

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
FEBRUARY 9, 2016 - 5:00 P.M.

The City Council met on February 9, 2016, in regular session.

The meeting was called to order at 5:00 p.m. by Council President Williams. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Toles, Williams, Worthy, Billingsley, and Cannon. Councilmen Echols and Reed were absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Chief Crane were also present.

The invocation was given by Councilwoman Toles.

The minutes of the Public Safety Committee, Work Session and Council meetings held on February 2, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of January 29 - February 4, 2016 were ratified by unanimous vote.

#162872-163026	General	\$938,463.41
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UNFINISHED BUSINESS

(1) A resolution ordering the abatement of nuisances on property at 1901 Jefferson Street in District 5, which was tabled for 60 days on December 8, was presented for consideration. Upon recommendation of the Building Official, Councilman Billingsley moved to table the resolution an additional 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

(2) President Williams announced that no action was necessary regarding 1315 Tuscaloosa Avenue in District 7, as the nuisance has been abated by the owner.

PUBLIC HEARINGS

President Williams stated this was the time and place as advertised to conduct the following public hearings:

(1) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 209 Morningview Drive, Tuscacal, LLC and Mutual Savings Credit Union being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2011, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-50-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 209 Morningview Drive - District 2 - Tuscacal, LLC; Mutual Savings Credit Union)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy and unanimously adopted.

(2) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 304 Morningview Drive, Charles E. Posey and Khan Posey being the last known owners. Attorney David Livingston requested additional time to allow Mr. Posey to clear up title issues, noting a sale had fallen through because Mr. Posey only has a tax deed he purchased in 2011. He said Mr. Posey has boarded the structure and mowed the grass and wants to either sell the house or secure a tenant. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in July 2011, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-51-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 304 Morningview Drive - District 2 - Charles E. Posey; Khan Posey)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 708 North 8th Street, the State of Alabama and Mildred Keller and the heirs of Herbert Keller being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2014, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-52-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 708 North 8th Street - District 3 - State of Alabama; Mildred Keller; Heirs of Herbert Keller)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 523 Valley Street, Debbie R. Crook being the last known owner. Ms. Crook stated she wants to demolish the house, which has been vandalized, but her health will cause a delay. Councilman Worthy advised Ms. Crook the City can demolish the house and she can make payments and retain ownership of the property. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2014, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-53-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 523 Valley Street - District 3 - Debbie R. Crook)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.

(5) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 405 N. 33rd Street, Jodie Michelle Chesser being the last known owner. Myra Pinkston and her daughter, Jodie Michelle Chesser were present. Ms Pinkston said they wish to obtain clear title and begin work, noting they have materials in the living room. Councilman Cannon pointed out there has been no work in the past three years and questioned their plans and how much they are prepared to spend. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in February 2013, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-54-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 405 N. 33rd Street - District 6 - Jodie Michelle Chesser)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles and unanimously adopted.

(6) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 3310 Stonewall Avenue, the State of Alabama and Barbara Jean Dollahite, a/k/a Barbara J. Gabbard being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2011, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-55-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3310 Stonewall Avenue - District 6 - State of Alabama; Barbara Jean Dollahite a/k/a Barbara J. Gabbard)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles and unanimously adopted.

(7) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 703 Agricola Drive, the State of Alabama and the Estate of Wilson Todd Bryan being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-56-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 703 Agricola Drive - District 7 - State of Alabama; Estate of Wilson Todd Bryan)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles and unanimously adopted.

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution annulling a portion of Virgin Street. Attorney Jim Copeland (representing the applicant) noted the house protrudes into the right-of-way. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-57-16

AUTHORIZING ANNULMENT OF
PORTION OF VIRGIN STREET

(Annulling street right-of-way - Portion of Virgin Street adjacent to property located at 110 Virgin Street - Requested by Betty Jean Hood Washburn)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley and unanimously adopted.

NEW BUSINESS

(1) Councilwoman Toles introduced the following resolution in writing for consideration:

RESOLUTION NO. R-58-16

APPROVING THE ISSUANCE OF SPECIAL EVENT
ALCOHOLIC BEVERAGE LICENSE

(United Way of Etowah County, Inc. - Special Event Alcoholic Beverage License - For Girlfriend Gala event at Convention Hall, 344 South 1st Street, on March 24, 2016)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilwoman Toles moved to adopt the resolution, which motion was seconded by Councilman Worthy and unanimously adopted.

(2) Councilman Worthy introduced the following resolution in writing for consideration:

RESOLUTION NO. R-59-16

AWARDING BID NO. 3304

(Awarding Bid No. 3304 - Landscaping services for James D. Martin Wildlife Park, Mall and S. 11th Street entrances, and Riverfront Park near Chili's Restaurant - CopelandScapes, Inc. - \$33,100.00)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Worthy moved to adopt the resolution, which motion was seconded by Councilman Cannon and unanimously adopted.

