

MINUTES
June 2, 2021
Irondale City Council Meeting
Regular Council Meeting at 6:00 p.m.

I. Invocation and Pledge

Councilmember Wilson led the Invocation and the Pledge of Allegiance.

II. Call to Order Council President Spivey called the meeting to order at 6:00 p.m.

III. Roll Call

Present

David Spivey, President
Bobby Joe Wilson, Pro Tempore
Robert Box
Cindy Cuellar
John London

IV. Approval of Minutes for the Regular Council Meeting on May 19th, 2021.

Councilmember Box moved a motion to approve the Minutes for the May 19th, 2021 Council Meeting and it was seconded by Councilmember Wilson to approve the minutes without revisions.

V. Approval of Current Bills for Payment (\$131,614.19)

Councilmember Wilson moved the motion to approve the payment of the current bills of \$131,614.19 and it was seconded by Councilmember Box.

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
- B. Bobby Joe Wilson
- C. John London
- D. Cindy Cuellar
- E. Robert Box

IX. Reports of Boards and Non-Council Committees

X. Council Deliberation on Agenda Items Only

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 proposed rezoning of the property located at 2605 Edwards Street, Irondale, Alabama 35210 from R-2 and R-3 Residential Districts to a C-2 Commercial District.

Proposed by Ross Graham - 5632 Havenhill Rd, Irondale, AL 35210.
Pat Lowe - 2625 Edwards St, Irondale, AL 35210. Against rezoning.
Donna Pike - 440 E Ventura Dr, Irondale, AL 35235. Against convenience store.

2. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the proposed rezoning of the property located at 2410 Second Avenue North, Irondale, Alabama 35210 from an R-2 Residential District to an I-1 Light Industrial District.

Proposed by William Randle – owner of 2410 Second Ave N, Irondale, AL 35210.

3. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the authorization by the City, pursuant to Amendment No. 772 to the Constitution of Alabama of 1901, as amended, of the terms of the certain Second Amendment to Project Development, Funding and Cooperation Agreement by the City and JJA Properties AL, LLC and BIJ MOTORS AL, LLC. Pursuant to the Second Amendment and in consideration of the public benefits to accrue from the Developer's establishment and operation of such dealership and facilities in the City, the City will make economic development payments to the Developer of the net sales tax proceeds actually received by the City from the upscale Mercedes-Benz automobile dealership and facilities established by the Developer at 750 Mercedes Way off Grants Mill Road in the maximum aggregate amount of \$10,000,000 for a period of twenty years.

James Paul Saucier – 1113 Cloud Crest Dr, Irondale, AL 35210. For the development agreement.

4. Notice is hereby given that a public hearing will be held by the City Council to hear comments from interested citizens concerning the authorization by the

City, pursuant to Amendment No. 772 to the Constitution of Alabama of 1901, as amended, of the terms of the certain Amended and Restated Project Development, Funding and Cooperation Agreement (HEPLEEDS Project) by the City and HEPLEEDS, LLC. Pursuant to the Agreement and in consideration of the public benefits to accrue from the establishment and the operation of such commercial and retail development and facilities by the Developer in the City, the City will make economic development payments to the Developer of the net sales tax proceeds actually received by the City from the development established by the Developer at Old Leeds Road/Grants Mill Road in the maximum aggregate amount of \$6,400,000 for a period of ten years.

Proposed by Bert Boykin – 2001 Park Pl N Ste 540, Birmingham, AL 35203.

James Paul Saucier – 1113 Cloud Crest Dr, Irondale, AL 35210. For the development agreement.

XII. Approval of the Agenda

Councilmember Wilson moved the motion to approve, and it was seconded by Councilmember Box.

XIII. Public Comments on Agenda Items Only

XIV. Agenda

New Business

1. Ordained, That Ordinance 2021-11 rezones the property located at 2605 Edwards Street, Irondale, Alabama 35210 from R-2 and R-3 Residential Districts to a C-2 Commercial District.

Councilmember Cuellar moved that Ordinance 2021-11 be considered read. The motion was seconded by Councilmember Box.

Yes

David Spivey
Robert Box
Cindy Cuellar

No

Bobby Joe Wilson
John London

2. Ordained, That Ordinance 2021-12 rezones the property located at 2410 Second Avenue North, Irondale, Alabama 35210 from R-2 Residential District to an I-1 Light Industrial District.

Councilmember Cuellar moved that Ordinance 2021-11 be considered read. The motion was seconded by Councilmember Box and adopted in a roll call vote.

Yes

Bobby Joe Wilson
David Spivey
Cindy Cuellar
Robert Box
John London

Motion adopted with the approval provision subject to the structure being operated as a “greenhouse/nursery only” per legal counsel.

