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CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING AGENDA

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

April 04, 2022 @ 6:00 PM

CALL COUNCIL MEETING TO ORDER

ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Anyone wishing to address the Council during the Public Comment section of the meeting must sign in with the City Clerk to provide their name and address.

1. Consider Determination of Certain Conditions to be a Public Nuisance at 142 Willow Street

APPROVE COUNCIL MINUTES

2. Minutes from March 21, 2022

REPORTS OF OFFICERS:

3. Mayor's Report: Mayor David Miller
4. Police Department: Chief Irwin
5. Fire Department: Chief Parsons
6. Municipal Court: Magistrate Roberts
7. Development Services Department: City Administrator Watson

   Over-time report
8. Public Works Department: Public Works Director Warren
9. Social Services Department: Director Bryan

   April 2022 calendars

OLD BUSINESS:

10. Resolution 2022-01-04: Consider Board Member nominations to Moton Foundation

NEW BUSINESS:

11. Resolution 22-000387: Consider Declaring Certain Conditions to be a Public Nuisance at 142 Willow Street
12. Ordinance 2022-04-01: Consider an Employee Handbook update - approving an updated return-to-work policy for employment related injuries
13. Ordinance 2022-04-02: Consider an Employee Handbook update - Pre-employment Physicals Applied to all Job Categories
14. Resolution 2022-04-01: Consider Authorizing a Temporary License Agreement for a Jefferson County Environmental Services Project

15. Resolution 2022-04-02: Consider Authorization of Professional Software and Mobile App Services (Budget neutral and equally funded)
16. Resolution 2022-04-03: Consider Adopting a Council Meeting Public Participation Policy
17. Resolution 2022-04-04: Consider Budget Adjustment to fund vacant Police Department positions and fund relocations of Magistrate's Office and City Court

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.

File Attachments for Item:

1. Consider Determination of Certain Conditions to be a Public Nuisance at 142 Willow Street

PUBLIC

NUSIANCE

142 WILLOW ST

2500282003010000

5

Document:

Date Taken:03/30/2022
Address:142 WILLOW ST

Taken by: Ray Filmore
Case Number:22-000387

6

Document:

Date Taken:03/30/2022
Address:142 WILLOW ST

Taken by: Ray Filmore
Case Number:22-000387

7

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Taken by: Ray Filmore
Case Number:22-000387

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City of Leeds, Alabama

Department of Development Services
1404 9th St. Leeds, AL 35094
205-699-2585 development@leedsalabama.gov

MORGAN MATT D
142 WILLOW ST
LEEDS, AL 35094-4558

Reference: 22-000387
Parcel ID: 2500282003010000

NOTICE AND ORDER TO ABATE

NOTICE IS HEREBY GIVEN THAT MORGAN MATT D is in violation of Chapter 32 of the City of Leeds, Municipal Code. The violation has been investigated, declared a public nuisance by the City Enforcement Officer and must
be abated immediately.
The public nuisance is on property located at: 142 WILLOW ST LEEDS, AL 35094
YOU ARE HEREBY ORDERED TO ABATE SAID PUBLIC NUISANCE within ten (10) days consecutive calendar days from the issuance of this Order. The issuance date is specified below. You may abate the nuisance by
REMOVE ITEMS IN VIOLATION OF ORD. 2016-02-04

Section: Appendix A Article VI
Description: Zoning - District Use Regulations
Corrective Action: Cease and Desist
Comments: Rubbish and debris all around the property.

Section: Sec 32-3
Description: Inoperable/Unlicensed Vehicle
Corrective Action: Remove Offending Vehicles 10 Days
Comments: multiple vehicles on the property, inoperable.

If you fail to abate the public nuisance within ten (10) days, the City may order its abatement by public employees, private contractor, or other means, and the cost of said abatement may be levied and assessed against the property as a special assessment lien or billed directly to the property owner.
This Matter will be heard at a hearing before the City Council on 04/04/2022 at the Leeds City Hall Annex located at 1412 9th St., Leeds, Alabama. The decision of the City Council on this Matter will be final and conclusive.
YOU HAVE THE RIGHT TO BE HEARD at the hearing identified above. You have the right to:
1. Be present at the hearing and to present your evidence against this Order in writing prior to the hearing;
2. Provide your written statement against the Order and to specify the reasons not to enforce the Order, containing your name, address and telephone number,
3. Submit your written statement & request to be heard to the following address within at least 24 hours prior to the subject hearing: **1404 9th St, Leeds, Alabama. (205) 699-2585**
In the event that the hearing results in confirmation of a public nuisance, the City will take the necessary steps to abate the nuisance and assess all costs against the subject property. The City also reserves the right to forward the matter to the Municipal Court for further enforcement actions pursuant to Chapter 32 of the City Code.
If you have any questions regarding this matter, you may direct them to the City Enforcement Officer issuing this Notice at the address or telephone number listed above.

Signed:_____
Enforcement Officer

ISSUANCE DATE: March 24, 2022

File Attachments for Item:

2. Minutes from March 21, 2022

CITY OF LEEDS, ALABAMA

REGULAR COUNCIL MEETING MINUTES

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

March 21, 2022 @ 6:00 PM

CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:05 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 Devoris Ragland-Pierce

ABSENT
Council member Angie Latta

INVOCATION
Council member Eric Turner

PLEDGE OF ALLEGIANCE
Mayor David Miller

APPROVE COUNCIL MINUTES

1. Minutes from March 07, 2022

   Motion to approve March 07, 2022 minutes made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Ragland-Pierce

REPORTS OF OFFICERS:

2. Mayor's Report: Mayor David Miller

3. Police Department: Chief Irwin

   Monthly report is in Council packet.

4. Fire Department: Chief Parsons

   Monthly report is in Council packet. ISO (Insurance Services Office) inspection is on Wednesday, March 23, 2022.

5. Municipal Court: Magistrate Roberts

   February report will be given at next meeting. Amnesty court date is Friday, March 25, 2022.

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

OLD BUSINESS:

There was none.

NEW BUSINESS:

9. Resolution 2022-03-02: Waiver of bond requirement and reduced amount for cash bond for itinerant business.

   Motion to deny Resolution 2022-03-02 made by Council member Washington, Seconded by Council member Turner. Voting Nay: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Ragland-Pierce

10. Resolution 2022-03-03: Consider Business License Waiver of Penalty

    Motion to approve Resolution 2022-03-03 made by Council member Dutton, Seconded by Council member Turner. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Ragland-Pierce

11. Resolution 2022-03-04: Consider Appointment of Trustee to the Leeds Library Board Due to Resignation

    Motion to approve Resolution 2022-03-04, the appointment of Mrs. Linda Miller to finish the term of Mr. Joe Kemp, made by Councilmember Turner, Seconded by Councilmember Dutton. Voting Yea: Mayor Miller, Councilmember Washington, Councilmember Turner, Council member Dutton, Council member Ragland-Pierce

12. Resolution 2022-03-05: Consider Approval of Bid for Senior Program Catering Services

    Motion to approve Resolution 2022-03-05, the bid submitted by Rusty's Catering, made by Councilmember Turner, Seconded by Councilmember Ragland-Pierce. Voting Yea: Mayor Miller, Councilmember Washington, Councilmember Turner, Council member Dutton, Council member Ragland-Pierce

13. Resolution 2022-03-06: Consider Rejection of Cemetery Mowing Bid

    Motion to approve Resolution 2022-03-06, reject the bid of RAM Landscaping, made by Council member Ragland-Pierce, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Washington, Council member Turner, Council member Dutton, Council member Ragland-Pierce

14. Resolution 2022-03-07: Consider Forgiveness of Budget Deficit Invoice for Library Board

    Motion to approve Resolution 2022-03-07 made by Councilmember Turner, Seconded by Councilmember Ragland-Pierce. Voting Yea: Mayor Miller, Councilmember Washington, Councilmember Turner, Council member Dutton, Council member Ragland-Pierce

15. Executive Session

    An Executive Session for the Council under Sections 36-25A-7 (a)(1) and 36-25A-7 (a)(3) was recommended by City Attorney Scott Barnett. None of the items discussed will need a vote afterwards.

PUBLIC COMMENTS

Representative Dickie Drake, Incumbent Candidate for House District 45.

Mr. Jacob Myer, 1527 Parnell Drive, requested the use of office space at the Chamber of Commerce for the Main Street program.

Ms. Susan Dubose, Candidate for House District 45.

Mr. Stan Siegrist, 7040 Briarwood Lane, asked about his previous public records request. Mr. Watson replied the requested records were destroyed when the Records Building's roof leaked.

Mr. Jason King, 8156 Lawley Avenue, praised Public Works cleanup following February storm damage in Dunnavant Road area, requested pothole repair at Lawley/Ashville Road and asked about survey stakes in his yard. Mr. Watson stated that it was not the City who placed them.

Ms. Sandra Bice, 156 Alexander Road, wanted to know if the Library would still have Hoopla.

