

12/15/2014

Anniston, Alabama
December 15, 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, December 15, 2014, at approximately 5:32 o'clock p.m.

Chief Taylor, Fire Department, prayed the Invocation.

Chief Taylor, Fire Department, 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 10, 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 Jenkins made a motion to approve the minutes of November 10, 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.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Dr. George Crawford and his nomination to the Regional Medical Center Board.

Dr. Crawford verified that the information provided by him through his application and this confirmation hearing is true and accurate to the best of his knowledge and he pledged that if appointed he would faithfully, dutifully, and honestly serve the best interests of the City and the Regional Medical Center Board.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Gina Byars Nolen and her nomination to the Anniston Museum of Natural History.

Gina Byars Nolen 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 Anniston Museum of Natural History.

12/15/2014

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Juliette Doster and her nomination to the Longleaf Botanical Gardens Board.

Juliette Doster 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 Longleaf Botanical Gardens Board.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Foch Salem and his nomination to the Historic Preservation Commission.

Foch Salem verified that the information provided by him through his application and this confirmation hearing is true and accurate to the best of his knowledge and he pledged that if appointed he would faithfully, dutifully, and honestly serve the best interests of the City and the Historic Preservation Commission.

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

Council Member Jenkins asked Ms. Foster why she would rather serve on the CDA than PBA.

Ms. Foster stated that having a business in Anniston for over forty years had given her experience in business and having been self-employed she understood concerns and issues that are relevant to businesses.

Debra Foster 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.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Rod Lemon and his nomination to the Commercial Development Authority.

Council Member Jenkins asked Mr. Lemon why she would rather serve on the CDA than the MDA.

Mr. Lemon stated it had been an honor to serve on the MDA but serving on the CDA would better allow him to focus his talents on the city that he grew up in and loves.

Rod Lemon verified that the information provided by him through his application and this confirmation hearing is true and accurate to the best of his knowledge and he pledged that if appointed he would faithfully, dutifully, and honestly serve the best interests of the City and the Commercial Development Authority.

12/15/2014

Council Member Reddick made a motion to adopt the agenda. 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 Reddick made a presentation and recognized Leander McNeil, Pot of Manna Masonic Lodge #478.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances at the following locations: 14 Adams Street, 20 Adams Street, 1004 Shepard Street, 805 Brookhaven Road, 900 Highland Avenue, 1013 Conger Road, 1209 Glendale Road, 1728 Rocky Hollow Road, 1935 Canterbury Square, 3616 Dale Hollow Road, 1416 Kilby Terrace, 1517 and 1631 Dooley Avenue, 1707 McDaniel Avenue, 2113 Cobb Avenue, 921 W. 22nd Street, 2207 McDaniel Avenue, 1914 Brown Avenue, 1700 Mulberry Avenue, 1022 W. 16th Street, 1029 W. 16th Street and 121 Boynton Avenue; declare the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Brianna Garrett addressed the Council concerning the vehicle nuisance located at 1517 Dooley Avenue and stated that Mary Smith, the owner of the vehicle, had passed away and they were waiting for the will to be probated.

Mayor Stewart asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

No one else addressed the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances at the following locations: 14 Adams Street, 20 Adams Street, 1004 Shepard Street, 805 Brookhaven Road, 900 Highland Avenue, 1013 Conger Road, 1209 Glendale Road, 1728 Rocky Hollow Road, 1935 Canterbury Square, 3616 Dale Hollow Road, 1416 Kilby Terrace, 1517 and 1631 Dooley Avenue, 1707 McDaniel Avenue, 2113 Cobb Avenue, 921 W. 22nd Street, 2207 McDaniel Avenue, 1914 Brown Avenue, 1700 Mulberry Avenue, 1022 W. 16th Street, 1029 W. 16th Street and 121 Boynton Avenue closed.

Mayor Stewart announced that was the time for the public hearing on the proposed street vacations at McClellan of a portion of Freemont Avenue from Pappy Dunn Boulevard to Care Drive, of a portion of Care Drive from the south side of Wall Street to the north side of American Red Cross Drive and a portion of Global Drive running northeast/southwest between American Red Cross Drive and Care Drive, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said proposed street vacations at McClellan.

No one addressed the Council either in favor of or in opposition to said proposed street vacations at McClellan.

12/15/2014

Mayor Stewart declared the public hearing on the proposed street vacations at McClellan of a portion of Freemont Avenue from Pappy Dunn Boulevard to Care Drive, of a portion of Care Drive from the south side of Wall Street to the north side of American Red Cross Drive and a portion of Global Drive running northeast/southwest between American Red Cross Drive and Care Drive closed.

