INVOCATION
PLEDGE OF ALLEGIANCE
CALL TO ORDER
ROLL CALL
READING/APPROVAL OF MINUTES OF PREVIOUS MEETING
  o January 21, 2020 Regular meeting
ADDITIONS/DELETIONS TO THE AGENDA
ADOPTION OF AGENDA

I. PRESENTATION

(a) Anniston Youth Council will share their experience the NLC Conferences they attended.

II. CONDUCT 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 to 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) Receive public comments on the proposed reissuance of a portion of The Special Care Facilities Financing Authority of the City of Pell City, Alabama’s $50,835,000 Revenue Bonds (Noland Health Services, Inc.), Series 2016A in one or more series, in an amount not to exceed $3,500,000, and the location and nature of a skilled nursing facility and related support facilities and offices (collectively, the “Bond-Financed Facilities”), located at 500 Leighton Avenue, Anniston, Alabama 36207, acquired with a portion of said Series 2016A Bonds.
III.  UNFINISHED BUSINESS - NONE

IV.  MOTIONS

(a) To approve a Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only) alcohol application for Family Dollar Stores of Alabama LLC d/b/a Family Dollar Store 20552 located at 1722 Quintard Avenue within the city limits.

(b) To follow the law that allows city employees to receive health and dental insurance therefore removing the City Attorney and anyone else that are not in accordance with the law.

V.  RESOLUTIONS

(a) Resolution declaring a reported condition to be a public nuisance
    Group 2020-01 Grass & Debris

(b) Resolution authorizing acquisition of real property

(c) Resolution amending the Community Development Block Grant allocations for Program Year 2014, 2015, 2016, 2017 and 2018

(d) Resolution authorizing the Mayor to execute and submit a letter of commitment of HOME Funds for Vantage Development, LLC.

(e) Resolution relating to Noland Health Services, Inc. 500 Leighton Avenue Facility

VI.  ORDINANCES

(a) Amending Section 3.85(a) Governing Hours of Sale of Alcoholic Beverages

(b) Adopting Section 14.9.4 of the Code of Ordinances to provide an expedited process for suspension or revocation of a business license when the business presents a public safety threat. 1st Reading

VII.  ADDITIONAL OR OTHER MATTERS THAT MAY COME BEFORE COUNCIL
VIII. RECEIVE INFORMAL PUBLIC COMMENTS

**Informal 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 Informal 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. If a member of the general public would like to address the City Council during the Informal Public Comment portion of the meeting, please respectfully indicate your desire to address the City Council when the Mayor solicits members of the general public to come forward and speak. You will be recognized by the Mayor and asked to come forward to the podium so that you can address the City Council in accordance with the rules outlined herein. Once the speaker has been recognized to speak, he/she will be given three (3) minutes to address the City Council. The speaker 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 Informal 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.

IX. RECEIVE FORMAL PUBLIC COMMENT - None

**Formal Public Comment – City Council Agenda Protocol**

The City of Anniston has identified this portion of the meeting to allow individuals an opportunity to formally address the City Council on issues of importance. Anniston requires that individuals who desire to formally address City Council to submit a written request form outlining the subject matter that they intend to discuss so that they can be placed on an upcoming meeting agenda. Members of the public desiring to be placed on the agenda to present or address matters to the City Council must submit a formal “REQUEST TO BE PLACED ON THE CITY COUNCIL AGENDA” form to the Office of the City Manager at least 10 days prior to the requested City Council meeting date that you wish to speak. City Council meetings are held on the second and fourth Monday of each month so the request must be submitted no later than 5:00 pm on the Friday which constitutes 10 days prior. The request can be done in person, regular mail, fax or email and the speaker should obtain acknowledgement of the request from the City to demonstrate that the 10-day requirement has been met. The request form may be obtained from the Office of the City Manager or from the City's website www.annistonal.gov. The request should state the name of the individual(s) desiring to be heard and the subject matter to be presented to City Council. Requests may be referred, at the discretion of the City Manager, to appropriate staff for mediation prior to being placed on the public agenda. Please be advised that the mere completion of a request form does not entitle the speaker to be added to the agenda.
COUNCIL COMMENTS

ADJOURNMENT

(a) Motion to convene an executive session for the purpose of discussing with the City’s attorney the legal ramifications of and legal options for controversies not yet being litigated but imminently likely to be litigated depending on the City’s course of action.
Anniston, Alabama
January 21, 2020

The City Council of the City of Anniston, Alabama, met in Regular Session in Room B of the Anniston City Meeting Center in the City of Anniston, Alabama, on Tuesday, January 21, 2020, at approximately 5:34 o’clock p.m.

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

Laura Hutchinson, 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, Reddick, Little, 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 Jenkins made a motion to waive the reading of and approve the minutes of the January 1, 2020 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, Reddick, Little, Harris, and Draper; nays: none. The motion carried and the January 1, 2020 minutes were approved.

Mayor Draper made a motion to adopt the agenda with the addition of a motion to confirm Julie Borelli, as Finance Director. The motion was seconded by Council Member Jenkins and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: Council Member Little. The motion carried and the agenda was adopted.

