

Anniston, Alabama

May 1, 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 Tuesday, May 1, 2018, at approximately 5:31 o'clock p.m.

Jay Jenkins, Council Member, prayed the Invocation.

Jay Jenkins, Council Member, led the Pledge of Allegiance to the Flag.

Millie Harris, Vice- Mayor, called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Jenkins, Reddick, Little, Harris; absent: Mayor Draper; 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 Jenkins made a motion to waive the reading of the minutes of April 17, 2018. 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, Harris; absent: Mayor Draper; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of April 17, 2018. 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, Harris; absent: Mayor Draper; nays: none. The motion carried.

Council Member Jenkins made a motion to adopt the agenda. 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, Harris; absent: Mayor Draper; nays: none. The motion carried.

Jay Jenkins, City Manager, read a Proclamation for Historic Preservation Month. National Historic Preservation Month has been observed every May since 1973. It has been an effective tool for economic development, tourism and promotion, neighborhood revitalization, fostering local pride, maintaining overall community character, and enhancing livability. "This Place Matter's" is designated the theme of Historic Preservation Month 2018. The City Council of the City of Anniston Alabama, proclaim May 2018 as National Historic Preservation Month.

Rosetta Thompson, 551 Lake McClellan Blvd., received tickets for improper lane change, no proof of insurance, and something else. She was jailed twice for falsified information. Feels she should not have to pay for a ticket for false information.

Linda Mollock, 411 West 29th St, 5 officers were in her house for a burglary in process but it was not and they illegal searched her house and arrested her son.

Glen Ray, 3514 Dale Hollow Road, we are going to have a problem in this city. You cannot manifest a ticket for something that was not given.

Millie Harris, Vice Mayor, opened a Public Hearing to receive public comments regarding a Lounge Retail Liquor –Class I application for the JMS LLC d/b/a Wet Whistle located at 1001 Noble Street within the city limits.

Ann Crossley is a silent partner helping young women in business get established. Started this process but were told they would not get the liquor license because of the zoning ordinance. She wants to open a lounge and serve food.

Mille Harris, Vice Mayor, closed The public hearing to receive public comments regarding a Lounge Retail Liquor –Class I application for the JMS LLC d/b/a Wet Whistle located at 1001 Noble Street within the city limits.

Council Member Reddick made a motion to recess until next Tuesday, May 8, 2018 at 5:30 p.m. 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; absent: Mayor Draper; nays: none. The motion carried. The meeting was recessed until May 8, 2018 at 5:30 p.m.

Mayor Draper made a motion to reconvene the meeting that was recessed on May 1, 2018. 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.

Pastor Byron Jackson, Greater Thankful Missionary Baptist Church, and Pastor Dale Clem, Anniston First United Methodist Church led the invocation with the Call to Repentance, inspired by the Freedom Riders Ride Event held by World Church:

(Psalms 130:4) “For there is forgiveness with thee, that thou mayest be feared”. Father God we know your word tells us, “There is forgiveness with thee,” and today we are here with humble hearts and contrite spirits asking you for mercy and forgiveness. Lord, we are sorry for all the violent acts, unrighteous oppression, and bigotry that have occurred in the history of our community. Today we repent before you and each other knowing that righteousness can and will exalt a nation and a community. Lord, it has been You alone in your grace and goodness that has brought us to this time and as we repent today we are asking for joy in exchange of sorrow, righteous acts and behaviors in exchange for all wrongs done, and most of all your holy love in exchange for all hate, division, and hurt. Amen.

Pastor Byron Jackson, Greater Thankful Missionary Baptist Church, and Pastor Dale Clem, Anniston First United Methodist Church, led the Pledge of Allegiance.

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. A quorum was present and the meeting opened for the transaction of business.

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 (18-R-110)
- (b) Motion to approve a sponsorship to Coldwater Mountain Fat Tire Fest in the amount of \$2,500.00

(c) Motion to approve paving the city right-of-way at 207 South Noble Street in the amount not to exceed \$10,350.00.

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.

Mayor Draper made a motion to read Ordinance 18-O-7, to amend and restate Chapter 31, Article III, Sections 31.40 through 31.48 of the City of the Code of the City of Anniston, Alabama regulating ambulance service by title only. The motion was seconded by Council Member Reddick;

Mayor Draper opened a public hearing to read Ordinance 18-O-7, to amend and restate Chapter 31, Article III, Sections 31.40 through 31.48 of the City of the Code of the City of Anniston, Alabama regulating ambulance service, by title only. No one spoke. Mayor Draper closed the public hearing. On call of the roll, the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Jay Johnson, City Manager, read and introduced Ordinance 18-O-7, by title only. (1st reading):

ORDINANCE NO. 18-O-7

AN ORDINANCE TO AMEND AND RESTATE CHAPTER 31, ARTICLE III, SECTIONS 31.40 THROUGH 31.48 OF THE CITY CODE OF THE CITY OF ANNISTON, ALABAMA REGULATING AMBULANCE SERVICE

WHEREAS, the City Council of the City of Anniston, Alabama finds that it is in the best interest of the City of Anniston and its citizens to repeal and replace Article III of Chapter 31 of the Code of the City of Anniston, Alabama to update the city's regulation of ambulance service to reflect current terminology, needs, and circumstances and to provide for enhanced enforcement mechanisms;

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 Chapter 31, Article III, Sections 31.40 through 31.48 of "The Code of The City of Anniston, Alabama, 1981" to read in its entirety as follows:

ARTICLE III. - AMBULANCE SERVICE

Sec. 31.40. - Definitions.

(a) The following words when used in this article shall have the meanings ascribed to them in this section, except where the context clearly indicates to them in this section a different meaning. When not inconsistent with the context, words in the singular number include the plural number, and the masculine shall include the feminine and neuter.

(1) Advanced life support (ALS). The treatment of potentially life-threatening medical emergencies through the use of invasive medical techniques which ordinarily would be performed or provided by physicians, but which may be performed by advanced level emergency medical technicians (EMTs).

(2) Ambulance. A motor vehicle licensed by the Alabama State Board of Health and meeting all requirements of section 22-18-1, et seq., Code of Alabama, 1975, as amended, and specifically designed for, equipped or used as an emergency vehicle for the purpose of transporting persons who are

wounded, injured, ill or sick, and shall include, but is not limited to, emergency vehicles used for such purposes.