Rev. Ernest Mitchell, 1480 Dakota Street, asked about the cleanup date, upset about the resolutions dealing with debt forgiveness and complained that the bulk truck has not been to his house.

Ms. Victoria McDonald, 1064 Crest Road, thankful that pothole on President Street had been repaired and questioned how the Library Board applications were accepted.

Mr. Bobby Howard, 7725 Pine Avenue, was complaining about houses in his neighborhood needing repairs (prior to the storms) but the City does nothing.

Mr. Michael Richardson, 7724 Pine Avenue, was questioning the double fee on his porch replacement. Mr. Ray Filmore, City Building Inspector, replied that the problem was that his porch was constructed without City approved plans and without any inspections.

ADJOURNMENT

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

The meeting adjourned at 7:02 pm.

_____

David Miller, Mayor

Attest:

_____

Toushi Artbitelle, City Clerk

File Attachments for Item:

7. Development Services Department: City Administrator Watson

Over-time report

Department Hours- OT

From 03/08/22 to 03/21/22

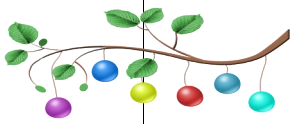
Department	OT 141:45	Totals 141:45
ADM-1	13:42	13:42
CRT-11	0:31	0:31
DEV-50	2:16	2:16
FIRE1-26	40:00	40:00
POL-22	80:27	80:27
STR-80	4:49	4:49

File Attachments for Item:

9. Social Services Department: Director Bryan

April 2022 calendars

April 2022 ~ Senior Center
Monday ~ Thursday, 10:00 am to 2:00 pm
(205)699.0910

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		*Exercise with Paul ~ Mondays, Wednesdays @ 10:45* *Bible Study with Pastor Chuck ~ Mondays @ 12:15* *Line Dancing ~ Wednesdays @ 12:15*			*1*	*2*
3	*4* *Exercise 10:45* *Lunch ($2)* *Bible Study*	*5* *Game Day~* *Lunch ($2)*	*6 We Sew Love @ 10:00* *Exercise 10:45* *Lunch ($2)* *Line Dancing*	*7* *Art* *Lunch ($2)* *RSVP required*	*8*	*9* *"3 On A String"* *Musical Group* *Leeds Arts Ctr* *7:00 pm*
10	*11* *Exercise 10:45* *Lunch ($2)* *Bible Study*	*12* *Game Day~* *Lunch ($2)*	*13* *Exercise 10:45* *Lunch ($2)* *Line Dancing @ 12:30*	*14* *Art with Karen* *Lunch ($2)* *RSVP required*	*15* *Good Friday*	*16*
	18 *Exercise 10:45* *Lunch ($2)* *Bible Study*	*19* *Game Day~* *Lunch ($2)*	*20* *Exercise 10:45* *Lunch ($2)* *Line Dancing @ 12:30*	*21* *Birthday Celebration*	*22*	*23* *Rick Carter - Story Teller* *Leeds Arts Ctr* *7:00 pm*
24	*25* *Exercise 10:45* *Lunch ($2)* *Bible Study*	*26* *Game Day~* *Lunch ($2)*	*27* *Exercise 10:45* *Lunch ($2)* *Line Dancing @ 12:30*	*28* *Art with Karen* *Lunch ($2)* *RSVP required*	*29*	*30*

Leeds Senior Center Newsletter

April, 2022

Welcome to the Leeds Senior Center!

The Center is a great environment of which to be a part. This brief newsletter and calendar is a handy reminder of our regularly scheduled activities; with some specific things noted:

- The Center is open Monday thru Thursday, 10:00 am to 2:00 pm
- Lunch is served at 11:30 each day, and the cost is $2 per person
- All activities at the Center are meant to be fun, enjoyable and optional
- Regular Activities include - Exercise led by Paul Zuckerman on Mondays and Wednesdays at 10:45; Bible study led by Pastor Chuck Kakul on Mondays at 12:15; and Line Dancing on Wednesdays at 12:15
- Tuesday is game day - favorites include Dominos, Phase 10, Sequence and BUNCO
- On Thursdays we have Karen Carroll leading our art class; dates are noted on the calendar
- We will be going to see 3 On A String at the Leeds Art Center, Saturday, April 9. A ticket is required
- Our Birthday Celebration this month is on April 21. **RSVP is required**
- The telephone number for the Center is 205.699.0910
- If you are joining us at the Center for the first time, please make sure your name is on the lunch list or call the Center at 205.699.0910 to let us know you're on the way

See you at the Center.

Audrey

April 2022 ~ Menu ~
Monday ~ Thursday, 10:00 am to 2:00 pm ~ 205.699.0910
Lunch is served at 11:30 ~ $2 per person

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		Exercise with Paul ~ Mondays, Wednesdays @ 10:45 *Bible Study with Pastor Chuck ~ Mondays @ 12:15* *Line Dancing ~ Wednesdays @ 12:30*			*1*	*2*
3	*4* *Pork Scallopini* *Braised Cabbage* *Egg Noodles* *Choc Pie*	*5* *Chicken Wrap* *Green Salad* *Dump Cake*	*6* *Chicken Kabobs* *Grilled Veggies* *Saffron Rice* *Key Lime Pie*	*7* *Supreme Pizza* *Pepperoni* *Broccoli Salad* *Brownies*	*8*	*9* *"3 On A String"* *Musical Group* *Leeds Arts Ctr* *7:00 pm*
10	*11* *Maple Chicken* *Mac & Cheese* *Blackeye Peas* *Banana Pudding*	*12* *Chicken Salad* *Fruit Salad* *Pimento Cheese* *Apple Cobbler*	*13* *Pot Roast* *Mashed Potatoes* *Green Beans* *Choc Chip Cake*	*14* *Sub Sandwiches* *Chips* *Cookies*	*15* *Good Friday*	*16*
	18 *Pulled Pork* *Steamed Broccoli* *Coleslaw* *Fresh Fruit*	*19* *Baked Potato Bar* *w/ Chicken* *Rice Krispie* *Treats*	*20* *Chicken Thighs* *Melon/Feta Salad* *Roasted Potatoes* *Bread Pudding*	*21* *Birthday* *Celebration*	*22*	*23* *Rick Carter* *Story Teller* *Leeds Arts Ctr* *7:00 pm*
24	*25* *Hamburger Steak* *Mashed Potatoes* *Green Beans* *Gooey Cake*	*26* *Chicken Tenders* *Mac & Cheese* *Green Salad* *Coconut Pie*	*27* *Stuffed Shells w/* *Meat Sauce* *Zucchini* *Strawberry Trifle*	*28* *Hamburgers* *Chips* *Banana Pudding*	*29*	*30*

File Attachments for Item:

10. Resolution 2022-01-04: Consider Board Member nominations to Moton Foundation

CITY OF LEEDS

RESOLUTION NO.: 2022-01-04

CITY OF LEEDS BOARD MEMBER NOMINATIONS TO MOTON FOUNDATION

WHEREAS: The Council of the City of Leeds, Alabama previously made certain findings and determinations in regard to the Board of Directors of the Moton Center Educational Foundation, to wit:

1. We hereby vote NO CONFIDENCE in the "group" that currently refers to itself as the board of directors of the Moton Foundation.
2. We hereby declare the actions of this "group" WITHOUT AUTHORITY in the eyes of the Council.
3. We hereby request this "group" to immediately CEASE and DESIST ANY AND ALL actions with regard to the Moton Foundation.
4. We hereby call for nominations for those citizens willing to serve as members of the subject Board and who are willing to work to reestablish the Board and to adhere to its original purpose.

WHEREAS: it is incumbent upon the City to act especially considering that the Council received no additional contact or information in regard to the requests previously made of this valued asset; and

WHEREAS, the City Council is acting on behalf of the citizens of Leeds, as the record owner of the restricted park property associated with the Moton Center, and as the nominating body for Ex Officio voting members of the subject Moton Center Educational Foundation Board; and

WHEREAS, the City publicized the need for candidates to make application for membership on the Moton Center Foundation Board of Directors, and five applications have been received; and

NOW THEREFORE: The Council of the City of Leeds does pass this resolution declaring as follows:

1. The above Recitals are true and correct and included herein this Resolution as if fully set forth.
2. The Mayor and the Mayor Pro Tempore' shall be the appointed Board representatives acting on behalf of the City.
3. The City appointed representatives shall request an official Moton Center Educational Foundation Board meeting to occur and to include invitations to all known elected and Ex Officio Board Members.
4. At the subject called Board meeting, nominations shall be presented for additional citizen Board members to the Moton Center Foundation Board based on the applications received to date by the City Council and any other nominations presented to the subject Board.

ADOPTED and APPROVED this the 4th day of April 2022.