Frazier Burroughs, Parks and Recreation Director, recognized the Anniston Youth Football Junior Team (ages 9-10), for participating in the American Youth Football National Championship and placing third in that division. He stated that was their first loss in 3 years.

Mayor Draper read a Proclamation regarding National Mentoring Month.

Misty Garner, Big Brothers and Big Sisters, addressed the council and encouraged everyone to volunteer and become a mentor for a child.

Mayor Draper opened a public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2019-06 Grass/Debris/Vehicles and read the following addresses for the record: 0 George St., 201 North, 220 East 3rd St., 501 Williamson Ave, 1325 West 12th St., 1823 Thomas Ave, and 2514 Walnut Ave.

Sam Pritchett, member of Fairview Heights Northside Baptist Church, addressed the council on the property: 0 George St.

Adrian Frederick, addressed the council on the property: 1823 Thomas Ave.

Mayor Draper closed the public hearing to receive public comments regarding over-ruling objections to the abatement of identified nuisances. Group 2019-06 Grass/Debris/Vehicles.
Mayor Draper opened a public hearing to receive public comments regarding a Special Events Retail Liquor application for Sacred Heart Catholic School PTO d/b/a Mardi Gras Ball.

No One Spoke.

Mayor Draper closed the public hearing to receive public comments regarding a Special Events Retail Liquor application for Sacred Heart Catholic School PTO d/b/a Mardi Gras Ball.

Council Member Reddick made a motion to approve a bid for a 48-inch Reinforced Concrete Pipe to Foley Products Company in the amount of $91,184.80 ($85.70/ L.F.) The motion was seconded by Council Member Jenkins.

Council Member Reddick asked where is the funding coming from?

Council Member Little stated that he had asked about Smith Street. He stated that there is flooding behind there and the pipe stops up; and behind the house across the street, the city has a drain that floods the yard. He asked what has been done. He stated that storm water is going everywhere except Ward 3. He stated that he is looking for some projects that have taken place in Ward 3 that deal with storm water. He stated that he counts it not robbery to use some of those funds to clear up debris, or things that deal with storm water in Ward 3. He stated that he has asked what grants Louise Campbell has done for Ward 3, West Anniston or South Anniston.

Council Member Reddick asked where they are on the storm water drainage failure on West 14th and Crane?

Council Member Little stated that the North Side of 16th and Noble, where Church of Christ Church, the concrete slab needs to come up because there is problem with drainage and covering with asphalt is not a solution.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried.

Council Member Reddick made a motion to approve a Special Events Retail License for Sacred Heart Catholic School PTO d/b/a Mardi Gras Ball on February 8, 2020 at the Longleaf Botanical Gardens, 920 Museum Drive located within the city limits. The motion was seconded by Council Member Harris and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Harris, and Draper; nays: none; abstentions: Council Member Little. The motion carried.

Mayor Draper made a motion to confirm Julie Borelli as Finance Director. The motion was seconded by Council Member Harris.

Council Member Harris stated that time is of the essence because Cory Salley, Finance Director, has only nineteen days left and this individual needs training. She stated that this is a very complicated job and that is why time is critical. She stated that she hates to see Cory go, and that he has been outstanding.

Council Member Little stated that his vote no tonight is not against an individual but the process. He stated that this has just been thrust at them, they were just introduced to her tonight, and he has other concerns regarding the hiring process here at Anniston. He stated that he does not think it is appropriate and everything is a rush job. He stated that it was disrespectful to a council to do this like
this. He stated that is was very unprofessional and this process has him questioning what has been happening in this city with the hiring process.

Council Member Reddick stated that he presupposes that they would hire her as the assistant finance director becoming effective the day Cory leaves.

Council Member Little stated that there is always a method to the madness. He stated that they would save money for the first three months and it jumps up and increases the salary. He stated that these people are crooked to the core and there should be a procedure and a process.

Council Member Reddick stated that his concern is this they should hire her as assistant finance director and have her become the finance director on that day.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The motion carried.

Mayor Draper the following addresses into the record: 0 George St., 201 North, 220 East 3rd St., 501 Williamson Ave, 1325 West 12th St., 1823 Thomas Ave, and 2514 Walnut Ave.

Council Member Jenkins made a motion for passage and adoption of Resolution 20-R-4, A Resolution over-ruling objections to the abatement of identified nuisances Group 2019-06 Grass/Debris/Vehicles. The motion was seconded by Council Member Harris.

Council Member Jenkins made a motion to amend Resolution 20-R-4 by removing 1823 Thomas Ave from the list. The motion was seconded by Mayor Draper.

Council Member Little stated that this was one of the sticking points in the case that he was tried in Birmingham, Alabama. He stated that they do not usually do this, they just automatically vote and those things are taken care of. He stated that Mayor Draper has goofed up and it’s too late to correct it now and they did not do this in the other meeting. He stated that they are going to have to pay for that.

