

10/6/2010

Anniston, Alabama
October 6, 2010

The City Council of the City of Anniston, Alabama, met in Special Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Wednesday, October 6, 2010, at approximately 5:10 o'clock p.m.

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

Don A. Hoyt, City Manager, was present.

Cleo Thomas, City Attorney, was present.

Chris Williams, Stern Agee, addressed the Council and stated they served as the underwriter on the 2010 bonds. He stated the City was able to enter the market on a 25 year basis at a 2.93% interest rate for the full 25 years. He stated the size of the entire issue was \$7,440,000.00 and level debt service for the full 25 years. He stated all the bonds were sold by noon that day. He stated they were able to refinance some 1998 bonds and save the City 5.27%.

Preston Bolt, bond counsel, addressed the Council and stated the Council was being asked to pass two resolutions and one ordinance. He stated the first resolution would declare the City a recovery zone. He stated the second resolution would call the 1998 warrants that are currently outstanding that are being refunded. He stated the ordinance is approving the issuance of the warrants. He explained different sections of the ordinance for the Council. He stated the proceeds of the recovery zone bonds must be used for capital improvements.

Council Member Dawson asked if there would be bonds provided that local investors could buy.

Chris Williams, Stern Agee, stated he would check to see if bonds would be provided that local investors could buy.

Council Member Dawson introduced and read Resolution Number 10-R-106 as follows:

(10-R-106, declaring City recovery zone)

Council Member Dawson made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 10-R-106 as introduced and read. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried. Unanimous consent of the Council having

10/6/2010

been given for the immediate consideration of Resolution Number 10-R-106 as introduced and read, Council Member Dawson made a motion for the passage and adoption of Resolution Number 10-R-106 as introduced and read. The motion was seconded by Council Member Spain; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-106 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 10-R-107 as follows:

(10-R-107, calling for the redemption of certain of the City's 1998 warrants)

Council Member Palmore made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 10-R-107 as introduced and read. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Resolution Number 10-R-107 as introduced and read, Council Member Spain made a motion for the passage and adoption of Resolution Number 10-R-107 as introduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Resolution Number 10-R-107 was passed and adopted.

Mayor Robinson reintroduced and read Ordinance Number 10-O-13 as follows:

(10-O-13, second reading, authorizing the issuance of general obligation refunding and improvement warrants and general obligation recovery zone economic development warrants. To refund outstanding warrants and to finance acquisition and construction of certain capital improvements and to provide for the payment of costs of the issuance of the warrants)

Mayor Robinson made a motion for the passage and adoption of Ordinance Number 10-O-13 as reintroduced and read. The motion was seconded by Council Member Dawson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Little, Dawson and Robinson; nays: none. The motion carried and Ordinance Number 10-O-13 was passed and adopted.

(Council Member Little left the meeting at approximately 5:43 p.m.)

Jeannie Sparks, Highland Avenue, addressed the Council concerning the rental property inspection ordinance and stated that it was her understanding that the enforcement of this ordinance had been postponed and she was opposed to postponing the enforcement of this ordinance. She stated they had worked hard on this ordinance since April and she felt the City should give it chance to work before the Council starts amending it.

10/6/2010

Council Member Dawson stated this was an ordinance that had passed and although he was in favor of some minor modifications he wanted to know how the enforcement of this ordinance had been postponed.

Don Hoyt, City Manager, stated that amendments had been proposed by Council Members to this ordinance. He stated it was not unusual to phase in an ordinance with as much impact as this one.

Council Member Dawson asked how the enforcement of this ordinance was stopped without a Council vote.

Mr. Hoyt stated he had three Council Members express concerns about the ordinance. He stated he decided to wait a few days until the next meeting so he could get clarification on where to go from here. He stated there were proposed amendments to consider or not consider. He stated he would be glad to begin enforcement of the ordinance if the four Council Members present instruct him to do so today.

Council Member Spain stated if the Council passed an ordinance with an effective date then he did not see how they had any choice but to begin enforcement on the effective date. He stated he was in favor of this ordinance.

Mayor Robinson asked who the three Council Members who had concerns about this ordinance were.

Mr. Hoyt stated the three Council Members who had concerns about this ordinance were Council Members Palmore, Little and Dawson.

Council Member Dawson stated he never asked Mr. Hoyt to not enforce this ordinance.

Mr. Hoyt stated he was not saying Council Member Dawson asked him to not enforce this ordinance. He stated it could have been problematic if they had started enforcing the ordinance and then the Council made changes to the ordinance after that enforcement had begun.

Council Member Dawson stated that Council Member Little and he had put proposals before Mr. Hoyt concerning this ordinance but neither made any major changes to this ordinance.

Council Member Palmore stated they were running in circles about something that is in effect. He stated they could amend the ordinance in the future if they needed to.

Council Member Spain stated that the current status was that the ordinance went into effect at the beginning of October.

Mayor Robinson stated this was typical of this Council's performance. He stated they either rescind items or micromanage policy.

10/6/2010

There being no further business to come before the meeting at that time Council Member Dawson made a motion the meeting be adjourned. The motion was seconded by Mayor Robinson; and on call of the roll the following vote was recorded: ayes: Council Members Spain, Palmore, Dawson and Robinson; nays: none; absent: Council Member Little. The motion carried and the meeting was adjourned at approximately 6:03 o'clock p.m.