

MINUTES
October 6, 2021
Irondale City Council Meeting - City Council Chambers, City Hall
Regular Council Meeting at 6:00 p.m.

- I. Invocation and Pledge** Councilor London led the invocation.
- II. Call to Order** The meeting was called to order at 6:03 p.m.
- III. Roll Call**
- Present**
David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London
- IV. Approval of Minutes for the Regular Council Meeting on September 15, 2021.**
- Councilor Cuellar approved the minutes, and it was seconded by Councilor Sims.
- V. Approval of Current Bills for Payment (\$319,085.89)**
- Councilor Box approved invoices of \$319,085.89, and it was seconded by Councilor Cuellar.
- VI. Professional/Consultants' Reports** None
- VII. Mayor's Report, Announcements, Special Guest**
- VIII. Department Heads' Reports**
- Councilmembers, Standing Committees, or Special Committee Reports**
- A. David Spivey
B. John London
C. Cindy Cuellar
D. Robert Box
E. Aaron Sims
- IX. Reports of Boards and Non-Council Committees**
- Marty Schwartz – Chairman of Abatement Board
- X. Public Hearings**
1. Notice is hereby given that a public hearing will be held to hear comments from interested citizens concerning the proposed rezoning of the property located at 1236

Grants Mill Road, Irondale, Alabama 35210 from an R-2 Residential District to a C-2 Commercial District.

For - None

Against – Marty Schwartz – 5540 Havenhill Rd, Irondale, AL 35210. P & Z Board voted against. Carwash is not the best use for the property.

Ann Vaphiades – 1004 Bramble Ln, Irondale, AL 35210. Wants family friendly establishment not a carwash in gateway to Irondale.

Tre Hawkins – 3728 Villa Dr, Irondale, AL 35210. Requests to plan development at the location to give a good impression.

Marcus Farris – online comment – Not in the best interest of the city.

2. Notice is hereby given that a public hearing will be held to hear comments from interested citizens concerning the proposed rezoning of the property located at 2510 Crestwood Boulevard, Irondale, Alabama 35210 from an I-1 Light Industrial District to a MURD Mixed Use Revitalization District.

For - None

Against – Mary Schwartz – 5540 Havenhill Rd, Irondale, AL 35210. Over 600 code violations. Voted for abatement and wants facility torn down and redeveloped as strictly commercial.

Donna Pike – 440 E Ventura Dr, Irondale, AL 35235. Requests a better proposal for the main corridor.

Marcus Farris – online comment – Against rezoning would like to keep property commercial.

XI. Council Deliberation on Agenda Items Only

XII. Approval of the Agenda

Councilor London moved to approve the agenda, and it was seconded by Councilor Box.

Motion adopted by unanimous consent.

XIII. Public Comments on Agenda Items Only

Ross Graham – 5632 Havenhill Rd, Irondale, AL 35210. Requests to delay ad valorem increase for a year. Inquiry about covid increase and special election cost.

Tina Smith – online comment – Why not charge per pickup?

Josh McDaniel – For garbage rate increase and special election for ad valorem rate increase.

XIV. Consent Agenda

1. Resolved, That Resolution 2021-R-111 authorizes an increase in water rates for the City of Irondale. (*Mayor*)
2. Resolved, That Resolution 2021-R-113 approves the 050 – Retail Beer (Off Premises only) and 070 – Retail Table Wine (Off Premises only) alcohol licenses for Victory Marketing LLC dba Sprint Mart 2108 located at 4797 Highway 78 E, Irondale, Alabama 35210. (*City*)
3. Resolved, That Resolution 2021-R-114 declares a weed and other vegetation nuisance for the properties located at 5228 Cornell Dr, Irondale, AL 35210; 4589 Little River Rd, Irondale, AL 35213; and 2314 3rd Ave S, Irondale, AL 35210 and orders its abatement. (*City*)
4. Resolved, That Resolution 2021-R-118 approves a compensation increase of 3% for classified and unclassified employees and retirees. (*Mayor*)
5. Resolved, That Resolution 2021-R-120 authorizes the allocation of \$3,000 in public funds for Cahaba Landing. (*Spivey*)
6. Resolved, That Resolution 2021-R-122 authorizes the execution of a Service Agreement in the amount of \$35,000.00 with the Greater Irondale, Alabama Chamber of Commerce. (*Mayor*)
7. Resolved, That Resolution 2021-R-123 amends Resolution No. 2018-R-8 to provide that certain funding be allocated to Ellard Park in lieu of Ruffner Park. (*Spivey*)
8. Resolved, That Resolution 2021-R-126 establishes and authorizes an employee tuition reimbursement program. (*Mayor*)

XV. Regular Agenda

Items #6, #8, #9, #13, #15, #17, #18, #21 moved from the Regular Agenda to the Consent Agenda and renumbered as #1, #2, #3, #4, #5, #6, #7, #8.

