

**CITY OF SPRINGVILLE
CITY COUNCIL
SPECIAL CALLED MEETING
October 25, 2012 10:00 A.M.**

ROLL CALL:

Present: Members: Herbert Toles, David Jones, Mayor William Isley, Brian Skinner, John Coyne, Hugh Marlin

Absent: Wayne Tucker and Katrina Hennings

Mayor William Isley called the meeting to order and opened the public hearing related to the abatement of Lot 20 in MacDonald Farms.

Ray Hardy (1016 MacDonald Lake Road) stated that vegetation has overgrown in the lot and in a blind curve and grass and weeds are overgrown on the lot.

Tom Cole (613 MacDonald Lake Road) stated that he lives across the street from the lot and complained about the trash and overgrown weeds on the lot and the trees creating a potential traffic hazard.

Mayor William Isley asked if there were other comments from the public. No other comments were made.

James Hill stated that the owners of the lot, MacDonald Farms LLC were properly notified of the meeting and were not present.

David Jones made a motion to close the public hearing. John Coyne seconded the motion. All voted aye.

The council recessed for three minutes.

Mayor William Isley called the meeting back to order and gave the invocation. John Coyne led the Pledge of Allegiance.

Mayor William Isley stated that the purpose of the meeting was to consider a request from the building official to declare the property located at Lot 20 in MacDonald Farms Subdivision to be a public nuisance and to authorize abatement of the nuisance.

Hugh Marlin asked for a count of residents of the subdivision present at the meeting. Nine residents were recognized. Mr. Marlin stated that the condition of the lot has been an issue in the subdivision for at least 13 years, and that the residents are accurate that the lot has not been cut in that time, despite an allegation by the owner that there was an agreement made between himself and the city in the past regarding his responsibility to maintain the lot. This agreement has not been located by the city or provided by the owner.

James Hill addressed the council concerning the city's nuisance abatement ordinance and the options available for the building official or council related to abatement of the nuisance.

Richard Harvey addressed the council related to actions he took as building official concerning this and other lots in the subdivision. Specifically, Harvey advised that the actions taken by him were concerning a potential safety problem as opposed to a nuisance issue.

Brian Skinner made a motion to declare Lot 20 in MacDonald Farms Subdivision to be a public nuisance. David Jones seconded the motion.

Larry McMurray addressed the council regarding the owner's history of delaying action and asked the council to take steps to ensure that the owner could not further delay action on the council's decision.

Brian Skinner amended the motion to allow the building official to meet with the owner and then return to the council to submit a plan for abatement for approval. David Jones seconded the amended motion.

Discussion continued about the procedure of abatement and the necessity of providing the building official with a direct plan for abatement and time frame for completion.

Brian Skinner amended the motion to declare the property located at Lot 20 in MacDonald Farms Subdivision to be a public nuisance and to authorize the building official to abate the entire nuisance with the exception of certain vegetation which was not consistent with the nuisance ordinance such as the one large tree; said abatement was to be completed by the property owner within thirty days of the meeting or the City was to begin abatement procedures; and City was to provide this information to the property owner in writing. David Jones withdrew his second. Herbert Toles seconded the motion. All voted aye.

Herbert Toles made a motion to adjourn. John Coyne seconded the motion. All voted aye.

Clerk

Mayor