

## CITY OF ANNISTON

September 5, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
  - August 15, 2023
- ADDITIONS/DELETIONS TO THE AGENDA
- ADOPTION OF AGENDA

### I. 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.

### II. UNFINISHED BUSINESS

- (a) Resolution adopting the budget for Fiscal Year 2024

### III. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City
- (b) Resolution of the Mayor and City Council of the City of Anniston, Alabama, authorizing the Adoption and Approval of the Fiscal Year 2020 Annual Action Plan under the Community Development Block Grant (CDBG) Program and HOME Investment Partnerships Act Program
- (c) Resolution establishing the position of Career Technical Education Teacher

- (d) Motion to approve bid for purchase of three (3) 2023 ½ ton crew cab pickup trucks for Fire Department to Sunny King Ford in the amount of \$73,800.00/each
- (e) Motion to authorize the City Manager to execute the agreement with MBA Engineers, Inc., for engineering services for Noble Street City Parking Lot at 12<sup>th</sup> and Noble
- (f) Motion to submit a letter of support for Premier Holdings to apply for a grant through ADECA Capital Funds Grant to provide affordable internet service for citizens of the City of Anniston and Calhoun County.

#### IV. ADDITIONAL OR OTHER MATTERS THAT MAY COME BEFORE COUNCIL

#### V. 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) Shawana Hill – 2630 Wilmer Avenue
- (b) Glen Ray – 3514 Dale Hollow Road
- (c) Richard Jackson – 2317 Noble Street

#### COUNCIL COMMENTS

#### ADJOURNMENT

## MINUTES

Anniston, Alabama

August 15, 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, August 15, 2023, at approximately 5:31 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, Smith, Harris, and Draper. A quorum was present and the meeting opened for the transaction of business.

David Arnett, Public Works Director, 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 August 1 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, Draper; nays: none. The motion carried and the August 1, 2023 regular meeting minutes were approved.

Mayor Draper made a motion to adopt the agenda with the addition of a Resolution Adopting Transportation Plan pursuant to the Rebuild Alabama Act (Act 2019-2) to the consent agenda. 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, Harris, and Draper; nays: none. The motion carried and the amended agenda was adopted.

Frazier Burroughs, Parks and Recreation Director, delivered a special recognition of the organizations/agencies who have supported the City of Anniston's Youth Empowered for Success Program (Y.E.S): The Anniston Public Library, The Anniston Museum and Gardens, The Anniston Water Works and Sewer Board, The Boys and Girls Club of East Central Alabama, and the Pediatric Care Center of Northeast Alabama.

Mayor Draper opened board confirmations for Chris Collins to the McClellan Development Authority and Shawn Crawford to the Anniston Museums and Gardens Board. No one spoke. Mayor Draper closed the board confirmation.

Mayor Draper opened a public hearing to receive public comments regarding the Proposed FY 2024 City Manager's Recommended Budget.

Jessica Leonard, Finance Director, presented the Proposed FY 2024 City Manager's Recommended Budget.

Mayor Draper closed the public hearing to receive public comments regarding the Proposed FY 2024 City Manager's Recommended Budget.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution over-ruling objections to the abatement of identified nuisances Group 2023-02 (23-R-36)
- (b) Resolution appointing member(s) to the McClellan Development Authority (23-R-37)
- (c) Resolution authorizing the submission of a grant application through the Recreational Trails Grant Program for trailhead restroom improvements at Michael Tucker Park (23-R-38)
- (d) Motion to approve Shawn Crawford to Position 6 in the unexpired term ending October 31, 2026 of the Anniston Museums and Garden Board
- (e) Motion to approve a revision to the Pay and Classification Plan adding "Cemetery Sexton" and reclassifying "Program Coordinator-CDBG" to "Community Development Coordinator" and change from pay grade 7 to pay grade 10
- (f) Resolution Adopting Transportation Plan pursuant to the Rebuild Alabama Act (Act 2019-2) (23-R-39)

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

Mayor Draper introduced the resolution authorizing expenditure of Opioid Settlement Funds.

Mayor Draper made a motion for passage and adoption of the resolution authorizing expenditure of Opioid Settlement Funds. 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, Harris, Draper; nays: none. The motion carried and the resolution was passed and adopted. (23-R-40)

Mayor Draper introduced the resolution adopting the budget for fiscal year 2024. The motion was seconded by Council Member Smith.

Mayor Draper made a motion to table the resolution adopting the budget for fiscal year 2024. 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, Draper; nays: none. The motion carried and the resolution was tabled.

