
December 5, 2023
Irondale City Council Meeting - City Council Chambers, City Hall
Regular Council Meeting at 6:00 p.m.

- I. Invocation and Pledge** – *Councilor Box led the invocation and pledge.*
- II. Call to Order** – *The meeting was called to order by Council President Spivey at 6:02 p.m.*

III. Roll Call

Present

David Spivey, Council President
Aaron Sims
Cindy Cuellar
Robert Box

Absent

John London, President Pro Tem

IV. Approval of Minutes of the Regular City Council Meeting on November 21, 2023.

Councilor Cuellar made a motion to approve the minutes for the Regular Council Meeting on November 21st, 2023. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

V. Approval of Current Bills for Payment (\$238,969.46)

Councilor Box made a motion to approve the bills in the amount of \$238,969.46. This motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

VI. Professional/Consultants' Reports

VII. Mayor's Report, Announcements, Special Guest

VIII. Department Heads' Reports

Councilmembers, Standing Committees, or Special Committee Reports

- A. David Spivey (Economic Dev., Library, Finance, Planning & Zoning)
- B. John London (Parks)
- C. Cindy Cuellar (Water Dept., Judicial Ordinances, CDA)
- D. Robert Box (Senior Activity Center, Public Safety, Abatement Board)
- E. Aaron Sims (Public Works)

IX. Reports of Boards and Non-Council Committees

- X. Executive Session** – (i) *To discuss the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property and* (ii) *to discuss the legal ramifications of and legal options for pending litigation or controversies not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action.*

Councilor Cuellar made a motion to enter Executive Session. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously. Executive Session began at 6:49 p.m.

Councilor Box made a motion to exit Executive Session. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously. Executive Session ended at 7:21 p.m.

XI. Public Hearings

1. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the weeds growing upon or in front of the property located at **2305 2nd Avenue North, Irondale, Alabama 35210** to determine whether the weeds constitute a public nuisance which shall be abated by removal of the noxious or dangerous weeds; and if so, will order the abatement and removal of the nuisance.

Councilor Box made a motion to enter the Public Hearing. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

FOR
None

AGAINST
None

Gretchen Thiel; 2205 2nd Ave. N.

Councilor Cuellar made a motion to exit the Public Hearing. This motion was seconded by Councilor Box. A vote was held and this motion passed unanimously.

2. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the weeds growing upon or in front of the property located at **3932 Rock Ridge Road, Irondale, Alabama 35210** to determine whether the weeds constitute a public nuisance which shall be abated by removal of the noxious or dangerous weeds; and if so, will order the abatement and removal of the nuisance.

Councilor Box made a motion to enter the Public Hearing. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

FOR
None

AGAINST
None

Councilor Box made a motion to exit the Public Hearing. This motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

3. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the weeds growing upon or in front of the property located at **5303 Dixieland Road Drive, Irondale, Alabama 35210** to determine whether the weeds constitute a public nuisance which shall be abated by removal of the noxious or dangerous weeds; and if so, will order the abatement and removal of the nuisance.

Councilor Box made a motion to enter the Public Hearing. The motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

FOR
None

AGAINST
None

Councilor Box made a motion to exit the Public Hearing. This motion was seconded by Councilor Sims. A vote was held and this motion passed unanimously.

XII. Council Deliberation on Agenda Items Only – *The City Council discussed all agenda items.*

XIII. Approval of the Form of the Agenda – *Councilor Box made a motion that the form of the agenda be approved. Councilor Sims seconded the motion. A vote was held and this motion passed unanimously.*

XIV. Public Comments on Agenda Items Only

*Donna Pike; 440 East Ventura Drive
Mary Sherer; 5276 Amber Hills Road*

XV. Consent Agenda

Councilor Box made a motion that item 12 be removed from the Consent Agenda and item 17 be moved from the Regular Agenda to the Consent Agenda, and the Consent Agenda be approved, as amended. Councilor Sims seconded the motion. A vote was held and this motion passed unanimously.

During Council Deliberation on Agenda Items Only Councilor Cuellar requested that item 12 be removed from the Agenda. All Councilors present at the meeting approved this removal.

