

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
MAY 4, 2021 - 11:00 A.M.

The City Council met on May 4, 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, Cannon and Reed. The clerk stated a quorum was present and the meeting was open for business. Councilmen Back and Wilson joined the meeting shortly after it began. Mayor Guyton, Heath Williamson, Lee Roberts, and Captain Jackson were also present.

The invocation was given by Heath Williamson.

On behalf of EMA Director Deborah Gaither, Fire Chief Wil Reed reported on vaccination efforts and noted tomorrow's conference call at 11 a.m. He expressed appreciation to his firefighters, noting today is International Firefighters Day.

The minutes of the Community Development Committee, Work Session and Council meeting held on April 27, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of April 23-29 were ratified by unanimous vote.

#207590-207707	General	\$369,344.65
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UNFINISHED BUSINESS

(1) President Toles announced that no action was necessary regarding a resolution concerning 1024 4th Avenue in District 5, which had been tabled for 30 days on March 30, 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 assessing a nuisance abatement lien on property at 316 Albany Avenue, the State of Alabama, rights of redemption of Bruce F. Stephens and AmSouth Bank being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-83-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition- \$2,366.40 - 316 Albany Avenue - District 1 - State of Alabama; Rights of redemption of Bruce F. Stephens; AmSouth Bank)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 525 Allen Street, Kennedy Wooley being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-84-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,291.40 - 525 Allen Street - District 1 - Kennedy Wooley)

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 assessing a nuisance abatement lien on property at 113 Pinealice Street (tax assessor has the property at 1306 Kentucky Avenue), the State of Alabama and possible rights of redemption of Lamar Graves being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-85-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$6,016.40 - 113 Pinealice Street - District 1 - State of Alabama; Possible rights of redemption of Lamar Graves)

Councilman Cannon moved to adopt the resolution as introduced, which motion was seconded by Councilman Reed 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 1500 Kyle Avenue, the State of Alabama and certain rights of redemption of Jennifer Shock and Brenda Giles being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-86-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition- \$2,616.40 - 1500 Kyle Avenue - District 3 - State of Alabama; Possible rights of redemption of Jennifer Shock and Brenda Giles)

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 assessing a nuisance abatement lien on property at 218 9th Street South (also identified as 902 Elm Street), Mark Anderson Fambrough, Citizens Bank & Trust, and Hope 360 Ministries being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-87-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$7,966.40 - 218 9th Street South - District 4 - Mark Anderson Fambrough; Citizens Bank & Trust; Hope 360 Ministries)

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

RESOLUTIONS PRESENTED FOR CONSIDERATION:

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

RESOLUTION NO. R-88-21

APPOINTING MEMBER TO
INDUSTRIAL DEVELOPMENT BOARD

(Appointing Janice Sherrell Johnson to replace David Leeks - For term expiring July 25, 2027)

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

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

RESOLUTION NO. R-89-21

APPOINTING AND REAPPOINTING MEMBERS TO
TURRENTINE AVENUE ARCHITECTURAL REVIEW BOARD

(Appointing Tim Blevins and Leigh Ellen Brummerhoff, and reappointing Susan Little for terms expiring May 20, 2023; Appointing Adam Sollie and reappointing Jamie Sledge for terms expiring May 20, 2024)

Councilman Wilson 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-90-21

ACCEPTING PERMANENT DRAINAGE EASEMENT

(Accepting Permanent Drainage Easement from Bo & Jennifer Arthur - Varying width, containing 3,454 square feet, more or less, across property located at 424 Wildhaven Circle)

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

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

RESOLUTION NO. R-91-21

ACCEPTING PERMANENT DRAINAGE EASEMENT

(Accepting Permanent Drainage Easement from Mariella H. McNair - Varying width, containing 1,750 square feet, more or less, across property located at 428 Wildhaven Circle)

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

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

RESOLUTION NO. R-92-21

ACCEPTING PERMANENT DRAINAGE EASEMENT

(Accepting Permanent Drainage Easement from Frank & Betty Shew - Varying width, containing 1,827 square feet, more or less, across property located at 420 Wildhaven Circle)

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

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

RESOLUTION NO. R-93-21

AUTHORIZING AGREEMENT WITH
GADSDEN-ETOWAH PATRIOTS ASSOCIATION

(Authorizing Agreement - Gadsden-Etowah Patriots Association -\$6,500.00 - For City sponsorship of fireworks display on July 4, 2021)

