

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 24, 2022 - 11:00 A.M.

The City Council met on May 24, 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, and Reed. Councilman Cannon was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Chief Jaggears were also present.

The invocation was given by Brian Harbison.

The minutes of the last work session and council meeting held on May 17, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 13-19 were ratified by unanimous vote.

#216105-216213	General	\$360,231.85
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On behalf of Mayor Guyton, President Toles read a proclamation proclaiming May 2022, as “Etowah County Extension Month” and presented it to Eric Wright, County Extension Coordinator.

President Toles recalled the tradition of paintings of former mayors and commissioners being presented to the city by their families. She recognized Debra and Grace Guyton, who unveiled a portrait of Mayor Sherman Guyton they commissioned. Councilman Williams recognized Elaine Campbell, who related the background of the artist, Lisa Price. Councilman Williams expressed appreciation for Mayor Guyton’s leadership and influence in his life, as well as his service to the city. He cited accomplishments during his tenure, including restructuring debt service, building financial reserves, conversion of airport property plans from residential to industrial, and his persistence on the I-759 extension (Eastern Connector) project. Councilman Williams recalled renovation projects at Moragne Park, East Gadsden Community Center, The Venue, Riverwalk and the coming Gadsden Sports Complex on the campus of Gadsden State Community College. President Toles introduced “Miss Queenie” and recognized other attendees. Mayor Guyton thanked everyone in attendance, expressed appreciation for the opportunity to serve and commended city employees.

UNFINISHED BUSINESS

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

ORDINANCE NO. O-13-22

AMENDING FISCAL YEAR 2022 BUDGET

(Amending FY2022 Budget - Reflecting receipt of grant - Bureau of Justice Assistance Bulletproof Vest Partnership - \$25,350.00 plus \$25,350.00 match totaling \$50,700.00 - For purchase of 52 bulletproof vests for replacement and new hires over two-year period)

Councilman Wilson moved to adopt the ordinance, which motion was seconded by Councilman Worthy 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 in opposition to or in favor of an ordinance adopting the International Building Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(2) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Fuel Gas Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(3) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Mechanical Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(4) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Plumbing Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(5) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Property Maintenance Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(6) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Residential Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(7) The floor was opened to allow anyone to speak in opposition to or in favor of an ordinance adopting the International Swimming Pool and Spa Code, 2021 Edition. No one spoke. President Toles stated the ordinance had been presented today for the first reading, and the Council will vote on it next week.

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1423 Armstrong Street, Calvin Hutchinson, Mildred Hutchinson, Talmadge Wright, May Wright, and Mary Wright being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-167-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1423 Armstrong Street - District 1 - Calvin Hutchinson and Mildred Hutchinson; Talmadge Wright and wife May Wright; Calvin and wf Mildred Hutchinson, c/o Mildred Hutchinson; Mary Wright, c/o Mildred Hutchinson)

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

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 313 Henry Street, Harvard Stephens and Barbara Stephens being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in May 2021, and recommended abatement. In response to Councilman Williams' inquiry, he said rehabilitation of the structure will be considered. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-168-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 313 Henry Street - District 3 -Harvard Stephens and Barbara Stephens)

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

(10) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 2906 Hickory Street, Jim Ash and Maggie Ash, Doris A. Miller and Billy E. Miller being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-169-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2906 Hickory Street - District 6 - Jim Ash and Maggie Ash; Doris A. Miller and Billy E. Miller)

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

(11) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 2 Perkins Street, John Higgins and Maria Collins & Etals being the last known owners. Brian Harbison, Building Inspector, stated this case, which began in October 2021, involves trash, debris, and abandoned vehicles, rather than the structure. He recommended abatement, noting no improvements have been made and a municipal court case was unsuccessful. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-170-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2 Perkins Street (2 Perkins Avenue on tax records) - District 6 - John Higgins; Maria Collins & Etals)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-171-22

AWARDING BID NO. 3475

(Awarding Bid No. 3475 - Finished Traffic Signs - Lightle Enterprises of Ohio, LLC - Unit Prices)

