

**REGULAR MEETING
COUNCIL OF THE CITY OF MONTGOMERY
DECEMBER 6, 2016 – 5:15 P.M.**

The Council met in regular session on Tuesday, November 15, 2016, at 5:00 p.m., in the Council Auditorium, City Hall, with the following members present:

PRESENT:	BOLLINGER, LYONS, LARKIN, BURKETTE, BELL, JINRIGHT	--6
ABSENT:	GREEN, LEE, PRUITT	--3

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 Gale Blalock, City Clerk.

Councillor Green entered the Council Chamber at 5:18 p.m.

Councillor Larkin made a motion to adopt the November 15, 2016, Work Session Minutes, as circulated, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, GREEN, BELL, JINRIGHT	--6
NAYS:	NONE	--0
ABSTAINED:	BURKETTE	--1
ABSENT:	LEE, PRUITT	--2

Councillor Pruitt entered the Council Chamber at 5:19 p.m.

Councillor Larkin made a motion to adopt the November 15, 2016, Regular Council Minutes, as circulated, which motion carried with the following vote:

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

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

ORDINANCE NO. 39-2016

**GRANTING TO CONSTRUCT, INSTALL, AND MAINTAIN AN OPEN CARPORT
STRUCTURE OVER A PORTION OF THE RIGHT-OF-WAY OF BELMONT AVENUE**

Be it ordained by the Council of the City of Montgomery, Alabama:

1. That a license containing the hereinafter prescribed terms and conditions be, and the same hereby is, granted unto Charles W. Bush and Romae E. Bush and their successors and assigns in the ownership of the parcel hereinafter described to allow construction, installation, maintenance, and use of the following:

An open carport structure over and on a portion of the right-of-way of Belmont Avenue owned by the City of Montgomery and described as follows:

Commence at the northwest property corner; thence east along the north property line a distance of 15.25 feet to the point of beginning; thence north a distance of 2.67 feet to a point; thence east a distance of 28.1 feet to a point; thence south a distance of 10.00 feet to a point; thence west along the property line a distance of 29.42 feet to the point of beginning. Said described parcel extends 2.67 feet on the R.O.W. on the west side and 10.00 feet on the R.O.W. on the east side over a

distance of 28.00 feet within the right-of-way of Belmont Avenue containing 178 square feet, more or less.

2. By accepting this permit, the aforesaid Charles W. Bush and Romae E. Bush and their successors and assigns (hereinafter collectively referred to as "Licensee") in interest in the above described parcel, do assume and agree to be bound by the several duties and obligations imposed upon them by the following terms and conditions of this License, namely:
 - a. The City authorizes and permits the Licensee to construct, operate and maintain an carport structure within the right-of-way previously described in accordance with, and subject to the terms of this License.
 - b. Upon allowing construction of said carport structure, no liability will attach to the City of Montgomery from its existence, use or maintenance, and the Licensee has agreed to indemnify and hold harmless the City of Montgomery from any and all liability arising from the construction, maintenance or use of said carport structure.
 - c. The above described carport structure will be allowed to remain upon the written approval by the City Building Inspector and the City Engineer.
 - d. No other construction of any type will be built under the terms of this License.
 - e. The City of Montgomery shall have authority to enter upon said right-of-way for the maintenance and repair of its facilities located therein.
 - f. Licensee is to remove said structure any time upon 30 days written notice from the City and agrees to remove said structure at no expense to the City should notice be given, and in the absence of the Licensee's compliance with such request to remove said structure, the City is hereby authorized to remove said structure at the expense of the Licensee.
 - g. Should the City determine that it is necessary to enlarge or reconstruct or improve the street or any facility located in said rights-of-way, the City shall be held harmless should such enlargement, reconstruction, or improvement damage or injure any physical property, including the open carport structure.
 - h. This License shall expire at the end of thirty (30) years.
3. That the Mayor and the City Clerk be, and are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Montgomery, Alabama the "License Agreement" containing the above terms.

LICENSE AGREEMENT

STATE OF ALABAMA)

MONTGOMERY COUNTY)

WHEREAS, Charles W. Bush and Romae E. Bush (hereinafter referred to as Licensee) wish to construct, operate, and maintain an open carport structure on and over a hereinafter described parcel of right-of-way owned and maintained by the City of Montgomery (hereinafter referred to as Licensor); and

WHEREAS, the City of Montgomery, Alabama, a municipal corporation, wishes to permit and license Licensee to construct, operate and maintain said structure;

NOW THEREFORE, in consideration of the premises and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Licensee and Licensor agree as follows:

1. Licensors hereby authorizes and licenses Licensee to construct, operate and maintain an open carport structure upon, over, and above the parcel of right-of-way owned and maintained by Licensors, the said property being more particularly described as follows:

Commence at the northwest property corner; thence east along the north property line a distance of 15.25 feet to the point of beginning; thence north a distance of 2.67 feet to a point; thence east a distance of 28.1 feet to a point; thence south a distance of 10.00 feet to a point; thence west along the property line a distance of 29.42 feet to the point of beginning. Said described parcel extends 2.67 feet on the R.O.W. on the west side and 10.00 feet on the R.O.W. on the east side over a distance of 28.00 feet within the right-of-way of Belmont Avenue containing 178 square feet, more or less.

2. Licensee agrees that no liability will attach to the City from the use or maintenance of the structure and does hereby indemnify and hold Licensors harmless from any and all liability arising out of the existence, use or maintenance of said structure.
3. Licensee agrees to permit the city to enter upon said property for the maintenance and repair of its facilities located therein, and further agrees to remove said structure at any time upon 30 days written notice from the city, and agrees to remove said carport structure at no expense to the Licensors should such notice be given, and in the absence of Licensee's compliance with such request they authorize Licensors to remove said carport structure at Licensee's expense. Licensee shall also have the right to remove the carport structure at any time upon 30 days written notice to Licensors.
4. Licensee agrees that a copy of this agreement shall be recorded in the office of the Judge of Probate of Montgomery, County, Alabama, at the expense of Licensee and the copy, when recorded, shall be furnished to Licensors for its files.
5. Licensee agrees that should the city determine that it is necessary to enlarge, reconstruct or improve any facilities located in, upon, or near the above-described portion of right-of-way, as a further consideration for this agreement, Licensee shall hold Licensors harmless should such enlargement, reconstruction or improvement damage or injure any of the said carport structure the subject of this agreement or any part thereof.
6. This License Agreement and the license that it conveys shall expire at the end of thirty (30) years from the passage of the ordinance granting the said license.

