

7/10/2012

Anniston, Alabama  
July 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, July 10, 2012, at approximately 6:07 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, Dunn and Robinson; absent: Council Member Little. 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 June 26, 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, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried.

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

Mayor Robinson made a motion to remove from the table the evaluation of the bids for the sale of the old Noble Street School Building. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried.

Council Member Palmore asked if the City had the building appraised before sending out this bid.

Don Hoyt, City Manager, stated he did not know of any current appraisal for this property and if there was an old appraisal it probably would not be valid.

Council Member Jenkins stated there was a tax assessed value that was part of the bid schedule.

Council Member Dunn stated he thought they should seriously consider the high bid by the Sharp-Dean School of Continuing Studies.

7/10/2012

Council Member Jenkins stated the school would have to go through a process with the Planning Commission but his previous concerns were satisfied.

On call of the roll on Mayor Robinson's original 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 and Council Member Palmore's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried.

Council Member Palmore introduced and read Resolution Number 12-R-184 as follows:

(12-R-184, 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-184 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, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried and Resolution Number 12-R-184 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 12-R-185 as follows:

(12-R-185, reappointing members to the Museum Board)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-185 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, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried and Resolution Number 12-R-185 was passed and adopted.

Mayor Robinson introduced and read Resolution Number 12-R-186 as follows:

(12-R-186, authorizing the payment of legal expenses for the defense of a former City Council Member pursuant to Code of Alabama Section 36-25A-9(h))

Mayor Robinson made a motion for the passage and adoption of Resolution Number 12-R-186 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Jenkins stated he felt they were missing some information and he had a number of questions he would like answered before voting on this resolution.

Mr. Hoyt stated the issue of whether this was covered by the City's insurance was different from the issue of whether the Council was willing to pay these legal fees.

Mayor Robinson asked the City Attorney if he had a definitive opinion about whether Council Member Little could vote on this issue and should they get an Attorney General's opinion about this matter.

7/10/2012

Cleo Thomas, City Attorney, stated he did not have a definitive opinion about whether Council Member Little could vote on this issue and stated they could certainly ask for an Attorney General's opinion on this issue. He stated the facts were before the Council on this issue which is a concluded matter.

Council Member Jenkins made a motion to table Resolution Number 12-R-186 as introduced and read. The motion was seconded by Council Member Dunn; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried.

Mayor Robinson announced that was the time for the public hearing on an application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

Owen Gouche, 19 West 23<sup>rd</sup> Street, addressed the Council in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

Daniel Grady, 29 West 23<sup>rd</sup> Street, addressed the Council in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

Betty Grady, 29 West 23<sup>rd</sup> Street, addressed the Council in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

Mayor Robinson asked if anyone else wished to address the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

No one else addressed the Council either in favor of or in opposition to said application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street.

Mayor Robinson declared the public hearing on an application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street closed.

Mayor Robinson made a motion to table the proposed motion to approve an application for a Lounge Retail Liquor – Class I license for Bryan McGhee d/b/a Exclusive Comedy Lounge located in the city limits at 2210 Noble Street. The motion was seconded by Council Member Dunn; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried.

7/10/2012

Council Member Palmore made a motion authorizing the addition of \$230,000.00 from the general fund to be expended for the FY 2012 paving activity. 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 Dunn; nays: Mayor Robinson; absent: Council Member Little. The motion carried.

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, Dunn and Robinson; nays: none; absent: Council Member Little. The motion carried and the meeting was adjourned at approximately 6:42 o'clock p.m.