

**CITY OF ANNISTON  
NOVEMBER 10, 2014  
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. RECOGNITIONS**

- (a) Cobb Alumni will make a monetary contribution to the “Good Choices Program”.
- (b) Recognition of Eddy Reese

**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.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.

- (a) Board Confirmation:
  - i. Longleaf Botanical Gardens Board appointees
  - ii. Commercial Development Authority appointee
  
- (b) Glen Ray

### IV. 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 Lounge Retail Liquor – Class I applications for:

- i. Rack and Roll Billiards, Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street.
- ii. Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway.

**V. UNFINISHED BUSINESS – None**

**VI. CONSENT AGENDA**

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city.
- (b) Appointing members to the Longleaf Botanical Garden Board.
- (c) Appointing member(s) to the Commercial Development Authority.
- (d) Resolution declaring a reported condition to be a public nuisance. (Vehicles - Group 2014-02)
- (e) Motion to approve a Lounge Retail Liquor – Class I application for Rack and Roll Billiards Inc., d/b/a Rack and Roll Billiards located at 917 Noble Street.
- (f) Motion to approve a Lounge Retail Liquor – Class I application for Oxford Entertainment Inc., d/b/a Club 100 located at 1503 Hillyer Robinson Parkway.

**VII. ORDINANCES**

- (a) Amending Chapter 14, Article I of the Code of Ordinances of the City of Anniston, Alabama providing License and Privilege Taxes.

**VIII. RESOLUTIONS**

- (a) Authorizing the City Manager to execute the annual application for federal/state assistance for Fiscal Year 2015 with the State of Alabama Department of Transportation.
- (b) Authorizing the Mayor to execute a Supplemental Agreement Number 1 with the State of Alabama acting by and through the Alabama Department of Transportation for safety improvements on CR-198 (Greenbrier Dear Road) from west of Christine Avenue to Hillyer Robinson Industrial Parkway in the City of Anniston.
- (c) Vacating a portion of Freemont Avenue from Pappy Dunn Boulevard to Care Drive.
- (d) Vacating a portion of Care Drive from the south side of Wall Street to the north side of American Red Cross Drive.
- (e) Vacating a portion of Global Drive running northeast/southwest between American Red Cross Drive and Care Drive.

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

**COUNCIL COMMENTS**

**ADJOURNMENT**

# CONSENT AGENDA

**RESOLUTION NO. 14-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.** \$141.91 to Lee Willis, Planning & Development Services, while attending ICC Certification Class in Hoover, AL on October 24, 2014 and CEU Class in Leeds, AL on October 30, 2014.
- b.** \$44.39 to David Conde, Fire Department, while attending Leadership Training Class in Birmingham, AL on October 10, 2014.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_, 2014

**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 NO. 14-R-\_\_\_**

**A RESOLUTION APPOINTING MEMBERS TO THE LONGLEAF BOTANICAL GARDEN BOARD**

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

**Section 1.** That the following are hereby appointed to the Longleaf Botanical Garden board:

<u>Members</u>	<u>Term Expiration Date</u>
Robert Downing	October 31, 2018
Sarah Sloan	October 31, 2017
Juliette Doster	October 31, 2017
Arthur Toole	October 31, 2019

**Section 2.** That Alan B. Atkinson, City Clerk, shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

**PASSED AND ADOPTED** this the \_\_\_ day of \_\_\_\_\_ 2014.

**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

**RESOLUTION NUMBER 14-R-\_\_\_\_\_**

**A RESOLUTION APPOINTING MEMBER(S) TO THE COMMERCIAL  
DEVELOPMENT AUTHORITY**

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

- Section 1.** That Dawn Wilczek be and she is hereby appointed as a member of the Commercial Development Authority with a term ending March 15, 2017.
- Section 2.** That the City Clerk cause copies of this Resolution to be mailed to the above named appointee and to said board.

**PASSED AND ADOPTED** this the \_\_\_\_\_ day of November 2014.

**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

**RESOLUTION NUMBER 14-R-\_\_\_**

**A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE**

**WHEREAS**, Tana Bryant, an Appropriate City Official, pursuant to Section 34.7 of said Ordinance, has reported to the City Council that conditions exist at see attached (Group 2014-02) 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) (4) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: **Maintenance or storage of motor vehicles that are not in usable condition as defined in Section 34.2 of the Code of Ordinances**; 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.

**AND ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2014.

**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 2014-02 Nuisance Vehicles

<b>ADDRESS</b>	<b>PPIN</b>	<b>VEHICLE DESCRIPTION</b>
4 Adams St.	73966	White Dodge Dart Tag 8F8C7
14 Adams St.	73960	White Chevrolet Silverado Tag HAV145; green Cadillac El Dorado ag unknown
20 Adams St.	73956	Blue Chevrolet Lumina No Tag
104 Shepard St.	73630	Blue Mazda Protégé Tag: 11D948V
805 Brookhaven Rd.	67377	White with Wood Panels Chrysler LeBaron Tag 11AW200
900 Highland Ave.	63040	Silver Honda Accord No Tag
1013 Conger Rd.	64311	Gray Oldsmobile Ninety Eight Tag 11G280L
1204 Rainbow Cir.	20405	Blue Cadillac Brougham Tag 11D09L3
1209 Glendale Rd.	20409	Red with White top Lincoln Continental Tag AZ09321
1728 Rocky Hollow Rd.	21354	Black GMC Yukon Tag Unknown
1736 Rocky Hollow Rd.	21512	White Buick Regal Tag 11DN890
1935 Canterbury Sq.	13943	Red & White Dodge Ram Van Tag 11F390B
2005 Canterbury Sq.	14127	Blue and White Kaiser Manhattan Tag Unknown
2928 Brighton Ave.	25192	Red Nissan 300ZX Tag 11G09L6
3616 Dale Hollow Rd.	67467	Blue Ford F150 Tag 6691AB1
1416 Kilby Terrace	22510	Gray Lincoln Town car Tag BA16675
1517 Dooley Ave	19827	Charcoal Mercury Tracer-AL# 11C17G9(Expired)
1631 Dooley Ave	20012	Blue Chevrolet Camaro-AL#D87Z4(Expired)
1707 McDaniel Ave	20192	Green Range Rover(No Tag)
2101 Cobb Ave	62993	Tan Cadillac Deville(No Tag)
2113 Cobb Ave	20113	Black Chevrolet 3500 Pickup Truck/Blue Oldsmobile Cutlass Supreme(Both No Tags)
921 W 22 <sup>nd</sup> St	60874	Black Chevrolet Pickup-No Tags
2207 McDaniel Ave	19708	White Ford Pickup/Red Chevrolet Van(Both No Tags)
1914 Brown Ave	19703	Black Pontiac 2DR-Tag Unknown
1700 Mulberry Ave	19800	White International Commercial Truck/Champagne Honda Accord-Tag Unknown
817 W 16 <sup>th</sup> St	62227	Blue Dodge Neon 4DR/Silver Chevrolet Malibu-Tag Unknown
913 W 19 <sup>th</sup> St	19926	White Nissan Sentra/ White Ford Explorer-Both Tags Unknown
1022 W 16 <sup>th</sup> St	19749	Blue Pontiac Grand AM/Silver Dodge Caravan/Lt Green Pontiac Grand Prix/ Black Mazda Truck-All Tags(Unknown
1029 W 16 <sup>th</sup> St	19540	Gray Ford Mustang(Tag Unknown)
1119 W 19 <sup>th</sup> St	62991	Red Nissan 200SX-Tag Unknown
1131 W 19 <sup>th</sup> St	62258	Blue Nissan Sentra-Tag Unknown
1212 Boynton Ave	30546	Blue Oldsmobile Cutlass Supreme/Brown Buick LeSabre- AL#11D675B



## CITY OF ANNISTON

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### FINANCE DEPARTMENT FACT SHEET

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**TO:** CITY COUNCIL AND CITY MANAGER  
**FROM:** MARY MOTLEY, REVENUE COMPLIANCE SPECIALIST  
**SUBJECT:** RACK AND ROLL BILLIARDS INC D/B/A RACK AND ROLL  
BILLIARDS  
**DATE:** 11/5/2014  
**CC:**

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- A public hearing is required before formal action is taken on the Lounge Retail Liquor – Class I application for Rack and Roll Billiards Inc d/b/a Rack and Roll Billiards.
- The business is located in the city limits at 917 Noble St.
- The Police Department reports no local criminal history that would prevent the approval of such license.

**ANNISTON CODE  
CHAPTER THREE  
ALCOHOLIC BEVERAGES  
(Liquor)**

**Sec. 3.5. Factors to be considered in council's decisions.**

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

- (1) The wishes and desires of the residents, real property owners, and businesses within five hundred (500) feet of the property for which a license is sought.
- (2) Character and reputation of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
- (3) The criminal court records or evidence of violation of ABC regulations of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
- (4) Location of premises for which a liquor license is sought and the number of establishments presently holding liquor licenses for lounges, clubs, hotels, restaurants, civic centers, or dinner theaters whose place or places of business are within five hundred (500) feet of the property for which a liquor license is sought.
- (5) The compliance by applicant, each partner, member, officer, member of the board of directors, landlord, and club manager with the laws of the State of Alabama and ordinances of the city.
- (6) The proximity of the premises to any churches, schools, day care centers, eleemosynary institutions or places of public gathering.
- (7) The suitability of the premises to contain noise reasonably anticipated to be generated from the premises.

(b) The city council shall refuse to approve a liquor license for a club when it appears that the operation would enure to the benefit of individual members, officers, agents, or employees of the club rather than to the benefit of the entire membership of the club.

(Ord. No. 80-O-34, 1; Ord. No. 92-O-2, 2, 2-11-92)



## CITY OF ANNISTON

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### FINANCE DEPARTMENT FACT SHEET

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**TO:** CITY COUNCIL AND CITY MANAGER  
**FROM:** MARY MOTLEY, REVENUE COMPLIANCE SPECIALIST  
**SUBJECT:** OXFORD ENTERTAINMENT INC D/B/A CLUB 100  
**DATE:** 11/5/2014  
**CC:**

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- A public hearing is required before formal action is taken on the Lounge Retail Liquor – Class I application for Oxford Entertainment Inc d/b/a Club 100.
- The business is located in the city limits at 1503 Hillyer Robinson Parkway.
- The Police Department reports no local criminal history that would prevent the approval of such license.

**ANNISTON CODE  
CHAPTER THREE  
ALCOHOLIC BEVERAGES  
(Liquor)**

**Sec. 3.5. Factors to be considered in council's decisions.**

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

- (1) The wishes and desires of the residents, real property owners, and businesses within five hundred (500) feet of the property for which a license is sought.
- (2) Character and reputation of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
- (3) The criminal court records or evidence of violation of ABC regulations of the applicant, each partner, member, officer, member of the board of directors, landlord and club manager.
- (4) Location of premises for which a liquor license is sought and the number of establishments presently holding liquor licenses for lounges, clubs, hotels, restaurants, civic centers, or dinner theaters whose place or places of business are within five hundred (500) feet of the property for which a liquor license is sought.
- (5) The compliance by applicant, each partner, member, officer, member of the board of directors, landlord, and club manager with the laws of the State of Alabama and ordinances of the city.
- (6) The proximity of the premises to any churches, schools, day care centers, eleemosynary institutions or places of public gathering.
- (7) The suitability of the premises to contain noise reasonably anticipated to be generated from the premises.

(b) The city council shall refuse to approve a liquor license for a club when it appears that the operation would enure to the benefit of individual members, officers, agents, or employees of the club rather than to the benefit of the entire membership of the club.

(Ord. No. 80-O-34, 1; Ord. No. 92-O-2, 2, 2-11-92)

# ORDINANCES

**ORDINANCE NO. 14-0-\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 14, ARTICLE I OF  
THE CODE OF ORDINANCES OF THE CITY OF ANNISTON, ALABAMA  
PROVIDING LICENSE AND PRIVILEGE TAXES**

**WHEREAS**, the City Council of the City of Anniston finds that it is in the best interests of the City of Anniston and its citizens for the city to amend Chapter 14, Article I of the Code of Ordinances to modernize and to make more equitable the city's business license privilege tax structure, classifications, schedules and rates;

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

Section 1. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.3 of "The Code of the City of Anniston, Alabama, 1981" its entirety to read as follows:

**Section 14.3. Definitions.**

Unless the context clearly requires otherwise, the following terms shall have the following meaning as set forth below:

(1) *Business*. Any commercial or industrial activity or any enterprise, trade, profession, occupation, or livelihood, including the lease or rental of residential or nonresidential real estate, whether or not carried on for gain or profit, and whether or not engaged in as a principal or as an independent contractor, which is engaged in, or caused to be engaged in, within a municipality.

(2) *Business license*. An annual license issued by the municipality for the privilege of doing any kind of business, trade, profession, or any other activity in the municipality, by whatever name called, which document is required to be conspicuously posted or displayed except to the extent the taxpayer's business license tax or other financial information is listed thereon.

(3) *Business license remittance form*. Any business license return, renewal reminder notice, or other writing on which the taxpayer calculates the business license tax liability for all or part of the license year and remits the amount so calculated with the form.

(4) *City*. The City of Anniston, Alabama.

(5) *Department or Department of Revenue*. The Alabama Department of Revenue, as created under Ala. Code § 40-2-1, *et seq.*

(6) *Designee*. An agent or employee of the municipality authorized to administer or collect, or both the municipality's business license taxes, which may include another taxing

jurisdiction, the department of revenue, or a "private auditing or collecting firm" as defined in Code of Ala., § 40-2A-3.

(7) *Gross receipts.* The measure of any and all receipts of a business from whatever source derived, to the maximum extent permitted by applicable laws and constitutional provisions, without regard to the location in which the activity giving rise to the receipts was transacted, solicited, executed, consummated, or delivered. Gross receipts include the comparable value of bartered work, goods or services provided in exchange for the work, goods or services of another. Gross receipts do not include any deductions for any purpose not specifically and expressly provided by municipal, state or federal law. Provided, however, that:

(a) Gross receipts shall not include any of the following taxes collected by the business on behalf of any taxing jurisdiction or the federal government: All taxes which are imposed on the ultimate consumer, collected by the taxpayer and remitted by or on behalf of the taxpayer to the taxing authority, whether state, local or federal, including utility gross receipts levied pursuant to Code of Ala., Tit. 40, Ch. 21, Art. 3; license taxes levied pursuant to Code of Ala., Tit. 40, Ch. 21, Art. 2; or reimbursements to professional employer organizations of federal, state or local payroll taxes or unemployment insurance contributions; but no other deductions or exclusions from gross receipts shall be allowed except as provided in this article.

(b) A different basis for calculating the business license may be used by the municipality with respect to certain categories of taxpayers as prescribed in Code of Ala., § 11-51-90B.

(c) For a utility or other entity described in Code of Ala., § 11-51-129, gross receipts shall be limited to the gross receipts derived from the retail furnishing of utility services within the municipality during the preceding year that are taxed under Code of Ala., Tit. 40, Ch. 21, Art. 3, except that nothing herein shall affect any existing contract or agreement between a municipality and a utility or other entity. The gross receipts derived from the furnishing of utility services shall not be subject to further business license taxation by the municipality.

(d) Gross receipts shall not include dividends or other distributions received by a corporation, or proceeds from borrowing, the sale of a capital asset, the repayment of the principal portion of a loan, the issuance of stock or other equity investments, or capital contributions, or the undistributed earnings of subsidiary entities.

(e) Gross receipts for businesses domiciled outside the city or its police jurisdiction, with no office or substation located within the city or its police jurisdiction, shall include the gross receipts derived from business activity within the corporate limits of the city or its police jurisdiction.

(8) *Home occupation.* A business conducted entirely within the business owner's home residence. A home occupation shall not receive a business license from the city until the premises are approved for operation by the city planning department.

(9) *License form.* Any business license application form, renewal reminder notice, business license remittance form, or business license return by whatever name called.

(10) *License officer or municipal license officer.* The municipal employee charged by the municipality with the primary responsibility of administering the municipality's business license tax ordinance and related matters thereto.

(10) *License year.* The calendar year.

(11) *Municipality.* Any town or city in this state that levies a business license tax from time to time. The term shall also include the town's or city's police jurisdiction, where the business license tax is levied in the police jurisdiction.

(12) *Person.* Any individual, association, estate, trust, partnership, limited liability company, corporation, or other entity of any kind, except for any nonprofit corporation formed under the laws of Alabama which is operated to enable municipalities that become members of such nonprofit corporation to finance or refinance capital projects and related undertakings, on a cooperative basis, and whose board of directors or other governing body consists primarily of elected officials of the municipality.

(13) *Professional.* Person engaged in a business or occupation who possess a high degree of scientific or specialized skill and knowledge and who are required by law to obtain a professional or occupational license from the state, including physicians, architects, engineers, and attorneys. A professional who is an exclusive employee of an eligible nonprofit corporation shall be required to apply for and procure a minimum annual business license in accordance with Section 14.20.

(14) *Taxing jurisdiction.* Any municipality that levies a business license tax, whether or not a business license tax is levied within its police jurisdiction, or the department of revenue acting as agent on behalf of a municipality pursuant to Code of Ala., § 11-51-180 et seq., as the context requires.

(15) *Taxpayer.* Any person subject to or liable under this chapter for any business license tax; any person required to file a return with respect to, or pay or remit the business license tax levied under this chapter or to report any information or value to the taxing jurisdiction; or any person required to obtain, or who holds any interest in, any business license issued by the taxing jurisdiction; or any person that may be affected by any act or refusal to act by the taxing jurisdiction under this chapter, or to keep any required by this chapter.

(16) *Transient dealer.* All persons, both principals and agents, who have no fixed place of business within the county or who have a fixed place of business in the county for less than ninety (90) days and who engage or conduct within the corporate limits of the city either

in one (1) locality or in traveling from place to place, a temporary or transient business of selling or soliciting orders for the sale of goods, wares or merchandise with the intention of continuing in said business in said city for a period of not more than thirty (30) days, and have written permission from the owner of real property or the owner's authorized agent to rent, lease, use or occupy, either in whole or in part, for the purpose of carrying on such business use, any room, building, area within any municipal building or other public or privately-owned building, any lot or parcel of land, any motor vehicle including trucks and semi-trailers for the exhibition and sale of such goods, wares and merchandise other than the sale of unprocessed agricultural produce grown by the seller.

(17) *U.S.C.* The applicable title and section of the United States Code, as amended from time to time.

(18) *Other terms.* Other capitalized or specialized terms used in this chapter, and not defined above, shall have the same meanings ascribed to them in Ala. Code § 40-2A-3, unless the context therein otherwise specifies.

Section 2. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.4(c) of “The Code of the City of Anniston, Alabama, 1981” its entirety to read as follows:

**Sec. 14.4. License terms; minimums.**

(c) *Issuance Fee.* For each business license issued or renewed by the city, there shall be an issuance fee in the amount established, as adjusted, by the Department of Revenue in accordance with Ala. Code § 11-51-90(2). The issuance fee shall be collected in the same manner as a license tax. No business license shall be issued or renewed to an applicant or licensee who is delinquent in filing a license or tax return or report to the city.

Section 3. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.7 of “The Code of the City of Anniston, Alabama, 1981” its entirety to read as follows:

**Sec. 14.7. Unlawful to do business without a license.**

(1) It shall be unlawful for any person, taxpayer, or agent of a person or taxpayer to engage in businesses or vocations in the municipality for which a license is required without first having procured a license. A violation of this division of the ordinance passed hereunder fixing a license shall be punishable by a fine not to exceed the sum of five hundred (\$500.00) for each offense, and if a willful violation, by imprisonment, not to exceed six (6) months, or both, at the discretion of the court trying the same. Each day shall constitute a separate offense.

(2) The maintenance of a place for the carrying on of a business activity shall be prima facie evidence that the person, firm or corporation maintaining the place is carrying on a business.

(3) The performance of any business activity within the licensing jurisdiction of the city, whether or not a local office or place of business is maintained, shall constitute prima facie evidence that the person, firm or corporation is engaging in business subject to the city's license tax.

(4) Any license issued by the city in exchange for payment made by check or other instrument of payment that is not honored and paid upon presentation by the city to the drawee shall be deemed invalid and void. In such case, the payor shall be considered engaged in a business without procuring a license in violation of this ordinance.

(5) It shall be unlawful for any person to make a false statement, affidavit, or certificate as to the amount of stock on hand or volume of gross receipts, revenues or business, or amount of capital invested in business, or number of employees or vehicles used for business, whether made by the declarant or his or her principal.

(6) It shall be unlawful for any person to present any false certification that is required as a condition of licensing by the city, or to falsely present a valid certification applicable to another person in order to procure a license from the city.

Section 4. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.20 of "The Code of the City of Anniston, Alabama, 1981" its entirety to read as follows:

**Sec. 14.20. License Classifications.**

North American Industrial Classification System (NAICS) identification (sector/sub-sector) numbers are required as a part of the periodic reporting requirements for every business. For municipal business license purposes, each taxpayer must be minimally classified as required by Code of Ala., § 11-51-90B. The descriptions listed beside each NAICS code incorporate examples of each category; however these examples are not all inclusive. A business is classified and licensed based upon the business activity or activities that it conducts within the city. Each business will be placed in the NAICS sector/sub-sector that best matches its activity or activities and shall pay a license tax based upon the corresponding schedule assigned to its description unless otherwise specified. The city may assign additional digits of each NAICS code for reporting purposes and proper administration of this article. The City Clerk shall maintain and post for public inspection a copy of the license classification schedule adopted by the City Council and applicable to each license year.

Section 5. The City Council of the City of Anniston, Alabama hereby adopts the license classification schedule attached hereto as Exhibit A identifying the NAICS sectors, subsectors, and titles and the rate schedule applicable to the 2015 license year and any subsequent license year unless amended by an ordinance of the Council.

Section 6. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.20.3 of “The Code of the City of Anniston, Alabama, 1981” its entirety to read as follows:

**Sec. 14.20.3. License Schedules.**

A significant line of business shall include any activity generating ten (10) percent or more of the total gross receipts of a business at a single location. Each business with a line of business generating less than ten (10) percent of total gross receipts shall include those receipts in the computation for the line of business with the largest amount of gross receipts for the location. Exceptions are made for alcoholic beverage control board regulated activities as well as business activities whose fees are calculated on a flat rate, per unit or capped basis (e.g. pool tables, vending machines, garages, etc.). The City Clerk shall maintain and post for public inspection a copy of the license schedules for each business activity adopted by the City Council and applicable to each license year.

Section 7. The City Council of the City of Anniston, Alabama hereby adopts the license schedules attached hereto as Exhibit B. The license schedules set forth therein shall be applicable to the 2015 license year and any subsequent license year unless the license schedules are amended by an ordinance of the Council.

Section 8. The City Council of the City of Anniston, Alabama hereby amends and restates Chapter 14, Article I, Section 14.22(d) and (e) of “The Code of the City of Anniston, Alabama, 1981” its entirety to read as follows:

**Sec. 14.22. Transient Dealers.**

(d) Every transient dealer shall submit a prepayment of sales tax equal to five hundred dollars (\$500.00) or four (5) percent of anticipated sales, based on the most recent, comparable locale, whichever is larger, at the time the license is purchased for each sale. Every transient dealer shall submit a verified report of sales within seven (7) days of the close of business within the city’s licensing jurisdiction. Any underpayment of sales tax including any applicable penalties and interest shall be submitted with the required sales tax report. Any overpayment of sales tax shall be refunded within fifteen (15) days of the date the report is processed by the city or the city’s authorized tax administrator. Exception to prepayment requirement: If a licensee has submitted Anniston sales tax during both of the most recent two (2) prior calendar years and has done so without the addition of penalties or interest, the prepayment requirement shall be waived.

(e) Transient vendors participating in a special event or street fair or sale within the city’s licensing jurisdiction which includes two (2) or more vendors shall pay a license tax of fifty dollars (\$50.00) per day for each day of participation in the street fair or sale in lieu of any other license tax. This tax will be collected by the sponsor of the special event, street fair or sale and submitted to the finance department in a consolidated manner prior to the special event, street fair or sale along with a list containing the names and addresses of all participants.

Section 9. The City Council of the City of Anniston, Alabama hereby repeals Chapter 30, Article II, Division 2, Section 40 of “The Code of the City of Anniston, Alabama, 1981” requiring itinerant vendors' bonds and allowing for the forfeiture thereof.

Section 10. This Ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama, and 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 \_\_\_\_\_, 2014.

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

**RESOLUTION NUMBER 14-R-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE ANNUAL APPLICATION FOR FEDERAL/STATE ASSISTANCE FOR FISCAL YEAR 2015 WITH THE STATE OF ALABAMA DEPARTMENT OF TRANSPORTATION**

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

1. That the City of Anniston is authorized to make an application in the amount of **Twenty-six Thousand Three Hundred Fifty Dollars (\$26,350.00)** Project No. 3-01-0008-031-2015 for airport improvement funding assistance from the State of Alabama Department of Transportation, for the purpose of undertaking a project in fiscal year 2015 to make improvements at the **Anniston Regional Airport**, Anniston, Alabama.
2. That the application be submitted for and on the behalf of the City of Anniston by its City Manager who is authorized by this resolution to sign the application and any related forms or documents on behalf of the City of Anniston, Alabama.
3. That the City of Anniston is authorized to enter into an airport improvement funding agreement with the State of Alabama, acting by and through the Alabama Department of Transportation, for the purpose of undertaking a project to make improvements at the **Anniston Regional Airport**, with partial funding provided by the State of Alabama.
4. That the agreement be executed in the name of the City of Anniston for and on behalf of the City of Anniston by its City Manager.
5. That the authority of the City of Anniston to enter into contracts with the State of Alabama has been reviewed by the City's attorney, and in his/her opinion, the City is duly authorized to commit the City of Anniston to an agreement with the Alabama Department of Transportation.

**BE IT FURTHER RESOLVED**, that the City of Anniston hereby affirms that the required local matching share of the funds in the amount of **Twenty-six Thousand Three Hundred Fifty Dollars (\$26,350.00)** required for this agreement has been officially approved, placed into the budget of the airport and is available for expenditure upon execution of the State of Alabama's funding agreement and the start of the project.

**PASSED AND ADOPTED THIS THE \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**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

<b>Application for Federal Assistance SF-424</b>	
* 1. Type of Submission <input checked="" type="checkbox"/> Preapplication <input type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision * If Revision, select appropriate letter(s): * Other (Specify)
* 3. Date Received:	4. Application Identifier:
5a. Federal Entity Identifier:	* 5b. Federal Award Identifier: 3-01-0008-031-2015
<b>State Use Only:</b>	
6. Date Received by State:	7. State Application Identifier:
<b>8. APPLICANT INFORMATION:</b>	
* a. Legal Name: City of Anniston, Alabama	
* b. Employer/Taxpayer Identification Number (EIN/TIN): 63-6001182	*c. Organizational DUNS: 075467563
<b>d. Address:</b>	
* Street1: 1128 Gurnee Avenue Street 2: * City: Anniston County: Calhoun * State: Alabama Province: Country: United States	
*Zip/ Postal Code: 36201	
e. Organizational Unit:	
Department Name: Planning	Division Name:
f. Name and contact information of person to be contacted on matters involving this application:	
Prefix: Mr. Middle Name: * Last Name: Bennington Suffix:	First Name: Toby
Title: City Planner	
Organizational Affiliation:	
* Telephone Number: 256-231-7754	Fax Number: 256-231-7632
* Email: tbennington@anniston.al.gov	

**Application for Federal Assistance SF-424**

9. Type of Applicant 1: Select Applicant Type: C. City or Township Government

Type of Applicant 2: Select Applicant Type: - Select One -

Type of Applicant 3: Select Applicant Type: - Select One -

\* Other (specify):

\* 10. Name of Federal Agency:  
Federal Aviation Administration

11. Catalog of Federal Domestic Assistance Number:

20.106

CFDA Title:

Airport Improvement Program

12. Funding Opportunity Number:

Title: NA

13. Competition Identification Number:

Title: NA

14. Areas Affected by Project (Cities, Counties, States, etc.):

City of Anniston, Calhoun County, Talladega County, Alabama

\* 15. Descriptive Title of Applicant's Project:

Pavement Maintenance. Creak cleaning/sealing and application of a refined coal tar emulsion on the existing apron and taxiway pavements.

**Attach supporting documents as specified in agency instructions.**

**Application for Federal Assistance SF-424**

16. Congressional Districts Of:

\* a. Applicant Third (3rd)

\* b. Program/Project: Third (3rd)

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

\* a. Start Date: 04-01-15

\* b. End Date: 11-30-15

**18. Estimated Funding (\$):**

*a. Federal	\$474,300.00
*b. Applicant	\$26,350.00
*c. State	
*d. Local	\$26,350.00
*e. Other	
*f. Program Income	
*g. TOTAL	\$527,000.00

**\*19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

\*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes  No

21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001).

\*\*I AGREE

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Mr. \*First Name: Brian

Middle Name:

\*Last Name: Johnson

Suffix:

\*Title: City Manager

\*Telephone Number: 256-236-3422

Fax Number: 256-231-7632

\*Email: BJOHNSON@ANNISTONAL.GOV

\*Signature of Authorized Representative:

Date Signed:

## Application for Federal Assistance SF-424

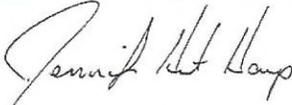
### \*Applicant Federal Debt Delinquency Explanation

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

N/A.

## GRANT AGREEMENT ENGINEERING WORKSHEET

### PART A (PREPARED BY AIRPORT OWNER'S ENGINEER OR REPRESENTATIVE)

<b>Airport:</b> Anniston Regional Airport		<b>Location:</b> Anniston, Alabama				<b>Project No.</b> 3-01-0008-031-2015			
Brief Item Description <i>(See reverse for typical descriptions)</i>	% Fed	Units	RW	(1) Const or Land Cost	(2) Eng./Land Incidental	(3) Admin	(4) Total	(5) Federal	(6) Non-Federal
Pavement Maintenance - Apron	90	1	5-23	\$333,960	\$83,490	\$1,550	\$419,000	\$377,100	\$41,900
Pavement Maintenance - Taxilanes	90	1	5-23	\$86,065	\$21,520	\$415	\$108,000	\$97,200	\$10,800
<b>TOTALS</b>				\$420,025	\$105,010	\$1,965	\$527,000	\$474,300	\$52,700
<p>(7) Recommended work description for grant offer: Pavement Maintenance.</p>									
<p>(8) Justification for any increase in T/A amount <i>(if no increase enter "N/A")</i>: The Airport would like to perform crack cleaning/sealing and rejuvenation on the airfield's existing apron and taxilane pavements in order to prolong their useful life.</p>									
Signature of Airport Owner's Engineer:					Date: 10-01-2014				
									

### PART B (PREPARED BY FAA ENGINEER) Land Acquisition and Relocation Assistance Only

	Yes	No		Yes	No
1. People or businesses (were/are) loc'd on land?			4a. Land costs are based on appraisals, or		
2. Only necessary land is included?			b. based on actual costs for reimbursements?		
3. Land costs are reasonable?			5. Requested land not in previous GA & deleted?		
<b>All Projects (Land and Construction)</b>					
	Yes	No		Yes	No
6. Exhibit "A" received and correct?			12. P & S are in accordance with EIS/FONSI?		
7. Project application, signed and correct?			13. Costs are reasonable?		
8. All work in P & S in grant offer?			14. Air/water quality certification received?		
9. Stage construction?			15. Sponsor legally obligated to relocate utility?		
10. Cost based on bids?			16a. Surplus property land sale proceeds available?		
11. Force account?			b. If so, are they applied to this project?		
17. Comments on above numbered items:					
18. Recommended special conditions for grant:					
Signature of FAA Project Manager: _____			Date _____		

**ANNISTON REGIONAL AIRPORT  
ANNISTON, ALABAMA**

**FY 2015 Grant Pre-Application Estimate**

**Apron Pavement Maintenance - Grant Eligible**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1 Mobilization	1	L.S.	\$4,000.00	\$4,000.00
2 Crack Cleaning	14200	L.F.	\$2.00	\$28,400.00
3 Crack Cleaning and Sealing	33104	L.F.	\$2.50	\$82,760.00
4 Full Depth Pavement Repair	2,470	S.Y.	\$40.00	\$98,800.00
5 Refined Coal Tar Emulsion	20,000	GAL	\$6.00	\$120,000.00
CONSTRUCTION TOTAL				\$333,960.00
ENGINEERING & CONSTRUCTION ADMIN (25%)				\$83,490.00
OWNER ADMIN				\$1,550.00
TOTAL				<u>\$419,000.00</u>

Funding Shares:	\$419,000
FAA (90%)	\$377,100
State (5%)	\$20,950
Local (5%)	\$20,950

**Apron Pavement Maintenance - Grant InEligible**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1 Mobilization	1	L.S.	\$1,000.00	\$1,000.00
2 Crack Cleaning	130	L.F.	\$2.00	\$260.00
3 Crack Cleaning and Sealing	300	L.F.	\$2.50	\$750.00
4 Full Depth Pavement Repair	15	S.Y.	\$40.00	\$600.00
5 Refined Coal Tar Emulsion	275	GAL	\$6.00	\$1,650.00
CONSTRUCTION TOTAL				\$4,260.00
ENGINEERING & CONSTRUCTION ADMIN (25%)				\$1,070.00
OWNER ADMIN				\$70.00
TOTAL				<u>\$5,400.00</u>

Funding Shares:	\$5,400
Local (100%)	\$5,400

TOTAL Apron Funding:	\$424,400
FAA	\$377,100
State	\$20,950
Local	\$26,350

**ANNISTON REGIONAL AIRPORT  
ANNISTON, ALABAMA**

**FY 2015 Grant Pre-Application Estimate**

**Taxilane Pavement Maintenance - Grant Eligible**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1 Mobilization	1	L.S.	\$4,000.00	\$4,000.00
2 Crack Cleaning	2990	L.F.	\$2.00	\$5,980.00
3 Crack Cleaning and Sealing	6970	L.F.	\$2.50	\$17,425.00
4 Full Depth Pavement Repair	670	S.Y.	\$40.00	\$26,800.00
5 Rejuvenation	5,310	GAL	\$6.00	\$31,860.00
CONSTRUCTION TOTAL				\$86,065.00
ENGINEERING & CONSTRUCTION ADMIN (25%)				\$21,520.00
OWNER ADMIN				\$415.00
TOTAL				<u>\$108,000.00</u>

Funding Shares:	\$108,000
FAA (90%)	\$97,200
State (5%)	\$5,400
Local (5%)	\$5,400

**Taxilane Pavement Maintenance - Grant InEligible**

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
1 Mobilization	1	L.S.	\$1,000.00	\$1,000.00
2 Crack Cleaning	1540	L.F.	\$2.00	\$3,080.00
3 Crack Cleaning and Sealing	3600	L.F.	\$2.50	\$9,000.00
4 Full Depth Pavement Repair	215	S.Y.	\$40.00	\$8,600.00
5 Rejuvenation	1,700	GAL	\$6.00	\$10,200.00
CONSTRUCTION TOTAL				\$31,880.00
ENGINEERING & CONSTRUCTION ADMIN (25%)				\$7,970.00
OWNER ADMIN				\$150.00
TOTAL				<u>\$40,000.00</u>

Funding Shares:	\$40,000
Local (100%)	\$40,000

TOTAL Taxilane Funding:	\$148,000
FAA	\$97,200
State	\$5,400
Local	\$45,400

## **Anniston Regional Airport**

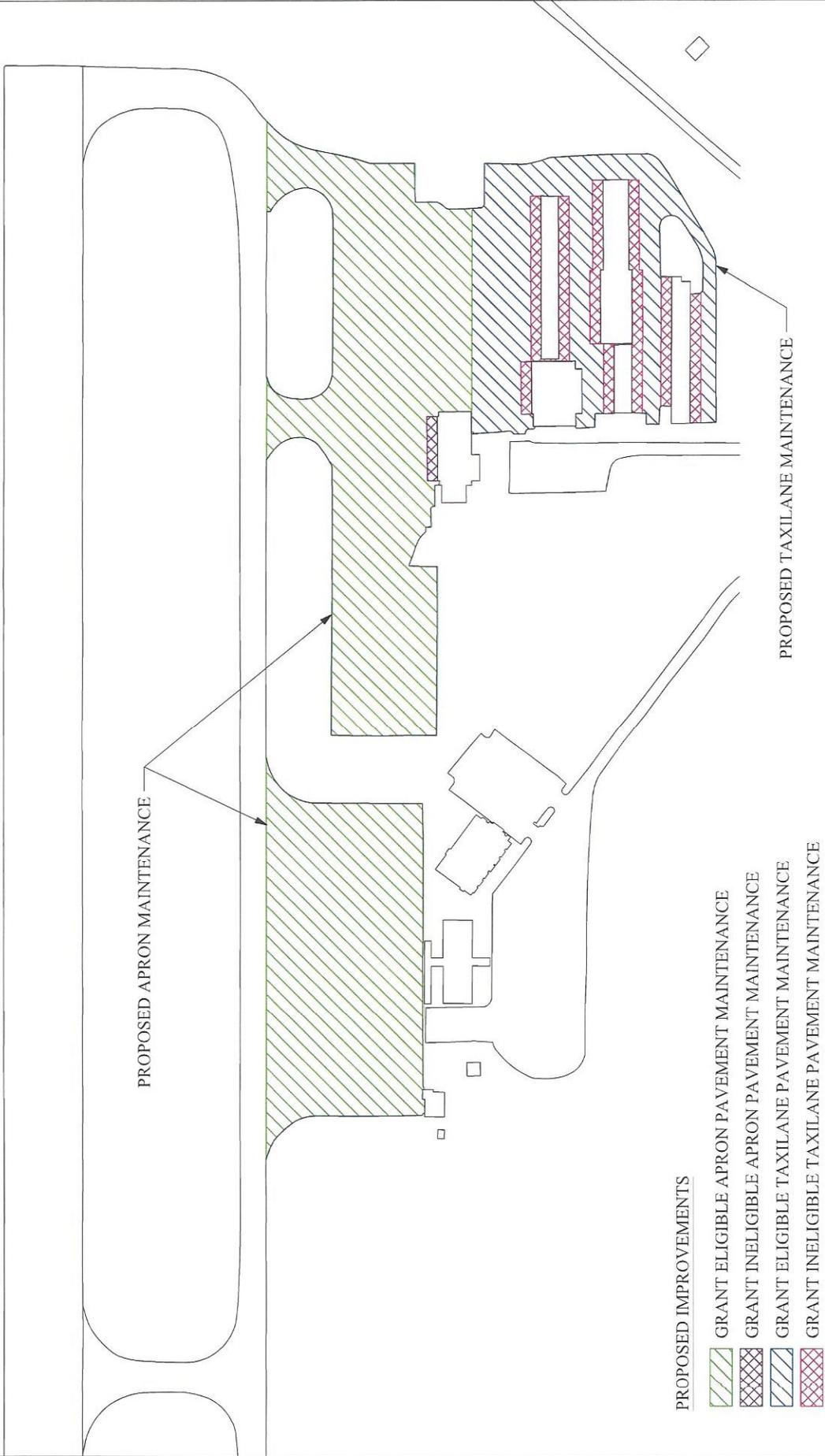
### **FY 2015 Project Justification**

The City of Anniston and the multiple communities adjacent to the Anniston Regional Airport have a renewed and vigorous desire to develop the Airport to its fullest potential. The City of Anniston intends to aggressively implement all necessary procedures to maintain the full utilization of the airfield in its current configuration so as to provide a first class facility for the Airport's patrons and the traveling public. Additionally, the City intends to pursue an approach of aggressive growth at the Airport so as to compliment local economic development initiatives and expand the facility to accommodate the current and expected demand placed upon it.

#### **Pavement Maintenance**

The Airport would now like to perform crack cleaning/sealing and the application of a refined coal tar emulsion on the airfield's existing apron and taxiway pavements in order to prolong their useful life.

# ANNISTON REGIONAL AIRPORT ANNISTON, ALABAMA



## PROPOSED 2015 IMPROVEMENTS

\*\* NOTE: PAVEMENT WITHIN 20' OF  
HANGAR DOORS SHOWN AS INELIGIBLE

**RESOLUTION NO. 14-R-\_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SUPPLEMENTAL AGREEMENT NUMBER 1 WITH THE STATE OF ALABAMA ACTING BY AND THROUGH THE ALABAMA DEPARTMENT OF TRANSPORTATION FOR SAFETY IMPROVEMENTS ON CR-198 (GREENBRIER DEAR ROAD) FROM WEST OF CHRISTINE AVENUE TO HILLYER ROBINSON INDUSTRIAL PARKWAY, IN THE CITY OF ANNISTON**

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

**Section 1.** That the City enters into a Supplemental Agreement Number 1 with the State of Alabama, acting by and through the Alabama Department of Transportation amending an Agreement dated February 3, 2011 for:

Construction Program for Project STPOA-7407 (601), Project Reference Number 1000549278 for safety improvements on CR-198 (Greenbrier Road) from west of Christine Avenue to Hillyer Robinson Industrial Parkway, in the City of Anniston; which Agreement is before this 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.

**BE IT FURTHER RESOLVED**, that upon the completion of the execution of the Agreement by all parties, that a copy of such Agreement be kept on file by the City Clerk.

**PASSED AND ADOPTED** on this the \_\_\_\_ day of \_\_\_\_\_, 2014.

**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

K-14-2072

2014 SEP 26 PM 3:41

**AGREEMENT  
FOR  
CONSTRUCTION**

**BETWEEN THE STATE OF ALABAMA  
AND  
THE CITY OF ANNISTON, ALABAMA**

**Project STPOA-7407 (601)  
Project Reference Number 100054928  
Safety Improvements on CR-198 (Greenbrier Dear Road) from  
West of Christine Avenue to Hillyer Robinson Industrial Parkway  
in the City of Anniston**

**SUPPLEMENTAL AGREEMENT NUMBER 1**

THIS SUPPLEMENTAL AGREEMENT is made and entered into by and between the State of Alabama, acting by and through the Alabama Department of Transportation, hereinafter referred to as STATE; and the City of Anniston, Alabama, hereinafter referred to as CITY.

WHEREAS, the STATE and CITY entered into a construction program for safety improvements on CR-198 (Greenbrier Road) from Alan Avenue to Hillyer Robinson Industrial Parkway in the City of Anniston, effective February 3, 2011; and

WHEREAS, the STATE and CITY desire to amend the Agreement entered into on February 3, 2011, by execution of this Supplemental Agreement.

NOW, THEREFORE, the parties hereto, for, and in consideration of the premises stated do hereby mutually promise, stipulate, and agree that the foregoing Agreement between the parties dated February 3, 2011, be and the same is hereby amended in the following respects:

1. The foregoing Agreement is hereby amended in the following respects: Page 1, paragraph 1 the Project description has been changed to read as follows: Safety improvements on CR-198 (Greenbrier Dear Road) from west of Christine Avenue to Hillyer Robinson Industrial Parkway.

2. Page 2, paragraph 3 of the foregoing Agreement is hereby amended to read in the following respects: The Project will be administered by the STATE and all cost will be financed, when eligible for Federal participation, on the basis of 80 percent Federal funds and 20 percent STATE funds. Federal funds will not exceed \$1,254,179.01 unless the Calhoun Metropolitan Planning Organization agrees, subject to the approval of the STATE, to reprogram the Federal funds allocated, for the Calhoun area, in an amount sufficient to cover 80 percent of the Project cost. The estimated cost and participation by the various parties are as

	<u>Total Estimated</u>	<u>Estimated Federal Funds</u>	<u>Estimated STATE Funds</u>
Construction, including engineering and inspection	<u>\$1,567,723.77</u>	<u>\$1,254,179.01</u>	<u>\$313,544.76</u>
TOTAL	\$1,567,723.77	\$1,254,179.01	\$313,544.76

The STATE matching funds on this Project will be limited to \$313,544.76. It is understood that the above is an estimate only, and in the event the final cost exceeds the estimate, the CITY will be responsible for and will pay all cost in excess of \$1,567,723.77 unless the Calhoun Metropolitan Planning Organization agrees, subject to the approval of the STATE, to reprogram the Federal funds allocated for the Calhoun area in an amount sufficient to pay 80 percent of Project cost. In that event, the CITY will also pay its additional proportionate share.

2. Page 4, paragraph 11 of the foregoing Agreement is hereby amended by substituting January 14, 2019, in lieu of January 17, 2015, in such paragraph.
3. All other and remaining terms of the Agreement of February 3, 2011, shall remain the same.

IN WITNESS WHEREOF, the parties hereto cause this Agreement to be executed by those officers, officials, and persons thereunto duly authorized, and the Agreement is deemed to be dated and to be effective on the date stated hereinafter as the date of the approval of the Governor of Alabama.

SEAL

ATTEST:

CITY OF ANNISTON, ALABAMA

\_\_\_\_\_  
City Clerk (Signature)

By: \_\_\_\_\_  
Mayor (Signature)

\_\_\_\_\_  
Type name of Clerk

\_\_\_\_\_  
Type name of Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Chief Counsel, Jim R. Ippolito, Jr.

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
Division Engineer, DeJarvis Leonard

\_\_\_\_\_  
Multimodal Transportation Engineer,  
Robert J. Jilla

\_\_\_\_\_  
Chief Engineer, Ronald L. Baldwin, P. E.

STATE OF ALABAMA  
ACTING BY AND THROUGH THE  
ALABAMA DEPARTMENT OF TRANSPORTATION

\_\_\_\_\_  
Transportation Director, John R. Cooper

The foregoing Agreement is hereby approved by the Governor of the State of Alabama  
this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
**GOVERNOR OF ALABAMA, ROBERT BENTLEY**

**RESOLUTION NUMBER 14-R-\_\_\_**

**A RESOLUTION VACATING A PORTION OF FREEMONT AVENUE FROM  
PAPPY DUNN BOULEVARD TO CARE DRIVE**

**WHEREAS**, the owners of all lands abutting on a street or alley hereinafter described have joined in a written instrument to declare said street or alley to be vacated; and

**WHEREAS**, convenient means of ingress and egress to and from said lands is afforded to all other property owners owning property to the tract of land embraced in the map, plat or survey hereinafter referred to, either by the remaining streets or alleys dedicated by such map, plat or other streets and alleys; and

**WHEREAS**, the vacation of said part of said street or alley shall not deprive any other property owners of such right as they have to convenient and reasonable means of ingress and egress to and from their property; and

**WHEREAS**, it is in the public interest of the Council of the City of Anniston, Alabama, to assent to the vacation of said part of said street or alley.

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

**Section 1.** That the said Council does hereby assent and consent to the vacation of said part of said street or alley, the same being described as follows:

A part of Section 15, Township 15 S, Range 08 E, in Calhoun County, Alabama, being more particularly described as beginning at a point that is the southeast corner of the R.O.W.s of Care Dr. and Pappy Dunn Blvd. run northeasterly along the south R.O.W. of Pappy Dunn Blvd. for 389 feet to a point that is the southwest corner of the R.O.W.s of Pappy Dunn Blvd. and Freemont Ave. to the Point of Beginning, thence continue along said line for 50 feet to a point, thence southeasterly 120 feet to a point, thence along a curve to the right 334 feet to a point, thence southerly 379 feet to a point that is on the north R.O.W. line of Pine Tree Dr., thence westerly 50 feet to a point that is on the north R.O.W. line of Care Dr., thence northerly 379 feet to a point, thence along a curve to the left 334 feet, thence, northwesterly 120 feet to the Point of Beginning.

**Section 2.** Provided, however, that this Resolution shall not prejudice the rights of any public utilities or railroads now operating easements, lines, pipes, railways lines, and rights – of – way in the area encompassed by said part of said street whether above ground, at ground level or below ground, it being specifically understood that this vacation is without prejudice as to the rights of such utilities.

**PASSED AND ADOPTED** this the \_\_\_\_ day of November, 2014.

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

**RESOLUTION NUMBER 14-R-\_\_\_**

**A RESOLUTION VACATING A PORTION OF CARE DRIVE FROM THE SOUTH SIDE OF WALL STREET TO THE NORTH SIDE OF AMERICAN RED CROSS DRIVE**

**WHEREAS**, the owners of all lands abutting on a street or alley hereinafter described have joined in a written instrument to declare said street or alley to be vacated; and

**WHEREAS**, convenient means of ingress and egress to and from said lands is afforded to all other property owners owning property to the tract of land embraced in the map, plat or survey hereinafter referred to, either by the remaining streets or alleys dedicated by such map, plat or other streets and alleys; and

**WHEREAS**, the vacation of said part of said street or alley shall not deprive any other property owners of such right as they have to convenient and reasonable means of ingress and egress to and from their property; and

**WHEREAS**, it is in the public interest of the Council of the City of Anniston, Alabama, to assent to the vacation of said part of said street or alley.

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

**Section 1.** That the said Council does hereby assent and consent to the vacation of said part of said street or alley, the same being described as follows:

A part of Section 15, Township 15 S, Range 08E, in Calhoun County, Alabama, being more particularly described as Beginning at a point that is the northwest corner of the R.O.W.s of Care Dr. and American Red Cross Dr. run along the south R.O.W. of Care Dr. N37°W for 963 feet to a point that is the southwest corner of the R.O.W.s of Care Dr. and Wall St., thence N53°E for 50 feet to a point that is the northeast corner of said R.O.W's, thence S37°E along the north line of Care Dr. 963 feet to a point, thence S53°W for 50 feet to the Point of Beginning.

**Section 2.** Provided, however, that this Resolution shall not prejudice the rights of any public utilities or railroads now operating easements, lines, pipes, railways lines, and rights – of – way in the area encompassed by said part of said street whether above ground, at ground level or below ground, it being specifically understood that this vacation is without prejudice as to the rights of such utilities.

**PASSED AND ADOPTED** this the \_\_\_\_ day of November, 2014.

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

**RESOLUTION NUMBER 14-R-\_\_\_**

**A RESOLUTION VACATING A PORTION OF GLOBAL DRIVE RUNNING  
NORTHEAST/SOUTHWEST BETWEEN AMERICAN RED CROSS DRIVE AND  
CARE DRIVE**

**WHEREAS**, the owners of all lands abutting on a street or alley hereinafter described have joined in a written instrument to declare said street or alley to be vacated; and

**WHEREAS**, convenient means of ingress and egress to and from said lands is afforded to all other property owners owning property to the tract of land embraced in the map, plat or survey hereinafter referred to, either by the remaining streets or alleys dedicated by such map, plat or other streets and alleys; and

**WHEREAS**, the vacation of said part of said street or alley shall not deprive any other property owners of such right as they have to convenient and reasonable means of ingress and egress to and from their property; and

**WHEREAS**, it is in the public interest of the Council of the City of Anniston, Alabama, to assent to the vacation of said part of said street or alley.

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

**Section 1.** That the said Council does hereby assent and consent to the vacation of said part of said street or alley, the same being described as follows:

A part of Section 15, Township 15 S, Range 8 E, in Calhoun County, Alabama, being more particularly described as beginning at a point that is the southeast corner of the R.O.W.'s of Wall St. and Care Dr. run southeasterly along the south line of Care Dr. for 425' to the point of beginning, thence continue along said line 55' to a point, thence run southwesterly for 261' to a point thence along a curve to the left 60' to a point, thence along a curve to the right 91' to a point that is on the north line of American Red Cross Dr., thence southwesterly along a line that is an extension of said north line for 53' to a point, thence northeasterly along a curve to the left 91' to a point, thence along a curve to the right 95' to a point, thence northeasterly 293' to the point of beginning.

**Section 2.** Provided, however, that this Resolution shall not prejudice the rights of any public utilities or railroads now operating easements, lines, pipes, railways lines, and rights – of – way in the area encompassed by said part of said street whether above ground, at ground level or below ground, it being specifically understood that this vacation is without prejudice as to the rights of such utilities.

**PASSED AND ADOPTED** this the \_\_\_\_ day of November, 2014.

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