CITY OF LEEDS, ALABAMA

_____ _____

DAVID MILLER, MAYOR DATE

ATTEST: **AYES:** _____

NAYS: _____

ABSENT FROM VOTING: _____

_____ **ABSTAIN:** _____

TOUSHI ARBITELLE, CITY CLERK

In my capacity as City Clerk of the City of Leeds, I hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 4th day of April 2022.

_____

City Clerk

File Attachments for Item:

11. Resolution 22-000387: Consider Declaring Certain Conditions to be a Public Nuisance at 142 Willow Street

CITY OF LEEDS
RESOLUTION 22-000387

RESOLUTION IN DETERMINATION OF CERTIAN CONDITIONS TO BE AN ANNOYANCE AND PUBLIC NUISANCE IN VIOLATION OF CHAPTER 32 OF THE CODE OF ORDINANCES, FOR THE CITY OF LEEDS, AL.

WHEREAS, in accordance with, without limitation, Code of Ordinances for the city of Leeds, Alabama Chapter 32, §11-47-117, and 11-67-60 to 11-67-67 Code of Alabama 1975 (cumulatively referred to as the "Law"), the City Council of the City of Leeds has the authority to determined that certain conditions upon certain properties in the city of Leeds are offensive, produce an annoyance, constitute a threat to the general public health, safety and welfare of the City of Leeds, Alabama and are in fact a public nuisance; and

WHEREAS, employees or agents of the City of Leeds have identified certain conditions to be a nuisance in violation of the law as existing on certain property at 142 WILLOW ST LEEDS, AL 35094, Parcel ID: 2500282003010000 which is identified in Exhibit A attached hereto and incorporated herein (the "Property"); and

WHEREAS, in accordance wit the Law, the City Council of the City of Leeds, after considering the report and the associated notices as presented by staff, may find that the subject conditions identified by the supporting information and documentation related to the subject Property(ies) are a public nuisance and order the immediate abatement of such conditions; and

WHEREAS, the City Council of the City of Leeds may hold a public hearing if requested by the property owner to have the opportunity of being heard and to discuses the conditions as presented; and

WHEREAS, in accordance with the Law, the City of Leeds is to keep an account of the cost of abating or removing the nuisance on any such property when the owner fails to comply with the provided notices; and

WHEREAS, in accordance with the Law, the City Council of the City of Leed desires to make a determination as to whether or not a public nuisance actually exists at the subject Property(ies), based on the information as presented, and potentially order the abatement of any such nuisance(s).

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Leeds follows:

1. All of the Recitals above are true and correct and are hereby incorporated herein as if fully set forth
2. The conditions identified by the Notice(s) of the Public Nuisance, in relation to the Property(ies) identified on the report as Attached hereto as Exhibit A including the requisite notices and supporting information as provided to the Property owner and posted at the Property, and all hereby declared to be a public nuisance in the City of Leeds.
3. The identified public nuisance(s) is relation to the subject Property(ies) shall be abated and/or removed by the City, if necessary, with costs assessed to the subject Property.
4. City staff is to create a report of the related costs for abating or removing any remaining nuisance(s) from the Property and to provide such report back to the City Council for approval of the costs related to the same.
5. The provisions of the Resolution are severable. If any part of the Resolution is determined to be invalid, unenforceable or unconstitutional, such determination shall not affect any other part of this Resolution.
6. The City Budget is amended to fund the deceleration of public Nuisance abatements.

ADOPTED and APPROVED this the 04/04/2022

CITY OF LEEDS, ALABAMA

_____ _____

DAVID MILLER, MAYOR DATE

ATTEST:

AYES	_____
NAYS	_____
ABSENT FROM VOTING	_____
ABSTAIN	_____

_____

Toushi Arbitelle,
CITY CLERK

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on 04/04/2022

_____

Toushi Arbitelle, City Clerk

File Attachments for Item:

12. Ordinance 2022-04-01: Consider an Employee Handbook update - approving an updated return-to-work policy for employment related injuries

CITY OF LEEDS
ORDINANCE NO.: 2022-04-01

EMPLOYEE HANDBOOK UPDATE APPROVING THE UPDATED RETURN-TO-WORK POLICY FOR EMPLOYMENT RELATED INJURIES.

WHEREAS, the City of Leeds Personnel Handbook contains various rules relating to the unfortunate situation wherein an employee has an employment related injury; and

WHEREAS, it is prudent for the City to improve and update such policies to provide clarity and fairness.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Leeds that:

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The following requirements shall be considered the City of Leeds Return-to-work Policy for Employment Related Injuries and shall supplement and be included within the City of Leeds Personnel Handbook as applicable to all City employees:

"5.22 (C)

I. <u>Return-to-Work Policy Purpose</u>

a. *The City of Leeds strives to assist employees to return to work at the earliest possible date following an injury or illness. A return-to-work program has several benefits for both the employer and employees by minimizing time lost from work.*

b. *This policy is not intended to supersede or modify the procedures applicable to employees eligible for reasonable accommodation under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA). Inquiries about the ADA or FMLA should be directed to the human resource department (HR).*

II. <u>Eligibility</u>

a. *The policy applies to regular full- and part-time employees who are on leave due to injury or illness and who are receiving workers' compensation benefits.*

III. <u>Transitional Work</u>

a. *The City of Leeds defines "transitional work" as temporary, modified work assignments within the worker's physical abilities, knowledge, and skills.*

b. *When possible, transitional positions will be made available to injured workers to minimize or eliminate time lost from work. The City of Leeds cannot guarantee a transitional position and is under no obligation to offer, create or encumber any specific position for purposes of providing placement for such a position.*

c. *If an employee refuses transitional work (outside the employee's FMLA benefits period) and the employee satisfies the restrictions and ability to perform the transitional*

position, The City of Leeds is not obligated to provide an alternative position. In such cases, The City of Leeds will notify the insurance carrier of the employee's refusal of the transitional work.

*IV. **Procedures***

a. *To obtain a transitional assignment, the employee must request a return-to-work form and a job description form from HR and provide them to the employee's health care provider for completion.*

b. *If the health care provider releases the employee to return to work on modified duty and has completed the return-to-work and job description forms, the employee should return the forms to HR within 24 hours or as soon as practicable. The employee cannot return to work without the release of their health care provider.*

c. *HR will review the return-to-work form and determine a transitional position for the employee if appropriate and transitional work falls within business needs. A transitional position job description, including physical requirements, will be prepared for review and approval by the employee's health care provider.*

d. *Transitional positions are developed based on the worker's physical capability, the company's business needs, and the availability of transitional work. The City of Leeds will determine the appropriate work hours, shifts, duration, and locations of all work assignments. The City of Leeds reserves the right to determine all transitional work assignments' availability, appropriateness, and continuation.*

e. *It is the employee's responsibility to provide HR with a current telephone number and address so that the employee may be contacted. The employee must notify HR immediately of any and all changes in medical conditions.*

f. *It is the responsibility of the employee and the employee's supervisor to notify HR immediately of any work-related injuries if the employee misses time from transitional work or of any changes to transitional work assignments. HR will communicate with the insurance carrier or health care provider as necessary.*

*V. **Job Offer***

a. *Upon completion of the return-to-work form and the health care provider's approval of the transitional position, a written notice will be prepared by the employer and mailed to the employee's last known address noting the start date, hours, wage, duration, and location of the transitional work assignment. The employee will be asked to sign the notice indicating their acceptance or refusal of the transitional work job offer and return the notice to HR. Copies of the job description, work releases, and the offer of a transitional position will be forwarded to the insurance carrier.*

b. *Any employee returning to a transitional position must not exceed the position's duties or go beyond the restrictions indicated by the health care provider. If any medical restrictions change, the employee must immediately notify their supervisor and provide the supervisor with a copy of the new medical release.*

c. *Supervisors will monitor work performance to ensure the employee does not exceed the requirements set by the health care provider."*

3. 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.
4. The provisions of this ordinance shall be effective following the publication according to law.
5. All ordinances or parts of ordinances in conflict with the amendments contained herein are hereby repealed to the extent of such conflict.
6. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

ADOPTED and APPROVED this the 4th of April 2022.

CITY OF LEEDS, ALABAMA:

_____ _____

DAVID MILLER, MAYOR DATE

AYES: _____

ATTEST: **NAYS:** _____

ABSENT FROM VOTING: _____

_____ **ABSTAIN:** _____

CITY CLERK

In my capacity as City Clerk of the City of Leeds, I hereby certify that the above Ordinance was duly adopted by the City Council of the City of Leeds at a Regular called meeting held on the 4th day of April 2022.

_____

Toushi Arbitelle, City Clerk

File Attachments for Item:

13. Ordinance 2022-04-02: Consider an Employee Handbook update - Pre-employment Physicals Applied to all Job Categories

CITY OF LEEDS
ORDINANCE NO.: 2022-04-02

EMPLOYEE HANDBOOK UPDATE APPROVING THE UPDATED PRE-EMPLOYMENT PHYSICAL POLICY.

