

COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA  
JULY 6, 2021 - 11:00 A.M.

The City Council met on July 6, 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. Heath Williamson, Lee Roberts and Captain Keener were also present. Mayor Guyton was absent.

The invocation was given by Councilman Williams.

The minutes of the last work session and council meeting held on June 29, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of June 25-July 1 were ratified by unanimous vote.

#208971-209105	General	\$585,570.95
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UNFINISHED BUSINESS

The following ordinance, which was introduced for first reading at last week's meeting, was presented for consideration:

ORDINANCE NO. O-06-21

REZONING 1706 FORREST AVENUE

(Approving Rezoning - 1706 Forrest Avenue - District 3 - From I-1, Light Industry District to B-1, Neighborhood Business District - Requested by Howard Gilbert, to lease property for use as an automotive service and repair shop - Note: This property was formerly used for this purpose (Frost Transmission)

Councilman Worthy moved to adopt the ordinance, which motion was seconded by Councilman Cannon and adopted by the following vote:

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

NAYS: None

ABSTENTION: Williams

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 926 Southline Avenue in District 2, Robert Ransaw and wife Cornita Ransaw, and Roger Keith Williams being the last known owners. Cornita Ransaw stated they had purchased the property and wish to repair it, possibly to rent, but are prepared to demolish it if necessary. She asked for one or two year delay to wait for building material prices to reduce. Councilman Williams acknowledged prices are very inflated now, but pointed out complaints are received from surrounding property owners. Councilman Back encouraged making immediate aesthetic improvements to the exterior. Brian Harbison, Building Inspector, stated no improvements have been made since the case began in June 2020. He advised that exterior improvements could eliminate the need for council action, but requested that extensions be considered in 30-day increments. Councilman Back moved to table the resolution for 30 days, which motion was seconded by Councilman Worthy 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 211 Argyle Circle, Sheila Freeman Summerville, subject to a mortgage in favor of Wells Fargo Bank, N.A. being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in September 2020, and recommended abatement. In response to Councilman Worthy's inquiry, he advised rehabilitation of the exterior is planned, which is subject to historical district review process. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-145-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 211 Argyle Circle - District 5 - Sheila Freeman Summerville, subject to mortgage in favor of Wells Fargo Bank, N.A. - Note: This property lies within the Argyle Circle Historic District)

Councilman Wilson noted there are several potential purchasers but the ownership is unclear. He then moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 103 Body Street, Kaytlin Haygood and Cameron Haygood, Leroy Lee Mink, c/o Kaytlin Haygood and Cameron Haygood, and Leroy Lee Mink 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-146-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 103 Body Street - District 7 - Kaytlin Haygood and Cameron Haygood; Leroy Lee Mink, c/o Kaytlin Haygood and Cameron Haygood; Leroy Lee Mink)

Councilman Reed moved to adopt the resolution as introduced, which motion was seconded by Councilman Cannon 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 27 Little Street, Kelley Ann Hicks, subject to a mortgage in favor of Compass Bank, subject to a mortgage in favor of the City of Gadsden, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2020, and recommended abatement. In response to Councilman Reed's inquiry, he advised the interior condition has not been assessed. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-147-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 27 Little Street - District 7 - Kelley Ann Hicks, subject to mortgage in favor of Compass Bank, subject to mortgage in favor of City of Gadsden)

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

(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 30 Little Street, M&M Real Estate Equities, LLC, with possible rights of redemption to Claude Mabrey, being the last known owner. Brian Harbison, Building Inspector, stated no improvements have been made since procedures began in August 2020, and recommended abatement. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-148-21

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 30 Little Street - District 7 - M&M Real Estate Equities, LLC; Possible rights of redemption of Claude Mabrey)

Councilman Reed noted there is good potential for rehabilitation, and moved to adopt the resolution as introduced. The motion was seconded by Councilman Cannon and unanimously adopted.

RESOLUTIONS PRESENTED FOR CONSIDERATION

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

RESOLUTION NO. R-149-21

AUTHORIZING ADDENDUM TO  
VIDEO SERVICES AGREEMENT

(Authorizing Addendum to Agreement - AT&T Alabama - Extending term from 12- 31-21 to 12-31-26 - Note: Term was previously extended by R-466-15 from 12-31-15 to 12-31-21)

Councilman Cannon 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-150-21

AUTHORIZING ACCEPTANCE OF DONATION  
FROM DESTIN MINCE ENTERPRISES

(Accepting donation from Destin Mince Enterprises - 16x40 Corner Porch Cabin, valued at \$15,750.00 - To be used for office and storage for petting zoo at Noccalula Falls)

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

NEW BUSINESS

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

RESOLUTION NO. R-151-21

AUTHORIZING THE SATISFACTION  
OF NUISANCE ABATEMENT LIEN

(Authorizing Satisfaction of Nuisance Abatement Lien - 1402 Jackson Avenue - Accepting \$500.00 offer from Teresa Thompson)

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

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

RESOLUTION NO. R-152-21

AUTHORIZING THE SATISFACTION  
OF NUISANCE ABATEMENT LIEN

(Authorizing Satisfaction of Nuisance Abatement Lien - 1404 Jackson Avenue - Accepting \$500.00 offer from Teresa Thompson)

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

CITIZEN REQUEST

Norma Pascuales spoke on behalf of neighbors (some of whom were present) regarding a household with three female and one male pit bulls. She said there is no fencing in the yard and the dogs are either inside the house or tethered outside after animal control hours. Ms. Pascuales requested reinstatement of the dangerous animals ordinance requiring special fencing, insurance, permit, etc, pointing out other cities still have ordinances in place. At Councilman Reed’s request, City Attorney Lee Roberts advised the city’s ordinance was repealed after changes were made in the State law and court decisions favoring dog owners. Ms. Pascuales was advised to meet with Mr. Roberts.

MAYOR AND COUNCIL REMARKS

Councilman Worthy thanked those who participated in last week’s District 3 town hall meeting, noting a follow-up meeting will be scheduled.

Councilman Cannon spoke in favor of granting a \$2 per hour raise for employees in next year’s budget and \$1 for the following year, in order to improve employee retention.

Councilman Reed thanked everyone who came to the July 4 fireworks display and commended Charles Gilchrist and the Gadsden Etowah Patriots Association for coordinating the event.

Councilman Back commended Superintendent Chet Hallman’s work at Twin Bridges Golf Course, noting the Alabama Open will be hosted there in late July. He thanked Destin Mince Enterprises for donation of the building for the Nocalula Falls petting zoo and the patriot’s association for an excellent fireworks event.

Councilmen Back and Williams joined in complimenting City Clerk Iva Nelson, who presented an education session to the state-wide clerk’s association last week.

President Toles noted changes in the garbage collection schedule due to yesterday’s Independence Day holiday. She announced a public meeting regarding the American Rescue Plan funds from 4 to 6 p.m. next Tuesday at The Venue.

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

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Iva Nelson, City Clerk (7-6-21)

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