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Anniston, Alabama

June 19, 2018

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, June 19, 2018, at approximately 5:31 o'clock p.m.

Steven Folks, Parks and Recreation Director, prayed the Invocation.

Steven Folks, Parks and Recreation Director, 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.

Jay Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of the minutes of June 4, 2018. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of June 4, 2018. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Council Member Reddick made a motion to approve the agenda. 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: none. The motion carried.

Anthony Chapman, 524 Allen Lane Alexandria, Alabama, felt he was unfairly treated after being stopped for a broken headlight.

Glen Ray, 3514 Dale Hollow Road, wanted to address the council on the Police Advisory Council.

Mayor Draper opened a Public Hearing to receive public comments regarding a Restaurant Retail Liquor application for Margaronas Cantina and Grill LLC d/b/a Margaronas Cantina and Grill located at 221 S Quintard Avenue within the corporate city limits.

No One Spoke during the Public Hearing to receive public comments regarding a Restaurant Retail Liquor application for Margaronas Cantina and Grill LLC d/b/a Margaronas Cantina and Grill located at 221 S Quintard Avenue within the corporate city limits.

Mayor Draper closed the Public Hearing to receive public comments regarding a Restaurant Retail Liquor application for Margaronas Cantina and Grill LLC d/b/a Margaronas Cantina and Grill located at 221 S Quintard Avenue within the corporate city limits.

Council Member Little made a motion to remove item (b) authorizing and directing the City Manager to execute a Professional Services Agreement with Network Media Consultants, Inc. from the table. The

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

Council Member Jenkins made a motion to approve the amended Consent Agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city (18-R-125)
- (b) Motion to suspend the rule requiring the City Council to meet on the third Monday of July 2018, and to schedule a City Council meeting for Tuesday, July 10, 2018, at 5:30p.m. in the City Council Chambers.

The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried.

Council Member Jenkins made a motion to read Ordinance 18-O-9, An Ordinance authorizing the issuance, execution, sale and delivery of \$3,000,000 principal amount General Obligation Warrant of the City of Anniston and the payment therefore, by title only. The motion was seconded by Council Member Harris.

Mayor Draper opened a public hearing to read Ordinance 18-O-9, An Ordinance authorizing the issuance, execution, sale and delivery of \$3,000,000 principal amount General Obligation Warrant of the City of Anniston and the payment therefore, by title only.

No One Spoke.

Mayor Draper closed the public hearing to read Ordinance 18-O-9, An Ordinance authorizing the issuance, execution, sale and delivery of \$3,000,000 principal amount General Obligation Warrant of the City of Anniston and the payment therefore, by title only.

And on call of the roll, the following vote was recorded for Ordinance 18-O-9 to be introduced and read by title only: ayes: Council Members Jenkins, Reddick, Little, and Harris; nays: none. The motion carried and Ordinance 18-O-9 will be introduced and read by title only (2nd Reading).

Jay Johnson, City Manager, introduced and read by title only, Ordinance 18-O-9, An Ordinance Authorizing the Issuance, Execution, Sale and Delivery of \$3,000,000 Principal Amount General Obligation Warrant of the City of Anniston and the Payment Thereof.

Council Member Jenkins made a motion for Passage and adoption of Ordinance 18-O-9, An Ordinance Authorizing the Issuance, Execution, Sale and Delivery of \$3,000,000 Principal Amount General Obligation Warrant of the City of Anniston and the Payment Thereof. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The motion carried and Ordinance 18-O-9, An Ordinance Authorizing the Issuance, Execution, Sale and Delivery of \$3,000,000 Principal Amount General Obligation Warrant of the City of Anniston and the Payment Thereof was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-126:

RESOLUTION NO. 18-R-126

A RESOLUTION TO AMEND THE FY2018 BUDGETS FOR THE GENERAL OPERATING FUND, MUSEUM OPERATIONS FUNDS, MUSEUM STORE FUND, FIRE TRAINING FUND, TWO INTERNAL SERVICE FUNDS, AND FIRE TAX FUND TO ADJUST FOR THE DIFFERENCES BETWEEN THE PREVIOUSLY ADOPTED BUDGETS AND PRESENTLY PROJECTED REVENUES AND EXPENDITURES IN THE BUDGETS OF THE VARIOUS FUNDS.