WHEREAS, the City of Leeds Personnel Handbook contains various rules relating to the requirement that certain potential employees submit to a pre-employment physical as a condition of employment; and

WHEREAS, it is prudent for the City to improve and update such policies to provide clarity and to apply said policy to all applicants who have been offered employment with the City.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Leeds that:

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The following requirements shall be considered the City of Leeds Mandatory Pre-employment Physical Policy and shall supplement and be included within the City of Leeds Personnel Handbook as applicable to all City employees:

"7.9 EMPLOYEE MEDICAL EXAMINATIONS

After an offer of employment has been made to an applicant for any City job category, a medical examination shall first be performed at the City's expense by a health professional of the City's choice. The offer of employment and assignment to duties is contingent upon the employee's ability to perform the job, subject to reasonable accommodations, based on a job-related physician's medical examination. Misrepresentation as to preexisting physical or mental conditions may void an employee's offer of employment or be reason for immediate termination, no matter when such misrepresentation was discovered by the City and will jeopardize potential workers' compensation benefits.

Current employees may be required to take medical examinations to determine fitness for duty. Such examination will be scheduled at reasonable times and intervals and performed at the City's expense. Information on an employee's medical condition or history will be kept separate from other employee information and maintained confidentially. Access to this information will be limited to those who have a legitimate need to know such as a supervisor or department head."

3. 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.
4. The provisions of this ordinance shall be effective following the publication according to law.
5. All ordinances or parts of ordinances in conflict with the amendments contained herein are hereby repealed to the extent of such conflict.
6. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

ADOPTED and APPROVED this the 4th day of April 2022.

CITY OF LEEDS, ALABAMA:

_____ _____

DAVID MILLER, MAYOR DATE

ATTEST:

_____

CITY CLERK

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

In my capacity as City Clerk of the City of Leeds, I hereby certify that the above Ordinance was duly adopted by the City Council of the City of Leeds at a Regular called meeting held on the 4th day of April 2022.

_____

Toushi Arbitelle, City Clerk

File Attachments for Item:

14. Resolution 2022-04-01: Consider Authorizing a Temporary License Agreement for a Jefferson County Environmental Services Project

CITY OF LEEDS
RESOLUTION NO.: 2022-04-01

RESOLUTION AUTHORIZING A TEMPORARY LICENSE AGREEMENT FOR USE OF CITY PROPERTY

WHEREAS, it has been requested that the City of Leeds allow a Temporary License Agreement with Jordan Excavating Company, LLC, (the "Contractor"), for the purposes of allowing the Contractor the right to use certain City property and right-of-way for a temporary period as a part of a project the Contractor is performing for Jefferson County Environmental Services in the general area.

WHEREAS, said License allows the Contractor to place pipes along City property for the purposes of transporting wastewater to a local pumping station away from a Jefferson County project site; and

WHEREAS, in order for the Temporary License Agreement to be executed by the Mayor, the City Council's permission will be required.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Leeds that:

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The City Council hereby approves the Mayor executing Temporary License Agreement with Jordan Excavating Company, LLC, in substantially the same form as attached hereto.
3. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

ADOPTED and APPROVED this the 4th day of April 2022.

CITY OF LEEDS, ALABAMA

_____ _____
DAVID MILLER, MAYOR DATE

ATTEST:

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

_____
TOUSHI ARBITELLE, CITY CLERK

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 4th day of April 2022.

_____
City Clerk

STATE OF ALABAMA)
JEFFERSON COUNTY)

LICENSE AGREEMENT AND RELEASE

KNOW ALL MEN BY THESE PRESENTS that this LICENSE AGREEMENT AND RELEASE (the "License") is entered into on the _____ day of March, 2022 (the "Effective Date") by the undersigned, City of Leeds, AL **("Owner")** with an address of 1040 9th St. S.E., Leeds, AL 35094, and Jordan Excavating Company, LLC, an Alabama Limited Liability Company (the "**Contractor**") with both sometimes referred to as the Parties.

WHEREAS, the Owner is the owner of certain property within the City municipal limits, which is specifically shown on Exhibit A **(a.k.a. the "Property")**, over which the Contractor has requested to temporarily pass and to generally install temporary facilities to accommodate the movement of wastewater from a Jefferson County sanitary sewer project/construction site to a local treatment facility (inclusively the "**Work**") (see **Exhibit A);** and
WHEREAS, the Contractor has agreed to perform and to be solely responsible for the Work within the subject Property as shown within Exhibit A on or about the Owner's property; and
WHEREAS, in order for the Owner to agree and allow the Contractor to access the Property and to perform the subject Work, which is intended to alleviate sewer overflows in the general area, the Owner requires that the Contractor agree to and execute this Agreement.

NOW THEREFORE, in consideration of the Work and the public benefits generated therefrom, as further defined herein below, along with other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Contractor is Granted a Temporary License to Perform the Work at the Property for a period of six (6) months, and the Parties Agree as follows:

1. The Contractor does hereby agrees to release, acquit, indemnify and forever fully discharge and otherwise save harmless the Owner its agents, assigns, subcontractors, and employees (the "**Owner**"), from any and all claims, damages, actions, costs, demands, causes of action of every kind and nature, whether in tort or in contract, including attorney fees, claims of trespass or property damage, or in any way emanating from, connected with the Contractor's Work, including attorney fees, damages arising from the Work, the Contractor accessing the Property or activity anticipated by this Agreement or the Project.
2. The Contractor hereby acknowledges and agrees that the Contractor's Work being Licensed and allowed by this Agreement from which the Owner is seeking protection includes, without limitation, the following:

a. Accessing, traversing, adding material to, using, excavating, installing lines, transporting wastewater, and any and all efforts, results, ramifications, actions, inactions or activities, either within any portion of the Public Easement or the Owner's Property and whether directly or indirectly provided by or performed by the Contractor to address, construct, work, manage, repair, renovate, install, transport materials, demolish, or otherwise cross certain areas adjacent to or on the Owner's Property and the Easement shown on Exhibit A; and
b. Any and all efforts, results, ramifications, actions, inactions or activities whether directly or indirectly provided by or performed by the Contractor to address, work, install, manage, repair, renovate, demolish, dig or otherwise cross certain areas of the Owner's Property, or otherwise transport water, ground water or wastewater.

3. The Contractor acknowledges that the execution of this License and Release is in full satisfaction, release, and bars any claims, demands and causes of action filed or that could be filed, and that all agreements and understandings of the parties are fully and completely expressed herein.
4. It is further acknowledged and agreed by the Contractor that the Contractor guarantees the quality or adequacy of the Work performed or any materials placed on the Property, and the Contractor makes representation that such Work or materials will be adequate for the intended purposes, and that once the Work is performed and the materials/facilities placed on the Property, the Contractor is under continuing duty to perform any additional Work, maintain, fix or otherwise place any additional materials in relation to the Property as may be necessary and demanded by the Owner. Any Work performed, damages caused, or materials placed on the Property shall be the responsibility of the Contractor and not the Owner.

IN WITNESS WHEREOF, the undersigned, with all requisite authority, have hereunder executed this License Agreement and Release of Claims as of the ____ day of _____, 2022.

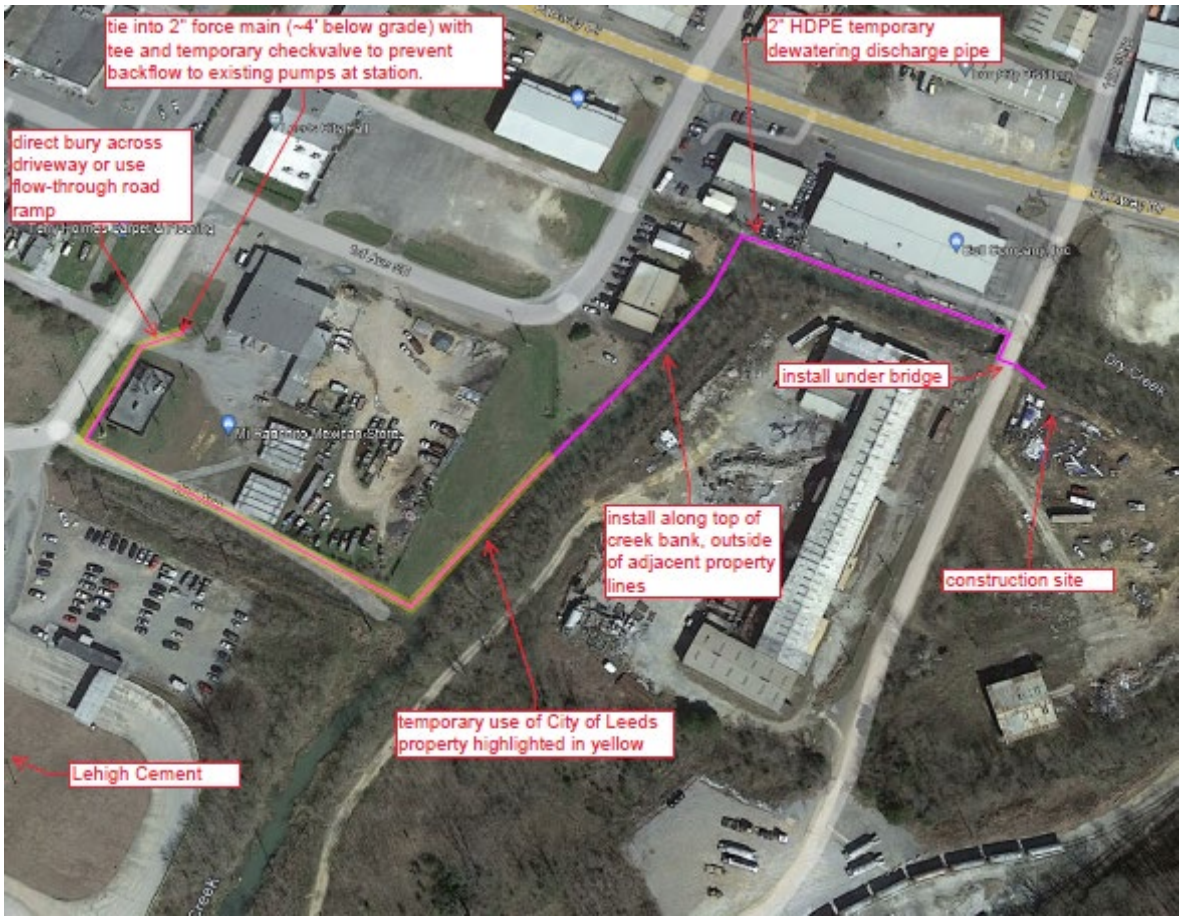
OWNER (s):

