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Anniston, Alabama  
February 12, 2013

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 12, 2013, at approximately 6:00 o'clock p.m.

Chief Shane Denham, Anniston Police Department, prayed the Invocation.

Chief Shane Denham, Anniston Police Department, led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Don A. Hoyt, City Manager, was present.

Ted Copland, Assistant City Attorney, was present.

Council Member Jenkins made a motion to dispense with the reading of and approve the minutes of January 22, 2012. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick made a motion to add to the agenda a resolution establishing annual ethics training for City employees and a resolution concerning research and design for a memorial park on the site of the former Anniston Land Company Building. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to adopt the agenda as amended. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Mayor Stewart read the following proclamation:

(Arbor Week)

Mayor Stewart announced that was the time for the public hearing concerning objections to the abatement of identified nuisances at the following locations; 407 South Wilmer Avenue, 1423, 1427 Bancroft Avenue, 0 Bancroft Avenue #60 and #54 and #37, 1501 and 1507 Bancroft Avenue, 0 West 15<sup>th</sup> Street #38.001, 1840 West 16<sup>th</sup> Street, 1606 and 1604 Duncan Avenue, 2201 Ferron Avenue, 2526 Church Street rear, 2524, 2528 and 2530 Church Street, 2108 and 2111 Moore Avenue, 1800, 1802, 1804, 1820, 1822, and 1824 Mulberry Avenue, 1206, 1208,

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1214, 1216, 1218, 1220, 1229, 1227, and 1207 West 15<sup>th</sup> Street, 1538 Walnut Avenue, #9 and #12 Blue Mountain Road, #4 and #10 High Street, #10 and #19 Adams Street, #6 Ridge Street, #15 Twine Street, #5, #7, and #9 Net Street, 1312 Kilby Terrace, 815 West 10<sup>th</sup> Street, 301 South Christine Avenue, 30 West 19<sup>th</sup> Street, 2822 Wilmer Avenue, 2826 Wilmer Avenue, 112 East 29<sup>th</sup> Street, 116 East 29<sup>th</sup> Street, 2516 and 25616-B Wilmer Avenue, 0 Wilmer Avenue #41, 1701, 1720 and 1728 Pine Avenue, 812 West 12<sup>th</sup> Street, 0 Smith Avenue, 219 West 18<sup>th</sup> Street, SW corner 16<sup>th</sup>/Cooper #32, 1606 Cooper Avenue, 0 White Avenue #46, 1616 Moore Avenue, 227 West 18<sup>th</sup> Street, 1320 Stephens Avenue, 1301 White Avenue, 830 West 10<sup>th</sup> Street, 2421 and 2806 Wilmer Avenue, 2829 Old Wilmer Avenue, 2201 Moore Avenue, 823 West 10<sup>th</sup> Street, 1813-1821 Gurnee Avenue, 600 G Street, 621 Pine Avenue, 1309 Champaign Avenue, 1901 Mulberry Avenue, 1817 McCoy Avenue, 1919 Davis Avenue, 1836, 1825 and 1806 Abbot Avenue and 1708 McKleroy Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the abatement of identified nuisances at said locations.

Al Shenard addressed the Council concerning the proposed abatement of the nuisance at 1825 Abbot Avenue.

Mayor Stewart asked if anyone else wished to address the Council concerning objections to the abatement of identified nuisances at said locations.

