

CITY OF ANNISTON
JUNE 15, 2015
5:30 P.M.

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **STAFF ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECEIVE INFORMAL PUBLIC COMMENTS

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

II. RECEIVE FORMAL PUBLIC COMMENT

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal “**REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA**” form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.al.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

(a) Board Confirmations

- a. Bud Owsley – RMC Board
- b. Jeffrey Williams – Anniston Main Street Board

III. CONDUCT PUBLIC HEARING

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

- #### **(a) To hear public comments regarding the cost report on the abatement of a public nuisance located at 1919 – 1921 Rocky Hollow Road.**

IV. UNFINISHED BUSINESS – None

V. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution declaring a reported condition to be a public nuisance. (Group 2015-02 Pools)
- (c) Resolution declaring a reported condition to be a public nuisance. (Group 2015-32 Grass Lots)
- (d) Resolution receiving and confirming a cost report on the abatement of a public nuisance.
- (e) Resolution accepting the resignation of a member of the Longleaf Botanical Gardens Board.
- (f) Resolution accepting the resignation of a member of the Anniston Downtown Development Authority.
- (g) Resolution appointing a member to the Regional Medical Center Board.
- (h) Resolution amending the Schedule of Nominations assigning and designating the positions on each Municipal Board, Commission and Authority to specific Ward Councilmembers and to the Office of the Mayor and appointing members to the Anniston Main Street Board.
- (i) Evaluation of bids for Nettles Park Improvements.

VI. ORDINANCES

- (a) Repealing Section 29.19 of The Code of Ordinances of the City of Anniston, Alabama.

VII. RESOLUTIONS

- (a) In support of Freedom Riders Park
- (b) Authorizing conveyance of Victoria Inn to the Anniston Downtown Development Authority.

VIII. MOTIONS

- (a) To approve the concept plan for The Finial, aka The Victoria upon recommendation of a unanimous vote of the Anniston Planning Commission at its June 10th meeting.

IX. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

6/1/2015

Anniston, Alabama
June 1, 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, June 1, 2015, at approximately 5:38 o'clock p.m.

Bersheba Austin prayed the Invocation.

Bersheba Austin led the Pledge of Allegiance to the Flag.

Vice-Mayor Selase called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, and Harris; absent: Mayor Stewart. 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 Jenkins made a motion to waive the reading of the minutes of May 18, 2015. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Harris made a motion to approve the minutes of May 18, 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Jenkins made a motion to add to the agenda under the consent agenda a motion to approve a change order to the Michael Tucker Park Camp Site Project in the amount of \$38,170.00, to delete from the agenda a resolution authorizing the conveyance of the Victoria Inn to the Anniston Downtown Development Authority and to add to the agenda a resolution appointing a member to the Regional Medical Center Board. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Phillip Noble, 1305 Glenwood Terrace, addressed the Council concerning Alabama Senate Bill 404 which removed the three year limit on a firm performing the City's audit and stated the City should make sure their auditors have the experience in dealing with fraud investigations and fraud auditing.

6/1/2015

Vice-Mayor Selase announced that was the time for the Board Confirmation Hearing for Larry May, Lewis Downing, Dottie Cassandra Rimpsey, and Ashley Bass Martin and their nominations to the Anniston Main Street Board.

Treacy Hunter addressed the Council on behalf of the Anniston Police Citizen's Advisory Council and stated they were trying to bridge the gap between the police department and the community.

Glen Ray addressed the Council concerning the Stormwater Ordinance. He stated the Clean Water Act is a federal act. He asked if they were aware of the City being under the Clean Water Act and not having yet been cleared under this act. He stated PCBs have been in the city for thirty to forty years. He stated that the EPA had told him that they had given the city approximately \$17,000.00. He stated those polluting the water should be paying to clean it. He stated he did not think the City knew they were under a court order to clean up.

Brian Johnson, City Manager, stated the City of Anniston is not under a court order. He stated there is a court order to clean up certain geographic areas of the city but the City government was not under a court order from a judge. He stated he thought Mr. Ray was confusing the Clean Water Act and the regulatory compliance burden that it places on local governments as the only reason the City has stormwater user fees. He stated the City has an extensive drainage system that it must maintain.

