

12/19/2017

Anniston, Alabama
December 19, 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, December 19, 2017, at approximately 5:30 o'clock p.m.

Shane Denham, Police Chief prayed the Invocation.

Shane Denham, Police Chief 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 Reddick made a motion to waive the reading of the minutes of December 5, 2017. 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.

Council Member Jenkins made a motion to approve the minutes of December 5, 2017. 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.

Council Member Reddick made a motion to add to the Consent Agenda a motion to waive the rental fee for use of the City Meeting Center for Reverend Rimpsey's Christmas Dinner on December 23, 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.

Nathan Young, 523 Wilmer Avenue stated next Christmas Season he hoped the City would plan the Christmas events better. The Christmas parade was held the same day as Oxford's due to rain, that was not good. Also, the Christmas Tree lighting in Zinn Park promised a 2-hour event with Carolers, Hot Chocolate which did not happen and the tree was small. The event lasted about 2 minutes. He also stated that 9 months ago he was hear talking about pedestrian signals that were not working and have not been replaced and also the synchronizing of traffic lights at Quintard and 8th Street not holding long enough for traffic to cross Quintard Avenue.

Mayor Draper announced that it was time for Board Confirmation for Katherine Sweatt and her appointment to the Longleaf Botanical Gardens Board.

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

- (a) Resolution authorizing authorizing reimbursements to city officials for expenses incurred while traveling away from the City. Resolution 17-R-138
- (b) Resolution appointing a member to the Longleaf Botanical Gardens Board. Resolution 17-R-139
- (c) Resolution declaring a reported condition to be a public nuisance; Group 2017-06 Vehicles. Resolution 17-R-140
- (d) Resolution declaring a reported condition to be a public nuisance; Group 2017-09 Grass & Debris. Resolution 17-R-141
- (e) Resolution adopting the City of Anniston Assessment of Fair Housing to be submitted to the U.S. Department of Housing and Urban Development. Resolution 17-R-142
- (f) Motion to suspend the rule requiring the City Council to meet on the first Tuesday of January, 2018.
- (g) Motion to waive the rental fee for use of the City Meeting Center for Reverend Rimpsey's Christmas Dinner on December 23, 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.

Cory Salley, Interim City Manager, introduced and read Resolution Number 17-R-143 as follows:

RESOLUTION NO. 17-R-143

A RESOLUTION ACCEPTING A COMPROMISE AND
DISCHARGING LIEN FOR FINAL ASSESSMENT

WHEREAS, on the 18th day of September, 2017, the Council for the City of Anniston, Alabama (the "Council") passed and adopted those certain resolutions identified below confirming the report and amount of costs for abating the nuisance on or about those certain real properties identified below;

WHEREAS, on said date and by said resolutions, the Council fixed the costs that were reasonably incurred in the abatement of the nuisances on said real properties, and the Council assessed the same costs against said real properties (the "Final Assessments");

WHEREAS, a certified copy of said resolutions making and confirming the Final Assessments was recorded in the Office of the Judge of Probate of Calhoun County, Alabama; and, as provided by law, the Final Assessments became liens upon said real properties;

WHEREAS, the Council finds that it is in the best interests of the City of Anniston and its citizens to accept the compromise payment of the Final Assessments offered by the owner of said real properties, Lenlock Properties, LLC (the "Owner"), so as to obtain immediate payment

without the costs, delays and other burdens associated with enforcement and collection of the liens upon said real properties;

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

Section 1. On September 18, 2017, the Council passed and adopted those certain Resolutions, recorded in the Office of the Judge of Probate of Calhoun County, Alabama, confirming and fixing the Final Assessments on those certain parcels of real property, as identified below in this Section. The Owner has offered to satisfy said Final Assessments by immediate payment of the Compromise Assessments in the amounts stated below in this Section.