Resolution 2021-R-111, Resolution 2021-R-113, Resolution 2021-R-114, Resolution 2021-R-118, Resolution 2021-R-120, Resolution 2021-R-122, Resolution 2021-R-123, and Resolution 2021-R-126 were approved as amended on the Consent Agenda.

Motion adopted.

New Business

1. Ordained, That Ordinance 2021-18 rezones the property located at 1236 Grants Mill Road, Irondale, Alabama 35210 from an R-2 Residential District to a C-2 Commercial District as requested by Danny Buchanan for commercial use as a car wash. *(PZ Case No. 2021-8-2)*

Councilor Cuellar motioned that Ordinance 2021-R-18 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor Cuellar motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution Ordinance 2021-R-18 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor Cuellar moved, and it was seconded by Councilor London to adopt Ordinance 2021-R-18.

No

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion failed.

2. Ordained, That Ordinance 2021-19 rezones the property located at 2510 Crestwood Boulevard, Irondale, Alabama 35210 from an I-I Light Industrial District to a MURD Mixed use Revitalization District as requested by Siesta Motel Associates for residential, commercial and office use. *(PZ Case No. 2021-8-4)*

Councilor Cuellar motioned that Ordinance 2021-R-19 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor Cuellar motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution Ordinance 2021-R-19 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor Cuellar moved, and it was seconded by Councilor London to adopt Ordinance 2021-R-19.

Yes

John London

No

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar

Motion failed.

3. Ordained, That Ordinance 2021-20 amends Section 2(c) of Ordinance No. 804-89 being an Ordinance for the Levy and Assessment of Automotive Sales Tax in the City of Irondale, Alabama. (*Mayor*)

Councilor London motioned that Ordinance 2021-R-20 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor London motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution Ordinance 2021-R-20 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

John London
Aaron Sims
Robert Box
Cindy Cuellar
David Spivey

No

~~David Spivey~~
~~Aaron Sims~~
~~Robert Box~~
~~Cindy Cuellar~~

Finally, Councilor London moved, and it was seconded by Councilor Sims to adopt Ordinance 2021-R-20.

Yes

David Spivey
Aaron Sims
Robert Box
John London

No

Cindy Cuellar

The motion was passed during a roll call voted.

Motion adopted.

4. Ordained, That Ordinance 2021-21 amends Section 2(d) and 2(e) of Ordinance No. 804-89 being an Ordinance for the Levy and Assessment of Sales Tax in the City of Irondale, Alabama. (*Mayor*)

Councilor London motioned that Ordinance 2021-R-21 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor London motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution Ordinance 2021-R-21 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor London moved, and it was seconded by Councilor Box to adopt Ordinance 2021-R-21. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

5. Ordained, That Ordinance 2021-22 amends Chapter 7.5 Garbage, Refuse and Trash, Section 7.5-15 – Fees and Penalties. (*Mayor*)

Councilor London motioned that Ordinance 2021-R-22 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor London motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution

Ordinance 2021-R-22 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor London moved, and it was seconded by Councilor Box to adopt Ordinance 2021-R-22. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

6. Resolved, That Resolution 2021-R-111 authorizes an increase in water rates for the City of Irondale. (*Mayor*)

Approved on the Consent Agenda.

7. Resolved, That Resolution 2021-R-112 calls for a Special Election by the Electors of the City of Irondale on the question of an increase in Ad Valorem Taxes authorized to be levied in the City of Irondale, Alabama. (*Mayor*) *election on march 22*

Councilor London moved to approve, and it was seconded by Councilor Box.

Yes

David Spivey
Aaron Sims
Robert Box
John London

No

Cindy Cuellar

Motion adopted.

8. Resolved, That Resolution 2021-R-113 approves the 050 – Retail Beer (Off Premises only) and 070 – Retail Table Wine (Off Premises only) alcohol licenses for Victory Marketing LLC dba Sprint Mart 2108 located at 4797 Highway 78 E, Irondale, Alabama 35210. (*City*)

Approved on the Consent Agenda.

9. Resolved, That Resolution 2021-R-114 declares a weed and other vegetation nuisance for the properties located at 5228 Cornell Dr, Irondale, AL 35210; 4589 Little River Rd, Irondale, AL 35213; and 2314 3rd Ave S, Irondale, AL 35210 and orders its abatement. *(City)*

Approved on the Consent Agenda.

