

CITY OF SPRINGVILLE  
RESCHEDULED REGULAR  
CITY COUNCIL MEETING

JULY 5, 2023

The City Council of the City of Springville met in a rescheduled regular session on Wednesday, July 5, 2023 at 8:00 a.m. at Springville City Hall. Mayor Dave Thomas presided and City Clerk Lynn Porter served as recording secretary.

Those members answering present to roll call were as follow:

District 1	Councilmember Herbert Toles
District 2	Councilmember David Vinson
District 3	Councilmember Austin Phillips
District 4	Councilmember Katrina Hennings (in route)
District 5	Councilmember Tim Walker
District 6	Councilmember Marshall Parker

Mayor Dave Thomas

Absent: District 7 Councilmember Sherry Reaves

Others present in official capacity: Attorney James Hill

Mayor Thomas called the meeting to order. Reverend Mike Ennis was called upon to give the invocation, followed by the pledge to the flag.

The minutes of the June 19, 2023 meeting were presented for approval. Councilmember Parker moved they be approved, seconded by Councilmember Toles, and the motion carried.

The agenda was presented for approval. Councilmember Vinson moved the agenda be approved, seconded by Councilmember Phillips, and the vote was unanimous.

Public Works Director Earl Peoples addressed the Council on refurbishing two water tanks. He stated this is more than just painting them. The cemetery tank and the clear well tank will be sand blasted, recoated, and painted and repairs made as needed. ADEM began requiring that tanks be refurbished every five years. He stated these are the two with the greatest need, and he will do two more next fiscal year, and keep a rotation. The company that has done our work for many years has given us a quote of \$47,750.00 for the two tanks. This can be paid from ARPA funds.

Councilmember Vinson asked if the bid law had been increased and Attorney James Hill replied yes, it has been increased to \$100,000 effective August 1, 2023.

Councilmember Parker moved the quotation to refurbish two water tanks be approved, seconded by Councilmember Walker, and the vote was unanimous.

Mayor Thomas stated we need to go into an executive session to discuss a written complaint about an employee.

Councilmember Hennings arrived at 8:10.

Attorney Hill read a statement justifying the executive session, and placed a copy for the record with the clerk. He stated he anticipated this would take five to ten minutes and would anticipate no action. Councilmember Parker moved the City Council go into an executive session, seconded by Councilmember Toles, and upon a roll call vote, the results were as follows:

Yeas: Councilmembers Toles, Vinson, Phillips, Hennings, Walker, and Parker,  
and Mayor Thomas

Nays: None

The City Council returned to the dais at 8:38 and continued the meeting.

The Park Master Plan was brought up. Mayor Thomas stated Parks Director Rick Hopkins is on vacation. He stated he needed to cover a couple of things. He stated after taking office he talked to Rick and they found \$10,000 in his budget for a master plan. He stated he met with James Matthews of Game Day at Argo. Williams Blackstock gave us a proposal at that time for \$10,000. It has been updated with our RFP to \$26,000. While the Game Day proposal is considerably higher, I say, the two proposals are not apples to apples. We have a photo at the park office with lines on it that we call a master plan, that was done by Williams Blackstock. During our 150<sup>th</sup> anniversary celebration, Williams Blackstock was asked to do a rendering for an entry to Big Springs Park. We received a bill for \$3,205. Williams Blackstock did a master plan when we started developing our sports complex, and I do not think we got what we paid for. He stated in the back of their proposal there is a list of their players giving job descriptions and hourly rates. Using these rates and looking at their submission, this would only be a few hours worth of work. The City Council approved a quotation to finish the nature preserve entrance. I have spoken to the County Commission and they have agreed to pay for this work, not to exceed \$35,000. When we take this amount with the quote from Williams Blackstock, we get closer to the cost for Game Day.

Councilmember Phillips pointed out that we are talking \$144,000 for Game Day versus \$26,000 for Williams Blackstock. He stated he has spoken to other industry people who say the average cost is \$60,000. He stated he is not able to reconcile the price difference. He stated the prices quoted by each company should be for the work required in the RFP, and only additional work requested would be at those rates.

Attorney Hill stated the reason for the RFP was so both entities were quoting on the same work for purposes of evaluation. The City outlined what they expected to be done. The hourly

prices given were for any work outside of that contract, not for the contract itself, and it is pretty standard that these are included.

Mayor Thomas stated we need to engage Game Day for consulting. Williams Blackstock is an architectural company. He stated what they presented to us is not what we will sign. He stated he would like to negotiate with them to get something that will leave a legacy.

Councilmember Vinson stated he felt this was an excessive amount. He stated Williams Blackstock is a good company. They did the park projects in Vestavia Hills and in Gardendale. He stated that he cannot justify the difference in the cost. Game Day is a good company but the price is excessive for the same scope of work.

Mayor Thomas stated he felt we are ready to go to that level. He stated he is working with the County Commission to see if we can get assistance. He stated he could not force the City Council to approve this contract, but the City Council cannot force him to agree to their wishes either. He stated for the rest of this administration the park will just sit there.

Mayor Thomas asked was Williams Blackstock the one who did the multipurpose field?

Councilmember Phillips said no, we deviated from the conceptual plan we had because we needed additional fields. He stated he would disagree with the Mayor's earlier statement, as with the RFP we are now comparing apples to apples. Game Day started as a turf and artificial turf company and evolved into park development. Game Day has less experience in developing master plans. Game Day wants a \$44,000 consulting fee and then \$100,00 for a master plan versus \$26,000 for the whole process. He stated he did not see the debate.

Mayor Thomas stated Williams Blackstock does not get us what we need. The Council did not follow the first plan they prepared, so why would we have them prepare another? If the Council is amenable, we could ask Game Day to use Williams Blackstock as their architect. He stated his goal is to build a facility. Williams Blackstock will have to look for a contractor.