(3) Ambulance call. The act of calling for an ambulance through mechanical or other means for the purpose of transporting any patient to or from a medical care facility.

a. Emergency call. An ambulance call for service in which it is believed that the illness, injury or disability requires immediate medical services wherein delay of the receipt of such services may endanger personal health or safety.

b. Nonemergency call. An ambulance call for transportation to or from a medical facility or medical provider that does not involve the need for immediate medical services.

(4) Ambulance driver. Any person who successfully completes an emergency vehicle operations course or its equivalent and has been granted any and all applicable current, valid licenses by the state board of health, the state department of motor vehicles or any other state or federal regulatory agencies. An ambulance driver shall also be minimally licensed by the state board of health as an emergency medical responder.

(5) Ambulance service operator. Any individual, partnership, corporation or other legal or business entity operating ambulances for hire within the city. Each service must be an independent entity from any and all other existing services operating within the city and must have distinct and separate employees, bank accounts, and vehicles from any and all existing services.

(6) Basic life support (BLS). A level of pre-hospital care involving noninvasive life support measures.

(7) City. All areas within the corporate limits and police jurisdiction in Anniston, Alabama.

(8) City council. The elected governing body of the city.

(9) East Alabama EMS. The regional EMS agency designated by the state board of health to serve as a resource agency for EMS providers and any other EMS related organizations in the eastern portion of the state.

(10) Emergency medical services (EMS). A system of coordinated pre-hospital emergency aid and medical assistance from primary response to definitive care, involving personnel trained in the rescue, stabilization, transportation, and treatment of sick or injured persons.

(11) EMS ambulance service operator. An ambulance service operator that has been granted all licenses and permits required by this article to provide emergency medical services and emergency transports within the corporate limits of the city.

(12) Emergency medical technician (EMT). Any person eighteen (18) years of age or older who has successfully completed the applicable emergency medical technician course of instruction and has been granted a current, valid license by the state board of health, including the following:

a. EMR. Any person eighteen (18) years or older who has successfully completed the emergency medical responder course of instruction, or its equivalent, as approved by the board or its designee, who has passed the state approved EMSP certification exam, and who has been granted a current, valid EMSP license by the state board of health.

b. EMT. Any person eighteen (18) years of age or older who has successfully completed the emergency medical technician course of instruction and been granted a current, valid license by the state board of health. Such persons are generally authorized by the state to provide noninvasive prehospital care.

c. Advanced EMT. Any person eighteen (18) years of age or older who has successfully completed the advanced emergency medical technician course of instruction and has been granted a current, valid license by the state board of health. Such persons are generally authorized by the state to provide invasive prehospital care such as starting intravenous fluids, placement of an advanced airway or other such similar procedures.

d. Intermediate EMT. Any person eighteen (18) years of age or older who has successfully completed the intermediate emergency medical technician course of instruction and been granted a current, valid license by the state board of health. Such persons are generally authorized by the state to provide invasive prehospital care such as starting intravenous fluids, monitoring cardiac rhythms, performing defibrillation and intubation or other such similar procedures.

e. Paramedic. Any person eighteen (18) years of age or older who has successfully completed the paramedic course of instruction and been granted a current valid license by the state board of health. Such persons are generally authorized by the state to provide invasive prehospital care such as starting intravenous fluids, monitoring cardiac rhythms, performing defibrillation and intubation, administering pharmacological interventions or other such similar procedures.

(13) Emergency transport. The transportation of a patient by an ambulance service operator in response to an ambulance call in which it is believed that the illness, injury or disability requires immediate medical services wherein delay of the receipt of such services may endanger personal health or safety. Responses to such calls shall be made with the use of all warning devices and lights as deemed necessary by the senior EMT/Paramedic for optional patient care.

(14) Hospital. A facility licensed as a hospital by the state board of health and located within the corporate limits of the City of Anniston.

(15) Nonemergency transport. The transportation of a patient by an ambulance service operator to or from a medical facility or provider that does not involve the need for immediate medical services. Such transports shall not use or require the use of emergency warning devices. Such calls include, but are not limited to inter-hospital transfers, discharges to home, visits to physician offices and the transport of deceased patients.

(16) Patient. An individual who is wounded, injured, ill or sick, otherwise incapacitated, helpless or unable to transport themselves to receive medical treatment or individuals who call or request the services of an ambulance service.

(17) State board of health. That body created by Section 22-2-1, et seq., Code of Alabama, 1975, as amended, otherwise known as the Alabama State Board of Health or the Alabama

Department of Public Health.

Sec. 31.41. - Permits required for EMS ambulance service operators.

(a) EMS Ambulance service operator; permit. No person, either as owner, agent or otherwise, shall furnish, operate, conduct, maintain or otherwise be engaged in or profess to be engaged in the business of providing emergency medical services upon the streets, public ways or other places in the city, unless such person holds a valid permit issued pursuant to this article. Application for an EMS ambulance service operator permit shall be verified by oath of the applicant and shall be submitted to the revenue department along with a certificate of need, proof of insurance and a fee of \$1000.00; provided however, this initial application fee shall not be required of an ambulance service operator currently holding a valid certificate of need issued by the CQI. The application shall supply the following information:

(1) Name and home address of the applicant(s).

(2) Name and home address of the owner of the ambulance service operator.

(3) The location and description of the place or places from which the business intends to operate.

(4) The trade name, corporate name and other business name or designation, if any under which applicant does business and proposes to do business.

(5) The training and experience of the applicant and any employees of the applicant in the transportation and care of patients.

(6) A description of each ambulance including make, model, year of manufacture, motor and chassis number, current state license number, length of time the ambulance has been in use, current odometer reading on the ambulance, and the color scheme, insignia, name, monogram or other distinguishing characteristics to be used to designate the applicant's ambulance.

(7) The location and description of the ambulances owned or operated by the applicant.

(8) The driver's license number for each EMS personnel employed, the date first licensed, the date and duration of any period when the license was suspended or revoked or canceled, and the expiration date of the license.

(9) The state license number for ambulance service operators and for each EMR, EMT, Intermediate EMT, Advanced EMT and Paramedic, the date first licensed, and the expiration date of the license.

(10) Such other information as the director of the revenue department shall find reasonably necessary to effectuate the purpose of this article.

(b) Standards for issuance of operator permit. The director of the revenue department shall authorize and direct the issuance of an operator's permit to the applicant if the director finds:

(1) Satisfactory evidence of insurance, the payment of all applicable fees, and a certificate of need issued by the continuous quality improvement committee established in section 31.44 of this article;

(2) The requirements of this article as well as any other applicable governing laws have been met.

