

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MARCH 23, 2021 - 11:00 A.M.

The City Council met on March 23, 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 Brian Harbison.

The minutes of the Finance Committee meeting held on March 9, 2021, and the Public Safety Committee, Work Session and Council meeting held on March 16, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of March 12-18, 2021, were ratified by unanimous vote.

#206543-206693	General	\$449,338.60
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UNFINISHED BUSINESS

President Toles announced that no action was necessary regarding 2441 Fairview Road in District 7, as the nuisance has been abated by the owner.

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 1606 Harlem Avenue (County tax assessor's office has address as 1608 Harlem Avenue), the State of Alabama, possible rights of redemption to the Estate of Lillie Mae Johnson Marchell and Annie Pearl Johnson, heirs of Lillie Mae Johnson Marchell being Eddie Marchell, Thelma Harris, Annie Gaston Johnson, Johnny Johnson, and Floyd L. Johnson being the last known owners. Johnny Johnson acknowledged the house needs to be demolished and said he could complete the work sometime this summer. President Toles and several Council members explained the process to Mr. Johnson and advised him to speak with Mr. Harbison after the meeting. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in November 2019, and recommended abatement. He said although he would prefer that Mr. Johnson perform demolition, it can't wait until summer. Councilman Worthy pointed out abating a nuisance doesn't mean that the city owns the property. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-40-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1606 Harlem Avenue - District 1 - State of Alabama; Possible rights of redemption to the Estate of Lillie Mae Johnson Marchell; Annie Pearl Johnson; Eddie Marchell; Thelma Harris; Annie Gaston Johnson; Johnny Johnson; Floyd L. Johnson)

Councilman 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 310 North 32nd Street, Helen M. Nichols and Sharron Gaither being the last known owners. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in February 2020, and recommended abatement. Councilman Cannon said the structure is not sound. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-41-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 310 N. 32nd Street - District 6 - Helen M. Nichols; Sharron Gaither)

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

(3) The floor was opened to allow anyone to speak for or in opposition to a resolution annulling a portion of an unnamed alley. Chris Montanari spoke in favor, stating he wishes to construct an out building. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-42-21

AUTHORIZING ANNULMENT OF
A PORTION OF AN UN-NAMED ALLEY

(Annulling portion of unnamed alley - Between Duncan Court and Edith Lane - Lying east of Lots 1-10, Block 16, Plat Book B, Page 286-287 - Requested by John Christopher Montanari, Jessie Kay Collier, Gary O. Lewis, Raymond N. Fernandez, and Nola F. Fernandez)

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

RESOLUTION PRESENTED FOR CONSIDERATION:

The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-43-21

AUTHORIZING CO-SPONSORSHIP AGREEMENT
WITH GADSDEN AIRPORT AUTHORITY

(Authorizing Co-Sponsorship Agreement - Gadsden Airport Authority - Required by FAA to specify roles of City and Airport Authority regarding the airport, and to comply with existing and future grants)

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

NEW BUSINESS

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

RESOLUTION NO. R-44-21

AUTHORIZING AGREEMENT WITH JBW&T, INC.

(Authorizing Agreement - JBW&T, Inc. - \$15,000.00 - For construction engineering and inspection services - Regarding necessary work on abandoned sanitary sewer main to facilitate expansion at Prince Metal Stamping)

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 Williams and unanimously adopted.

(2) Councilman Williams introduced the following resolution in writing for consideration and read it in its entirety:

RESOLUTION NO. R-45-21

OPPOSING SENATE BILL 247

(Opposing Senate Bill proposed by Senator Andrew Jones - Regarding local constitutional amendment to phase out Occupational License Fees (OLF) for cities in Etowah County)

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

DEPARTMENT REPORTS

Emma Hazelwood Clapp (Family Success Center Director) presented information regarding food drive to stock a food pantry at Gadsden City High School to discreetly provide assistance to teenagers, who are likely to give up food for their siblings. She asked for sponsorships for an upcoming fund-raising event on May 1, "Talk Derby To Me," to benefit programs provided by the center. Ms. Clapp introduced Victoria Smith, an intern from JSU, who worked to spearhead the food drive. Councilmen Back and Wilson joined in commending their work.

MAYOR AND COUNCIL REMARKS

The Mayor and Council members commented on the resolution opposing Senator Jones' bill regarding elimination of the Occupational License Fee. Councilman Wilson described it as a misdirected political move to relocate city revenues into the coffers of other entities and joined with Councilman Back in pointing out the negative impact it could have on the city's bond rating. Councilman Back cautioned against eliminating funds needed for the operating budget, especially in light of unexpected financial challenges, such as the cost of facilitating Prince Metal Stamping's expansion. Councilman Williams said although Gadsden's population has decreased, it remains the hub of infrastructure for the county. He stressed the council's responsibility to have reserves available for crises and maintain fiscal soundness. Mayor Guyton contrasted the senator's actions with normal legislative protocol. Councilman Cannon said lost funds would result in layoffs and reductions in services, or must be replaced by other costs to taxpayers. Councilman Reed referred to legal challenges of OLF in the past and said he feels the senator is trying to make a name for himself. President Toles warned of bankruptcy (financial ruin) and the potential for city employees to lose their benefits if everyone votes to reduce taxes.

Councilman Wilson commented on the agreement regarding the airport, noting the FAA required it to continue Federal funding. He agreed with criticism that new business is utilized too much but pointed out today's items were necessitated by an upcoming vote in the legislature and the expansion of a business.

Councilman Back announced an Edenwood neighborhood meeting at 5 p.m. on Wednesday at the First Baptist Church Family Life Center.

Councilman Williams expressed concern for people in Boulder, Colorado in the wake of a mass shooting. He and Councilman Cannon joined in extending condolences to former Councilman Bill Stewart in the loss of his son. Councilman Williams reported on his father, who is home from the hospital, and Councilman Cannon expressed well wishes to him.

Councilman Reed expressed concern about the increase in litter, noting distribution of the free Times newspaper is adding to the problem, and commended Lesa Osborn for her litter collection efforts. He commented on negative attitudes and statements regarding the airport, encouraging people to instead help in seeking desired businesses, such as UPS and Federal Express. He cited many improvements made during Fred Sington's tenure, including electrical upgrades, rehabilitation of taxiways and runways, increased military presence, and the ILS system.

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

Iva Nelson, City Clerk (3-23-21)
