

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
JANUARY 10, 2023- 11:00 A.M.

The City Council met on January 10, 2023, in regular session.

The meeting was called to order at 11:00 a.m. by Council President Back. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Latham, Smith, Avery, Back, Minatra and Robinson. Councilman Wilson was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Ford, Heath Williamson, Lee Roberts and Chief Jaggears were also present.

The invocation was given by Heath Williamson.

The minutes of the last work session and council meeting held on January 3, 2023, were approved by unanimous vote.

Payment of the HTE System accounts for the week of December 30, 2022, through January 5, 2023, were ratified by unanimous vote.

#221260-221397	General	\$1,020,807.58
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Mayor Ford presented commendations to Fire Department employees Misty Lemons and Carrie Pentecost for their work with the Toys from Santa for many years.

UNFINISHED BUSINESS

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

ORDINANCE NO. O-01-23

AUTHORIZING CONVEYANCE OF PROPERTY  
LOCATED ON CROCHERON ALLEY

(Authorizing Conveyance of Property - Crocheron Alley - Lot 3, Block 1, Crocheron Central Addition - Accepting offer of \$300.00 from Omar Cunningham - Note: Property was conveyed to city in lieu of nuisance lien)

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

(Chief Jaggears left the meeting at this time and was replaced by Captain Entrekin.)

(2) A resolution ordering the abatement of nuisances on property at 709 Hooks Lake Road in District 2, which was tabled for 30 days on December 6, 2022, was presented for consideration. Councilman Smith said he observed work being done and moved to table the resolution an additional 30 days. The motion was seconded by Councilman Robinson and unanimously carried.

(3) President Back announced that no action was necessary regarding a resolution ordering abatement of nuisances on property at 2920 Sansom Avenue in District 6, which was tabled for 30 days on December 6, 2022, as the nuisance has been abated by the owner.

### PUBLIC HEARINGS

President Back 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 141 Brookwood Drive, Joseph A. Woods, subject to a mortgage in favor of Your Choice Properties, LLC, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-02-23

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 141 Brookwood Drive - District 1 - Joseph A. Woods, subject to mortgage in favor of Your Choice Properties, LLC)

Councilwoman Latham moved to adopt the resolution as introduced, which motion was seconded by Councilman Robinson 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 1212 Johnson Street, Tuscal LLC, subject to a mortgage in favor of First Bank of Alabama, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in June 2022, and recommended abatement. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-03-23

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1212 Johnson Street - District 2 - Tuscal, LLC, subject to mortgage in favor of First Bank of Alabama)

Councilman Smith moved to adopt the resolution as introduced, which motion was seconded by Councilman Robinson 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 2919½ Shahan Avenue in District 6, Steven Workman and Janice Workman, also known as Janice Sue Potter, subject to a mortgage in favor of City of Gadsden, and Christopher Earl Baker being the last known owners. Based on recent improvements, Brian Harbison, Building Inspector, recommended a 30-day extension. Councilwoman Minatra moved to table the resolution for 30 days, which motion was seconded by Councilman Robinson and unanimously carried.

(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 1807 Mt. Zion Avenue, the State of Alabama, rights of redemption of Joel T. Smith and/or his heirs if deceased, subject to a mortgage in favor of Southtrust Bank of Etowah County, N.A., being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-04-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,190.00 - 1807 Mt. Zion Avenue - District 5 - State of Alabama; Rights of redemption of Joel T. Smith and/or his heirs if deceased; Subject to mortgage in favor of Southtrust Bank of Etowah County, N.A.)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

(1) A resolution appointing Jesse Battles to the Commercial Development Authority was presented for consideration. Councilman Robinson moved to substitute the following resolution, which motion was seconded by Councilwoman Minatra and unanimously carried:

RESOLUTION NO. R-05-23

AMENDING RESOLUTION APPOINTING MEMBER TO  
COMMERCIAL DEVELOPMENT AUTHORITY

(Amending Resolution No. R-362-22, which inadvertently appointed John Reed - Appointing Melissa Battles to replace Ben Reed for term expiring on December 31, 2024)

Councilman Robinson moved to adopt the resolution as substituted, which motion was seconded by Councilwoman Minatra and unanimously adopted.

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

RESOLUTION NO. R-06-23

APPOINTING MEMBER TO GADSDEN LAND BANK AUTHORITY

(Appointing John Reed to complete the term of Jesse Battles, who declined appointment, for term expiring on June 14, 2024)

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

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

RESOLUTION NO. R-07-23

AMENDING RENTAL RATES FOR  
THE NOCCALULA FALLS CAMPGROUND

(Revising rates and regulations established by Resolution Number R-485-16 and amended by R-231-17, R-132-18, R-490-18, R-464-19, and R-92-22 - Increasing rental rates at Noccalula Falls Campground)

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

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

RESOLUTION NO. R-08-23

AUTHORIZING CHANGE ORDER #1 FOR BID NO. 3460

(Authorizing Change Order #1 - Bid No. 3460 - 2021 Community Development Street Resurfacing Project - Additional \$86,495.38 to reconcile additions and deletions throughout construction - Adjusting contract price with Vulcan Materials Asphalt & Construction, LLC to \$1,432,568.38)

