

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Joe Belles, Code Enforcement Officer
Through: Patty Huffman, Grants and Project Manager
Chandra Nicholson, Planning and Economic Development Director
Date: March 17, 2014
Subject: 3824 Kendale Drive Gautier, Mississippi 39553.
Lien/Council Order Request to Adjudicate Private Property Clean Up Costs.

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the private property identified below was cleaned to the satisfaction of the Planning and Economic Development Director.

Per the attached invoice from TRI-STAR Demolition Service, who was authorized to secure all doors and lower level windows, remove exterior trash and debris, and perform routine yard maintenance, the City of Gautier, incurred a cost of \$948.32 combined with a penalty fee of \$1,500.00 equals a sum of \$2,448.32.

Legal Description: PIDN 86026063.000
Lot 63 Northwood Hills Subdivision
Deed Book 636, page 355

Property Address: 3824 Kendale Drive Gautier Mississippi 39553

Owners of Record: Norman E. Thompson (Deceased). Arthur D. Carlisle, Executor
Last Known Address: 1201 Hunter Creek Road Apt F 900 Washington Avenue
Northport, Alabama 35479 Ocean Springs, MS 39564

BACKGROUND:

This property was approved for private property clean up during the City of Gautier, Council Meeting and Public Hearing held on February 4, 2014. After considering staff, citizen, and neighbors comments during the public hearing, the mayor and city council approved the recommendation of staff to clean up the private property after the statutory 10-day appeal period from the date of council action and adjournment (March 4, 2014). The property executor was given the opportunity to clean the property before the city proceeded with a contractor to clean the property. TRI-STAR Demolition Service started the authorized clean up and securing the property on March 11, 2014 and completed the task on March 12, 2014, to the satisfaction of the Planning and Economic Development Department.

DISCUSSION:

Mississippi Statute provides procedures for municipalities to clean private property determined to be a menace to the municipal community thus:

The governing authority may by resolution adjudicate the actual cost of cleaning the property and may impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality.

(1) If the governing authority does not declare the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

(2) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

RECOMMENDATION:

The City of Gautier, Code Enforcement Officer be authorized to place a lien against the property in accordance with the attached ORDER and the provisions set forth pursuant of Mississippi Code Annotated, 1972 § 21-19-11, Cleaning and Clearing of Private Property.

ATTACHMENTS 3:

1. Council Decision Letter
2. Property tax document
3. Parcel information
4. Invoice
5. Photos
6. Revised Order Request

Mayor
Gordon F. Gollott

City of Gautier

Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Cynthia Russell

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Casey E. Vaughan
Ward 4 Charles "Rusty" Anderson
Ward 5 Adam D. Colledge



3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

February 5, 2014

Michael J. Vallette
Arthur D. Carlisle, Executor
900 Washington Avenue
Ocean Springs, Mississippi 39564

COPY
mailed 2-05-14
JB

Reference: Norman Emmett Thompson, Estate at 3824 Kendale Drive Gautier, MS 39553

To Whom It May Concern:

The City of Gautier, Mayor and City Council held a public hearing on February 4, 2013 pursuant to Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11, concerning the above referenced property. After hearing, comments from local residents and staff the mayor and city council found the above referenced property to be in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community.

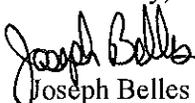
Based on the decision of the governing authority, if the owner does not do so by March 4, 2013, the city shall proceed to clean the land by the use of municipal workers or by contract. The scope of the work may include cutting grass and weeds, filling cisterns; removing rubbish, dilapidated fences, dilapidated building, personal property, debris, and draining standing water from the property. The city will also secure all exterior doors and windows. In addition, an active honeybee hive needs to be removed from the home. The house continues to reflect considerable structural damage and roof leaks and if not immediately corrected will accelerate the decaying property condition.

Additionally, the municipality may reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearings. Notice will be posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

Again, you have until March 4, 2014, to clean the property as specified above and save any additional expenses associated with this clean up process. You also have the right to appeal in the same manner as other appeals from municipal decisions.

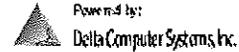
If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878, ext 318 or cell number (228) 219-7035.

Yours truly,


Joseph Belles

Code Enforcement Officer

"Nature's Playground!"