(c) Ambulance permit. No ambulance shall be operated for ambulance purposes, and no individual shall drive, attend or permit to be operated a vehicle for such purposes on the streets, public ways or other places in the city, unless such ambulance shall be under the immediate supervision and direction of an individual who holds a valid state license as a EMR, EMT, Intermediate EMT, Advanced EMT or

Paramedic. No ambulance permit shall be issued without an approved inspection certificate as specified in subsection (i)(2) of this section.

(d) Transferability. With the exception of subsection (1), in the event of any change or transfer of ownership of an ambulance for which any type of permit has been granted under this article, an application for a new permit from the transferee or owner is required. Such application shall be governed by the rules and regulations stated herein for original applications.

(1) No EMS ambulance service operator shall be operated under any name other than that set forth in the permit granted herein unless such permit shall have been transferred with permission of the city council in which event it shall operate in the name of the transferee of such permit.

(2) A transfer of a permit from an ambulance being taken permanently out of service to a new ambulance coming into service shall not be permitted until after the inspection and approval of the new ambulance by the fire chief or the chief's designee and the filing of a proof of insurance evidencing insurance coverage for the new ambulance.

(e) Investigation. Each application for a permit pursuant to this article shall be immediately referred to the chief of police for the city for investigation and report. The chief of police or his designee shall investigate the facts as set out in the application and shall run appropriate background checks for verification to ensure the veracity of the answers provided in the applications.

(f) Emergency exception. In case of a major catastrophe or emergency, no permit shall be required for an ambulance service operator, attendant or driver of an ambulance rendering assistance during such emergency from any ambulance service operator not permitted to operate within the city.

(g) Cumulative effect. The requirements for a permit under this article shall be in addition to the requirements of a business privilege license. No person or entity shall be issued a business license to operate an EMS ambulance service in the city unless such person or entity has a valid EMS ambulance service operator permit issued pursuant to this article.

(h) Excluded services. The provisions and requirements of this article shall not apply to:

(1) Ambulances operated by a federal agency of the United States and ambulance drivers, EMTs or paramedics staffing such ambulances;

(2) Ambulances operated by a private business or industry utilized exclusively for employees of such business or industry free of charge; and

(3) Ambulances which are rendering emergency assistance to other licensed ambulance services in the event of emergency.

(i) Renewals. All permits issued pursuant to this article shall be subject to annual renewal. A renewal application shall be submitted by each person or entity receiving a permit. Said application shall verify the information contained in the initial application and shall apprise the city of any changes in the facts or circumstances of the service, its equipment, personnel, insurance information and vehicles. Applications for calendar year 1996 permits must be submitted to the revenue department by July 18, 1996. Renewal applications for these permits must be submitted with the required fees by each December 31, thereafter.

(1) Ambulance service operator permit. Ambulance services operating pursuant to this article shall annually reapply for the issuance of a valid permit to the city department of revenue. The fee for said reapplication shall be twenty-five dollars (\$25.00) per ambulance being operated by the ambulance service operator.

(2) Ambulance certification. Each ambulance operated by an EMS ambulance service operator shall reapply for the issuance of a valid permit for said vehicle. Said reapplication shall occur prior to the issuance of a business license by the city. The fee for said reapplication and inspection shall be fifteen dollars (\$15.00).

Sec. 31.42. - Insurance.

Each vehicle used as an ambulance pursuant to this article shall be insured by a policy of comprehensive public liability insurance. Said insurance shall be in amounts consistent with the minimum state requirements for the liability insurance of such emergency vehicles. Proof of such insurance policies, and all renewals thereof, shall be furnished to the city clerk at the time that an application for a permit is submitted as well as at the time of any subsequent renewal applications.

Sec. 31.43. - Coordinating agency.

(a) Coordinating agency. The Anniston Fire Department shall be the designated emergency medical service coordinating agency and will be responsible for scene control of any and all ambulance service operators responding to an emergency call for emergency medical services. Emergency calls for emergency medical services which enter the county 911 dispatch office will be routed to the fire department and then to the appropriate EMS ambulance service operator. The fire department is committed to providing basic life support service to the citizens of Anniston. The fire department shall respond to calls based on a call criteria which is developed by the fire chief and on the availability of units. In the event that the fire department cannot respond to a call the department will ensure that the appropriate ambulance service operator has received the call and is responding.

(b) Scene command. The fire department shall implement the incident command system whereby the highest ranking officer or personnel of the fire department shall, upon arrival, assume command of all emergency scenes with the exception of police functions or unless a higher ranking authority has jurisdiction at the emergency scene or unless the department relinquishes such authority to another agency or organization. The highest ranking available EMT on the scene shall, upon arrival, assume responsibility for patient care whether they are an employee of the fire department or private ambulance service operator.

(c) Call notification. Upon receiving notification of an emergency call, the county 911 service will notify the fire department and the fire department shall respond based on their call criteria and whether or not they have an available unit. After notifying the fire department, county 911 will then call the EMS ambulance service operator(s) predesignated by the city. Telephone operators for EMS ambulance service operators receiving emergency calls from 911 should be certified in emergency medical dispatch.

Sec. 31.44. - Regulatory body.

(a) The entity which shall regulate EMS ambulance service operators within the city shall be called the "emergency medical services continuous quality improvement committee (CQI)."

(b) The CQI shall be comprised of five (5) members as follows: one (1) representative from East Alabama EMS; one (1) physician from the emergency receiving department of a hospital located in the city and operated by the Healthcare Authority of the City of Anniston; one (1) representative from the Calhoun County 911 Board, with preference given to a 911 Board member who has EMS experience if such an individual serves on the Board at the time such appointment is made; the city manager; and one (1) representative appointed by the mayor, with said representative being an owner or employee of a healthcare services provider, other than a hospital, whose residents or patients routinely utilize ambulance service operators for transportation that originates and terminates within the city, with the term of said representative beginning from the date of appointment through the date of the first regularly scheduled council meeting following the end of the appointing mayor's term of office. The fire chief of the city, or his designee, shall be a non-voting member of the CQI. Each member of the CQI shall disclose to the city council any familial relationship, whether by blood or by marriage, that he/she has to any owner, officer, stock holder, partner or corporate representative of any ambulance service operator operating within the City of Anniston and any ambulance service operator applying for a certificate of need to operate within the city. Each member of the CQI shall also disclose any financial interest or investment they have in any ambulance service operator operating within the city or any ambulance service operator applying for a certificate of need to operate within the city.

