

CITY OF ANNISTON

January 17, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
 - December 20, 2022 Regular meeting
- ADDITIONS/DELETIONS TO THE AGENDA
- ADOPTION OF AGENDA

I. RECOGNITIONS

(a) Anniston Youth Football Champions

Sophomore Team (ages 5 – 7)

Senior Team (ages 10 – 12)

II. PUBLIC HEARING

Speaking to a Public Hearing Item

In the interest of time and to ensure the fairness of all persons who appear before the City Council to speak for or against a public hearing item, speakers will be limited to three (3) minutes each to address City Council except as described herein. One speaker for the Petitioner may address the City Council for no more than 10 minutes, unless extended by the Mayor. In an effort help the City Council and the general public to better understand the issues, the Mayor may request that a City staff member address the City Council from the podium. Speakers from the general public may only speak when recognized by the Mayor during the public hearing. Speakers will be asked to come to the podium to address the City Council for three (3) minutes and they shall state their name and resident address for the record. Speakers addressing City Council on a public hearing item should coordinate comments in order to respect City Council's time constraints. Groups should select a spokesperson to present the major points that summarize their position and opinions. Speakers are urged to be brief and non-repetitive with their comments. Comments shall specifically address the public hearing item before the City Council, and the speaker shall maintain appropriate tone and decorum when addressing the City Council. City Council may ask questions of the applicant, speakers, or staff during these proceedings only for the purpose of clarifying information. The speaker shall not direct derogatory comments to any individual, organization, or business. At the conclusion of the three (3) minute time period, the speaker will be notified that his/her time has elapsed and the next speaker will be recognized to come forward to the podium and address the City Council. Once the public hearing is closed on an item, there will be no further opportunity for formal or informal public input at a City Council meeting.

III. UNFINISHED BUSINESS

- (a)** Motion to approve a Bingo Permit to 7 Springs Ministries located at 33 Old Gadsden Hwy, Anniston, Alabama 36201

IV. CONSENT AGENDA

- (a)** Resolution authorizing the Finance Director to write-off account receivables for certain household refuse collection charges
- (b)** Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) alcohol license to Radiant Food Store 1 LLC d/b/a SAMCO 18 located at 111 Old Gadsden Hwy in the police jurisdiction
- (c)** Motion to approve bid for grass cutting and lot clean-up of 21 lots to Wendy Thornton in the amount of \$2,850.00
- (d)** Motion to approve bids for demolition of 12 CDBG substandard structures to Emtex for CDBG properties: 2430 McKleroy Ave, 1421 McDaniel, 1318 Front St., 1600 Bancroft, 1122 Mulberry Ave, 2000 McKleroy Ave, 1022 West 16th St., 1008 Front St., 2631 McCoy Ave in the amount of \$49,300.00; T&D Stump Grinding and Tree Service/Cleaning LLC for CDBG property: 100 East 29th St. in the amount of \$11,950.00; Eagle Demolition for CDBG properties: 1312 W. 15th St., 1724 Dooley Ave in the amount of \$16,893.00
- (e)** Motion authorizing the City Manager to execute an agreement with Chambliss King Architects for renovation of 1129 Noble Street Historic Courthouse
- (f)** Motion in accordance with the Council-Manager Act of 1953, the City Council hereby affirms the City Manager's appointment of Jessica Leonard as the Finance Director of the City of Anniston

V. ADDITIONAL OR OTHER MATTERS THAT MAY COME BEFORE COUNCIL

VI. PUBLIC COMMENTS

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 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. Members of the general public who would like to address the City Council during the Public Comment portion of the meeting, may do so in accordance with the rules outlined in Ordinance 21-O-22 adopted by the City Council on November 2, 2020 as stated:

Section 12. Members of the public may address the Council or speak on matters of public concern during the period of the meeting agenda reserved for public comments, subject to the following procedures:

(a) No person shall be allowed to speak during public comments unless he or she submits a Request to Speak During Public Comments form to the Office of the City Manager no later than 3:00 P.M. on the Friday before the Council meeting. The request shall identify the speaker by name and residential address and shall specify the date of the meeting in which the speaker desires to offer public comments.

