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Anniston, Alabama
March 27, 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, March 27, 2012, at approximately 6:15 o'clock p.m.

Council Member Dawson prayed the Invocation.

Council Member Dawson 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 28, 2012. 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 Jenkins made a motion to remove from the agenda a proposed resolution adopting the 2009 – 2012 Calhoun County Multi-Jurisdictional Hazard Mitigation Plan to serve as the Local Hazard Mitigation Plan for the City of Anniston. 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.

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 read and presented the following proclamation to Dave Nichols, James Lorenzo and Tim Wallace;

(Vietnam Veteran's Day)

Mayor Robinson announced that was the time for the public hearing to consider the cost of abating certain public nuisances at the following locations: 0 Cobb Avenue, 1428 West 12th Street, 0 East 10th Street, 422 Chestnut Avenue, 0 cooper – alley, 0 Murray Avenue, 0 Grant Avenue, 131 South Allen Avenue, 1106, 1114, 1302 and 1304 Crawford Avenue, 1629 Murray Avenue – alley, 1631 Murray Avenue, 1701, 1720, and 1728 Pine Avenue, 1736 Patch Place,

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212 B Street, 2312 Moore Avenue, 418 Chestnut Avenue, 703 Pine Street (Ave.), 706 Pine Avenue, 711 West 16th Street, 4 High Street, 7 Net Street, 1831-1821 Gurnee Avenue, 207 West 19th Street, 3024 McKleroy Avenue, 2705 and 2705A McClellan Boulevard, 0 McClellan Boulevard, 1626 Walnut Avenue, 2014 and 1624 Moore Avenue, 3028, 3030, 3029, 3101, and 3021 McKleroy Avenue, 3009 Gurnee Avenue, 201 and 109 West 19th Street, 3016 Gurnee Avenue, 209 West 19th Street, 30 19th Street, 2015 McKleroy Avenue, 10 and 19 Adams Street, 15 Twine Street, 9 Net Street, 1923 Moore Avenue, 1800 Mulberry Avenue, 1810 ½ Dooley Avenue, 1812 Dooley Avenue, 1405 and 1619 Constantine Avenue, 0 South Allen Avenue, 116 East 29th Street, 2829 Old Wilmer Avenue, 2815 Wilmer Avenue, 1624 Walnut Avenue, 2908, 2822, and 2826 Wilmer Avenue, 209 East 30th Street, 201, 123 and 112 East 29th Street, 14 South Leighton Avenue, 430 G Street, 2004 and 2002 Cooper Avenue, 1830, 1828 and 1814 Dooley Avenue, 1822, 1802 and 1804 Mulberry Avenue, 531 D Street, 317 Pyle Avenue, 0 Walnut Avenue, 0 rear 1420 Cobb Avenue, 1018, 1206, 1280, 1214, 1216, and 1218 West 15th Street, 1422 Brown Avenue, 1708 McKleroy Avenue, 1220 West 15th Street, 0 14th Street, 1014 West 15th Street, 0 West 13th Street, 1306 and 1302 Bancroft Avenue, 1314 Duncan Avenue, 815 and 830 West 10th Street, 23 West 10th Street, 0 and 325 Pyle Avenue; declared the hearing open and asked if anyone wished to address the Council concerning the cost of abating said public nuisances.

Fannie Jenkins addressed the Council concerning the property located at 422 Chestnut Avenue.

Mayor Robinson asked if anyone else wished to address the Council concerning the cost of abating said public nuisances.

No one else addressed the Council concerning the cost of abating said public nuisances.