_____ _____
Witness

CONTRACTOR:

_____ _____
Witness

EXHIBIT A


tie into 2" force main (~4' below grade) with tee and temporary checkvalve to prevent backflow to existing pumps at station.
2" HDPE temporary dewatering discharge pipe
direct bury across driveway or use flow-through road ramp
install under bridge
install along top of creek bank, outside of adjacent property lines
construction site
temporary use of City of Leeds property highlighted in yellow
Lehigh Cement

File Attachments for Item:

15. Resolution 2022-04-02: Consider Authorization of Professional Software and Mobile App Services (Budget neutral and equally funded)

CITY OF LEEDS
RESOLUTION NO.: 2022-04-02

IN REGARDS TO THE APPROVAL AND AUTHORIZATION OF PROFESSIONAL SOFTWARE AND MOBILE APP SERVICES FOR THE CITY OF LEEDS

WHEREAS, the Govapp.com, provides specialized software and application services and a platform for citizens to remain connected with City government and to easily access City services; and

WHEREAS, Govapp.com has submitted the attached proposal to develop and to host a mobile app for the City of Leeds; and

WHEREAS, the City has determined that the given the custom nature, the proposed value of the service, and the complexity of the service that the service is determined to be exempt from the necessity of bidding.

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Recitals above are true, correct and included herein as if fully set forth.
2. The GovApp.com service proposal is hereby approved subject to the terms and conditions identified within the attached proposal.
3. The City Council hereby finds that it is in the best interest of the City and serves a real public benefit to authorize the aforementioned professional services Agreement.
4. The Mayor and staff shall have the full authority to do those things, to negotiate the terms, to perform those functions, and to sign necessary documentation in order to carry out and complete the actions so authorized herein.

Adopted and approved this the 4th day of April 2022

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

CITY OF LEEDS, ALABAMA

_____ _____
David Miller, MAYOR **DATE**

ATTEST:

_____
Toushi Arbitelle, CITY CLERK

As the City Clerk of the City of Leeds, I hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 4th day of April 2022.

_____
Toushi Arbitelle, CITY CLERK

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City of Leeds - AL Mobile App

Mayor David Miller
City of Leeds

NOT YET SUBMITTED

A Message From Our Founder

Dear Mayor Miller

I wanted to take this opportunity to thank you for your thoughtful consideration of our proposal. As I know you're aware, the mobile space is the dominant information sphere for an ever expanding segment of our population. The need for civic minded organizations to be able to effectively communicate with and better serve their communities is what first inspired me to start the company almost- 10 years ago.

Since that time, we've grown into the Nation's largest provider of government specific apps that allow agencies nationwide to effectively engage with the communities they serve. Our team of dedicated experts has grown to include long serving individuals such as yourself, talented technology visionaries, experienced developers, and top notch sales and support staff; all of whom are passionate about our company's Mission Statement “Serving Those Who Serve”.

Being in on the ground floor of the mobile space has allowed our company to grow along with the technological advancements which now allow us to offer you the absolute best in reliable and effective communication tools to not only help your office effectively serve, but to actively engage your community and build those lasting relationships that mutually benefit the community at large.

As you will see outlined below, our proposed solution is custom tailored to ensure your office puts its best foot forward, can actively inform and interact with the community it serves and that you can easily call your community to action by rapidly disseminating urgent messages, notifications and pertinent agency news.

When you allow us to Serve You, together we ensure your office is harnessing the most effective communication tool each member of your community is already engaging with on a daily basis.

By putting the City of Leeds app in the pocket of those you serve, we help build stronger, safer and more engaged communities, and that is what drives us to continue to provide the absolute best product available on the market today.

We look forward to the opportunity to Serve You and your Community.

Eric Halverson

I Invite you to contact me directly with ANY questions or concerns - eric@thegovapp.com

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We Serve Those Who Serve

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Who We Are

Over the past decade, OCV, LLC has grown to become the premiere app developer for government agencies. With experience serving over 500 government agencies in the US and Canada, our custom apps have allowed offices such as yours to better connect with the communities whom they serve. Our dedicated team of design and support specialist will work to ensure your office's mobile representation professionally and effectively reaches your community.

In addition to offices such as your own, our apps support sheriff offices, police departments, public health departments, and offices of emergency management across the US and Canada.

What We Do

TheGovApp.com develops custom iPhone and Android apps for government agencies around the country. With more custom apps for government agencies than any other developer, TheGovApp.com is the “App Developer of Choice”.

TheGovApp.com works with progressive organizations to develop custom iPhone and Android apps to help harness the growing number of users that leverage mobile devices, when engaging with an organization.

Our team will work with you to provide an app with a custom design, tailored to meet the needs of your office and community. We use modern design techniques to create an iPhone and Android app experience that users will never forget. By choosing TheGovApp.com, you gain a customized mobile application that increases the level of effective communication between your sheriff’s office and community.

Your Representative

Jay Baxter
Communication Strategist

205.305.5377

jay@thegovapp.com

Your Support Team

DRAFT

Made in the USA

Your App

After initial discussions with City of Leeds, our design team has developed a mockup design for the City of Leeds.

The below features are recommendations based on our experience, you will be able to add and remove prior to development.

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Popular Features

- Unlimited Push Notifications
- Forms
- Integrations (JMS, RMS, CAD, etc.)
- Maps
- Blogs
- Calendars
- Social Media Integration (Twitter, Facebook)
- Press Releases
- Directory
- Contact Information
- Galleries
- NWS Alerts/Weather
- Pages
- Weblinks
- FAQ's
- Many More!

