

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 31, 2022 - 11:00 A.M.

The City Council met on May 31, 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. Mayor Guyton, Heath Williamson, Lee Roberts and Chief Jaggears were also present.

The invocation was given by Councilman Cannon.

The minutes of the last work session and council meeting held on May 24, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 20-26 were ratified by unanimous vote.

#216214-216341	General	\$464,634.24
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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-15-22

ADOPTING 2021 INTERNATIONAL BUILDING CODE

(Adopting International Building Code, 2021 Edition - Regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings - Providing for issuance of permits and collection of fees - Amending City Code Sections 18-41 and 18-42)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Back 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-16-22

ADOPTING 2021 INTERNATIONAL FUEL GAS CODE

(Adopting International Fuel Gas Code, 2021 Edition - Regulating and governing fuel gas systems and gas-fired appliances - Providing for issuance of permits and collection of fees - Amending City Code Sections 18-231 and 18-232)

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

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

ORDINANCE NO. O-17-22

ADOPTING 2021 INTERNATIONAL MECHANICAL CODE

(Adopting International Mechanical Code, 2021 Edition - Regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location relocation, replacement, addition to, use or maintenance of mechanical systems - Providing for issuance of permits and collection of fees - Amending City Code Sections 18-281 and 18-282)

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

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

ORDINANCE NO. O-18-22

ADOPTING 2021 INTERNATIONAL PLUMBING CODE

(Adopting International Plumbing Code, 2021 Edition -Regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems - Amending City Code Sections 18-431 and 18-432)

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

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

ORDINANCE NO. O-19-22

ADOPTING 2021 INTERNATIONAL
PROPERTY MAINTENANCE CODE

(Adopting International Property Maintenance Code, 2021 Edition - Regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures - Providing for issuance of permits and collection of fees - Amending City Code Sections 18-261 and 18-262)

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

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

ORDINANCE NO. O-20-22

ADOPTING 2021 INTERNATIONAL RESIDENTIAL CODE

(Adopting International Residential Code, 2021 Edition - Regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one-and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress in the city - Providing for issuance of permits and collection of fees - Amending and repealing certain City Code sections)

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

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

ORDINANCE NO. O-21-22

ADOPTING 2021 INTERNATIONAL
SWIMMING POOL AND SPA CODE

(Adopting International Swimming Pool and Spa Code, 2021 Edition - Amending City Code Chapter 18)

Councilman Cannon moved to adopt the ordinance, which motion was seconded by Councilman Back 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 103 Elmwood Avenue, East Gadsden Church of God being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2021, and recommended abatement. In response to Councilman Wilson's inquiry, Mr. Harbison said the church is requesting demolition by the city. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-178-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 103 Elmwood Avenue (tax records show property address as 109 Elmwood) - District 2 - East Gadsden Church of God)

Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 2802 Railroad Avenue, the State of Alabama, possible rights of redemption of Miguel Espina, subject to a mortgage in favor of First Family Financial Service, and William Oliver McKinney being the last known owners. Brian Harbison, Building Inspector, stated recent improvements have been made since procedures began in May 2021, and recommended a 30-day extension. William Oliver McKinney said he sold the property and has no further interest in it. Councilman Cannon moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(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 514 Wilson Street, Sandra Lynn Bowman being the last known owner. Brian Harbison, Building Inspector, stated this case, which began in September 2021, involves building remains (foundation), and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-179-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 514 Wilson Street (building remains) - District 6 - Sandra Lynn Bowman)

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

RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-180-22

AUTHORIZING AGREEMENT WITH U.S. FISH AND
WILDLIFE SERVICE AND CAWACO RC&D

(Authorizing Agreement - U.S. Fish and Wildlife Service and Cawaco RC&D - To remove the low head dam located within the jurisdictional waters of Big Will Creek - 3916 Brooke Avenue - Term of 10 years - Requiring completion of work by 3-17-23 - Estimated cost of \$475,000.00)

Councilman Cannon recalled people had lost their life at this location. He said the project will be at no cost to the city, other than hauling provided by the Public Works Department.

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

NEW BUSINESS

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

RESOLUTION NO. R-181-22

AUTHORIZING LEASE AGREEMENT WITH
GADSDEN-ETOWAH INDUSTRIAL DEVELOPMENT AUTHORITY

(Authorizing Lease - Gadsden-Etowah Industrial Development Authority - For 7,000 square feet of The Venue - \$144,000.00, in 36 equal installments of \$4,000.00 per month - For term of 3 years, beginning upon completion of construction and issuance of certificate of completion - Note: 25% of space will be occupied by The East Central Alabama Area Health Education Center, 25% by the IDA, 25% for coworking, and 25% for common area)

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 Reed and unanimously adopted.

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

ORDINANCE NO. O-22-22

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property - 1325 Cansler Avenue - District 3 - Accepting \$500.00 offer from Lorenzo Marcos Lorenzo and Celestina Marcos Gaspar)

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

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

NAYS: None

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

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

ORDINANCE NO. O-23-22

AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY

(Authorizing Conveyance of Property - 1811 Adams Street- District 5 - Accepting \$500.00 offer from Harold Clevenger)

Councilman Wilson 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, Back, Wilson, Cannon, Reed

NAYS: None

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

PUBLIC

Joseph Cole requested a moment of silence for victims and their families in recent mass shootings in Uvalde, Texas, and Buffalo, New York. He reiterated his talks with middle and high school students regarding holding and firing handguns and the need for handguns to be secured. Mr. Cole introduced three students from a group he took to the Legacy Museum in Montgomery. Each student shared their observations from the talks, as well as the educational trip and posed for a picture with Mayor Guyton.

MAYOR AND COUNCIL REMARKS

President Toles announced changes in the garbage collection schedule due to yesterday's Memorial Day holiday. She encouraged the public to participate in blood drives and donations by African Americans are needed to fight against Sickle Cell Anemia.

Mayor Guyton commended the cooperative efforts of the city council and good people in city positions for many good things that are happening.

The Council joined in commending the young people who shared their experiences and thanking Mr. Cole for his efforts. Councilman Williams encouraged the students to not let what they saw breed hate, but determination, and to reflect the sacrifice of people who died. Councilman Wilson recalled how the museum impacted him when seeing the dirt from lynching sites and the crimes inflicted. He encouraged the students to surround themselves with good people. He suggested bringing motivational speakers here to provide educational events for young people.

Councilmen Williams and Worthy reflected on the recent school shooting and conversations with our police chief to secure the safety of our children and the most vulnerable. Councilman Worthy stated the need to ensure our officers have the proper tools and would take immediate action. He stressed the need for more mental health care and assistance.

Councilman Back complimented yesterday's ceremony conducted by the Gadsden Etowah Patriots Association at Noccalula Falls. He thanked Dr. Murphy, Dean Kirkland, and David Hooks for their remarks earlier today. Councilman Back urged drivers to slow down as children are out of school and playing outside.

Councilman Wilson commented on the April 2022, building department indicating construction activity totaling over \$17 million. He pointed out the environmental benefits of removing the low head dam and explained various actions of the council in today's meeting.

Councilman Cannon explained nuisance abatement procedures and the time given (120 days), pointing out that city intervention is a last resort.

Councilman Reed thanked the Parks & Recreation and Fire departments for assistance with the Memorial Day ceremony. He thanked the council for positive things being discussed and accomplished, after experiencing two years of "shadows."

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

Iva Nelson, City Clerk (5-31-22)
