

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
OCTOBER 18, 2016 - 11:00 A.M.

The City Council met on October 18, 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 Chief Jaggars were also present.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on October 11, 2016, were approved by unanimous vote.

Payment of the HTE System accounts for the week of October 7-13, 2016 were ratified by unanimous vote.

#168881-169083	General	\$1,282,059.43
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Mayor Guyton read a proclamation proclaiming October 18, 2016, as "Pilot Club of Gadsden and Pilot International and Pilot International Founders' Fund Day" - Presented to Sherre McGinnis (President), Portia Foster, Rebecca Tinker and Joy Ann Smith.

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 325 9th Street North (East Gadsden), the State of Alabama, James R. Douglas, Jr. or Julius C. Parker, and The Provident Bank being the last known owners. Brian Harbison, Building Inspector, stated the City performed rehab work nine years ago and sold its lien. He added the structure has again fallen into bad condition. Mr. Harbison said 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-403-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 325 9th Street North in East Gadsden - District 2 - State of Alabama; James R. Douglas, Jr.; Julius C. Parker; The Provident Bank)

Councilman Billingsley 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 a resolution ordering the abatement of nuisances on property at 2413 McCoy Street, Thomas Patterson, Jr., c/o Donna Bone, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made to this burned house since procedures began in December 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-404-16

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2413 McCoy Street - District 2 - Thomas Patterson, Jr. c/o Donna Bone)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 534 South 6th Street, John Snider being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-405-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,616.40 - 534 South 6th Street - District 5 - John Snider)

Councilman Echols moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 405 South 11th Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-406-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,841.40 - 405 South 11th Street - District 5 - State of Alabama)

Councilman Echols 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 assessing a nuisance abatement lien on property at 808 South 12th Street, the State of Alabama and James W. and Rosemary G. Swain being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-407-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,091.40 - 808 South 12th Street - District 5 - State of Alabama; James W. Swain; Rosemary G. Swain)

Councilman Echols 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 assessing a nuisance abatement lien on property at 812 South 14th Street, the State of Alabama and Maxine W. Tanksley being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-408-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$5,016.40 - 812 South 14th Street - District 5 - State of Alabama; Maxine W. Tanksley)

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

(7) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 908 S. 15th Street, Irene F. Latson being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-409-16

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,666.40 - 908 S. 15th Street - District 5 - Irene F. Latson)

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

(8) 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 Club Avenue, LLC, d/b/a Da Avenue at 922 Tuscaloosa Avenue. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-410-16

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Club Avenue, LLC - Da Avenue - 922 Tuscaloosa Avenue - Lounge Retail Liquor License)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-411-16

AUTHORIZING APPLICATION FOR STATE OF ALABAMA
HOMELAND SECURITY GRANT

(Authorizing Application - State of Alabama Homeland Security Grant - \$22,821.00 - For security cameras at Bellevue Drive communications tower and outside of City Hall)

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

NEW BUSINESS

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

RESOLUTION NO. R-412-16

AWARDING BID NO. 3325

(Awarding Bid No. 3325 - Solid Waste Transfer and Disposal Services - Alabama Waste Disposal Solutions, LLC, d/b/a EC Waste - \$21.77 per ton for FY2017; \$22.47 per ton for FY2018; \$23.17 per ton for FY2019)

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.

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

RESOLUTION NO. R-413-16

CONCURRING WITH ALABAMA DEPARTMENT OF TRANSPORTATION
REGARDING AWARDING OF CONTRACT

(Concurring with Alabama Department of Transportation, which let bids for Planing, Resurfacing and Traffic Stripe - Portions of 3rd Street and Goodyear Avenue - Awarding to Good Hope Contracting Co., Inc. - \$567,894.44 - Authorizing payment of City's portion in the amount of \$130,616.00)

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.

PUBLIC

Eric Hutchins spoke on behalf of The Ordinary People Society (TOPS), stating the City Council had failed to uphold the duty of appointing two municipal judges. He added there has never been a minority or woman appointed and raised issues concerning compensation. Mr. Hutchins alleged that records verify a pay or stay system and reiterated his request that the current judge be removed.

City Attorney Lee Roberts stated he had advised City Council members to not respond to Mr. Hutchins' remarks due to three lawsuits (1 dismissed, 2 others pending dismissal). He said information he requested from TOPS representatives has not been provided. Mr. Roberts pointed out two judges were appointed and they continue to serve until replaced. He cited prior service by a female minority as judge, who took another job. Another one of the three local minority attorneys previously served as prosecutor and currently serves as a public defender.

MAYOR AND COUNCIL REMARKS

Several Council members commented on drug problems in their districts. Councilman Worthy encouraged citizens to "take back" their community and Councilman Billingsley, President Williams and Mayor Guyton joined in stressing the need to report drug activity.

Councilman Worthy announced a District 3 meeting at 5:30 p.m. on October 20, in the Head Start auditorium concerning speed humps on Henry Street and 6th Street.

Councilman Cannon announced the "Treats on Wall Street" event on October 27.

President Williams explained the Council is under no obligation to take action regarding municipal judge appointments. He reported on today's Poverty Subcommittee meeting, noting legislative and community solutions are being sought. President Williams expressed appreciation to Bethel Church for the invitation extended to him this past weekend.

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

Iva Nelson, City Clerk (10-18-2016)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
OCTOBER 18, 2016 - 2:00 P.M.

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

Bid No. 3323 - Sitework, Pad and Metal Building for Noccalula Falls Park

Complete Construction	\$144,000.00
Kilgore Construction	\$216,561.00
Bob Smith Construction	\$219,500.00
McCartney Construction	\$228,210.00
Hudak Construction	\$249,000.00
Hale Building Company	\$297,422.00

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