

10/16/2012

Anniston, Alabama  
October 16, 2012

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 Tuesday, October 16, 2012, at approximately 12:04 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 Jenkins, Palmore, Little, Dunn 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.

The Council canvassed the votes for the October 9, 2012, Municipal Run-Off Election.

Mayor Robinson announced that was the time for the public hearing to receive comments on why grass lots and debris declared a public nuisance should not be ordered abated at the following locations: 714 Glenaddie Avenue, 703, 706, 710 Pine Avenue, 615 King Street, 1428 West 12<sup>th</sup> Street, 1411 & 1612 Pine Avenue, 1606/1608 & 1617/1619 Pine Avenue, 1622 Pine Avenue, 0 West 16<sup>th</sup> Street #20, 1529, 1530, 1619, 1621, & 1625 Mulberry Avenue, 711 West 16<sup>th</sup> Street, 0 Murray Avenue #13, 0 Coopers Alley #1, 1629 & 1633 Murray Avenue, 1630 Dooley Avenue, 1121 West 17<sup>th</sup> Street, 0 West 17<sup>th</sup> Street #69, 1114 West 18<sup>th</sup> Street, 1912, 1925 & 1923 Cobb Avenue, 0 Cobb Avenue #6, 2216 & 2215 Gurnee Avenue, 0 East 27<sup>th</sup> Street, 126 East 27<sup>th</sup> Street, 2709 Old Quintard Avenue, 7 Avenue A Pelham Heights, 1311 Altamont Road, 1114 East 9<sup>th</sup> Street, 820 ½ Kirkwood Avenue and 1613 Murray Avenue; declared the hearing open and asked if anyone wished to address the Council concerning said properties.

Joseph Harris addressed the Council concerning 1529 Mulberry Avenue.

Mayor Robinson asked if anyone else wished to address the Council concerning said properties.

No one else addressed the Council concerning said properties.

Mayor Robinson declared the public hearing to receive comments on why grass lots and debris declared a public nuisance should not be ordered abated at the following locations: 714 Glenaddie Avenue, 703, 706, 710 Pine Avenue, 615 King Street, 1428 West 12<sup>th</sup> Street, 1411 & 1612 Pine Avenue, 1606/1608 & 1617/1619 Pine Avenue, 1622 Pine Avenue, 0 West 16<sup>th</sup> Street #20, 1529, 1530, 1619, 1621, & 1625 Mulberry Avenue, 711 West 16<sup>th</sup> Street, 0 Murray Avenue #13, 0 Coopers Alley #1, 1629 & 1633 Murray Avenue, 1630 Dooley Avenue, 1121 West 17<sup>th</sup> Street, 0 West 17<sup>th</sup> Street #69, 1114 West 18<sup>th</sup> Street, 1912, 1925 & 1923 Cobb Avenue, 0 Cobb Avenue #6, 2216 & 2215 Gurnee Avenue, 0 East 27<sup>th</sup> Street, 126 East 27<sup>th</sup> Street, 2709 Old Quintard Avenue, 7 Avenue A Pelham Heights, 1311 Altamont Road, 1114 East 9<sup>th</sup> Street, 820 ½ Kirkwood Avenue and 1613 Murray Avenue closed.

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Council Member Jenkins introduced and read Resolution Number 12-R-350 as follows:

RESOLUTION NUMBER 12-R-350

A RESOLUTION CERTIFYING THE RESULTS OF THE OCTOBER 9, 2012  
MUNICIPAL RUNOFF ELECTION FOR THE ANNISTON CITY COUNCIL

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

WHEREAS, the regular municipal election for the purpose of electing the members of the City Council of the City of Anniston, Alabama, was held in said on Tuesday, August 28, 2012; and

WHEREAS, the City Council canvassed the returns to determine the votes of the various candidates at such election; and

WHEREAS, the City Council found and declared that no candidate received a majority of the votes for the office of Council Member Ward 2, but that David E. Reddick and Sheffton M. Goodson, received the highest and next highest number of votes at such election; and

