

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JANUARY 21, 2020 - 11:00 A.M.

The City Council met on January 21, 2020, in regular session.

The meeting was called to order at 11:00 a.m. by Council President Toles. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Toles, Williams, Worthy, Back, Wilson, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Jeramy Ward, Lee Roberts and Chief Jaggears were also present.

The invocation was given by Brian Harbison.

The minutes of the Public Safety Committee, Work Session, and Council meeting held on January 14, 2020, were approved by unanimous vote.

Payment of the HTE System accounts for the week of January 10-16, 2020, were ratified by unanimous vote.

#197213-197354	General	\$1,311,927.62
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Mayor Guyton read a proclamation proclaiming January 2020, as “National Mentoring Month” and presented it to Valerie Shannon Pugliese (CEO, Big Brothers Big Sisters of Northeast Alabama).

UNFINISHED BUSINESS

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

ORDINANCE NO. O-02-20

AMENDING CITY CODE SECTION 46-152
REGARDING OPERATION OF HOOKAH BAR

(Amending City Code Section 46-152 - Smoke Free Air Ordinance - Providing exception for operation of Hookah Bar, devoted to serving of Shisha products - Requiring humidor and smoke evacuation system - Establishing minimum age of 21)

Councilman Wilson moved to adopt the ordinance, which motion was seconded by Councilman Worthy and adopted by the following vote:

AYES: Toles, Williams, Worthy, Back, Wilson, Reed

NAYS: Cannon

PUBLIC HEARINGS

President Toles 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 1604 Litchfield Avenue, the State of Alabama, redemption rights of Julia Jemison and/or her heirs if deceased, possible heirs are Mary Jemison, Julia Derico, Benjamin Jemison, James Jemison, Willie Jemison, and Walter Jemison being the last known owners. Mary Jemison, oldest daughter of Julia Jemison, said her two brothers (Walter and Willie Jemison) had been living in the house and she was unaware of its condition. Lee Roberts, City Attorney, advised her the property was sold to the state for delinquent taxes and it would have to be redeemed. Several Council members advised her to determine the cost of paying taxes and bringing the house up to code before investing money into repairs. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2019, and recommended abatement. He added it is adjacent to a church parking lot and people have been seen going in and out of the house. President Toles advised Ms. Jemison to contact Mr. Harbison if she wishes to redeem the property and pursue bringing it into compliance. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-11-20

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1604 Litchfield Avenue - District 1 - State of Alabama; Redemption rights of Julia Jemison and/or her heirs if deceased, possible heirs are Mary Jemison, Julia Derico, Benjamin Jemison, James Jemison, Willie Jemison, and Walter Jemison)

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

(2) President Toles announced that no action was necessary regarding 1311 Goodyear Avenue in District 2, as the nuisance has been abated by the owner.

(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 304 E. Chestnut Street, Emad Suleiman, Gadsden Venture, Inc., c/o The Nolen Co., Emad Suleiman, c/o The Nolen Co. being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2019, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-12-20

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 304 E. Chestnut Street - District 4 - Emad Suleiman; Gadsden Venture, Inc., c/o The Nolen Co.; Emad Suleiman, c/o The Nolen Co.)

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

(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 1126 South 11th Street in District 5, Anitra L. McClain, Vincent and Karen Lavelly being the last known owners. Based on improvements, Brian Harbison, Building Inspector, recommended a 30 day extension. Anitra McClain described work she has done since purchasing the property approximately a year ago. She pointed out some of the required repairs cannot be done until after certain items are completed. Councilman Wilson advised Ms. McClain to stay in touch with Mr. Harbison. He then moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(5) President Toles announced that no action will be taken regarding 2308 Scenic Drive in District 7, as the property has a new owner.

(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 112 21st Street North, Christopher E. Ford, John D. Williams, and 1st Franklin Financial Corporation being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-13-20

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,841.40 - 112 21st Street North - District 1 - Christopher E. Ford; John D. Williams; 1st Franklin Financial Corporation)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Back 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 212 Keeling Road, the Estates of Jordan Russell and Lizzie Russell, Evelyn Russell, and a certain mortgage in favor of the City of Gadsden being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-14-20

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,241.40 - 212 Keeling Road - District 1 - Estates of Jordan Russell and Lizzie Russell; Evelyn Russell; Certain mortgage in favor of City of Gadsden)

