

5/1/2017

Anniston, Alabama  
May 1, 2017

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, May 1, 2017, at approximately 5:32 o'clock p.m.

Pastor Carlos Woodard, First United Presbyterian Church, prayed the Invocation.

Pastor Carlos Woodard, First United Presbyterian Church, led the Pledge of Allegiance to the Flag.

Mayor Draper asked Bruce Downey, City Attorney, to address the Council and the audience with respect to the State Law concerning the possession of firearms at City Hall.

Bruce Downey, City Attorney, stated it was a crime to carry a firearm in City hall when a Council Meeting was in session and he believed that would include Council Work Sessions. He stated at other times that a person could legally carry a firearm in City Hall if they could actually legally carry firearms.

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, and Draper; absent: Council Member Harris. A quorum was present and the meeting opened for the transaction of business.

Kent Davis, City Manager, was present.

Council Member Jenkins made a motion to waive the reading of the minutes of April 17, 2017. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, and Draper; nays: none; absent: Council Member Harris. The motion carried.

Council Member Jenkins made a motion to approve the minutes of April 17, 2017. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, and Draper; nays: none; absent: Council Member Harris. The motion carried.

Council Member Reddick made a motion to amend the agenda to remove items as follows from the Consent Agenda and to approve the agenda as amended:

(b) Resolution over-ruling objections to the abatement of identified nuisance. Group 2017-01 Vehicles.

(c) Resolution over-ruling objections to the abatement of identified nuisance. Group 2017-02 Grass & Debris.

(d) Resolution declaring a reported condition to be a public nuisance. Group 2017-02 Vehicles

(e) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale.

5/1/2017

(i) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for Fred's of Tennessee, Inc., d/b/a Fred's Store 1438 located at in the city limits 1544 Greenbrier Dear Road.

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

Mayor Draper read and presented the following proclamation to the Anniston High School Band:

(Anniston High School Band Day)

Mayor Draper read the following proclamation:

(National Historic Preservation Month)

Tonya Fantroy addressed the Council and stated she had asked before if Council Member Jenkins, his family or partner received funds from the City. She stated this was a criminal act. She stated that Council Member Jenkins had received \$17,119.00 according to City records which was illegal according to the Alabama State Code and Attorney General's Opinion.

Gregory Foster addressed the Council concerning a nuisance property at 2026 West 14<sup>th</sup> Street and stated he was doing the best he could to clean up the property and he needed more time.

Council Member Reddick stated this was one of his constituents he had been working with trying to get sidewalks installed along West 14<sup>th</sup> Street.

Anginette English, 2030 Cobb Avenue, addressed the Council and asked if a residence in downtown Anniston different than a residence in West Anniston.

Mayor Draper announced that was the time for the Board Confirmation Hearing for Lynn A. Freeman and her appointment to the Anniston Museum of Natural History Board.

Council Member Little stated he did not think it was necessary to have Board Confirmation Hearings and if a Council Member puts someone forth for a board he planned to support those nominations and he hoped that he would receive the same type of consideration for his board nominations.

Council Member Jenkins thanked Ms. Freeman for her willingness to serve.

Mayor Draper announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (vehicles) at the following locations: 3514 Dale Hollow, 1521 Mulberry Avenue, 213 West 20<sup>th</sup> Street, 1716 McKleroy Avenue, 2105 Clydesdale Avenue, 2930 Noble Street, 3010 McKleroy Avenue, 2131 Christine Avenue, 116 Baxter Street, 0 Pyle Avenue (67078) and 1532 Bacon Avenue; declared the hearing open and asked if anyone

5/1/2017

wished to address the Council concerning objections to the proposed abatement of identified nuisances (vehicles) at said locations.

Glen Ray, 3514 Dale Hollow Road, addressed the Council and stated the arrest of his son by the Anniston Police Department had placed a financial burden on him.

Ms. Rollins, 1521 Mulberry Avenue, addressed the Council and stated that only one vehicle at that address was her property and she asked for time to get the vehicle in operating condition. She stated the other two vehicles on that property were not hers.

Katie Young addressed the Council about the vehicle at 2105 Clydesdale Avenue and stated the vehicle had been pawned and was not in operating condition. She stated she did not have title to the vehicle.

Mayor Draper asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances (vehicles) at said locations.

No one else addressed the Council concerning objections to the proposed abatement of identified nuisances (vehicles) at said locations.

Mayor Draper declared the public hearing to hear objections to the proposed abatement of identified nuisances (vehicles) at the following locations: 3514 Dale Hollow, 1521 Mulberry Avenue, 213 West 20<sup>th</sup> Street, 1716 McKleroy Avenue, 2105 Clydesdale Avenue, 2930 Noble Street, 3010 McKleroy Avenue, 2131 Christine Avenue, 116 Baxter Street, 0 Pyle Avenue (67078) and 1532 Bacon Avenue; closed.

Mayor Draper announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (grass and debris) at the following locations: 1101 Brown Avenue, 1206 Altamont Road, 1422 West 14<sup>th</sup> Street, 0 Crawford Avenue (30748), 1328 Pine Avenue, 716 W. 16<sup>th</sup> Street, 2026 W. 14<sup>th</sup> Street, 906 Gurnee Avenue, 127 S. Spruce Avenue, 711 Blue Ridge Avenue and 1614 Gurnee Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances (grass and debris) at said locations.

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

Mayor Draper declared for the public hearing to hear objections to the proposed abatement of identified nuisances (grass and debris) at the following locations: 1101 Brown Avenue, 1206 Altamont Road, 1422 West 14<sup>th</sup> Street, 0 Crawford Avenue (30748), 1328 Pine Avenue, 716 W. 16<sup>th</sup> Street, 2026 W. 14<sup>th</sup> Street, 906 Gurnee Avenue, 127 S. Spruce Avenue, 711 Blue Ridge Avenue and 1614 Gurnee Avenue closed.

