

Anniston, Alabama

October 4, 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, October 4, 2022, at approximately 5:36 o'clock p.m.

Demetric Roberts, Council Member, prayed the Invocation.

Demetric Roberts, Council Member, led the Pledge of Allegiance to the Flag.

Vice-Mayor Smith called the meeting to order. On call of the roll, the following Council Members were found to be present: Council Members Jenkins, Roberts, Smith, and Harris; absent: Mayor Draper. 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 Harris made a motion to waive the reading of and approve the minutes of the September 20, 2022 regular meeting. 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, and Harris; nays: none. The motion carried and the September 20, 2022 regular meeting minutes were approved.

Vice-Mayor Smith made a motion to adopt the agenda with the amendments to the following motions on the consent agenda: (a) to approve the bid for demolition of eight (8) substandard structures using funding for General funds in the amount of \$37,300.00 to Bell-it-Out; (b) motion to approve the bid for demolition of (3) three substandard structures using funding from the CDBG funds in the amount of \$16,500.00 to Emtek; and the deletion of item (d) a motion to approve a Lounge Retail Liquor – Class I application for Grand Central Civic and Event Center LLC d/b/a Grand Central Civic and Event located at 1031 Noble Street within the corporate city limits from the consent agenda. 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, and Harris; nays: none. The motion carried and the amended agenda was adopted.

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

- (a) Motion to approve the bid for demolition of eight (8) substandard structures using funding from General Fund
- (b) Motion to approve the bid for demolition of three (3) substandard structures using funding from Community Development Block Grant (CDBG) funds
- (c) Motion to approve a Special Events Retail Alcohol License application for Northeast Alabama Bicycle Association d/b/a Coldwater Mountain Fat Tire Festival from October 21 – 23, 2022 located at 399 Monsanto Road
- (d) Motion to approve a Special Retail Liquor – More than 30 Days application for Hotel LLC d/b/a Hotel Finial located at 1600 Quintard Avenue within the corporate city limits

(e) Motion to suspend the rule requiring the City Council to meet on the third Tuesday of October 2022

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, and Harris; nays: none. The motion carried and the consent agenda was approved.

Vice-Mayor Smith read the resolution authorizing Professional Services Agreement with The Retail Coach, LLC

RESOLUTION NO. 22-R-51

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH THE RETAIL COACH

WHEREAS, the Council desires to engage The Retail Coach to provide professional services to aid the City in its retail market research, analysis, strategies, and recruitment;

WHEREAS, The Retail Coach has submitted a proposal to provide these professional services, as specified in Exhibit A to the attached Professional Services Agreement;

WHEREAS, the Council finds that The Retail Coach is uniquely capable of meeting the professional services needs of the City with respect to the scope of work identified in the proposal, and The Retail Coach is highly skilled and equipped to provide these professional services;

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

The City Manager is hereby authorized to engage The Retail Coach on the terms set forth in the Professional Services Agreement, attached hereto, to provide the professional services identified in the scope of work. The City Manager is authorized and directed to take such actions as are necessary and appropriate to obtain and utilize these professional services, including the payment of compensation to The Retail Coach at the rates and amounts specified in the attached proposal.

PASSED AND ADOPTED on this the 4th day of October, 2022.

Council Member Harris made a motion for passage and adoption of the resolution authorizing Professional Services Agreement with The Retail Coach, LLC. 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, and Harris; nays: none. The motion carried and the resolution was passed and adopted. (22-R-51)

Vice-Mayor Smith read the resolution authorizing Professional Services Agreement with Sain Associates

RESOLUTION NO. 22-R-52

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH SAIN ASSOCIATES

WHEREAS, the City requires civil engineering and construction inspection services for the public works project for the repaving of Leighton Avenue from the northern end of East 22nd Street to the southern end of O Street;

WHEREAS, Sain Associates has submitted the attached proposal, dated September 20, 2022, to provide the professional services required for this project;

WHEREAS, the Council finds that Sain Associates is uniquely capable of meeting the professional services needs of the City with respect to the scope of work identified in the proposal, and Sain Associates is highly skilled and equipped to provide these professional services;

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

The City Manager is hereby authorized to engage Sain Associates on the terms set forth in the proposal, attached hereto, to provide the professional services identified in the scope of work. The City Manager is authorized and directed to take such actions as are necessary and appropriate to obtain and utilize these professional services, including the payment of compensation to Sain Associates at the rates and amounts specified in the attached proposal.