1. Resolved, That Resolution 2023-R-177 declares certain items from the Irondale Senior Activity Center as surplus and authorizes the disposal of such property by Mayor James D. Stewart, Jr., or his designee, through sale at govdeals.com (*Kelly-Sutton*)
2. Resolved, That Resolution 2023-R-178 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 2305 2nd Avenue North, Irondale, Alabama 35210 as a public nuisance and orders the abatement thereof. (*Pauly*)
3. Resolved, That Resolution 2023-R-179 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 3932 Rock Ridge Rd., Irondale, Alabama 35210 as a public nuisance and orders the abatement thereof. (*Pauly*)
4. Resolved, That Resolution 2023-R-180 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 5303 Dixieland Road., Irondale, Alabama 35210 as a public nuisance and orders the abatement thereof. (*Lawley*)

5. Resolved, That Resolution 2023-R-181 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 5988 Amber Hills Road, Irondale, AL 35210 as a public nuisance and authorizes the abatement thereof. (*Pauly*)
6. Resolved, That Resolution 2023-R-182 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 2309 2nd Avenue South., Irondale, AL 35210 as a public nuisance and authorizes the abatement thereof. (*Pauly*)
7. Resolved, That Resolution 2023-R-183 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 853 Brad Drive, Irondale, AL 35210 as a public nuisance and authorizes the abatement thereof. (*Pauly*)
8. Resolved, That Resolution 2023-R-184 declares the weeds, overgrowth, and noxious vegetable matter located on the premises located at 5966 Amber Hills Rd, Irondale, AL 35210 as a public nuisance and authorizes the abatement thereof. (*Pauly*)
9. Resolved, That Resolution 2023-R-185 appoints Shelly Ann Edge as a trustee for the Library Board for a term ending on September 30, 2026. (*Wilson*)
10. Resolved, That Resolution 2023-R-186 authorizes the Alabama Department of Transportation to complete work for sign replacement on Interstate 459 from I-59/20 (Exit 0) to I-59 (Exit 33). (*Pennington*)
11. Resolved, That Resolution 2023-R-187 authorizes the execution of a Service Agreement with Heidi's Kids in the amount of \$1,000.00 for the provision of food and support to low-income children and families in need in the community. (*Sims*)
13. Resolved, That Resolution 2023-R-189 authorizes the City Attorney for the City of Irondale, Alabama to opt out and/or request for exclusion from the nationwide class settlements related to PFAS for the City and authorizes Mayor James D. Stewart, Jr., or his designee, to execute any documents necessary therefor. (*Morris*)
14. Resolved, That Resolution 2023-R-190 authorizes the execution of Supplement Number 1 to the Memorandum of Understanding with ALDOT for Interstate Lighting. (*Pennington*)
17. Resolved, That Resolution 2023-R-191 authorizes Mayor James D. Stewart, Jr., or his designee, to execute an agreement for the purchase of real estate at 2166 Ruffner Road, Birmingham, Alabama 35210 in the amount of \$145,000.00 plus closing costs for use by the water department. (*Morris*)

XVI. Regular Agenda

New Business

15. Ordained, That Ordinance 2023-34 amends the Zoning Ordinance of the City of Irondale, Alabama set forth in the Irondale City Code with respect to the City’s Recreational Vehicle Park zoning regulations. (*Cuellar*)

Councilor Cuellar made a motion that Ordinance 2023-34 be considered read. Councilor Box seconded this motion. A vote was held and this motion passed with all councilors voting in favor of the motion.

Councilor Cuellar made a motion that all rules that would prevent the immediate consideration of Ordinance 2023-34 be suspended. Councilor Box seconded this motion. A roll call vote was held and this motion passed with all councilors voting in favor of the motion.

Councilor Cuellar made a motion that Ordinance 2023-34 be adopted. Councilor Box seconded this motion. A vote was held and this motion passed with all councilors voting in favor of the motion.

16. Ordained, That Ordinance 2023-35 amends Chapter 17, Article I, Section 17-7(a)(8) of the Irondale City Code to include “Highway 78 to Interstate 459” as a prescribed freight route within the City. (*Pauly*)

Councilor Sims made a motion that Ordinance 2023-35 be considered read. Councilor Box seconded this motion. A vote was held and this motion passed with all councilors voting in favor of the motion.

Councilor Sims made a motion that all rules that would prevent the immediate consideration of Ordinance 2023-35 be suspended. Councilor Box seconded this motion. A roll call vote was held and this motion passed with all councilors voting in favor of the motion.

Councilor Sims made a motion that Ordinance 2023-35 be adopted. Councilor Box seconded this motion. A vote was held and this motion passed with all councilors voting in favor of the motion.

XVI. Public Comments to the Council

*John Gillian; 2225 4th Ave. South
Stephen Marino; 3743 Bainbridge Tr. Dr.
Lynne Marino; 3743 Bainbridge Tr. Dr.
John Bivony; 1296 Shades Terrace
Donna Pike; 440 East Ventura Dr.
Ralph Carp; 3748 Bainbridge Tr. Dr.*

XVIII. Adjournment

Councilor Cuellar made a motion to adjourn the council meeting. Councilor Sims seconded the motion. The meeting adjourned at 8:36 p.m.

Leigh Ann Allison, City Clerk

Read and approved on the 19th day of December 2023.

David Spivey, City Council President