Council Member Reddick made a motion to approve the Consent Agenda.

5/1/2017

Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City. (17-R-36)

Resolution appointing a member to the Anniston Museum of Natural History Board. (17-R-37)

Resolution approving the City of Anniston's participation in the State of Alabama Sales Tax Holiday as authorized by Act No. 2017-120 for the year 2017. (17-R-38)

Resolution supporting the construction of a solar farm by Simon Solar at McClellan.(17-R-39)

Motion that the bid in the total amount of \$79,700.00 by E. Cornell Malone Corporation for the re-roofing of the Norwood Hodges Community Center be accepted.

Motion to appoint Council Member Millie Harris as the voting delegate for the Alabama League of Municipalities Business Meeting in Birmingham on May 22, 2017.

Motion to suspend the rule requiring the City Council to meet on the first Monday of July, 2017.

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, and Draper; nays: none; absent: Council Member Harris. The motion carried.

Kent Davis, City Manager, introduced and read Resolution Number 17-R-40 as follows:

(17-R-40, resolution over-ruling objections to the abatement of identified nuisances; Group 2017-01 Vehicles)

Mayor Draper made a motion for the passage and adoption of Resolution Number 17-R-40 as introduced and read. 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, and Draper; nays: none; absent: Council Member Harris. The motion carried and Resolution Number 17-R-40 was passed and adopted.

Kent Davis, City Manager, introduced and read Resolution Number 17-R-41 as follows:

(17-R-41, resolution over-ruling objections to the abatement of identified nuisances; Group 2017-02 Grass and Debris)

Mayor Draper made a motion for the passage and adoption of Resolution Number 17-R-41 as introduced and read. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, and Draper; nays: none; absent: Council Member Harris. The motion carried and Resolution Number 17-R-41 was passed and adopted.

Kent Davis, City Manager, introduced and read Resolution Number 17-R-42 as follows:

(17-R-42, a resolution declaring a reported condition to be a public nuisance; Group 2017-02 Vehicles)

Mayor Draper made a motion for the passage and adoption of Resolution Number 17-R-42 as introduced and read. The motion was seconded by Council Member Jenkins.

5/1/2017

Council Member Reddick asked why the brown Chevrolet pickup and the red Nissan Pulsar at 2323 McKleroy Avenue were on this list. He stated the Nissan Pulsar was a collector's item and the Chevrolet pickup was used by the owner. He stated he did not see the reason to bother some of these vehicles. He stated he was going to vote no on the whole list because some of the other vehicles might be in the same situation.

Kent Davis, City Manager, stated that Bea Vedovato, Code Enforcement, had the files on this nuisance group and she was not present at the meeting. He stated that this resolution was just declaring the conditions to be a nuisance and there would be a public hearing for this nuisance group before any abatement resolution came before the Council.

Council Member Little stated that the vehicles at 1003 South Leighton Avenue and 401 East 22<sup>nd</sup> Street had been taken care of.

On call of the roll on Mayor Draper's motion for the passage and adoption of Resolution Number 17-R-42 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins and Draper; nays: Council Members Reddick and Little; absent: Council Member Harris. The motion failed.

Kent Davis, City Manager, introduced and read Resolution Number 17-R-43 as follows:

(17-R-43, resolution declaring various vehicles surplus and authorizing their sale)

Mayor Draper made a motion for the passage and adoption of Resolution Number 17-R-43 as introduced and read. The motion was seconded by Council Member Jenkins.

Council Member Little asked where the proceeds of the sale of these vehicles would go.

Kent Davis stated the funds would go into the General Fund.

On call of the roll On Mayor Draper's motion for the passage and adoption of Resolution Number 17-R-43 as introduced and read and Council Member Jenkins' second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, and Draper; nays: none; absent: Council Member Harris. The motion carried and Resolution Number 17-R-43 was passed and adopted.

Mayor Draper made a motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for Fred's of Tennessee, Inc., d/b/a Fred's Store 1438 located in the city limits at 1544 Greenbrier Dear Road. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, and Draper; nays: none; abstentions: Council Member Little. absent: Council Member Harris. The motion carried.

Council Member Little thanked everyone for attending the meeting and stated everyone should come when they started their budget discussions. He stated he was not done with the acquisition of Stringfellow by RMC. He stated he was concerned that the ordinance passed creating the

5/1/2017

health care authority makes that board a private entity. He stated Ward 3 did not have anybody represented on that board. He stated he would be asking the people to resign representing Ward 3 who did not live in Ward 3. He stated that RMC belongs to the City of Anniston. He stated that elected officials were serving on this board and they have to answer to the public. He stated they needed a resolution to abolish the MDA and putting McClellan under the City of Anniston.

Council Member Reddick stated the City would be part of the National Day of Prayer on May 4<sup>th</sup>. He stated that the most significant thing that happened at this meeting was the recognition and proclamation for the Anniston High School Band. He stated the band needed to be covered by the Anniston Star.

Council Member Jenkins thanked Steven Folks, Parks and Recreation Department, for his work with the National Day of Prayer program. He thanked everyone for attending the meeting.

Mayor Draper thanked Main Street Anniston for their Maker's Market last Friday and stated they had done a great job. He commended the Farmer's Market for their second Saturday. He thanked his daughter, Harper, for attending the meeting.

There being no further business to come before the meeting at that time Council Member Jenkins 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, Little, and Draper; nays: none; absent: Council Member Harris. The motion carried and the meeting was adjourned at approximately 6:28 o'clock p.m.