

**REGULAR MEETING  
COUNCIL OF THE CITY OF MONTGOMERY  
JANUARY 17, 2017 – 5:00 P.M.**

The Council met in regular session on Tuesday, January 17, 2017, at 5:00 p.m., in the Council Auditorium, City Hall, with the following members present:

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

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

Councillor Lee made a motion to adopt the January 3, 2017, Work Session Minutes, as circulated, which motion carried with the following vote:

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

Councillor Lee made a motion to adopt the January 3, 2017, Regular Council Minutes, as circulated, which motion carried with the following vote:

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

Councillor Pruitt left the Council Chamber at 5:03 p.m.

Councillor Pruitt entered the Council Chamber at 5:05 p.m.

Councillor Lee left the Council Chamber at 5:30 p.m.

Councillor Lee entered the Council Chamber at 5:32 p.m.

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

**ORDINANCE NO. 2-2017**

**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.

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

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

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

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

**ORDINANCE NO. 3-2017**

**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.

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

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

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

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

**ORDINANCE NO. 4-2017**

**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.

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

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

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

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

**ORDINANCE NO. 5-2017**

**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.

Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing this item. Mr. William Boyd and Mr. Lee Wilcox requested additional information on this item. No one was present in opposition of this item.

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

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

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

#### **ORDINANCE NO. 6-2017**

**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 FH (Flood Hazard) Zoning District to a B-3 (Commercial) Zoning District.

To reach the point of beginning commence at a point on the north right-of-way line of the Old Selma Road where said right-of-way line intersects the west line of Section 22, T16N, R16E, thence run easterly along said north right-of-way line for a distance of 1,921.4 ft. to a point, the point of beginning, continue easterly along the north right-of-way line of said road 125 ft. to a point; thence go N2°47"E, 94 ft. to a point, thence go N88°42"W, 123.4 ft. to a point; thence go S3°45"W, 94 ft. to the point of beginning. Being in the SE ¼ of the NW ¼ of Section 22 and containing .3 acres more or less.

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

Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing this item. Mr. William Boyd requested additional information on this item. No one was present in opposition of this item.

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

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

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

**ORDINANCE NO. 7-2017**

**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.

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

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

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

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

**ORDINANCE NO. 8-2017**

**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.**

**Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing this item. No one was present in opposition of this item.**

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

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

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

**ORDINANCE NO. 9-2017**

**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.**

**Mr. Tommy Tyson was present representing the Planning Commission. No one was present representing this item. Mr. William Boyd requested additional information. No one was present in opposition of this item.**

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

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

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

**ORDINANCE NO. 10-2017**

**AN ORDINANCE TO AUTHORIZE FOOD TRUCK LOCATIONS  
IN DOWNTOWN MONTGOMERY**

**WHEREAS, the mobile food vending industry has the potential to create new employment, small business growth and favorable conditions for culinary entrepreneurs in the City of Montgomery; and**

**WHEREAS, the primary purpose of the public streets and sidewalks is the use by vehicular and pedestrian traffic; and**

**WHEREAS, Food Truck Vendors on the public streets promote the public convenience by contributing to an active and attractive pedestrian environment; and**

**WHEREAS, reasonable regulation of Food Truck Vendors is necessary to streamline the administrative processes, effectively work with the industry and ensure the public health, safety and welfare; and**

**WHEREAS, the regulations contained in this ordinance do not prohibit free speech but merely regulate activities which are commercial in nature; and**

**WHEREAS, the authorization of Food Trucks in Downtown Montgomery does not override or alter the use of Food Trucks currently provided in the Code of Ordinances of the City of Montgomery, Appendix C, Article VII, Sections 3 & 4; and**

**WHEREAS, the granting of business licenses for Food Truck Vendors for operation on public streets is subject to such conditions as the City of Montgomery may impose to protect the public health, safety, welfare and convenience.**

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

#### **SECTION 1. DEFINITIONS**

*City* means City of Montgomery, Alabama.

*Food Truck Vendor* means a licensed, motorized vehicle or mobile food unit which is temporarily parked on a public street within the authorized Food Truck locations in downtown Montgomery or on private property with the property owner's written notarized permission in areas outside the authorized Food Truck locations in downtown Montgomery.

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#### **SECTION 2. AUTHORIZED FOOD TRUCK LOCATIONS**

**Food Truck Vendors shall be permitted at locations in the public right-of-way and in public parking lots that have posted permanent signs that identify parking reserved for Food Trucks. The Food Trucks must be legally parked where parking is permitted**

#### **SECTION 3. PERMITTED MERCHANDISE**

**A Food Truck Vendor shall only sell food and beverages. No merchandise shall be sold at a Food Truck except the merchandise approved. Approved merchandise shall be limited to food and non-alcoholic beverage. Tobacco products are not permitted. All federal, state and local regulations pertaining to the quality of food products offered for sale shall be met.**

#### **SECTION 4. COMPLIANCE WITH ALL LAWS**

**All Food Truck Vendors shall be subject to and comply with all City and State laws, including but not limited to any vending, health, safety and licensing laws.**

#### **SECTION 5. LICENSE REQUIRED; NOT ASSIGNABLE**

**a. It shall be unlawful for any Food Truck Vendor to sell, or offer for sale, any food or beverage on any street or property within the City without first obtaining a business license as provided in City of Montgomery Code of Ordinances, Chapter 16.**



