

Anniston, Alabama

July 9, 2019

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chambers in the City Hall of the City of Anniston, Alabama, on Tuesday, July 9, 2019, at approximately 5:30 o'clock p.m.

Dianne Smith, Missionary of the North America Mission Board, prayed the Invocation.

Dianne Smith, Missionary of the North America Mission Board, 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, Harris, and Draper, absent: Council Member Little. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, Interim City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Reddick made a motion to waive the reading of and approve the minutes of the June 18, 2019 regular 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.

Mayor Draper made a motion to approve the agenda with the addition of a Motion to award bids for demolition of nine (9) substandard structures to Emtek, Teague and Complete Demolition for a total amount of \$50,400.00. 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 the amended agenda was approved.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City (19-R-170)
- (b) Resolution declaring a reported condition to be a public nuisance. Group 2019-03 Grass/Debris/Vehicles (19-R-171)
- (c) Resolution directing installation of Fire Hydrant (between E 8<sup>th</sup> & E 7<sup>th</sup> St) (19-R-172)
- (d) Resolution directing installation of Fire Hydrant (E 8<sup>th</sup> & Tyler Ave) (19-R-173)
- (e) Motion to award bid for baling of hay at the Anniston Airport to Jim Hill in the amount of \$1.00 per bale of hay
- (f) Motion to award bids for demolition of nine (9) substandard structures to Emtek, Teague and Complete Demolition for a total amount of \$50,400.00

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: none; abstentions: Council Member Little. The motion carried and the consent agenda was approved.

Council Member Little made a motion for passage and adoption of a Resolution to request an Advisory Opinion from the Office of the Attorney General regarding the lease of real property from Consolidated Publishing Company, Inc. The motion was seconded by Council Member Reddick.

Council Member Little stated that the City of Anniston is the major contributor to the Anniston Star; and that is a conflict to move into that building when they are not reporting objectively in regards to the council.

Mayor Draper stated that he does not see what would be illegal for the city to move into that building on temporary bases; and that he cannot vote to find that there is a question of law. In addition, nothing would prohibit Council Member Little with filing something with the Ethics Commission; and noted that the City will be moving into this building at the end of the month.

Council Member Reddick stated that he was in support on the move based off the options the Council received; and that the council should get an Attorney General's opinion to have their bases covered.

Council Member Little stated that something has been filed because the council and the previous City manager, Jay Johnson, violated the bid law when they rebid for the remodel of the Temporary City Hall location. He stated that he read what the State of Alabama they did not follow the procedures and policies; and that they rejected a bid on May 28, 2019 and voted on June 4 to give the bid to someone else. He stated that it is a class c felony for breaking the bid law.

Mayor Draper stated that the bid law was followed and that it is different in regards to municipalities and when only one person submits a bid.

Council Member Reddick stated that this ordinance was supposed to be on the agenda months ago but did not because of the previous City Manager and that is why it is coming up so late.

Council Member Harris stated that if after they received the Attorney General's opinion and he does find an issue with moving into that building are we going to move out months later after going through all this trouble and the city hall being torn down.

And on call of the roll the following vote was recorded: ayes: Council Member Reddick, Little; nays: Council Member Harris and Draper; abstentions: Council Member Jenkins. The proposed resolution failed.

Bruce Downey, City Attorney, introduced Ordinance 19-O-8, An Ordinance amending the Fiber Optic Facilities Franchise Agreement by the City of Anniston, Alabama and M2 Connections, a Division of JKM Consulting, Inc., and its successor in interest, Southern Light, LLC. (1<sup>st</sup> Reading)

Mayor Draper made a motion to read Ordinance 19-O-8 by title only. The motion was seconded by Council Member Jenkins.

Mayor Draper opened a public hearing to receive public comment on reading Ordinance 19-O-8 by title only. No One Spoke. Mayor Draper closed the public hearing to receive public comment on reading Ordinance 19-O-8 by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper. The motion passed and Ordinance 19-O-8 will be read by title only.

Bruce Downey, City Attorney, introduced Ordinance 19-O-9 An Ordinance declaring surplus Real Property (1<sup>st</sup> Reading)

Mayor Draper made a motion to read Ordinance 19-O-9 by title only. The motion was seconded by Council Member Jenkins.

Mayor Draper opened a public hearing to receive public comment on reading Ordinance 19-O-9 by title only. No One Spoke. Mayor Draper closed the public hearing to receive public comment on reading Ordinance 19-O-9 by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper. The motion passed and Ordinance 19-O-9 will be read by title only.

Glen Ray, 3514 Dale Hollow Road, addressed the council on a meeting he attended with the Housing Authority. He stated that the Cooper Home Site had toxic lead and multiple generations were affected.

Richard Jackson, 2317 Noble Street, addressed the council and seconded the things Mr. Ray had said. He stated that he attended a council meeting, he saw how emotional some were about dogs but there are homeless people that need somewhere to live, and that they should stop wasting money on things they do not need.

Towanda Thornton, 1101 Summit, addressed the council on the pavement of the street and how they did a patch job.

Tatianna addressed the council on the damage to the children from the lead at Cooper Homes.

Nashonda Carter, 1906 Moore Ave, addressed the council on the Voice of the People Annual Pool Party this Saturday at Washington Swim Center from 10-5.

Demetri Roberts, 1806 W 16<sup>th</sup> Street, addressed the council on Something to Do Sunday from 3-5pm and they will be having a back to school rally next month at Zinn Park.

Council Member Harris wanted to welcome everyone for coming and asked when the contamination originated? And that she was sorry for what has happened in their community.

Council Member Little stated that Mr. McMahan said at a meeting that he knew Cooper Homes was contaminated before they tore it down and that he was sent to commit community genocide. He stated that if only one person knows of the bid of course there will be only one bid submitted.

Council Member Reddick stated that it is a good sight, seeing everyone coming out and that they should stay involved and speak up for themselves. He stated that them coming out does make a difference and what they say does matter.

Council Member Jenkins thanked everyone for coming out; and thanked Mr. Folks for what he has done in the short time he has served and staff for the efforts in moving.

Mayor Draper stated that the bid law was absolutely followed with respect to the temporary city hall location; and thanked everyone for coming out and that the city needs affordable, safe, healthy housing. He thanked Mr. Folks and City Staff for what they are doing.

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 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 the meeting was adjourned at approximately 6:18 o'clock p.m.