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Anniston, Alabama

October 16, 2018

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 18, 2018, at approximately 5:31 o'clock p.m.

Jay Jenkins, Council Member, prayed the Invocation.

Jay Jenkins, Council Member, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Little, Harris and Draper; absent: none. A quorum was present and the meeting opened for the transaction of business.

Council Member Jenkins made a motion to waive the reading of the minutes of October 2, 2018. The motion was seconded by Council Member Reddick; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Council Member Harris made a motion to approve the minutes of October 2, 2018. The motion was seconded by Council Member Jenkins; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Mayor Draper made a motion to approve 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, Little, Harris and Draper; nays: none. The motion carried.

Glen Ray, 3514 Dale Hollow Road, stated that the council is allowing people to be robbed in the City of Anniston.

Joe Johnson, 1617 Clara Lane Weaver, AL, addressed the council on forming a Hunting Club on MDA controlled land.

Mayor Draper opened a public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2018-03 Vehicles and Debris: 1031 West 19th St.

No one spoke.

Mayor Draper closed the public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2018-03 Vehicles and Debris: 1031 West 19th St.

Mayor Draper opened a public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2018-05 Grass and Debris: 2003 Christine Ave, 2415 McKleroy Ave, 23 Twine Street, 3905 Russell, 2203 Cobb Ave, 0 Cooper Avenue, 1518 Cooper Ave, 705 West 12th St, 1915 Moore Ave, 306 Palmetto, 308 Palmetto, 26 Albion Street, 30 Albion Street, 706 South Allen.

No one spoke.

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Mayor Draper closed the public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2018-05 Grass and Debris: 2003 Christine Ave, 2415 McKleroy Ave, 23 Twine Street, 3905 Russell, 2203 Cobb Ave, 0 Cooper Avenue, 1518 Cooper Ave, 705 West 12th St, 1915 Moore Ave, 306 Palmetto, 308 Palmetto, 26 Albion Street, 30 Albion Street, 706 South Allen.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City *(18-R-171)*
- (b) Resolution over-ruling objections to the abatement of identified nuisances. Group 2018-03 Vehicles and Debris *(18-R-172)*
- (c) Resolution over-ruling objections to the abatement of identified nuisances. Group 2018-05 Grass and Debris *(18-R-173)*
- (d) Resolution authorizing the City Manager to execute the Pre-Application for Federal /State Assistance for Fiscal Year 2019 with the State of Alabama Department of Transportation*(18-R-174)*
- (e) Motion to adopt the EMS Continuous Quality Improvement (CQI) Committee Policies and Procedures
- (f) Motion to amend the City of Anniston Policy and Procedure Manual under “Vehicle Use and Driver’s License Policy” Guidelines and Standards to include the attached.
- (g) Motion to amend the Pay and Classification Plan to include two job descriptions: Assistant Parks & Recreation Director and Golf & Sports Complex Grounds Superintendent
- (h) Motion to authorize bids being sought for the Natural History Museum Gutter Project
- (i) Motion to authorize the purchase of a television for the Multi-Modal Center.

The motion was seconded by Council Member Reddick; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Mayor Draper made a motion to read Ordinance 18-O-15, Amending Anniston Zoning Ordinance, Section 22: Permitted Use Table, by title only (2nd reading). The motion was seconded by Council Member Little. and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Mayor Draper opened a public hearing to receive comments on reading Ordinance 18-O-15, by title only. No one spoke. Mayor Draper closed the public hearing to receive public comments to read Ordinance 18-O-15 by title only.

Jay Johnson, City Manager, read Ordinance 18-O-15, Amending Anniston Zoning Ordinance, Section 22: Permitted Use Table, by title only.

ORDINANCE NO. 18-O-15

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AMENDING ANNISTON ZONING ORDINANCE, SECTION 22: PERMITTED USE TABLE

WHEREAS, the Anniston Zoning Ordinance, as established by Ordinance No. 16O-10, prohibits bars and taverns in the Urban Core district on any property located between 9th and 13th Streets with frontage on Noble Street;

WHEREAS, the Council for the City of Anniston desires to amend the zoning regulations so as to make the permissible use of buildings, structures and land for bars and taverns uniform within the Urban Core district;

WHEREAS, prior to its adoption, the proposed amendment to the Anniston Zoning Ordinance was published in The Anniston Star, a newspaper of general circulation within the City of Anniston, in accordance with Ala. Code §§ 11-52-77(1) and 11-52-78;

WHEREAS, the Council has held a public hearing, in accordance with the published notice, during which parties in interest and citizens were afforded an opportunity to be heard;

NOW THEREFORE, BE IT ORDAINED by the Council for the City of Anniston, Alabama as follows:

Section 1. The Permitted Use Table, set forth in Section 22 of the Anniston Zoning Ordinance, as adopted by Ordinance No. 16-O-10, is hereby amended to repeal and delete in its entirety Subsection 7, thereof, stating: "No bars or taverns are permitted in the Urban Core district on any property located between 9th and 13th Streets with frontage on Noble Street."