Mayor Draper stated that is not true; and there is no way to have a policy in effect with a legislative body where something is automatically removed from the list.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The amendment to Resolution 20-R-4 was approved.

RESOLUTION NUMBER 20-R-4

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and

RESOLUTION NUMBER 20-R-4

A RESOLUTION OVER-RULING OBJECTIONS TO THE ABATEMENT OF IDENTIFIED NUISANCES

WHEREAS, Act 1995-375, Section 2, Amended by Act 2004-256 and codified as Sections 45-8-172, et seq. of the Code of Alabama, 1975, defines public nuisances and authorizes the City to order or otherwise accomplish the removal of such nuisances; and

WHEREAS, the City of Anniston has identified herein a specific list of such nuisances and the appropriate remedies to abate each nuisance; and
WHEREAS, the City of Anniston has notified the property owners or other parties that may be held responsible and has held a public hearing to consider objections to the proposed remedy as required by law.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Anniston, Alabama that all objections and protests to the nuisance remedies identified in Exhibit “A” attached is hereby over-ruled and the recommended remedies are ordered to be applied to abate the nuisances according to the procedures and processes in Section 34.3 of the Code of Ordinances of the City of Anniston, Alabama.

PASSED AND ADOPTED this the day of January 21, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

BY: Jack Draper, Mayor
BY: Jay W. Jenkins, Council Member
BY: Millie Harris, Council Member

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Harris, and Draper; nays: Council Member Little; abstentions: Council Member Reddick. The motion carried and Resolution 20-R-4 was passed and adopted.

Council Member Reddick made a motion to read Ordinance 20-O-1, An Ordinance Amending Section 3.85(a) Governing Hours of Sale of Alcoholic Beverages (1st Reading) by title only. The motion was seconded by Council Member Harris.

Mayor Draper opened a public hearing to receive public comments on reading Ordinance 20-O-1 by title only. No one spoke. Mayor Draper closed the public hearing to receive public comment on reading Ordinance 20-O-1 by title only.

And on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Reddick, Little, Harris, and Draper; nays: none. The motion carried and Ordinance 20-O-1 will be read by title only.

Bruce Downey, City Attorney, read and introduced Ordinance 20-O-1, An Ordinance Amending Section 3.85(a) Governing Hours of Sale of Alcoholic Beverages (1st Reading) by title only.

Council Member Jenkins made a motion for 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, Reddick, Harris, and Draper; nays: Council Member Little. The motion for unanimous consent for immediate consideration failed.

Erica Tolson, 1834 North Road Apt A, addressed the council that it is like driving through a dumpster over by the projects and it floods over there. She stated that the trash is blocking the water from where it needs to go. She stated that roadways by Barber Terrace needs to be fixed, and that there is potholes everywhere.

Glen Ray, 3514 Dale Hollow Road, addressed the council that for four years he has come and asked the council to look into a situation with his son; and for four years Officer Murphy claimed that he found all these drugs and now no one wants to show up at court and they have come to a default. He stated that
Shelia Fields tried the case but not one charge has been filed, no witnesses, and no drugs ever found. He stated that it gets tiresome and they are running a con game.

Jim Montgomery, 1700 Greenbrier Road, addressed the council that he came to meet with Frazier Burroughs, Parks and Recreation Director, and he asked one question and Mr. Burroughs said he didn’t like his tone. He stated that the council should investigate how he was hired.

Jim Bullock, 202 6th Wilmer Ave, addressed the council if they had considered having permits for Uber and Lyft drivers.

Dr. Angela Fears, addressed the council that she has a concern. She stated that the community is hurting because they have unfair practices, unfair manipulation, unethical practices, and unfair greed. She stated that the children are not being educated and the elderly are being neglected. She stated that the power is with the people.

Richard Jackson, 2317 Noble Street, addressed the council that the key word is ownership and they need to take ownership of the entire city. He stated that there is a need in this city but it is not just Anniston.

Karen Freeman addressed the council that her prayer for the city is that one day the council will work together. She stated that she never received a call from Mr. Folks in regards to the job announcement for PIO and he said he would call.

Terrance Curry, 3221 Annetta Ave, addressed the council that he is experiencing hate crimes in his neighborhood. He stated that the locks are being drilled out and the equipment he is purchasing is being stolen. He stated that he is asking for help and he is getting tired.

Elijah Reddick, 1309 Crane Ave, addressed the council on what has been decided on with the dog registration.

Ben Little, 1003 South Leighton Ave, addressed the council and stated that there will be some things coming out. He stated that this city is corrupt to the core and it is shame that a citizen has to do the filing, and that the District Attorney should take action against corruption. He stated that Council Member Harris has gotten some money, Mayor Draper’s father-in law has gotten some money, and Council Member Jenkins has done work for the city.

Council Member Jenkins thanked Julie for her willingness to work with the City, and Mr. Folks for all that he does.