Mayor Draper introduced the ordinance declaring surplus real property and authorizing lease of the same (1<sup>st</sup> Reading).

Council Member Jenkins made a motion to read the Ordinance Declaring Surplus Real Property and Authorizing Lease of the same by title only. The motion was seconded by Council Member Roberts.

Mayor Draper opened a public hearing to receive public comment on reading the ordinance by title only. No One Spoke. Mayor Draper closed public hearing to receive public comment on reading the ordinance by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, Draper; nays: none. The motion carried and the ordinance will be read by title only.

Mayor Draper read the Ordinance Declaring Surplus Real Property and Authorizing Lease of the same by title only.

Council Member Smith made a motion for unanimous consent for immediate consideration. 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, Harris, Draper; nays: none. The motion carried.

Mayor Draper made a motion to amend the ordinance to change the lease agreement from one-year increments to two-year increments. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Smith, Harris, Draper; abstentions: Council Member Roberts; nays: none. The motion carried and the ordinance was amended.

Council Member Roberts made a motion for passage and adoption of the Ordinance Declaring Surplus Real Property 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, Harris, Draper; nays: none. The motion carried and the ordinance was passed and adopted (23-O-7).

Mayor Draper introduced the Ordinance Amending Chapter 29 ½ Article 1 of the Code of the City of Anniston, Alabama, 1981 Governing Storm Water Management Regulation (1<sup>st</sup> Reading).

Council Member Jenkins made a motion to read the Ordinance Amending Chapter 29 ½ Article 1 of the Code of the City of Anniston, Alabama, 1981 Governing Storm Water Management Regulation by title only. The motion was seconded by Council Member Harris.

Mayor Draper opened a public hearing to receive public comment on reading the ordinance by title only. No One Spoke. Mayor Draper closed public hearing to receive public comment on reading the ordinance by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, Draper; nays: none. The motion carried and the ordinance will be read by title only.

Mayor Draper read the Ordinance amending Chapter 29 ½ Article 1 of the Code of the City of Anniston, Alabama, 1981 Governing Storm Water Management Regulation by title only.

Council Member Roberts made a motion for unanimous consent for immediate consideration. 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, Draper; nays: none. The motion carried.

Mayor Draper made a motion for passage and adoption of the Ordinance Amending Chapter 29 ½ Article 1 of the Code of the City of Anniston, Alabama, 1981 Governing Storm Water Management Regulation. 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, Draper; nays: none. The motion carried and the ordinance was passed and adopted (23-O-8).

Council Member Harris thanked the Anniston Public Library, Anniston Museums and Gardens, Anniston Water Works and Sewer board, the Boys and Girls Club of East Central Alabama, and the Pediatric Care Center of Northeast Alabama for their support and participating with the Y.E.S program.

Council Member Smith thanked all the entities that have been a part of making the Y.E.S program what it is today and offering the youth exposure and opportunity.

Council Member Roberts encouraged everyone to check on your loved ones. He stated that the heat index was at 110. He also mentioned the cooling station that are provided by the city to help the community.

Council Member Jenkins stated that it is a joy to work with this collection of individuals each and every day. He appreciates the genuine concern they have for the citizens of Anniston.

Mayor Draper thanked the entities that help with the Y.E.S program. He stated that it takes community support and involvement for the success of this program.

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, Harris and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 6:11 o'clock p.m.

## UNFINISHED BUSINESS



**RESOLUTION NO. 23-R-\_\_\_**

**A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2024**

**WHEREAS**, the Code of Alabama 1975 title 45, Chapter 8A-Article 2 provides for the process, review, and adoption of an annual budget; and

**WHEREAS**, a public hearing on the proposed FY 2024 Annual Budget was held on August 15, 2023;

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

Section 1. That the budget attached hereto which each Council Member acknowledges having read and reviewed is hereby adopted as the Budget for the City of Anniston, Alabama for the Fiscal Year 2024.

Section 2. That the City Manager and the City Clerk shall certify the same as being the Budget for the City of Anniston and file the same in the office of the Director of Finance.

