

**REGULAR MEETING
COUNCIL OF THE CITY OF MONTGOMERY
JANUARY 19, 2016 – 5:00 P.M.**

The Council met in regular session on Tuesday, January 19, 2016, at 5:00 p.m., in the Council Auditorium, City Hall, with the following members present:

PRESENT:	BOLLINGER, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--7
ABSENT:	LYONS, BURKETTE	--2

President Charles Jinright presided as Chairman of the meeting, and Brenda Gale Blalock, City Clerk, served as the Clerk of the meeting. The meeting was opened with the invocation by Brenda Blalock, and the Pledge of Allegiance.

Councillor Green made a motion to adopt the January 5, 2016, Work Session Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LYONS, BURKETTE	--2

Councillor Green made a motion to adopt the January 5, 2016, Regular Council Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LYONS, BURKETTE	--2

Councillor Lyons entered the Council Auditorium at 5:05 p.m.

Councillor Pruitt left the Council Auditorium at 5:10 p.m.

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. 2-2016

**AN ORDINANCE TO AMEND ORDINANCE NO. 4-95
FOR A REVISED MASTER PLAN.**

SECTION 1: BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Ordinance No. 4-95 be and is hereby amended to approve a Revised Master Plan for a PUD (Planned Unit Development) Zoning District, to allow single-family residential use, whereas multi-family condominium use was approved on the following parcels:

Lots 1-6, Block C, Deer Creek Pod Z Plat 1 Corrected as Map appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 53, at page 69

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Tommy Tyson was present representing the Planning Commission. No one was present representing this item. No one was present in opposition to this item.

Councillor Larkin made a motion to sustain the recommendation of the Planning Commission and adopt the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE, PRUITT	--2

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. 3-2016

**AN ORDINANCE TO AMEND ORDINANCE NO. 30-2000
FOR A REVISED MASTER PLAN.**

SECTION 1: BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Ordinance No. 30-2000 be and is hereby amended to approve a Revised Master Plan for a PUD (Planned Unit Development) Zoning District, to allow commercial use, whereas office use was approved of the following parcel:

BEGIN AT THE INTERSECTION OF THE NORTHEAST CORNER OF LOT 2, ACCORDING TO THE MAP OF EASTCHASE OFFICE LOTS PLAT NO. 1A, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 49 AT PAGE 225 WITH THE NORTHERLY RIGHT OF WAY OF EASTCHASE LANE (60' ROW); THENCE RUN ALONG THE EAST LINE OF LOT 3, ACCORDING TO THE MAP OF EASTCHASE PLAZA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 50 AT PAGE 76, N 24°02'50" E, 431.80 FEET TO A POINT; THENCE RUN N 05°15'56" W, 401.24 FEET TO A POINT LYING ON THE EAST LINE OF LOT 6 OF SAID EASTCHASE PLAZA; THENCE CONTINUE ALONG SAID EAST LINE, N 14°02'51" E, 559.51 FEET TO A POINT; THENCE LEAVE SAID EAST LINE AND RUN S 78°05'27" E, 778.18 FEET TO A POINT LYING IN A CURVE ON THE WESTERLY RIGHT OF WAY OF THE AFOREMENTIONED EASTCHASE LANE; THENCE RUN ALONG SAID CURVE AND SAID RIGHT OF WAY (CONCAVE NORTHWESTERLY, R=270.76'), A CHORD OF S 83°15'29" W, 68.51 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUE ALONG SAID RIGHT OF WAY AND SAID CURVE (CONCAVE SOUTHEASTERLY, R=500.48'), A CHORD OF S 47°24'42" W, 684.12 FEET TO A POINT; THENCE RUN S 04°17'47" W, 120.00 FEET TO A POINT OF CURVATURE; THENCE RUN ALONG SAID WEST RIGHT OF WAY AND SAID CURVE (CONCAVE WESTERLY, R=670.23'), A CHORD OF S 37°53'55" W, 741.84 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE SOUTHWEST QUARTER OF SECTION 16, T-16-N, R-19-E, MONTGOMERY COUNTY, ALABAMA, AND CONTAINS 9.56 ACRES (416393 S.F.), MORE OR LESS.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Tommy Tyson was present representing the Planning Commission. No one was present representing this item. No one was present in opposition to this item.