Mr. Ray stated that they needed to read what was passed in Montgomery.

Vice-Mayor Selase announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (burned buildings) at the following locations; 401 W. 22nd Street, 1401 Stephens Avenue and 1605 Brown Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said locations.

Tana Bryant, Code Enforcement, addressed the Council on behalf of the owners of 1605 Brown Avenue.

Vice-Mayor Selase 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.

Vice-Mayor Selase declared the public hearing to hear objections to the proposed abatement of identified nuisances (burned buildings) at the following locations; 401 W. 22nd Street, 1401 Stephens Avenue and 1605 Brown Avenue closed.

Vice-Mayor Selase announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris) at 424 River Street; declared the hearing

6/1/2015

open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances at said location.

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

Vice-Mayor Selase declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris) at 424 River Street closed.

Vice-Mayor Selase announced that was the time for the public hearing regarding a Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street, declared the public 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 J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.

No one addressed the Council either in favor of or in opposition to said Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.

Vice-Mayor Selase declared the public hearing regarding a Restaurant Retail Liquor application for J and L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street closed.

Council Member Jenkins 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 over-ruling objections to the abatement of identified nuisances. (Group 2015-02 – Burned Buildings)
- (c) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-04 – Debris)
- (d) Resolution amending the Schedule of Nominations assigning and designating the positions on each Municipal Board, Commission and Authority to specific Ward Councilmembers and to the Office of the Mayor and appointing members to the Anniston Main Street Board.
- (e) Resolution accepting the resignation of a Regional Medical Center Board Member.
- (f) Motion to approve a Restaurant Retail Liquor application for J & L Cafes Inc., d/b/a Effinas Downtown located in the City limits at 919 Noble Street.
- (g) Evaluation of bids for demolition of substandard structures.
- (h) Evaluation of bids for Carver Park Phase II.
- (i) Evaluation of bids for telephone system/service for City facilities.
- (j) A motion to approve a change order to the Michael Tucker Park Camp Site Project in the amount of \$38,170.00

6/1/2015

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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Steven Folks, Parks and Recreation Director, addressed the Council concerning the progress of the Carver Park Phase II and stated this would involve a different playground for this site.

Council Member Harris made a motion to waive the one month notice required for board appointments. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried.

Council Member Harris introduced and read Resolution Number 15-R-57 as follows:

(15-R-57, RMC board appointment)

Council Member Harris made a motion for the passage and adoption of Resolution Number 15-R-57 as introduced and read. The motion was seconded by Council Member Jenkins.

Vice-Mayor Selase announced that was the time for the Board Confirmation Hearing for Paula Watkins and her nomination to the Regional Medical Center Board.

On call of the roll on Council Member Harris' motion for the passage and adoption of Resolution Number 15-R-57 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, and Harris; nays: none; absent: Mayor Stewart. The motion carried and Resolution Number 15-R-57 was passed and adopted.

Council Member Reddick thanked Phillip Noble for his comments about Senate Bill 404 and he hoped the Council would not take advantage of this bill.

Council Member Harris stated she was not totally familiar with Senate Bill 404 but she had read that Anniston was one of only three cities in Alabama that was constrained by having term limits for their auditors.

Council Member Selase stated everyone should visit the Downtown Farmer's Market. He thanked the National Park Service concerning the designation study for Freedom Riders Parks. He stated that the Heritage Festival would be coming up in the month of June.

There being no further business to come before the meeting at that time Council Member Reddick made a motion the meeting be adjourned. 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, and Harris; nays: none; absent: Mayor Stewart. The motion carried and the meeting was adjourned at approximately 6:27 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 15-R-__

A RESOLUTION AUTHORIZING REIMBURSEMENTS TO CITY OFFICIALS FOR EXPENSES INCURRED WHILE TRAVELING AWAY FROM THE CITY

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a.** \$773.95 to Bersheba Austin, H.R., while attending the IPMA-HR Conference in Virginia Beach, VA from May 17 – 20, 2015.
- b.** \$89.13 to Mary Motley, Finance, while attending the CRE Certification in Hoover, AL from May 20 – 22, 2015.
- c.** \$128.22 to Rosemary Rice, Municipal Court, while attending Alabama Court Clerk/Magistrates Maintenance Seminar in Montgomery, AL on June 5, 2015.

