

**REGULAR MEETING
COUNCIL OF THE CITY OF MONTGOMERY
FEBRUARY 16, 2016 – 5:00 P.M.**

The Council met in regular session on Tuesday, February 16, 2016, at 5:00 p.m., in the Council Auditorium, City Hall, with the following members present:

PRESENT:	BOLLINGER, LYONS, LARKIN, BURKETTE, GREEN, BELL, LEE, PRUITT, JINRIGHT	--9
ABSENT:	NONE	--0

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 Anita Anderson, guest of Councillor Bell, and the Pledge of Allegiance.

Councillor Larkin made a motion to adopt the February 2, 2016, Work Session Minutes, as circulated, which motion carried with the following vote:

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

Councillor Larkin made a motion to adopt the February 2, 2016, Regular Council Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, BURKETTE, GREEN, BELL, LEE, PRUITT, JINRIGHT	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

ORDINANCE NO. 8-2016

WHEREAS, Ordinance No. 62-2014, adopted by the Council of the City of Montgomery, Alabama, on October 21, 2014, established the organizational chart for the City government; and

WHEREAS, Ordinance No. 62-2014 must be amended to also reflect the following departments, and divisions which have been realigned: Planning, City Webmaster, BONDS, Legislative Affairs, and Community & Economic Development; and

WHEREAS, a revised organizational chart is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, said organizational plan is acceptable to the Council of the City of Montgomery;

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

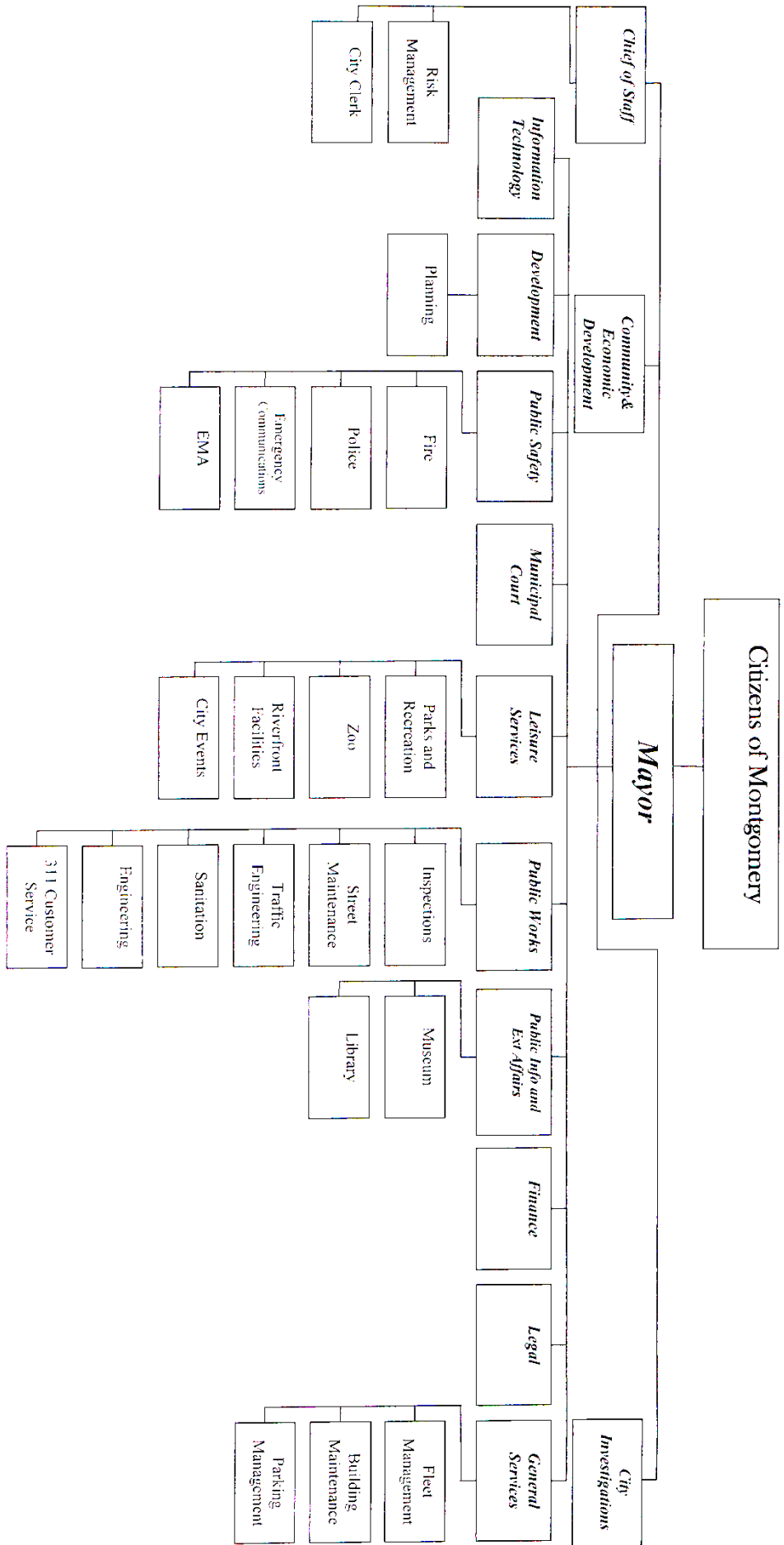
Section 1. Ordinance No. 62-2014 be and is hereby amended to realign: Planning, City Webmaster, BONDS, Legislative Affairs and Community & Economic Development.

