

4-14-2014

Anniston, Alabama
April 14, 2014

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, April 14, 2014, at approximately 5:39 o'clock p.m.

Council Member Jenkins prayed the Invocation.

Council Member Jenkins 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 Jenkins made a motion to waive the reading of the minutes of April 14, 2014. 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 Selase made a motion to approve the minutes of April 14, 2014. 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 made a motion to amend the agenda to add a resolution authorizing the purchase of an emergency generator for the Justin Sollohub Justice Center and move from the consent agenda a motion to approve requests from the Spirit of Anniston to block streets for "4th Friday" events on Noble Street and to adopt the agenda as amended. 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.

Larry Lee addressed the Council concerning a cost notice he had received for a nuisance property located at 116 East 29th Street.

Jennifer Maddox, Community Foundation of Northeast Alabama, and Chief Denham, Anniston Police Department, addressed the Council and stated that a donor had come forward to create a fund that will support the outreach efforts of the Police Department.

Mayor Stewart announced that was the time for the public hearing to consider the cost of abating certain public nuisances at the following locations: 1223 W. 14th Street, 2207, 2214, and 2215

McCoy Avenue, 19 W. 24th Street, 3921 and 3904 Cross Street, 1938, 3824 (rear), and 3824 George Street, 1526 Charlotte Avenue, 0 South Allen Avenue #8, 523-527 S. Allen Avenue, 0 S. Allen Avenue #17, 615 and 606 S. Allen Avenue, 430 and 428 G Street, 1800 Diane Drive, 700 Mulberry Avenue, 509 W. 13th Street, 515 W. 11 ½ Street, 3910 McClellan Boulevard, 1615 Gurnee Avenue, 12 Circle Drive, 1114 E. 9th Street, 2709 Old Quintard Avenue, 126 E. 27th Street, 0 E. 27th Street #31, 1630 Dooley Avenue, 615 King Street, 714 Glenaddie Avenue, 0 W. 17th Street #69, 114 W. 18th Street, 0 Cobb Avenue #6, 1923, 1925 and 1912 Cobb Avenue, 2216 Gurnee Avenue, 1633, 1629 and 1613 Murray Avenue, 1622, 1624 and 1626 Murray Avenue, 0 Coopers Alley #1, 0 Coopers Alley #13, 711 W. 16th Street, 1625, 1621, and 1530 Mulberry Avenue, 0 West 16th Street #20, 1617 & 1619, 1612, 1622, 1606 and 1608, 1411, 710, 706, and 703 Pine Avenue, 1428 W. 12th Street, 1115 and 1109 W. 19th Street, 0 Dooley Avenue #53.001, 1828, 1814, and 1812 Dooley Avenue, 1826 Cobb Avenue, 19 W. 25th Street, 0 W. 11th Street #11, 1006 and 1004 Clydesdale Avenue, 29 W. 25th Street, 827 Hunter Place, 2827 Walnut Avenue, 1112 W. 19th Street, 1309 Kilby Terrace, 201 W. 19th Street, 1810 ½ Dooley Avenue, 201 E. 29th Street, 917 W. 19th Street, 1821 Dooley Avenue, 207, 1116, and 1108 W. 19th Street, 1813 Dooley Avenue, 19th Street and Stephens Avenue #22, 519 and 523 Glenaddie Avenue, 1808 McKleroy Avenue, 2818 Walnut Avenue, 2028 Gurnee Avenue, 1105, 1120 and 109 W. 19th Street, 2522 Walnut Avenue, 0 W. 11th Street #10, 0 W. 19th Street #21, 1812 Cobb Avenue, 1830 and 1819 Dooley Avenue, 2524 Wilmer Avenue, 123 E. 29th Street, 2823 and 2819 Walnut Avenue, 1003 Clydesdale Avenue, 0 Gurnee Avenue #19, 519 E. 7th Street, 209 W. 19th Street, 1900 Dooley Avenue, 615 Knox Avenue, 1824 McKleroy Avenue, 1422 Brown Avenue, 1813-1821 Gurnee Avenue, 1806 Abbott Avenue, #9 Net Street, 301 S. Christine Avenue, 1800 and 1804 Mulberry Avenue, 1817 McCoy Avenue, 815 W. 10th Street, 1507 Bancroft Avenue, 2826 Wilmer Avenue, #10 Adams Street, 30 W. 19th Street, 1616 and 2201 Moore Avenue, #12 Blue Mountain Road, 219 W. 18th Street, 1208 and 1206 W. 15th Street, #4 High Street, 2516 and 2822 Wilmer Avenue, 1606 Cooper Avenue, 0 Wilmer Avenue #41, 1218, 1214, 1207 and 1216 W. 15th Street, #15 Twine Street, 1728 Pine Avenue, 2806 Wilmer Avenue, 0 SW corner Cooper and 16th Street, 0 Bancroft Avenue #60, #9 Blue Mountain Road, 1824 and 1802 Mulberry Avenue, 0 White Avenue #46, 0 Smith Avenue #45, 1320 Stephens Avenue, 2829 Old Wilmer Avenue, 0 Bancroft Avenue #54, 600 G Street, #10 High Street, 116 E. 29th Street, 1708 McKleroy Avenue, #7 and #5 Net Street, 621 Pine Avenue, 1501 Bancroft Avenue, 1822 and 1820 Mulberry Avenue, 2111 Moore Avenue, #19 Adams Street, 227 W. 18th Street, 407 S. Wilmer Avenue, 2516-B Wilmer Avenue, 0 Bancroft Avenue #37, 1301 White Avenue, 1701 Pine Avenue, 6 Ridge Street, and 112 E. 29th Street; declared the hearing open and asked if anyone wished to address the Council concerning the cost of abating said public nuisances.