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

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

RESOLUTION NO. R-09-23

AUTHORIZING AGREEMENT WITH  
ORCHESTRA PARTNERS DEVELOPMENT, LLC

(Authorizing Vision Planning & Fund Formation Agreement - Orchestra Partners Development, LLC - \$70,000.00 - To create and implement strategic urban redevelopment plan for the Gadsden Riverfront)

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

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

RESOLUTION NO. R-10-23

AUTHORIZING AGREEMENT WITH  
GOODWYN MILLS CAWOOD, LLC

(Authorizing Agreement - Goodwyn Mills Cawood, LLC - \$267,000.00 - To provide an updated Comprehensive Plan for the city)

ORDINANCES - FIRST READING

The following ordinances were introduced in writing and read by President Back:

(1) ORDINANCE - AMENDING FISCAL YEAR 2023 BUDGET (Transferring \$337,000.00 for agreements with Orchestra Partners Development, LLC and Goodwyn Mills Cawood, LLC)

(2) ORDINANCE - AUTHORIZING CONVEYANCE OF PROPERTY TO DAIRYMAN'S SUPPLY COMPANY (Building T-3 at Air Depot)

Since no action was taken in this meeting, the ordinances will be placed on the agenda of the next regular meeting for consideration.

NEW BUSINESS

(1) Councilman Smith introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-02-23

AMENDING FISCAL YEAR 2023 BUDGET

(Amending FY2023 Budget - Transferring \$242,500.00 from General Fund unassigned balance to various accounts in Mayor's Office budget - \$10,000.00 to Contractual Printing; \$1,000.00 to Cellular Phone; \$1,000 to Internet Connection Fee; \$8,000.00 to Office Supplies; \$10,000.00 to Postage; \$2,000.00 to Copier Supplies; \$5,000.00 to Other Supplies; \$10,000.00 to Gas and Oil; \$5,000 to Non-Cap Computer Equipment; \$10,000.00 to Non-Cap Office Equipment; \$2,000.00 to Non-Cap Other Equipment; \$25,000.00 to Advertising; \$50,000.00 to Discretionary Funds; \$12,000.00 to Dues and Subscriptions; \$50,000.00 to Training and Travel; \$5,000.00 to Miscellaneous; \$10,000.00 to Meetings and Hospitality; \$500.00 to Car Allowance; \$1,000.00 to Cable and Satellite; \$25,000.00 to Contractual Services/Fees)

Councilman Smith moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilwoman Minatra and approved by the following vote:

AYES: Latham, Smith, Avery, Back, Minatra, Robinson

NAYS: None

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

DEPARTMENT REPORTS

Fire Chief Reed reported on the 2022 Toys from Santa program, which raised \$32,818, the highest amount ever and helped over 375 children in the city. He also presented the Fire Department report concerning responses made to various types of incidents in 2022. The Chief and Fire Marshall Jason Talton responded to questions regarding various aspects of the report.

MAYOR AND COUNCIL REMARKS

Mayor Ford thanked the Council for today’s budget amendment and reported on the following: Contacts with an engineering firm and the FAA on airport matters; tomorrow’s planned visit to the cities of Cullman and Huntsville; police recruitment videos; infrastructure projects and grants; efforts to locate a building for Darden Rehabilitation; upcoming meetings in Washington, DC and Montgomery; Rainbow City’s agreement to participate in the Industrial Development Authority and meetings with Attalla and Hokes Bluff; clarified circumstances regarding termination of the lease with Huckaby’s Hope for Paws.

Councilwoman Latham commented on the Mayor’s Ball.

Councilman Smith recognized work of the Mayor, first responders, and Toys from Santa volunteers.

Councilman Avery thanked everyone for their birthday wishes and those who responded to a recent loss of life incident in his district. He announced a District 3 meeting on January 17 at the Downtown Civic Center. Councilman Avery thanked Adams-Bugg Funeral Home for a recent community event and announced a dedication ceremony for Jalaria Harris Square on January 15. He expressed condolences to the Spears family.

Councilwoman Minatra commented on the nationwide response to Buffalo Bills player Damar Hamlin’s collapse and announced plans to host CPR training at her first district meeting.

Councilman Robinson complimented city staff for a great Christmas at the Falls event and noted Friends of the Falls will provide lunch for them tomorrow.

President Back commended Friends of the Falls and the Mayor and his administration. He noted the relocation of Darden Rehab will continue redevelopment efforts in East Gadsden, and said he looks forward to Thursday’s training by Alabama League of Municipalities representatives. President Back thanked the fire department for raising money for children and the police department for their service.

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

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Iva Nelson, City Clerk (1-10-2023)

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FOURTH FLOOR CONFERENCE ROOM - BID OPENING  
JANUARY 10, 2023 - 2:00 P.M.

The City Clerk received bid proposals as advertised for the following bids:

Bid No. 3493 - Crushed Stone for NEAPA (Northeast Alabama Purchasing Association)

Vulcan Materials	Unit prices
Whittaker Contracting Co.	Unit prices

Bid No. 3494 - Cold Plant Mix Paving Material for NEAPA

Vulcan Materials	\$125.00/ton
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Bid No. 3496 - Pole Barn Construction for the Emergency Management Agency

Greer Building Contractors	\$146,977.00
Trent Thrasher Construction, LLC	\$114,983.00

Copies of the bids will be forwarded to the NEAPA Coordinator and the City Engineer, and a recommendation will be made to the Council.

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