(c) The purpose of the CQI shall be to provide oversight of the EMS ambulance service operators operating within the city and to insure that optimal patient care is available to the citizens of Anniston. The specific functions of the CQI in carrying out its general purpose shall be as follows:

(1) Monitoring: The CQI shall monitor EMS ambulance service operators operating within the city to ensure compliance with this article as well as other applicable state or local regulations. The CQI shall have the authority to devise and implement written policies requiring EMS ambulance service operators to maintain records and categories of records in whatever form or manner the CQI deems in the best interest of patient care, and, further, the CQI shall have the authority to demand inspection or production of such records or categories of records within the time period provided by CQI policies.

(2) Decisions: The CQI shall render decisions, make recommendations or factual findings based on a simple majority vote of its membership. In the event that the committee is deadlocked or in otherwise unable to achieve a majority after a reasonable amount of time, the measure before the body shall be deemed to have been denied.

(3) Reporting: Receiving a monthly report from each licensed and permitted EMS ambulance service operator outlining all emergency responses, the date, time and address of all calls, how the call was received, time the unit was dispatched, the time the unit arrived on scene, and the type response to and from the scene.

(4) Corrective or disciplinary action: The CQI shall have the power to levy penalties for noncompliance as provided in this article. Further, any EMS ambulance service operator failing to comply with the standards established by this article shall be reported to the city council, with said report including the name of the violating service, the nature of the violation and the penalty assessed in response to the finding of noncompliance.

(5) Issuance of certificate of need: Evaluate applications from prospective EMS ambulance service operators to determine whether there is a need for such service in the city and to determine whether

the applicant meets the minimum standards set out by this article and by the state board of health for the operation of ambulance services. Before a certificate of need can be issued by the CQI pursuant to this article the CQI must make the following findings:

- a. That there is an EMS need for the applicant's service;
- b. That the applicant and all attendants and drivers are fit and proper persons to conduct work or work in the proposed business;
- c. All ambulances of the applicant are in good mechanical condition, are suitable for the transportation of patients, are maintained at suitable premises, and comply with all applicable laws and ordinances relating to health, sanitation and safety; and
- d. All ambulances are equipped with two-way radio equipment, lights, sirens and other equipment prescribed in this article. In the event the CQI determines only one (1) certificate of need is necessary to ensure optimal patient care is available to citizens of the city, the CQI shall, as a prerequisite to the issuance and/or renewal of said certificate, require the grantee to make all reasonable efforts to procure one (1) or more mutual aid agreements for the rolling of emergency calls to another ambulance service operator which the grantee knows or should reasonably know it cannot respond within the response times set forth in this article. All such mutual aid agreements shall be approved by the CQI before the issuance or renewal of a certificate of need. An ambulance service operator that is a party to a mutual aid agreement, but which does not hold a certificate of need issued by the CQI, must apply for and receive a mutual aid certificate by following the same procedures and consenting to the same requirements applicable to a certificate of need applicant/grantee under this article; provided however, no application fee shall be required of applicants seeking a mutual aid certificate.

(6) Recommendations. The CQI may make recommendations to city council regarding changes to standards, including changes in staffing, equipment and/or ambulance services available in the city.

(7) Appeal. Any applicant having its application for a certificate of need denied by the CQI shall have the right to appeal the CQI denial to the city council for a hearing by providing written notice of said appeal to the CQI and to the city clerk. The decision of the city council at such appeal hearing shall be deemed final and conclusive.

Sec. 31.45. - Regulations for EMS ambulance service operators.

(a) Prerequisites for EMS ambulance service operators. No EMS ambulance service operator shall operate within the city unless and until meeting the following prerequisites:

(1) EMS operator permit. An operator permit granted by the revenue department of the city pursuant to the provisions of this article. Part of the permit application includes satisfactory proof of insurance as well as other information about the applicant and the service.

(2) Business license. A license granted by any and all cities in which the ambulance service operator will be operating.

(3) Certificate of need. A certificate granted by the CQI to an ambulance service operator certifying that there is a need for such service within the city. No service shall apply for a certificate of need in any case

where an application has been disapproved on behalf of such person within six (6) months preceding the date of filing thereof.

(4) Personnel list. Each EMS operator permit holder shall furnish a full and complete list of all personnel employed by such permit holder at the time that the application for a permit is submitted and at any time upon request by the chief of police, fire chief or by the revenue department of the city.

(5) Articles of Incorporation. All ambulance service operators providing or seeking to provide emergency medical services must file with the CQI a copy of its articles of incorporation and any subsequent amendment thereto.

(b) Displacement of 911 service. An informed public knows how and when to summon an ambulance. Each ambulance service operator must adhere to the proper use of the enhanced 911 system for receiving emergency calls and in no way attempt to displace the use of such a universal number. Any intentional displacement or attempted displacement shall be grounds for disciplinary action.

(c) Non-911 calls. In the event that a caller does not utilize county 911 for an emergency call, the ambulance service operator receiving such a call shall contact Calhoun County 911 with the location and nature (Chief Complaint) of the call. This notification shall occur immediately upon receipt of the call as to allow for a timely response.

(d) Communication capabilities. The first minutes of an acute medical trauma are critical and so is communication during this time. All EMS services must have the capability to communicate with the first responders in an emergency call site to ensure an effective response. All EMS services shall utilize the same communication system that is used and operated by the fire department for the city and all such equipment shall be in each unit and dispatch center to allow them to directly communicate with the Anniston Fire Department, the Anniston Police Department, hospitals, and other local agencies. Further, all EMS services must at all times monitor the channel utilized by the fire department.

(e) Emergency response. Each emergency response must be handled in a manner that is safe to the responders, patients, service employees and the community at large. The emergency vehicle on an emergency call shall not exceed the speed limit by more than ten (10) miles per hour above the posted limit and may proceed through a stop sign or red light only after slowing down and insuring that all vehicles have yielded the right-of-way. The speed and manner of a service's response to the hospital should be dictated by the patient's condition. Since, in general, less than ten (10) percent of all responses require an emergency response to the hospital, EMS services who have a significantly higher average percentage of emergency response to the hospital shall be subject to disciplinary action.

(1) Dispatch times. Upon receipt of an emergency call, the EMS ambulance service operator must have a unit or units on the way within two (2) minutes or must notify Calhoun County 911.