**b. A Food Truck Vendor's business license shall not be assignable, in whole or in part, in any manner.**

#### **SECTION 6. ADDITIONAL LICENSE REQUIREMENTS**

**In addition to any license requirements in City of Montgomery Code of Ordinances, Chapter 16, the Applicant for a Food Truck Vendor license must provide:**

- a. The name, home and business address of the Applicant and copy of their current food permit.**
- b. A description of the food and/or beverage to be sold.**
- c. A description and photograph or drawing of the food truck for which a license is sought.**
- d. Copy of insurance policy or binder.**
- e. Such information as the Applicant may choose or as may be requested by the City.**

#### **SECTION 7 PROHIBITED CONDUCT**

**No Food Truck Vendor shall:**

- a. Sell from any street except those permitted and properly marked as Authorized Food Truck sites by this or any other City of Montgomery ordinance.**
- b. Be parked on street or sell merchandise between 10:00 p.m. and 5:00 a.m.**
- c. Be left unattended.**
- d. Store, park, or leave any food truck overnight on any street. Health Department requires food truck to return to commissary on a daily basis to service the unit. This includes getting fresh water, dumping waste, restocking supplies and disposing of garbage.**
- e. Sell food or beverages for immediate consumption unless food truck provides a litter receptacle which is available for patron's use.**
- f. Leave any location without first picking up, removing and disposing of all trash or refuse remaining from sales made by the food truck.**
- g. Allow any items relating to the food truck business to be placed anywhere other than in the food truck.**
- h. Set up, maintain or permit the use of any table, crate, carton, rack or any other device to increase the selling or display capacity of the food truck.**
- i. Solicit or conduct business with persons in a motor vehicle, that is, no drive-up business.**
- j. Sell anything other than that for which a license to sell has been issued.**
- k. Sound or permit the sounding of any device, including but not limited to, generators or any other loud mechanisms or equipment which produces a loud and raucous noise or use; or operate any loud speaker, public address system, radio, sound amplifier or similar device to attract attention of the public.**

- l. Burn wood or charcoal.**
- m. Produce smoke**
- n. Sell from prohibited location.**

**SECTION 8. ADVERTISING, LIGHTING AND ELECTRICITY**

- a. No advertising shall be permitted on any truck except to identify the name or identity of the product or item for sale, or the name of the owner, and the posting of prices.**
- b. The signs must be secured and flat against the food truck and may not project more than six inches from the exterior of the food truck.**
- c. Exterior lighting must be hooded or shielded so that the light source is not scattering light to surroundings other than to the food truck and the service area.**
- d. Electrical service may be provided only by an onboard generator.**

**SECTION 9. DENIAL, SUSPENSION, REVOCATION AND APPEAL**

All Food Truck Vendor Licenses are subject to provisions set out in City of Montgomery Code of Ordinances, Chapter 16 for denial, suspension, revocation and appeal.

Ms. Lynda Wool of the Planning Department was present representing this item.

Councillor Larkin 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:

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

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

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

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

**ORDINANCE NO. 11-2017**

**AN ORDINANCE AMENDING CHAPTER 16, ARTICLE VI, SECTION 16-253 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 VI, Section 16-253(c) of the Code of Ordinances for the City of Montgomery, Alabama be amended to read as follows:**

**Sec. 16-253. - License tax on cigarettes paid by purchase of stamps.**

- (a) The license tax on cigarettes levied in this article shall be collected by the issuance of stamps by the director of finance to the wholesale dealer or to any retailer who sells, stores, or delivers any tobacco products for sale within the city that were not purchased through a wholesale dealer who sells, stores or delivers tobacco products for sale within the city.
- (b) The director of finance shall keep on hand for issuance an adequate amount of stamps to be affixed to each package of cigarettes in denominations as required under this article. Each stamp shall have inscribed thereon the words "City Tobacco Tax," but said words need not be arranged in the foregoing order and may be abbreviated. Said stamps shall be issued by the director of finance to such wholesale dealers and retail dealers at a price equal to 100 percent of the base amount of the tobacco stamps less a discount of three percent to cover the cost of application of said stamps.
- (c) The license tax collected shall be deposited within tobacco tax special revenue fund accounts to be used with approval of the Finance Director in compliance with *Act 618*, Acts of Alabama (1973) and state law. Operating expenses are deemed ineligible expenses.

Councillor Larkin 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:

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

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

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

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

**RESOLUTION NO. 7-2017**

**WHEREAS, the City of Montgomery has the legal authority to apply for Federal Assistance from the U. S. Department of Housing and Urban Development (HUD); and**

**WHEREAS, the City of Montgomery has the institutional, managerial and financial capability (including funds to pay the non-Federal share of program costs) to plan, manage and complete the Federal programs:**

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Mayor Todd Strange is hereby authorized to act as the City of Montgomery's official representative in connection with the proposed (subject to HUD final approval) Substantial Amendments and attached hereto as Exhibit A; to approve such Amendments under its HOME Investment Partnerships Programs; and, to provide any additional information as may be required.**

