

12/7/2015

Anniston, Alabama
December 7, 2015

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, December 7, 2015, at approximately 5:39 o'clock p.m.

David Hodnett, First Presbyterian Church, prayed the Invocation.

David Hodnett, First Presbyterian 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.

Council Member Selase made a motion to waive the reading of the minutes of November 16, 2015. 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.

Council Member Harris made a motion to approve the minutes of November 16, 2015. 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.

Council Member Jenkins made a motion to adopt the agenda. 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.

Mayor Stewart made a presentation to the One City/One Vision Strategic Planning Steering Committee: (Outstanding Planning Award)

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 1204 Altamont, 422 E. 22nd Street, 625 W. 13th Street, 915 and 0 Terry Road, 704 Knox Avenue, 0 Highland Avenue (78046), 0 Highland Avenue (78071), 0 E. 11th Street, 1417 E. 11th Street, 1122 Altamont, 2832 Brighton Avenue, 1808 Cobb Avenue, 2101 Christine Avenue, 2403 Wilmer Avenue, 1416 Draper, 228 Palmetto, 1919 and 1911 Beulah Avenue and 305 Lucius Drive; declared the hearing open and asked if anyone wished to address the Council concerning the proposed abatement of identified nuisances (debris and grass) at said locations.

12/7/2015

No one addressed the Council concerning the proposed abatement of identified nuisances (debris and grass) at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 1204 Altamont, 422 E. 22nd Street, 625 W. 13th Street, 915 and 0 Terry Road, 704 Knox Avenue, 0 Highland Avenue (78046), 0 Highland Avenue (78071), 0 E. 11th Street, 1417 E. 11th Street, 1122 Altamont, 2832 Brighton Avenue, 1808 Cobb Avenue, 2101 Christine Avenue, 2403 Wilmer Avenue, 1416 Draper, 228 Palmetto, 1919 and 1911 Beulah Avenue and 305 Lucius Drive; closed.

Mayor Stewart announced that was the time for the public hearing regarding a Special Retail – more than 30 days application for Finial LLC d/b/a Hotel Finial, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Special Retail – more than 30 days application for Finial LLC d/b/a Hotel Finial.

No one addressed the Council either in favor of or in opposition to said Special Retail – more than 30 days application for Finial LLC d/b/a Hotel Finial.

Mayor Stewart declared the public hearing regarding a Special Retail – more than 30 days application for Finial LLC d/b/a Hotel Finial closed.

Donna Wolciak, Industrial Development Authority, addressed the Council concerning the recent Economic Development Conference attended by IDA members and Council Members Selase and Harris.

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

- (a) Resolution authorizing the reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution accepting the resignation of a member of the Anniston Museum of Natural History Board.
- (c) Resolution over-ruling objections to the abatement of identified nuisances. (Grp 2015-08 Grass & Debris)
- (d) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale.
- (e) Resolution authorizing the Mayor to execute an Equipment Lease Agreement and supporting documents with Hancock Bank for one new street sweeper.
- (f) Resolution adopting a Title VI Plan.
- (g) Resolution adopting annual fee schedule.
- (h) Resolution designating locations for the installation and maintenance of fire hydrants by the Anniston Water Works and Sewer Board.
- (i) Resolution authorizing the submission of a grant application under the Land and Water Conservation Fund Program.
- (j) Motion approving the addition of Assistant Director – Museum Complex, Museum Education Director and Educational Interpreter to the Pay and Classification Plan.

12/7/2015

(k) Approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) application for Circle K Stores Inc d/b/a Circle K Store 2723665 located at 800 S. Quintard Avenue.

(l) Approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) application for Circle K Stores Inc d/b/a Circle K Store 2723688 located at 851 Lagarde Avenue.

(m) Approve a Special Retail – More Than 30 Days application for Finial LLC d/b/a Hotel Finial located at 1600 Quintard Avenue.

(n) Motion to suspend the rule requiring the City Council to meet on the third Monday of December, 2015, and the first and third Mondays of January, 2016, and to schedule a City Council meeting for Tuesday, January 19, 2016, at 5:30 p.m. in the City Council Chambers.

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 Reddick reintroduced and read Ordinance Number 15-O-16 as follows:

(15-O-16, amending Section 28 ½ Article I of the City Code to allow for and regulate the operation of Cigar Bars within the City)

Council Member Selase made a motion to table Ordinance Number 15-O-16. The motion did not receive a second.

