

Anniston, Alabama
October 22, 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, October 22, 2013, at approximately 6:05 o'clock p.m.

Kumira Lemon prayed the Invocation.

Kumira Lemon led the Pledge of Allegiance to the Flag.

Vice-Mayor Selase called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, and Harris; absent: Mayor Stewart. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Harris made a motion to waive the reading of the minutes of October 8, 2013. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins made a motion to approve the minutes of October 8, 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins made a motion to add to the agenda a bid for resurfacing of various streets and 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Brian Johnson, City manager, read and presented the following proclamation to representatives from the Agency for Substance Abuse:

(Red Ribbon Week)

Vice-Mayor Selase announced that was the time for the public hearing to receive comments why grass lots declared public nuisances should not be ordered abated at the following locations: 1812, 1814, and 1813 Brown Avenue, 1210 West 17th Street, 1612 Brown Avenue, 514 West 17th Street, 802 ½ Bellwood Drive, 910 Cain Street, 802 Bellwood Drive, 1829 and 1827 Cooper Avenue, 1808 Brown Avenue, 1704 McDaniel Avenue, 1232 and 1230 West 18th Street, 1607 McDaniel Avenue, 1610 and 1619 Brown Avenue, 1022 and 1018 West 17th Street, 1629 and

1625 Cobb Avenue, 503 West 16th Street, 0 West 16th Street #10.001, 520, 518 and 513 West 17th Street, 1622 West 17th Street, 0 Pine Avenue #28.001, 1818, 1810, 1808, and 1820 Cooper Avenue, 0 Letchers Quarters #2, 801 South Smith Street, 704 Blue Ridge Drive, 509 West 13th Street, 600 Pine Avenue, 0 Pine Avenue #18757, 428 and 412 Palmetto Avenue, 1607 Constantine Avenue, 0 Constantine Avenue #66980, 1619 Constantine Avenue, 0 Pyle Avenue #68718,) Pyle Avenue #68690, 325 Pyle Avenue, 0 Pyle Avenue #67079, 402 Pyle Avenue, 3506 Greenbrier Dear Road, 531, 533 and 535 D Street, 213, 211 and 209 South Allen Avenue, 0 South Allen Avenue #65992, 2100, 2114, 2115, 2117, and 2119 Cobb Avenue, 930 West 22nd Street, 0 Dooley Avenue #62267, 2108 Dooley Avenue, 2110 and 2114 Cooper Avenue and 1908 Mulberry Avenue; declared the hearing open and asked if anyone wished to address the Council concerning why said grass lots declared public nuisances should not be ordered abated.

Eddie Robinson addressed the Council concerning the property located at 1827 Cooper Avenue and stated he planned to get grass cut in the next few days.

Vice-Mayor Selase asked if anyone else wished to address the Council concerning why said grass lots declared public nuisances should not be ordered abated.

No one else addressed the Council concerning why said grass lots declared public nuisances should not be ordered abated.

Vice-Mayor Selase declared the public hearing to receive comments why grass lots declared public nuisances should not be ordered abated at the following locations: 1812, 1814, and 1813 Brown Avenue, 1210 West 17th Street, 1612 Brown Avenue, 514 West 17th Street, 802 ½ Bellwood Drive, 910 Cain Street, 802 Bellwood Drive, 1829 and 1827 Cooper Avenue, 1808 Brown Avenue, 1704 McDaniel Avenue, 1232 and 1230 West 18th Street, 1607 McDaniel Avenue, 1610 and 1619 Brown Avenue, 1022 and 1018 West 17th Street, 1629 and 1625 Cobb Avenue, 503 West 16th Street, 0 West 16th Street #10.001, 520, 518 and 513 West 17th Street, 1622 West 17th Street, 0 Pine Avenue #28.001, 1818, 1810, 1808, and 1820 Cooper Avenue, 0 Letchers Quarters #2, 801 South Smith Street, 704 Blue Ridge Drive, 509 West 13th Street, 600 Pine Avenue, 0 Pine Avenue #18757, 428 and 412 Palmetto Avenue, 1607 Constantine Avenue, 0 Constantine Avenue #66980, 1619 Constantine Avenue, 0 Pyle Avenue #68718,) Pyle Avenue #68690, 325 Pyle Avenue, 0 Pyle Avenue #67079, 402 Pyle Avenue, 3506 Greenbrier Dear Road, 531, 533 and 535 D Street, 213, 211 and 209 South Allen Avenue, 0 South Allen Avenue #65992, 2100, 2114, 2115, 2117, and 2119 Cobb Avenue, 930 West 22nd Street, 0 Dooley Avenue #62267, 2108 Dooley Avenue, 2110 and 2114 Cooper Avenue and 1908 Mulberry Avenue; closed.

