

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
AUGUST 14, 2018 - 11:00 A.M.

The City Council met on August 14, 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, Billingsley, Cannon and Reed. Councilman Echols was 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 Councilwoman Toles.

The minutes of the last work session and council meeting held on August 7, 2018 were approved by unanimous vote.

Payment of the HTE System accounts for the week of August 3 - August 9, 2018 were ratified by unanimous vote.

#184350 - #184553	General	\$544,481.54
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UNFINISHED BUSINESS

(1) President Williams announced no Council action would be necessary regarding a resolution assessing a grass cutting lien on property at 2001 Ewing Avenue in District 2, which was tabled for seven days on August 7, since the cost has been paid by the property owner.

(2) The following resolution, which was tabled for 30 days on July 10, 2018, was presented in writing for consideration:

RESOLUTION NO. R-337-18

ASSESSING NUISANCE ABATEMENT LIEN FOR GRASS CUTTING

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 208 4th Street North - District 2 - Carolyn Bliss)

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

(3) The following resolution, which was tabled for 30 days on July 10, 2018, was presented in writing for consideration:

RESOLUTION NO. R-338-18

ASSESSING NUISANCE ABATEMENT LIEN FOR GRASS CUTTING

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 1516 Alabama Avenue - District 3 - Chanister Watson)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 101 Springdale Court, the State of Alabama, Henry Higgins and Luella Higgins being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this burned house since procedures began in April 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-339-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 101 Springdale Court - District 2 - State of Alabama; Henry Higgins and wife Luella Higgins; Rights of redemption of Luella Higgins and Henry Higgins)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 708 Brookside Drive, Richard and Joyce Whorton being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in January 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-340-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 708 Brookside Drive - District 3 - Richard and Joyce Whorton)

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

(3) President Williams announced the public hearing scheduled for 733 Brookside Drive in District 3 has been canceled, since the nuisances have been abated by the owner.

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a demolition lien in the amount of \$4,491.40 on property at 1508 Tuscaloosa Avenue in District 3, Carol Francis Jordan and Carol Jordan Daughterty, and Nathaniel King being the last known owners. Brian Harbison stated Mr. King is making payments and recommended an extension. Councilman Worthy moved to table the resolution indefinitely, which motion was seconded by Councilwoman Toles and unanimously carried.

(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 408 Avalon Lane, Robert P. & Dorothy E. Price being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-341-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 408 Avalon Lane - District 2 - Robert P. & Dorothy E. Price)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 2401 Ewing Avenue in District 2, Investment Properties being the last known owner. Jack Kelley asked when the grass was cut because he has been maintaining the front. He added his understanding is that all costs were included in an out-of-court settlement regarding trees that were cut on the back of the property. Brian Harbison, Building Official, said the charges were incurred in 2017. Lee Roberts, City Attorney, advised Mr. Kelley to have his attorney contact him to review the case. Councilman Billingsley moved to table the resolution for seven days, which motion was seconded by Councilman Reed and unanimously carried.

(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 920 Avenue E, Bertha Gadson & Etals being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-342-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 920 Avenue E - District 3 - Bertha Gadson & Etals)

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 1220 Etowah Avenue, Jeanette Chandler being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-343-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 1220 Etowah Avenue - District 3 - Jeanette Chandler)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-344-18

ACCEPTING ROADWAYS AND RIGHT-OF-WAY
GADSDEN COMMONS AND COMMONS DRIVE

(Accepting maintenance of roadways and right-of-way of Gadsden Commons Development - Holmes property, located on Highway 77, at Airport Road - Plat includes 3 parcels and 2 proposed roads: Gadsden Commons; Commons Drive - Owner/developer has completed construction of roads and work meets City and ALDOT specifications)

Councilman Billingsley 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 ordinance in writing for consideration:

ORDINANCE NO. O-26-18

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property to Koch Foods - Approximately 5.43 acres located in the NW 1/4 of the Sw 1/4, Section 24, Township 12 South, Range 6 East, subject to a 50-foot utility easement - Note: City acquired property from Sandra Jackson and estimated value is \$81,450.00)

Councilwoman Toles 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, Billingsley, Cannon, Reed

NAYS: None

Mayor Guyton announced an \$80 million expansion of the Koch Foods plant, which will add a fourth processing line and 200 jobs, with 100 jobs in the first year. He introduced Harold Hunt (Complex Manager for Gadsden site) and Matthew Herman (Senior Vice President) of Koch Foods. Councilwoman Toles recognized Frankie Davis (Economic & Governmental Affairs Director) and Bill Green (Industrial Development Authority), who noted the state, county and city school systems will receive \$4 million over the next ten years. President Williams expressed excitement that Gadsden was chosen for the project.

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

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

RESOLUTION NO. R-345-18

AUTHORIZING TAX ABATEMENT AGREEMENT
WITH KOCH FOODS OF GADSDEN, LLC, FOR MAJOR ADDITION

(Authorizing Agreement for Tax Abatement - Koch Foods of Gadsden, LLC - Non-educational property and construction related transaction taxes - For period of 10 years - Capital investment of \$82,432,420.00 - 200 employees, with 100 initially and 50 each in Years 1 and 2)

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 Reed and unanimously adopted.

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

RESOLUTION NO. R-346-18

AUTHORIZING CONTRACT WITH ETOWAH COUNTY FOR PREPARATION, TESTING
AND MANAGEMENT OF ELECTION EQUIPMENT

(Authorizing Agreement - Etowah Commission - \$8,500.00 - To provide preparation, testing and management of equipment for City of Gadsden election on August 28, 2018, and runoff election, if necessary, on October 9, 2018)

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 Worthy and unanimously adopted.

DEPARTMENT REPORTS

City Clerk Iva Nelson provided information regarding the City election on August 28, including absentee voting, continued use of The Tabernacle as a polling place, and the public test of voting equipment on Wednesday. Councilman Reed confirmed the Kiwanis Pavilion will resume as a polling place. Councilman Billingsley noted receiving calls from citizens who were confused by newspaper notices regarding closure of The Tabernacle in other elections.

MAYOR AND COUNCIL REMARKS

Councilman Worthy reminded everyone of today's job fair at the Downtown Civic Center and thanked President Williams, who participated with human resource officials in a panel discussion. He requested further review of a report concerning State candidates that were not removed from the ballot, as opposed to three City candidates that were.

Councilman Reed thanked the Mayor, Frankie Davis, Bill Green (Industrial Development Authority), as well as the Koch Foods team for today's announcement. He announced a ribbon cutting for the newly renovated Kiwanis Pavilion from 5 to 7 p.m. on Thursday, noting the art association will have an important announcement.

President Williams announced the first annual movie in the park event at Thompson to be held on August 25, noting more details are forthcoming.

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

Iva Nelson, City Clerk (8-14-2018)