IN WITNESS WHEREOF, OWNERS CHARLES W. AND ROMA E. BUSH, OWNERS, HAVE SET HAND AND SEAL, THIS THE 14 DAY OF OCTOBER, 2016.

LICENSEE

CHARLES W. BUSH
Owner

ROMA E. BUSH
Owner

IN WITNESS WHEREOF, THE CITY OF MONTGOMERY, ACTING THROUGH ITS MAYOR, HAS SET HIS HAND AND SEAL, THIS THE ___ DAY OF _____, 2016.

BY: Todd Strange
ITS: Mayor
ATTEST:

BY: Brenda Gale Blalock
ITS: City Clerk

Mr. Charles Bush was present representing this item.

Councillor Larkin made a motion to adopt the foregoing ordinance, which motion carried with the following vote:

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

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

RESOLUTION NO. _____

WHEREAS, pursuant to Resolution No.192-2016, the Business License of Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, Montgomery, AL 36117, was revoked, and Brian Moore scheduled for a Show Cause Hearing as to why his business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, 5951 Atlanta Highway, was afforded a hearing on November 15, 2016, concerning said license; and

WHEREAS, after reviewing all the facts, the City Council is of the opinion that the revocation of the business license of Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, should be finalized by adoption of this resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that said Council finalizes the revocation of said license and the Director of Finance is hereby instructed to revoke the Business License of Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, Montgomery, AL 36117.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery and reported this item is now in compliance.

Councillor Bollinger made a motion to adopt the foregoing resolution.

Councillor Bollinger made a motion to substitute the following resolution:

RESOLUTION NO. 227-2016

WHEREAS, pursuant to Resolution No. 192-2016, the Business License of Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, Montgomery, Alabama 36117, was revoked, and Brian Moore scheduled for a Show Cause Hearing as to why his business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, he had brought his establishment into compliance:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that no further action is needed by the Council regarding the business license of Brian Moore, d/b/a Tenda Chick, 5951 Atlanta Highway, Montgomery, Alabama 36117.

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

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

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

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

The Clerk stated this was the time and place for the public hearing on the proposed Ordinance adopting the National Electrical Code, 2017 Edition. No one was present representing this item. No one was present in opposition to this item. The Chairman declared that the public hearing was closed.

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

ORDINANCE NO. 40-2016

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Code of Ordinances of the City of Montgomery Alabama, Article IV. Electrical Code, Sec. 5-111. Adoption of electrical code. be and is hereby amended to read as follows:

“Sec. 5-111. Adoption of electrical code.

Pursuant to the authority granted to the cities and towns of Alabama by the Code of Alabama 1975, Section 11-45-8, as amended, there is hereby adopted by the City Council of Montgomery, Alabama, for the purpose of prescribing regulations governing the installation of wiring and apparatus for electrical purposes, all of that certain code printed in book form known as the National Electrical Code, 2017 Edition, and prepared by National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts, of which Code not less than three (3) copies have been and are now filed in the Office of the City Clerk of the City of Montgomery, Alabama and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits and police jurisdiction of the City of Montgomery, Alabama.”

Councillor Larkin made a motion to adopt the foregoing ordinance, which motion carried with the following vote:

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

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

ORDINANCE NO. 41-2016

WHEREAS, Ordinance No. 47-2011 (Council Rules of Procedure), Section 2, provides for a Regular Council Meeting on the 1st and 3rd Tuesday of each month at 5:00 p.m.; and

WHEREAS, Council desires to suspend the Rules of Procedure, Section 2, and cancel the 1st meeting in July (July 4, 2017).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the July 4, 2017 Regular Council Meeting be and is hereby cancelled.

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

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

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

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

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

ORDINANCE NO. _____

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE III, SECTION 16-74 of
the CODE OF ORDINANCES for the CITY OF MONTGOMERY**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Chapter 16, Article III, Section 16-74(6)(b) of the Code of Ordinances for the City of Montgomery, Alabama be amended to read as follows:

Sec. 16-74. - License term; minimum tax; exemptions.

The license term and the minimum amount for a business license are as follows:

- (1) *Full year.* Every person who commences business before the first day of July shall be subject to and shall pay the annual license for such business in full.
- (2) *Half year.* Every person who commences business on or after July 1st, shall be subject to and shall pay one-half the annual license for such business for that calendar year.
- (3) *Issue fee.* For each license issued there shall be an issue fee collected of \$10.00 and said issue fee shall be collected in the same manner as the license tax. The issue fee may be increased every five years subject to an increase by the state department of revenue.

