

**CITY OF ANNISTON
FEBRUARY 16, 2015
5:30 P.M.**

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
- **STAFF ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECEIVE INFORMAL PUBLIC COMMENTS

Informal Public Comment – Speaker Protocol

The City of Anniston believes that any member of the general public should be afforded the opportunity to address the City Council provided that designated rules are followed by the speaker. Any member of the public who wishes to address the City Council and offer public comment on items within the City Council's jurisdiction, may do so during the Informal Public Comment period of the meeting. However, no formal action will be taken on matters that are not part of the posted agenda. In order to ensure the opportunity for all those desiring to speak before the Council, there is no yielding of time to another speaker. This opportunity to address City Council may not be used to continue discussion on an agenda item that has already been held as a public hearing. Matters under negotiation, litigation, or related to personnel will not be discussed. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker should not attempt to engage the City Council and/or Staff in a discussion/dialogue and the speaker should not ask specific questions with the expectation that an immediate answer will be provided as part of the three (3) minute time frame since that is not the intent of the Informal Public Comment period. If the speaker poses a question or makes a request of the City, the Mayor may refer the issue or request to the City Manager for follow up. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. The Mayor may rule out of order any Speaker who uses abusive or indecorous language, if the subject matter does not pertain to the City of Anniston, or if the Speaker(s) attempts to engage the City Council Members in a discussion or dialogue on issues. City Council shall not discuss non-agenda matters because it does not give the public adequate notice. Accordingly, City Council shall be limited to asking factual and clarifying questions of staff, and when appropriate, the Council may consider placing a matter on a future agenda. In addition, it is not reasonable to expect staff to respond to any of a variety of issues on which they may or may not be prepared to respond to on a moment's notice, so the City Manager may respond, or direct staff to respond at a later time.

II. RECEIVE FORMAL PUBLIC COMMENT - None

Formal Public Comment – City Council Agenda Protocol

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal **“REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA”** form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10 day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City’s website www.anniston.al.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.

III. CONDUCT PUBLIC HEARING - None

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council’s time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

- (a) To hear public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2015-01 – Vehicles
- (b) To hear public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2015-01 – Debris
- (c) To hear public comments regarding over-ruling objections to the abatement of identified nuisances. Group 30 – Structures

IV. UNFINISHED BUSINESS – None

V. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-01 Vehicles)
- (c) Resolution over-ruling objections to the abatement of identified nuisances. (Group 2015-01 Debris)
- (d) Resolution over-ruling objections to the abatement of identified nuisances. (Grp 39 – Dangerous Structures)
- (e) Resolution accepting the resignation of a member of the Longleaf Botanical Gardens Board.
- (f) Resolution declaring various vehicles and pieces of equipment as surplus and authorizing their sale.
- (g) Resolution approving the application for a tax abatement for Project Glass and further authorizing the Mayor to execute an agreement with same.
- (h) Motion to approve the following amendments to the City of Anniston Classification and Pay Plan; Food Services and Events Manager, Administrative Assistant – Food Services and Events, Custodial Supervisor – Food Services and Events, Custodial Laborer – Food Services and Events.
- (i) Motion to ratify the appointments by the Farley L. Berman Foundation, Inc. of Lisa Davis (term expires 10/31/2018) and Dr. David Cummings (term expires 10/31/2017) to the Anniston Museum Complex Board.
- (j) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application for Roshun Business LLC d/b/a Sparkle Mart located in the police jurisdiction at 4022 Bynum Leatherwood Road.
- (k) Evaluation of bids for one (1) pick-up truck for Public Works.
- (l) Evaluation of bids for one (1) heavy duty dump truck for Public Works.

VI. ORDINANCES

- (a) To amend Division 1, Article XI, Chapter 2, Section 2.53.4 and Section 2.53.5 of the Code of Ordinances for The City of Anniston, Alabama regulating Boards, Commissions and Authorities.
- (b) Amending Chapter 29½, Article I, Stormwater Management Regulation for Compliance with the city's NPDES, Phase II, MS4 Permit and Stormwater Management Plan.
- (c) Amending Stormwater User Fee Charge System to allow fee credits.

VII. RESOLUTIONS

- (a) Adopting the Stormwater User Fee Credit Manual.
- (b) Approving application and authorizing incorporation of Downtown Development Authority.

VIII. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

2/2/2015

Anniston, Alabama
February 2, 2015

The City Council of the City of Anniston, Alabama, met in Regular Session in the Council Chamber in the City Hall of the City of Anniston, Alabama, on Monday, February 2, 2015, at approximately 5:31 o'clock p.m.

Dr. Angela Fears prayed the Invocation.

Dr. Angela Fears led the Pledge of Allegiance to the Flag.

Mayor Stewart called the meeting to order. On call of the roll the following Council Members were found to be present: Council Members Jenkins, Reddick, Selase, Harris and Stewart; absent: none. A quorum was present and the meeting opened for the transaction of business.

Brian Johnson, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Selase made a motion to waive the reading of the minutes of January 20, 2015. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Jenkins made a motion to approve the minutes of January 20, 2015. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick made a motion to adopt the agenda. The motion was seconded by Council Member Selase; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried.

Council Member Reddick recognized Louise Reardon.

Glen Ray addressed the Council concerning the public records request policy and asked that the Council look closely at the policy and not put more of a burden on the citizens who are requesting public records.

Curtis Ray, Ward 3, addressed the Council and stated he did not like what he was seeing now with businesses being sent out of the city.

Harold Ray addressed the Council about education and the need for a new High School in Anniston.

2/2/2015

Mayor Stewart announced that was the time for the Board Confirmation Hearing for Dr. Angela Fears and her nomination to the McClellan Development Authority.

Dr. Fears verified that the information provided by her through her application and this confirmation hearing is true and accurate to the best of her knowledge and she pledged that if appointed she would faithfully, dutifully, and honestly serve the best interests of the City and the McClellan Development Authority.

Mayor Stewart announced that was the time for the public hearing regarding a permit application for bingo for the Elk's Lodge BPOE #189 located at 1019 South Noble Street, declared the hearing open and asked if anyone wished to address the Council either in favor of or in opposition to said permit application for bingo for the Elk's Lodge BPOE #189 located at 1019 South Noble Street.

