

9/24/2013

Anniston, Alabama
September 24, 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, September 24, 2013, at approximately 6:02 o'clock p.m.

Pastor Nellie Siders, Christ In All Nations Ministries, prayed the Invocation.

Pastor Nellie Siders, Christ In All Nations Ministries, 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.

Danny McCullars, Interim City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of September 10, 2013. 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 approve the minutes of September 10, 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 amend the agenda to add an ordinance to amend Section 15.58 of the City Code to add and remove stop intersections, to add a resolution reappointing members to the Zoning Board of Adjustments, and to add a bid for concrete purchases in FY 2014. 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 made a motion to adopt the agenda as amended. 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.

Mayor Stewart read and presented the following proclamation to Susan Shipman of Second Chance:

(Domestic Violence Awareness Month)

9/24/2013

Mayor Stewart read and presented the following proclamation to Chief Tony Taylor, Fire Department:

(Cares Enough to Wear Pink)

Mayor Stewart announced that was the time for the public hearing to receive comments on the reconsideration of the proposed FY 2014 General Fund Budget, declared the hearing open and asked if anyone wished to address the Council concerning the reconsideration of the proposed FY 2014 General Fund Budget.

No one addressed the Council concerning the reconsideration of the proposed FY 2014 General Fund Budget.

Mayor Stewart declared the public hearing to receive comments on the reconsideration of the proposed FY 2014 General Fund Budget closed.

Mayor Stewart introduced and read Ordinance Number 13-O-15 as follows:

(13-O-15, amending Section 15.42.1 of the City Code to designate an additional loading zone)

Mayor Stewart made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-15 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-15 as introduced and read, Mayor Stewart made a motion for the passage and adoption of Ordinance Number 13-O-15 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 Ordinance Number 13-O-15 was passed and adopted.

Council Member Harris introduced and read Ordinance Number 13-O-16 as follows:

(13-O-16, preventing the tethering of animals)

Mayor Stewart stated this was the first reading of this proposed ordinance and the Council would not take a vote on it that night. He stated that this proposed ordinance was open for discussion.

Council Member Harris asked if anyone from the public would like to address the Council concerning the proposed ordinance.

Dr. Tim Brunson addressed the Council and stated he had trained dogs professionally and that chaining dogs was harmful for the dogs and could create human safety concerns, also.

Margaret Hatley addressed the Council and stated she had been chased by a dog that broke its chain and she was opposed to chaining dogs.

9/24/2013

Council Member Harris stated that chained dogs were three times more likely to bite than unchained dogs and chained dogs were five times more likely to bite children than unchained dogs. She stated there were 18 states that banned the chaining of dogs. She stated that chaining dogs was unsafe and immoral.

Bea Vedovato, Animal Control Officer, addressed the Council and stated that the dogs that are chained are more aggressive. She stated most of their animal cruelty cases involved dogs that are chained.

Council Member Selase stated this was a complex issue. He stated he needed to more education on this issue.

Council Member Stewart stated the Council needed to have a work session concerning this proposed ordinance.

Council Member Reddick made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-17. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-17.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-17.

On call of the roll on Council Member Reddick's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-17 and Council Member Selase's second to said motion 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 granted to introduce and read by title Ordinance Number 13-O-17, Council Member Reddick introduced and read by title Ordinance Number 13-O-17 as follows:

(13-O-17, amending Section 15.50(a) of the City Code to change speed limits)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-17 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-17 as introduced and read by title, Council Member Reddick made a motion for the passage and adoption of Ordinance Number 13-O-17 as introduced and read by title. 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,

9/24/2013

Harris and Stewart; nays: none. The motion carried and Ordinance Number 13-O-17 was passed and adopted.

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-18. The motion was seconded by Council Member Reddick.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-18.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-18.

On call of the roll on Council Member Jenkins' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-18 and Council Member Reddick's second to said motion 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 granted to introduce and read by title Ordinance Number 13-O-18, Council Member Jenkins introduced and read by title Ordinance Number 13-O-18 as follows:

(13-O-18, amending Section 15.54 of the City Code to remove traffic signals)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-18 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-18 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 13-O-18 as introduced and read by title. 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 Ordinance Number 13-O-18 was passed and adopted.

Mayor Stewart made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-19. The motion was seconded by Council Member Jenkins.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-19.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-19.

9/24/2013

On call of the roll on Mayor Stewart's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-19 and Council Member Jenkins' second to said motion 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 granted to introduce and read by title Ordinance Number 13-O-19, Mayor Stewart introduced and read by title Ordinance Number 13-O-19 as follows:

(13-O-19, amending Section 15.56 of the City Code to add three way stop intersections)

Mayor Stewart made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-19 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-19 as introduced and read by title, Mayor Stewart made a motion for the passage and adoption of Ordinance Number 13-O-19 as introduced and read by title. 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 Ordinance Number 13-O-19 was passed and adopted.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-20. The motion was seconded by Council Member Jenkins.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-20.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-20.