(3) Councilman Cannon introduced the following resolution in writing for consideration:

RESOLUTION NO. R-60-16

AUTHORIZING SPECIAL USE PERMIT TO AT&T

(Authorizing Special Use Permit - AT&T - To modify equipment at existing wireless telecommunication facility at 1212 Scenic Drive - Approval recommended by the City's consultant, The Center for Municipal Solutions - Note: Certain items must be addressed prior to issuance of Building Permit and Certificate of Completion)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Cannon moved to adopt the resolution, which motion was seconded by Councilman Billingsley and unanimously adopted.

(4) Councilman Cannon introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-13-16

AMENDING FISCAL YEAR 2016 BUDGET

(Amending FY2016 Budget - Reflecting receipt and appropriation of \$20,000.00 grant from Coosa Valley Resource Conservation & Development Council - For City of Gadsden Girls Softball Field Concession project)

Councilman Cannon moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilwoman Toles and approved by the following vote:

AYES: Toles, Williams, Worthy, Billingsley, Cannon

NAYS: None

Councilman Cannon noted this location is the former Emma Sansom baseball field. He moved to adopt the ordinance, which motion was seconded by Councilman Billingsley and unanimously adopted.

(5) Councilman Cannon introduced the following resolution in writing for consideration:

RESOLUTION NO. R-61-16

AUTHORIZING ACCEPTANCE OF GRANT FROM
COOSA VALLEY RC&D COUNCIL

(Authorizing Grant Acceptance - Coosa Valley Resource Conservation & Development Council - \$20,000.00 - For City of Gadsden Girls Softball Concession project)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Cannon moved to adopt the resolution, which motion was seconded by Councilman Billingsley and unanimously adopted.

DEPARTMENT REPORTS

Tim Madden announced special guests participating in Black History Month programs each Tuesday in February at the Gadsden Public Library, including Chari Bostick, Anthony Treadwell, Samuel Pugh and Bruce Boynton. The Soul Food cooking contest will be held at Convention Hall on February 23. President Williams thanked the library, school system and churches for coordinating special activities.

MAYOR AND COUNCIL REMARKS

Councilwoman Toles said a baseball team has been organized at Litchfield Middle School and encouraged support from parents and others. Councilman Cannon noted the new coach is making baseball affordable again and expressed hope that football programs will follow the example.

Councilman Worthy said the Alabama A&M University President recently presented over \$300,000 in scholarships at Gadsden City High School, noting President Williams' daughter was one of the recipients. He announced a Bobby Miller celebrity impersonation program at Convention Hall on February 14, as well as a "Ladies in Red" program at Abundant Life on Saturday.

President Williams announced a Black History Review at East Gadsden Community Center on February 20, as well as a Black History Program at the Boys and Girls Club on February 22. He said the Council tries to avoid demolition of houses whenever possible and encouraged property owners who are earnestly seeking to make repairs to contact the Building Department. Councilman Cannon added the Council relies on the recommendations and expertise of the Building Official. President Williams requested the Community Development Committee to meet each month for the remainder of 2016 and address issues affecting the poor. He noted the Council adopted a moratorium on new payday lending businesses in 2015 and suggested "Buy Here-Pay Here" car lots as the first new topic. President Williams related the details of a call he received from a citizen and said he feels there are a number of predatory businesses.

There being no further business to come before the Council, the meeting was duly adjourned.

Iva Nelson, City Clerk (2-9-2016)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
 FEBRUARY 16, 2016 - 2:00 P.M.

The City Clerk received bid proposals as advertised for the following bids:

Bid No. 3305 - City of Gadsden Recycling Center Roofing Project

GKL Companies, Inc.	\$67,375.00
Mid-Western Commercial Roofers	\$79,217.00
Alabama Roofing and Sheet Metal	\$72,150.00
Standard Roofing	\$108,100.00
CB Roofing, LLC	\$35,195.00
CSA, Inc.	\$67,250.00

Bid No. 3306 - Security Patrol Services

	<u>Years 1-3 - Officer no vehicle/Officer with vehicle</u>		
Alabama Security & K-9, Inc.	No. Bid		
Dynamic Security, Inc.	\$10.79/\$10.79	\$10.79/\$11.99	\$11.99/\$11.99
Twin City Security, Inc.	\$11.00/\$11.05	\$11.15/\$11.10	\$11.20/\$11.30
Vets Securing America	\$11.14/\$11.30	\$11.46/\$12.24	\$12.41/\$12.59

Copies of the bids will be forwarded to the Department, the Assistant Purchasing Agent, and the City Engineer, and a recommendation will be made to the Council.