No one addressed the Council either in favor of or in opposition to said permit application for bingo for the Elk's Lodge BPOE #189 located at 1019 South Noble Street.

Mayor Stewart declared the public hearing regarding a permit application for bingo for the Elk's Lodge BPOE #189 located at 1019 South Noble Street closed.

Council Member Selase made a motion to approve the Consent Agenda items:

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Resolution declaring a reported condition to be a public nuisance. (Grp 39 – Dangerous Structures)
- (c) Resolution appointing a member to the McClellan Development Authority.
- (d) Motion to approve the permit application for bingo to Elk's Lodge BPOE #189 located at 1019 South Noble Street.
- (e) Motion to approve an amendment to the City of Anniston Policies and Procedures Manual on Personal Appearance and Dress.
- (f) Motion to approve the applications for wrecker rotation within the city limits of Anniston.
- (g) Evaluation of bid for tent for Farmers Market.

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

Council Member Jenkins introduced and read Resolution Number 15-R-10 as follows:

(15-R-10, adopting a Public Records Request Policy)

Brian Johnson, City Manager, addressed the Council concerning the Public Records Request Policy.

2/2/2015

Council Member Jenkins made a motion for the passage and adoption of Resolution Number 15-R-10 as introduced and read. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Selase, Harris and Stewart; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution Number 15-R-10 was passed and adopted.

Council Member Reddick thanked Dr. Fears for attending the meeting.

Council Member Selase commended the Anniston school system and the Anniston Housing Authority for their off-site tutoring program. He commended the Anniston school system for their prior year 16% graduation rate improvement.

Council Member Harris thanked the City Code Enforcement officers for doing all they can to end blight in Anniston.

Council Member Jenkins congratulated the Anniston High School Girls Basketball Team and the Sacred Heart Boys Basketball Team for the winning the Calhoun County Tournament.

Mayor Stewart stated that the 16% graduation rate improvement was a huge development. He stated that the Anniston school system was to be commended for that improvement.

There being no further business to come before the meeting at that time Council Member Selase made a motion the meeting be adjourned. The motion was seconded by Council Member Reddick; and on call of the roll the following vote was recorded: ayes: Council Members Jenkins, Reddick, Selase, Harris and Stewart; nays: none. The motion carried and the meeting was adjourned at approximately 6:07 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 15-R-__

**A RESOLUTION AUTHORIZING REIMBURSEMENTS TO CITY OFFICIALS FOR EXPENSES
INCURRED WHILE TRAVELING AWAY FROM THE CITY**

BE IT RESOLVED, by the City Council of the City of Anniston, Alabama, that reimbursement is made by the City of Anniston, Alabama, as follows:

- a.** \$85.68 to James Green, Engineering, while attending Coosa River Basin Clean Water Partnership meeting on January 27, 2015 in Pelham, AL.

PASSED AND ADOPTED this ____ day of February, 2015

**CITY COUNCIL OF THE CITY
OF ANNISTON, ALABAMA**

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Mille Harris, Council Member

ATTEST:

Alan B. Atkinson, City

RESOLUTION NUMBER 15-R-___

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibit "A" attached are hereby over-ruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.3 of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the ___ day of _____, 2015

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT "A"

Group 2015-01 Vehicles

PROPERTY ADDRESS	PPIN #	VEHICLES(S) DESCRIPTION
729 E 22nd St	24686	White Pontiac Trans Am Tag unknown
731 E 19th St	2459	Blue Suzuki Forenza No Tag; White Lincoln Town Car No Tag
829 E 22nd St	24681	White Cadillac Seville Tag #11G26L4
1131 Altamont Rd	61835	White Honda Accord Tag #11G66Z9; Red Ford Tempo Tag #11D15P0
1205 Altamont Rd	61832	Red with Tan Top Fiat Spider Tag #11H781P
1311 Johnston Dr	22541	Burgundy Mazda 626 Tag #11G721Y; Red Ford Ranger Tag #11N847C; Silver Nissan Quest Tag #11C38W7; Yellow Chevrolet Truck Tag #1727AH3; Red Cadillac Tag ending 67AW
1312 Woodhaven Ter	20304	Red Rusty Ford Truck Tag #12691AT
1612 McCall Dr	20794	Brown Ford Bronco No Tag; Silver Chevrolet Corsica Tag #11B88V2
1919 Rocky Hollow Rd	21330	White Chevrolet Astro Tag unknown
2112 Thomas Ave	22678	Blue Jaguar Tag #11B773C
2409 Walnut Ave	25630	Red Rusty Chevrolet Truck Tag #61C22P6
1804 Johnson St	56740	4 DR Champagne Nissan Altima Tag Unknown
1403 Mulberry Ave	18988	2DR Green Chevrolet Cavalier; 2DR Yellow Oldsmobile Cutlass; Red Chevrolet S10 Pickup Tags unknown
1630 Crane Ave	30511	4 DR Burgundy Cadillac Deville; 4DR Blue Lincoln Towncar; 4DR Burgundy Cadillac Seville; Yellow 4DR Cadillac Seville; 4DR Cadillac
1406 Pine Ave	1741	4DR Blue Mazda Mullenia AL Tag #11G28P2; 4 DR Gray 740 Volvo Tag unknown
1004 Constantine Ave	64351	4DR White Buick; Yellow Volkswagen Bug; Yellow Chevrolet Compact Bus; White Isuzu Trooper Tags Unknown
1611 Cobb Ave	19580	Red Chevrolet Pickup Tag Unknown
916 W17th St	19507	Green Chevrolet Caprice Tag Unknown
2527 Paul St	56578	Blue 4DR Cadillac Tag Unknown
1700 Dooley Ave	62969	Wine Mazda 626 DR AL Tag #11C77P3 & Green Chevrolet Monte Carlo Tag Unknown
2504 Paul Circle	56736	White Mazda Pickup AL Tag #11B75R2; White Volkswagen Bug AL Vintage Tag #108570

RESOLUTION NUMBER 15-R-___

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibit "A" attached is hereby overruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.3 of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the ___ day of _____, 2015.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT "A"
Group 2015-01 - Debris

