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Anniston, Alabama
February 9, 2010

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Tuesday, February 9, 2010, at approximately 3:09 o'clock p.m.

Council Member Palmore prayed the Invocation.

Council Member Palmore led the Pledge of Allegiance to the Flag.

Mayor Robinson called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Spain, Palmore, Little, Dawson and Robinson; absent: none. A quorum was present and the meeting opened for the transaction of business.

Don A. Hoyt, City Manager, was present.

Cleo Thomas, City Attorney, was present.

Mayor Robinson made a motion to add to the agenda a motion concerning the removal of the awning of the Calhoun Theater Property. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Dawson made a motion to adopt the agenda as amended. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Mayor Robinson read the following Proclamation:

(Arbor Day)

Mayor Robinson read the following commendation:

(Mayor's Commendation for John Dryden)

Mayor Robinson introduced and read Resolution Number 10-R-14 as follows:

(10-R-14, reimbursements to City officials for travel expense)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 10-R-14 as introduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain,

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Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-14 was passed and adopted.

Council Member Spain introduced and read Resolution Number 10-R-15 as follows:

(10-R-15, application to ADECA for financial assistance)

Council Member Spain made a motion for the passage and adoption of Resolution Number 10-R-15 as introduced and read. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-15 was passed and adopted.

Council Member Dawson introduced and read Resolution Number 10-R-16 as follows:

(10-R-16, declaring motor vehicles surplus and authorizing their sale)

Council Member Dawson made a motion for the passage and adoption of Resolution Number 10-R-16 as introduced and read. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-16 was passed and adopted.

Council Member Little introduced and read Resolution Number 10-R-17 as follows:

(10-R-17, ordering the removal of nuisances from certain properties within a specified time period)

Council Member Little made a motion for the passage and adoption of Resolution Number 10-R-17 as introduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-17 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 10-R-18 as follows:

(10-R-18, declaring debris on certain properties a public nuisance)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 10-R-18 as introduced and read. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-18 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 10-R-19 as follows:

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(10-R-19, declaring certain motor vehicles located on private property as public nuisances)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 10-R-19 as introduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-19 was passed and adopted.

Council Member Palmore made a motion to approve a retail beer (off premises only) and retail table wine (off premises only) ABC application for Yousef Yaqoub Inc. d/b/a Expressmart 25 located at 1229 Wilmer Avenue. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, and Dawson; nays: none; abstentions: Council Members Little and Robinson. The motion carried.

Council Member Spain made a motion to approve a retail beer (on and off premises only) and retail table wine (on and off premises only) ABC application for Bobby Lee Colbert, Jr., d/b/a Xaviers Event Center located at 309 South Quintard Avenue. The motion was seconded by Council Member Dawson.

Council Member Little asked about the on and off premises only part of the motion.

Jarrod Simmons, Assistant Finance Director, stated that the ABC board does not have an on premises only category by itself.

Bobby Lee Colbert addressed the Council concerning this application and stated he has many types of events at this facility.

Council Member Dawson made a motion to table Council Member Spain's motion to approve a retail beer (on and off premises only) and retail table wine (on and off premises only) ABC application for Bobby Lee Colbert, Jr., d/b/a Xaviers Event Center located at 309 South Quintard Avenue. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Spain made a motion to accept the quote of \$4,000.00 by Emtek Mechanical Contractors for the removal of the Calhoun Theater awning. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Alan Atkinson, City Clerk, advised that copies of the following Bid Fact Sheets had been given to the Council:

(One heavy duty four door truck for the Public Works Dept.)

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Mayor Robinson made a motion the bid in the total amount of \$27,036.62 by Sunny King Ford for one heavy duty four door truck for the Public Works Department be accepted. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Alan Atkinson, City Clerk, advised that copies of the following Bid Fact Sheets had been given to the Council:

(One heavy duty door truck for the Public Works Dept.)

Mayor Robinson made a motion the bid in the total amount of \$23,644.00 by Sunny King Ford for one heavy duty door truck for the Public Works Department be accepted. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Little asked if the bid specifications for these trucks were written so any truck company could bid on them.

Robert Dean, Public Works Director, stated the bid specifications were written in general terms with minimum standards that have to be met.

Council Member Spain asked if there would be a Chevrolet or Dodge truck that would meet these specifications.

Robert Dean, Public Works Director, stated there would be a Chevrolet or Dodge truck that would meet these specifications.

Alan Atkinson, City Clerk, advised that copies of the following Bid Fact Sheets had been given to the Council:

(One backhoe for the Public Works Department)

Mayor Robinson made a motion the bid in the total amount of \$80,364.00 by Thompson Tractor Company for one backhoe for the Public Works Department be accepted. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Dawson asked why they did not go with one of the lower bids.

Robert Dean, Public Works Director, stated the lower bids did not meet the minimum requirements of the bid specifications.

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Council Member Spain stated that in the future the City could look into purchasing equipment that is used.

Alan Atkinson, City Clerk, advised that copies of the following Bid Fact Sheets had been given to the Council:

(Resurfacing basketball courts at Norwood Park)

Mayor Robinson made a motion that the bid in the total amount of \$41,500.00 by Lower Brothers for the resurfacing of the basketball courts at Norwood Park be accepted. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Curtis Ray, 1004 Constantine Avenue, addressed the Council and stated he would like to know how many black supervisors there were on the City staff.

Council Member Dawson thanked Mr. Hoyt and the staff for the completeness of the packets the Council had received. He noted that all the votes that day had been 5-0.

There being no further business to come before the meeting at that time Council Member Dawson made a motion the meeting be adjourned. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and the meeting was adjourned at approximately 3:56 o'clock p.m.