

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
MARCH 16, 2021 - 11:00 A.M.

The City Council met on March 16, 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 Councilman Back.

Marc Golden (Emergency Management Agency) provided an update regarding Covid-19 statistics and cited locations that may be contacted for vaccine appointments. He stressed the need to continue precautions, including masks, social distancing and hygiene. Mr. Golden noted a conference call this afternoon to discuss severe weather conditions predicted for tomorrow. He said storm shelters will open when watches are issued.

The minutes of the last work session and council meeting held on March 9, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 5-11, 2021, were ratified by unanimous vote.

#206360-206542	General	\$1,199,124.46
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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 710 South 6<sup>th</sup> Street (4-plex apartment) in District 4, Noah E. Smith and Sandra Beck being the last known owners. Brian Harbison, Building Inspector, recommended a 30-day extension due to recent improvements by a new owner. Glenda Jackson related long-standing concerns from the community regarding this property, citing criminal activity, debris, tall grass, etc. In response to Councilman Wilson's inquiry, Ms. Jackson expressed no objection to allowing 30 days, as long as the work gets done. Councilman Back thanked Ms. Jackson and advised the owner has presented a plan to Mr. Harbison. He 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 1414 Centre Avenue, Belinda Gray being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in February 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-30-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1414 Centre Avenue - District 5 - Belinda Gray)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilman Worthy 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 3014 Topeka Street, the estate of John Walley, heir Rilla Walley, with Linda Akins assigned as her Guardian and Conservator, and Rilla Adeline Walley being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in January 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-31-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3014 Topeka Street - District 6 - Estate of John Walley, heir to the Estate is Rilla Walley, with Linda Akins assigned as her Guardian and Conservator; Rilla Adeline Walley)

Councilman Cannon noted the owner wants the city to demolish the structure and moved to adopt the resolution as introduced. The 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 3018 Topeka Street, the estate of John Walley, heir Rilla Walley, with Linda Akins assigned as her Guardian and Conservator, and Rilla Adeline Walley being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in January 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-32-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 3018 Topeka Street - District 6 - Estate of John Walley, heir to the Estate is Rilla Walley, with Linda Akins assigned as her Guardian and Conservator; Rilla Adeline Walley)

Councilman Cannon noted the owner wants the city to demolish the structure and moved to adopt the resolution as introduced. The motion was seconded by Councilman Worthy and unanimously adopted.

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-33-21

APPOINTING MEMBER TO GADSDEN AIRPORT AUTHORITY

(Appointing Billy F. Billingsley, Sr. to replace Jackie Ragland - For term expiring on July 31, 2023)

President Toles referred to discussion in today's work session and pointed out Mr. Ragland recently died. Councilman Williams moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed and unanimously adopted.

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

RESOLUTION NO. R-34-21

APPOINTING MEMBER TO LIBRARY BOARD

(Appointing Hilda Moody to replace Barbara Woods - For term expiring February 16, 2025)

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-35-21

AUTHORIZING PROGRAM YEAR 2020  
ALABAMA DEPARTMENT OF ECONOMIC & COMMUNITY AFFAIRS (ADECA)  
COMMUNITY DEVELOPMENT BLOCK GRANT CARES ACT (CDBG-CV)  
GRANT APPLICATION AND CERTIFICATION

(Authorizing Grant Application and Acceptance - ADECA - For CDBG Cares Act funds - \$500,000.00 - To prevent, prepare for, and respond to Covid-19 pandemic and other infectious diseases - Note: Funds are to be expended over 6 year period, with 80% within the first 3 years)

Renee Baker, Community Development Planner, said no matching funds are required and the deadline for the grant application is April 1. Gadsden is one of 13 entitlement communities receiving direct funding, in addition to Alabama's 67 counties. Cares Act funds are separate from annual appropriations from HUD.

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

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

RESOLUTION NO. R-36-21

AUTHORIZING SECOND AMENDMENT  
TO MEMORANDUM OF AGREEMENT WITH  
J.R. WILBURN & ASSOCIATES, INC.