No one else addressed the Council concerning objections to the abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing concerning objections to the abatement of identified nuisances at the following locations; 407 South Wilmer Avenue, 1423, 1427 Bancroft Avenue, 0 Bancroft Avenue #60 and #54 and #37, 1501 and 1507 Bancroft Avenue, 0 West 15<sup>th</sup> Street #38.001, 1840 West 16<sup>th</sup> Street, 1606 and 1604 Duncan Avenue, 2201 Ferron Avenue, 2526 Church Street rear, 2524, 2528 and 2530 Church Street, 2108 and 2111 Moore Avenue, 1800, 1802, 1804, 1820, 1822, and 1824 Mulberry Avenue, 1206, 1208, 1214, 1216, 1218, 1220, 1229, 1227, and 1207 West 15<sup>th</sup> Street, 1538 Walnut Avenue, #9 and #12 Blue Mountain Road, #4 and #10 High Street, #10 and #19 Adams Street, #6 Ridge Street, #15 Twine Street, #5, #7, and #9 Net Street, 1312 Kilby Terrace, 815 West 10<sup>th</sup> Street, 301 South Christine Avenue, 30 West 19<sup>th</sup> Street, 2822 Wilmer Avenue, 2826 Wilmer Avenue, 112 East 29<sup>th</sup> Street, 116 East 29<sup>th</sup> Street, 2516 and 25616-B Wilmer Avenue, 0 Wilmer Avenue #41, 1701, 1720 and 1728 Pine Avenue, 812 West 12<sup>th</sup> Street, 0 Smith Avenue, 219 West 18<sup>th</sup> Street, SW corner 16<sup>th</sup>/Cooper #32, 1606 Cooper Avenue, 0 White Avenue #46, 1616 Moore Avenue, 227 West 18<sup>th</sup> Street, 1320 Stephens Avenue, 1301 White Avenue, 830 West 10<sup>th</sup> Street, 2421 and 2806 Wilmer Avenue, 2829 Old Wilmer Avenue, 2201 Moore Avenue, 823 West 10<sup>th</sup> Street, 1813-1821 Gurnee Avenue, 600 G Street, 621 Pine Avenue, 1309 Champaign Avenue, 1901 Mulberry Avenue, 1817 McCoy Avenue, 1919 Davis Avenue, 1836, 1825 and 1806 Abbot Avenue and 1708 McKleroy Avenue; closed.

Council Member Reddick introduced and read Resolution Number 13-R-10 as follows:

(13-R-10, over-ruling objections to the abatement of identified nuisances)

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Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-10 as introduced and read. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-10 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-11 as follows:

RESOLUTION NUMBER 13-R-11

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

Section 1 .That Robert Patrick be and he hereby is appointed to the Transit Advisory Board for a term to expire July 31,2014.

Section 2. That Alan B. Atkinson, City Clerk, shall cause a copy of this Resolution to be mailed to the above named appointee and to said board.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-11 as introduced and read. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-11 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-12 as follows:

RESOLUTION NUMBER 13-R-12

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

Section 1. That Harry Malone be and he hereby is reappointed to the Anniston-Calhoun County Library Board for a term to expire on October 31, 2015.

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Section 2. That Alan B. Atkinson, City Clerk, shall cause a copy of this Resolution to be mailed to the above named appointee and to said board.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-12 as introduced and read. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-12 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-13 as follows:

RESOLUTION NUMBER 13-R-13

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

That the City enter into Supplemental Agreement Number 2 with the State of Alabama, acting by and through the Alabama Department of Transportation amending an agreement entered into on July 1, 2010, and Supplemental Agreement Number 1 dated April 5, 2012 for: Construction Program for Project STPOA-7449 (600), Project Reference Number 100054930 to resurface Summerall Gate Road from end of new segment to roundabout (20<sup>th</sup> Street, Baltzell Gate, Headquarters Road). Resurface Exchange Avenue from Summerall Gate Road to west of Town Center Drive (cost of this segment to be Non-Federal participating) in the City of Anniston, Alabama; which agreement is before this council

That the Agreement be executed in the name of the City, by its, Mayor, for and on its behalf ;

That the Agreement be attested by the City Clerk and the seal of the City affixed thereto.

PASSED AND ADOPTED this the 12th day of February, 2013.

