

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MARCH 21, 2023 - 11:00 A.M.

The City Council met on March 21, 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, Wilson, Minatra and Robinson. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson and Chief Jaggears were also present.

The invocation was given by Councilwoman Latham.

The minutes of the last work session and council meeting held on March 14, 2023, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 10-16 were ratified by unanimous vote.

#222808-222804	General	\$370,704.06
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UNFINISHED BUSINESS

(1) The following resolution, which was tabled for 30 days on February 14, was presented in writing for consideration:

RESOLUTION NO. R-89-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 709 Hooks Lake Road (713 Hooks Lake Road on county records) - District 2 - Deborea Brewer; Shane Gaither; Todd Day; Brad Gaither; Deborea Lynn Brewer & ETALS)

Upon recommendation of the Building Official, Councilman Smith moved to adopt the resolution. The motion was seconded by Councilman Wilson and unanimously adopted.

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 in opposition to or in favor of an ordinance approving the rezoning of property at 1321 East Broad Street from R-1, One-Family Residence District and B-1, Neighborhood Business District, to B-2, General Business District. The Planning Commission recommended approval. Kevin Ferguson explained he wishes to develop new space for his service and retail tenants, which will be displaced by the Eastern connector (I-759) extension. The following ordinance was introduced in writing for consideration:

ORDINANCE NO. O-21-23

REZONING 1321 EAST BROAD STREET

(Approving Rezoning - 1321 East Broad Street - Lots 30-45 in Pathfinder Court - District 2 - From R-1, One-Family Residence District and B-1, Neighborhood Business District, to B-2, General Business District - Requested by Kevin Ferguson - For development of new space for tenants of service and retail establishments)

Councilman Wilson moved to suspend the rules to immediately consider the ordinance at its first reading. The motion was seconded by Councilman Robinson and approved by the following vote:

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

NAYS: None

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

(2) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance approving the rezoning of property at 410 Southside Avenue from R-2, Multiple-Family Residence District, to O-1, Office District. The Planning Commission recommended approval. No one spoke. The following ordinance was introduced in writing for consideration:

ORDINANCE NO. O-22-23

REZONING 410 SOUTHSIDE AVENUE

(Approving Rezoning - 410 Southside Avenue - Lot 11 and E ½ Lots 9-10, Pine Brook Subdivision) - From R-2, Multiple-Family Residence District, to O-1, Office District - Requested by Carrie Halladay - To establish business office - Note: Applicant plans to utilize vacant lot for construction of off-street parking facility)

Councilman Wilson moved to suspend the rules to immediately consider the ordinance at its first reading. The motion was seconded by Councilman Smith and approved by the following vote:

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

NAYS: None

Councilman Wilson moved to adopt the ordinance, which motion was seconded by Councilwoman Latham 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 405 Evans Street, Faith Based Investments Property Management, LLC and Beverly M. Charles being the last known owners. 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-90-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 405 Evans Street (401 Evans Street on county records) - District 3 - Faith Based Investments Property Management, LLC; Beverly M. Charles)

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

(4) 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 West Hood Kwik Shop, LLC d/b/a West Hood Kwik Shop at 2701 W. Meighan Boulevard. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-91-23

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(West Hood Kwik Shop, LLC - West Hood Kwik Shop - 2701 W. Meighan Boulevard - Retail Table Wine and Retail Beer, off Premises only)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-92-23

APPROVING ISSUANCE OF SPECIAL EVENT
ALCOHOLIC BEVERAGE LICENSE

(City of Gadsden - Special Event Retail License - For Mayor Memorial Bash on May 27, 2023 - To be held at Amphitheater at 90 Walnut Street)

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

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

RESOLUTION NO. R-93-23

AWARDING BID NO. 3501

(Awarding Bid No. 3501 - 2023 or newer Chevrolet Silverado 3500 HD with bed - Donohoo Chevrolet, LLC - \$66,384.50)

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

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

RESOLUTION NO. R-94-23

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$6,500.00 - For The American Flyers to perform for Summer Concert Series concert at Amphitheatre on June 2, 2023)

Councilman Wilson 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-95-23

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$3,000.00 - For Bluff City Bandits to perform for Summer Concert Series concert at Amphitheatre on July 7, 2023)

Councilman Wilson 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-96-23

AUTHORIZING AGREEMENT FOR
SUMMER CONCERT SERIES

(Authorizing Agreement - Crescent Moon Entertainment - \$3,800.00 - For Radio Incorporated to perform for Summer Concert Series concert at Amphitheatre on August 4, 2023)

Councilman Wilson 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-97-23

AUTHORIZING AGREEMENT WITH
FISHERS OF MEN MINISTRIES, INC.

