

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JULY 20, 2021 - 11:00 A.M.

The City Council met on July 20, 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, 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, Lee Roberts and Captain Jackson were also present.

The invocation was given by Heath Williamson.

The minutes of the last work session and council meeting held on July 13, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of July 9-15 were ratified by unanimous vote.

#209324-209497	General	\$5,266,988.63
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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 1602 Litchfield Avenue, Joan M. Gutierrez and Gillermo V. Gutierrez being the last known owners. Brian Harbison, Building Inspector, stated although a permit was obtained in July 2020, no improvements have been made since procedures began in June 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-159-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1602 Litchfield Avenue - District 1 - Joan M. Gutierrez and Gillermo V. Gutierrez)

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

(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 996 Hooks Lake Road, Lisa Wells being the last known owner. Gene Wells stated his ex-wife is Lisa Wells, his son currently resides on the property, and he is prepared to make improvements. Brian Harbison, Building Inspector, stated no improvements have been made in this trash and debris case since procedures began in April 2021, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-160-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 996 Hooks Lake Road - District 2 - Lisa Wells)

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

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

NAYS: None

ABSTENTIONS: Cannon

Mr. Wells was advised he would have three to four weeks to clear the property himself before City crews arrive to abate the nuisance.

(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 1121 Litchfield Avenue, Raymond Anthony, subject to a mortgage in favor of AIA Surety, and Kelvin Hampton being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-161-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1121 Litchfield Avenue - District 2 - Raymond Anthony, subject to a mortgage in favor of AIA Surety; Kelvin Hampton)

Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 312 N. 3rd Street, the State of Alabama, Wesley Sims, possible rights of redemption of Heather Nicole Miller and Deborah Miller being the last known owners. Brian Harbison, Building Inspector, pointed out the structure has historical significance and expressed hope the nuisances can be resolved by the owner. He noted there are other issues besides the structure. (Mr. Sims was present but did not speak.) Councilman Worthy moved to table the resolution for 30 days, which motion was seconded by Councilman Cannon and unanimously carried.

(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 1002 Spruce Street, Aubrey Randall Higgins and wife Bobbie Jean M. Higgins being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in October 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-162-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1002 Spruce Street - District 5 - Aubrey Randall Higgins; Bobbie Jean M. Higgins)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 Las Brisas, LLC, d/b/a Las Brisas at 113 North 7th Street. No one spoke. The following resolution was presented for consideration:

RESOLUTION NO. R-163-21

APPROVING THE ISSUANCE OF
ALCOHOLIC BEVERAGE LICENSE

(Las Brisas, LLC - Las Brisas - 113 North 7th Street - District 3 - 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-164-21

AUTHORIZING AGREEMENT WITH MBA ENGINEERS, INC.

(Authorizing Agreement - MBA Engineers, Inc. - \$11,565.00 - To provide construction phase testing services for new fire station on South 11th Street at Banks Park)

Councilman Cannon noted the new fire station will replace the Walnut Park station. Lisa Rosser, Finance Director, explained this project qualifies for American Rescue Plan funds, which will free up \$1.5 million in Capital Improvement funds.

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

ORDINANCE - FIRST READING

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

ORDINANCE - AUTHORIZING CONVEYANCE OF CERTAIN PROPERTY AT ONE
COMMERCE SQUARE TO GADSDEN-ETOWAH CHAMBER OF COMMERCE

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 Back introduced the following resolution in writing for consideration:

RESOLUTION NO. R-165-21

AUTHORIZING PUBLIC HEARING ON
PROPOSED ECONOMIC DEVELOPMENT AGREEMENT

(Authorizing public hearing on August 3, 2021 - Relating to proposed Economic Development Agreement with Akin Holdings V Gadsden, LLC - To locate new Olive Garden Restaurant at 825 Rainbow Drive)

Lesa Osborn, Commercial Development Authority Director, explained the project, noting the restaurant would be built at the former Logan's location. The proposed agreement provides for \$500,000 from the City for infrastructure assistance.

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 Reed and unanimously adopted.

(2) Councilwoman Toles introduced the following resolution in writing for consideration:

RESOLUTION NO. R-166-21

ACCEPTING PERMANENT DRAINAGE EASEMENT
FROM CHARLES & LINDA CRIST

(Accepting 20-foot Permanent Drainage Easement - Charles & Linda Crist - 417 Paden Road - Located on portion of Lot 1, Block 4, 2nd Addition of Paden Farm Subdivision)

City Engineer Heath Williamson explained this will allow the City to perform drainage improvements to alleviate flooding downstream of the Springrock area, which affects multiple residents.

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

DEPARTMENT REPORTS

Lisa Rosser, Finance Director, announced the Vaccinate Gadsden Incentive program, to be funded by the American Rescue Plan. She referred to the rise in Covid-19 cases and Gadsden’s low vaccination rate, stating the program’s start date is July 19 and will pay \$100 to each Gadsden resident who becomes fully vaccinated and presents a completed voucher form.

MAYOR AND COUNCIL REMARKS

The council joined in thanking Lesa Osborn for her work and securing an Olive Garden, a long-time wish of citizens.

Councilman Williams encouraged citizens to take action to benefit their personal health, including vaccination, and expressed appreciation for the incentive program.

Councilman Worthy clarified his comments last week regarding Pilgrim’s Pride were not directed at any fellow council members or city officials and apologized for any problems they caused. He reiterated his opposition to placing a rendering plant in his community. Councilman Worthy announced a job fair to be held August 24 at The Venue, noting the current unemployment rate is 4.3% and over 1,000 jobs are available in our area.

Councilman Wilson explained various actions taken by the council today and congratulated Las Brisas. He noted the Alabama Open tournament will be held at Twin Bridges Golf Course this weekend.

Councilman Back thanked Councilman Worthy for his clarification. He thanked Chet Hallman for his management of the golf course and explained the significance of hosting the Alabama Open. Councilman Back reminded residents to not place trash and debris in the gutter for collection, as it often clogs storm drains.

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

Iva Nelson, City Clerk (7-20-21)
