

CITY OF ANNISTON

May 16, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
 - May 2, 2023 Regular meeting
- ADDITIONS/DELETIONS TO THE AGENDA
- ADOPTION OF AGENDA

I. PROCLAMATION

- (a) National Historic Preservation Month

II. BOARD CONFIRMATION HEARING

- (a) La Sha' Robinson – Zoning Board of Adjustments

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) Motion to approve the bid for Resurfacing of Dale Hollow Road and Cobblestone Drive to Alabama Grading & Excavation in the amount of \$89,071.80
- (b) Resolution appointing members to the Zoning Board of Adjustments
- (c) Resolution declaring personal property as surplus and authorizing the disposal of said property

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
- b. Richard Jackson
- c. Shawana Hill

VIII. COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

May 2, 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, May 2, 2023, at approximately 5:30 o'clock p.m.

Laura Hutchins, Pastor of First Christian Church, prayed the Invocation.

Laura Hutchins, Pastor of First Christian Church, 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 Smith made a motion to waive the reading of and approve the minutes of the April 18, 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, Smith, Harris and Draper; nays: none. The motion carried and the April 18, 2023 regular meeting minutes were approved.

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

Mayor Draper opened a public hearing to receive public comments regarding a 020-Restaurant Retail Liquor application for Besitos Mexican Kitchen II, LLC d/b/a Besitos Mexican Kitchen II located at 911 Noble Street within the corporate limits. No one spoke. Mayor Draper closed the public hearing to receive public comments regarding a 020-Restaurant Retail Liquor application for Besitos Mexican Kitchen II, LLC d/b/a Besitos Mexican Kitchen II located at 911 Noble Street within the corporate limits.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution declaring a reported condition to be a public nuisance. Group 2023-01 (23-R-21)
- (b) Resolution appointing/reappointing members to the Main Street Anniston Board (23-R-22)
- (c) Resolution authorizing the submission of a grant application under Transportation Alternatives Program (23-R-23)
- (d) Motion to approve a 020-Restaurant Retail Liquor application for Besitos Mexican Kitchen II, LLC d/b/a Besitos Mexican Kitchen II located at 911 Noble Street within the corporate limits.
- (e) Motion to approve 240-Special Events Retail Liquor application for Anniston Calhoun Junior Service League Inc. d/b/a Designer Handbag Bingo on Friday, May 5, 2023 from 4:00-11:00 p.m. at the Longleaf Event Center located at 920 Museum Drive within the corporate 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, Harris and Draper; nays: none. The motion carried and the consent agenda was approved.

Council Member Harris urged everyone to come out to the Sunny King Criterium race on Saturday. She stated that this event is phenomenal.

Council Member Smith stated that she holding a Ward 3 town hall meeting on Thursday May 4, at South Highland Community Center at 5:00p.m. She encouraged everyone to come out and ask questions.

Council Member Roberts wanted to recognize all the students in the City of Anniston.

Council Member Jenkins recognized members of the Main Street Board in the audience. He congratulated the Donoho Girl's Tennis Team for finishing as the state runner up.

Mayor Draper thanked the new Main Street Board appointees. He wanted to remind everyone of the Sunny King Criterium this weekend and informed everyone that the race is streamed internationally.

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, Smith, Harris and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:40 o'clock p.m.

PROCLAMATIONS

CITY OF ANNISTON

PROCLAMATION

WHEREAS, National Historic Preservation Month has been observed every May since 1973, and;

WHEREAS, Historic Preservation is an effective tool for economic development, tourism promotion, neighborhood revitalization, fostering local pride, and maintaining overall community character while enhancing livability; and

WHEREAS, it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that has shaped us as a people; and

WHEREAS, “**PEOPLE SAVING PLACES**” has been designated as the theme for National Preservation Month 2023 by the National Trust for Historic Preservation:

NOW THEREFORE, We, the City Council of the City of Anniston, do proclaim May 2023 as ***National Preservation Month*** and call upon the citizens of Anniston to join their fellow citizens across the United States in recognizing and participating in this special observance.

Dated this **16th** day of **May**, 2023

Jack Draper
Mayor

Jay W. Jenkins
Council Member

Demetric Roberts
Council Member

Ciara Smith
Council Member

Millie Harris
Council Member

CONSENT AGENDA

5/8/2023

FACT SHEET

SUBJECT: Evaluation of bids for the resurfacing of Dale Hollow Road and Cobblestone Dr.