Council Member Selase made a motion to approve an application for a Retail Beer (off premises only) and Retail Table Wine (off premises only) license for Darrell Davis d/b/a K and D Grocery located in the City limits at 513 Glenaddie Avenue. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Reddick made a motion to approve a request to close Noble Street between 8th and 18th Streets on Monday, November 11th, from 11:00 a.m. to 6:00 p.m. for the purpose of the

Veterans' Day Parade. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins made a motion to appoint Council Member Selase as a voting delegate and Council Member Reddick as an alternate voting delegate for the Annual Business Meeting on November 16, 2013, at the NLC 2013 Congress of Cities and Exposition in Seattle, WA. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins introduced and read Resolution Number 13-R-227 as follows:

(13-R-227, reimbursements for travel expense)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-227 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-227 was passed and adopted.

Council Member Harris introduced and read Resolution Number 13-R-228 as follows:

RESOLUTION NUMBER 13-R-228

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES; GROUPS 25 & 26

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibits "A & B" attached is hereby over-ruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.3 of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

By: /s/ Jay W. Jenkins, Council Member
By: /s/ David E. Reddick, Council Member
By: /s/ Seyram Selase, Council Member
By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Harris made a motion for the passage and adoption of Resolution Number 13-R-228 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-228 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 13-R-230 as follows:

RESOLUTION NUMBER 13-R-230

A RESOLUTION APPOINTING AN ALTERNATE PUBLIC DEFENDER FOR THE
MUNICIPAL COURT

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

Section 1. That Will Clay be and he is hereby appointed to be an Alternate Public Defender for the Municipal Court of the City of Anniston, Alabama.

Section 2. That a copy of this resolution be mailed to the above named appointee and the Municipal Court Clerk of the City of Anniston, Alabama.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

By: /s/ Jay W. Jenkins, Council Member
By: /s/ David E. Reddick, Council Member
By: /s/ Seyram Selase, Council Member
By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Reddick made a motion for the passage and adoption of Resolution Number 13-R-230 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-230 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-232 as follows:

RESOLUTION NO. 13-R-232

A RESOLUTION ESTABLISHING AN INVESTMENT OPPORTUNITY FOR THE CITY OF ANNISTON EMPLOYEES RELATING TO A 457 DEFERRED COMPENSATION PLAN

WHEREAS, the City of Anniston (Employer) has employees rendering valuable services; and

WHEREAS, the establishment of a deferred compensation plan for such employees serves the interests of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that the establishment of a deferred compensation plan to be administered by the ICMA Retirement Corporation serves the above objectives; and

WHEREAS, the Employer desires that its deferred compensation plan be administered by the ICMA Retirement Corporation, and that some or all of the funds held under such plan be invested in the VantageTrust Company, a trust established by public employers for the collective investment of funds held under their retirement and deferred compensation plans;

NOW THEREFORE BE IT RESOLVED that the Employer hereby adopts the deferred compensation plan (the "Plan") in the form of "The ICMA Retirement Corporation Deferred Compensation Plan and Trust.

BE IT FUTHER RESOLVED that the Employer hereby executes the Declaration of Trust of the VantageTrust Company, intending this execution to be operative with respect to any retirement or deferred compensation plan subsequently established by the Employer, if the assets of the plan are to be invested in the VantageTrust Company.

BE IT FURTHER RESOLVED that the assets of the Plan shall be held in trust, with the Employer serving as trustee, for the exclusive benefit of the Plan participants and their beneficiaries, and the assets shall not be diverted to any other purpose.

BE IT FURTHER RESOLVED that the Employer hereby agrees to serve as trustee under the Plan.

BE IT FURTHER RESOLVED that the Finance Director shall be the coordinator for this program; shall receive necessary reports, notices, etc. from the ICMA Retirement Corporation or the VantageTrust Company; shall cast, on behalf of the Employer, any required votes under the VantageTrust Company; Administrative Duties to carry out the plan may be assigned to the

appropriate departments, and is authorized to execute all necessary agreements with ICMA Retirement Corporation incidental to the administration of the Plan.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA
By: /s/ Jay W. Jenkins, Council Member
By: /s/ David E. Reddick, Council Member
By: /s/ Seyram Selase, Council Member
By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-232 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-232 was passed and adopted.

Council Member Selase introduced and read Resolution Number 13-R-229 as follows:

RESOLUTION NO. 13-R-229

A RESOLUTION APPOINTING A MEMBER TO THE REGIONAL MEDICAL CENTER BOARD

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

Section 1. That Ellen Bass be and she is hereby appointed to the Regional Medical Center Board in the unexpired term of Jeffery Parker ending May 31, 2016.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointee and to said board.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA
By: /s/ Jay W. Jenkins, Council Member
By: /s/ David E. Reddick, Council Member
By: /s/ Seyram Selase, Council Member
By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Selase made a motion for the passage and adoption of Resolution Number 13-R-229 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-229 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-231 as follows:

RESOLUTION NO. 2013- R - 231

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ISSUE A
REQUEST FOR QUALIFICATIONS FOR AN ECONOMIC DEVELOPMENT
CONSULTANT

WHEREAS, the Council for the City of Anniston, Alabama (“Council”) desires to engage a professional consultant to direct the City’s economic development efforts, subject to the supervision and control of the City Manager, through the recruitment, retention and expansion of retail, commercial, industrial, technology, and research enterprises within the City;

WHEREAS, the Council desires to engage a professional economic development consultant who will create and maintain private and public employment opportunities within the City and who will expand the City’s tax base through retail, commercial, industrial, technology, and research development;

WHEREAS, the Council finds that the engagement of a professional economic development consultant to direct the City’s economic development efforts and the promotion of trade, commerce, industry and employment opportunities will serve the public good and the general welfare;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama that the City Manager is authorized and directed to issue a request for qualifications or otherwise recruit the services of a professional economic development consultant and to negotiate a professional services agreement, with the aid of the City Attorney, to be approved and authorized by the Council.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

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

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

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-231 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 13-R-231 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 13-R-233 as follows:

RESOLUTION NO. 2013- R - 233

RESOLUTION TO APPROVE FUNDING FOR THREE PRE-SCHOOL CLASSES AND AN AFTER SCHOOL PILOT PROGRAM

WHEREAS, the City Council for the City of Anniston, Alabama (the "Council") desires to provide funding to support the Anniston City School System in an innovative and result-oriented manner; and

WHEREAS, research has shown that children who received preschool education compared to those who did not, go on to attain more education and higher incomes; were more likely to have health care; and less likely to have criminal records; and

WHEREAS, one of the most important findings about brain development shows that the brain has critical periods of learning, a most crucial period being during early childhood years which can be lost without the enhanced development of a young brain; and

WHEREAS, there is a waiting list of Anniston children eager to enroll in preschool education numbering in excess to fill three (3) classrooms; and

WHEREAS, students enrolled in quality After School programs can better retain and even enhance what they learn in the classroom each day and at the same time strengthen their social and emotional skills, gain a better understanding of society and culture and boost their commitment to a healthy lifestyle; and

WHEREAS, quality After School programs work for students and their academic achievement and safety raising achievement for all students thereby closing the achievement gap; and

WHEREAS, the Anniston City Council is convinced that the above referenced educational programs, Preschool Education, and After School programs can reach a variety of city goals in student achievement, overall development, health and community development; and

WHEREAS, the Anniston City Council believes that an investment in these educational programs is a wise investment in our Anniston City School students and an innovative use of funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama that the sum of \$205,000.00 be allocated from the City of Anniston Education Innovation Fund to the Anniston City School System to fund three (3) Pre-School classes in the amount of \$180,000.00 and the YMCA After School Pilot Program in the amount of \$25,000.00.

PASSED AND ADOPTED this the 22nd day of October, 2013.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

By: /s/ Vaughn Stewart, Mayor

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

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

By: /s/ Seyram Selase, Council Member

By: /s/ Millie Harris, Council Member

ATTEST:

/s/ Alan B. Atkinson, City Clerk

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 13-R-233 as introduced and read. The motion was seconded by Council Member Harris.

Council Member Reddick asked what the cost would be per child for the After School Pilot Program.

Jerry Atkins, YMCA, stated the cost would be \$12.50 per child per week for the After School Pilot Program.

(Mayor Stewart entered the meeting at approximately 6:39 p.m.)

On call of the roll on Council Member Jenkins' motion for the passage and adoption of Resolution Number 13-R-233 as introduced and read and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 13-R-233 was passed and adopted.

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

(Resurfacing of City streets)

Mayor Stewart made a motion that the bid in the total amount of \$380,100.11 by APAC Mid-South for the paving of various City streets 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.

Rick Shea, 1219 Christine Avenue, addressed the Council concerning problems with the Cable One's quality of service.

Sandra Walker, 28 Old Coach Road, addressed the Council and thanked them for the new system with the traffic lights in town.

Council Member Reddick recognized former Council Member Montgomery in the audience.

Council Member Selase thanked Annie Dennis for her work with children from Cooper Homes.

Council Member Harris stated members of the neighborhood would be installing a new fence at Hamilton-Ballard Park this Friday.

Mayor Stewart thanked the Council for the passage of the resolution authorizing the RFQ for an Economic Development Consultant and for passing the resolution funding the pre-school classes and the after school program.

There being no further business to come before the meeting at that time Council Member Reddick made a motion the meeting be adjourned. 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 the meeting was adjourned at approximately 6:52 o'clock p.m.