- (4) ***Minimum license tax.*** Unless otherwise specified in the schedules set forth in this article, the minimum annual license shall be \$100.00 whether for a full or half year.
- (5) ***Annual renewal.*** Except as provided in subsections a. or b., the business license shall be renewed annually on or before the 1st day of January each year which shall be the due date, but shall not become delinquent until the 31st day of January each year.
- a. If the due date for payment of any business license falls on a weekend or a holiday recognized by the municipality from time to time, the due date shall automatically be extended until the next business day.
 - b. Insurance company annual license renewals shall be renewed in accordance with Code of Ala. 1975, § 11-51-122 which states that each year, each insurance company shall furnish the municipality a statement in writing duly certified showing the full and true amount of gross premiums received during the preceding year and shall accompany such statement with the amount of license tax due according to the licensing schedule. Failure to furnish such statement or to pay such sum shall subject the company and its agents to those penalties as prescribed for doing business without a license as provided for in this article and in the City Code.
 - c. On or before December 31st of each year, a renewal reminder shall be mailed to each licensee that purchased a business license during the current year. Said renewal notice shall be mailed via regular U.S. mail to the licensee's last known address of record with the municipality. Licensees are required to furnish the municipality any address changes for their business prior to November 1st in order for them to receive their notice.
 - d. Business license renewal payments received by the city shall be applied to the current renewal only when any and other debts the licensee owes to the city are first paid in full. Such payments shall be first applied to the payment of other debts the licensee owes to the city. No business license shall be issued if the current renewal payment does not meet said prior obligations and the current renewal. Failure to pay such sums shall subject the licensee and its agents to those penalties as prescribed for doing business without a license provided for in this article and in the City Code.
- (6) ***Exemptions.***
- a. **Farmers.** No license shall be required by any farmer, or other individual engaged in the sale of farm products produced exclusively by them, however, it shall be unlawful for any farmer or other individual engaged in the sale of farm products to sell within the corporate limits of the city or police jurisdiction any article produced by them without first having procured, without cost, a permit from the city license and revenue division of finance. Such will be issued upon presentation of a certificate from the appropriate county agent certifying that such produce was grown by the person requesting the permit. (Note: This exemption also pertains to nursery products).
 - b. Private K-12 schools and schools operated by city, county, state, churches, and qualifying non-profit organizations are exempt from any city license requirement.
 - c. Associations of county government and associations of municipal governments are exempt from any city license requirements.
 - d. No business required by this article to secure a license shall be exempt from the payment of said license fee on the ground that such business is operated for charitable purposes.

It was the consensus of the Council to carry this item over to the next Regular Council Meeting.

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

RESOLUTION NO. 228-2016

**RESOLUTION APPROVING BONDS PURSUANT TO
SECTION 11-62-1 OF THE CODE OF ALABAMA (1975)**

WHEREAS, The Special Care Facilities Financing Authority of the City of Pell City, Alabama, a public corporation organized under the laws of the State of Alabama (the “Issuer”), pursuant to the authority and provisions of Chapter 62 of Title 11 of the Code of Alabama 1975 (the “Enabling Act”), proposes to issue its revenue bonds in an amount not to exceed \$60,000,000 (the “Bonds”) to provide financing for the benefit of Noland Health Services, Inc., a nonprofit corporation organized under the laws of the State of Delaware (the “User”); and

WHEREAS, the Issuer proposes to use the proceeds of the Bonds to (i) refinance certain outstanding indebtedness on certain health care facilities of the Issuer, including long-term acute care facilities (“LTAC”), skilled nursing facilities (“SNF”), assisted living facilities (“AL”), specialty care assisted living facilities (“SCALF”), independent living apartments (“IL”), extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “Existing Facilities”), and (ii) to finance the costs of acquiring and the costs of reimbursement for certain new facilities and additions, renovations and improvements to, and equipment for, certain health care facilities of the Issuer, including long-term acute care facilities, skilled nursing facilities, assisted living facilities, specialty care assisted living facilities, independent living apartments, extended care centers, community centers, nursing homes and related support facilities, offices, medical services and equipment (collectively, the “New Facilities” and together with the Existing Facilities, the “Bond-Financed Facilities”); and

WHEREAS, the Bond-Financed Facilities are or will be located throughout the State of Alabama, and a portion of the Bond-Financed Facilities are or will be located in the City of Montgomery, Alabama; and

WHEREAS, the Bond-Financed Facilities located in the City of Montgomery, Alabama, are or will be located at the following location(s) (principal use and estimated proceeds of the Bonds to be spent at such location(s) noted in parentheses): Noland Hospital Montgomery (LTAC) (\$667,800), 1725 Pine Street, 5th Floor, North Wing, Montgomery, AL 36106; and

WHEREAS, by agreement with the Issuer, all of the Bond-Financed Facilities will be leased to the User, as the initial manager or operator thereof. The User is expected to sublease portions of the Bond-Financed Facilities to one or more of its wholly owned affiliates; and

WHEREAS, the Bonds will be limited obligations of the Issuer and will be payable solely from the rentals payable by the User and any other revenues or receipts derived by the Issuer from the Bond-Financed Facilities. The lease agreement between the Issuer and the User will provide for the payment of rentals by the User sufficient to pay debt service on the Bonds when due. The Bonds will be secured under an agreement whereby the Issuer will pledge the rentals and other receipts from the Bond-Financed Facilities for the benefit of the holders of the Bonds. The Bonds will not be general obligations of the Issuer and will not in any way constitute a debt, liability or obligation of the State of Alabama or any political subdivision of the State of Alabama. The Bonds will not be payable from any tax revenues:

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY the City Council of the City of Montgomery, Alabama, as follows:

1. That the City Council hereby consents to and approves the issuance of the Bonds for the purposes set forth herein, and that such consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Section 11-62-1 of the Enabling Act.

2. That such consent and approval should not be construed as expressing any view whatsoever as to the financial feasibility of the Bond-Financed Facilities or the adequacy of any security provided for the Bonds.
3. That this Resolution or the consents and approvals set forth herein shall never be taken to impose any liability or obligation of any kind whatsoever upon the City of Montgomery, Alabama.

Councillor Bollinger 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, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--1

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

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

The Clerk stated the show cause hearing for Bama Bowling Lanes LLC, d/b/a Bama Lanes was moot because the business has been brought into compliance.

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

RESOLUTION NO. _____

WHEREAS, pursuant to Resolution No. 198-2016, the Business License of John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, Montgomery, AL 36109, was revoked, and Mr. Lamberth and Mr. Webber scheduled for a Show Cause Hearing as to why their business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, were afforded a hearing on December 6, 2016, concerning said license; and

WHEREAS, after reviewing all the facts, the City Council is of the opinion that the revocation of the business license of John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, should be finalized by adoption of this resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that said Council finalizes the revocation of said license and the Director of Finance is hereby instructed to revoke the Business License of John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, Montgomery, AL 36109, and the owner/proprietor of the business must appear before the City Council prior to being awarded any future business license.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

The rules having been suspended, Councillor Lyons made a motion to adopt the foregoing resolution.

