

**MEETING MINUTES  
APPEAL OF CONDEMNATION, MAY 15, 2018**

The members of the City Council of the City of Phenix City, Alabama held a called meeting at 10:00 a.m., Tuesday, May 15, 2018, in the Council Chambers located in the Public Safety Building at 1111 Broad Street, Phenix City, Alabama. The purpose of the meeting was to conduct a Public Hearing regarding the Appeal of the Condemnation of a substandard structure located at 711 24<sup>th</sup> Avenue.

Upon roll call the following members answered present: Mayor Eddie N. Lowe, Councilmember Vickey Johnson, Councilmember Steve Bailey and Councilmember R. Griff Gordy. Councilmember Arthur Day, Jr. was not present. Also in attendance were City Manager Wallace Hunter, City Clerk Melony Lee, and City Attorney Jimmy Graham. The following Department Heads were also present: Deputy Building Official Ray Rogers, Engineer John Spraggins, Utilities Director Steve Smith, Fire Chief Kris Kennedy and Police Chief R. J. Smith. Also in attendance were Mr. James Shortz and a court reporter he hired.

Upon a quorum being established, Mayor Lowe called the meeting to order and City Clerk Melony Lee called the roll.

Mayor Lowe advised the Public Hearing is open for the Appeal of Condemnation of 711 24<sup>th</sup> Street. Mayor Lowe called for the property owners to come forward. Mr. James H. Shortz came forward.

Mr. Shortz advised that he had lived in Phenix City most of this life of 67 years. Mr. Shortz's father ordained him as a member of the church and was the also a pastor of the church. Mr. Shortz questioned why Councilmember Day was absent from the meeting. Mayor Lowe advised that Councilmember Day was ill but there was a quorum so the meeting would continue. Deputy Building Official Ray Rogers discussed the procedures of the National Property Code Laws that the Building Department followed.

City Attorney Jimmy Graham informed to Mr. Shortz, Mayor and Council that the property was purchased in 1962 by trustees (Samuel L. Shortz, Louie Shortz, and Walter C. Osby) of the Ebenezer Baptist Church. Samuel L. Shortz, Louie Shortz, and Walter C. Osby held the title until 1984 when the city obtained the property because of an unpaid paving assessment. City Attorney Jimmy Graham further stated that in 2005, the City of Phenix City passed a resolution authorizing the Mayor and City Manager to deed the property back to the church trustees. City Attorney Jimmy Graham stated the resolution was recorded but the deed was never transferred. City Attorney Jimmy Graham advised that under the Code Laws, a person has to have an interest in the property to call for a hearing. City Attorney Jimmy Graham stated there has been no water, electricity, sewage service since March 2011 and the church does not exist anymore.

Mayor Lowe advised this meeting will reconvene if the deed shows Mr. James Shortz as owner of the property. If the city does not get the deed in Mr. Shortz name, the meeting will not reconvene.

There being no further business to discuss, the meeting was adjourned at 10:37a.m.