Authorizing Agreement - Fishers of Men Ministries, Inc. - \$8,000.00- To sponsor fishing tournament at Coosa Landing on October 17-21, 2023)

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

ORDINANCES - FIRST READING

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

(1) ORDINANCE - AMENDING FISCAL YEAR 2023 BUDGET (Transferring \$1,713,000 from unassigned balance for property acquisition)

(2) ORDINANCE - AMENDING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM 2020-2024 CONSOLIDATED PLAN AND AMENDING 2020 CDBG-CV BUDGET

(3) ORDINANCE - ADOPTING 2023 FISCAL YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ANNUAL ACTION PLAN AND BUDGET

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

DEPARTMENT REPORTS

Josh Tanner (Emergency Management Agency Director) reminded the public to take care of pets, pipes, and people during the upcoming cold temperatures and noted the possibility of severe weather this Friday. He introduced Ann Payne, new EMA specialist.

Heath Williamson (City Engineer) announced an upcoming bid opening for grass cutting services in each of the seven districts and contractors were encouraged to submit bids.

MAYOR AND COUNCIL REMARKS

On behalf of Mayor Ford, Tena King (Director of City Services) reported on: recent meetings in Montgomery with directors of ADECA, ALDOT, and Tourism; update from Orchestra Partners on riverfront plan; meeting with grant consultant regarding five target areas to pursue; Airport Authority's selection of new engineering firm and approval of job description for executive director; upcoming website upgrade; testimony being given today in committee hearing regarding OLF legislation; grant applications being submitted to Congressman Aderholt, Senator Britt and Senator Tuberville; upcoming meetings at the National League of Cities conference in Washington, D.C.; ribbon cutting on April 3 for Phase 2 of the Gadsden Sports Park at Gadsden State Community College.

Councilwoman Latham thanked Howell Mathews and Jason Hill for yesterday's ride through her district and commented on positive activity taking place by residents and the city.

Councilman Smith expressed appreciation for the good things happening and reported on the positive GROW Gadsden meeting. He thanked everyone for his birthday wishes and commended Kevin Ferguson's continued investment in the community.

Councilman Avery thanked participants of the recent health and job fair at Carver Gym, noting he plans to continue having them every other month. He announced an informational meeting by Habitat for Humanity on March 21 at Carver Community Center. Councilman Avery encouraged inclusiveness for Summer concerts. He referred to emails from constituents regarding CDBG and expressed support for an accessible playground, but pointed out the need to spend 51% of funds in low-moderate communities and have safe parks in all districts. Councilman Avery highlighted information concerning Lovelle Buchanon, who was recently honored by Abundant Life Church, and said he intends to introduce a resolution from the council, since a proclamation was not issued. He extended condolences to the family of Coach Buster Gross and encouraged donation of personal hygiene items to the Catholic Center of Concern.

Councilman Wilson expressed excitement and positive feedback about use of the Sports Park at Gadsden State Community College and disappointment about graffiti on the restroom facility. He extended condolences to friends of Randy Spurling at his death. Councilman Wilson reported on the public safety committee’s visit to Oxford to view the expansive camera system and said he hopes to see Gadsden follow suit. He agreed with Councilman Avery regarding inclusion, noting Parks & Recreation seeks it when booking entertainment. He also commented on the CDBG budget, citing numerous line items spent in low/moderate income areas.

Councilwoman Minatra reported on today’s public works committee meeting and announced the recycling center will open one Saturday per month and the landfill will open the last Saturday of the month, beginning in April.

Councilman Robinson commented on another positive day of work and the upcoming National League of Cities conference.

President Back announced a hiring fair this Tuesday at The Venue and encouraged the public to offer input to the GROW Gadsden plan by the online questionnaire. He complimented the Sports Park facility and expressed sadness at the loss of great individuals, including Randy Spurling, Bart Scott, Tim Hudak, and Coach Gross. President Back announced the council will not meet next week due to the NLC conference in Washington, D.C.

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

Iva Nelson, City Clerk (3-21-23)

**FOURTH FLOOR CONFERENCE ROOM - BID OPENING
MARCH 21, 2023 - 2:00 P.M.**

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

Bid No. 3502 - Cemetery Lawn Maintenance (Re-Bid)

L. Powell Services, LLC

\$189,900.08

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