

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
SEPTEMBER 18, 2018 - 11:00 A.M.

The City Council met on September 18, 2018, in regular session.

The meeting was called to order at 11:00 a.m. by Council Pro Tem Cannon. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Toles, Worthy, Echols, Billingsley, Cannon and Reed. President Williams 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 Brian Harbison.

The minutes of the last work session and council meeting held on September 11, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of September 7 - September 13, 2018 were ratified by unanimous vote.

#185233 - #185452	General	\$2,244,455.22
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Mayor Guyton read a proclamation congratulating Cothran's Bakery, which was named the "Sweetest Bakery" in Gadsden and the State of Alabama in a national contest sponsored by Dawn Foods.

PUBLIC HEARINGS

President Pro Tem Cannon 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 or in favor of an ordinance adopting Fiscal Year 2019 Budgets. Lisa Rosser, Finance Director, summarized the budgets, noting the general fund budget includes a 2% cost of living adjustment for employees and retirement and health insurance rates will increase. She added equipment will be purchased outright. A discussion followed regarding street resurfacing. Chairman Cannon noted the ordinance has been presented today for the first reading and the Council will vote on it next week.

(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 205 New York Avenue, Ronald Edward Jenkins, Celesta Anjela and Diamond Rhodes 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-396-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 205 New York Avenue - District 1 - Ronald Edward Jenkins; Celesta Anjela; Diamond Rhodes)

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 1309 Vinson Avenue, Clovia R. Johnson and Frances W. Lowery 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-397-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1309 Vinson Avenue - District 1 - Clovia R. Johnson; Frances W. Lowery)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Echols 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 1010 Slusser Avenue, Ronnie Pollard, subject to a mortgage in favor of Financial Service Company of Alabama, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in January 2015, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-398-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1010 Slusser Avenue - District 2 - Ronnie Pollard, subject to mortgage in favor of Financial Service Company of Alabama)

Councilwoman Toles 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 1164 Braid Avenue, Edward Harvey, Juliann Billingsley, c/o Edward Harvey, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-399-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$786.40 - 1164 Braid Avenue - District 3 - Edward Harvey; Juliann Billingsley, c/o Edward Harvey)

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 1310 Etowah Avenue, God's First Ministry, Jeffrey Washington and Whites Chapel Missionary Baptist Church being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-400-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$28,295.40 - 1310 Etowah Avenue-District 3 -God's First Ministry; Jeffrey Washington; Whites Chapel Missionary Baptist Church)

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 205 New York Avenue, Ronald Edward Jenkins, Celesta Anjela and Diamond Rhodes being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-401-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 205 New York Avenue - District 1 - Ronald Edward Jenkins; Celesta Anjela; Diamond Rhodes)

In response to Councilwoman Toles' inquiry, Brian Harbison, Building Official, advised an order to abate was adopted a couple of weeks ago on the house next door.

Councilwoman Toles 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 207 New York Avenue, FNA, NP, LLC being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-402-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 207 New York Avenue - District 1 - FNA, NP, LLC)

Councilwoman Toles 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 712 Nuckolls Street, Kristi Butler Reed being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-403-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 712 Nuckolls Street - District 2 - Kristi Butler Reed)

Councilwoman Toles 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 2214 Norris Avenue, Gary Alexander being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-404-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 2214 Norris Avenue - District 6 - Gary Alexander)

Councilman Echols moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 2313 Norris Avenue, Patricia J. and Michael Dail, c/o Patricia Dail, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-405-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 2313 Norris Avenue - District 6 - Patricia J. and Michael Dail, c/o Patricia Dail)

Councilman Echols 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 504 Pearl Street, the State of Alabama and Justin Shane Jenkins being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-406-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 504 Pearl Street - District 6 - State of Alabama; Justin Shane Jenkins)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Toles 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 309 Nocalula Drive, John Thomas Rials being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-407-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 309 Nocalula Drive - District 7 - John Thomas Rials)

Councilman Reed 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 2305 Nocalula Drive, Agatha M. Hamme, c/o Judy Hamme, Agatha Hamme, c/o Erica Skidmore being the last known owners. No one spoke. Lee Roberts, City Attorney, noted a recent sale was brought to his attention. He explained a "seller affidavit" is signed at closing, which gives the new owner, who is not aware of the lien, an option to raise the issue with the attorney. A discussion followed and it was noted these charges relate to 2017 work. Councilman Reed pointed out the new owner performed demolition and maintains the grass. He then moved to table the resolution for 14 days, which motion was seconded by Councilman Worthy and unanimously carried.

Councilman Reed moved to reconsider the grass cutting lien adopted last week (September 11) at #13 Comnock Avenue (R-394-18), stating there is a new owner for that property. The motion was seconded by Councilman Billingsley and unanimously carried.

(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 2400 Nocalula Drive, Joyce Martin and Stanley French being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-408-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 2400 Nocalula Drive - District 7 - Joyce Martin; Stanley French)

Councilman Reed 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-409-18

AUTHORIZING CHANGE ORDER #1
WITH HUDAK CONSTRUCTION COMPANY, INC.

