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Anniston, Alabama
November 10, 2014

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 Monday, November 10, 2014, at approximately 5:35 o'clock p.m.

Laura Hutchinson, First Christian Church, prayed the Invocation.

Laura Hutchinson, First Christian Church, led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. 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.

Mayor Stewart announced that the Council Meetings scheduled for November 24, 2014, December 8, 2014 and December 22, 2014 are cancelled and the next Council Meeting would be on December 15, 2014 at 5:30 p.m.

Council Member Jenkins made a motion to waive the reading of the minutes of October 27, 2014. 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, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick made a motion to approve the minutes of October 27, 2014. 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.

Council Member Selase made a motion to remove from the agenda (until December 15, 2014) three resolutions vacating portions of Freemont Avenue, Care Drive and Global Drive and to add to the agenda a resolution approving disclosure controls and procedures and certain related matters and to adopt the agenda as amended. 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.

The Council recognized the Cobb Alumni who made a \$500.00 monetary contribution to the City's "Good Choices Program."

The Council recognized Eddy Reese for his work as a local broadcast personality and in the communication industry.

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Mayor Stewart announced that was the time for the Board Confirmation Hearing for Robert Downing, Sarah Sloan and Arthur Toole and their nomination to the Longleaf Botanical Garden Board.

Robert Downing, Sarah Sloan and Arthur Toole verified that the information provided by them through their application and this confirmation hearing is true and accurate to the best of their knowledge and they pledged that if appointed they would faithfully, dutifully, and honestly serve the best interests of the City and the Longleaf Botanical Garden Board.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Dawn Wilczek and her nomination to the Commercial Development Authority.

Dawn Wilczek verified that the information provided by her through her application and this confirmation hearing is true and accurate to the best of her knowledge and she pledged that if appointed she would faithfully, dutifully, and honestly serve the best interests of the City and the Commercial Development Authority.

Glen Ray addressed the Council concerning the arrest of his son by the Anniston Police Department on May 1, 2014. He stated there were discrepancies in Officer Murphy's statement and the video of the arrest. He stated that Chief Denham had called him a liar and stated his son was going to jail. He stated the case had been thrown out. He stated the City had not provided him with the arrest report after multiple requests. He stated that the court transcript was inaccurate.

Mayor Stewart announced that was the time for the public hearing regarding a Lounge Retail Liquor – Class I application for Rack and Roll Billiards, Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said a Lounge Retail Liquor – Class I application for Rack and Roll Billiards, Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street.

No one addressed the Council either in favor of or in opposition to said a Lounge Retail Liquor – Class I application for Rack and Roll Billiards, Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street.

Mayor Stewart declared the public hearing regarding a Lounge Retail Liquor – Class I application for Rack and Roll Billiards, Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street closed.

Mayor Stewart announced that was the time for the public hearing regarding a Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway.

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No one addressed the Council either in favor of or in opposition to said Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway.

Mayor Stewart declared the public hearing regarding a Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway closed.

Council Member Selase made a motion to approve the Consent Agenda items:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Appointing members to the Longleaf Botanical Garden Board.
- (c) Appointing member(s) to the Commercial Development Authority.
- (d) Resolution declaring a reported condition to be a public nuisance. (Vehicles - Group 2014-02)
- (e) Motion to approve a Lounge Retail Liquor – Class I application for Rack and Roll Billiards Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street.
- (f) Motion to approve a Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway.

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.

Council Member Jenkins reintroduced Ordinance Number 14-O-30 as follows:

(14-O-30, amending Chapter 14, Article I of the Code of Ordinances of the City of Anniston providing license and privilege taxes; Second Reading)

Council Member Selase made a motion to amend Ordinance Number 14-O-30, Section 14.3. Definitions. (1) Business, to include “With regard to the lease or rental of residential real estate, including residential rental-housing units, business shall apply only to those persons or entities who own, market, manage, lease or rent two (2) or more distinct residential real estate properties or units.” The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried.

Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 14-O-30 as amended. The motion was seconded by Council Member Harris.

Council Member Reddick stated that in a city where there was 10% unemployment they should not be raising taxes. He stated if they reduced their unemployment by 5% it would raise more revenue. He stated they should look at taking care of the people before they raised taxes. He stated the city had more jobs than people. He stated they needed to meet with the businesses in the city and encourage them to hire more people in Anniston instead of raising their taxes.

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Council Member Jenkins stated that this change in the business license structure had been well vetted through retailers, auto dealerships and manufacturing and industrial businesses. He stated he had not received one negative comment concerning this ordinance and it was long overdue. He stated none of them wanted to raise taxes but this was creating a fair and equitable arrangement with their business license structure. He stated this was right for the community.

Brian Johnson, City Manager, stated there were approximately 3,000 business license accounts and about one third of those would not see an increase.

Mayor Stewart stated that even with the increases proposed in this ordinance, Anniston still would be below the stated average. He stated that businesses had input in this process. He stated that this Council is committed to economic development.

Council Member Harris stated that a lot of work had gone into this business license ordinance. She stated the ordinance needed to be fair and updated. She stated the license schedules would be much more equitable than in the past.

On call of the roll on Council Member Jenkins' motion for the passage and adoption of Ordinance Number 14-O-30 as amended and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: Council Member Reddick. The motion carried and Ordinance Number 14-O-30 was passed and adopted.

Council Member Reddick introduced and read by title Resolution Number 14-R-362 as follows:

(14-R-362, authorizing the City manager to execute the annual application for Federal/State assistance for FY 2015 with the State of Alabama Dept. of Transportation)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 14-R-362 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, Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-362 was passed and adopted.

Council Member Selase introduced and read by title Resolution Number 14-R-363 as follows:

(14-R-363, authorizing the Mayor to execute supplemental agreement number 1 with ALDOT for safety improvements on Greenbrier Dear Road)

Council Member Selase made a motion for the passage and adoption of Resolution Number 14-R-363 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, Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-363 was passed and adopted.

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Council Member Harris introduced and read by title Resolution Number 14-R-364 as follows:

(14-R-364, approving disclosure controls and procedures and certain related matters)

Council Member Harris made a motion for the passage and adoption of Resolution Number 14-R-364 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Reddick stated he was uncomfortable with this resolution. He stated three people could change whatever they wanted to. He stated that they lost their ability as a Council to control changes with this resolution. He stated he had just seen this resolution for the first time today.

On call of the roll on Council Member Harris' motion for the passage and adoption of Resolution Number 14-R-364 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: Council Member Reddick. The motion carried and Resolution Number 14-R-364 was passed and adopted.

Council Member Harris thanked the veterans for all they had done.

Council Member Selase stated that there would be a Veteran's Program at Cobb Elementary on November 14. He congratulated Tana Bryant for her appointment to the 2015 ICC Code Development Committee. He thanked everyone who had participated in the Wellness Park groundbreaking ceremony.

Council Member Reddick stated they had been in office for two years and for the most part were doing a good job. He stated they should be appointing their third Vice-Mayor today and they had all taken a vow to step down at the end of each year.

Council Member Jenkins thanked the Veterans for all they had done and stated he hoped they had good turnout for the parade tomorrow. He congratulated the Botanical Gardens for having almost a full board membership. He stated that the dough boy statue in the Quintard median had been refurbished.

Mayor Stewart stated Harbor Freight Tools would be opening a retail store in the Anniston Plaza. He stated they were a major discount tool retailer. He thanked Eric Basinger for his work bringing this retailer to the city.

There being no further business to come before the meeting at that time Council Member Jenkins made a motion the meeting be adjourned. The motion was seconded by Council Member Selase; 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 6:50 o'clock p.m.