

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
JUNE 5, 2018 - 11:00 A.M.

The City Council met on June 5, 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, Billingsley, and Reed. Councilmen Worthy, Echols and Cannon were 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 Shane Ellison.

The minutes of the last work session and council meeting held on May 29, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 25 - 31, 2018 were ratified by unanimous vote.

#182625 - #182902	General	\$374,720.46
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Mayor Guyton read a proclamation proclaiming June 5, 2018, as “Bill Avery Day” and presented it to him. Mr. Avery requested City assistance with a stage for an upcoming music festival on July 4, in conjunction with the Carver reunion. President Williams commended Mr. Avery for his successful career and philanthropic activities.

UNFINISHED BUSINESS

The following resolution, which was tabled for 30 days on May 1, was presented in writing for consideration:

RESOLUTION NO. R-219-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 820 Hillyer Street - District 3 - Rosia Leach; Laura Hawthorne)

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

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 408 Allen Street, Arthur Smith and wife Laura Smith and potentially Mark Arthur Smith being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in March 2018, little or no improvements have been made since procedures began in November 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-220-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 408 Allen Street - District 1 - Arthur Smith; Laura Smith; potentially Mark Arthur Smith)

Councilwoman Toles 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 1121 Whitehall Street, Kathy Lee and rights of redemption by Sallie Harvey being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in July 2017, no improvements have been made since procedures began in June 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-221-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1121 Whitehall Street - District 3 - Kathy Lee; rights of redemption by Sallie Harvey)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 411-A North 33<sup>rd</sup> Street, the State of Alabama and possible rights of redemption of Equity Trust Company, d/b/a Sterling Trust, 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-222-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 411-A North 33<sup>rd</sup> Street - District 6 -State of Alabama; possible rights of redemption of Equity Trust Company, d/b/a Sterling Trust)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-223-18

REAPPOINTING MEMBERS TO  
ZONING BOARD OF ADJUSTMENT

(Reappointing Clarice Robinson, Mary Rowe, and Maurice Wright - For terms expiring May 18, 2021)

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

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

RESOLUTION NO. R-224-18

AUTHORIZING AGREEMENT WITH  
THOMAS M. MCELRATH

(Authorizing Agreement - Thomas M. McElrath - \$18,500.00 - Architectural design services for new maintenance facility for Forrest Cemetery at 1521 Chestnut Street)

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

ORDINANCE - FIRST READING

The following ordinance was introduced in writing and read by President Williams:

(1) ORDINANCE - AMENDING SECTIONS 18-352 AND 18-412 OF THE CODE OF ORDINANCES (Regarding the Plumber Examining Board)

Since no action was taken in this meeting, the ordinance will be placed on the agenda of the next regular meeting for consideration.

NEW BUSINESS

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

RESOLUTION NO. R-225-18

AUTHORIZING AGREEMENT TO PURCHASE PROPERTY

(Authorizing property purchase from Hardin Real Estate Management, LLC - \$200,000.00 - Fractions A, E & F in Section 18, T-12-S, R-7-E - For expansion of Construction/Demolition Landfill on Burnsway Drive)

President Williams stressed the need to reduce the volume of materials being deposited into the landfill, noting an awareness campaign is forthcoming. Councilman Billingsley noted innovations are being utilized by other cities and urged citizens to refrain from littering.

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 Billingsley and unanimously adopted.

MAYOR AND COUNCIL REMARKS

Mayor Guyton noted this is the third landfill expansion since he took office. He reported a good response to recycling activities at the City facility on Henry Street. Councilman Reed referred to former litter enforcement activities and said a new public focus is needed, including citations.

The Council joined in urging citizens to exercise their right to vote in today's primary elections.

On behalf of Councilman Worthy, City Clerk Iva Nelson announced District 3 meeting at 5:30 p.m. on Thursday at the Carver Community Center.

President Williams thanked New Liberty Tabernacle of Praise and other groups that hosted events recognizing high school graduates.

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

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Iva Nelson, City Clerk (6-5-2018)

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