

FOURTH FLOOR CONFERENCE ROOM - BID OPENING  
FEBRUARY 14, 2017 - 2:00 P.M.

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

Bid No. 3333 - Office Supplies/Copy Paper/Print Cartridges

	Total / Discount		
	Office Supplies / Copy Paper / Print Cartridge		
Observer Supply Co., Inc.	\$160.27/30%	\$162.25/20%	\$1,563.41/10%
Office Depot	\$137.82/60%	\$153.26/60%	\$1,570.23/30%
Office Pal	-	-	\$1,232.66/27%
Supplies Outlet	-	-	\$ 493.55/15%
Tree House	-	-	\$1,141.05/41%

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

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COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
FEBRUARY 14, 2017 - 5:00 P.M.

The City Council met on February 14, 2017, 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, Echols, Billingsley, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Captain Keener were also present.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on February 7, 2017, were approved by unanimous vote.

Payment of the HTE System accounts for the week of February 3-9, 2017 were ratified by unanimous vote.

#171388-171607	General	\$570,939.72
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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 503 Nuckolls Street, JAZ Investments, LLC, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in December 2014, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-30-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 503 Nuckolls Street - District 2 - JAZ Investments, LLC)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1001 Penny Street, the State of Alabama, and certain rights of redemption of the heirs of the estate of Jimmie Terrell and wife, Agnes Terrell being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-31-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1001 Penny Street - District 3 - State of Alabama; Heirs of the estate of Jimmie Terrell and Agnes Terrell)

Councilman Worthy 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 1010 Penny Street, Christina Y. Harris Luker, c/o Christina Cox Ellis being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-32-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1010 Penny Street - District 3 - Christina Y. Harris Luker, c/o Christina Cox Ellis)

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 931 4<sup>th</sup> Avenue, the State of Alabama and possible redemption rights of the estate of Vandalia Chandler (heirs being Jacqueline Huff, Eric D. Huff, and Senta E. Chandler) being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-33-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 931 4<sup>th</sup> Avenue - District 5 - State of Alabama; Possible redemption rights of the estate of Vandalia Chandler (heirs being Jacqueline Huff, daughter; Eric D. Huff, son; Senta E. Chandler)

Councilman Billingsley 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 1509 Garfield Avenue, Big Ugly, LLC, and Blakely Scott Tarrance being the last known owners. Brian Harbison, Building Inspector, stated the case began in September 2015, and some work was initially done. Since no further improvements have been made, he recommended abatement. In response to Councilman Worthy's inquiry, Mr. Harbison said that rehabilitation might be possible. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-34-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1509 Garfield Avenue - District 5 - Big Ugly, LLC; Blakely Scott Tarrance)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1901 Jefferson Street, Teresa Gilley being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in July 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-35-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1901 Jefferson Street - District 5 - Teresa Gilley)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 2214 Norris Avenue, Gary Alexander being the last known owner. Due to recent improvements, Brian Harbison, Building Official, recommended a 30-day extension. Councilman Cannon moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution annulling an unnamed street right-of-way referred to as "Loop Road" located off of U.S. Highway 77. David Livingston, attorney for the Greater Gadsden Housing Authority and Landmark Ventures, Inc. requested approval. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-36-17

AUTHORIZING ANNULMENT OF  
UNOPENED STREET RIGHT-OF-WAY

(Authorizing Annulment of right-of-way - Regarding internal "Loop Road" that may or may not be a public road - Located within a parcel containing 20.64 acres adjacent to Highway 77 - Requested by Landmark Ventures, Inc. - Note: This property was formerly a public housing community known as Siberton)

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

The floor was opened to allow anyone to speak for or in opposition to a resolution revoking beer, wine, gasoline and business licenses issued to Maher Hanna Alhajazin and/or Crown Service Station at 1401 E. Broad Street. Attorney John Floyd spoke on behalf of the owner, stating he has video evidence of store patrons "dumping" items out of their pockets when a search warrant was executed. He added another video indicates a soft drink was purchased with a marked bill. Maher Hanna Alhajazin said he tries to operate the business properly but people are always hanging around. He stressed the need to have his livelihood, stating he was physically injured several years ago when he confronted a patron. In response to Councilwoman Toles' inquiry, he said he has called the police many times, but the people leave before officers arrive. Jack and John Floyd stated they feel the undesirable activities will continue even if the business is closed. In response to Councilman Echols' inquiry, John Floyd said no single cigarettes were listed in the inventory of items seized. Councilman Cannon suggested hiring off duty officers as security. Councilwoman Toles and President Williams expressed frustration with the drug activity that has existed for a long time. Councilman Reed expressed support for the task force and the criminal proceeding. Councilman Worthy said he would like to see the situation cleaned up within two months. Councilwoman Toles moved to adopt the resolution as introduced, but the motion died for failure to receive a second.