On call of the roll on Council Member Selase's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-20 and Council Member Jenkins' second to said motion 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 granted to introduce and read by title Ordinance Number 13-O-20, Council Member Selase introduced and read by title Ordinance Number 13-O-20 as follows:

(13-O-20, amending Section 15.57 of the City Code to add four way stop intersections)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-20 as introduced and read by title. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was

9/24/2013

recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-20 as introduced and read by title, Council Member Selase made a motion for the passage and adoption of Ordinance Number 13-O-20 as introduced and read by title. 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 Ordinance Number 13-O-20 was passed and adopted.

Council Member Harris made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-21. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-21.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 13-O-21.

On call of the roll on Council Member Harris' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 13-O-21 and Council Member Reddick's second to said motion 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 granted to introduce and read by title Ordinance Number 13-O-21, Council Member Harris introduced and read by title Ordinance Number 13-O-21 as follows:

(13-O-21, amending Section 15.58 of the City Code to add and remove stop intersections)

Council Member Harris made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 13-O-21 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 13-O-21 as introduced and read by title, Council Member Harris made a motion for the passage and adoption of Ordinance Number 13-O-21 as introduced and read by title. 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 Ordinance Number 13-O-21 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 13-R-213 as follows:

(13-R-213, reimbursement for travel expense)

9/24/2013

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-213 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-213 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-214 as follows:

(13-R-214, amending the FY 2013 budget)

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-214 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-214 was passed and adopted.

Mayor Stewart introduced and read Resolution Number 13-R-215 as follows:

(13-R-215, adopting the budget for FY 2014)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-215 as introduced and read. The motion was seconded by Council Member Selase.

Council Member Jenkins stated that he appreciated the Council's efforts and review of this budget. He stated he had some concerns with the funding in this budget for the schools. He stated the current enrollment for Anniston City Schools was 2,100 students. He stated the Board of Education had a preliminary budget of \$23 million. He stated that was an expenditure of just under \$11,000.00 per student. He stated Jacksonville funded their students at approximately \$8,900.00 per student and Oxford was similar. He stated these other school systems were spending less per student and providing more technology and were achieving better results. He stated funding was not the problem with the Anniston City Schools.

Council Member Harris stated she agreed with Council Member Jenkins. She stated they could not ignore education but they had to look at the funding per student and the results being achieved. She stated they had infrastructure issues that would be very expensive upcoming. She stated she did not believe in expending extra funds on the schools until the school system showed some fiscal responsibility by consolidating. She stated that Representative Dr. Barbara Boyd had stated they needed one elementary school, one middle school and one high school.

Council Member Reddick stated that close to 90% of the children in the Anniston School system were on free or reduced price lunch. He stated less than 10% of the children in the Oxford School system were on free or reduced price lunch. He stated that Anniston had a higher percentage of autistic students and remedial students and these required more funding. He stated that 17% of the citizens of Anniston make less than \$10,000 per year. He thanked the Council for their work on this budget.

9/24/2013

Council Member Selase stated he enjoyed working with the Council during this budget process. He stated that no matter how they felt school system funds should be spent they had to remember that the School Board was an elected body just as the Council was. He stated the School Board had a responsibility to the people who elected them to be fiscally responsible. He stated until there was an outcry for more fiscal responsibility in the school system the Council was limited in what they could do. He stated the schools needed innovation and accountability and that was what the Council was trying to accomplish with their funding to the schools. He stated the Council and School Board needed common unity.

On call of the roll on Mayor Stewart's motion for the passage and adoption of Resolution Number 13-R-215 as introduced and read and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Reddick, Selase and Stewart; nays: Council Members Jenkins and Harris. The motion carried and Resolution Number 13-R-215 was passed and adopted.

Council Member Harris introduced and read Resolution Number 13-R-216 as follows:

(13-R-216, reappointing a member to the Calhoun-Cleburne Mental Health Board)

Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-216 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-216 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-217 as follows:

(13-R-217, reappointing a member to Zoning Board of Adjustments)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-217 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-217 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 13-R-218 as follows:

(13-R-218, agreement with the State through ALDOT for right-of-way acquisition project for the Chief Ladiga Trail)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-218 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-218 was passed and adopted.

9/24/2013

Mayor Stewart introduced and read Resolution Number 13-R-219 as follows:

(13-R-219, approving tax abatement for McWane, Inc. d/b/a Tyler Union and authorizing the Mayor to execute the agreement)

Mayor Stewart made a motion for the passage and adoption of Resolution Number 13-R-219 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-219 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-220 as follows:

(13-R-220, supporting the McClellan Area Regional Development Compact)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-220 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-220 was passed and adopted.

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

(Concrete purchases for FY 2014)

Council Member Harris made a motion that the bid in the total amount of \$85.00/cu. yd. by Webb Concrete and Building Materials for concrete purchases to be made during FY 2014 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, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins thanked the Council for their support of the McClellan Area Regional Development Compact. He stated Oxford was passing a similar resolution that night.

Council Member Reddick stated he had met with industry professionals in the hospitality and tourism industry. He stated he now felt the Victoria Inn was a great purchase for the City.

Council Member Selase thanked the Public Works Department for their help with traffic ordinances passed that night.

Council Member Harris thanked all the department heads for their work on the budget.

Mayor Stewart thanked the staff for their help with the three work shops with the One City/One Vision campaign.

9/24/2013

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 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 the meeting was adjourned at approximately 7:18 o'clock p.m.