

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JULY 12, 2016 - 2:00 P.M.

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

Bid No. 3315 - Roof and Support Structure Repairs at Gadsden Air Depot Building T-8		
Hudak Construction Co., Inc.		\$64,140.00
Bid No. 3317 - Wide Format Inkjet Printer/Cutter		
Intoprint		\$16,145.00
Berney Office Solutions		No Bid

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

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JULY 12, 2016 - 5:00 P.M.

The City Council met on July 12, 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, Echols, Billingsley, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson and Lee Roberts were also present. Mayor Guyton and Chief Jaggars joined the meeting shortly after it began.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on June 28, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the weeks of June 24-30 and July 1-7, 2016 were ratified by unanimous vote.

#166482-166804	General	\$1,372,735.94
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UNFINISHED BUSINESS

(1) President Williams announced that no action was necessary regarding 2 Laurel Road in District 6, 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 1221 Stillman Avenue, Larry C. Martin, as trustee of the Martin Grantor Trust being the last known owner. Brian Harbison, Building Inspector, stated although a permit was obtained in September 2015, no improvements have been made since procedures began in July 2015. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-271-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1221 Stillman Avenue - District 2 - Larry C. Martin, as trustee of the Martin Grantor Trust)

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 637 Turrentine Street, Rosa Dolores Francisco and Teresa Miguel Francisco being the last known owners. Based upon recent improvements, Brian Harbison, Building Official, recommended a 30-day extension. Councilman Billingsley moved to table the resolution for 30 days, which motion was seconded by Councilman Echols 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 9 Cabot Avenue, Harvey C. Sheppard and wife Linda L. Sheppard, Old Stone Mortgage, LLC, and Ocwen Loan Servicing 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-272-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 9 Cabot Avenue - District 6 - Harvey C. Sheppard; Linda L. Sheppard; Old Stone Mortgage, LLC; Ocwen Loan Servicing)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 33 Sandusky Lane, Matthew McCoy being the last known owner. Brian Harbison, Building Inspector, stated this case relates to an accessory building that remains after the house was demolished. He said no improvements have been made since procedures began in December 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-273-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 33 Sandusky Lane - District 6 - Matthew McCoy)

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 resolutions ordering the abatement of nuisances on properties at 305 Wilson Street and 307 Wilson Street in District 6, James and Betty Alldredge c/o Deborah Croyle, James Steven Alldredge, Deborah Darlene Alldredge Croyle and Kimberly Denise Alldredge Sanders being the last known owners. Edward Cunningham, Attorney at Law, spoke on behalf of Deborah Croyle, stating other houses in the area are in worse condition. He presented photographs and described the condition of the houses. Councilman Cannon referred to 2008 nuisance proceedings, as well as a recent arrest for someone occupying one of the condemned houses. Lee Roberts summarized the court proceedings and explained all heirs were notified because the Circuit Court did not indicate the owner. He added Ms. Croyle provided a deed when she received the notice. Mr. Cunningham pointed out Ms. Croyle's sister was there without permission. Deborah Croyle said her plans to let her sister live in 307 didn't work out, and she now plans to sell it to her daughter. She added she wishes to live in 305. Brian Harbison, Building Inspector, stated both cases began in March 2014 and various permits have been obtained by different people. He noted some work was done to 305, and recommended abatement. Councilman Cannon explained the pictures Mr. Harbison presented don't correspond with Mr. Cunningham's. Councilman Cannon moved to table both resolutions for 14 days, which motion was seconded by Councilman Billingsley and unanimously carried.

(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 917 N. 33rd Street in District 7, Howard Lee Whisenant, Jr. being the last known owner. Mr. Whisenant spoke, stating he is in the process of demolishing the structure. Brian Harbison, Building Inspector, confirmed a demolition permit was obtained and expires next Wednesday. He said he does not object to giving the owner additional time to work. Councilman Reed moved to table the resolution for 14 days, which motion was seconded by Councilman Cannon and unanimously carried.

(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 913 N. 36th Street, the State of Alabama, Ashley Williamson, and Alvin G. Dixon being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this burned house since procedures began in April 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-274-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 913 N. 36th Street - District 7 - State of Alabama; Ashley Williamson; Alvin G. Dixon)

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

(8) President Williams announced that no action was necessary regarding 205 Sherwood Drive in District 7, as the nuisance has been abated by the owner.

