

Anniston, Alabama

August 4, 2020

The City Council of the City of Anniston, Alabama, met in Regular Session in the Main Hall at the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, August 4, 2020, at approximately 5:53 o'clock p.m.

Jack Draper, Mayor, prayed the Invocation.

Jack Draper, Mayor, led the Pledge of Allegiance to the Flag.

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

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present virtually via FaceTime.

Council Member Harris made a motion to waive the reading of and approve the minutes of the July 21, 2020 Regular Called meeting. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the July 21, 2020 Regular Meeting minutes were approved.

Council Member Reddick made a motion to adopt the agenda with the addition of a resolution authorizing the grant of utility easement to Anniston Water Works & Sewer Board for the City of Anniston, and removing item (d) a motion to authorize the installation of a sign at the entrance of Glendale Estates from the consent agenda as a standalone motion. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried and the amended agenda was adopted.

Council Member Jenkins made a motion to approve the consent agenda:

- (a) Resolution appointing member(s) to the Public Building Authority (20-R-44)
- (b) Resolution certifying the election of certain School Board members and directing the issuance of a Certificate of Election (20-R-45)
- (c) Resolution appointing the City Clerk of the City of Anniston, Alabama as the Election Manager (20-R-46)
- (d) Motion to allocate \$50,000.00 to the Anniston City Schools Board of Education for the purchase of digital devices to be used in the Anniston City Schools

The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the consent agenda was approved.

Council Member Harris made a motion to authorize the City Manager to execute a Cancellation of Lease Agreement between the City of Anniston and Anniston Regional Properties, LLC for the Terminal Building located at 2500 Anniston Airport Boulevard, Anniston, Alabama. The motion was seconded by Council Member Reddick and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Council Member Little made a motion to authorize the installation of a sign at the entrance of Glendale Estates. The motion was seconded by Council Member Reddick.

Council Member Harris stated, she would like a legal opinion on the City putting a sign on private property. She stated that this might set a precedence and she believes that this requires a 772 in order to do this legally.

Council Member Little stated that the sign will not be going on private property but public property. He stated that it should be required in the ordinance that a sign be placed there, identifying that particular estate. He stated that he has supported repeatedly major funding in other areas and this is not even a crumb. He stated that it is confusing that minor things are requested the council makes them major when it comes to Wards 2 and 3. He stated it is a simple sign that will enhance the community.

Council Member Harris stated that she is not against the sign but she would need more information.

Council Member Reddick asked how much they put into the sewer development in Ward 4. He stated that they can put half a million into that but they cannot place a sign on the city right-of-way.

Council Member Little withdrew his motion.

Mayor Draper made a motion to authorize the installation of a sign, the cost to which not to exceed \$2,500.00 on public property but not to intrude into the right of way at the entrance of Glendale Estates. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Mayor Draper introduced an ordinance adopting article VII of the Code of Ordinances Governing Traffic Control Devices (1st Reading).

Council Member Jenkins made a motion to read the Ordinance adopting article VII of the Code of Ordinances Governing Traffic Control Devices. The motion was seconded by Council Member Little.

Mayor Draper opened a public hearing to receive public comments on reading the ordinance adopting article VII of the Code of Ordinances Governing Traffic Control Devices by title only. No one spoke. Mayor Draper closed the public hearing to receive public comments on reading the ordinance adopting article VII of the Code of Ordinances Governing Traffic Control Devices by title only.

Mayor Draper introduced and read Resolution 20-R-47, A Resolution declaring a reported condition to be a public nuisance Group 2020-03 Grass/Debris/ Vehicles:

RESOLUTION NUMBER 20-R-47

A RESOLUTION DECLARING A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.7 and 34.15 of said Ordinance, has reported to the City Council that conditions exist at see attached (Group 2020-03 Grass, Debris & Vehicles) 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), (4) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: overgrown lots, maintenance or storage of motor vehicles that are not in usable condition as defined in Section 34.2 of the Code of Ordinances and debris, motor vehicles and trash; 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 4th day of August, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Harris made a motion for passage and adoption. The motion was seconded by Council Member Jenkins.

Council Member Little asked how can they approve something and the council has not lifted the public comment and he asked Bruce Downey, City Attorney, what the word sold means? He asked if someone sells a piece a property who is the owner, the person who sold the property or the buyer of the property.

