

CITY OF ANNISTON

October 17, 2023

5:30 P.M.

- INVOCATION
- PLEDGE OF ALLEGIANCE
- CALL TO ORDER
- ROLL CALL
- READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
 - October 3, 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

III. RESOLUTIONS

- (a) Resolution authorizing reimbursement to city officials for expenses incurred while traveling away from the city
- (b) Resolution to amend the Retiree Healthcare Plan

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, Anniston

(b) Glen Ray – 3514 Dale Hollow Road, Anniston

(c) Richard Jackson – 2317 Noble Street, Anniston

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

October 3, 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, October 3, 2023, at approximately 5:32 o'clock p.m.

Jack Draper, Mayor, prayed the Invocation.

Jack Draper, Mayor, 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; absent: none. 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 September 19, 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 September 19, 2023 regular meeting minutes were approved.

Mayor Draper motion to adopt the agenda with the additional of resolution authorizing a professional service agreement with Alagrants, LLC d/b/a Simple Grants for grant writing consulting services for the City of Anniston and the resolution authorizing a professional services agreement with Williams & Jensen, PLLC for federal funding opportunities /legislation to provide opportunities of new industries, economic growth and job creation to the consent agenda. 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, and Draper; nays: none. The motion carried and the amended agenda was adopted.

Mayor Draper presented special recognitions to the Anniston Barracudas Swim Team for winning the ARPA 2023 Swimming Championship.

Mayor Draper presented a distinguished service and commendations for outstanding achievements during an emergency operation:

Commendation- Sergeant Austin Key Engine 3

Commendation- Firefighter James Dorroh Engine 3

Life Saving Award- Lieutenant Dustin Walker

Citizen Life Savings Award- Lifeguard Tyrone Wysinger

Citizen Life Savings Award- Lifeguard Owen Smith

Mayor Draper opened a public hearing to receive public comments over-ruling objections to the abatement of identified nuisances Group 2023-03 Grass/Vehicles/Debris. No one spoke. Mayor Draper

closed the public hearing to receive public comments over-ruling objections to the abatement of identified nuisances Group 2023-03 Grass/Vehicles/Debris.

Mayor Draper opened a public hearing to receive public comments regarding a Lounge Retail Liquor – Class I license application for Partners Enterprises LLC d/b/a Partners Lounge located at 831 S Quintard Avenue inside the city limits. No One spoke. Mayor Draper closed the public hearing to receive public comments regarding a Lounge Retail Liquor –Class I license application for Partners Enterprises LLC d/b/a Partners Lounge located at 831 S Quintard Avenue inside the city limits.

Mayor Draper opened a public hearing to receive public comments regarding a Restaurant Retail Liquor application for LuLu’s Place, Inc. located at 1021 Noble Street, Ste. 109 inside the city limits. No one spoke. Mayor Draper closed the public hearing to receive public comments regarding a Restaurant Retail Liquor application for LuLu’s Place, Inc. located at 1021 Noble Street, Ste. 109 inside the city limits.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution authorizing reimbursement to city officials for expenses incurred while traveling away from the city (23-R-50)
- (b) Resolution over-ruling objections to the abatement of identified nuisances (Group 2023-03 Grass/Debris/Vehicles) (23-R-51)
- (c) Resolution authorizing an agreement for Environmental Consulting Services in support of the City of Anniston’s MS4 Permit Program (23-R-52)
- (d) Motion to approve Change Order #5 for the Glen Addie Clinic in the amount of \$14,355.00 with funds from the FY23 Reserve Fund
- (e) Motion to approve a Lounge Retail Liquor- Class I license application for Partners Enterprises LLC d/b/a Partners Lounge located at 831 S Quintard Avenue inside the city limits
- (f) Motion to approve a Restaurant Retail Liquor application for Lulu’s Place, Inc. located at 1021 Noble Street, Ste. 109 inside the city limits
- (g) Motion to approve a Retail Beer (Off Premises Only) Retail Table Wine (Off Premises Only) application for Eagles Investment Anniston, Inc. d/b/a Chevron located at 851 Lagarde Avenue inside the city limits
- (h) Motion to approve a non-profit special event retail license application for Northeast Alabama Bicycle Association (NEABA) d/b/a 2023 Coldwater Mountain Fat Tire Festival located at 101 W 14th St., Coldwater Trailhead, 26 W 10th St, and 399 Monsanto Road, Anniston inside the city limits.
- (i) Motion to approve a Special Events Retail License application for the City of Anniston d/b/a City of Anniston Jazz and Art Festival located at Parking Lot 3 between Noble and 12th Street inside the city limits
- (j) Resolution authorizing a professional service agreement with Alagrants, LLC d/b/a Simple Grants for grant writing consulting services (23-R-53)
- (k) Resolution authorizing a professional services agreement with Williams & Jensen, PLLC for federal funding opportunities /legislation to provide opportunities of new industries, economic growth and job creation (23-R-54)

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

Mayor Draper presented a Resolution authorizing the City to come under the Retiree Act 2023-107 granting a one-time payment to City of Anniston Retirees participating in the RSA Program.

