

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MAY 8, 2018 - 11:00 A.M.

The City Council met on May 8, 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: Williams, Worthy, Echols, Billingsley, Cannon and Reed. Councilwoman Toles 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 Brain Harbison.

The minutes of the Public Works Committee, Work Session and Council meetings held on May 1, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 27-May 3, 2018, were ratified by unanimous vote.

#181925 - #182102	General	\$1,095,401.77
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Mayor Guyton read a proclamation proclaiming May 6-13, 2018, as “National Music Week” and presented it to Carol Larkins, Music Club President.

UNFINISHED BUSINESS

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

ORDINANCE NO. O-14-18

ORDINANCE RESCINDING O-11-17  
REGARDING TRANSPORTATION NETWORK COMPANIES

(Rescinding Ordinance No. O-11-17, codified as Sections 126-145 through 126-166 - Relating to Transportation Network Companies, such as Uber, Lyft, etc. - Pursuant to HB190, enacted as Act No. 2018-127, which provided for companies to be governed by Public Service Commission and prohibiting municipalities from imposing taxes or business licenses)

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

(2) A resolution ordering abatement of nuisances on property at 3330 Madison Avenue in District 6, which was tabled for 30 days on April 3, 2018, was presented. President Williams stated no Council action would be necessary, as the nuisance was abated by the owner.

(3) A resolution ordering abatement of nuisances on property at 2812 Scenic Highway in District 7, which was tabled for 30 days on April 3, 2018, was presented. President Williams stated no Council action would be necessary, as the nuisance was abated by the owner.

## 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 1911 Moton Street, the State of Alabama, subject to the possible rights of redemption by the Estates of Al Marbry, Maude Marbry, Ernest Jones, and the Christie Jones Marbry, being the last known owners. 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-184-18

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1911 Moton Street - District 1 - State of Alabama, subject to possible rights of redemption by Estate of Al Marbry, Estate of Maude Marbry, Estate of Ernest Jones, and the Estate of Christie Jones Marbry)

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

(2) President Williams announced that due to a problem with the legal description, the public hearing regarding assessment of nuisance abatement lien on property at 707 Bellview Street in District 3 will be rescheduled for a later date.

(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 200 Lawler Circle, Ernest Johnson 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-185-18

#### ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,641.40 - 200 Lawler Circle - District 3 - Ernest Johnson; State of Alabama)

Councilman Worthy 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 assessing a nuisance abatement lien on property at 908 North 8<sup>th</sup> Street, Jack Lowe, Jr., with possible rights of redemption by the Estate of L.M. Lindsey being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

### RESOLUTION NO. R-186-18

#### ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,166.40 - 908 North 8<sup>th</sup> Street - District 3 - Jack Lowe, Jr.; Possible rights of redemption by Estate of L.M. Lindsey)

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 eleven resolutions assessing liens in the amount of \$131.00 each for grass cutting performed on properties located at 100, 104 and 106 Waterford Place and 102, 104, 106, 108, 110, 112, 114, and 120 Waterford Lane in District 5, Don F. Bradford, Inc. being the last known owner. Don Bradford stated he is the owner of Waterford Place residential development and contracts for mowing services, including a stretch of City property. He said he met his contractor on site the morning of October 25 and returned a few hours later and paid him as he finished the work. Mr. Bradford presented pictures, as well as the cancelled check, and objected to the assessment of any liens. He said he installed water and sewer lines, as well as curb and gutter, and cited developments at other locations he has completed. Pam Luker, Building Department, stated she went to the site on September 5 and observed overgrown grass. She referred to a work order from Public Works indicating the work was done on October 25. In response to Councilman Worthy's inquiry, Ms. Luker stated there are no pictures taken by the City. Councilman Reed referred to Mr. Bradford's evidence and suggested that pictures be taken in future cases. Councilman Billingsley moved to table the eleven resolutions for two weeks, so that a determination can be made. The motion was seconded by Councilman Worthy and unanimously carried.

