

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
FEBRUARY 26, 2019 - 11:00 A.M.

The City Council met on February 26, 2019, 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. Heath Williamson, Lee Roberts and Chief Jaggears were also present. Mayor Guyton was absent.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on February 19, 2019, were approved by unanimous vote.

Payment of the HTE System accounts for the week of February 15- 21, 2019 were ratified by unanimous vote.

#189103-189245 General \$893,766.64

On behalf of Mayor Guyton, Shane Ellison read a proclamation proclaiming March 2019, as “Gadsden Fire Fighter Appreciation Month” and presented it to Chief Carroll, Jonathan Davis and John Nelson. Ashley Bryant and her son, Levi, were present, along with Katherine Shivers (North/Central Alabama Chapter of the Muscular Dystrophy Association). Chief Carroll expressed appreciation for the department’s opportunity to participate in fund-raising activities.

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 324 Greenwood Avenue, Jesse D. James and Robert Tyler James being the last known owners. Jesse James acknowledged an accumulation of items are present and said he intends to clean up the property when it dries. Brian Harbison, Building Inspector, stated no improvements have been made in this debris, trash and vehicle case since procedures began in March 2018. He noted a July municipal court case did not remedy the situation, and recommended abatement. President Toles advised Mr. James he may still have 30 days or so to clean up before City crews arrive. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-65-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 324 Greenwood Avenue - District 1 - Jesse D. James; Robert Tyler James)

<p>Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p>(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 315 Brandon Street, the State of Alabama and Floyd Wayne Holderfield, c/o D.R. Maroney, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made in this case involving trash, debris, and a fallen tree since procedures began in September 2018, and recommended abatement. The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-66-19</u> ORDERING ABATEMENT OF NUISANCE</p>
<p>(Ordering Abatement of Nuisance - 315 Brandon Street - District 2 - State of Alabama; Floyd Wayne Holderfield, c/o D.R. Maroney)</p>
<p>Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p>(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 311 Morningview Drive, the State of Alabama and possible rights of redemption of the Estate of Jimmie R. Beitel, a/k/a J. R. Beitel, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2018, and recommended abatement. The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-67-19</u> ORDERING ABATEMENT OF NUISANCE</p>
<p>(Ordering Abatement of Nuisance - 311 Morningview Drive - District 2 - State of Alabama; possible rights of redemption of the Estate of Jimmie R. Beitel, a/k/a J. R. Beitel)</p>
<p>Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy and unanimously adopted.</p>
<p>(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 1109 Wood Avenue, Wheeler Billingsley Jr. and Kathy Lee, or their heirs if deceased, being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in August, no improvements have been made since procedures began in April 2018, and recommended abatement. The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-68-19</u> ORDERING ABATEMENT OF NUISANCE</p>
<p>(Ordering Abatement of Nuisance - 1109 Wood Avenue - District 3 - Wheeler Billingsley Jr. and Kathy Lee, or their heirs if deceased)</p>

<p>Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p>(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 1109 Peachtree Street, the State of Alabama and rights of redemption for Sussan Shabani being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made on this garage apartment since procedures began in May 2018, and recommended abatement. In response to Councilman Wilson’s inquiry, Mr. Harbison advised that rehabilitation will be considered but is not likely. The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-69-19</u></p> <p style="text-align: center;">ORDERING ABATEMENT OF NUISANCE</p>
<p>(Ordering Abatement of Nuisance - 1109 Peachtree Street - District 5 - State of Alabama; Rights of redemption for Sussan Shabani)</p>
<p>Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p>(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 1613 Cooper Street, the State of Alabama, Bill R. Brown, and James F. Johnson being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-70-19</u></p> <p style="text-align: center;">ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY</p>
<p>(Assessing Nuisance Abatement Lien for Demolition - \$4,241.40 - 1613 Cooper Street - District 5 - State of Alabama; Bill R. Brown; and James F. Johnson)</p>
<p>Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p><u>RESOLUTION PRESENTED FOR CONSIDERATION</u></p> <p>(1) The following resolution was introduced in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-71-19</u></p> <p style="text-align: center;">AUTHORIZING AGREEMENT WITH COOSA RIVER TRAIL TEAM</p>
<p>(Authorizing Agreement - Coosa River Team Trail - \$12,500.00 - Sponsorship for 4 fishing tournaments in 2019, to be held from March to - To direct and run City of Gadsden Super Tournament on April 6, 2019)</p>