(b) The period for public comments shall be open to the **first ten (10) persons** who submit a timely request to speak during the meeting at hand.

(c) In advance of each meeting, the City Manager shall provide the Council a list of the persons authorized to speak during the period for public comments, not to exceed ten (10) persons, which shall identify the speakers in the order in which their requests were made. The presiding officer shall call on each person from the list. Once recognized, each person shall be provided no more than **three (3) minutes** to complete his or her public comments.

(d) Those persons who make a timely request, after the first ten (10) requests, shall be first on the list of persons authorized to speak during the period for public comments in the next meeting, unless he or she asks to be removed from the list.

Section 13. All comments made by members of the Council shall be restricted to the matter under consideration and shall be addressed to the presiding officer, except during the period of the meeting reserved for Council Comments. All comments made by members of the Council shall be restricted to three (3) minutes, unless the presiding officer grants exception for good cause.

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

Once the speaker has been recognized to speak, he/she 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 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.

(a) Glen Ray – 3514 Dale Hollow Road

(b) Shawana Hill – 2630 Wilmer Avenue

(c) Richard Jackson – 2317 Noble Street

VII. COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

December 20, 2022

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B at the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, December 20, 2022, at approximately 5:34 o'clock p.m.

Jay Jenkins, Council Member, prayed the Invocation.

Jay Jenkins, Council Member, 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, Roberts, Smith, Harris and Draper; absent: none. A quorum was present and the meeting opened for the transaction of business.

Bruce Downey, City Attorney, was present.

Steven Folks, City Manager, was present.

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the December 6, 2022 regular meeting. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the December 6, 2022 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the additions of a resolution changing the curbside garbage collection service charge for each residential unit, and a motion to revise the 2022 public safety classification by adding the "Firefighter-EMT" position for entry level firefighters who have not obtained their Advanced Emergency Medical Technician (AEMT) and upon completion of AEMT, firefighter will be reclassified to "Firefighter-AEMT" to the consent agenda and a stand-alone motion to approve the request from Anniston City Schools for appropriated funds from Resolution 22-R-34 (formerly 18-R-113) of \$97,774.07 to be utilized to provide continued funding for a Career Technical Education Teacher, student classroom supplies and instructional resources to support our Modern Manufacturing Program. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the amended agenda was approved.

Mayor Draper made a motion to adopt the amended consent agenda:

- (a) Resolution authorizing reimbursements to City Officials for expenses incurred while traveling away from the City (22-R-64)
- (b) Resolution authorizing the submission of a grant application for financial assistance under Section 5310 of the Federal Transit Act Amendments of 1991 (22-R-65)
- (c) Motion to approve the bid for the Leighton Avenue Resurfacing Project to Vulcan, in the total amount of \$989,359.95
- (d) Motion to suspend the rule requiring the City Council to meet on the first Tuesday of January 2023

- (e) Resolution changing the curbside garbage collection service charge for each residential unit in the City of Anniston
- (f) Motion to revise the 2022 public safety classification by adding the “Firefighter-EMT” position for entry level firefighters who have not obtained their Advanced Emergency Medical Technician (AEMT) and upon completion of AEMT, firefighter will be reclassified to “Firefighter-AEMT”

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

Mayor Draper introduced the ordinance establishing Police Reserve Force (1st Reading)

Council Member Jenkins made a motion to read the ordinance by title only. The motion was seconded by Council Member Harris.

Mayor Draper opened a public hearing to receive public comment on reading the ordinance by title only. No one spoke. Mayor Draper closed the public hearing to receive public comment on reading the ordinance by title only.

Council Member Harris made a motion for unanimous consent for immediate consideration. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried.

Council Member Roberts made a motion for passage and adoption of the ordinance establishing Police Reserve Force. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the ordinance was passed and adopted. (22-O-18)

Council Member Harris made a motion to approve the request from Anniston City Schools for appropriated funds from Resolution 22-R-34 (formerly 18-R-113) of \$97,774.07 to be utilized to provide continued funding for a Career Technical Education Teacher, student classroom supplies and instructional resources to support our Modern Manufacturing Program. The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried.