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

Mayor Stewart declared the public hearing to consider the cost of abating certain public nuisances at the above listed locations closed.

Mayor Stewart announced that was the time for the public hearing to hear comments regarding objections to the abatement of identified nuisances at the following locations: 1215, 1130 and 1310 Constantine Avenue, 0 Constantine Avenue #50, 322 Walnut Avenue, 11 S. Spruce Avenue, 330 Pine Avenue, 604 W. 14th Street, 632 Glenaddie Avenue, 626, 520, 516, 508, and 315 Mulberry Avenue, 502, 500 and 616 W. 3rd Street, 0 3rd Street #33 and #32, 229 Glenaddie

4-14-2014

Avenue, 324, 317, 313, 310, and 621 Pine Avenue, 0 Pine Avenue #54, 710 and 706 Pine Avenue, 1101 Brown Avenue, 0 W. 11th Street #13, 1227 and 1231 Pine Grove Road, 2830, 2910 and 2908 Noble Street and 123 E. 28th Street; declared the hearing open and asked if anyone wished to address the Council regarding objections to the abatement of identified nuisances at said locations.

Lily Williams addressed the Council concerning the nuisance property at 322 Walnut Avenue.

Mayor Stewart asked if anyone else wished to address the Council regarding objections to the abatement of identified nuisances at said locations.

No one else addressed the Council regarding objections to the abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear comments regarding objections to the abatement of identified nuisances at the above listed locations closed.

Mayor Stewart announced that was the time for the public hearing to hear comments regarding objections to the abatement of identified nuisances at 601 Constantine Avenue and 2220 Christine Avenue, declared the hearing open and asked if anyone wished to address the Council regarding objections to the abatement of identified nuisances at said locations.

No one addressed the Council regarding objections to the abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear comments regarding objections to the abatement of identified nuisances at 601 Constantine Avenue and 2220 Christine Avenue closed.

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

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City. 14-R-135
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 29 Grass lots) 14-R-136
- (c) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2014-01 Trash and Debris) 14-R-137
- (d) Resolution declaring a reported condition to be a public nuisance. (Group Eng-01 Dangerous Wall) 14-R-138
- (e) Resolution authorizing the submission of a grant application under the Alabama Industrial Access Road and Bridge Program. 14-R-139
- (f) Motion designating Council Member Reddick as the City's Voting Delegate for the business session of the Annual Convention of the Alabama League of Municipalities on May 5, 2014.

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.

4-14-2014

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title resolutions receiving and confirming cost reports on the abatement of public nuisances. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of resolutions receiving and confirming cost reports on the abatement of public nuisances.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of resolutions receiving and confirming cost reports on the abatement of public nuisances.

On call of the roll on Council Member Jenkins motion for the unanimous consent of the Council to introduce and read by title resolutions receiving and confirming cost reports on the abatement of public nuisances and Council Member Harris' second to said motion 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 granted to introduce and read by title resolutions receiving and confirming cost reports on the abatement of public nuisances, Council Member Jenkins introduced and read by title resolutions receiving and confirming cost reports on the abatement of public nuisances as follows:

(resolutions receiving and confirming cost reports on the abatement of public nuisances)

Council Member Harris made a motion for the passage and adoption of resolutions receiving and confirming cost reports on the abatement of public nuisances 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and resolutions receiving and confirming cost reports on the abatement of public nuisances were passed and adopted.