PASSED AND ADOPTED this ____ day of June, 2015

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Mille Harris, Council Member

ATTEST:

Alan B. Atkinson, City

RESOLUTION NUMBER 15-R-__

A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.15 of said Ordinance, has reported to the City Council that conditions exist at **attached (Group 2015-02 – Pools)** in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (6), of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: **Maintenance of an abandoned or unused swimming pool**; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on **Exhibit “A”** to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City’s actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.

PASSED AND ADOPTED this the ____ day of _____, 2015.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

Exhibit "A"

Group 2015-02 - Pools

ADDRESS	PPIN #
1130 Forrest Lane	17918
219 Shamrock Road	61824
424 Lapsley Avenue	17555
16 Fairway Heights	66258

RESOLUTION NUMBER 15-R-__

A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.15 of said Ordinance, has reported to the City Council that conditions exist at **attached (Group 2015-32 Grass Lots)** in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (1), (2) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: **overgrown lots as defined in Section 34.2 of the Code of Ordinances and trash and debris**; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on **Exhibit "A"** to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City's actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.

PASSED AND ADOPTED this the ____ day of _____, 2015.

**CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

Exhibit "A"

2015-32 – Grass Nuisance Lots

Address	PPIN
520 Knox Avenue	17574
310 East 4 th Street	63381
1914 Christine Avenue	21028
924 Isabell Avenue	18058
517 South Allen Avenue	63620
1130 Forrest Lane (stagnant pool)	17918
1614 Christine Avenue	62407
0 Hillyer High Road	13741
19 Belmont Road	22162
210 Wilmer Avenue	29099
206 Wilmer Avenue	29100
202 Wilmer Avenue	29101
1408 McCall Drive	62146
330 South Allen Avenue	66513
412 West 5 th Street	63447
1700 Moore Avenue	20203
1401 Stephens Avenue	19389
1401 Cobb Avenue	19411
16 South Leighton Avenue	17425
1307 East 11 th Street	20601
1112 Johnson Avenue	66874

RESOLUTION NO. 15-R-_____

**A RESOLUTION RECEIVING AND CONFIRMING A COST REPORT ON THE
ABATEMENT OF A PUBLIC NUISANCE**

WHEREAS, the 15th day of June, 2015 at 5:30 o'clock p.m. was the day and time fixed for receiving and considering an itemized report in writing showing the cost incurred by the City of Anniston in removing a nuisance on or adjacent to the property located at 1919-1921 Rocky Hollow Road, Parcel #21-03-05-1-005-016.000 in Anniston, Alabama, which property is more particularly described as follows:

SEC 5 T16S R08E COLEMANS SUB BLKS 519-522 BLK 521 LOT 5 ANNISTON AL

and for hearing and considering any objections which may be raised by the landowner(s), El-Sayed Ahmed Mohmmmed, 2112 Thomas Avenue, Anniston, AL, 36207, who are liable to be assessed for the work of abating the nuisance; and

WHEREAS, the said itemized report was received and considered by the City Council of the City of Anniston, Alabama, and was found to be fair and reasonable;

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

Section 1. That the said itemized report is hereby confirmed and the amount of the costs for abating the nuisance on or adjacent to the above described property, as shown in said itemized report, is hereby declared to be the sum of \$532.82 which shall constitute a lien on the above described property, as allowed and provided by Section 45-8-172.07, Code of Alabama and by Anniston City Ordinance Number 11-O-9.

PASSED AND ADOPTED this the 15th day of June, 2015.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Seyram Selase, Council Member

BY: _____
Jay Jenkins, Council Member

BY: _____
Millie Harris, Council Member

BY: _____
David E. Reddick, Council Member

ATTEST: _____
Alan B. Atkinson, City Clerk

RESOLUTION NUMBER 15-R-

A RESOLUTION ACCEPTING THE RESIGNATION OF A MEMBER OF THE LONGLEAF BOTANICAL GARDENS BOARD

BE IT RESOLVED by the City Council of the City of Anniston, Alabama, as follow:

Section 1. That the resignation of Juliette Doster as a member of the Longleaf Botanical Gardens Board is hereby accepted.