(Authorizing 2nd Amendment - Memorandum of Agreement for Long Range Transportation Plan - Extending term from 2-28-21 to 5-31-21 due to unavoidable Covid-19 related delays)

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

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

RESOLUTION NO. R-37-21

AUTHORIZING SPECIAL USE PERMIT FOR T-MOBILE

(Authorizing Special Use Permit - For T-Mobile to modify equipment at existing wireless telecommunication facility at 1124 Scenic Drive)

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

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

RESOLUTION NO. R-38-21

AUTHORIZING SPECIAL USE PERMIT FOR T-MOBILE

(Authorizing Special Use Permit - For T-Mobile to modify equipment at existing wireless telecommunication facility at 747 Walnut Street)

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

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

RESOLUTION NO. R-39-21

AUTHORIZING FIFTH AMENDMENT  
TO TOWER ATTACHMENT LEASE AGREEMENT

(Authorizing 5th Amendment - Tower Attachment Lease Agreement - T-Mobile South, LLC - To upgrade equipment on City's tower at 909 Bellevue Drive - Note: T-Mobile is successor to Powertel/Birmingham, Inc., formerly known as InterCel of Birmingham, MTA)

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

DEPARTMENT REPORTS

Jen Weathington (Parks & Recreation Director) reported on the opening of Moragne Park, Nocalula Falls, and community centers and upcoming events, including fishing tournaments, youth basketball, baseball, softball, spring break camps, mountain bike race, Smoke on the Falls, Art on the Rocks, fishing rodeo, farmers market, and Barbarian Challenge. She encouraged applicants for open seasonal and part-time positions.

At the request of Councilman Worthy, Rene Baker noted the Community Development paint program was discontinued due to lead paint regulations. Applications are not open at this time for the \$4,999.99 repair program due to the length of the wait list, except for emergencies.

At the request of President Toles, City Engineer Heath Williamson explained ALDOT's recent \$2 million appropriation for preliminary engineering on the Eastern Connector (formerly known as I-759 extension). State personnel will be in the area and people affected by the design will be contacted. Mayor Guyton said this is a big step toward the project. Councilman Cannon thanked Frankie Davis (Director of Economic and Governmental Affairs) for his work and Councilman Williams affirmed the extreme need for the connector.

### MAYOR AND COUNCIL REMARKS

President Toles extended condolences to the family of former Councilwoman Holley Arbery and described her as a "pioneer" of women's leadership. She acknowledged the presence of crime and drug activity throughout the city and expressed concern about a gunfire incident last week that caused lockdown at two schools.

Councilman Worthy reported on last week's job fair at The Venue, noting 56 employers and 149 job seekers attended, and encouraged the public to seek training opportunities at the local career center. He reported on the recent Covid vaccine clinic at the Robert Watts clinic and said Quality of Life is working on additional mobile clinics.

Councilman Cannon thanked those who feed the homeless at Way of the Cross on weekdays and Elliott Community Center and the Alabama City gazebo on weekends.

Councilman Reed shared advice given by former Council members Holley Arbery and Dawson Partee, encouraging him to stand up for his beliefs and acknowledging that he will have the same friends before and after holding elective office.

Councilman Wilson explained his affirmative vote on the Airport Authority appointment, noting the decision involved a conflict between his call for diversity representatives and experts. He said he would support any call for comprehensive review and requirement for aviation experience, if possible. Councilman Wilson announced tonight's funding campaign kickoff for Boy Scouts.

Councilmen Back and Williams commented on the negative consequences if Gadsden is reclassified from a metro to micro city and if OLF fees are eliminated. Mayor Guyton expressed hope for State support against the reclassification. Councilman Back referred to \$6 million of Gadsden's expenditures that benefit the entire region. Councilman Williams pointed out possible affect on the city's entitlement designation for Federal funding. At the request of Councilman Worthy, Finance Director Lisa Rosser explained the proposed OLF decreases would begin at \$750,000 and double each year until they total \$6 million.

Councilman Back commended Eagle Scout D.J. Lankford, noting this was the second project by a scout that benefitted Noccalula Falls park.

Councilmen Back and Williams joined in wishing Ben Reed a happy birthday.

Councilman Williams thanked his fellow council members for their service and encouraged projecting the city in a positive light and celebrating its success in fiscal responsibility.

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

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Iva Nelson, City Clerk (3-16-21)

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FOURTH FLOOR CONFERENCE ROOM - BID OPENING  
MARCH 16, 2021 - 2:00 P.M.

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

Bid No. 3449 - Finished Traffic Signs

Traffic Signs, Inc.	Unit Prices
Newman Signs	Unit Prices
Lightle Enterprises of Ohio, LLC	Unit Prices

Bid No. 3450 - Unfinished Traffic Signs & Sign Posts

Traffic Signs, Inc.	Unit Prices
Newman Signs	Unit Prices
Xcessories Squared Development & Mfg., Inc.	Unit Prices

Copies of the bids will be forwarded to the NEAPA Coordinator, and a recommendation will be made to the Council.

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