

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
SEPTEMBER 4, 2018 - 12:00 NOON

The City Council met on September 4, 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, Cannon and Reed. Councilman Billingsley was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Captain Entekin were also present.

The invocation was given by Heath Williamson.

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

Payment of the HTE System accounts for the week of August 24-30, 2018, were ratified by unanimous vote.

#184930 - #185093	General	\$867,104.61
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UNFINISHED BUSINESS

(1) The following resolution, upon which a public hearing was conducted and action was deferred in the August 29 meeting, was presented for consideration:

RESOLUTION NO. R-372-18

AUTHORIZING ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Books A Million, Inc. - Books A Million Store 395 - 1001 Rainbow Drive, Suite 41, Gadsden Mall - Retail Beer & Table Wine, on and off premises - Note: Company stated its intent was to operate on premises only)

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

(2) A resolution ordering abatement of nuisances on property at 2409 James Street in District 1, which was tabled for 30 days on July 31, was presented for consideration. Councilwoman Toles moved to table the resolution an additional 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(3) President Williams announced no Council action is necessary on a resolution ordering abatement of nuisances on property at 504 Country Club Place in District 4, as the nuisance was abated by the owners.

CANVASSING ELECTION RESULTS

City Clerk Iva Nelson reported on provisional votes to be counted, pursuant to review by the Etowah County Board of Registrars. She proceeded to open the ballots and announce the votes for each candidate, adding them to the totals recorded on August 28. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-373-18

DECLARING MUNICIPAL ELECTION RESULTS

(Certifying results of municipal election held on August 28, 2018 - Listing votes cast for each candidate - Ordering runoff election on October 9 for Mayoral candidates Sherman Guyton & Carolyn Parker and District 5 candidates Billy F. Billingsley, Sr. & Jason Wilson - Declaring election of: Cynthia Toles, District 1; Deverick Williams, District 2; Thomas Worthy, District 3; Kent Back, District 4; Johnny Cannon, District 6; Ben Reed, District 7)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 assessing a nuisance abatement lien on property at 707 Bellevue Street, the State of Alabama, Carrie Rebecca King, McDonald Harris and the following heirs of Willie Ralph King, Sr., Anthony Udra King, Sharon Diane King, and Willie Ralph King, Jr. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-374-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$4,866.40 - 707 Bellevue Street - District 3 - State of Alabama; Possible redemption rights of Carrie Rebecca King; McDonald Harris; Heirs of Willie Ralph King, Sr.: Anthony Udra King, Sharon Diane King, and Willie Ralph King, Jr.)

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

(2) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 9 Cabot Avenue, Harvey C. Sheppard and Linda L. Sheppard, Old Stone Mortgage, LLC, Ocwen Loan Servicing, 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-375-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,241.40 - 9 Cabot Avenue - District 6 - Harvey C. Sheppard and wife, Linda L. Sheppard; Old Stone Mortgage LLC; Ocwen Loan Servicing; State of Alabama)

Councilman Cannon 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 assessing a nuisance abatement lien on property at 12 Lakefront Avenue, the State of Alabama, Justin Shane Jenkins, Chastity Jenkins, FNA NP, LLC and Community Credit Union being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-376-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,616.40 - 12 Lakefront Avenue - District 6 - State of Alabama; Justin Shane Jenkins; Chastity Jenkins; FNA NP, LLC; Community Credit Union)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 413 North 24th Street, the State of Alabama, Heath Tucker and Edward Nelson being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-377-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,341.40 - 413 North 24th Street - District 6 - State of Alabama; Heath Tucker; Edward Nelson)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 130 Elsmore Boulevard, John Larry and Sheila Ann Willis being the last known owners. John Larry Willis related the history regarding his purchase of a number of properties and said he had suffered a stroke. He displayed a box of correspondence from the City and said he feels he has been harassed. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-378-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$12,902.40 - 130 Elsmore Boulevard - District 7 - John Larry; Sheila Ann Wills)

Councilman Reed 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 313 Richardson Street, Vitalino Alegria Roldan being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-379-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 313 Richardson Street - District 2 - Vitalino Alegria Roldan)

Councilwoman Toles 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 1307 River Street, the State of Alabama, Scott Russell and Doris Knowles being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-380-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 1307 River Street - District 2 - State of Alabama; Scott Russell; Doris Knowles)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 810 Maple Street, Sue Ann Altman and Spencer R. Gray being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-381-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 810 Maple Street - District 3 - Sue Ann Altman; Spencer R. Gray)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles 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 1401 Garfield Avenue, Jerry and Joyce Jenkins being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-382-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 1401 Garfield Avenue - District 5 - Jerry and Joyce Jenkins)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 3421 Georgia Avenue, Cajetan Licciardi, Billy and Linda Gattis being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-383-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 3421 Georgia Avenue - District 6 - Cajetan Licciardi; Billy and Linda Gattis)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 9 Marston Avenue, the State of Alabama and Pamela Conry being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-384-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 9 Marston Avenue - District 6 - State of Alabama; Pamela Conry)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 401 Wilson Street, Jerry Humphrey being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-385-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 401 Wilson Street - District 6 - Jerry Humphrey)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 27 Marston Avenue, James H. Cline, c/o Ben Cline, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-386-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 27 Marston Avenue - District 6 - James H. Cline, c/o Ben Cline)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-387-18

AUTHORIZING AGREEMENT WITH ALABAMA BASS TRAIL

(Authorizing Agreement - Alabama Bass Trail - \$7,500.00 - Sponsorship for fishing tournament at Coosa Landing on June 8, 2019)

Councilman Echols 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-388-18

AUTHORIZING COMMUNITY POLICING AGREEMENT

(Authorizing Agreement - Greater Gadsden Housing Authority - For continuation of Community Policing Program in seven public housing communities - City will be reimbursed for hourly salary of 4 officers, up to hourly rate of \$19.64, including 5% incentive pay - Term of 10-1-18 through 9-30-19)

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

NEW BUSINESS

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

RESOLUTION NO. R-389-18

APPROVING ISSUANCE OF SPECIAL EVENT ALCOHOLIC BEVERAGE LICENSE

(City of Gadsden - Special Events Alcoholic Beverage License - For Farm to Table on the Coosa event at Coosa Landing on September 13, 2018)

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.

DEPARTMENT REPORTS

Deborah Gaither and Emergency Management Agency staff distributed information to attendees. Breonna Cole highlighted activities planned during September, which is designated as National Preparedness Month. David Elliott announced upcoming Community Emergency Response Team (CERT) training sessions. President Williams commended the department's good work.

MAYOR AND COUNCIL REMARKS

Mayor Guyton gave an update on tourism, stating the number of events, participants, and hotel occupancy have shown growth. Fishing tournaments and the Black Creek Trails stimulate outdoor recreation and the opening of The Venue at Coosa Landing will enable the City to host more expos and attract statewide events.

Councilman Echols introduced Kent Back, newly elected councilman for District 4. He reflected on his tenure and expressed pride in the council's accomplishments, especially good cooperation among black and white members. President Williams commended Councilman Echols and his good character.

Councilman Worthy called upon groups of both races to stop dividing the community and using fear as a means of political manipulation, noting his opponent had participated.

President Williams announced changes in the garbage schedule due to yesterday's Labor Day holiday.

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

Iva Nelson, City Clerk (9-04-2018)
