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Anniston, Alabama
June 26, 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, June 26, 2012, at approximately 6:02 o'clock p.m.

Council Member Dunn prayed the Invocation.

Council Member Dunn 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, Dunn and Robinson; absent: none. 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 Little made a motion to dispense with the reading of and approve the minutes of June 12, 2012. 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, Dunn and Robinson; nays: none. The motion carried.

Mayor Robinson made a motion to remove from the agenda a motion to reconsider Shaun Quinlan as an alternate City Prosecutor due to possible conflict of interest and a motion to stop the Criminal Justice Center Project. 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, Dunn and Robinson; nays: none. 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, Dunn and Robinson; nays: none. The motion carried.

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

(12-O-12, amending the City's Zoning Map; second reading)

Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 12-O-12 as reintroduced 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, Dunn and Robinson; nays: none; abstentions: Council Member Palmore. The motion carried and Ordinance Number 12-O-12 was passed and adopted.

Council Member Jenkins introduced and read Ordinance Number 12-O-13 as follows:

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(12-O-13, three way stop intersections)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 12-O-13 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, Dunn and Robinson; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 12-O-13, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 12-O-13 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 Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and Ordinance Number 12-O-13 was passed and adopted.

Council Member Dunn introduced and read Resolution Number 12-R-178 as follows:

(12-R-178, reimbursements to City officials)

Council Member Dunn made a motion for the passage and adoption of Resolution Number 12-R-178 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 Little, Dunn and Robinson; nays: none; abstentions: Council Members Jenkins and Palmore. The motion carried and Resolution Number 12-R-178 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-179 as follows:

(12-R-179, reappointing a member to the PBA)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-179 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, Dunn and Robinson; nays: none. The motion carried and Resolution Number 12-R-179 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-180 as follows:

(12-R-180, funding the Calhoun Cleburne County Drug and Violent Crime Task Force for FY 2013)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-180 as introduced and read. The motion was seconded by Council Member Jenkins.

Captain Chris Roberson, Calhoun Cleburne County Drug and Violent Crime Task Force, addressed the Council concerning their funding request.

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On call of the roll on Mayor Robinson's motion for the passage and adoption of Resolution Number 12-R-180 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and Resolution Number 12-R-180 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-181 as follows:

(12-R-181, COA Bicycle and Pedestrian Planning, Development and Implementation Standards and Guidelines)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-181 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, Dunn and Robinson; nays: none. The motion carried and Resolution Number 12-R-181 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-182 as follows:

(12-R-182, amending FY 2012 budget effective July 1, 2012)

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-182 as introduced and read. The motion was seconded by Council Member Jenkins.

Don Hoyt, City Manager, stated this would be for the four employees who would take of the parking lots.

Council Member Little stated they had eight employees in Parks and Recreation Department they could move to perhaps handle this job. He stated if they were going to amend the budget they should amend it to include more paving. He stated he did not disagree that they might need more people for this job but he stated they should consolidate some of their work force to be more effective.

Mr. Hoyt stated the \$36,000 was allocated to four employees for the remainder of the year.

Council Member Palmore stated he was going to vote for this resolution but that he was going to recommend they add streets to the paving list and take the money from reserves or from capital improvements.

Council Member Dunn asked if they would be open to look at this after a period of time to see how it was working.

Mr. Hoyt stated they were entering the budget process and could evaluate this work further in the budget process.

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Council Member Jenkins stated this was a short term solution to a much larger problem of downtown development.

On call of the roll on Mayor Robinson's motion for the passage and adoption of Resolution Number 12-R-182 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and Resolution Number 12-R-182 was passed and adopted.

Council Member Little made a motion to appoint James Marvin Sims as the Municipal Judge. The motion was seconded by Council Member Palmore.

Council Member Little stated it would only be fair to appoint Mr. Sims as the Municipal Judge since he had been serving as the alternate judge.

On call of the roll On Council Member Little's motion to appoint James Marvin Sims as the Municipal Judge and Council Member Palmore's second to said motion the following vote was recorded: ayes: Council Members Palmore and Little; nays: Council Members Jenkins, Dunn and Robinson. The motion failed.