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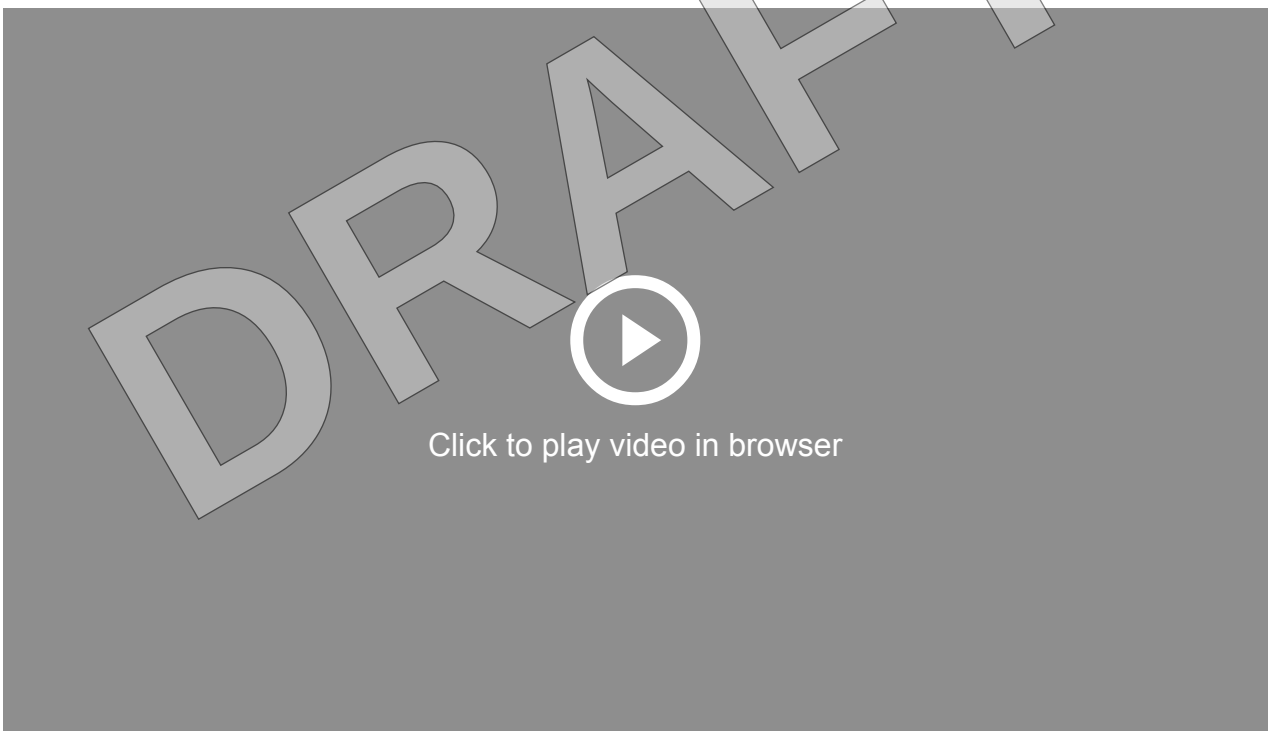
Those that download the app will have the most up to date information from City of Leeds. TheGovApp.com was created to help government agencies better communicate their messages to their organization and community. Our goal is to develop a core group of technology services that allows your organization to create, upload and share content specific to your organization for distribution to others around your county/Parish, State and around the world.

Testimonials

“Many of our customers are moving away from desktop computers and relying solely on mobile devices. My hope is that this app will go a long way in allowing [Berks County citizens] to remain in touch with us through a few taps on your smartphone or tablet.”

Jonathan K. Del Collo
Prothonotary of Berks County (PA)



Your Investment

YEAR ONE	PRICE
iOS Development (Apple App Store) *One-time fee*	$3,995
Android Development (Google Play) *One-time fee*	$3,995
Offender Watch Integration *One-time fee*	$995
Initial Setup Fee (Website Integrations, RMS, NWS) *One-time fee*	$2,260
Year One Support and Maintenance Year One Support & Maintenance	$6,750
☐ **Year 2 Upfront**	~~$6,750~~ $6,412.50 Discount(-5%)
☐ **Year 3 Upfront**	~~$6,750~~ $6,412.50 Discount(-5%)
YEAR ONE TOTAL	**$17,995**

SUBSEQUENT YEARS		YRS	PRICE
Subsequent Year Support and Maintenance	$6,750	1	$6,750 / year

TOTAL ANNUAL FEE (SUBSEQUENT YEARS)	$6,750

Pricing is based on a One year commitment.

****Agreement is no longer valid if executed after Aprill 25, 2022***

INITIALS
David Miller

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Marketing Your New App

As a valuable member of TheGovApp.com family we have many tools available to help maximize the impact and reach of the new City of Leeds mobile app. We have developed a comprehensive marketing package to support the launch and spread of your new mobile community feedback interaction platform.

Additionally we offer additional marketing components designed to maximize the reach and impact in the community your new app will have. These tools are specifically designed to raise awareness of your communities new mobile resource.

DESCRIPTION	PRICE	QTY	SUBTOTAL
Marketing Kit A *Includes, social media graphics, press release, smart banner, digital only print kit*	$995	1	~~$995~~ $0 Discount(-100%)
☐ **Marketing Kit B** Includes everything from Marketing Kit A + (1) Printed Retractable Banner + (1,000) Business Cards w/QR code and + (1) **Premium** video with Voice Over	$1,995	1	$1,995
☐ Premium Marketing Video with Voice Over	$1,495	1	$1,495
☐ Additional Printed Retractable Banner (6') with QR Code	$245	1	$245
☐ Additional Printed Rack Cards with QR Code (Per 1000)	$295	1	$295
☐ Table Tents with QR Code (Per 500)	$395	1	$395
☐ Flyers (Per 1000)	$295	1	$295
☐ Business Cards (Per 2500)	$145	1	$145
TOTAL			**$0**

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Your Project Process

PRE DEVELOPMENT
Subject to Client Availability
Average 1-2 Week

- Contract Signature
- Project Manager Assigned
- Account and Project Manager Align App Content with Our Internal Production Form
- Client is provided with forms and documentation for submission to Google and/or Apple for the formation of their Developer Accounts
- Project Manager finalizes content and integrations for app production

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DEVELOPMENT
Contingent upon Client completion of Pre Development
Average 2-4 Weeks

- Engineering develops first beta of the app with content provided on the production form.
- PM completes a quality control check to ensure content and functionality is working properly.

APP REVIEW
Subject to Client Availability
Average 2 Days

- Project Manager sends iOS and Android release candidates to client for review
- Client reviews app and provides Project Manager with any change requests.
- Project Manager requests Google/Apple approve release of finalized app to App Stores (Avg 5 - 7 day lead time).

APP RELEASE
Subject to Apple/Google Release Channel
Average 1-2 Weeks

- Marketing team finalizes the custom marketing kit for the client to promote the app in their community
- Account and Project Manager complete client training of app control panel
- App is officially released to the App Store

ONGOING

- Client's Account Manger will check in quarterly to ensure that the app is operating as desired and make any changes that are necessary

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Let's Work Together

TheGovApp.com proposes to develop an iPhone and Android app for City of Leeds.

THIS AGREEMENT is made between OCV, LLC (“Host”) having an address at 809 2nd Avenue, Opelika, AL. 36801 and City of Leeds ("Client") having a mailing address at 1400 9th Street, Leeds, AL 35094 and is effective from Not yet accepted: Date Customer Signs Proposal to End Date: 1 year Following Signature (Renewable Annually Thereafter).

1. **SERVICES:** Host agrees to provide custom mobile app development services and support.

2. **BILLING AND PAYMENT:**

Option 1	**OR**	**Option 2**
100% Invoiced Net 30 at Contract Signing		50% Invoiced Net 30 at Contract Signing 50% Invoiced Net 30 upon App approval for Release

Please Type 100% or 50%

PLEASE TYPE TERMS OF PAYMENT (Option 1 / Option 2 / Other and Describe)

Terms (Net 30)

Annual Maintenance / Subscription Payment Schedule - 2023 and Beyond

Total Annual Maintenance / Subscription Fee - Annual fee billed annually on contract anniversary date.

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3. ***TERM AND TERMINATION:** This Agreement is effective as of the date of this Agreement and will extend for a period of One year.

*At the end of the initial contract period, Host will contact the customer for a renewal confirmation. Confirmation is typically communicated through email or other electronic means. Host will also send a renewal invoice 30 days prior to the expiration of this agreement. Receiving the invoice without renewal confirmation does not lock the customer into renewal. Customer will have 30 days to decline renewal. Host retains ownership of all intellectual property rights associated with the services, its technology and any enhancements or modifications thereof.

4. **AMENDMENTS:** This Agreement may be supplemented, amended, or modified only by the mutual agreement of the parties. No supplement, amendment, or modification of this Agreement shall be binding unless it is in writing and signed by all parties.

5. **ACCEPTANCE OF TERMS:** Use of services provided by Host constitutes acceptance of the terms and conditions contained in this agreement and any amendments thereto.

OCV, LLC TERMS AND CONDITIONS

1. **MOBILE APP CREATION AND REVIEW PERIOD:** Upon execution of this contract, the OCVapps team will go to work on designing and building your app(s). At the design phase, we will solicit your initial design ideas, existing graphics and logos and use any other existing asset that you have to set the direction. A mock up / prototype will be developed using graphics and be sent to you for approval/ review. This will happen prior to the start of coding. Upon electronic approval of the prototype images, OCV, LLC will begin coding your app (contingent on having all information from the customer).

Upon completion of the code, OCV will review and test the app at all levels. Once the app passes our internal review and processes, we will upload it to the Apple iTunes Store/Google Play store for official App review and release.

Upon acceptance of the app within the iTunes store/ Google Play store, we will notify you via email/phone. After the App is released in the stores we will train you how to use the control panel and how to update your app. Total elapsed time estimate: ~ 45 - 60 days after all information is provided to Host project management staff.

2. **OCV, LLC Features:** Features will be solidified after contract acceptance.

3. **CUSTOMER/OCV CONTROL:** An OCVapp exists in two parts: the "features" and "content". The features remain static in nature. The "content" is the update-able features that the client can update. OCV will work with your team to ensure that you can edit the "content" via RSS feeds and a custom web accessible control panel. Unless requested of OCV by the client, only the client can make changes to the content within the control panel.