Council Member Reddick made a motion for the passage and adoption of Ordinance Number 15-O-16 as reintroduced and read. The motion was seconded by Council Member Harris.

Council Member Reddick stated he would like to see this Section of the City Code amended further to delete any reference to “vapor”. He stated he would like to see an ordinance to this affect at the next work session.

Council Member Selase stated that this amendment to the City’s smoking ordinance negatively impacts the integrity of the City’s smoking ordinance that this Council originally passed. He stated they had received an email from a young lady who was interested in bringing hookah lounges to the city. He stated he was afraid there would not be an end to this process of negatively amending the City’s smoking ordinance.

Council Member Jenkins stated this ordinance was very carefully crafted to only address cigar bars and the language in the ordinance is specific to cigar bars. He stated they had done their due diligence concerning this specific ordinance.

Council Member Harris stated the restrictions in this ordinance were very stringent and she felt it was important that this was a stand alone structure. She stated she did not want to see more smoking downtown and she was proud of the City’s overall smoking ordinance.

12/7/2015

Council Member Selase stated that if this ordinance did pass he hoped they would not continue to chip away at the smoking ordinance with other exceptions. He stated he was not anti-business and would support any new businesses in the city.

On call of the roll on Council Member Reddick's motion for the passage and adoption of Ordinance Number 15-O-16 as reintroduced and read and Council Member Harris' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick and Harris; nays: Council Members Selase and Stewart. The motion carried and Ordinance Number 15-O-16 was passed and adopted.

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-22. The motion was seconded by Council Member Selase.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-22.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-22.

On call of the roll on Council Member Jenkins' motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-O-22 and Council Member Selase's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-22, Council Member Jenkins introduced and read by title Ordinance Number 15-O-22 as follows:

(15-O-22, establishing a Pretrial Diversion Program for the Municipal Court of the City)

Jason Odom, City Prosecutor, addressed the Council concerning the proposed Ordinance Number 15-O-22.

Council Member Harris made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-22 as introduced and read by title. 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-22 as introduced and read by title, Council Member Selase made a motion for the passage and adoption of Ordinance Number 15-O-22 as introduced and read by title. 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 and Ordinance Number 15-O-22 was passed and adopted.

12/7/2015

Council Member Selase introduced and read by title Ordinance Number 15-O-23 as follows:

(15-O-23, amending Chapter 2, Article XI, Section 2.60.3, Subsection 1, of the City Code, establishing membership of the Anniston Museum of Natural History Board)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-23 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. Unanimous consent of the Council having been granted for the immediate consideration of Ordinance Number 15-O-23 as introduced and read by title, Council Member Selase made a motion for the passage and adoption of Ordinance Number 15-O-23 as introduced and read by title. 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 and Ordinance Number 15-O-23 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 15-R-182 as follows:

(15-R-182, authorizing settlement of legal proceedings)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 15-R-182 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, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution Number 15-R-182 was passed and adopted.

Council Member Selase introduced and read Resolution Number 15-R-183 as follows:

(15-R-183, adopting an ADA Transition plan)

Council Member Selase made a motion for the passage and adoption of Resolution Number 15-R-183 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 15-R-183 was passed and adopted.

Council Member Selase made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 15-R-184. The motion was seconded by Council Member Harris.

Mayor Stewart asked if anyone wished to address the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 15-R-184.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 15-R-184.

12/7/2015

On call of the roll on Council Member Selase's motion for the unanimous consent of the Council to introduce and read by title Ordinance Number 15-R-184 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.

Unanimous consent of the Council having been granted to introduce and read by title Resolution Number 15-R-184, Council Member Selase introduced and read by title Resolution Number 15-R-184 as follows:

(15-R-184, authorizing a Redevelopment Reimbursement Agreement with Second Street Plaza, LLC)

Council Member Harris made a motion for the passage and adoption of Resolution Number 15-R-184 as introduced and read by title. 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 Resolution Number 15-R-184 was passed and adopted.

Council Member Jenkins congratulated the Anniston 4th and 5th Grade Football Team on their recently against Oxford.

Council Member Reddick congratulated the Anniston Housing Authority Honor Students.

Council Member Selase thanked everyone from the IDA who had attended the Economic Forum.

Council Member Harris stated there would be a dedication of Michael Tucker Park on December 8th.

Mayor Stewart stated the Christmas Parade would be this Saturday and the Christmas Village would be open at 10:00 a.m.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. 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 and the meeting was adjourned at approximately 6:36 o'clock p.m.