

The City Council of the City of Robertsdale, Alabama met Monday, November 21, 2005 at 8:00 a.m. in the Council Chambers of Robertsdale City Hall, that being the date, time and place for such meeting.

Upon roll call, the following members of the Council were found to be present: Mayor Murphy, Councilmember Kitchens, Cooper, Grant, Kendrick and Hollingsworth. A quorum being present the meeting proceeded with the transaction of business.

Mayor Murphy presided over the meeting. Shannon Ellison served as secretary. Ken Raines, City Attorney, was also in attendance.

Motion was made by Councilmember Grant, seconded by Councilmember Cooper, with unanimous approval to approve the minutes of the previous meeting as presented.

Mayor Murphy called for questions regarding the bills presented for approval. There being no questions or discussion, motion was made by Councilmember Hollingsworth, seconded by Councilmember Grant, with unanimous approval to accept the bills as presented. APPENDIX I

Mayor Murphy stated that there are two public hearings to come before the Council, the first being Mrs. Harrison's property on the corner of Hwy 104 and Palmer street, and the other Mr. and Mrs. Zinner with their property on Hwy 59. Mayor Murphy then closed the regular order of business and opened the public hearings as scheduled. It has been recommended by the Planning Commission to rezone Mrs. Harrison's property on State Highway 104 and Palmer Street from R-2 to B-1. Mrs. Darby, a representative for Mrs. Harrison, informed the Council that there has been no interest shown in this piece of property being sold residential. She stated the only interest shown is strictly light commercial. Elvin Flowers and William Wise, adjoining property owners, stated their opposition to the Mayor and Council on this rezoning request, both being concerned with traffic flow. Mayor Murphy called for any further discussion or questions, and there were none.

Mayor Murphy moved on to the rezoning request made by Mr. and Mrs. Zinner. The Planning Commission recommended denying the rezoning request from Stanley and Charlotte Zinner for their property on State Highway 59. The rezoning request being from B-1 to B-2. Stanley Zinner addressed the Council with their intentions. Mayor Murphy called for any public comments. Dale and Lou Polka voiced their opposition on this request stating the current zoning of the property is more appropriate for that location. Wayne Jackson stated his opposition as well. Bobby Holland provided the Council with a computer generated image of the building explaining that the property will also have a privacy fence blocking the view of the back of the location. After further discussion Mayor Murphy then closed the public hearing and resumed the regular order of business.

Mayor Murphy stated that next on the agenda was Resolution 29-05. The Council received a petition from Dale and Lou Polka to vacate right-of-ways on their property. Mayor Murphy explained to the Council that David Kilcrease has researched this request and found that there are no utilities on the property in question. After further discussion, motion was made by Councilmember Kitchens, seconded by Councilmember Cooper, with unanimous approval to approve Resolution 29-05, vacation of alleyway for Mr. and Mrs. Polka, motion carried. APPENDIX II

Mayor Murphy called for action on a recommendation of the Planning Commission to rezone the Myrtle Harrison property at State Highway 104 and Palmer Street from R-2 to B-1. Motion was made by Councilmember Hollingsworth, seconded by Councilmember Kitchens, that all rules unless suspended would prevent immediate passage and adoption of Ordinance No. 06-05, at this meeting and the same passed and adopted by unanimous vote of the Council. Mayor Murphy called for a roll call vote and the results were as follows: Yea: Mayor Murphy, Councilmember Kitchens, Cooper, Grant Kendrick and Hollingsworth. Opposed: None. Motion carried.

Motion was made by Councilmember Kitchens, seconded by Councilmember Hollingsworth, that Ordinance 06-05, rezoning the property of Myrtle Harrison from R-2 to B-1, be finally passed by unanimous vote of the Council. Mayor Murphy called for a roll call vote and the results were as follows: Yea: Mayor Murphy, Councilmember Kitchens, Cooper, Grant and Kendrick. Opposed: Councilmember Hollingsworth. Mayor Murphy declared the Ordinance adopted. APPENDIX III

Mayor Murphy called for action on the rezoning request made by Stanley and Charlotte Zinner. The property is located on State Highway 59 and the request for rezone is from B-1 to B-2. Mayor Murphy stated the Planning Commission recommendation was to deny the request. Mayor Murphy called for suspension of rules. Motion was made by Councilmember Kitchens, seconded by Councilmember Grant. Mayor Murphy called for a roll call vote. Yea: Mayor Murphy, Councilmember Kitchens, Cooper, Grant, Kendrick and Hollingsworth. Mayor Murphy called for action on this rezoning request. Motion was made by Councilmember Kitchens, seconded by Councilmember Grant. Mayor Murphy called for a roll call vote and the results were as follows: Yea: Councilmember Kitchens, Grant and Kendrick. Opposed: Mayor Murphy, Councilmember Cooper, and Hollingsworth. Mayor Murphy stated the motion failed due to lack of majority, clarifying that the property is not rezoned.

Mayor Murphy stated that for information, the City was able to get the Meals-on-Wheels program back in order by hiring Ms. Phillis Banks through the South Alabama Regional Planning Commission. Mayor Murphy also reminded everyone that the Christmas Holidays will be observed on December 23rd and the 26th, and also, the new garbage cans will start being distributed the week of December 5th. Sarah Duncan informed the Council that the Senior Citizens new van has arrived and wanted to express her appreciation to the Council.

There being no further business to come before the Council, motion was made by Councilmember Kitchens, seconded by Councilmember Hollingsworth, with unanimous approval to adjourn. Motion Carried.

APPROVED THIS _____ DAY OF

_____, 2005

SECRETARY

MAYOR