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CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-13 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-13 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-14 as follows:

RESOLUTION NUMBER 13-R-14

COLDWATER MOUNTAIN RECREATIONAL AND ECOTOURISM INITIATIVE  
CITY OF ANNISTON PROJECT AND DEVELOPMENT SUPPORT

WHEREAS; the City of Anniston has become a regional leader and proponent in the development of the Coldwater Mountain Bicycling Trail Network and its broad and long-range planning to provide recreational, economic and revitalization opportunities for the City of Anniston and the region;

WHEREAS; the City of Anniston has been proactively working in partnership and through leadership, in developing plans to connect Coldwater Mountain to its downtown, neighborhoods, corridors and other areas of influence to ensure a citywide and regional benefit and impact for its citizens, visitors and businesses in providing for the enrichment of a social, cultural and economic community;

WHEREAS; the City of Anniston has recognized as part of its physical planning the need to identify those resources that connect the community and its neighborhoods, parks, trails, bicycle and pedestrian pathways together as the vision leading to community sustainability. By recognizing these connections and the recognition of Coldwater Mountain being the anchor to ecotourism and the opportunities it brings forth, the city can create and develop a uniqueness that marks a trail for Anniston to further its leadership legacy;

WHEREAS; the City of Anniston's partners, Southern Off Road Bicycle Association, has requested \$450,000 to continue the trail network development furthering the goal leading to a trail head and facility located in Anniston and providing a gateway to expanded

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recreational and business opportunities;

WHEREAS; the City of Anniston has maintained its Alabama Trust Fund Budget for its commitment to the Coldwater Mountain initiative to serve as responsible funding support to the project's development and components.

NOW THEREFORE BE IT RESOLVED the City Council of the City of Anniston, Alabama commits the sum of \$450,000 to be used for construction activities on and related to the Coldwater Mountain Bike Trail network, more specifically described on the attached Exhibits.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-14 as introduced and read. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-15 was passed and adopted.

Council Member Harris introduced and read Resolution Number 13-R-15 as follows:

RESOLUTION NUMBER 13-R-15

WHEREAS, the governing body of the City of Anniston, is keenly aware that economic development is the life blood to a City; and

WHEREAS, the governing body of the City of Anniston believes that this proposed legislation will promote tourism and trade within the City, and will allow the City another marketing tool for the recruitment for new restaurants and hotels within the city, along with the expansion of existing hotel and restaurant sales within the community; and

WHEREAS, the City of Anniston has drafted a local piece of legislation authorizing the on-premises and off-premises sales of alcoholic beverages within the City of Anniston; and

WHEREAS, the governing body of the City of Anniston, by virtue of this resolution do

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hereby declare their support for this Resolution and declare their desire for the Senate and the House of Representatives of the State of Alabama to pass this legislation; and

WHEREAS, the governing body of the City of Anniston is desirous of the local legislative delegation to introduce and sponsor this legislation in the 2013 regular session; and

WHEREAS, upon adoption by the Senate and House of Representatives, this governing body of the City of Anniston, does hereby respectfully request that the Honorable Robert Bentley, Governor of the State of Alabama sign this legislation into law.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Anniston, Alabama, as follow:

Section 1. That the governing body of the City of Anniston does humbly request the local Alabama House and Senate Delegations sponsor this local legislation, and use their best efforts to ensure its passage and adoption.

Section 2. That a copy of this Resolution be sent to the office of each and every member of the State of Alabama House of Representatives and to each and every member of the State of Alabama Senate encouraging their support of this legislation.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-15 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-15 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-16 as follows:

(13-R-16, surplus vehicles and equipment)

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Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-16 as introduced and read. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-16 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-17 as follows:

RESOLUTION NUMBER 13-R-17

WHEREAS, the City of Anniston is committed to following the highest ethical standards in the transaction of public business; and

WHEREAS, applicable ethical standards must be clearly defined and duly published to the public as well as public officials; and

WHEREAS, ethical standards have evolved over time becoming more stringent and are subject to further revision; and

WHEREAS, the pool of public officials is dynamic having new entrants who may have not had previous exposure to the ethical mandates of public service; and

WHEREAS, the public interest would be served by the regular and periodic training of all persons subject to the City's ethics policy and the Alabama ethics law; and

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that at least annually it holds ethics training for each City of Anniston employee or elected official subject to its ethics policy or the Alabama ethics law and that such successfully completed training be documented in the employees' personnel file and for public officials, in the appropriate records of the City.

BE IT FURTHER RESOLVED, that the City of Anniston publish a wallet sized card encapsulating the ethical code of the City and that it be given to each employee and public official and, where possible, made a part the City identification badge of each employee or City official.

