

CITY OF ANNISTON
November 7, 2023
5:30 P.M.

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - October 17, 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. BOARD CONFIRMATIONS

- (a)** Patricia Gaither – Anniston Historic Preservation Commission
- (b)** Beverly Parsons – Anniston Historic Preservation Commission
- (c)** Toby Kilpatrick – Anniston Historic Preservation Commission

III. UNFINISHED BUSINESS

IV. CONSENT AGENDA

- (a) Resolution appointing members to the Historic Preservation Commission
- (b) Resolution declaring certain personal property surplus and authorizing the donation of said property
- (c) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Office Premises Only) for Yousef Yaqoub Inc., d/b/a Express Mart 25 located at 1229 Wilmer Avenue inside the city limits

V. ADDITIONAL OR OTHER MATTERS THAT MAY COME BEFORE COUNCIL

VI. 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) Jim Pritchett – 2609 Old Gadsden Hwy

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

October 17, 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 17, 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, 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 October 5, 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, Smith, Harris, Draper; nays: none. The motion carried and the October 5, 2023 regular meeting minutes were approved

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

Mayor Draper presented a Resolution authorizing reimbursement to city officials for expenses incurred while traveling away from the city.

Council Member Roberts made a motion for passage and adoption of a resolution authorizing reimbursement to city officials for expenses incurred while traveling away from the city. 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. (23-R-56)

Mayor Draper presented a Resolution to amend the Retiree Healthcare Plan.

Council Member Smith made a motion for passage and adoption of a resolution to amend the Retiree Healthcare Plan. 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. (23-R-57)

Glen Ray, 3514 Dale Hollow Road, thanked the council for finding his championship plaque, the first state championship that was received in Anniston.

Richard Jackson, 2317 Noble Street, thanked the council for doing an exemplary job. He stated that anything that goes on within the city, local talent should take care of it first.

Council Member Jenkins stated he wants the city to continue to pursue better levels of communication in all aspects of what we do primarily with people within the city.

Council Member Roberts stated that a lot of things are going on, on social media. He stated that we should start about things we know and not regurgitated misinformation.

Council Member Smith stated that there will be a tall hall meeting on Thursday October 19, 2023 hosted by Alabama New South Coalition, Alabama Democratic Conference and the NAACP at 6:00 pm., at the city meeting center. She stated that the speakers will be State House Representative Barbara Boyd, State House Minority Leader Rep. Anthony Daniels, Council Member Smith, Council Member Roberts and Calhoun County Commissioner Fred Wilson.

Council Member Harris stated that she hopes everyone will come out to support Jazz & Art that will be October 19-October 21 on Noble Street. She stated that this event will support the Cheaha Creative Arts.

Mayor Draper encouraged everyone to come out to the Jazz & Art Festival this Thursday as well as the upcoming holiday events. He thanked Bersheba Austin, Human Resources Director, for her hard work on the healthcare plan.

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 5:44 o'clock p.m.

CONSENT AGENDA

RESOLUTION NUMBER 23-R-___

A RESOLUTION APPOINTING A MEMBER TO THE ANNISTON HISTORIC PRESERVATION COMMISSION

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 Anniston Historic Preservation Commission;

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 persons identified in the Schedule of Nominations for the Anniston Historic Preservation Commission 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 7th day of **November, 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"

ANNISTON HISTORIC PRESERVATION COMMISSION

| Board Positions | Nominations | Board Member Name | Expiration Date | Explanation |
|------------------------|--------------------|--------------------------|------------------------|--------------------|
| 1 | City Manager | Miller Parnell | 12/31/2025 | Reappointment |
| 2 | City Manager | Foch Salem | 12/31/2024 | Reappointment |
| 3 | City Manager | Beverly Parson | 12/31/2024 | Appointment |
| 5 | City Manager | Toby Kilpatrick | 12/31/2026 | Appointment |
| 7 | City Manager | Patricia Gaither | 12/31/2025 | Appointment |

RESOLUTION NUMBER 23-R-__

DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING THE DONATION OF SAID PROPERTY

WHEREAS, the City Council of the City of Anniston, Alabama, hereby finds that the bicycles 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 desires to donate said bicycles more particularly described on Exhibit "A" to the Boys and Girls Clubs of East Central Alabama.

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

Section 1. That the bicycles 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 the bicycles more particularly described in Exhibit "A" attached hereto and incorporated herein for all purposes, be and the same are hereby donated to the Boys and Girls Clubs of East Central Alabama.

PASSED AND ADOPTED this the 7th day of **November, 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 EQUIPMENT

| Case # | Description |
|-----------|-------------------------------------------------------|
| 180731005 | BLACK VITESSE 21 SPEED BICYCLE, S/N: 8161102167 |
| 201220012 | BLACK/RED TREK BICYCLE, S/N: WTU1336054R |
| 201220012 | WHITE/BLACK CANNONDALE BICYCLE, S/N: 010F00927 |
| 201220012 | WHITE/RED TRIACE BICYCLE, NO VISIBLE S/N |
| 220727010 | BLUE AVALON CS NEXT MOUNTAIN BICYCLE, S/N: L050607278 |
| 220822027 | SCHWINN BICYCLE, S/N: SNFSD14H75057 |
| 220827062 | BLACK MONGOOSE REBEL BICYCLE, S/N: SNFSD20E96336 |
| 220920015 | LT GREEN HUFFY CRANBROOK BICYCLE (S/N: ILLEGIBLE) |
| 220922068 | TAN THRUSTER 2.0 RAMPAGE BICYCLE, S/N: G1006048819 |
| 221003152 | BLACK AND ORANGE ALLOY 2600 BICYCLE, S/N: GS120509160 |
| 221211074 | GREEN & GRAY BICYCLE, S/N: G15053451 |
| 230727087 | ORANGE MONGOOSE BICYCLE S/N: SNALL10M0337 |