Mayor Stewart announced that was the time for the public hearing regarding a Restaurant Retail Liquor application for Two Fish Feasts LLC d/b/a Prime Dining and Bar located at 320 S. Quintard Avenue, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said Restaurant Retail Liquor application for Two Fish Feasts LLC d/b/a Prime Dining and Bar located at 320 S. Quintard Avenue.

No one addressed the Council either in favor of or in opposition to said Restaurant Retail Liquor application for Two Fish Feasts LLC d/b/a Prime Dining and Bar located at 320 S. Quintard Avenue.

Mayor Stewart declared the public hearing regarding a Restaurant Retail Liquor application for Two Fish Feasts LLC d/b/a Prime Dining and Bar located at 320 S. Quintard Avenue closed.

Mayor Stewart announced that was the time for the public hearing regarding a Lounge Retail Liquor – Class I application for Stratos Ventures LLC d/b/a Caldwell Tavern located at 1001 Noble Street, 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 Stratos Ventures LLC d/b/a Caldwell Tavern located at 1001 Noble Street.

No one addressed the Council either in favor of or in opposition to said Lounge Retail Liquor – Class I application for Stratos Ventures LLC d/b/a Caldwell Tavern located at 1001 Noble Street.

Mayor Stewart declared the public hearing regarding a Lounge Retail Liquor – Class I application for Stratos Ventures LLC d/b/a Caldwell Tavern located at 1001 Noble Street closed.

Council Member Harris 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) Resolution accepting the resignation of a member of the Public Building Authority.
- (c) Resolution accepting the resignation of a member of the McClellan Development Authority.
- (d) Resolution appointing a member to the Anniston Museum of Natural History Board.
- (e) Resolution appointing member to the Longleaf Botanical Garden Board.
- (f) Resolution appointing a member to the Regional Medical Center Board.
- (g) Resolution appointing a member to the Commercial Development Authority.
- (h) Resolution appointing a member to the Historic Preservation Commission.
- (i) Resolution over-ruling objections to the abatement of identified nuisances. (Vehicles - Group 2014-02)
- (j) Resolution approving the City of Anniston's participation in the State of Alabama Sales Tax Holiday for Severe Weather Preparedness Items as authorized by Act 2012-256.

- (k) Resolution authorizing acceptance of Recreational Trails Program Grant Award.
- (l) Resolution authorizing the Mayor to execute a Preliminary Engineering Agreement with the State of Alabama acting by and through the Alabama Department of Transportation for Intersection Improvements at Noble Street and 4th Street for Project STPOA-0815(), Project Reference No. 100063207.
- (m) Resolution authorizing the Mayor to execute a Construction Agreement with the State of Alabama acting by and through the Alabama Department of Transportation for Intersection Improvements at Noble Street and 4th Street for Project STPOA-0815() Project Reference No. 100063208.
- (n) Resolution authorizing the Mayor to execute a Preliminary Engineering and Construction Agreement with the State of Alabama acting by and through the Alabama Department of Transportation to construct bicycle and pedestrian improvements in the City of Anniston Project STPOA-0815(), Project No. 100063209 and 100063210.
- (o) Resolution authorizing the Mayor to execute a Preliminary Engineering and Construction Agreement with the State of Alabama acting by and through the Alabama Department of Transportation for bicycle and pedestrian improvements in the City of Anniston, Project STPOA-0815(), Project No. 100063211 and 100063212.
- (p) Resolution authorizing the Mayor to execute a Preliminary Engineering Agreement with the State of Alabama acting by and through the Alabama Department of Transportation for Chief Ladiga Trail – Anniston Segment Project STPOA-NR13(938), Project Reference No. 100063226.
- (q) Resolution authorizing the Mayor to execute an agreement with the State of Alabama acting by and through the Alabama Department of Transportation for improvements to various eligible city maintained streets.
- (r) Resolution declaring support and confidence in Regional Medical Center Board.
- (s) Resolution rescinding Resolution 14-R-342
- (t) Resolution requesting an Advisory Opinion from the Attorney General for the State of Alabama relating to the Regional Medical Center Board’s present obligation to comply with the Alabama Open Meetings Act.
- (u) Resolution authorizing assignment of mortgage.
- (v) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale.
- (w) Motion to approve the expenditure of \$350,000 from the Innovation Fund to the Anniston City Schools for the Pre-K Program.
- (x) Motion to approve a Special Events Retail license application for the City of Anniston d/b/a Cane Creek Grill located at 64 Galloway Road.
- (y) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for LIMBOJ LLC d/b/a Victory Food Mart located at 1513 Greenbrier Road.
- (z) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for ALWADI LLC d/b/a ALWADI Food Mart located in the police jurisdiction at 1020 Highway 431 N.
- (aa) Motion to approve a Restaurant Retail Liquor application for Two Fish Feasts LLC d/b/a Prime Dining and Bar located at 320 S. Quintard Avenue.

