

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
OCTOBER 4, 2016 - 11:00 A.M.

The City Council met on October 4, 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, and Reed. Councilman Cannon was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Chief Jagears were also present.

The invocation was given by President Williams.

The minutes of the last work session and council meeting held on September 27, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of September 23-29, 2016 were ratified by unanimous vote.

#168563-168749	General	\$1,092,400.36
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Mayor Guyton read a proclamation proclaiming October 2016, as “Domestic Violence Awareness Month” and recognizing the work of 2nd Chance - Presented to Cliff Andrews, board member

UNFINISHED BUSINESS

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

ORDINANCE NO. O-35-16

AUTHORIZING CONVEYANCE OF PROPERTY
AT 1308 PERRY STREET

(Authorizing Conveyance of Property - 1308 Perry Street - Lots 13 and 14, Block 7, Clayton's Subdivision - Accepting offer of \$300.00 from David and Mona Butler)

Councilwoman Toles moved to adopt the ordinance, which motion was seconded by Councilman Echols and unanimously adopted.

(2) A resolution ordering the abatement of nuisances on property at 1420-A Forrest Avenue in District 3, which was tabled for 30 days on August 30, was presented for consideration. Upon recommendation of the Building Official, Councilman Worthy moved to table the resolution for an additional 30 days. The motion was seconded by Councilman Echols and unanimously carried.

(3) A resolution ordering the abatement of nuisances on property at 1420-B Forrest Avenue in District 3, which was tabled for 30 days on August 30, was presented for consideration. Upon recommendation of the Building Official, Councilman Worthy moved to table the resolution for an additional 30 days. The motion was seconded by Councilman Echols and unanimously carried.

(4) The following resolution, which was tabled for 10 days on September 20, was presented for consideration:

RESOLUTION NO. R-389-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 625 Spring Street - District 3 - State of Alabama; Heirs of Lillie Mae Hollis; Beverly Hollis Parker; Alfred T. Hollis; Marfleata Hollis Ecxford; Juaneleta Hollis Benson)

Upon recommendation of the Building Official, Councilman Worthy moved to adopt the resolution. The motion was seconded by Councilman Billingsley 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 1563 Litchfield Avenue, Tuscal, LLC, and Mutual Savings Credit Union being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in January 2016, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-390-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1563 Litchfield Avenue - District 1 - Tuscal, LLC; Mutual Savings Credit Union)

In response to President Williams' inquiry, Mr. Harbison explained that all properties are evaluated for possible exterior rehabilitation by the City, if the cost will not exceed 20% of the appraised value.

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 1306 Stillman Avenue, the State of Alabama, possible rights of redemption of Evyone Lapsley Dudley, American General Financial Services and Tonya D. Lock 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-391-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1306 Stillman Avenue - District 2 - State of Alabama; Evyone Lapsley Dudley; American General Financial Services; Tonya D. Lock)

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 603 Kyle Street in District 3, Bessie Scott, Lois Scott, and the State of Alabama being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made (other than boarding up the structure) since procedures began in March 2013, and recommended abatement. Councilman Worthy said he spoke with the owner, who had requested an additional 90 days. He then moved to table the resolution for 60 days, which motion was seconded by Councilman Billingsley and unanimously carried.

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

RESOLUTION NO. R-392-16

RESCINDING RESOLUTION NO. R-215-16
REGARDING NUISANCES AT 1014 VALLEY JO AVENUE

(Rescinding Resolution No. R-215-16 Ordering Abatement of Nuisance at 1014 Valley Jo Avenue - To clear up clerical error that occurred when resolution was adopted a few days prior to the expiration of a 60-day table)

Councilman Worthy 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 1014 Valley Jo Avenue, Sammie Lee Rutledge and Willie Howard Rutledge being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained, no improvements have been made since procedures began in April 2015. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-393-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1014 Valley Jo Avenue - District 3 - Sammie Lee Rutledge; Willie Howard Rutledge)

Councilman Billingsley questioned if the property has been sold. Councilman Worthy and Brian Harbison indicated they are not aware of a legal sale. Lee Roberts, City Attorney, explained a notice was filed in Probate Court when nuisance proceedings were initiated. The seller would be required to notify the purchaser, who should also perform title research. Councilman Worthy expressed willingness to work with a new owner, should one be identified.

