

**MEETING MINUTES  
APPEAL OF CONDEMNATION, FEBRUARY 2, 2016**

The members of the City Council of the City of Phenix City, Alabama held a called meeting at 10:30 a.m., Tuesday, February 2, 2016, in the Council Chambers located in the Public Safety Building at 1111 Broad Street, Phenix City, Alabama. The purpose of the meeting was to:

- 1.) conduct a Public Hearing regarding the Appeal of the Condemnation of substandard structures located at 1031, 1035, and 1037 4<sup>th</sup> Street South, requested by property owner Assets Unlimited.

And to:

- 2.) conduct a Public Hearing regarding the Appeal of the Condemnation of a substandard structure located at 1605 22<sup>nd</sup> Street, requested by property owners Michael Wayne Ladner and Sheryle Ladner.

Upon roll call the following members answered present: Councilmember Arthur L. Day, Jr., Councilmember Jim Cannon, and Mayor Eddie N. Lowe. Councilmember Gail Head was not present. Also in attendance were City Manager Wallace Hunter, City Clerk Charlotte Sierra, and City Attorney Jimmy Graham. The following department heads were also present: Chief Building Official Gil Griffith, City Engineer Angel Moore, Finance Director Steve Smith, and Police Chief R. J. Smith. Also in attendance was newly appointed (but not sworn in) Councilmember At Large Johnny Barfield.

Upon a quorum being established, Mayor Lowe called the meeting to order.

Mayor Lowe advised the Public Hearing is opened for the Appeal of Condemnation of 1031, 1035, and 1037 4<sup>th</sup> Street South. Mayor Lowe called for the property owners to come forward. No one came forward. City Attorney Jimmy Graham advised Assets Unlimited received due notice of the Public Hearing date and time, and that Cassaundra Sanders signed the return receipt for the letter and Public Notice that was mailed out. City Attorney Graham recommended denying the appeal due to the fact that the owners are not present. Mayor Lowe asked that City Clerk Charlotte Sierra read the letter that was mailed out to the property owners:

VIA CERTIFIED MAIL  
RETURN RECEIPT

January 7, 2016

Ms. Cassaundra Sanders  
Mr. Stanley Weaver  
Assets Unlimited, Inc.  
2675 Fox Hall Lane, N  
Atlanta, Georgia 30349

RE: Request for Appeal of Abatement Board Decision  
Unsafe Structures: 1031 4<sup>th</sup> Street South, 1033 4<sup>th</sup> Street south, 1037 4<sup>th</sup> Street South

Dear Ms. Sanders and Mr. Weaver:

The Phenix City City Council has received your request to appeal the decision of the Housing Abatement Board declaring structures at the following locations in Phenix City unsafe and a nuisance: 1031 4<sup>th</sup> Street South, 1035 4<sup>th</sup> Street South, and 1037 4<sup>th</sup> Street South. The hearing has been set for 10:30 a.m. Eastern Time on Tuesday, February 2, 2016 in the Council Chambers located in the Public Safety Building at 1111 Broad Street, Phenix City, Alabama.

A copy of the public notice regarding the hearing date is included for your records.

Please contact my office if you have any questions regarding the hearing.

Sincerely,

Charlotte L. Sierra, City Clerk

City Attorney Graham recommended the entire pack for this condemnation be kept on file in the City Clerk's Office for future reference.

Mayor Lowe asked for a motion to deny the Appeal of Condemnation and close the Public Hearing. Councilmember Cannon moved to deny the Appeal of Condemnation and close the Public Hearing, which motion was seconded by Councilmember Day. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Cannon, and Mayor Lowe. NAYS: None. ABSTAINS: None. Said motion passed.

Mayor Lowe advised there is a Public Hearing scheduled for the Appeal of Condemnation of property located at 1605 22<sup>nd</sup> Street. Mayor Lowe advised the property owners, Michael Wayne Ladner and Sheryle M. Ladner, requested the appeal be dropped. Mayor Lowe asked City Clerk Charlotte Sierra to read into the minutes, the letter advising the property owners of the Public Hearing's date and time:

VIA CERTIFIED MAIL  
RETURN RECEIPT

January 7, 2016

Michael Wayne Ladner  
Sheryle M. Ladner  
1512 22<sup>nd</sup> Street  
Phenix City, AL 36867

RE: Request for Appeal of Abatement Board Decision  
Unsafe Structures: 1605 22<sup>nd</sup> Street

Dear Mr. and Mrs. Ladner:

The Phenix City City Council has received your request to appeal the decision of the Housing Abatement Board declaring the structure located at 1605 22<sup>nd</sup> Street in Phenix City unsafe and a nuisance. The hearing has been set for 10:30 a.m. Eastern Time on Tuesday, February 2, 2016 in the Council Chambers located in the Public Safety Building at 1111 Broad Street, Phenix City, Alabama.

A copy of the public notice regarding the hearing date is included for your records.

Please contact my office if you have any questions regarding the hearing.

Sincerely,

Charlotte L. Sierra, City Clerk

Mayor Lowe advised that Mike Ladner did sign for the letter and Public Notice the city sent. Mayor Lowe asked City Clerk Sierra to read into the minutes, the letter from Michael Ladner requesting the appeal be dropped:

City of Phenix City  
Building Department  
1119 Broad Street  
Phenix City, Alabama 36867

January 24, 2016

Re: Appeal of Structure at 1605 22<sup>nd</sup> Street

At this time, I wish to drop the appeal that is scheduled for Feb. 2, 2016 concerning the property located at 1605 22<sup>nd</sup> Street Phenix City.

Sincerely,

Michael W. Ladner

Mayor Lowe asked for a motion to close the hearing. Councilmember Day moved to close the hearing, which motion was seconded by Councilmember Cannon. Upon said motion being put to a vote, the following vote was recorded: YEAS: Councilmembers Day, Cannon, and Mayor Lowe. NAYS: None. ABSTAINS: None. Said motion passed.

There being no further business to discuss, the meeting was adjourned.