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Anniston, Alabama
October 17, 2017

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, October 17, 2017, at approximately 5:30 o'clock p.m.

Council Member Jay Jenkins, prayed the Invocation.

Council Member Jay Jenkins, 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.

Cory Salley, Interim City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Jenkins made a motion to waive the reading of the minutes of October 3, 2017. 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.

Council Member Harris made a motion to approve the minutes of October 3, 2017. The motion was seconded by Mayor Draper; 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 Jenkins 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, Little, Harris and Draper; nays: none. The motion carried.

Larry Thomas, 500 Baltzell Gate Road, addressed the Council and stated he would like to challenge people to use their leadership in moving the city forward.

Glen Ray, 3514 Dale Hollow Road, addressed the Council and stated he hears what the gentleman said that everything is not about race and it may not be, but when people in the city turn their back on somebody that's been done wrong and it's a black and white issue, it is about race. When people are doing wrong, it's not about black and white, it's about wrong and right. If you are doing wrong and you are white and you are doing it to black people, that's a race issue. Until we look at wrong without a color, and start doing what is right toward all the people, it should not be about black and white it should be about what is wrong & right.

Joe Harrington, 801 Quail Drive, addressed the Council and stated he was ashamed of the four that voted for the FY 2018 budget knowing that there was a great amount of money being wasted. Any part of the city that is not self-sustaining, you need to close it or sell it.

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Harold Ray, 905 Benny Ray Street, addressed the Council and stated the young man that approached the racial issue, was right about certain things he said. Race has been going on since the beginning of time. We know what is right and what is wrong and we should do it right or not do it at all.

Ralph Bradford addressed the Council and stated he was here to talk about Stormwater. Mr. Bradford asked Council about the specifics on how the expenditures of funds received was to be spent and if it was come before the Council and who is in charge of stormwater, and what are the

Mayor Draper announced that was the time for the public hearing to hear comments to the proposed amendment to the Zoning Ordinance Section 22: Permitted Use Table and Section 32 Definitions Personal Care Home; declared the hearing open and asked if anyone wished to address the Council concerning the proposed amendment to the Zoning Ordinance Section 22: Permitted Use Table and Section 32 Definitions Personal Care Home.

No one addressed the Council concerning the proposed amendment to the Zoning Ordinance Section 22: Permitted Use Table and Section 32 Definitions Personal Care Home.

Mayor Draper declared the public hearing to hear comments on the proposed amendment to the Zoning Ordinance Section 22: Permitted Use Table and Section 32 Definitions Personal Care Home; closed.

Council Member Harris made a motion to approve the Consent Agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city. Resolution 17-R-125
- (b) Resolution approving the City of Anniston's participation in the State of Alabama Sales Tax Holiday for Severe Weather Preparedness items as authorized by Act 2012-256. Resolution 17-R-126
- (c) Resolution reappointing members to the Longleaf Botanical Gardens Board. Resolution 17-R-127
- (d) Resolution appointing Dr. Arthur F. Toole, III as an Emeritus member to the Longleaf Botanical Gardens Board. Resolution 17-R-128
- (e) Motion that the bids in the total amounts of \$5,000.00 by EMTEK and \$9,800.00 by Teague Hauling and Demolition for the demolition of sub-standard structures 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, Little, Harris and Draper; nays: none. The motion carried.

Cory Salley, Interim City Manager, introduced and read Ordinance Number 17-R-13 as follows:

(17-O-13, amending Section 22: Permitted Use Table, to add as a Conditional Use in the Suburban Neighborhood 1 (SN1) Zone: Personal Care Home, and amending Section 32: Definitions, to redefine: Personal Care Home; of the City of Anniston Zoning Ordinance Number 16-O-10)

Mayor Draper made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 17-O-13 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 Member Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 17-O-13 as introduced and read, Council Member Harris made a motion for the passage and adoption of Ordinance Number 17-O-12 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, Little, Harris and Draper; nays: none. The motion carried and Ordinance Number 17-O-13 was passed and adopted.

