

# CITY OF ANNISTON

April 4, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
  - March 21, 2023 Regular meeting
- ADDITIONS/DELETIONS TO THE AGENDA
- ADOPTION OF AGENDA

## I. RECOGNITIONS

(a) 14 and Under Boys Youth Basketball Team ARPA State Champions

(b) Therapeutic Recreation Basketball Team Silver Medal Winners at State Special Olympics

## II. PROCLAMATION

(a) Community Development Week

## III. 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.

## IV. UNFINISHED BUSINESS

## V. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City
- (b) Motion to approve bid for the road maintenance project 2023-004; consist of 450 tons of leveling and wearing surface on Dellwood CT to MidSouth Paving in the amount of \$65,571.21 with funding from CDBG
- (c) Motion to approve bid for work jeans, tee shirts, jackets, and coveralls for Public Works and Parks and Recreation to Tangibles in the amount of \$35.00/ea. Work Jeans; \$10.98/ea. Tee Shirts; \$58.99/ea. Jackets and \$25.50/ea. Pullover/Hoodies
- (d) Motion to appoint \_\_\_\_\_ as the Voting Delegate and \_\_\_\_\_ as the Alternate Voting Delegate for the Annual Business Meeting of the Alabama League of Municipality on May 12, 2023

## 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.

- (a) Glen Ray – 3514 Dale Hollow Road
- (b) Shawana Hill – 2630 Wilmer Avenue
- (c) Richard Jackson – 2317 Noble Street
- (d) Minister Donny Woods

## VIII. COUNCIL COMMENTS

## ADJOURNMENT

# MINUTES

Anniston, Alabama

March 21, 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, March 21, 2023, at approximately 5:32 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, Harris and Draper; absent: Council Member Smith. A quorum was present and the meeting opened for the transaction of business.

Steven Folks, City Manager, was present.

Council Member Jenkins made a motion to waive the reading of and approve the minutes of the March 7, 2023 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, Harris and Draper; nays: none. The motion carried and the March 7, 2023 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with an addition of an informal public hearing on the Emtex Bid to allow Mr. Heath to address the council. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Harris and Draper; nays: none. The motion carried and the amended agenda was adopted.

Mayor Draper opened a public hearing to receive public comments regarding a Lounge Retail Liquor-Class I alcohol license application for Pooh's Live Lounge, LLC d/b/a Pooh's Live Lounge located at 320 S Quintard inside the corporate city limits. No one spoke. Mayor Draper closed the public hearing to receive public comments regarding a Lounge Retail Liquor-Class I alcohol license application for Pooh's Live Lounge, LLC d/b/a Pooh's Live Lounge located at 320 S Quintard inside the corporate city limits.

Mayor Draper opened a public hearing to hear public comments regarding a Special Retail-More than 30 Days alcohol license for Anniston Country Club, Inc., d/b/a Anniston Country Club located at 601 Highland Avenue inside the corporate city limits. No one spoke. Mayor Draper closed the public hearing to hear public comments regarding a Special Retail-More than 30 Days alcohol license for Anniston Country Club, Inc., d/b/a Anniston Country Club located at 601 Highland Avenue inside the corporate city limits.

Mayor Draper opened an informal public hearing to receive public comments on the motion to approve bid for demolition of eighteen (18) substandard structures to Emtex in the amount of \$157,500.00 with funding from CDBG.

Curtis Heath, 2122 Cobb Ave, addressed the council on needing an extension to fix up his house before his property is demolished.

Mayor Draper asked if the property in question is one on the demolition list? He asked if Mr. Heath owns the property and is able to produce a deed because there were issues regarding the owner of the property.

Mr. Heath stated that the property is in his name however he was not aware that he needed to have the deed tonight.

Mayor Draper asked Tana Bryant, Senior Code Enforcement Officer, if Mr. Heath's property can be last on the list of 18, in order to give him some additional time.

Tana Bryant, Senior Code Enforcement Officer, stated that Mr. Heath has to have a land surveyor come out because the house is in the middle of a floodplain. She stated that she can arrange a contract with Mr. Heath.

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

- (a) Resolution declaring personal property as surplus and authorizing the disposal of said property (22-R-16)
- (b) Motion to approve bid for demolition of eighteen (18) substandard structures to Emtex in the amount of \$157,500.00 with funding from CDBG
- (c) Motion to approve bid for Citywide Patch Paving Project to Massey Asphalt in the amount of \$166,708.30
- (d) Motion to approve a Lounge Retail Liquor-Class I License application for Pooh's Live Lounge, LLC d/b/a Pooh's Live Lounge located at 320 S Quintard Avenue within the city limits
- (e) Motion to approve Special Retail-More than 30 Days License application for Anniston Country Club, Inc., d/b/a Anniston Country Club located at 601 Highland Avenue within the city limits

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

Mayor Draper introduced an ordinance Amending Chapter 3, Article VIII of the Code of Ordinances Establishing the Downtown Anniston Arts and Entertainment District. (1<sup>st</sup> Reading)

Council Member Harris 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 Amending Chapter 3, Article VIII of the Code of Ordinances Establishing the Downtown Anniston Arts and Entertainment District by title only. No One Spoke. Mayor Draper closed the public hearing to receive public comments on reading the Ordinance Amending Chapter 3, Article VIII of the Code of Ordinances Establishing the Downtown Anniston Arts and Entertainment District by title only.

Council Member Harris made a motion of unanimous consent for immediate consideration of the Ordinance Amending Chapter 3, Article VIII of the Code of Ordinances Establishing the Downtown Anniston Arts and Entertainment District. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Harris and Draper; nays: none. The motion carried.

Council Member Roberts made a motion for passage and adoption. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Harris and Draper; nays: none. The motion carried and the ordinance was adopted. (23-0-3)

Glen Ray, 3514 Dale Hollow Rd, addressed the council on the misconduct of the Anniston Police Department. He stated that a young lady who attends Talladega College was driving through the city and an Anniston police officer pulled her over because her tag light but then it went to the officer smelled alcohol, to disorderly conduct, and to the young lady being arrested.

Richard Jackson, 2317 Noble Street, addressed the council that maybe some of the money the council is using to tear houses down can instead be used to save the homes. He stated that the communities are being diminished house by house. He stated that if they do not do something to bring taxes into the city then Anniston will be a ghost town and it is close to it now.

Council Member Harris had no comment.

Council Member Roberts asked everyone to be in prayer for Anniston and for every city. He stated that he agrees with Mr. Ray that he is concerned about any report of police misconduct. He stated that at one point there was an active police advisory committee that could address any issues. He stated that the problem with homes is that they sit and sit and the council does not know what to do with them.

Council Member Jenkins stated that he is concerned when they hear issues regarding to the police department but the incident will be looked into. He stated that he agrees with Mr. Jackson regarding neighborhoods but he believes that it is a grassroots effort. He stated that they can look to the Rocky Hollow Neighborhood Association, which was created by neighbors who banded together after they were tired of the conditions in their neighborhood.

Mayor Draper stated that he trusts staff and the police department to look into these issues that were raised during public comments. He stated that the council is working hard to bring economic development into the city; and that they should be thankful for any and all business they want to come into Anniston. He thanked staff for the work that went into the ordinance establishing the Downtown Arts and Entertainment District.

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 Jenkins; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Roberts, Harris and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:57 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. \$54.68 to Nick Bowles, Police, for reimbursement of rental car while traveling to Pittsfield, Massachutes to purchase the Bearcat vehicle for Anniston Police Department from March 13 – 14, 2023

**PASSED AND ADOPTED** this 4<sup>th</sup> day of **April, 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



3/17/2023

## **FACT SHEET**

**SUBJECT:** Evaluation of bids for the road maintenance project 2023-004; consist of 450 tons of leveling and wearing surface on Dellwood CT

**FACTS:** This is a CDBG expenditure

### **VENDORS SUBMITTING BIDS**

Massey Asphalt	\$ 95,145.00
MidSouth Paving	\$ 65,571.21
Vulcan Materials	\$ 99,579.00
Wiregrass Construction	\$ 71,800.00
Woodard Brother's Grading	\$ 71,935.00
AL Grading & Excavating	\$ 88,770.00

**RECOMMENDATION:** The bid should be awarded to MidSouth Paving, in the total amount of \$65,571.21.

6/29/2022

## **FACT SHEET**

**SUBJECT:** Evaluation of bids for work jeans, tee shirts, jackets, and coveralls for Public Works and Parks and recreation employees.

**FACTS:** This is a budgeted General Fund expenditure.

### **VENDORS SUBMITTING BIDS**

#### **Tangibles**

Work Jeans	\$35.00/ea.
Tee Shirts	\$10.98/ea.
Jackets	\$58.99/ea.
Pullover/Hoodies	\$25.50/ea.

#### **Blended Boss Designs, LLC**

Work Jeans	\$30.00/ea.
Tee Shirts	\$12.00-18.00/ea.
Jackets	\$66.00-73.00/ea.
Pullover/Hoodies	\$25.00/ea.

**RECOMMENDATION:** The bid should be awarded to Tangibles at the above stated prices.