Councillor Lyons made a motion to substitute the following resolution:

RESOLUTION NO. 229-2016

WHEREAS, pursuant to Resolution No. 198-2016, the Business License of John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, Montgomery, AL 3610, was revoked, and Mr. Lamberth and Mr. Webber scheduled for a Show Cause Hearing as to why their business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, Mr. Lamberth and Mr. Webber has brought their establishment into compliance:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that no further action is needed by the Council regarding the business license of John K. Lamberth and Robert L. Webber, a/k/a Bama Bowling Lanes LLC, d/b/a Bama Lanes, 3020 Atlanta Highway, Montgomery, AL 36109.

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

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

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

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

The Clerk stated the show cause hearing for Brenda Harris, d/b/a Tacos Favorito was moot because the business has been brought into compliance.

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

RESOLUTION NO. _____

WHEREAS, pursuant to Resolution No. 199-2016, the Business License of Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, Montgomery, AL 36107, was revoked, and Brenda Harris scheduled for a Show Cause Hearing as to why her business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, was afforded a hearing on December 6, 2016, concerning said license; and

WHEREAS, after reviewing all the facts, the City Council is of the opinion that the revocation of the business license of Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, should be finalized by adoption of this resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that said Council finalizes the revocation of said license and the Director of Finance is hereby instructed to revoke the Business License of Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, Montgomery, AL 36107, and the owner/proprietor of the business must appear before the City Council prior to being awarded any future business license.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

The rules having been suspended, Councillor Larkin made a motion to adopt the foregoing resolution.

Councillor Larkin made a motion to substitute the following resolution:

RESOLUTION NO. 230-2016

WHEREAS, pursuant to Resolution No. 199-2016, the Business License of Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, Montgomery, AL 36107, was revoked, and Ms. Lepoma scheduled for a Show Cause Hearing as to why her business license for the establishment should not be revoked prior to finalization of revocation; and

WHEREAS, Ms. Harris has brought her establishment into compliance:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that no further action is needed by the Council regarding the business license of Brenda Harris, d/b/a Tacos Favorito, 1863 Mt. Meigs Road, Montgomery, AL 36107.

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

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

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

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

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

RESOLUTION NO. 231-2016

WHEREAS, pursuant to Resolution No. 212-2016, the Business License of Arthur Williams, Next Level Barbershop, 5537 Wares Ferry Road, was revoked; and

WHEREAS, Arthur Williams, d/b/a Exclusive Styles and Cuts, 5537 Wares Ferry 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, Arthur Williams, d/b/a Exclusive Styles and Cuts, 5537 Wares Ferry Road, be and is hereby approved for a Business License.

Mr. Arthur Williams was present representing this item.

Councillor Bollinger 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, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--1

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

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

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

RESOLUTION NO. 232-2016

**A RESOLUTION DENYING AND/OR REVOKING RIGHT
TO OPERATE A BUSINESS FOR FAILURE
TO PURCHASE BUSINESS LICENSE**

WHEREAS, the City Council of the City of Montgomery has authorized and approved the issuance of business licenses and collection of taxes for businesses in the City of Montgomery and Police Jurisdiction; and

WHEREAS, Williyro Robinson, d/b/a Williyro Robinson, 1513 Mt. Meigs Road, Montgomery, AL 36107, has been advised he is in violation of the Montgomery City Code of Ordinances for failure to purchase business license; and

WHEREAS, Williyro Robinson, d/b/a Williyro Robinson, 1513 Mt. Meigs Road, Montgomery, AL 36107, continues to operate the business without purchase of a business license or otherwise complying with Chapter 16 of the City of Montgomery Code of Ordinances; and

WHEREAS, the City Council desires to deny and/or revoke Williy Robinson, d/b/a Williy Robinson, 1513 Mt. Meigs Road, Montgomery, AL 36107, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the City Council denies and/or revokes Williy Robinson, d/b/a Williy Robinson, 1513 Mt. Meigs Road, Montgomery, AL 36107, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business. The owner/proprietor of the business must appear before the City Council prior to the issuing of any future business license.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

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

RESOLUTION NO. 233-2016

**A RESOLUTION DENYING AND/OR REVOKING RIGHT
TO OPERATE A BUSINESS FOR FAILURE
TO PURCHASE BUSINESS LICENSE**

WHEREAS, the City Council of the City of Montgomery has authorized and approved the issuance of business licenses and collection of taxes for businesses in the City of Montgomery and Police Jurisdiction; and

WHEREAS, Drecilla Fortsen, d/b/a Pyt Dru Stylez, 5067 Business Park Drive, Suite J12, Montgomery, AL 36116, has been advised she is in violation of the Montgomery City Code of Ordinances for failure to purchase business license; and

WHEREAS, Drecilla Fortsen, d/b/a Pyt Dru Stylez, 5067 Business Park Drive, Suite J12, Montgomery, AL 36116, continues to operate the business without purchase of a business license or otherwise complying with Chapter 16 of the City of Montgomery Code of Ordinances; and

WHEREAS, the City Council desires to deny and/or revoke Drecilla Fortsen, d/b/a Pyt Dru Stylez, 5067 Business Park Drive, Suite J12, Montgomery, AL 36116, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the City Council denies and/or revokes Drecilla Fortsen, d/b/a Pyt Dru Stylez, 5067 Business Park Drive, Suite J12, Montgomery, AL 36116, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business. The owner/proprietor of the business must appear before the City Council prior to the issuing of any future business license.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

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

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

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

RESOLUTION NO. 234-2016

**A RESOLUTION DENYING AND/OR REVOKING RIGHT
TO OPERATE A BUSINESS FOR FAILURE
TO PURCHASE BUSINESS LICENSE**

WHEREAS, the City Council of the City of Montgomery has authorized and approved the issuance of business licenses and collection of taxes for businesses in the City of Montgomery and Police Jurisdiction; and

WHEREAS, J. Danny Hackney, d/b/a J. Danny Hackney Law Firm, 2421 Presidents Drive, Suite B19, Montgomery, AL 36116, has been advised he is in violation of the Montgomery City Code of Ordinances for failure to purchase business license; and