Council Member Reddick stated that in the future these properties should be checked to see if they were in foreclosure.

Council Member Reddick made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-140. The motion was seconded by Council Member Harris.

Mayor Stewart 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 14-R-140.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 14-R-140.

4-14-2014

On call of the roll on Council Member Reddick's motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-140 and Council Member Harris' second to said motion 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 granted to introduce and read by title Resolution Number 14-R-140, Council Member Reddick introduced and read by title Resolution Number 14-R-140 as follows:

(14-R-140, to vacate a public road known as Buckelew Bridge Road)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 14-R-140 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Resolution Number 14-R-140 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Resolution Number 14-R-140 as introduced and read by title. 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 14-R-140 was passed and adopted.

(Council Member Jenkins left the meeting at approximately 6:09 p.m.)

Council Member Selase introduced and read Resolution Number 14-R-141 as follows:

(14-R-141, authorizing the purchase of an emergency generator for the Justice Center)

Council Member Selase made a motion for the passage and adoption of Resolution Number 14-R-141 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 Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried and Resolution Number 14-R-141 was passed and adopted.

(Council Member Jenkins re-entered the meeting at approximately 6:11 p.m.)

Council Member Selase made a motion to approve requests from the Spirit of Anniston to block the following streets for "4th Friday" events on Noble Street:

1. April 25th, 5:00 – 8:00 p.m., 1100 & 1200 block of Noble St.
2. May 23rd, 5:00 – 8:00 p.m., 900 & 1000 block of Noble St.
3. June 27th, 5:00 – 8:00 p.m., 1100 & 1200 block of Noble St.
4. July 25th, 5:00 – 8:00 p.m., 900 & 1000 block of Noble St.
5. August 22nd, 5:00 – 8:00 p.m., 1100 & 1200 block of Noble St.
6. September 26th, 5:00 – 8:00 p.m., 900 & 1000 block of Noble St.

4-14-2014

The motion was seconded by Council Member Harris.

Council Member Reddick made a motion to amend the motion to approve requests from the Spirit of Anniston to block the following streets for “4th Friday” events on Noble Street to read as follows:

1. April 25th, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
2. May 23rd, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.
3. June 27th, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
4. July 25th, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.
5. August 22nd, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
6. September 26th, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.

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.

On call of the roll on Council Member Selase’s motion as amended to approve requests from the Spirit of Anniston to block the following streets for “4th Friday” events on Noble Street to read as follows:

1. April 25th, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
2. May 23rd, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.
3. June 27th, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
4. July 25th, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.
5. August 22nd, 5:00 – 8:00 p.m., 1000, 1100 & 1200 block of Noble St.
6. September 26th, 5:00 – 8:00 p.m., 900, 1000 and 1100 block of Noble St.

And Council Member Harris’ second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Alan Atkinson, City Clerk, advised that copies of the tabulation of bids for State Funded Project No. IAR-008-000-013, Pappy Dunn Boulevard and Eglin Avenue Industrial had been given to the Council.

Council Member Jenkins made a motion that the bid in the total amount of \$2,643,127.63 by Holmes II Excavation for State Funded Project No. IAR-008-000-013, Pappy Dunn Boulevard and Eglin Avenue Industrial 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.

Alan Atkinson, City Clerk, advised that copies of the tabulation of bids for lighting modifications to the Longleaf Botanical Gardens had been given to the Council.

4-14-2014

Council Member Reddick made a motion that the bid in the total amount of \$49,848.00 by Industrial Control Systems, Inc. for lighting modifications to the Longleaf Botanical Gardens be accepted. 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 Jenkins thanked everyone involved in the Model City Music Fest and the Noble Street Festival for helping to make both a success.

Council Member Reddick stated that Morris Day and the Tymes had put on a great show. He stated that the Noble Street Festival had been a wonderful event.

Council Member Selase stated the Board of Education, the Anniston Housing Authority and the City Council had a historic meeting concerning the West Anniston planning process. He stated he was serious about the “war on blight” in Ward 3.

Council Member Harris stated that weekend with the cyclist had been amazing. She thanked Tania Bryant for the clean up day last Saturday.

Mayor Stewart stated this city was changing for the better and everyone was participating and teamwork was required for these positive changes. He thanked the staff for their work with the Model City Music Fest and the Noble Street festival.

Bruce Downey, City Attorney, stated concerning the next motion that this exception applies to the planned discussion.

There being no further business to come before the meeting at that time Council Member Selase made a motion to adjourn into Executive Session to discuss with the City Attorney controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action. 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 Council Adjourned into Executive Session at approximately 6:30 o'clock p.m.