

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JANUARY 17, 2023 - 11:00 A.M.

The City Council met on January 17, 2023, in regular session.

The meeting was called to order at 11:00 a.m. by Council President Back. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Latham, Smith, Avery, Back, Wilson, Minatra and Robinson. The clerk stated a quorum was present and the meeting was open for business. Heath Williamson, Lee Roberts and Captain Entrekin were also present.

The invocation was given by Councilwoman Latham.

The minutes of the last work session and council meeting held on January 10, 2023, were approved by unanimous vote.

Payment of the HTE System accounts for the week of January 6-12 were ratified by unanimous vote.

#221398-221514	General	\$1,216,705.42
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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-03-23

AMENDING FISCAL YEAR 2023 BUDGET

(Amending FY2023 Budget - Transferring \$337,000.00 from General Fund unassigned fund balance into Planning Department Contractual Services account - To fund agreements with Orchestra Partners Development, LLC and Goodwyn Mills Cawood, LLC)

Councilman Wilson moved to adopt the ordinance, which motion was seconded by Councilman Smith 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-04-23

AUTHORIZING CONVEYANCE OF PROPERTY

(Authorizing Conveyance of Property - Building T-3 at Air Depot - Accepting offer of \$550,000.00 from Dairyman's Supply Company)

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

(3) A resolution ordering the abatement of nuisances on property at 502 Henry Street in District 3, which was tabled for 30 days on December 13, 2022, was presented for consideration. Upon recommendation of the Building Official, Councilman Avery moved to table the resolution an additional 30 days. The motion was seconded by Councilman Wilson and unanimously carried.

PUBLIC HEARINGS

President Back 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 235 N. 6th Street, Zelamina Johnson and Angenetta Rodgers, who are the heirs of Louvada Owens, being the last known owners. Brian Harbison, Building Inspector, recommended a 30-day extension based on recent improvements. Councilman Avery asked if rehabilitation is possible and if the building is historic. Mr. Harbison said he could check its status. Councilman Avery moved to table the resolution for 30 days, which motion was seconded by Councilman Wilson 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 2401 W. Meighan Boulevard and 402 N. 24th Street, Joel Byron Neal Shirley II, subject to a mortgage in favor of John Robert McElroy Jr., as personal representative for the Estate of Velna T. McElroy assigned to McElroy Realty, LLC, being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made to this commercial building since procedures began in February 2022. He expressed concern that the structure is immediately adjacent to the right-of-way and there is potential for collapse. He recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-11-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2401 W. Meighan Boulevard and 402 N. 24th Street - District 6 - Joel Byron Neal Shirley, subject to mortgage in favor of John Robert McElroy Jr, as personal representative of the Estate of Velna T. McElroy assigned to McElroy Realty, LLC)

Councilwoman Minatra 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 2403/2405 W. Meighan Boulevard, Zandra Shirley being the last known owner. Brian Harbison, Building Inspector, stated there are serious structural concerns with the two structures on this site, which are connected to the case in the previous hearing. He said no improvements have been made since procedures began in February 2022, and recommended abatement. In response to Councilman Avery's inquiry, Mr. Harbison explained city grants are available for facade improvements but not for structural issues. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-12-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2403/2405 W. Meighan Boulevard - District 6 - Zandra Shirley)

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

(4) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1405 Kentucky Avenue, Ronnie Pollard, subject to a mortgage in favor of Community Home Banc, Inc. being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-13-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,640.00 - 1405 Kentucky Avenue - District 1 - Ronnie Pollard, subject to mortgage in favor of Community Home Banc, Inc.)

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

(5) 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 Smoke House 227, located at 227 Broad Street. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-14-23

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Smoke House 227, LLC - Smokehouse 227 - 227 Broad Street - Restaurant Retail Liquor License)

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

(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 Racetrac 2608, located at 1715 West Grand Avenue. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-15-23

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Racetrac Alabama, Inc. - Racetrac 2608 - 1715 West Grand Avenue - Retail Beer and Table Wine License, off premises only)

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

RESOLUTION PRESENTED FOR CONSIDERATION:

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-16-23

EXPRESSING SUPPORT FOR A CHALLENGER CENTER

(Expressing endorsement and support of Challenger Learning Center to be located in Gadsden - Urging Governor Ivey to support funding through State budget - To emphasize STEM education and prepare future workforce)

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

DEPARTMENT REPORTS

Josh Tanner (Deputy EMA Director) gave an update on the potential for severe weather this week. He noted weather radios are being acquired for distribution to citizens in low socio-economic areas.

MAYOR AND COUNCIL REMARKS

On behalf of Mayor Ford, Brett Johnson (Chief of Staff): explained a group of local stakeholders is pursuing location of a Challenger Center in Gadsden; said donations can be made to United Way here and designated for storm victims in Selma and noted Ruth Moffatt is there to help with set-up of a volunteer network and resource center; expressed gratitude for today's funding for the two studies and State funding for intersection improvements at Hood Avenue and E. Meighan Boulevard.

Councilwoman Minatra complimented Friday's Unity parade and weekend performances at the Ritz Theater.

Council members Wilson, Avery, Smith, and Latham expressed concern for Selma and other cities impacted by last week's storm and thanked the Mayor for support offered.

Councilman Avery complimented WMGJ and Monday's program honoring Dr. Martin Luther King, Jr. and reported on Sunday's dedication ceremony naming Carver Square in honor of Jalaria Harris. He encouraged the Gadsden City High School bowling team, which is competing in a regional tournament, and announced tonight's District 3 meeting at the Downtown Civic Center.

Councilwoman Latham complimented the Unity parade and the MLK breakfast hosted by Gadsden Empowerment.

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

Iva Nelson, City Clerk (1-17-2023)