<p>Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon and unanimously adopted.</p>
<p><u>NEW BUSINESS</u></p> <p>(1) Councilman Back introduced the following resolution in writing for consideration:</p>
<p style="text-align: center;">RESOLUTION NO. <u>R-72-19</u></p> <p style="text-align: center;">AUTHORIZING A SPECIAL USE PERMIT FOR AT&T</p>
<p>(Authorizing Special Use Permit - AT&T - To modify equipment at existing wireless telecommunication facility at 1212 Scenic Drive)</p>
<p>President Toles received unanimous consent to immediately consider the resolution as an item of new business. Councilman Back moved to adopt the resolution, which motion was seconded by Councilman Worthy and unanimously adopted.</p>
<p><u>PUBLIC</u></p> <p>Etowah County Legislative Delegation members were present and addressed the Council. Representative Becky Nordgren (District 29) noted she was first elected in 2010 and expressed her desire to form an alliance between city, county and state government.</p>
<p>Representative Gil Isbell (District 28) pledged his support for working with city officials.</p>
<p>Representative Craig Lipscomb (District 30) requested the city to consider an investment to introduce rainbow trout into the Noccalula Falls watershed. He cited Helen, Georgia, noting this area has similar characteristics and would provide an excellent opportunity for eco tourism. He suggested formation of a subcommittee with three members from the local fly fishing club to give practical input. In response to President Toles' inquiry, Rep. Lipscomb said the Mayor's office and Parks and Recreation Department have expressed support. Councilman Wilson commended the idea.</p>
<p>Senator Andrew Jones (District 10) also expressed support for working together and noted upcoming issues, including a lottery bill, prison reform, and infrastructure funding, with a potential gas tax bill. He said projects for I-759, Highway 77 and Highway 411 are a top priority. Senator Jones referred to a meeting with Sheriff Horton at noon today and noted the delegation will have offices in the Etowah County Courthouse.</p>
<p><u>MAYOR AND COUNCIL REMARKS</u></p> <p>President Toles and Council members expressed appreciation to the delegation for coming and expressed support for collaborating to improve the entire community. Councilman Williams said he favors setting aside matching funds for transportation projects and expressed concern that the state doesn't share in the cost of maintaining its properties. He added the city's cost of constructing and maintaining streets is higher than in unincorporated areas. Councilman Cannon encouraged them to consult with city officials before introducing local bills. Councilmen Worthy and Back cited joint efforts with county commissioners.</p>

Councilman Back reported on last Monday's District 4 meeting and thanked City employees who were present to provide information.

Councilman Wilson announced tonight's District 5 meeting at the Gadsden Public Library. He provided information concerning his response to several inquiries made by constituents.

President Toles announced the President of Alabama A&M University will present scholarships to Gadsden City High School students at 10:30 a.m. on Friday, March 1.

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

Iva Nelson, City Clerk (2-26-2019)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
FEBRUARY 26, 2019 - 2:00 P.M.
The Assistant City Clerk received bid proposals as advertised for the following bids:

Bid No. 3396 - Broad Street Roof Top Lighting Project
A&S Electrical Contractors, Inc. \$188,000.00
Fred Dempsey Construction LLC \$126,941.00

Bid No. 3397 - Finished Traffic Signs (NEAPA)
G & C Supply Co., Inc. Unit Prices
Lightle Enterprises of Ohio, LLC Unit Prices
Osburn Associates Inc. Unit Prices
Traffic Signs Inc. Unit Prices
Vulcan Inc., d/b/a Vulcan Signs Unit Prices

Bid No. 3398 - Unfinished Traffic Signs & Sign Posts (NEAPA)
G&C Supply Co., Inc. Unit Prices
Lightle Enterprises of Ohio, LLC Unit Prices
Osburn Associates Inc. Unit Prices
Traffic Signs, Inc. Unit Prices
Vulcan Inc., d/b/a Vulcan Signs Unit Prices

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