

Anniston, Alabama

September 1, 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, September 1 2020, at approximately 5:30 o'clock p.m.

Pastor Laura Hutchinson, First Christian Church, prayed the Invocation.

Pastor Laura Hutchinson, First Christian Church, 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 Jenkins made a motion to waive the reading of and approve the minutes of the August 8, 2020 Special Called meeting. The motion was seconded by Council Member Harris 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 August 6, 2020 Special Called Meeting minutes were approved.

Council Member Reddick made a motion to waive the reading of and approve the minutes of the August 18, 2020 Regular meeting. The motion was seconded by Council Member Harris 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 August 18, 2020 Regular Meeting minutes were approved.

Council Member Little made a motion to adoption the agenda with the addition of item g under resolutions, a Resolution Appointing a Member to the Anniston Water Works & Sewer Board. 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 amended agenda was adopted.

Mayor Draper read the following addresses of the abatement of identified nuisances Group 2020-03 Grass, Debris, & Vehicles: 0 West 15th St, 0 West 15th St& Stephens Ave, 17 West 20th Street, 125 Dobbins St, 204 Chestnut Ave, 221 South Christine Ave, 305 Lucius Drive, 312 Glenaddie Ave, 318 Glenaddie Ave, 321 South Christine, 407 East 23rd Street, 417 East 23rd Street, 419 West 23rd Street, 433 East 23rd Street, 449 East 23rd St., 815 West 18th Street, 902 East 22nd Street, 903 East 22nd Street, 928 Highland Ave, 1012 Claxton Street, 1224 West 15th, 1301 Crawford Ave, 1400 Christine Ave, 1401 Johnston Dr., 1508 Cobb Ave, 1516 East 10th St., 1531 Walnut Ave, 1624 Rocky Hollow, 1716 McKleroy Ave, 1725 Marguerite Ave, 1747 Homarda Dr., 1907 Beulah Ave, 2011 Moore Ave, 2014 Mckleroy, 2101 Christine Ave, 2101 Moore Ave, 2107 Moore Ave, 2109 McKleroy Ave, 2128 Mckleroy Ave, 2117 Moore Ave, 2229 Christine Ave, 2313 McKleroy Ave, 2510 Gurnee Avenue, 2608 McKleroy Ave, 2625 McKleroy Ave, 2701 Old Quintard Ave, 2703 Old Quintard Ave, 2803 Old Wilmer Ave, 2841 McClellan Blvd. 3008 Coleman Road, 3908 Stratford Road, and 4128 Southbury Lane.

Mayor Draper opened the public hearing to receive public comments on over-ruling objections to the abatement of identified nuisances. Group 2020-03 Grass, Debris & Vehicles.

Council Member Reddick asked what church is at 2229 Christine Ave?

Tana Bryant, Code Enforcement, stated that the vehicle had been removed and that property is in compliance but it was too late to turn it into Myra prior to. She stated that the cases she will announce have been closed and are not moving forward for any type of abatement: 0 West 15th St, 0 West 15th St & Stephens, 125 Dobbins, 221 South Christine, 928 Highland Ave, 1021 West 15th Street, 1224 West 15th St, 1301 Crawford, 1516 East 10th St. is coming off because there is a new owner for the property, 2014 McKleroy, 2101 Christine Ave, 2128 McKleroy Ave, 2117 Moore, 2229 Christine Ave, 2313 McKleroy, 2625 McKleroy, 2701 Old Quintard Ave, 2841 McClellan Blvd. She stated that those cases have been closed in their system.

Council Member Jenkins asked that they restart the process for 1516 East 10th Street, because that property is still a wreck and the new owner has not done what they said they would do.

John Ezekiel Scoggins, addressed the council on being arrested three times for trespassing on his own property and for being put out of his home with no other place to live.

Council Member Little stated that if there is a problem, the law states that you abate the nuisance but you cannot go in and remove someone from their house. He stated that the city has to provide a place for the person to go and pay for it. He stated that they cannot treat people like they are not human. He stated that they talked about it last time and he sees the man sitting on the side of the road.

Mayor Draper closed the public hearing to receive public comments on over-ruling objections to the abatement of identified nuisances. Group 2020-03 Grass, Debris & Vehicles.

Council Member Little made a motion to authorize the purchase of 403 Leighton Avenue Parcel 11-21-03-08-3-002-035.000 for \$5,000.00; 405 Leighton Avenue Parcel 11-21-03-08-3-02-034.000 and 407 Leighton Avenue Parcel 11-21-03-08-3-002-033.000 for a total of \$14,000.00. The motion was seconded by Council Member Reddick.

