

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JULY 5, 2022 - 11:00 A.M.

The City Council met on July 5, 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, Cannon, and Reed. Councilman Wilson was absent. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts, and Captain Jackson were also present.

The invocation was given by Heath Williamson.

The minutes of the last work session and council meeting held on June 28, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of June 24-30 were ratified by unanimous vote.

#216958-217102	General	\$1,275,692.45
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UNFINISHED BUSINESS

(1) President Toles announced that no action was necessary regarding a resolution (tabled for 30 days on 5-31-22) ordering abatement of nuisances on property at 2802 Railroad Avenue in District 6, as the nuisance has been abated by the owner.

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 812 Hillyer Street, the State of Alabama, certain rights of redemption of George Thomas, Jr. and Lucille Thomas, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this burned house since procedures began in March 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-195-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 812 Hillyer Street - District 3 - State of Alabama; Certain rights of redemption of George Thomas, Jr. and Lucille Thomas)

Councilman Worthy 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 resolutions ordering the abatement of nuisances on properties at 1322 Cansler Avenue and 1324 Cansler Avenue, Demetria Cass, subject to rights of redemption, if any, of Tyrone Fears and Leon Thomas, State of Alabama, Erskine Fears, possible rights of redemption for the Estate of Leon Thomas and Tyrone Fears, heirs listed as Alyce Thomas, Loretta Wright, and Steven Thomas, subject to a mortgage in favor of Union Planters Bank National Association being the last known owners. Demetria Cass stated a portion of the structure is located on property she doesn't own and expressed her desire to renovate it and retain its commercial use. (Nuisance procedures began in August 2020.) Brian Harbison, Building Official, advised the building, which sits on the property line, was moved in and a second story was built. He explained it has never complied with applicable codes and contains more than two apartments; therefore, sprinkler and alarm systems would be required, making the cost very high. He recommended abatement, noting Ms. Cass could pursue an injunction to delay demolition. A discussion followed and Councilman Worthy expressed his desire to grant a 30-day extension. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-196-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1322 Cansler Avenue - District 5 - Demetria Cass, subject to rights of redemption, if any, of Tyrone Fears, Leon Thomas, and State of Alabama)

Councilman Reed 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-197-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1324 Cansler Avenue - District 5 - Erskine Fears; Possible rights of redemption for the Estate of Leon Thomas and Tyrone Fears, heirs listed as Alyce Thomas, Loretta Wright, and Steven Thomas, subject to a mortgage in favor of Union Planters Bank National Association)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-198-22

AUTHORIZING SPECIAL USE PERMIT FOR T-MOBILE

(Authorizing Special Use Permit - T-Mobile - 104 12th Street North in East Gadsden - For equipment modifications at existing wireless telecommunications facility)

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-199-22

AUTHORIZING AGREEMENT WITH
FAMILY SUCCESS CENTER

(Authorizing Lease Agreement - Family Success Center - For use of property located on 9th Street South to operate a community garden - Effective as of July 1, 2022 - \$1.00 per year for term of 5 years)

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

NEW BUSINESS

(1) President Toles introduced the following resolution in writing for consideration:

RESOLUTION NO. R-200-22

RESOLUTION FOR SCHOOL BOARD MEMBER
ELECTED WITHOUT OPPOSITION

(Declaring Adrienne M. Reed duly elected to office of District 1 of the Gadsden City Board of Education - For 4-year term from the certification of the election results - Pursuant to Mayor's written statement certifying that only one person filed Statement of Candidacy)

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 Williams introduced the following resolution in writing for consideration:

RESOLUTION NO. R-201-22

RESOLUTION FOR SCHOOL BOARD MEMBER
ELECTED WITHOUT OPPOSITION

(Declaring Nate Carter duly elected to office of District 2 of the Gadsden City Board of Education - For 4-year term from the certification of the election results - Pursuant to Mayor's written statement certifying that only one person filed Statement of Candidacy)

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.

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

RESOLUTION NO. R-202-22

RESOLUTION FOR SCHOOL BOARD MEMBER
ELECTED WITHOUT OPPOSITION

(Declaring Mike Haney duly elected to office of District 4 of the Gadsden City Board of Education - For 4-year term from the certification of the election results - Pursuant to Mayor's written statement certifying that only one person filed Statement of Candidacy)

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.

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

RESOLUTION NO. R-203-22

RESOLUTION FOR SCHOOL BOARD MEMBER
ELECTED WITHOUT OPPOSITION

(Declaring Nancy Stewart duly elected to office of District 6 of the Gadsden City Board of Education - For 4-year term from the certification of the election results - Pursuant to Mayor's written statement certifying that only one person filed Statement of Candidacy)

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.

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

RESOLUTION NO. R-204-22

RESOLUTION FOR SCHOOL BOARD MEMBER
ELECTED WITHOUT OPPOSITION

(Declaring Wm. Allen Millican duly elected to office of District 7 of the Gadsden City Board of Education - For 4-year term from the certification of the election results - Pursuant to Mayor's written statement certifying that only one person filed Statement of Candidacy)

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.

(5) Councilman Back introduced the following resolution in writing for consideration:

RESOLUTION NO. R-205-22

AUTHORIZING ACCEPTANCE OF 2023 HAZARDOUS
MATERIAL EMERGENCY PREPAREDNESS (HMEP) GRANT

(Authorizing Acceptance of Grant through Gadsden/Etowah Emergency Management Agency - From Alabama Emergency Management Agency - \$60,000.00, with local share of \$12,000.00 - For conducting commodity flow study of entire county, reviewing and updating current disaster and response plans, educating responders, and conducting training exercises)

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

MAYOR AND COUNCIL REMARKS

President Toles announced changes in this week's garbage collection schedule due to yesterday's Independence Day holiday.

Councilmen Reed, Back, and Williams commented on last night's fireworks display, thanking the Gadsden-Etowah Patriots Association for its sponsorship, as well as city departments that provided support.

Councilman Williams referred to the poor condition of pavement on Hoke Street, noting the Water Works and Sewer Board will have responsibility for repairs, pursuant to an agreement involving water/sewer system work. He expressed concern for the families impacted by the recent shooting in Highland Park, IL, and encouraged prayers for their healing.

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

Iva Nelson, City Clerk (7-5-2022)
