

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
AUGUST 13, 2019 - 11:00 A.M.

The City Council met on August 13, 2019, in regular session.

The meeting was called to order at 11:00 a.m. by Council President Toles. On roll call by the Assistant City Clerk, Jennifer Smith, the following council members answered present: Toles, Worthy, Back, Wilson, Cannon and Reed. Councilman Williams was absent. 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 Brian Harbison.

The minutes of the last work session and council meeting held on August 6, 2019, were approved by unanimous vote.

Payment of the HTE System accounts for the week of August 2-8, 2019 were ratified by unanimous vote.

#193488 -193680	General	\$863,362.94
-----------------	---------	--------------

PUBLIC HEARINGS

President Toles 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 909 Rogers Street, State of Alabama, rights of redemption of FNA NP, LLC, and Calvin L. Nickles being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in December 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-303-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 909 Rogers Street - District 3 - State of Alabama; FNA NP, LLC; Calvin L. Nickles)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Back 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 1025 4<sup>th</sup> Avenue, Alga, LLC being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-304-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1025 4<sup>th</sup> Avenue - District 5 - Alga, LLC)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 1602 Hayes Street, Arne Karlsen and Dolores Karlsen, and American General Financial Services of Alabama, Inc., being the last known owners. Brian Harbison, Building Inspector, stated this case began in November 2018. Although a permit was obtained in December 2018, no improvements have been made and he recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-305-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1602 Hayes Street - District 5 - Arne Karlsen and Dolores Karlsen, American General Financial Services of Alabama, Inc.)

Councilman Wilson 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 ordering the abatement of nuisances on property at 33 Cabot Avenue, Brian A. Mack and Carol S. Mallery, Gadsden Mortgage Services, The Provident Bank, Inc. being the last known owners. Brian Mack stated a storm caused trees to fall on the house in June 2018 and described his difficulties with obtaining a deed from various mortgage companies after the insurance settlement. Brian Harbison, Building Inspector, stated this case began in September 2018. He recommended abatement and stated that he had a conversation with a law firm representing one of the mortgage companies who plans to file an injunction against the abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-306-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 33 Cabot Avenue - District 7 - Brian A. Mack; Carol S. Mallery; Gadsden Mortgage Services; The Provident Bank, Inc.)

Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1704 Hooks Lake Road, Gwen J. Bartlett, rights of redemption of Troy Bright and Barbara Bright, AmSouth Bank, and State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-307-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,741.40 - 1704 Hooks Lake Road - District 3 - Gwen J. Bartlett; rights of redemption of Troy Bright and Barbara Bright; AmSouth Bank; State of Alabama)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1411 4<sup>th</sup> Avenue, State of Alabama and possible rights of redemption David K. Green being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-308-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,341.40 - 1411 4<sup>th</sup> Avenue - District 5 - State of Alabama; possible rights of redemption David K. Green)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1423 4<sup>th</sup> Avenue, Bessie M. Watts, c/o Carl Jackson, and State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-309-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$5,116.40 - 1423 4<sup>th</sup> Avenue - District 5 - Bessie M. Watts, c/o Carl Jackson; State of Alabama)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 409 North 33<sup>rd</sup> Street, Billy Wise Jr., and State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-310-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,391.40 - 409 North 33<sup>rd</sup> Street - District 6 - Billy Wise Jr.; State of Alabama)

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

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Queen Mama Food Mart, Inc., dba Queen Mama Food Mart at 725 Tuscaloosa Avenue. No one spoke. When asked by President Toles if there was a motion to adopt the resolution, no council member made a motion. Councilman Wilson stated that the applicants' omission of historical information on the license application was a factor that led to council members not making a motion to consider the resolution.

NEW BUSINESS

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

RESOLUTION NO. R-311-19

AUTHORIZING CHANGE ORDER #1 FOR BID NO. 3402

(Authorizing Change Order #1 - Bid No. 3402 - Riverfront Development Site Work, Phase 2 - Additional \$147,389.04 for additional work to meet contractual requirements with the tenant (Buffalo Wild Wings) - Adjusting contract price with TAKCO Construction to \$988,190.59)

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

(2) Councilman Back introduced the following resolution in writing for consideration:

RESOLUTION NO. R-312-19

AWARDING BID NO. 3412

(Awarding Bid 3412 - Electrical Improvements at the Venue at Coosa Landing Project - Fred Dempsey Construction, LLC - \$69,700.00)

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

(3) Councilman Wilson introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-25-19

AMENDING ORDINANCE CREATING ENTERTAINMENT DISTRICT

(Amending Ordinance No. O-23-17 - Expanding district to include: Portion of downtown area from First Street to 7<sup>th</sup> Street and Locust Street to Chestnut Street; 101 Locust Street; property from First Street to the river between Broad Street and Locust Street; Coosa Landing and the riverfront boardwalk; property south of East Chestnut Street off of George Wallace Drive which includes Buffalo Wild Wings development and Venue at Coosa Landing - Amending hours for outside consumption of alcoholic beverages from noon to 10 p.m.)

Councilman Wilson 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, Worthy, Back, Wilson, Cannon, Reed

NAYS: None

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

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

RESOLUTION NO. R-313-19

AUTHORIZING SPONSORSHIP OF FAA GRANT

(Sponsoring grant from the Federal Aviation Administration for Northeast Alabama Regional Airport located at 185 Ira Gray Drive - \$1,044,172.00 maximum, with a 5% match each from the State of Alabama and the Gadsden Airport Authority - To be used to rehabilitate the taxiway to the main runway and to improve the drainage area in order to protect the electrical vault that powers the airport)

President Toles 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.

PUBLIC

Robert Avery announced that workers are still needed for the 2020 Census and explained how to apply on-line. There is a current need for “verifiers” who will travel the community to verify addresses. Next year there will be a need for door to door workers. Those hired now could possibly move into supervisory positions next year. He stated that the positions available are a minimum of 20 hours per week and the rate of pay is between \$13.50 to \$15.00 per hour along with mileage pay of \$.58 per mile.

In response to Councilman Cannon’s question, Mr. Avery stated that Census representatives will be taking applications at the August 27<sup>th</sup> Job Fair.

MAYOR AND COUNCIL REMARKS

Councilman Reed noted that tall grass is a problem throughout the city and reminded that rights-of-way need to be cut by property owners.

Councilman Cannon announced a ribbon cutting had taken place earlier in the morning for the Alabama City Center which will house Gadsden's Transportation services and a police precinct. He stated that the police presence should improve response time and reduce criminal activity in the Alabama City area and thanked the council and mayor's office for completion of the project.

Councilman Wilson thanked Finance Director Lisa Rosser and the mayor for the city's financial update, noting that the city's finances look good and that department heads are doing a good job watching expenses.

Councilman Worthy announced that the Gadsden City High School Touchdown Club is holding a city-wide pep rally on August 15, 6-8 p.m., at 210 at the Tracks. He also announced the Job Fair on August 27 at The Venue from 9 a.m. to 1 p.m., noting an employability skills seminar will be held from 8 a.m. to 9 a.m. He noted that there were 68 employers currently scheduled to participate with over 2,000 job openings.

Mayor Guyton read a public announcement regarding the FAA grant. He spoke about the economic impact of the airport, noting that military special forces train at the airport and live in the area. He also spoke about facility improvements and services offered by the airport.

President Toles encouraged citizens to become more informed about their community by participating in public meetings, following local newspapers, and touring public facilities.

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

---

Iva Nelson, City Clerk (8-13-2019)

\*\*\*\*\*