

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

The City Council met on July 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 Keener were also present.

The invocation was given by Heath Williamson.

The minutes of the last work session and council meeting held on July 17, 2018, were approved by unanimous vote.

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

#183833 - #184023	General	\$2,235,066.36
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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 opposition to or in favor of an ordinance rezoning property at 3763 S. 11th Street From R-1, One Family Residence District, to I-2, Heavy Industry District. (The Planning Commission recommended approval.) Ward Henneker, an Alabama Power representative, stated he was present to answer any questions. At the request of Councilwoman Toles, Mr. Henneker explained a new substation is being constructed across the street from an existing one that will be retired. The following ordinance was presented in writing for consideration:

ORDINANCE NO. O-24-18

REZONING 3763 SOUTH 11TH STREET

(Approving Rezoning - 3763 S. 11th Street - From R-1, One-Family Residence District, to I-2, Heavy Industry District - Requested by Alabama Power Company)

Councilman Cannon moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilman Reed 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 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 316 Albany Avenue, the State of Alabama, rights of redemption of Bruce F. Stephens, and AmSouth Bank being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in December 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-291-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 316 Albany Avenue - District 1 - State of Alabama; Rights of redemption of Bruce F. Stephens; AmSouth Bank)

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 129 E. Walnut Street, Jerry Van Cline and Edith Sue Cline being the last known owners. Chantel Cline, who was present with Jerry Cline, stated they received notice of a nuisance and made repairs. Brian Harbison, Building Inspector, stated although a permit was obtained in August 2017, no improvements have been made since procedures began in June 2017. He added the condemned sign is still present and recommended abatement. Councilman Echols moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried. President Williams advised the owners to speak with Mr. Harbison after the meeting.

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 312 Bryan Street, Geannine Lipscomb Smith and Marvin C. Smith, Daniel Pruitt, subject to a mortgage in favor of First Family Financial Service, Inc., being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in February 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-292-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 312 Bryan Street - District 6 - Geannine Lipscomb Smith; Marvin C. Smith; Daniel Pruitt, subject to a mortgage in favor of First Family Financial Service, Inc.)

Councilman Cannon noted the property next door is kept in immaculate condition and moved to adopt the resolution as introduced. The motion was seconded by Councilman Reed and adopted by the following vote:

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

NAYS: None

ABSTENTIONS: Worthy

(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 200 Carolyn Lane, W. J. Baxter, Sherrie Ruff 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-293-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,766.40 - 200 Carolyn Lane - District 2 - W. J. Baxter; Sherrie Ruff; State of Alabama)

Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles 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 1431 E. Broad Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-294-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 1431 E. Broad Street - District 1 - State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 3103 E. Broad Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-295-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$376.00 - 3103 E. Broad Street - District 1 - State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 144 Brookwood Drive, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-296-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 144 Brookwood Drive - District 1 - State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 169 Brookwood Drive, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-297-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 169 Brookwood Drive - District 1 - State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 173 Brookwood Drive, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-298-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 173 Brookwood Drive - District 1 - State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 208 Brown Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-299-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 208 Brown Street - District 1 - State of Alabama)

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

(12) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 218 Brown Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-300-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 218 Brown Street - District 1 - State of Alabama)

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

(13) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1410 E. Broad Street, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-301-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 1410 E. Broad Street - District 2 - State of Alabama)

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

(14) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1114 Brookside Drive, the State of Alabama, Rafael Crook, Maryum & Terrance B. Lane being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-302-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 1114 Brookside Drive - District 3 - State of Alabama; Rafael Crook; Maryum & Terrance B. Lane)

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

(15) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 2007 Broadway, the State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-303-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 2007 Broadway - District 5 - State of Alabama)

Councilman Worthy 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-304-18

AUTHORIZING THE SATISFACTION OF
NUISANCE ABATEMENT LIEN

(Authorizing Satisfaction of Nuisance Abatement Lien - 307 Bryan Street - Accepting \$200.00 offer of Johnnie Mae Vinyard)

