

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MARCH 24, 2020 - 11:00 A.M.

The City Council met on March 24, 2020, 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. Lee Roberts and Captain Keener were also present. Mayor Guyton was absent.

The invocation was given by Councilman Cannon.

President Toles assured citizens that she personally takes the situation with COVID-19 very seriously and the council is monitoring the information with a goal to provide leadership while making wise, informed decisions. She explained the first floor of city hall is open to the public and modifications were made to the chamber to comply with health guidelines. President Toles encouraged the public to access the meeting by Facebook live, YouTube, and Gadsden TV and noted a teleconference will allow city staff to communicate without being physically present.

At the request of President Toles, Deborah Gaither (Emergency Management Agency Director) provided an update concerning the COVID-19 pandemic, noting that shelters will be open if a tornado watch is issued, except for buildings that have been closed. Ms. Gaither urged everyone to observe instructions provided by the CDC and the Alabama Department of Public Health. She said daily situation reports are being issued, commended the work of health professionals, and confirmed that testing is being performed in Etowah County. Councilman Williams noted the importance of social distancing in the workplace. President Toles thanked Ms. Gaither and requested that EMA updates be continued for future council meetings.

The minutes of the Education/Recreation Committee, Audit Review, Work Session and Council meeting held on March 17, 2020, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 13-19, 2020 were ratified by unanimous vote.

#198692-198839	General	\$605,692.13
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President Toles stated this was the time and place as advertised to conduct a public hearing allowing anyone to speak in opposition to or in favor of a resolution approving issuance of a retail liquor license to Omarelfarouk Moustafa Lotfi, d/b/a Omarz, LLC for Tut Hookah Lounge at 218 Wall Street in District 6. Rachel Lotfi said she and her husband wish to open a hookah bar and were unable to locate a building in downtown Gadsden. She and Omarelfarouk Lotfi explained hookah, which uses water pipes to smoke tobacco flavored by honey or molasses based products, as well as how the business would operate. Councilman Cannon expressed concern about the proximity of the Etowah Baptist Association Mission Center and the poor history of bars on Wall Street. Councilman Reed cited examples of violence and negative community impact of the bars that no longer exist. Ms. Lotfi pointed out their evening operating hours will not coincide with those of the mission center. She said their original plan didn't include alcohol, but the ordinance requires it to be 10% of gross receipts. She added they have no desire for a "rowdy" environment. Councilman Back expressed some regret in voting for an additional exception to the smoke-free ordinance.

Councilman Worthy moved to table the resolution for 30 days, which motion was seconded by Councilwoman Toles, but failed to carry by the following vote:

AYES: Toles, Worthy, Back

NAYS: Williams, Cannon, Reed

Councilman Williams moved to consider the resolution, which motion was seconded by Councilman Worthy, but failed to be adopted by the following vote:

AYES: Toles, Worthy, Back

NAYS: Williams, Cannon, Reed

### RESOLUTIONS PRESENTED FOR CONSIDERATION

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

#### RESOLUTION NO. R-99-20

#### AUTHORIZING AGREEMENT WITH BARNETT JONES AND WILSON, LLC

(Authorizing Agreement - Barnett Jones Wilson, LLC - \$750.00 - Structural engineering design services - Parking improvements for Alabama City Center at 2000 W. Meighan Boulevard)

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

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

#### RESOLUTION NO. R-100-20

#### AUTHORIZING AGREEMENT WITH J.R. WILBURN & ASSOCIATES

(Authorizing Agreement - J.R. Wilburn & Associates - \$85,810.00, with City's match being \$17,162.00 - For Long Range Transportation Plan - In conjunction with Gadsden Etowah Metropolitan Planning Organization)

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-101-20

#### AUTHORIZING AGREEMENT WITH SAIN ASSOCIATES, INC.

(Authorizing Agreement - Sain Associates, Inc. - \$49,916.00, with City's share being \$9,983.00 - To perform engineering and consultation services - For Broad Street Operational Analysis, from 1<sup>st</sup> Street to N. 7<sup>th</sup> Street)

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

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

RESOLUTION NO. R-102-20

AUTHORIZING TAX ABATEMENT AGREEMENT

(Authorizing Tax Abatement Agreement - Summit Properties Partnership - For expansion of Fehrer Automotive facility at 4330 Brooke Avenue - Abatement of non-educational property and construction related transaction taxes - Period of 5 years - Capital investment of \$6,099,159.00)

David Hooks (Director) and Bill Greene, Industrial Development Authority, provided information via conference call concerning the expansion, which is expected to be completed in March 2021.

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

ORDINANCE PRESENTED FOR FIRST READING

An ordinance authorizing conveyance of approximately .50 acres of property (portion of E ½ of Section 24, T-12-S, R-6E) to Koch Foods was presented in writing for the first reading. Since no action was taken, the ordinance will be placed on the next council meeting agenda for consideration.

COUNCIL REMARKS

President Toles thanked Mayor Guyton and city staff for safety measures put into place. She acknowledged the impact of COVID-19 on everyone and expressed gratitude that there are no confirmed cases in Etowah County at this time. She affirmed commitment for herself and other elected officials to exemplify leadership to our community and encouraged everyone to practice safety and common sense. Since no items were presented for council consideration next week, President Toles announced there will be no work session or council meeting held on March 31, but the council would convene again on April 7.

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

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Iva Nelson, City Clerk (3-24-20)

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FIRST FLOOR MAIN LOBBY AREA - BID OPENING  
MARCH 24, 2020- 2:00 P.M.

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

Bid No. 3433 - Greens Covers for Twin Bridges Golf Club

The Oaks Associates, LP	\$15,420.00
Corbin Turf & Ornamental Supply	\$18,600.00
Sur-Line Turf, Inc.	\$19,750.00
Site One Landscape Supply	\$20,001.54

Copies of the bids will be forwarded to the Assistant Purchasing Agent and a recommendation will be made to the Council.

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