

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
APRIL 5, 2022 - 11:00 A.M.

The City Council met on April 5, 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, Williams, Worthy, Back, Wilson, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts and Sgt. Chumley were also present.

The invocation was given by Heath Williamson.

The minutes of the Public Safety Committee Work Session and Council meetings held on March 29, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 25-31 were ratified by unanimous vote.

#214788-214891	General	\$427,952.28
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UNFINISHED BUSINESS

(1) The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-02-22

ADOPTING INTERNATIONAL FIRE CODE - 2021 EDITION

(Adopting International Fire Code, 2021 Edition - Including Appendix Chapters B through J, M, and N - Adding requirement for existing buildings of Group I-2, Condition 2 occupancy to be equipped throughout with an approved automatic sprinkler system by January 1, 2029)

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

(2) The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-03-22

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property - 2712 Shahan Avenue - Lot 90 in Shahan and Walshe's Central Alabama Addition - District 6 - Accepting \$300.00 offer from Don and Juanita Berkey)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Worthy and unanimously adopted.

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-108-22

AUTHORIZING PUBLIC HEARING ON  
PROPOSED ECONOMIC DEVELOPMENT AGREEMENT

(Authorizing public hearing to be held on 4-19-22 - Relating to proposed economic development agreement with K-VA-T Food Stores, Inc. - For new Food City grocery store to be located at 951 Rainbow Drive - Gadsden Mall)

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

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

RESOLUTION NO. R-109-22

DESIGNATING VOTING DELEGATES FOR  
ALABAMA LEAGUE OF MUNICIPALITIES BUSINESS MEETING

(Designating Council President as Voting Delegate - Designating Councilmen Thomas Worthy and Kent Back as Alternate Voting Delegates - For business meeting at Alabama League of Municipalities Convention in Tuscaloosa on May 12)

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

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

RESOLUTION NO. R-110-22

AUTHORIZING ACCEPTANCE OF  
AMERICAN RESCUE PLAN FUNDS

(Authorizing acceptance of American Rescue Plan funds - \$48,960.00 from Alabama State Library - To reimburse Gadsden Public Library for purchase of 32 desktop computers)

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

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

RESOLUTION NO. R-111-22

AUTHORIZING AGREEMENT WITH  
ALABAMA POWER COMPANY

(Authorizing Agreement - Alabama Power Company - One-time payment of \$45,720.40 and monthly payments of \$240.24 - To replace existing street lights and poles on Wall Street, from Forrest Avenue to W. Meighan Boulevard)

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

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

NAYS: None

ABSTENTIONS: Williams

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

RESOLUTION NO. R-112-22

AUTHORIZING AGREEMENT WITH  
ALABAMA POWER COMPANY

(Authorizing Agreement - Alabama Power Company - \$924.13 per month - To convert all existing street lights in City of Gadsden to LED lights)

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

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

RESOLUTION NO. R-113-22

AUTHORIZING AGREEMENT WITH EE GROUP, INC.

(Authorizing Agreement - EE Group, Inc. - \$4,000.00 - To provide all electrical engineering plans and specifications to develop electrical service for two unoccupied spaces at The Venue)

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

ORDINANCES - FIRST READING

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

(1) ORDINANCE - ADOPTING THE 2022 FISCAL YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ANNUAL ACTION PLAN AND BUDGET

(2) ORDINANCE - AMENDING FISCAL YEAR 2022 BUDGET TO REFLECT RECEIPT OF AMERICAN RESCUE PLAN FUNDS FROM ALABAMA STATE LIBRARY

(3) AUTHORIZING TIF FUNDS FOR EXPENDITURES RELATED TO THE EXPANSION OF THE VENUE

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

NEW BUSINESS

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

RESOLUTION NO. R-114-22

RESCINDING RESOLUTION NUMBER R-85-22  
REGARDING TAX ABATEMENT AGREEMENT WITH  
CALCEAN MINERALS AND MATERIALS, LLC

(Rescinding Resolution Number R-85-22 - Tax Abatement Agreement - Calcean Minerals and Materials, LLC - Note: New resolution and agreement will be approved reflecting correct corporate name of NantBio Plastics, AL, LLC)

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

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

RESOLUTION NO. R-115-22

AUTHORIZING TAX ABATEMENT AGREEMENT  
WITH NANTBIOPLASTICS AL, LLC

(Authorizing Tax Abatement Agreement - NantBioPlastics AL, LLC - For non-educational state and local property taxes and construction related transaction taxes - For period of 5 years - Relating to construction project with capital investment of \$7,503,324.00)

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

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

RESOLUTION NO. R-116-22

AUTHORIZING ACCEPTANCE OF A PERMANENT RIGHT-OF-WAY

(Authorizing Acceptance of Permanent Right-of-Way - Margaret Moon Adams - Increasing right-of-way of South Court Street from 45 feet to 50 feet - To meet minimum subdivision regulation requirements for new subdivision - Adams Moon Subdivision)

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.

COUNCIL REMARKS

President Toles expressed condolences to the family of Brian Stovall at the death of his son, Brian, Jr.

Councilman Cannon related an incident where people were yelling at a woman in unfortunate circumstances and stressed the need to have compassion and to be kind to people.

Councilman Worthy thanked everyone who attended the recent meeting at Mt. Pilgrim Baptist Church to discuss crime and encouraged efforts to mentor youths and adults.

Councilman Back advised work on beautifying medians on Rainbow Drive will begin soon.

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

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Iva Nelson, City Clerk (4-5-22)

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