BE IT FURTHER RESOLVED, that the first annual ethics training be held within sixty (60) days of the adoption of this resolution subject to the availability of James L. Sumner, Jr., Esq., the Director of the Alabama Ethics Commission or his designee.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA  
By: /s/ Vaughn Stewart, Mayor

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By: /s/ Jay W. Jenkins, Council Member  
By: /s/ David E. Reddick, Council Member  
By: /s/ Seyram Selase, Council Member  
By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-17 as introduced and read. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-17 was passed and adopted.

Council Member Harris introduced and read Resolution Number 13-R-18 as follows:

RESOLUTION NUMBER 13-R-18

WHEREAS the Anniston Land Company Building was a significant landmark to Anniston's public heritage, is listed in the National Historic Registry, and has contributed substantially to the downtown historic district; and

WHEREAS the now vacant footprint is located in a highly visible site which can complement pathways into and through the downtown area from proposed bike trails and while educating the public in a significant element of local history; and

WHEREAS the Anniston Historic Preservation Commission, through its combined workgroup of commissioners, city staff, and citizens, has expressed a desire for exemplary professional design for this monument;

NOW THEREFORE be it resolved by the Anniston City Council that the City accepts the proposal from Auburn University's Landscape Architecture Department to research and design a memorial park on the site of the former Anniston Land Company Building for the total sum of \$7,370.00 itemized and more fully described in the attached Exhibit A.

PASSED AND ADOPTED this the 12th day of February, 2013.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA  
By: /s/ Vaughn Stewart, Mayor  
By: /s/ Jay W. Jenkins, Council Member  
By: /s/ David E. Reddick, Council Member  
By: /s/ Seyram Selase, Council Member  
By: /s/ Millie Harris, Council Member

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ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-18 as introduced and read. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-18 was passed and adopted.

Council Member Jenkins made a motion to approve a Special Events Permit for the Noble Street Festival and the YMCA Spring 5K Run for April 20, 2013. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Mayor Stewart made a motion to suspend the rule requiring the City Council to meet on the second Tuesday of March 2013. The motion was seconded by Council Member Selase.

Council Member Selase made a motion to amend Mayor Stewart's motion to suspend the rule requiring the City Council to meet on the second Tuesday of March 2013 to schedule a Council meeting for Thursday, March 13, 2013 at 6:00 p.m. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

On call of the roll on Mayor Stewart's motion to suspend the rule requiring the City Council to meet on the second Tuesday of March 2013 and as amended to schedule a Council meeting for Thursday, March 13, 2013 at 6:00 p.m. and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick made a motion to approve the annual applications for wrecker rotation 2013 for the following businesses: Pressley's Towing, 1625 Front Street; 101 Towing, 530 Noble Street; Anniston Body Shop, 3705 Noble Street; Owen's Towing, 414 West 7<sup>th</sup> Street; Auto Body, 932 West 10<sup>th</sup> Street; Auto Beauty Shoppe, 929 West 10<sup>th</sup> Street; and Auto Trim and Glass, 316 Greenbrier Dear Road. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion to adopt and incorporate into the City's Policy and Procedures Manual a policy concerning "City employees" participation in sales of surplus equipment or materials. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Harris made a motion to adopt and incorporate into the City's Policy and Procedures Manual a policy concerning "City employees" conflict of interest/moonlighting. . The motion was seconded by Council Member Selase; and on call of the roll the following vote

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was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion authorizing the purchase of Hurst Jaws of Life equipment from Municipal Emergency Services for the Fire Department in the amount of \$24,409.00. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Tiny Thrash addressed the Council concerning a nuisance property at 905 Golden Springs Road that the City had abated. She stated she had received a bill from the City for \$2,588.00 for the abatement of the nuisance and asked if the bill could be lowered because she could not afford that amount.

Council Member Jenkins thanked the Council for the passage of the resolution for the additional funding of the Coldwater bike trails.

Council Member Reddick asked the public to come out for the listening tour meetings.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:55 o'clock p.m.