Councilman Reed 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-94-21

AUTHORIZING REVISION TO COMMUNITY DEVELOPMENT
HOUSING REHABILITATION AND REPAIR PROGRAM

(Revising CDBG loan program authorized by Resolution No. R-174-16 - Authorizing zero percent, 5-year deferred loans for qualified low-to moderate income homeowners - Maximum amount of \$4,999.99 - Loans will decrease 20% per year, beginning the 2nd year, and will be fully forgiven at the end of the 5th year, if the homeowner still occupies the home)

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

NEW BUSINESS

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

ORDINANCE NO. O-03-21

AUTHORIZING CONVEYANCE OF PROPERTY
LOCATED AT 1213 ALABAMA AVENUE

(Authorizing Conveyance of Property to Tomas Felix Vicente and Lily Francisco - 1213 Alabama Avenue - Lot 8, Block 12, InterUrban Land Company's Addition - Accepting offer of \$2,000.00)

Councilman Worthy moved to suspend the rules to immediately consider the ordinance as an item of new business. The motion was seconded by Councilman Wilson and approved by the following vote:

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

NAYS: None

Councilman Worthy moved to adopt the ordinance, which motion was seconded by Councilman Cannon and unanimously adopted.

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

RESOLUTION NO. R-95-21

PROVIDING RETIRED BADGE AND
SERVICE PISTOL TO RETIRED POLICE OFFICERS

(Providing retired badge and service pistol to retired police officers with at least 10 years of service - Note: Authorized for Class 4 municipalities by Code of Alabama 1975, Section 36-21-8.3(b))

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 Cannon and unanimously adopted.

(3) Councilman Cannon introduced the following resolution in writing for consideration:

RESOLUTION NO. R-96-21

AUTHORIZING AGREEMENT WITH
MBA ENGINEERS, INC.

(Authorizing Agreement - MBA Engineers, Inc. - \$5,100.00 - For Geotechnical Engineering evaluation for new Fire Station on South 11th Street at Banks Park)

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

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

RESOLUTION NO. R-97-21

AUTHORIZING SATISFACTION OF NUISANCE ABATEMENT LIEN
AGAINST PROPERTY AT 1507 KENTUCKY AVENUE

(Authorizing Satisfaction of Nuisance Abatement Lien - 1507 Kentucky Avenue - District 1 - Accepting \$200.00 offer from Robert E. Stallings)

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 Wilson and unanimously adopted.

(5) Councilman Reed introduced the following resolution in writing for consideration:

RESOLUTION NO. R-98-21

AUTHORIZING AGREEMENT WITH
CHANCE RIDES MANUFACTURING, INC.

(Authorizing Agreement - Chance Rides Manufacturing, Inc. - \$1,040,000.00 - For purchase of two new C.P. Huntington electric trains and related equipment - To replace gasoline engine trains used at Nocalula Falls Park - Note: This vendor is the only source for new C.P. Huntington trains)

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

DEPARTMENT REPORTS

Kevin Blackwell (SPAN Program) related the program's history over the past forty years and thanked the City for its support and investment in at-risk youth, including space at the Alabama City Center. He summarized the services provided year-round to middle and high school students and extended an invitation to the 40th anniversary celebration on September 18 at The Venue. Councilman Back commended the program.

MAYOR AND COUNCIL REMARKS

Mayor Guyton and Councilman Reed joined in relating the history of "Christmas at the Falls," noting it began with a group of individuals who came together and established the Nocalula Improvement Association. Special thanks were extended to Quent and Barbara Pavey and Bud Goss.

Councilmen Worthy and Wilson encouraged citizens to receive the Covid-19 vaccine.

Councilman Wilson acknowledged the tragedy at Noccalula Falls Park over the weekend, where the petting zoo structure was destroyed by fire. He expressed empathy for park staff, who have been devastated by the loss of animals. Councilman Back agreed and President Toles encouraged prayerfulness, rather than using social media platforms to criticize and be cruel.

Councilmen Wilson and Back and President Toles expressed appreciation to firefighters for their service. Councilman Back encouraged everyone to thank teachers during National Teacher Appreciation Week, especially for meeting challenges during the pandemic. Councilman Williams noted it is also National Nurses Appreciation Week and thanked those who provide vital health services.

Councilman Back thanked the Mayor and his staff for their vision, noting Frankie Davis had presented information regarding improvements at Noccalula Falls Park.

Councilman Williams congratulated Alabama A&M University, noting he is a proud alumnus, for winning SWAC, a National football championship for historic black colleges.

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

Iva Nelson, City Clerk (5-4-2021)