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

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

RESOLUTION NO. R-305-18

AUTHORIZING SPECIAL USE PERMIT FOR VERIZON
AT EXISTING TELECOMMUNICATION FACILITY

(Authorizing Special Use Permit - Verizon - To modify equipment on existing cell tower located at 278 Hillview Road - Approval recommended by The Center for Municipal Solutions - Note: This 90-foot monopole tower is located outside city limits of Gadsden, but is within planning jurisdiction)

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

NEW BUSINESS

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

RESOLUTION NO. R-306-18

APPOINTING MEMBERS TO
INDUSTRIAL DEVELOPMENT BOARD

(Appointing Tony Tolbert for term expiring on 7-25-19 - Appointing David Leeks for term expiring on 7-25-21)

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 resolution in writing for consideration:

RESOLUTION NO. R-307-18

GRANTING EASEMENT TO
ALABAMA POWER COMPANY

(Granting Easement to Alabama Power Company - For lift station at The Venue, located at 201 George Wallace Drive)

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 Cannon introduced the following resolution in writing for consideration:

RESOLUTION NO. R-308-18

AUTHORIZING ACQUISITION OF PROPERTY

(Authorizing acquisition of property on S. 12th Street - Lots 11-13, Block M, Elliott Addition #2 - Jerry Humphrey - \$7,000.00 - Note: Anticipated use is to improve traffic safety on S. 11th Street near Jim Martin Wildlife Park entrance)

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 Worthy and unanimously adopted.

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

RESOLUTION NO. R-309-18

AUTHORIZING ACQUISITION OF PROPERTY

(Authorizing acquisition of property - 1241 S. 12th Street - Lot 31, Block M, Elliott Addition #2 - Haren Construction Company, Inc. -\$10,500.00 - Note: Anticipated use is to improve traffic safety on S. 11th Street near Jim Martin Wildlife Park entrance)

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 Worthy and unanimously adopted.

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

ORDINANCE NO. O-25-18

AMENDING FISCAL YEAR 2018 BUDGET

(Amending FY2018 Budget - Reflecting receipt of \$200,000.00 Emergency Solutions Grant from ADECA - Appropriating funds for distribution - \$66,666.67 each to The Salvation Army, Inc. and Thirteenth Place - \$66,666.66 to The Love Center Homeless Shelter, Inc. - Note: Grant application and acceptance was approved by R-234-17)

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 Billingsley and unanimously adopted.

DEPARTMENT REPORTS

Jen Weathington, Parks & Recreation Director, announced upcoming events, including Turnip Tuesday, the Farmer's Market, Parks & Recreation Celebration Day (A Lifetime of Discovery), and the August Summer Concert at the Amphitheater.

Shane Ellison, Mayor's Administrative Assistant, summarized Mayor Guyton's participation in the Design Alabama Mayors Summit. He explained Gadsden was one of five cities chosen for this year's summit, which focused on river cities and their unique challenges and advantages. Mr. Ellison played a video highlighting the city's facilities on the east and west banks of the Coosa River and the design challenge for future development. He presented Mayor Guyton with a plaque recognizing his participation in the summit. Mayor Guyton thanked the Council for support in the city's efforts for development.

MAYOR AND COUNCIL REMARKS

Councilman Worthy announced a job fair on August 14 and employability skills training on August 13-14. He cited unemployment figures and available jobs in our area. Councilman Worthy recognized Katrina Herring from the Gadsden Career Center, who described the event and registration process.

Councilman Billingsley thanked Mayor Guyton for his efforts and encouraged the public to support the progress being made in our city.

Councilman Reed commended Downtown Gadsden, Inc. for the transformation of our downtown area throughout the years and encouraged people to work instead of seeking recognition. He recognized Buster Porch, Mr. Sturdivant and Curlie DeRamus, his wife and grandchildren, who volunteer to provide Musical Mondays.

President Williams echoed the commendations of Councilman Reed. He expressed sadness at the death of Richard (Dick) Edwards and cited his contributions to our community. President Williams reported on the closing event of the Summer Enrichment Program and commended the work of Dr. Gertie Lowe and the volunteers. He noted the Parks & Recreation event will take place at Thompson Community Center on Saturday.

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

Iva Nelson, City Clerk (7-24-2018)
