

CITY COUNCIL MEETING - GADSDEN, ALABAMA  
OCTOBER 5, 2021 - 11:00 A.M.

The City Council met on October 5, 2021 in regular session, via teleconference.

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, Lee Roberts, and Heath Williamson were also present.

The invocation was given by Iva Nelson.

Deborah Gaither, Emergency Management Agency Director, reported that local Covid-19 cases are down, 166 vaccinations were given last week for the Vaccinate Gadsden program. She reminded everyone of today's flu and Covid drive-through vaccination clinic at North Glencoe Baptist Church. Chief Reed noted fewer "Persons Under Investigation" calls and no staff absences due to Covid. They both encouraged the public to continue precautions. Councilman Worthy expressed concern for police and fire personnel who responded to a horrific crime scene yesterday.

The minutes of the last work session and council meeting held on September 28, 2021, were approved by unanimous vote.

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

#211145-211159	General	\$69,069.23
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UNFINISHED BUSINESS

(1) President Toles announced that no action was necessary regarding a resolution assessing a grass cutting lien in the amount of \$251.00 at 1427 Paradise Avenue in District 1, which was tabled for one year on September 29, 2020, as the cost has been paid in full.

(2) President Toles announced that no action was necessary regarding a resolution assessing a grass cutting lien in the amount of \$426.00 at 1604 Litchfield Avenue in District 2, which was tabled for one year on September 29, 2020, as the cost has been paid in full.

(3) A resolution assessing a grass cutting lien in the amount of \$251.00, which was tabled for one year on September 29, 2020, was presented for consideration. Councilman Worthy moved to substitute the following resolution, which reflects one payment of \$20.00. The motion was seconded by Councilman Reed and unanimously carried.

RESOLUTION NO. R-211-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$231.00 - 921 Tuscaloosa Avenue - District 3 - Australia Lodge Trustees #483)

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) President Toles announced that no action was necessary regarding a resolution ordering abatement of nuisances on an accessory building at 221 Murray Drive in District 1, as the nuisance has been abated by the owner.

(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 1336 Alabama Street, Wanda Deleon and Wanda Deleon, c/o Tina M. Lewis, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made to this burned structure since procedures began in October 2020, although a permit was obtained in June 2021. He recommended abatement. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-212-21

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1336 Alabama Street - District 3 - Wanda Deleon; Wanda Deleon, c/o Tina M. Lewis)

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

(3) President Toles announced that no action was necessary regarding a resolution ordering abatement of nuisances on property at 942 Chestnut Street in District 5, as the nuisance has been abated by the owner.

(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 1028 Fairview Avenue, the Estate of Gladys Bufford and Gladys Bufford, c/o Carolyn Moore, being the last known owners. Brian Harbison, Building Inspector, stated the owner's representative advised the owners favor demolition by the city and plan to set up payments. He recommended abatement, noting the case began in April 2020. The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-213-21

#### ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1028 Fairview Avenue - District 6 -The Estate of Gladys Bufford; Gladys Bufford, c/o Carolyn Moore)

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

(5) President Toles announced that no action was necessary regarding 2318 Norris Avenue in District 6, as the nuisance has been abated by the owner.

(6) The floor was opened to allow anyone to speak for or in opposition to a resolution approving the issuance of an alcoholic beverage license for Latonya Rutledge d/b/a 7 11 at 823 Tuscaloosa Avenue. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-214-21

APPROVING THE ISSUANCE OF  
ALCOHOLIC BEVERAGE LICENSE

(Latonya Rutledge - 7 11 - 823 Tuscaloosa Avenue - District 3 - Restaurant Retail Liquor License - Note: Police Chief recommended denial)

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

AYES: Williams, Worthy, Back, Wilson, Reed

NAYS: Toles, Cannon

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-215-21

APPOINTING MEMBER TO FORREST CEMETERY BOARD

(Appointing Kyle Chambers to replace Barbara Reed - For term expiring April 5, 2024)

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

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

NAYS: Williams

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

RESOLUTION NO. R-216-21

APPOINTING MEMBER TO FORREST CEMETERY FOUNDATION

(Appointing Kyle Chambers to replace Barbara Reed - For term expiring May 28, 2024)

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

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

NAYS: Williams

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

RESOLUTION NO. R-217-21

AUTHORIZING AGREEMENT WITH  
LANGUAGE LINE SERVICES, INC.

(Authorizing Agreement - Language Line Services, Inc. - Upgrading services for Language Line Phone and InSight Video Interpreting - One-time fee of \$2,500.00 and per minute usage)

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

(4) President Toles read the following resolution and presented it for consideration:

RESOLUTION NO. R-218-21

RENAMING THE LIBRARY PARK  
AT THE GADSDEN PUBLIC LIBRARY

(Renaming park across the street from Gadsden Public Library to “Dr. Clarence Underwood Park” - Recognizing and honoring Gadsden native and Etowah County Hall of Fame member Clarence Underwood for many accomplishments at Michigan State University)

Councilman Williams expressed excitement at this monumental event and commended Dr. Underwood’s success during a difficult period. Craig Scott, Library Director, introduced Dr. Underwood, family members, and members of the Brotherhood of St. Andrew of the Episcopal Church of the Holy Comforter, who were present in his office. Dr. Underwood said he is deeply touched for this honor and complimented the City of Gadsden. President Toles acknowledged the work to be a city for all people. Councilman Back said he has been deeply touched by Dr. Underwood’s conversations with him, as well as his humility. In response to a question posed by Councilman Williams, Dr. Underwood stated that if Carver High School had been able to play against Norris High School, the score would have been 40-0 in favor of Carver. Mr. Scott announced today’s lunch reception for Dr. Underwood and the unveiling of the park sign at 1 p.m.

(Note: The council failed to immediately vote on the resolution, and the vote was conducted at the end of council remarks. Councilman Wilson had left the meeting at the time.)

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

MAYOR AND COUNCIL REMARKS

Councilman Wilson noted he would take some time off from the council for personal reflection and noted Dr. Underwood’s example will be a good start.

The council joined in making complimentary remarks about Dr. Underwood.

Councilman Worthy commended policemen and firemen who responded to a homicide scene yesterday in his district.

Councilman Back announced a concert to benefit Beautiful Rainbow Café and commended the program. He expressed sadness at the passing of Jim Stivender and commended his life.

(The vote on the resolution renaming the park was conducted at this time.)

President Toles announced four drawings for cash awards in connection with the Vaccinate Gadsden program during council meeting on October 19.

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

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Iva Nelson, City Clerk (10-5-21)

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