

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 10, 2022 - 11:00 A.M.

The City Council met on May 10, 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, Wilson, Cannon, and Reed. Councilman Back was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Captain Jackson were also present.

The invocation was given by Heath Williamson.

(Councilman Reed left the meeting at this time.)

The minutes of the last work session and council meeting held on May 3, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 29-May 5 were ratified by unanimous vote.

#215712-215920	General	\$1,735,983.41
----------------	---------	----------------

UNFINISHED BUSINESS

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

ORDINANCE NO. O-08-22

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property - 1621 Van Buren Avenue in District 6 - Lot 14, Block 40, Gadsden Realty Company's South Gadsden Addition to Gadsden - Accepting \$5,000.00 offer from Slade Murphy)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Wilson 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 205 Tuskegee Circle in District 1, Adam Lance Fugat, subject to the possible rights of redemption of Porter J. Foster, heirs successors and/or assigns, subject to possible rights of redemption of Melissa Bailey, her heirs, successors, and/or assigns, being the last known owner. Valerie Borden spoke on behalf of Porter Foster, stating he has retained an attorney to reclaim the property. Brian Harbison, Building Inspector, stated a little bit of work has been done since procedures began in May 2021, although no permits were obtained, and recommend abatement. Councilwoman Toles advised that some of the issues involve debris and expressed willingness to grant an extension. She moved to table the resolution for 30 days, which motion was seconded by Councilman Wilson and unanimously carried.

(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 1213 Stillman Avenue, Sallie G. Lett being the last known owner. Brian Harbison, Building Inspector, stated the owner had demolished the burned house, but left debris. He said procedures began in August 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-149-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1213 Stillman Avenue - District 2 - Sallie G. Lett)

Councilman Williams 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 216 South 16th Street in District 3, Linda G. Byers, c/o Katrina Irby-Davis, subject to a mortgage in favor of InHoCo, Inc. being the last known owner. Brian Harbison, Building Inspector, said the case began in September 2021, and recommended a 30-day extension due to recent improvements. Councilman Worthy moved to table the resolution for 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(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 The Current Project, LLC, d/b/a Current Market and Deli at 1 River Road. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-150-22

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(The Current Project, LLC - Current Market and Deli - 1 River Road at River Rocks Landing - District 4 - Restaurant Retail Liquor License)

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

AYES: Toles, Williams, Worthy

NAYS: Cannon

ABSTENTIONS: Wilson

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-151-22

AUTHORIZING AGREEMENT WITH ETOWAH COUNTY COMMISSION
AND ETOWAH COUNTY COMMISSIONER JEFFERY WASHINGTON

(Authorizing Agreement - Etowah County Commission and Etowah County Commissioner Jeffery Washington - Regarding \$81,665.00 from Commissioner's District 5 discretionary fund - To resurface Hillsboro Drive, from Fuller Street to Padenreich Avenue - Note: City agrees to finish the project and will appropriate any other needed funds)

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

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

RESOLUTION NO. R-152-22

AUTHORIZING AGREEMENT WITH ETOWAH COUNTY COMMISSION
AND ETOWAH COUNTY COMMISSIONER JEFFERY WASHINGTON

(Authorizing Agreement - Etowah County Commission and Etowah County Commissioner Jeffery Washington -Regarding \$111,050.00 from Commissioner's District 5 discretionary fund - City will spend approximately \$111,050.00 - To construct access road from Oscar Adams Elementary School to Campbell Avenue, to mitigate peak hour school traffic congestion)

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

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

RESOLUTION NO. R-153-22

AUTHORIZING AGREEMENT WITH
CDG ENGINEERS & ASSOCIATES

(Authorizing Agreement - CDG Engineers & Associates - \$158,338.00 - To complete required preliminary engineering services - For resurfacing and partial realignment of South 11th Street, from the bridge at Black Creek to Randall Street - Note: Is MPO Project)

