

Anniston, Alabama

November 1, 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, November 1, 2022, at approximately 5:30 o'clock p.m.

Ciara Smith, Council Member, prayed the Invocation.

Ciara Smith, 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, and Draper; absent: Council Member Harris. 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 October 4, 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, and Draper; nays: none. The motion carried and the October 4, 2022 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the addition of an ordinance authorizing the operation of medical cannabis dispensing sites. 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, and Draper; nays: none. The motion carried and the amended agenda was adopted.

Mayor Draper made a motion to remove from the table and place on the floor for consideration a motion to approve a Lounge Retail Liquor – Class I applications for Grand Central Civic and Event Center LLC d/b/a Grand Central Civic and Event Center located at 1031 Noble Street within the corporate city limits. 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, and Draper; nays: none. The motion carried.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution adopting Calendar Year 2023 Administrative Fee Schedule (22-R-53)
- (b) Resolution accepting donations to purchase cameras for the Anniston Police Department (22-R-54)
- (c) Resolution declaring personal property as surplus and authorizing the disposal of said property (22-R-55)
- (d) Motion to approve an expenditure of \$45,000.00 from reserves to fund the Warming Station based on the recommendation from the Homelessness Task Force
- (e) Motion to approve the requests for reallocation of Series 2020 Bond Proceeds and the allocation of Series 2022 Bond proceeds for capital upgrades.

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, and Draper; nays: none. The motion carried.

Mayor Draper introduced the ordinance declaring real property to be surplus and authorizing lease. *(1st Reading)*

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

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.

Mayor Draper read the ordinance declaring real property to be surplus and authorizing lease by title only.

Council Member Roberts made a motion to for unanimous consent for immediate consideration of the ordinance declaring real property to be surplus and authorizing lease. 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 Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of the ordinance declaring real property to be surplus and authorizing lease. 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, and Draper; nays: none. The motion carried and the ordinance was passed and adopted *(22-O-12)*.

Mayor Draper introduced the ordinance declaring surplus real property and authorizing conveyance of the same *(1st Reading)*.

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

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.

Mayor Draper read the ordinance declaring surplus real property and authorizing conveyance of the same by title only.

Council Member Smith made a motion to for unanimous consent for immediate consideration of the ordinance declaring surplus real property and authorizing conveyance of the same. 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 Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of the ordinance declaring surplus real property and authorizing conveyance of the same. 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, and Draper; nays: none. The motion carried and the ordinance was passed and adopted *(22-O-13)*.

Mayor Draper introduced the ordinance creating and designating the Noble Cottage Historic Property *(1st 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.

Mayor Draper read the ordinance creating and designating the Noble Cottage Historic Property by title only.

Council Member Smith made a motion to for unanimous consent for immediate consideration of the ordinance creating and designating the Noble Cottage Historic Property. 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 Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of the ordinance creating and designating the Noble Cottage Historic Property. 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 Draper; nays: none. The motion carried and the ordinance was passed and adopted (22-O-14).

Mayor Draper introduces and reads an ordinance authorizing the operation of medical cannabis dispensing sites in its entirety.

ORDINANCE NO. 22-O-15

AUTHORIZING THE OPERATION OF MEDICAL CANNABIS DISPENSING SITES

WHEREAS, in the 2021 session, the Alabama Legislature passed Act No. 21-450 legalizing and establishing a regulatory framework for medical cannabis;

WHEREAS, in doing so, the Legislature found that medical cannabis can successfully treat and alleviate the symptoms various medical conditions, as shown by medical research, and patients within the State of Alabama would benefit from the medical use of cannabis under a controlled setting per the supervision of a licensed physician;

WHEREAS, under Act No. 21-450, a dispensary may not be located and operated within a municipality without the approval of the governing body as evidenced by an ordinance authorizing dispensary sites within the municipality's corporate limits;

WHEREAS, the Council recognizes that the City of Anniston serves as a medical center for its citizens and those in surrounding communities, and the Council desires to allow patients within its jurisdiction full access to the medical treatments and medications deemed appropriate by the physician and allowed under the laws of the State of Alabama;

WHEREAS, the Council further recognizes that the business of a dispensary within the City would be subject to extensive regulation under state law, including regulations that should be expected to prevent any potentially negative impact of a medical cannabis dispensary, and the business of the dispensary will generate licensing and sales tax revenue that will further enhance the public benefit;

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

Section 1. In accordance with Ala. Code § 20-2A-51, the holder of a license granted by the State of Alabama, as authorized by Act No. 21-450, is hereby authorized to locate and operate within the corporate limits of the City of Anniston, Alabama subject to the provisions of Act No. 21-450, the regulations adopted pursuant thereto, and any local laws, ordinances, and regulations applicable to the business or operations.

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 1st day of November, 2022.

COUNCIL OF THE CITY OF ANNISTON, ALABAMA

By:/s/ Jack Draper, Mayor

By:/s/ Jay Jenkins, Council Member

By:/s/ Demetric Roberts, Council Member

By:/s/ Ciara Smith, Council Member

Council Member Smith made a motion to for unanimous consent for immediate consideration of the ordinance authorizing the operation of medical cannabis dispensing sites. 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 Draper; nays: none. The motion carried.

Council Member Jenkins made a motion for passage and adoption of the ordinance authorizing the operation of medical cannabis dispensing sites. 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, and Draper; nays: none. The motion carried and the ordinance was passed and adopted (22-O-15).

Shawana Hill, 2630 Wilmer Ave, thanked the council for the work that is being done around the city. She stated that there should be help given to veterans around the city.

Richard Jackson, 2317 Noble St., addressed the council on the following questions, whether they have addressed the time constraints during the public comment period, does the city contribute any monetary funds to the MDA, is there "surplus" monies listed from CDBG that were given to certain people, and what were the stipulations involving the hotel with Del Marsh?

Glen Ray, 3514 Dale Hollow Road, addressed the council that citizens are upset on how long it is taking to complete 14th street repaving.

Council Member Jenkins answered Mr. Jackson's questions, that the council has not met to discuss the time limit as of yet but they would have to address that in a public forum. He stated that to his knowledge the city does not give funds to the MDA. He congratulated the Anniston Bulldogs for an undefeated season and the Donohue Falcons girls team for winning the title in volleyball.

Council Member Roberts stated that they need to get banners for the students. He stated that the right thing to do is support the kids. He asked everyone to be in prayer for the Allen family, there is a young man that has been missing for over a month.

Council Member Smith stated that as far as CDBG funds, the city cannot have a surplus. She stated that there are funds that have not been used because they have not been dedicated to a particular purpose. She stated that the council can have a conversation with Steve Folks regarding stipulations for the hotel. She stated that she is just as frustrated regarding 14th street repaving but as soon as she has more information, she will update the public.

Mayor Draper stated that he appreciates the member's responses to the questions posed and he cosign onto those responses. He stated that they have an important relationship with the county and the city is thankful for it. He stated that that he is thankful that Donohue Falcons brought the championship home again.

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, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:58 o'clock p.m.