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Anniston, Alabama
April 24, 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 24, 2012, at approximately 6:00 o'clock p.m.

Council Member Jenkins prayed the Invocation.
Council Member Jenkins 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 April 10, 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 accept the resignation of Council Member M. David Dawson. 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Council Member Jenkins 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 Jenkins, Palmore, Little, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Council Member Little made a motion to remove from the table a 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 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.

Council Member Little made a motion to amend the 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 to be a disbursement of \$2,500.00. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins,

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Palmore, Little, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Council Member Palmore stated he was not in favor of this motion. He stated the State Board of Education and the Legislature are involved in this situation and are the ones that are pushing for charter schools.

Council Member Little stated this motion was just to get information and help out in their area so they know what was happening.

Mayor Robinson stated he thought they would be discussing this again in the fall and this motion today was premature.

On call of the roll on Council Member Little's motion authorizing the disbursement of \$2,500.00 to the Anniston City Schools System to educate the public on the pros and cons of a Charter School and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Member Little; nays: Council Member Jenkins, Palmore and Robinson. The motion failed.

Mayor Robinson announced that was the time for the public hearing on the proposed ordinance relocating the polling place for future municipal elections in the City of Anniston from the Calhoun Cleburne Mental Health Center, 331 East 8th Street to the Anniston Country Club, 601 Highland Avenue, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said proposed ordinance relocating the polling place for future municipal elections in the City of Anniston from the Calhoun Cleburne Mental Health Center, 331 East 8th Street to the Anniston Country Club, 601 Highland Avenue.

No one addressed the Council either in favor of or in opposition to said proposed ordinance relocating the polling place for future municipal elections in the City of Anniston from the Calhoun Cleburne Mental Health Center, 331 East 8th Street to the Anniston Country Club, 601 Highland Avenue.

Mayor Robinson declared the public hearing on the proposed ordinance relocating the polling place for future municipal elections in the City of Anniston from the Calhoun Cleburne Mental Health Center, 331 East 8th Street to the Anniston Country Club, 601 Highland Avenue, closed.

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: 2227 Noble Street, 16 East 23rd Street, 19 East 23rd Street, 0 Noble Street #29, 2808 Noble Street, 0 Noble Street #15, 1729 McCoy Avenue, 1818 and 1620 Walnut Avenue, 0 Walnut Avenue & 15th Street, 0 McDaniel Avenue #27, 1209 and 1229 West 16th Street, 1515 Brown Avenue, 1130 and 1123 West 16th Street, 1119 rear West 16th Street, 1113 West 16th Street, 12 South Quintard Avenue, 2231 Noble Street, 15 East 23rd Street, 2324, 2523, 2830 Noble Street, 400 West 18th Street, 0 McCoy Avenue & 17th Street, 1509 Walnut Avenue, 217 West 15th Street, 1521 McDaniel Avenue, 1219 West 16th

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Street, 1511, 1571 Brown Avenue, 1128, 1119, 1117 West 16th Street, 0 West 16th Street # 21, 124 East A Street, 3001, 3004, 3005, 3017, 3029 Walnut Avenue, 3103, 3107 Moore Avenue, 1214 West 19th Street, 1304, 1316 Johnson Avenue, 320 Maple Street, 317 Elm Street, 1310, 1130, 1001 Constantine Avenue, 109 Maple Street, 1318 Front Street, 0 Constantine Avenue #50, 114 West 3rd Street, #2, #4, #8, #12, #18, #19, #15, #11 Spruce Street, 208 West 2nd Street, 110, 112, 114 Front Street, 129, 131 Spruce Street, 200 Front Street, 110 Sawyer Street, 0 South Walnut Avenue #15, 21 South Walnut Avenue, 229 Glenaddie Avenue, 500 West 3rd Street, 502 West 3rd Street, 1810, 1814, and 1818 Stephens Avenue; declared the hearing open and asked if anyone wished to address the Council concerning said proposed abatement of grass lots declared public nuisances.

