

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
NOVEMBER 2, 2021 - 11:00 A.M.

The City Council met on November 2, 2021, 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, Worthy, Back, Wilson, Cannon and Reed. Councilman Williams was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, Lee Roberts and Captain Jackson were also present.

The invocation was given by Councilman Cannon.

Josh Tanner (Emergency Management Agency) reported Covid-19 statistics are still trending downward, with Etowah County now in the moderate category. Case numbers reported by local schools are also lower. Mr. Tanner discussed booster vaccines and emergency approval of vaccines for children aged 5 to 11. He also encouraged the public to take flu vaccines and noted the next report will be given the first Tuesday of December, unless a need arises in the interim.

Fire Chief Reed reported only one confirmed case in the past week and said no staff members are out due to Covid. He advised the department has returned to in-person training and resumed community outreach programs.

The minutes of the last work session and council meeting held on October 26, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of October 22-28 were ratified by unanimous vote.

#211647-211765	General	\$343,739.64
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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 1208 Windsor Street in District 1, Rumaldo David Feliciano Coronado, Laura L. and Nancy Lee Woodsmall being the last known owners. Brian Harbison, Building Inspector, recommended a 30-day extension, based on recent improvements. Councilwoman Toles moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy and unanimously carried.

(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 811 Midway Avenue, Steve Weaver, a/k/a Steven Weaver, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made to this mobile home since procedures began in December 2019, although a permit was obtained in May 2020. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-233-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 811 Midway Avenue - District 2 - Steve Weaver, a/k/a Steven Weaver)

Councilman Worthy moved to adopt the resolution as introduced, which motion was seconded by Councilman Back 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 616 Polk Street, Billy Wise and Billy and WF Gail Wise being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in June 2021, although a permit was obtained in July 2021. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-234-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 616 Polk Street - District 2 - Billy Wise; Billy and WF Gail Wise)

Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 3400 Mutual Drive, Phillip Delp, subject to a mortgage in favor of Barney H. Leach, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in April 2021. He explained the parcel is over four acres and contains a number of vacant industrial buildings. Mr. Harbison recommended abatement, noting the property has been difficult to secure and is accessed by homeless persons. He added the fire department has also been on site. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-235-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3400 Mutual Drive (Commercial Building) - District 6 - Phillip Delp, subject to mortgage in favor of Barney H. Leach)

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

(5) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 703-B Agricola Drive, Brian Allan Gore, possible rights of redemption of Hazel Stephens, and HGM Holdings, LLC being the last known owners. Brian Gore stated he intends to demolish the structure and requested 90 additional days. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in September 2020, and recommended abatement. He explained the owner can pursue a demolition permit, which is good for 30 days. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-236-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 703-B Agricola Drive - District 7 - Brian Allan Gore; Possible rights of redemption to Hazel Stephens; HGM Holdings, LLC)

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

(Councilman Reed left the meeting at this time.)

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-237-21

AUTHORIZING A SPECIAL USE PERMIT FOR DISH WIRELESS

(Authorizing Special Use Permit - Dish Wireless - To install equipment and modify existing telecommunication facility at 4290 Old Pump Station Road)

David Andrews (CMS Solutions) recommended approval, noting Dish Wireless is making numerous applications and intends to be a new service provider. In response to inquiries from Councilman Back, Mr. Andrews explained the typical time frame for completing installation and advised he could provide contact information for Verizon Wireless in regard to poor coverage in the Country Club area.

Councilman Cannon 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-238-21

AUTHORIZING EXPENDITURE OF CORONAVIRUS
STATE AND LOCAL FISCAL RECOVERY FUNDS

(Authorizing Expenditure of American Rescue Plan funds - Authorizing partnership with Gadsden-Etowah Habitat for Humanity - \$250,000.00 - To assist in providing affordable housing in qualified census tracts)

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

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

RESOLUTION NO. R-239-21

AUTHORIZING AGREEMENT WITH MILLIMAN, INC.

(Authorizing Agreement - Milliman, Inc. - \$16,000.00 - To provide GASB 75 Actuarial Valuation Report for FYE September 30, 2021 and Roll-forward Valuation Report for FYE September 30, 2022 - Relating to post-employment benefits (OPEBs) offered to City retirees)

Councilman Cannon 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-240-21

AUTHORIZING AGREEMENT WITH XANTE CORPORATION

(Authorizing Agreement - Xante Corporation d/b/a OneAppWay - \$900.00 per year - For Etowah County Emergency Management Agency app for public education, alert notification and public safety)

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

ORDINANCE - FIRST READING

The following ordinance was introduced in writing and read by President Toles:

ORDINANCE - AMENDING FISCAL YEAR 2022 BUDGET - JUSTICE ASSISTANCE GRANT

Since no action was taken in this meeting, the ordinance will be placed on the agenda of the next regular meeting for consideration.

NEW BUSINESS

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

RESOLUTION NO. R-241-21

AUTHORIZING AGREEMENT WITH
CDG ENGINEERS & ASSOCIATES, INC.

(Authorizing Agreement - CDG Engineers & Associates, Inc. - \$56,000.00 - For drainage study along W. Meighan Boulevard/North 11th Street/Tuscaloosa Avenue area)

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

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

RESOLUTION NO. R-242-21

AWARDING BID NO. 3460

(Awarding Bid No. 3460 - Community Development Street Resurfacing Project - Vulcan Materials Asphalt and Construction, LLC- \$1,346,073.00)

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.

PUBLIC

Larry Suttles thanked Captain Jackson and Heath Williamson for their assistance in addressing concerns he presented. He suggested collecting garbage services with the water bill and encouraged enforcing mandatory participation to reduce garbage and litter on the streets. President Toles advised Mr. Suttles to speak with the city attorney regarding combining the bills.

Frances Irene spoke regarding Papa Cause, the best friend of Santa Claus, who was created in 1998. She announced plans to establish a village for them from November to January, beginning next year, to further the mission of inspiring children to use creativity and imagination. Ms. Irene presented information packets and said she is not requesting money, and requested letters of support from elected officials. She expressed appreciation for former support and the annual proclamation, noting the upcoming annual celebration.

MAYOR AND COUNCIL REMARKS

President Toles congratulated Councilman Back on the birth of his grandson, John Eris Cunningham. Councilman Wilson also congratulated the new parents, Kirkland and Morgan Cunningham.

On behalf of Councilman Williams, Councilman Back extended commendations from James Memorial Baptist Church for the employee who performs trash collection in the area.

Councilman Wilson expressed gratitude to everyone who assisted with last weekend's Riverfest concert at River Rocks Landing. He congratulated Councilman Cannon's granddaughter, who pitched back to back no hitter games in fast pitch softball.

Councilman Cannon thanked everyone who participated in “Treats on Wall Street” last Thursday, including the police department. He complimented residents of Turrentine and Haralson neighborhoods for their hospitality and candy provided to children on Halloween.

Councilman Worthy said the Finance Director advised premium hazard pay checks will be available before Thanksgiving. He reported on last Sunday’s vaccine clinic at Macedonia Baptist Church.

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

Iva Nelson, City Clerk (11-2-21)