3. Executive Session – Discussion on pending litigation
4. Resolved, That Resolution 2021-46 authorizes Mayor James D. Stewart, Jr. to execute the Second Amendment to the Project Development, Funding and Cooperation Agreement with JJA Properties AL, LLC and BIJ MOTORS AL, LLC.

Councilmember Wilson moved that Resolution 2021-46 be approved. The motion was seconded by Councilmember Box and adopted in a roll call vote.

Yes

Bobby Joe Wilson
David Spivey
Cindy Cuellar
Robert Box
John London

5. Resolved, That Resolution 2021-47 authorizes Mayor James D. Stewart, Jr. to execute an Amended and Restated Project Development, Funding and Cooperation Agreement with HEPLEEDS, LLC and the issuance of a limited obligation warrant to evidence the obligations of the City to HEPLEEDS under such agreement.

Councilmember Box moved that Resolution 2021-47 be approved. The motion was seconded by Councilmember Wilson and adopted in a roll call vote.

Yes

Bobby Joe Wilson
David Spivey
Cindy Cuellar
Robert Box
John London

6. Resolved, That Resolution 2021-48 authorizes the execution of a lease agreement with Freshwater Land Trust to provide for a canoe launch recreational facility within the City.

This resolution was adopted by unanimous consent.

Motion adopted.

7. Resolved, That Resolution 2021-49 approves the purchase of an EMS Transport Vehicle for the Irondale Fire Department.

Councilmember Cuellar moved that Ordinance 2021-49 be considered read. The motion was seconded by Councilmember Wilson and adopted through a voice vote by the council. Councilmember Cuellar moved, and it was seconded that all rules which would prevent the immediate consideration and adoption of Ordinance 2021-49 be suspended and that unanimous consent granted for the immediate consideration of this resolution. The motion was seconded, and it was adopted during a roll call vote.

Yes

Bobby Joe Wilson
David Spivey
Cindy Cuellar
Robert Box
John London

8. Resolved, That Resolution 2021-50 authorizes Mayor James D. Stewart, Jr. to execute an agreement with Whistle Stop Festival, Inc., an Alabama non-profit corporation, for the 2021 Whistle Stop Festival.

Resolution postponed.

9. Resolved, That Resolution 2021-51 authorizes Mayor James D. Stewart, Jr. to enter into Tax Enhancements Agreements with AVENU Insights & Analytics for the collection of Sales/Use Tax, Rental Tax, and Lodging Taxes for the City.

This resolution was adopted by unanimous consent.

Motion adopted.

10. Resolved, That Resolution 2021-52 authorizes the law firm of Wallace, Jordan, Ratliff & Brandt, LLC to file an appeal with the 11th Circuit Court of Appeals on behalf of the City of Irondale, Alabama in the case of *Norfolk Southern Railway Company, et al., v. Alabama Department of Revenue, et al. No. 13-cv-1305*

This resolution was adopted by unanimous consent.

Motion adopted.

11. Resolved, That Resolution 2021-53 approves the 060 – Retail Table Wine (On or Off Premises) alcohol license for the restaurant by Eat At Panoptic requested by Panoptic LLC located at 1819 Crestwood Boulevard, Irondale, Alabama 35210.

This resolution was adopted by unanimous consent.

Motion adopted.

12. Resolved, That Resolution 2021-54 authorizes Mayor James D. Stewart, Jr. to execute agreements with Jefferson County, Alabama for a roadway project on Grants Mill Road.

This resolution was adopted by unanimous consent.

Motion adopted.

XV. Public Comments to the Council

Francesca Roscoe - 5018 Janet Ln, Irondale, AL 35210. Requested speed breakers and no dumping signs at Janet Ln.

Tori Spearman - 2308 2nd Ave S, Irondale, AL 35210. Asked if the abatement of the property at 2305 1st Ave S, Irondale, would be on the Council's 6-16-21 Agenda.

Donald Dunlap - 1335 Montevallo Rd, Irondale, AL 35210. Thanked the City for the sidewalks around Montevallo Rd., and asked if the City could look into the clogged storm water drain at the intersection of Montevallo Rd. and Vetavia.

Donna Pike - 440 E Ventura Dr, Irondale, AL 35235. Asked the Council to consider having littering fines in their littering Ordinance and consider including these fines on their "No Dumping" signage.

Michael Bynum - 505 Deering St, Irondale, AL 35210. Spoke on the bridges on 16th street and the light poles left on the edge of the interstate by ALDOT.

XVI. Adjournment

Councilmember Wilson moved the motion to adjourn the Council Meeting and it was seconded by Councilmember Spivey.

The meeting was adjourned at 8:23 p.m.

Read and approved on the 16th day of June, 2021.



President, City Council



City Clerk