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Anniston, Alabama
April 10, 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, April 10, 2012, at approximately 6:18 o'clock p.m.

Mayor Robinson prayed the Invocation.

Mayor Robinson 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, and Robinson; absent: Council Member Dawson. 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 Jenkins made a motion to dispense with the reading of and approve the minutes of March 27, 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Mayor Robinson made a motion to add to the agenda a motion to authorize the disbursement of \$4,000.00 to the Northeast Alabama Bicycle Club to obtain video for future marketing opportunities and a motion to temporarily close Moore Avenue between 12th and 13th Streets during business hours or during construction activities for the Judicial Center Project. The motion was seconded by Council Member Palmore; and on call of the roll the following vote was recorded: ayes: Council Members Palmore, Little, and Robinson; nays: none; abstentions: Council Member Jenkins; absent: Council Member Dawson. The motion carried.

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

Mayor Robinson read and presented the following proclamation to Susan Shipman:

(Sexual Assault Awareness Month)

Mayor Robinson read the following proclamation:

(Autism Awareness Month)

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Mayor Robinson made a motion to remove from the table Resolution Number 12-R-146. 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-146 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-146 was passed and adopted.

Mayor Robinson announced that was the time for the public hearing on the proposed abatement of debris declared a public nuisance at 0 McCoy Avenue and 17th Street, declared the hearing open and asked if anyone wished to address the Council concerning the said proposed abatement of debris declared a public nuisance at 0 McCoy Avenue and 17th Street.

No one addressed the Council concerning the said proposed abatement of debris declared a public nuisance at 0 McCoy Avenue and 17th Street.

Mayor Robinson declared the public hearing on the proposed abatement of debris declared a public nuisance at 0 McCoy Avenue and 17th Street closed.

Council Member Jenkins introduced and read Resolution Number 12-R-150 as follows:

(12-R-150, reimbursements for travel expense)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-150 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-150 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-151 as follows:

(12-R-151, declaring a reported condition to be a public nuisance)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-151 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-151 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-152 as follows:

(12-R-152, declaring a reported condition to be a public nuisance)

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Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-152 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-152 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-153 as follows:

(12-R-153, overruling objections to the abatement of a public nuisance)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-153 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-153 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-154 as follows:

(12-R-154, adopting the 2009-2012 Calhoun County Multi-Jurisdictional Hazard Mitigation Plan)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-154 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-154 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-155 as follows:

(12-R-155, agreement with Gresham, Smith and Partners for Summerall Gate Road drainage improvements)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-155 as introduced and read. 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-155 was passed and adopted.

Council Member Little stated they had paving issues in the neighborhoods and he had paving issues in Ward 3.

Council Member Little introduced and read Resolution Number 12-R-156 as follows:

(12-R-156, agreement with Gresham, Smith and Partners for Greenbrier Dear Road safety improvements)

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Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-156 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-156 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-157 as follows:

(12-R-157, library board appointment)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-157 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, Little, and Robinson; nays: none; abstentions: Council Member Palmore; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-157 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-158 as follows:

(12-R-158, equipment lease agreement with Bancorpsouth Equipment Finance)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-158 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Resolution Number 12-R-158 was passed and adopted.

Mayor Robinson reintroduced 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; second reading)

Mayor Robinson made a motion for the passage and adoption of Ordinance Number 12-O-8 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Little asked if they were hiring anyone for this department.

Don Hoyt, City Manager, stated they would eventually hire an Economic Development Specialist to be on the staff.

Council Member Little asked who would head the department.

Mr. Hoyt stated that Toby Bennington, City Planner, would head this department.

Mayor Robinson stated that the creation of this department was critical for the development of the city.

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On call of the roll on Mayor Robinson's motion for the passage and adoption of Ordinance Number 12-O-8 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore and Robinson; nays: Council Member Little; absent: Council Member Dawson. The motion carried and Ordinance Number 12-O-8 was passed and adopted.

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

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

Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 12-O-9 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Ordinance Number 12-O-9 was passed and adopted.

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

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

Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 12-O-10 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and Ordinance Number 12-O-10 was passed and adopted.

Council Member Palmore introduced and read Ordinance Number 12-O-11 as follows:

(12-O-11, designating polling places and polling hours for Municipal Elections; first reading)

Mayor Robinson announced that was the time for the public hearing on a Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street, 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 ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street.

Alma Machado addressed the Council in favor of said Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street.

Mayor Robinson asked if anyone else wished to address the Council either in favor of or in opposition to said Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street.

No one else addressed the Council either in favor of or in opposition to said Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street.

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Mayor Robinson declared the public hearing on a Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street closed.

Council Member Jenkins made a motion to approve a Restaurant Retail Liquor ABC application for Machado Properties LLC d/b/a Anthony's Mexican Restaurant located at 911 Noble Street. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, and Robinson; nays: none; abstentions: Council Member Little; absent: Council Member Dawson. The motion carried.

Council Member Palmore made a motion authorizing the disbursement of \$9,600.00 to purchase a new 15 passenger van through a grant by ALDOT. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Council Member Little made a motion to table a proposed motion authorizing the disbursement of \$5,000.00 to the Anniston City Schools System to educate the public on the pros and cons of a charter school. 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Council Member Jenkins made a motion to authorize the disbursement of \$4,000.00 to the Northeast Alabama Bicycle Club to obtain video footage for future marketing opportunities. The motion was seconded by Council Member Little.

Council Member Little asked if the Northeast Alabama Bicycle Club was funded in the budget process.

Jarrold Simmons, Assistant Finance Director, stated they had an appropriation of \$20,000.00.

Council Member Palmore asked if the City would own this video.

Mr. Hoyt stated that was the intent.

On call of the roll on Council Member Jenkins' motion to authorize the disbursement of \$4,000.00 to the Northeast Alabama Bicycle Club to obtain video footage for future marketing opportunities and Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, and Little; nays: Mayor Robinson; absent: Council Member Dawson. The motion carried.

Mayor Robinson made a motion to authorize the temporary closing of Moore Avenue between 12th and 13th Streets during business hour or during construction activity to facilitate the construction and provide a safe work environment and promote public safety during construction of the Judicial Complex. The motion was seconded by Council Member Palmore; and on call of

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the roll the following vote was recorded: ayes: Council Members Palmore and Robinson; nays: Council Member Little; abstentions: Council Member Jenkins; absent: Council Member Dawson. The motion failed.

John K. Robinson, Oxford, addressed the Council and stated that he had been denied justice in the City's municipal court in five cases dating back to 2008.

Murrell Huguley, 1314 Christine Avenue, addressed the Council concerning conflict of interest.

There being no further business to come before the meeting at that time Mayor Robinson 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried and the meeting was adjourned at approximately 7:31 o'clock p.m.