**CITY OF MONTGOMERY  
NOTICE OF SUBSTANTIAL AMENDMENTS TO ACTION PLAN**

The City of Montgomery proposes to amend its PY 2016 Action Plan. Details of these proposed amendments are included in the table below this announcement and are also available for public review at the lobby of the City of Montgomery Municipal City Hall- 103 N. Perry Street, and the City of Montgomery's Department of Planning- 25 Washington Ave, 4th Floor. These proposed amendments are also available for public review at the following Montgomery City-County Library locations:

- Hampton Morgan Memorial Library-245 High Street
- Rufus A. Lewis Regional Library-3095 Mobile Highway
- Coliseum Boulevard Branch Library-840 Coliseum Blvd
- Rosa L. Parks Avenue Branch Library-1276 Rosa Parks Avenue

Amendments are made due to cancellation of a project (Community Action Partnership of North Alabama, Inc. (CAPNA) and reallocation to a new project (Court Street Commons Senior Housing and/or Court Street Commons Affordable Rental Homes) for the purpose of similar or equivalent eligible activities. A thirty-day review period from date of publication of this Notice is provided so as to give the public adequate opportunity to review and comment on the proposed amendments. A summary of all written comments received during the thirty-day review period will be included when the amendments are submitted to the U. S. Department of Housing and Urban Development.

Comments concerning this proposed amendment must be made in writing and submitted to the following address:

City of Montgomery  
Community Development Division  
25 Washington Avenue, 4<sup>th</sup> Floor  
Montgomery, AL 36104

Mr. Robert Smith, Director  
Department of Planning

Mr. Desmond Wilson, Grants Administrator  
Community Development Division

Exhibit A

Granting Agency - U.S. Department of Housing & Urban Development (HUD)  
 Grantee Name - City of Montgomery  
 Program - HOME Investment Partnerships Program

Program Year	Activity Name	New Activity Name	New Activity Description	HOME Eligible Activity Citation	Intent of Use for HOME Funds	Total Funds Reallocated
2016	Community Action Partnership of North Alabama, Inc. (CAPNA) - EN	Court Street Commons Senior Housing	HOME Project - Development of rental housing for seniors using new development and construction of up to 70 multifamily affordable rental units.	24 CFR Part 92.205 (a)(1)	To expand the supply of decent, safe, sanitary, and affordable housing	\$ 495,993
2016	Community Action Partnership of North Alabama, Inc. (CAPNA) - CR	Court Street Commons Affordable Rental Homes	CHDO Reserve Project - HOME funds set aside by HUD to be used only by Community Housing Development Organizations (CHDOs) to develop affordable housing. These funds will be used for development of single-family rental housing using some combination of the following: acquisition; rehabilitation of up to 10 single-family units; and/or new construction of up to 2 single-family units.	24 CFR Part 92.205 (a)(1)	To expand the supply of decent, safe, sanitary, and affordable housing	\$ 106,283

Mr. Robert Smith, Director of the Planning Department, was present representing this item.

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:

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

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

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

The Clerk stated Item No. 12 is now in compliance and has been withdrawn.

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

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS, Debra Teague, d/b/a D. C.'s Ice Cream, 1317 South Court Street has filed an application for a Business License for an Ice Cream Truck; and**

**WHEREAS, pursuant to Section 16-82 (c) and Section 16-91 of the Code of Ordinances, 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, Debra Teague, d/b/a D. C.'s Ice Cream, 1317 South Court Street, be and is hereby approved for a Business License for an Ice Cream Truck.**

**Ms. Debra Teague was present representing this item.**

**By consensus, the Council referred this item back to the City of Montgomery's Business License office for their action.**

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, Sweet LLC, d/b/a City Tobacco and Grocery, 1614 South Decatur 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, Sweet LLC, d/b/a City Tobacco and Grocery, 1614 South Decatur Street, 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. Mohammand Hassan was present representing this item. Several individuals spoke in favor of this item, but did not state their names for the record. No one was present in opposition of 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:**

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

Councillor Larkin made a motion that this item be tabled indefinitely which was the consensus of the Council.

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

**RESOLUTION NO. 8-2017**

WHEREAS, Headquarters Photography and Special Events LLC, d/b/a Headquarters Photography and Special Events, 975 A West South 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, Headquarters Photography and Special Events LLC, d/b/a Headquarters Photography and Special Events, 975 A West South 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.

Mr. Cecil Hicks was present representing this item. No one was present in opposition of 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:

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

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

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

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

**RESOLUTION NO. 9-2017**

WHEREAS, Ronald M. Fulmer's term on the Montgomery Clean City Commission expired December 31, 2016; and

WHEREAS, Councillor Pruitt 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 Ronald M. Fulmer be and is hereby reappointed to the Montgomery Clean City Commission for a three-year term, with term ending December 31, 2019.

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:

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

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

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 3888 April Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 3888 April Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 709 Clover Hill.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 709 Clover Hill, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 723 Community Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 723 Community Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 466 Finley Avenue.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 466 Finley Avenue, which motion carried with the following vote:

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



The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 545 South Jackson Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 545 Jackson Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 2311 Mill Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 2311 Mill Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 14 Phillip Street.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 14 Phillip Street, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 209 Shadyside Lane.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 209 Shadyside Lane, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 3741 Whiting Avenue.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 3741 Whiting Avenue, which motion carried with the following vote:

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

The Clerk stated this was the time and place to hear and consider the proposed authorization of demolition of an unsafe structure at 312 Canna Drive.