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 3421 Williams Avenue, FNA NP, LLC being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-275-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,756.40 - 3421 Williams Avenue - District 7 - FNA NP, LLC)

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

NEW BUSINESS

(1) Councilman Billingsley introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-27-16

AMENDING FISCAL YEAR 2016
GENERAL FUND BUDGET

(Amending FY2016 Budget - Reflecting receipt and appropriation of \$200,000.00 Emergency Solutions Grant funds from ADECA - The Salvation Army, Inc. and Thirteenth Place, Inc. will each receive \$100,000.00)

Councilman Billingsley 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, Echols, Billingsley, Cannon, Reed

NAYS: None

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

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

RESOLUTION NO. R-276-16

AUTHORIZING AGREEMENT WITH
CGI COMMUNICATIONS, INC.

(Authorizing Agreement - CGI Communications, Inc. - To provide community highlight videos through GoCast - City will provide letter of introduction for CGI and display link on City's website - Term of 3 years)

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 Cannon and unanimously adopted.

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

RESOLUTION NO. R-277-16

AWARDING BID NO. 3312

(Awarding Bid No. 3312 - 2016 Gadsden Community Development Street Resurfacing Project - McCartney Construction Company - \$662,510.00)

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.

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

RESOLUTION NO. R-278-16

AWARDING BID NO. 3311

(Awarding Bid No. 3311 - 2016 Gadsden Street Resurfacing Project - McCartney Construction Company - \$971,065.00)

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 Cannon and unanimously adopted.

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

RESOLUTION NO. R-279-16

AUTHORIZING INTERLOCAL AGREEMENT WITH
ETOWAH COUNTY COMMISSION AND
ETOWAH COUNTY SHERIFF'S DEPARTMENT

(Authorizing Agreement - Etowah County Commission and Etowah County Sheriff's Department - Regarding \$34,603.00 grant from Edward Byrne Memorial Justice Assistance Grant Program - City will use \$22,956.00 for purchase of audio/video equipment for evidence collection and police protective equipment - County will use \$11,647.00 for purchase of protective equipment for Sheriff's patrol)

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.

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

RESOLUTION NO. R-280-16

AUTHORIZING AGREEMENT WITH
ETOWAH COUNTY COMMISSION AND
ETOWAH COUNTY SHERIFF

(Authorizing Agreement - Etowah County Commission and Etowah County Sheriff - For incarceration of City prisoners at Etowah County Detention Center - \$350,000.00 annually, paid in equal monthly installments - Term beginning July 1, 2016 through July 1, 2019, with automatic renewals thereafter)

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.

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

RESOLUTION NO. R-281-16

AUTHORIZING ONE-YEAR MORATORIUM
ON CERTAIN NEW BUSINESS LICENSES

(Extending moratorium on business licenses for Title Pawn Loan, Payday Loan, Payday Advance, and Car Title Loan businesses - For period of one year from effective date of resolution - To provide an opportunity for City to reassess present zoning ordinance, policies and procedures, and to develop an appropriate zoning and commercial development plan - Moratorium is not intended to impact business currently operating, unless operations are ceased - Note: R-109-15, adopted on 4-14-15, established original one-year moratorium)

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 Cannon and unanimously adopted.

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

RESOLUTION NO. R-282-16

AUTHORIZING AGREEMENT WITH
CENTURY FIRE PROTECTION

(Authorizing Agreement - Century Fire Protection - \$2,625.00 - For Sprinkler Inspection Services at Air-Depot Buildings T-1, T-8, T-4, and T-61)

Mayor Guyton stated the need for inspections to be performed before a potential tenant takes occupancy.

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.

MAYOR AND COUNCIL REMARKS

Mayor Guyton read a Paul Harvey writing from 1970 concerning perceptions of police officers.

Councilwoman Toles encouraged students entering 9th grade and their parents to investigate dual enrollment, noting Gadsden State Community College has received funding.

Councilman Worthy announced a Job Fair at Convention Hall on August 11, from 9:00 to 1:00, and a skills seminar in the Arthur Green room from 8:00 to 9:00. He thanked the community for its support of a recent Fire/Police Department basketball game that raised funds for Quality of Life's H.O.P.E. program.

Councilman Billingsley referred to his ride along with the Police Department today and praised the City's communications system. Councilman Reed recalled his ride and commended officers for their courage in running toward trouble.

President Williams thanked everyone who supported Sunday's unity event. He said the current climate surrounding law enforcement provides an opportunity for evil people to thrive. He acknowledged that issues exist and some of the videos are very disturbing, but said, "One or two bad apples shouldn't make you stop buying apples." President Williams thanked Chief Jaggears for commitments he has made and said more opportunities for listening will occur.

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

Iva Nelson, City Clerk (7-12-2016)