Councillor Green made a motion to sustain the recommendation of the Planning Commission and adopt the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE, PRUITT	--2

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. _____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA as follows:

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from R-60-d (Duplex Residential) to a B-2 (Commercial) Zoning District.

Peacock Track Sub 5 Block 1 Lot 14 Block 1 Book 2 Page 435 Central Avenue being 50 x 90 ft. north side of Central and being in NW corner RED 6 SUB 5 Block 1 Peacock Tract being RED 7 carried on Tax Assessor Record as Sub 4 Block 1 Peacock.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Tommy Tyson was present representing the Planning Commission. Mr. Michael Williams, owners, was present representing this item. Mrs. Bernice G. Wilson was present representing other property owners on the street who were in opposition to the rezoning. Mrs. Wilson stated the neighborhood objected for the following five reasons: 1. It would affect the quiet use and enjoyment of the neighborhood. 2. It would negatively impact the elderly residents on the street. 3. It would invite activities not common on Central Street. 4. It would alter the character of the street. 5. It would prohibit rehabilitation of homes there and new people moving into the area. Mrs. Wilson presented a petition of those in opposition to the rezoning.

Councillor Pruitt entered the Council Auditorium at 5:17 p.m.

Councillor Lee made a motion to over-rule the Planning Commission and deny the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, LEE, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	BELL	--1
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed ordinance:

ORDINANCE NO. 4-2016

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA as follows:

SECTION 1. That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from T4-R

(General Urban Zone-Restricted) Zoning District to a T4-O (General Urban Zone-Open) Zoning District.

532 Clay Street

Lot 4 of the Resubdivision of Hanrick Plat, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 28, at page 91; and

540 Clay Street

Lot 3 of the Resubdivision of Hanrick Plat, as Map appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 28, at page 91; and

546 Clay Street

Lot 2, Block 15, according to the resubdivision of Hanrick Plat as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in plat Book 28, at Page 91 being further described as: the west 48 ft. of Lot 4, Square 15, Hanrick Plat, described as beginning at a point on the north side of Clay Street 353 ft. west of the northwest intersection of Clay and Whitman Streets, running west along the north side of Clay Street 48 ft.; thence north 150 ft.; thence east 48 ft.; thence south 150 ft. to the point of beginning.

SECTION 2. This ordinance shall take effect upon its passage, approval and publication, or as otherwise provided by law.

Tommy Tyson was present representing the Planning Commission. No one was present representing this item. No one was present in opposition to this item. Mr. William Pondstein, who owns the Bed and Breakfast located across the street, requested that the records show that the owner had agreed to no loud music or noise coming from his establishment to disrupt his bed and breakfast.

Councillor Larkin made a motion to sustain the recommendation of the Planning Commission and adopt the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, LEE, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	BELL	--1
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 11-2016

WHEREAS, Lost Highway Montgomery Music Hall LLC, d/b/a Lost Highway Montgomery Music Hall, 3447 Malcolm Drive, has filed an application for a Lounge Retail Liquor – Class I License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Lost Highway Montgomery LLC, d/b/a Lost Highway Montgomery Music Hall, 3447 Malcolm Drive, be and is hereby approved for a Lounge Retail Liquor – Class I License, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Chris Boyett was present representing this item.

Councillor Pruitt requested the records show that the occupancy for this building is 54 and requested that MPD provide a calls-for-service report on this location after the first of the month.

Councillor Pruitt made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated the appeal of the proposed demolition of 2158 Mt. Meigs Road by B. W. Wright has been withdrawn.

The Clerk stated this was the time and place to hear and consider the following proposed ordinance:

ORDINANCE NO. _____

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, THAT ORDINANCE NO. 60-2015, SECTION 2 OF THE ORDER OF PROCEDURE IN ALL INSTANCES FOR MEETINGS OF THE COUNCIL SHALL BE AMENDED AS FOLLOWS:

Section 2. All regular meetings shall convene at City Hall at 10:00 a.m. on the 1st and 3rd Tuesday of each month. All meetings, regular and special, shall be open to the public and news media, except where the good name and character of City employees in personnel matters are to be discussed.

This ordinance shall become effective upon passage, approval, and publication or as provided by law.

The Clerk stated the foregoing ordinance has been withdrawn.

