

**Westover City Council
MINUTES
May 18, 2021**

The meeting of the Council of the City of Westover, Alabama was held in the City Hall in Westover, Alabama at 6:30 p.m. on May 18, 2021.

Call To Order

Mayor Riggins called the meeting to order.

Roll Call – Clerk Meacham

Upon roll call, the Mayor declared a quorum present and the regular session opened for transaction of business.

In Attendance were: Mayor Larry Riggins, Councilmembers: Annette Tyler, Wayne Jones, Roberta Stamp, Susan Lane, Dr. Crisman and Chief Woodley.

Absent: None

Invocation: The invocation was given by Councilmember Dr. Crisman.

Pledge of Allegiance: The Pledge of Allegiance was led by Mayor Riggins.

COMMUNICATIONS

Mayor Riggins welcomed everyone to the Council Meeting and stated he was looking forward to their input and read aloud the City Council Rules Statement posted outside on bulletin board.

Mayor Larry Riggins and Councilmember Wayne Jones attended the Alabama League of Municipalities Convention in Huntsville.

Again, thank you to each of you for being here tonight.

READING AND APPROVAL OF MINUTES OF PREVIOUS MEETING

The May 4, 2021, meeting minutes were presented.

A motion was made by Councilmember Roberta Stamp to adopt the May 4, 2021 minutes as presented.

A second was made by Councilmember Wayne Jones.

The minutes of May 4, 2021 were adopted unanimously as presented.

TREASURER'S REPORT

The April 2021 Year-To-Date detail Treasurer's Report was presented at our pre-meeting.

A motion was made by Councilmember Dr. Crisman to suspend the action of voting on the April 2021 Year-To-Date Treasurer's Report at the next City Council meeting in June.

A second made by Councilmember Susan Lane.

The Council agreed unanimously to consider the April 2021 Year-To-Date Treasurer's Report for adoption at the next City Council meeting in June.

REPORTS OF STANDING COMMITTEES:

A. BUSINESS DEVELOPMENT/PUBLIC SAFETY - Councilmember Susan Lane -

Business Development - We had an entertaining and educational Westover Business Alliance Luncheon on Thursday, April 22, 2021. Thank You to everyone for making the Luncheon a success.

We reached 975 people and had 125 engagements on Facebook. We had a short video due to connection.

The next Westover Business Alliance Luncheon will be on Thursday, July 22, 2021.

Share and like They Westover Business Alliance Facebook page.

"Keep it Local, it Matters"

Public Safety – " I had a great phone conference with Peggy Smith, Regional Manager Community Affairs and Safety for CSX transportation. Peggy reviews the phone log every day, so thank you to all citizens for calling the 800 number when the crossings are blocked. The phone calls are so important to have valid documentation that the crossing is blocked. When Peggy reviews the call-log she begins to make phone calls to find out what is going on at the crossing. Peggy will contact me for lunch or dinner when she is in the metro area and hopefully, we can also meet our train master."

Also, had a great phone conference with Nancy Hudson, Executive Director, Operation Lifesaver, she will continue to update me with details on Rail Safety Week.

There has been some dumping of trash on CR 450, I contacted Randy Cole about clean up and some no dumping signs. I want to Thank Shelby County for their quick response and helping with this. Let's Keep Westover Beautiful...

Mayor Riggins reported that Alabama Department of Economic and Community Affairs (ADECA) last week, did not have information on the Infrastructure dollars that are to be distributed.

- B. EDUCATION/PUBLIC RELATIONS – Councilmember Annette Tyler
Education – The CAPZO certification and re-certification is being offered via Zoom virtual meetings. The classes will be morning and evening and will be held June 9, 11, 14 and 16, 2021 and July 12, 14, 2021. Contact Lavonne Gatlin for more information or to register at LGATLIN@UNA.EDU or (334) 256-765-4787.
Public Relations – None
- C. LIBRARY AND SENIOR PROGRAM – Councilmember Annette Tyler
Library – The Library Is Open.
Senior Program – None
- D. ANNEXATION AND ZONING – Councilmember Wayne Jones
Annexation – No Report

Zoning - Councilmember Wayne Jones reported two applications for homes in the Pine Mountain Preserve have been submitted. There are two lots cleared at the new entrance and the road is now blocked.
- E. PUBLIC HEALTH & SAFETY - Councilmember Dr. Jay Crisman
Public Health – May is National Mental Health Month. Judge Allison Boyd attended one of our City Council meetings declaring May as Mental Health Month and spoke of the importance of this disease. A Proclamation to declare May as Mental Health Month for the City of Westover was adopted. The National Alliance on Mental Illness website is www.NAMI.org has information available as well as the American Foundation for Suicide Prevention at www.AFSP.org.