Council Member Reddick asked when they anticipate cleaning up Parkwin, and that whenever it rains all that trash gets sent downstream to Parkwin and West 21st. He stated that his concern is there was a meeting with Doug Jones’ office, and anyone that had anything to do with the homeless situation in Anniston. He stated that after that initial meeting he was left out and an all-white group held a special meeting so they could keep all the money. He stated that a company got with then city manager to turn the building into a bastardized version of his vision. He stated that he was left out because he wanted everyone to be involved.

Council Member Little stated that the department heads make a lot of money in Anniston and it’s pathetic. He stated that they do not give young people an opportunity to apply for jobs. He stated that when a city itself will not advertise a position for everyone, it is just wrong. He stated that there is a
meeting in Montgomery, February 14, 2020 and they are going to try and take a load of people down there to discuss sentencing guidelines. He stated that Mayor Draper has consistently voted against prosperity in West Anniston and South Anniston. He stated that no one from Ward 3 is on the hospital board and it is only Ward 1 and 4.

Council Member Harris thanked everyone for coming and attending the Martin Luther King Jr. ceremony on Monday. She stated that it was a great tribute and made her extremely proud of the city.

Mayor Draper echoed Council Member Jenkins in welcoming Julie Borelli as Finance Director and that they will miss Cory but they wish him well going forward.

Council Member Little, Reddick, and Mr. Folks left the council chambers at 6:34 p.m.

There being no further business to come before the council at that time Mayor Draper made a motion the meeting be adjourned. The motion was seconded by Council Member Harris; and on call of the roll, the following vote was recorded: ayes: Council Members Jenkins, Harris and Draper nays: none; absent: Council Member Reddick and Little. The motion carried and the meeting was adjourned at approximately 6:49 o’clock p.m.
TO: CITY COUNCIL AND CITY MANAGER  
FROM: ALISA FAISON, REVENUE COMPLIANCE OFFICER  
SUBJECT: FAMILY DOLLAR STORES OF ALABAMA LLC  
DATE: 1/14/2020  
CC:

- Formal action is required for Retail Beer (Off Premises Only) and Retail Table Wine (Off Premises Only)
- Located inside the City Limits at 1722 Quintard Ave, Anniston, AL 36201
- The Police Department provided a background check which showed no criminal activity.
RESOLUTIONS
RESOLUTION NUMBER 20-R-__

A RESOLUTION DECLAREraig A REPORTED CONDITION TO BE A PUBLIC NUISANCE

WHEREAS, Tana Bryant, an Appropriate City Official, pursuant to Section 34.7 and 34.15 of said Ordinance, has reported to the City Council that conditions exist at see attached (Group 2020-01 Grass & Debris) in Anniston, Alabama that are believed to be a public nuisance; and

WHEREAS, the said City official submitted proof of said condition that was deemed by the City Council to be satisfactory to show that a public nuisance existed at the place specified; and

WHEREAS, Section 34.3 (b) (1), (2), (4) of the City of Anniston Ordinance No. 11-O-9 declares the following conditions to be a public nuisance: overgrown lots, maintenance or storage of motor vehicles that are not in usable condition as defined in Section 34.2 of the Code of Ordinances and debris, motor vehicles and trash; and

RESOLVED THEREFORE, that a public nuisance exists at the above said locations within the City of Anniston, said property being more particularly described on Exhibit “A” to this resolution; and

RESOLVED FURTHER, that the public nuisance must be abated by the City and the cost of abatement charged as a lien against the property if not remedied by the owner(s); and

RESOLVED FURTHER, that a hearing be set before the City Council at its next regular scheduled meeting to hear objections to the City’s actions; and

RESOLVED FURTHER, that at least two NOTICES TO REMOVE PUBLIC NUISANCE be promptly posted by the Appropriate City Official in front of the said property at not more than 100 feet in distance apart as specified in Section 34.16 of the Code of Ordinances; and

RESOLVED FURTHER, that the Appropriate City Official shall post said NOTICE TO REMOVE PUBLIC NUISANCE, as aforesaid, at least 5 days prior to the time for hearing objections by the City Council; and

RESOLVED FURTHER, that the Appropriate City Official shall determine the name and address of the person or entity last assessing said property for tax purposes, and shall further cause a search to be made of the public records, and shall further make a diligent investigation to discover the name(s) and contact information of the owners of every beneficial interest in the said property; and

RESOLVED FURTHER, that the Appropriate City Official shall, at least 5 days prior to the time for a hearing of objections by the City Council, mail a copy of said Notice by certified or registered mail, with postage prepaid and return receipt requested, to the last person/entity assessing the property for taxes and to each owner of a beneficial interest in said property including, without limitation, mortgagees of record.
PASSED AND ADOPTED this the ___ day of ______________, 2019.