Councillor Lee made a motion to authorize the demolition of an unsafe structure at 312 Canna Drive, which motion carried with the following vote:

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

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

**RESOLUTION NO. 10-2017**

**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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**DEMOLITION COST RESOLUTION**  
1/17/2017

1	STATE OF ALABAMA MONTGOMERY AL 36130	Housing Code 0 C00017075	Property: 2126 LUVERNE ST Parcel: 11 06 14 1 004 003.000 Size: 40 X 140
Location/Remarks: NEC LORING/LAST HOUSE ON N/S. Assessed description: Platname MOSES BROS SUB Lot 13 Block			
Authorized by Council on 10/4/2016		Contractor Charge: \$2,500.00	Balance: \$2,500.00
2	STATE OF ALABAMA MONTGOMERY AL 36130	Housing Code 0 C00017076	Property: 2120 LUVERNE ST Parcel: 11 06 14 1 004 004.000 Size: 40 X 140
Location/Remarks: N/S, 6 W GREYHOUND/1 E 2126/2ND HOUSE FROM N'END OF STREET. Assessed description: Platname MOSES BROS SUB 1 3 POLLARD TR Lot 14 Block 3			
Authorized by Council on 10/4/2016		Contractor Charge: \$2,500.00	Balance: \$2,500.00
3	STATE OF ALABAMA MONTGOMERY AL 36130	Housing Code 0 C00017902	Property: 809 TRAVIS ST Parcel: 11 06 13 3 020 002.000 Size: 42 X 100
Location/Remarks: SOUTHSIDE OF TRAVIS ST; 4TH PARCEL EAST OF BRAGG ST Assessed description: Platname WINTER & LOEB RESUB Lot 2 Block 2			
Authorized by Council on 9/6/2016		Contractor Charge: \$3,750.00	Balance: \$3,750.00
4	STATE OF ALABAMA 2010 TAX SALE MONTGOMERY AL 36104	Housing Code 0 C00018485	Property: 581 GREYHOUND ST Parcel: 11 06 14 1 012 014.000 Size: 35 X 100 IRR
Location/Remarks: EASTSIDE OF GREYHOUND, 2ND NORTH OF DAY ST Assessed description: SEC 14 T16N R17E .05 AC IN NE1/4 E OF GREYHOUND ST			
Authorized by Council on 10/4/2016		Contractor Charge: \$2,500.00	Balance: \$2,500.00
5	STATE OF ALABAMA TAX SALE 2009 MONTGOMERY AL 36104	Housing Code 0 C00033977	Property: 127 EAST WOODLAND DR Parcel: 10 09 31 2 001 017.000 Size: 75 X 149
Location/Remarks: NORTH SIDE, 17 EAST OF COURT Assessed description: Platname CLOVERLAND SOUTH OF EDGEMONT Lot 18 Block G			
Authorized by Council on 9/6/2016		Contractor Charge: \$3,750.00	Balance: \$3,750.00
6	STATE OF ALABAMA 2005 TAX SALE MONTGOMERY AL 36104	Housing Code 0 C00034032	Property: 511 GODFREY ST Parcel: 11 06 13 2 007 014.000 Size: 50 X 150
Location/Remarks: VACANT HOUSE, E S 4 N. OF DAY Assessed description: Platname POLLARD TRACT E OF OAK Lot 5			

**DEMOLITION COST RESOLUTION**  
1/17/2017

<p>7 STATE OF ALABAMA TAX SALE 2009</p> <p style="margin-left: 40px;">MONTGOMERY AL 36104</p> <p>Location/Remarks: NORTHSIDE, 8 WEST OF COURT Assessed description: Platname SOUTHERN MEADOWS SEC 6 PART A Lot 26 Block A</p> <p>Authorized by Council on 10/18/2016</p>	<p>Housing Code 0</p> <p style="margin-left: 20px;">C00034014</p> <p>Housing Code 0</p> <p style="margin-left: 20px;">C00032256</p>	<p>Property: 120 WEST WOODLAND DR Parcel: 11 07 36 1 001 008.000 Size: 70 X 179 IRR</p> <p>Property: 1312 PEACH ST Parcel: 11 06 14 4 017 034.000 Size: 25 X 100</p>
<p>Contractor Charge: \$2,500.00 <span style="margin-left: 50px;">Balance: \$2,500.00</span></p>		
<p>Contractor Charge: \$1,750.00 <span style="margin-left: 50px;">Balance: \$1,750.00</span></p>		

**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:**

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

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

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

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

**RESOLUTION NO. 11-2017**

**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 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:

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

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

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

Mr. Gwenn Moore and Ms. Beverly Lynn, Members of Capitol Heights Civic Association addressed the Council regarding rally communities across the City to honor Sanitation Workers on June 17, 2017.

Councillor Green requested authorization of payment from the Council Contingency Account \$500.00 to the American Association for Children.

Councillor Larkin requested authorization of payment from the Council Contingency Account \$500.00 to the Jefferson Davis High School Youth in Government program.

Councillor Bell requested authorization of payment from the Council Contingency Account \$200.00 to the American Association for Children.

