

Anniston, Alabama

September 3, 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, September 3, 2024, at approximately 5:30 o'clock p.m.

Dr. Margaret Davenport Bateman, physician, prayed the Invocation.

Dr. Margaret Davenport Bateman, physician, 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 Harris made a motion to waive the reading of and approve the minutes of the August 20, 2024, Regular Meeting. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Roberts, Smith, Harris, and Draper; nays: none; abstentions: Council Member Jenkins. The motion carried and the August 20, 2024, regular meeting minutes were approved.

Council Member Harris made a motion to waive the reading of and approve the minutes of the August 28, 2024, Special Called Meeting. The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Roberts, Smith, Harris, and Draper; nays: none; abstentions: Council Member Jenkins. The motion carried and the August 28, 2024, special 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 approved.

Mayor Draper opened a public hearing to receive public comments regarding the FY 2025 City Manager's Recommended Budget.

Jessica Leonard, Finance Director, presented the FY 2025 City Manager's Recommended Budget.

NaShay Robinson, 3009 Walnut Ave, addressed the council on where she can get a copy of the budget.

Margaret Folsom Pierce addressed the council on where is the funding being allocated for citizens in need of health care and assistance. She stated that she is requesting a special meeting to discuss the concerns of the hospital and how it has violated the rights and services to the public.

George Duchalt, 730 Cherokee Trail, addressed the council that in other municipalities when the HCA is having financial issues often the city and the county contribute funds from their budget to help the health care organizations.

Glen Ray, 3514 Dale Hollow Rd, addressed the council that the black parks are slowly being closed down. He stated that someone has torn down the sign at Benny Ray Park. He asked the council to sell the property for \$1.00 to the family and they will take care of it.

Mayor Draper closed the public hearing to receive public comments regarding the FY 2025 City Manager's Recommended Budget.

Mayor Draper opened a public hearing to receive public comments regarding the economic development incentive for BRE Anniston 2, LLC.

Bruce Downey, City Attorney, stated that this is a development agreement for a parcel of property by Lowes in North Anniston that the city received from the McClellan Development Authority. He stated that under the agreement, the City will convey one parcel to the developers for a total of \$1.00 and the city would provide a 50% sales tax rebate for a term of 10 years. He stated The city is also committing to make certain improvements to the public right of way and a drive way on city owned land in benefit of this development. He stated that the city will also installing sanitary sewer and storm water management funds.

Mayor Draper stated that this concerns an economic development agreement with respect to a certain parcel between Lowes and Aldi as a part of that development.

Mayor Draper closed the public hearing to receive public comments regarding the economic development incentive for BRE Anniston 2, LLC.

Mayor Draper opened a public hearing to receive public comments on a 011-Lounge Retail Liquor-Class I for Dee Ford's Bar and Grill LLC d/b/a Dee Ford's Bar and Grill located in the police jurisdiction at 3805 AL Highway 202 Anniston, AL 36201.

Council Member Roberts stated that if there are a bunch of nuisance calls and they get to a certain point, then there is a possibility that the business license will be revoked. He stated that the council is committed to ensuring the safety of its citizens. He stated that they are not looking to close anyone down but they are looking for a better quality of life for the citizens and wanted to put this sentiment out front for everyone.

Mayor Draper closed the public hearing to receive public comments on a 011-Lounge Retail Liquor-Class I for Dee Ford's Bar and Grill LLC d/b/a Dee Ford's Bar and Grill located in the police jurisdiction at 3805 AL Highway 202 Anniston, AL 36201.

Council Member Smith made a motion to approve the consent agenda:

- (a) Motion to approve a 011-Lounge Retail Liquor License-Class I for Dee Ford's Bar and Grill LLC d/b/a Dee Ford's Bar and Grill located in the police jurisdiction at 3805 AL Highway 202 Anniston, AL 36201
- (b) Motion to approve a 240 Non-profit tax-exempt license for the Northeast Alabama Bicycle Association d/b/a 2024 Coldwater Mountain Fat Tire Festival; event will be held inside the city limits at 26 W 10<sup>th</sup> Street and at 1680 Coldwater Road Anniston, AL 36201
- (c) Resolution declaring a reported condition to be a public nuisance-Group 2024-03 Grass, Debris, Vehicles, & Burnt Structures (24-R-49)

- (d) Resolution declaring a reported condition to be a public nuisance-Group 24-01 Dangerous Structures (24-R-50)
- (e) Resolution receiving and confirming a cost report on the abatement of a public nuisance (24-R-51)

The motion was seconded by Council Member Roberts and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the consent agenda was approved.

Mayor Draper stated that this is agreement wherein the city will make infrastructural improvements in coordination with ALDOT conveying the property and a 50% sales tax rebate for a 10-year period.

Mayor Draper made a motion to approve the resolution approving a tax rebate and development agreement for BRE Anniston 2, LLC. 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 resolution was passed and adopted. (24-R-52)

Pamela Turner, 114 Sunset Cove, addressed the council and asked for help with properties that have become a nuisance in Lenlock. She stated that the old Bonny Ray's building that has been condemned and the roof is falling in. She stated that there is furniture, shopping carts etc. and that is attracting unwanted guests in that area. She asked for the council to help revitalize the Lenlock area.

Karla Hughes, 5816 McClellan Blvd addressed that council that she is in the process of purchasing the laundry mat but the bakery building is horrible. She wants to come to some solution for the gentleman who owns the bakery to do something about it. She stated that she has a vision for the old laundry mat building and is asking the council for help to make that area building.

Council Member Jenkins highlighted Van Heibel's daughter-in-law is currently in Paris competing in the Paralympics. He stated that she has won medals in Tokyo and Rio. He stated that she is oldest swimmer competing at 34 years old.

Council Member Roberts stated that this is a trying time as school is back in. He stated that are a lot of things going on in city. He encouraged everyone to come out and support the businesses and events downtown.

Council Member Smith had no comments.

Council Member Harris thanked Ms. Hughes and Turner for following the process regarding the request to speak during a council meeting. She thanked both ladies for making the council aware of the issues in that area.

Mayor Draper stated that in regards to the budget process if there are any amendments offered, they will be offered at the next council meeting on September 17<sup>th</sup>. He stated that they will likely have to conduct a special called meeting the week after if there are any amendments offered and are passed. He stated that they would have to conduct another public hearing if that is the case.

Mayor Draper made a motion to convene an executive session to discuss preliminary negotiations involving matters of trade or commerce in which the governmental body is in competition with private individuals or entities or other governmental bodies in Alabama or in other states or foreign nations or

to discuss matters or information of the character defined or described in the Alabama Trade Secrets Act.

Mayor Draper stated that he has personal knowledge of the preliminary negotiations and am certifying that the discussion would have a detrimental effect upon the City's competitive position if discussed outside of an executive session.

Mayor Draper stated that they will not be returning from that executive session to discuss any matters that were discussed therein.

The motion was seconded by Council Member Smith and on call of the roll the following vote was recorded: ayes: Council Member Jenkins, Roberts, Smith, Harris, and Draper; nays: none. The motion carried and the meeting was adjourned into executive session at approximately 6:06 o'clock p.m.