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Anniston, Alabama
July 23, 2013

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 23, 2013, at approximately 6:12 o'clock p.m.

Council Member Jenkins prayed the Invocation.

Council Member Jenkins 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.

Don A. Hoyt, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of the minutes of July 9, 2013. 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 Selase made a motion to approve the minutes of July 9, 2013. 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 Reddick made a motion to add to the agenda a motion to authorize the Mayor to execute an extension of the term of the agreement between East Alabama Regional Planning and Development Commission and the City of Anniston related to the report known as the Analysis of Impediments to Fair Housing and a motion to authorize the City Manager to solicit contributions from Alabama State and local government agencies for improvements to the Police and Firefighter Memorial and to adopt the agenda as amended. The motion was seconded by Council Member Jenkins; 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 City Council recognized the Anniston AAU Track and Field Team of 2013.

Mayor Stewart announced that was the time for the public hearing to consider the cost of abating certain public nuisances at 905 Hillyer High, declared the hearing open and asked if anyone wished to address the Council concerning the cost of abating certain public nuisances at 905 Hillyer High.

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No one addressed the Council concerning the cost of abating certain public nuisances at 905 Hillyer High.

Mayor Stewart declared the public hearing to consider the cost of abating certain public nuisances at 905 Hillyer High closed.

Mayor Stewart announced that was the time for the public hearing on a Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

James Chamblee, downtown property owner, addressed the Council in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Leann Wilder, 1111 Noble Street, addressed the Council in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Kumira Lemon Mason, 1715 Rocky Hollow Road, addressed the Council in favor of said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Jim Turner, downtown business owner, addressed the Council in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Johnny Figures, 175 Hidden Valley Drive, addressed the Council in favor of said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Mayor Stewart asked if anyone else wish to address the Council either in favor of or in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

No one else addressed the Council either in favor of or in opposition to said Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street.

Mayor Stewart declared the public hearing on a Lounge Retail Liquor Class I application for Essie Figures and Angel Butts d/b/a The Three Legged Monkey located at 1113 Noble Street closed.

Mayor Stewart announced that was the time for the public hearing on a Restaurant Retail Liquor application for Premier Catering of East Alabama LLC d/b/a Prime Dining and Bar located at

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320 South Quintard Avenue, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said a Restaurant Retail Liquor application for Premier Catering of East Alabama LLC d/b/a Prime Dining and Bar located at 320 South Quintard Avenue.

No one addressed the Council either in favor of or in opposition to said a Restaurant Retail Liquor application for Premier Catering of East Alabama LLC d/b/a Prime Dining and Bar located at 320 South Quintard Avenue.

Mayor Stewart declared the public hearing on a Restaurant Retail Liquor application for Premier Catering of East Alabama LLC d/b/a Prime Dining and Bar located at 320 South Quintard Avenue closed.

Council Member Reddick introduced and read Resolution Number 13-R-84 as follows:

(13-R-84, appointment to the Parks, Recreation and Beautification Bd.)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-84 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-84 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-85 as follows:

(13-R-85, declaring a reported condition to be a public nuisance)

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-85 as introduced and read. 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 and Resolution Number 13-R-85 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-86 as follows:

(13-R-86, declaring vehicles surplus and authorizing their sale)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-86 as introduced and read. 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 and Resolution Number 13-R-86 was passed and adopted.

Council Member Harris introduced and read Resolution Number 13-R-87 as follows:

(13-R-87, confirming a cost report on the abatement of a public nuisance)

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Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-87 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-87 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-88 as follows:

(13-R-88, funding for the Calhoun Cleburne County Drug Task Force for FY 2014)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-88 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 Resolution Number 13-R-88 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-89 as follows:

(13-R-89, installation of fire Hydrant)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-89 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 and Resolution Number 13-R-89 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-90 as follows:

(13-R-90, project agreement by the City, the State of Alabama and NABI Bus LLC)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-90 as introduced and read. 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 and Resolution Number 13-R-90 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 13-R-91 as follows:

(13-R-91, renaming Cooper Avenue Park as the John L. Dunson Park)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-91 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-91 was passed and adopted.

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Council Member Selase introduced and read Resolution Number 13-R-92 as follows:

(13-R-92, authorizing the expenditure of funds for the PEFA/Anniston City Schools 21st Century Technology Project)

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-92 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 and Resolution Number 13-R-92 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 13-R-93 as follows:

(13-R-93, allocating a portion of new sales tax proceeds to education)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-93 as introduced and read. The motion was seconded by Council Member Selase.

