

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
APRIL 19, 2016 - 11:00 A.M.

The City Council met on April 19, 2016, 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, Echols, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. (Councilmen Worthy and Billingsley joined the meeting shortly after it began.) Mayor Guyton, Heath Williamson, Lee Roberts and Chief Crane were also present.

The invocation was given by Youth in Government student Jaylyn Thomas.

The minutes of the work sessions and council meeting held on April 12, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 8-14, 2016 were ratified by unanimous vote.

#164714-164900	General	\$652,052.61
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UNFINISHED BUSINESS

(1) The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-22-16

AMENDING FISCAL YEAR 2016  
GENERAL FUND BUDGET

(Amending FY2016 Budget - Reflecting receipt and appropriation of \$5,000.00 grant from Etowah County Community Development Committee - For revitalization of municipal baseball and softball fields located at 503 Black Creek Road and 1420 W. Meighan Boulevard)

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

(2) A resolution assessing a nuisance abatement lien on property at 119 Park Street in District 1, which was tabled for 7 days on April 12, was presented in writing for consideration. Councilwoman Toles moved to table the resolution an additional 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(3) A resolution assessing a nuisance abatement lien on property at 712 Nuckolls Street in District 2, which was tabled for 7 days on April 12, was presented in writing for consideration. Councilman Worthy moved to table the resolution an additional 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(4) A resolution ordering the abatement of nuisances on property at 203 E. Chestnut Street in District 4, which was tabled for 30 days on March 15, was presented in writing for consideration. Upon recommendation of the Building Official, Councilman Echols moved to table the resolution an additional 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

(5) President Williams announced that no action was necessary regarding 307 Pearl Street in District 6, as the nuisance has been abated by the owner.

(6) A resolution ordering the abatement of nuisances on property at 3506 Sudie Avenue in District 6, which was tabled for 14 days on April 5, was presented in writing for consideration. Upon recommendation of the Building Inspector, Councilman Cannon moved to table the resolution an additional 30 days. The motion was seconded by Councilman Worthy and unanimously carried.

### 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 1323 Rhea Street, Michael Rogers being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-181-16

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1323 Rhea Street - District 1 - Michael Rogers)

Councilwoman Toles 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 resolutions ordering the abatement of nuisances on properties at 1301 Florence Avenue and 1303 Florence Avenue in District 1, Glenda Taylor and heirs of Elzora Rainey being the last known owners. Brian Harbison, Building Inspector, stated he has spoken with a new tax certificate owner, who was unaware of their right to access the property. He recommended a 30-day extension. Councilwoman Toles moved to table each resolution for 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(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 430 Jacksonville Street (also known as 430 Ashley Street) in District 3, Roosevelt McCain, Jr., and Mary E. Wise being the last known owners. Mary Wise said the house, which was her brother's home, has been vandalized. He has been unable to make repairs due to illness and may consider demolishing it. Brian Harbison, Building Inspector, stated he will get with Ms. Wise after the meeting. Councilman Worthy advised that payments can be made to retain the property if the City performs demolition. He moved to table the resolution for 7 days, which motion was seconded by Councilman Cannon and unanimously carried.

(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 1504 Malone Street, the State of Alabama and heirs of Phyllis Veach being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-182-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1504 Malone Street - District 3 - State of Alabama; Heirs of Phyllis Veach)

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 1509 Garfield Avenue, the State of Alabama and Blakely Scott Tarrance being the last known owners. Brian Harbison, Building Inspector, stated although window were replaced and a new addition was started several years ago, the property is now abandoned. He noted procedures began in September 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-183-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1509 Garfield Avenue - District 5 - State of Alabama; 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 1211 Central Avenue, Virginia Spurlock and Alecia Spurlock being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in September 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-184-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1211 Central Avenue - District 6 - Virginia Spurlock; Alecia Spurlock)

Councilman Cannon said the owner wishes to make payments on the City's demolition. He 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 506 Pearl Street, Wendell McCartney being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-185-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 506 Pearl Street - District 6 - Wendell McCartney)

Councilman Cannon noted people are trying to live in the structure and moved to adopt the resolution as introduced. The motion was seconded by Councilman Councilwoman Toles and unanimously adopted.

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-186-16

AUTHORIZING AGREEMENT WITH  
GADSDEN JUNIOR GOLF ASSOCIATION

(Authorizing Agreement - Gadsden Junior Golf Association - \$3,500.00 - City sponsorship of youth golf activities - March through August, 2016)

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

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

RESOLUTION NO. R-187-16

AUTHORIZING ADDENDUM TO AGREEMENT WITH  
LOCAL GOVERNMENT SERVICES, LLC

(Authorizing Addendum to Agreement - Local Government Services, LLC - To advise the City and to negotiate with Southern Light, LLC - Regarding telecommunications franchise agreement)

Councilman Echols moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles and adopted by the following vote:

AYES: Toles, Williams, Worthy, Echols, Billingsley, Reed

ABSTENTIONS: Cannon

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

RESOLUTION NO. R-188-16

AUTHORIZING AGREEMENT WITH  
CDG ENGINEERS & ASSOCIATES, INC.

(Authorizing Agreement - CDG Engineers & Associates, Inc. - \$5,500.00 - For preliminary evaluation of new proposed Pedestrian Bridges at Noccalula Falls Park - Note: Cost is being paid from Christmas at the Falls account)

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

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

RESOLUTION NO. R-189-16

ACCEPTING CONVEYANCE OF PROPERTY  
LOCATED AT 119 PARK STREET (E.G.)

(Accepting conveyance of property from Vickie D. Tuck - 119 Park Street (E.G.) - Lot 12, Block 1, Eastland Park Addition - In lieu of nuisance abatement lien against property)

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

ORDINANCE - FIRST READING

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

ORDINANCE - AUTHORIZING CONVEYANCE OF PROPERTY (402 Carolyn Lane)

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

MAYOR AND COUNCIL REMARKS

The Mayor and Council joined in encouraging Youth In Government students from Gadsden City High School and commending their instructor, Ernestina Cady-Hardrick. Councilman Cannon thanked Popeye’s, Cothran’s Bakery and Jack’s, local businesses who donated breakfast items. Appreciation was expressed to the YMCA for sponsoring the annual event, which is in its 28<sup>th</sup> year.

Councilwoman Toles announced a District 1 meeting at 6 p.m. on April 25, at the Antioch Family Life Center. She reiterated that Job Corps is seeking students.

Councilmen Worthy and Billingsley complimented the recent “Old School” weekend and thanked event organizers.

Councilman Cannon said he is thankful to see resurfacing work at the shopping center that is anchored by Mi Pueblo and announced this Saturday’s Music on Meighan event at the Alabama City gazebo.

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

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Iva Nelson, City Clerk (4-19-16)

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