

# CITY OF ANNISTON

February 7, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
  - January 17, 2023 Regular meeting
- ADDITIONS/DELETIONS TO THE AGENDA
- ADOPTION OF AGENDA

## I. 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.

## II. UNFINISHED BUSINESS

### **III. CONSENT AGENDA**

- (a)** Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the city
- (b)** Resolution authorizing the submission of a grant under The Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant
- (c)** Resolution authorizing an amendment to Program Year 2021 Annual Action Plan under the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP) for submission of the HOME-ARP Allocation Plan
- (d)** Resolution directing installation of fire hydrant
- (e)** Motion to approve bid for a Self-Contained Breathing Apparatus (SCBA) refilling station to Emergency Equipment Professionals in the amount of \$60,985.65
- (f)** Motion to approve bid for General Maintenance of Traffic Signal Safety Devices for the City of Anniston to Temple J Electric, LLC., in the amount of \$53,761.00

### **IV. RESOLUTIONS**

- (a)** Resolution to amend the FY2023 Budgets for the General Operating Fund, Museum of Natural History Fund, Fire Training Fund, and the Capital Projects Fund to adjust for the differences between the previously adopted budgets and presently projected revenues and expenditures in the budgets of the various funds

### **V. MOTIONS**

- (a)** Motion to authorize the Mayor to execute a Commercial Lease Agreement Extension with Consolidated Publishing Company, Inc. for property located at 4305 McClellan Boulevard, Anniston, Alabama per terms of Agreement dated April 1, 2019

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

## VII. 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.

## VIII. COUNCIL COMMENTS

## IX. MOTION

- (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.

## ADJOURNMENT

# MINUTES

Anniston, Alabama

January 17, 2023

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, January 17, 2023, at approximately 5:30 o'clock p.m.

Demetric Roberts, Council Member, prayed the Invocation.

Demetric Roberts, 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 Smith made a motion to waive the reading of and approve the minutes of the December 20, 2022 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, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the December 20, 2022 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the removal of item (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, from the consent agenda as a standalone motion. 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 adopted.

Joe Hoffman recognized the Anniston Youth Football Champions: C Team (sophomore team ages 5-7) and A Team (senior team ages 10-12).

Council Member Jenkins made a motion to remove from the table for approval, the motion to approve a Bingo Permit to 7 Springs Ministries located at 33 Old Gadsden Hwy, Anniston, AL 36201. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: none; nays: Jenkins, Roberts, Smith, and Harris; abstentions: Mayor Draper. The motion failed.

Mayor Draper made a motion to adopt the consent agenda:

- (a) Resolution authorizing the Finance Director to write-off account receivables for certain household refuse collection charges (23-R-1)
- (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 16<sup>th</sup> 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 29<sup>th</sup> St. in the amount of \$11,950.00; Eagle Demolition for CDBG properties: 1312 W. 15<sup>th</sup> St., 1724 Dooley Ave in the amount of \$16,893.00
- (e) Motion authorizing the City Manager to execute an agreement with Chambless King Architects for renovation of 1129 Noble Street Historic Courthouse

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.

Council Member Smith made a 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. 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 that they are having some issues in the community. He stated that the community is going to have to do something; if not they will continue to lose young people. He stated that cannot put all the burden on the police chief but the community needs to step up.

Shawana Hill, 2630 Wilmer Ave, thanked Council Member Smith for fixing the issue in her area. She stated that maybe the city could set up a curfew due to the incident that occurred.

Richard Jackson, 2317 Noble Street, addressed the council that there are things that need to be accomplished but it cannot be done by 5 people alone; it takes cooperation from the community as well. He stated that he appreciates the council for recognizing the young men on the Anniston Youth Football teams.

Council Member Jenkins congratulated Jessica Leonard on her new position. He stated that it was the content of her character that earned her this position. He thanked staff for putting on the celebration to honor Dr. Martin Luther King Jr.'s birthday.

Council Member Robert congratulated Jessica Leonard on her new role. He stated that they cannot raise everyone's kids but they have to hold people accountable. He stated if they are going to clean-up this city that is in all areas.