PASSED AND ADOPTED on this the 4th day of October, 2022.

Council Member Jenkins made a motion for passage and adoption of the resolution authorizing Professional Services Agreement with Sain Associates. 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, and Harris; nays: none. The motion carried and the resolution was passed and adopted. (22-R-52)

Vice-Mayor Smith read the ordinance to repeal Chapter 13, Article III, Sections 13.5 through 13.9 of the Code of Ordinances governing Rental Housing Health and Safety. (1st Reading)

ORDINANCE NO. 22-O-11

REPEALING CHAPTER 13, ARTICLE III GOVERNING RENTAL HOUSING HEALTH AND SAFETY

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

Section 1. Chapter 13, Article III, Sections 13.5 through 13.9 of The Code of the City of Anniston, Alabama, 1981, and Ordinance No. 10-O-9, as amended by Ordinance No. 11-O-34 and Ordinance No. 14-O-29, codified therein, governing rental housing health and safety are hereby repealed in their entirety.

Section 2. This Ordinance shall become effective immediately upon its adoption and publication one (1) time in The Anniston Star, a newspaper of general circulation published in the City of Anniston, Alabama. The City Clerk is hereby ordered and directed to cause a copy of this Ordinance to be published one time in said newspaper.

PASSED AND ADOPTED on this the 4th day of October, 2022.

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

Council Member Jenkins made a motion for passage and adoption of the ordinance to repeal Chapter 13, Article III, Sections 13.5 through 13.9 of the Code of Ordinances governing Rental Housing Health and Safety. 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, and Harris; nays: none. The motion carried and the ordinance was passed and adopted.

Jim Pritchett, 2609 Old Gadsden Hwy, addressed the council and wanted to clear up the myth that he owned 101 towing. He stated that he has not owned that shop since 2014, and he believes that is where the complaints came from. He stated that he would like the council to reconsider the towing ordinance.

Shawana Hill, 2630 Wilmer Avenue, addressed the council that she read the Anniston School Board did pass the \$43 million dollar budget. She stated that there are important things that are going on in the city that are ignored or go unnoticed. She asked, where did the allocated funds for the school system go.

Richard Jackson, 2317 Noble Street, thanked Council Member Roberts for taking the time after the last council meeting to discuss things that were important to him and others. He stated that the ordinance to limit the public to speak for the three minutes should be amended. He stated that three minutes is not enough time to speak, especially when something is on your heart.

Glen Ray, 3514 Dale Hollow Road, addressed the council that the public needs more than three minutes to complain. He thanked the individuals working on the homelessness issues in the city. He stated that the council's boss wants them to move the three minutes up.

Council Member Jenkins thanked everyone for coming out and expressing their thoughts. He thanked staff for their active role in addressing the dog issues in his ward.

Council Member Roberts asked everyone to be mindful of the people who lost their lives in the hurricane. He stated that the Donohue Falcons came out victorious in their football game and Anniston High is undefeated. He stated that a lot of things that were said at the last meeting, once research has been done, they find out those things are not true.

Council Member Harris commended the Anniston Changers for a great Saturday, where they picked up debris around the city. She stated that rescinding the ordinance for the rental housing health and safety, was done because the Supreme Court and the state ruled against inspections for rental properties. She stated that she disagrees with their ruling however the council has to abide by what the Supreme Court ruled.

Vice-Mayor Smith stated that she agrees with a lot of what Ms. Shawana Hill said but those concerns should be addressed directly to the school board. She stated that there is a level of accountability that should be held on the school board. She stated that the council needs to be able to identify what the funds are being used for regarding the students. She stated that she ran her campaign on infrastructure, and since coming into office, they have paved over five roads. She asked when has the council paved that many roads?

There being no further business to come before the council at that time Council Member Jenkins made a motion that 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, Roberts, Smith, and Harris; nays: none. The motion carried and the meeting was adjourned at approximately 6:05 o'clock p.m.