

Anniston, Alabama

September 6, 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, September 6, 2022, at approximately 5:34 o'clock p.m.

Diane Smith, Missionary for the North American Mission Board, prayed the Invocation.

Diane Smith, Missionary for the North American Mission Board, 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.

Steven Folks, City Manager, was present.

Bruce Downey, City Attorney, was present.

Council Member Smith made a motion to waive the reading of and approve the minutes of the August 9, 2022 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, Roberts, Smith, Harris and Draper; nays: none. The motion carried and the August 9, 2022 called meeting minutes were approved.

Council Member Smith made a motion to waive the reading of and approve the minutes of the August 16, 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 August 16, 2022 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda. 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 agenda was adopted.

Mayor Draper opened a public hearing to receive public comments regarding a proposed vacation of an East to West Alley between Quintard Avenue & Leighton Avenue just North of 'O' street. No one spoke. Mayor Draper closed the public hearing to receive public comments regarding a proposed vacation of an East to West Alley between Quintard Avenue & Leighton Avenue just North of 'O' street.

Mayor Draper made a motion to remove from the table and place on floor for consideration a motion to approve a 160- Special Retail- More than 30 days application for The Oaks on Cherokee LLC d/b/a The Oaks on Cherokee located at 201 Cherokee Trail within the police jurisdiction. The motion 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.

Mayor Draper made a motion for passage and adoption of the motion to approve a 160- Special Retail- More than 30 days application for The Oaks on Cherokee LLC d/b/a The Oaks on Cherokee located at 201 Cherokee Trail within the police jurisdiction. The motion seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Roberts; nays: Jenkins, Smith, Harris, and Draper. The motion failed.

Mayor Draper made a motion to approve the consent agenda:

(a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City (22-R-42)

(b) Resolution amending the Schedule of Nominations assigning and designating the positions on each Municipal Board, Commission and Authority to specific Ward councilmembers and to the Office of the Mayor and appointing members to the Anniston Museum & Gardens Advisory Board (22-R-43)

(c) Resolution authorizing the submission of a grant application through the Recreational Trails Grant Program for trailhead restroom improvements at Michael Tucker Park (22-R-44)

(d) Motion to approve the bid for the Anniston City Market to Bradshaw and Pitts, LLC for the base bid of \$860,000.00

(e) Motion to approve the bid for Noble Street Park Installation to Oak Leaf Lawn & Landscape, Inc., for the base bid of \$488,915.00

The motion 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 consent agenda was approved.

Mayor Draper introduced a resolution vacating the East to West Alley between Quintard Avenue and Leighton Avenue just North of 'O' Street.

Mayor Draper made a motion for passage and adoption of resolution vacating the East to West Alley between Quintard Avenue and Leighton Avenue just North of 'O' Street. 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 resolution was passed and adopted. (22-R-45)

Mayor Draper introduced a resolution authorizing Professional Services Agreement with Goodwin, Mills & Cawood, LLC for Storm water Regulatory Compliance

Council Member Harris made a motion for passage and adoption of resolution authorizing Professional Services Agreement with Goodwin, Mills & Cawood, LLC for Storm water Regulatory Compliance. 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 resolution was passed and adopted. (22-R-46)

Mayor Draper introduced a resolution adopting the budget for Fiscal Year 2023.

Mayor Draper made a motion for passage and adoption of resolution adopting the budget for Fiscal Year 2023. The motion was seconded by Council Member Jenkins.

Council Member Jenkins made a motion to amend the resolution adopting the budget for Fiscal Year 2023 with the following changes:

- \$100,000.00 additional monies to the façade grant program for downtown which will come from Rescue Act Funds

- Change from one 30-hour employee at Cane Creek Grill to one 40-hour employee; the additional cost is \$10,400.00 which will be offset by the additional revenue that will be generated by the additional hours
- (Net 0 Change) Monies previously allocated for golf course renovations (i.e. resurfacing of the greens) to be utilized for necessary maintenance and upkeep of the golf course

The motion was seconded by Mayor Draper 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 amendment was passed and adopted.

Mayor Draper introduced an ordinance amending Chapter 6 Governing Building permits and Fees. (2nd Reading)

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

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

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.

Mayor Draper read the ordinance by title only.

Mayor Draper made a motion for passage and adoption of ordinance amending Chapter 6 Governing Building permits and Fees. 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-9)

Council Member Jenkins made a motion to proceed with the repaving of Leighton Avenue. 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.

Mayor Draper made a motion to approve request from Anniston City Schools for remaining balance of FY22 appropriated funds of \$45,000.00 to utilized for technology resources and support across District facilities and FY21 appropriated funds of \$200,000.00 to be utilized for Support of Cobb Preparatory Academy, Maintenance. The motion was seconded by Council Member Smith.

Council Member Smith made a motion to table the motion to approve request from Anniston City Schools for remaining balance of FY22 appropriated funds of \$45,000.00 to utilized for technology resources and support across District facilities and FY21 appropriated funds of \$200,000.00 to be utilized for Support of Cobb Preparatory Academy, Maintenance until the next council meeting. The motion was seconded by Mayor Draper 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 Jenkins made a motion to approve the bid for Residential Solid Waste Collection and Disposal to Republic Services as set forth in the contract. 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.

Jim Pritchett, 2609 Old Gadsden Highway, addressed the city council on the city's towing ordinance.

Council Member Harris had no comment.

Council Member Smith had no comment.

Council Member Roberts stated that everyone should go out and support the kids. He stated that this is Anniston High School's Homecoming Week.

Council Member Jenkins thanked staff for working with him through the budget change. He stated that he looks forward to moving the city forward.

Mayor Draper stated that he hopes everyone can come out to Anniston's homecoming parade and game. He stated that they need to do everything they can to support the youth in the city.

Mayor Draper made a motion to convene an Executive Session for the Council to discuss with the City Attorney the legal ramifications of and legal options for pending litigation, controversies not yet being litigated but imminently likely to be litigated if the governmental body pursues a proposed course of action. 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 council convened into Executive Session at approximately 5:56 p.m.