

7/20/2015

Anniston, Alabama
July 20, 2015

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, July 20, 2015, at approximately 5:35 o'clock p.m.

Council Member Selase prayed the Invocation.

Council Member Selase 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 Selase made a motion to waive the reading of the minutes of July 6, 2015. 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 made a motion to approve the minutes of July 6, 2015. 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 adopt the agenda. 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.

The Council recognized Ms. Carla Baker for her service as the outgoing president of the American Legion Auxiliary for the State of Alabama.

The Council recognized William Baker and Donald Fox for their efforts to save someone from being struck by a train at great danger to themselves.

Larry Little, Ward 3, addressed the Council concerning the need for speed breaks in their neighborhood.

Victor Williams, 1316 Champaign Avenue, addressed the Council and stated they needed to have a conversation concerning the proposed nuisance ordinance so he could have a better understanding of it. He stated he would like to discuss the Police Advisory Committee and what their job was.

7/20/2015

James Patterson, pastor, New Harvest Christian Center, addressed the Council concerning the proposed nuisance ordinance and asked what would happen if your neighbor made false complaints about a person.

Shirley Scott, 1208 Kilby Terrace, addressed the Council concerning a nuisance citation she had received and surrounding nuisance properties around her home.

Jean Anne Oglesby, Downtown Markey Manager, addressed the Council concerning the success of the market and stated they would be open on Tuesday mornings, also.

Kumira Mason, 1715 Rocky Hollow Road, addressed the Council and stated the proposed nuisance ordinance had come about due to the Rocky Hollow Neighborhood Association and stated she supported the ordinance.

Carlos Woodard, 1524 East 10th Street, addressed the Council and stated he did not want to see an ordinance enforced more in west Anniston than in east Anniston.

Braxton Harris, 24 Sunset Drive, addressed the Council and stated concerning the proposed nuisance ordinance that he had been a landlord for over 30 years and he would want to know if criminal activity was taking place on property he owned.

Curtis Ray, 1004 Constantine Avenue, addressed the Council and stated he was concerned about businesses leaving the city of Anniston and asked if they were bringing anyone from out of town to do work on the businesses in Anniston.

Elijah Reddick, 1309 Crane Avenue, addressed the Council concerning they needed to enforce the laws and rules that the City already has on the books.

Mayor Stewart announced that was the time for the public hearing regarding cost reports on the abatement of public nuisances at the following locations: 1204 Kilby Terrace, 1812, 1902, 1821 and 1813 Dooley Avenue, 1530 Brown Avenue, 2613 Moore Avenue, 1117 W. 16th Street, 0 W. 13th Street #47, 1109 W. 16th Street, 1517 Brown Avenue, 2000 Gurnee Avenue, 926, 1411 and 1407 Glenaddie Avenue, 1119 Cobb Avenue, 1814, 1828, 1900, 1830, 1819, and 1815 Dooley Avenue, 1515 Brown Avenue, 1128 W. 16th Street, 1311 Altamont Road, 67 Mimosa Drive, 1108 Johnston Drive, 1708 McKleroy Avenue, 1119 and 1113 W. 16th Street, 405 W. 19th Street, 0 W. 19th Street, 0 W. 16th Street, 0 Dooley Avenue, 1412 Grove Street, 928, 900, and 926 Glenaddie Avenue, 1323 Pine Avenue, 2108 Moore Avenue, 1411 Pine Avenue, 0 Glenaddie Avenue, 2028 and 2012 Gurnee Avenue; declared the hearing open and asked if anyone wished to address the Council regarding cost reports on the abatement of public nuisances at said locations.

Tana Bryant, Code Enforcement, addressed the Council on behalf of the owners of 1311 Altamont Avenue and 67 Mimosa Drive and stated the owners had made arrangements for payment.

7/20/2015

Mayor Stewart asked if anyone else wished to address the Council regarding cost reports on the abatement of public nuisances at said locations.

No one else addressed the Council regarding cost reports on the abatement of public nuisances at said locations.

Mayor Stewart declared the public hearing regarding cost reports on the abatement of public nuisances at the following locations: 1204 Kilby Terrace, 1812, 1902, 1821 and 1813 Dooley Avenue, 1530 Brown Avenue, 2613 Moore Avenue, 1117 W. 16th Street, 0 W. 13th Street #47, 1109 W. 16th Street, 1517 Brown Avenue, 2000 Gurnee Avenue, 926, 1411 and 1407 Glenaddie Avenue, 1119 Cobb Avenue, 1814, 1828, 1900, 1830, 1819, and 1815 Dooley Avenue, 1515 Brown Avenue, 1128 W. 16th Street, 1311 Altamont Road, 67 Mimosa Drive, 1108 Johnston Drive, 1708 McKleroy Avenue, 1119 and 1113 W. 16th Street, 405 W. 19th Street, 0 W. 19th Street, 0 W. 16th Street, 0 Dooley Avenue, 1412 Grove Street, 928, 900, and 926 Glenaddie Avenue, 1323 Pine Avenue, 2108 Moore Avenue, 1411 Pine Avenue, 0 Glenaddie Avenue, 2028 and 2012 Gurnee Avenue; closed.