Council Member Little wanted to thank staff and Mr. Folks for their due diligence in getting this resolved. He stated this is the place for the mini mart at 3rd and Leighton. He wanted to thank the council because they are under budget for what they had budgeted for.

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.

Council Member Jenkins made a motion to approve the Small Cell Technology applications at the following addresses: 3120 Spring Valley Road; 1024 Noble Street; 1602 Front Street; 420 E 5th Street; 308 E 12th Street; 416 E 10th Street. The motion was seconded by Council Member Little 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.

Council Member Draper made a motion to rescind Resolution No. 20-R-51 authorizing the relocation of the Pelham Monument, due to challenges to the Resolution's permanency. The motion was seconded by Council Member Jenkins; and on call of the roll the following vote was recorded: ayes: Council Member

Jenkins, Reddick, Harris, and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Council Member Little made motion to hire an attorney to review the hiring practices and awarding contracts of GSA and other contractors. The motion was seconded by Council Member Reddick.

Council Member Little made a motion to table the motion to hire an attorney to review the hiring practices and awarding contracts of GSA and other contractors. 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.

Council Member Reddick made a motion to authorize the City Manager to initiate a request for proposal for an architect firm to design an Educational Complex for a new High School, Middle School, and Elementary School. The motion was seconded by Council member Little.

Council Member Little stated that they still need the resolution from the school board and the last time there was a mix up with the referendum. He stated the first step would be for the architect to state where the schools would be and how much it would cost for the referendum.

Council Member Jenkins suggested that the council have a joint meeting with the school board to discuss this and define a program if they are going to look at engaging a firm to assess potential sites and cost.

Council Member Little made a motion to table the motion to authorize the City Manager to initiate a request for proposal for an architect firm to design an Educational Complex for a new High School, Middle School, and Elementary School. The motion was seconded by Council Member Jenkins; 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.

Mayor Draper introduced and read, Resolution 20-R-64, a Resolution over-ruling objections to the abatement of identified nuisance Group 2020-03 Grass/Debris/Vehicles. Mayor Draper read the following addresses for the record that were not administratively removed: 17 West 20th Street, 204 Chestnut Ave, 305 Lucius Drive, 312 Glenaddie Ave, 318 Glenaddie Ave, 321 South Christine, 407 East 23rd Street, 417 East 23rd Street, 419 West 23rd Street, 433 East 23rd Street, 449 East 23rd St., 815 West 18th Street, 902 East 22nd Street, 903 East 22nd Street, 1400 Christine Ave, 1401 Johnston Dr., 1508 Cobb Ave, 1531 Walnut Ave, 1624 Rocky Hollow, 1716 McKleroy Ave, 1725 Marguerite Ave, 1747 Homarda Dr., 1907 Beulah Ave, 2011 Moore Ave, 2101 Moore Ave, 2107 Moore Ave, 2109 McKleroy Ave, 2510 Gurnee Avenue, 2608 McKleroy Ave, 2701 Old Quintard Ave, 2803 Old Wilmer Ave, 3008 Coleman Road, 3908 Stratford Road, 1012 Claxton Street and 4128 Southbury Lane.

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-64, Resolution over-ruling objections to the abatement of identified nuisance Group 2020-03 Grass/Debris/Vehicles. The motion was seconded by Council Member Harris.

Council Member Little stated that whatever [Mr. Scoggins] has been to court for, it needs to be thrown out immediately and his record expunged. He stated that it was very disturbing and concerning.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: none; abstentions: Council Member Reddick and Little. The motion carried and Resolution 20-R-64 was passed and adopted.

Mayor Draper introduced and read Resolution 20-R-65, a Resolution declaring a reported condition to be a public nuisance Group 2020-056 Grass/Debris/Vehicles. Mayor Draper read the following addresses for the record: 229 Pyle Ave, 602 E. 22nd St, and 2826 Noble St.

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-65. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, Harris, and Draper; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution 20-R-65 was passed and adopted.

Mayor Draper introduced and read Resolution 20-R-66, a Resolution authorizing the Mayor to execute a Signal Maintenance agreement for a Signal Upgrade on AL-21 at Baltzell Gate Road and AL-21 at Lenlock Lane:

RESOLUTION NUMBER 20-R-66

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A SIGNAL MAINTENANCE AGREEMENT FOR A SIGNAL UPGRADE ON AL-21 AT BALTZELL GATE ROAD AND AL-21 AT LENLOCK LANE

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

Section 1. That the City enter into an Agreement with the State of Alabama, acting by and through the Alabama Department of Transportation for the signal upgrade on AL-21 at Baltzell Gate Road and AL-21 at Lenlock Lane 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 this the 1st day of September 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 for Resolution 20-R-66. The motion was seconded by Council Member Harris; 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 Resolution 20-R-66 was passed and adopted.