Bruce Downey, City Attorney, stated when you sell the property, you sell all the interests with that property; so if the property is subject to a lien or any other such interests.

Mayor Draper stated that the issue is in respect to the property being acquired by the State at a tax sale or property going to the state by way of tax delinquency.

Bruce Downey, City Attorney, stated that the state is not buying that piece of property...(further comments are inaudible)

And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Harris, and Draper; nays: none; abstentions: Council Member Little. The motion carried and Resolution 19-R-47 was passed and adopted.

Mayor Draper introduced a resolution appointing election officials for the municipal election on August 25, 2020, and if necessary, the Run-off Election on October 6, 2020:

**RESOLUTION NUMBER 20-RA RESOLUTION APPOINTING ELECTION OFFICIALS FOR THE MUNICIPAL
ELECTION ON AUGUST 25, 2020, AND, IF NECESSARY, THE RUN-OFF ELECTION
ON OCTOBER 6, 2020**

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

Section 1. The following individuals whose names appear after each voting location shall act and serve as election officials in the capacity herein designated for the Municipal Election for Council Members and Board of Education Members to be conducted on August 25, 2020, and, if necessary, for the "Run-Off" Election on October 6, 2020.

ELECTION OFFICIALS ANNISTON MUNICIPAL ELECTION 2020

WARD 1

First Presbyterian Church 1701 Henry Road, Anniston, AL

Lisa Glover, Inspector

Ellen Bass, Clerk

Karen Crockett, Clerk

Ronald Clark, Clerk

Alfreda Heard, Clerk

Pam Duey, Clerk
WARD 2

Refuge II Of Our Lord Jesus Christ Church 2230 McKleroy Avenue, Anniston, AL

Mary L Fomby, Inspector
Loree Wilson, Clerk
Nyree Sargent, Clerk
Montiquilla Griffin, Clerk
Garland Hyett, Clerk
Carver Community Center 720 West 14th Street, Anniston, AL

Faye Dearman, Inspector
Elvira Jones, Clerk
Samuel Wynn, Clerk
Janet Rouse, Clerk
Wytonia Walker, Clerk
Wiggins Community Center 220 West 17th Street, Anniston, AL

Helen Copeland, Inspector
Zelma Kirkland, Clerk
William Vereen, Clerk
Cathy Wilson, Clerk
WARD 3

South Highland Community Center 229 South Allen Avenue, Anniston, AL

James Edmonson, Inspector
Stan Hill, Clerk
Jacqueline Hanks, Clerk
John Campbell, Clerk
Evonne Snodgress, Clerk
Roger Carlisle, Clerk
Alina Wood, Clerk
Cassandra Brooks, Clerk
Anniston Meeting Center 1615 Noble Street, Anniston, AL

Kumira Mason, Inspector
Shalante Goodson, Clerk
Negretta Wilson, Clerk
Samuel Dailey, Clerk
Virginia Harmon, Clerk
WARD 4

Anniston Country Club 601 Highland Avenue, Anniston, AL

Lisa Huckaby, Inspector
Sara F. Starling, Clerk

William Ford, Clerk
Myrla Durden, Clerk
Thomas Plummer, Clerk
Andrea Imafidon, Clerk
Hodges Community Center 1325 Spring Valley Road, Anniston, AL

Patrece Tillery, Inspector
George Gorey, Clerk
Shirley Holder, Clerk
Mattie Kirby, Clerk
Martha Patrick, Clerk
Randall Wilkinson, Clerk
Barbara Reed, Clerk
William Tothero, Clerk

Section 2. In addition to the election officials hereinabove appointed, the City Council does hereby appoint the following for the positions indicated as polling officials for the absentee boxes in the City.

ABSENTEE BOX

Elmyra Jackson, Inspector
Jacqueline Brown, Clerk
Andrea Edmondson, Clerk

Section 3. That the compensation for said election officials shall be \$175.00 for Inspectors and \$125.00 for all other election officials per day for the Municipal Election for Council Members and Board of Education Members to be conducted on August 25, 2020, and, if necessary, for the "Run-Off" Election on October 6, 2020.

Section 4. The City Clerk is hereby directed to publish a list of the polling places and the polling officials in The Anniston Star in accordance with law.

PASSED AND ADOPTED this the 4th day of August, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor
Jay W. Jenkins, Council Member
David E. Reddick, Council Member
Benjamin L. Little, Council Member
Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-48. The motion was seconded by Council Member Harris.

