

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MAY 2, 2017 - 11:00 A.M.

The City Council met on May 2, 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, Billingsley, Cannon and Reed. Councilman Echols was absent. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts and Captain Keener were also present.

The invocation was given by Heath Williamson.

The minutes of the Public Safety Committee, Work Session and Council meeting held on April 25, 2017, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 21-27, 2017 were ratified by unanimous vote.

#173406-173533	General	\$1,620,643.54
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On behalf of Mayor Guyton, Shane Ellison read a proclamation congratulating the Gadsden Rotary Club on its Centennial and presented it to Steve Hildebrant. Mr. Hildebrant recognized Rotarians who were present.

On behalf of Mayor Guyton, Shane Ellison read a proclamation proclaiming May 2017, as "Motorcycle Awareness Month" and presented it to Matthew Shroeder, State Director of Dixie Abate.

UNFINISHED BUSINESS

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

ORDINANCE NO. O-09-17

AMENDING FISCAL YEAR 2017 BUDGET

(Amending FY2017 Budget - Reflecting receipt of \$8,000.00 grant from Etowah County Community Development Committee - Appropriating for construction of "Bellevue Highlands" sign at the intersection of Mitchell Boulevard and Bellevue Drive)

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

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

ORDINANCE NO. O-10-17

AMENDING CITY CODE SECTIONS 74-233 AND 74-263  
REGARDING A MUNICIPAL SALES AND USE TAX HOLIDAY

(Amending City Code - Regarding Gadsden's participation in Back to School Sales Tax Holiday, to comply with State Act 2017-120 - Changing time from first full weekend of August to third full weekend of July, for 2017 and all subsequent years - Exempting certain "covered items" from municipal sales and use tax - Repealing Ordinance No. O-23-14)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Worthy 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 24 Comnock Avenue, Connie Herring and Dennis Gladden being the last known owners. David Triad, attorney for Ms. Herring, requested a 30-day extension for her to make repairs or demolish the structure. He added the roof had been done several years ago. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-150-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 24 Comnock Avenue - District 6 - Connie Herring; Dennis Gladden)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 3001 Shahan Avenue, Stephanie Swindall and Homecoming's Financial Network/MERS being the last known owners. Stephanie Swindall (1928 Noccalula Road) stated her desire to demolish the structure and noted difficulties in obtaining approval from the mortgage company. Brian Harbison, Building Inspector, stated no improvements have been made to this burned structure since procedures began in November 2016. He recommended abatement, noting the demolition permit issued in December will be honored. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-151-17

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3001 Shahan Avenue - District 6 - Stephanie Swindall; Homecoming's Financial Network/MERS)

Councilman Cannon advised Ms. Swindall her cost will be less if she completes removal before City work occurs. He moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley and unanimously adopted.

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1107 Bretwood Drive, Robert Haley Jr., c/o Joe S. Duncan being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-152-17

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$4,691.40 - 1107 Bretwood Drive - District 3 - Robert Haley Jr., c/o Joe S. Duncan)

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 assessing a nuisance abatement lien on property at 1329 Hill Avenue, Tuscalca, LLC, and Mutual Savings Credit Union being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-153-17

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,541.40 - 1329 Hill Avenue - District 3 - Tuscalca, LLC; Mutual Savings Credit Union)

Councilman Cannon 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 assessing a nuisance abatement lien on property at 1335 Hill Avenue, the State of Alabama and Laville Properties, LLC being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-154-17

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,291.40 - 1335 Hill Avenue - District 3 - State of Alabama; Laville Properties, LLC)

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 assessing a nuisance abatement lien on property at 2310 Hill Avenue, Billy R. Gray, Marguerite D. Gray, and First Choice Funding being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-155-17

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,966.40 - 2310 Hill Avenue - District 6 - Billy R. Gray; Marguerite D. Gray; First Choice Funding)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-156-17

AWARDING BID NO. 3338

(Awarding Bid No. 3338 - HVAC Replacement for Gadsden Public Library Main Branch - Stateline Mechanical, LLC - \$310,500.00)

Heath Williamson, City Engineer, explained that all units will be replaced and work should begin in early Summer.