Council Member Jenkins stated he was on the Council that passed the one cent sales tax last year. He stated the primary goal of that was to shore up a failing pension fund for the fire and police departments. He stated other goals were infrastructure and education. He stated he was committed to these goals. He stated they just passed a resolution for the school system with specific dollar amounts and a plan for the use of the funds. He stated there was no plan attached to this resolution. He stated when there was a plan from the school board that had been fully vetted he would consider this resolution.

Council Member Harris stated that accountability was the key. She stated when they have a plan in place from the school board with measurable outcomes and they know specifically where the money is going then she would be on board to support our students. She stated they could not ignore education and move the city forward but they did need a specific plan with measurable outcomes.

Council Member Reddick stated these were great points. He stated they should be true to their word concerning the tax and support pension, education and infrastructure. He stated they could set this money aside for education. He stated he had no problem with seeing a plan before expending the money. He stated if it took two years to see a plan then they would have two years' worth of savings for education.

Council Member Selase stated that their education system in the city has some issues. He stated they needed a blueprint or plan that would show measurable outcomes or in other words results for the education system. He stated that for 7 to 8 years the school system had not been showing results and that was everyone's fault. He stated they needed a paradigm shift. He stated they needed specific funding going toward specific objectives. He stated they should be funding innovative programs that will take their kids to the next level. He stated this needed to be a collaborative effort with the Board of Education.

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Mayor Stewart stated he felt it was easy to write a check but it was much harder to roll up your sleeves and work on a problem. He stated they had to invest in early childhood education and in pre-school. He stated they had to invest in after school tutorial. He stated he could not support writing a check without a plan or any outcome tied to the funding. He stated they should wait on the school board to develop a plan.

On call of the roll on Council Member Reddick's motion for the passage and adoption of Resolution Number 13-R-93 as introduced and read and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Member Reddick; nays: Council Members Jenkins, Selase, Harris and Stewart. The motion failed.

Mayor Stewart introduced and read Resolution Number 13-R-94 as follows:

(13-R-94, appointing an alternate Municipal Judge)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-94 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-94 was passed and adopted.

Council Member Selase made a motion to approve a Restaurant Retail Liquor application for Premier Catering of East Alabama LLC d/b/a Prime Dining and Bar located at 320 South Quintard Avenue. The motion was seconded by Council Member Jenkins; 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.

Mayor Stewart made a motion to approve a Special Events Retail ABC License Permit for Fat Dog Enterprises LLC (beer only) for Rumble on Noble on August 24, 2013 from 2:00 p.m. until midnight located on Noble Street between 9th and 12th Streets. The motion was seconded by Council Member Jenkins; 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.

Mayor Stewart stated this event needed to come before the Council next year no later than January 31, 2014.

Mayor Stewart made a motion to approve a Special Events Permit for the blocking of areas of downtown Anniston for Rumble on Noble on August 24, 2013. The motion was seconded by Council Member Jenkins; 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 left the meeting at approximately 7:22 p.m.)

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Council Member Harris made a motion to approve a change order in the amount of \$17,861.80 for the Old McClellan Theater project. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; absent: Council Member Jenkins. The motion carried.

(Council Member Jenkins reentered the meeting at approximately 7:23 p.m.)

Council Member Selase made a motion to approve an extension of the term of the agreement between East Alabama Regional Planning and Development Commission and the City of Anniston related to the report known as the Analysis of Impediments to Fair Housing. 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 Jenkins made a motion to authorize the City Manager to solicit contributions from Alabama State and local government agencies for improvements to the Police and Firefighter Memorial. 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.

Representative Barbara Boyd, 2222 McDaniel Avenue, addressed the Council and stated the previous Council did not give any of the new sales tax to education. She stated that it would be fair to give 1/3 of the new sales tax to education.

Murrell Huguley, 1314 Christine Avenue, addressed the Council and stated City basically gives nothing to the school system.

Bruce Jamison, 4437 Devonshire Terrace, addressed the Council and stated that he worried when the school board comes to the City with a plan they want know where the money will come from since none had been set aside.

Johnny Roper, 900 Pipe Street, addressed the Council and stated he had a petition and they wanted to close a bar on West 10th Street where shootings are occurring. He stated this was going on every weekend.

Opal Blankenship, 1821 West 10th Street, addressed the Council and stated this bar on West 10th Street needed to be closed.