Glen Ray, 3514 Dale Hollow Road, addressed the council on raising the garbage fee. He stated that it feels like in the crisis that the country is in, everyone is raising everything. He asked the council what are they doing to take the burden off the citizens in the city.

Richard Jackson, 2317 Noble Street, congratulated the city on the Christmas parade. He stated that he had not seen a parade as big or long as this one. He stated that to whom much is given, much is required.

John Squires, 201 Druid Hills Road, addressed the council that the reading scores for the students, 1st through 8th grade, have taken a tremendous beating. He proposes a Winter reading program, which will increase the students reading ability by at least 25%.

Mayor Draper acknowledged Fire Chief Jeff Waldrep on his recognition from the Alabama Secretary of State John Merrill for his years of service with the Anniston Fire Department.

Council Member Harris stated that it has been a pleasure to work with the current council. She stated that they have gotten a lot done and she has nothing but respect for each one. She stated that she appreciates Mr. Squire's idea on the reading program, she encourages him to reach out the Anniston School Board. She thanked Karla Eden and everyone involved for the best Christmas Parade she has ever seen in Anniston.

Council Member Smith addressed Mr. Squire that the best way to implement a program like this, would be to meet with the principals of each school. She stated that raising the garbage fees is something that the council has discussed for months. She stated that in consideration of raising those fees, the City is planning to write off over a million dollars in unpaid fees.

Council Member Roberts apologized for getting out of character at the last council meeting. He stated that he allowed his attempt at trying to educate some of the citizens to really bother him.

Council Member Jenkins wished Julie good luck on her future endeavors. He thanked city staff for all the work they do. He stated that a pat on the back is earned by staff even though they do not ask for it. He commended Karla Eden and everyone who played a role in the success of the Christmas parade.

Mayor Draper echoed the comments regarding the Christmas parade. He stated that they have a great city staff and thanked Julie Borrelli on her service and wishes her farewell in her next endeavor.

Mayor Draper stated that they will be adjourning and convening into an executive session and will not be returning from that executive session to discuss matters that were discussed in that executive session.

Mayor Draper made a motion to convene an executive session to discuss (a) the general reputation and character, physical condition, professional competence, or mental health of individuals, not including the job performance of public employees, (b) the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated or imminently likely to be litigated if the governmental body pursues a proposed course of action, and (c) the consideration the governmental body is willing to offer or accept when considering the purchase, sale, exchange, lease, or market value of real property. The motion was seconded by Council Member Roberts.

Bruce Downey, City Attorney, stated that for the record... ** additional comments were inaudible**

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the council was adjourned into an executive session at approximately 6:03 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 23-R-__

**AUTHORIZING THE FINANCE DIRECTOR TO
WRITE-OFF ACCOUNT RECEIVABLES FOR CERTAIN
HOUSEHOLD REFUSE COLLECTION CHARGES**

WHEREAS, the City of Anniston has established a service for the collection, hauling, and disposal of household refuse with mandatory participation and subscription by every residential unit in the city, and the City assesses a service charge against the homeowner or tenant of any residential unit in the City, subject to certain exemptions provided by state law and municipal ordinance;

WHEREAS, the Finance Director is charged with administering the monthly billing and collection of household refuse service charges;

WHEREAS, the Finance Director has assessed the history and status of the City's service accounts and receivables, and the Finance Director has implemented policies and procedures to promote more timely and consistent billing and collection of these charges;

WHEREAS, the Finance Director's reconciliation of the accounts receivables revealed an outstanding balance as of December 2022 in the amount of \$2,088,871.51 attributable to both inactive and active accounts which has accumulated over the years as a result of the City's billing and collection practices;

WHEREAS, the Council finds that it is impractical, cost-prohibitive, and unduly burdensome for the City to collect the total balance of the accounts receivable considering the number of accounts, the age and balance of the accounts, the turn-over and location of the account holders, the records and information available to the City, the costs to the City in both time and money, and the reasonable expectations with respect to collection of the overdue accounts;

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

The Council hereby authorizes the Finance Director to write-off and forego collection of the receivables owed on any accounts, and any interest owed thereon, for service charges billed or due for household refuse collection services in any month prior to January 2020, which is projected to result in a total write-off in the amount of \$1,344,532.41.