The Center for Disease Control and Prevention (CDC) released a report last week and now a no mask order has been issued for vaccinated people only.
- F. SUBDIVISIONS & ECONOMIC DEVELOPMENT - Councilmember Roberta Stamp
No Report

REPORTS OF OFFICERS

- Governmental Utilities Services Corporation - Councilmember Annette Tyler – No Report

- Planning Commission – Chairman Ed Stowell – Absent
Councilmember Wayne Jones stated the Planning Commission had a public hearing last week to discuss Fred & Peggy Agee, GeoStone’s case and the Planning Commission approved and sent to City Council for approval.
- Attorney – Mr. William Justice – Absent
- Board of Zoning Adjustments - Chairman Stephen Floyd – Absent
- Westover Fire Department - Chief Micah Woodley – Provided a handout to the Council and reported the following information:

The Department of Motor Vehicle (DMV) accepted the updated court order and title applications for the volunteer vehicles are titles show online to be approved and issued in the City of Westover’s name.

FEMA grants selection that was scheduled to start on April 30, still has not started. Applications have been taken down from the site so it leads me to believe they are in the process of finalizing selections, so hopefully, we will see some rewards released this Friday. The additional documentation I had to provide on the status of our person protective equipment was due today, so it leads me to believe they are getting ready to release awards. Also, have not heard back from RSA regarding our letter of inquiry into becoming a participating agency.

CALL TYPE	APRIL 2021
Structure Fires	0
Vehicle Fires	0
Brush/Wood Fires	0
Medical Complaints	5
Vehicle Accidents	2
Assists	3
Alarms	2
TOTAL	12

OLD BUSINESS:

Mayor Riggins gave an update on Mt. Tabor Annex. The ADA Bathroom, ADA entry way on right hand side and ADA ramp are complete. There are issues with the front door and parking lot and as soon as these issues are resolved we will be able to have Public meetings. The front door is to be special ordered and will take time due to a shortage.

Mayor Riggins gave an update on the Fire Department Construction Project Status. A bid from L.E. Marcus Construction quote, given in an email, to Council in the amount of \$250,462.00. We were expecting it to be \$200,000.00 and we borrowed the \$200,000.00 in April and secured at a good rate. Due to the increase in materials prices keep going up. Mayor Riggins asked the Council to give the Mayor approval to have the authority to sign the contract with L. E. Marcus Construction to renovate the Fire Department.

Councilmember Dr. Crisman ask if the price increase was due to material increase and availability and the Mayor replied, yes. Building steel metal has increased twice since the first quote was given.

A motion was made by Councilmember Susan Lane to grant authority to Mayor Riggins to sign contract agreement for \$250,462.00 with L. E. Marcus Construction, LLC for Fire Department renovations.

A second made by Councilmember Annette Tyler.

Motion for Mayor Riggins to have the authority to sign contract agreement for \$250,462.00 with L. E. Marcus Construction, LLC to renovate the Fire Department was adopted unanimously as presented.

NEW BUSINESS:

Tonight's public hearing is a petition from Fred & Peggy Agee, GeoStone for re-zoning of three parcels of property owned by Fred & Peggy Agee (GeoStone), 11321 Highway 280, Westover, Al 35185. This petition was received on April 17, 2021 and presented to the Planning Commission on April 27, 2021 in a public hearing and approved by the Planning Commission. The general application, petition, annexation, maps and sections from the zoning ordinance with definitions of EC-I and HC were given to the Council.

David Agee, GeoStone – Discussed the case and reasoning for the request. The current map of the property was displayed on the monitor and a copy given to Council.

Mayor Riggins gave the opportunity for the Council to ask questions. There were no questions.

A motion was made by Councilmember Roberta Stamp to Open the Hearing.

A second was made by Councilmember Susan Lane.