Council Member Little stated that there is a name at the City Meeting Center, and he does want any talks about challenges of election and he thinks that name needs to be checked out and make sure they

are not registered to vote somewhere else. He asked Bruce Downey, City Attorney, if a law was passed about staying somewhere else but voting in another location.

And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none; The motion carried and Resolution 19-R-48 was passed and adopted.

Mayor Draper introduced and read Resolution to authorize Easement from McWane, Inc., for construction and use of Ladiga Trail:

RESOLUTION 20-R-49

RESOLUTION TO AUTHORIZE EASEMENT FROM MCWANE, INC. FOR CONSTRUCTION AND USE OF LADIGA TRAIL

WHEREAS, the Council for the City of Anniston finds that the City needs to acquire rights to certain real property, identified as the "Trail Easement Area" in the attached instrument (the "Trail Easement"), for construction and use of the Ladiga Trail;

WHEREAS, the owner of the land, McWane, Inc., has offered to donate a permanent easement to the City, subject to the conditions in the attached Trail Easement;

WHEREAS, the Council accepts McWane Inc.'s donation and the conditions thereof, and the Council finds that the Trail Easement will serve the public's interest;

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

The Mayor is authorized to execute and accept the Trail Easement for and on behalf of the City of Anniston. The City Manager is directed to take such actions as are necessary and appropriate to keep and satisfy the conditions of the City under the Trail Easement.

PASSED AND ADOPTED on this the 4th day of August, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-49 was passed and adopted.

Mayor Draper introduced and read Resolution approving the transfer of the Cable Television Franchise granted by the City of Anniston, Alabama:

RESOLUTION 20-R-50

A RESOLUTION APPROVING THE TRANSFER OF THE CABLE TELEVISION FRANCHISE GRANTED BY THE CITY OF ANNISTON, ALABAMA

WHEREAS, the City of Anniston (“City”), has received a request from Cable One, Inc. (“Cable One”), to assign to Hargray of Alabama, Inc. (“Hargray”) the cable television franchise held by Cable One (“Franchise”); and

WHEREAS, the Franchise requires that Cable One obtain the City’s prior consent for the assignment of the Franchise by Cable One to Hargray; and

WHEREAS, Cable One and Hargray have properly requested the City’s consent to the assignment and transfer of the Franchise and related assets to Hargray; and

WHEREAS, Hargray has the financial, technical, and legal ability to fulfill the obligations of the Franchise, and the assignment of the Franchise to Hargray will serve the public interest;

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

Section 1. The City consents to the transfer to Hargray of the Franchise and all of Cable One’s rights in and under the Franchise.

Section 2. Upon the closing of the contribution of Cable One’s cable system to Hargray (“Closing”), Hargray shall become bound by the Franchise and shall perform and discharge all obligations and duties under the Franchise that arise on and after the Closing.

Section 3. Upon Closing, the City releases Cable One from all obligations and liabilities under the Franchise that relate to periods from and after the Closing.

Section 4. Hargray may: (a) assign or transfer its assets to an entity directly or indirectly controlling, controlled by, or under common control with Hargray; (b) restructure debt or change the ownership interests among its existing equity holders; (c) pledge or grant to any lender a security interest in Hargray’s assets to secure indebtedness; and (d) sell equity interests in Hargray or any of Hargray’s affiliates.

Section 5. All City action necessary to approve this Resolution and the Franchise transfer has been duly and validly taken.

PASSED and ADOPTED this the 4th day of August, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

David E. Reddick, Council Member

Benjamin L. Little, Council Member

Millie Harris, Council Member

Council Member Harris made a motion for passage and adoption. The motion was seconded by Council Member Jenkins Bruce Downey, City Attorney, comments are inaudible

Council Member Jenkins made a motion to amend the resolution by removing section 4 of Resolution 20-R-50. The motion was seconded by Mayor Draper and on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-50 was amended.

And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and amended Resolution 19-R-50 was passed and adopted.

