

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
SEPTEMBER 25, 2018 - 11:00 A.M.

The City Council met on September 25, 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 Chief Jaggars were also present.

The invocation was given by President Williams.

The minutes of the last work session and council meeting held on September 18, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of September 14 - September 20, 2018 were ratified by unanimous vote.

#185453 - #185605	General	\$624,272.15
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Mayor Guyton read a proclamation proclaiming October 2018, as “Domestic Violence Awareness Month” and presented it to Cliff Andrews (2<sup>nd</sup> Chance Shelter). Mr. Andrews said the shelter has taken referrals through the Family Success Center for a number of years and noted plans to re-establish a shelter in Gadsden.

UNFINISHED BUSINESS

(1) The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-27-18

ADOPTING FISCAL YEAR 2019 BUDGETS

(Ordinance Adopting Fiscal Year 2019 Budgets: General Fund totaling \$51,613,065.00; Special Revenue Funds totaling \$7,630,243.00; Debt Service Funds totaling \$8,076,124.00; Enterprise and Internal Service Funds totaling \$12,313,554.00; Capital Projects Fund totaling \$8,000,000.00; Capital Projects Fund II totaling \$7,100,000.00)

President Williams noted an unplanned consequence of the 2% cost of living adjustment for employees was a raise for the Mayor and Council members, due to an ordinance that provides for the Mayor's salary to always be 3% above the highest employee salary. He advised Mayor Guyton and several Council members have already signed a voluntary diminution of salary document.

Councilman Echols moved to adopt the ordinance, which motion was seconded by Councilman Reed and adopted by the following vote:

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

NAYS: Worthy

(2) Councilman Reed moved to reconsider Resolution No. R-407-18, a grass cutting lien on property at 309 Noccalula Drive in District 7, which was adopted on September 18. The motion was seconded by Councilman Cannon and unanimously carried. Councilman Reed referred to last week's motion to reconsider concerning 13 Comnock Avenue in District 6, stating both properties will be discussed in an upcoming Public Works Committee meeting. Councilman Cannon noted the meeting will be set after the new administration begins in November.

### PUBLIC HEARINGS

President Williams stated this was the time and place as advertised to conduct the following public hearings:

(1) President Williams announced the hearing concerning property at 2421 E. Meighan Boulevard in District 1 has been canceled, as the nuisance has been abated by the owner. Michael Radford stated he was representing the estate of Willie J. Walker and has terminated the lease agreement. President Williams advised the Council was not taking any action.

(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 608 Wawonah Street, Dorosalind A. Robinson being the last known owner. Dorosalind Robinson stated she no longer lives in the house but expressed her desire to remove personal belongings before demolition occurs. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2017, and recommended abatement. He joined with Councilman Worthy and President Williams in advising Ms. Robinson that she will have adequate time to remove the contents. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-418-18

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 608 Wawonah Street - District 3 - Dorosalind A. Robinson)

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

(3) President Williams announced the hearing concerning property at 414 N. 24<sup>th</sup> Street in District 6 has been canceled, as the nuisance has been abated by the owner.

(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 108 N. 26<sup>th</sup> Street, the State of Alabama, rights of redemption of Jason Oden, Kimberly Oden and Kimberly Paige Martin being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this commercial building since procedures began in February 2018, and recommended abatement. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-419-18

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 108 N. 26<sup>th</sup> Street - District 6 - State of Alabama; Rights of redemption of Jason Oden, Kimberly Oden and Kimberly Paige Martin)

Councilman Cannon 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 1506 Meadowbrook Avenue, Albert Green, c/o Kimberly Green, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-420-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 1506 Meadowbrook Avenue - District 1 - Albert Green, c/o Kimberly Green)

Councilman Echols 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 411 Nunnally Avenue, Diana R. Burris being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-421-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 411 Nunnally Avenue - District 1 - Diana R. Burris)

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

(7) President Williams announced the hearing scheduled regarding assessment of nuisance abatement lien on property at 1421 Paradise Avenue has been canceled due to confusion regarding the property address and will be rescheduled at a later date.

(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 1004 Penny Street, Margie Lee Frazier & Etals being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-422-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 1004 Penny Street - District 3 - Margie Lee Frazier & Etals)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 919 Odelle Avenue, Air 7 LLC and Snowbird Global, LP being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-423-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 919 Odelle Avenue - District 5 - Air 7 LLC; Snowbird Global, LP)

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 2811 Cambron Street, Shirley Jean Smothers being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-424-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 2811 Cambron Street - District 6 - Shirley Jean Smothers)

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 2116 Norris Avenue, Joyce Pinkard being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-425-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 2116 Norris Avenue - District 6 - Joyce Pinkard)

Councilman Cannon 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-426-18

#### AWARDING NEGOTIATED BID #3388 TO ALABAMA GUARDRAIL, INC.

(Awarding Bid # 3388 for Guardrail - Alabama Guardrail, Inc. for unit prices - Note: No bids were received and City Engineer negotiated contract with company)

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

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

### RESOLUTION NO. R-427-18

#### AUTHORIZING CONTRACT AGREEMENT WITH ARTIST

(Authorizing Agreement - Mary Jillian Hamrick England - To provide art classes at Gadsden Museum of Art - Artist will pay 30% of gross proceeds to City on monthly basis)

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

## NEW BUSINESS

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

### RESOLUTION NO. R-428-18

#### AUTHORIZING AGREEMENT WITH CDG ENGINEERS & ASSOCIATES, INC.

(Authorizing Agreement - CDG Engineers & Associates, Inc. - \$109,500.00 - For design services associated with site development for Buffalo Wild Wings Restaurant to be located between The Venue and Coosa River)

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

## PUBLIC

Kevin Blackwell extended an invitation to the open house for the SPAN program from 11 a.m. to 1 p.m. on October 16, on the campus of the former Gadsden High School. He summarized the program, which helps at-risk students reach educational and employment goals. President Williams commended the program, noting it was formerly known as the C.I.T.Y. Program.

MAYOR AND COUNCIL REMARKS

Councilwoman Toles announced a District 1 appreciation event from 5 to 8 p.m. on September 29, in the Tea Room of Downtown Civic Center.

Councilman Echols urged everyone to vote in the City’s runoff election on October 9.

Councilman Worthy said he had voted against the budget because it didn’t contain several items he had requested for the Tuscaloosa Avenue community, as well as entry level increase for policemen and firemen. Councilman Billingsley said he doesn’t agree with everything in the budget, stating there are many needs. Councilman Reed said he feels this is a good budget that will allow progress to continue.

Councilman Cannon reminded the public of District 6 meetings that are held at Banks Park the first Tuesday of each month. He announced the upcoming “Treats on Wall Street” event scheduled for October 25.

Councilman Reed, Mayor Guyton, and President Williams joined in announcing tonight’s open house event at The Venue, from 5 to 7 p.m.

President Williams commended former Gadsden City High School athletes Jordan Veasy, who competes in the Canadian Football League, Dre’ Kirkpatrick, and Darnell Moody, who plays for Tulane University. Councilwoman Toles noted four students from Gadsden City High School are semi-finalist merit scholars.

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

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Iva Nelson, City Clerk (9-25-2018)

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