Mayor Robinson declared the public hearing to consider the cost of abating certain public nuisances at the following locations: 0 Cobb Avenue, 1428 West 12th Street, 0 East 10th Street, 422 Chestnut Avenue, 0 cooper – alley, 0 Murray Avenue, 0 Grant Avenue, 131 South Allen Avenue, 1106, 1114, 1302 and 1304 Crawford Avenue, 1629 Murray Avenue – alley, 1631 Murray Avenue, 1701, 1720, and 1728 Pine Avenue, 1736 Patch Place, 212 B Street, 2312 Moore Avenue, 418 Chestnut Avenue, 703 Pine Street (Ave.), 706 Pine Avenue, 711 West 16th Street, 4 High Street, 7 Net Street, 1831-1821 Gurnee Avenue, 207 West 19th Street, 3024 McKleroy Avenue, 2705 and 2705A McClellan Boulevard, 0 McClellan Boulevard, 1626 Walnut Avenue, 2014 and 1624 Moore Avenue, 3028, 3030, 3029, 3101, and 3021 McKleroy Avenue, 3009 Gurnee Avenue, 201 and 109 West 19th Street, 3016 Gurnee Avenue, 209 West 19th Street, 30 19th Street, 2015 McKleroy Avenue, 10 and 19 Adams Street, 15 Twine Street, 9 Net Street, 1923 Moore Avenue, 1800 Mulberry Avenue, 1810 ½ Dooley Avenue, 1812 Dooley Avenue, 1405 and 1619 Constantine Avenue, 0 South Allen Avenue, 116 East 29th Street, 2829 Old Wilmer Avenue, 2815 Wilmer Avenue, 1624 Walnut Avenue, 2908, 2822, and 2826 Wilmer Avenue, 209 East 30th Street, 201, 123 and 112 East 29th Street, 14 South Leighton Avenue, 430 G Street, 2004 and 2002 Cooper Avenue, 1830, 1828 and 1814 Dooley Avenue, 1822, 1802 and 1804 Mulberry Avenue, 531 D Street, 317 Pyle Avenue, 0 Walnut Avenue, 0 rear 1420 Cobb Avenue, 1018, 1206, 1280, 1214, 1216, and 1218 West 15th Street, 1422 Brown Avenue, 1708 McKleroy Avenue, 1220 West 15th Street, 0 14th Street, 1014 West 15th Street, 0 West 13th

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Street, 1306 and 1302 Bancroft Avenue, 1314 Duncan Avenue, 815 and 830 West 10th Street, 23 West 10th Street, 0 and 325 Pyle Avenue closed.

Mayor Robinson made a motion for the unanimous consent of the Council to introduce and read by title Resolutions Numbered 12-R-35 to 12-R-139, all inclusive. The motion was seconded by Council Member Dawson.

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 Resolutions Numbered 12-R-35 to 12-R-139, all inclusive.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolutions Numbered 12-R-35 to 12-R-139, all inclusive.

On call of the roll on Mayor Robinson's motion for the unanimous consent of the Council to introduce and read by title Resolutions Numbered 12-R-35 to 12-R-139, all inclusive and Council Member Dawson'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 to introduce and read by title Resolutions Numbered 12-R-35 to 12-R-139, all inclusive, Mayor Robinson introduced and read by title Resolutions Numbered 12-R-35 to 12-R-139, all inclusive, as follows:

(12-R-35 to 12-R-139, resolutions receiving and confirming costs reports on the abatement of public nuisances)

Mayor Robinson made a motion for the passage and adoption of Resolutions Numbered 12-R-35 to 12-R-139, all inclusive, as introduced and read by title. 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 Resolutions Numbered 12-R-35 to 12-R-139, all inclusive, were passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-140 as follows:

(12-R-140, travel reimbursement)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-140 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 Palmore, Little, Dawson and Robinson; nays: none; abstentions: Council Member Jenkins. The motion carried and Resolution Number 12-R-140 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-141 as follows:

(12-R-141, declaring a reported condition to be a public nuisance; group 2012-02)

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Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-141 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-141 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-142 as follows:

(12-R-142, reappointing members to the MDA)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-142 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, Dawson and Robinson; nays: none; abstentions: Council Members Palmore and Little. The motion carried and Resolution Number 12-R-142 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-143 as follows:

(12-R-143, appointing a member to the Transit Advisory Bd.)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-143 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-143 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-144 as follows:

(12-R-144, reappointing members to the Parks and Recreation Bd.)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-144 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-144 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-145 as follows:

(12-R-145, amendments to the CDBG Program Years 2008-2012 Consolidated Plan)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-145 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-145 was passed and adopted.