Address	PPIN
1030 Johnston Dr	62144
311 South Walnut	67015
1921 Rocky Hollow	21330
2409 Walnut Ave	25630

RESOLUTION NUMBER 15-R-___

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibit "A" attached are hereby over-ruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.5 (Dangerous Structures) of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the ___ day of _____, 2015

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart II, Mayor

BY: _____
Jay W. Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

Exhibit "A"
Group 39 - Dangerous Structures

Lenlock Center LLC
5818 McClellan Blvd. E., Anniston, AL 36206
Parcel Numbers:

18-04-17-1-001-003.000
18-04-17-1-001-004.000
18-04-17-1-001-005.000
18-04-17-1-001-006.000
18-04-17-1-001-007.000
18-04-17-1-001-008.000
18-04-17-1-001-009.000
18-04-17-1-001-010.000
18-04-17-1-001-011.000
18-04-17-1-001-012.000
18-04-17-1-001-013.000
18-04-17-1-001-014.000
18-04-17-1-001-015.000
18-04-17-1-001-016.000
18-04-17-1-001-016.000
18-04-17-1-001-017.000
18-04-17-1-001-018.000

RESOLUTION NUMBER 15-R-

**A RESOLUTION ACCEPTING THE RESIGNATION OF A MEMBER OF THE
LONLEAF BOTANICAL GARDENS BOARD**

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

Section 1. That the resignation of Anna Washington as a member of the Longleaf Botanical Garden Board is hereby accepted.

Section 2. That a new member shall be appointed to the Longleaf Botanical Garden Board to fill the unexpired term in not less than 30 days from the passage and adoption of this resolution.

Section 3. That the City Clerk cause a copy of this resolution to be mailed to the above named board.

PASSED AND ADOPTED this the _____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart, II, Mayor

BY: _____
Jay Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTION NO. 15-R-_____

A RESOLUTION DECLARING VARIOUS VEHICLES AND PIECES OF EQUIPMENT AS SURPLUS AND AUTHORIZING THEIR SALE

WHEREAS, the City Council of the City of Anniston, Alabama, hereby finds that those certain motor vehicles/equipment and personal property more particularly described on Exhibit "A" attached hereto and incorporated herein are not now presently being used for municipal purposes, nor are they needed for use by the City of Anniston in the future, and

WHEREAS, the City Council is desirous of selling said motor vehicles/equipment at auction.

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

Section 1. That those certain motor vehicles/equipment and personal property more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, be and the same are hereby declared surplus to the needs of the City of Anniston.

Section 2. That Alan B. Atkinson, City Clerk of the City of Anniston, be and he is hereby authorized, directed, and empowered to cause said motor vehicles/equipment and personal property to be sold at public auction for the highest and best bid, and the Alan B. Atkinson, City Clerk of the City of Anniston, is hereby authorized, directed, and empowered for and in the name of the City of Anniston to execute title certificates, bills of sale or other documents of conveyance to the purchasers at such auction for cash received for such purposes, provided, however, that all sales of motor vehicles/equipment made by the City as said auction shall be "as is – where is" with no warranties expressed or implied.

Section 3. This resolution shall become effective immediately upon its passage and adoption by the City Council.

PASSED AND ADOPTED this the _____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: _____
Vaughn M. Stewart, II, Mayor

BY: _____
Jay Jenkins, Council Member

BY: _____
David E. Reddick, Council Member

BY: _____
Seyram Selase, Council Member

BY: _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

EXHIBIT A

SURPLUS EQUIPMENT
PUBLIC WORKS DEPARTMENT

<u>Vehicle/Equipment</u>	<u>VIN/Serial #</u>
1998 GMC Truck	1GDM7H1J7WJ506765
1997 Case Loader	JEE053661
1997 John Deere 7410 Tractor	ROAH254009294
2011 Mack Truck	1M2AX18C0CM016549



CITY OF ANNISTON

FINANCE DEPARTMENT FACT SHEET

TO: CITY COUNCIL AND CITY MANAGER
FROM: BRANDON PHILLIPS, ASSISTANT FINANCE DIRECTOR
SUBJECT: TAX ABATEMENT – PROJECT GLASS
DATE: 2/12/2015
CC: CORY SALLEY, FINANCE DIRECTOR
ERIC BASINGER, DIRECTOR OF ECONOMIC DEVELOPMENT

- The City has received a request for the abatement of sales/use and property taxes for Project Glass. According to the application the project will involve an estimated investment of \$876,710. It is also estimated that 75 jobs will be created with a total annual payroll of \$2,507,000 within 3 years after project completion.
- Formal City Council action is required to approve the abatement application.
- The following tax abatements are estimated:
 - City non-educational property taxes abated are expected to be no more than \$22,270.
 - City sales and use taxes abated are expected to be no more than \$10,334.
 - State and County non-educational property taxes abated are expected to be no more than \$28,050.
 - State and County sales and use taxes abated are expected to be no more than \$8,984.
- If you have any questions about the abatement process or past abatements the City has granted, please let us know. The Council may elect to grant abatement for all, none, or any partial amount of the request.
- The application will be placed on the February 16, 2015 agenda for formal action.

RESOLUTION NO. 15-R-____

**A RESOLUTION APPROVING THE APPLICATION FOR A
TAX ABATEMENT FOR PROJECT GLASS AND FURTHER
AUTHORIZING THE MAYOR TO EXECUTE AN
AGREEMENT WITH SAME.**

This resolution is made this the 16th day of February, 2015 by the CITY OF ANNISTON, (the Granting Authority), to grant a tax abatement for Project Glass (the Company).

WHEREAS, the Company has announced plans for a new project (the Project), located within the jurisdiction of the Granting Authority; and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., CODE OF ALABAMA, 1975) (the Act), the Company has requested from the Granting Authority an abatement of all state and local non-educational ad valorem taxes and all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education, and

WHEREAS, the Company has requested that the abatement of state and local non-educational ad valorem taxes be extended for a period of ten (10) years, in accordance with the Act; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, the construction of the project will involve a capital investment of \$876,710; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in the Tax Abatement Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of the Tax Abatement Agreement;

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

Section 1. That approval is hereby given to the application of the Company as follows: The abatement of all non-educational state and local construction related transaction taxes (sales and use taxes) and the abatement of all state and local non-educational ad valorem taxes for a period of ten (10) years as permitted by Section 40-9B-1 et seq., Code of Alabama 1975.