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 3609 Georgia Avenue, FNA NP, LLC, and certain rights of redemption of the heirs of Shirley Thrasher and Varney Thrasher 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-394-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3609 Georgia Avenue - District 6 - FNA NP, LLC; Certain rights of redemption of heirs of Shirley Thrasher and Varney Thrasher)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 3610 Georgia Avenue in District 6, David W. Waits being the last known owner. Brian Harbison, Building Official, recommended a 30-day extension, based on recent improvements. Councilman Reed moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-395-16

AWARDING BID NO. 3320

(Awarding Bid No. 3320 - Janitorial Supplies - Etowah Chemical - Core items list total bid price of \$976.37, with 25% discount for items not on core list - Note: Local preference option was utilized)

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

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

RESOLUTION NO. R-396-16

APPROVING ISSUANCE OF SPECIAL EVENT
ALCOHOLIC BEVERAGE LICENSE

(Downtown Gadsden, Inc. - Special Event Alcoholic Beverage License - Sunset Sips event on Memorial Bridge - October 18, 2016)

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

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

RESOLUTION NO. R-397-16

APPROVING ISSUANCE OF SPECIAL EVENT
ALCOHOLIC BEVERAGE LICENSE

(The Bishop of Birmingham in Alabama - Special Event Alcoholic Beverage License - Ten Thousand Dollar Giveaway fund-raising event at Convention Hall, 344 S. First Street - October 20, 2016)

Councilwoman Toles 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-398-16

AUTHORIZING ACCEPTANCE OF ADECA GRANT

(Authorizing Recreational Trails Program Grant Acceptance - Alabama Department of Economic and Community Affairs - \$100,000.00 - For construction of approximately 6-7 miles of non-motorized, diverse use trails as addition to Black Creek Trail System at Noccalula Falls Park - City match of \$28,165.00, for total estimated project cost of \$128,165.00)

Councilwoman Toles encouraged the public to use the trail system. Mayor Guyton noted recent donations have allowed the work to continue. President Williams thanked the Mayor and his staff for their efforts on this grant, noting the trail has received widespread media coverage.

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

DEPARTMENT REPORTS

Kay Moore (Downtown Gadsden, Inc.) thanked Buster Porch and Curlie DeRamus for their work with Musical Mondays and announced upcoming events, including October First Friday, premiere event for newly refurbished sign at Pitman Theater, Sunset Sips, Howl-O-Weenie Paw-ty and Third Thursday.

PUBLIC

Buster Porch displayed the specialty Sickle Cell license plate, noting Alabama is the first state to establish it. He encouraged the public to purchase one when renewing their vehicle tags.

Faye Edwards reported on last year’s Sickle Cell Walk-a-thon, which was hosted in Gadsden, and encouraged participation in this year’s event in Talladega on October 8. She explained effects of the disease and said local organizations can offer assistance. President Williams joined with Councilmen Billingsley and Reed in expressing support for the group’s efforts.

MAYOR AND COUNCIL REMARKS

Mayor Guyton encouraged parents and students to prepare for technical careers and noted 400 to 500 jobs are available in our area.

Councilman Billingsley announced a District 5 meeting at 5 p.m. on October 10 at the Gadsden Public Library. He noted the S. 11th Street bridge should reopen in a couple of weeks.

President Williams announced the Marine Corps Reserve is accepting applications for the Toys for Tots program on October 10-13, 14, and 17-20, as well as November 1, 8, 15, 22 & 29 at the Catholic Center of Concern. He noted October is breast cancer awareness month.

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

Iva Nelson, City Clerk (10-4-2016)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
OCTOBER 4, 2016 - 2:00 P.M.

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

Bid No. 3325 - Solid Waste Transfer and Disposal Services

	<u>Price per ton - Years 1, 2 & 3</u>
Alabama Waste Disposal Solutions, LLC	\$21.77 / \$22.47 / \$23.17
GEK, Inc. d/b/a Sand Valley LF	\$22.86 / \$23.77 / \$24.72
Advanced Disposal Services Cedar Hill Landfill, Inc.	\$24.00 / \$24.22 / \$24.44
Big Sky Environmental, LLC	\$26.00 / \$27.30 / \$28.66

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

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