Mayor Draper introduced and read Resolution expressing objection to actions of Sheriff's Department and requesting remedial measures:

RESOLUTION NO. 20-R-51

EXPRESSING OBJECTION TO ACTIONS OF SHERIFF'S DEPARTMENT AND REQUESTING REMEDIAL MEASURES

WHEREAS, Josh Doggrell ("Doggrell") was employed as a Lieutenant with the Anniston Police Department ("APD");

WHEREAS, Doggrell was also a member of the League of the South, a white nationalist organization committed to advancing the cultural, social, economic, and political independence of white southerners;

WHEREAS, during the twenty or so years that Doggrell was a member of the League of the South, the organization grew increasingly radical to the point of openly promoting a return to segregation, overtly disparaging black Americans, promoting white supremacy and the inferiority of black Americans in the context of a threatened race war, and espousing plainly racist and inflammatory rhetoric;

WHEREAS, in 2013, while employed by APD, Doggrell gave a speech at the League of the South's national conference in Wetumpka, Alabama, which he entitled "Cultivating the Good Will of Peace Officers," in order to address the League of the South's relationship with local police and the recruitment of police officers to the organization;

WHEREAS, in his speech, Doggrell falsely implicated APD as supportive of his membership in the League of the South and the organization's racist and divisive viewpoints;

WHEREAS, Doggrell also spoke of his efforts to recruit other police officers to the League of the South, stating:

"You may ask how many police officers I have recruited to the League. Well, not many . . . But continuously, like Dr. Hill said last night in our state meeting, it is a grind . . . Some of those same people who said ten years ago were telling me how crazy I was, this week are telling me, 'I am this close to where you are at.' Okay? We have got to keep working on that and stay the course." "[Police officers] are the kind of people we will need in this kind of organization. These are the successful ones that can be counted on to be a warrior in the battles to come."

“By and large, our lawmen of Southern justice are good people with good intentions. They are just as susceptible to being swayed to our side and our views as any other southerner, and I would say even more so.”

“They are like everybody else you come into contact with that’s not here today. They are just not quite ready to take that step. But like I said earlier, they are much closer than they were ten or 15 years ago.”

WHEREAS, when the City first learned of Doggrell’s speech to the League of the South’s national conference, after a report publicized by the Southern Poverty Law Center, the City Manager terminated Doggrell’s employment as an APD officer;

WHEREAS, Doggrell’s conduct and association with the League of the South damaged the public’s perception, confidence and trust in APD, interfered with his ability to carry out the duties of his job and APD’s ability to carry out its mission and operations, and caused racial tension within the City;

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

The Council objects to the Sheriff’s employment of Doggrell as a sworn law enforcement officer, despite his known and unrepentant affiliation with a white supremacy organization. An officer’s association with the League of the South, much less membership in the organization, is incompatible with his duty to faithfully protect and serve the entire community, without bias or prejudice, and the integrity and character required to keep the public’s trust. The Council requests that the Sheriff’s office prohibit Doggrell from patrolling within the City and its police jurisdiction and take such measures to ensure that Doggrell does not interact with the citizens of the City in the performance of his duties as a Sheriff’s Deputy.

PASSED and ADOPTED on this the 4th day of August, 2020.

Jack Draper, Mayor

Jay Jenkins, Council Member

David Reddick, Council Member

Ben Little, Council Member

Millie Harris, Council Member

Council Member Reddick made a motion for passage and adoption. The motion was seconded by Council Member Little.

Council Member Little thanked Bruce Downey, City Attorney, and Steven Folks, City Manager, for putting forth effort to draft this resolution. He stated that the resolution speaks for itself.

Mayor Draper stated that this is a unique situation because the sheriff’s department has concurrent jurisdiction in the City of Anniston and he understands the concerns which is why he is voting yes to this resolution.

Council Member Reddick stated he worries an incident could happen knowing Doggrell’s affiliation and where he stands. He stated that they have to think of all citizens and the fairness of it; and he agrees with this resolution.

Council Member Jenkins stated that his initial reaction to seeing this on the agenda, was that it was out of their responsibilities. He stated the last two paragraphs define their responsibilities and requests in a way that it is a process for the council to address. He stated that he supports this.

And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-51 was passed and adopted.

