

CITY COUNCIL MEETING - GADSDEN, ALABAMA
JANUARY 26, 2021 - 11:00 A.M.

The City Council met on January 26, 2021 in regular session, via teleconference.

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, Williams, Worthy, Back, Cannon and Reed. Councilman Wilson joined the meeting shortly after it began. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, and Lee Roberts were also present.

The invocation was given by Iva Nelson.

The minutes of the last work session and council meeting held on January 19, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of January 15-21, 2021, were ratified by unanimous vote.

#205423-205507	General	\$296,308.80
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Deborah Gaither, Emergency Management Agency Director, provided an update on Covid-19 statistics, noting the current death toll is at 189. She made the following announcements regarding vaccinations: 1) No clinic is scheduled for January 28 and the announcement was erroneous; 2) Second doses are being given on January 27 for first responders; 3) Second doses are being given at The Venue on February 4 for only people who received their first dose on January 7.

UNFINISHED BUSINESS

President Toles announced that no action was necessary regarding a resolution ordering abatement of nuisances on property at 507 Cherry Street in District 5, as the nuisance has been abated by the owner.

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 approving the issuance of an alcoholic beverage license for AJ Bravo, LLC, d/b/a Don Bigotes, at 1729 Rainbow Drive. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-08-21

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(AJ Bravo, LLC - Don Bigotes - 1729 Rainbow Drive in District 5 - Restaurant Retail Liquor License)

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

AYES: Toles, Williams, Worthy, Back, Wilson, Reed

NAYS: Cannon

(2) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Express Motors Partnership GP, d/b/a Express Mart 1, at 2511 S. 11th Street. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-09-21

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Express Motors Partnership GP - Express Mart 1 - 2511 South 11th Street in District 4 - Retail Beer and Table Wine, off premises only)

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

AYES: Williams, Worthy, Back, Reed

NAYS: Toles; Cannon

ABSTENTIONS: Wilson

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Fresh Value Gadsden, LLC, d/b/a Fresh Value, at 2519 W. Meighan Boulevard. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-10-21

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Fresh Value Gadsden, LLC - Fresh Value - 2519 W. Meighan Boulevard in District 6 - Retail Beer and Table Wine, off premises only)

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

AYES: Williams, Worthy, Back, Wilson, Reed

NAYS: Toles; Cannon

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-11-21

APPOINTING MEMBERS TO GADSDEN
CULTURAL ARTS FOUNDATION, INC.

(Confirming Mayor's appointment of Bo Arthur to replace Christie Knowles, Jessica Brown to replace Shane Ellison, and Cody Robinson to replace Portia Foster - For terms expiring on January 1, 2024)

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

AYES: Toles, Williams, Back, Wilson, Cannon, Reed

NAYS: Worthy

NEW BUSINESS

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

RESOLUTION NO. R-12-21

APPOINTING MEMBER TO
ZONING BOARD OF ADJUSTMENT

(Appointing Earl Heard to replace David Leeks - For term expiring on May 18, 2021)

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

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

RESOLUTION NO. R-13-21

AUTHORIZING LEASE AGREEMENT
WITH DAIRYMANS SUPPLY COMPANY

(Authorizing Lease Agreement - Dairymans Supply Company - Concrete pad on north side of Building T-3; Concrete pad on north side of Building T-4; Paved area behind Driver's License Office - \$4,000.00 per month - Month-to-month basis, beginning February 1, 2021)

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

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

RESOLUTION NO. R-14-21

AUTHORIZING NONDISTURBANCE AGREEMENT
WITH GADSDEN OPCO, LLC AND BANK OF AMERICA, N.A.

(Authorizing Nondisturbance Agreement - Gadsden POCO, LLC and Bank of America, N.A. - Regarding sale of Buffalo Wild Wings Restaurant by TWS Gadsden, LLC (Richard T. Story) to Gadsden OPCO, LLC)

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

MAYOR AND COUNCIL REMARKS

President Toles joined with Councilmen Williams and Back in thanking Emergency Management Agency staff and first responders.

Councilman Williams expressed concern for storm victims in Fultondale and Center Point. He announced community meetings on February 4 for the Alabama Provider Capacity Project, which aims to understand the community’s needs to enhance substance use disorder treatment and recovery options.

Councilmen Williams and Back extended best wishes to Chief Carroll upon his retirement and commended his exemplary job performance. It was noted the Civil Service Board will be responsible for hiring a new chief.

Councilman Worthy announced the point in time homeless count will occur on January 27 and provided contact information.

Councilman Back said Buffalo Wild Wings was purchased by a larger franchise and will continue its current operations.

Councilman Cannon expressed excitement that Fresh Value grocery store will open on February 1. He cited a number of city employees who are retiring and thanked them for their service, including Jerry Gladden, Cookie (Noccalula Falls), Charlotte Wright, Jim Kilgro, Brent Brewer, Fred Winston, and Kay Adams. He encouraged citizens to apply for vacant jobs. At Councilman Cannon’s request, City Planner Nick Hall announced distribution of 1,000 personal protective equipment packages to seniors and low-income families on Friday at The Venue and the Alabama City Center. He noted approximately 200 packages will be sent to Elliott Community Center for nutrition program participants.

Councilman Reed noted the passing of Janie Terrell and commended her work on behalf of the entire county and the Patriots Association, stating she was a 2003 Hall of Honor inductee.

President Toles announced next week’s work session and council meeting will be held in person, in the council chamber on the first floor, noting social distancing guidelines will be observed.

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

Iva Nelson, City Clerk (1-26-21)

FIRST FLOOR LOBBY - CITY HALL - BID OPENING
JANUARY 26, 2021- 2:00 P.M.

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

Bid No. 3448 - 2021 Herbicide Project

EDKO, Inc.

\$80,000.00

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