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Council Member Palmore introduced and read Resolution Number 12-R-146 as follows:

(12-R-146, amendments to the CDBG Program Years 2010 and 2011 Action Plans)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-146 as introduced and read. The motion was seconded by Mayor Robinson.

Mayor Robinson made a motion to table Resolution Number 12-R-146 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 Little, Dawson and Robinson; nays: Council Members Jenkins and Palmore. The motion carried.

Mayor Robinson introduced and read Resolution Number 12-R-147 as follows:

(12-R-147, grant application for financial assistance under the ESG Program)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-147 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-147 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-148 as follows:

(12-R-148, Mutual Aid Agreement for emergencies and disasters with participating local governments)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-148 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-148 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-149 as follows:

(12-R-149, authorizing the incorporation of the Anniston CDA)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-149 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Palmore stated there can be problems with organizations like this that have no bids or the bids are not regulated by the Council.

On call of the roll on Mayor Robinson's motion for the passage and adoption of Resolution Number 12-R-149 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Dawson and Robinson;

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nays: Council Members Palmore and Little. The motion carried and Resolution Number 12-R-149 was passed and adopted.

Mayor Robinson reintroduced and read Ordinance Number 12-O-7 as follows:

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

Mayor Robinson made a motion for the passage and adoption of Ordinance Number 12-O-7 as reintroduced and read. The motion was seconded by Council Member Palmore.

Council Member Dawson asked if there was a signed contract with the second polling place for Ward 4.

Don Hoyt, City Manager, stated that the designation of polling places would be a separate ordinance. He stated there would be a polling location within each voting district. He stated they had not received confirmation yet from the Anniston Country Club as to use of their facility as a polling place.

Council Member Dawson stated he could not support this ordinance without knowing for certain where his polling places were going to be.

Mr. Hoyt stated the meeting of the Board of Directors of the Anniston Country Club had been delayed until tomorrow and that was why he did not have that definitive answer today.

Council Member Jenkins stated that this ordinance was not changing the Ward lines because that had already occurred. He stated this ordinance was simply defining the precincts.

Council Member Little asked if everything had already been sent to the Justice Department.

Mr. Hoyt stated everything had not been sent to the Justice Department because they would send all these ordinances in as part of one complete submission.

Council Member Little stated having people go to the Country Club to vote when they cannot go there to eat was a somewhat negative connotation. He stated he would write to the Justice Department vehemently opposing the ward lines and the change of this polling place. He stated this could have been accomplished with the Ward 4 voters staying at the Mental Health Center and voting.

Alan Atkinson, City Clerk, stated that all Ordinance Number 12-O-7 was doing was subdividing the wards into voting precincts. He stated the ward lines had already been set.

On call of the roll on Mayor Robinson's motion for the passage and adoption of Ordinance Number 12-O-7 as reintroduced and read and Council Member Palmore's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dawson and Robinson; nays: Council Member Little. The motion carried and Ordinance Number 12-O-7 was passed and adopted.

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Mayor Robinson introduced and read Ordinance Number 12-O-8 as follows:

(12-O-8, establishing a City Dept. to be known as the Dept. of Planning and Economic Development; first reading)

Council Member Jenkins introduced and read Ordinance Number 12-O-9 as follows:

(12-O-9, removing the flashing light at Christine and 10th; first reading)

Council Member Jenkins introduced and read Ordinance Number 12-O-10 as follows:

(12-O-10, restoring a traffic light at Christine and 10th; first reading)

Mayor Robinson announced that was the time for the public hearing on an application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue.

Marva Billingsley addressed the Council in favor of said application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue.

