

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JANUARY 9, 2018 - 11:00 A.M.

The City Council met on January 9, 2018, 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, Echols, Billingsley, Cannon and Reed. Councilman Worthy was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Chief Jaggears were also present.

The invocation was given by Heath Williamson.

(Councilman Reed left the meeting at this time.)

The minutes of the last work session and council meeting held on January 2, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of December 29, 2017-January 4, 2018 were ratified by unanimous vote.

#178985-179117	General	\$853,072.96
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UNFINISHED BUSINESS

(1) A resolution ordering the abatement of nuisances on property at 1533 Terrace Drive in District 1, which was tabled for 30 days on December 5, was presented in writing for consideration. Upon recommendation of the Building Official, Councilwoman Toles moved to table the resolution an additional 30 days. The motion was seconded by Councilman Echols and unanimously carried.

(2) The following resolution, which was tabled for 30 days on December 5, was presented in writing for consideration:

RESOLUTION NO. R-08-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1419 Harrison Avenue - District 5 - State of Alabama; certain rights of redemption of Amy Worden)

Upon recommendation of the Building Official, Councilman Billingsley moved to adopt the resolution. The motion was seconded by Councilwoman Toles 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 1408 Chandler Street, FNA NP, LLC, Johnny E. Webster and Eric Cook being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in June 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-09-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1408 Chandler Street - District 1 - FNA NP, LLC; Johnny E. Webster; Eric Cook)

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 418 Henderson Street, Thomas Russell Reilly and LaDonna Cobb, a/k/a LaDonna Reilly, being the last known owners. Sue Fulmer (1703 Pierce Street) stated she wishes to purchase the mobile home from LaDonna Reilly and can make improvements in a month. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in September 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-10-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 418 Henderson Street - District 6 - Thomas Russell Reilly; LaDonna Cobb, a/k/a LaDonna Reilly)

Councilman Cannon pointed out this mobile home is forty to fifty years old and bringing it up to code will be too costly. He then 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 1317 4th Avenue, the State of Alabama and Margaret H. Smith being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-11-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,466.40- 1317 4th Avenue - District 5 - State of Alabama; Margaret H. Smith)

Councilwoman Toles 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 1501 Roosevelt Avenue, Henry J. Fletcher and wife Lillie Mae Fletcher, c/o Henry Fletcher, Jr., and Henry J. Fletcher, Jr. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-12-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$1,441.40 - 1501 Roosevelt Avenue - District 5 -Henry J. Fletcher; Lillie Mae Fletcher; Henry J. Fletcher, Jr.)

Councilwoman Toles 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 1503 Roosevelt Avenue, Henry J. Fletcher and wife Lillie Mae Fletcher, c/o Henry Fletcher, Jr., and Henry J. Fletcher, c/o Clara Thomas, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-13-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$1,441.40 - 1503 Roosevelt Avenue - District 5 - Henry J. Fletcher & Lillie Mae Fletcher, c/o Henry Jr. Fletcher, Jr.; Henry J. Fletcher, c/o Clara Thomas)

Councilwoman Toles 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 1206 Fairview Avenue, the State of Alabama, Paul Johnson, Anita Johnson and Associates Home Equity Services, Inc. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-14-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,566.40 - 1206 Fairview Avenue - District 6 - State of Alabama; Paul Johnson; Anita Johnson; Associates Home Equity Services, Inc.)

Councilwoman Toles 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-15-18

AUTHORIZING SPECIAL USE PERMIT TO T-MOBILE

(Authorizing Special Use Permit - T-Mobile - To modify equipment at existing wireless telecommunications facility - Located at 104 12th Street North, East Gadsden)

In response to Councilwoman Toles' inquiry, David Ayrnett (Center for Municipal Solutions) stated work to replace six existing antenna with new ones will begin when the permit is issued.

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

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

RESOLUTION NO. R-16-18

RESOLUTION IN SUPPORT OF LEGISLATION RELATED TO
CHILD DAY CARE AND PRE-SCHOOL FACILITIES

(Requesting consideration of and expressing support for legislation at the next legislative session (1) requiring all child care facilities and child day-care facilities, including pre-schools, to be subject to licensing and regulation by the Department of Human Resources; (2) requiring criminal history background checks on all workers - Note: Nearly half of center-based child care and nearly one-third of all child care in Alabama is operating unregulated and uninspected)

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

NEW BUSINESS

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

RESOLUTION NO. R-17-18

APPROVING ISSUANCE OF SPECIAL EVENT
ALCOHOLIC BEVERAGE LICENSE

(The Chamber Gadsden and Etowah County, a/k/a Chairman's Gala and Annual Meeting - Special Event Alcoholic Beverage License - For event at 344 South 1st Street on January 26, 2018)

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 Echols and unanimously adopted.

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

ORDINANCE NO. O-02-18

AMENDING FISCAL YEAR 2018 BUDGET

(Amending FY2018 Budget - Reflecting receipt of \$14,052.00 Alabama Homeland Security grant - For purchase of Hazmat Equipment - Note: Grant application and acceptance was approved by R-385-17)

Councilman Billingsley moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilman Echols and approved by the following vote:

AYES: Toles, Williams, Echols, Billingsley, Cannon

NAYS: None

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

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

RESOLUTION NO. R-18-18

APPROVING AGREEMENT WITH BB&T

(Approving Financing Agreement - BB&T - Up to \$1,004,055.00 - Rate of up to 2.29% for 36 months - For purchase of two Pumper Trucks for Fire Department - Recommended by Finance Director after review of four proposals received pursuant to RFP)

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.

MAYOR AND COUNCIL REMARKS

Councilwoman Toles announced a District 1 meeting at Paden Baptist Church on January 22, noting Mayor Guyton and Police Chief Jaggears will be present.

Councilwoman Toles affirmed her passion for education and confidence in our local school system, and expressed opposition to a bill regarding an elected school board proposed by a Rainbow City Representative. President Williams agreed and pointed out the bill, as written, would not prohibit persons with various convictions (including drug possession) from being eligible to serve. Councilman Echols stated constituents have an opportunity to vote a council member out of office if their appointee is unsatisfactory. Councilman Billingsley noted a referendum for an elected school board was defeated a number of years ago. All expressed support for the right to govern locally.

Councilman Billingsley reported on a recent district meeting and said although public works employees can function better, citizens should assist with eliminating litter.

On behalf of Councilman Worthy, City Clerk Iva Nelson announced a prayer breakfast at 8:30 a.m. on January 15 at the Downtown Civic Center.

At the request of President Williams, David Lawson (WGMJ Radio) announced the annual celebration in honor Dr. Martin Luther King, Jr. at 6:00 p.m. on January 15 at Convention Hall.

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

Iva Nelson, City Clerk (1-9-2018)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JANUARY 9, 2018 - 2:00 P.M.

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

Bid No. 3368 - Gadsden Riverfront Park Fountain Rehabilitation Project

No bids received
