

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MARCH 20, 2019 - 11:00 A.M.

The City Council met on March 20, 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, Cannon and Reed. Councilman Wilson 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.

The minutes of the Public Works Committee, Work Session, and Council meeting held on March 5, 2019, and the special called meeting held on March 14, 2019, were approved by unanimous vote.

Payment of the HTE System accounts for the weeks of March 1- March 14, 2019 were ratified by unanimous vote.

#189384-189617	General	\$1,077,775.89
#189618-189821	General	\$1,564,553.61

Coach Cory Walker and members of the Gadsden City Thunder basketball team (Parks and Recreation team, 10 and under) were recognized and congratulated for winning the District and State Championships for the second year in a row.

UNFINISHED BUSINESS

The following ordinance, which was introduced for first reading on March 5, was presented for consideration:

ORDINANCE NO. O-09-19

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing conveyance of property - 911 Vinson Avenue - District 2 - Lots 27-29, Block 3, Tommie Vinson Addition to Eastview - Craig Ford - \$854.00 - Note: Sealed bids were accepted)

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

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 2208 E. Broad Street in District 1, Adolph Jenkins and Bobbie Jenkins being the last known owners. Based on recent improvements, Brian Harbison, Building Inspector, recommended a 30-day extension. Councilman Williams moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(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 4 Coolidge Circle, the State of Alabama, rights of redemption of Dennis Gewalt, The Gadsden Corporation, and First Federal Savings being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-84-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 4 Coolidge Circle - District 6 - State of Alabama; rights of redemption of Dennis Gewalt; The Gadsden Corporation; First Federal Savings)

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

(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 2809 Forrest Avenue, Nichole Jackson Clarke being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-85-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2809 Forrest Avenue - District 6 - Nichole Jackson Clarke)

Councilman Cannon 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 2332 Norris Avenue, Federal Home Loan Mortgage Corporation, possible rights of redemption Vickie Calhoun, possible life estate rights in M. L. Moore, Mortgage Electronic Registration Systems, Inc., as nominee for Nationstar Mortgage, LLC 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:

RESOLUTION NO. R-86-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2332 Norris Avenue - District 6 - Federal Home Loan Mortgage Corporation; Possible rights of redemption of Vickie Calhoun; Possible life estate rights in M. L. Moore; Mortgage Electronic Registration Systems, Inc., as nominee for Nationstar Mortgage, LLC)

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

(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 2334 Norris Avenue, Federal Home Loan Mortgage Corporation, possible rights of redemption Vickie Calhoun, possible life estate rights in M. L. Moore, Mortgage Electronic Registration Systems, Inc., as nominee for Nationstar Mortgage, LLC 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:

RESOLUTION NO. R-87-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2334 Norris Avenue - District 6 - Federal Home Loan Mortgage Corporation; Possible rights of redemption of Vickie Calhoun; Possible life estate rights in M. L. Moore; Mortgage Electronic Registration Systems, Inc., as nominee for Nationstar Mortgage, LLC)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 411 Evans Street, the State of Alabama, Martha Anderson, and Martha Anderson, c/o Denise Anderson, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-88-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,416.40 - 411 Evans Street - District 3 - State of Alabama; Martha Anderson; Martha Anderson, c/o Denise Anderson)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Williams 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 1830 Elwyn Avenue, the State of Alabama, certain rights of redemption of Tony Lee Leath and the heirs of Tony Lee Leath, Tony Lee Leath, c/o Claude Ash, Jr., and James and Glenda Pearson being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-89-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,641.40 - 1830 Elwyn Avenue - District 5 - State of Alabama; Tony Lee Leath; Heirs of Tony Lee Leath; Tony Lee Leath, c/o Claude Ash, Jr.; James and Glenda Pearson)

Councilman Williams 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 2200 Sansom Avenue, Bessie J. Kimble being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-90-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,366.40 - 2200 Sansom Avenue - District 6 - Bessie J. Kimble)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Back 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 2216 Sansom Avenue, Floyd Stephen Whiteside and wife, Brenda C. Whiteside, 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-91-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,641.40 - 2216 Sansom Avenue - District 6 - Floyd Stephen Whiteside and wife, Brenda C. Whiteside; State of Alabama)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Williams 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 104 S. 23<sup>rd</sup> Street, the State of Alabama and certain rights of redemption of the Estate of Mike Dutton and Sherry Dutton being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-92-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,741.40 - 104 S. 23<sup>rd</sup> Street - District 6 - State of Alabama; Certain rights of redemption of the Estate of Mike Dutton and Sherry Dutton)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-93-19

