

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JUNE 11, 2019 - 11:00 A.M.

The City Council met on June 11, 2019, 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, Wilson, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Mayor Guyton, Heath Williamson, and Captain Keener were also present.

The invocation was given by Councilman Williams.

The minutes of the last work session, council meeting, and special called council meeting held on June 4, 2019, were approved by unanimous vote.

Payment of the HTE System accounts for the week of May 31 through June 6, 2019 were ratified by unanimous vote.

#191843-192080	General	\$934,647.08
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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 1009 Avenue H, the State of Alabama, possible rights of redemption of Paul Wofford Jr., and Angela Cassandra Russell being the last known owners. Brian Harbison, Building Inspector, stated this case, which began in October 2018, involves two houses on one lot. He said no improvements have been made and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-238-19

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1009 Avenue H - District 3 - State of Alabama; Possible redemption rights of Paul Wofford Jr.; Angela Cassandra Russell)

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 assessing a nuisance abatement lien on property at 304 Morningview Drive, Charles E. Posey and Khan Posey being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-239-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,791.40 - 304 Morningview Drive - District 2 - Charles E. Posey; Khan Posey)

Councilman Williams 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 assessing a nuisance abatement lien on property at 101 Springdale Court, Henry and Luella Higgins, and the State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-240-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,791.40 - 101 Springdale Court - District 2 - Henry and Luella Higgins; State of Alabama)

Councilman Williams 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 3603 W. Meighan Boulevard, FNA NP, LLC, possible rights of redemption of W. R. and Gail McReynolds, and the State of Alabama being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-241-19

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,541.40 - 3603 W. Meighan Boulevard - District 6 - FNA NP, LLC; Possible rights of redemption of W. R. and Gail McReynolds; State of Alabama)

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 approving the issuance of an alcoholic beverage license for Four Fifteen, LLC, d/b/a The Rail Public House, 210 Locust Street, Suite A. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-242-19

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Four Fifteen, LLC - The Rail Public House - 210 Locust Street, Suite A - Restaurant Retail Liquor License)

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

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

NAYS: Cannon

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-243-19

ACCEPTING CONVEYANCE OF PROPERTY
LOCATED AT 1013 MARYLAND AVENUE

(Accepting conveyance of property from Judith A. Johnson Cox, Judy Johnson, Heath Gregory Johnson, and Kandice Johnson Kimbril - 1013 Maryland Avenue - Lot 7, Block 5, Goodyear Park)

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

NEW BUSINESS

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

RESOLUTION NO. R-244-19

ADOPTING TITLE VI PLAN UPDATE

(Updating City's Title VI Plan - To ensure compliance with Civil Rights Act due to receiving financial assistance from Federal Transit Administration - Note: Purpose is to prohibit discrimination in programs and activities)

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 Williams and unanimously adopted.

PUBLIC

Fred Zackery questioned why the city disregarded a judge's order issued on May 24 in regard to 1109 Wainwright Avenue, stating the utility hold for water was not released until June 7. He said he found no prohibition in the code for issuing a permit and asked if not having one will create problems for the owner while work is being done. Brian Harbison, Building Official, said litigation is in progress; therefore, no permit is issued. He presented a copy of the court order, which does not specify issuance of a permit but does require the owner to show satisfactory progress. Mr. Harbison explained he allowed almost six months for the owner to remove personal items from the house, who didn't express any interest in making repairs. He added his department deals with hundreds of cases and apologized if a delay occurred in releasing the utility hold.

MAYOR AND COUNCIL REMARKS

Councilman Back thanked the owners of the Rail Public House, Dee and Jami Grimes and Matt and Jennifer Skelton, for their investment in the city and extended best wishes for success.

Councilman Wilson announced a District 5 meeting at 5:30 p.m. next Monday at the Gadsden Public Library. He also congratulated the Auburn baseball team for advancing to the college world series.

President Toles thanked Finance Director Lisa Rosser for her diligence in controlling city expenses, noting her report indicates the city is in good financial condition.

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

Iva Nelson, City Clerk (6-11-2019)
