

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JULY 12, 2022 - 11:00 A.M.

The City Council met on July 12, 2022, in regular session.

In the absence of Council President Toles and President Pro-Tem Reed, Councilman Worthy moved that Councilman Cannon serve as chairman of today's meeting. The motion was seconded by Councilman Back and unanimously carried.

The meeting was called to order at 11:00 a.m. by Acting President, Johnny Cannon. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Worthy, Back, Wilson, and Cannon. Council members Toles, Williams and Reed were 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 Councilman Back.

The minutes of the last work session and council meeting held on July 5, 2022, were approved by unanimous vote.

Payment of the HTE System accounts for the week of July 1-7 were ratified by unanimous vote.

#217103-217303	General	\$794,060.50
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PUBLIC HEARINGS

President Cannon 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 1148 Litchfield Avenue, L. A. and Della Mae Warren, c/o Horace Warren, and L. A. & Della Mae Warren "LF EST," c/o Horace Warren, being the last known owners. Valerie Borden stated she has been communicating with Horace Warren concerning her purchase of the property. Brian Harbison, Building Official, stated the city performed rehabilitation of the exterior fourteen years ago, and will plan to do so again. He said immediate work is needed and recommended abatement. (This case began in August 2021.) A discussion followed and it was noted that Ms. Borden can pay the city's cost if she obtains a deed from the present owners. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-206-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1148 Litchfield Avenue - District 1 - L. A. and Della Mae Warren, c/o Horace Warren; L. A. & Della Mae Warren "LF EST," c/o Horace Warren)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Wilson 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 603 S. 4th Street, Bill Hill, LLC, c/o Carl Weaver, Billy Hill, LLC, c/o Carl Weaver, being the last known owners. Brian Harbison stated this case, which began in April 2022, involves a burned structure (Victorian home) and recommended abatement. A discussion followed regarding fire department markings on burned structures. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-207-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 603 S. 4th Street - District 4 - Bill Hill, LLC c/o Carl Weaver, Billy Hill, LLC c/o Carl Weaver)

Councilman Back 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 1023 Chestnut Street, George T. Gramling, Deanna W. Gramling, and Jacob Millican being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-208-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1023 Chestnut Street - District 5 - George T. Gramling and Deanna W. Gramling; Jacob Millican)

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

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 244 Sherwood Drive, Phyllis Jean Edminister, subject to a mortgage in favor of Liberty Home Equity Solutions, Inc., mortgage assigned to Secretary of U.S. Department of Housing and Urban Development, and James J. & Phyllis Jean Edminister being the last known owners. Lesa Osborn (228 Sherwood Drive) related circumstances since a tree fell on this property several months ago, which did not cause damage to the house. She explained HUD is in control of the property, due to a reverse mortgage, and their proceedings have been delayed. Ms. Osborn urged that the house be preserved and offered to keep the grass maintained in the meantime. Brian Harbison, Building Official, noted a separate case on the tree has been delayed. He recommended abatement in this case on the house, which began in February 2022, stating items must be removed in order to properly assess the structure for potential rehabilitation. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-209-22

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 244 Sherwood Drive - District 7 - Phyllis Jean Edminister, subject to a mortgage in favor of Liberty Home Equity Solutions, Inc.; Mortgage assigned to Secretary of U.S. Department of Housing and Urban Development; James J. & Phyllis Jean Edminister)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-210-22

AWARDING BID NO. 3478

(Awarding Bid No. 3478 - City of Gadsden Landscape Maintenance - CopelandScapes, Inc.- \$165,948.00)

At the request of Councilman Back, City Engineer Heath Williamson described the areas included in the bid. In response to Councilman Worthy's inquiry, Mr. Williamson said crew pay rates, equipment costs, and operating costs would have to be studied to determine if it would be more cost effective to perform this work in-house. A discussion followed regarding other contracted and in-house mowing.

Councilman Back 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-211-22

REAPPOINTING MEMBER TO BUILDING CODE BOARD
OF ADJUSTMENTS AND APPEALS

(Reappointing Ben Connally for term expiring July 30, 2025)

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

NEW BUSINESS

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

ORDINANCE NO. O-27-22

ACCEPTING OFFER BY LANDMARK VENTURES, INC.
FOR PROPERTY LOCATED AT 500 GRADY STREET

(Authorizing conveyance of house and property at 500 Grady Street - Accepting \$45,000.00 offer from Landmark Ventures, Inc.)

Councilman Worthy 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: Worthy, Back, Wilson, Cannon

NAYS: None

At the request of Councilman Worthy, Community Development Planner Renee Baker explained the history of the house, which was constructed in 2005 through the Community Development Department Affordable Housing Reconstruction Program with HUD funds. The purchaser defaulted on the loan and foreclosure procedures followed. Landmark Ventures, Inc.'s (Greater Gadsden Housing Authority 501-C-3) offer will offset the approximate outstanding mortgage. The foundation will perform work on the house and use it for affordable housing.

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

DEPARTMENT REPORT

City Clerk Iva Nelson provided information regarding absentee voting, which is underway for the upcoming August 23 election.

COUNCIL REMARKS

Councilman Worthy announced a Job Fair on August 22. He referred to his efforts to educate the public and media regarding the process by which legislative items are created and presented to the council, noting he will discuss it further at a radio appearance on Friday. At his request, Community Development Planner Renee Baker explained HUD funds for new home construction are part of the HOME Program. She added match funds must be provided, which makes the program more feasible for larger cities and counties, noting the city does not participate.

Councilman Wilson clarified actions taken in today's meeting. He also announced upcoming activities, including Theater of Gadsden performances for "Big River."

Councilman Cannon noted the landscaping contractor is not new and decisions on contracted vs. in-house work can be addressed by the new administration.

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

Iva Nelson, City Clerk (7-12-22)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
JULY 12, 2022 - 2:00 P.M.

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

Bid No. 3479 - 2022 City of Gadsden Street Resurfacing Project

Wiregrass Construction	\$2,572,145.00
Vulcan Materials and Asphalt	\$2,632,111.00

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