The Opening of the Hearing was unanimously as presented.

Mayor Riggins read the rules of the Public Hearing.

Mayor Riggins asked for anyone in opposition to come forward at this time. No one spoke in opposition.

Mayor Riggins asked for anyone in favor would like to come forward at this time. No one spoke in favor.

Mayor Riggins stated that no one to speak in opposition or in favor that a motion be made to close the hearing.

Gene Denny asked to comment. Gene Denny, Camelot Manor – 9481 Highway 55, Westover, does not have an opposition of a man growing his business. Mr. Denny proposed for Geo-Stone to have a type of screening toward the back of Camelot Manor property. Mr. Denny spoke with a Landscape Architect to suggest a proper screening for about five months per year when the trees and bushes are bare which directly affects the beauty in the back of the property. The Landscape Architect recommended large trees with some type of wood or plastic screening that would hide the GeoStone plant especially during the four to five winter months. It is important to have height maybe an eight foot tall screening.

Mr. Denny stated that he had already spent \$2000.00 in landscaping to cover another area. Mr. Denny recommends plant screening and some type of screening that would cover the view.

A motion was made by Councilmember Annette Tyler to Close Hearing.

A second made by Councilmember Dr. Crisman to Close Hearing.

The Closing of the Hearing was closed unanimously as presented.

Mayor Riggins asked David Agee, GeoStone, if he had any issues or concerns with screening at this time and he replied, he did not. Mayor Riggins asked the Council if they have any questions or concerns about this request.

Councilmember Annette Tyler asked Mr. Agee if he was opposed to putting a screen to block the view or has he thought about it. David Agee responded that he has not thought about it because the view is exactly the same. He understands that the Denny's do not want to have a view of GeoStone but it has been there. What we have there now has been there for over ten years. We try to make it as nice as possible on Highway 280 and we are going to replace all the displays and make them brand new and will look gorgeous.

Councilmember Dr. Crisman asked David Agee if the manufacturing will be done inside the closed building to keep dust and noise down during manufacturing and David Agee replied, yes.

Councilmember Wayne Jones asked the building siding structure will be metal or brick and David Agee stated it will be metal. Everything will match the main building and has part stone.

Councilmember Wayne Jones asked if it would be possible for the Council to meet with Mr. Agee at Camelot Manor to look at the view from the Camelot Manor property. Mayor Riggins stated that would be okay.

Councilmember Roberta Stamp read that there is a lot of detail on Commercial screening that has to be conformed. Councilmember Roberta Stamp read aloud Section 78.00 EC-1 aloud.

Mayor Riggins had a request from Mr. & Mrs. Denny and they are in the county now and what is being done at this time is under Shelby County regulations. Mayor Riggins and Councilmember Wayne Jones viewed the property at GeoStone and there is a 40 to 60 feet area that is going to be more visible. Mayor Riggins stated that is not unreasonable asking for help to plant additional screening for the background.

Mayor Riggins asked David Agee, GeoStone if this is something he would be willing to do if this is granted by the Council. David replied that it is not out of the question and if that is what they need to do then will get a quote from a Landscape Company and look at the cost and screening options. Mayor Riggins asked would that be acceptable to Mr. & Mrs. Denny and that there is a space open to the plant. The Denny's replied it was.

Councilmember Susan Lane asked David Agee, GeoStone, how many employees? David Agee replied 5 to 8 employees. Councilmember Susan Lane asked if the operational hours were during the day and David Agee replied yes during the day and no weekends. Councilmember Susan Lane mentioned the bay doors bringing the product out is there where you will load the trucks? David Agee replied no, the product will be on pallets and then a forklift will move them and the product is going exactly where it is already so trucks and loading is going to stay the same.

Councilmember Dr. Crisman asked the hours of operation and when will the trucks be loading and unloading and David Agee replied same as it is now from 7:00 a.m. – 4:00 p.m. David Agee mentioned seasonal for sales for contractors and homeowners on Saturdays and depends on the demand whether it is a half day or all day on Saturday.

A motion was made by Councilmember Dr. Crisman to approve the Pre-Zoning and prior to Annexation of GeoStone as requested.

A second was made by Councilmember Annette Tyler.

The approval of Pre-zoning and prior Annexation of Fred and Peggy Agee, GeoStone was approved unanimously as presented.

