

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MARCH 29, 2022 - 11:00 A.M.

The City Council met on March 29, 2022 in regular session.

The meeting was called to order at 11:00 a.m. by Council President Toles. On roll call by the Assistant City Clerk, Jennifer Smith, the following council members answered present: Toles, Williams, Worthy, Wilson, Cannon and Reed. Councilman Back was absent. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson and Captain Jackson were also present.

The invocation was given by Councilman Williams.

The minutes of the last work session and council meeting held on March 22, 2022 were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 18 - 24, 2022 were ratified by unanimous vote.

#214643-214787	General	\$585,102.06
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UNFINISHED BUSINESS

(1) The following resolution, which was tabled for 14 days on March 15, was presented in writing for consideration:

RESOLUTION NO. R-101-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2907 South 11th Street (Mobile Home) - District 6 - Jerry Humphrey and Brenda Jean Williams)

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

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 1543 Litchfield Avenue, Medford Carter, Jr. And Ruthie Carter being the last known owners. Brian Harbison, Building Inspector, stated this case involved a partially burned structure and no improvements have been made since procedures began in June 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-102-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1543 Litchfield Avenue - District 1 - Medford Carter, Jr. And Ruthie Carter)

Councilwoman Toles moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 612 Blythe Street, Kinney W. Morris and Jason Patterson being the last known owners. Brian Harbison, Building Inspector, stated there have been recent permits and improvements to the property since the case started in March 2021 and recommended a 30 day extension.

Councilman Wilson moved to table the resolution for 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 920 Avenue F, State of Alabama being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-103-22

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$5,190.00 - 920 Avenue F - District 3 - State of Alabama)

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 assessing a nuisance abatement lien on property at 931 4th Avenue, State of Alabama, possible redemption rights of the estate of Vandalia Chandler, heirs to said estate are: Jacqueline Huff, Eric D. Huff, Senta E. Chandler, Autumn White Brazil being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-104-22

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,495.00 - 931 4th Avenue - District 5 - State of Alabama, possible redemption rights of the estate of Vandalia Chandler, heirs to said estate are: Jacqueline Huff, Eric D. Huff, Senta E. Chandler, Autumn White Brazil)

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

(5) President Toles announced that no action was necessary regarding a resolution assessing a nuisance abatement lien for demolition work already performed on property at 310 Wilson Street in District 6, as the lien was paid in full.

ORDINANCE - FIRST READING

The following ordinance was introduced in writing and read by President Toles:

(6) ORDINANCE - ADOPTING 2021 EDITION OF THE INTERNATIONAL FIRE CODE

In response to Councilman Wilson's inquiry, Fire Marshall Jason Talton shared that an appendix in the 2021 edition consolidates information contained throughout previous editions, making the information easier to find.

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

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

RESOLUTION NO. R-105-22

AUTHORIZING A SPECIAL USE PERMIT FOR DISH WIRELESS

(Authorizing Special Use Permit - For Dish Wireless to install equipment and modify the existing wireless telecommunication facility at 748 Forrest Avenue)

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

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

RESOLUTION NO. R-106-22

AUTHORIZING MEMORANDUM OF UNDERSTANDING

(Authorizing Memorandum of Understanding - Alabama Department of Public Health and the Gadsden Fire Department - To encourage coordination of emergency medical service (EMS) resources for a mass casualty incident or large-scale evacuation in East Alabama)

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

ORDINANCE - FIRST READING

The following ordinance was introduced in writing and read by President Toles:

(9) ORDINANCE - AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY LOCATED AT 2712 SHAHAN AVENUE

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

NEW BUSINESS

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

RESOLUTION NO. R-107-22

AUTHORIZING LEASE AGREEMENT WITH HUCKABY'S HOPE FOR PAWS RESCUE

(Authorizing Lease Agreement - Huckaby's Hope for Paws Rescue- \$1.00 per year - For animal shelter - 1701 Chestnut Street - For term of one year, beginning 4-1-22)

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

PUBLIC

Larry Suttles expressed various concerns, including loose dogs, repair of potholes, a street needing repairs, drainage issues in a city cemetery, uneven sidewalks, trash pickup, and condition of the Garden Terrace Apartments property. Councilman Wilson spoke about issues the city has with stray animals and noted that the lease approved with Huckaby's Hope for Paws Rescue would provide a location to temporarily house stray animals until space was available at the humane society. Regarding the Garden Terrace property, Councilman Wilson noted that the council had removed a nuisance abatement order to allow redevelopment of the property and Councilman Williams pointed out this was for the third private entity to come forward with a plan for the property without result.

Joseph Cole made inquiries about various subjects, including the procedures regarding an absence in the office of mayor, if the council has the authority to investigate complaints against police officers, if department heads present their budget requests to the council or the mayor, and the opportunity for citizens to have input. He referred to Black Lives Matter protests in recent years and asked the status of monuments.

COUNCIL REMARKS

Councilman Wilson stated that the Human Relations Advisory Committee (HRAC) was still working on recommendations with the purpose of bringing a more equitable community. Councilman Williams stated the HRAC was working to address five target areas and that monuments would be a topic of a future meeting.

Councilman Wilson clarified the process of assessing nuisance liens against property, while Councilman Worthy spoke about potential negative consequences of adding nuisance liens to property tax bills.

Councilman Worthy shared that Mr. Cole had organized a meeting taking place at 6 p.m. that evening at Mt. Pilgrim Baptist Church to discuss crime in the community.

Councilman Cannon stated that the city had considered demolition of the Gadsden Terrace Apartments property in prior years. He stated that the large amount of demolition debris that would go to the landfill made it more desirable to allow developers an opportunity to bring the property up to code.

President Toles stated she would discuss procedures regarding absences with the city Legal Department. She announced that letters notifying property owners in violation of city code due to tall grass would be mailed next week. She noted that the letters were valid for 12 months and confirmed with the Building Director that there is a minimum charge of approximately \$225 if the city cuts the grass.

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

Iva Nelson, City Clerk (3-29-22)
