

**CITY OF ANNISTON  
NOVEMBER 7, 2016  
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

### **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](http://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

### **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.

## IV. UNFINISHED BUSINESS – None

**V. ORDINANCES**

- (a) Establishing the order of procedure for the meetings of the Anniston City Council and to provide for the election of the Vice-Mayor.

**VI. OTHER ADDITIONAL OR FURTHER MATTERS THAT MAY COME BEFORE COUNCIL**

**COUNCIL COMMENTS**

**ADJOURNMENT**

**ORDINANCE NO. 16-O-\_\_**

**AN ORDINANCE ESTABLISHING THE ORDER OF PROCEDURE  
FOR THE MEETINGS OF THE ANNISTON CITY COUNCIL AND  
TO PROVIDE FOR THE ELECTION OF THE VICE MAYOR**

BE IT ORDAINED by the Council of the City of Anniston, Alabama that the order of procedure in all instances for meetings of the Council shall be as follows:

Section 1. The rules of order of procedure set forth herein shall govern deliberations and meetings of the Council of the City of Anniston, Alabama.

Section 2. The Council shall hold regular meetings on the first and third Monday of each month, except that the Council may cancel or reschedule any such regular meeting by appropriate motion when necessary to accommodate a holiday, the absence or unavailability of the Council, or for other compelling reasons as determined by the Council.

Section 3. All regular meetings of the Council shall convene at 5:30 p.m. in the Council Chambers at City Hall, unless an alternative location is set by appropriate motion of the Council.

Section 4. The Council shall convene and conduct work sessions, as it deems necessary and appropriate, to review matters that are expected to come before the Council, to interact with members of the staff on such matters, or for such other reasons the Council finds to be necessary or desirable.

Section 5. All meetings and work sessions of the Council shall be open to the public and advance notice shall be provided in accordance with the requirements set by the Open Meetings Act of the State of Alabama.

Section 6. The Council may meet in Executive Session when authorized by the Open Meetings Act of the State of Alabama.

Section 7. A quorum of the Council for the conduct of its meetings shall exist when three members of the Council are present.

Section 8. The City Manager shall set the agenda for meetings of the Council. Any member of the Council may request that the City Manager include a matter on a meeting agenda. When such a request is made, the City Manager shall present the matter to the Council during a work session and shall include the matter on a meeting agenda when two or more members of the Council request during the work session that it be included on a meeting agenda.

Section 9. The City Manager shall make the completed meeting agenda with all pertinent facts and background information available to the Council in advance of the

meeting. When possible, the completed meeting agenda shall be prepared and available to the Council by 3:00 p.m. on the Friday preceding a regular meeting. The City Manager may request that the Council make additions to or deletions from the meeting agenda and such matters shall be added to or deleted from the meeting agenda by a majority vote of a quorum of the Council.

Section 10. Consent Agenda:

- (a) At the work session of the members of the Council held prior to any regular meeting of the Council, any member of the Council may request that a resolution or other matter, other than an ordinance, which is on the agenda for such regular meeting be placed on the consent agenda for the meeting. No resolution or other matter shall be placed on the consent agenda unless it has been discussed by the members of the Council attending the work session.
- (b) Any resolution or other matter which a member of the Council requests be placed on the consent agenda for a meeting shall be placed on the consent agenda unless one or more members of the Council object, which objection may be made either during the work session or during the meeting. If a member of the Council objects, the resolution or other matter shall be withdrawn from the consent agenda and shall be placed on the meeting agenda for discussion. If a member of the audience asks for an explanation of, or information about, a matter on the consent agenda, the Mayor may give a brief explanation of such matter or may direct a member of the city's staff or another member of the Council to give a brief explanation of such matter, but it shall not be withdrawn from the consent agenda.
- (c) The presiding officer shall ask for a motion with respect to the matters on the consent agenda. All matters on the consent agenda shall be considered in the same motion. If a motion to adopt the matters on the consent agenda is made, seconded and approved by a majority of the members of the Council who are present at the meeting, all such matters shall be considered adopted and in full force and effect, just as they would have been had each such matter been considered and voted on separately and approved by a majority of the members of the Council who were present at the meeting.

Section 11. The order of business for meetings of the Council, as set by the meeting agenda, shall be as follows:

1. Invocation
2. Pledge of Allegiance
3. Call to Order
4. Roll Call
5. Reading and Approval of the Minutes of the Previous Meeting
6. Additions to and Deletions from the Agenda
7. Adoption of the Agenda

8. Informal Public Comments
9. Formal Public Comments
10. Public Hearings
11. Unfinished Business
12. Consent Agenda
13. Motions
14. Resolutions
15. Ordinances
16. Additional or Other Matters
17. Council Comments
18. Adjournment

Section 12. No person not a member of the Council shall be allowed to address the same while in session without permission of the presiding officer, except for matters for which a public hearing is required or during that portion of the session designated for public comments. All such persons shall be limited in his/her comments to three minutes. All comments made by the public shall be addressed to the presiding officer.

Section 13. All comments made by members of the Council shall be restricted to the merits of the matter under consideration and shall be addressed to the presiding officer, except during the portion of the meeting agenda assigned to Council Comments. All comments made by members of the Council shall be restricted to three minutes, unless the presiding officer grants exception for good cause.

Section 14. No comments shall be permitted by a member of the Council or by a member of the public that is of a disparaging nature or which would constitute a personal attack on the integrity of any member of the Council or the staff of the City.

Section 15. A motion for adjournment shall always be in order.

Section 16. The rules of the Council may be temporarily suspended by a vote of four of the Council members present.

Section 17. All questions of order shall be decided by the presiding officer of the Council, with the right to appeal to the City Attorney who shall act as Parliamentarian for the procedure of the Council meeting. In the absence of the City Attorney, the City Manager shall act as Parliamentarian.

Section 18. Motions to reconsider must be made by a member of the Council who voted with a majority on the matter to be reconsidered and shall be made at the same or the next succeeding meeting.

Section 19. An ordinance, resolution or other matter that fails to obtain a majority vote for passage may not be re-introduced for a period of at least six months unless at least three members of the Council vote in favor of its re-introduction.

Section 20. No ordinance or resolution of a permanent nature shall be adopted at the meeting at which it is introduced unless unanimous consent of such Council members present to be obtained for the immediate consideration of such ordinance or resolution, such consent shall be by roll call and the vote thereon spread upon the minutes.

Section 21. For any procedure not otherwise specified in this section, Roberts' Rules of Order shall govern.

BE IT FURTHER ORDAINED that the Council hereby elects \_\_\_\_\_ as the assistant mayor, who shall be referred to as the Vice Mayor, and who shall act as mayor during the absence or disability of the Mayor. In accordance with Ala. Code § 45-8A-23.055, \_\_\_\_\_ shall hold the office of Vice Mayor until the next Council takes office.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon its adoption and publication as required by law, and upon taking effect, all prior ordinances in conflict herewith shall be repealed.

PASSED AND ADOPTED on this the \_\_\_ day of \_\_\_\_\_, 2016.

COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

\_\_\_\_\_  
Jack Draper, Mayor

\_\_\_\_\_  
Jay Jenkins, Council Member

\_\_\_\_\_  
David Reddick, Council Member

\_\_\_\_\_  
Ben Little, Council Member

\_\_\_\_\_  
Millie Harris, Council Member

Attest:

\_\_\_\_\_  
Alan B. Atkinson, City Clerk