READING OF PETITIONS, APPLICATIONS, COMPLAINTS, APPEALS, COMMUNICATIONS, ETC. - None

MOTIONS, RESOLUTIONS, ORDINANCES, ORDERS, AND OTHER BUSINESS:

Mayor Riggins - Ordinance #2021-05-18-1024 - Property to be Re-Zoned EC-I, Economic Commercial (Parcel #08-8-28-0-001-031.000) and was read by Bonnie Meacham, City Clerk Treasurer.

Councilmember Annette Tyler made a motion to Suspend The Rules.

A second was made by Councilmember Wayne Jones.

Mayor Riggins stated a roll call vote is required and Clerk Meacham called roll as follows:

- Mayor Riggins - Aye
- Councilmember Annette Tyler – Aye
- Councilmember Wayne Jones - Aye
- Councilmember Roberta Stamp - Aye
- Councilmember Susan Lane - Aye
- Councilmember Dr. Crisman – Aye

The motion to suspend the rules was voted unanimously.

A motion to adopt Ordinance #2021-05-18-1024 was made by Councilmember Annette Tyler.

A second made by Councilmember Wayne Jones.

Mayor Riggins stated a roll call vote is required and Clerk Meacham called roll as follows:

- Mayor Riggins - Aye
- Councilmember Annette Tyler – Aye
- Councilmember Wayne Jones - Aye
- Councilmember Roberta Stamp - Aye
- Councilmember Susan Lane - Aye
- Councilmember Dr. Crisman – Aye

To adopt Ordinance #2021-05-18-1024 was adopted unanimously.

Mayor Riggins - Ordinance #2021-05-18-1025 – Properties to be Re-Zoned HC (Is HC Highway Commercial) Parcel #08-8-28-0-001-028.002 and Parcel #08-8-28-0-001-

028.003. This Ordinance is the same verbiage as Ordinance # 2021-05-18-1024 with the exception of Parcel numbers and classification as HC.

Mayor Riggins with unanimous consent that this Ordinance #2021-05-18-1025 in entirety with the exception of the Parcel numbers and classification of HC that the reading be dispensed.

Clerk Meacham, read Ordinance #2021-05-18-1025 and the parcel numbers 08-8-28-0-001-028.002 and 08-8-28-0-001-028.003 and that these properties are zoned HC. A motion was made by Councilmember Annette Tyler to Suspend the Rules.

A second made by Councilmember Wayne Jones.

Mayor Riggins stated a roll call vote is required and Clerk Meacham called roll as follows:

- Mayor Riggins -Aye
- Councilmember Annette Tyler – Aye
- Councilmember Wayne Jones - Aye
- Councilmember Roberta Stamp - Aye
- Councilmember Susan Lane - Aye
- Councilmember Dr. Crisman – Aye

A motion was made by Councilmember Roberta Stamp to adopt Ordinance #2021-05-18-1025.

A second was made by Councilmember Susan Lane.

Mayor Riggins stated a roll call vote is required and Clerk Meacham called roll as follows:

- Mayor Riggins - Aye
- Councilmember Annette Tyler – Aye
- Councilmember Wayne Jones - Aye
- Councilmember Roberta Stamp - Aye
- Councilmember Susan Lane - Aye
- Councilmember Dr. Crisman – Aye

Ordinance #2021-05-18-1025 was adopted unanimously as presented.

COUNCIL COMMENTS

Councilmember Dr. Crisman stated he appreciated the Agee's for investing in our community and our state. It is exciting news.

Councilmember Dr. Crisman thanked the Denny's for sharing their concerns for our community as well.

Mayor Riggins thanked everyone for getting him involved in this process and thank you to Mr. & Mrs. Denny for their investment in Westover and concern for their investment and thanked David Agee for being a good neighbor. Mayor Riggins stated he is excited about GeoStone's plant.

Councilmember Annette Tyler thanked them for their annexation into Westover.

ADJOURNMENT:

A motion was made by Councilmember Roberta Stamp to adjourn the meeting.

A second was made by Councilmember Wayne Jones.

Motion passed and meeting was adjourned at 7:43 p.m.

Submitted by,

Larry Riggins, Mayor

Bonnie Meacham, City Clerk – Treasurer