(Authorizing Change Order #1 - Bid No. 3362 - Kiwanis Pavilion Renovations - Additional \$21,612.12 to reconcile additions and deletions to the contract - Adjusting total contract price with Hudak Construction Company to \$809,612.12)

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

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

RESOLUTION NO. R-410-18

AUTHORIZING ADVERTISING AGREEMENT
WITH THE GADSDEN TIMES

(Authorizing Agreement - The Gadsden Times - Annual Bulk Advertising for Classified - \$1.85 per line for the 52 Week/\$5,000 level option)

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

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

RESOLUTION NO. R-411-18

AUTHORIZING AGREEMENT WITH EE GROUP, INC.

(Authorizing Agreement - EE Group, Inc. - \$4,000.00 - For design services required to upgrade and improve lighting along boardwalk and parking area north of riverwalk and splash pad area of Riverside Moragne Park)

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

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

RESOLUTION NO. R-412-18

AUTHORIZING CONTRACT AGREEMENT
WITH THE ETOWAH COUNTY BOARD OF EDUCATION

(Authorizing Agreement - Etowah County Board of Education - Allowing City to undercut property adjacent to Hokes Bluff High School Parking Lot to obtain fill dirt)

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-413-18

AUTHORIZING AGREEMENT WITH EE GROUP, INC.

(Authorizing Agreement - EE Group, Inc. - \$9,500.00 - To provide plans and specifications to establish multiple power service points - To re-install rooftop lighting of buildings along Broad Street downtown area - Note: Downtown Gadsden, Inc. is providing lights)

President Pro Tem Cannon 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 Echols and unanimously adopted.

(2) Councilman Worthy introduce the following resolution in writing for consideration:

RESOLUTION NO. R-414-18

AUTHORIZING THE SATISFACTION OF NUISANCE ABATEMENT LIEN

(Authorizing Satisfaction of demolition lien at 808 Rogers Street - District 3 - Accepting \$500.00 offer from Grapevine Enterprises, LLC - Note: City will rebate \$3,465.88 to Grapevines, which redeemed the property from Etowah County Revenue Commissioner)

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

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

RESOLUTION NO. R-415-18

AUTHORIZING AGREEMENT WITH EE GROUP, INC.

(Authorizing Agreement - EE Group, Inc. - \$7,500.00 - For design services to repair and improve portion of pedestrian lighting on Tuscaloosa Avenue)

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

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

RESOLUTION NO. R-416-18

AUTHORIZING CONSTRUCTION AGREEMENT
WITH ALABAMA DEPARTMENT OF TRANSPORTATION

(Authorizing Agreement - Alabama Department of Transportation - \$347,300.00 - For construction of ADA compliant sidewalk improvements - Federal 80% of \$277,840.00 - City 20% share of \$69,460.00)

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

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

RESOLUTION NO. R-417-18

AUTHORIZING AGREEMENTS WITH FISCAL YEAR 2018 COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) SUBRECIPIENTS

(Authorizing Agreements - FY 2018 CDBG funds - \$20,000.00 to Metropolitan Area Noon Nutrition Assistance (MANNA); \$12,000.00 to Thirteenth Place; \$12,000.00 to Way of the Cross Ministries; \$3,500.00 to Snellgrove Civitan Center; \$7,000.00 to The Love Center; \$2,000.00 to Council on Aging of Etowah County; \$10,000.00 to Family Success Center; \$3,500.00 to James M. Barrie Center for Children; \$3,000.00 to St. Martin de Porres Catholic Center of Concern; \$5,000.00 to Downtown Gadsden; \$5,000.00 to Gadsden Commercial Development Authority; \$3,000.00 to Boys and Girls Club of Gadsden/Etowah County; \$3,000.00 to Summer Enrichment Program of Etowah County)

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

DEPARTMENT REPORT

Shane Ellison, Mayor's Administrative Assistant, announced an open house and grand opening for The Venue, which will be held from 5 to 7 p.m. on September 25.

PUBLIC

Joseph Cole reiterated his 2012 request for an increase in entry level pay for police officers and firefighters, stating amounts paid by Oxford (\$22) and Anniston (\$19) are considerably more than Gadsden (\$13). He urged consideration of this before adopting the FY2019 budget. Mr. Cole suggested that the City establish a system for certification of minority businesses and provide a list for contractors to consider for subcontractor work. At the request of Councilwoman Toles, City Engineer Heath Williamson explained the public works bid process and his interaction with ADECA's minority affairs office.

MAYOR AND COUNCIL REMARKS

Mayor Guyton commended Finance Director Lisa Rosser’s work on the budget and maintaining the proper level of reserve funds. He noted the City pays 80% of health insurance costs and tries to care for its employees. The Mayor explained costs for equipment and landfill expansion and cooperative efforts with the Water Works and Sewer Board to minimize street cuts after resurfacing work.

Councilwoman Toles announced a District 1 community appreciation event at the Downtown Civic Center from 5 to 8 p.m. on September 29.

Councilman Echols recognized Kent Back, who will represent District 4 in the new administration that begins the first Monday in November.

Councilman Worthy advocated increasing entry level pay for police and fire departments and better insurance support for those who retire at an earlier age, which should help to solve retention issues. Councilman Billingsley referred to his service on the Civil Service Board and expressed support for raising entry level pay.

Councilman Reed encouraged entry applications for the Veterans Parade, which is scheduled for November 7.

Councilman Cannon announced plans for the “Treats on Wall Street” event, which will be held from 5 to 7 p.m. on Thursday, October 25.

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

Iva Nelson, City Clerk (9-18-2018)