Councillor Bollinger requested authorization of payment from the Council Contingency Account \$500.00 to the American Association for Children.

Councillor Jinright requested authorization of payment from the Council Contingency Account \$200.00 to the American Association for Children.

Councillor Pruitt requested authorization of payment from the Council Contingency Account \$500.00 to the American Association for Children.

Councillor Bell left the Council Chamber at 5:59 p.m.

Mayor Strange approved these allocations contingent upon receiving the required paperwork.

Councillor Green made a motion to authorize the payment of allocations from the Council Contingency Account, contingent upon receiving the required paperwork, which motion carried with the following vote:

<b>AYES:</b>	<b>BOLLINGER, LARKIN, GREEN, LEE, PRUITT, JINRIGHT</b>	<b>--6</b>
<b>NAYS:</b>	<b>NONE</b>	<b>--0</b>
<b>ABSTAINED:</b>	<b>NONE</b>	<b>--0</b>
<b>ABSENT:</b>	<b>BELL, LYONS, BURKETTE</b>	<b>--3</b>

Councillor Bell entered the Council Chamber at 6:00 p.m.

Mr. Patrick Bye, representing Bye Bye Place, presented a petition of 300 signatures to the Council regarding liquor license request to be reconsidered.

The Clerk stated the following Legal Notices would be advertised in the Montgomery Independent on February 9<sup>th</sup> and February 16<sup>th</sup>, 2017, for public hearing before the Council on March 7<sup>th</sup>, 2017:

#### LEGAL NOTICE

Notice is hereby given that the Council of the City of Montgomery, Alabama, will meet at the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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. \_\_\_\_\_

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

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

COMMENCE AT A FOUND 1/2" REBAR LYING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 21, T-16-N, R-19-E, MONTGOMERY COUNTY, ALABAMA; THENCE RUN N 90°00'00" E, 710.86 FEET TO A POINT; THENCE RUN N 00°00'00" E, 963.36 FEET TO A FOUND 5/8" REBAR (GMC CAP CA00156) LYING IN A CURVE AT THE INTERSECTION OF THE SOUTHEAST CORNER OF LOT 3, ACCORDING TO THE MAP OF EASTCHASE PLAZA AND RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 50 AT PAGE 76 WITH THE WEST RIGHT OF WAY OF EASTCHASE LANE (ROW VARIES), SAID POINT BEING THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, RUN ALONG THE EAST LINE OF SAID LOT 3, N 24°02'50" E, 431.80 FEET TO A FOUND 5/8" REBAR (GMC CAP CA00156); THENCE CONTINUE ALONG SAID EAST LINE, N 05°15'56" W, 401.24 FEET TO A FOUND 5/8" REBAR (GMC CAP CA00156) LYING ON THE EAST LINE OF LOT 6 OF SAID EASTCHASE PLAZA PLAT; THENCE RUN ALONG SAID EAST LINE OF LOT 6, N 14°02'51" E, 444.45 FEET TO A FOUND 1/2" REBAR (GMC CAP CA00156) LYING AT THE INTERSECTION OF SAID EAST LINE OF LOT 6 WITH THE SOUTHWEST CORNER OF LOT 1, ACCORDING TO THE MAP OF EASTCHASE CENTRAL PLAT 1 AND RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY, ALABAMA, IN PLAT BOOK 55 AT PAGE 139; THENCE RUN ALONG THE SOUTH LINE OF SAID LOT 1, S 75°57'09" E, 490.15 FEET TO A FOUND 1/2" REBAR (GMC CAP CA00156) LYING IN A CURVE AT THE INTERSECTION OF SAID SOUTH LINE OF LOT 1 WITH THE AFOREMENTIONED WEST RIGHT OF WAY OF EASTCHASE LANE; THENCE RUN ALONG SAID WEST RIGHT OF WAY AND SAID CURVE (CONCAVE SOUTHEASTERLY, R=500.48'), A CHORD OF S 32°44'22" W, 476.74 FEET TO A FOUND 5/8" REBAR (GMC CAP CA00156); THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY, S 04°17'47" W, 120.00 FEET TO A FOUND 5/8" REBAR (GMC CAP CA00156) LYING AT THE BEGINNING OF A CURVE; THENCE CONTINUE ALONG SAID WEST RIGHT OF WAY AND SAID CURVE (CONCAVE WESTERLY, R=670.23'), A CHORD

**OF S 37°53'55" W, 741.84 FEET TO THE POINT OF BEGINNING. SAID DESCRIBED PROPERTY LYING AND BEING SITUATED IN THE NORTHEAST QUARTER OF SECTION 21, T-16-N, R-19-E, MONTGOMERY COUNTY, ALABAMA, AND CONTAINS 7.81 ACRES (340,197 S.F.), MORE OR LESS.**

**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 the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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.

**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 M-3 (General Industrial) Zoning District to an R-125 (Single-Family Residential) Zoning District.**

**Beginning at a point on the west line of the east ½ of the east ½ of Section 8, T16N, R17E, a distance of 308 ft. south of the intersection of the west line of the east ½ of the east ½ of said Section 8, T16N, R17E, and the southwesterly right-of-way line of the Norfolk Southern Corporation Railroad; thence N80°39'39"E, 126.52 ft. to the said southwesterly right-of-way line; thence S20°58'10"E along said line 412.18 ft.; thence S72°54'58"W, 165.73 ft.; thence S17°53'09"E, 23.99 ft.; thence S69°01'05"W, 115.16 ft.; thence N01°39'13"W, 477.30 ft. to the point of beginning. Said land lies in the east half of the east half of Section 8, T16N, R17E, Montgomery County, Alabama containing 1.99 acres more or less.**

**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 the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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.

