

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
SEPTEMBER 19, 2023 - 11:00 A.M.

The City Council met on September 19, 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, Minatra and Robinson. Councilman Wilson was absent. The clerk stated a quorum was present and the meeting was open for business. Mayor Ford, Heath Williamson and Chief Jaggears were also present.

The invocation was given by Councilman Smith.

The minutes of the last work session, regular council meeting, and special council meetings held on September 12, 2023, were approved by unanimous vote.

Payment of the HTE System accounts for the week of September 8-14 were ratified by unanimous vote.

#227107-227282	General	\$2,141,863.33
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Mayor Ford read a proclamation proclaiming September 19, 2023, as “The Woman’s Club Day” and presented it to club members who were present. He commented on last Sunday’s 100 year anniversary celebration at The Woman’s Club and wished a happy birthday to his wife, Gwen, who was in the group. Woman’s Club President, Councilwoman Minatra, highlighted some of the club’s accomplishments. President Back noted his mother was The Woman’s Club President in 1991-92.

UNFINISHED BUSINESS

An ordinance amending Ordinance No. O-47-23 relating to managed care of dogs and cats, which was tabled for three weeks on August 29, was presented for consideration. Councilwoman Minatra noted a Public Safety Committee meeting is scheduled for September 26 to review research gathered for potential amendments, and moved to table the ordinance an additional two weeks. The motion was seconded by Councilman Smith and unanimously carried.

PUBLIC HEARINGS

President Back stated this was the time and place as advertised to conduct a public hearing to allow oral or written input regarding the proposed Fiscal Year 2024 budget. Robert Avery noted he did not see mention of American Rescue Plan funds in the proposed budget and asked the balance of undesignated funds. Mayor Ford estimated the balance of unassigned funds at approximately \$22 million. Brandon Phillips, Finance Director, advised the ARP funds are contained in a separate budget and are not included in the general fund budget. In response to the Mayor’s inquiry, City Engineer Heath Williamson advised several ARP projects exceeded the original estimated cost. When designs are completed, the cost will be reevaluated. It was noted that engineering changes have been necessary for the largest project located in District 3.

President Back stated the ordinance had been presented today for the first reading and the council will vote on it next week. Councilwoman Minatra referred to significant data that must be entered concerning salary increases and moved to suspend the rules for immediate consideration of the ordinance at its first reading. The motion was seconded by Councilman Smith and the following votes were recorded:

AYES: Latham, Smith, Back, Minatra, Robinson

NAYS: None

ABSTENTIONS: Avery

City Clerk Iva Nelson stated a determination is needed regarding whether or not unanimous consent was obtained. President Back called for a 10-minute recess in order to contact City Attorney Lee Roberts and to review the statute. When the meeting resumed, Councilwoman Minatra withdrew her motion for immediate consideration.

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-514-23

AUTHORIZING ECONOMIC DEVELOPMENT AGREEMENT WITH AILERON GADSDEN, LLC

(Authorizing Economic Development Agreement - Aileron Gadsden, LLC - For construction of Starbucks at 720 Gilbert Ferry Road SE - Providing for rebate of 2% of City's 5% sales tax - For period of 4 years from the opening date or until \$200,000.00 has been paid to the Developer, whichever comes first)

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

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

RESOLUTION NO. R-515-23

AUTHORIZING AMENDMENT TO AGREEMENT WITH CDG, INC.

(Amending Agreement - CDG, Inc. - \$20,600.00 - To provide additional design services for irrigation system modification at Gadsden Sports Park - Note: Revised contract total is \$109,100.00)

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

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

RESOLUTION NO. R-516-23

AUTHORIZING AGREEMENT WITH ROADBOTICS, INC.

(Authorizing Agreement - RoadBotics, Inc. - \$34,900.00 - To provide data analysis and support for FY2024 City-Wide Asphalt Pavement Assessment)

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

ORDINANCE - FIRST READING

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

ORDINANCE - AMENDING CITY CODE CHAPTER 74 - LICENSES AND TAXATION ARTICLE III. - PRIVILEGE LICENSE TAX

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

PUBLIC

Joseph Cole complimented Ruth Moffatt and Tena King, staff members of Mayor Ford. He questioned if a Water Works and Sewer Board member who has served with an expired term since 2019 should reimburse the stipend received. Mr. Cole referred to a lawsuit settlement regarding water pollution of over \$100 million. He pointed out there are 14,812 water customers, and if business accounts are excluded (approximately 500), the cost of providing in-home filters at \$200 each is approximately \$2.9 million. Mayor Ford advised the Water Works and Sewer Board, which is a separate entity from the city, received the settlement and plans to build a reverse osmosis plant.

Unanimous consent was given for Gadsden State Community College faculty to address the council. Dr. Tera Simmons announced Chancellor Jimmy Baker is speaking at Wallace Hall at 10 a.m. on Thursday and invited everyone to attend. She recognized deans who were present. Dr. Alan Smith thanked the city for its support of the Advanced Manufacturing Center and gave an update on its construction and receipt of \$1.6 million grant for equipment. He also announced opportunities for adult and workforce development courses. Dr. Farrah Hayes spoke regarding work on a professional development series for city employees. Dr. Kelley Pearce reported current enrollment is over 4,700 students, the highest number since 2018. President Back praised the partnership between Gadsden State and the City.

MAYOR AND COUNCIL REMARKS

The Mayor and council joined in congratulating The Woman's Club and commending its 100 years of service to the community.

Councilwoman Latham announced tonight's GROW Gadsden community meeting at the East Gadsden Community Center. Mayor Ford noted refreshments and daycare will be provided.

Councilman Smith and President Back joined in thanking GSCC deans for coming and encouraging everyone to take advantage of workforce development courses, as well as the coming advanced manufacturing center. President Back acknowledged the City's investment in the Gadsden Sports Park located on campus.

Councilman Avery announced a District 3 meeting at 6 p.m. on September 28 at Handy Chapel AME Church and CERT classes underway at Carver Community Center. He acknowledged National Hispanic Heritage month.

Councilwoman Minatra noted the Public Safety Committee is performing research and considering any and all options available for the proposed ordinance relating to dogs and cats.

Mayor Ford noted today is the 93rd anniversary of the Gadsden Lions Club. He announced a lawsuit settlement was negotiated with a group of retired police and fire employees. The Mayor noted the administration's intent to enforce a 2019 ordinance regarding a \$1,000 fee for landlord cleanouts and expressed willingness to discuss changes with the Public Works Committee.

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

Iva Nelson, City Clerk (9-19-2023)

FOURTH FLOOR CONFERENCE ROOM - BID OPENING
SEPTEMBER 19, 2023 - 2:00 P.M.

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

Bid No. 3527 - Vehicle Filters - Auto and Heavy Trucks

Tractor & Equipment Company	\$23,128.11
Advance Auto Parts	\$27,305.45

Copies of the bids will be forwarded to the Northeast Alabama Purchasing Association (NEAPA) Coordinator, and a recommendation will be made to the Council.
