

**CITY OF ANNISTON
OCTOBER 5, 2015
5:30 P.M.**

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **STAFF ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECEIVE INFORMAL PUBLIC COMMENTS

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

II. RECEIVE FORMAL PUBLIC COMMENT

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal “**REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA**” form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

III. CONDUCT PUBLIC HEARING

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

(a) To hear public comments over-ruling objections to the abatement of identified nuisances. (Group 2015 – 06 Grass and Debris)

IV. UNFINISHED BUSINESS – None

V. CONSENT AGENDA

- (a)** Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City.
- (b)** Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015 – 06 Grass and Debris)
- (c)** Motion to approve an amendment to the Personnel Policies and Procedures Manual: Section “Employee Conduct and Discipline” “Conduct, activities, speech, participation or membership in events, associations or groups that advocate, promote, or condone hateful, violent, or invidiously prejudicial actions against individuals or groups based on race, color, religion, national origin, sex, sexual orientation, age, or disability may reflect negatively and bring criticism upon the City as a whole. An employee is subject to corrective action, including the possibility of termination from his or her employment, when such conduct, activities, speech, participation or membership impedes the performance of his or her duties or interferes with the operation and efficiency of the City.”
- (d)** Evaluation of bids for concrete for FY 2016.

VI. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

9/21/2015

Anniston, Alabama
September 21, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, September 21, 2015, at approximately 5:30 o'clock p.m.

Bud Owsley prayed the Invocation.

Bud Owsley led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of September 8, 2015 and September 15, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of September 8, 2015 and September 15, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase made a motion to delete from the agenda the public hearing regarding the ADA Transition Plan and the resolution adopting the ADA Transition Plan, to add to the agenda a confirmation hearing and resolution appointing Roy Goodson to the Downtown Development Authority, and to move a resolution vacating a portion of the West/East Alley between East 10th and East 11th and between Johnston Drive and Lockwood Avenue from the consent agenda to the resolutions section of the agenda and to adopt the agenda as amended. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Roy Goodson and his nomination to the Downtown Development Authority.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 712 W. 17th Street, 906 W. 16th Street, 1620 Moore Avenue, 2920 McKleroy Avenue and 1320 E. 10th

9/21/2015

Street; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances (debris and grass) at said locations.

No one addressed the Council concerning objections to the proposed abatement of identified nuisances (debris and grass) at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 712 W. 17th Street, 906 W. 16th Street, 1620 Moore Avenue, 2920 McKleroy Avenue and 1320 E. 10th Street closed.

Council Member Reddick made a motion to approve the Consent Agenda items listed below:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City.
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015 – 05 Grass and Debris)
- (c) Resolution declaring a reported condition to be a public nuisance. (Group 2015 – 06 Grass and Debris)
- (d) Resolution appointing a member to the Anniston Downtown Development Authority.
- (e) Resolution authorizing the Mayor to execute an Agreement with East Alabama Planning and Development Commission for the Anniston Express Fixed Route System and the ADA Para-Transit Services.
- (f) Resolution adopting the West Anniston Cooperative Agreement West Anniston Revitalization Plan.

The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Selase introduced and read Resolution Number 15-R-137 as follows:

(15-R-137, vacating a portion of the West/East Alley between East 10th and East 11th and between Johnston Drive and Lockwood Avenue)

Council Member Selase made a motion for the passage and adoption of Resolution Number 15-R-137 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and Resolution Number 15-R-137 was passed and adopted.

Council Member Selase stated there would be a Prescription Drug Take Back Day this Saturday at the Walgreens at 802 Quintard Avenue.

Council Member Harris thanked everyone for attending the meeting.

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Mayor Stewart expressed sympathy to the family of Julian Jenkins on behalf of the City of Anniston.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 5:50 o'clock p.m.

9/22/2015

Anniston, Alabama
September 22, 2015

The City Council of the City of Anniston, Alabama, met in Special Session in the Council Chambers in City Hall of the City of Anniston, Alabama, on Tuesday, September 22, 2015, at approximately 5:36 o'clock p.m.

Principal Hall, Randolph Park Elementary, prayed the Invocation.

Principal Hall, Randolph Park Elementary, led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Mayor Stewart stated that was the time for the public hearing on the reconsideration of the proposed Fiscal Year 2016 Budget, declared the hearing open and asked if anyone wished to address the Council concerning the reconsideration of the proposed Fiscal Year 2016 Budget.

No one addressed the Council concerning the reconsideration of the proposed Fiscal Year 2016 Budget.

Mayor Stewart declared the public hearing on the reconsideration of the proposed Fiscal Year 2016 Budget closed.

Brian Johnson, City Manager, addressed the Council and stated that any amendment to the budget at this meeting would not allow enough time for advertising and conducting a public hearing in the required time for the budget adoption. He stated if the current amended budget was not passed then the budget that would take affect would be the City Manager's original proposed budget.

Council Member Selase made a motion to amend the Fiscal Year 2016 Budget by increasing the Outside Agencies by \$75,000.00, decreasing the Parks and Recreation Department by \$25,000.00 and decreasing the Public Works Department by \$50,000.00 (original amendment from September 8, 2015). There was no second to the motion.

Council Member Reddick introduced and read Resolution Number 15-R-138 as follows:

(15-R-138, adopting the FY 2016 General Fund Budget)

Council Member Reddick made a motion for the passage and adoption of Resolution Number 15-R-138 as introduced and read. The motion was seconded by Council Member Harris.