WHEREAS, the City Council of the City of Anniston adopted the FY2018 Annual Budget on September 5, 2017.

WHEREAS, the City Council of the City of Anniston has the power to change and amend the City's annual budget at the request of the City Manager;

NOW, THEREFORE, BE IT RESOLVED, the City Council of Anniston, Alabama in regular session assembled, do approve amendments to the following budgets in order to accurately reflect the differences between the budgeted revenues and expenditures and the presently projected revenues and expenditures for the various budgets based on actual income and expenditures as of March 31, 2018, with respect to each of the City's various departments and funds as set forth on the attached Exhibit "A".

Fund Name	Increase/(Decrease)in Budget
General Fund	\$509,400
Museum of Natural History	\$168,500
Berman Museum	(\$35,700)
Longleaf Botanical Gardens	\$21,500
Museum Store Revenues	(\$1,400)
Museum Store Expenses	\$14,600
Fire Training Fund	\$60,000
Health Insurance Fund	\$100,000
Workers' Comp Revenues	\$250,000
Workers' Comp Expenses	\$265,000
Fire Tax Revenues	(\$60,000)
Fire Tax Expenditures	\$90,900

PASSED AND ADOPTED this the 19th day of June, 2018.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor

By:/s/ Jay W. Jenkins, Council Member

By:/s/ David E. Reddick, Council Member

By:/s/ Benjamin L. Little, Council Member

By:/s/ Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption of Resolution 18-R-126. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 18-R-126 was passed and adopted.

Council Member Reddick made a motion to read by title only Resolution 18-R-127, A Resolution of the City Council of the City of Anniston to grant permission to Regional Medical Center to cease operating RMC Jacksonville and further to allow the Health Care Authority of the City of Anniston to gift the campus of RMC Jacksonville to Jacksonville State University; providing an effective date. The motion was seconded by Council Member Jenkins.

Mayor Draper opened a public hearing to read Resolution 18-R-127, A Resolution of the City Council of the City of Anniston to grant permission to Regional Medical Center to cease operating RMC Jacksonville

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and further to allow the Health Care Authority of the City of Anniston to gift the campus of RMC Jacksonville to Jacksonville State University; providing an effective date, by title only.

No one spoke.

Mayor Draper closed the public hearing to read Resolution 18-R-127, A Resolution of the City Council of the City of Anniston to grant permission to Regional Medical Center to cease operating RMC Jacksonville and further to allow the Health Care Authority of the City of Anniston to gift the campus of RMC Jacksonville to Jacksonville State University; providing an effective date, by title only.

Jay Johnson, City Manager, introduced and read Resolution 18-R-127, A Resolution of the City Council of the City of Anniston to grant permission to Regional Medical Center to cease operating RMC Jacksonville and further to allow the Health Care Authority of the City of Anniston to gift the campus of RMC Jacksonville to Jacksonville State University; providing an effective date, by title only.

RESOLUTION NO. 18-R-127

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANNISTON TO GRANT PERMISSION TO REGIONAL MEDICAL CENTER TO CEASE OPERATING RMC JACKSONVILLE AND FURTHER TO ALLOW THE HEALTH CARE AUTHORITY OF THE CITY OF ANNISTON TO GIFT THE CAMPUS OF RMC JACKSONVILLE TO JACKSONVILLE STATE UNIVERSITY; PROVIDING AN EFFECTIVE DATE

WHEREAS, the Council for the City of Anniston, Alabama ("Council") passed and adopted Ordinance No. 16-O-15, in accordance with the Code of Alabama, Section 22-21-341 (1975), et seq., authorizing the reincorporation of the Regional Medical Center Board as The Health Care Authority of the City of Anniston (referred to herein as the "Authority");

WHEREAS, pursuant to the Authority's Certificate of Reincorporation, recorded on September 8, 2016 in the Office of the Judge of Probate for Calhoun County, Alabama (Corp Book 90, Pages 800-873) and the agreement by and between the City of Anniston, Alabama and RMC dated September 6, 2016 and incorporated therein by reference (the "Agreement"), the Authority shall not transfer or abandon any health care facilities with a fair market value of more than \$5,000,000, unless expressly agreed to in advance by the City of Anniston;