WHEREAS, J. Danny Hackney, d/b/a J. Danny Hackney Law Firm, 2421 Presidents Drive, Suite B19, Montgomery, AL 36116, continues to operate the business without purchase of a business license or otherwise complying with Chapter 16 of the City of Montgomery Code of Ordinances; and

WHEREAS, the City Council desires to deny and/or revoke J. Danny Hackney, d/b/a J. Danny Hackney Law Firm, 2421 Presidents Drive, Suite B19, Montgomery, AL 36116, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the City Council denies and/or revokes J. Danny Hackney, d/b/a J. Danny Hackney Law Firm, 2421 Presidents Drive, Suite B19, Montgomery, AL 36116, the right to operate a business in the City of Montgomery and authorizes the Finance Department to close the business. The owner/proprietor of the

business must appear before the City Council prior to the issuing of any future business license.

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

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

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

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

RESOLUTION NO. 235-2016

A RESOLUTION REVOKING BUSINESS LICENSE FOR FAILURE TO PAY SALES TAX AND AUTHORIZING SHOW CAUSE HEARING

WHEREAS, the City Council of the City of Montgomery has authorized and approved the collection of taxes for businesses in the City of Montgomery and police jurisdiction; and

WHEREAS, Jason Head, d/b/a Crowne Sporting Goods Company, Inc., 532 Oliver Road, Montgomery, AL 36117, have been advised they are in violation of the Montgomery City Code of Ordinances for failure to pay sales tax and have failed to remit same; and

WHEREAS, the City Council desires to revoke the business license of the business identified above and more specifically set forth in Exhibit A, which procedures requires the Council to adopt a resolution of revocation and schedule a show cause hearing why this business should not be revoked prior to finalization of revocation as set forth in Section 16-36 of the Montgomery City Code of Ordinances:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that, the Director of Finance is hereby instructed to revoke the Business License of Jason Head, d/b/a Crowne Sporting Goods Company, Inc., 532 Oliver Road, Montgomery, AL 36117, more specifically identified in Exhibit A, and City Clerk is instructed to schedule a show cause hearing and notify licensee.



City of **Montgomery**, Alabama

Todd Strange, Mayor


Montgomery City Council Members
 Charles W. Jinright - President Richard Bollinger Arch Lee
 Tracy Larkin Pro Tem David Burkette Brandley Lyons
 Fred F. Bell William Green, Jr. Glen Pruitt, Jr.

Barry O. Crabb, Finance Director

TO: MAYOR TODD STRANGE

**THROUGH: BRENDA BLALOCK
CITY CLERK**

Exhibit A

FROM: BARRY CRABB 
FINANCE DIRECTOR

DATE: November 30, 2016

**RE: REQUEST TO REVOKE BUSINESS LICENSE
ACCOUNT#028345**

I am hereby requesting that you ask the City Council to revoke any license under which the following business is operating in the City of Montgomery, because of failure to file sales tax, to order the owner to appear before the City Council to "Show Cause" why the license should not be revoked and the business closed by the City of Montgomery by and through the Finance Department. In addition, I request that the owner/proprietor of the business appear before the City Council prior to him/her being awarded any future business license.

NAME OF BUSINESS: Crowne Sporting Goods Company, Inc.

NAME OF OWNER: Jason Head

ADDRESS: 532 Oliver Rd., Montgomery, 36117

Please let me know if you need any further information.

P. O. Box 1111 ♦ Montgomery, Alabama 36101-1111 ♦ Phone (334) 625-2036 ♦ Fax (334) 625-2994

Senior Staff Attorney Mickey McInnish was present representing the City of Montgomery.

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

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

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

WHEREAS, OM SAI LLC, d/b/a Chisholm Package Store, 2819 Lower Wetumpka Road, has filed an application for a Lounge Retail Liquor – Class II (Package) 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, OM SAI LLC, d/b/a Chisholm Package Store, 2819 Lower Wetumpka Road, be and is hereby approved for a Lounge Retail Liquor – Class II (Package) License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Ms. Mita Mistry was present representing this item. Mr. Vyomesh Mistry and Ms. Betty Nails were present in support of this item. Ms. Rebecca Martin, President of Chisholm Homeowners Association; Mr. Greg Roberts, President of North Montgomery Neighborhood Alliance; Mr. Bill Shanks; and Mr. Paul St. John were 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, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--1

The rules having been suspended, Councillor Larkin made a motion that this item be tabled indefinitely, which motion carried with the following vote:

AYES:	BOLLINGER, LYONS, LARKIN, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--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. 236-2016

WHEREAS, Pies and Pints Montgomery LLC, d/b/a Pies and Pints, 7216 Eastchase Parkway, 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, Pies and Pints Montgomery LLC, d/b/a Pies and Pints, 7216 Eastchase Parkway, be and is hereby approved for a Restaurant Retail Liquor License, and concurrence in the issuance of the licenses by the State of Alabama Alcoholic Beverage Control Board.

Ms. Samantha Dowdy was present representing this item. No one was present in opposition to this item.

Councillor Burkette left the Council Chamber at 6:10 p.m.

Councillor Bollinger 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, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE, LEE	--2

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

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

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

RESOLUTION NO. 237-2016

WHEREAS, Meat City LLC, d/b/a Meat City Grocery, 135 North Ripley Street, 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, Meat City LLC, d/b/a Meat City Grocery, 135 North Ripley Street, be and is hereby approved for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. Rajeshkumar Patel was present representing this item. Ms. Victoria Boswell 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, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE, LEE	--2

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, PRUITT, JINRIGHT	--7
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	BURKETTE, LEE	--2

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

RESOLUTION NO. 238-2016

WHEREAS, Elations for Your Occasions LLC, d/b/a Elations for Your Occasions, 165 Eastern Boulevard, 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, Elations for Your Occasions LLC, d/b/a Elations for Your Occasions, 165 Eastern Boulevard, 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.

Ms. Chrys Thompson was present representing this item. Justin Foster with Montgomery County Health Department was present for information regarding this item.

Councillor Burkette entered the Council Auditorium at 6:14 p.m.

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, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--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, BURKETTE, GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--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. 239-2016

WHEREAS, MRDF, d/b/a RayCom Media Camellia Bowl, 1022 Madison Avenue, has filed an application for a Non-Profit Tax Exempt 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, MRDF, d/b/a RayCom Media Camellia Bowl, 1022 Madison Avenue, be and is hereby approved for a Non-Profit Tax Exempt Liquor License, and concurrence in the issuance of the license by the State of Alabama Alcoholic Beverage Control Board.

Mr. Scott Miller 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, BURKETTE GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--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, BURKETTE GREEN, BELL, PRUITT, JINRIGHT	--8
NAYS:	NONE	--0
ABSTAINED:	NONE	--0
ABSENT:	LEE	--1

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

RESOLUTION NO. 240-2016

WHEREAS, Robert M. (Buddy) Hardwich, Jr.’s term on the Planning Commission will expire December 31, 2016; and

WHEREAS, Councillor Lyons has requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Robert M. (Buddy) Hardwich, Jr. be and is hereby reappointed to the Planning Commission for a three-year term, with term ending December 31, 2019.

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

Councillor Pruitt left the Council Auditorium at 6:17 p.m.

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

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

RESOLUTION NO. 241-2016

WHEREAS, Christopher Turner’s term on the Montgomery Clean City Commission will expire December 31, 2016; and

WHEREAS, Councillor Lee has requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Christopher Turner be and is hereby reappointed to the Montgomery Clean City Commission for a three-year term, with term ending December 31, 2019

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

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

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

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

RESOLUTION NO. 242-2016

WHEREAS, Ken Ward's term on the Montgomery Clean City Commission expired November 18, 2016; and

WHEREAS, Councillor Lee has requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Ken Ward be and is hereby reappointed to the Montgomery Clean City Commission for a three-year term, with term ending November 18, 2019.

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

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

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

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

RESOLUTION NO. 243-2016

WHEREAS, Karin Carmichael's term on the Montgomery Clean City Commission expired November 8, 2016; and

WHEREAS, Councillor Jinright has requested that she continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Karin Carmichael be and is hereby reappointed to the Montgomery Clean City Commission for a three-year term, with term ending November 8, 2019.

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

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

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

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

RESOLUTION NO. 244-2016

WHEREAS, Jimmy W. Gunn's term on the Montgomery Clean City Commission expired November 11, 2016; and

WHEREAS, Councillor Jinright has requested that he continue to serve on said board:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Jimmy W. Gunn be and is hereby reappointed to the Montgomery Clean City Commission for a three-year term, with term ending November 11, 2019.

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

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

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 614 Alabama Street.

Councillor Larkin made a motion to authorize the demolition of an unsafe structure at 614 Alabama Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 861 Central Street.

Councillor Larkin made a motion to authorize the demolition of an unsafe structure at 861 Central Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 869 Central Street.

Councillor Larkin made a motion to authorize the demolition of an unsafe structure at 869 Central Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 2102 Early Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 2102 Early Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 2305 Edward J. Nettles Avenue.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 2305 Edward J. Nettles Avenue, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 413 Heustess Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 413 Heustess Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 2107 Highland Avenue.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 2107 Highland Avenue, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 744 Underwood Street.

Councillor Burkette made a motion to authorize the demolition of an unsafe structure at 744 Underwood Street, which motion carried with the following vote:

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

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

RESOLUTION NO. 245-2016

WHEREAS, pursuant to the provisions of Section 12-32 of the Code of Ordinances of the City of Montgomery, certain contractors, companies, enterprises or individuals are to be designated Registered Nuisance Abatement Agents to abate noxious and dangerous weeds which have been designated as nuisances upon private property when awarded a contract for specific parcel of property which has been previously approved by resolution:

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that the following contractors, companies, enterprises or individuals listed below are hereby designated Registered Nuisance Abatement Agents:

Carl S. Young
 Dad's Enterprises
 406 N. Church Street
 Tuskegee, AL 36083
 334-725-8251 office or 334-444-7705 cell

Business License No. 14818

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

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

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

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

RESOLUTION NO. 246-2016

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.

DEMOLITION COST RESOLUTION
12/6/2016

1	STATE OF ALABAMA TAX SALE 2011 MONTGOMERY AL 36104	Housing Code 0 C00018844	Property: 330 MEEHAN ST Parcel: 11 06 13 4 012 013.000 Size: 50 X 134.5
Location/Remarks: NORTHSIDE OF MEEHAN ST; 1ST WEST OF 326 Assessed description: Platname GOODE PLAT SUPER SUB Lot 7 Block #			
Authorized by Council on 9/6/2016		Contractor Charge: \$2,800.00	Balance: \$2,800.00
2	HUNTER LAURETTA 4067 ARDMORE DR MONTGOMERY AL 36105	Housing Code 0 C00033921	Property: 1620 WEST HAVEN LN Parcel: 10 04 18 4 022 005.000 Size: 100 X 72.5
Location/Remarks: WEST SIDE OF WEST HAVEN LN/2 SOUTH OF FINLEY AVE Assessed description: Platname CLOVERDALE TERRACE 2 DIV Lot 9 Block #			
Authorized by Council on 9/6/2016		Contractor Charge: \$3,780.00	Balance: \$3,780.00
3	PURIFOY CARWIN 174 MACK DRIVE HAYNEVILLE AL 36040	Housing Code 0 C00037985	Property: 3935 SOUTHMONT DR Parcel: 10 09 30 3 008 055.000 Size: 60 X 182.2 IRR
Location/Remarks: S/S 4 W OF CLARK CT. Assessed description: Platname CLOVERLAND SEC 1 Lot 9 Block F			
Authorized by Council on 9/6/2016		Contractor Charge: \$2,632.50	Balance: \$2,632.50

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

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

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

Councillor Pruitt entered the Council Chamber at 6:20 p.m.