Section 2. That a new member shall be appointed to the Longleaf Botanical Gardens Board to fill the expired term in not less than one month from the passage and adoption of this resolution.

Section 3. That the City Clerk cause a copy of this resolution to be mailed to the above named board.

PASSED AND ADOPTED this the _____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart, II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NUMBER 15-R-___

**A RESOLUTION ACCEPTING THE RESIGNATION OF A MEMBER OF THE ANNISTON
DOWNTOWN DEVELOPMENT AUTHORITY**

BE IT RESOLVED by the City Council of the City of Anniston, Alabama, as follow:

Section 1. That the resignation of John E. Blue, II, as a member of the Anniston Downtown Development Authority is hereby accepted.

Section 2. That a new member shall be appointed to the Anniston Downtown Development Authority to fill the expired term in not less than one month from the passage and adoption of this resolution.

Section 3. That the City Clerk cause a copy of this resolution to be mailed to the above named board.

PASSED AND ADOPTED this the _____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart, II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NO. 15-R-__

A RESOLUTION APPOINTING A MEMBER TO THE REGIONAL MEDICAL CENTER BOARD

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

Section 1. That Hinton B. "Bud" Owsley, be and he is hereby appointed to the Regional Medical Center Board with a term ending May 31, 2020.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointee and to said board.

PASSED AND ADOPTED on this the ____ day of _____ 2015.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NUMBER 15-R-___

**A RESOLUTION AMENDING THE SCHEDULE OF NOMINATIONS
ASSIGNING AND DESIGNATING THE POSITIONS ON EACH MUNICIPAL
BOARD, COMMISSION AND AUTHORITY TO SPECIFIC WARD
COUNCILMEMBERS AND TO THE OFFICE OF THE MAYOR AND
APPOINTING MEMBERS TO THE ANNISTON MAIN STREET BOARD**

WHEREAS, the Council has adopted Ordinance No. 14-0-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted Resolution No. 15-0-7 authorizing the formation of the Main Street Anniston Board and the positions on said board are due to be assigned among and designated to specific Council Ward Representatives and the Office of the Mayor, as agreed upon and memorialized in the Schedule of Nominations adopted by a Resolution of the Council;

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

Section 1. The City Council of the City of Anniston finds that circumstances warrant the waiver of the requirement set by ordinance that notice of any vacancies or scheduled appointments shall be provided to the public during an open meeting no less than one month prior to the date when any nominations can be made, including, but not limited to, the recent formation of the Main Street Anniston Board, the pressing need to populate said board. The Council does hereby exercise its discretion to waive this requirement with regard to the appointments to the said board, as set forth in this resolution.

Section 2. The City Council of the City of Anniston hereby adopts the Schedule of Nominations for the Main Street Anniston Board attached hereto as Exhibit A so as to assign the positions on said board to the City's Council Ward Representatives and the Office of the Mayor and to designate any future nominations to those assigned positions to the respective office holders.

Section 3. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Main Street Anniston Board attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 4. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and **ADOPTED** this ____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT "A"

MAIN STREET ANNISTON BOARD

Board Positions	Nominations	Board Member Name	Expiration Date
2	Ward 2	Jeffrey Williams	05/31/2018

6/15/2015

FACT SHEET

SUBJECT: Evaluation of bids for Nettles Park Improvements

FACTS: Funding from CDBG. The bid included a 20 Foot x 24 Foot gable end shelter with a concrete slab, bleachers and trash receptacles.

CONTRACTORS SUBMITTING BIDS

J.F. Morgan General Contractor, Inc.

\$22,400.00

NOTES: Although no other bids were received, the unit prices were found to be reasonable.