Property Link

JACKSON COUNTY, MS

Current Date **12/ 5/2013**

Tax Year 2013
Records Last Updated **12/ 4/2013**

PROPERTY DETAIL

OWNER THOMPSON NORMAN E
1201 HUNTER CREEK RD APT F

NORTHPORT AL 35479

ACRES : **NA**
LAND VALUE : 20000
IMPROVEMENTS : 50630
TOTAL VALUE: 70630
ASSESSED : 10595

PARCEL 86026063.000
ADDRESS 3824 KENDALE

TAX INFORMATION

YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	544.25	0.00	544.25
CITY	365.95	0.00	365.95
SCHOOL	491.50	0.00	491.50
TOTAL	1401.70	0.00	1401.70

To Pay Online, WWW.MS1STOP.COM

LAST PAYMENT DATE **NA**

TAXES DELINQUENT PRIOR YEAR
MISCELLANEOUS INFORMATION

EXEMPT CODE		LEGAL LOT 63 NORTHWOOD HILLS S/D
HOMESTEAD CODE	None	(12 Map777.36-02) DB 636-355
TAX DISTRICT	3840	DB 915-294
PPIN	071306	
SECTION	36	
TOWNSHIP	7S	
RANGE	7W	

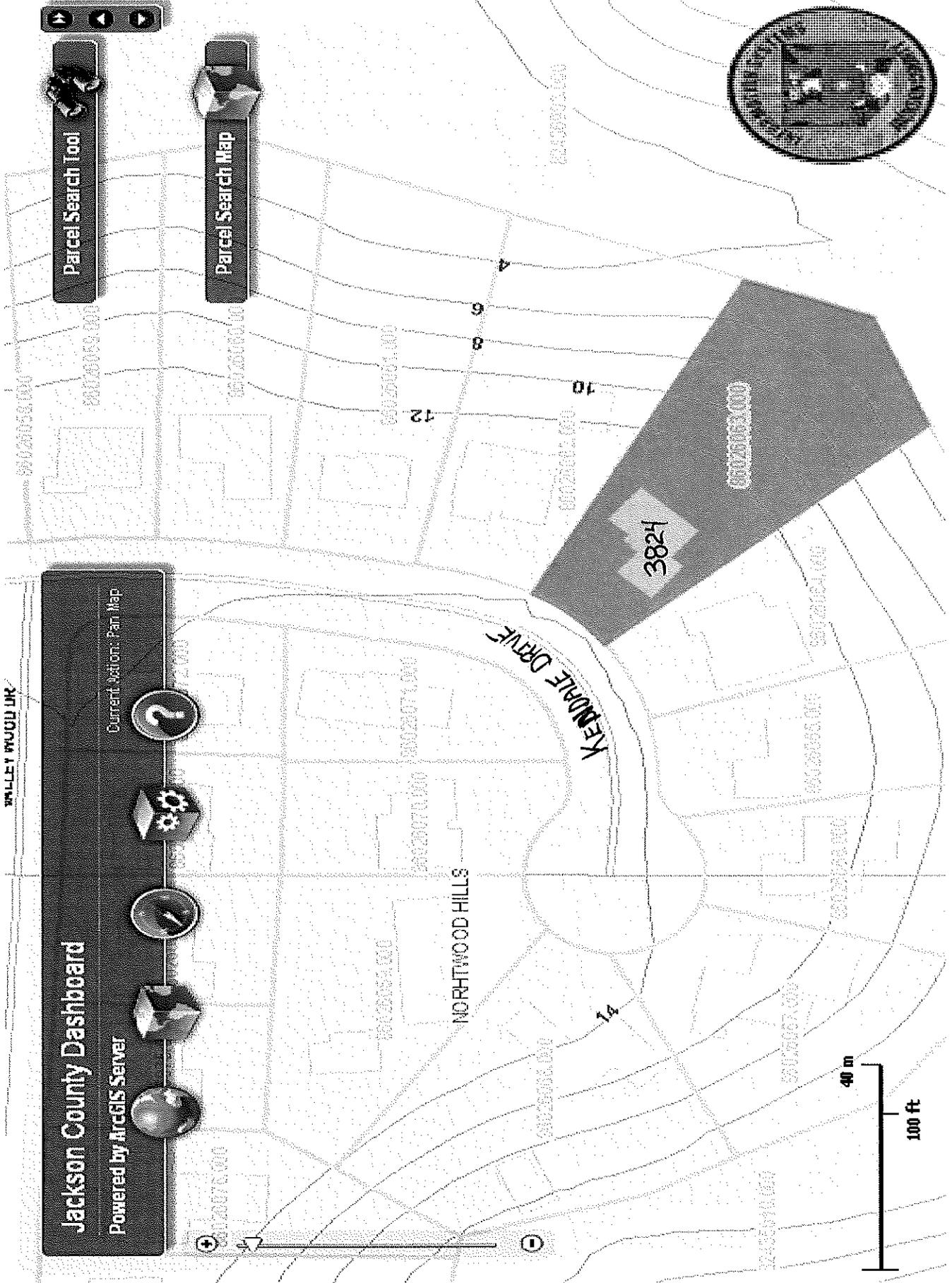
Book **Page**

TAX SALES

PURCHASE COUNTY TAX SALE FILES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2012	GNART LLC	NOT REDEEMED
2011	SABINE E LADNER	NOT REDEEMED
2010	PUBLICAN ASSET MANAGEMENT	8/23/2013 VALLETTE MICHAEL J
2009	K SCOTT SAUCIER	8/31/2012 MICHAEL VALLETTE
2008	RADLAW LAND INVESTMENTS LLC	8/30/2011 VALLETTE MICHAEL FOR THOMPSON
2007	MARILYN SWANSON	8/20/2010 MICHAEL VALLETTE
2006	DAVID DALEY	8/24/2009 VALLETTE MICHAEL
2005	ADAIR ASSET MANAGEMENT, LLC / US	7/25/2008 WENDY NEARY

[Back](#)



Parcel Information

PIDN: 86026063.000
GISP: 777.36-02-0012.00

Owner Information

Name: THOMPSON NORMAN E Percent of Ownership: 100
Name2:
Mailing Address: 1201 HUNTER CREEK RD APT F Physical Address: 3824 KENDALE DR GAUTIER
NORTHPORT AL 35479

Land Information

Section, Township, Range: 36 7S 7W Acreage: 0.54000002
Street Name: KENDALE DR

Value and Tax Information

Total Assessed Value: 10595 Total Appraised Value: 70630
Improvement Value: 50630 Land Value: 20000
Tax Amount: 1375 SQ. FT: 1392 Year Built: 1975

Legal Description

Description: LOT 63 NORTHWOOD HILLS S/D (12 Map777.36-02) DB 636-355 DB 915-294
Deed Book / Page: 636 / 355

Demolition Invoice

TRI-STAR



DEMOLITION SERVICE, LLC

228-219-6995

Date ^{JF} 3/17/2014

BILL TO:
City of Gautier
3330 HWY 90
Gautier, MS 39553

Please Remit:
 Tri-Star Demolition
 3736 Baywood Drive
 Moss Point, MS 39563228-
 219-6995

Service Location:
 3824 Kendale Dr.
 Gautier, MS 39553

Phone Number: Joe Belles-Code Enforcement Officer 228-219-7035	Project: clean up
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Service Date	Item	Description	Amount
Upon notice to proceed	• Board windows, doors and clean up yard		\$948.32

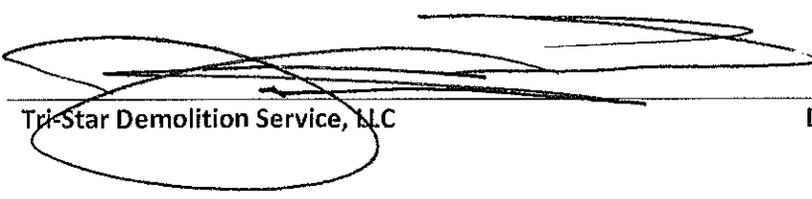
DELIVERY FEE	
TAX RATE	
SUBTOTAL	\$948.32
TOTAL	\$948.32

Tri-Star Demolition is licensed and insured with the City of Gautier and hereby agrees to clean debris and perform on location as follows:

- Mow, weed eat and rake yard
- Trim trees as deemed necessary by contractor
- Contractor to supply roll-off dumpster
- Front door to be hinged and hasped with pad lock and key for entry
- Board up 7 windows and 3 doors
- Contractor to purchase all materials as needed
- Haul all debris to proper landfill.

