

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JANUARY 16, 2018 - 11:00 A.M.

The City Council met on January 16, 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, Worthy, Echols, Billingsley, and Reed. Councilman Cannon was absent. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson and Lee Roberts were also present.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on January 9, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of January 5- January 11, 2018 were ratified by unanimous vote.

#179319-179420	General	\$354,736.33
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UNFINISHED BUSINESS

A resolution ordering the abatement of nuisances on property at 1401 Cansler Avenue in District 3, which was tabled for 30 days on December 12, was presented for consideration. Upon recommendation of the Building Official, Councilman Worthy moved to table the resolution an additional 30 days. The motion was seconded by Councilman Echols and unanimously carried.

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 1302 Carolina Avenue, Marcia E. Hardney and Alabama Corporation being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in November, no improvements have been made since procedures began in July 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-19-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1302 Carolina Avenue - District 1 - Marcia E. Hardney; Alabama Corporation)

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 assessing a nuisance abatement lien on property at 305 S. 14th Street, the State of Alabama and certain rights of redemption of all parties as identified in the Estate of Tommie Graves, Jr. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-20-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,291.40 - 305 S. 14th Street - District 3 - State of Alabama; Certain rights of redemption of all parties as identified in the Estate of Tommie Graves, Jr.)

Councilman Worthy 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 1325 Alabama Street, the State of Alabama and Terrance L. Taylor being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-21-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,291.40 - 1325 Alabama Street - District 3 - State of Alabama; Terrance L. Taylor)

Councilman Worthy 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 1327 Alabama Street, Robert & Ronald Sisson, c/o Damian Properties, LLC, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-22-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,491.40 - 1327 Alabama Street - District 3 - Robert & Ronald Sisson, c/o Damian Properties, LLC)

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 assessing a nuisance abatement lien on property at 1339 Forrest Avenue, FNA NP, LLC and Robert Spurling being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-23-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,491.40 - 1339 Forrest Avenue - District 3 - FNA NP, LLC; Robert Spurling)

Councilman Worthy 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 1507 Garfield Avenue, the State of Alabama, Estate of Edith Estes (heir Tina Cox) being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-24-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,041.40 - 1507 Garfield Avenue - District 5 - State of Alabama; Estate of Edith Estes, heir Tina Cox)

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

(7) The floor was opened to allow anyone to speak for or in opposition to a resolution approving issuance of alcoholic beverage license to Lindeen and Associates, d/b/a Sugar Moon, at 210 Locust Street. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-25-18

APPROVING ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Lindeen and Associates, LLC, - Sugar Moon - 210 Locust Street - Restaurant Retail Liquor License)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-26-18

APPOINTING MEMBERS TO
GADSDEN AIRPORT AUTHORITY

(Appointing Jonathan M. Welch to replace Fred Sington, Jr. for term expiring 7-31-21 - Reappointing Jackie Ragland and Robert Turk for terms expiring 7-31-23)

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

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

RESOLUTION NO. R-27-18

REAPPOINTING MEMBERS TO GADSDEN
COMMERCIAL DEVELOPMENT AUTHORITY

(Appointing Eric Wright to replace Carver Boynton for term expiring 12-31-18 - Reappointing Keith Lyles, Scott Hindsman, Christie Knowles, and Wayne Hollar for terms expiring 12-31-20)

Councilman Echols moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles and adopted by the following vote:

AYES: Toles, Williams, Worthy, Echols, Reed

NAYS: Billingsley

NEW BUSINESS

(1) President Williams introduced the following resolution in writing for consideration:

RESOLUTION NO. R-28-18

OPPOSING PROPOSED BILL REGARDING ELECTION OF
GADSDEN CITY BOARD OF EDUCATION

(Opposing Bill proposed by Representative Mack Butler regarding Election of Gadsden City Board of Education, in particular the provision calling for an eighth at-large member - Note: Bill provides for an authorizing referendum election and proposes a board of seven members elected from City Council districts and one member elected at large to serve as chair)

President Williams and Councilmen Worthy, Echols, Billingsley and Reed expressed support for the people's right to vote on this matter. Councilmen Echols and Billingsley said they personally oppose an elected board. Councilman Reed said he feels the intent of this resolution will be misunderstood.

Councilmen Billingsley and Worthy expressed frustration that the Representative didn't discuss the issue with the Council before proposing a bill affecting citizens he doesn't represent. President Williams pointed out the main difference between this bill and the 2008 referendum is the eighth member to be elected at large. He said he feels both were motivated by race and as a minority, he comes from a place of skepticism concerning politics in Alabama. Councilman Worthy agreed that the bill is designed to "flip" the racial make-up of the board. He added the school board could have addressed the superintendent issue better through communication and suggested consolidating the three existing school boards into one.

President Williams received unanimous consent to immediately consider the resolution as an item of new business. President Williams moved to adopt the resolution, which motion was seconded by Councilman Echols and adopted by the following vote:

AYES: Toles, Williams, Worthy, Echols

NAYS: Billingsley

ABSTENTIONS: Reed

COUNCIL REMARKS

Councilwoman Toles announced a District 1 meeting at 5 p.m. on January 22, at the Paden Baptist Church. She noted today's groundbreaking ceremony for the East Gadsden Community Center had been postponed.

President Williams complimented yesterday's celebration honoring Dr. Martin Luther King, Jr. He announced changes in the garbage collection schedule due to observation of the holiday. President Williams stated there will be no work session or council meeting on January 23, due to the Alabama League legislative event in Montgomery.

Councilman Worthy encouraged citizens to stay off the road during the winter weather advisory and to check on the welfare of their neighbors.

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

Iva Nelson, City Clerk (1-16-2018)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JANUARY 23, 2018 - 2:00 P.M.

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

Bid No. 3366 - Construction of Cell 3 City of Gadsden Construction and Demolition Landfill	
Atlantis Commercial Group	\$1,193,778.00
T&K Construction	\$1,877,961.95
Wright Brothers Construction	\$1,325,025.00
Century Construction	\$1,260,000.00

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