

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MAY 17, 2022 - 11:00 A.M.

The City Council met on May 17, 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 Chief Jaggears were also present.

The invocation was given by Rugenia Henry, Delta Sigma Theta Sorority member.

The minutes of the Public Safety Committee, Work Session, and Council meetings held on May 10, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 6-12 were ratified by unanimous vote.

#215921-216104	General	\$1,417,319.86
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President Toles recognized Glenda Jackson, who announced special recognition activities for active and retired Gadsden Police officers, including a luncheon today at Longhorn Steak House, and recognized all contributing sponsors. Representative Gil Isbell read a proclamation from Governor Ivey proclaiming May 15, 2022, as "Police Officers Memorial Day." On behalf of Mayor Guyton, Jason Wilson read a proclamation proclaiming May 15-22, 2022, as "National Police Week" and presented it to Chief Jaggears.

UNFINISHED BUSINESS

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

ORDINANCE NO. O-10-22

AMENDING FISCAL YEAR 2022 BUDGET

(Amending FY2022 Budget -Appropriating \$158,338.00 from unassigned fund balance - For preliminary engineering services - Resurfacing and partial realignment of S. 11<sup>th</sup> Street project)

Councilman Wilson thanked everyone who has worked in support of the project. He moved to adopt the ordinance, which motion was seconded by Councilman Worthy and unanimously adopted.

(2) A resolution ordering the abatement of nuisances on property at 612 Blythe Street in District 2, which was tabled for 30 days on March 29, was presented in writing for consideration. Upon recommendation of the Building Official, Councilman Williams moved to table the resolution an additional 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

(3) A resolution ordering the abatement of nuisances on property at 1201 Johnson Street in District 2, which was tabled for 14 days on May 3, was presented in writing for consideration. Upon recommendation of the Building Official, Councilman Williams moved to table the resolution an additional 30 days. The motion was seconded by Councilman Cannon and unanimously carried.

(4) The following resolution, which was tabled for 30 days on April 12 , was presented in writing for consideration:

RESOLUTION NO. R-158-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1122 Wells Avenue - District 3 - Betty Britton, deceased; Estate of Betty Britton; Jeffery Britton - Note: Betty Britton appeared at the public hearing held on 4-12-22)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 1832 Eisenhower Street, Lugenia McElroy and Lugenia McElroy, c/o Daniel Smith, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-159-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1832 Eisenhower Street - District 5 - Lugenia McElroy; Lugenia McElroy, c/o Daniel Smith)

Councilman Wilson 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 422 Madison Circle, Zachary Gauthier, subject to the possible rights of redemption of the heirs of Sandra E. Watson, c/o Walter Watson, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2021, and recommended abatement. In response to Councilman Wilson's inquiry, Mr. Harbison advised rehabilitation will be considered. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-160-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 422 Madison Circle - District 6 - Zachary Gauthier, subject to possible rights of redemption of heirs of Sandra E. Watson, c/o Walter Watson)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Wilson 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 2930 Shahan Avenue, Tiffany Gibbs being the last known owner. Brian Harbison, Building Inspector, stated few improvements have been made to this burned mobile home since procedures began in October 2021. He added there are major exterior issues and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-161-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2930 Shahan Avenue (mobile home) - District 6 - Tiffany Gibbs)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-162-22

APPROVING ISSUANCE OF SPECIAL EVENT  
ALCOHOLIC BEVERAGE LICENSE

(City of Gadsden - Special Event Retail License - For Barbarian Challenge at Noccalula Falls Park on June 18, 2022 - 1500 Noccalula Road)

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

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

NAYS: Cannon

(2) President Toles read the following resolution, which was introduced in writing for consideration:

RESOLUTION NO. R-163-22

ESTABLISHING JUNETEENTH AS  
A HOLIDAY IN THE CITY OF GADSDEN

(Establishing Juneteenth City holiday on June 19 each year - Commemorating ending of slavery in the United States and the last enslaved people in Galveston, TX, being informed that slavery had been abolished on June 19, 1865 - Recognizing contribution of history and culture of African Americans to the history, culture, and social fabric of the City of Gadsden - Note: June 19, 2022, falls on Sunday and will be observed on Monday, June 20, 2022)