APPOINTING ELECTION OFFICERS

(Appointing poll workers for Special Election on April 9, 2019, and Runoff Election on May 21, 2019, if necessary - Authorizing use of 16 DS200 electronic vote counters - For purpose of electing Gadsden City Board of Education members)

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

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

RESOLUTION NO. R-94-19

AUTHORIZING CHANGE ORDER #2  
WITH HUDAK CONSTRUCTION CO. INC.

(Authorizing Change Order Number 2 - Bid No. 3380 for Community Center renovations projects, Phase 2 - Additional \$42,080.16 for reconciliation of all additions and deletions to the contract - Adjusting contract with Hudak Construction Company, Inc. to \$1,147,640.16)

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

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

RESOLUTION NO. R-95-19

AUTHORIZING AGREEMENT FOR  
SMOKE ON THE FALLS ENTERTAINMENT

(Authorizing Agreement - Crescent Moon - \$900.00 - For Parrothead Paradise to perform at Smoke on the Falls on April 13, 2019)

Councilman Cannon 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-96-19

AUTHORIZING AGREEMENT  
FOR SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$5,000.00 - For A1A to perform at Summer Concert at Amphitheater on June 7, 2019)

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

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

RESOLUTION NO. R-97-19

AUTHORIZING AGREEMENT  
FOR SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$2,220.00 - For The Reckless to perform at Summer Concert at Amphitheater on July 5, 2019)

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

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

RESOLUTION NO. R-98-19

AUTHORIZING AGREEMENT  
FOR SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$5,000.00 - For AZ-IZZ to perform at Summer Concert at Amphitheater on August 2, 2019)

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

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

RESOLUTION NO. R-99-19

AUTHORIZING AGREEMENT  
FOR SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$3,700.00 - For U.S. to perform at Summer Concert at Amphitheater on September 6, 2019)

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

PUBLIC

Joseph Cole commended Shane Ellison (Mayor's Administrative Assistant) for his help in preventing a lawsuit and two EEOC actions regarding employment issues, as well as providing information regarding minority contractors. He said a fire department program has been established at Gadsden City High School and meetings are set to discuss a police department program. Mr. Cole reiterated the need to raise salaries for both departments, including entry level positions, by \$5,000 to assist in attracting and retaining qualified employees.

MAYOR AND COUNCIL REMARKS

Councilman Cannon expressed appreciation to Mr. Cole for his kindness fifty years ago when refereeing a basketball game he played in at Drake Elementary School. Councilman Williams acknowledged shortages in the police and fire departments, as well as the need to review the salary issue. Councilman Back said he will look at his request. Mayor Guyton expressed support for police and fire employees, noting eleven raises had been given during his tenure and benefits include 80% of health insurance premiums and take-home cars.

Councilman Back reported on yesterday's Alabama League of Municipalities Legislative Day meetings in Montgomery. President Williams reviewed issues discussed in Montgomery, as well as the National League of Cities meeting in Washington, DC, including gas tax, on-line sales tax, competitive grants, and tax exempt status of municipal bonds. He stated the need to engage young people in local government, noting there is interest in establishing youth councils interest around the state.

President Toles expressed support for the comments of her fellow Council members and welcomed Chatmon Sturdivant back after a long absence due to health issues.

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

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Iva Nelson, City Clerk (3-20-2019)

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FOURTH FLOOR CONFERENCE ROOM - BID OPENING  
MARCH 19, 2019 - 2:00 P.M.

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

Bid No. 3399 - Mitchell Community Center Re-Roofing Project

	<u>Total Base Bid</u>	<u>Total with Alternate</u>
Construction Specialty Associates	\$82,050.00	\$94,950.00
Alabama Roofing & Sheet Metal Co. Inc.	\$86,000.00	\$98,615.00
Willoughby Roofing & Sheet Metal, Inc.	\$94,330.00	\$104,565.00
GKL Companies, Inc.	\$101,141.00	\$116,845.00
Mid-Western Commercial Roofers, Inc.	\$102,720.00	\$114,720.00

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

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