

**CITY OF ANNISTON
OCTOBER 19, 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. PROCLAMATION

- (a) Red Ribbon Week

II. 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.

III. RECEIVE FORMAL PUBLIC COMMENT

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.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.

IV. CONDUCT PUBLIC HEARING

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.

V. UNFINISHED BUSINESS – None

VI. CONSENT AGENDA

- (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. (Group 2015 – 07 Grass and Debris)
- (c)** Resolution authorizing the City Manager to execute Signal Agreements for Project DPI-090(500) City of Anniston SR 21 & E Bypass/US 431 NBR ramps; SR 21 & E Bypass/US 431 SBR ramps; US 431 & Lindale Drive.

VII. ORDINANCES

- (a)** Declaring Fort McClellan Post Headquarters Historic District as a Locally Designated Historic District.

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

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

10/5/2015

Anniston, Alabama
October 5, 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, October 5, 2015, at approximately 5:38 o'clock p.m.

Council Member Jenkins prayed the Invocation.

Council Member Jenkins 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 September 21, 2015 and September 22, 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 Selase made a motion to approve the minutes of September 21, 2015 and September 22, 2015. 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 Selase read and presented the following proclamation to Second Chance staff and volunteers:

(Domestic Violence Awareness Month)

Council Member Jenkins made a motion to adopt the agenda. 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.

Linda Bolton addressed the Council concerning changes in personnel at the Wiggins Community Center.

Mayor Stewart announced that was the time for the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 701 E. 22nd Street, 2215 Ayers Drive, 101 Grant Avenue, 600 and 604 W. 18th Street, 500 Chestnut Avenue, 1617, 1711 and 1725 Cooper Avenue, 2422 McCoy Avenue, 831 Blue Ridge Drive,

10/5/2015

2124 Thomas Avenue, 1523 and 1808 Cobb Avenue, 1224 W. 16th Street, 1600 Cooper Avenue, 3014 and 3030 Walnut Avenue, 2004 Moore Avenue, 1617 and 1619 Murray Avenue, 2226 Walnut Avenue, 328 E. 22nd Street, 3034 and 3009 Moore Avenue, 3002 and 3000 Gurnee Avenue, 1221 W. 14th Street, 1433, 1405, and 1828 Bancroft Avenue, 1613 W. 21st Street, 1106 and 1110 W. 16th Street, 4136 Cloverdale Road, 3005 and 3026 Gurnee Avenue; declared the hearing open and asked if anyone wished to address the Council concerning objections to the proposed abatement of identified nuisances (debris and grass) at said locations.

Paul Roden addressed the Council concerning the property located 2422 McCoy Avenue and stated he had cleaned up the property and would continue to maintain the property.

Mayor Stewart asked if anyone else wished to address the Council concerning objections to the proposed abatement of identified nuisances (debris and grass) at said locations.

No one else addressed the concerning objections to the proposed abatement of identified nuisances (debris and grass) at said locations.

Mayor Stewart declared the public hearing to hear objections to the proposed abatement of identified nuisances (debris and grass) at the following locations; 701 E. 22nd Street, 2215 Ayers Drive, 101 Grant Avenue, 600 and 604 W. 18th Street, 500 Chestnut Avenue, 1617, 1711 and 1725 Cooper Avenue, 2422 McCoy Avenue, 831 Blue Ridge Drive, 2124 Thomas Avenue, 1523 and 1808 Cobb Avenue, 1224 W. 16th Street, 1600 Cooper Avenue, 3014 and 3030 Walnut Avenue, 2004 Moore Avenue, 1617 and 1619 Murray Avenue, 2226 Walnut Avenue, 328 E. 22nd Street, 3034 and 3009 Moore Avenue, 3002 and 3000 Gurnee Avenue, 1221 W. 14th Street, 1433, 1405, and 1828 Bancroft Avenue, 1613 W. 21st Street, 1106 and 1110 W. 16th Street, 4136 Cloverdale Road, 3005 and 3026 Gurnee Avenue; closed.

Council Member Jenkins made a motion to approve the Consent Agenda items listed below:

- (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 – 06 Grass and Debris)
- (c) Motion to approve an amendment to the Personnel Policies and Procedures Manual: Section “Employee Conduct and Discipline” “Conduct, activities, speech, participation or membership in events, associations or groups that advocate, promote, or condone hateful, violent, or invidiously prejudicial actions against individuals or groups based on race, color, religion, national origin, sex, sexual orientation, age, or disability may reflect negatively and bring criticism upon the City as a whole. An employee is subject to corrective action, including the possibility of termination from his or her employment, when such conduct, activities, speech, participation or membership impedes the performance of his or her duties or interferes with the operation and efficiency of the City.”
- (d) Evaluation of bids for concrete for FY 2016; Webb Concrete was the low bidder in the amount of \$95.00/cu. yd.

