

SPECIAL CALLED COUNCIL MEETING
COUNCIL CHAMBER - CITY HALL - GADSDEN, ALABAMA
JULY 11, 2023 - 1:30 P.M.

The City Council met on July 11, 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, Back, Wilson, Minatra and Robinson. Councilman Avery was absent. The clerk stated a quorum was present and the meeting was open for business.

UNFINISHED BUSINESS

(1 & 2) A resolution ordering the abatement of nuisances on property at 2800 and 2802 Marshall Street in District 6, which was tabled on June 6 until July 11, was presented for consideration. Councilman Wilson moved to table the resolution until August 1, which motion was seconded by Councilwoman Minatra and unanimously carried.

(3) It was noted that no action would be necessary on a resolution ordering the abatement of nuisances on property at 713 Nuckolls Street in District 2, as the nuisance has been abated by the owner.

(4) A resolution ordering the abatement of nuisances on property at 1181 Tuscaloosa Avenue in District 3, which was tabled on June 6 until July 11, was presented for consideration. Councilman Wilson moved to table the resolution until August 1, which motion was seconded by Councilwoman Minatra and unanimously carried.

(5) It was noted that no action would be necessary on a resolution ordering the abatement of nuisances on property at 1703 Van Buren Avenue in District 5, as the nuisance has been abated by the owner.

(6) The following resolution, which was tabled on June 6 until July 11, was presented for consideration:

RESOLUTION NO. R-411-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 301 Wall Street (Commercial Building) - District 6 - Michael D. Stallworth)

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

(7) The following resolution, which was tabled on June 6 until July 11, was presented for consideration. Lorri Riley was allowed to speak. She gave an update on their efforts to clean the property and stated Mr. Miles was asking for them to move off the property. Brian Greer (Building Department) said although some improvements have been, there is much left to clear. He recommended adoption but expressed willingness to work with the residents.

RESOLUTION NO. R-412-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 930 Gray Road - District 1 - M. M. Miles, III)

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

(8) The following resolution, which was tabled on June 6 until July 11, was presented for consideration:

RESOLUTION NO. R-413-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1308 Hill Avenue - District 3 - Impact Properties, LLC, Mark Cassidy; Rebecca Whitehead)

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

(9) The following resolution, which was tabled on June 6 until July 11, was presented for consideration:

RESOLUTION NO. R-414-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1532 Rose Street - District 1 - Paul and wife Annita Stevens)

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

(10) The following resolution, which was tabled on June 6 until July 11, was presented for consideration:

RESOLUTION NO. R-415-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1132 Wainwright Avenue- District 1 - Annie Mae Hunter, c/o Annie Hunter Wilson)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Latham 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 111 7th Street North (duplex) in District 2, Robert Baker being the last known owner. Robert Baker requested additional time, stating an electrician applied for a permit and power is needed before work can begin. Brian Harbison, Building Inspector, stated the case began in December 2022 and a permit was obtained at that time. He said numerous police calls were made due to vagrants occupying the structure and the city boarded it. Councilman Smith said a plan of action is needed and progress needs to be made. He then moved to table the resolution until August 1, which motion was seconded by Councilman Wilson 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 962 Bretwood Drive, Outscape Properties, LLC, with possible rights of redemption to the Estate of Mattie Coleman, and Jacob Millican, Esq. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-416-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 962 Bretwood Drive - District 3 - Outscape Properties, LLC, with possible rights of redemption to the Estate of Mattie Coleman; Jacob Millican, Esq.)

Councilman Wilson moved to adopt the resolution as introduced, which motion was seconded by Councilwoman Minatra 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 1101 Brookside Drive, The Estate of Marlinia Marie Covington, c/o Jamichael Covington, Jamicheal Covington, Gary Covington, and Craig Covington and/or their heirs, Marlinia Marie Covington (deceased), c/o Jamichael Covington, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-417-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1101 Brookside Drive - District 3 -The Estate of Marlinia Marie Covington, c/o Jamichael Covington; Heirs: Jamicheal Covington, Gary Covington, and Craig Covington and/or their heirs; Marlinia Marie Covington (deceased), c/o Jamichael Covington)

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 413 Bryan Street in District 6, Larry and Martha Perkins, with possible rights of redemption to Jeanie Harris, subject to a mortgage in favor of The Exchange Bank on Alabama, being the last known owners. Larry Perkins described improvements made and requested additional time to complete the remaining items. Brian Harbison, Building Inspector, stated there have been some improvements made since procedures began in December 2022. He expressed no objection to an extension. Councilwoman Minatra advised Mr. Perkins to work on the exterior first and moved to table the resolution until August 1. The motion was seconded by Councilman Wilson and unanimously carried.