Section 2. That the Mayor is authorized to enter into an abatement agreement with the Company to provide for the abatement granted in Section 1.

Section 3. That a certified copy of this resolution, with the application and abatement agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities and to the Alabama Department of Revenue in accordance with the Act.

Section 4. That the Mayor is authorized to take any and all actions necessary or desirable to accomplish the purpose of the foregoing of this resolution.

PASSED AND ADOPTED this the 16th day of February, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY _____
Vaughn M. Stewart II, Mayor

BY _____
Jay Jenkins, Council Member

BY _____
David Reddick, Council Member

BY _____
Seyram Selase, Council Member

BY _____
Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

PROJECT GLASS

Community Commitment Data

2/16/2015

Assumptions: Company plans an \$876,710
capital investment

Municipal Estimate

AD VALOREM TAX ABATEMENT:
(Each year will be based on fair market value.)

\$ 876,710 x 20% x 12.7 mils = \$ 2,227 /year

10 YEAR TOTAL	\$ 22,270
5 YEAR TOTAL	\$ 11,135

SALES/USE TAX ABATEMENT: One-time abatement of sales/use taxes on construction materials and non-manufacturing equipment as well as machinery and equipment used in the manufacturing process.

\$ 135,000 x 5% = \$ 6,750
\$ 716,710 x 1/2% = \$ 3,584

State & County Estimate

AD VALOREM TAX ABATEMENT:

\$ 876,710 x 20% x 16 mils = \$ 2,805 /year

10 YEAR TOTAL	\$ 28,050
5 YEAR TOTAL	\$ 14,025

SALES/USE TAX ABATEMENT: One-time abatement of sales/use taxes on construction materials and non-manufacturing equipment as well as machinery and equipment used in the manufacturing process.

\$ 135,000 x 4% = \$ 5,400
\$ 716,710 x 1/2% = \$ 3,584

Tax Abatement Agreement

This Agreement is made as of this 16th day of February, 2015 (the Effective Date) by and between the City of Anniston (the Granting Authority), and Project Glass (the Company), its successors and assigns.

WHEREAS, the Company's North American Industrial Classification System (NAICS) Code, 336199 meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(6), **Code of Alabama 1975**, as amended.

WHEREAS, the Company has announced plans for a new project (the Project), which is located within the jurisdiction of the Granting Authority; and

WHEREAS, the Project is estimated to be completed by April 30, 2015; and

WHEREAS, the Project will be located in the County of Calhoun and within the the corporate limits of the City of Anniston, and

WHEREAS, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 et seq., **Code of Alabama 1975**) (the Act), the Company has requested from the Granting Authority an abatement of all state and local non-educational property taxes and all construction related transaction taxes except those construction related transaction taxes levied for educational purposes or for capital improvements for education; and

WHEREAS, the Granting Authority has considered the request of the Company and the completed application filed with the Granting Authority by the Company, in connection with its request; and

WHEREAS, the Granting Authority has found the information contained in the Company's application to be sufficient to permit the Granting Authority to make a reasonable cost/benefit analysis of the proposed project and to determine the economic benefits to the community; and

WHEREAS, at its meeting held on the 16th day of February, 2015, (the Meeting), the Granting Authority **approved** the Company's application for abatement of **all** construction related transaction taxes (sales & use) as well as state and local non-educational property taxes for a period of **ten (10) years**; and

WHEREAS, the Project will consist of private use industrial development property, which is composed of all real and related personal property to be acquired, constructed, and installed thereon, as estimated in the application for abatement; and

WHEREAS, in the event that the private use industrial development property is leased from a public authority, the lessee shall be treated as the owner of such property for federal income tax purposes; and

WHEREAS, the Granting Authority does not intend to issue bonds in connection with the private industrial development property herein described; and

WHEREAS, for the purposes of abatement of all non-educational property taxes, it has been determined that no portion of the Project has been placed in service or operation by the Company or by a related party, as defined in 26 U.S.C. §267, with respect to the Company prior to the Effective Date of this Agreement; and

WHEREAS, for the purposes of the abatement of all construction related transaction taxes, no portion of the Project which has been requested for abatement has been purchased prior to the Effective Date of this Agreement; and

WHEREAS, the Project conducts trade or business as described in any of the following 1987 Standard Industrial Classification Major Groups 20 to 39, inclusive, 50 or 51, Industrial Group Number 737, or Industry Numbers 0724, 4613, 8731, or 8734, as set forth in the Standard Industrial Classification Manual published by the United States Government Office of Management and Budget; and

WHEREAS, the Project is a new project, the request for abatement of state and local non-educational property taxes and all construction related transaction taxes does not include any capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service by the Company; and

WHEREAS, the Company is duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in this Agreement; and

WHEREAS, the Granting Authority represents and warrants to the Company (a) that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of this Agreement, (b) that the execution of this Agreement on its behalf has been duly authorized by resolution adopted by the governing body of the Granting Authority;

NOW, THEREFORE, the Granting Authority and the Company, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

1. In accordance with the Act, the Granting Authority hereby grants to the Company an abatement from liability for the following taxes as permitted by the Act:

(a) Non-educational Property Taxes: property taxes, for a period of ten **(10) years**, that are not required to be used for educational purposes or for capital improvements for education;

(b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 of the Code of Alabama 1975 on the tangible personal property and taxable services to be incorporated into the Project, the cost of which may be added to capital account with respect to the Project, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education;

2. An estimate of the amount of tax abated pursuant to this Agreement is set forth below. The Granting Authority and the Company hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement for such taxes may be for a greater or lesser amount, depending upon the actual amount of such taxes levied during the abatement period as stated:

(a) No bonds are to be issued. Non-educational property taxes are expected to be no more than **\$5,032 per year**, and the maximum period for such abatement shall be valid for a period of ten **(10) years**, beginning with the October 1st lien date next proceeding the acquisition date of abated property.

(b) Construction related transaction taxes (sales & use), except those construction related transaction taxes levied for educational purposes or for capital improvements for education, are expected to be approximately **\$19,318**, and such abatement shall not extend beyond the date the Project is placed in service.