4. **PUSH NOTIFICATION AND OTHER ALERT NOTIFICATIONS:** An OCVapp may be instrumented with a Push notification or other Alert terminology. OCV does not warranty, suggest, or advertise that an OCVapp is designed for life saving immediate warnings. The OCVapp push notification and alert systems are simply intended to give a central location for end users to see the latest information. While it will be the intent of a push notification to be delivered to your OCVapp, it is not something that can be guaranteed. Due to the technical limitations, multiple internet connections and outside factors that are out of the control of OCV, we suggest that our warnings will almost always be delivered in less than a minute. Some instances will show quicker and others slower. There is a chance that during a storm or other emergency, information may slow due to power outages, mobile phone network shortages or outages and many other factors. In severe situations, the feed may not happen at all.

Note: Never assume that the end user has received the push notification. Due to the requirements of the marketplace, push notifications are opt-in services. A user can turn off the notifications at any time or uninstall the app.

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5. **Warranties Disclaimer:** Due to the many links in the overall national and regional communication networks and infrastructure (national/regional cellular/mobile communication networks and their traffic management, land-phone lines and regional switching networks, power grids, etc.) all of which are completely outside the control or monitoring of OCV, OCV disclaims any and all warranties with respect to the Client's use of an App developed by OCV, direct or indirect, including but not limited to warranties of merchantability and fitness for a particular purpose. In no event shall OCV, its affiliates, business partners, service providers, employees, agents, representatives, or shareholders be liable to customer for any incidental, consequential, indirect, special, or punitive damages (including damages due to: service failures, business or service interruptions, etc.) for any aspect of its service outside of OCV's direct control.

IN WITNESS WHEREOF, the parties have executed this Agreement by their duly authorized representatives.

This Agreement, together with the following Attachments, constitute the entire Agreement between the parties with respect to the subject matter hereof, and as of the date this Agreement is executed by both Parties, shall supersede any previous agreements or understandings, written or oral, between the Parties. All modifications to the applicable Compensation arrangement shall be in writing and signed by both Parties and shall not supersede the terms of this Agreement.

The Agreement shall commence on Not yet accepted.

The total cost of the Proposal is $17,995.00.

The total cost for the subsequent years is $6,750.00/year

Cancellation Terms - This Agreement may be terminated immediately by both parties, at any time without cause, complying with a thirty (30) days prior written notice. Material and equipment furnished under this proposal shall remain the property of the seller unit final payment has been received.

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SIGNATURE
Kevin Cummings

SIGNATURE
David Miller

Kevin Cummings, VP of Sales
OCV, LLC

Mayor David Miller
City of Leeds

We look forward to *working with you!*

We serve those who serve.

File Attachments for Item:

16. Resolution 2022-04-03: Consider Adopting a Council Meeting Public Participation Policy

CITY OF LEEDS
RESOLUTION NO. 2022-04-03

AUTHORIZING PUBLIC PARTICIPATION POLICY DURING CITY COUNCIL MEETINGS

WHEREAS, the City Council of the City of Leeds is empowered to receive and encourages public comment during City Council meetings, and the Council welcomes input from members of the community so that elected officials and City staff can more effectively govern City affairs and serve Leeds residents; and

WHEREAS, subject to the right of free speech of every citizen, the City Council may adopt reasonable time, place, and manner parameters for receiving public comments; and

WHEREAS, the City Council has studied best practices and legal guidelines pertaining to receiving public comments, preparing minutes, and running efficient meetings according to rules of parliamentary procedure; and

WHEREAS, the City Council has determined that updating its policy pertaining to receiving public comments will enable the City Council to conduct business more efficiently during meetings, provide ample opportunity for residents to weigh in on matters of public concern within and outside of City Council meetings, and enhance security for residents attending the meeting and the City's computer networks.

BE IT HEREBY RESOLVED by the City Council of the City of Leeds, Alabama, as follows:

1. This Resolution and any actions contained herein are meant to complement the authority of the Mayor, and nothing herein approved or intended by this Resolution shall usurp, negate or otherwise contravene any authority or discretion of the Office of Mayor including, without limitation, the authority to manage and preside over meetings or otherwise act as the Chief Executive Officer of the City.

2. The following Policy is hereby approved in regard to the City Council meetings, receiving public comments, conducting public hearings, and providing for recording during City Council meetings. This Policy is not intended to limit the discretion of the Mayor as the presiding elected officer.

CITY OF LEEDS
PUBLIC PARTICIPATION POLICY

Public Comments Section of the Agenda:

- Before or during the Council meeting, speakers must sign up for Public Comments via the City's automated SMS system or by filling out a card or information sheet available from the City Clerk.
- The Mayor will call speakers in the order that they sign up via the automated form or information sheet.
- Speakers who would like to address general City business and agenda items must either speak during the Public Comments portion of the meeting and/or submit their comments in writing to the Council.
- During the Public Comments portion of the agenda, all speakers will have a maximum of two minutes to address the City Council unless in the discretion of the Mayor it’s in the best interest of the City to allow additional time.
- No speakers will be allowed to speak more than once during Public Comments or give their surplus time to other speakers.
- Speakers signing up for Public Comments prior to the City Council meeting are encouraged to provide additional information about the topic to be discussed. Doing so will allow City Staff to research the issue and potentially provide a resolution or more information by the time of the meeting.
- Speaker comments shall be directed to the Mayor and/or to the City Council.
- The Mayor may limit comments that are repetitious or irrelevant to the City.
- Council members or the Mayor are not mandated to respond to questions from Speakers.

Public Hearings Section of the Agenda:

- Speakers and public hearing applicants who would like to address agenda items listed under the Public Hearings section of the agenda must reserve their comments for the public hearing.
- Before or during the Council meeting, speakers must sign up for the public hearing at which they would like to address Council via the City's automated SMS system or by filling out an information sheet available from the City Clerk.
- During the Public Hearings section of the agenda, the Mayor will call speakers in the following order, and speakers will observe the following time limits:
  1. Project initiator, applicant, owner or agent of business or property that is the subject of the hearing (10 minutes).
  2. Residents within the noticed area of the subject property (2 minutes).
  3. All other members of the public (2 minutes).
- No speaker may speak more than once during a public hearing or give surplus time to other speakers.
- The Mayor maintains the discretion to allow rebuttals during public hearings or to allow speakers to talk more than once if new information has been presented to the City Council.
- The Mayor may limit comments that are repetitious or irrelevant to the subject of the public hearing.

General Rules:

- Speakers must state his or her name and City Council district, street, or neighborhood prior to presenting comments.
- Speakers must provide their name, address, telephone number, and e-mail address on the City's SMS sign-up system or card so that City staff or council members may follow up with them. The City will not disclose speakers' personal contact information.
- Speakers shall address their remarks to the City Council and/or the Mayor.
- Speakers who are part of a group with the same position on a matter are encouraged to select one representative to present their views to the City Council (ex: HOA members with a position on rezoning may consolidate their comments and present them through a representative of the organization.).
- Speakers who would like to present a power point or other digital media must transmit and/or deliver their presentations to the City Clerk by 3:00p.m. on the Thursday preceding the City Council meeting. Electronic files brought to the City Council meeting at the time of the meeting will not be loaded for use, and the City will not plug in outside computers, players, or presentation devices into its network.
- Speakers must supply their own associated devises, resources and/or materials and shall not rely on City staff for same.
- If someone cannot attend a meeting or public hearing, the City Council will accept e-mails, letters, or phone calls. Written correspondence must be submitted to the City Clerk's office by noon on the day of the Council meeting. City Council welcomes and will read written correspondence pertaining to agenda items prior to the Council meeting, but they are not required or expected to read correspondence out loud and verbatim during the meeting. Written correspondence for public comments will not be a part of the City's minutes, but written correspondence that is germane to the subject of public hearings will be summarized in the minutes.
- Individuals wishing to video or audio record the Council meeting must adhere to the following procedures so that the City can notify people attending the meeting, particularly minors, that they may be recorded:
  - Anyone planning to record all or a substantial portion of the public comments, public hearings, or the business portions of the meeting must place recording equipment (e.g., cameras, phones, tripods, etc.) in an area designated by the Mayor.
  - When the Council meeting begins, the Mayor will announce to those attending that the City and others are recording the meeting.
  - Video and audio recordings must be performed in such a way that they do not disrupt or interfere with the Council's operation of the meeting or others who are attending the meeting.
  - Arrangements for placing special microphones or lighting equipment must be coordinated with City staff prior to the start of the meeting.
- Individuals who would like to request reasonable accommodations pursuant to the Americans with

Disabilities Act may direct their requests to the City's ADA Coordinator.