(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 2102 Hill Avenue in District 6, Maria B. Perry, with possible rights of redemption to Leon J. and Brenda K. Brown, being the last known owners. Maria Perry stated she purchased the property at a tax auction and was unaware of the condemnation. She added she has the money to repair the structure but doesn't want to lose her investment. Brian Harbison, Building Inspector, stated the case began in February 2023, along with the adjacent properties on each side. He added the interior was damaged by homeless persons. Mr. Harbison advised Ms. Perry to keep receipts for all repairs and upkeep and she should receive a tax deed after the third year. In response to Councilman Wilson's inquiry, Mr. Harbison explained there are exterior and interior issues and leftover contents would have to be removed in order to re-evaluate the condition. He expressed no objection to an extension. Councilwoman Minatra advised her to ensure the house is secured to prevent unlawful entry, then moved to table the resolution until August 1. The 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 2104 Hill Avenue, Bridgett Watson, with possible rights of redemption to Brenda Brown, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-418-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 2104 Hill Avenue - District 6 - Bridgett Watson, with possible rights of redemption to Brenda Brown)

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 1858 Jefferson Street, Gunvant Patkar being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-419-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 1858 Jefferson Avenue - District 5 - Gunvant Patkar)

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 2826 W. Meighan Boulevard in District 6, Glen Looney and John Rogers being the last known owners. Glen Looney stated he is a disabled veteran and medical expenses limit his ability to make the repairs. Brian Harbison, Building Inspector, said he spoke with Mr. Looney prior to the meeting and explained the needed repairs are mostly interior. He said he advised exterior cleanup will help and expressed no opposition to an extension. Councilwoman Minatra moved to table the resolution until August 1, which motion was seconded by Councilman Wilson and unanimously carried.

(9) It was noted that no council action would be necessary on a resolution ordering the abatement of nuisances on property at 1803 McKinley Avenue in District 5, as the nuisance has been abated by the owner.

(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 117 E. Walnut Street, Ronald L. Watkins, c/o Dewberry Holdings, being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-420-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 117 E. Walnut Street - District 4 - Ronald L. Watkins, c/o Dewberry Holdings)

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 123 E. Walnut Street, Ronald L. Watkins, c/o Dewberry Holdings, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-421-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 123 E. Walnut Street - District 4 - Ronald L. Watkins, c/o Dewberry Holdings)

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

(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 502 Wilson Street, Hamzeh M. Anasweh being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-422-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Nuisance - 502 Wilson Street - District 6 - Hamzeh M. Anasweh)

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

(13) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 700 S. 6th Street, Jonathan Stephen Downey being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-423-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 700 S. 6th Street - District 4 - Jonathan Stephen Downey)

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

(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 22 Cabot Avenue, Marion Thrasher being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-424-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 22 Cabot Avenue - District 6 - Marion Thrasher)

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

(15) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 513 Doyle Street, Laneka Nicole Boston being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-425-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 513 Doyle Street - District 2 - Laneka Nicole Boston)

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

(16) It was noted that no council action would be necessary on a resolution regarding trash and debris nuisances on property at 2330 Forrest Avenue in District 6, as the nuisance has been abated by the owner.

(17) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of trash and debris nuisances on property at 1014 Glendale Avenue in District 1, Curtis Mosley being the last known owner. Mr. Mosley was present and upon recommendation of the Building Department, Councilwoman Latham moved to table the resolution until August 1. The motion was seconded by Councilman Wilson and unanimously carried.

(18) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 401 Graves Street, K&M Enterprise being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-426-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 401 Graves Street - District 2 - K & M Enterprise)

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

(19) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 105 Harvard Avenue, Randall Hill being the last known owner. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-427-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 105 Harvard Avenue - District 2 - Randall Hill)

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

(20) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 706 Hutchins Avenue in District 2, Rosie Lee (Widow) Anderson being the last known owner. Upon recommendation of the Building Department, Councilman Wilson moved to table the resolution until August 1. The motion was seconded by Councilwoman Minatra and unanimously carried.