Council Member Smith stated that the council is in year 3 of their administration and she asks the council, what will they be known for? She stated that when they end their term, she wants them to be known for something monumental. She stated that all they can do is keeping pushing forward; and that what children experience at home is the biggest storyteller in their lives.

Council Member Harris stated that the Dr. Martin Luther King Jr.'s breakfast was fabulous. She stated that she agrees with Council Member Smith, that parents are critical factors in their children's lives. She stated that she does not know what the council can do.

Mayor Draper congratulated Jessica on the great work that she has already been doing. He stated that the City of Anniston is in very good hands with our Police Department. He stated that they are well trained and well regarded and would not trade them for any other police department anywhere. He stated that it will take everyone working together to fight crime and make the City safer.

There being no further business to come before the council at that time Mayor Draper made a motion that the meeting be adjourned. The motion was seconded by Council Member Smith; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 6:07 o'clock p.m.

# CONSENT AGENDA

**RESOLUTION NO. 23-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. \$189.95 to DeMarcus Fomby, Municipal Court, for reimbursement while attending Training/Continuing Education Unit hours in Montgomery, AL on December 2, 2022

**PASSED AND ADOPTED** this 7<sup>th</sup> day of **February, 2023**.

**CITY COUNCIL OF THE CITY  
OF ANNISTON, ALABAMA**

**BY:** \_\_\_\_\_  
Jack Draper, Mayor

**BY:** \_\_\_\_\_  
Jay Jenkins, Council Member

**BY:** \_\_\_\_\_  
Demetric Roberts, Council Member

**BY:** \_\_\_\_\_  
Ciara Smith, Council Member

**BY:** \_\_\_\_\_  
Mille Harris, Council Member

ATTEST:

\_\_\_\_\_  
Skyler Bass, City Clerk

**RESOLUTION NO. 23-R-\_\_\_**

**AUTHORIZING THE SUBMISSION OF A GRANT UNDER THE REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) GRANT**

**WHEREAS**, the Infrastructure Investment and Jobs Act, 2021 appropriated \$1.5 billion, and the Consolidated Appropriations Act, 2023 appropriated an additional \$800 million to be awarded by the United States Department of Transportation (USDOT) under the FY 2023 Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program; and

**WHEREAS**, highway, bridge, or other road projects; public transportation projects; passenger and freight rail; port infrastructure investments; intermodal projects; and projects investing in surface transportation facilities that are located on Tribal land are eligible for the FY 2023 RAISE Discretionary Grant Program; and

**WHEREAS**, the USDOT's evaluation of FY 2023 RAISE Discretionary Grant Program applications will be based on primary selection criteria: safety, environmental sustainability, quality of life, improving mobility and community connectivity, economic competitiveness, and state of good repair, partnership and collaboration, and innovation; and

**WHEREAS**, an evaluation of potential projects determined that the Chief Ladiga Trail Extension project best fits the objectives of the 2023 RAISE Program; and

**WHEREAS**, cost sharing or matching is not required for projects located in a rural area or a historically disadvantaged community, and thus the City of Anniston is not required to commit cost sharing or matching funds; and

**WHEREAS**, cost overruns are the responsibility of the applicant.

**WHEREAS**, the City of Anniston will submit the Chief Ladiga Trail Extension Project to the FY2023 USDOT RAISE Grant Program and the City of Anniston will fund any project cost overruns above the federal award amount:

**NOW THEREFORE BE IT RESOLVED**, that Mayor Jack Draper is authorized and directed to take any actions as may be necessary to secure said FY2023 USDOT RAISE Grant Program assistance, including signing assurances to comply with all applicable federal and state laws, rules, and regulations.

**PASSED and ADOPTED** this the 7<sup>th</sup> day of **February, 2023**.

CITY 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

**RESOLUTION NUMBER 23-R-\_\_\_\_\_**

**2021 HUD ACTION PLAN SUBSTANTIAL AMENDMENT: HOME-ARP ALLOCATION PLAN**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA, AUTHORIZING AN AMENDMENT TO PROGRAM YEAR 2021 ANNUAL ACTION PLAN UNDER THE HOME INVESTMENT PARTNERSHIPS AMERICAN RESCUE PLAN PROGRAM (HOME-ARP) FOR SUBMISSION OF THE HOME-ARP ALLOCATION PLAN**

**WHEREAS**, the City of Anniston has been designated as “Participating Jurisdiction” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) for the Home Investment Partnerships Act (HOME) Program;

**WHEREAS**, the City of Anniston has been allocated a total of \$1,454,489.00 through the American Rescue Plan (ARP) Act to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability. These grant funds will be administered through HUD’s HOME Investment Partnerships Program (HOME).