10. Resolved, That Resolution 2021-R-115 approves the FY 2021-22 General Fund budget. *(Mayor)*

Councilor Cuellar motioned that Resolution 2021-R-115 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor Cuellar motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution 2021-R-115 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor Cuellar moved, and it was seconded by Councilor Sims to adopt Resolution 2021-R-115. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

11. Resolved, That Resolution 2021-R-116 approves the FY 2021-22 Capital budget. *(Mayor)*

Councilor Cuellar motioned that Resolution 2021-R-116 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council.

Councilor Cuellar motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution 2021-R-116 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor Cuellar moved, and it was seconded by Councilor Box to adopt Resolution 2021-R-116. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

12. Resolved, That Resolution 2021-R-117 approves the FY 2021-22 Water Department budget. (*Mayor*)

Councilor Cuellar motioned that Resolution 2021-R-117 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council. Councilor Cuellar motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution 2021-R-117 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor Cuellar moved, and it was seconded by Councilor Box to adopt Resolution 2021-R-117. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

13. Resolved, That Resolution 2021-R-118 approves a compensation increase of 3% for classified and unclassified employees and retirees. (*Mayor*)

Approved on the Consent Agenda.

14. Resolved, That Resolution 2021-R-119 establishes and authorizes expenditure of coronavirus state and local fiscal recovery funds on a small business relief program in an amount not to exceed \$250,000. (*Mayor*).

Per Councilor Cuellar and legal counsel Resolution 2021-R-119 was approved subject to following federal guidelines.

Councilor Cuellar moved to approve as amended, and it was seconded by Councilor Sims.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

15. Resolved, That Resolution 2021-R-120 authorizes the allocation of \$3,000 in public funds for Cahaba Landing. (*Spivey*)

Approved on the Consent Agenda.

16. Resolved, That Resolution 2021-R-121 rejects the sole Bid for Old Overton Trail Paving and Pipe Maintenance and authorizes the Mayor to Negotiate Pricing and enter into an Agreement. (*City*)

Councilor London motioned that Resolution 2021-R-121 be considered read, and it was seconded by Councilor Box and adopted through a voice vote by the council.

Councilor London motioned, and it was seconded by Councilor Box that all rules which would prevent the immediate consideration and adoption of Resolution 2021-R-121 be suspended and that unanimous consent be granted for the immediate consideration of this resolution. The motion was seconded, and it was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Finally, Councilor London moved, and it was seconded by Councilor Box to adopt Resolution 2021-R-121. The motion was passed during a roll call vote.

Yes

David Spivey
Aaron Sims
Robert Box
John London

Abstain

Cindy Cuellar

Motion adopted.

17. Resolved, That Resolution 2021-R-122 authorizes the execution of a Service Agreement in the amount of \$35,000.00 with the Greater Irondale, Alabama Chamber of Commerce. (*Mayor*)

Approved on the Consent Agenda.

18. Resolved, That Resolution 2021-R-123 amends Resolution No. 2018-R-8 to provide that certain funding be allocated to Ellard Park in lieu of Ruffner Park. (*Spivey*)

Approved on the Consent Agenda.

19. Resolved, That Resolution 2021-R-124 authorizes the expenditure of coronavirus state and local fiscal recovery funds and approves a one-time premium payment of \$1,200.00 for each City employee. (*Mayor*)

Amended subject to include 2 tiers – Level 1 – front lines in uncontrolled environments - police, fire, and public works, water dept workers in the field - \$1,700

Level 2 – All other city employees - \$1,200

Cuellar moved to approve as amended, and it was seconded by Councilor Box.

Yes

David Spivey
Aaron Sims
Robert Box
Cindy Cuellar
John London

Motion adopted.

20. Resolved, That Resolution 2021-R-125 authorizes the Mayor to settle certain claims.
(*Mayor*)

Amended subject to changing the following language “one council member and council president”.

Cuellar moved to approve as amended, and it was seconded by Councilor Sims.

Motion adopted.

21. Resolved, That Resolution 2021-R-126 establishes and authorizes an employee tuition reimbursement program. (*Mayor*)

Approved on the Consent Agenda

XVI. Public Comments to the Council None

XVII. Executive Session – Discussion on negotiations involving matters of trade or commerce

*****(Council will not reconvene following completion of executive session)*****

Councilor Cuellar motioned to enter Executive Session, and it was seconded by Councilor Box.

XVIII. Adjournment

The meeting was adjourned at 8:37 p.m.

Read and approved on the 20th day of October, 2021.

President Pro Tempore, City Council

City Clerk