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Anniston, Alabama  
February 15, 2016

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 Monday, February 15, 2016, at approximately 5:36 o'clock p.m.

Darren Douthitt, Superintendent, Anniston City Schools, prayed the Invocation.

Darren Douthitt, Superintendent, Anniston City Schools, 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.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of February 1, 2016. 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 approve the minutes of February 1, 2016. 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.

Council Member Selase made a motion to adopt the agenda. 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.

Brian Johnson, City Manager, read the following proclamation:

(Arbor Week)

Dr. Lafreida Taylor addressed the Council and asked them to prevent hookah smoking in any public place in the city.

Sidney Lanier addressed the Council and stated there was a nuisance property located at 1127 West 19<sup>th</sup> Street.

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Janet Tyson Prosser, 591 Lillian Lane, addressed the Council and asked that the Council support small businesses that come into the city and especially a cigar bar that wants to come into her neighborhood.

David Hodnek addressed the Council and asked the Council to give favorable consideration to cigar bars in the city.

Todd Corona, Oxford, addressed the Council and stated he was in favor of a cigar bar in the city.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Jim McClellan and Tim Garner and their reappointments to the McClellan Development Authority.

Council Member Selase made a motion to approve the Consent Agenda items:

- (a) Resolution reappointing members to the McClellan Development Authority.
- (b) Resolution declaring certain personal property surplus and authorizing the sale of said property.
- (c) Resolution adopting the 2015 Calhoun County Multi-Jurisdictional Hazard Mitigation Plan to serve as the Local Hazard Mitigation Plan for the City of Anniston.
- (d) Motion to award the bid in the amount of \$468.19/mo for 48 months to Heavy Machinery and Tractor Company for the lease/purchase of a compact utility tractor for the Parks and Recreation Dept.
- (e) Motion that the bids in the total amounts of \$6,100.00 by EMTEK and \$31,600.00 by Teague Hauling for the demolition of sub-standard structures be accepted.

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 Reddick introduced and read Ordinance Number 16-O-5 as follows:

(16-O-5, repealing and rescinding Ordinance 15-O-16 allowing for and regulating the operations of Cigar Bars within the city)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance 16-O-5 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. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 16-O-5 as introduced and read, Council Member Selase made a motion for the passage and adoption of Ordinance Number 16-O-5 as introduced and read. The motion was seconded by Council Member Reddick.

Council Member Jenkins stated he would abstain from any vote since his architecture firm has been engaged during this process. He stated he did vote for unanimous consent because he felt they had an obligation to give the business owner an answer.

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Council Member Harris stated that she felt Ordinance Number 15-O-16 had stringent safeguards and the business owner had made a significant investment. She stated it was difficult to weigh the public health against economic development. She stated they needed to do everything they could to encourage economic development while keeping the citizens safe.

Council Member Selase stated that Ordinance Number 15-O-16 was harming the integrity of the Smoking Ordinance the Council had passed in their desire to be a smoke free city. He stated they needed to be consistent and if they allowed cigar bars then they should not disallow hookah bars. He stated he felt their original smoking ordinance had boosted economic growth.

Mayor Stewart stated a majority of the Council voted to allow cigar bars. He stated that as a Council they needed to stand behind what has been communicated to the public. He stated he was opposed to cigar bars but he was more opposed to the Council being wishy washy especially when someone has relied upon a vote by the Council and has invested money based on that communication.

Council Member Reddick stated he felt the social climate today was going away from cigarettes. He stated he was pro small business and economic development.

On call of the roll on Council Member Selase's motion for the passage and adoption of Ordinance Number 16-O-5 as introduced and read and Council Member Reddick's second to said the motion the following vote was recorded: ayes: Council Member Selase; nays: Council Members Reddick, Harris and Stewart; abstentions: Council Member Jenkins. The motion failed.

Council Member Jenkins introduced and read Resolution Number 16-R-19 as follows:

(16-R-19, authorizing the IDA to provide consent to the abatement of taxes on behalf of the Council for the City)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 16-R-19 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, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution Number 16-R-19 was passed and adopted.

Council Member Jenkins thanked Jim McClellan and Tim Garner for continuing to serve on the McClellan Development Authority.

Council Member Reddick thanked Mr. Douthitt for his work with the Anniston School System and his work with the kids.

Council Member Selase thanked Mr. Douthitt for his work with the Anniston School System. He stated there would be a Black History Program this Friday by the Anniston Housing Authority

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and on Saturday the Museum would have a Black History Heritage Festival. He stated that Dirt Cheap would be having their grand opening on February 24<sup>th</sup>.

Council Member Harris thanked the Parks and Recreation Department for their warming stations for the homeless.

Mayor Stewart thanked Regional Medical Center and Stringfellow for hosting Dr. David Satcher this past Friday as part of the public health initiative for West Anniston.

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 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 the meeting was adjourned at approximately 6:25 o'clock p.m.