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

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 205 New York Avenue, Ronald Edward Jenkins, Celesta Anjela and Diamond Rhodes being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-15-20

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,616.40 - 205 New York Avenue - District 1 - Ronald Edward Jenkins; Celesta Anjela and Diamond Rhodes)

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

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 207 New York Avenue, FNA NP, LLC, rights of redemption of Joseph Michael Giles, and the State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-16-20

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,091.40 - 207 New York Avenue - District 1 -FNA NP, LLC; Rights of redemption of Joseph Michael Giles; State of Alabama)

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

(10) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 217 Morningview Drive, Willie Bell Kirkland and/or her heirs if deceased being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-17-20

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,391.40 - 217 Morningview Drive - District 2 -Willie Bell Kirkland and/or her heirs if deceased)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-18-20

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$3,800.00 - For Pandora's Box to perform at Mort Glosser Amphitheater on June 5, 2020)

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

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

RESOLUTION NO. R-19-20

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$3,000.00 - For All My Rowdy Friends-Hank Williams Jr. Tribute to perform at Mort Glosser Amphitheater on July 3, 2020)

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

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

RESOLUTION NO. R-20-20

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$4,000.00 - For Dr. Zarr's Amazing Funk Monster to perform at Mort Glosser Amphitheater on September 4, 2020)

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

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

RESOLUTION NO. R-21-20

AUTHORIZING GADSDEN MUSIC SERIES AGREEMENT

(Authorizing Agreement - LRY Media Group (LRYMG) - For Gadsden Music Series events to be held at The Venue at Coosa Landing - \$10,000.00 per performance - Note: City will receive \$2.00 from each ticket sale)

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

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

RESOLUTION NO. R-22-20

AUTHORIZING AGREEMENT WITH
FLW, LLC AND GREATER GADSDEN AREA TOURISM

(Authorizing Agreement - FLW, LLC, and Greater Gadsden Area Tourism - To sponsor fishing tournament, FLW Series Qualifying Event, on May 7-9, 2020 - Note: Tourism will pay sponsorship fee, amount to be determined by number of boats)

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

DEPARTMENT REPORTS

Renza Avery expressed appreciation for the Mayor and Council’s support of the Gadsden City High School bowling teams and announced the boys team won third place in the regional tournament and qualified to compete in the upcoming state tournament.

MAYOR AND COUNCIL REMARKS

Councilman Reed noted ordinances regarding tethering of animals are being finalized and will be presented in the next couple of weeks. He commented on littering and encouraged residents to organize clean-up efforts in their neighborhood.

Councilman Cannon reminded citizens to separate limbs from leaves, which will streamline the collection process, and to call public works for special collection of bagged leaves.

Councilman Wilson said a constituent had expressed a desire to open a hookah bar, which is a popular business in other cities. He commented on the music series agreement with a third party to secure noteworthy performers. Councilman Wilson congratulated the bowling team, as well as Dillon Machen, who has qualified for a national climbing competition.

Councilman Back thanked public works employees for swift action in clearing downed trees and clogged drains in the recent rain event. He congratulated McCain Foster, who placed in the top eight of the Distinguished Young Woman competition.

Councilman Worthy complimented the keynote speakers and performers of the Martin Luther King programs hosted by WMGJ and Gadsden Empowerment Initiative. Councilman Williams complimented the play presented and said he was glad to see local celebrations.

Councilman Williams pointed out the City is unlikely to recoup the cost of demolition liens adopted today, which total over \$14,000. He thanked regular attenders of council meetings and displayed an educational pamphlet prepared by the Alabama League of Municipalities for local government. Councilman Williams called attention to proposed State bills on small cell, medical marijuana and sludge dumping that could have detrimental effects on municipalities. He recognized his mother, Yvette, who was present, and wished his father a happy birthday.

Mayor Guyton agreed with the need to pay attention to State legislation and encouraged citizens to report anyone they see dumping.

President Toles announced a District 1 meeting on January 27. She complimented Curlie DeRamus and Larry Avery for their work in the community and urged others to get involved.

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

Iva Nelson, City Clerk (1-21-2020)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JANUARY 21, 2020 - 2:00 P.M.

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

Bid No. 3426 - Amphitheater Drainage Repair Project

CB&A Construction	\$52,387.47
James E. Watts and Sons	\$75,000.00

Copies of the bids will be forwarded to the City Engineer, who will make a recommendation to the Council.