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

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution receiving and confirming a cost report on the abatement of a public nuisance.
- (c) Resolution declaring a reported condition to be a public nuisance. (Group 2015-03 Pools)
- (d) Resolution declaring a reported condition to be a public nuisance. (Group 2015-05 Grass & Debris)
- (e) Resolution authorizing the Mayor to execute an Equipment Lease Agreement with PNC Equipment Finance, LLC for golf course maintenance equipment.
- (f) Resolution funding the 7th Judicial Major Crimes Unit for Fiscal Year 2016 and authorizing the City Manager to sign said documents.
- (g) Resolution declaring a moratorium on the approval of business licenses for on-premises liquor sale establishments within the Central Business District.
- (h) Motion to approval a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for Dolgencorp LLC d/b/a Dollar General Store 15930 located in the police jurisdiction at 5011 Eulaton Road.
- (i) Motion to approve the bid by Hi-Lite Airfield Services in the total amount of \$340,534.30 for Anniston Regional Airport Pavement Maintenance.
- (j) Motion to approve the bid by Peek Pavement Marking, LLC in the total amount of \$73,633.00 for Anniston Regional Airport Pavement Marking.

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 table the proposed ordinance amending Article I, Article II and Article III of Chapter 34 of the City Code regulating Health, Safety and Sanitation and to submit the proposed ordinance for an Attorney General's opinion. (The motion received no second.)

7/20/2015

Council Member Jenkins introduced and read Ordinance Number 15-O-9 as follows:

(15-O-9, amending Article I, Article II and Article III of Chapter 34 of the City Code regulating Health, Safety and Sanitation; First Reading)

Council Member Selase introduced and read Ordinance Number 15-O-10 as follows:

(15-O-10, creating and designating the Anniston Inn Kitchen a local historic property)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-10 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 Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 15-O-10 as introduced and read, Council Member Harris made a motion for the passage and adoption Ordinance Number 15-O-10 as introduced and read. 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 and Ordinance Number 15-O-10 was passed and adopted.

Council Member Selase introduced and read Resolution Number 15-R-122 as follows:

(15-R-122, concerning the prohibition against the erection or installation of signs on public property, in public parks or in public right-of-ways)

Council Member Selase made a motion for the passage and adoption of Resolution Number 15-R-122 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Reddick stated that this resolution states that no kind of advertising could go up on the right-of-way.

Council Member Jenkins stated that this resolution just reaffirms the law that already exists.

Brian Johnson, City Manager, stated the law preventing the placement of signage in public parks or public rights-of-way has been on the books for a long time. He stated the one location in question is the median or linear park of Quintard Avenue as it goes through the city's central business district. He stated there is some question as to whether the City or the State owns this particular median.

Council Member Selase thanked the City Attorney and the City Manager for preparing this resolution. He stated this resolution would apply to the confederate flag issue that everyone has heard about. He stated this symbol does not fit the One City, One Vision goal. He stated they needed to discuss what is divisive and what is not. He stated he hope they had unanimous support for this resolution.

7/20/2015

Council Member Harris stated she had various people speak to her about the flag issue and tell her it is not about the flag but what is in a person's heart. She stated people had the right to fly their flags on their private property. She stated many people did not think of heritage when they see the confederate flag but they think of the Ku Klux Klan. She stated they needed to unite the city in brotherhood and love.

On call of the roll on Council Member Selase's motion for the passage and adoption of Resolution Number 15-R-122 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution Number 15-R-122 was passed and adopted.

Council Member Jenkins thanked Jean Anne Oglesby for her report on the Downtown Market and encouraged everyone to go to the Downtown Market on Saturday mornings. He stated he appreciated the Council's support of this criminal activity ordinance and he felt it was an important piece of legislation for this Council.

Council Member Reddick stated they should send this ordinance to the Attorney General. He stated this Council was trying to make decisions that had been in the past reserved for the legal system. He stated they should be looking at drug market intervention programs. He stated that more jobs had been brought to this area but the unemployment rate for this area continues to increase. He stated when people are chronically unemployed they tend to become more violent and they should be paying attention to that. He stated he was asking for the Council to work with him and ask for an Attorney General's opinion on this ordinance.

Council Member Selase stated he would gladly discuss this ordinance with any of his constituents. He stated he would like constituents to ask their Council Members if they had done their homework concerning this ordinance and if they had met with the City Manager and City Attorney to discuss this ordinance. He stated they should not sensationalize a process as opposed to getting real work done. He stated an Attorney General's opinion was necessary for this ordinance because this was already State law. He stated this ordinance would safeguard citizens. He stated they needed to get past the misinformation. He stated there would be a back to school rally this Thursday at Carver Community Center.

Council Member Harris stated that fear is one of the oldest tactics used to manipulate people. She stated she appreciated the public comments about this ordinance and urged everyone to do their homework on this ordinance and to not give in to the fear. She asked everyone to keep an open mind.

Mayor Stewart thanked everyone for attending the meeting.

There being no further business to come before the meeting at that time Council Member Jenkins made a motion the meeting be adjourned. 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 and the meeting was adjourned at approximately 6:45 o'clock p.m.

7/20/2015