

REGULAR MEETING OF THE CITY COUNCIL, LINCOLN, ALABAMA

September 9, 2014

The City Council of the City of Lincoln, Alabama met in regular session in the Council Chambers at City Hall on Tuesday, September 9, 2014 at 5:00 p.m. Mayor Kitchin called the meeting to order and upon roll call the following answered present: Mayor Kitchin, Councilmembers Billy Pearson, Sadie Britt, Gwen Barber, Shelly L. Barnhart and Jean B. Burk. Invocation was given by Councilmember Pearson and Councilmember Burk led the Pledge of Allegiance.

Mayor Kitchin opened the Public Hearing for the following proposed zoning changes: (1) Zone annexed property owned by Edward E. Trammell and Carroll L. Watson located in the northeast quarter of Section 4, Township 17 South, Range 4 East, Huntsville Meridian, Talladega County, Alabama to R-4; (2) Zone annexed property owned by Dorothy P. Thompson located at 788 Springhill Road, Talladega, Alabama to R-1; (3) Zone annexed property owned by Gregory Singleton located at 225 Hawthorne Hills Drive, Talladega, Alabama to R-1; (4) Zone annexed property owned by Scott and Terra L. Daniel located at 509 England Road, Lincoln, Alabama to R-1; (5) Zone annexed property owned by Montevallo Square, LLC located in Section 1, Township 17 South, Range 4 East, Talladega County, Alabama to M-1; (6) Zone annexed property owned by Johnny Lawler located at 102 River Pines Lane, Talladega, Alabama to R-1; (7) Zone annexed property owned by Danielle N. Williams located at 78 River Pines Lane, Talladega, Alabama to R-1; (8) Zone Deborah and Scott L. Chandler located at 248 Henderson Lane, Talladega, Alabama to R-1; (9) Zone annexed property owned by Barbara McBurnett located at 282 Summerdale Lane, Lincoln, Alabama to R-1; (10) Zone annexed property owned by Buddy and Joyce Mewbourne located at 294 Lee Lane, Talladega, Alabama to R-1; (11) Zone annexed property owned by Gary L. and Frances H. Smith located at 292 Lee Lane, Talladega, Alabama to R-1; (12) Zone annexed property owned by Donald J. and Claudine D. Baggett located at 102 Lake View Lane, Talladega, Alabama to R-1; (13) Zone annexed property owned by John G. and Tracy H. Garcia located at 101 Lee Lane, Talladega, Alabama to R-1; (14) Zone annexed property owned by Ted and Annette Springer identified by Parcel Numbers 61-09-08-27-0-000-027.000, 61-09-08-27-0-000-028.000, 61-09-08-27-0-000-027.001, 61-09-08-27-0-000-027.003 and 61-09-08-27-0-000-027.004 located in a portion of Section 27, Township 17 South, Range 4 East, Huntsville Meridian, Talladega County to R-1; (15) Zone annexed property owned by Carol P. Lesniak and Lesley P. Hutto located at 297 Indian Acres, Talladega, Alabama to R-1; (16) Zone annexed property owned by Andrew M. Pellegrin, III, Heather Summer Pellegrin and Pellegrin Investments, LLC located in a portion of Section 2, Township 17 South, Range 5 East, Huntsville Meridian, Talladega County to C-1; (17) Zone annexed property owned by Geraldine Sullivan identified by Parcel Number 61-08-0102-0-000-017.002 located in a portion to Section 2, Township 17 South, Range 5 East, Talladega County to R-1; and (18) Zone annexed property located in Whispering Oakes Subdivision located in a portion of Section 27, Township 17 South, Range 4 East, Talladega County to R-1. There was no comment from the public and Mayor Kitchin closed the Public Hearing.

Councilmember Barber made a motion to approve the minutes of August 26, 2014; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-21 to zone annexed property owned by Edward E. Trammell and Carroll L. Watson located in the northeast quarter of Section 4, Township 17 South, Range 4 East, Huntsville Meridian, Talladega County, Alabama to R-4. Councilmember Pearson made a motion to accept the first reading as having been read; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-21; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Britt made a motion to adopt Ordinance 2014-21; second by Barber. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-22 to zone annexed property owned by Dorothy P. Thompson located at 788 Springhill Road, Talladega, Alabama to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-22; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Britt made a motion to adopt Ordinance 2014-22; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-23 to zone annexed property owned by Gregory Singleton located at 225 Hawthorne Hills Drive, Talladega, Alabama to R-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-23; second by Pearson. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-23; second by Barber. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-24 to zone annexed property owned by Scott and Terra L. Daniel located at 509 England Road, Lincoln, Alabama to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-24; second by Barnhart. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-24; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-25 to zone annexed property owned by Montevallo Square, LLC located in Section 1, Township 17 South, Range 4 East, Talladega County, Alabama to M-1. Councilmember Britt made a motion to accept the first reading as having been

read; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-25; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-25; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-26 to zone annexed property owned by Johnny Lawler located at 102 River Pines Lane, Talladega, Alabama to R-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-26; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-26; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-27 to zone annexed property owned by Danielle N. Williams located at 78 River Pines Lane, Talladega, Alabama to R-1. Councilmember Burk made a motion to accept the first reading as having been read; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-27; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Britt made a motion to adopt Ordinance 2014-27; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-28 to zone annexed property owned by Deborah and Scott L. Chandler located at 248 Henderson Lane, Talladega, Alabama to R-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-28; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Pearson made a motion to adopt Ordinance 2014-28; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-29 to zone annexed property owned by Barbara McBurnett located at 282 Summerdale Lane, Lincoln, Alabama to R-1. Councilmember Burk made a motion to accept the first reading as having been read; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-29; second by Britt. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Britt made a motion to adopt Ordinance 2014-29; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-30 to zone annexed property owned by Buddy and Joyce Mewbourne located at 294 Lee Lane, Talladega, Alabama to R-1. Councilmember Burk made a motion to accept the first reading as having been read; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-30; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Pearson made a motion to adopt Ordinance 2014-30; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-31 to zone annexed property owned by Gary L. and Frances H. Smith located at 292 Lee Lane, Talladega, Alabama to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-31; second by Britt. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-31; second by Barnhart. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-32 to zone annexed property owned by Donald J. and Claudine D. Baggett located at 102 Lake View Lane, Talladega, Alabama to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-32; second by Britt. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-32; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-33 to zone annexed property owned by John G. and Tracy H. Garcia located at 101 Lee Lane, Talladega, Alabama to R-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-33; second by Pearson. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Burk made a motion to adopt Ordinance 2014-33; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-34 to zone annexed property owned by Ted and Annette Springer identified by Parcel Numbers 61-09-08-27-0-000-027.000, 61-09-08-27-0-000-028.000, 61-09-08-27-0-000-027.001, 61-09-08-27-0-000-027.003 and 61-09-08-27-0-000-027.004 located in a portion of Section 27, Township 17 South, Range 4 East, Huntsville Meridian, Talladega County to R-1. Councilmember Pearson made a motion to accept the first

reading as having been read; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-34; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Barnhart made a motion to adopt Ordinance 2014-34; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-35 to zone annexed property owned by Carol P. Lesniak and Lesley P. Hutto located at 297 Indian Acres, Talladega, Alabama to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-35; second by Barnhart. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Pearson made a motion to adopt Ordinance 2014-35; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-36 to zone annexed property owned by Andrew M. Pellegrin, III, Heather Summer Pellegrin and Pellegrin Investments, LLC located in a portion of Section 2, Township 17 South, Range 5 East, Huntsville Meridian, Talladega County to C-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Burk. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Pearson made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-36; second by Britt. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Barnhart made a motion to adopt Ordinance 2014-36; second by Barber. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-37 to zone annexed property owned by Geraldine Sullivan identified by Parcel Number 61-08-01-02-0-000-017.002 located in a portion of Section 2, Township 17 South, Range 5 East, Talladega County to R-1. Councilmember Britt made a motion to accept the first reading as having been read; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-37; second by Burk. The vote was Pearson – Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Barnhart made a motion to adopt Ordinance 2014-37; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Mayor Kitchin presented Ordinance 2014-38 to zone annexed property located in Whispering Oaks Subdivision located in a portion of Section 27, Township 17 South, Range 4 East, Talladega County to R-1. Councilmember Pearson made a motion to accept the first reading as having been read; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk. Councilmember Britt made a motion to suspend the rules that would otherwise prohibit the immediate consideration of Ordinance 2014-38; second by Pearson. The vote was Pearson –

Aye, Britt – Aye, Barber – Aye, Barnhart – Aye, Burk – Aye and Mayor Kitchin – Aye. Motion passed unanimously. Councilmember Barnhart made a motion to adopt Ordinance 2014-38; second by Barber. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.

Councilmember Britt made a motion to approve Christian & Associates to provide Master Planning design services for Moseley Park on an hourly basis between 52 and 74 hours not to exceed \$12,210; second by Pearson. The vote was Ayes: Britt, Pearson, Barber, Barnhart, and Burk.

Mayor Kitchin advised the work session is moved to Friday, September 12, 2014 at 10:00 a.m.

There being no further business to come before the Council, Pearson made a motion to adjourn; second by Britt. The vote was Ayes: Britt, Pearson, Barber, Barnhart and Burk.


Claude Kitchin, Mayor

ATTEST:


Laura S. Carmack, City Clerk