Section 3. That said Budget so certified shall be reproduced and sufficient copies be made available for use by all offices, departments, boards, and agencies of the City of Anniston and for use of interested persons.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of **August, 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: \_\_\_\_\_  
Millie Harris, Council Member

ATTEST:

\_\_\_\_\_  
Skyler Bass, City Clerk



**ANNISTON CITY COUNCIL**

**JACK DRAPER**  
**MAYOR**

**JAY JENKINS**  
**COUNCILMAN WARD 1**

**DEMETRIC "D.D." ROBERTS**  
**COUNCILMAN WARD 2**

**CIARA SMITH**  
**COUNCILWOMAN WARD 3**

**MILLIE HARRIS**  
**COUNCILWOMAN WARD 4**

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September 5, 2023

In accordance with the Council-Manager Act, we do hereby certify that the attached document is the legal budget of the City of Anniston for the Fiscal Year ending September 30, 2024.

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Steven D. Folks, Sr.  
City Manager

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Skyler Bass  
City Clerk

# 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.** \$382.52 to Shannon English, Municipal Court, while attending a Municipal Court Seminar in Montgomery, AL on July 14, 2023 and July 21, 2023
- b.** \$573.78 to Brittney Gossage, Municipal Court, while attending a Municipal Court Seminar in Montgomery, AL on July 7, 2023, July 28, 2023 and August 4, 2023
- c.** \$297.76 to Nick Bowles, Police Department, while attending AACOP Conference in Orange Beach, AL from 07/30/2023 to 08/03/2023

**PASSED AND ADOPTED** this 15<sup>th</sup> day of **August, 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

**RESOLUTION NUMBER 23-R-\_\_\_**

**PROPOSED AMENDED 2020 ACTION PLAN REALLOCATION OF CDBG-CV FUNDS**

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA,  
AUTHORIZING THE ADOPTION AND APPROVAL OF THE FISCAL YEAR 2020 ANNUAL ACTION PLAN  
UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND HOME  
INVESTMENT PARTNERSHIPS ACT PROGRAM**

**WHEREAS**, the City of Anniston has been designated as “Entitlement Community” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program; and a “Participating Jurisdiction” under the Home Investment Partnerships Act Program;

**WHEREAS**, the City is hereby amending 2020 Annual Action Plan to reallocate a total of **\$25,000.00** in unexpended CDBG-CV funds to the City of Anniston’s Glen Addie Community Center Public Facility Renovation Project as noted in the table below; and

Grant	Year	Approved Uses/Proposed Transfers	Proposed Change
CDBG	2020	Small Business Loan Program	(\$25,000.00)
Proposed Reallocated Funds			(\$25,000.00)
CDBG	2020	Glen Addie Community Center	\$25,000.00
Subtotal Reallocated Funds			\$25,000.00
TOTAL REALLOCATION			\$25,000.00

**WHEREAS**, this Substantial Amendment to the 2020 Annual Action Plan has been published for the HUD-required 30-day citizen participation, review and comment period;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Anniston, Alabama, that the City Manager is hereby authorized to sign the agreement and all documentation relating to the amendment.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of **September, 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

**RESOLUTION NO. 23-O-\_\_**

**ESTABLISHING THE POSITION OF CAREER TECHNICAL EDUCATION TEACHER**

**WHEREAS**, the City of Anniston, through the Anniston Fire Department, serves as a Regional Training Center for the Alabama Fire College whereby it provides education and training to fire fighters and first responders, among others, at its facilities located within the City;

**WHEREAS**, in collaboration with the Anniston City School Board, Calhoun County School Board, and Jacksonville City School Board, the City utilizes the Anniston Fire Department's expertise, resources, and facilities to provide the First Responders Program as a Career and Technical Education program for the students of these local school systems;

**WHEREAS**, the participating local school boards provide yearly compensation to the City in exchange for providing the First Responders Program to their students, and the program aids the Anniston Fire Department by providing a recruiting base for employment opportunities within the department;

**WHEREAS**, the City requires a career technical education teacher to provide instruction for the First Responders Program and any other similar programs that may be offered by the City;

**WHEREAS**, the Council desires to establish a position of employment within the administrative service of the City to provide instruction and perform those other responsibilities and functions needed for the City's career technical education programs pertaining to firefighting, emergency medical services, and specialized public service jobs;

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

The Council hereby establishes a position within the General Department which shall be referred to as the "Career Technical Education Teacher". The position shall require the minimum qualifications, performance responsibilities, and essential functions as set forth in the job description attached hereto, as may be amended from time to time in the discretion of the city manager. The city manager is hereby authorized to enter and execute an employment agreement with a qualified individual to serve in the position of Career Technical Education Teacher on those terms the city manager determines to be necessary and appropriate under the circumstances.

PASSED AND ADOPTED on this the 5<sup>th</sup> day of **September, 2023**.

**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