WHEREAS, any such event of transfer or abandonment for which consent of the City is required, the Authority shall provide the City Mayor and the City Manager written notice of the proposed event, including the transfer proceeds, if applicable, and sufficient details as then available to the Authority or as reasonably requested by the City, at least sixty (60) days prior to the effective date of the proposed event;

WHEREAS, the Authority has notified the City of its desire and intent to (a) abandon the RMC Jacksonville Medical Center in Jacksonville, Alabama (the "Jacksonville Campus") and (b) transfer the Jacksonville Campus to Jacksonville State University for academic classrooms, student housing and related uses (the abandonment and transfer are referred to collectively as the "Proposed Events");

WHEREAS, the Authority and the Council acknowledge and agree that the fair market value of the Jacksonville Campus exceeds \$5,000,000 and, pursuant to the Agreement, the Proposed Events require the express, advance agreement of the City;

WHEREAS, the Authority represents to the City that the Proposed Events will enhance the Authority's financial stability and promote its delivery of health care services through its other existing health care facilities;

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WHEREAS, the Authority further represents to the City that the Proposed Events will not result in any Transfer Proceeds, as the term is defined in the Agreement;

WHEREAS, the Authority requests (a) the Council pass and adopt a resolution expressing its agreement to the Proposed Events, (b) the Council expedite the consideration and review of the Proposed Events, and (c) the Council waive the Authority's obligation to provide written notice at least 60 days prior to the effective dates of the Proposed Events;

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

Section 1. Findings. Subject to the Authority's agreement and adherence to the contingencies and covenants set forth in Section 3 of this Resolution, the Council finds and determines the following:

(a) The best interests of the City and its citizens, as well as the Authority and its patients, will be served by the Authority's abandonment of the Jacksonville Campus and the variety of inpatient, outpatient, practitioner provider and ancillary health care services and service lines provided on or through the Jacksonville Campus (the "Services");

(b) The best interests of the City and its citizens, as well as the Authority and its patients, will be served by the Authority's transfer of the Jacksonville Campus (including the real property, buildings located on such real property and specified equipment as more particularly described on Exhibit A hereto) to Jacksonville State University in order to allow the University to utilize the Jacksonville Campus for academic classrooms, student housing and related uses; and

(c) The best interests of the City and its citizens, as well as the Authority and its patients, will be served by the City's expedited consideration and review of the Proposed Events and the Council's limited, one-time waiver the Authority's obligation to provide written notice at least 60 days prior to the effective dates of the Proposed Events so as to allow the Authority to cease operating the Jacksonville Campus and the Services effective July 1, 2018.

Section 2. Consent, Authorization and Waiver. Subject to the Authority's agreement and adherence to the contingencies and covenants set forth in Section 3 of this Resolution, the Council does hereby provide, declare and authorize the following:

(a) The Council expressly consents to and does hereby authorize the Authority to abandon the Jacksonville Campus and those Services provided at the time of the vote of the Board of Directors for the Authority to cease operations and Services on or through the Jacksonville Campus (the "Discontinued Services");

(b) The Council expressly consents to and does hereby authorize the Authority to transfer the Jacksonville Campus by gift to Jacksonville State University in order to allow the University to utilize the Jacksonville Campus for academic classrooms, student housing and related uses; and

(c) The Council does, in this instance only, hereby waive the Authority's obligation to provide written notice at least 60 days prior to the effective dates of the Proposed Events, and the Council does expressly consent to and authorize the Authority to abandon the Jacksonville Campus and Discontinued Services effective July 1, 2018.

Section 3. Contingencies and Covenants of the Authority. The aforementioned consent, authority and waivers of the Council are provided subject to and strictly contingent upon the following:

(a) The Authority shall not reinstate the Discontinued Services at a facility or asset located outside the corporate limits of the City of Anniston without the express written consent of the City;

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(b) The Authority shall not transfer or relocate a licensed hospital bed presently located at the Jacksonville Campus to a facility or asset located outside the corporate limits of the City of Anniston without the express written consent of the City;

(c) In each case, the Authority shall obtain the City's express written consent in the same manner as required for a "Proposed Event" under the Agreement;

(d) The Authority shall acknowledge and stipulate that the City's waiver of the Authority's obligation to provide 60 days written notice to the City in advance of the effective date of the Proposed Events shall not be construed as a waiver of said obligation in any future or other instance for which consent of the City is required.

