

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 15, 2018 - 11:00 A.M.

The City Council met on May 15, 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 Chief Jaggars were also present.

The invocation was given by Councilwoman Toles.

The minutes of the last work session and council meeting held on May 8, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 4 - 10, 2018 were ratified by unanimous vote.

#182103 - #182318	General	\$3,282,544.27
-------------------	---------	----------------

Mayor Guyton read a proclamation proclaiming May 2018, as "Mental Health Month" and presented it to Betty Willoughby, Mental Health America.

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 assessing a nuisance abatement lien on property at 401 South 11th Street, Sandra Beck being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-193-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$131.00 - 401 South 11th Street - District 5 - Sandra Beck)

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

(2) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1016 South 12th Street, Spencer Thomas Sr. being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-194-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$131.00 - 1016 South 12th Street - District 5 - Spencer Thomas, Sr.)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-195-18

AUTHORIZING SUPPLEMENTAL AGREEMENT
WITH ALABAMA DEPARTMENT OF TRANSPORTATION

(Authorizing Supplemental Agreement - ALDOT - Estimated cost of \$19,657.99 for City to purchase two traffic signal cabinets, which is approximately 50% of total cost to upgrade traffic operations at two intersections: U.S. 411 & Emerson Street; U.S. 431 & 12th Street - Note: Original agreement was approved by R-358-17)

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

ORDINANCE PRESENTED FOR FIRST READING

An ordinance amending City Code Section 18-122 regarding Electrical Affairs Committee meetings was presented in writing for the first reading. Since no action was taken, the ordinance will be placed on next week's agenda for consideration.

NEW BUSINESS

(1) Councilwoman Toles introduced the following resolution in writing for consideration:

RESOLUTION NO. R-196-18

AUTHORIZING ANNUAL SERVICE AGREEMENT
WITH RACE KREWE TIMING SERVICES

(Authorizing Agreement - Race Krewe Timing Services - Estimated amount of \$5,000.00 - For services related to Barbarian Challenge race at Noccalula Falls Park on 6-16-18)

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 Worthy and unanimously adopted.

(2) Councilman Billingsley introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-15-18

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing conveyance of property at 1321 East Broad Street to Kevin and Sylvia Ferguson for \$12,000.00 - Lots 30-45 in Pathfinder Court - Note: City purchased property from Sandra Jackson in 2003)

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

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

NAYS: None

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

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

RESOLUTION NO. R-197-18

AUTHORIZING CHANGE ORDER #1
WITH STEVEN VAUGHN CONSTRUCTION

(Authorizing Change Order #1 - Bid No. 3356 for construction of East Gadsden Community Center project - Additional \$350,000.00 for elevation errors in original construction plans and to increase contingency funds due to poor subgrade conditions - Adjusting total contract with Steven Vaughn Construction to \$5,850,000.00)

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

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

RESOLUTION NO. R-198-18

AUTHORIZING ACCEPTANCE OF TEMPORARY CONSTRUCTION EASEMENT FROM
ROBERT AND PAMELA BULLOCK

(Authorizing temporary construction easement - For property located at 3431 W. Meighan Boulevard - Providing for City to excavate and determine if nearby culvert replacement should be extended across said property - Note: Relates to Hastings Park area drainage improvements)

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

(5) Councilman Reed introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-16-18

AMENDING CITY CODE ARTICLE III, COLLECTION AND DISPOSAL

(Amending City Code Chapter 106, Article III, Collection and Disposal, by adding Section 106-89, Move-outs and Evictions - Placing responsibility upon landlord and/or property owner for garbage, trash, or other solid waste originating from property during clean-up between tenants - Establishing \$1,000.00 fine - Providing for effective date of 6-15-18)

At the request of Councilman Reed, Mike Hilton (Assistant Public Works Director) explained the ordinance and noted landlords will be contacted before the ordinance goes into effect. He added efforts will be coordinated with the rental inspector and reminded everyone this relates to commercial activity, as opposed to the free service that residents receive.

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

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

NAYS: None

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

(6) Councilman Reed introduced the following resolution in writing for consideration:

RESOLUTION NO. R-199-18

AUTHORIZING CHANGE ORDER #1 WITH BOB SMITH CONSTRUCTION, INC.

(Authorizing Change Order #1 - Bid No. 3359, Black Creek Pedestrian Bridge Project at Nocalula Falls Park - Additional \$40,000.00 to modify existing foundation subgrade found to be unsuitable - Adjusting total contract price with Bob Smith Construction, Inc. to \$460,513.00)

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

DEPARTMENT REPORTS

Mike Hilton (Assistant Public Works Director) provided an update on grass cutting activity, as well as procedures for dealing with overgrown vacant lots. He pointed out residents are responsible for maintaining alleys, ditches and rights-of-way. Councilman Worthy said this presents a hardship to seniors and cited one ditch that has a ten-foot drop. A discussion followed regarding contracting vs. in-house grass cutting.

MAYOR AND COUNCIL REMARKS

Councilman Reed and Councilwoman Toles recognized members of the public who were present.

Councilman Cannon reminded candidates the Public Works Department will remove any political signs placed in the street right-of-way.

Councilman Billingsley reported on his recent site visit to The Venue, noting it will be a great asset to the entire city. Councilwoman Toles noted the facility is part of riverfront development.

Councilman Worthy addressed false reports regarding his opinion on the 4th Avenue basketball court and affirmed his support for the district representative, who wanted it removed.

President Williams announced there will be no work session or council meeting on May 22, due to the Alabama League of Municipalities conference in Montgomery. The regular schedule will resume on May 29. He apologized in advance for the public's frustration during grass cutting season, noting the City maintains hundreds of lots.

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

Iva Nelson, City Clerk (5-15-2018)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
MAY 15, 2018 - 2:00 P.M.

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

Bid No. 3381 - Disposal Site for Petroleum Impacted Soil

	<u>Total Price Per Ton</u>
Alabama Waste Disposal Solutions, LLC	\$10.50
Advanced Disposal Services	\$13.00
GEK, Inc.	\$13.50

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