#### RESOLUTIONS PRESENTED FOR CONSIDERATION

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

##### RESOLUTION NO. R-187-18

##### AWARDING BID NO. 3373 FOR PEG TV SYSTEM EQUIPMENT

(Awarding Bid 3373 - Public/Education/Government TV System components - Encore Broadcast Solutions - \$29,905.00)

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

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

##### RESOLUTION NO. R-188-18

##### AWARDING BID NO. 3379 FOR PAINT AND PAINT SUPPLIES

(Awarding Bid 3379 - Paint and Paint Supplies for Community Development Program - The Sherwin Williams Company - Unit prices)

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

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

RESOLUTION NO. R-189-18

AUTHORIZING APPLICATION AND ACCEPTANCE OF  
THE BUREAU OF JUSTICE ASSISTANCE  
BULLETPROOF VEST PARTNERSHIP (BVP) GRANT

(Authorizing application and acceptance - Two-year grant of \$31,350.00, with City match of \$31,350.00 - The Bureau of Justice Assistance Bulletproof Vest Partnership - For purchase of 66 ballistic vests)

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

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

RESOLUTION NO. R-190-18

AUTHORIZING ACQUISITION OF PROPERTY  
ON WOODLAND DRIVE

(Authorizing property acquisition from Melissa Hossmer Behrens - Woodland Drive, located near Noccalula Falls Campground - Lots 9, 10, 11, and 12 in Forrest Park First Addition to Gadsden - \$6,200.00)

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

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

RESOLUTION NO. R-191-18

AUTHORIZING ACQUISITION OF PROPERTY

(Authorizing property acquisition from Herbert Burton, Executor of Estate of Herbert B. Burton and Power of Attorney for Charlene C. Burton - Woodland Drive, located near Noccalula Falls Campground - Lot 13 in Forrest Park First Addition to Gadsden - \$2,500.00)

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

NEW BUSINESS

(1) Councilman Cannon introduced the following resolution in writing for consideration:

## RESOLUTION NO. R-192-18

### AWARDING BID NO. 3380 FOR COMMUNITY CENTER RENOVATIONS

(Awarding Bid No 3380 - Community Center Renovations, Phase 2 - Former school building located at 2000 W. Meighan Boulevard - Hudak Construction Company - \$1,070,000.00)

President Williams received unanimous consent to immediately consider the resolution as an item of new business. Councilman Cannon noted the center, which is adjacent to the Boys and Girls Club program, will house additional library space, police presence, and the Transportation Department. He then moved to adopt the resolution, which motion was seconded by Councilman Billingsley and unanimously adopted.

### CITIZEN REQUESTS

Joseph Cole requested that an entry level increase be considered for policemen and firemen as the FY2019 budget is formulated, to increase retention. He referred to the City's financial support of the school system and suggested that the City set benchmark goals for the Board of Education. Mr. Cole related positive personal interactions with the Mayor and Council members and requested that bi-racial committee be appointed to address issues in the city.

Traci Pondick (RSVP Director) expressed appreciation for use of the Elliott Community Center for the free tax assistance program and presented the 2017 Volunteer Impact Report. She announced a new "Reading Buddies" program in Gadsden/Attalla/Etowah County school systems.

Robert Smith thanked Kay Moore (Downtown Gadsden, Inc.) And Steve Gilbert (Insurance Facilities) for organizing and securing funding for the second Downtown Music Festival, which was held at Coosa Landing on May 5. He commended various City officials, employees, and departments for their support and assistance, as well as other individuals. President Williams, Mayor Guyton, and Councilman Reed joined in complimenting the free event.

President Williams recognized Yolanda Kimble and asked for the Council's consent for her to speak. Ms. Kimble introduced thirteen students of her management principles class from the career technical education department at Gadsden City High School and highlighted aspects of the program. President Williams commended the students and extended encouragement to them.

### MAYOR AND COUNCIL REMARKS

Councilman Billingsley announced a District 5 meeting at 6 p.m. on May 14 at the Gadsden Public Library.

Councilman Cannon expressed excitement for the coming improvements in Alabama City and praised the former gym renovations, which created space for the Boys and Girls Club.

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

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Iva Nelson, City Clerk (5-8-2018)

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