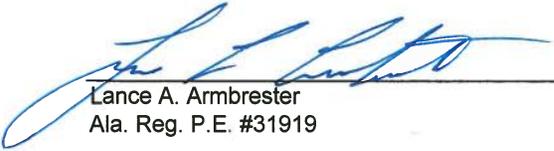
RECOMMENDATION: The bid amount of \$22,400.00 is less than the maximum budget of \$61,961.93. The recommendation is to award the project to J.F. Morgan General Contractor, Inc. in the amount of **\$22,400.00.**

BID TABULATION
Nettles Park Improvements
City of Anniston
Anniston, Alabama
June 11, 2015 2:00 p.m.

**J.F. Morgan General
Contractor, Inc.**

ITEM DESCRIPTION	UNIT	QTY.	UNIT PRICE	EXTENSION
BID				
1. 32 Gallon Receptacle	Each	2	\$ 650.00	\$ 1,300.00
2. Bleachers	Each	1	\$ 5,100.00	\$ 5,100.00
3. 20 Foot x 24 Foot Gable End Shelter	Each	1	\$ 13,900.00	\$ 13,900.00
4. Concrete Slab for Shelter	L.S.	1	\$ 2,100.00	\$ 2,100.00
TOTAL BID:				\$ 22,400.00

CERTIFIED TRUE AND CORRECT:



Lance A. Ambrester
Ala. Reg. P.E. #31919

ORDINANCES

ORDINANCE NO. 15-0-__

AN ORDINANCE REPEALING SECTION 29.19 OF THE CODE OF ORDINANCES OF THE CITY OF ANNISTON, ALABAMA

WHEREAS, the City Council of the City of Anniston (the "Council") finds that it is in the best interests of the City of Anniston and its citizens for the Council to repeal Section 29.19 of the Code of the City of Anniston, Alabama, 1981, and entitled "Designation of person to supply house numbers";

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

Section 1. The City Council of the City of Anniston, Alabama hereby repeals and rescinds Section 29.19 of the Code of the City of Anniston, Alabama, 1981.

Section 2. This Ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and **ADOPTED** this __ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTIONS

RESOLUTION NO. 15-R-___

A RESOLUTION IN SUPPORT OF FREEDOM RIDERS PARK

WHEREAS, the City of Anniston has worked to preserve sites related to the May 1961 Freedom Rides, through the Anniston Civil Rights and Heritage Trail, through the work of the Spirit of Anniston, Freedom Riders Park Committee and local partners.

WHEREAS, local partners are working with the City, county, state and National Park Service to create Freedom Riders Park to preserve sites in and around Anniston.

WHEREAS, the National Park Service announced on May 26, 2015 its intent to conduct a reconnaissance survey of Freedom Rider sites to determine if these sites meet NPS criteria to create a new unit of the National Park System.

WHEREAS, the National Park System currently does not include any sites dedicated to telling the story of the desegregation of public accommodations, an important chapter in the America's Civil Rights story.

WHEREAS, the City's civil rights sites possess national significance and a new National Park unit would promote tourism, provide the City with an additional educational resource and demonstrate the City's commitment to civil rights.

WHEREAS, the proposed Freedom Riders National Park would complement the City's existing historic, educational and recreational attractions and help promote downtown redevelopment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston that the City supports local efforts to establish a new unit of the National Park System to create an educational and economic resource for the local community in order to attract visitors from across the United States and internationally.

BE IT FURTHER RESOLVED, that the City encourages the National Park Service to complete the reconnaissance survey on an expedited basis in order to provide for designation of the new park in 2016 to coincide with the Centennial of the National Park Service.

BE IT FURTHER RESOLVED, that the City pledges its support to work with NPS and other partners to: (1) facilitate the completion of the reconnaissance survey; (2) help preserve sites in the City on a cooperative basis; and (3) establish the new park unit.

PASSED AND ADOPTED this ____ day of June, 2015.