**ORDINANCE NO. \_\_\_\_\_**

**SECTION 1. BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Appendix C – Zoning, Article VI, Sections 8.4, 8.5 and 8.6 be amended to read as follows:**

**8.4 Landscape Plan Submittal Requirements**



**Format and Materials:**

The landscaping plan and details shall be drawn to the same standard scale as the development plan. Landscape plans shall be included in the development plan submitted to the Urban Forester.

**General Information:**

Complete Landscape Plans submitted for review and approval shall include the following:

- (a) A title block, showing the title of the development, the name and address of the owner/developer, the name and address of the person or firm preparing the plan, the date of preparation, the scale, the north point, and the date of all revisions.
- (b) A location map, showing the relative location of the site to the nearest existing public street intersection.
- (c) The boundaries of the subject property including the location and description of all adjoining property, the location and names of all adjoining streets and easements.
- (d) The required number of parking spaces and the proposed number of parking spaces of subject property/development.
- (e) Location and dimensions of all entrances and exits of the parking lot and the manner in which vehicles will be parked, and the location and names of all utility lines, easements or right-of-ways on, or adjacent to, the site.
- (f) All details needed to communicate appearance, and methods of construction and/or installation. International Society of Arboriculture tree installation details are required.
- (g) A planting schedule, keyed to the plant materials shown on the landscape plan, listing all proposed plant materials by botanical name, common name and cultivar, if any, quantity of materials, size of materials at planting, plant spacing, and existing trees approved for use.

**8.5 General Requirements**

Landscape improvements to parking lots shall be subject to the following requirements:

**8.5.1 Site protection and General Planting Requirements**

- (a) **Topsoil**  
To the extent practicable, topsoil moved during the course of construction shall be preserved and stockpiled for re-use on the site.
- (b) **Existing Trees**  
Preservation of each existing healthy tree of an approved species, within required landscape areas, shall count toward fulfillment of these requirements.
  - (1) The existing tree to be preserved must be approved by the Urban Forester to receive credit.
  - (2) Existing trees that are credited towards meeting the requirements of this Section shall be subject to the same maintenance and replacement requirements as newly planted trees.
  - (3) Each existing tree that is credited towards meeting the requirements of this Section shall reduce the number of required parking spaces by two (2). This subparagraph shall supercede and take precedence over Article III, Section 3(c) of the City's Zoning Ordinance.

(c) **Slope Plantings**

Landscaping of all cuts and fills and/or terraces shall be matted or protected until plant cover is adequate to control erosion.

(d) **Size of Landscape Material**

Trees shall be a minimum of 2.5 in. in caliper and 12 ft. high. Shrubbery shall have a minimum 18 inch height at installation (7 gallon container stock).

(e) **Quality of Landscape Material**

Landscape material shall conform to The American Standard for Nursery Stock (ANSI Z60.1).

**8.6 Landscaping Requirements**

**8.6.1 Perimeter Planting Requirements for Parking Areas (Public R.O.W. excluded)**

- (a) A continuous perimeter planting strip, exclusive of access driveways, with an average width of 8 ft. adjacent to public right-of-way and 4 ft. adjacent to property lines, measured from the edge of the parking area, is required. Existing street trees may be applied towards perimeter planting requirements along public right-of-way.
- (b) Canopy trees are required, and trees shall be planted on 40 to 50 ft. centers. In the event that pre-existing overhead utility lines prevent the use of canopy trees, understory trees shall be planted on 30 to 40 ft. centers. Minimum lateral separation from overhead utilities shall be 20 ft. for canopy trees. At least two (2) separate species must be used. Monocultures are prohibited. Shrubbery capable of forming a minimum 3 foot high evergreen hedge shall be provided in the landscape areas adjacent to public right-of-way.
- (c) Planting strips are to be sodded, seeded, or mulched so as to leave no bare ground after landscape materials have been installed.
- (d) Existing trees which meet, in whole or in part, the perimeter and internal planting requirements, may be applied toward requirements. During construction, trees or groups of trees that are being preserved must have a barrier constructed to the drip-line of the tree or group of trees, given the specific site considerations.
- (e) Trees which meet the perimeter planting requirements, whether existing or new, may be counted as one (1) parking space per tree and be used to fulfill the total parking requirement up to 25% of the parking required. Use of trees to fulfill the parking requirements must be noted on the development plan. This subparagraph shall supercede and take precedence over Article III, Section 3(c) of the City's Zoning Ordinance.
- (f) Landscaping in and adjacent to parking lots shall not obstruct the driver's view of the right-of-way at driveways and intersections, including that from adjoining properties.
- (g) In all districts, no fence, wall, shrubbery, sign, marquee or other obstruction to vision between the heights of 3½ ft. and 15 ft. above street level shall be permitted within 20 ft. of the intersection of the right-of-way lines of two streets, or railroads, or of a street and a railroad right-of-way, subject to the requirements of the Traffic Engineer.
- (h) In the event that non-residential development borders residential areas, a 10 ft. wide landscape buffer shall be required along the common property boundary. Canopy trees are required in the landscape buffer, and shall be planted on 20 ft. centers in order to form a screen at maturity. All other aspects of the landscape buffer shall conform to the requirements of this

ordinance. Residential boundaries **MUST** be noted on the development plan. Previously platted lots at the adoption of this ordinance may be exempt from 8.6.1 (h) if this requirement adversely affects minimum parking requirements.

