

2/28/2012

Anniston, Alabama
February 28, 2012

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 28, 2012, at approximately 6:00 o'clock p.m.

Council Member Little prayed the Invocation.

Council Member Little 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 Jenkins, 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.

Council Member Dawson made a motion to dispense with the reading of and approve the minutes of February 14, 2012. The motion was seconded by Council Member Palmore; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Mayor Robinson made a motion to add to the agenda a Resolution to surplus vehicles, a motion to suspend the rule requiring the Council to meet on the second Tuesday of March, 2012, and a motion to approve a Special Events permit for the Northeast Alabama Bicycle Club for the Noble Street Festival on Saturday, April 21, 2012. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

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

Mayor Robinson asked if there was a motion to remove from the table Resolution Number 12-R-20.

No one made a motion to remove from the table Resolution Number 12-R-20.

Mayor Robinson reintroduced and read Ordinance Number 12-O-6 as follows:

(12-O-6, amending Section 34.16 of the City Code)

2/28/2012

Mayor Robinson made a motion for the passage and adoption of Ordinance Number 12-O-6 as reintroduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Ordinance Number 12-O-6 was passed and adopted.

Mayor Robinson made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 12-O-7. The motion was seconded by Council Member Jenkins.

Mayor Robinson asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 12-O-7.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 12-O-7.

On call of the roll on Mayor Robinson's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 12-O-7 and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 12-O-7, Mayor Robinson introduced and read by title Ordinance Number 12-O-7 as follows:

(12-O-7, establishing voting districts within the wards of the City; first reading)

Mayor Robinson announced that was the time for the public hearing on the proposed abatement of grass lots declared public nuisances at the following locations: 2908 Noble Street, 208 Leighton Avenue, 225, 226, and 228 A Street, 0 A Street #4, 0 South Quintard #8, 17 South Quintard Avenue, 228 Hatchers Alley, 19 South Leighton Avenue, 205 and 206 B Street, 0 East B Street #43, 112 South Leighton Avenue, 528 and 505 Palmetto Avenue, 1021 West 16th Street, 0 Boynton Avenue #21, 2010 and 2110 Cooper Avenue, 2010 Dooley Avenue and 0 Dooley Avenue #46; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of said grass lots declared public nuisances.

No one addressed the Council concerning the proposed abatement of said grass lots declared public nuisances.

Mayor Robinson declared the public hearing on the proposed abatement of grass lots declared public nuisances at the following locations: 2908 Noble Street, 208 Leighton Avenue, 225, 226, and 228 A Street, 0 A Street #4, 0 South Quintard #8, 17 South Quintard Avenue, 228 Hatchers Alley, 19 South Leighton Avenue, 205 and 206 B Street, 0 East B Street #43, 112 South Leighton Avenue, 528 and 505 Palmetto Avenue, 1021 West 16th Street, 0 Boynton Avenue #21, 2010 and 2110 Cooper Avenue, 2010 Dooley Avenue and 0 Dooley Avenue #46 closed.

Council Member Palmore introduced and read Resolution Number 12-R-24 as follows:

2/28/2012

(12-R-24, over-ruling objections to the abatement of identified nuisances; group 12)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-24 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-24 was passed and adopted.

Mayor Robinson announced that was the time for the public hearing on the proposed abatement of grass lots declared public nuisances at the following locations: 705 Brockman, 1615 and 1627 Brown Avenue, 1210 West 17th Street, 1704 McDaniel Avenue, 0 McDaniel Avenue #32, 1230 and 1114 West 18th Street, 120 West 24th Street, 2521, 2532, 2629, and 2721 Norwood Avenue, 513 West 27th Street, 131 South Allen Avenue, 31 Grant Avenue, 0 Grant Avenue #50, 729 South Christine Avenue, 413 Greenbrier Road, 410 East H Street, 0 South Leighton #26, and 1030 South Leighton Avenue: declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of said grass lots declared public nuisances.

No one addressed the Council concerning the proposed abatement of said grass lots declared public nuisances.

Mayor Robinson declared the public hearing on the proposed abatement of grass lots declared public nuisances at the following locations: 705 Brockman, 1615 and 1627 Brown Avenue, 1210 West 17th Street, 1704 McDaniel Avenue, 0 McDaniel Avenue #32, 1230 and 1114 West 18th Street, 120 West 24th Street, 2521, 2532, 2629, and 2721 Norwood Avenue, 513 West 27th Street, 131 South Allen Avenue, 31 Grant Avenue, 0 Grant Avenue #50, 729 South Christine Avenue, 413 Greenbrier Road, 410 East H Street, 0 South Leighton #26, and 1030 South Leighton Avenue closed.

Council Member Little introduced and read Resolution Number 12-R-25 as follows:

(12-R-25, over-ruling objections to the abatement of identified nuisances; group 13)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-25 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-25 was passed and adopted.

Mayor Robinson announced that was the time for the public hearing on the proposed abatement of identified public nuisances (vehicles and debris) at the following locations: 1624 Rocky Hollow Road, 1309-1311 East 9th Street, 425 Blue Ridge Drive, 3004 Walnut Avenue, 1831 Abbot Avenue, 1612 McCall Drive, 111 Buckner Circle, 91 Buckner Circle, 1802 Walnut Avenue, 0 Ferron Avenue, 2105 Clydesdale Avenue, 1814 Stephens Avenue, 1816 Stephen Avenue, 514 West 27th Street, 1808 Rocky Hollow Road and 1114 West 18th Street; declared the

2/28/2012

hearing open and asked if anyone wished to address the Council concerning the proposed abatement of said identified public nuisances (vehicles and debris).