Mayor Draper introduced and read Resolution 20-R-67, a Resolution authorizing certain additional actions with respect to General Obligation Warrants, Series 2020, of the City of Anniston:

RESOLUTION NO. 20-R-67

A RESOLUTION AUTHORIZING CERTAIN ADDITIONAL ACTIONS WITH RESPECT TO GENERAL OBLIGATION WARRANTS, SERIES 2020, OF THE CITY OF ANNISTON

BE IT RESOLVED BY THE CITY COUNCIL (the "Council") OF THE CITY OF ANNISTON, ALABAMA (the "City"), as follows:

Section 1. The Council has found and determined, and does hereby find, determine and declare, as follows:

(a) The Council has heretofore adopted Resolution No. 20-R-43 on July 21, 2020, whereunder the Council authorized certain preliminary actions with regard to the issuance of the City's General Obligation Warrants, Series 2020 (the "Series 2020 Warrants").

(b) Due to the improvement of certain market conditions, there is additional outstanding indebtedness of the City that can be refunded to generate interest savings for the City. Accordingly, it is in the best interests of the City to refund all, or some portion, of the following outstanding obligations (collectively, the "Additional Refunded Obligations"):

(1) General Obligation Warrant, Series 2014-A (the "Series 2014-A Warrant"); and

(2) General Obligation Warrant, Series 2018 (the "Series 2018 Warrant").

(c) It is necessary and desirable for the City additionally to authorize the inclusion of the refunding of the Additional Refunded Obligations in the structure and offering to the public market of the Series 2020 Warrants.

Section 2. This resolution shall take effect immediately.

PASSED and ADOPTED this 1st day of September 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

Jack Draper, Mayor

Jay W. Jenkins, Council Member

Millie Harris, Council Member

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-67. The motion was seconded by Council Member Harris.

Council Member Little asked what was the beginning rate that was owed on this, what would be the savings, and is it lowering the rate or will still be paying the same. He stated that it says we have an option to either use those savings to pay it and do some other things with but you're falling back. He stated that it is voodoo math.

Council Member Reddick stated that he has a problem with this. He stated that they are putting Anniston in a situation where they will not have the ability to make a loan later and tying up the next council's finances. He stated that he talked with a couple of municipal bond advisors and everyone said you cannot make the statement that they are operating on the best interest of the city, in fact the council signed a document where they disclosed they are not operating in the best interest of the City. He asked the council to hold off on this resolution until the SEC responds to his letters about this situation. He asked what this does to the city's bond rating.

Steven Folks, city manager, stated that the rating is AA-.

Council Member Reddick stated that the city's rating went from AAA to AA-. He stated this is similar to a pay day loan and this council is bankrupting the City of Anniston. He stated that they have someone who violated SEC's ethics code by lying to this council about operating in the best interest of the city.

Council Member Jenkins stated that they are not staring over but continuing the same payments they have been making, the same terms on the bond that they had before. He stated that they have a couple of choices: take the savings realized from a lower interest rate up front; take that savings from the lower interest rate and lower the city's annual payment for the term of the loan; take the savings and pay down the bond with that money, so they shorten the time of that term. He stated that what is presented here is taking that money and utilizing it another way. He stated it has to be used for capital improvements that is the requirement of the law. He stated that they are not saddling the next council with any more of a payment then they currently have.

Council Member Reddick stated that is the problem, it is not changing our payments. He stated maybe the next council will, instead of trying to get instant gratification, be looking toward long term success. So don't say we are not trying to saddle them, because we cannot speak for them.

Council Member Little stated that he wants to see what Council Member Jenkins just spelled out in the resolution. He stated that what they are doing here does not spell anything out in this resolution and that is factual. He stated that it does not spell out in this resolution what this bond will do. He stated that the process of how this is unfolding is the wrong way to do it.

Council Member Reddick made a motion to table Resolution 20-R-67. The motion was seconded by Council Member Little. And on call of the roll the following vote was recorded: ayes: Council Member Reddick and Little; nays: Council Member Jenkins, Harris and Draper. The motion to table failed.

Council Member Reddick stated the city went from a AAA rating to a AA-, which means they will be a single A real soon, probably when he gets through. He asked if they are okay with the city's rating going down like that.

Mayor Draper stated that they do not believe that is factual correct.

Council Member Reddick stated that they are basically a 600 credit score right now.

