

WAIVER OF NOTICE OF MEETING OF
CITY COUNCIL OF GADSDEN, ALABAMA

The undersigned, being all the members of the City Council of Gadsden, Alabama, hereby waive notice of and consent to the holding of a special meeting of the Council to be held in the Council Chamber at City Hall, 90 Broad Street, Gadsden, Alabama, on August 1, 2023, at 1:30 p.m. for the purpose of:

1. Conducting public hearings and considering resolutions ordering abatement of nuisances and assessing nuisance abatement liens.
2. Such other business as may come before the Council.

The undersigned further request that this waiver and consent be made part of the minutes of such meeting for the purpose of showing that any business transacted at the meeting is as valid as though transacted at a meeting duly held after regular call and notice.

DATED: August 1, 2023

Tonya Latham

Steve Smith

Larry Avery

Kent Back

Jason Wilson

Dixie Minatra

Chris Robinson

SPECIAL CALLED COUNCIL MEETING
COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
AUGUST 1, 2023 - 1:30 P.M.

The City Council met on August 1, 2023, in special session.

The meeting was called to order at 1:30 p.m. by Council President Back. On roll call by the City Clerk, Iva Nelson, the following council members answered present: Latham, Smith, Avery, Back, Wilson, Minatra and Robinson. Councilman Avery joined the meeting shortly after it began. The clerk stated a quorum was present and the meeting was open for business.

UNFINISHED BUSINESS

(1) A resolution ordering the abatement of nuisances on property at 111 7th Street North in District 2, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(2) A resolution ordering the abatement of nuisances on property at 413 Bryan Street in District 6, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(3) A resolution ordering the abatement of nuisances on property at 2102 Hill Avenue in District 6, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(4) A resolution ordering the abatement of nuisances on property at 2800 Marshall Street in District 6, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(5) A resolution ordering the abatement of nuisances on property at 2802 Marshall Street in District 6, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(6) A resolution ordering the abatement of nuisances on property at 2826 West Meighan Boulevard in District 6, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(7) A resolution ordering the abatement of nuisances on property at 1181 Tuscaloosa Avenue in District 3, which was tabled until August 1 on July 11, was presented in writing for consideration. Upon recommendation of Brian Greer, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilwoman Minatra and unanimously carried.

(8) The following resolution, which was tabled on July 11 until August 1, was presented in writing for consideration:

RESOLUTION NO. R-453-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1014 Glendale Avenue - District 1 - Curtis Mosley)

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

(9) It was noted that no action would be necessary regarding a resolution ordering abatement of nuisance at 706 Hutchins Avenue in District 2, as the nuisance has been abated by the owner.

(10) The following resolution, which was tabled on July 11 until August 1, was presented in writing for consideration:

RESOLUTION NO. R-454-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 846 Hutchins Avenue - District 2 - Bertie D. & Michael E. Martin)

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

(11) It was noted that no action would be necessary regarding a resolution ordering abatement of nuisance at 1601 Murray Avenue in District 1, as the nuisance has been abated by the owner.

(12) The following resolution, which was tabled on July 11 until August 1, was presented in writing for consideration:

RESOLUTION NO. R-455-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 502 Washington Street - District 3 - James & Mary Gargus)

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

PUBLIC HEARINGS

President Back 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 1318 4th Avenue, Greta Mostella, with possible rights of redemption to Mary Jones, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-456-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1318 4th Avenue - District 5 - Greta Mostella, with possible rights of redemption to Mary Jones)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Minatra 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 1004 Avenue A in District 3, Richard Benjamin and the Estate of Grace Malone, Grace Malone and Richard Benjamin being the last known owners. In response to Councilman Avery's inquiry, Brian Harbison, Building Inspector, acknowledged some improvements have been made. Councilman Wilson moved to table the resolution until September 12, which motion was seconded by Councilman Avery and unanimously carried.

(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 1531 Chestnut Street (commercial building), Timothy Allen Duncan, with possible rights of redemption of Hazel Smith, a/k/a Hazle Smith, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-457-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1531 Chestnut Street (commercial building) - District 5 - Timothy Allen Duncan; Possible rights of redemption, if any, of Hazel Smith, a/k/a Hazle Smith)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Minatra 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 11 Connock Avenue, Barbara Mize, subject to mortgage in favor of Regions Bank, subject to mortgage in favor of City of Gadsden, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-458-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 11 Comnock Avenue - District 6 -Barbara Mize, subject to that certain mortgage in favor of Regions Bank, subject to that certain mortgage in favor of City of Gadsden)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Minatra 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 2100 Hill Avenue, Leon Brown and Brenda Brown being the last known owners. Tina Bradd and Teresa Smith stated their mother passed and a sister wishes to live in the house. They said has slowed due to illness in the family and lack of funds. Brian Harbison, Building Inspector, stated a building permit recently expired and offered to provide an inspection sheet detailing work that needs to be done. Councilwoman Minatra and Councilman Wilson advised them to work on the exterior first and to keep the grass cut. Councilwoman Minatra moved to table the resolution until September 12, which motion was seconded by Councilman Wilson and unanimously carried.

(6) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1209 Johnson Street, Go Hard Investments, LLC, possible rights of redemption to Melinda Patterson, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-459-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1209 Johnson Street - District 2 -Go Hard Investments, LLC; Possible rights of redemption to Melinda Patterson)

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

(7) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1510 McKinley Avenue, James Dye and Ruby Dye being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-460-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1510 McKinley Avenue - District 5 - James Dye; Ruby Dye)

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

(8) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1506 Meadowbrook Avenue, Albert Green, c/o Kimberly Green, subject to a mortgage in favor of Associates Financial Services Company of Alabama, Inc. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-461-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1506 Meadowbrook Avenue (1508 Meadowbrook Avenue on county records) - District 1 -Albert Green, c/o Kimberly Green; Subject to mortgage in favor of Associates Financial Services Company of Alabama, Inc.)

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

(9) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1714 Roosevelt Avenue in District 5, Alexis Garcia and Maria DeJesus Corona Garcia, Eddy Stephens and Benjamin Covington being the last known owners. No one spoke. Upon recommendation of the Building Official, Councilman Wilson moved to table the resolution until September 12. The motion was seconded by Councilman Avery and unanimously carried.

(10) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 1015 Tuscaloosa Avenue, Willie Johnson and Tom Johnson, Annie Mae Johnson, c/o Larry Johnson, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-462-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1015 Tuscaloosa Avenue - District 3 -Willie Johnson; Tom Johnson; Annie Mae Johnson, c/o Larry Johnson)

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

(11) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 717 Hooks Lake Road in District 2, Randal L. and Jane Battles being the last known owners. Randall Battles stated he is a combat disabled veteran and has had difficulty cutting the grass recently. Brian Greer, Deputy Building Official, stated some debris has been cleaned up and two of four vehicles have been removed. In response to President Back's inquiry, Mr. Battles said he would put the vehicles inside a barn or move them outside the city. Councilman Smith moved to table the resolution until September 12, which motion was seconded by Councilman Wilson and unanimously carried.

(12) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 112 Pinehurst Street, Impact Properties, LLC and Rickey Crook being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-463-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 112 Pinehurst Street - District 1 - Impact Properties, LLC; Rickey Crook)

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

(13) It was noted that no action would be necessary regarding a trash and debris nuisance on property at 216 Robin Circle in District 7, as the nuisance has been abated by the owner.

(14) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 803 Rosewood Lane, Randy Maroney and Gaylon Pierce being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-464-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 803 Rosewood Lane - District 2 - Randy Maroney; Gaylon Pierce)

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

(15) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 141 Brookwood Drive, Joseph A. Woods, subject to a mortgage in favor of Your Choice Properties, LLC being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-465-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$4,636.00 - 141 Brookwood Drive - District 1 - Joseph A. Woods, subject to mortgage in favor of Your Choice Properties, LLC)

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

(16) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 242 E. Cherry Street, Tuscaloosa, LLC, subject to a mortgage in favor of First Bank of Alabama and assignment of rents in favor of First Bank of Alabama, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-466-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,086.00 - 242 E. Cherry Street - District 4 - Tuscaloosa, LLC, subject to mortgage in favor of First Bank of Alabama and assignment of rents in favor of First Bank of Alabama)

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

(17) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 3411 Georgia Avenue, John Collins and Anne Patterson being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-467-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$6,770.00 - 3411 Georgia Avenue - District 6 -John Collins; Anne Patterson)

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

(18) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1204 Hoke Street, Williams Scott Loring, Lisa Susan Loring, Debra W. Ferguson, Larry Duane Wells, Roger Stephen Wells, Johnny Rays Wells, c/o Debra Ferguson, and E.C. & Renelda Loring, c/o Debra Ferguson, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-468-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,486.00 - 1204 Hoke Street - District 2 -Williams Scott Loring; Lisa Susan Loring; Debra W. Ferguson; Larry Duane Wells; Roger Stephen Wells; Johnny Rays Wells, c/o Debra Ferguson; E.C. & Renelda Loring, c/o Debra Ferguson)

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

(19) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a demolition in the amount of \$3,236.00 against property at 329 Pennsylvania Avenue in District 2, Derrick Conner being the last known owner. No one spoke. Councilman Smith moved to table the resolution until September 12, which motion was seconded by Councilman Wilson and unanimously carried.

(20) 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 Pinehurst Street, Billy and Gail Wise, and Billy and Gail Wise, c/o Jennifer Vallaeueva, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-469-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,736.00 - 113 Pinehurst Street-District 1 - Billy and Gail Wise; Billy and Gail Wise, c/o Jennifer Vallaeueva)

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

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

Iva Nelson, City Clerk (8-1-2023)
