FOURTH FLOOR CONFERENCE ROOM - BID OPENING
MARCH 6, 2017 - 2:00 P.M.

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

Bid No. 3334 - 6th Street Pool House

| | Base Bid |
|---|---|
| Chase Building Group | $478,000.00 |
| Hudak Construction Co. | $431,000.00 |

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

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MARCH 7, 2017 - 11:00 A.M.

The City Council met on March 7, 2017, in regular session.

The meeting was called to order at 11:00 a.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 Chief Jaggears were also present.

The invocation was given by Heath Williamson.

The minutes of the last work session and council meeting held on February 28, 2017, were approved by unanimous vote.

Payment of the HTE System accounts for the week of February 24 - March 2, 2017 were ratified by unanimous vote.

| | | |
|---|---|---|
| #171879-172039 | General | $1,986,215.21 |

Mayor Guyton read a proclamation proclaiming the first Saturday in February as "Papa-Cause The Friend of Santa Claus Day" and presented it to John Sandridge, artist. Mr. Sandridge expressed thanks to his hometown and announced a movie and music videos will be filmed in Gadsden.

UNFINISHED BUSINESS

(1) The following resolution, which was tabled for 60 days on January 3, was presented in writing for consideration:

RESOLUTION NO. R-54-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2210 E. Tuscaloosa Avenue - District 7 - Estate of James T. Handy; Elizabeth Elaine Martinez; Charlotte Handy and her heirs)

As recommended by the Building Official, Councilman Reed moved to adopt the resolution. The motion was seconded by Councilman Cannon and unanimously adopted.

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 108 Boyd Drive, the State of Alabama, and certain rights of redemption of William David Hudson and wife, Geneva Hudson, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-55-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 108 Boyd Drive - District 2 - State of Alabama; William David Hudson; Geneva Hudson)

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 1515 Roosevelt Avenue, Abney Family Properties, LLC, c/o Performance Time, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in June 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-56-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1515 Roosevelt Avenue - District 5 - Abney Family Properties, LLC, c/o Performance Time)

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 106 S. 23rd Street, Kim F. Parker, d/b/a The Parker Company, The Parker Company LLC, and Thomas Hawley being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-57-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 106 S. 23rd Street - District 6 - Kim F. Parker, d/b/a The Parker Company; The Parker Company, LLC; Thomas Hawley)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 2817 Forrest Avenue, Jolinda Anna Leeth Perrin being the last known owner. Jolinda Perrin said she has been ill and needs time to retrieve personal items from the house, and is trying to sell it to a church. Brian Harbison, Building Inspector, stated although a permit was obtained in August 2016, no improvements have been made since procedures began in June 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-58-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2817 Forrest Avenue - District 6 - Jolinda Anna Leeth Perrin)

Councilman Cannon advised Ms. Perrin to speak with Mr. Harbison after the meeting and suggesting having the church contact him as well. He moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 321 Wilson Street, Marvin Smith and the State of Alabama being the last known owners. Marvin Smith expressed his desire to finish retrieving his personal items. Brian Harbison, Building Inspector, recommended abatement, stating a court procedure in October was unsuccessful in getting this trash and debris case resolved. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-59-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 321 Wilson Street - District 6 - Marvin Smith; State of Alabama)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 1310 Charles Street, Virginia Barfield, The Provident Bank, and G.L. Rowan being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in November 2016, no improvements have been made since procedures began in July 2016. He recommended abatement. In response to Councilman Reed's inquiry, Mr. Harbison said the possibility of rehabilitation will be reviewed. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-60-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1310 Charles Street - District 7 - Virginia Barfield; The Provident Bank; G.L. Rowan)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-61-17

REAPPOINTING MEMBERS TO GADSDEN
COMMERCIAL DEVELOPMENT AUTHORITY

(Approving Mayor's reappointment of Wilbur Masters, Bob Guyton, Jason Wilson, Tony Smith, and Sylvia Ferguson for terms expiring December 31, 2019)

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

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

RESOLUTION NO. R-62-17

AUTHORIZING AGREEMENT WITH
CRESCENT MOON ENTERTAINMENT

(Authorizing Agreement - Crescent Moon Entertainment - $5,000.00 - For Purple Masquerade to perform at Amphitheater on Friday, May 5, 2017 - Summer Concert Series)

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

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

RESOLUTION NO. R-63-17

AUTHORIZING AGREEMENT WITH
CRESCENT MOON ENTERTAINMENT

(Authorizing Agreement - Crescent Moon Entertainment - $4,200.00 - For World Turning Band to perform at Amphitheater on Friday, June 2, 2017 - Summer Concert Series)

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

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

RESOLUTION NO. R-64-17

AUTHORIZING AGREEMENT WITH
CRESCENT MOON ENTERTAINMENT

(Authorizing Agreement - Crescent Moon Entertainment - $3,700.00 - For Departure to perform at Amphitheater on Friday, August 4, 2017 - Summer Concert Series)

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

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

RESOLUTION NO. R-65-17

AUTHORIZING AGREEMENT WITH
L & L MARINE

(Authorizing Agreement - L & L Marine - $2,000.00 - For City sponsorship of couples fishing tournament to be held May 20-21, 2017)

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

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

RESOLUTION NO. R-66-17

AUTHORIZING AGREEMENT WITH
FISHERS OF MEN MINISTRIES, INC.