The Clerk stated this was the time and place to hear and consider the following proposed ordinance:

ORDINANCE NO. _____

AN ORDINANCE TO LEVY STORM WATER FEES ON PARCELS OF PROPERTY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF MONTGOMERY

WHEREAS, the City of Montgomery (“City”) is required under Federal and State regulations to obtain a National Pollutant Discharge and Elimination Systems (NPDES) permit for stormwater discharges from the public Municipal Separate Storm Sewer (MS4); and

WHEREAS, the City of Montgomery is required under Federal and State regulations to develop and implement a Stormwater Management Program (SWMP) Plan to address pollutants which may be discharged from the public MS4 systems; and

WHEREAS, municipalities operating MS4 systems are required to undertake costly control efforts to minimize storm water discharges; and

WHEREAS, in 2014, the State of Alabama Legislature passed into law, Act No. 2014-439 (“the Act”), amending Sections 11-89C-1, 11-89C-2, 11-89C-4, 11-89C-9 and 11-89C-10, Code of Alabama, 1975 to permit any governing body to create and establish a

funding mechanism to aid local storm water management programs in meeting financial obligations imposed by Federal and State regulations; and

WHEREAS, the purpose of this ordinance is to provide the funding mechanism to aid the City in meeting the financial obligations imposed by the MS4 NPDES Permit and the required SWMP Plan, an unfunded federal mandate; and

WHEREAS, the Council finds that it is in the best interests of the citizens of the City of Montgomery for there to be a Stormwater Management Program Fund (“Fund”) in accordance with applicable state laws and regulations, such that all monies deposited in this Fund shall be held in trust and expended in strict accordance with the provisions stipulated in the Chapter 89C of Title 11, *Code of Alabama*.

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

Section 1. It is appropriate for the City of Montgomery to impose a stormwater user fee charge upon specified, non-exempt properties that may discharge, directly or indirectly, into the public MS4, or receive stormwater services from the City, either directly or indirectly, whether or not the property is private or public in nature.

Section 2. There is hereby established a Stormwater Management Program Fund for the purpose of dedicating and protecting all funding applicable to the purposes and responsibilities of the SWMP.

Section 3. That, under the authority of Chapter 89C of Title 11, *Code of Alabama, as amended* by Act 2014-439, the City of Montgomery hereby levies an annual fee upon each parcel of real property, or portion thereof, located in the corporate limits of the City, such annual fee to be determined as follows for the purposes of funding the City's stormwater program and to comply with the requirements of any MS4 NPDES Permit held by the City:

a. The fee is levied on properties designated by the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner pursuant to Amendment No. 325 to the Constitution of Alabama, 1901, and Sec. 40-8-1, *Code of Alabama, 1975*, as Class II land use classifications in the amount of \$0.005 per square foot of commercial space per parcel or portion thereof located in the corporate limits of the City of Montgomery provided that, regardless of actual square footage of commercial space on or within the property, no such annual fee shall exceed three thousand dollars (\$3,000).

b. The fee is levied on the properties designated by the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner pursuant to Amendment No. 325 to the Constitution of Alabama, 1901, and Sec. 40-8-1, *Code of Alabama, 1975*, as Class III land use classification in the amount of \$10.00 per parcel or portion thereof located in the corporate limits of the city.

c. Only parcels exempt from property tax by the Montgomery County Tax Assessor or Montgomery County Revenue Commissioner will be exempt from the Stormwater User Fee, in addition to those specifically designated as exempt by the Act.

d. That the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner are hereby requested to implement procedures necessary and appropriate to assess and collect this fee.

e. That, pursuant to Chapter 89C of Title 11, *Code of Alabama, 1975*, the Mayor be and is hereby authorized to take whatever actions are necessary to implement the assessment, collection and disbursement of this fee as authorized by law.