Mayor Draper introduced and read Resolution authorizing the relocation of the Pelham Monument:

RESOLUTION NO. 20-R-52
AUTHORIZING THE RELOCATION OF THE PELHAM MONUMENT

WHEREAS, a monument presently exists within the median on Quintard Avenue, at its intersection with 12th Street, in honor of Major John Pelham, a Confederate artillery officer in the American Civil War, who was born and raised in Calhoun County and who died from injuries sustained in the Battle of Kelly's Ford;

WHEREAS, the Council recognizes that a monument to a leader of the Confederacy is inextricably intertwined with the South's historical support of institutional slavery and racial segregation;

WHEREAS, the Council desires to create an inclusive environment in its public places, for all its citizens, free of painful reminders of racial oppression;

WHEREAS, Calhoun County maintains the Janney Furnace Park, which includes The Confederate Memorial in memoriam of the Confederate soldiers who died in the Civil War, including Major John Pelham;

WHEREAS, the Council finds that relocating the Pelham Monument to the Janney Furnace Park would promote the monument's historical purposes;

NOW THEREFORE, BE IT RESOLVED by the Council for the City of Anniston, Alabama as follows: The City Manager is authorized and directed to obtain the consent of the Calhoun County Commission, or its designee, and any other necessary parties, and to take such actions as are necessary to relocate the Pelham Monument to the Janney Furnace Park. The City Manager is authorized to pay from the City's general funds the one-time civil penalty of \$25,000 that may be levied against the City under the Alabama Memorial Preservation Act of 2017.

PASSED and ADOPTED on this the 4th day of August, 2020.

COUNCIL FOR THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Councilmember

David E. Reddick, Councilmember

Benjamin L. Little, Councilmember

Millie Harris, Councilmember

Council Member Reddick made a motion for passage and adoption. The motion was seconded by Mayor Draper.

Council Member Little asked if the County manages Janney Furnace with public funds?

Mayor Draper stated that he believes it is the case in conjunction with Friends of Janney Furnace

Council Member Little asked if the council knowingly, willingly, and with forethought violate the law, is there a law that allows the council to use city funds to pay for their violation?

Bruce Downey, City Attorney, stated that there is not a law that allows the council to break the law. He stated that people were questioned if the legislature could pass this law... and moving the statue breaks the law, there is a civil penalty to punish for violations just like if the council violates their storm water penalty. He stated that by moving the statue there is a civil penalty for doing so and he does not know how they could pay that without city funds. He stated that he believes the city has the power to use its funds to pay the penalty.

Council Member Little stated that if a citizen goes out and intentionally violates a civil code, then they can request the city to pay for the civil code they violated?

Bruce Downey, City Attorney, gave the example of a citizen speeding down a city street; he stated that they are not allowed to do it but if they do there is a penalty by law and they would have to pay. He stated that there are certain crimes or offenses that you have to demonstrate that the person or entity knowingly committed the act. He stated the council moving the statue is not a criminal violation but a violation of a civil requirement and there is a civil penalty. He stated that he does not believe there is a way to unintentionally violate this law, either you violate it or you don't. He stated that city will not be committing a criminal offense by moving the monument but will be violating Alabama law by moving it.

Council Member Little stated that he supposedly, on this council, violated a civil act and the council will not pay; and the League of Municipalities said after one has gone to court and proven a certain way then you can expend funding to cover one's legal costs and some other actions. He also stated that prior to going to court you cannot expend public funds in this manner.

Bruce Downey, City Attorney, stated that those issues come up because generally paying the legal expenses, if one is sued for something they have done officially as an act of the city, then the city can defend itself but the criteria of what is applied that Council Member Little is referring to applies to a person acting in their individual capacity. He stated that it boils down to is it going to fulfill a public purpose.

Council Member Little asked if Janney Furnace considered a museum according to what appears to be there and what is the difference between a furnace and a museum?

Bruce Downey, City Attorney, stated that from his understanding, it is a historical site and the legislature has given Anniston the authority to spend money in the promotion of cultural or historical benefit.

Council Member Jenkins stated that Janney Furnace is a rock furnished structure that was built during the civil war in order for confederate army to fabricate pig iron for cannon balls. He stated that a civil war memorial out there and a museum that holds civil war artifacts.

Council Member Little asked if it was on one of the tourism sites in Alabama.

Council Member Harris stated that two to three years ago the Chamber had a tour of all of the tourism sites in Calhoun County and that location was included on that tour.

And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried and Resolution 19-R-52 was passed and adopted.

Mayor Draper introduced and read Resolution authorizing grant of utility easement to Anniston Water Works & Sewer Board for the City of Anniston.

Council Member Reddick made a motion for passage and adoption. The motion was seconded by Council Member Harris. And on call of the roll the following vote was recorded: Council Members Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Resolution 19-R-53 was passed and adopted.

There being no further business to come before the council at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Reddick, Little, Harris and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 6:49 o'clock p.m.