Mayor Robinson asked if anyone else wished to address the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue.

No one else addressed the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue.

Mayor Robinson declared the public hearing on an application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue closed.

Mayor Robinson made a motion to approve an application for a Lounge Retail Liquor – Class II (Package) ABC license by Marva Billingsley d/b/a Spooky’s Package Store located at 1430 McDaniel Avenue. The motion was seconded by Council Member Palmore; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dawson and Robinson; nays: none; abstentions: Council Member Little. The motion carried.

Mayor Robinson stated that was the time for the public hearing on an application for a Club Liquor – Class I ABC license for Lucky Seven Inc. d/b/a Lucky Seven Lounge located at 2016-2018 West 10th Street, declared the hearing open and asked if anyone wished to address the

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Council either in favor of or in opposition to said application for a Club Liquor – Class I ABC license for Lucky Seven Inc. d/b/a Lucky Seven Lounge located at 2016-2018 West 10th Street.

No one addressed the Council either in favor of or in opposition to said application for a Club Liquor – Class I ABC license for Lucky Seven Inc. d/b/a Lucky Seven Lounge located at 2016-2018 West 10th Street.

Mayor Robinson declared the public hearing on an application for a Club Liquor – Class I ABC license for Lucky Seven Inc. d/b/a Lucky Seven Lounge located at 2016-2018 West 10th Street closed.

Mayor Robinson made a motion to approve an application for a Club Liquor – Class I ABC license for Lucky Seven Inc. d/b/a Lucky Seven Lounge located at 2016-2018 West 10th Street. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dawson and Robinson; nays: none; abstentions: Council Member Little. The motion carried.

Mayor Robinson made a motion to approve a Master Plan of Development for the Medi-Klean Waste on Pappy Dunn Boulevard at McClellan as recommended by the Anniston Planning Commission. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Palmore, Dawson and Robinson; nays: Council Member Little; abstentions: Council Member Jenkins. The motion carried.

Council Member Dawson made a motion to approve the annual applications for wrecker rotation 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 Little made to approve the blocking of 14th Street between Moore and Gurnee Avenues on July 14, 2012 for an event in Zinn Park. 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 Palmore made a motion to approve the support of a collaborative venture between the City of Anniston, Boys and Girls Club of East Central Alabama, Anniston Housing Authority, Anniston City Schools, local businesses and citizens to re-establish a structured presence for our youth at the Hamilton Boys and Girls Club and the newly renovated Norwood Park. 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 Little made a motion to amend the lease agreement with Ralph Bradford to allow him to place signs outside the Multi-Modal Facility for advertising. The motion was seconded by Council Member Palmore.

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The Council discussed amending the lease agreement with Ralph Bradford to allow him to place signs outside the Multi-Modal Facility for advertising.

Council Member Little made a motion to table the motion to amend the lease agreement with Ralph Bradford to allow him to place signs outside the Multi-Modal Facility for advertising. 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.

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

(Lease of 45 gas golf cars and 2 gas maintenance utility vehicles)

Mayor Robinson made a motion that the bid in the total amount of \$2,640.50/month for 48 months by Yamaha Golf Cars for the lease of 45 gas golf cars and 2 gas maintenance utility vehicles be accepted. 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.

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

(One (1) pickup truck for PARD)

Mayor Robinson made a motion that the bid in the total amount of \$18,350.00 by Sunny King Ford for one pick-up truck for the Parks and Recreation 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 Jenkins, Palmore, Dawson and Robinson; nays: Council Member Little. The motion carried.

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

(One (1) monitor/defibrillator for the Fire Dept.)

Mayor Robinson made a motion that the bid in the total amount of \$27,813.60 by ZOLL Medical Corporation for one monitor/defibrillator for the Fire Department be accepted. 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 Little stated that each Council Member had a letter before them from an architect concerning the danger of a drive through window at the Watermark Tower building.

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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 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 and the meeting was adjourned at approximately 7:41 o'clock p.m.