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

RESOLUTION NO. 247-2016

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

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

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

Councillor Bollinger introduced the following ordinance:

ORDINANCE NO. 42-2016

**ORDINANCE CONSENTING TO DISPOSAL OF CERTAIN REAL PROPERTY BY
THE WATER WORKS AND SANITARY SEWER BOARD OF
THE CITY OF MONTGOMERY**

WHEREAS, The Water Works and Sanitary Sewer Board of the City of Montgomery (the "Board") is the owner of that certain parcel of real property located between Aronov Avenue and Hayneville Road, Montgomery, Alabama (the "Property"); and

WHEREAS, Board desires to sell portion of the Property to Concrete by Design, LLC, an Alabama limited liability company; and

WHEREAS, the Council desires to consent to the Board's disposal of the Property in the manner it sees fit:

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that The Council of the City of Montgomery consents to the sale, lease, or other disposal of any and all real property owned by The Water Works and Sanitary Sewer Board of the City of Montgomery in the City of Montgomery pursuant to and in consideration of the terms and conditions approved by the Board of Directors of The Water Works and Sanitary Sewer Board of the City of Montgomery for such transactions(s).

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

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

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

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

The Clerk stated she was in receipt of the following requests for authorization of payment from the Council Contingency Account, which were approved by Mayor Strange contingent upon receiving the required paperwork:

Blalock, Brenda

From: David M. Burkette(contact card)
Sent: Monday, December 05, 2016 12:08 PM
To: Archie, Anita; Blalock, Brenda; Gallagher, Mary
Subject: Rental & Contingency Request

Good Morning, All

I am asking the city's finance department to honor my request to allocate funds from my CONTINGENCY FUND ACCOUNT to the following entities:

- House of Refugee Holiness Church \$700.00--- Attn: Rev. Kenny Rudolph
- Carver High School. \$ 700.00 --- Attn: Principal Gary Hall.
- Kershaw YMCA---- \$350.00
- Cleveland Avenue YMCA ---- \$150.00

These next requests are for funds to be allocated from my RENTAL TAX ACCOUNT. Please make payable to:

Connecting Life Body Of Christ: \$3,550.00.



Sent from Yahoo Mail on Android

Councillor Larkin requested to add \$500.00 to Brantwood Childrens Home; \$300.00 to New Town Neighborhood Association; and \$500.00 to Bells Essential Living Services.

Councillor Bollinger requested to add \$500.00 to Alabama Dance Theatre.

Councillor Bell requested to add \$500.00 to Fair Meadows Neighborhood Association.

Councillor Lyons requested to add \$1,000.00 to Dalraida Neighborhood Association; \$1,000.00 to Deer Field Neighborhood Association; and \$1,000.00 to Timbers Neighborhood Association.

Mayor Strange approved these additions contingent upon receipt of required paperwork.

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

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

The Clerk stated she was in receipt of the following Legal Notices to be advertised in the Montgomery Independent December 22 & 29, 2016, for public hearing before the Council on January 17, 2017:

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

BRENDA GALE BLALOCK
CITY CLERK

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 B-2 (Commercial) and INST (Institutional) Zoning Districts to B-1-a (Central Business) and R-65-m (Multi-Family Residential) Zoning Districts.

Parcel A – B-1-a (Central Business)

Lot 4, less the north 240 ft., Plat Map of Goldman Plat No. 1-A as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 37 at Page 82, being further described as follows: begin at an iron pin lying at the corner of the northeastern most corner of Lot 1 of said Goldman Plat No. 1-A (Pb: 37, Pg. 82) and the westerly right-of-way of South Court Street (ROW varies) for the following described parcel of land: thence leaving said point of beginning and said right-of-way S89°56'08"W 189.67 ft. to an iron pin: thence N90°00'00"W 259.29 ft. to an iron pin; thence S89°57'45"W 150.40 ft. to an iron pin: thence N00°01'50E 29.35 ft. to an iron pin: thence N89°54'25"E 75.34 ft. to an iron pin: thence N00°08'09"W 75 ft. to an iron pin; thence S89°54'25"W 75.18 ft. to an iron pin; thence N00°00'54"W 330.48 ft. to an iron pin; thence S89°56'44"E 597.91 ft. to an iron pin lying on the said westerly right-of-way of South Court Street; thence along said right-of-way S01°12'05"E 433.95 ft. to the point of beginning. Said described parcel of land lying in the SE ¼ of the NE ¼ of Section 24 T16N R17E, Montgomery County, Alabama and containing 5.840 acres more or less.

Parcel B – R-65-m (Multi-Family Residential)

Beginning at a point on the east side of Edgar D. Nixon Avenue (formerly known as Goode Street), 619.4 ft. north of the NE corner of Edgar D. Nixon Avenue and Fairview Avenue (formerly known as Norton Street); thence continue north along the east side of Edgar D. Nixon Avenue, 209 ft. to a point; thence east and parallel with Fairview Avenue 580 ft. more or less to the property formerly owned by the late Fred S. Ball and leased to Sears, Roebuck and Co.; thence south along the said Ball property line, 309 ft., thence west and parallel with Fairview Avenue 355 ft., more or less, to the SE corner of the Leila Dowe property, thence north along her property, 100 ft., thence north 225 ft. along her north property line to the east side of Edgar D. Nixon Avenue at the point of beginning.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

**BRENDA GALE BLALOCK
CITY CLERK**

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 an R-60-d (Duplex Residential) Zoning District to a B-2 (Commercial) Zoning District.

The west 80 ft. of Lot 1 and the south 18 ft. and west 80 ft. of Lot 2 of the West Kensington Plat as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 2 at Page 7, otherwise known as 1679 Oak Street.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

**BRENDA GALE BLALOCK
CITY CLERK**

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 an R-60-d (Duplex Residential) Zoning District to a B-2 (Commercial) Zoning District.

The west 80 ft. of Lot 1 and the south 18 ft. and west 80 ft. of Lot 2 of the West Kensington Plat as recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 2 at Page 7, otherwise known as 1679 Oak Street.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

**BRENDA GALE BLALOCK
CITY CLERK**

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 a B-2 (Commercial) Zoning District to a B-1-b (Central Business) Zoning District.