Section 2. This Ordinance shall become effective upon its passage and adoption and publication one time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk is hereby directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and ADOPTED on this the 16th day of October, 2018

Council Member Reddick made a motion for passage and adoption of Ordinance 18-O-15. The motion was seconded by Council Member Little; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Ordinance 18-O-15 was passed and adopted.

Mayor Draper made a motion to read Ordinance 18-O-16, An Ordinance to adopt regulations for Small Cell Technology Facilities in the City of Anniston, Alabama (1st Reading) by title only. The motion was seconded by Council Member Reddick; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Mayor Draper opened a public hearing to receive comments on reading Ordinance 18-O-16, by title only. No one spoke. Mayor Draper closed the public hearing to receive comments on reading Ordinance 18-O-16 by title only.

Council Member Reddick made a motion for passage and adoption of Resolution 18-R-175, A Resolution Imposing Moratorium on New Bars and Taverns within the Urban Core District:

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RESOLUTION NO. 18-R-175

RESOLUTION IMPOSING MORATORIUM ON NEW BARS AND TAVERNS WITHIN THE URBAN CORE DISTRICT

WHEREAS, the Anniston Zoning Ordinance, as established by Ordinance No. 16O-10, prohibits bars and taverns in the Urban Core district on any property located between 9th and 13th Streets with frontage on Noble Street;

WHEREAS, the Council for the City of Anniston, Alabama (the "Council") has published notice of a proposed amendment to the zoning regulations, which would make bars and taverns a permissible use within the entire Urban Core district;

WHEREAS, the Council desires to deliberate and adopt a comprehensive plan to govern the use of buildings, structures and land within the Urban Core district for bars and taverns through zoning, licensure and/or other laws and regulations;

WHEREAS, the Council intends to prescribe certain regulations, terms, conditions and limitations on or related to bars and taverns and their operations within the Urban Core district to protect and preserve the public order, health, safety and welfare;

WHEREAS, in order to provide an opportunity for the Council to formulate its comprehensive plan and regulations governing the use and operation of bars and taverns within the Urban Core district, the Council desires to impose a moratorium on the issuance or approval of business and alcohol licenses for new bars and taverns within the Urban Core district;

NOW THEREFORE, BE IT RESOLVED by the Council for the City of Anniston, Alabama as follows:

Section 1. The Council finds that a moratorium on the issuance or approval of alcohol or business licenses for bars or taverns within the Urban Core district is necessary to allow the Council an opportunity to review, deliberate and adopt plans, regulations and ordinances governing the use of buildings, structures and land within the Urban Core district for bars and taverns and the operations of bars and taverns therein.

Section 2. In order to protect and preserve the public order, health, safety and welfare, the Council hereby imposes a moratorium on the issuance or approval of alcohol or business licenses for bars and taverns within the Urban Core district. The moratorium imposed shall expire on the close of business on March 5, 2019.

Section 3. The moratorium imposed herein shall not apply to: (a) bars and taverns that are operating within the Urban Core district as of the effective date of this Resolution, or (b) bars and taverns that are not yet operating within the Urban Core district but for which an application for an alcohol or business license has been made to the City of Anniston before the effective date of this Resolution.

Section 4. This resolution shall take immediate effect upon its passage and adoption by the Council.

PASSED and ADOPTED on this the 16th day of October, 2018.

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The motion was seconded by Council Member Jenkins, and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 18-R-175 was passed and adopted.

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only), Retail Table Wine (Off Premises Only) application for SO Mart LLC d/b/a SO Mart located inside the city limits at 1229 Wilmer Avenue. The motion was seconded by Council Member Jenkins, and on call of the roll, the following vote was recorded: Council Member Jenkins, Reddick, Harris, Jenkins, Draper; abstentions: Council Member Little; nays: none. The motion carried.

Council Member Harris- no comment.

Council Member Little stated that the Ribbon Cutting at Grey Hound will take place Wednesday October 17, 2018 at 11:00am.

Council Member Reddick-no comment.

Council Member Jenkins wanted to highlight PARD for simultaneously hosting Youth Football Game and Soccer Tournament this past weekend.

Mayor Draper wanted to thank Chief Denham for his presentation at the Town Meetings. Also wanted to thank the Police Department in helping address the crime issue.

There being no further business to come before the meeting at that time Mayor Draper 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, Reddick, Little, Harris, nays: none. The motion carried and the meeting was adjourned at approximately 5:59 o'clock p.m.