CITY COUNCIL OF THE CITY OF
ANNISTON, ALABAMA

BY: ____________________________________
    Jack Draper, Mayor

BY: ____________________________________
    Jay W. Jenkins, Council Member

BY: ____________________________________
    David E. Reddick, Council Member

BY: ____________________________________
    Benjamin L. Little, Council Member

BY: ____________________________________
    Millie Harris, Council Member

ATTEST:

______________________________
Skylar Bass, City Clerk
Exhibit “A”

Group 2020-01 Grass and Debris

<table>
<thead>
<tr>
<th>Address</th>
<th>PPIN</th>
<th>Owner</th>
<th>Violation</th>
</tr>
</thead>
<tbody>
<tr>
<td>509 South Leighton Ave</td>
<td>66573</td>
<td>Dukes Properties LLC</td>
<td>Litter and debris</td>
</tr>
<tr>
<td>1621 Cobb Ave</td>
<td>19510</td>
<td>Morris Quincy &amp; Louise C/O State of Alabama</td>
<td>Weeds and debris</td>
</tr>
<tr>
<td>3908 Stratford Road</td>
<td>14302</td>
<td>Williams Eugene</td>
<td>Weeds and debris</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 20-R -___

AUTHORIZING ACQUISITION OF REAL PROPERTY

WHEREAS, the Council for the City of Anniston desires to acquire the real estate located at 1413 Glenaddie Avenue, Anniston, AL, more particularly described as follows:

SEC 06 TSP 16S RNG 08E ANNISTON CITY LAND CO BLK 361 BEG 90FT S OF SE INTERSECT 15TH ST & GLENADDIE AVE THEN E 147 FT TO RAILROAD R/W THEN WITH SAME SE 98 FT THEN W 164 TO E LN OF GLENADDIE AVE THEN N 100.5 FT TO POB ANNISTON ALA S6 T16 R8

Parcel Number: 21-03-06-4-002-071.000
Pin Number: 19181

(referred to herein as the “Property”);

WHEREAS, the Council requires the Property for use in connection with a development project;

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

Section 1. The City Manager is authorized to negotiate and execute an agreement to acquire rights and title to the Property by purchase for an amount not to exceed Seventeen Thousand Dollars ($17,000), and to take such actions as are necessary to fulfill and close said real estate purchase agreement.

Section 2. The Council finds that the City’s acquisition of the Property will further a public need and purpose. The maximum purchase price authorized herein is fair and reasonable consideration for all rights and title to the Property.

PASSED and ADOPTED on this the ___ day of February, 2020

COUNCIL FOR THE CITY OF ANNISTON, ALABAMA

__________________________
Jack Draper, Mayor

__________________________
Jay Jenkins, Council Member

__________________________
David Reddick, Council Member

__________________________
Ben Little, Council Member

__________________________
Millie Harris, Councilmember

ATTESTED:

__________________________
Skyler Bass, City Clerk
RESOLUTION NUMBER 20-R-____

A RESOLUTION AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT ALLOCATIONS FOR PROGRAM YEAR 2014, 2015, 2016, 2017 and 2018

WHEREAS, the City of Anniston wishes to substantially amend its Community Development Block Grant 2014, 2015, 2016, 2017 and 2018 funding allocation; and

WHEREAS, the City of Anniston will be transfer $15,000.00 of recaptured 2018 funds to Parks and Recreation Y.E.S. program.

WHEREAS, the City of Anniston will be transfer $330,000.00 of recaptured and unprogrammed 2014, 2015, 2016, 2017 and 2018 funds to rehabilitate the Glen Addie Community Center.

WHEREAS, the City of Anniston advertised the proposed amendment on Friday, December 20, 2020 in the Anniston Star and held a public hearing to discuss the proposed amendment on Wednesday, January 8, 2020.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Anniston, Alabama, that the City Manager is hereby authorized to sign the agreement and all documentation relating to the substantial amendment for Program Years 2014, 2015, 2016, 2017 and 2018.

PASSED AND ADOPTED this _____ day of ______________, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

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Jack Draper, Mayor

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Jay W. Jenkins, Council Member

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David E. Reddick, Council Member

____________________________
Benjamin L. Little, Council Member

____________________________
Millie Harris, Council Member

ATTEST:

____________________________
Skyler Bass, City Clerk
RESOLUTION NO. 20-R-

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT A LETTER OF COMMITMENT OF HOME FUNDS FOR VANTAGE DEVELOPMENT, LLC

This resolution is made this the 4th day of January, 2020 by the City of Anniston, (the Granting Authority), to authorize the mayor execute and submit a letter of commitment to Vantage Development, LLC (the Company).

WHEREAS, the Company has proposed a 54-unit affordable housing low income tax credit development to be partially subsidized with HOME funds located within the jurisdiction of the Anniston Calhoun County HOME Consortium (ACCHC); and

WHEREAS, the Company is requesting a commitment of $864,054.00 in HOME Program from the City that will be contingent the Company receiving tax credit approval and compliance with all HOME Program regulations and requirements; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Anniston, Alabama, that the Mayor is hereby authorized to execute a letter of commitment of HOME funds for the Company contingent the Company receiving tax credit approval from the Alabama Housing Finance Authority’s Low Income Housing Tax Credit Program.