Marvin Crow, 3030 Gurnee Avenue, addressed the Council and stated the new sales tax should be set aside for the schools. He stated if they set the money aside then when a plan comes forth they will have the money.

Randy, Snider, Full Throttle Magazine, addressed the Council and stated they were not making money from Rumble on Noble and taking it back to Georgia. He stated the Council had done nothing to insult or degrade members of the motorcycle community. He stated this was billed as Anniston's Rumble on Noble and the City was listed as one of the sponsors.

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Fat Dog addressed the Council and stated he appreciated the consideration the Council had given Rumble on Noble.

George Silva, Mount Cheaha Harley Davidson, addressed the Council and stated he appreciated the City's reevaluation of the Rumble on Noble. He stated this event could be very good for Anniston.

Mary Klinefelter, 1412 Christine Avenue, Anniston Board of Education, addressed the Council and thanked them for their support for the PEFA/Anniston City Schools 21st Century Technology project. She stated she felt good about the working relationship between the Council and the Board.

Gary Stewart, Holy Riders, addressed the Council and thanked the Council for passing the motions concerning Rumble on Noble.

C. K. Huguley, Anniston Board of Education, addressed the Council and stated she felt the Council should have come to the Board concerning their reservations of allocating money to the school system.

Billy Ramsey, 205 Brenda Road, addressed the Council and stated the Council should set aside the tax for the schools so it would be present when they did have a plan. He stated funds could be used for scholarships.

Carcina Kirksey addressed the Council and stated as a concerned parent they needed to see action for the schools and their children. She stated that education needed to be number one.

Teresa Reddick, 612 Jewell Avenue, addressed the Council and stated they had raised the sales tax to go toward the schools and the children but had not given the schools any of the funds.

Lavetta Davis, 4123 Southbury Lane, addressed the Council and stated she was disappointed that the Council was not helping the school system.

Elijah Reddick addressed the Council and stated their leaders had not done what they had promised to the community.

Arthur Cottingham, 1121 Wynn Court, addressed the Council and thanked the Council for committing the money for the PEFA project. He stated he was displeased that the Council had not committed some of the sales tax to the school system.

Anthony Clemens, 3916 Stratford Rd, addressed the Council and stated they could set aside money for the school system until there was a specific plan or need. He stated the children leaving the Anniston elementary schools are not going to Anniston Middle School or High School.

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Andre Cunningham, 1800 Gurnee Avenue, addressed the Council and stated they needed a change. He stated they needed to invest in the City's school system.

Kumira Lemon Mason, 1715 Rocky Hollow Road, addressed the Council and stated she applauded the City Council and the Board of Education for working together. She encouraged the citizens to attend the Board of Education meetings.

Alan Stovall addressed the Council the need for more business in the city and entertainment district in the city.

Wanda Osbourne, Executive Director of PEFA, addressed the Council and thanked them for passing the PEFA resolution. She stated they should allocate money for the schools to use.

Council Member Jenkins stated that Anniston City school students receive more funding per student than any other system in our area. He stated that the school system had too many schools, too much administration, too much maintenance, and too much money not being spent on students. He stated the City Council and the School Board needed time to make this work. He stated the Council would continue to work with the School Board as they continue to develop their plan and they would collectively fund it.

Council Member Reddick stated they did not enforce the regulations concerning a third of Anniston school age students going to other school systems. He stated that he did not want to write a blank check to schools but that they should allocate the funds and set the money aside. He stated the Council could not sit back and do nothing. He stated that they use the kids to get people behind them and then when they have support they forget the kids. He stated they should put the 1993 sales tax back toward the schools.

Council Member Selase stated that this City Council was dealing with a 30 year problem in the school system. He stated the people needed to invest time in going to Council meetings and Board of Education meetings. He stated this plan for the schools is the Board of Education and the Council working together. He stated the Council has proven with the PEFA resolution that they will put money in the school system. He stated the citizens have to show up and be involved for this to work.

Council Member Harris stated that change is hard work. She urged everyone to work with the Council and the Board of Education for the children. She stated they needed to have a plan. She stated they were here for the students.

Mayor Stewart stated they appreciated everyone being there and all of the comments. He stated that the money that goes to the school system needs to make it down to the student level. He encouraged the citizens to attend meetings of the Council and Board of Educations. He stated they needed to work together and get to the root causes of the problem.

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

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Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 9:38 o'clock p.m.