(2) Response times. Each EMS ambulance service operator must arrive within eight (8) minutes of emergency call receipt located within the corporate city limits on at least ninety (90) percent of all emergency responses. Each EMS service must arrive within ten (10) minutes of receipt of an emergency call located within the police jurisdiction on at least ninety (90) percent of all emergency responses. The response time measurement shall utilize the "fractile" performance measure in which all applicable response times are "stacked" in ascending length. Then the total number of calls generating a response within the city is calculated as a percentage of the total number of calls. Thus where the ninetieth

percentile response time is standard only ten (10) percent of the total calls received may have a longer response time. The response times mandated by this article shall not apply to mutual aid certificate holders; provided however, upon receiving a call for providing service under mutual aid agreement, a mutual aid certificate holder must assess its availability and provide the entity requesting emergency service an anticipated arrival time. The anticipated arrival times provided by mutual aid certificate holders must correspond with actual arrival times in ninety (90) percent of all emergency responses it provides under a mutual aid agreement.

(f) Staffing. An on-duty EMS service must have a minimum four (4) ALS units available for emergency calls twenty-four (24) hours a day on their days of rotation unless the units are otherwise engaged on emergency calls which originated within the city. Each ALS unit must be staffed by a minimum of one (1) paramedic as the attendant of a patient and one (1) EMR, EMT, Intermediate EMT, or Advanced EMT operating the ambulance. All EMS service employees must wear their uniform shirt, which must be emblazoned with the employee's name and level of EMS certification. Each ALS unit must meet any and all regional and state EMS rules and regulations as promulgated by the state board of health. All personnel must meet the license requirements as set forth by the board of health.

(g) Equipment. Each ambulance vehicle for which a permit is issued shall have and maintain at all times the equipment recommended or mandated by the state department of health for such vehicles. In addition, each ambulance shall be suitable for the transportation of patients according to industry standards of sanitation and safety.

(h) Inspections.

(1) Vehicles and equipment. The fire department as well as officials from any other state or local regulatory agencies may inspect any vehicle that is providing emergency care. These inspections may occur as an announced or unannounced visit and will occur at least semiannually. Each vehicle's maintenance records shall be available for inspection at all times.

(2) EMS personnel. Each EMS service shall have on file copies of all employees' EMS licenses. These records shall be readily available for inspection by the fire department and any other state or local regulatory entities.

(3) Accounting records. Each EMS service shall maintain adequate accounting records of all company operations within the city and such records must be provided to the city, upon written request to the EMS service within three (3) days from such notice.

(i) Accidents involving ambulances. Unless the ambulance receives permission to proceed from the senior police officer at the scene of an accident in which it was involved, it shall be unlawful to transport a patient in an ambulance subsequent to an accident involving such vehicle until the senior police officer at the scene or his designee has made a determination that it is safe for the ambulance to proceed.

(j) Accidents occurring in the presence of ambulance. In the event that an accident or other traumatic event should occur in the presence of an ambulance service operator governed by this article and where the witnessing ambulance is not from the service designated by county 911 to receive emergency calls at the time of the incident, the ambulance service operator in question shall: (1) stop and initiate patient care for any individuals in need of medical assistance, and (2) evaluate the severity of any and all injuries at the scene of the incident and provide notice to 911 of the nature and severity of those injuries; and

(3) in the event that there are no life threatening injuries at the scene, the witnessing service shall turn over the patient for transport to the service authorized to receive the calls upon the arrival of a vehicle from said service. In the event that there are critically injured persons at the scene of the incident, the witnessing service shall transport such critically injured patients as soon as practicable under the circumstances and shall not wait for the designated ambulance service operator to arrive.

(k) Computer based 911 systems. All EMS services shall have at their dispatch location the computer based 911 system for receiving emergency calls from the Calhoun County E911 Center.

(l) Operations office. To ensure adequate service and to allow patients transported to have a local office to obtain records and discuss billing concerns, all EMS services shall, at a minimum, maintain within the corporate limits of the city a staffed administrative office and an ambulance station at which its ambulances are staged. All EMS ambulance service operators shall also maintain a dispatch center within Calhoun County, Alabama. The administrative office(s) of all EMS services shall be open during normal business hours Monday thru Friday and the dispatch office shall be open and operated twenty-four (24) hours a day, seven (7) days per week.

(m) Emergency operation plan. All EMS ambulance service operators shall be an active participant in the Calhoun County Emergency Operation Plan to ensure emergency medical response to the City of Anniston in the event of a disaster. All EMS ambulance service operators, in the event of disaster shall operate under the medical emergency operations center. Further, all EMS ambulance service operators shall be an active participant in any current or future Emergency Operation Plan adopted by the city and in effect during a licensed period.

(n) Cessation of emergency medical services. A certificate of need grantee intending to cease operation of its emergency medical services within the city shall give the CQI at least forty-five (45) days written notice of such intent. In the event a grantee ceases emergency medical services operation without tendering the required notice, and provided such grantee is the only emergency medical services provider with a certificate to operate within the city, the fire chief, in consultation with the city manager, shall be authorized to take any and all actions permitted by law to ensure emergency medical services are available within the city until such reasonable time as the CQI can grant a certificate of need to another ambulance service.

Sec. 31.46. - Revocation of consent and permit.

The city council may revoke any permits, certificates or licenses granted to an ambulance service operator pursuant to this article if the council finds from the facts adduced or upon the recommendation of an entity charged with the regulation of ambulance services any of the following grounds to be true:

(1) False information. The consent of the council was procured by fraudulent conduct or a false statement of a material fact.

(2) Violations. Any of the following shall be grounds for the city council to revoke the permit of an ambulance service:

a. The ambulance service operator has failed to maintain any one (1) or more of the minimum requirements for such services set forth in this article or any subsequent amendments hereto;

b. Failure to notify the city in writing of any material changes in the information contained in the service's application for a permit;

c. The failure of the ambulance service operator to maintain any and all applicable state licenses, certifications and permits; or

d. Unprofessional conduct on the part of any employee of an ambulance service operator occurring at the scene of accident or associated with the occurrence of that accident which would endanger the safety, health or well-being of any patient or victim at the scene of the accident or which would otherwise undermine the effectiveness of the city EMS system.

f. Any other reason permitted by this article.

Sec. 31.46.1 – Penalties for noncompliance.

(a) Any ambulance service operator, whether a certificate of need grantee or a mutual aid provider, that fails to comply with any provision of this article, as determined by the fire chief and formally reported to the CQI, shall be assessed the following penalties in accordance with the index methodology set forth in subsection (b) below:

1st occurrence: Two times the index but not less than \$600.00

2nd occurrence: Four times the index but not less than \$1,200.00

3rd occurrence: Six times the index but not less than \$1,800.00

4th occurrence: Eight times the index but not less than \$2,400.00

5th occurrence: Review of continuation of certificate of need and ambulance service permit, with possible termination of certificate and permit, and/or a penalty ten times the index but not less than \$4,800.00.