- (i) An irrigation system shall be required in all landscape areas.

**8.6.2 Internal Planting Requirements for Parking Areas**

- (a) Based on parking area size and layout, trees shall be planted within the paved parking area so that each parking space is within 60 ft. or less of a tree. Perimeter trees and street trees as outlined above may be used to satisfy this requirement.
- (b) There shall be no more than 12 contiguous parking spaces without a landscape island. Trees and shrubbery are required in the landscape island. A landscape island used to satisfy this requirement shall contain a minimum of 250 sq. ft. of area per tree with a minimum width of 8 ft. Tree size and spacing are the same as for the perimeter planting requirements. Shrubby shall be provided in the island at the minimum rate of 2 plants per tree.
- (c) Landscape islands, based on the above requirements, shall be sodded, seeded or mulched.
- (d) Interior landscape islands may be counted as two (2) parking spaces per island and be used to fulfill the total parking requirement of the development. Use of landscape islands to fulfill parking requirements must be noted on the development plan. This subparagraph shall supercede and take precedence over Article III, Section 3 (c) of the City's Zoning Ordinance.
- (e) An irrigation system shall be required in all landscape areas.
- (f) Bio-retention as part of the landscape is encouraged and may be used to meet these requirements.
- (g) Internal landscape islands are not required in display areas for the purpose of automobile.

**SECTION 2. BE IT FURTHER ORDAINED** that Section 8.9 be and is hereby repealed in its entirety.

**SECTION 3.** 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 the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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.

**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 an R-75-d (Duplex Residential) Zoning District.

Commencing at a point where the south right-of-way of Ashley Road intersects with the west line of Lot 16 according to subdivision of Westview Gardens, as recorded in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 3, at Page 27; said subdivision being in Sections 20 and 21, T16, R17; thence S61°30'E a distance of 100 ft. to the point of beginning of the property herein described; thence continuing S61°30'E along the South right-of-way of Ashley Road a distance of 150 ft.; thence S6°30'E and parallel to the west line of Lot 16 a distance of 150 ft.; thence N61°30'W and parallel to the south right-of-way of Ashley Road a distance of 150 ft.; thence N6°30'W and parallel to the west line of Lot 16 a distance of 150 ft. to the point of beginning and containing 0.3 acres more or less; said lot being a portion of Lot 16 according to the Map of Westview Gardens as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama in Plat Book 3, at page 27; the property herein described also lying and being situated in the NW ¼ of the SE ¼ of Section 20, T16, R17.

**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 the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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.

ORDINANCE NO. \_\_\_\_\_

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

**SECTION 1.** That the Zoning Ordinance of Montgomery, Alabama, adopted September 17, 1963, be amended by removing the following described property from R-60-d (Duplex Residential) and M-1 (Light Industrial) Zoning Districts to an M-3 (General Industrial) Zoning District.

**COMMENCE AT A 1 1/2" STEEL ROD FOUND AT THE NW CORNER OF SECTION 7, T16N, R18E, MONTGOMERY COUNTY, ALABAMA; THENCE N89°25'45"E, ALONG THE NORTH LINE OF SAID SECTION 7, A DISTANCE OF 133.88 FEET TO A 1/2" CAPPED REBAR FOUND (L&O CA-0031) LYING 50 FEET EAST OF THE CENTERLINE OF THE CSX TRANSPORTATION, INC. MAIN TRACK, SAID POINT BEING THE POINT OF BEGINNING; THENCE ALONG SAID SECTION LINE N89°25'45"E, A DISTANCE OF 577.13 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS); THENCE LEAVING SAID SECTION LINE, S00°18'19"E, A DISTANCE OF 179.80 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS); THENCE S86°28'11"E, A DISTANCE OF 253.03 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS) ON THE WEST LINE OF THE MOSES BROTHERS SUBDIVISION OF SCOTT'S PLAT OF MONTGOMERY AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MONTGOMERY COUNTY IN PLAT BOOK 1, PAGE 34; THENCE N01°01'06"W, ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 156.56 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS) AT THE NW CORNER OF LOT 8, BLOCK 2 OF SAID PLAT, SAID POINT ALSO LYING ON THE SOUTH RIGHT OF WAY OF CLISBY PARK (40' RIGHT OF WAY); THENCE N89°28'05"E, ALONG THE NORTH LINE OF SAID BLOCK 2, A DISTANCE OF 220.00 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS) AT THE NE CORNER OF LOT 1, BLOCK 2 OF SAID PLAT, SAID POINT ALSO BEING THE INTERSECTION OF THE WEST RIGHT OF WAY OF**

