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Anniston, Alabama  
May 25, 2010

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, May 25, 2010, at approximately 3:03 o'clock p.m.

Council Member Dawson prayed the Invocation.

Council Member Dawson led the Pledge of Allegiance to the Flag.

Council Member Spain called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Spain, Palmore, Little, and Dawson; absent: Mayor Robinson. 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 Spain stated that he would be presiding at the meeting. He stated that Mayor Robinson was absent and out of the city. He asked Don Hoyt, City Manager, where Mayor Robinson was.

Don A. Hoyt, City Manager, stated that he understood that Mayor Robinson was visiting family on the west coast.

Council Member Spain stated that he had not officially been appointed to take over the Mayor's duties with respect to his military obligations however since he had found out that the Mayor is out of town he would assume that responsibility until he is notified that the Mayor has returned. He welcomed the public to the meeting.

Council Member Dawson made a motion to dispense with the reading of and approve the minutes of May 11, 2010. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

Cleo Thomas, City Attorney, stated that he thought the Council wished to add a resolution adopting the sales tax holiday.

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

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Council Member Dawson made a motion to remove from the table a motion authorizing the City manager to negotiate a lease agreement with Mr. Ervin Romine for the operation of the Cane Creek Restaurant located in the Cane Creek Golf Course Club House at McClellan. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

Council Member Spain stated he had some concerns about this contract and how it was bid out. He stated there had been conversations about the fare to be served and the hours of operation and other issues have come up. He stated he had asked Mr. Romine to contact him and he had not.

Mr. Hoyt stated that he had had several conversations with Mr. Romine and had asked Mr. Romine to contact Council Member Spain. He stated they could negotiate issues in the lease agreement. He stated there were minimum requirements with the menu. He stated the hours of operation could be negotiated and the lease amount.

Council Member Spain stated he would like to see the hours of operation extended. He stated he would like to see a better job of specifying what the City wants in the contract. He stated he would like for the Council to consider re-bidding this contract.

Council Member Little stated he did not have a problem with re-bidding this contract but he thought Council Member Spain should speak to Mr. Romine.

Council Member Spain asked Council Member Little to have Mr. Romine contact him.

Council Member Little made a motion to table a motion authorizing the City manager to negotiate a lease agreement with Mr. Ervin Romine for the operation of the Cane Creek Restaurant located in the Cane Creek Golf Course Club House at McClellan. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

Council Member Little made a motion to remove from the table a resolution creating the Anniston Public Building Authority (PBA) which will facilitate financing and construction of essential public facilities for public safety, social services and infrastructure in the city. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

Council Member Spain read and presented the following proclamation to Reverend Rebecca Littlejohn:

(First Christian Church)

Council Member Dawson introduced and read Resolution Number 10-R-58 as follows:

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(10-R-58, reimbursements to City officials for travel expense)

Council Member Dawson made a motion for the passage and adoption of Resolution Number 10-R-58 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 Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-58 was passed and adopted.

Council Member Spain introduced and read Resolution Number 10-R-59 as follows:

RESOLUTION NUMBER 10-R-59

BE IT RESOLVED by the City Council of the City of Anniston, Alabama, as follow:

Section 1. That William Golden be and he hereby is reappointed to the Parks, Recreation and Beautification Board for a term to expire November 30, 2013.

Section 2. That the City Clerk cause a copy of this resolution to be mailed to the above named appointees and to said board.

PASSED AND ADOPTED this the 25th day of May, 2010.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ John Spain, Council Member

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

By: /s/ Benjamin L. Little, Council Member

By: /s/ David Dawson, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Spain made a motion for the passage and adoption of Resolution Number 10-R-59 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 Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-59 was passed and adopted.

Council Member Little introduced and read Resolution Number 10-R-60 as follows:

(10-R-60, declaring properties public nuisances)

Council Member Little made a motion for the passage and adoption of Resolution Number 10-R-60 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

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Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-60 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 10-R-61 as follows:

(10-R-61, declaring property surplus and authorizing the sale thereof)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 10-R-61 as introduced and read. The motion was seconded by Council Member Little.

Council Member Palmore stated they should remove the radar detectors and the BB guns from this surplus list.

Council Member Palmore made a motion to amend Resolution Number 10-R-61 to remove the radar detectors and the BB guns from this surplus list. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

On call of the roll on Council Member Palmore's motion for the passage and adoption of Resolution Number 10-R-61 as amended and Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-61 was passed and adopted.

Council Member Little introduced and read Resolution Number 10-R-62 as follows:

(10-R-62, sales tax holiday)

Council Member Little made a motion for the passage and adoption of Resolution Number 10-R-62 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 Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-62 was passed and adopted.

Council Member Dawson introduced and read Resolution Number 10-R-63 as follows:

RESOLUTION NUMBER 10-R-63

Whereas, Rhonda Griffith, Jacquelyn Brown, Ralph Bradford, Thomas W. Harmon and Seyram Selase acting pursuant to the provisions of Ala. Code 11-56-1 et seq. (1975) as amended have filed their written application with the City Council of the City of Anniston which is the governing body of the City of Anniston, Alabama, ( the City) requesting authority to incorporate a public building authority in the City of Anniston, Alabama;

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WHEREAS, it appears to the City Council that each said person signing said application is a duly qualified elector and property owner in the City of Anniston, Alabama; and

WHEREAS, the City desires to appoint the initial members of the Board of Directors of such corporation.

Now therefor be it resolved by the City Council of the City of Anniston, Alabama, which is the governing body of the City of Anniston, Alabama, as follows:

Section 1. That it is wise, expedient and necessary that a public building authority be formed in the City of Anniston, Alabama, and that the above named parties filing their applications are hereby authorized to proceed to form such corporation. That the form of certificate of incorporation for the public building authority attached to such application is hereby approved.

Section 2. That the City Council does hereby elect the following persons who are all residents of the City of Anniston and none of whom is an officer of the State of Alabama or the City of Anniston, to serve as directors of the public building authority effective immediately;

For a one year term expiring May 31, 2011: Ward 1 – Rhonda Griffith, Ward 2 – Jacquelyn Brown

For a two year term expiring on May 31, 2012; Ward 3 – Ralph Bradford, Ward 4 – Thomas Harmon

For a three year term expiring May 31, 2013: At large – Seyram Selase.

All subsequent appointments shall be four year terms.

PASSED AND ADOPTED this the 25th day of May, 2010.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

By: /s/ John Spain, Council Member

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

By: /s/ Benjamin L. Little, Council Member

By: /s/ David Dawson, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Dawson made a motion for the passage and adoption of Resolution Number 10-R-63 as introduced and read. The motion was seconded by Council Member Little.

Council Member Little asked if this board would elect their chairman.

Cleo Thomas, City Attorney, stated the board would elect their chairman.

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Council Member Spain made a motion to amend Resolution Number 10-R-63 that all subsequent terms would be four year terms. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

On call of the roll on Council Member Dawson's motion for the passage and adoption of Resolution Number 10-R-63 as amended and Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and Resolution Number 10-R-63 was passed and adopted.

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

(Cleaning grass nuisance lots)

Council Member Dawson made a motion that the bid in the total amounts of \$1,070.00 by T & J Demo and Clean Up and \$1,840.00 by Kenny and James Lawn Care for the cleaning of grass nuisance lots be accepted. The motion was seconded by Council Member Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried.

Curtis Ray, 1004 Constantine Avenue, addressed the Council concerning private property lines and City property lines and grass growing in ditches on City right-of-way.

Alice Easley, 2400 Gurnee Avenue, addressed the Council concerning the property locates at 1900 West 24<sup>th</sup> Street and stated that the structure had burned in November and December of 2009. She stated the rubble from the structure still remains and needs to be removed.

Council Member Spain asked Mr. Hoyt to look into this matter.

Council Member Palmore stated that this property had been written up for cleaning. He stated that this property will be taken care of.

Council Member Little stated he had asked that someone look into the feasibility of firing of fireworks on Coldwater Mountain on the 4<sup>th</sup> of July and having festivities downtown that day and evening. He stated there was building at Allen and Greenbrier that needed to come down and another at "A" and Christine and "G" and Leighton that needed to come down. He stated that once a building has burned there should be a recommendation from the Fire Department concerning the building.

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Council Member Dawson stated he had heard positive comments on the striping by the City staff.

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 Little; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, and Dawson; nays: none; absent: Mayor Robinson. The motion carried and the meeting was adjourned at approximately 3:59 o'clock p.m.