RESOLUTIONS PRESENTED FOR CONSIDERATION:

(1) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-37-17

APPOINTING MEMBER TO DESIGN REVIEW BOARD

(Appointing Lance Smith to replace Howard Warren for a term expiring June 30, 2017)

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

(2) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-38-17

AUTHORIZING SATISFACTION OF NUISANCE ABATEMENT LIEN  
AGAINST PROPERTY AT 1302 KYLE AVENUE

(Authorizing Satisfaction of Nuisance Abatement Lien - 1302 Kyle Avenue - District 3 - Accepting \$200.00 offer from Jordan E. Taylor)

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

(3) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-39-17

ACCEPTING CONVEYANCE OF PROPERTY  
LOCATED AT 613 POLK STREET

(Accepting conveyance of property from Donna Dozier, Personal Representative of the Estate of Walter Don Foreman - 613 Polk Street - Lots 32 and 33, Block 5, Eastview Addition - In lieu of nuisance abatement proceedings against property)

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

(4) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-40-17

ACCEPTING CONVEYANCE OF PROPERTY  
LOCATED AT 508 WILSON STREET

(Accepting conveyance of property from Leah Michelle Myrick and Allen Myrick - 508 Wilson Street - Lot 13, Block 6 in Walnut Park, West Point Second Addition - In lieu of nuisance abatement proceedings against property)

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

(5) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-41-17

AUTHORIZING AGREEMENT WITH  
WHORTON ENGINEERING, INC.

(Authorizing Agreement - Whorton Engineering, Inc. - \$23,880.00 - Design and Construction Administration services - HVAC Replacement Project at Gadsden Public Library, main branch)

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

(6) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-42-17

AUTHORIZING AGREEMENT WITH  
JBW&T, INC.

(Authorizing Agreement - JBW&T, Inc. - \$7,000.00 supplemental fee - Adjusting total contract amount to \$183,100.00 - For unforeseen administrative cost for MPO Project - S. 11<sup>th</sup> Street Bridge Replacement Project - Note: Original agreement authorized by R-67-14)

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

(7) The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-43-17

AUTHORIZING AGREEMENT WITH  
JBW&T, INC.

(Authorizing Agreement - JBW&T, Inc. - \$7,000.00 supplemental fee - Adjusting total contract amount to \$124,591.23 - For unforeseen administrative cost for MPO Project - Black Creek Bridge Replacement Project on Tuscaloosa Avenue - Original agreement authorized by R-343-15)

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

ORDINANCES - FIRST READING

The following ordinance was introduced in writing and read by President Williams:

(1) ORDINANCE - AMENDING CITY CODE SECTION 106-86.1(c) REGARDING DEPOSIT FOR RESIDENTIAL GARBAGE COLLECTION AND DELINQUENCY FEE

Since no action was taken in this meeting, the ordinance will be placed on the agenda of the next regular meeting for consideration.

NEW BUSINESS

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

RESOLUTION NO. R-44-17

APPROVING ISSUANCE OF SPECIAL EVENT  
ALCOHOLIC BEVERAGE LICENSE

(National Wild Turkey Federation, Inc. - Special Event Alcoholic Beverage License - For Hunting Heritage Banquet event at Convention Hall, 344 South 1<sup>st</sup> Street, on March 4, 2017)

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 Echols and unanimously adopted.

MAYOR AND COUNCIL REMARKS

Councilman Worthy referred to a recent tour at Inteva and expressed frustration that young people are not taking advantage of job opportunities that are available. He pointed out no minority contractors came to this morning's pre bid meeting in regard to the 6<sup>th</sup> Street pool house project. President Williams said the City is doing its part through the inclusion program adopted in 2014.

Councilman Billingsley reported on last night's community meeting and stressed the need for people to be involved in their neighborhood and call the police when they see questionable activity.

Councilman Cannon thanked everyone for their prayers and concern during his recovery from back surgery.

Councilman Reed announced the Vietnam Moving Wall is coming to Gadsden on May 11-16, sponsored in part by the Gadsden Etowah Patriots Association.

President Williams announced the City Council will not meet on February 21, due to attending an Alabama League legislative session in Montgomery.

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

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Iva Nelson, City Clerk (2-14-2017)

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