The Finance Director is directed to take such actions as are reasonable and necessary to collect the amounts owed from delinquent accounts for charges owed for household refuse collection services in the months of January 2020 through the present. The Finance Director may allow delinquent account holders to enter into payment plans to satisfy the balance owed on the account, and the Finance Director may forebear collection on those accounts pursuant to the account holder's performance of the payment plan.

PASSED AND ADOPTED on this the ____ day of _____, 2023.

COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

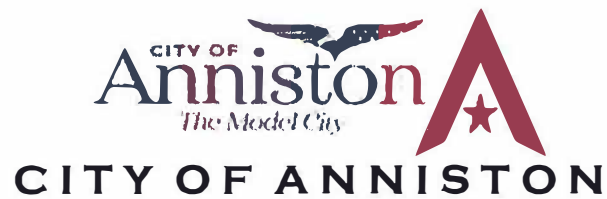
Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk



FINANCE DEPARTMENT FACT SHEET

TO: CITY COUNCIL AND CITY MANAGER
FROM: JASMINE SMITH, REVENUE COMPLIANCE SPECIALIST
SUBJECT: SAMCO 18
RADIANT FOOD STORE 1 LLC
DATE: 1/5/2023
CC:

- 🕒 Formal action is required for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only)
- 📍 Located at 111 Old Gadsden Highway, Anniston, AL 36201 in the police jurisdiction.
- 🕒 Police background check showed no criminal activity.

**ANNISTON CODE
CHAPTER THREE
ALCOHOLIC BEVERAGES
(Beer and Wine/ Non-Profit Tax Exempt/ Special Events)**

Sec. 3.14. Factors to be considered in council's decisions.

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

- a) Character and reputation of the applicant, each partner, member, officer, member of board of directors and landlord.
- b) The criminal court records of the applicant, each partner, member, officer, member of board of directors and landlord.
- c) Location of premises for which the license is sought.
- d) The compliance by applicant, each partner, member, officer, member of the board of directors and landlord with the laws of the State of Alabama and ordinances of the city.

Sec. 3.15. Approval or disapproval of application.

No application for a beer or wine license shall be approved unless the city council is satisfied that the statements in the application are true, that the applicant is a person of good repute, and that the applicant has complied with all terms and provisions of this article.

FACT SHEET

SUBJECT: Evaluation of bids for grass cutting and lot clean-up of 21 lots.

FACTS: General Fund

VENDORS SUBMITTING BIDS

	Wendy Thornton	James Moore	T and D	B &B Dev	Earthworks	Eagle Demo
2218 Moore Avenue	\$100.00	\$800.00	\$225.00	\$2,000.00	\$1,250.00	\$575.00
1814 Cobb Avenue	\$300.00	\$2,000.00	\$1,100.00	\$1,800.00	\$2,250.00	\$675.00
1106 W. 16th Str.	\$150.00	\$1,000.00	\$850.00	\$2,000.00	\$2,250.00	\$1,550.00
1418 Leighton Avenue	\$175.00	\$1,200.00	\$1,575.00	\$2,000.00	\$1,250.00	\$675.00
1714 Dooley Avenue	\$125.00	\$1,000.00	\$1,350.00	\$1,900.00	\$1,500.00	\$750.00
2626 Gurnee Avenue	\$150.00	\$300.00	\$350.00	\$1,200.00	\$1,250.00	\$1,850.00
706 So. Christine	No Bid	\$300.00	No Bid	No Bid	\$1,250.00	No Bid
805 Hillyer High Rd	\$100.00	\$1,500.00	\$575.00	\$2,000.00	\$1,250.00	\$775.00
127 So. Spruce Avenue	\$125.00	\$1,200.00	\$950.00	\$2,200.00	\$1,250.00	\$650.00
716 W. 3rd Street	\$200.00	\$500.00	\$1,950.00	\$1,500.00	\$1,250.00	\$800.00
909 W. 17th Street	\$250.00	\$1,100.00	\$675.00	\$1,600.00	\$1,250.00	No Bid
931 Claxton Avenue	\$125.00	\$1,250.00	\$950.00	\$2,500.00	\$2,500.00	No Bid
1820 Front Street	\$100.00	\$6,000.00	\$1,100.00	\$2,000.00	\$2,250.00	No Bid
1214 Cobb Avenue	No Bid	No Bid	No Bid	No Bid	\$1,750.00	No Bid
1610 Brown Avenue	\$100.00	\$350.00	\$450.00	\$1,500.00	\$1,750.00	No Bid
2201 Moore Avenue	\$100.00	\$1,000.00	\$200.00	\$1,500.00	\$1,250.00	No Bid
930 Claxton Avenue	\$125.00	\$2,000.00	\$900.00	\$1,700.00	\$1,250.00	No Bid
1326 Bancroft Avenue	\$150.00	\$3,000.00	\$825.00	\$1,600.00	\$1,250.00	No Bid
3921 Cross Str. N.	\$100.00	\$3,000.00	\$1,275.00	\$1,800.00	\$1,250.00	No Bid
7 Blue Mtn. Avenue	\$250.00	\$1,500.00	\$1,100.00	\$1,800.00	\$2,250.00	No Bid
1914 Christine Avenue	\$125.00	\$750.00	\$950.00	\$1,800.00	\$1,250.00	No Bid
Total	\$2,850.00	\$29,750.00	\$17,350.00	\$50,600.00	\$32,750.00	\$8,300.00