PASSED and ADOPTED on this the 19th day of June, 2018.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay Jenkins, Councilmember
By:/s/ David Reddick, Councilmember
By:/s/ Ben Little, Councilmember
By:/s/ Millie Harris, Councilmember

Council Member Reddick made a motion for unanimous consent for Resolution 18-R-127. 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: none. The motion carried.

Council Member Reddick made a motion for passage and adoption of Resolution 18-R-127, A Resolution of the City Council of the City of Anniston to grant permission to Regional Medical Center to cease operating RMC Jacksonville and further to allow the Health Care Authority of the City of Anniston to gift the campus of RMC Jacksonville to Jacksonville State University; providing an effective date. 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: none. The motion carried and Resolution 18-R-127 was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-128, A Resolution authorizing the submission of a Pre-application to the Economic Development Administration.

RESOLUTION NO. 18-R-128

AUTHORIZING THE SUBMISSION OF A PRE-APPLICATION TO THE ECONOMIC DEVELOPMENT

ADMINISTRATION

WHEREAS, the Economic Development Administration has the authority to award grant assistance under the Public Works and Economic Adjustment Assistance Program; and

WHEREAS, the City of Anniston in partnership with the McClellan Development Authority and the Anniston Water Works Board recognizes the need for grant assistance to construct a new water tank at McClellan to facilitate future development.

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

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1. That the submission of a Pre-Application under said program is authorized for a grant in the amount of \$ 1,659,000;
2. That the City of Anniston in partnership with Anniston Water Works Board and the McClellan Development Authority commits the 50% matching requirement or \$1,659,000.
3. That Cory Salley, as the Authorized Organization Representative (AOR) to submit grant applications through the on-line grant process is authorized to submit the Pre-Application; and
4. That the Mayor and/or City Manager are authorized to sign any and all documents to obtain said grant; and

PASSED AND ADOPTED this the 19th day of June, 2018

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor
By:/s/ Jay W. Jenkins, Council Member
By:/s/ David E. Reddick, Council Member
By:/s/ Benjamin L. Little, Council Member
By:/s/ Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption of Resolution 18-R-128, A Resolution authorizing the submission of a Pre-application to the Economic Development Administration. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 18-R-128 was passed and adopted.

Mayor Draper made a motion to Approve a Restaurant Retail Liquor application for Margaronas Cantina and Grill LLC d/b/a Margaronas Cantina and Grill located at 221 S Quintard Avenue within the corporate city limits. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris, and Draper; nays: none, abstentions: Council Member Little. The motion carried.

Mayor Draper made a motion to Approve the Proposed Capital Bond Projects. The motion was seconded by Council Member Harris.

Council Member Jenkins left the council chambers at 6:49 p.m. He returned at 6:51 p.m.

And on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried.

Mayor Draper made a motion to execute an Agreement of purchase and sale of Stream & Wetland Mitigation Credits. 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: none. The motion carried.

Council Member Little made a motion for passage and adoption of the greyhound snack bar lease. 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, Harris, and Draper; nays: none. The motion carried

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Council Member Little made a motion for passage and adoption of Resolution 18-R-119, A Resolution Authorizing and Directing the City Manager to Execute a Professional Services Agreement with Networks Media Consultants, Inc. The motion was seconded by Council Member Reddick.

Council Member Little made a motion to table Resolution 18-R-119 A Resolution Authorizing and Directing the City Manager to Execute a Professional Services Agreement with Networks Media Consultants, Inc. 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, Harris, and Draper; nays: none. The motion carried and Resolution 18-R-119 was tabled.

Council Member Little made a motion to authorize the City Manager to begin negotiations with Greyhound to formulate a contract for the selling of bus tickets. 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, Harris, and Draper; nays: none. The motion carried.

Council Member Jenkins had no comment.

Council Member Reddick had no comment.

Council Member Little had no comment.

Council Member Harris stated that we need to get the crime rate under control first. West Anniston and South Anniston does need attention.

Mayor Draper had no comment.

There being no further business to come before the meeting 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, Harris and Draper; nays: Council Member Little. The motion carried and the meeting was adjourned at approximately 6:52 o'clock p.m.