(b) The base index for the penalty in subsection (c) will be the maximum amount of reimbursement allowed by Medicare for an ALS (advance life support), Level 1-Emergency ground ambulance service in this urban area at the time of the occurrence, as provided in Chapter 15 of the Medicare Claims Processing Manual, Publication 100-04 of the Center for Medicare and Medicaid Services, including all schedules and attachments, as the same may be amended from time to time.

(c) The period for assessing penalties against an ambulance service operator shall begin upon issuance of a license and shall reset every six (6) months thereafter.

(d) Any penalty assessed under this article may be appealed to the city council which may affirm or reject in whole or in part the assessment levied by the CQI.

Sec. 31.47. – Nonemergency ambulance services.

(a) For the privilege of providing nonemergency transports such as hospital transfers, transportation to and from nursing homes and the transporting of deceased patients that begin and end at a point within the city, all ambulance service operators offering such nonemergency transports must maintain within the corporate limits of the city a staffed administrative office that shall be open during normal business hours Monday thru Friday.

(b) Unless otherwise provided in this article, all ambulance service operators providing nonemergency transports shall be assessed a license fee as set forth in the license schedules authorized by city's business licenses and privilege taxes ordinance and is subject to adjustment as allowed by said ordinance or other law. Ambulance service operators licensed by the city to provide nonemergency transports shall maintain a log of all transports within the city and make all transport records available to the CQI and/or the city upon request.

(c) Any ambulance service operator holding a certificate of need issued by the CQI and an EMS Ambulance service operator permit issued by city pursuant to this article shall be deemed as meeting the requirements for nonemergency transports and therefore exempt from the licensing requirements applicable to ambulance service operators providing nonemergency transports. Further, the licensing provisions of this article shall not apply to an ambulance service operator that may infrequently, at the request of a hospital located within the corporate limits of the city, undertake a nonemergency transport from such hospital to another location within the city; provided however, this exemption shall apply only to those transports that occur when no ambulance service operators that are licensed by the city are available to retrieve the patient from the hospital within thirty (30) minutes of the request for a nonemergency transport.

(d) Any complaint that an ambulance service operator is operating on the streets of the city in violation of any provision of this article shall be made in writing to the city manager, who shall refer the matter to the assistant city attorney for investigation and prosecution where warranted. Any ambulance service operator found guilty of violating any provision of this article shall be subject to a \$1000.00 fine per violation. Additionally, the city manager may direct the city attorney to pursue civil remedies to enforce compliance with the provisions of this article.

Sec. 31.48. - Time for compliance.

All owners, operators, and ambulance service personnel presently operating within the city limits shall have sixty (60) days from the effective date of this article to comply with the requirements and regulations of this article. Any owner, operator, and ambulance service personnel not operating within the city limits on the effective date of this article shall, upon application, immediately be subject to all terms and conditions hereof.

Section 2. This ordinance shall have force and effect in the police jurisdiction of the City of Anniston and shall take effect immediately upon the expiration of the thirtieth day following its passage and adoption and publication as required by law.

Section 3. Upon its passage and adoption, the City Clerk is hereby authorized and directed to publish this ordinance in The Anniston Star, a newspaper of general circulation published within the City of Anniston, Alabama.

Section 4. The City Clerk is further authorized and directed to submit a copy of this ordinance and proof of publication and 30-day notice of its applicability within the police jurisdiction to the Alabama Department of Revenue for posting on the Atlas Alabama state website in accordance with Ala. Code § 11-40-10.

Jay Johnson, City Manager, read and introduced Ordinance 18-O-8 Amending Chapter 2, Article XI, Division 8, Section 2.81 The Main Street Anniston Board (1st reading):

ORDINANCE NUMBER 18-OAN

**ORDINANCE AMENDING CHAPTER 2, ARTICLE XI, DIVISION 8, SECTION 2.81 THE
MAIN STREET ANNISTON BOARD**

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 Chapter 2, Article XI, Division 8 of The Code of the City of Anniston, Alabama, 1981 in its entirety as follows:

DIVISION 8. MAIN STREET ANNISTON BOARD

Section 2.81. Creation of board; Membership; Powers and Authority.

1. Board Created. The City of Anniston hereby establishes the “Main Street Anniston Board” to serve as an instrumentality of the City of Anniston to aid and advise in the advocacy of the main street district and in the promotion of economic redevelopment of downtown Anniston in the manner designated in this Division.

2. Powers. The Main Street Anniston Board shall have all powers granted to it by this Division, or as otherwise granted by the City’s laws, and by the Constitution and laws of the State of Alabama, together with all implied powers necessary to execute all powers granted.

3. Membership. The Main Street Anniston Board shall have nine (9) voting members. Each Board Member shall serve a two (2) year term upon expiration of current appointees. The Mayor and Council and City Manager shall each appoint one (1) member of the Board. The remaining three (3) appointments shall be made by the following community groups that are partners with the City of Anniston on the redevelopment of downtown Anniston:

- (a) The Planning Commission
- (b) The Historical Preservation Commission
- (c) The Council of Arts and Humanities

Each of the aforementioned community groups shall be entitled to appoint one (1) member of the Board. Any current member shall remain on the Board until expiration of his/her current term, but may be reassigned to represent another group by mutual consent of the member, the City Council, and the group. In the event that any of said community groups ceases to exist or fails to make an appointment to the Board within sixty (60) days of a vacancy, the Mayor shall appoint a member to fill the vacancy.

4. Director. The City of Anniston shall hire a Project Manager, provided funds are available to the City, who shall facilitate the Main Street Anniston program and operations and serve as an intermediary to the Main Street Anniston Board. The Project Manager shall report to and be supervised by the Director of Economic Development and External Affairs.

5. Advisory Role. The Main Street Anniston Board, through the Project Manager, shall serve in an advisory capacity to the City on issues relating to partnership opportunities, promotion, design and economic development of downtown, and in furtherance of the City's Main Street Anniston Program.

6. Requests for Funding and Support. The Board shall have the authority to request and receive funds, dues, donations or other means of financial support from individuals and entities, whether public or and private.

7. Budgetary and Expenditure Authority. All funds generated through the Main Street Anniston Board's activities and efforts, including its direct receipt of funds, dues, donations or other means of financial support, shall be held in the Board's account maintained by the Director of Finance for the City of Anniston. The Board shall have actual authority over the budget and expenditure of such funds, which shall be executed pursuant to the Board's direction by the Director of Finance. The Board shall utilize such funds in furtherance of its revitalization and redevelopment mission, goals and purpose. Said funds shall be considered public funds and shall be subject to audit and oversight as mandated or allowed by all applicable federal, state and local laws.