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NO. 15-R-__

**RESOLUTION AUTHORIZING CONVEYANCE OF VICTORIA INN TO
MARSH PROPERTIES, INC.**

WHEREAS, the City of Anniston (the “City”) authorized the purchase of certain real property within the City, which encompasses the Victoria Inn, together with all buildings, improvements, attachments and appurtenances thereon, and all furniture, fixtures, equipment, linens, supplies and all other personal property of any kind, whether tangible or intangible, used in connection with the ownership, operation and maintenance of the Victoria Inn (referred to as the “Victoria Inn”);

WHEREAS, prior to authorizing the purchase, the Council for the City of Anniston, Alabama found that the Victoria Inn is a landmark within the City and that it is an important component of the City’s downtown redevelopment and economic development efforts;

WHEREAS, the Council further found that the revitalization, redevelopment and preservation of the central business district of the City promotes the public good and general welfare, trade, commerce, industry and employment opportunities and creates a favorable climate for the location of new industry, trade and commerce and the development of existing industry, trade and commerce, and that the City’s purchase of the Victoria Inn would promote the general welfare, trade, commerce, industry and employment opportunities within the City;

WHEREAS, in furtherance of the purposes for which the City purchased the Victoria Inn, and for the public’s best interests, the Council adopted an ordinance declaring the Victoria Inn to be surplus property and directing the City Manager to issue a Request for Proposals so as to identify a developer with the resources and vision for redeveloping/renovating the Victoria Inn in accordance with its historic character and so that it will foster a vibrant downtown/central business district area within the City and increase the City’s revenue base;

WHEREAS, the City Manager issued a Request for Proposals that resulted in Marsh Properties, Inc., an Alabama corporation organized and existing under the laws of the State of Alabama (the “Company”), submitting the sole proposal for the acquisition and redevelopment/renovation of the Victoria Inn;

WHEREAS, a “Development Agreement” has been proposed between the City and the Company, the form of which agreement is attached as Exhibit A hereto (the “Development Agreement”);

WHEREAS, under the Development Agreement, the City will, among other things, (i) convey the Victoria Inn to the Company, (ii) provide a survey and a landscape architecture plan to the Company, (iii) make certain landscape

improvements, and (iv) make certain public entrance improvements, in exchange for the Company agreeing to spend not less than \$1,500,000 to renovate the Victoria Inn within 12 months from the date that the Victoria Inn is conveyed to the Company and other covenants and agreements of the Company;

WHEREAS, the Council has determined that the Victoria Inn is situated in an area important for planned commercial and economic development, and that development and use of the Victoria Inn as provided in the Development Agreement will inure to the benefit of the City and its citizens by, among other things, (i) preserving and enhancing the physical integrity of a facility that holds historic and cultural significance to the City and its citizens, (ii) providing a much needed venue for overnight accommodations, meetings, group dining and related activities within the downtown area of the City, (iii) expanding the tax base of the City by attracting to the downtown area commercial activity and development, (iv) facilitating the development of other portions of the City located in vicinity of the Victoria Inn, (v) expanding employment opportunities, and (vi) enhancing the overall quality of life for the citizens of the City;

WHEREAS, even though the Council believes the City's obligations under the Development Agreement are solely of a public nature, that the City will receive sufficient consideration from the Company by the agreements and conditions on the Victoria Inn renovation imposed in the Development Agreement and that the City possesses all powers necessary to undertake the transactions described in the Development Agreement without use of special constitutional authority, the Council hereby further recites that the City's obligations under the Development Agreement are being undertaken pursuant to the authority of Amendment 772 to the Constitution of Alabama of 1901 (recodified as Section 94.01 to the Constitution of Alabama of 1901) (herein called "Amendment 772"), that such obligations are being undertaken by the City in furtherance of any power or authority authorized in Amendment 772, and that the Council has determined that the expenditure of public funds and the transfer and conveyance of the Victoria Inn for the purpose specified in the Development Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities;

WHEREAS, as required under Amendment 772, prior to the execution of this Resolution, notice that a meeting would be held on June 15, 2015, at 5:30 p.m., local time, in the Council Chambers of City Hall located at 1128 Gurnee Avenue, Anniston, Alabama 36201, was published in *The Anniston Star*, the newspaper having the largest circulation in the City, at least seven days prior to the meeting;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama that the City Manager be and hereby is authorized to execute, for and as the act of the City, the Development Agreement.

PASSED and **ADOPTED** this 15th day of June, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk