

Anniston, Alabama

April 4, 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, April 4, 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, Harris and Draper; absent: Council Member Smith. 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 Jenkins made a motion to waive the reading of and approve the minutes of the March 21, 2023 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, Harris and Draper; nays: none. The motion carried and the March 21, 2023 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the additions of a motion to change the name of the Community Development Block Grant Department to Community Development; and an Ordinance prohibiting brown-bagging of alcoholic beverages. 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 amended agenda was adopted.

Frazier Burroughs, Parks and Recreation Director, introduced recognitions for the 14 and Under Boys Youth Basketball Team ARPA State Champions and the Therapeutic Recreation Basketball Team Silver Medal Winners at State Special Olympics.

Mayor Draper read a Proclamation regarding Community Development Week.

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 (23-R-17)
- (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 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 Jack Draper as the voting delegate and Millie Harris as the Alternate Voting Delegate for the Annual Business Meeting of the Alabama League of Municipality on May 12, 2023.

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 consent agenda was approved.

Mayor Draper made a motion to change the name of the Community Development Block Grant Department to Community Development. 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.

Mayor Draper read the ordinance prohibiting brown-bagging of alcoholic beverages for the record. (1st Reading)

ORDINANCE NO. 23-O-4

ORDINANCE PROHIBITING BROWN-BAGGING OF ALCOHOLIC BEVERAGES

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

Section 1. The Council hereby adopts and enacts Chapter 3, Article V, Division 1, Section 3.53 of The Code of the City of Anniston, Alabama, 1981, to prohibit the brown-bagging of alcoholic beverages at licensed, non-residential businesses, as set forth herein, which said Section shall state in its entirety as follows:

Sec. 3.53. - Bringing or allowing alcoholic beverages to be brought unto business premises.

(a) Brown-bagging prohibited.

(1) It shall be unlawful for a non-residential business licensed to do business by the City of Anniston and the respective owners, managers, servants, agents, or employees of any licensed non-residential business, irrespective of whether the business is licensed to sell or furnish alcohol, to allow patrons, customers, invitees, or guests to bring alcoholic beverages onto the premises of the licensed business.

(2) It shall be unlawful for persons to bring alcoholic beverages onto the premises of a non-residential business licensed to do business by the City of Anniston, irrespective of whether the business is licensed to sell or furnish alcohol.

(b) Exceptions.

(1) Private Event. The prohibitions in Subsection (a)(1) and (2), above, shall not apply to alcoholic beverages which are brought on the premises of a private event, party, banquet, seminar, reception, wedding, reunion, fundraiser, or other such occasion where persons enter and attend by invitation of the host, but only when (i) the host does not sell alcoholic beverages to the guests of the private event, (ii) the host does not charge, or place a cost or fee, or receive any form of consideration in exchange for guests entering or attending the private event, and (iii) the guests of the private event do not pay money or provide consideration to the host or any other person or entity in exchange for entering or attending the private event.

(2) Class I Clubs. The prohibitions in Subsection (a)(1) and (2), above, shall not apply to alcoholic beverages, for which the appropriate Alabama tax has been paid, which are brought on the premises of Class I Club licensee which is not operated for pecuniary gain.

(3) Entertainment District. The prohibitions in Subsection (a)(1) and (2), above, shall not apply to alcoholic beverages which are brought on the premises of a District Licensee when otherwise permitted by the laws, rules, and regulations governing the Downtown Anniston Arts and Entertainment District as set forth in Article VIII of this Chapter.

Section 2. This ordinance shall have force and effect in the police jurisdiction of the City of Anniston and shall take effect immediately upon the expiration of the thirtieth day following its passage and adoption and publication as required by law. The City Clerk shall publish this ordinance in The Anniston Star, a newspaper of general circulation published within the City of Anniston, Alabama, and shall submit a copy of this ordinance and proof of publication and 30-day notice of its applicability within the police jurisdiction to the Alabama Department of Revenue for posting on the Atlas Alabama state website in accordance with Ala. Code § 11-40-10.

Council Member Jenkins made a motion of unanimous consent for immediate consideration. 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.

Mayor Draper made a motion for passage and adoption of the ordinance to prohibit the brown-bagging of alcoholic beverages. 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 passed and adopted. (23-R-4)

Glen Ray, 3514 Dale Hollow Rd., addressed the council that maybe the city would go further if everyone would work together as a team. He suggested that they stop robbing the poor.

Richard Jackson, 2317 Noble Street, addressed the council that today marks the anniversary of Martin Luther King Jr.'s assassination in Memphis, Tennessee. He stated that Dr. King did a lot for the advancement of people in this country.

Minister Donny Woods wanted to introduce himself to the council and suggests that if he can help in any way, he is willing to help his city.

Council Member Harris stated that she had no idea that today was the day that Dr. King was assassinated years ago. She welcomed Minister Woods for coming back to Anniston.

Council Member Roberts stated that if the council is made aware of issues before a person comes to the council meeting, it gives them the opportunity to change it. He stated that it does not matter what color a person is, he is willing to sit and have a conversation and work together with anyone.

Council Member Jenkins stated that sports are a great opportunity to build character and leadership. He states that violence seems to permeate in all of our communities. He stated that team sports do a great job at allowing kids to work together.

Mayor Draper stated that it is important for us to celebrate the accomplishments of our fellow Annistonians. He stated that accomplishments like a state championships reflect well on the city.

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 Harris; 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 6:02 o'clock p.m.