8. By-laws. The Main Street Anniston Board shall establish and amend its own bylaws, rules and regulations, as the Board deems necessary and appropriate, subject to the terms of this ordinance and any other governing municipal, state or federal law.

9. Reservation of Powers and Authority. Nothing contained herein shall be construed so as to limit the powers and authority of the City of Anniston.

Section 3. Any laws and ordinances, and parts thereof, within the City of Anniston in conflict herewith are hereby expressly repealed.

Section 4. This Ordinance shall become immediately effective after its adoption and its publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama. The City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

Council Member Jenkins made a recommendation to modify Section 3. Membership; to change the current board arrangement from 9 to 11; with Ward 3 representative, and Ward 2 representative, each be given an appointment and that the remaining 9 as they as they are defined: The planning commission; The Spirit of Anniston; The Calhoun County Chamber of Commerce; The historical preservation commission; The council of arts and humanities; The downtown development authority; and The youth council maintain representation.

Jay Johnson, City manager, introduced and read Resolution 18-R-111:

RESOLUTION NUMBER 18-R-111

AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SOUTHERN CUSTOM EXHIBITS OF ALABAMA, INC.

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

Section 1. That the City Manager of the City of Anniston, Alabama, be and he is hereby authorized, directed and empowered for and in the name of the City of Anniston to execute an agreement with

Southern Custom Exhibits of Alabama, Inc., for renovations to the lobby at the Anniston Museum of Natural History with the total project amount not to exceed \$400,000.

Section 2. That Skyler Bass, City Clerk of the City of Anniston be and she is hereby directed to attest to the City Manager's execution of said contract and to affix the seal of the City thereto.

PASSED AND ADOPTED this the 8th day of May, 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 Little made a motion for passage and adoption of Resolution 18-R-111, as introduced and read. Council Member Reddick's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution Number 18-R-111 was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-112:

RESOLUTION NO. 18-R -112

A RESOLUTION AUTHORIZING EXECUTION OF TRANSFER AGREEMENT AND ACQUISITION OF REAL PROPERTY

WHEREAS, the McClellan Development Authority (the "MDA") has offered to donate to the City of Anniston, Alabama (the "City") the real property specifically identified in the Transfer Agreement attached hereto as Exhibit A (the "Transfer Agreement");

WHEREAS, pursuant to the Transfer Agreement, the City may take fee simple ownership of the real property identified therein, which will enable the City to promote the same for economic development and, if possible, convey or facilitate the use of the real property for commercial purposes;

WHEREAS, the Council finds the City's acquisition of the real property identified in the Transfer Agreement will serve the public's best interests and foster the health, wealth, prosperity and economic development of the City;

WHEREAS, the Council finds that the terms and conditions of the Transfer Agreement are reasonable and appropriate, and the Council desires to approve the City's execution of the Transfer Agreement and, upon the City Manager's satisfaction and acceptance of the title examination, due diligence and property review, acquire the real property from the MDA pursuant to the Transfer Agreement;

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

Section 1. The Mayor and the City Clerk are hereby authorized and directed execute and attest, respectively, the Transfer Agreement attached hereto as Exhibit A.

Section 2. The City Manager authorized and directed to administer and undertake the obligations, examinations, surveys and other provisions of the Transfer Agreement.

Section 3. Upon the City's Manager's satisfaction and approval of the title examinations, surveys, due diligence and property review provided in the Transfer Agreement and the parties' performance of the provisions thereof, the Mayor and the City Clerk are authorized and directed to execute and attest,

respectively, any deeds, agreements or instruments and take such other actions that are necessary or appropriate to close the transfer of title and take ownership of the real property identified in the Transfer Agreement.

PASSED AND ADOPTED on this the 8th day of May, 2018.

CITY COUNCIL OF THE CITY 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 Reddick made a motion to amend the language in Section 3 of Resolution 18-R-112, from "Upon the City Manager's satisfaction and approval of the title examinations, surveys, due diligence and property review provided in the Transfer Agreement and the parties' performance of the provisions thereof, the Mayor and the City Clerk are authorized and directed to execute and attest, respectively, any deeds, agreements or instruments and take such other actions that are necessary or appropriate to close the transfer of title and take ownership of the real property identified in the Transfer Agreement. " To the City Council's satisfaction and approval of the title examinations, surveys, due diligence and property review provided in the Transfer Agreement and the parties' performance of the provisions thereof, the Mayor and the City Clerk are authorized and directed to execute and attest, respectively, any deeds, agreements or instruments and take such other actions that are necessary or appropriate to close the transfer of title and take ownership of the real property identified in the Transfer Agreement." . Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of Resolution 18-R-112, as introduced and amended. Council Member Harris's second to said motion, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution 18-R-112 was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-113:

RESOLUTION 18-R-113

A RESOLUTION TO ALLOCATE CERTAIN MUNICIPAL SALES TAX PROCEEDS FOR EDUCATIONAL PURPOSES OF THE ANNISTON MUNICIPAL SCHOOL SYSTEM

WHEREAS, the City of Anniston levies and collects a municipal sales tax within the City at the rate of five percent (5%) of the sales price, which is to be added by the seller to the sales price and collected from the purchaser as a direct tax on retail consumers;

WHEREAS, the Council for the City of Anniston has utilized its municipal sales tax revenue, when feasible, to provide additional financial support to the public school system for the City;

WHEREAS, the Council desires to solidify its commitment to provide additional financial support to the City's public school system by proactively allocating a portion of the City's future municipal sales tax proceeds for educational purposes;

WHEREAS, the Council also recognizes the need to ensure that there is sufficient revenue for the general fund, operations, needs and obligations of the City, which is largely dependent upon the City's collection of municipal sales tax proceeds;

WHEREAS, to ensure that the City maintains sufficient revenue for its general fund, operations, needs and obligations, the Council desires to proactively allocate only a portion of those future municipal sales tax proceeds generated from the sales and operations of newly opened businesses within the City's corporate limits, taking into account any refunds, abatements, pledges or prior commitments of those proceeds;

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

Section 1. Segregation of New Business Sales Tax Revenue.

