

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
OCTOBER 2, 2018 - 11:00 A.M.

The City Council met on October 2, 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 Shane Ellison.

The minutes of the last work session and council meeting held on September 25, 2018, were approved by unanimous vote.

Payment of the HTE System accounts for the week of September 21 - September 27, 2018 were ratified by unanimous vote.

#185606 - #185782	General	\$920,913.37
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Mayor Guyton read a proclamation proclaiming October 2, 2018, as “The Venue at Coosa Landing Day” and recognized individuals and businesses who assisted with the open house and grand opening event on September 25.

UNFINISHED BUSINESS

A resolution assessing a grass cutting lien in the amount of \$256.00 on property at 2305 Nocalula Road in District 7, which was tabled for 14 days on September 18, was presented for consideration. Councilman Reed moved to table the resolution indefinitely, which motion was seconded by Councilman Cannon and unanimously carried.

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 194 Brookwood Drive in District 1, Theresa M. Hogg being the last known owner. Theresa Hogg said she went to Huntsville to address personal medical issues and break-ins occurred in her absence and have been ongoing. She expressed her desire to bring the house up to code, stating her daughter and son are helping. Family medical issues and waiting for contractors have further delayed the process. In response to inquiries from Councilwoman Toles, Ms. Hogg said they have worked on the interior of the structure in the past 4-6 weeks and have spoken with Mr. Harbison. Brian Harbison, Building Inspector, stated the case began in August 2017 and a permit was obtained in December 2017. He added no improvements have been made, other than installation of four new windows. Mr. Harbison and President Williams stressed the need for exterior work within the next 30 days. Councilwoman Toles moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(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 1205 Lancaster in District 1, Cliff Heard being the last known owner. Based on recent improvements and communication with the owner, Brian Harbison, Building Inspector, recommended a 30-day extension. Councilwoman Toles moved to table the resolution for 30 days, which motion was seconded by Councilman Echols and unanimously carried.

(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 1423 Paradise Avenue, Margaret Lee and Luedella Covington being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-429-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1423 Paradise Avenue - District 1 - Margaret Lee; Luedella Covington)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Billingsley 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 1002 Vinson Avenue, Eagle Corps Ministries of Alabama and Sandra M. Beck being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to the apartments since procedures began in June 2017, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-430-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1002 Vinson Avenue - District 2 - Eagle Corps Ministries of Alabama; Sandra M. Beck)

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

(5) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 407 Wilson Street, the State of Alabama and John Kernochan 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-431-18

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 407 Wilson Street - District 6 - State of Alabama; John Kernochan)

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

(6) President Williams announced the grass cutting charges on property at 1203 Lancaster Avenue in District 1 have been paid; therefore the hearing and resolution have been removed from the agenda.

(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 313 Henry Street, Harvard Stephens being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-432-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 313 Henry Street - District 3 - Harvard Stephens)

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 1117 Jupiter Street, Arthurine Love, the Bank of New York Mellon Trust Company being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-433-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 1117 Jupiter Street - District 5 - Arthurine Love; The Bank of New York Mellon Trust Company)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 1807 Mt. Zion Avenue, the State of Alabama, Joel T. Smith, c/o Paul & Cathy Allen, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-434-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$196.00 - 1807 Mt. Zion Avenue - District 5 - State of Alabama; Joel T. Smith, c/o Paul & Cathy Allen)

Councilman Billingsley moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 3515 Georgia Avenue, Joe & Amy Ramey, Marcus & Christina Deboard, and Regional Land & Development, LLC being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-435-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$256.00 - 3515 Georgia Avenue - District 6 - Joe & Amy Ramey; Marcus & Christina Deboard; Regional Land & Development, LLC)

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

(11) President Williams announced the grass cutting charges on property at 2 Lakefront Avenue in District 6 have been paid; therefore the hearing and resolution have been removed from the agenda.

(12) President Williams announced the grass cutting charges on property at 2 Laurel Road in District 6 have been paid; therefore the hearing and resolution have been removed from the agenda.

(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 3108 W. Meighan Boulevard, the State of Alabama, Chasity Jenkins, and Justin Shane Jenkins being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-436-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$136.00 - 3108 W. Meighan Boulevard - District 6 - State of Alabama; Chasity Jenkins; Justin Shane Jenkins)

Councilman Cannon 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 100 Lauren Drive, the State of Alabama and George Wertz being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-437-18

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$316.00 - 100 Lauren Drive - District 7 -State of Alabama; George Wertz)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-438-18

AUTHORIZING AGREEMENT WITH RAPHA HOUSE

(Authorizing Agreement - Rapha House, subsidiary of Family Life Center, Inc. - \$20,000.00 - To provide 10 beds for City inmates - For period of 12 months, from 10-1-18 through 9-30-19)

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

NEW BUSINESS

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

RESOLUTION NO. R-439-18

AUTHORIZING AGREEMENT WITH
SAIN ASSOCIATES, INC.

(Authorizing Agreement - Sain Associates, Inc. - \$9,500.00 - For Phase II of design work required to implement Emergency Preemption Equipment for Fire Department on traffic signals at 12 intersections)

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.

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

RESOLUTION NO. R-440-18

AUTHORIZING THE SATISFACTION
OF NUISANCE ABATEMENT LIEN

(Authorizing Satisfaction of Nuisance Abatement Lien - 1603 & 1605 McKinley Avenue - Accepting offer of \$300.00 from Claude Owens, Sr.)

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 Councilman Worthy and unanimously adopted.

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

ORDINANCE NO. O-28-18

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property - 426 N. 24th Street in District 6 - Accepting offer of \$2,000.00 from Hector Galindo and Magdalena Andres - Note: Property was deeded to City by Brice Holley, c/o Jimmy Holley)

Councilman Cannon moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilman Reed and carried by the following vote:

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

NAYS: None

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

DEPARTMENT REPORTS

Shane Ellison, Mayor's Administrative Assistant, announced today's "lasso cutting" ceremony and grand opening for Longhorn Steakhouse.

Heath Williamson, City Engineer, provided an update on various projects, including East Gadsden Community Center, community center at Black Creek, Moragne Park, Kiwanis Pavilion parking addition, Chestnut Street, S. 11th Street, and 5th Street.

City Clerk Iva Nelson announced the deadline for absentee voting is Thursday, October 4, as well as polling hours and locations for the runoff election on October 9.

MAYOR AND COUNCIL REMARKS

Councilwoman Toles and President Williams noted October is the month to raise awareness of breast cancer.

Councilman Echols expressed thankfulness to voters who elected him for eight terms and commended the accomplishments of the current administration. He joined with Councilman Reed and President Williams in encouraging the public to vote in the upcoming runoff election.

Councilman Worthy announced Saturday's Fall festival/block party in the 800 block of Tuscaloosa Avenue. He recounted a recent trip to a professional football game in the Atlanta stadium.

President Williams announced next week's Council meeting and work session will be held on Wednesday, October 10, due to the City runoff election on Tuesday.

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

Iva Nelson, City Clerk (10-02-2018)
