

Anniston, Alabama  
April 9, 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, April 9, 2013, at approximately 6:05 o'clock p.m.

Phil Webb prayed the Invocation.

Phil Webb 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.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of the minutes of March 26, 2013. 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.

Council Member Selase made a motion to approve the minutes of March 26, 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 delete from the agenda an ordinance amending Section 13.6 (2) of the Code of Ordinances of the City of Anniston providing for the Residential Health and Safety Property Inspection within the city, an ordinance pertaining to traffic signal removal, a resolution appointing a member to the McClellan Development Authority, and to add to the agenda a motion authorizing the City staff and the Council to begin negotiations with ACP consulting group towards an agreement for ACP to consult on the City's strategic plan and to add a motion to block 11<sup>th</sup> Street from Noble Street to Gurnee Avenue on April 26<sup>th</sup> from 12:00 p.m. to 1:30 p.m. 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.

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 introduced and read Resolution Number 13-R-36 as follows:

(13-R-36, reimbursements for travel expense)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-36 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-36 was passed and adopted.

Mayor Stewart announced that was the time for the public hearing concerning objections to the abatement of identified nuisances at 905 Hillyer High Road, declared the hearing open and asked if anyone wished to address the Council concerning objections to the abatement of identified nuisances at said location.

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

Mayor Stewart declared the public hearing concerning objections to the abatement of identified nuisances at 905 Hillyer High Road closed.

Council Member Harris introduced and read Resolution Number 13-R-37 as follows:

(13-R-31, over-ruling objections to the abatement of identified nuisances)

Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-37 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-37 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-38 as follows:

(13-R-38, declaring a reported condition to be a public nuisance)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-38 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-38 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-39 as follows:

(13-R-39, requesting an abandoned railroad spur to be conveyed to the City to be added as part of The Ladiga Trail System)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-39 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-39 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-40 as follows:

(13-R-40, authorizing the negotiation of a scope of work and fee with JRWA for preliminary engineering for Monsanto Road)

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-40 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-40 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-41 as follows:

(13-R-41, agreement on behalf of the Anniston Calhoun County HOME Consortium with N. E. Alabama Community Development Corporation)

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-41 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-41 was passed and adopted.

Mayor Stewart announced that was the time for the public hearing on a Restaurant Retail Liquor and Brewpub application for Cheaha Brewing Company LLC d/b/a Cheaha Brewing Company located at 1208 Walnut Avenue, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Restaurant Retail Liquor and Brewpub application for Cheaha Brewing Company LLC d/b/a Cheaha Brewing Company located at 1208 Walnut Avenue.

No one addressed the Council either in favor of or in opposition to said Restaurant Retail Liquor and Brewpub application for Cheaha Brewing Company LLC d/b/a Cheaha Brewing Company located at 1208 Walnut Avenue.

Mayor Stewart declared the public hearing on a Restaurant Retail Liquor and Brewpub application for Cheaha Brewing Company LLC d/b/a Cheaha Brewing Company located at 1208 Walnut Avenue closed.

Council Member Selase made a motion to approve a Restaurant Retail Liquor and Brewpub application for Cheaha Brewing Company LLC d/b/a Cheaha Brewing Company located at 1208 Walnut Avenue. The motion was seconded by Council Member Harris; and on call of the roll the

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

Mayor Stewart announced that was the time for the public hearing on a Club Liquor – Class II application for Dee Fords Bar and Grill LLC d/b/a Dee Fords located in the police jurisdiction at 3805 Highway 202, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Club Liquor – Class II application for Dee Fords Bar and Grill LLC d/b/a Dee Fords located in the police jurisdiction at 3805 Highway 202.

No one addressed the Council either in favor of or in opposition to said Club Liquor – Class II application for Dee Fords Bar and Grill LLC d/b/a Dee Fords located in the police jurisdiction at 3805 Highway 202.

Mayor Stewart declared the public hearing on a Club Liquor – Class II application for Dee Fords Bar and Grill LLC d/b/a Dee Fords located in the police jurisdiction at 3805 Highway 202 closed.

Don Hoyt, City Manager, stated the Council had received an extensive police report concerning the Club Liquor – Class II application for Dee Fords Bar and Grill LLC d/b/a Dee Fords. He stated the report shows an extensive amount of incidents that occurred over time with the management of this proposed establishment at their previous location. He stated according to the ordinance it is the duty of the owners, supervisors and management of these establishments to be in control of their property. He stated in view of the history of the management of the previous establishments the City staff would not recommend approval of this application.

Council Member Jenkins made a motion to table the proposed motion concerning an application for a Club Liquor – Class II license for Dee Fords Bar and Grill LLC d/b/a Dee Fords located in the police jurisdiction at 3805 Highway 202 until the April 23, 2013, Council Meeting. 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 block 11<sup>th</sup> Street from Noble Street to Gurnee Avenue on April 26<sup>th</sup> from 12:00 p.m. to 1:30 p.m. for a prayer vigil. 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 made a motion to authorize the City staff and the Council to begin negotiations with ACP consultant group towards an agreement for ACP to consult on the City's strategic plan. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Stewart; nays: none; abstentions: Council Member Selase. The motion carried.

Johnny Byrd addressed the Council on behalf of the Spirit of Anniston and introduced Diana Michaels, Executive Director of the Spirit of Anniston.

Diana Michaels, Executive Director of the Spirit of Anniston, addressed the Council and stated she was looking forward to working with the Council.

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 6:46 o'clock p.m.