Resolution	Parcel Number	Book and Page	Final Assessment	Compromise Assessment
17-R-95	18-04-17-1-001-018.000	LISPEN 34-75	\$ 1,128.40	\$ 883.99
17-R-96	18-04-17-1-001-017.000	LISPEN 34-74	\$ 1,128.40	\$ 883.99
17-R-97	18-04-17-1-001-016.000	LISPEN 34-73	\$ 872.51	\$ 683.53
17-R-98	18-04-17-1-001-015.000	LISPEN 34-72	\$ 3,386.25	\$ 2,652.79
17-R-99	18-04-17-1-001-014.000	LISPEN 34-71	\$ 4,013.33	\$ 3,144.05
17-R-100	18-04-17-1-001-013.000	LISPEN 34-70	\$ 8,052.54	\$ 6,308.38
17-R-101	18-04-17-1-001-012.000	LISPEN 34-69	\$ 3,457.85	\$ 2,708.89
17-R-102	18-04-17-1-001-011.000	LISPEN 34-68	\$ 984.40	\$ 771.18
17-R-103	18-04-17-1-001-010.000	LISPEN 34-67	\$ 736.77	\$ 577.19
17-R-104	18-04-17-1-001-009.000	LISPEN 34-66	\$ 845.78	\$ 662.59
17-R-105	18-04-17-1-001-008.000	LISPEN 34-65	\$ 845.78	\$ 662.59
17-R-106	18-04-17-1-001-007.000	LISPEN 34-64	\$ 845.78	\$ 662.59
17-R-107	18-04-17-1-001-006.000	LISPEN 34-63	\$ 845.78	\$ 662.59
17-R-108	18-04-17-1-001-005.000	LISPEN 34-62	\$ 5,605.67	\$ 4,391.49
17-R-109	18-04-17-1-001-004.000	LISPEN 34-61	\$ 4,463.86	\$ 3,497.00
17-R-110	18-04-17-1-001-003.000	LISPEN 34-60	\$ 1,081.42	\$ 847.16

		Total:	\$38,294.52	\$30,000.00
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Section 2. The Council hereby accepts the Owner’s offer to pay the Compromise Assessments, in the amounts set forth in Section 1 of this Resolution, in full satisfaction and accord of the Final Assessments identified in Section 1 of this Resolution, subject to the Owner’s strict compliance with the following conditions precedent:

- (1) The Owner (or the Owner’s designee) shall tender a lump sum payment in the amount of THIRTY THOUSAND DOLLARS and NO CENTS (\$30,000.00) in certified funds to the order of the City of Anniston, Alabama; and
- (2) The Owner (or the Owner’s designee) shall tender said certified funds to the Finance Director for the City of Anniston, Alabama no later than the close of business on Friday, December 22, 2017.

Section 3. Contingent upon the Owner’s delivery of the lump sum payment in accordance with Section 2 of this Resolution, the Council hereby releases and discharges the Final Assessments and liens on each and every parcel of real property set forth in Section 1 of this Resolution.

Section 4. Upon the Owner’s delivery of the lump sum payment in accordance with Section 2 of this Resolution, the City Manager is authorized and directed to record copies of this Resolution in the Office of the Judge of Probate of Calhoun County, Alabama in order to reflect and establish the Owner’s satisfaction of the Final Assessments identified in Section 1 of this Resolution and the City of Anniston’s release and discharge of the liens on each and every parcel of real property set forth in Section 1 of this Resolution. The City Manager is further authorized to take any such other action as may be necessary, in his judgment and discretion, to release and discharge the Final Assessments and liens on each and every parcel of real property set forth in Section 1 of this Resolution.

PASSED AND ADOPTED on this the 19th day of December, 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

On call of the roll on Council Member Jenkins’ motion for the passage and adoption of Resolution Number 17-R-143 as introduced and read and Council Member Harris’s second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: Council Member Jenkins. The motion carried and Resolution Number 17-R-143 was passed and adopted.

12/19/2017

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only), Retail Table Wine (Off Premises Only) application for Theeb LLC d/b/a Wolf Mart located at 1500 Quintard Avenue within the city limits. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only), Retail Table Wine (Off Premises Only) application for Yousef Yaqoub Inc., d/b/a Express Mart 39 located at 1001 Highway 431 N within the city limits. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Council Member Harris stated that she along with everyone else were very disturbed with all the shootings and murders in our City and there is a group ready to take action. This group will hold a meeting Wednesday, December 18th at 607 Wilmer at 7:00 p.m. lead by Pastor Eugene Leonard along with law enforcement and community advocates and she would like to invite everyone to come attend.

Council Member Reddick thanked everyone for attending.

Council Member Jenkins thanked Steven Folks and his staff for setting up the Warming Station during this last snow and all the hard work. Also, asked citizens to bear with us as we collect the limbs, there were a lot down. Public Works is working extra hard to keep things open and streets clean. He also thanked Mr. Salley for keeping the Council updated during this. He also thanked the Fire Department for all their help conducting the City Manager interviews. Wished everyone a Merry Christmas.

Mayor Draper echoed Council Members Jenkins comments regarding everyone's work during the weather issues last week and wished everyone a Merry Christmas.

Cory Salley, Interim City Manager introduced the newly hired City Clerk, Skyler Bass and invited everyone to please come and welcome her.

Mayor Draper made a motion to adjourn into an 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 of potential applicants for the position of City Manager. The motion was seconded by Council Member Reddick; 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 and the meeting adjourned at approximately 5:49 o'clock p.m.