No one addressed the Council concerning said proposed abatement of 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: 2227 Noble Street, 16 East 23rd Street, 19 East 23rd Street, 0 Noble Street #29, 2808 Noble Street, 0 Noble Street #15, 1729 McCoy Avenue, 1818 and 1620 Walnut Avenue, 0 Walnut Avenue & 15th Street, 0 McDaniel Avenue #27, 1209 and 1229 West 16th Street, 1515 Brown Avenue, 1130 and 1123 West 16th Street, 1119 rear West 16th Street, 1113 West 16th Street, 12 South Quintard Avenue, 2231 Noble Street, 15 East 23rd Street, 2324, 2523, 2830 Noble Street, 400 West 18th Street, 0 McCoy Avenue & 17th Street, 1509 Walnut Avenue, 217 West 15th Street, 1521 McDaniel Avenue, 1219 West 16th Street, 1511, 1571 Brown Avenue, 1128, 1119, 1117 West 16th Street, 0 West 16th Street # 21, 124 East A Street, 3001, 3004, 3005, 3017, 3029 Walnut Avenue, 3103, 3107 Moore Avenue, 1214 West 19th Street, 1304, 1316 Johnson Avenue, 320 Maple Street, 317 Elm Street, 1310, 1130, 1001 Constantine Avenue, 109 Maple Street, 1318 Front Street, 0 Constantine Avenue #50, 114 West 3rd Street, #2, #4, #8, #12, #18, #19, #15, #11 Spruce Street, 208 West 2nd Street, 110, 112, 114 Front Street, 129, 131 Spruce Street, 200 Front Street, 110 Sawyer Street, 0 South Walnut Avenue #15, 21 South Walnut Avenue, 229 Glenaddie Avenue, 500 West 3rd Street, 502 West 3rd Street, 1810, 1814, and 1818 Stephens Avenue; closed.

Council Member Palmore introduced and read Resolution Number 12-R-159 as follows:

(12-R-159, travel reimbursement)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-159 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-159 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-160 as follows:

(12-R-160, over-ruling objections to the abatement of identified nuisances)

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Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-160 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-160 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-161 as follows:

(12-R-161, over-ruling objections to the abatement of identified nuisances)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-161 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-161 was passed and adopted.

Council Member Little introduced and read Resolution Number 12-R-162 as follows:

(12-R-162, declaring a reported condition to be a public nuisance)

Council Member Little made a motion for the passage and adoption of Resolution Number 12-R-162 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-162 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-163 as follows:

(12-R-163, renewal of agreement with L.P. Campbell Company)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-163 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-163 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-164 as follows:

(12-R-164, permanent closing of a portion of Littlebrandt Drive)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-164 as introduced and read. The motion was seconded by Mayor Robinson; and on call of the

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

Mayor Robinson introduced and read Resolution Number 12-R-165 as follows:

(12-R-165, appointing an alternate prosecutor and public defender for the Municipal Court)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-165 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Palmore made a motion to table Resolution Number 12-R-165 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, and Little; nays: Mayor Robinson; absent: Council Member Dawson. The motion carried.

Mayor Robinson reintroduced and read Ordinance Number 12-O-11 as follows:

ORDINANCE NUMBER 12-O-11

AN ORDINANCE DESIGNATING POLLING PLACES AND POLLING HOURS FOR MUNICIPAL ELECTIONS TO BE CONDUCTED WITHIN THE CITY OF ANNISTON

WHEREAS, the City Council, pursuant to its authority, hereby designates the polling places to be utilized within the various wards of the City, and the voting districts thereof, and the hours during which such polls shall be open.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama, as follows:

Section 1. The polling places within the wards and the voting districts contained therein for the purposes of general municipal elections, special municipal elections and municipal runoff elections are hereby designated as follows:

FOR PRECINCT 1-A, WITHIN WARD 1:

CALHOUN COUNTY PUBLIC HEALTH DEPARTMENT (Community Meeting Room),
3400 McClellan Boulevard, Anniston AL

FOR PRECINCT 1-C, WITHIN WARD 1:

1ST PRESBYTERIAN CHURCH
1701 Henry Road, Anniston AL

FOR PRECINCT 2-A, WITHIN WARD 2:

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MOORE AVENUE CHURCH OF CHRIST
2200 Moore Avenue, Anniston AL

FOR PRECINCT 2-B, WITHIN WARD 2:

CARVER COMMUNITY CENTER
720 West 14th Street, Anniston AL

FOR PRECINCT 2-C, WITHIN WARD 2:

WIGGINS COMMUNITY CENTER
220 West 17th Street, Anniston AL

FOR PRECINCT 3-A, WITHIN WARD 3:

ANNISTON CITY MEETING CENTER
1615 Noble Street, Anniston AL

FOR PRECINCT 3-B, WITHIN WARD 3:

SOUTH HIGHLAND COMMUNITY CENTER
229 South Allen Avenue, Anniston AL

FOR PRECINCT 4-A, WITHIN WARD 4:

ANNISTON COUNTRY CLUB
601 Highland Avenue, Anniston AL

FOR PRECINCT 4-B, WITHIN WARD 4:

HODGES COMMUNITY CENTER
1335 Spring Valley Road, Anniston AL

Section 2. The hours during which the polls shall be open for general municipal elections, special municipal elections and municipal runoff elections shall be from 7:00 a.m. to 7:00 p.m., Central Daylight Time.

Section 3. This Ordinance shall become effective immediately upon its publication one time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk of the City of Anniston, Alabama is hereby ordered and directed to cause a copy of this ordinance to be published one time in said newspaper. The chief legal officer of the city is hereby ordered and directed to receive a determination by the Attorney General of the United States or a declaratory judgment by the United States District Court for the District of

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Columbia that the denial or abridgement of the right to vote on account of race or color is not the purpose and will not be the effect of this Ordinance.

PASSED AND ADOPTED this the 24th day of April, 2012.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

By: /s/ Gene Robinson, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ Herbert N. Palmore, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Mayor Robinson made a motion for the passage and adoption of Ordinance Number 12-O-11 as reintroduced and read. The motion was seconded by Council Member Palmore.

Council Member Little stated they should not have a polling place at a private club and this would send a negative message to the community. He stated people would not want to go to the country club to vote. He stated they had a perfectly good place to vote at the mental health center. He stated he would do the best he could to make sure the Justice Department does not allow this to happen. He stated it was a slap in the face to human decency for blacks and whites alike.

Mayor Robinson stated Don Hoyt, City Manager, had done a fine job on everything to do with the upcoming election. He stated Mr. Hoyt had inconvenienced the least amount people he could with the Ward lines redistricting.

Council Member Little stated he was going to contest the entire Ward lines redistricting and the polling places.

On call of the roll on Mayor Robinson's motion for the passage and adoption of Ordinance Number 12-O-11 as reintroduced and read and Council Member Palmore's 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-11 was passed and adopted.

Council Member Jenkins made a motion to approve a retail beer (off premises only) and retail table wine (off premises only) application for Dolgencorp LLC d/b/a Dollard General Store #12923 located at 704 South Quintard Avenue. 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.

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Council Member Jenkins made a motion to approve a retail beer (off premises only) and retail table wine (off premises only) application for Dolgencorp LLC d/b/a Dollard General Store #4265 located at 2363 Alabama Highway 202, Suite D. 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 Jenkins made a motion to approve a retail beer (off premises only) and retail table wine (off premises only) application for Dolgencorp LLC d/b/a Dollard General Store #4280 located at 2605 U. S. Highway 431 North. 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 Little made a motion to appoint Council Member Palmore as the voting delegate for the Alabama League of Municipalities Business Meeting in Birmingham on May 21, 2012. 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.

Council Member Palmore made a motion to suspend the rule requiring the Council to meet on the fourth Tuesday of May, 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, and Robinson; nays: none; absent: Council Member Dawson. The motion carried.

Mayor Robinson made a motion to accept the resignation of Council Member M. David Dawson. 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.

Patty Tiller addressed the Council and invited them to attend the area Special Olympics.

Council Member Little stated he would like to have the Council meetings broadcast again on Channel 2. He asked if City employees were able to use the aquatics center for free.

Don Hoyt, City Manager, stated that City employees and their families could use the aquatics center for free if they were enrolled in the City's health insurance program.

The Council Members present agreed to accept applications for the position of Council Member from Ward 4 and interview the applicants on Monday, May 7 at 3:00 p.m.

There being no further business to come before the meeting at that time Council Member Palmore 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,

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Little, and Robinson; nays: none. The motion carried and the meeting was adjourned at approximately 6:50 o'clock p.m.