

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JANUARY 18, 2022 - 11:00 A.M.

The City Council met on January 18, 2022, in regular session.

The meeting was called to order at 11:00 a.m. by Council President Toles. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Toles, Worthy, Back, Wilson, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Councilman Williams joined the meeting after it was in progress. Mayor Guyton, Heath Williamson, Lee Roberts, and Chief Jaggears were also present.

The invocation was given by Councilman Back.

The minutes of the last work session and council meeting held on January 11, 2022, were approved by unanimous vote.

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

#213214-213374	General	\$1,530,689.47
----------------	---------	----------------

On behalf of the Emergency Management Agency, Chief Reed reported on current Covid statistics and the website to receive four free Covid tests. He announced tomorrow's testing and vaccination event at North Glencoe Baptist Church and reminded everyone that emergency rooms are not testing sites. Chief Reed said there have been 25 recent cases within the department, with one having severe symptoms and three currently out. Medic personnel are being reassigned so that units are covered.

PUBLIC HEARINGS

President Toles 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 1006 Slusser Avenue, Cathy J. Poppell & Etals being the last known owner. Cathy Poppell requested additional time, stating her former husband had "sabotaged" the plumbing system and additional items had to be moved out from under the house for repairs. She said muddy conditions are made worse by storm water from property that was demolished. (Councilman Williams joined the meeting at this time.) Brian Greer, Deputy Building Official, stated no improvements have been made in this case involving debris, trash, and vehicles since procedures began in July 2020. He noted municipal court proceedings were unsuccessful in clearing the property and recommended abatement. Councilman Williams noted he has received complaints from neighbors and said Ms. Poppell should have some time before the City crews arrive on the property and advised her to speak with Mr. Greer. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-08-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - Trash and Debris - 1006 Slusser Avenue - District 2 - Cathy J. Poppell & Etals)

Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Wilson 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 614 Tidmore Bend Road, Steven Ray Huie being the last known owner. Brian Greer, Deputy Building Official, stated no improvements have been made on this trash and debris case since procedures began in May 2021. He said municipal court procedures had not been successful in getting the debris removed and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-09-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - Trash and Debris - 614 Tidmore Bend Road - District 2 - Steven Ray Huie)

Councilman Williams 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 ordering the abatement of nuisances on property at 2802 Waters Avenue, the State of Alabama, subject to rights of redemption of Martha Jacobs, and/or heirs if deceased, being the last known owners. Brian Greer, Deputy Building Official, stated no improvements have been made since procedures began in July 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-10-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2802 Waters Avenue - District 6 - State of Alabama; Rights of redemption of Martha Jacobs and/or heirs, if deceased)

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 ordering the abatement of nuisances on property at 1805 Lookout Circle, Donald and Kay Walker being the last known owners. Brian Greer, Deputy Building Official, stated no improvements have been made in this case involving multiple vehicles since procedures began in August 2020. He said municipal court procedures had not been successful in getting the debris removed and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-11-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - Multiple vehicles - 1805 Lookout Circle - District 7 - Donald & Kay Walker)

Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 211 Argyle Circle, Sheila Freeman Summerville, subject to a mortgage in favor of Champion Mortgage, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-12-22

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Rehabilitation Work - \$16,097.00 - 211 Argyle Circle - District 5 - Sheila Freeman Summerville, subject to a mortgage in favor of Champion Mortgage)

Councilman Wilson said the city occasionally performs work on higher value structures, rather than demolition, to eliminate nuisances. Brian Greer joined him in explaining how this option is determined and potential actions the city can take to protect its investment.

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

(1) A resolution appointing Cynthia Toles, Deverick Williams, Johnny Cannon, and Ben Reed to the Gadsden Commercial Development Authority was introduced in writing. Councilwoman Toles moved to substitute the following ordinance, which motion was seconded by Councilman Reed and unanimously carried:

RESOLUTION NO. R-13-22

APPOINTING MEMBERS TO GADSDEN
COMMERCIAL DEVELOPMENT AUTHORITY

(Appointing Ben Reed to replace Harry McLendon - Appointing Johnny Cannon to replace Eric Wright - For terms ending November 7, 2022 - Note: Bylaws provide that if council members are appointed, their terms will expire at the end of the council term)

Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed and adopted by the following vote:

AYES: Toles, Williams, Back, Wilson, Reed

NAYS: None

ABSTENTIONS: Worthy, Cannon

PUBLIC

Joseph Cole said city employees had advised him the Juneteenth holiday has not been approved, noting the county and other area municipalities will observe it. He asked if an opening date has been set for the newly constructed East Gadsden Community Center, noting he was first told 2020 or early 2021. Mr. Cole said a master electrician told him he's never been called to perform work or given an opportunity to bid on city jobs.

President Toles responded and explained the Juneteenth holiday has not been discussed by the council as a body. She noted the question concerning bidding would be an administrative matter. After a short discussion, Heath Williamson, City Engineer, provided an update. He said the opening of the East Gadsden Community Center is anticipated in the near future and related the history involved with discontinuing the original contractor. The pandemic caused supply delays but final inspections are underway with the current contractor. Extensive training will be provided to staff concerning highly technical systems in the building. Mr. Williamson also explained bid procedures, which include newspaper advertisements and compliance with public bid laws. There is also a process for potential bidders to request notification and smaller contractors can participate under prime contractors until they obtain proper licensing. Councilman Williams added many steps are taken for inclusion of certified minority businesses. Several council members advised they didn't have a problem with Mr. Cole asking questions, and President Toles agreed but questioned why local citizens don't come instead of calling him to come from Atlanta.

MAYOR AND COUNCIL REMARKS

President Toles announced changes in the garbage collection schedule due to yesterday's holiday.

Councilman Wilson thanked Harry McLendon and Eric Wright for their service on the Commercial Development Authority. He explained the bylaws provide for service by council members and term expirations coincide with the end of the council term. Councilman Reed said he had agreed to serve for an eight month period. Councilman Cannon said he is glad to serve and will work to seek additional development in Alabama City. Councilman Williams noted his prior service and support for the agency, pointing out private business owners decide where they will locate. Mayor Guyton encouraged the public to seek information from reliable sources rather than social media.

Councilman Worthy thanked the city engineer for his explanations and encouraged businesses in his district to submit bids for city projects.

Councilman Williams apologized to Mr. Cole for his earlier request to take his seat after his comments. He explained his objection was mostly about council procedures and his reluctance to see department heads asked to give impromptu updates. Councilman Williams urged the importance the community center being "done right" as opposed to hurriedly. He affirmed the council has not discussed the Juneteenth holiday.

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

Iva Nelson, City Clerk (1-18-22)