Council Member Little made a motion to adjourn. The motion was seconded by Council Member Reddick. And on call of the roll the following vote was recorded: ayes: Council Member Reddick and Little; nays: Council Member Jenkins, Harris and Draper. The motion to adjourn failed.

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-65. The motion was seconded by Council Member Harris; and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Little, Harris, and Draper; nays: none; abstentions: Council Member Reddick. The motion carried and Resolution 20-R-65 was passed and adopted.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Reddick and Little. The motion carried and Resolution 20-R-67 was passed and adopted.

Mayor Draper introduced and read a Resolution authorizing the relocation of the Pelham Monument (1st Reading):

RESOLUTION NO. 20-R-xx

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.

Mayor Draper made a motion to suspend the rules to take up item g, A Resolution appointing Member(s) to the Water Works and Sewer Board first. The motion was seconded by Council Member Little; 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.

Council Member Little stated that any resolution or ordinance of a permanent nature cannot be voted upon the same meeting unless it has unanimous consent. He stated that it brought this to the attention of the council that the first motion was not passed properly. He stated that laws should be followed

when it comes to certain people but when other things happen they skirt the law. He stated that this will be debated and discussed at the next council meeting. He stated that should have been caught by the attorney or someone else.

Dionne Johnson, thanked the council for their consideration. She stated that she is both honored and excited that she has been selected to serve as a board member. She hopes for much success for this board.

Council Member Little made a motion for passage and adoption of Resolution 20-R-68, A Resolution appointing Member(s) to the Water Works and Sewer Board. 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 Resolution 20-R-68 was passed and adopted.

Council Member Jenkins made a motion for passage and adoption of a Resolution adopting the budget for Fiscal Year 2021. The motion was seconded by Mayor Draper.

Council Member Jenkins made a motion to amend the resolution with the following amendments:

- Provide all city employees with the exception of police and fire with a covid bonus totaling \$1,000.00. This lump sum bonus payment will be made as soon as the budget goes into effect.
- Funding for bonuses will come from two sources- delay capital outlay purchase of D4 dozer for public works for a savings of \$165,000.00 and reduce council travel from \$7500.00 per council member to \$6,000 per council member for a savings of \$7500.00. Any excess monies once payout of bonuses is complete shall be added to the access drainage and flooding issues in Golden Springs.
- The second adjustment takes advantage of savings realized through bond refinancing which are restricted to capital improvements only. Estimated savings at this time are \$1.3 million. He proposes these funds be allocated as part of the budget in the following manner:
 - \$200,000.00- to enhance the amenities at Randolph Park in association with plans submitted by Council Member Reddick to remediate drainage /flooding issues.
 - \$200,000.00-resurface West 15th Street from Noble Street to city limits- work to be done in conjunction with county commission in an even split of costs.(agreement is already in place)
 - \$30,000.00-preparation of building pad and provide utilities for South Leighton development to further incentivize development on this location
 - \$40,000.00-purchase of additional speed calming devices for placement in key areas across the city
 - \$325,000.00 address drainage and flooding in Golden Springs
 - \$75,000.00 construct new sidewalk on 10th street from end of existing sidewalk at Lockwood Avenue to existing sidewalk at Elizabeth Street (Tenth Street School).
 - \$75,000.00- resurface track at McClellan-facility gets a tremendous amount of use from dawn to dusk and is starting to erode.
 - \$25,000.00- various improvements to Hill Golf Course

- \$50,000.00- various improvements to Cane Creek Golf Course- additional work needs to be done to resolve some drainage issues, further irrigation improvements and replace cart paths.
- \$250,000.00-seed money for further development of Satcher Health Institute and Civil Rights Museum- as we move into a fundraising campaign to complete this project, it is important that we as a city be the lead participator as we ask others to contribute.

Council Member Jenkins stated that this amendment reaches all parts of the city, not exactly equally, but the one ward unrepresented is ward 1.

The motion was seconded by Council Member Reddick.

Council Member Little stated that he appreciates Council Member Jenkins amendment. He stated there are some things there, the seed money for the Dr. Satcher Institute is very good. He stated one thing he wants is a for a startup fund for businesses and a few other things.

Council Member Harris thanked Council Member Jenkins for the work put into this amendment, particularly the drainage and flooding issues in Golden Springs. She stated she does want to see the sidewalk in Golden Springs from Edgefield Farms to Walgreens; it is critical because she has seen people in wheel chairs going down the road. She stated that it is very commendable, it is not just for his ward but for the entire city, and that is real leadership.

Mayor Draper stated that the amendment addresses a lot of pressing capital improvements and infrastructure needs.

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 Jenkins' amendment was 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 Jenkins; 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 6:42 o'clock p.m.