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Council Member Selase stated that “our communities are perfectly engineered to produce the results that we currently seek.” He stated the first thing people are told when they come to Anniston is to not send their children to Anniston City Schools. He stated the community does not really support the schools. He stated they needed to give the educators the resources to do their jobs. He stated they needed to vote this resolution down and adopt the City Manager’s original budget proposal for FY 2016. He stated that would keep \$500,000.00 in the Education Innovation Fund.

Mayor Stewart stated that the Education Innovation Fund did not exist until this Council took office and it was set up for creativity and innovative solutions. He stated it was just part of the source of funding for Anniston City Schools. He stated that money in and of itself is not the solution but dedication and passion to reach out to a community greater than this small community is the answer. He stated it takes teamwork and getting involved and engaging the community.

On call of the roll on Council Member Reddick’s a motion for the passage and adoption of Resolution Number 15-R-138 as introduced and read and Council Member Harris’ second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris and Stewart; nays: Council Member Selase. The motion carried and Resolution Number 15-R-138 was passed and adopted.

There being no further business to come before the meeting at that time Council Member Reddick made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:06 o’clock p.m.

CONSENT AGENDA

RESOLUTION NO. 15-R-__

A RESOLUTION AUTHORIZING REIMBURSEMENTS TO CITY OFFICIALS FOR EXPENSES INCURRED WHILE TRAVELING AWAY FROM THE CITY

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a.** \$138.58 to Jean Ann Oglesby for the purchase of supplies and mileage while performing various duties for the Farmer’s Market during August 2015.
- b.** \$112.88 to Sergeant Michael Webb, Police, while attending a First Line Supervisor Class in Birmingham, AL from September 21 – 22, 2015.

PASSED AND ADOPTED this ____ day of October 2015.

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Mille Harris, Council Member

ATTEST:

Alan B. Atkinson, City

RESOLUTION NUMBER 15-R-__

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibit "A" attached is hereby over-ruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.3 of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the ___ day of _____, 2015.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT "A"

Group 2015 – 06 Debris and Grass

701 East 22 nd Street (debris & grass)	PPIN 75627
2215 Ayers Drive	PPIN 22464
101 Grant Avenue	PPIN 66145
600 West 18 th Street	PPIN 76046
604 West 18 th Street	PPIN 75278
500 Chestnut (debris & grass)	PPIN 18125
1617 Cooper Ave.	PPIN 19640
1711 Cooper Ave.	PPIN 19662
1725 Cooper Ave.	PPIN 19661
2422 McCoy Avenue	PPIN 25696
831 Blue Ridge (debris & grass)	PPIN 21629
2124 Thomas Ave	PPIN 22675
1523 Cobb Avenue	PPIN 19745
1808 Cobb Avenue (debris & grass)	PPIN 19614
1224 West 16 th Street	PPIN 19473
1600 Cooper Avenue	PPIN 62229
3014 Walnut Avenue	PPIN 26283
3030 Walnut Avenue	PPIN 26285
2004 Moore Avenue	PPIN 20121
1617 Murray Avenue	PPIN 62479
1619 Murray Avenue	PPIN 19794
2226 Walnut Avenue	PPIN 2069
328 East 22 nd Street	PPIN 21253
3034 Moore Avenue	PPIN 26020
3009 Moore Avenue	PPIN 26037
3002 Gurnee Avenue	PPIN 26222
3000 Gurnee Avenue	PPIN 26221
1221 West 14 th Street	PPIN 19290
1433 Bancroft Avenue	PPIN 30656
1405 Bancroft Avenue	PPIN 30660
1828 Bancroft Avenue	PPIN 65930
1613 West 21 st Street	PPIN 30300
1106 West 16 th Street	PPIN 19537
1110 West 16 th Street	PPIN 19342
4136 Cloverdale Road	PPIN 15168
3005 Gurnee Ave	PPIN 25898
3026 Gurnee Avenue	PPIN 26229

Amendment to Personnel Policies and Procedures Manual (Employee Conduct and Discipline)

Proposed:

Conduct, activities, speech, participation or membership in events, associations or groups that advocate, promote, or condone **hate, violence or invidious prejudice** against individuals or groups based on race, color, religion, national origin, sex, sexual orientation, age, or disability may reflect negatively and bring criticism upon the City as a whole. An employee is subject to corrective action, including the possibility of termination from his or her employment, when such conduct, activities, speech, participation or membership impedes the performance of his or her duties or interferes with the operation and efficiency of the City.

Amendment:

Conduct, activities, speech, participation or membership in events, associations or groups that advocate, promote, or condone **hateful, violent, or invidiously prejudicial actions** against individuals or groups based on race, color, religion, national origin, sex, sexual orientation, age, or disability may reflect negatively and bring criticism upon the City as a whole. An employee is subject to corrective action, including the possibility of termination from his or her employment, when such conduct, activities, speech, participation or membership impedes the performance of his or her duties or interferes with the operation and efficiency of the City.

10/5/2015

FACT SHEET

SUBJECT: Evaluation of bids for concrete for FY 2016.

FACTS: This is a contract for purchases made during FY 2016. This is a General Fund expenditure. The FY 2015 contract was for \$90.00/cu. yd.

VENDORS SUBMITTING BIDS

Webb Concrete	\$95.00/cu. yd.
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Kirkpatrick Concrete	\$110.00/cu. yd.
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Waites Concrete	No Response
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Ready Mix USA	No Response
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RECOMMENDATION: The bid should be awarded to Webb Concrete in the amount of \$95.00/cu. yd.