Councilmember Phillips stated the master plan and building the park are two different things. This plan will not build the park. Once the plan is in place, we will then bid the construction. We will have input in the plan and they will prepare a plan to incorporate our needs and wants, and lay out fields, restroom and concession facilities and parking, and all the other elements. Williams Blackstock has a track record in design. Then on the construction side, once we have the master plan, the site drawings with specifications on curbing, detention ponds, and the finishes will be prepared. Then the project will be placed for bid with general contractors and awarded for construction. This is the progression no matter which company we choose.

Mayor Thomas stated, bottom line, where he stands is we have a couple of legacy projects. We have the nature preserve and one that cannot be discussed yet, and the sports complex.

Councilmember Walker stated he tried to take the RFP and the proposals and tie back to the four elements and could not do so.

Mayor Thomas stated he did not want his name on a project that does not go all the way. He stated if we cannot compromise, then the park cannot be taken up.

Attorney Hill was asked if the Council could award this contract, and he replied certainly, the ability to award a contract lies with the City Council, and to designate the contract will be signed by the Mayor or the Mayor Pro Tem.

Councilmember Toles asked, if we get the same thing with the plan, what is the argument.

Councilmember Walker stated he felt the pricing was skewed.

Mayor Thomas stated he also has done his due diligence and Vestavia Hills paid \$50,000 for their master plan. This proposal is to engage a consultant and develop a master plan.

Councilmember Phillips asked why we would pay \$40,000 for consulting when Vestavia paid \$50,000 for their entire plan?

Councilmember Hennings stated the reason we deviated from the original plan was not because the City Council did not want to follow it, but it was a reflection of what the City Council was allowed to do. There was not adequate funding to implement the plan.

Mayor Thomas stated the multipurpose fields were not a part of the master plan, but they were done anyway, there is no point in having a plan if it is not followed.

Councilmember Toles stated the City could not borrow money to do the project then. We need to go on with the program.

Mayor Thomas stated Rick proposed building pickle ball courts saying he thought he could fit them into a certain area. This is not the way to do it. We have not utilized the plan we have. We have not done an adequate job in planning. We need a new plan with a consultant.

Attorney Hill stated in our RFP we asked for public engagement meetings with input for what is needed and can be placed on these forty acres. Programming deliverables will be recommended based on the needs identified in the public engagement meetings. The City Council would approve this. Upon Council approval, a conceptual design will be prepared, and come back to the City Council for approval. The fourth element would be the phasing of the project and cost projections. This would be the item most subject to change as construction costs are volatile. Those are the four elements we requested. This would all be in place before beginning the construction bid phase.

Councilmember Toles stated, if we get the last word, that is all we need.

Councilmember Vinson stated he believed Williams Blackstock gave us what we asked for.

Councilmember Hennings stated if it is not followed, it is on us. We will have to fund what is in the plan.

Mayor Thomas stated Williams Blackstock lists twenty-three positions and rates. If each performed one hour of work, it would almost take the entire contract amount. He stated he would use and abuse Game Day to get what we want.

Attorney Hill pointed out that the quotation was for Phase I which is the master plan. The prices quoted were for additional services after the plan is completed.

Mayor Thomas stated there is no mark up with Game Day, we get professional services. He stated we should seek authorization for Game Day to get this project built. At some point we will need an architect, but we need a consultant first.

Councilmember Phillips stated consulting services do not build the park. This will design what will later be built. He stated he did not understand the line of thought in paying a consultant, who would then have to tell someone else what their concept is and pay them to do the design. The experience in the Williams Blackstock packet is better.

Mayor Thomas stated we either have to negotiate or not develop the park during this administration.

Councilmember Phillips moved the proposal from Williams Blackstock for a park master plan be approved, seconded by Councilmember Vinson.

Mayor Thomas stated he mentioned before that he would tie up the Council in parliamentary procedure. He ruled Councilmember Phillips out of order as he had not been recognized by the Chair.

Councilmember Phillips stated his motion was made to move forward.

Attorney Hill stated a Councilmember does not have to get permission from the Mayor to make a motion.

Mayor Thomas stated he will not engage in this project.

Attorney Hill asked did Councilmember Phillips wish to amend his motion to say that the Mayor Pro Tem is authorized to execute the contract.

Councilmember Phillips agreed to this amendment, with an amended second by Councilmember Vinson. The motion carried with Mayor Thomas voting no.

An amendment to the business license ordinance was presented. This amendment incorporates all prior amendments into one document, redefines what constitutes a weekend license, now defined as any two to three day period and the seasonal license as thirty consecutive days, and clarifies license computation that was misinterpreted by our license vendor resulting in

extremely high costs for licenses. This was recognized and corrected before businesses were actually charged these higher amounts.

Councilmember Toles moved for unanimous consent to suspend the rules of procedure to allow for the immediate consideration of this ordinance, seconded by Councilmember Phillips, and upon a roll call vote, the results were as follows:

Yeas: Councilmembers Toles, Vinson, Phillips, Hennings, Walker, and Parker,  
and Mayor Thomas

Nays: None

Councilmember Toles moved this amended Business License Ordinance 2023-05 be approved, seconded by Councilmember Vinson, and upon a roll call vote, the results were as follows:

Yeas: Councilmembers Toles, Vinson, Phillips, Hennings, Walker, and Parker,  
and Mayor Thomas

Nays: None

Councilmember Hennings moved Ms. Amanda Kleiser be appointed to the Historical Commission, seconded by Councilmember Walker and the vote was unanimous.

Councilmember Parker moved the meeting be adjourned, seconded by Councilmember Toles, and the vote was unanimous.

Respectfully submitted,

Lynn Porter  
City Clerk