Councilman Williams 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-164-22

AUTHORIZING CONVEYANCE OF SURPLUS EQUIPMENT  
TO BALL PLAY #1 FIRE DEPARTMENT

(Authorizing sale of surplus fire truck to Ball Play #1 Fire Department - \$25,000.00 - 1991 E One Typhoon Pumper - VIN #4ENRAAA8731006097)

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-165-22

AUTHORIZING APPLICATION AND ACCEPTANCE OF  
THE BUREAU OF JUSTICE ASSISTANCE  
BULLETPROOF VEST PARTNERSHIP GRANT

(Authorizing Grant Application and Acceptance - \$25,350.00 with \$25,350.00 local match - Bureau of Justice Assistance Bulletproof Vest Partnership - To purchase 29 replacement vests and 23 new hire vests)

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

ORDINANCE - FIRST READING

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

ORDINANCE - AMENDING FISCAL YEAR 2022 BUDGET TO APPROPRIATE FUNDS  
FOR BULLETPROOF VEST GRANT

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

ORDINANCES PRESENTED FOR CONSIDERATION:

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

ORDINANCE NO. O-11-22

AMENDING SECTION 34-1 OF THE CODE OF ORDINANCES

(Amending City Code Section 34-1 - Specifying that second or runoff election will be held on the fourth Tuesday after the regular municipal election - Note: To comply with State Act 2021-157, which changed time frame from six weeks to four weeks)

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

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

NAYS: None

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

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

ORDINANCE NO. O-12-22

AMENDING CITY CODE SECTION 34-33  
REGARDING VOTING PLACES

(Amending City Code Section 34-33 - Changing Voting Places: 1-B from Community Building at Starnes Park Housing Community to East Gadsden Community Center; 4-A from Wallace Hall Fine Arts Center to The Venue; 6-A and 7-A from Elliott Community Center to Dwight Baptist Church)

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

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

NAYS: None

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

NEW BUSINESS

Councilman Cannon introduced the following resolution in writing for consideration:

RESOLUTION NO. R-166-22

AWARDING BID NO. 3472

(Awarding Bid No. 3472 - Elliot Community Center Asbestos Abatement Project - Lakeshore Environmental Contractors, LLC- \$230,100.00)

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

### DEPARTMENT REPORT

Jen Weathington (Parks & Recreation Director) presented information about upcoming programs and events, including Summer camp, Strawberry Day, adult softball, Summer concert series, Wheels on the Hill, Barbarian Challenge, and fishing tournaments. She announced Gadsden was selected to host the World Qualifier event by the Kansas City Barbeque Society, which will be held at Noccalula Falls on November 10-13, 2022. Janet Tarrance was commended for coordinating successful Smoke on the Falls events.

### COUNCIL REMARKS

Councilman Reed announced American Legion Post 71 will observe Armed Forces Day at Oak Hill Cemetery in Attalla.

Councilman Wilson thanked Glenda Jackson for coordinating police week recognition and commended our local officers.

Councilman Back explained his dress (shorts, t-shirt, cap), noting he was at the hospital this morning with kidney stone pain. He thanked everyone for their expressions of sympathy during the loss of his brother, Keith. Councilman Back referred to his membership on the National League of Cities Information, Technology, and Communications Committee and announced Federal funds available to assist in making the internet accessible to everyone. He advised to check the city's website for more information.

Councilman Worthy expressed concern for families in Buffalo, New York, who are victims of a recent mass shooting.

Councilman Williams also highlighted information regarding broadband and internet accessibility, noting providers are also assisting in the efforts. He thanked the Mayor and staff, as well as the council, for support in establishing the Juneteenth holiday. Councilman Williams referred to "ugly history" and expressed appreciation for recognition of contributions of African Americans to our local history and society. He stressed the importance of acknowledging history, putting it aside, and moving forward.

President Toles complimented our city and encouraged everyone to keep God in the center to make us better and experience joy. She recognized her fellow Delta Sigma Theta Sorority sisters who were present, and announced their purchase of ten pink garbage cans for the community and breast cancer awareness.

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

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Iva Nelson, City Clerk (5-17-22)

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FOURTH FLOOR CONFERENCE ROOM - BID OPENING  
MAY 17, 2022 - 2:00 P.M.

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

Bid No. 3473 - Renovations to the Venue Building for Industrial Development Authority Offices

Greer Building Contractors	\$1,438,640.00
Chase Building Group	\$1,514,000.00
Bob Smith Construction	\$1,624,878.00

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

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