The Finance Director is hereby directed to segregate twenty percent (20%) of the municipal sales tax proceeds actually remitted to the City by businesses that are newly established and that first begin business operations of any kind within the City's corporate limits after the effective date of this Resolution (said proceeds are referred to herein as "New Business Sales Tax Revenue"). The Finance Director shall exclude, however, any portion or percentage of the New Business Sales Tax Revenue that is due to be refunded or paid over to any person, business or entity in accordance with any applicable agreement, incentive or other legal obligation. The Finance Director shall further exclude any portion or percentage of the New Business Sales Tax Revenue that has been pledged or otherwise legally committed to any person, business or entity, or for another purpose, whether as a bond or credit obligation or otherwise. New business shall be defined as a new business to locate in the City, and specifically excludes relocation of an existing licensed business or change in ownership of an existing licensed business.

Section 2. New Business Sales Tax Revenue Education Fund.

The Finance Director shall allocate the New Business Sales Tax Revenue segregated from the City's general municipal sales tax revenue, as directed by Section 1 of this Resolution, to a special fund designated to be utilized and expended by the Council for educational purposes, only (the special fund is referred to as the "New Business Sales Tax Revenue Education Fund"). The revenue in the New Business Sales Tax Revenue Education Fund shall not be specifically pledged, committed or expended for any purpose unless budgeted or directed by resolution of the Council.

Section 3. Term

This Resolution shall have a term of term (3) years; thereafter it may be extended, modified, or terminated.

Section 4. Effective Date of this Resolution.

This Resolution shall become effective June 1, 2018 upon its passage adoption by the Council.

PASSED AND ADOPTED on this the 8th day of May, 2018.

CITY COUNCIL OF THE CITY 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

Mayor Draper made a motion to amend the title to include the phrase, which shall be known as the Work Force Development Fund at the end, so the title reads, "A Resolution to allocate certain municipal sales tax proceeds for educational purposes of the Anniston Municipal School System, which shall be known as the Work Force Development Fund." And that amendment would include amending Section 2. Paragraph 2 to include a sentence at the end, to read "Further said funds shall be expended for only work force development and career technical training purposes." Council Member second to said motion 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 amended Resolution 18-R-113, as introduced and read; Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution 18-R-113 was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-114:

RESOLUTION NO. 18- R -114

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH CDG ENGINEERS & ASSOCIATES, INC.

WHEREAS, the City of Anniston requires additional engineering services to achieve design changes to the Iron Mountain Road Extension from State Route 21 to Pappy Dunn Boulevard in order to reduce overall project costs and the required match from the City;

WHEREAS, CDG Engineering & Associates, Inc. ("CDG") has submitted a proposal to the City Manager, dated March 26, 2018, to provide said additional engineering services;

WHEREAS, the Council for the City of Anniston finds that CDG possesses a high degree of skill with regard to additional engineering services required by the City, and further finds that the terms, conditions and scope of services proposed by CDG are fair and appropriate under the circumstances;

WHEREAS, the Council desires to engage CDG in accordance with CDG's March 26, 2018 proposal and the Agreement for Engineering Services attached hereto as Exhibit A;

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

The City Manager and City Clerk are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Anniston, Alabama, the Agreement for Engineering Services by and between the City of Anniston and CDG Engineers & Associates, Inc. in substantially the form and content of the agreement attached hereto as Exhibit A, with such changes (by addition or deletion) as the City Manager shall deem necessary and appropriate with the advice of the City Attorney, which approval, adoption and ratification shall be conclusively evidenced by execution and delivery of the agreement.

PASSED and ADOPTED this 8th day of May, 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

Mayor Draper made a motion for passage and adoption of Resolution 18-R-114, as introduced and read; Council Member Harris's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution 18-R-114 was passed and adopted.

Jay Johnson, City Manager, introduced and read Resolution 18-R-115:

RESOLUTION NUMBER 18-R-115

ADOPTING A TRAVEL AND CREDIT POLICY

WHEREAS, the City Council of the City of Anniston, Alabama, desires a comprehensive set of general guidelines and policies governing all travel and credit card usage for the City of Anniston; and

WHEREAS, the City Council of the City of Anniston, Alabama has reviewed and considered the attached "Travel and Credit Card Policies";

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

Section 1. That the "City of Anniston, "Travel Policy" and "Credit Card Policy" attached hereto as Exhibit A and incorporated herein by this reference is adopted by the Anniston City Council.

Section 2. That this resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this the 8th day of May, 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 to Amend Section 2: Policy, within the Resolution 18-R-115, to change "Any exceptions to the policy must be approved by the City Manager" to "Any exceptions to the policy must be approved by the City Council with respect to the Council." Council Member Little's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of the amended Resolution 18-R-115, as introduced and read; Council Member Jenkins's second to said motion the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and Resolution 18-R-115 was passed and adopted.

Council Member Reddick made a motion to approve a Lounge Retail Liquor-Class I application for JMS LLC d/b/a Wet Whistle located at 1001 Noble Street within the city limits; Council Member Harris' second to said motion 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 a Non-Profit Tax Exempt license for the Medical Center Memorial Foundation d/b/a Martha Vandervoort Garden Jubilee on May 18, 2018 at Longleaf Botanical Gardens located at 920 Museum Drive within the city limits. Council Member Reddick's second to said motion 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 a sponsorship to Coldwater Fat Tire Fest in the amount of \$2,500.00. Council Member Harris' second to said motion, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried.

Mayor Draper made a motion to table the motion to appoint Pursuant to the Certificate of Reincorporation of The Health Care Authority of the City of Anniston, the board of directors has submitted in writing its First Slate of candidate for appointment to the Place No. 8 director's term expiring on May 31, 2018, which includes Fred Wilson, James Riddle, and Rob Svenson. Council Member Reddick's second to table said motion, the following vote was recorded: ayes: Council Members Reddick, Little, and Draper; nays: Council Member Jenkins and Harris. The motion was tabled.

Council Member Harris had no comment.

Council Member Little ask the City Manager to explore the cost of cameras to put into the community. Explore the possibilities of cameras recording four directions, North, East, South, and West in strategic locations. Surround the Housing Authority with cameras. Constantine, Glenaddie, Norwood are the three major hot spots.

Council Member Reddick thanked Pastor Jackson and Pastor Clem for coming out and staying for the meeting. It was important to bring them here to read the spiritual proclamation. Something happens when our spiritual leaders and our secular leaders come together.

Council Member Jenkins had no comment.

Mayor Draper made a motion to adjourn into executive session to discuss matters of pending litigation and they will not return to discuss what was discussed in executive session. Council Member Reddick's

second to said motion, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none

The meeting was adjourned into executive session to discuss matters of pending litigation at 6:55 o'clock p.m.