FACTS: This is a General Fund expenditure

VENDORS SUBMITTING BIDS

Massey Asphalt	\$ 127,171.00
MidSouth Paving	\$ 101,726.75
Vulcan Materials	\$ 100,843.00
Wiregrass Construction	\$ 99,600.00
Alabama Grading & Excavation	\$ 89,071.80

RECOMMENDATION: The bid should be awarded to Alabama Grading & Excavation, in the total amount of \$ 89,071.80.

RESOLUTION NUMBER 23-R-__

**A RESOLUTION APPOINTING A MEMBER TO THE ZONING BOARD OF
ADJUSTMENTS**

WHEREAS, the Council has adopted Ordinance No. 14-O-13, an ordinance amending Division 1, Article XI, Chapter 2 of the Code of Ordinances for the City of Anniston, Alabama Regulating Boards, Commissions and Authorities, in order to, among other things, assign the positions on the City's boards, commissions and authorities to nominations by specific Council Ward Representatives or to the Office of the Mayor so that those who are appointed to serve more fairly and equitably represent the citizenry of the City and to simplify and clarify to Council's nomination and appointment process;

WHEREAS, the Council has adopted a schedule of nominations to govern appointments to the Zoning Board of Adjustments;

WHEREAS, the Council desires to make certain appointments to said Board in accordance with the previously adopted Schedule of Nominations;

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

Section 1. The City Council of the City of Anniston does hereby appoint those person(s) identified in the Schedule of Nominations for the Zoning Board of Adjustments attached hereto as Exhibit A to the board and for the terms set forth therein.

Section 2. That the City Clerk shall cause a copy of this Resolution to be mailed to the above named appointees and to said board.

PASSED and ADOPTED this 16th day of May, 2023.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

EXHIBIT "A"

ZONING BOARD OF ADJUSTMENTS

Board Positions	Nominations	Board Member Name	Expiration Date	Explanation
2	Ward 2	La Sha Robinson	5/31/2026	Appointment to unexpired term of Alfreda Heard

RESOLUTION NO. 23-R-____

A RESOLUTION DECLARING PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE DISPOSAL OF SAID PROPERTY

WHEREAS, the City Council of the City of Anniston, Alabama, hereby finds that those the pieces of equipment and personal property more particularly described on Exhibit "A" attached hereto and incorporated herein are not now presently being used for municipal purposes, nor are they needed for use by the City of Anniston in the future, and

WHEREAS, the City Council is desirous of disposing of said equipment/personal property.

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

Section 1. That those certain pieces of equipment/personal property more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, be and the same are hereby declared surplus to the needs of the City of Anniston.

Section 2. That Skyler Bass, City Clerk of the City of Anniston, be and she is hereby authorized, directed, and empowered to destroy/dispose of and/or sell said equipment/personal property referenced on Exhibit "A" attached hereto and incorporated herein and to execute title certificates, bills of sale or other documents of conveyance to the purchasers, provided, however, that all sales of equipment/personal property shall be "as is - where is" with no warranties expressed or implied.

Section 3. This resolution shall become effective immediately upon its passage and adoption by the City Council.

PASSED AND ADOPTED this the 16th day of **May, 2023.**

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

Jack Draper, Mayor

Jay Jenkins, Council Member

Demetric Roberts, Council Member

Ciara Smith, Council Member

Millie Harris, Council Member

ATTEST:

Skyler Bass, City Clerk

EXHIBIT A

SURPLUS VEHICLES

Police Department

Model

Vin

Mileage/Hours

2012 Dodge Charger

2C3CDXAT6CH130100

112,931 miles

EXHIBIT B

SURPLUS SUPPLIES/EQUIPMENT

The Museum Department is requesting the following equipment to be surplused:

- 1 small gray office chair
- 1 small blue office chair
- 1 black office chair
- 1 wooden office chair
- 3 library chairs
- 1 couch
- 1 wooden desk
- 1 wooden book self
- 1 Sony DVD Player
- 1 Phillips DVD Player
- 3 telephones
- 4 computer keyboards
- 1 channel selector
- 1 answering machine
- 3 computer towers
- 1 Sony A/V controller
- 1 flat screen computer monitor
- 1 RCA cd/radio
- 1 box switcher/changer
- 1 Sherwood am/fm receiver
- 1 box of old hard drives
- 1 box of various power cords