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

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

RESOLUTION NO. R-157-17

APPOINTING MEMBERS TO DESIGN REVIEW BOARD

(Appointing Gutierrez Gregory Hall for term expiring June 30, 2018; Appointing Chris Williams and Rickey Hunter for terms expiring June 30, 2019)

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-158-17

### AUTHORIZING AGREEMENT WITH JBW&T, INC.

(Authorizing Agreement - JBW&T, Inc. - \$14,889.00 - Authorizing Supplemental Fee #2 to existing Engineering Agreement authorized by Resolution No. R-61-14 - Note: Supplemental Fee #1 authorized by Resolution No. R-544-15)

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

### ORDINANCE - FIRST READING

An ordinance (Legal Number 2017/197) amending City Code Section 126 regarding vehicles for hire, regulating transportation network companies, was introduced in writing and read by President Williams. Councilman Worthy moved to substitute an updated ordinance (Legal Number 2017/199), which motion was seconded by Councilman Cannon and unanimously carried. President Williams expressed a desire to consider the ordinance, as substituted, today. Councilman Billingsley objected and President Williams stated it had been presented today for the first reading, and the Council will vote on it next week.

### NEW BUSINESS

(1) Councilwoman Toles introduced a resolution authorizing a Supplemental Agreement with Cohen Carnaggio Reynolds, Inc. in writing for consideration. She moved for unanimous consent to consider the resolution as an item of new business, which motion was seconded by Councilman Reed but failed to be granted by the following vote:

AYES: Toles, Williams, Worthy, Cannon, Reed

NAYS: Billingsley

(The resolution will be placed on the agenda of the next regular meeting for consideration.)

### DEPARTMENT REPORTS

Jen Weathington (Interim Parks and Recreation Director) announced weekend events, including a kids fishing rodeo, senior dance, Gadsden Runners Spring Run, baseball tournament, First Saturday, two fishing tournaments and a beauty pageant.

Ray Wetzel (Curator, Gadsden Museum of Art) invited everyone to come today after Council meeting to see changes made to the museum, including the children's classroom.

Kay Moore (Downtown Gadsden, Inc.) announced First Friday activities and the first concert of the Summer series, as well as the "Gad-about Art" event on May 13.

### PUBLIC

Robert Smith reported on last weekend's free concert at Coosa Landing and expressed appreciation to the individuals, companies and City employees who provided support for the event.

Joseph Cole referred to information he presented several weeks ago regarding neighborhood associations and citizen participation and asked if the Council has considered implementing. He suggested establishing “signing bonuses” for police officers and firefighters and noted a test is scheduled for June 28 to fill vacancies. Mr. Cole asked when the Parks and Recreation Director position will be posted. He also suggested establishing a bi-racial committee to discuss items of concern to the community.

MAYOR AND COUNCIL REMARKS

Several Council members responded to Mr. Cole’s questions. Councilwoman Toles pointed out that some communities have established associations, although some may need to be reactivated. In regard to a bi-racial committee, Councilwoman Toles explained several Council members conduct district meetings and people are encouraged to come and talk about their concerns. Councilman Worthy expressed support for policemen and firemen and said the Council can vote on measures presented by the administration, which controls personnel. He acknowledged racism exists but doesn’t prevent people from making personal accomplishments. Councilman Cannon advised monthly meetings are held at the Banks Park meeting room. He inquired about the proposed “signing bonuses,” including the amount and time commitment from the applicants.

Councilwoman Toles announced an Etowah County Democratic Women’s unity picnic at Moragne Park on May 4.

Councilman Worthy complimented the long-standing fishing rodeo for kids and other local events. He referred to criticism of the Council and invited dissatisfied persons to run for office.

Councilman Reed referred to the many events announced, pointing out there is much to do. He thanked everyone who supported the recent Patriots golf tournament and described how the proceeds are spent. Councilman Reed announced the moving Vietnam Wall exhibit will open on May 11.

President Williams displayed brochures highlighting tourism opportunities and encouraged promoting the city’s assets. He announced a National Day of Prayer breakfast at the Downtown Civic Center on May 4.

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

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Iva Nelson, City Clerk (5-2-2017)

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

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

Bid No. 3340 - East Gadsden Area Community Storm Shelter Project  
Harbor Enterprises \$90,166.75  
Aqua Marine Enterprises, Inc. \$150,000.00

Bid No. 3341 - West Gadsden Area Community Storm Shelter Project  
Harbor Enterprises \$90,166.75  
Aqua Marine Enterprises, Inc. \$150,000.00

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

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