PASSED AND ADOPTED this the 4th day of February, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

________________________
Jack Draper, Mayor

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Jay W. Jenkins, Council Member

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David E. Reddick, Council Member

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Benjamin Little, Council Member

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Millie Harris, Council Member

ATTEST:

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Skyler Bass, City Clerk
RESOLUTION NO. 20-R-__

RESOLUTION RELATING TO NOLAND HEALTH SERVICES, INC.  
500 LEIGHTON AVENUE FACILITY

WHEREAS, The Special Care Facilities Financing Authority of the City of Pell City, Alabama, a public corporation organized under the laws of the State of Alabama (the “Issuer”), pursuant to the authority and provisions of Chapter 62 of Title 11 of the Code of Alabama 1975 (the “Enabling Act”), proposes to reissue a portion of its $50,835,000 Revenue Bonds (Noland Health Services, Inc.), Series 2016A (the “2016 Bonds”) in one or more series (the reissued bonds, the “2020 Bonds”) in an amount not to exceed $3,500,000.

WHEREAS, the Issuer previously issued the 2016 Bonds, which are now outstanding in a principal amount of $50,835,000, for the purposes of, among other things, acquiring the Bond-Financed Facilities (as defined below) and leasing such facilities to Noland Health Services, Inc., a nonprofit corporation organized under the laws of the State of Delaware (the “Initial User”), as the initial manager or operator thereof.

WHEREAS, a portion of the proceeds of the 2016 Bonds was used to finance the costs of reimbursement for the acquisition of a skilled nursing facility and related support facilities and offices (collectively, the “Bond-Financed Facilities”), located at 500 Leighton Avenue, Anniston, Alabama 36207. The Initial User and the Issuer are parties to a Lease Agreement dated December 1, 2016 (the “Lease Agreement”).

WHEREAS, the Initial User now desires to grant the Bond-Financed Facilities to the City (the “Donation”), and the City desires to lease the Bond-Financed Facilities to the United Way of East Central Alabama (the “United Way” and together with the City, the “Subsequent Users”) to be used for the purposes of (the “New Uses”) providing (i) long and short term transitional housing, (ii) support for social programs, (iii) workforce redevelopment and training, and (iv) mental and physical health evaluations. The Subsequent Users will not make any payments to the Initial User or to the Issuer for the use of the Bond-Financed Facilities. The United Way is expected to enter into an agreement or agreements with The Right Place and Interfaith Ministries of Calhoun County for the management of the Bond-Financed Facilities.

WHEREAS, the City has determined that it is in the public interest that it acquire the Bond-Financed Facilities (through the Donation) and to lease the Bond-Financed Facilities to the United Way pursuant to a lease agreement (the “Lease Agreement”) between the City and the United Way to be used for the purposes of the New Uses.

WHEREAS, the 2020 Bonds will be limited obligations of the Issuer and will be payable solely from the lease payments payable by the Initial User to the Issuer pursuant to the Lease Agreement, which will not terminate upon the grant of the Bond-Financed Facilities to the City, and any other revenues or receipts derived by the Issuer from the Lease Agreement. The Lease Agreement between the Issuer and the Initial User provides for the payment of rentals by the Initial User sufficient to pay debt service on the 2020 Bonds when due. The 2020 Bonds will be secured
under an agreement whereby the Issuer will pledge the rentals and other receipts from the Lease Agreement for the benefit of the holders of the 2020 Bonds. The 2020 Bonds will not be general obligations of the Issuer and will not in any way constitute a debt, liability or obligation of the State of Alabama, the Cities of Pell City or Anniston or any other political subdivision of the State of Alabama. The 2020 Bonds will not be payable from any tax revenues.

WHEREAS, a public hearing concerning the 2020 Bonds was held by the City Council of the City of Anniston in Room B of the City Meeting Center, 1615 Noble Street, Anniston, Alabama 36201 at 5:30 p.m. on February 4, 2020; notice of such public hearing was given by publication in The Anniston Star on January 26, 2020. Such hearing provided an opportunity for persons with different views on the proposed use of the 2020 Bonds and the location and nature of the Bond-Financed Facilities to express their views, both orally and in writing.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY the City Council of the City of Anniston, Alabama, as follows:

1. That the City Council hereby consents to and approves the issuance and use of the 2020 Bonds for the purposes set forth herein, and that such consent and approval is being given pursuant to, and solely for the purposes of, the provisions of Section 147(f) of the Internal Revenue Code of 1986, as amended, and all applicable provisions of the Enabling Act, including without limitation Section 11-62-1 of the Code of Alabama 1975.

2. That such consent and approval provided in paragraph (1) should not be construed as expressing any view whatsoever as to the financial feasibility of the Bond-Financed Facilities or the adequacy of any security provided for the 2020 Bonds.

3. That this resolution and the consents and approvals set forth in paragraph (1) herein shall never be taken to impose any indebtedness, liability or obligation of any kind whatsoever upon the City of Anniston, Alabama.

4. The City does hereby approve, authorize, ratify and confirm (i) the Donation of the Bond-Financed Facilities to it by the Initial User, (ii) the lease of the Bond-Financed Facilities to the United Way, (iii) the use of the Bond-Financed Facilities for the purposes of the New Uses and (iv) the consummation of all other transactions necessary or desirable to effect the actions described in (i) through (iii) of this paragraph (collectively, the “Transactions”). The mayor of the City, acting with the advice and recommendation of the employees of and advisors to the City, is hereby authorized and directed to accept a deed or deeds and to execute and deliver the Lease Agreement and any other agreements or instruments necessary to carry out the Transactions (collectively, the “Transaction Documents”), which shall be in such form as the Mayor of the City, acting with the advice and recommendation of the employees of and advisors to the City, shall determine to be necessary or desirable in order to consummate the transactions authorized by this resolution, the determination of the definitive form of the Transaction Documents by the Mayor of the City to be conclusively established by his execution of the same. The City Clerk is hereby authorized and directed to affix the corporate seal of the City to such Transaction Documents and to attest the same.
5. The officers of the City and any person or persons designated and authorized by any officer of the City to act in the name and on behalf of the City, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the City such other acts, to pay or cause to be paid on behalf of the City such related costs and expenses, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the City such other notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, further assurances, or other instruments or communications, under the corporate seal of the City, or otherwise, as they or any of them may deem necessary, advisable, or appropriate in order to (i) complete the Transactions, and (ii) carry into effect the intent of the provisions of this resolution and the Transaction Documents.

6. Each act of any officer or officers of the City or any person or persons designated and authorized to act by any officer of the City, which act would have been authorized by the foregoing provisions of this ordinance except that such action was taken prior to the adoption of this ordinance, is hereby ratified, confirmed, approved and adopted.

7. All resolutions, ordinances, and orders or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby repealed.

PASSED AND ADOPTED this ____ day of February, 2020.

CITY COUNCIL OF THE CITY OF ANNNISTON, ALABAMA

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Jack Draper, Mayor

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Jay W. Jenkins, Council Member

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David E. Reddick, Council Member

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Benjamin L. Little, Council Member

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Millie Harris, Council Member

ATTEST

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Skyler Bass, City Clerk
ORDINANCES
ORDINANCE NO. 20-O-__

AMENDING SECTION 3.85(a) GOVERNING HOURS OF SALE OF ALCOHOLIC BEVERAGES

WHEREAS, the Council desires to reduce the time limitations for the sale of alcoholic beverages so as to allow on-premises sale, service and consumption beginning at 7:00 a.m. each day of the week and to allow off-premises sale and service beginning at 7:00 a.m. on Sunday.

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

Section 1. Chapter 3, Article VII, Section 3.85, Subsection (a) of “The Code of the City of Anniston, Alabama, 1981” is hereby amended and restated in its entirety as follows:

Sec. 3.85 - Hours of sale.

(a) Alcoholic beverages may be sold and served each day of the week, subject to any license requirements or regulations of the Alcoholic Beverage Control Board or applicable state law, except during the following time periods:

(1) On-premises. It shall be unlawful for any person or establishment licensed by the Alcoholic Beverage Control Board, including, but not limited to, lounge retail liquor licensees, retail beer and wine licensees, restaurant retail liquor licensees, and club liquor licensees, and the employees or agents of such a person or establishment, to sell or serve alcoholic beverages for on-premises consumption, or to allow a patron, customer, member or guest to consume alcoholic beverages on the licensed premises, during the hours of 2:01 a.m. to 7:00 a.m. on Sunday, Monday, Tuesday, Wednesday, Thursday and Friday and during the hours of 3:01 a.m. to 7:00 a.m. on Saturday.

(2) On-premises: exemptions. The prohibitions and limitations on hours of on-premises sales, service, operation and consumption, as set forth above, shall not apply to those persons or establishments operating pursuant to a special events retail license or to those persons or establishments operating pursuant to a club liquor license as of the date that the ordinance amending this section becomes effective and for so long as those persons or establishments maintain a club liquor license.

(3) Off-premises. It shall be unlawful for any person or establishment licensed by the Alcoholic Beverage Control Board to sell or serve alcoholic beverages for off-premises consumption during the hours of 2:01 a.m. to 7:00 a.m. on Sunday.

*   *   *   *
Section 2. The Council adopts and incorporates the remaining subsections, parts and provisions of Section 3.85, without amendment, as though fully set forth herein, which shall remain in full force and effect.

Section 3. This ordinance shall have force and effect in the police jurisdiction of the City of Anniston and shall take effect immediately upon the expiration of the thirtieth day following its passage, adoption and publication as required by law.

Section 4. Upon its passage and adoption, the City Clerk is hereby directed to publish this ordinance in The Anniston Star, a newspaper of general circulation published within the City of Anniston, Alabama. The City Clerk is further directed to submit a copy of this ordinance and proof of publication and 30-day notice of its applicability within the police jurisdiction in accordance with Ala. Code §11-40-10.

PASSED and ADOPTED on this the ___ day of ____________, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

____________________________________
Jack Draper, Mayor

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Jay W. Jenkins, Council Member

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David E. Reddick, Council Member

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Ben Little, Council Member

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Millie Harris, Council Member

ATTESTED:

____________________________________
Skyler Bass, City Clerk
ORDINANCE NO. 20-O-

ADOPTING SECTION 14.19.4 OF THE CODE OF ORDINANCES TO PROVIDE AN EXPEDITED PROCESS FOR SUSPENSION OR REVOCATION OF A BUSINESS LICENSE WHEN THE BUSINESS PRESENTS A PUBLIC SAFETY THREAT

WHEREAS, the Council for the City of Anniston, Alabama, a municipal corporation and political subdivision of the State of Alabama, is empowered to license and regulate businesses within City’s jurisdiction;

WHEREAS, the Council may revoke any license granting the privilege of conducting business within the City’s jurisdiction when such action is needed for the protection of public safety, peace, good order and welfare;

WHEREAS, the Council finds that a process is needed for the expedient suspension or revocation of a license to conduct business within the City’s jurisdiction when the Council finds that the licensed business presents a public safety threat;

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

Section 1. The Council hereby adopts, enacts and codifies Chapter 14, Article I, Section 14.19.4 of “The Code of the City of Anniston, 1981” to state in its entirety as follows:

Sec. 14.19.4. – Procedure for expedited suspension or revocation of license.

(a) Applicability. The expedited procedure for suspension or revocation of a license to conduct business issued to any person or entity, as set forth in this section, may be utilized when the business of any present or future licensee presents a public safety threat.

(b) Public Safety Offense. For purposes of this section, a “public safety offense” shall mean (1) an offense involving danger to the person and constituting Class A or Class B felony under the Criminal Code, Title 13A, Chapter 6 of the Code of Alabama, or (2) an offense against public health and morals under the Criminal Code, Title 13A, Chapter 12 of the Code of Alabama.

(c) Public Safety Threat. The Council may determine that a licensee’s business presents a public safety threat when (1) a public safety offense originates or occurs on the licensee’s premises; (2) the public safety offense involved acts of the licensee, its owner(s), manager(s), employee(s), agent(s), or patron(s), or the public safety offense otherwise involves circumstances having a substantial nexus to the licensee’s business
or operations; and (3) the Police Chief and Fire Marshal, or their respective designees, determine based on facts, data, evidence and testimony, which shall be presented to the Council during a public hearing, that continued operation of the licensee’s business presents a danger to the public.

(d) *Public Hearing.* When the City Manager is satisfied that a licensee’s business presents a public safety threat, he may request that the Council hold a public hearing for the presentation of testimony and evidence on whether the licensee’s business presents a public safety threat. In such event, the City Manager shall direct the Fire Marshal to deliver notice to the licensee of the date, time and place of the public hearing, during which the licensee shall be afforded the opportunity to be heard in the licensee’s own defense.

(e) *Order of Revocation.* Upon finding that the licensee’s business presents a public safety threat, the Council may order the immediate revocation of the license to conduct business; however, the Council shall not order revocation of the business license unless the licensee was provided at least five days advance notice of the public hearing. The City Manager shall direct that notice of closure be delivered to the licensee and posted in a conspicuous location on the licensee’s premises.

(f) *Order of Suspension.* In any case where the Council finds that the licensee’s business presents a public safety threat, the Council may order the immediate suspension of the license to conduct business. In doing so, the Council shall set a date, time and place for a hearing to provide the licensee an opportunity to show cause why the business license should not be revoked, which shall be held after no less than 10 days advance notice to the licensee. The Council may establish conditions precedent for the reinstatement of a suspended license, provided the conditions must be related to the mitigation or removal of the public safety threat. The City Manager shall direct that notice of suspension be delivered to the licensee and posted in a conspicuous location on the licensee’s premises.

(g) *Penalty.* It shall be unlawful for any person to operate a business within the City’s jurisdiction after the Council’s revocation of the license to conduct the business or during the term of the Council’s suspension of the license to conduct the business. Each day that a person violates these prohibitions shall be considered a separate offense against the city, and each offense shall be punishable by a fine not exceeding five hundred dollars ($500.00).

**Section 2.** This ordinance shall have force and effect in the police jurisdiction of the City of Anniston, and it shall take effect immediately upon the expiration of the thirtieth day following its passage, adoption and publication as required by law.
Section 3. Upon its passage and adoption, the City Clerk is ordered and directed to publish this ordinance in The Anniston Star, a newspaper of general circulation published within the City of Anniston, Alabama. The City Clerk is further directed to submit a copy of this ordinance and proof of publication and 30-day notice of its applicability within the police jurisdiction to the Atlas Alabama state website, or any successor state-operated website existing at the time of the adoption of this ordinance, in accordance with Ala. Code § 11-40-10.

PASSED and ADOPTED this ___ day of ______________, 2020.

CITY COUNCIL OF THE CITY OF ANNISTON, ALABAMA

__________________________________________
Jack Draper, Mayor

__________________________________________
Jay Jenkins, Council Member

__________________________________________
David Reddick, Council Member

__________________________________________
Ben Little, Council Member

__________________________________________
Millie Harris, Council Member

ATTEST:

__________________________________________
Skyler Bass, City Clerk