3. The Company hereby makes the following good faith projections:

(a) The amount to be **invested in the Project will be \$876,710**;

(b) The number of individuals to be **employed initially** at the Project and in each of the succeeding three years will be:

Initially – 60; Year 1 – 65; Year 2 – 70; Year 3 – 75;

(c) **Annual payroll** of new employees initially at the Project and new employees in each of the succeeding three years is estimated to be:

Initially - \$1,949,000; Year 1 - \$2,015,000; Year 2 - \$2,261,000; Year 3 - \$2,507,000

4. The Company shall file with the Alabama Department of Revenue within 90 days after the date of the Meeting a copy of this Agreement, as required by Section 40-9B-6(c) of the Act.

GENERALLY

5. Compliance. If the Company fails to comply with any provision in this Agreement, or if any of the material statements contained herein or in Attachment One (*Note: This attachment shall include the application for abatement.*) are determined to have been misrepresented, whether intentionally, negligently, or otherwise, the Granting Authority shall terminate this Agreement and take such equitable action available to it as if this Agreement had never existed. If it is determined that certain items, which are identified on the application form for abatement of taxes, are not in compliance with the Act or governing regulations, these items may be subject to taxation for all local and state taxing authorities.

6. Binding Agreement. Each party to this Agreement hereby represents and warrants that the person executing this Agreement on behalf of the party is authorized to do so, and that this Agreement shall be binding and enforceable when duly executed and delivered by each

party. This Agreement shall be binding upon and inure to the benefit of each of the parties and their respective successors.

7. Limitations. Notwithstanding any provision contained herein to the contrary, this Agreement is limited solely to the abatement of all state and local non-educational property taxes for a period of **ten (10) years** and **construction related transaction taxes** except those construction related transaction taxes levied for educational purposes or for capital improvements for education. Nothing in this Agreement shall be construed as a waiver by the Company of any greater benefits than the Project or any portion thereof may have available under provisions of the law other than the Act.

8. Severability. This Agreement may be amended or terminated upon mutual consent of the Company and the Granting Authority. Any such amendment or termination shall not in any manner affect the rights and duties by and between the Company and the Granting Authority.

This Agreement is executed as of the dates specified below.

The Company

THE CITY OF ANNISTON, ALABAMA,
The Granting Authority

BY _____

BY _____
Vaughn M. Stewart II, Mayor

Date: _____

Date: _____



CITY OF ANNISTON

FINANCE DEPARTMENT FACT SHEET

TO: CITY COUNCIL AND CITY MANAGER
FROM: MARY MOTLEY, REVENUE COMPLIANCE SPECIALIST
SUBJECT: ROSHUN BUSINESS LLC D/B/A SPARKLE MART
DATE: 2/3/2015
CC:

- ⊙ Formal action is required for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) license application.
- ⊙ The business is located in the police jurisdiction at 4022 Bynum Leatherwood Rd.
- ⊙ The Police Department reports no local criminal history that would prevent the approval of such license.

**ANNISTON CODE
CHAPTER THREE
ALCOHOLIC BEVERAGES
(Beer and Wine)**

Sec. 3.14. Factors to be considered in council's decisions.

In rendering a decision on each application, the city council shall consider, among others, the following factors:

- a) Character and reputation of the applicant, each partner, member, officer, member of board of directors and landlord.
- b) The criminal court records of the applicant, each partner, member, officer, member of board of directors and landlord.
- c) Location of premises for which the license is sought.
- d) The compliance by applicant, each partner, member, officer, member of the board of directors and landlord with the laws of the State of Alabama and ordinances of the city.

Sec. 3.15. Approval or disapproval of application.

No application for a beer or wine license shall be approved unless the city council is satisfied that the statements in the application are true, that the applicant is a person of good repute, and that the applicant has complied with all terms and provisions of this article.

2/16/2015

FACT SHEET

SUBJECT: Evaluation of bids for the purchase of a pick-up truck for the Public Works Dept.

FACTS: This is a General Fund expenditure.

VENDORS SUBMITTING BIDS

Sunny King Ford	\$31,930.00
Buster Miles Ford	\$35,692.50
Cooper Chevrolet	No response
University Chrysler Jeep Dodge	No response
Classic Cadillac Pontiac	No response
Ronnie Watkins Ford	No response

RECOMMENDATION: The bid should be awarded to Sunny King Ford in the total amount of 31,930.00.

BID SCHEDULE

The City of Anniston will accept proposals for the purchase of the following equipment. Any equipment to be provided must meet or exceed the specifications of the listed equipment. The City of Anniston will determine if any proposed equipment meets the required specifications. A copy of specifications of the listed equipment is attached.

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Unit</u>	<u>Unit Price</u>
1.	Pickup Truck One Ton 4 x 2 2015 or Newer New and unused, To meet the following Specifications:	1 or more	each	\$ _____

SPECIFICATIONS

Meets Specs
Yes No

___	___	Standard Cab
___	___	6.2 L V-8 Engine, minimum
___	___	6 speed Automatic Transmission
___	___	3.73 E-Locking rear axle
___	___	GVWR: 10,000 lb minimum
___	___	LT245x75Rx17 BSW, All season tires
___	___	Upfitter switches
___	___	Reverse alarm
___	___	Factory trailer tow package
___	___	4-Wheel disc brakes with antilock brake system
___	___	AC/Heater
___	___	Side curtain air bags
___	___	Extra HD alternator (200 amp/hr)
___	___	40/20/40 Vinyl bench seat
___	___	Power Steering
___	___	Tilt wheel
___	___	Spare tire and wheel
___	___	Telescopic trailer tow mirrors
___	___	Transmission temp gauge
___	___	AM/FM/Stereo with clock

Aftermarket inclusions:

Meets Specs

Yes No

<input type="checkbox"/>	<input type="checkbox"/>	8 ft. Utility service body w/flip top
<input type="checkbox"/>	<input type="checkbox"/>	Lighted bins
<input type="checkbox"/>	<input type="checkbox"/>	Bow ladder rack
<input type="checkbox"/>	<input type="checkbox"/>	Master locking system
<input type="checkbox"/>	<input type="checkbox"/>	Step bumper
<input type="checkbox"/>	<input type="checkbox"/>	Receiver w/7 way plug
<input type="checkbox"/>	<input type="checkbox"/>	LED Strobes front and rear (F-grill, R-in body)
<input type="checkbox"/>	<input type="checkbox"/>	Grab handles left and right
<input type="checkbox"/>	<input type="checkbox"/>	Spray on bed liner, floor and sides, top surface of compartments
<input type="checkbox"/>	<input type="checkbox"/>	Rear window screen
<input type="checkbox"/>	<input type="checkbox"/>	Warranty: Three year/36,000 mile bumper to bumper, minimum
<input type="checkbox"/>	<input type="checkbox"/>	100,000 mile powertrain, minimum

Use of specific names and numbers is not intended to restrict the bidding of any seller and/or manufacturer, but is solely for the purpose of indicating the type, size and quality of materials, products, service, or equipment considered best adapted to the City's intended use.

Proprietary specifications may be waived for functional equivalents offered.

BIDDING ON:

MFG: _____

MODEL: _____

BRAND: _____

DELIVERY: _____ CALENDAR DAYS FROM DATE OF ORDER.

- NOTE: It is the intent of this Invitation for Bid to award a firm, fixed price contract with no provisions for price escalation.
- NOTE: The City of Anniston reserves the right to accept or reject all bids or any portion thereof.
- NOTE: Bids shall be submitted in sealed envelopes and marked with the Invitation for Bid number and bid opening time and date.
- NOTE: Delivery shall be F.O.B. destination, Anniston, Alabama.
- NOTE: Bid price must include all vehicle registration fees.

2/16/2015

FACT SHEET

SUBJECT: Evaluation of bids for the purchase of a Heavy Duty Dump Truck for the Public Works Dept.

FACTS: This is a General Fund expenditure. The Public Works Dept. is trading in a used dump truck with this bid.

VENDORS SUBMITTING BIDS

<u>Vendor</u>	<u>Truck Price</u>	<u>Trade In Price</u>	<u>Total Price</u>
Nextran Truck Center	\$130,655.00	\$106,500.00	\$24,155.00
Southland International	\$119,091.00	\$100,000.00	\$19,091.00
Southland International	\$137,290.00	\$100,000.00	\$37,290.00
Sansom Equipment Co.			No response
Ramer Manufacturing			No response
Ingram Equipment Co.			No response

RECOMMENDATION: Southland International bid two separate trucks. The low bid Southland International Truck did not meet the bid specifications. The bid should be awarded to Nextran Truck Center in the total amount of \$24,155.00 after trade in.

The City of Anniston request bids for one (1) Heavy Duty Dump Truck to be delivered within (90) days of bid opening.

Note to bidders:

A trade in of a 2012 Mack GU813 Truck will be part of the bid process. Utilizing the value of trade in against the truck with the attached specifications. The winning bid is the new truck bid price minus trade in = lowest price difference. (Example, New truck at \$130,000 – trade in truck value at \$100,000 = \$ 30,000 difference.) An appraisal of the 2012 Mack GU813 Truck will be allowed by potential bidders.

<u>Item</u>	<u>Description</u>	<u>Qty</u>	<u>Unit</u>	<u>Unit Price</u>
1.	Heavy Duty Dump Truck New and Unused To meet the following Specifications:	1	each	\$ _____
	Less Trade In Price:			\$ _____
	Total Bid Price:			\$ _____

BIDDING ON:

MFG: _____

MODEL: _____

BRAND: _____

DELIVERY: _____ CALENDAR DAYS FROM DATE OF ORDER.

- NOTE: It is the intent of this Invitation for Bid to award a firm, fixed price contract with no provisions for price escalation.
- NOTE: The City of Anniston reserves the right to accept or reject all bids or any portion thereof.
- NOTE: Bids shall be submitted in sealed envelopes and marked with the Invitation for Bid number and bid opening time and date.
- NOTE: Delivery shall be F.O.B. destination, Anniston, Alabama.

BID SPECIFICATIONS

FOR

HEAVY DUTY CHASSIS WITH DUMP BODY

The bidder shall list on a separate sheet of paper any and all variations from, or exceptions to, the conditions and specifications of this bid. This sheet shall be labeled "Exception(s) to bid Conditions and Specifications," and shall be attached to the bid. Failure to list any and all variations from, or exceptions to, the conditions and specifications of this bid will result in exclusion from consideration. The attached specifications are being provided to potential bidders as guidelines, which describe the type and quality of equipment, supply, and/or service that THE CITY OF ANNISTON is seeking to purchase. The name of a certain brand, make, manufacturer, or definite specification is to denote to quality, standard, general style, type or character of the item desired but does not restrict the bidder to the specified brand, make, manufacturer or specification names. The bidder must provide satisfactory proof that the item submitted for bid is, in fact, equal to the product described in the specifications. Failure to comply with any part of this provision could be cause for rejection of the bid.

The following specifications shall be construed as minimum acceptable standards for a heavy duty dump chassis and attached dump body.

Note all units offered for bid must be of manufacturer's current production model and must be fully compliant with the present EPA standards for heavy duty diesel engines. Chassis should be equipped with the appropriate diesel particulate filter and SCR after treatment system. Systems that do not include the use of Diesel Exhaust Fluid (DEF) will not be considered.

Bid price shall include all destination charges, delivery charges, title fees, rebates and all other applicable cost and refunds.

Replacement parts must be available for 5 years or 500,000 miles of use for the unit bid.

DOT Inspection and Safety Equipment

Prior to delivery to the City of Anniston the unit shall be dealer inspected and in serviced including an annual DOT inspection and decal. A fire extinguisher and reflective triangles shall also be provided.

Warranty

A copy of the manufacturer's standard warranty with details shall be provided. Warranty shall be transferable. The warranty is to include the following minimum coverage.

Base Vehicle: 1 Year or 100,000 miles

Diesel Engine: 2 year or 250,000 miles

Transmission: 3 years or 300,000 miles

Rear Carriers: 3 years or 300,000 miles

The City of Anniston will have the option to purchase additional extended coverage anytime during the first 9 months of operation.