10/5/2015

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 Harris thanked everyone for attending the meeting. She stated there would be neighborhood meeting in Hamilton-Ballard Park concerning the need for removal of older trees.

Council Member Selase encouraged everyone to attend the Anniston High School Homecoming Parade this Thursday at 4:00 p.m.

Council Member Reddick stated there would be a city wide clean-up day this Saturday from 9:00 a.m. to 12:00 p.m.

Council Member Jenkins thanked the City staff for all their hard work.

Mayor Stewart thanked Brian Watson, Main Street Director, for all his hard work.

There being no further business to come before the meeting at that time Council Member Jenkins 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 5:59 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. \$165.33 to Jean Ann Oglesby for the purchase of supplies and mileage while performing various duties for the Farmer's Market during the months of August & September 2015.

PASSED AND ADOPTED this ____ day of October 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 DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.15 of said Ordinance, has reported to the City Council that conditions exist at **attached (Group 2015-07) Grass & Debris** in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (1), (2) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: **overgrown lots as defined in Section 34.2 of the Code of Ordinances and trash and debris**; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on **Exhibit "A"** to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City's actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.

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 - 07 Debris & Grass

Address	PPIN
4113 Cloverdale	64991
1804 McKleroy Ave (Weeds and Debris)	19878
1812 McKleroy Ave.	19880
2109 Thomas Ave	22683
501 Rosewood Ave.	73766
2631 Walnut Ave	25783
2313 McCoy Ave	25336
816 Blue Ridge Dr. (Tree debris and Weeds)	21400
2806 Norwood Ave.	25825
2804 Norwood Ave.	25826
2128 McKleroy Ave.	20214
2011 McKleroy Ave.	20458
2009 McKleroy Ave.	20459
129 West 20 th St	20461
131 West 20 th	20460
0 Noble (Weeds and Debris)	63054 (1002 Noble)
2529 Wilmer Ave.	25029
405 East 6 th St	17737
418 So. Allen Ave.	66507
3921 Cross Street North	27174
3825 George Street	26968
31 North Street	60560
304 E Street	143
Unless specified-all are weed cases	

RESOLUTION NO. 15-R-__

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE STATE OF ALABAMA ACTING BY AND THROUGH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR PROJECT DPI-0901(500) INSTALLATION OF TRAFFIC SIGNALS

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

- Section 1.** That the City of Anniston, Alabama, enter into an Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for Project DPI-0901(500) installation of traffic signals at SR-21 at Ramps A and C (Eastern Bypass/US-431 Northbound), AL-21 at Ramps B and D (Eastern Bypass/US-431 Southbound), and US-431 at Lindale Drive, which agreement is before council.
- Section 2.** That the Agreement be executed in the name of the City, by its Mayor, for and on its behalf;
- Section 3.** That the Agreement be attested by the City Clerk and the seal of the City affixed thereto.

PASSED AND ADOPTED on 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

ORDINANCES

ORDINANCE NO. 15-O-_____

AN ORDINANCE CREATING AND DESIGNATING THE FORT MCCLELLAN POST HEADQUARTERS HISTORIC DISTRICT AS A LOCALLY DESIGNATED HISTORIC DISTRICT

WHEREAS, the Anniston Historic Preservation Commission (hereinafter “the Commission”) has advised the City Council that it has determined that the Fort McClellan Post Headquarters Historic District was surveyed according to AHC standards and placed on the National Register of Historic Places on November 8, 2006 and that the State of Alabama Historical Commission has agreed that it still maintains its significance in architecture, military history and community planning and the Commission has conducted a public hearing upon its proposed recommendation to designate The Fort McClellan Post Headquarters Historic District a locally designated historic district; and

WHEREAS, the City Council has further been advised that the Commission published notices in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, said notices being not less than 15 days prior to the public hearing and the second notice being not less than 5 days prior to the public hearing; and

WHEREAS, the City Council has further been advised that the Commission mailed written notice of the said public hearing to those property owners in the historic district; and

WHEREAS, in its September 17, 2015 meeting, the Commission approved the proposal for the creation of The Fort McClellan Post Headquarters Historic District as a local Historic District and has, by resolution, recommended the designation of this District as a Local Historic District to the City Council.

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

Section 1. In accordance with the provisions of Ordinance No. 91-0-18 passed and adopted by the City Council of the City of Anniston on the 24th day of April, 1991, the City Council does hereby designate the following described district within the City of Anniston as a local historic district:

The Fort McClellan Post Headquarters Historic District

Section 2. The Commission is hereby directed, within 30 days of the adoption of this ordinance to notify the owners of the district of the necessity of obtaining a Certificate of Appropriateness prior to undertaking any material change in appearance of their property in accordance with Section IV (C) (5) of Ordinance No. 91-0-18.

Section 3. That this Ordinance shall become effective upon its publication one time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and the City Clerk of the City of Anniston is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED AND ADOPTED this the ____ 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