**McDONOUGH STREET (60' RIGHT OF WAY) AND THE SOUTH RIGHT OF WAY OF CLISBY PARK (40' RIGHT OF WAY); THENCE S01°01'06"E, ALONG SAID WEST RIGHT OF WAY AND EAST LINE OF BLOCKS 2 AND 3 OF SAID PLAT, A DISTANCE OF 326.84 FEET TO A 1/2" CAPPED REBAR FOUND (L&O CA-0031) AT THE SE CORNER OF LOT 4, BLOCK 3 OF SAID PLAT, SAID POINT ALSO BEING THE INTERSECTION OF THE SAID WEST RIGHT OF McDONOUGH STREET AND THE NORTH RIGHT OF WAY OF PRINCE STREET (45' RIGHT OF WAY); THENCE S89°28'05"W, ALONG THE SOUTH LINE OF BLOCK 3 OF SAID PLAT AND THE NORTH RIGHT OF WAY OF SAID PRINCE STREET, A DISTANCE OF 220.00 FEET TO A "MAG" NAIL SET AT THE SOUTHWEST CORNER OF LOT 7, BLOCK 3 OF SAID PLAT; THENCE S85°31'57"W, ALONG THE NORTH MARGIN OF PRINCE STREET, A DISTANCE OF 255.25 FEET TO A 1/2" SPIKE FOUND; THENCE SOUTHWESTERLY ALONG THE NORTH MARGIN OF PRINCE STREET AND THE NORTH LINE OF A 45 FEET IN WIDTH STREET EASEMENT THE FOLLOWING 2 COURSES: 1) S85°05'24"W, A DISTANCE OF 190.07 FEET TO A 1/2" REBAR FOUND; 2) S85°07'58"W, A DISTANCE OF 134.46 FEET TO A 5/8" REBAR FOUND AT THE INTERSECTION OF SAID NORTH MARGIN OF PRINCE STREET AND THE WEST MARGIN OF NORTH PERRY STREET; THENCE LEAVING SAID INTERSECTION, N81°03'55"W, A DISTANCE OF 226.89 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS); THENCE S03°59'39"W, A DISTANCE OF 65.41 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS); THENCE S11°10'55"W, A DISTANCE OF 72.69 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS); THENCE S14°44'28"W, A DISTANCE OF 239.56 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS) 50 FEET EAST OF THE CENTERLINE OF THE CSX TRANSPORTATION, INC. MAIN TRACK; THENCE NORTHEASTERLY AND PARALLEL TO SAID TRACK ALONG A CURVE TO THE LEFT (RADIUS=6301.73') THE CHORD WHICH BEARS N04°17'11"E, 164.85 FEET TO A 1/2" CAPPED REBAR SET (CA-1037LS) AT THE END OF SAID CURVE; THENCE CONTINUE PARALLEL TO SAID TRACK N03°32'13"E, A DISTANCE OF 577.15 FEET TO THE POINT OF BEGINNING. THE ABOVE-DESCRIBED PROPERTY LIES IN THE SW 1/4 OF THE SW 1/4 OF SECTION 6 AND THE NW 1/4 OF THE NW 1/4 OF SECTION 7, ALL IN T16N, R18E, MONTGOMERY COUNTY, ALABAMA, AND CONTAINING 8.35 ACRES, MORE OR LESS, AND SUBJECT TO PUBLIC STREET RIGHT OF WAY (PRINCE STREET) OVER AND ACROSS SAID PROPERTY.**

**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 the Council Auditorium, the regular meeting place of said Council, on Tuesday, March 7<sup>th</sup>, 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.**

**ORDINANCE NO. \_\_\_\_\_**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONTGOMERY, ALABAMA, that Appendix C – Zoning (Article VI) Section 10.14.2, Article 5, Section 5.6.8 be amended to read as follows:**

#### **5.6.8 (T5) Signage Standards**

- a. **Allowed signage may be externally lit, may contain neon, and signage within the shopfront glazing may be neon lit.**

- b. **Band Sign:** A single external band sign may be applied to the façade of each building, providing that such sign not exceed 3 ft. in height by any length. For buildings of 10 stories or more, a band sign at 10 stories or higher may be 9 ft. in height by any length.
- c. **Blade Sign:**
  - 1. *Single-Tenant Building* – One blade sign allowed for each façade along a public frontage, not to exceed 28 sq. ft., to be applied either to the façade above the entrance to the business, or anywhere on the façade along the public frontage, or to either side of the business entrance adjacent to the door, with a minimum 8 ft. of clearance between bottom of sign and walkway.
  - 2. *Multi-Tenant Building* – In buildings with multiple tenants that do not have direct frontage to the public right-of-way or public alley, *either/or shall apply:*
    - i. One blade sign for each business may be applied to the façade directly above the main entrance of the building, in which case multiple blade signs shall be stacked one above the other, not to exceed 15 sq. ft. per sign, *or*
    - ii. One blade sign identifying the building may be applied at any location on the façade; and may have one Outdoor Display Case, not to exceed 6 sq. ft., applied to the façade of the building adjacent to the main entrance.
- d. **Awning Sign:** Awnings are permitted across the entire length of the façade of the building, or one awning per window and door, and may contain business identification and and/or business logo on the canopy, and may contain lettering or numbers on the valance.

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 6:15 p.m.

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BRENDA GALE BLALOCK, CITY CLERK

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