

CITY COUNCIL MEETING - GADSDEN, ALABAMA  
AUGUST 31, 2021- 11:00 A.M.

The City Council met on August 31, 2021, in regular session, via teleconference.

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, and Cannon. Councilman Reed was absent. The clerk stated a quorum was present and the meeting was open for business.

The invocation was given by Councilman Back.

Josh Tanner (Emergency Management Agency) reported on the Vaccinate Gadsden program and reminded citizens to choose participating providers. He provided county-wide Covid-19 statistics and noted both hospitals are at or above capacity. Fire Chief Wil Reed reported on the department's staff cases and medic calls for Patients Under Investigation for Covid.

The minutes of the last work session and council meeting held on August 24, 2021, were approved by unanimous vote.

Payment of the HTE System accounts for the week of August 20 - 26 were ratified by unanimous vote.

#210270-210414	General	\$590,993.02
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UNFINISHED BUSINESS

(1) The following resolution, which was tabled for 60 days on June 29, was presented for consideration:

RESOLUTION NO. R-185-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$2,441.40 - 1107 Hurst Street - District 3 - FNA NP, LLC; Possible rights of redemption to the Estate of Henrietta Maull; Pentecostal Temple COGIC)

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

(2) The following resolution, which was tabled for 12 months on July 28, 2020, to allow the owner to make payments, was presented in writing for consideration:

RESOLUTION NO. R-186-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$251.00 - 991 Browning Circle - District 2 - Jeffery D. Price)

President Toles noted no payments had been made.

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

(3) A resolution assessing a lien in the amount of \$426, which was tabled for 12 months on July 28, 2020, was presented for consideration. President Toles noted one payment in the amount of \$25 was received, making the balance \$401.

Councilman Worthy moved to substitute the following resolution, which motion was seconded by Councilman Cannon and unanimously carried:

RESOLUTION NO. R-187-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$401.00 - 1501 Alabama Avenue - District 3 - Latrice Wilson)

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

(4) A resolution assessing a lien in the amount of \$426, which was tabled for 12 months on July 28, 2020, was presented for consideration. President Toles noted three payments totaling \$90 were received, making the balance \$336.

Councilman Worthy moved to substitute the following resolution, which motion was seconded by Councilman Back and unanimously carried:

RESOLUTION NO. R-188-21

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Grass Cutting - \$336.00 - 1010 Penny Street - District 3 - Christina Y. Harris Luker, c/o Christina Cox Ellis)

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

(5) President Toles announced that no action was necessary regarding a resolution assessing a grass cutting lien in the amount of \$251 on property at 322 S. 3<sup>rd</sup> Street in District 4, as the amount is paid in full.

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

ORDINANCE NO. O-09-21

AUTHORIZING CONVEYANCE OF PROPERTY

(Authorizing Conveyance of Property to Stephen Isom - 563 Line Street in District 3 - Lots 1-2 J. S. Chester Addition - Accepting offer of \$1,000.00)

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

(7) Councilman Wilson moved to remove the following resolution from the table, which was continued indefinitely on February 2, 2021. The motion was seconded by Councilman Cannon and unanimously carried.

RESOLUTION NO. R-189-21

TO NOT GRANT ECONOMIC INCENTIVES FOR  
PILGRIM'S PRIDE INDUSTRIAL DEVELOPMENT

(Relating to proposed industrial project for construction of rendering plant by Pilgrim's Pride on property owned by the Gadsden Airport Authority, adjacent to the Northeast Alabama Regional Airport - Acknowledging potential negative impact upon public infrastructure, air and water quality, property values, and enjoyment of nearby properties - Determining that city council is not in favor of the proposed project's proximity to the airport or abatement of municipal taxes for the project, should a request be presented by Pilgrim's Pride)

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

AYES: Williams, Worthy, Back, Wilson, Cannon

NAYS: Toles

PUBLIC HEARINGS

(1) The floor was opened to allow anyone to speak in favor of or in opposition to an ordinance rezoning property at 107 and 109 Virgin Street in District 7 from R-1, One Family Resident District, to B-1, Neighborhood Business District. No one spoke. President Toles stated the ordinance has been presented today for the first reading and the council will vote on it next week.

(2) The floor was opened to allow anyone to speak in favor of or in opposition to an ordinance rezoning property at 1627 Gadsden Avenue in District 3 from R-2, Multiple Family Residence, to B-2, General Business District. Howard Gilbert (applicant) spoke in favor. He described other properties in the area and said he has an opportunity to sell the property to someone who wishes to store an 18-wheeler trailer there. Boyd Edison (1617 Gadsden Avenue) spoke in opposition. He criticized the appearance of other properties owned by Mr. Gilbert and said he and other residents wish to preserve the neighborhood. Bobby Mack (601 N. 16<sup>th</sup> Street) also spoke in opposition. Troy Roberts (1272 Goodyear Avenue) spoke in favor, noting this property is not large enough to construct a home and a similar trailer has been sitting across the road for some time. Tina Cody, Zoning Administrator, explained the Planning Commission's recommendation to deny the rezoning was based on the amount of opposition expressed at their meeting. Councilman Worthy noted he would not favor the rezoning. President Toles stated the ordinance has been presented today for the first reading and the council will vote on it next week.

#### RESOLUTION PRESENTED FOR CONSIDERATION

The following resolution was introduced in writing for consideration:

#### RESOLUTION NO. R-190-21

#### APPOINTING AND REAPPOINTING MEMBERS TO GADSDEN AIRPORT AUTHORITY

(Appointing Kenneth P. Robertson to replace Harry McLendon, and Reappointing Johnathon Welch - For terms expiring on 7-31-27)

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

#### NEW BUSINESS

(1) A resolution amending Section 1 of Resolution No. R-403-04 regarding steps in the City's pay plan was presented for consideration. Councilman Williams moved to immediately consider the resolution as an item of new business. The motion was seconded by Councilman Worthy, but unanimous consent was not received. Councilman Wilson, who cast the dissenting vote, stated he did not fully understand the effect of the resolution and was not ready to vote. The resolution will be placed on next week's agenda for consideration.

(2) President Toles introduced the following resolution in writing for consideration:

#### RESOLUTION NO. R-191-21

#### ADOPTING 2021 DIVISION F PHASE I REGIONAL HAZARD MITIGATION PLAN

(Adopting Division F (Phase I) Regional Hazard Mitigation Plan, which has been updated in accordance with FEMA requirements - Participating jurisdictions include Cherokee, Cullman, DeKalb, and Etowah counties and their municipalities - Meeting conditions to receive Federal disaster assistance)

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

#### DEPARTMENT REPORT

At the request of Councilman Worthy, Michael Rodgers (Public Affairs) explained the registration process for Zoom, for citizens who wish to participate in public hearings. Registration is not necessary for anyone who wishes to watch the meetings via FaceBook.

#### MAYOR AND COUNCIL REMARKS

The council joined in expressing sadness at the death of Barbara Reed and commending her service to the city and community. Condolences were conveyed to Councilman Reed and his family. Several council members expressed great concern for those who are sick or have died from Covid and urged the public to seek information concerning vaccination and other measures that can be taken to protect themselves and others.

Councilmen Cannon, Wilson, and Worthy thanked the council for adopting the resolution regarding the proposed Pilgrim's Pride rendering plant. Councilman Wilson compared it to other non-binding resolutions that sent a dramatic message to the community. Councilman Williams apologized to the council and clerk, stating he had intended to vote "no" and asked if it was too late to correct the record. (Later in the meeting, City Clerk Iva Nelson advised the council rules of procedure allow for votes to be changed before the result is announced; otherwise, a motion to reconsider would be needed to officially change the vote.)

Councilman Worthy thanked the Career Center and The Chamber for assistance with last week's job fair at The Venue. He clarified his exit from last week's council meeting was to return to the job fair and expressed disappointment that the commercial for the job fair was not aired this year. Councilman Worthy referred to a spill last month involving a truck from the Koch processing plant and said he feels the alternate proposal presented to the Airport Authority is a better fit than a rendering plant. He announced the 21 Kids Foundation will provide a meal for the homeless on September 12 at Elliott Community Center, noting personal protection equipment and vaccines for Covid will be available.

Councilman Wilson thanked everyone who volunteered to work in Forrest and Southern Hill Cemeteries this past weekend.

Mayor Guyton praised Finance Director Lisa Rosser's work on the budget each year.

President Toles announced changes in the garbage collection schedule due to next Monday's Labor Day holiday.

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

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Iva Nelson, City Clerk (8-31-21)

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