

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
APRIL 24, 2018 - 11:00 A.M.

The City Council met on April 24, 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, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts, and Captain Entrekin were also present.

The invocation was given by Adrian Cox, Youth In Government Day student.

The minutes of the Community Development Committee, Education/Recreation Committee, Work Session and Council meetings held on April 17, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 13 - 19, 2018 were ratified by unanimous vote.

#181615 - #181786	General	\$1,304,973.13
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Mayor Guyton read a proclamation proclaiming May 1, 2018, as Clarice Harrell Robinson Day, in honor of her retirement from the City of Gadsden, and presented it to her. Mrs. Robinson reminisced about being hired and her service of thirty-six years and nine months. The Mayor and President Williams joined in commending her and expressing congratulations.

Mayor Guyton read a proclamation proclaiming April 2018, as Donate Life Month and presented it to Becky Davis (Alabama Organ Center).

David Elliott, Emergency Management Agency, referred to National Volunteer Appreciation during the month of April and reported on clean-up and recovery efforts from the tornadoes in Southside and Rainbow City on March 19. He presented a certificate to long-time volunteer Chatmon Sturdivant and announced an annual award to be given in his honor. The first "Chatmon Sturdivant" award was presented to Magnum Waldrop.

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 1000 Penny Street, the State of Alabama, subject to the possible rights of redemption by Ryan Gauthier, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made to this burned house since procedures began in January 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-163-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1000 Penny Street - District 3 - State of Alabama, subject to the possible rights of redemption by Ryan Gauthier)

Councilman Worthy 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 911 S. 15<sup>th</sup> Street, the State of Alabama, subject to the possible rights of redemption by Rodney Wright, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-164-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 911 S. 15<sup>th</sup> Street - District 5 -State of Alabama, subject to the possible rights of redemption by Rodney Wright)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 3515 Georgia Avenue, Joe W. Ramey, Amy Ramey & Regional Land Development, LLC being the last known owners. 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-165-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3515 Georgia Avenue - District 6 - Joe W. Ramey and wife, Amy Ramey; Regional Land Development, LLC)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley and adopted by the following vote:

AYES: Toles, Williams, Echols, Billingsley, Cannon, Reed

NAYS: Worthy

Councilman Worthy expressed opposition to ordering abatement due to the good appearance of the structure. Councilman Cannon explained the negative results experienced from other vacant houses in his district. Brian Harbison said demolition is not expected, pointing out the possibility of rehabilitation is considered for every case. Councilman Worthy withdrew his negative vote and the resolution was adopted by unanimous vote.

President Williams said the City doesn't seek ownership of private property but must intervene when owners don't maintain it. Councilwoman Toles said the Council has a responsibility to keep neighborhoods safe and clean. Councilman Cannon pointed out the length of time that owners have before the cases come before the Council.

(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 1104 Hurst Street, Jessie Lee, Frankie D. Vines, and Grapevines Enterprises, LLC being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-166-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,666.40 - 1104 Hurst Street - District 3 - Jessie Lee Vines; Frankie D. Vines; Grapevines Enterprises, 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 1106 Hurst Street, Ollie Mae Williams, c/o Jacqueline Belcher being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-167-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,391.40 - 1106 Hurst Street - District 3 - Ollie Mae Williams, c/o Jacqueline Belcher)

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 340 10<sup>th</sup> Street North, the State of Alabama and Mabileain Minton (with possible rights of redemption) being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-168-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$131.00 - 340 10<sup>th</sup> Street North - District 2 - State of Alabama; Mabileain Minton, possible rights of redemption)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 935 1<sup>st</sup> Avenue, One Prime, LLC and Linda Leach Thomsen being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-169-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$131.00 - 935 1<sup>st</sup> Avenue - District 3 - One Prime, LLC; Linda Leach Thomsen)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 906 North 8<sup>th</sup> Street, the State of Alabama and Willie James Croft, with possible rights of redemption, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-170-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$191.00 - 906 North 8<sup>th</sup> Street - District 3 - State of Alabama; Willie James Croft, with possible rights of redemption)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 807 South 6<sup>th</sup> Street, FNA Alabama, LLC and Brenda Louise Downing, with possible rights of redemption, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-171-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$131.00 - 807 South 6<sup>th</sup> Street - District 5 - FNA Alabama, LLC; Brenda Louise Downing, with possible rights of redemption)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 420 North 9<sup>th</sup> Street, the State of Alabama and Tazan Edwards Jr., with possible rights of redemption, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-172-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$311.00 - 420 North 9<sup>th</sup> Street - District 3 -State of Alabama; Tazan Edwards Jr., with possible rights of redemption)