That certain lot lying in the northwest corner of Lot 75, according to the map of a Subdivision of Lot 5 of Oak Forest Plat as same is recorded in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 8, at Page 3, described as follows: Beginning at the northwest corner of said Lot 75, run thence northeasterly along the north boundary of said Lot 75 a distance of 81.5 ft., run thence in a southerly direction a distance of 164.3 ft. to a point 76.4 ft. northeasterly from the southeast corner of Lot 73 of said subdivision of Lot 5 of Oak Forest Plat, run thence southwesterly a distance of 76.4 ft. to the southeast corner of said Lot 73, run thence northerly along the east boundary of Lots 73 and 74 of said subdivision of said plat, a distance of 164.3 ft. to the point of beginning. Less and except that part of the above described property conveyed to the State of Alabama by deed recorded in the office of the Judge or Probate of Montgomery County, Alabama in Deed Book 479 at page 151.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

**BRENDA GALE BLALOCK
CITY CLERK**

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 an AGR-1 (Residential Agriculture) Zoning District to a B-2 (Commercial) Zoning District.

Lot 2 and Lot 3, according to the Map of a Revision of Walls Resubdivision as said Map appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 16 at page 194

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

**BRENDA GALE BLALOCK
CITY CLERK**

ORDINANCE NO. _____

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Appendix C – Zoning, Article I, Section 12 – Development Plan is hereby amended to read as follows:

Sec. 12. Development Plan.

In the following named districts, any proposed development shall be preceded by submission of a plan showing the proposed development in detail, including all requirements listed elsewhere in this ordinance. In addition, applications for rezoning to one of the districts named below shall be accompanied by a preliminary development plan in the like manner.

B-2	B-1-a	M-1	O-0	R-99-p	PUD
B-3	B-1-b	M-2	O-1	R-99-s	R-20-t
B-4		M-3	O-2	PGH-35	R-24-t
B-5				PGH-40	

Application for approval of a final development plan shall be accompanied by a check payable to the City of Montgomery, Alabama, or cash in the amount of \$100 to defray the cost of processing.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at

such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

BRENDA GALE BLALOCK
CITY CLERK

ORDINANCE NO. _____

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Appendix C – Zoning, Article III, Section 4 – Board of Adjustment Fees is hereby amended to read as follows:

Sec. 4. Board of Adjustment Fees.

All applications to the Board of Adjustment for interpretations, special exceptions or variances relative to residential properties must be accompanied by a check payable to the City of Montgomery, Alabama, or cash in the amount of \$50.00 to defray the cost of processing. All applications to the Board of Adjustment for interpretations, special exceptions or variances relative to commercial, office, industrial, or multiple residential must be accompanied by a check payable in like manner or cash in the amount of \$100.00. Application for variance concerning repair and/or alteration to an existing residential structure shall be accompanied by cash or check in the amount of \$25.00 made payable to the City of Montgomery. In the event of an appeal from a Board of Adjustment decision on said application, in which the requested action was granted, the applicant shall be primarily responsible for the legal defense of said appeal.

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

LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at January 17, 2017, at 5:00 p.m., for the purpose of considering the adoption of the ordinance hereinafter set forth amending the Zoning Ordinance of the City of Montgomery, Alabama, adopted September 17, 1963, and notice is hereby given that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of the adoption of such ordinance.

BRENDA GALE BLALOCK
CITY CLERK

ORDINANCE NO. _____

SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Appendix C – Zoning, Article IV, Section 2. – Application; fees; notices is hereby amended to read as follows:

Sec. 2. - Applications; fees; notices.

- (a) *Text amendments.* All proposed amendments submitted to the Planning Commission involving a text change to the zoning ordinance shall include a written statement giving the reasons for the proposed change; and, in the case of additions to or changes in the existing wording, the suggested wording of the amendment in the style and format of the existing ordinance. All applications for such amendment shall be accompanied by a check made payable to the City of Montgomery, Alabama, or cash in the amount of \$50.00 to defray the cost of processing.

- (b) *Map amendments.* All proposed amendments involving a change to the zoning map of City of Montgomery submitted to the Planning Commission for consideration shall be accompanied by a legal description of the property in question and a current plan of the land area made by a registered civil engineer or land surveyor. This plat shall show the current zoning district classification of the subject land area and all abutting properties. In addition the proposed amendment shall be accompanied by a check payable to the City of Montgomery, or cash in an amount according to the following schedule:

1 – 10 acres	\$200
11 – 50 acres	\$225
51-100 acres	\$250
100+ acres	\$300

- (c) *Publication of legal notice.* When a request requires publication of a legal notice, the Planning Controls Division shall prepare the required notice and submit to the appropriate newspaper for publication. The cost of such publication shall be \$125.00 payable by a check to the City of Montgomery, or cash. Payment of the above fees is not required of employees or agents of the City of Montgomery submitting proposed amendments in the course of performance of official duties.
- (d) *Posting of notice.* When posting of notice is required on the property in question, such posting shall be accomplished by the department of planning and development. Signs shall be posted on the property in the following manner:
- (1) At 150-foot intervals along the street frontage of the property;
 - (2) With a minimum of one sign for each side of the property with street frontage;
 - (3) At those points determined by the department of planning and development to be necessary, if not required in (1) or (2) above;
 - (4) Such signs shall be posted at least 15 days prior to the date of the hearing at which the property in question is to be acted upon.
- (e) *Notification of adjoining property owners.* The planning controls division shall, in the case of proposed map amendments, mail notice of public hearing before the planning commission meeting to all adjoining property owners, as their names are shown on county tax records. Such notice shall be mailed at least 15 days prior to the hearing to the address as shown on the county tax records.

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

There being no further business to come before the Council, the meeting duly adjourned at 6:31 p.m.

/S/
BRENDA GALE BLALOCK, CITY CLERK

/S/
CHARLES W. JINRIGHT, PRESIDENT
COUNCIL OF THE CITY OF MONTGOMERY