

Anniston, Alabama

July 18, 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, August 18, 2020, at approximately 5:44 o'clock p.m.

David Reddick, Council Member, prayed the Invocation.

David Reddick, Council Member, 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 Little made a motion to waive the reading of and approve the minutes of the August 4, 2020 Regular Called meeting. 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 August 4, 2020 Regular Meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda 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 agenda was adopted.

Mayor Draper read a Proclamation Honoring Mrs. Melon Virginia Stewart for her 100<sup>th</sup> Birthday.

Steve Stewart, Mrs. Stewart's son, stated that they will have a parade Saturday August 22, 2020, starting at Washington Park until they get to Mrs. Stewarts house on South Allen. He wanted to thank the council on behalf of his mother for recognizing her.

Mayor Draper opened a public hearing to receive public comments regarding the 2020 Byrne Justice Assistance Grant (JAG) Program. No one spoke. Mayor Draper closed the public hearing to receive public comments regarding the 2020 Byrne Justice Assistance Grant (JAG) Program.

Julie Borrelli, Finance Director, presented the City Manager's Budget.

Council Member Little made a motion to place on the floor a motion to pull all City funds from BB&T and move to another financial institution. The motion was seconded by Council Member Reddick on call of the roll the following vote was recorded: ayes: Council Member Reddick and Little; nays: Council Member Jenkins and Harris; abstentions: Mayor Draper; The motion failed.

Council Member Jenkins stated when they talked about this before and put it on the table, the council was going to come back with a plan as to what they would do with the money and where it was going to go but he has not seen a single thing since then. He stated just pulling money out a bank is not enough context for him to be able to act on that.

Council Member Little stated that the plan was to pull it from the table and amend the motion to authorize the Finance director to go ahead and start checking with the banks to see what banks are able to do that.

Council Member Jenkins asked why would they need to amend the motion and not just go ahead and put together a plan for how this would be accomplished.

Council Member Reddick stated that he would like to see in writing what monies are in those accounts.

Council Member Little stated that they should accommodate some of those small banks with some of the city funds, those banks that are reinvesting into the community and doing good public service.

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

- (a) Resolution authorizing reimbursements to City Officials for expenses incurred while traveling away from the City
- (b) Resolution appointing member(s) to the Public Building Authority
- (c) Resolution appointing member(s) to the Anniston-Calhoun County Library
- (d) Resolution appointing member(s) to the Anniston Museum of Natural History Board
- (e) Resolution authorizing the City Manager to execute a Lease Agreement

The motion was seconded by Council Member Harris.

Council Member Little asked what agreement was item e under the consent agenda.

Steven Folks, City Manager, stated that the agreement was for the incinerator.

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 consent agenda was adopted.

Council Member Reddick made a motion to authorize the city manager to issue a request for proposal for the purpose of conducting a Forensic Audit. The motion was seconded by Council Member Little.

Council Member Reddick stated that the council should do an investigation, and a forensic audit will show if there is any illegality in the city and it will expose that. He stated that Anniston is not an efficiently operating city; and whenever you see cities or organizations operating inefficiently it is because there is an opportunity for corruption. He stated that a forensic audit will be good for department heads and the council.

Council Member Harris stated that she does not recall asking for any investigation. She stated that the city has always had clean audits. She stated that a forensic audit would cost a million dollars and she has no evidence of wrong doing. She asked Council Member Reddick to be more specific about her requesting an investigation because she has no recollection what so ever of making that statement.

Council Member Reddick asked if she remembered when a member of the council brought up that \$26,000.00 went to renovate her husband's building. He stated that they brought it up and she stated that she wanted to be investigated.

Council Member Harris stated that it was old old news and that happened in 2013 and there was no wrong doing what so ever. She stated that it was done by an independent authority, not by the City of Anniston. She stated that she said “meet me at the district attorney’s office.” She stated that he can report her to the Ethics Commission, if he thinks any wrong doing happened.

Council Member Reddick stated that she admitted to taking the money, and Council Member Little almost went to jail for twenty years for not putting air in his tire.

Council Member Harris stated that she did not take twenty-something thousand dollars, her husband and his partner, Jack Wallock, did \$250,000.00 in renovations to a building downtown. She stated that there was a grant, where everyone had to prove that they spent the money. She stated the money was spent and they were reimbursed for the redevelopment of downtown for \$26,000.00, and this is old news. She stated that everything was legal that happened.

Council Member Little stated that it was said he was over on his travel and he did not see that appear in a clean audit report. He stated that a work session was held an hour early and it was not a discussion item but came up and this council passed a resolution illegally censoring him and Council Member Reddick. He stated that the law says no member of the city council or family members can receive public funds directly or indirectly. He stated that Council Member Harris was on the council when her husband and his business partners received some funding. He stated that the district attorney set on it and let the time run and he has the documentation where an investigation took place.

Mayor Draper stated that even if they were to commission such an audit it would take months and would not be completed until the new council took office. He stated that he does not see the point at this stage in the game.

Council Member Reddick stated that he thinks it should be done after every council, every four years. He stated that since departments heads will still be here, they should make sure things are done efficiently and legally.

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

Mayor Draper introduced an ordinance adopting article VII of the code of ordinances governing traffic control devices (2nd reading).

Council Member Little made a motion to read the ordinance by title only. The motion was seconded by Council Member Jenkins.

Mayor Draper opened a public hearing to receive public comment on reading the ordinance by title only. No one spoke. Mayor Draper closed the public hearing.

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 read the ordinance by title only.

Council Member Little made a motion for passage and adoption. 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 ordinance was passed and adopted.

Mayor Draper introduced an ordinance amending Section 15.50 of the Code of Ordinances of the City of Anniston, Alabama changing speed limits (1st Reading) (.

Council Member Jenkins made a motion to read the ordinance by title only. The motion was seconded by Council Member Reddick.

Mayor Draper opened a public hearing to receive public comment on reading the ordinance by title only. No one spoke. Mayor Draper closed the public hearing.

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 ordinance will be read by title only.

Mayor Draper read the ordinance by title only.

Council Member Jenkins made a motion for unanimous consent for immediate consideration of the ordinance. 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 for immediate consideration of the ordinance.

Council Member Harris made a motion for passage and adoption. The motion was seconded by Council Member Jenkins.

Council Member Little stated that the council passed a resolution at the last council meeting that they acted on that ordinance, which is of a permanent nature, without going through this process with asking for unanimous consent for immediate consideration at that time. He stated that certain times they can remember the law and sometimes they forget.

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 ordinance was passed and adopted.

Mayor Draper introduced a Resolution declaring a reported condition to be a public nuisance Group 2020-04 Grass/Debris/Vehicles.

Mayor Draper stated that 29 South Walnut and 5604 Woodgate have been taken care of and removed administratively.

Council Member Jenkins made a motion for passage and adoption of a resolution declaring a reported condition to be a public nuisance Group 2020-04 Grass/Debris/ Vehicles. The motion was seconded by Council Member Harris.

Council Member Little stated that they have to make sure that they are following procedure. He stated that a young man present at the meeting had the Anniston Police Department arrest him out of his house and the council passed this thing to declare it a nuisance but they cannot evict someone from their house unless the city is providing a place for that individual to go. He stated that the council should be apprised if someone is living in a particular house and that should not happen.

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

There being no further business to come before the council at the 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 Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 6:39 p.m.