

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
APRIL 7, 2020 - 11:00 A.M.

The City Council met on April 7, 2020, 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, Worthy, Back, and Reed. Councilmen Williams, Wilson and Cannon were absent. The clerk stated a quorum was present and the meeting was open for business. Lee Roberts was also present.

The invocation was given by Kent Back.

President Toles emphasized the importance of complying with EMA and CDC guidelines and ensuring that information comes from reliable sources. She stated government functions are essential and commended city employees who are working every day to ensure the safety and well-being of citizens. President Toles affirmed the council's work in conducting city business and providing tools the administration needs to continue essential services.

At President Toles' request, Emergency Management Agency Director Deborah Gaither provided an update on the local COVID-19 situation. She expressed concern that Etowah County's cases and deaths have increased and poor ratings were noted with social distancing. Ms. Gaither encouraged citizens to donate supplies and food and to take advantage of grocery delivery and curb-side services whenever possible. Governor Ivey's stay at home order and essential businesses were discussed.

The minutes of the last work session and council meeting held on March 24, 2020, were approved by unanimous vote.

Payment of the HTE System accounts for the weeks of March 20-26 and March 27-April 2 were ratified by unanimous vote.

#198840-199102	General	\$ 366,750.52
#199103-199247	General	\$1,111,750.24

UNFINISHED BUSINESS

(1) President Toles announced that no action was necessary on a resolution regarding 1158 Litchfield Avenue in District 1, as the nuisance has been abated by the owner.

(2) A resolution ordering the abatement of nuisances on property at 921 Avenue F in District 3, which was tabled for 30 days on March 3, 2020, was presented in writing for consideration. Councilman Worthy moved to table the resolution an additional 30 days, which motion was seconded by Councilman Reed and unanimously carried.

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

ORDINANCE NO. O-10-20

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of .50 acre to Koch Foods of Gadsden, LLC - Portion of E½, Section 24, T-12-S, R-6-E - Located off Riverside Drive and College Parkway - To accommodate additional parking for plant expansion)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-103-20

ADOPTION OF ANALYSIS OF  
IMPEDIMENTS TO FAIR HOUSING CHOICE

(Adopting Analysis of Impediments to Fair Housing Choice , a HUD-mandated document - Providing comprehensive review of City’s laws regulations, policies, procedures, and practices regarding fair housing - Assessing effect on location, availability, and accessibility of housing, as well as public and private sector conditions affecting fair housing choice)

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

ORDINANCE PRESENTED FOR FIRST READING

An ordinance adopting the Community Development Block Grant Fiscal Year 2020-2024 Consolidated Plan, Fiscal Year 2020 Annual Action Plan, and the Fiscal Year 2020 Budget was presented in writing for the first reading. Since no action was taken, the ordinance will be placed on next week’s agenda for consideration.

NEW BUSINESS

(1) A resolution appointing two members to the Gadsden Airport Authority was presented for consideration. President Toles failed to receive unanimous consent for immediate consideration, and the resolution will be placed on next week’s agenda for consideration.

City Attorney Lee Roberts explained a proposed ordinance regulating small cell technology facilities, noting pending State legislation would honor cities’ ordinances or contracts if adopted by May 1. He noted Verizon had expressed interest in a contract but has not responded to recent contacts. Mr. Roberts said fees would be \$270, the maximum under FCC regulations without a specific study proving greater property values. He also acknowledged concerns expressed by Alabama Power and discussed aspects of future amendments.

(2) Councilman Reed introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-11-20

ADOPTING REGULATIONS FOR  
SMALL CELL TECHNOLOGY FACILITIES

(Regulating placement of small cell technology facilities - To facilitate availability of reliable, personal wireless communication services - Requiring permit to place facilities in the rights-of-way - Requiring colocation to the extent practical - Providing for application process and establishing fees)

Councilman Reed moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilman Back and approved by the following vote:

AYES: Toles, Worthy, Back, Reed

NAYS: None

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

COUNCIL REMARKS

President Toles announced changes in the garbage collection schedule due to the upcoming Good Friday holiday. She encouraged citizens to complete their 2020 Census forms. President Toles announced plans to conduct next week's council meeting by teleconference.

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

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Iva Nelson, City Clerk (4-7-2020)

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