Linda Jones addressed the Council concerning the nuisance at 514 West 27th Street and stated she needed some additional time to clear up this nuisance.

Randolph Wilson addressed the Council concerning the nuisance at 1808 Rocky Hollow Road and stated he needed some additional time to clear up this nuisance.

Gerald Henderson addressed the Council concerning a nuisance located at Old Cooper.

Mayor Robinson asked if anyone else wished to address the Council concerning the proposed abatement of said identified public nuisances (vehicles and debris).

No one else addressed the Council concerning the proposed abatement of said identified public nuisances (vehicles and debris).

Mayor Robinson declared the public hearing on the proposed abatement of identified public nuisances (vehicles and debris) at the following locations: 1624 Rocky Hollow Road, 1309-1311 East 9th Street, 425 Blue Ridge Drive, 3004 Walnut Avenue, 1831 Abbot Avenue, 1612 McCall Drive, 111 Buckner Circle, 91 Buckner Circle, 1802 Walnut Avenue, 0 Ferron Avenue, 2105 Clydesdale Avenue, 1814 Stephens Avenue, 1816 Stephen Avenue, 514 West 27th Street, 1808 Rocky Hollow Road and 1114 West 18th Street closed.

Council Member Jenkins introduced and read Resolution Number 12-R-26 as follows:

(12-R-26, over-ruling objections to the abatement of identified nuisances; group 2012-01)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-26 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-26 was passed and adopted.

Council Member Dawson introduced and read Resolution Number 12-R-27 as follows:

(12-R-27, travel reimbursement)

Council Member Dawson made a motion for the passage and adoption of Resolution Number 12-R-27 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, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-27 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-28 as follows:

2/28/2012

(12-R-28, fire installation)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-28 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-28 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-29 as follows:

(12-R-29, Memorandum of understanding between the City and McClellan Army National Guard Training Center)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-29 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-29 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-30 as follows:

(12-R-30, contract for auctioneering services)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-30 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-30 was passed and adopted.

Council Member Jenkins made a motion to introduce and read by title Resolution Number 12-R-31. The motion was seconded by Council Member Palmore.

Mayor Robinson asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 12-R-31.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 12-R-31.

On call of the roll on Council Member Jenkins motion to introduce and read by title Resolution Number 12-R-31 and Council Member Palmore's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Unanimous consent of the Council having been granted motion to introduce and read by title Resolution Number 12-R-31, Council Member Jenkins introduced and read by title Resolution Number 12-R-31 as follows:

2/28/2012

(12-R-31, vacating portions of roadways at McClellan for the Army National Guard Training Center)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-31 as introduced and read by title. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-31 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-32 as follows:

(12-R-32, agreement with ALDOT for signal upgrade on SR-21 at Baltzell Gate Road)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-32 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-32 was passed and adopted.

Cleo Thomas, City Attorney, stated the City could not indemnify the State in this agreement. He stated this was a MPO project.

Council Member Jenkins introduced and read Resolution Number 12-R-33 as follows:

(12-R-33, agreement with ALDOT for resurfacing of Summerall Gate Road)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-33 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-33 was passed and adopted.

Council Member Dawson introduced and read Resolution Number 12-R-34 as follows:

(12-R-34, declaring vehicles surplus)

Council Member Dawson made a motion for the passage and adoption of Resolution Number 12-R-34 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 Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 12-R-34 was passed and adopted.

Mayor Robinson made a motion to appoint Council Member Jenkins as the Council representative on the Planning Commission. The motion was seconded by Council Member Dawson.

2/28/2012

Council Member Little stated he did not think this was an appropriate move and he did not think this was ethical.

Mayor Robinson stated that Council Member Jenkins had been the chairman of the Planning Commission and was a consummate professional.

Council Member Palmore asked if Council Member Jenkins was aware of ethical parameters he would operate under with the Planning Commission.

Cleo Thomas, City Attorney, stated that that Council Member Jenkins was aware that he had to conduct himself within certain parameters on the Planning Commission.

On call of the roll on Mayor Robinson's motion to appoint Council Member Jenkins as the Council representative on the Planning Commission and Council Member Dawson's second to said motion the following vote was recorded: ayes: Council Members Palmore, Dawson and Robinson; nays: Council Member Little; abstentions: Council Member Jenkins. The motion carried.

Mayor Robinson made a motion to authorize the City Manager to purchase property from the State of Alabama. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Dawson made a motion to suspend the rule requiring the Council to meet on the fourth Tuesday of March, 2012. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Council Member Dawson made a motion to approve a Special Events permit for the Northeast Alabama Bicycle Club for the Noble Street Festival on Saturday, April 21, 2012. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried.

Doris Burke addressed the Council concerning property located at Christine and Greenbrier and stated there was a problem with property boundaries.

Gerald Henderson addressed the Council concerning the City purchasing property from him.

Mr. Hogan, 1612 McCall Drive, addressed the Council concerning the abatement of a nuisance vehicle.

Randy Mays addressed the Council concerning nuisance property at 715 and 712 Christine Avenue.

2/28/2012

Murrell Huguley, 1314 Christine Avenue, addressed the Council concerning a conflict of interests for Council Members.

Council Member Little stated he wanted to talk with the Council about putting cameras at certain locations.

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 Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and the meeting was adjourned at approximately 7:08 o'clock p.m.