

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
AUGUST 16, 2016 - 11:00 A.M.

The City Council met on August 16, 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, 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 Cody were also present.

The invocation was given by Brian Harbison.

The minutes of the work sessions and council meeting held on August 9, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of August 5-11, 2016 were ratified by unanimous vote.

#167505-167672	General	\$410,493.50
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Glenn Ingram and Kim Heath (Gadsden Runners Club), Keith Lyles (Northeast Alabama Bicycle Association) and Hugh Stump (Greater Gadsden Area Tourism Director) presented checks totaling \$7,500 to the City to assist with expansion of to the Black Creek Trail system at Noccalula Falls park.

UNFINISHED BUSINESS

(1) President Williams announced that no action was necessary regarding 637 Turrentine Street in District 5, 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 1028 Padenreich Avenue, Charles Pruitt, Jr. being the last known owner. Brian Harbison, Building Inspector, recommended abatement, stating this case involves vehicles, trash and debris. He said five municipal court cases date back to 2010, with the owner not appearing at the latest one in February 2016. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-318-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1028 Padenreich Avenue - District 1 - Charles Pruitt, Jr.)

Councilwoman Toles 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 923 Wisteria Lane, John Langley, Nancy L. Langley, and Lena Langley being the last known owners. John Langley said he is working on two cars in the back yard, which will be finished in a few weeks. He added much work has been done and no debris remains. Brian Harbison, Building Inspector, stated this case involves seven vehicles, trash and debris that have been there since 2005, with the same resident. He said the present procedures began in November 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-319-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 923 Wisteria Lane - District 2 - John Langley; Nancy L. Langley; Lena Langley)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles 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 908 Penny Street in District 3, John T. Griffin, c/o Patricia M. Williams, being the last known owner. Brian Harbison, Building Inspector, recommended a 30-day extension, stating the owners had purchased a tax deed and did not know they could begin work now. Councilman Worthy moved to table the resolution for 30 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 1026 4th Avenue, the State of Alabama, certain rights of redemption of Strategic Municipal Investments, LLC, and First Family being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2012, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-320-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1026 4th Avenue - District 5 - State of Alabama; Strategic Municipal Investments, LLC; First Family)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles 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 1820 Eisenhower Street, FNA NP, LLC, and certain rights of redemption of by the heirs of May White which include Brandon White, Yvonne Reynolds, and Luther Reynolds, being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in November 2014, no improvements have been made since procedures began in July 2014. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-321-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1820 Eisenhower Street - District 5 - FNA NP, LLC; Certain rights of redemption by heirs of May White; Brandon White; Yvonne Reynolds; Luther Reynolds)

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 700 Randall Street, Harold Ragan and Audrey Ragan being the last known owners. Nancy McClain said this was her mother's property and has been deeded to her son. She requested additional time for her son to make repairs and "flip" the house. Brian Harbison, Building Inspector, stated although a permit was obtained in December 2014, no improvements have been made since procedures began in October 2014. He recommended abatement. In response to Councilman Worthy's inquiry, Mr. Harbison explained the rights of a new owner would be recognized if it was a legitimate sale. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-322-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 700 Randall Street - District 5 - Harold Ragan; Audrey Ragan)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted. Councilman Billingsley advised Ms. McClain to contact Mr. Harbison if they truly desire to bring the house up to code.

(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 3201 Shahan Avenue, Estate of Doris Craft, Scott Craft, and Debra Morton being the last known owners. Brian Harbison, Building Inspector, stated although permits were obtained in August 2015, and January 2016, no improvements have been made since procedures began in August 2015. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-323-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3201 Shahan Avenue - District 6 - Estate of Doris Craft; Scott Craft; Debra Morton)

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

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 3504 Sudie Avenue, Richard G. Reed being the last known owner. Brian Harbison, Building Inspector, stated although a permit was obtained, no improvements have been made since procedures began in June 2015, and recommended abatement. Councilman Cannon said he had been advised the property was sold. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-324-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3504 Sudie Avenue - District 6 - Richard G. Reed)

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

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Muaamar Yahya Ahmed al Gahdari, d/b/a My Store at 1000 Tuscaloosa Avenue. Gerald Maxwell and Jackie Ragland, nearby business owners, spoke in favor. They said the applicant has installed security equipment and has worked with police to eliminate illegal activities on the property. Councilman Billingsley said he has seen improvement and agreed with Councilman Worthy that the applicant deserves an opportunity. The following resolution was presented for consideration:

RESOLUTION NO. R-325-16

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Muaamar Yahya Ahmed al Gahdari - My Store - 1000 Tuscaloosa Avenue - Retail Beer and Table Wine License, off premises only)

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

(10) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Dolgencorp, LLC d/b/a Dollar General Store 2482 at 2501 West Meighan Boulevard. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-326-16

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Dolgencorp, LLC - Dollar General Store 2482 - 2501 West Meighan Boulevard - Retail Beer and Table Wine License, off premises only)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-327-16

AUTHORIZING AGREEMENT WITH
TURTLE ISLAND NATIVE AMERICAN ASSOCIATION

(Authorizing Agreement - Turtle Island Native American Association - \$700.00 - For use of Nocalula Falls Park for Powwow on September 3-4, 2016, at the ballfield/landfill area)

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

NEW BUSINESS

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

RESOLUTION NO. R-328-16

AUTHORIZING LEASE AGREEMENT WITH
HONDA MANUFACTURING OF ALABAMA, LLC

(Authorizing Lease - Honda Manufacturing of Alabama, LLC - Air Depot Buildings T-1, Sections A, B, C, D, and E and T-8, Sections A, B, C, and D - Includes 8.9 acre lot in front of Building T-8 - For term of 18 months beginning December 1, 2016 through May 31, 2018 with 90 day cancellation notice and option to renew for one additional period - \$15,640.00 per month)

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 Councilwoman Toles and unanimously adopted.

DEPARTMENT REPORTS

Jeremy Ward (Engineering Department) reported the City received five pet waste stations through the Alabama Clean Water Partnership. He displayed the receptacle and bags, which will be installed at the Black Creek Trail and James D. Martin Wildlife Park.

MAYOR AND COUNCIL REMARKS

Mayor Guyton thanked the organizations who donated funds for trail development.

Councilman Worthy expressed appreciation to all organizations that assisted with the recent job fair at Convention Hall, which was attended by approximately 700 people and 53 employers. Mayor Guyton noted there are 400-500 available jobs in Etowah County.

Councilman Reed thanked everyone for their expressions of concern during his wife’s recent illness, especially fire medics who responded.

President Williams reported on this morning’s poverty subcommittee meeting, noting the group is succeeding in generating dialogue and determining action items to address needs of the poor. He said the Council’s administrative committee will meet next week to discuss paid administrative leave.

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

Iva Nelson, City Clerk (8-16-2016)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
AUGUST 16, 2016 - 2:00 P.M.

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

Bid No. 3319 - Noccalula Falls Park Botanical Gardens Project	
Hudak Construction	\$230,248.25
J&D Enterprises	No bid
McCartney Construction	\$333,312.00

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