Mayor Robinson made a motion to appoint Theodore Copland as the Municipal Judge. (There was no second to the motion.)

Council Member Jenkins made a motion to appoint Jennifer Ghee Downey as the Municipal Judge. The motion was seconded by Council Member Dunn.

Council Member Little read from 11-43-12 of the Code of Alabama concerning Council Members not having contracts with the municipality. He stated that Council Member Jenkins vote should not be counted and he should not be on the Council voting on anything. He stated the \$0.01 sales tax should be going to escrow.

On call of the roll on Council Member Jenkins' motion to appoint Jennifer Ghee Downey as the Municipal Judge and Council Member Dunn's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Dunn and Robinson; nays: Council Members Palmore and Little. The motion carried.

Council Member Jenkins introduced and read Resolution Number 12-R-183 as follows:

(12-R-183, appointing a Municipal Judge for a two year term or until a successor is appointed)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-183 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, Dunn and Robinson; nays: Council Members Palmore and Little. The motion carried and Resolution Number 12-R-183 was passed and adopted.

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Mayor Robinson made a motion to approve the funding request of \$5,000.00 for Rumble on Noble scheduled for August 25, 2012. The motion was seconded by Council Member Jenkins.

Council Member Little stated they had other needs in the city like paving.

Mayor Robinson stated this was the first time this group had asked for this type of funding.

Council Member Jenkins stated they needed to address the concerns of the downtown merchants. He stated he appreciated the commitment of this group.

On call of the roll on Mayor Robinson's motion to approve the funding request of \$5,000.00 for Rumble on Noble scheduled for August 25, 2012 and Council Member Jenkins second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dunn and Robinson; nays: Council Members Little. The motion carried.

Council Member Jenkins made a motion to approve the recommendation from the Anniston Planning Commission regarding the Planned Unit Development (PUD) for the Industrial/Research Technology Park. The motion was seconded by Mayor Robinson.

Council Member Palmore stated he had some concerns about some things at McClellan that have not been cleared up to his satisfaction.

Council Member Little stated that McClellan belonged to the Indians and they needed to go back and do these things right.

Council Member Jenkins stated what they were discussing was the PUD for the Industrial/Research Technology Park. He stated it had been fully vetted through the MDA and the Planning Commission. He stated this was long overdue.

On call of the roll on Council Member Jenkins' motion to approve the recommendation from the Anniston Planning Commission regarding the Planned Unit Development (PUD) for the Industrial/Research Technology Park and Mayor Robinson's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Dunn and Robinson; nays: Council Member Little; abstentions: Council Member Palmore. The motion carried.

The Council agreed unanimously to approve to allow merchants to have sidewalk sales on Saturdays.

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

(the sale of the Noble Street School building and property)

Mayor Robinson made a motion that the bid in the total amount of \$50,000.00 by the Sharp-Dean School of Continuing Studies for the purchase of the Noble Street School building and property be accepted. The motion was seconded by Council Member Palmore.

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Council Member Jenkins stated he would like to see a business plan for the use of the property. He stated they should not evaluate these bids just on the dollar amount of the bid.

Council Member Jenkins made a motion to table Mayor Robinson's motion that the bid in the total amount of \$50,000.00 by the Sharp-Dean School of Continuing Studies for the purchase of the Noble Street School building and property be accepted. 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, Dunn and Robinson; nays: none. The motion carried.

Mayor Robinson made a motion that the bids in the total amounts of \$8,400.00 by Teague Hauling, \$5,760.00 by Emtek Mechanical, and \$29,870.00 by Alabama Grading and Excavation for the demolition of substandard structures be accepted. 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, Dunn and Robinson; nays: none. The motion carried.

Mayor Robinson read the Notice of Election that would run in the Anniston Star on July 3, 2012.

Jennifer Downey, 1012 Glenwood Terrace, addressed the Council and thanked them for their confidence in her with the Municipal Judge.

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 Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and the meeting was adjourned at approximately 7:31 o'clock p.m.