Section 2. That said organizational chart, attached hereto and made a part hereof, is hereby adopted.

Section 3. That this Ordinance shall become effective after passage, approval, and publication, or as otherwise provided by law.

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Councillor Larkin made a motion to adopt the proposed ordinance.

Councillor Larkin made a motion to substitute the foregoing proposed ordinance.

The Chairman called for the vote on the motion to substitute the foregoing ordinance, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, BURKETTE, GREEN, BELL, LEE, PRUITT, JINRIGHT	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Chairman called for the vote on the motion to adopt the foregoing ordinance, as substituted, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, BURKETTE, GREEN, BELL, LEE, PRUITT, JINRIGHT	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 26-2016

WHEREAS, Christopher Starrs 1818 Place LLC, d/b/a Christopher Starrs 1818 Place, 1818 West Fifth Street, has filed an application for a 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, Christopher Starrs 1818 Place LLC, d/b/a Christopher Starrs 1818 Place, 1818 West Fifth Street, be and is hereby approved for a Special Retail – More Than n 30 Days Liquor License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Ms. Bertha Harris, Mr. Leon Harris, and Mr. John Hayes were present representing this item. No one was present in opposition to this item.

Councillor Burkette 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 27-2016

WHEREAS, Yu Asia Bistro LLC, d/b/a Asia Bistro and Seafood, 7839 Vaughn

Road, has filed an application for Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) 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, Yu Asia Bistro LLC, d/b/a Asia Bistro and Seafood 7839 Vaughn Road, be and is hereby approved for Retail Beer (On or Off Premises) and Retail Table Wine (On or Off Premises) Licenses, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Jiahe Yu 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 28-2016

WHEREAS, Walmart Stores East LP, d/b/a Walmart Stores 4691, 8035 Vaughn Road, has filed an application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises 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 4691, 8035 Vaughn Road, be and is hereby approved for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Jeff Young 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 29-2016

WHEREAS, Walmart Stores East LP, d/b/a Walmart Stores 4691, 8065 Vaughn Road, Fuel Kiosk, has filed an application for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises 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 4691, 8065 Vaughn Road, Fuel Kiosk, be and is hereby approved for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) Licenses, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Mr. Jeff Young was present representing this item. No one was present in opposition to this item.

Councillor Burkette 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 30-2016

WHEREAS, Another Level Seafood Pub and Grill LLC, d/b/a Another Level Seafood Pub and Grill, 5331 Young Barn Road, has filed an application for a Restaurant Retail 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, Another Level Seafood Pub and Grill LLC, d/b/a Another Level Seafood Pub and Grill, 5331 Young Barn Road, be and is hereby approved for a Restaurant Retail Liquor License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Ms. Monique Green and Ms. Kisha Caffey were 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 31-2016

WHEREAS, Jeremy Kelly, d/b/a Montgomery Live LLC, 2477 East South Boulevard has filed an application for a Business License for a Teen Club; and

WHEREAS, pursuant to Section 16-82 (c) and Section 16-91, the Revenue Administrator has requested City Council review and approval or denial of said application; and

WHEREAS, after reviewing the facts, the City Council is of the opinion that the Business License should be approved; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, Jeremy Kelly, d/b/a Montgomery Live LLC, 2477 East South Boulevard, be and is hereby approved for a Business License for a Teen Club.