- City Council members will not engage in dialogue or Q&A with speakers, but they will forward all questions to City staff for a response within a reasonable timeframe during or after the meeting. Any document requests must be submitted to the City Clerk's office.
- The City Council will not comment on pending claims or lawsuits. The City takes allegations of misconduct seriously, and any such concerns should be reported to the Mayor or City Attorney's office so that City staff can address concerns through proper procedural channels, protect the legal and privacy interests of involved parties, and provide consistency in review and resolution of claims or disputes.
- Disruptive behavior including the use of outbursts, profanity, threats, vulgar or threatening gestures are not proper for City Council meetings or as part of correspondence to the City Council. Speakers who are disruptive may be removed from the City Council chambers.

BE IT FURTHER RESOLVED that the City Clerk shall provide copies of this policy to Leeds residents upon request, shall publish the policy on the City website, and shall provide current contact information for the appropriate City officials described in this Resolution.

BE IT FURTHER RESOLVED that each and every provision of this Resolution is hereby declared to be an independent provision, and the holding of any provision hereof to be void or invalid for any reason shall not affect any other provision hereof.

Done this 4th day of April 2022.

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 Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 4th day of April 2022.

_____
Toushi Arbitelle, City Clerk

File Attachments for Item:

17. Resolution 2022-04-04: Consider Budget Adjustment to fund vacant Police Department positions and fund relocations of Magistrate's Office and City Court

CITY OF LEEDS
RESOLUTION NO.: 2022-04-04

APPROVING BUDGET ADJUSTMENTS FOR MUNICIPAL COURT AND POLICE DEPARTMENT

WHEREAS, municipal court funds are restricted for use by both general statutory law and the Alabama Rules of Judicial Administration; and

WHEREAS, the City Council is required to authorize and to direct the spending of municipal court funds in regard to capital expenditures; and

WHEREAS, the Court funds in question are needed to facilitate the relocation of the courtroom and magistrates' office to a centralized location in an underutilized section of the Civic Center Building.

WHEREAS, this capital project will free up space at the current office location of the Magistrate for use by the Police Department, will provide greater security and in turn increase the safety of staff; and

WHEREAS, there exists vacant officer positions in the Police Department which were not previously funded by the current City budget, and in order to fill those positions with officers as is being requested, the Council must amend the budget from reserves to allow such expenditures.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Leeds that:

1. The Recitals above are true, correct, and included herein as if fully set forth.
2. The City Clerk shall adjust the City budget in such a manner so as to allow for the one-time use and re-allocation of funds, not to exceed $250,000.00, from the restricted Court funds to be expended on the project to relocate the City Magistrate's Office and City Court within the Civic Center.
3. The City Clerk shall adjust the City budget in such a manner so as to allow the fully funding of all unfunded and unfilled officer positions within the Police Department, not to exceed $125,000.00 from current reserve funds during the current fiscal year.
4. The Mayor and staff shall have the full authority to do those things, perform those functions, make such decisions, and to sign necessary documentation in order to carry out and fully complete the actions so authorized herein.

ADOPTED and APPROVED this the 4th day of April 2022.

CITY OF LEEDS, ALABAMA:

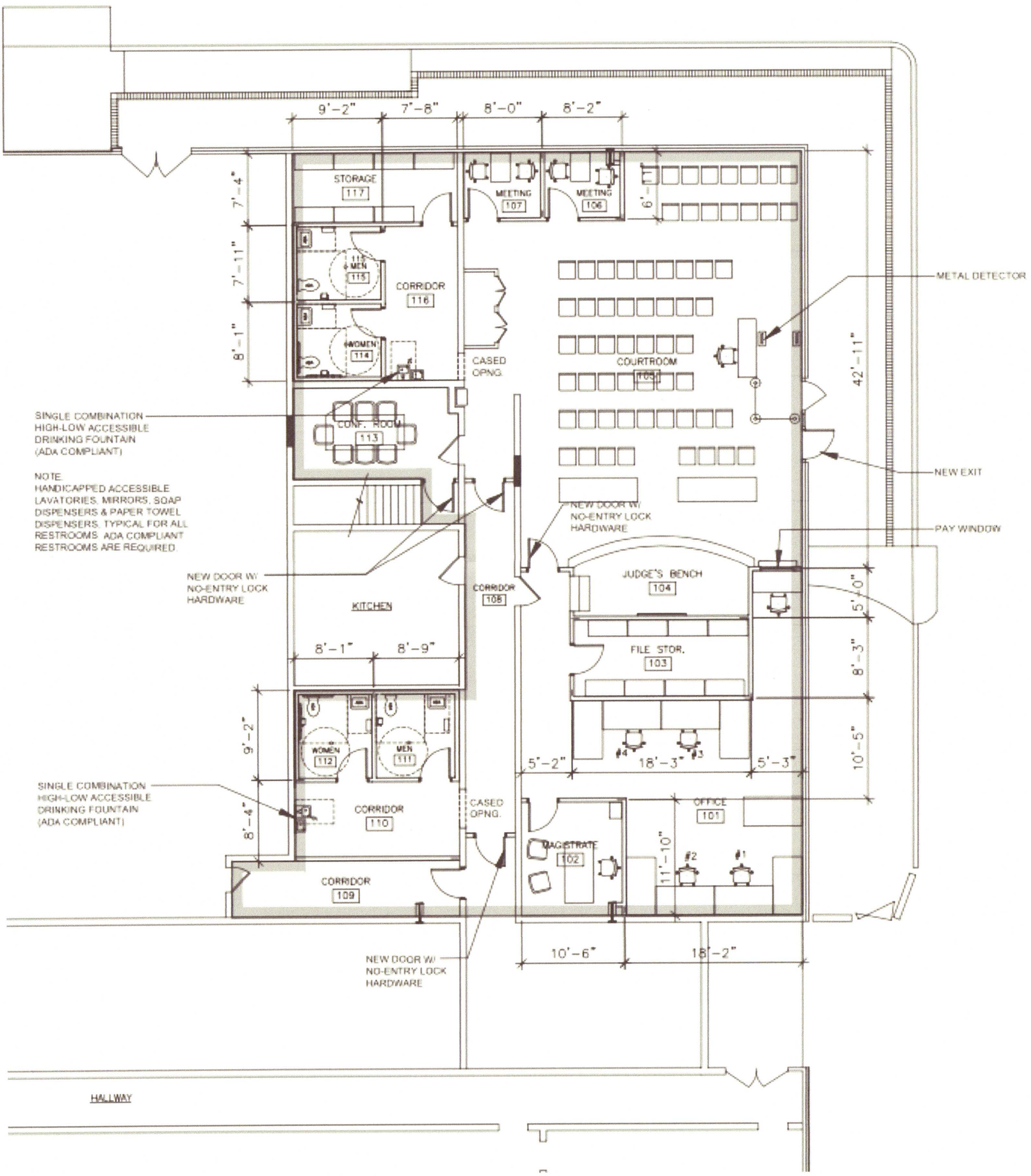
_____ _____
DAVID MILLER, MAYOR DATE

AYES: _____
ATTEST: **NAYS:** _____
ABSENT FROM VOTING: _____
_____ **ABSTAIN:** _____
TOUSHI ARBITELLE, CITY CLERK

I, Toushi Arbitelle, City Clerk of the City of Leeds, hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 4th day of April 2022.

_____
Toushi Arbitelle, City Clerk

Police Department	$ 125,000.00
(General Fund)	
(Fully Fund Vacant Positions)	
Magistrates Office	$ 250,000.00
(Restricted Al Trust Fund)	
Including modifications to Gym	


9'-2"
7'-8"
8'-0"
8'-2"
STORAGE
117
MEETING
107
MEETING
106
6'-
7'-4"
7'-11"
8'-1"
MEN
115
CORRIDOR
116
WOMEN
114
CASED OPNG.
COURTROOM
105
METAL DETECTOR
42'-11"
SINGLE COMBINATION HIGH-LOW ACCESSIBLE DRINKING FOUNTAIN (ADA COMPLIANT)
CONF. ROOM
113
NOTE:
HANDICAPPED ACCESSIBLE LAVATORIES, MIRRORS, SOAP DISPENSERS & PAPER TOWEL DISPENSERS, TYPICAL FOR ALL RESTROOMS. ADA COMPLIANT RESTROOMS ARE REQUIRED.
NEW EXIT
NEW DOOR W/ NO-ENTRY LOCK HARDWARE
PAY WINDOW
NEW DOOR W/ NO-ENTRY LOCK HARDWARE
JUDGE'S BENCH
104
CORRIDOR
108
KITCHEN
5'-0"
8'-1"
8'-9"
FILE STOR.
103
8'-3"
9'-2"
WOMEN
112
MEN
111
10'-5"
5'-2"
18'-3"
5'-3"
#4
#3
SINGLE COMBINATION HIGH-LOW ACCESSIBLE DRINKING FOUNTAIN (ADA COMPLIANT)
8'-4"
CORRIDOR
110
CASED OPNG.
OFFICE
101
MAGISTRATE
102
11'-10"
#2
#1
CORRIDOR
109
10'-6"
18'-2"
NEW DOOR W/ NO-ENTRY LOCK HARDWARE
HALLWAY