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Anniston, Alabama
August 10, 2015

The City Council of the City of Anniston, Alabama, met in Special Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, August 10, 2015, at approximately 5:37 o'clock p.m.

Elder Gaines prayed the Invocation.

Elder Gaines 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 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.

Council Member Harris reintroduced and read Ordinance Number 15-O-11 as follows:

(15-O-11, amending Article II of Chapter 34 of the City Code regulating Health, Safety and Sanitation; second reading)

Council Member Harris made a motion for the passage and adoption of Ordinance Number 15-O-11 as reintroduced and read. The motion was seconded by Council Member Jenkins;

Council Member Reddick stated he would like to read the Void for Vagueness Doctrine into the minutes: "A doctrine derived from the due process clause of the Fifth and Fourteenth Amendments to the U.S. Constitution that requires criminal laws to be drafted in language that is clear enough for the average person to comprehend. If a person of ordinary intelligence cannot determine what persons are regulated, what conduct is prohibited, or what punishment may be imposed under a particular law, then the law will be deemed unconstitutionally vague. The U.S. Supreme Court has said that no one may be required at peril of life, liberty, or property to speculate as to the meaning of a penal law. Everyone is entitled to know what the government commands or forbids. The void for vagueness doctrine advances four underlying policies. First, the doctrine encourages the government to clearly distinguish conduct that is lawful from that which is unlawful. Under the Due Process Clauses, individuals must be given adequate notice of their legal obligations so they can govern their behavior accordingly. When individuals are left uncertain by the wording of an imprecise statute, the law becomes a standardless trap for the unwary. Second, the void for vagueness doctrine curbs the arbitrary and discriminatory enforcement of criminal statutes. Third, the void for vagueness doctrine discourages judges from

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attempting to apply sloppily worded laws. Like the rest of society, judges often labor without success when interpreting poorly worded legislation. A fourth reason for the void for vagueness doctrine is to avoid encroachment on First Amendment freedoms, such as freedom of speech and religion. Because vague laws cause uncertainty in the minds of average citizens, some citizens will inevitably decline to take risky behavior that might land them in jail. When the vague provisions of a state or federal statute deter citizens from engaging in certain political or religious discourse, courts will apply heightened scrutiny to ensure that protected expression is not suppressed.” He stated he did not think this ordinance was clearly defined enough to pass the void for vagueness doctrine critique. He stated he did not think this ordinance would survive a court challenge.

On call of the roll on Council Member Harris’ motion for the passage and adoption of Ordinance Number 15-O-11 as reintroduced 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 Ordinance Number 15-O-11 was passed and adopted.

Council Member Jenkins introduced and read Ordinance Number 15-O-12 as follows:

(15-O-12, declaring as surplus certain City property and authorizing disposal of the same; Anniston Inn Kitchen; first reading)

Council Member Jenkins made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-12 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, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion failed.

Council Member Reddick introduced and read Resolution Number 15-R-123 as follows:

(15-R-123, adopting the 2015 Annual Action Plan and budget for the City’s CDBG program and the Anniston/Calhoun County HOME Consortium’s HOME program)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 15-R-123 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-123 was passed and adopted.

Council Member Selase made a motion to approve an addition to the Wrecker Rotation to include Taylor Automotive LLC for large vehicles. 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.

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

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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 the meeting was adjourned at approximately 5:54 o'clock p.m.

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Anniston, Alabama
August 17, 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, August 17, 2015, at approximately 5:29 o'clock p.m.

Council Member Jenkins prayed the Invocation.

Council Member Jenkins 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 July 20, 2015 and July 27, 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 Reddick made a motion to approve the minutes of July 20, 2015 and July 27, 2015. 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 delete from the agenda the Board Confirmation hearing for Roy Goodson, Downtown Development Authority, and the resolution (d) of the Consent Agenda appointing Roy Goodson to the Downtown Development Authority and to remove from the Consent Agenda and place in the Motions Section motions (h) and (i) a motion concerning a Club Liquor application and a motion concerning a PUD and to add a motion suspending the Council Meeting date rule 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, Harris and Stewart; nays: none. The motion carried.

Linda Bolton addressed the Council and stated many of the people present were concerned that they were going to close the Wiggins Community Center and they wanted to know why.

Rodney Fomby, 1600 Crane Avenue, addressed the Council concerning the Wiggins Community Center and stated that it was a family center. He stated they needed to look at the Wiggins Community Center from a family viewpoint.

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Rodney Fomby II, 1600 Crane Avenue, addressed the Council concerning the Wiggins Community Center and stated that the center and Carol Bush were important to the community.

Pam Scales addressed the Council concerning the Wiggins Community Center and stated that the center had youth athletic programs, theatrical programs and academic programs.

Steven Folks, Parks and Recreation Director, addressed the Council and stated the proposal was never to close Wiggins Community Center. He stated they planned to continue to operate Wiggins Community Center but just not with the current staffing level.

Shea McNeal addressed the Council and stated Carol Bush was a great center director and really cared about the kids.