ORDINANCE NUMBER 17-O-13

AN ORDINANCE AMENDING SECTION 22: PERMITTED USE TABLE, TO ADD AS A CONDITIONAL USE IN THE SUBURBAN NEIGHBORHOOD 1 (SN1) ZONE: PERSONAL CARE HOME, AND AMENDING SECTION 32: DEFINITIONS, TO REDEFINE: PERSONAL CARE HOME; OF THE CITY OF ANNISTON ZONING ORDINANCE NUMBER 16-O-10

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

Section 1. The Anniston Zoning Ordinance (16-O-10) of the City of Anniston, Alabama, Section 22: Permitted Use Table shall be amended to add as a Conditional Use: Personal Care Home within the Suburban Neighborhood 1 (SN1) Zone.

Sec. 22 Permitted Use Table	C	UC1	UC2	UN1	UN2	SC	SNC	SN1	SN2	SE	IL	IG	MI	NO
<i>RESIDENTIAL</i>														
Personal Care Home	-	P	-	-	-	P	P	C	-	-	-	-	-	-

Section 2. The Anniston Zoning Ordinance (16-O-10) of the City of Anniston, Alabama, **Section 32: Definitions: Personal Care Home**; shall be amended to read in its entirety: Personal Care Home: Homes for the aged, intermediate institutions, and related institutions, whose primary purpose is to furnish room, board, personal care, and other non-medical services, for not less than 24 hours in any week to six or more individuals not related by blood or marriage to the owner and/or administrator. In these facilities there might be available temporarily and incidentally the same type of medical attention as an individual would receive if he were living in his own home. Personal care homes have six (6) or more occupants plus staff.

Section 3. This Ordinance shall become effective immediately upon its adoption and publication one time in the Anniston Star, a newspaper of general circulation published in the City

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of Anniston, Alabama and the City Clerk is hereby ordered and directed to cause a copy of this resolution to be published one time in said newspaper.

PASSED and ADOPTED this 17th day of October, 2017.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

By: /s/ Jack Draper, Mayor

By: /s/ Jay W. Jenkins, Council Member

By: /s/ David E. Reddick, Council Member

By: /s/ Ben Little, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Myra Bushard

Mayor Draper made a motion to approve a Special Events Retail license for the City of Anniston d/b/a Fat Tire Fest. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Draper; nays: none; abstentions: Council Members Little. The motion carried.

Council Member Harris thanked Dr. Arthur Toole for his service on the Longleaf Botanical Garden Board and the members of the Longleaf Botanical Gardens Board for their unanimous recommendation to make him a member Emeritus. He has been an outstanding citizen and given so much.

Council Member Little thanked Dr. Toole for his service. He stated that as long as he is on this Council he will continue to advocate and fight for the citizens of Ward 3 that put him in office and the school system. He stated he had received a call to increase the patrolling in Glendale. He asked about the progress on the yellow strips at Eagle Pass and Nocoseka Trail. He stated he doesn't think it is good to give one day for a couple of hours and first come first serve to bring the applications back.

Council Member Reddick stated the Anniston High Homecoming Parade was great last weekend and was glad everyone came out. He stated that the City needed to have someone at the meeting to go through the applications as they are turned in to let people know if its complete or what needs to be done to complete it. He stated he is a veteran and served his country so we can have these liberties to fight for our City and citizens.

Council Member Jenkins thanked Dr. Toole as well for his service to the Longleaf Botanical Gardens Board and his contributions to get it off the ground. It is creating an impact on our community in a positive way and we are thankful for your efforts. That's true of all of our boards. Thank you to staff for helping to keep the City running smoothly and Cory is doing an outstanding job in the Interim role. He stated he appreciated the Council and everyone's right to speak their mind.

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Mayor Draper echoed everyone's sentiments to Dr. Toole for his service and to everyone who serves on a board. He thanked everyone for coming tonight.

Mayor Draper made a motion to adjourn into Executive Session to discuss the positive and negative opinions of the Council members regarding the City Manager applicants and how to proceed with the recruitment and retention of the potential applicants for the position of City Manager. I will state for the record that these discussions would have a detrimental impact on the City's position with respect to the applications. I will further state for the record that I have been involved with the recruitment of these applicants and will further state that we will not be returning here for the purpose of discussing what is discussed in Executive Session. 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 and the meeting was adjourned into Executive Session at approximately 6:33 o'clock p.m.