12/15/2014

(bb) Motion to approve a Lounge Retail Liquor – Class I application for Stratos Ventures LLC d/b/a Caldwell Tavern located at 1001 Noble Street.

(cc) Motion to approve the following amendments to the City of Anniston Classification and Pay Plan; Day Camp Aide, Day Camp Counselor, Day Camp Director, Lifeguard, Food Service Worker, Co, Restaurant Assistant Manager; Risk Manager and Museum Development Officer.

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 Selase introduced and read Ordinance Number 14-O-31 as follows:

(14-O-31, amending Section 2.2(2) of the City Code setting the regular meetings of the Council)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-31 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, Harris and Stewart; nays: none. The motion carried. Unanimous consent of the Council having been given for the immediate consideration of Ordinance Number 14-O-31 as introduced and read, Council Member Harris made a motion for the passage and adoption of Ordinance Number 14-O-31 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 Ordinance Number 14-O-31 was passed and adopted.

Council Member Jenkins introduced and read Ordinance Number 14-O-32 as follows:

(14-O-32, providing consent for the transfer of the operations of Regional Medical Center by the RMC Board)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-32 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 given for the immediate consideration of Ordinance Number 14-O-32 as introduced and read, Council Member Reddick made a motion for the passage and adoption of Ordinance Number 14-O-32 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 Ordinance Number 14-O-32 was passed and adopted.

Council Member Selase introduced and read Ordinance Number 14-O-33 as follows:

(14-O-33, declaring certain real property surplus, authorizing a request for proposals for the sale thereof and authorizing the City Manager to execute all documents necessary for such sale)

12/15/2014

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 14-O-33 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 given for the immediate consideration of Ordinance Number 14-O-33 as introduced and read, Council Member Selase made a motion for the passage and adoption of Ordinance Number 14-O-33 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 Ordinance Number 14-O-33 was passed and adopted.

Council Member Reddick introduced and read Resolution Number 14-R-388 as follows:

(14-R-388, vacating a portion of Freemont Avenue from Pappy Dunn Blvd. to Care Drive)

Council Member Reddick made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 14-R-388 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 Resolution Number 14-R-388 as introduced and read, Council Member Harris made a motion for the passage and adoption of Resolution Number 14-R-388 as introduced and read. 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 14-R-388 was passed and adopted.

Council Member Jenkins made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-389. 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 Resolution Number 14-R-389.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 14-R-389.

On call of the roll on Council Member Jenkins' motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-389 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 Resolution Number 14-R-389, Council Member Jenkins introduced and read by title Resolution Number 14-R-389 as follows:

12/15/2014

(14-R-389, vacating a portion of Care Drive from the south side of Wall Street to the north side of American Red Cross Drive)

Council Member Harris made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 14-R-389 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. Unanimous consent of the Council having been granted for the immediate consideration of Resolution Number 14-R-389 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Resolution Number 14-R-389 as introduced and read by title. 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-389 was passed and adopted.

Council Member Harris made a motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-390. The motion was seconded by Council Member Jenkins.

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 14-R-390.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Resolution Number 14-R-390.

On call of the roll on Council Member Harris' motion for the unanimous consent of the Council to introduce and read by title Resolution Number 14-R-390 and Council Member Jenkins' 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 14-R-390, Council Member Harris introduced and read by title Resolution Number 14-R-390 as follows:

(14-R-390, vacating a portion of Global Drive running northeast/southwest between American Red Cross Drive and Care Drive)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Resolution Number 14-R-390 as introduced and read by title. 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 Resolution Number 14-R-390 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Resolution Number 14-R-390 as introduced and read by title. 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,

12/15/2014

Harris and Stewart; nays: none. The motion carried and Resolution Number 14-R-390 was passed and adopted.

Council Member Jenkins stated they had accomplished a lot with this agenda. He stated they had provided the funding allotted for the Anniston City Schools Innovation Fund that was requested for Pre-K classes. He stated they had a fully appointed Commercial Development Authority.

Council Member Reddick stated it was a pleasure to fund the Pre-K classes for the Anniston School system. He stated that the late Sebastian Floyd had impacted the lives of many in the Anniston community.

Council Member Selase thanked the Parks and Recreation Department for a wonderful Christmas parade. He stated he was excited about the funding for the Pre-K classes for the Anniston School system. He stated his condolences went out to the family of Sebastian Floyd.

Council Member Harris stated she would be remiss if she did not mention the passing of Jimmy Roberts and he would be greatly missed. She stated she was glad to see the City moving forward with the Victoria Inn.

Mayor Stewart stated he wanted to welcome to Anniston the two new businesses from that night's agenda.

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 6:27 o'clock p.m.