(Authorizing Agreement - Fishers of Men Ministries, Inc. - $10,000.00 - For City sponsorship of fishing tournament to be held November 17-18, 2017 - Note: $8,000.00 will be paid out of FY18 budget - Tourism Board will pay half of total cost)

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

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

RESOLUTION NO. R-67-17

AUTHORIZING AGREEMENT WITH
ALABAMA DEPARTMENT OF TRANSPORTATION

(Approving Cooperative Maintenance Agreement - Alabama Department of Transportation - City will maintain public rights-of-way on US Highway 431 between mileposts 264.81 to 258.50 and on US Highway 411 between mileposts 215.5 to 216.17)

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

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

RESOLUTION NO. R-68-17

AUTHORIZING AGREEMENT WITH
ALABAMA DEPARTMENT OF TRANSPORTATION

(Authorizing Agreement - Alabama Department of Transportation - City will grade and/or landscape on public rights-of-way on US Highway 431 between mileposts 264.81 to 258.50 and on US Highway 411 between mileposts 215.15 to 216.17)

Councilman Cannon said he wishes the trees could be transplanted to other areas. He moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley and unanimously adopted.

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

RESOLUTION NO. R-69-17

AUTHORIZING ACQUISITION OF PROPERTY
LOCATED ON EAST BROAD STREET

(Authorizing Agreement to purchase property from Johnny and Margaret Holmes - $112,000.00 - Lots 8 and 9, Block 3, Goodyear Square Addition)

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

ORDINANCE - FIRST READING

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

(1) ORDINANCE - AMENDING CITY CODE SECTION 110-262 REGARDING PETITION REQUIREMENTS FOR TRAFFIC CALMING DEVICES

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-70-17

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 23, 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.

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

RESOLUTION NO. R-71-17

CREATING POSITION OF
CAPTAIN IN POLICE DEPARTMENT

(Creating position code #205 for fourth Captain in Gadsden Police Department - Position will be funded in FY2018 Budget - Note: 4th position was eliminated after one captain retired in 2015)

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 Reed and unanimously adopted.

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

RESOLUTION NO. R-72-17

AUTHORIZING AGREEMENT FOR
TRANSIT VEHICLES EXTENDED WARRANTY

(Authorizing extended warranty service plan through Ronnie Watkins Ford - $16,400.00 - Coverage of major maintenance on four transit vehicles up to 60 months or 150,000 miles)

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 Reed and unanimously adopted.

(4) Councilman Reed introduced the following resolution in writing for consideration:

RESOLUTION NO. R-73-17

AUTHORIZING PERMANENT EASEMENT
FOR USE OF RIGHT-OF-WAY
TO J. CRAIG KING

(Authorizing Permanent Easement - J. Craig King - To allow encroachment into public sidewalk behind building at 414 Broad Street - For construction of rear exterior stairway serving two loft apartments)

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

DEPARTMENT REPORTS

Jen Weathington (Interim Parks & Recreation Director) announced State basketball tournaments hosted by Gadsden this weekend, with games being played in nine local gyms.

PUBLIC

Joseph Cole suggested establishing neighborhood associations such as those in Birmingham and Atlanta to increase citizen participation. He said officers are elected, monthly meetings are held and ideas/issues are brought to the city. Mr. Cole addressed former statements made concerning public speaking and presented an ordinance adopted in Birmingham. He commended the service of Councilman Echols and former Councilman Avery and asked how a building or street could be named for them. President Williams responded and advised the Family Success Center is named for Councilman Echols. He said nobody wishes to minimize the importance of public input but protecting the decorum of meetings is the main objective.

Robert Avery deferred the offer to name something for him as long as he is living. He affirmed his initial and continuing support for speed humps but objected to placing them on two main arteries (6th Street and Henry Street). Mr. Avery requested additional research and revisiting the issue. He expressed concern that police cars and ambulances are being impeded. Mr. Avery also cited Mobile's devices, which are made from concrete and are much less expensive.

MAYOR AND COUNCIL REMARKS

Councilman Echols expressed gratitude to the public for allowing him to serve since 1986.

Councilman Worthy reported poor attendance at last Saturday's District 3 meeting and encouraged citizens to get involved.

Councilman Worthy addressed Mr. Avery's concerns, stating a town hall meeting was held before speed humps were placed and he honored the wishes of his constituents. Councilman Echols said he personally opposes speed humps but will support majority decisions. President Williams said future turnover in the community is a concern. Councilman Cannon noted the proposed ordinance will allow lessees and renters to sign petitions. City Engineer Heath Williamson explained the procedures and noted speed humps placed were from existing inventory. New rubberized ones cost $7,500 per set and three to four sets per street are recommended. Councilman Reed noted different areas have different needs and agreed that concrete humps are a better idea.

Councilman Billingsley thanked the Mayor and his staff for establishing a baseball team and refurbishing the park. He announced a District 5 meeting at 5 p.m. on March 13 at Banks Park Community Building.

Councilman Cannon congratulated the Gadsden City High School girls who won a softball tournament in Jacksonville and thanked Renza Avery and others who coached them. He asked the Mayor if a league could be established next year.

Councilman Reed welcomed Commissioner Carolyn Parker, who was present. He said he suggested a "saggy pants" ordinance to the Council this morning.

Mayor Guyton thanked Commissioner Parker for her assistance with a sign at the park on Meighan Boulevard.

President Williams reported on recent meetings in Montgomery, stating the city's ability to govern and sustain itself is at risk. He encouraged the public to monitor proposed legislation, such as motor vehicle tax, exempting drug sales from pharmacy business licenses, and limiting land bank powers. President Williams referred to the upcoming Congress of Cities and cited important issues of municipal bonds, tax reform, e-fairness and transportation projects. Councilman Worthy asked people to contact State representatives concerning proposed gun legislation, stating screening is needed for safety.

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

_____

Iva Nelson, City Clerk (3-7-2017)

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
MARCH 7, 2017 - 2:00 P.M.

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

Bid No. 3337 - Forrest Cemetery Chapel Stone Roof Repairs Project Phase II - Rebid

| | |
|---|---|
| The Durable Slate Company | $83,000.00 |

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

* * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * * *