

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MARCH 15, 2022 - 11:00 A.M.

The City Council met on March 15, 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, Back, Wilson, Cannon and Reed. Councilmen Williams and Worthy were absent. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts and Captain Jackson were also present.

The invocation was given by Heath Williamson.

The minutes of the Finance Committee, Special Work Session, Community Development Committee, Work Session, and Council meetings held on March 8, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 4-10 were ratified by unanimous vote.

#214321-214517	General	\$1,009,430.02
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UNFINISHED BUSINESS

A resolution approving a Lounge Retail Liquor License, Class I, at 1045 Tuscaloosa Avenue for William Avery, Jr., d/b/a Avery Blues Hall of Famer, which was tabled for 90 days on December 14, 2021, was presented for consideration. Councilman Cannon moved to table the resolution an additional 30 days, which motion was seconded by Councilman Reed and unanimously carried.

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 The Wine Down Bar Spa, LLC d/b/a/ The Wine Down Spa at 1001 Rainbow Drive, Suite 29. Sheila Carrington, applicant, stated wine will be served during spa service. The following resolution was presented for consideration:

RESOLUTION NO. R-86-22

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(The Wine Down Bar Spa, LLC - The Wine Down Spa - 1001 Rainbow Drive, Suite 29 - District 4 - Retail Table Wine, on or off premises)

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

AYES: Toles, Back, Wilson, Reed

NAYS: Cannon

(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 1003 Lancaster Avenue, C.V. Chappell, subject to a mortgage in favor of Family Savings Federal Credit Union, C.V. Chappell, c/o Jeannie Jelks, being the last known owner. Brian Harbison, Building Inspector, stated this structure was destroyed by a tree that fell. He said no improvements have been made since procedures began in September 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-87-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance -1003 Lancaster Avenue - District 2 - C.V. Chappell, subject to mortgage in favor of Family Savings Federal Credit Union; C.V. Chappell, c/o Jeannie Jelks)

Councilman Back moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 614 Tidmore Street, Steven Ray Huie being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made to this accessory building since procedures began in April 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-88-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 614 Tidmore Street (county records list property address as 614 Tidmore Bend Road) - District 2 - Steven Ray Huie)

Councilman Back moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1625 Kyle Avenue in District 3, Robert Gamble being the last known owner. Kerry Jackson (L & K Construction) stated his deceased father was the property owner. He requested 30 days to get the family together and noted some of the issues have been addressed. Brian Harbison, Building Inspector, said he is not opposed to a delay but requested the work to progress more quickly. He noted issues involving homeless persons and said although a permit was obtained about a year ago, there have been few improvements since the case began in January 2021. Councilman Cannon moved to table the resolution for 30 days, which motion was seconded by Councilman Reed and unanimously carried.

(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 2907 S. 11th Street (mobile home), Jerry Humphrey and Brenda Jean Williams being the last known owners. Michael Humphrey stated his father is deceased and expressed his desire to make repairs. Brian Harbison, Building Inspector, stated although a permit was obtained in September 2020, no improvements have been made since the case began in July 2020. He also said a large pile of debris is present. Councilman Cannon advised Mr. Humphrey the property needs to be brought up to code and significant work should be done within the next 14 days. Councilman Cannon then moved to table the resolution for 14 days, which motion was seconded by Councilman Reed and unanimously carried.

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-89-22

AWARDING BID NO. 3471

(Awarding Bid No. 3471 - Wildhaven Circle Drainage Improvement Project, Phase 2 - Bedwell & Whorton Excavating, LLC - \$46,475.00)

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

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

RESOLUTION NO. R-90-22

APPOINTING AND REAPPOINTING MEMBERS
TO ZONING BOARD OF ADJUSTMENT

(Appointing Jemelle Simmons to replace Mary Rowe - Reappointing Clarice Robinson and Earl Heard - For terms expiring 5-18-24)

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

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

RESOLUTION NO. R-91-22

AUTHORIZING ACCEPTANCE OF DONATION FROM CRAIG WEDDERSPOON

(Accepting donation from Craig Wedderspoon - Art Installation that is currently located on Broad Street near 200 Broad Street, valued at \$10,000.00)

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

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

RESOLUTION NO. R-92-22

ADOPTING RENTAL RATES FOR VARIOUS FACILITIES
OF THE PARKS AND RECREATION DEPARTMENT,
EAST GADSDEN COMMUNITY CENTER AND THE VENUE

(Adopting updated rental rates for Parks and Recreation Department facilities and The Venue - Establishing rental rates for new East Gadsden Community Center)

Councilman Wilson referred to several recent requests for discretionary funds to cover rental fees at The Venue for events and asked if other funds could be utilized. President Toles said the matter can be discussed in the upcoming Education/Recreation Committee meeting.

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

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

RESOLUTION NO. R-93-22

AUTHORIZING ENGAGEMENT TO REPRESENT
WITH FORD, HOWARD & CORNETT, P.C.

(Authorizing Engagement Letter - Ford, Howard, and Cornett, P.C. - For continued representation in pending litigation - Choice Fabricators, Inc., et al. v. City of Gadsden, et al.)

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

PUBLIC

Joseph Cole referred to discussions about the proposed Juneteenth holiday and disagreed with cost projections presented to the Finance Committee, stating he feels the cost would be significantly less. He urged the Council to vote now and make a decision, pointing out the Mayor has veto power if he doesn't favor approving the holiday.

COUNCIL REMARKS

President Toles announced free classes for manufacturing companies, which will be held at the Bevill Center throughout April. In response to her inquiry, Fire Chief Wil Reed advised Covid cases are very low right now.

Councilman Back said he has received many complaints regarding animals running loose and asked the public to obey the leash law.

Councilman Wilson noted the Council had agreed to table the ABC license application for Avery's Hall of Famer until after Mr. Avery's court case is resolved. He explained other actions taken in today's meeting.

Councilman Cannon provided an update on resurfacing projects underway.

Councilman Reed said he would defer remarks until the Finance Committee Chairman returns.

On behalf of Councilman Williams, City Clerk Iva Nelson read a text complimenting Parks and Recreation staff for last weekend's State basketball tournament.

On behalf of Councilman Worthy, City Clerk Iva Nelson announced a community event by the Recovery Organization of Support Specialist (R.O.S.S.) to be held at the Carver Community Center on March 30.

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

Iva Nelson, City Clerk (3-15-22)
