

Anniston, Alabama

March 4, 2020

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B of the Anniston City Meeting Center in the City of Anniston, Alabama, on Monday, March 4, 2020, at approximately 5:30 o'clock a.m.

Benjamin Little, Council Member, prayed the Invocation.

Benjamin Little, Council Member, led the Pledge of Allegiance to the Flag.

Council Member Harris called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Little and Harris. absent: Council Member Reddick and Mayor Draper. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Little made a motion to waive the reading of the February 18, 2020 Regular Meeting, February 23, 2020 Called Meeting, and February 24, 2020 Called Meeting minutes. The motion was seconded Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of the February 18, 2020 Regular Meeting, February 23, 2020 Called Meeting, and February 24, 2020 Called Meeting. The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and the February 18, 2020 Regular Meeting, February 23, 2020 Called Meeting, and February 24, 2020 Called Meeting minutes were approved.

Council Member Little made a motion to adopt the agenda. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and the agenda was adopted.

Council Member Harris introduced and recognized the Anniston High School Girls Varsity Basketball 4A State Champions.

Council Member Harris introduced a Proclamation for Paul and Ruby Kate Blackwell who were stewards of religious leadership and philanthropy in Anniston, Alabama during the 60's, 70's, and early 80's. They were champions at providing underprivileged teens and young adults with shelter and life coaching skills.

Council Member Jenkins made a motion to approve the consent agenda:

(a) Resolution authorizing the submission of a grant under the FY 2020 Community Policing Development Micro grants Program (20-R-9)

(b) Resolution authorizing the submission of a grant under the Assistance to Firefighters Grant (Self Contained Breathing Apparatus-SCBA) (20-R-10)

(c) Resolution authorizing the submission of a grant under the Assistance to Firefighters Grant (Extractors and Dryers for decontamination of Bunker Gear) (20-R-11)

The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and the consent agenda was approved.

Council Member Jenkins made a motion to authorize CDBG Coordinator and Consultants to prepare a Substantial Amendment for allocation of funds in the amount of \$850,000.00 to Fresh Start Homes, LLC. The motion was seconded by Council Member Little.

Council Member Little made a motion to amend the proposed motion to change the amount from \$850,000.00 to \$600,000.00. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and the amended motion was approved.

Bruce Downey, City Attorney, introduced and presented a resolution declaring a reported condition to be a public nuisance Group 2020-02 Grass, Debris, & Vehicles and read the following addresses for the record: 0 Buckner Drive, 0 Headquarters Rd, 179 Headquarters Rd, 436 Buckner Drive, 607 West 15th Street, 1617 Cobb Ave, 2729 Wilmer Ave, and 1116 Brierwood Lane.

RESOLUTION NUMBER 20-R-12

A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.7 and 34.15 of said Ordinance, has reported to the City Council that conditions exist at see attached (Group 2020-02 Grass, Debris & Vehicles) in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (1), (2), (4) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: overgrown lots, maintenance or storage of motor vehicles that are not in usable condition as defined in Section 34.2 of the Code of Ordinances and debris, motor vehicles and trash; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on Exhibit "A" to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City's actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more

than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO

REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.

PASSED AND ADOPTED this the 4th day of March, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jay W. Jenkins, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Jenkins stated for the recorded that the 1116 Brierwood Lane property was removed from the list.

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-12, declaring a reported condition to be a public nuisance Group 2020-02 Grass, Debris, & Vehicles. The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and Resolution 20-R-12 was passed and adopted.

Bruce Downey, City Attorney, introduced and read Ordinance 20-R-4, An Ordinance establishing the use of electronic vote counting devices (2nd Reading)

ORDINANCE 20-O-4

AN ORDINANCE ESTABLISHING THE USE OF ELECTRONIC VOTE COUNTING DEVICES

WHEREAS, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting Systems; and

WHEREAS, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate ordinance, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Anniston, Alabama, as follows:

Section 1. That for all elections held subsequent to the passage of this ordinance, the use of Polling Place Counter DS 200, a system which complies with Section 17-7-21 of the Code of Alabama and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results in the City of Anniston.

Section 2. That Skyler Bass, as City Clerk of the City of Anniston, is hereby directed to file a copy of this ordinance with the Alabama Secretary of State,

Section 3. This Ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED and ADOPTED this 4th day of March, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jay W. Jenkins, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption. The motion was seconded by Council Member Little and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nays: none. The motion carried and Ordinance 20-O-4 was passed and adopted.

Glen Ray, 3514 Dale Hollow Road, addressed the council on an officer pulling over a young man because he did not turn on his blinker and the officer smelled marijuana and searched the young man's vehicle. He stated that the officer took his money and called someone from the Drug task force but did not give a citation or arrest the young man. He stated that this should be thoroughly investigated.

Joanne Pope, 31 Diana Hills Road, addressed the council on behalf of a local organization of women, Women Empowered, there is a need to address curbside or yard dumping. She stated that they are asking that regulations be put in place or enforced to reduce this unsightly practice.

Council Member Little stated that they are trying to get GSA to bring a job fair to Anniston for work on the court house. He stated at the next council meeting he wants to appoint John Buchanan to the Police Advisory Board; and he thanked Ms. Brown and Ms. Frazier for being there. He stated that at the work session they discussed getting a hotel downtown and some other development in the city. He stated that it seems like some things are coming together but please be in prayer for those with the coronavirus.

Council Member Jenkins stated that he appreciates the spirit of cooperation and it is clear that they are trying to work together to move this city forward. He stated that he agrees with Council Member Little

that they are right on the cusp of seeing some big positive things in the community. He congratulated the Anniston High Schools Girls basketball team. He stated that Coach Bullock does not ask for the credit but he is a great leader.

Council Member Harris thanked everyone for coming tonight and asked everyone to keep Mayor Draper in their prayers.

Council Member Little made a motion to adjourn into executive session for the purpose of discussing with the City's attorney the legal ramifications of and legal options for controversies not yet being litigated but imminently likely to be litigated depending in the City's course of action. The motion was seconded by Council Member Little.

Bruce Downey, City Attorney, stated for the record that the discussion fits within this exception.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, and Harris; nay: none. The motion carried and the council adjourned into executive session at approximately 6:04 p.m.