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

(11) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 422 North 9<sup>th</sup> Street, Quik Finance, Inc. and Tonya F. Porter being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-173-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$191.00 - 422 North 9<sup>th</sup> Street - District 3 - Quik Finance, Inc.; Tonya F. Porter)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-174-18

AWARDING BID NO. 3378

(Awarding Bid # 3378 - Field Lighting at Various Soccer Fields at Gadsden State Community College - Littleton Electric Service, Inc. - \$318,500.00)

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-175-18

AUTHORIZING THE BUILDING DEPARTMENT TO ESTABLISH AN EARLY PAYMENT PLAN SCHEDULE FOR NUISANCE ABATEMENT LIENS

(Authorizing Early Payment Plan Schedule for Demolition Liens - Accepting 50% for one-time payment by check or cash; Accepting 75% for 12 equal monthly payments; Accepting 92.5% for 24 equal monthly payments; Accepting 100% for 36 equal monthly payments)

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 resolution in writing for consideration:

RESOLUTION NO. R-176-18

AUTHORIZING AMENDMENT TO AGREEMENT  
WITH CDG ENGINEERS & ASSOCIATES, INC.

(Amending Agreement - CDG Engineers & Associates, Inc. - Regarding the resurfacing of South 11<sup>th</sup> Street, from Randall Street to Forrest Avenue - \$128,600.00 for additional design and construction engineering and inspection services - To incorporate replacement of deteriorated cast iron water main into the project - Note: Gadsden Water Works & Sewer Board agreed to reimburse \$69,500.00)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Billingsley moved to adopt the resolution, which motion was seconded by Councilwoman Toles and unanimously adopted.

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

RESOLUTION NO. R-177-18

AUTHORIZING ACCEPTANCE OF RIGHT-OF-WAY EASEMENT TRACT NO. 1  
AND TEMPORARY CONSTRUCTION EASEMENT TRACT NO. 1  
FROM GADSDEN CITY BOARD OF EDUCATION

(Accepting Conveyance of Right-of-Way and Temporary Construction Easement from Gadsden City Board of Education - For South 11<sup>th</sup> Street Widening and Resurfacing Project, from Black Creek Parkway to Piedmont Avenue)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Billingsley moved to adopt the resolution, which motion was seconded by Councilwoman Toles and unanimously adopted.

(4) Councilman Cannon introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-10-18

AMENDING COMMUNITY DEVELOPMENT BLOCK GRANT  
FISCAL YEAR 2017 BUDGET AND  
AMENDING CITY'S FISCAL YEAR 2018 BUDGET

(Transferring \$330,933.00 from FY2014 CDBG undesignated funds to Street Improvements line item of FY2017 CDBG Budget - Amending City's FY2018 Operating Budget to reflect appropriation in HUD account)

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

AYES: Toles, Williams, Worthy, Echols, Billingsley, Cannon, Reed

NAYS: None

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

### DEPARTMENT REPORTS

Kay Moore (Downtown Gadsden, Inc.) announced this weekend's free concert at Coosa Landing and thanked organizers Steve Gilbert and Robert Smith, as well as sponsors.

Renee Baker, Community Development Planner, reminded the public about the Emergency Housing Repair Program, which helps to keep qualified homeowners in their homes.

### PUBLIC

With consent of the Council, Billy Harris announced NAACP's forum at 6 p.m. on Thursday, noting education system representatives will be present to discuss safety issues for schools within Etowah County.

### MAYOR AND COUNCIL REMARKS

The Mayor and Council joined in welcoming Youth in Government students from Gadsden City High School and commended their sponsor, Ernestina Cady-Hardrick. Councilman Cannon thanked Jack's, Cothran's Bakery and Popeyes for donation of breakfast food.

Mayor Guyton announced the Greater Gadsden Housing Authority's Esteem Banquet on May 3.

Councilwoman Toles announced a District 1 meeting at 6 p.m. on April 30, at the Antioch Family Life Center. She commended Chatmon Sturdivant for his support of the community, including caring for Hughley Park.

Councilmen Worthy and Billingsley and President Williams joined in complimenting last weekend's Old School event and its organizer, Anthony Treadwell.

Councilman Billingsley noted the S. 11<sup>th</sup> Street resurfacing project was begun by the previous council and is benefitted by the additional one-cent sales tax.

Councilman Cannon announced Thursday's Libertarian Party forum for candidates at the Elliott Community Center.

Councilman Reed thanked everyone who participated in yesterday's Patriot Association golf tournament, stating proceeds are used for the Ola Lee Mize Patriot Park at Noccalula Falls, flags displayed on public property at the July 4 fireworks presentation.

President Williams recognized Ginny Shaver, who was present. He expressed appreciation for condolences extended at the death of his uncle, Orlando Williams and stressed the importance of cancer screening and prevention measures.

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

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Iva Nelson, City Clerk (04-24-2018)

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