Engine and Related Components

Shall be an in line 6 cylinder design 13 liter overhead cam, turbo charged diesel engine minimum 425 HP with a peak torque of 1540 FT# minimum.

Engine shall have full wet replaceable cylinder liners, fuel injection system to be unit pump or unit injector design

Air intake system shall have a single dry replaceable element

Turbo air to flow through a chassis mounted charge air cooler, engine coolant system to have coolant protection to minimum -30 degrees F. Silicone radiator and coolant hoses throughout.

Factory installed engine brake

Fan drive to be electronically controlled, multi speed with a Poly V belt and automatic tension control.

Single Vertical cab mounted exhaust for clear back of cab with bright finish heat shield and stack.

Diesel particulate filter shall be mounted under passenger door with SCR catalyst mounted behind particulate filter on frame rail.

Engine electronics to have:

Full diagnostic capability

Road speed and cruise control feature

Shutdown capabilities for critical engine functions

Starting System and Electrical System

12 V starting system fuse/circuit breaker protected

12 V gear reduction starter

12V 130 amp alternator 24SI

(3) 12 V maintenance free batteries with 650 cold cranking amps each mounted in a single steel box with a polished aluminum cover

Transmission/Clutch and Drivelines

A manual ten (10) speed overdrive triple countershaft design with a minimum first gear reduction of 17 to 1.

Transmission should have oil cooler with dash mounted temperature gauge, left and right side PTO access gears with appropriate clearance.

Eaton Advantage easy pedal manually adjusting 15.5 two plate ceramic clutch 9 spring, 6 paddle design with air assist feature and remote lube fittings for clutch release bearing and crosses mounted on outside of LH frame rail of under cab for easy access.

Cab Exterior

Cab to be class 8 design welded Galvanized steel cab shell for construction and vocational applications

Cab doors should also be of Galvanized steel construction and have high visibility roll up style windows

The passenger side door window should have a power control and a peep window in the lower half of door

Cab mounting to be air suspended at rear on dual air bags mounted outside the frame rails

Dual air horns in addition to standard electric signal horn

Chrome Bullet Style Marker Lights

Bright finish heated West Coast mirrors with 8" spot mirrors mounted below the West Coast mirrors. Mirrors to be mounted on break away brackets to protect door skin.

Stainless Steel Exterior Sun visor

Cab Glass to be safety tinted

Cab to have grab handles on both sides of cab

Cab exterior and chassis to have all required DOT and ICC lighting (turn signal indicators, emergency flashers, stop, tail, turn, marker and backup lighting.)

Hood is to be full tilting fiberglass design with safety latch to include bright finish grille, bright finish air intakes and bright finish full hood surround.

Cab to be Painted White

Cab Interior

Storage area on back wall of cab and in overhead console

Cab interior to be mid-level fully groomed with headliner, back wall and windshield pillar post and door panels covered

Interior sun visors both sides

Floor covering black polyurethane mat

Dash features to include:

Wood grain appearance

Center Console with Cup Holders

Full adjusting tilt and telescopic steering column

Gauges to include: Fuel level, DEF level, Air Pressure, Coolant Temp., Voltmeter, Oil Pressure, Engine Oil temp., Speedometer, Tachometer, Pyrometer, Trans. Oil temp

High back air ride driver seat with arm rest

Passenger seat to be fixed style

Both seats to have fabric covering with required lap and shoulder belts

Factory installed air conditioning with R134A refrigerant and rotary type air conditioner compressor

AM/FM/CD radio with clock, weather band and Blue Tooth capability, two way radio power leads with mounting plate installed in overhead console with antennas for radio and 2 way mounted on mirrors

Two additional power outlets to be furnished

Windshield wipers with intermittent feature and washer

Air Brakes

Brake system to be full dual antilock air design with heated air dryer

Air compressor should have minimum 18.7 CFM capacity

System to have an in cab hand control valve for rear service brakes

Frame/Bumper/Fuel Tank

Steel with minimum 120,000 PSI frame rails and a RBM of 3,160,000

222-226 Wheelbase with a 135-139 cab to axle and 197-201 load platform

Heavy duty back to back channel cross members with fasteners throughout

Bright finish steel front bumper swept back with plate type radiator guard mounted to bumper, right and left hand recessed tow hooks

Fuel tank to be aluminum with 100 gallon minimum capacity

Front Axle

Minimum 18,000# capacity Reverse Elliot design steel I beam with 18,000# multi leaf suspension and shock absorbers

Minimum 18,000# integral power steering

SET FORWARD front axle position ONLY

Unitized sealed (maintenance free) front wheel hubs

Sealed tapered kingpins and bearing

Meritor "S" cam design 16.5" x 6" Q+ brakes with outboard mounted drums and dust shields

Automatic Slack Adjusters

Front Wheels to be Aluminum Disc ten (10) hole style hub piloted 22.5 x 12.25

Front tires to be minimum 18 ply 385/65R22.5 radials Bridgestone, Goodyear or Michelin

Rear Axle

44,000# capacity Double Reduction design ONLY tandem rear axle with top loaded carriers and 44,000# multi leaf suspension with anti-sway springs, transverse torque rod and bronze center bushings. Leaf over walking beam design also acceptable. (No air ride, Reyco or T ride will be accepted)

In cab power divider lock out valve with warning light and buzzer

Driver controlled differential locks for both rear axles with control switch and warning light

Brakes with outboard mounted drums and dust shields

Automatic slack adjusters

Brake chambers shall be (4) 30/30 style with raised chambers on rear axle

Rear wheels to be steel disc ten (10) hole hub piloted style painted white

Rear tires to be minimum 14 ply 11R24.5 traction radials Bridgestone, Goodyear or Michelin

Dump Body and Equipment

21 cubic yard capacity Elliptical dump body design with 26 inch rolled radius (step brake method not accepted) beginning at body main rails

16' long with 62" high sides, 64" high tailgate, sides floor and tailgate shall be ¼" AR450 steel, rectangular tubing main runners, tailgate shall be vertical no slope, three panel tailgate design, hoist shall be class 120 hoist with a minimum four (4) active stages and minimum 60,000 pound capacity; direct mount integral pump and PTO combination with air control on the PTO, air tailgate latch control, tailgate shall be built with future high lift conversion capability, electric tarp with vinyl asphalt type tarp; 42" cab shield, eight (8) inch wide schedule 80 pipe push bar asphalt apron across the rear of body inverted angle on top of sides and tailgate, all required DOT and ICC lighting, backup alarm

25 ton heavy duty Pintle Hitch, swivel type, spring loaded, with safety chain rings, mounted on 1" minimum steel plate supported by ½" x 4" gussets; ¾ D rings; Glad hands mounted with 5" x 3/8" air brake line to a ½" bulkhead fitting through the plate with cut off valves on back side of plate; seven (7) prong trailer light socket and air brakes hookup. Mounted 26" from ground with truck empty.