Mayor Stewart announced that was the time for the public hearing concerning the abatement of identified public nuisances at the following locations: 809 Sugarloaf Lane, 200 Blue Mountain Road, 327 E. 3rd Street, 3921 Lee Drive, 2613 Moore Avenue, 1415 E. 11th Street, 2006 Moore Avenue, 1914 Harris Avenue, 2005 Legrande Avenue, 205 McArthur Drive, 14 E. 26th Street, 2825 Noble Street, 3007 Gurnee Avenue and 29 W. 30th Street; declared the hearing open and asked if anyone wished to address the Council concerning the abatement of identified public nuisances at said locations.

No one addressed the Council concerning the abatement of identified public nuisances at said locations.

Mayor Stewart declared the public hearing concerning the abatement of identified public nuisances at the following locations: 809 Sugarloaf Lane, 200 Blue Mountain Road, 327 E. 3rd Street, 3921 Lee Drive, 2613 Moore Avenue, 1415 E. 11th Street, 2006 Moore Avenue, 1914 Harris Avenue, 2005 Legrande Avenue, 205 McArthur Drive, 14 E. 26th Street, 2825 Noble Street, 3007 Gurnee Avenue and 29 W. 30th Street; closed.

Mayor Stewart announced that was the time for the public hearing regarding a Club Liquor – Class II license application for Indian Oaks Community Golf Course Inc. d/b/a Indian Oaks Golf Club, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to a Club Liquor – Class II license application for Indian Oaks Community Golf Course Inc. d/b/a Indian Oaks Golf Club.

No one addressed the Council either in favor of or in opposition to a Club Liquor – Class II license application for Indian Oaks Community Golf Course Inc. d/b/a Indian Oaks Golf Club.

Mayor Stewart declared the public hearing regarding a Club Liquor – Class II license application for Indian Oaks Community Golf Course Inc. d/b/a Indian Oaks Golf Club closed.

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

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- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-03 Pools & Group 2015-05 Grass & Debris)
- (c) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale. (APD Vehicle)
- (d) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for R and V Enterprises LLC d/b/a Annies Quintard located at 720 Quintard Avenue.
- (e) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for V and R Enterprises LLC d/b/a Quintard Quick Market located at 1731 Quintard Avenue.
- (f) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for MMUSA LLC d/b/a Express Mart 4 located at 1601 Front Street.

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 and read Ordinance Number 15-O-12 as follows:

(15-O-12, declaring as surplus certain City property and authorizing disposal of the same; Anniston Inn Kitchen; second reading)

Council Member Jenkins made a motion for the passage and adoption of Ordinance 15-O-12 as reintroduced 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 15-O-12 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-13. The motion was seconded by Council Member Reddick.

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-23.

No one addressed the Council either in favor of or in opposition to the introduction and reading by title of Ordinance Number 15-O-13.

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-13 and Council Member Reddick's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

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Unanimous consent of the Council having been granted to introduce and read by title Ordinance Number 15-O-13, Council Member Jenkins introduced and read by title Ordinance Number 15-O-13 as follows:

(15-O-13, abolishing the Anniston Museum Complex Board)

Council Member Selase made a motion for the unanimous consent of the Council for the immediate consideration of Ordinance Number 15-O-13 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 Ordinance Number 15-O-13 as introduced and read by title, Council Member Jenkins made a motion for the passage and adoption of Ordinance Number 15-O-13 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 Ordinance Number 15-O-13 was passed and adopted.

Council Member Jenkins introduced and read Resolution Number 15-R-127 as follows:

(15-R-127, authorizing the submission of a grant application to the Alabama State Council on the Arts)

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 15-R-127 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 15-R-127 was passed and adopted.

Council Member Harris made a motion to approve a Club Liquor – Class II application for Indian Oaks Community Golf Course Inc., d/b/a Indian Oaks Golf Club located in the police jurisdiction at 201 Cherokee Trail. 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, and Harris; nays: none; abstentions: Mayor Stewart. The motion carried.

Council Member Selase made a motion to approve the Site Development Plan for the Planned Unit Development (PUD) for Hillside Cottages as recommended by the Anniston Planning Commission. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Reddick, Selase, Harris and Stewart; nays: none; abstentions: Council Member Jenkins. The motion carried.

Council Member Jenkins made a motion to suspend the rule requiring the City Council to meet on the first Monday of September, 2015, and to schedule a City Council meeting for Tuesday, September 8, 2015, 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.

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Council Member Harris thanked everyone for coming to the meeting. She thanked the Right Place for all they do for the homeless. She stated that Wiggins Community Center was not being closed and the after school programs there would continue.

Council Member Reddick stated they should listen to public. He stated that Wiggins Community Center was not the center that was losing the most money or the least productive. He stated it was unfair to put Wiggins on the chopping block. He stated it took years to get the City to support the needy and the poor and now they were cutting all the outreach funding. He stated that funding to some departments had increased but they could not find \$50,000 for Wiggins or money for the poor and needy.

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 6:21 o'clock p.m.