WHEREAS, the City Council found and declared that no candidate received a majority of the votes for the office of Council Member Ward 4, but that Millie Harris and Marcus L. Dunn, Sr., received the highest and next highest number of votes at such election; and

WHEREAS, the City Council ordered a second "runoff" election to be held on October 9, 2012, within said City; and

WHEREAS, such election has been conducted for the purpose of electing the Council Member from Ward 2 and the Council Member from Ward 4; and

WHEREAS, this is the time and place for the City Council of the City to proceed to open envelopes addressed to the Mayor, which have been delivered by the several inspectors or returning officers to the City Clerk of the City to canvas the returns and ascertain and determine the number of votes received by each candidate.

NOW THEREFORE, having performed the aforesaid duties required by law, the City Council of the City of Anniston, Alabama does hereby find, resolve and declare as follows:

Section 1. That the number of votes cast for each candidate for the office of Council Member from Ward 2 of said City is set forth opposite each such candidate's name below as follows:

- a. Sheffton M. Goodson \_\_\_\_\_
- b. David E. Reddick \_\_\_\_\_

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Section 2. That the number of votes cast for each candidate for the office of Council Member from Ward 4 of said City is set forth opposite each such candidate's name below as follows:

- a. Marcus L. Dunn, Sr. \_\_\_\_\_
- b. Millie Harris \_\_\_\_\_

Section 3. That David E. Reddick received a majority of the votes for the office of Council Member from Ward 2 and he is hereby declared elected to said office.

Section 4. That Millie Harris received a majority of the votes for the office of Council Member from Ward 4 and he is hereby declared elected to said office.

Section 5. That certificates of election signed in the name of the City Council by its members and attested by the City Clerk shall be given to:

David E. Reddick  
Millie Harris

Which shall entitle each of them to the position of their respective offices immediately upon the expiration of the term of the current Council offices on Monday, November 5, 2012.

Section 6. That the City Clerk shall file a copy of each such certificate of election in the office of the Judge of Probate of Calhoun County, Alabama.

PASSED AND ADOPTED this the 16th day of October, 2012.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA  
By: /s/ Gene Robinson, Mayor  
By: /s/ Jay W. Jenkins, Council Member  
By: /s/ Herbert N. Palmore, Council Member  
By: /s/ Benjamin L. Little, Council Member  
By: /s/ Marcus L. Dunn, Council Member

ATTEST:  
/s/ Alan B. Atkinson, City Clerk

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 12-R-350 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 Jenkins, Palmore, Little, Dunn and Robinson; nays: none.. The motion carried and Resolution Number 12-R-350 was passed and adopted.

Council Member Palmore introduced and read Resolution Number 12-R-351 as follows:

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(12-R-351, over-ruling objections to the abatement of identified nuisances)

Council Member Palmore made a motion for the passage and adoption of Resolution Number 12-R-351 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 Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and Resolution Number 12-R-351 was passed and adopted.

Council Member Dunn introduced and read Resolution Number 12-R-352 as follows:

(12-R-352, travel reimbursements)

Council Member Dunn made a motion for the passage and adoption of Resolution Number 12-R-352 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 Jenkins, Palmore, Little, Dunn and Robinson; nays: none.. The motion carried and Resolution Number 12-R-352 was passed and adopted.

Council Member Little made a motion to place portable toilets at Benny Ray Park until the end of the football season and the City Manager should insure that the teams have insurance. The motion was second by Council Member Palmore.

The Council discussed placing portable toilets at Benny Ray Park.

On call of Council Member Little's motion to place portable toilets at Benny Ray Park until the end of the football season and the City Manager should insure that the teams have insurance and Council Member Palmore's second to said motion the following vote was recorded: ayes: Council Members Palmore, Little, and Dunn; nays: Council Member Jenkins; abstentions: Mayor Robinson. The motion carried.

There being no further business to come before the meeting at that time Council Member Palmore made a motion the meeting be adjourned. The motion was seconded by Council Member Dunn; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Palmore, Little, Dunn and Robinson; nays: none. The motion carried and the meeting was adjourned at approximately 12:47 o'clock p.m.