**WHEREAS**, the City of Anniston has prepared the HOME-ARP Allocation Plan and accepted grant applications for funding and submit a Substantial Amendment to the 2021 Annual Action Plan to allocated funding and program implementation as detailed below:

<b>Organization</b>	<b>Funding Category</b>	<b>Project Description</b>	<b>Recommended Funding</b>
Housing Authority of Anniston - Housing Development Corporation	New Construction of Affordable Housing	Funding for new construction at 0 Allen Street for 3 duplexes consisting 6-one bedroom/1 bath units & 2 townhouse duplexes consisting of 7 two-bedroom total of 13 units	\$ 1,161,315.65
Community Enabler	Supportive Services & TBRA	Assist with monthly rental assistance, security deposits and utility deposits.	\$ 75,000.00
City of Anniston	Planning & Administration		\$ 218,173.35
<b>TOTAL FUNDING REQUESTS</b>			<b>\$ 1,454,489.00</b>

**WHEREAS**, the Public Notice has been published and public meeting held for the HUD- required 15-day citizen participation, review and comment period;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Anniston, Alabama, that the City Manager is hereby authorized to sign the agreement and all documentation relating to the amendment.

**PASSED AND ADOPTED** this 15<sup>th</sup> day of **November, 2022**.

CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA

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

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Jay Jenkins, Council Member

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Demetric Roberts, Council Member

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Ciara Smith, Council Member

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Millie Harris, Council Member

ATTEST:

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Skyler Bass, City Clerk

**RESOLUTION NO. 23-R-\_\_\_\_**

**A RESOLUTION DIRECTING INSTALLATION OF FIRE HYDRANT**

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

**Section 1:** That a fire hydrant is, hereby, ordered installed at the following location:

Northwest corner of South Leighton Ave. and M Street.

**Section 2:** That the City Clerk, of the City of Anniston, Alabama, mail copies of this resolution to the Chief of the Fire Department of the City and to the Water Works and Sewer Board of the City, which said Board is to install said fire hydrants.

**PASSED AND ADOPTED** this 7<sup>th</sup> day of **February, 2023**.

**CITY COUNCIL OF THE CITY OF  
ANNISTON, ALABAMA**

BY: \_\_\_\_\_  
Jack Draper, Mayor

BY: \_\_\_\_\_  
Jay Jenkins, Council Member

BY: \_\_\_\_\_  
Demetric Roberts, Council Member

BY: \_\_\_\_\_  
Ciara Smith, Council Member

BY: \_\_\_\_\_  
Millie Harris, Council Member

Attest:

\_\_\_\_\_  
Skyler Bass, City Clerk

1/30/2023

## FACT SHEET

**SUBJECT:** Evaluation of bids for a Self-Contained Breathing Apparatus (SCBA) refilling station by the Fire Department.

### VENDORS SUBMITTING BIDS

Emergency Equipment Professionals, Inc.	\$60,985.65*
Nafeco	\$83,492.00
Sunbelt Fire	\$71,195.00

**RECOMMENDATION:** The bid should be awarded to Emergency Equipment Professionals for the amount of \$60,985.65

\*option to waive performance bond which will result in a price decrease by -\$1,480.65

01/23/2023

## **FACT SHEET**

**SUBJECT:** Bid for the General Maintenance of Traffic Signal Safety Devices for the City of Anniston.

**FACTS:** The City of Anniston received one bid from Temple J Electric, LLC. in the amount of \$53,761.00 for the General Maintenance of Traffic Signal Safety Devices for the City of Anniston. This is a one-time service bid that allows a contractor to perform specified maintenance on several different traffic safety devices located in specific locations identified in the bid pack.

### **RECOMMENDATIONS:**

Approve Temple J Electric's bid in the amount of \$53,761.00.

# RESOLUTIONS



**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