

CITY OF ANNISTON

April 2, 2024

5:30 P.M.

- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**
- **CALL TO ORDER**
- **ROLL CALL**
- **READING/APPROVAL OF MINUTES OF PREVIOUS MEETING**
 - March 19, 2024
- **ADDITIONS/DELETIONS TO THE AGENDA**
- **ADOPTION OF AGENDA**

I. RECOGNITIONS

- (a) PARD 12U All-Star Basketball Team for winning the ARPA State 12U Basketball Championship

II. 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.

- (a) To receive public comments regarding the proposed Zoning Ordinance

III. UNFINISHED BUSINESS

IV. CONSENT AGENDA

- (a) Resolution authorizing reimbursements to city officials for expenses incurred while traveling away from the City
- (b) Resolution declaring equipment as surplus and authorizing their sale
- (c) Motion to approve a 140-Special Events Retail Liquor for the City of Anniston dba Noble Street Festival located at 9th, 10th, 11th, 12th Noble, Wilmer, Gurnee, Atlanta and Moore Streets.
- (d) Motion to approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) for Nilkanth21 LLC dba Express Mart 25 located inside the city limits at 1229 Wilmer Avenue, Anniston, AL 36201
- (e) Motion to award the bid for the Re-roofing of Anniston Fire Station #4, 1923 Cooper Ave to Alabama Roofing in the amount of \$205,200.00 for the base bid.

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.

COUNCIL COMMENTS

ADJOURNMENT

MINUTES

Anniston, Alabama

March 19, 2024

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, March 19, 2024, at approximately 5:30 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, Harris and Draper; absent: Council Member Smith. 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 Harris made a motion to waive the reading of and approve the minutes of the February 20, 2024 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, Harris, and Draper; nays: none. The motion carried and the February 20, 2024, regular meeting minutes were approved.

Council Member Roberts made a motion to waive the reading of and approve the minutes of the February 27, 2024, called meeting. The motion was seconded by Council Member Jenkins 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 February 27, 2024, called meeting minutes were approved.

Council Member Harris made a motion to waive the reading of and approve the minutes of the March 4, 2024, called 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, Harris, and Draper; nays: none. The motion carried and the March 4, 2024, called meeting minutes were approved.

Mayor Draper made a 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, Harris, and Draper; nays: none. The motion carried and the agenda was adopted.

Mayor Draper introduced a board confirmation hearing for Emily Robison to the Anniston Water Works and Sewer Board.

Mayor Draper read the following addresses for the record: 1711 Moore Ave, 3825 George St., 1108 S Leighton Ave, 428 E. 22nd St., 215 W 30th St., 2020 Christine Ave, 302 Lucius Drive, 2013 Christine Ave, 400 W Oak St., 1220 Constantine Ave, 427 Chestnut Ave, 431 Chestnut Ave, 1614 Walnut Ave, 2818 McKleroy Ave, 222 Blue Mtn. Rd. W., 304 Blue Mtn. Rd. W., 412 Blue Mtn. Rd. W., 320 Blue Mtn. Rd. W., 1030 Johnston Drive, 1301 E 11th St.

Mayor Draper opened a public hearing to receive public comments over-ruling to the abatement of identified nuisances.

Tana Bryant, Senior Code Enforcement Officer, stated that 1301 East 11th Street has been completed. She stated that 1020 Parkwood is complete as well.

Willie G Mack, 2818 McKleroy, addressed the council that he would meet with Tana to discuss cleaning up his yard.

Susan Koch, 1030 Johnston Drive, addressed the council that she would like for them to grant her more time to get her property cleaned up.

Lisa Alexandria Panthel and William Lewis, 320 Blue Mtn. Rd. W., addressed the council that they are working to fix the issue but they have experienced a high value of theft at her house which hinders them from keeping the yard up.

Richard Jackson, 2317 Noble Street, addressed the council on questions he had about the demolitions that were already contracted. He asked how many residences are going to be demolished by Emtek.

Kenneth Thomas Jr., 1711 Moore Ave, addressed the council on speaking with Tana to work on getting the property cleaned up.

Mayor Draper made a motion to approve the consent agenda:

- (a) Resolution authorizing reimbursements to city officials for expenses while traveling away from the city (24-R-14)
- (b) Resolution over-ruling objections to the abatement of identified nuisances Group 2024-01 (24-R-15)
- (c) Resolution appointing member(s) to the Anniston Water and Sewer Board (24-R-16)
- (d) Resolution declaring personal property as surplus and authorizing the disposal of said property (24-R-17)
- (e) Motion to award bid for FY2024 CDBG Demolition of seven (7) substandard structures to Emtek for a total of \$36,100.00 and one (1) substandard to T and D for \$10,500.00
- (f) Motion to award bid for purchase of 40-50 Sig Sauer M400 Pro Rifles for the Police Department to Gulf States Distributors in the amount of \$959.00 per rifle.
- (g) Motion to reject bid for HVAC/Humidification replacement for Anniston Museums and Garden
- (h) Motion to appoint Jack Draper as the Voting Delegate and Millie Harris as the 1st Alternate Voting Delegate at the Alabama League of Municipalities Annual Business Meeting on May 17, 2024.