Section 4. Alternatively pursuant to the police power of the city, the city hereby levies upon each parcel of real property or portion thereof located in the corporate limits of the city an annual fee to be determined as follows with the requirements of any MS4 NPDES Permit held by the city:

a. The fee is levied on properties designated by the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner pursuant to Amendment No. 325 to the Constitution of Alabama, 1901, and Sec. 40-8-1, *Code of Alabama, 1975*, as Class II land use classifications in the amount of \$0.005 per square foot of commercial space per parcel or portion thereof located in the corporate limits of the City of Montgomery provided that, regardless of actual square footage of commercial space on or within the property, no such annual fee shall exceed three thousand dollars (\$3,000).

b. The fee is levied on the properties designated by the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner pursuant to Amendment No. 325 to the Constitution of Alabama, 1901, and Sec. 40-8-1, *Code of Alabama, 1975*, as Class III land use classification in the amount of \$10.00 per parcel or portion thereof located in the corporate limits of the city.

c. Only parcels exempt from property tax by the Montgomery County Tax Assessor or Montgomery County Revenue Commissioner will be exempt from the Stormwater User Fee, in addition to those specifically designated as exempt by the Act.

d. That the Montgomery County Tax Assessor and Montgomery County Revenue Commissioner are hereby requested to implement procedures necessary and appropriate to assess and collect this fee.

e. That, pursuant to Chapter 89C of Title 11, *Code of Alabama, 1975*, the Mayor be and is hereby authorized to take whatever actions are necessary to implement the assessment, collection and disbursement of this fee as authorized by law.

Section 5. That, pursuant to Section 11-89C-10(c), *Code of Alabama, 1975*, the City of Montgomery requests the Montgomery Revenue Commissioner to remit five percent (5%) of all fees collected to the State Department of Revenue on a quarterly basis not later than the 20th day of January (following the passage of the Storm Water Fee Ordinance), April, July, and October.

Section 6. This ordinance shall be in full force and effect following passage, adoption and publication as required by law.

The Chairman stated this item would be carried over for action at the next regular meeting.

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 12-2016

WHEREAS, pursuant to Resolution No. 114-2015, the right to operate a business in the City of Montgomery was denied to C. S. Baker, d/b/a Phoenix Block Co., 1555 Mitchell Young Drive, for failure to purchase business licenses and failure to pay sales tax; and

WHEREAS, C. S. Baker a/k/a Lahusage LLC, d/b/a Phoenix Block Co., 1555 Mitchell Young Road, has made application for a business License; and

WHEREAS, pursuant to said resolution the owner/proprietor of the business must appear before the City Council prior to the issuing of any future business license; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, C. S. Baker, a/k/a Lahusage LLC, d/b/a Phoenix Block Co., 1555 Mitchell Young Road, be and is hereby approved for a business license.

Councillor Lee made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The rules having been suspended, Councillor Lee made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 13-2016

WHEREAS, Joshua C. Cobb, d/b/a Barra, 1408 Madison Avenue, has filed an application for a Lounge Retail Liquor – Class I License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Joshua C. Cobb, d/b/ Barra, 1408 Madison Avenue, be and is hereby approved for a Lounge Retail Liquor – Class I License, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Joshua Cobb was present representing this item. No one was present in opposition to this item.

Councillor Larkin made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The rules having been suspended, Councillor Larkin made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 14-2016

WHEREAS, RAM Montgomery Hospitality LLC, d/b/a Hilton Garden Inn Eastchase, 7665 Eastchase Parkway, has filed an application for Special Retail – More Than 30 Days Liquor License, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, RAM Montgomery Hospitality LLC, d/b/a Hilton Garden Inn Eastchase, 7665 Eastchase Parkway, be and is hereby approved for a Special Retail – More Than 30 Days Liquor License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. Mitesh Patel was present representing this item. No one was present in opposition to this item.

Councillor Green made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The rules having been suspended, Councillor Green made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider all objections and protests to the following proposed resolution:

RESOLUTION NO. 15-2016

WHEREAS, Walmart Stores East LP, d/b/a Walmart Stores East 4672, 1600 Federal Drive, have filed an application for Retail Beer (Off Premise Only) and Retail Table Wine (Off Premise Only) Licenses, as indicated on the application form of the State of Alabama Alcoholic Beverage Control Board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Walmart Stores East LP, d/b/a Walmart Stores East 4672, 1600 Federal Drive, be and is hereby approved for Retail Beer (Off Premise Only) and Retail Table Wine (Off Premise Only) Licenses, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Kory Foster was present representing this item. No one was present in opposition to this item.