Mayor Draper made a motion for passage and adoption of the Resolution authorizing the City to come under the Retiree Act 2023-107 granting a one-time payment to City of Anniston Retirees participating in the RSA Program. 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 resolution was passed and adopted. (23-R-55)

Glen Ray, 3514 Dale Hollow Rd, addressed the council on putting back up the sign showcasing Anniston first state championship.

Richard Jackson, 2317 Noble St., addressed the council on the young men that were recognized for their life saving efforts.

Council Member Jenkins stated that the city had a record year last year. He stated that over 40 million dollars was collected from building permits, almost 62 million dollars in economic impact and 503 new jobs were created within the community. He stated that this is the biggest growth since 2015.

Council member Roberts stated that he is almost certain that the decision that was made was not done by the City of Anniston for the school system. He stated that there is a lot of illegal activity happening on Sundays in Anniston and it bothers him even though it is not in his ward.

Council Member Smith stated that both school systems did what was best in the interest of their students' safety. She stated that they are spending too much on infrastructure in the city for people to damage it with doughnuts and street racing.

Council Member Harris stated that it was mentioned in the work session, that the street department will be short one leaf vacuum machine. She stated if citizens are willing to bag their leaves, they will be picked up within a week's time.

Mayor Draper stated that the ribbon cutting for the City Market will be on Thursday October 5, 2023 at 9:00 a.m. He stated that the city adopted a comprehensive plan a few years ago and they are executing it now.

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 6:19 o'clock p.m.

RESOLUTIONS

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. \$347.84 to Todd Kirkland, Fire Department, while attending National Fire Academy Training in Emmitsburg, MD from September 16 – 23, 2023

PASSED AND ADOPTED this 17th day of **October, 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 NO. 23-R-___

A RESOLUTION TO AMEND THE RETIREE HEALTHCARE PLAN

WHEREAS, by Resolution No. 98-R-60 the Council for the City of Anniston established a plan or procedure whereby retirees from service to the City of Anniston were permitted continuing participation in the City of Anniston's Healthcare Plan at and for a rate established therein for individual or family coverage; and

WHEREAS, the rate established in 1998 approximated 80% of the COBRA rate of continued healthcare coverage for individuals and for their dependents under the City's Healthcare Plan; and

WHEREAS, said resolution contemplated an adjustment to the retirees' contribution for continued healthcare coverage to account for increased costs to the City for providing such coverage; and

WHEREAS, by Resolution No. 18-R-187, the Council adjusted the retirees' contribution and resolved that by June 1, 2019, all retirees of the City participating in the "City of Anniston Retiree Healthcare Plan" shall contribute a sum equal to 80% of the computed COBRA costs of providing continued healthcare coverage to the retiree and/or the retiree's dependents as computed based upon the claims experience of all lives insured under the City of Anniston Healthcare Plan and the City of Anniston Retiree Healthcare Plan

WHEREAS, the rates currently charged to retirees are significantly less than 80% of the computed COBRA costs and, as a matter of fiscal responsibility, the Council finds that the rates are due to be increased, but in a manner so as to not cause an immediate, unreasonable burden upon the retirees.

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

Section 1. Effective, January 1, 2024, all retirees of the City of Anniston participating in the "City of Anniston Retiree Healthcare Plan" shall pay a monthly contribution in an amount equal to 55% of the monthly premium charged for the elected coverages. Effective, January 1, 2025, all retirees of the City of Anniston participating in the "City of Anniston Retiree Healthcare Plan" shall pay a monthly contribution in an amount equal to 60% of the monthly premium charged for the elected coverages.

Section 2. All other terms and conditions of the City's Retiree Healthcare Plan as established in the 1998 resolution shall remain in full force and effect accept to the extent modified, altered, or amended hereby.

Section 3. This resolution shall become effective immediately upon its passage and adoption, subject to the operative dates set forth above.

PASSED AND ADOPTED on this the **17th** day of **October, 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