The motion was seconded by Council Member Jenkins 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 introduced the ordinance declaring surplus real property and authorizing conveyance of the same (1st Reading)

ORDINANCE NO. 24-O-3

AN ORDINANCE DECLARING SURPLUS REAL PROPERTY AND AUTHORIZING CONVEYANCE OF THE SAME

WHEREAS, the City of Anniston does own and possess the parcel of land located on 4th Street in Anniston, Alabama, Parcel No. 21-03-07-4-001-078.000, being described in the deed recorded in the

Office of the Judge of Probate for Calhoun County in Deed Book 3295, Page 615 (referred to herein as the "Property");

WHEREAS, Calhoun County Commission desires to acquire an access easement over the Property, as described and depicted in the Easement for Ingress and Egress attached hereto as Exhibit A (the "Easement") for governmental use and purposes;

WHEREAS, the Council finds that the City does not need the Easement for municipal purposes;

WHEREAS, the Council finds that the Easement will not prohibit or unduly interfere with the City's intended uses of its subservient real property;

WHEREAS, the Council desires to sell, grant and convey the easement to Calhoun County Commission for a sum total of Ten Dollars (\$10.00) so that the property may be used for the purposes set forth in the Easement;

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

1. Declaration of Surplus Real Property. It is hereby established and declared that the real property of the City, as described and shown in Exhibit A, attached hereto, is surplus real property that is no longer used or needed by the City of Anniston for public or municipal purposes. It is further established and declared that the grant of an easement to the real property will not prohibit or unduly interfere with the City's intended uses or rights to the subservient estate.
2. Conveyance of the Easement. The Mayor and the City Clerk are hereby authorized and directed to execute, attest and deliver to Calhoun County Commission, for and on behalf of the City of Anniston, Alabama, an easement in the form attached hereto as Exhibit A, so as to sell, grant and convey the easement to Calhoun County Commission.
3. Public Purpose will be Served by the Conveyance. The Council finds and declares that the conveyance of the easement to Calhoun County Commission shall serve a valid and sufficient public purpose.
4. Effective Date. This Ordinance shall become effective immediately upon adoption and publication as required by law.

Council Member Jenkins made a motion to read by title only. The motion was seconded by Council Member Roberts.

Mayor Draper opened a public hearing to receive public comments on reading the ordinance declaring surplus real property and authorizing conveyance of the same by title only. No one Spoke. Mayor Draper closed the public hearing to receive public comments on reading the ordinance declaring surplus real property and authorizing conveyance of the same by title only.

Council Member Jenkins made a motion to 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. The motion was seconded by Council Member Jenkins 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. (24-O-3)

Council Member Roberts made a motion for passage and adoption of a Resolution authorizing Second Amendment to Development Agreement between the City of Anniston, Alabama, and Blackwater Development Company LLC. The motion was seconded by Council Member Jenkins 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 resolution was passed and adopted. (24-R-18)

Council Member Jenkins made a motion for passage and adoption of a Resolution authorizing the City of Anniston to join the State of Alabama and Other Local Governments as participants in current Opioid Settlements. The motion was seconded by Council Member Roberts 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 resolution was passed and adopted. (24-R-19)

Council Member Jenkins made a motion for passage and adoption of a Resolution authorizing disbursement from New Business Sales Tax Revenue Education Fund. 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 resolution was passed and adopted. (24-R-20)

Mayor Draper made a motion for passage and adoption of a Resolution authorizing acquisition of certain real property. The motion was seconded by Council Member Jenkins 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 resolution was passed and adopted. (24-R-21)

Council Member Jenkins stated that what they do up there can seem a little confusing and not as clear. They are just taking care of business. He thanked the citizens for doing the work of cleaning up their properties. He congratulated the Sinclair Social for doing well coming out of the gate.

Council Member Roberts stated that they have a lot of good going on within the City and he thanked City staff for their assistance with the Anniston Changers. He mentioned the unfortunate death of a child during a hit-and-run. He asked everyone to be in prayer for the city.

Council Member Harris thanked everyone for coming out to the meeting.

Mayor Draper had no comment.

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, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned at approximately 5:49 o'clock p.m.

CONSENT AGENDA

RESOLUTION NO. 24-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. \$124.81 to Blake McCurry, Fire Department, while attending Extrication Instructor Update in Tuscaloosa, Alabama on February 12- 13, 2024.

PASSED AND ADOPTED this 2nd day of **April 2024**.

**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. 24-R-____

A RESOLUTION DECLARING EQUIPMENT AS SURPLUS AND AUTHORIZING THEIR SALE

WHEREAS, the City Council of the City of Anniston, Alabama, hereby finds that those certain motor vehicles/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.

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 and 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 cause said motor vehicles/equipment and personal property to be sold and/or traded and to execute title certificates, bills of sale or other documents of conveyance to the purchasers provided, however, that all sales of motor vehicles/equipment made by the City 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 **2nd** day of **April 2024**.

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

EXHIBIT A

SURPLUS EQUIPMENT

Year	COA#	Make	Model	Vin	Meter 1
2011	6981	John Deere	6330 Tiger Slope Mower	1L06330XABH671404	5,543.0
2012	6987	John Deere	6430 Tiger Slope Mower	1L06430HPCH723534	5,255.0

* Reason for surplus is trade in on new Slope Mower

3/28/2024

FACT SHEET

SUBJECT: Evaluation of bids for the re-roof for Anniston Fire Station #4, 1923 Cooper Avenue.

VENDORS SUBMITTING BIDS

Contractor	Surety	Base Bid	ALT #1 Metal Panels	Unit Price #1 Vinyl Soffit	Unit Price #2 Plywood Sheathing
Alabama Roofing	Atlantic Specialty	\$205,200.00	\$15,000.00	\$2.00/sq ft.	\$4.50/sq ft.
Garner and Associates LLC	Travellers	\$299,900.00	\$6,000.00	\$3.00/sq. ft	\$4.00/sq. ft.

RECOMMENDATION: The bid should be awarded to Alabama Roofing with the base bid of \$205,200.00