(21) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of trash and debris nuisances on property at 846 Hutchins Avenue, Bertie D. and Michael E. Martin being the last known owners. Upon recommendation of the Building Department, Councilman Wilson moved to table the resolution until August 1. The motion was seconded by Councilwoman Minatra and unanimously carried.

(22) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of trash and debris nuisances on property at 619 Kyle Street, Samuel Wyatt being the last known owner. Samuel Wyatt said he had cleaned up the property and moved one vehicle. Brian Greer (Building Department) said although much work has been done since the case began in February 2023, one vehicle remains. A discussion followed regarding the requirements of being operable and having a current tag. Mr. Greer explained if the city removes the vehicle, its owner would have to settle with the towing company to reclaim it. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-428-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 619 Kyle Street - District 3 - Samuel Wyatt)

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

(23) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of trash and debris nuisances on property at 1601 Murray Avenue in District 1, Anna M. and husband Miguel P. Jimenez Domingo and Marshall Rigarro Johnson being the last known owners. Upon recommendation of the Building Department, Councilman Wilson moved to table the resolution until August 1. The motion was seconded by Councilwoman Minatra and unanimously carried.

(24) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 805 Rosewood Lane, Mary Ragland, Myra Ragland, and Grand Properties and Design, LLC being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-429-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 805 Rosewood Lane - District 2 - Mary Ragland; Myra Ragland; Grand Properties and Design, LLC)

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

(25) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of nuisances on property at 500 Valley Street, Alfonza and Marion Williams being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-430-23

ORDERING ABATEMENT OF NUISANCE

(Ordering Abatement of Trash and Debris Nuisance - 500 Valley Street - District 3 - Alfonza and Marion Williams)

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

(26) The floor was opened to allow anyone to speak for or in opposition to a resolution ordering the abatement of trash and debris nuisances on property at 502 Washington Street in District 3, James and Mary Gargus being the last known owners. Mary Gargus requested additional time, stating she was ashamed of the property's condition and is pursuing eviction. Brian Greer (Building Department) noted there is much cleanup needed, but did not object to an extension. Councilman Wilson moved to table the resolution until August 1, which motion was seconded by Councilwoman Latham and unanimously carried.

(27) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 2001 Broadway Street, Thomas Bellew and Deborah Bellew, and Jeff Bynum being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-431-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$3,590.00 - 2001 Broadway Street - District 5 - Thomas Bellew; Deborah Bellew; Jeff Bynum)

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

(28) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 33 Cabot Avenue, Brian A. Mack and Carol S. Mallery, Gadsden Mortgage Services, and The Provident Bank, Inc. being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-432-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$4,840.00 - 33 Cabot Avenue - District 7 - Brian A. Mack; Carol S. Mallery; Gadsden Mortgage Services; The Provident Bank, Inc.)

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

(29) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1606 Harlem Street, 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 are as follows: Eddie Marchell, Thelma Harris, Annie Gaston Johnson, Johnny Johnson, and Floyd L. Johnson, Lillie Marchell (heirs) and Annie Johnson, c/o Johnnie Johnson, being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-433-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$1,690.00 - 1606 Harlem Street - District 1 - 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: Eddie Marchell, Thelma Harris, Annie Gaston Johnson, Johnny Johnson, and Floyd L. Johnson; Lillie Marchell (heirs) and Annie Johnson, c/o Johnnie Johnson)

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

(30) The floor was opened to allow anyone to speak for or in opposition to a resolution assessing a nuisance abatement lien on property at 1909 Jefferson Street, Dean Shaw and Teresa Shaw, and Teresa Hills Shaw being the last known owners. No one spoke. The following resolution was introduced in writing for consideration:

RESOLUTION NO. R-434-23

ASSESSING NUISANCE ABATEMENT LIEN AGAINST PROPERTY

(Assessing Nuisance Abatement Lien for Demolition - \$789.00 - 1909 Jefferson Street - District 5 - Dean Shaw; Teresa Shaw; Teresa Hills Shaw)

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

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

Iva Nelson, City Clerk (7-11-2023)