Councillor Lyons made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The rules having been suspended, Councillor Lyons made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 607 East Patton Avenue.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 607 East Patton Avenue, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 613 East Patton Avenue.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 613 East Patton Avenue, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 619 East Patton Avenue.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 619 East Patton Avenue, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 602 Lynwood Drive.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 602 Lynwood Drive, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 1428 Sierra Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 1428 Sierra Street, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated this was the time and place to hear and consider the following proposed resolution:

RESOLUTION NO. 16-2016

WHEREAS, it has been determined that an accumulation of Dangerous Nuisances exist on the properties described in Exhibit "A" attached hereto; and

WHEREAS, the owners of the described parcels of property have been identified utilizing the Tax Assessor's Records in the Montgomery County Court House as those persons listed in Exhibit "A" attached hereto; and

WHEREAS, the described parcels of property are all within the corporate limits of the City of Montgomery.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that pursuant to the provisions of Chapter 12 of the Code of Ordinances of the City of Montgomery, the nuisances on the properties described in Exhibit "A" are declared to be public nuisances, ordered to be immediately abated, and authorizing the assessment of the cost of the abatement of the nuisances.

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Councillor Larkin made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The rules having been suspended, Councillor Larkin made a motion to adopt the foregoing resolution, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, LEE, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

Councillor Bollinger introduced the following proposed resolution:

RESOLUTION NO. _____

WHEREAS, Rasier, LLC, San Francisco, CA, has made application for a permit to operate a Transportation Network Company in the City of Montgomery; and

WHEREAS, rules and regulations set out in Ordinance No. 1-2016, have been complied with:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Rasier, LLC, San Francisco, CA, be and is hereby granted approval to operate a Transportation Network Company in the City of Montgomery.

Councillor Bollinger made a motion to suspend the rules in order that the foregoing resolution could be placed upon its final passage, which motion was defeated by the following vote, therefore, tabling this item until the next regular meeting:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, LEE, PRUITT, JINRIGHT	--7
NAYS:	BELL	--1
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE	--1

The Clerk stated she was in receipt of the following requests for authorization of payment from the Council Contingency Account, having been approved by Mayor Strange:

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MEMORANDUM

To: Brenda Blalock, City Clerk

From: Tracy Larkin, Councilor, District 3

Re: Contingency Funds

Date: January 19, 2016

Please enter a request for Contingency Funds to be conveyed to the following organizations:

ECHO.....\$300.00

Attn: Aieda Harris for program needs.

Robert E. Lee High School (Science Department).....\$500.00

Attn: Ms. Kecia Williams

Newtown Neighborhood Association.....\$300.00

Attn: Pamela Riley

A handwritten signature in black ink, appearing to be 'Tracy Larkin', is written over the right side of the list of organizations.

MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: January 11, 2016
RE: District 9 – request for Council Contingency Funds

Councillor Jinright is requesting the following be presented to Council for their authorization:

1. \$1000.00 to Southern Youth Leadership Development Institute for 60th Anniversary Commemorative Events (501c3 attached).



Councillor Bollinger requested to add \$500.00 for Bellehurst Neighborhood Association and \$1200 to Montgomery Clean City Commission Friends of the Trail.

Councillor Larkin requested to add \$500.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc., for annual Ralph Abernathy Breakfast.

Councillor Pruitt requested to add \$500.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc., for annual Ralph Abernathy Breakfast; \$1000.00 to Child Protect; \$500.00 to Georgetown Neighborhood Association; and \$1000.00 to Thorington Trace Neighborhood Association.

Councillor Jinright requested to add \$250.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc. for annual Ralph Abernathy Breakfast.

Councillor Bell requested to add \$250.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc., for annual Ralph Abernathy Breakfast.

Councillor Bollinger requested to add \$250.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc., for annual Ralph Abernathy Breakfast.

The following Rental Tax allocations were requested to be processed:

District 9: \$1000.00 to Child Protect

District 1: \$1000.00 to Child Protect

**District 5: \$250.00 to Kappa Alpha Psi Guide Right Foundation of Montgomery, Inc.
And \$200.00 to Child Protect**

District 3: \$1000.00 to Child Protect

District 6: \$1000.00 to Child Protect

District 7: \$1000.00 to Child Protect

District 2: \$1000.00 to Child Protect

There being no further business to come before the Council, the meeting duly adjourned at 6:04 p.m.

BRENDA GALE BLALOCK, CITY CLERK

**CHARLES W. JINRIGHT, PRESIDENT
COUNCIL OF THE CITY OF MONTGOMERY**