Councilman Wilson 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-172-22

AWARDING BID NO. 3476

(Awarding Bid No. 3476 - Unfinished Traffic Signs and Posts - Universal Signs and Accessories - Unit prices)

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

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

RESOLUTION NO. R-173-22

GRANTING EASEMENT TO
ALABAMA POWER COMPANY

(Granting Easement - Alabama Power Company - Service for Gadsden City High School athletic field additions)

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

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

RESOLUTION NO. R-174-22

AUTHORIZING AGREEMENT WITH 5RDESIGN, P.C.

(Authorizing Agreement - 5RDesign, P.C. - \$34,320.00 - For architectural design services to rebuild animal habitat barn at Noccalula Falls Park)

President Toles noted insurance proceeds will be used to pay for this. Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilman Back and unanimously adopted.

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

RESOLUTION NO. R-175-22

AUTHORIZING AUTOMATIC AID AGREEMENTS WITH
GLENCOE FIRE DEPARTMENT, ATTALLA FIRE DEPARTMENT,
AND RAINBOW CITY FIRE DEPARTMENT

(Authorizing Automatic Aid Agreements - Glencoe Fire Department, Attalla Fire Department, and Rainbow City Fire Department - To make equipment, personnel, and other resources of each fire department available to all other fire departments whenever there is a need for automatic aid assistance)

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

NEW BUSINESS

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

RESOLUTION NO. R-176-22

AWARDING BID NO. 3473

(Awarding Bid No. 3473 - Renovation to The Venue Building - Greer Building Contractors - \$1,438,640.00 - To provide space for Industrial Development Authority offices and other purposes)

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 Back and unanimously adopted.

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

ORDINANCE NO. O-14-22

AUTHORIZING TIF FUNDS FOR EXPENDITURES
RELATED TO THE EXPANSION OF THE VENUE

(Authorizing expenditure of Tax Increment Financing Funds - \$1,438,640.00 - Funding for renovation of The Venue for Industrial Development Authority offices and other purposes - Note: R-176-22 awarded Bid No. 3473 to Greer Building Contractors)

Councilman Williams 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, Williams, Worthy, Back, Wilson, Reed

NAYS: None

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

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

RESOLUTION NO. R-177-22

AUTHORIZING ACCEPTANCE OF 2020 ADECA
CARES ACT CDBG-CV PROGRAM FUNDS

(Authorizing Acceptance of ADECA Grant - \$400,000.00 - 2020 Cares Act funds for response to COVID-19 pandemic - To assist with demolition of Elliott Community Center - Note: New senior wellness center will be constructed on the site)

Councilman Reed said the wellness center will be a beautiful addition to the Alabama City area. He joined with Councilman Back in thanking Representative Gil Isbell for his assistance in obtaining the grant.

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 Worthy and unanimously adopted.

DEPARTMENT REPORTS

Eric Wright (Coordinator) presented an annual report from the Etowah County Office of the Alabama Cooperative Extension System. He highlighted programs offered through 4-H to youth, agriculture, family and health, natural resources, and economic development, and described a recent trash pick-up event at Nocalula Falls.

MAYOR AND COUNCIL REMARKS

Councilmen Worthy and Back encouraged everyone to vote in today's primary election.

The council joined in expressing appreciation for the Mayor's service and for the portrait given by his family.

Councilman Wilson explained various actions taken by the council in today's meeting. He commended Eric Wright and other extension center staff for their work. Councilman Wilson complimented Glenda Jackson's work in the community and coordination of recognition for police officers last week.

Councilman Reed announced a special ceremony at the war memorial in Noccalula Falls Park at 10 a.m. on Memorial Day.

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

Iva Nelson, City Clerk (5-24-22)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
MAY 24, 2022 - 2:00 P.M.

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

Bid No. 3477 - Hillsboro Drive Resurfacing Project

Vulcan Materials	\$137,034.00
Wiregrass Construction	\$147,777.50

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