

Anniston, Alabama

May 5, 2020

The City Council of the City of Anniston, Alabama, met in Regular Session in the Main Hall at the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, May 5, 2020, at approximately 5:33 o'clock p.m.

Shane Denham, Police Chief, prayed the Invocation.

Shane Denham, Police Chief, led the Pledge of Allegiance to the Flag.

Mayor Draper called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Reddick, Little, Harris, and Draper; absent: none. 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 virtually via FaceTime.

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the April 21, 2020 Regular Called meeting. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the April 21, 2020 Regular Meeting minutes were approved.

Council Member Harris made a motion to waive the reading of and approve the minutes of the April 28, 2020 Special Called meeting. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the April 28, 2020 Special Called Meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the addition of a motion accepting property from the developer in the Golden Springs Residential Development. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the amended agenda was adopted.

Council Member Little made a motion to authorize the Installation of speed humps on 5<sup>th</sup> Street between Leighton and Lapsley Avenue and at the stop sign leaving Indian Hills Apartment and the Installation of temporary speed humps at 21<sup>st</sup> and McDaniel Avenue and Parkwin Ave between 21<sup>st</sup> and 16<sup>th</sup> St. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Council Member Jenkins made a motion accepting property from the developer in the Golden Springs Residential Development. The motion was seconded by Council Member Harris.

Council Member Little asked if the city would be receiving a quick claim deed.

Mayor Draper stated that the city would receive a quick claim deed just for that portion.

Council Member Jenkins made a motion to amend the proposed motion to include the authorization of the City Manager or the Mayor to execute the documents necessary to accept the property. The motion was seconded by Mayor Draper and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the amendment was approved.

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

Mayor Draper introduced Resolution 20-R-19, A Resolution Appointing/Reappointing Member(s) to the Parks, Recreation and Beautification Board:

**RESOLUTION NUMBER 20-R-19**

**A RESOLUTION APPOINTING/REAPPOINTING MEMBER(S) TO THE PARKS,  
RECREATION AND BEAUTIFICATION BOARD**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Parks, Recreation and Beautification Board;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

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

Section 1. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Parks, Recreation and Beautification Board attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 5th day of May, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Harris made a motion for passage and adoption of Resolution 20-R-19. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 20-R-19 was passed and adopted.

Mayor Draper introduced Resolution 20-R-20, A Resolution appointing/Reappointing member(s) to the Historic Preservation Commission:

**RESOLUTION NUMBER 20-R-20**

**A RESOLUTION APPOINTING A MEMBER TO THE ANNISTON HISTORIC PRESERVATION COMMISSION**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Anniston Historic Preservation Commission;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

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

Section 1. The City Council of the City of Anniston does hereby appoint those persons identified in the Schedule of Nominations for the Anniston Historic Preservation Commission attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 5<sup>th</sup> day of May, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

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

Mayor Draper introduced Resolution 20-R-21, A Resolution to authorize a contribution to the Small Business Relief Fund administered by the Community Foundation of Northeast Alabama:

### **RESOLUTION 20-R-21**

#### **RESOLUTION TO AUTHORIZE FIELD OF INTEREST ENDOWMENT FUND AGREEMENT WITH COMMUNITY FOUNDATION OF NORTHEAST ALABAMA**

WHEREAS, the Community Foundation of Northeast Alabama (the "Foundation") is a not-for-profit Alabama trust and public charity located within Anniston, Alabama;

WHEREAS, the Foundation has established a Field of Interest Endowment Fund designated as the Small Business Relief Fund (the "Fund");

WHEREAS, the Foundation is committed to utilizing the Fund to further its charitable objective and mission, including the service and enhancement of the quality of life of the communities it serves;

WHEREAS, the Fund will further the Foundation's purpose and mission by supporting the community and citizens of the City of Anniston affected by qualified disasters, as defined in the guidelines of the Fund;

WHEREAS, the Council for the City of Anniston desires to enter into a public service agreement with the Foundation whereby the City will make an irrevocable transfer of money to the Fund in exchange for the Foundation utilizing the money to the public benefit of the community and citizens of the City of Anniston;

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

Section 1. The Council authorizes the Mayor to make and execute a Field of Interest Endowment Fund Agreement (the "Agreement") with the Foundation to provide for the City of Anniston's contribution to the Fund and the Foundation's use of the contribution for the service and enhancement of the quality of life of the community of the City of Anniston and support of those within the community affected by qualified disasters.

Section 2. The Council commits and authorizes a contribution to the Fund from the City's treasury in the amount of One Hundred Thousand Dollars (\$100,000.00). The Finance Director is authorized to pay said contribution to the Fund upon execution and delivery of the Agreement between the Foundation and the City of Anniston.

Section 3. The Council deems the City's appropriation to the Fund to be in furtherance of the public health, safety, morals, security, prosperity, contentment and general welfare of the community and citizens of the City of Anniston.

PASSED AND ADOPTED on this the 5<sup>th</sup> day of May, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin Little, Council Member

Millie Harris, Council Member

Mayor Draper noted that Jennifer Maddox appeared tonight and spoke with the council during the work session.