Councilman Wilson 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-154-22

AUTHORIZING AGREEMENT WITH
BARNETT JONES WILSON, LLC

(Authorizing Agreement - Barnett Jones Wilson, LLC - \$6,000.00 - To complete required structural design - For Nocalula Falls Gorge Trail Pedestrian Access Improvements funded by ADECA Recreational Trails Program Grant)

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

ORDINANCE - FIRST READING

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

ORDINANCE - AMENDING FISCAL YEAR 2022 BUDGET (Appropriating \$158,338.00 from unassigned fund balance for resurfacing and partial realignment of S. 11th Street)

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 Williams introduced the following resolution in writing for consideration:

RESOLUTION NO. R-155-22

AUTHORIZING AGREEMENT WITH 5RDESIGN, P.C.

(Authorizing Agreement - 5RDesign, P.C. - \$115,277.00 - To complete required architectural design services - For Phase 3 of the Gadsden Sports Park)

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 Worthy and unanimously adopted.

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

RESOLUTION NO. R-156-22

AUTHORIZING AGREEMENT
WITH EE GROUP, INC.

(Authorizing Agreement - EE Group, Inc. - \$8,000.00 - To complete electrical engineering design - For Phase 3 of Gadsden Sports Park)

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

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

RESOLUTION NO. R-157-22

AUTHORIZING AGREEMENT WITH CDG, INC.

(Authorizing Agreement - CDG, Inc. - \$37,500.00 - To complete required civil engineering services - For Phase 3 of Gadsden Sports Park)

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

(4) Councilman Cannon introduced the following ordinance in writing for consideration:

ORDINANCE NO. O-09-22

AMENDING FISCAL YEAR 2022 BUDGET

(Amending FY2022 Budget - Transferring \$160,777.00 from Capital Improvements II unassigned fund balance - For Phase 3 of Gadsden Sports Park)

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

AYES: Toles, Williams, Worthy, Wilson, Cannon

NAYS: None

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

DEPARTMENT REPORT

Nick Hall (City Planner) announced the city will receive a \$400,000 grant from ADECA to assist with the senior wellness center project in Alabama City. He recognized Representative Gil Isbell, who assisted with obtaining the grant. President Toles thanked Representative Isbell for his work on this project, as well as the Eastern Corridor (I-759 Extension). President Toles also recognized County Commissioner Jeffery Washington and thanked him for his financial assistance with two projects involving Adams Elementary and Hillsboro Drive.

PUBLIC

Jay Deas (Skyy Boxing) reported on the 2022 induction ceremony for the Alabama Boxing Hall of Fame, which was held recently at The Venue. He presented programs to the Mayor and Council, as well as a display case containing a glove autographed by Hall of Fame recipients who were in attendance.

Joseph Cole expressed concern about racial remarks made on social media and commended the work and response by police and fire departments when a young lady jumped off the memorial bridge. He described visits he has made to local schools to discuss gun violence with the students. Mr. Cole related the responses he received from questions he asked and encouraged parents and other adults to ensure guns are stored safely and securely.

MAYOR AND COUNCIL REMARKS

Councilmen Williams and Wilson expressed condolences to Councilman Back and his family in the loss of his brother, Keith.

Councilman Cannon expressed excitement for the new wellness center to be constructed and thanked Representative Isbell for his role in obtaining the grant, as well as his work on the Eastern Corridor project.

Councilman Wilson thanked City Engineer Heath Williamson for his work on the S. 11th Street improvements.

Councilman Worthy thanked Representative Isbell and Commissioner Washington and emphasized the need for collaboration like this. He thanked Heath Williamson for his efforts on the 6th Street pool and expressed hope that it will open.

President Toles agreed that training regarding gun violence, keeping streets clean, and caring for animals begins in the home. She pointed out many projects and improvements are underway throughout the city.

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

Iva Nelson, City Clerk (5-10-22)