Mr. Jeremy Kelly was present representing 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 32-2016

WHEREAS, Anne Upchurch's term on the Housing Authority expired June 15, 2015; and

WHEREAS, Councillor Lee has nominated Frank Brown to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Frank Brown be and is hereby appointed to the Housing Authority for a five-year term, with term ending June 15, 2020.

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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 1015 Hutchinson Street.

Councillor Larkin made a motion to authorize the demolition of an unsafe structure at 1015 Hutchinson Street, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 835 National Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 835 National Street, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 473 Sharp Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 473 Sharp Street, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 479 Sharp Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 479 Sharp Street, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 483 Sharp Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 483 Sharp Street, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 33-2016

WHEREAS, the Council of the City of Montgomery, Alabama ordered that the listed parcels of property in Exhibit "A" attached hereto be abated of the public nuisances described therein; and

WHEREAS, pursuant to Section 11-53B-1, et. seq. Code of Alabama, 1975, the Housing Code Division of the City of Montgomery is presenting to the City Council the cost of abating said unsafe structures in Exhibit "A" attached hereto:

NOW. THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the amount set opposite each described parcel of land contained in Exhibit "A" attached hereto shall constitute special assessments against such parcels of land and these assessments are hereby confirmed and shall constitute a lien on and against each respective parcel of land for the cost of removing the described unsafe structure. It is directed that a copy of the resolution be delivered to the Revenue Commissioner's Records, County of Montgomery. Said lien shall be superior to all other liens on said property except liens for taxes, and shall continue in force until paid.

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Councillor Burkette 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

RESOLUTION NO. 34-2016

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 Revenue Commissioner'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 Burkette 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:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

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, Clerk, City of Montgomery

From: Tracy Larkin, Councilor, 3rd District

Re: Contingency Funds

Date: February 16, 2015

Please request the following amounts for the named organizations from Council Contingency Funds.

Faith Crusades/Montgomery Rescue Mission.....	\$500.00
Attn: Michele Browder, program needs.	
Brookview Neighborhood Association.....	\$300.00
Attn: Maxine Crawford, neighborhood programs.	
Houston Hill Neighborhood Association.....	\$300.00
Attn: Randy Anderson, neighborhood programs.	
Cottage Hill Foundation.....	\$300.00
Alabama Roadrunners.....	\$500.00
Attn: Coach McCall, program needs.	
Art 4 All.....	\$500.00
Attn: Hannah Z. Walton, program needs.	
TOTAL.....	\$2400.00



MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: February 12, 2016
RE: District 6 – request for Council Contingency Funds

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

1. \$350.00 to Belle Meade Neighborhood Association.

JR

MEMORANDUM

TO: Mayor Todd Strange
FROM: Brenda Gale Blalock *BGB*
City Clerk
DATE: February 10, 2016
RE: District 7 – request for Council Contingency Funds

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

1. \$700.00 to Normandale Neighborhood Association for community health fair and screening to rent obstacle course.



Councillor Pruitt requested to add \$500.00 to Park Crossing Athletic Department for Tutoring program.

Councillor Burkette asked the Council to donate to Neighbors In Christ, ATTN: Barbara Hopkins.

Councillor Bell requested to add the balance left of his contingency funds to Mosswood/Pine Forest Neighborhood Association. (The balance in account was \$340.00.)

Mayor Strange approved these additions.

Councillor Larkin made a motion to authorize the payment of allocations from the Council Contingency funds, with additions, which motion carried with the following vote:

AYES:	UNANIMOUS	--9
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	NONE	--0

There being no further business to come before the Council, the meeting duly adjourned at 5:42 p.m.

BRENDA GALE BLALOCK, CITY CLERK

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