Council Member Reddick stated that they should do more because this is for Anniston tax payers.

Council Member Little stated that they will be coming back later on with a formative plan with more money but they need to get this out of the way.

Council Member Jenkins stated that he looks at this as a pilot program to define the best practice on how to proceed with this.

Mayor Draper made a motion for passage and adoption of Resolution 20-R-21. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 20-R-21 was passed and adopted.

Mayor Draper introduced Resolution 20-R-22, A Resolution to authorize the City Manager to execute the FAA Grant Offer issues by the FAA in response to the CARES Act Grant for the maintenance and operational expenses of the Anniston Regional Airport:

#### **RESOLUTION NO. 20-O-22**

#### **A RESOLUTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE FAA GRANT OFFER ISSUED BY THE FAA IN RESPONSE TO THE CARES ACT GRANT FOR THE MAINTENANCE AND OPERATIONAL EXPENSES OF THE ANNISTON REGIONAL AIRPORT**

WHEREAS, the City of Anniston executed the FAA provided CARES Grant Application for \$20,000 in federal funding for the Anniston Regional Airport; and

WHEREAS, the CARES Act Grant funds may be used for airport operating expenses that arise due to the COVID-19 public health emergency; and

WHEREAS, the City of Anniston may use these funds for any purpose for which airport revenues may be lawfully used. CARES grant recipients should follow the FAA's Policy and Procedures Concerning the Use of Airport Revenues ("Revenue Use Policy"), 64 Federal Register 7696 (64 FR 7696), as amended by 78 Federal Register 55330 (78 FR 55330). The Revenue Use Policy document defines permitted and prohibited uses of airport revenue. In addition to the detailed guidance in the Revenue Use Policy, the CARES Act makes clear that the funds may not be used for any purpose not related to the airport; and

WHEREAS, The CARES Act Airport Grants for operational expenses remain subject to audit, reporting, records retention, and other requirements under 2 CFR part 200 like other Federal grant funding. Some

laws outside of 49 U.S.C. chapter 471 also apply, such as 49 U.S.C. 40103(e), which prohibits the grant of an exclusive right to conduct any type of aeronautical activity at an airport, and Title VI of the Civil Rights Act, which prohibits discrimination on the basis of race, color, or national origin; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Anniston that the City Manager be and he is hereby authorized to execute the FAA CARES Act Grant Offer issued by the FAA in response to the aforementioned CARES Act Grant Application.

PASSED AND ADOPTED this the 5th day of May, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Mayor Draper made a motion for passage and adoption of Resolution 20-R-22. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 20-R-22 was passed and adopted.

Mayor Draper introduced and read Ordinance 20-R-5, An Ordinance amending Section 15.50 of the Code of Ordinances of the City of Anniston, Alabama Changing Speed Limit (1<sup>st</sup> Reading):

**ORDINANCE NO. 20-0-5**

**AN ORDINANCE AMENDING SECTION 15.50 OF THE CODE OF ORDINANCES OF THE CITY OF ANNISTON, ALABAMA CHANGING SPEED LIMIT**

WHEREAS, the City Council of the City of Anniston (the "Council") finds that the speed limit on Maple Street, from its intersection with Front Street to its intersection with Draper Avenue is due to be changed from thirty (30) miles per hour to fifteen (15) miles per hour;

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

Section 1. The City Council of the City of Anniston, Alabama hereby amends and restates

Section 15.50(a) of "The Code of the City of Anniston, Alabama, 1981" in its entirety to read as follows:

Sec. 15.50. – Speed limits generally. The following speed limits shall apply within the city:

(a) Fifteen (15) miles per hour:

(1) 4th Street, from its intersection with Mulberry Avenue West to Oak Street.

(2) 5th Street, from its intersection with Mulberry Avenue West to Oak Street.

(3) 11th Street, from its intersection with Johnson Drive east to its intersection with Elizabeth Street.

(4) Baltzell Gate Road, from a point 500 feet northwest of the traffic circle to, and around the traffic circle.

(5) Belair Road, from Millicent Street to Bray Road.

(6) Bray Road.

(7) Buckner Circle.

(8) Elizabeth Street from its intersection with 10th Street, north to a point 200 feet north of the north boundary line of East 11th Street.

(9) Foxley Road.

(10) Hormada Drive from its intersection with Henry Road northerly to its intersection with Lynn Road.

(11) Jarvis Street.

(12) Jimmy Parks Boulevard, from a point 500 feet north of the traffic circle to the traffic circle.

(13) Lamp Road (Dooley Road).

(14) Littlebrant Drive, from intersection with Millicent Street to Bray Road.

(15) Maple Street, from its intersection with Front Street to its intersection with Draper Avenue.

(16) McCall Drive, from its intersection with Johnston Drive to its intersection with Johnston Court.

(17) Millicent Street.

(18) Morton Road.

(19) Parkwin Avenue, from its intersection with 16th Street to 21st Street.

(20) Wirans Road.

Section 2. That 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.

There being no further business to come before the council at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Jenkins; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: The motion carried and the meeting was adjourned at approximately 5:50 o'clock p.m.