RECOMMENDATION: The bid should be awarded to Wendy Thornton in the amount of \$2,850.00

FACT SHEET

SUBJECT: Evaluation of bids for demolition of 12 substandard structures.

FACTS: Funding from CDBG.

VENDORS SUBMITTING BIDS

	Emtek	AAA	T and D	B & B	Eagle Demo
2430 McKleroy Ave	\$4,800.00	\$11,650.00	\$6,500.00	\$8,500.00	\$7,682.00
1421 McDaniel	\$4,800.00	\$11,650.00	\$9,800.00	\$13,000.00	\$6,956.00
1318 Front St.	\$5,400.00	\$13,980.00	\$10,200.00	\$13,000.00	\$8,914.00
1312 W. 15 th St.	\$11,000.00	\$16,310.00	\$11,900.00	\$18,000.00	\$10,465.00
1600 Bancroft	\$7,500.00	\$17,475.00	\$12,000.00	\$8,000.00	\$8,815.00
1122 Mulberry Ave	\$3,800.00	\$11,650.00	\$9,000.00	\$10,000.00	\$6,978.00
2000 McKleroy Ave	\$9,800.00	\$18,640.00	\$10,500.00	\$14,000.00	\$11,235.00
100 East 29 th St.	\$14,500.00	\$15,145.00	\$11,950.00	\$15,000.00	\$12,670.00
1022 West 16 th St.	\$4,200.00	\$12,815.00	\$8,500.00	\$8,000.00	\$7,825.00
1008 Front St.	\$4,200.00	\$13,980.00	\$5,500.00	\$9,500.00	\$6,729.00
1724 Dooley Ave.	\$10,500.00	\$12,815.00	\$10,950.00	\$13,000.00	\$6,428.00
2631 McCoy Ave	\$4,800.00	\$16,310.00	\$10,900.00	\$14,000.00	\$7,831.00
Total	\$85,300.00	\$172,420.00	\$117,700.00	\$144,000.00	\$102,519.00

RECOMMENDATION:

Emtek should be awarded the bid for the following CDBG properties: 2430 McKleroy Ave, 1421 McDaniel, 1318 Front St., 1600 Bancroft, 1122 Mulberry Ave, 2000 McKleroy Ave, 1022 West 16th St., 1008 Front St., 2631 McCoy Ave in the amount of \$49,300.00.

T&D Stump Grinding and Tree Service/Cleaning LLC should be awarded the bid for the following CDBG property: 100 East 29th St. in the amount of \$11,950.00.

Eagle Demolition should be awarded the bid for the following CDBG properties: 1312 W. 15th St., 1724 Dooley Ave. in the amount of \$16,893.00