

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JUNE 26, 2018 - 11:00 A.M.

The City Council met on June 26, 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, Billingsley, Cannon and Reed. Councilwoman Toles and Councilman Echols were absent. Councilman Worthy joined the meeting after it was in progress. 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 Brian Harbison.

The minutes of the last work session and council meeting held on June 19, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of June 15 - June 21, 2018 were ratified by unanimous vote.

#183110 - #183244	General	\$928,474.64
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Mayor Guyton presented Reader's Choice awards from The Gadsden Times for the following: Best Firefighter, presented to Ben Ponder; Best Place to Host a Work Event and Best Event Venue (210 at the Tracks), presented to Scott Elkins; Best Local Tourist Attraction (Coosa Landing), presented to Julie Tucker; Best Place to Host a Work Event (Gadsden Museum of Art); Best Event Venue (Pitman Theater), presented to Scott Elkins; Best Campground (Noccalula Falls), presented to Kaila Fair; Best Local Tourist Attraction (Noccalula Falls), presented to Christina Richardson; Best Local Event (Christmas at the Falls), presented to Janet Tarrance and Christina Richardson. President Williams commended the departments and facility staff for their accomplishments.

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 in favor of or in opposition to an ordinance adopted a revised chart of permitted uses. No one spoke. The following ordinance was introduced in writing for consideration:

ORDINANCE NO. O-21-18

ORDINANCE AMENDING THE ZONING ORDINANCE
TO ADOPT A REVISED CHART OF PERMITTED USES

(Amending City Code Section 130-312(f) - Adopting revised Chart of Permitted Uses in Zoning Regulations - Relating to property use in Residential, Business, Office and Industrial Zones)

Councilman Cannon questioned if current businesses are “grandfathered” and was advised they area. President Williams noted the chart was very outdated.

Councilman Billingsley moved to suspend the rules to immediately consider the ordinance at its first reading. The motion was seconded by Councilman Reed and approved by the following vote:

AYES: Williams, Billingsley, Cannon, Reed

NAYS: None

Councilman Billingsley moved to adopt the ordinance, 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 ordering the abatement of nuisances on property at 212 Oakleigh Drive, David Green and Community Credit Union being the last known owners. Brian Harbison, Building Inspector, stated 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-253-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 212 Oakleigh Drive - District 2 - David Green; Community Credit Union)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 923 Holly Street, ECO Property and Investments, LLC, The Exchange Bank of Alabama and the State of Alabama being the last known owners. Brian Harbison, Building Inspector, recommended abatement, stating the case began in January 2017. Although minor improvements were made, no work has occurred in approximately five months. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-254-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 923 Holly Street - District 5 - ECO Property and Investments, LLC; The Exchange Bank of Alabama; State of Alabama)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1408 Chandler Street, FNA NP, LLC, those certain rights of redemption of Melissa Hardy, Johnny E. Webster and Eric Cook being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-255-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,616.40 - 1408 Chandler Street - District 1 - FNA NP, LLC; Certain rights of redemption of Melissa Hardy, Johnny E. Webster and Eric Cook)

Councilman Cannon 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 3317 Erwin Avenue, Charles Hubbard, Charles Hubbard, c/o Cadence Bank, 1st Community Credit Corporation, and Superior Financial Services, LLC being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-256-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,916.40 - 3317 Erwin Avenue - District 1 - Charles Hubbard; Charles Hubbard. c/o Cadence Bank; 1st Community Credit Corporation; Superior Financial Services, LLC)

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

(Councilman Worthy joined the meeting at this time.)

(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 322 Keeling Road, Cynthia W. Elston and the heirs of Troy L. Elston being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-257-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,116.40 - 322 Keeling Road - District 1 - Cynthia W. Elston; Heirs of Troy L. Elston)

Councilman Cannon 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-258-18

REAPPOINTING MEMBER TO
GADSDEN CITY BOARD OF EDUCATION

(Reappointing Wayne Watts for a term expiring in June 2023 - District 5 appointee)

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

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

RESOLUTION NO. R-259-18

AUTHORIZING THIRD AMENDED TAX ABATEMENT AGREEMENT WITH PRINCE
METAL STAMPING USA, INC. OF GADSDEN, FOR NEW PROJECT

(Authorizing Agreement - Third Amended Tax Abatement Agreement - Prince Metal Stamping, USA, Inc. - Extending completion date to June 30, 2019 - Relating to all state and local noneducational property taxes, construction related transaction taxes, and mortgage and recording taxes for new project - Capital investment of \$20,925,000.00 at 1305 Airport Industrial Drive)

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

ORDINANCE PRESENTED FOR CONSIDERATION:

The following ordinance was introduced in writing for consideration:

ORDINANCE NO. O-22-18

ADOPTING CDBG PROGRAM
FISCAL YEAR 2018 ANNUAL ACTION PLAN
AND FISCAL YEAR 2018 BUDGET

(Adopting Community Development Block Grant FY2018 Budget - \$1,052,595.00 - Adopting 2018 Annual Action Plan)

Councilman Cannon moved to suspend the rules to immediately consider the ordinance at its first reading. The motion was seconded by Councilman Billingsley and approved by the following vote:

AYES: Williams, Worthy, Billingsley, Cannon, Reed

NAYS: None

Councilman Worthy said he would like to see more money spent on repairing houses. A discussion followed regarding the program's qualifications, as well as \$5,000 limits, due to lead-based paint regulations. President Williams noted an increase in this year's funding and pointed out Federal appropriations were once over \$2 million. Mayor Guyton noted volunteer groups have assisted with the paint program.

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

DEPARTMENT REPORTS

City Clerk Iva Nelson announced the qualifying period for candidates will begin Tuesday, July 3, and end at 5 p.m. on Tuesday, July 17, and provided other details regarding the election process.

PUBLIC

Judge Allen Millican referred to the State Act providing for a referendum election regarding an elected school board and questioned when the election will be held. He cited cost estimates for a special election and stated the upcoming regular election on August 28 will be best and won't create extra expense. In response to President Williams' inquiry, Judge Millican said he voted for an elected school board in 2008.

Robert Avery stated he fought hard in support of the 2008 referendum regarding an elected school board. He said he supports Judge Millican but pointed out money must be budgeted, which he feels will be done with the 2019 budget process. Mr. Avery questioned the need to hurry and expressed hope that the right thing is being done for the right reason.

MAYOR AND COUNCIL REMARKS

Councilman Worthy reported on this morning's event at the Etowah County Industrial Megasite, which was attended by Governor Ivey, who pledged to advertise the site overseas.

Councilman Reed recognized his wife, Barbara, who was present. He thanked Buster Porch and Curlie DeRamus for their efforts with Musical Mondays, which are very well attended. Councilman Reed announced the fireworks display at 9 p.m. on July 4, which are sponsored by the Gadsden-Etowah Patriots Association. He stressed the importance of a good education system in recruiting business and industry and expressed support for people voting in regard to the elected board issue.

President Williams affirmed his support of the people's right to vote and said he favors doing so in November, in order to minimize expense and maximize voter turnout. He pointed out the poorly written bill was generated by the District 30 Representative, which doesn't include any part of Gadsden. President Williams said he voted for an elected school board in 2008 because he felt it was necessary to achieve representation and encouraged others to be honest about their motivations. He noted City Clerk Iva Nelson is currently analyzing election costs. President Williams congratulated Ginny Shaver, newly elected District 39 State Representative, who was present. He announced next week's City Council meeting will be held on Monday, July 2.

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

Iva Nelson, City Clerk (6-26-2018)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JUNE 26, 2018 - 2:00 P.M.

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

Bid No. 3385 - Resurfacing Project for South 11th Street, Brooke Avenue, Scenic Drive and Hooks Lake Road

McCartney Construction Company	\$1,411,211.00
J & D Enterprises	\$1,199,040.00

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