ORDINANCES

ORDINANCE NO. 14-O-__

AN ORDINANCE TO AMEND DIVISION 1, ARTICLE XI, CHAPTER 2, SECTION 2.53.4 AND SECTION 2.53.5 OF THE CODE OF ORDINANCES FOR THE CITY OF ANNISTON, ALABAMA REGULATING BOARDS, COMMISSIONS AND AUTHORITIES

WHEREAS, the Council for the City of Anniston, Alabama finds that the City's ordinance governing the Council's nomination and appointment of persons to positions on the City's boards, commissions and authorities is due to be amended to provide an attendance policy consistent with those in existence by certain boards, commissions and authorities to which the Council makes appointments;

WHEREAS, the Council finds that the amendments set forth herein are in the best interests of the City of Anniston, its boards, commissions and authorities, and its citizens.

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

Section 1. The City Council for the City of Anniston, Alabama hereby repeals Division 1, Article XI, Chapter 2, Section 2.53.4, Subsection (b) of the Code of Ordinances for the City of Anniston. The City Council further amends and restates Section 2.53.4 to read in its entirety as follows:

SECTION 2.53.4 Confirmation of nominees.

(a) **Confirmation Hearings.** A nominee for appointment by the City Council to a board, commission or authority shall appear before the Council for a confirmation hearing during an open meeting before the nominee is eligible to be appointed to the position for which he or she has been nominated. During the confirmation hearing, the Council may inquire as to such matters that it deems appropriate to determine the nominee's suitability and qualifications for the appointment, except that no Councilmember may discuss the general reputation and character, physical condition, professional competence or mental health of any nominee during the open meeting, but may only do so during appropriately called executive session in accordance with the governing state laws.

(b) **Confirmation.** No nominee shall be appointed to any position on any board, commission or authority of the City of Anniston unless he or she is confirmed by a majority vote of the Council.

Section 2. The City Council for the City of Anniston, Alabama hereby amends and restates Division 1, Article XI, Chapter 2, Section 2.53.5 of the Code of Ordinances for the City of Anniston to read in its entirety as follows:

SECTION 2.53.5 Attendance; prohibited conduct; early termination of appointment.

(a) **Attendance.** Appointees shall not, for any reason other than an illness documented in writing by a physician, be absent for more than twenty-five percent

(25%) of the scheduled meetings of the board, commission or authority in any consecutive twelve (12) month period.

(b) **Prohibited conduct.** Appointees shall not, during the term of their appointment, engage in conduct detrimental to the interests of the City or of the board, commission or authority on which they serve. Appointees shall not engage in conduct involving bad faith, maliciousness, moral turpitude, or felony violations of the law.

(c) **Early removal of appointment.** Unless otherwise prohibited by state or federal law, appointees who fail to meet the attendance requirements or who engage in prohibited conduct, as determined by the City Council, shall cease to be members of the board, commission or authority on which they serve. Appointees who fail to meet the attendance requirements shall cease to be a member on the last day of the month following the month in which he or she missed more than twenty-five percent (25%) of the scheduled meetings, except for illness as set forth herein. In all other cases, appointees shall cease to be members upon the passage and adoption of a motion for removal made by a member of the Council.

3. Effective Date. 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.

PASSED and ADOPTED this ____ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

ORDINANCE NO. 15-0-__

**ORDINANCE AMENDING CHAPTER 29½, ARTICLE I, STORMWATER
MANAGEMENT REGULATION FOR COMPLIANCE WITH THE CITY'S NPDES,
PHASE II, MS4 PERMIT AND STORMWATER MANAGEMENT PLAN**

WHEREAS, the Council for the City of Anniston, Alabama finds that its Stormwater Management Regulation ordinance, as set forth in Chapter 29½, Article I of the Code of Ordinances is due to be amended, in part, to ensure the City's compliance with its NPDES Phase II MS4 Permit and its associated Stormwater Management Plan;

WHEREAS, the Council adopts the amendments set forth in anticipation and in furtherance of the City's upcoming Annual Report to the Alabama Department of Environmental Management;

WHEREAS, the Council finds that the amendments set forth herein are in the best interests of the City and its citizens.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Anniston, Alabama (the "Council") as follows:

Section 1. The Council hereby amends and restates Chapter 29½, Article I, Section 29½.3, Subsection (1) and Section 29½.5, Subsection (5)(r) of "The Code of the City of Anniston, Alabama, 1981" to read in their entirety as follows:

Section 29½.3. Land Disturbance Permits.

(1) *When required.* A land disturbance permit is required for all land disturbing activities with a total land disturbance of greater than or equal to one acre and activities that disturb less than one acre, but are part of a larger common plan of development or sale that would disturb one acre or more. A land disturbance permit is also required for all land disturbance activity, regardless of the size of the area disturbed, which occurs within the CBD-1 zone or in an area of special flood hazard as defined in section 111/2; of this Code.

Section 29½.5. Stormwater System Design and Management Standards.

(5) *Sediment and erosion control plan requirements.*

(r) A description of onsite measures to control waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste at the construction site.

Section 2. Unless otherwise stated herein, all other sections, subsections, provisions and terms of Chapter 29½, Article I are preserved as stated and incorporated herein by reference.

Section 3. This Ordinance shall become immediately effective after its adoption, 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.

PASSED and ADOPTED this ___ day of _____, 2015.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Vaughn M. Stewart II, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Seyram Selase, Council Member

Millie Harris, Council Member

ATTEST:

Alan B. Atkinson, City Clerk

RESOLUTIONS