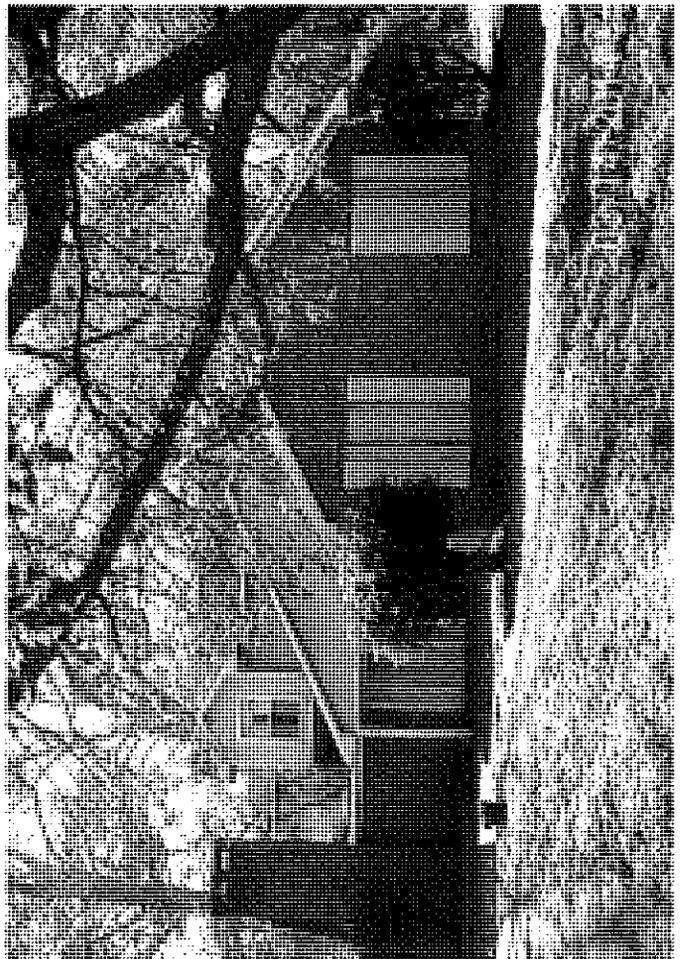
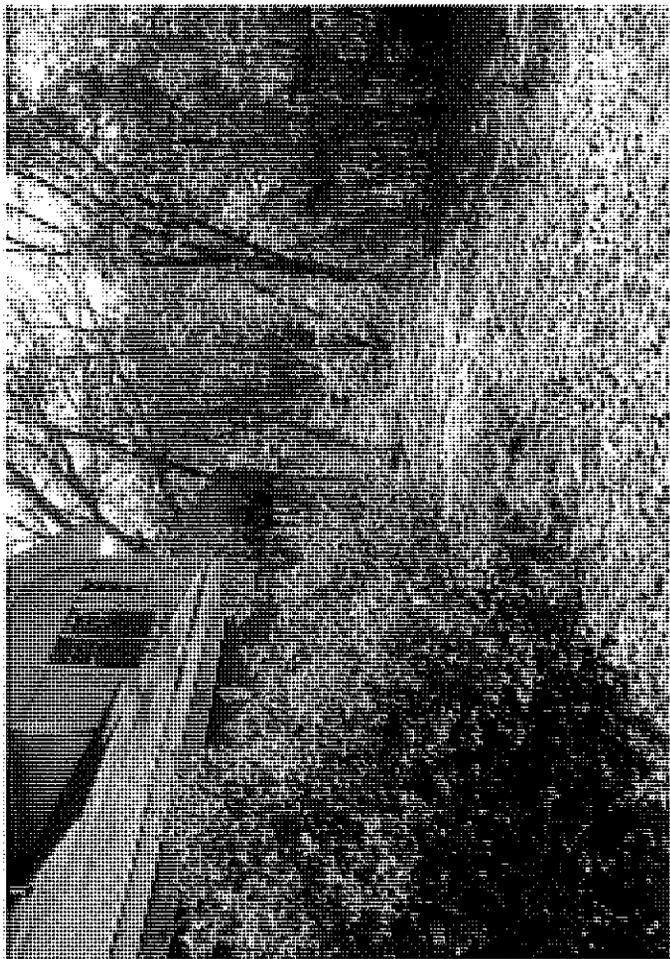
Client's Signature

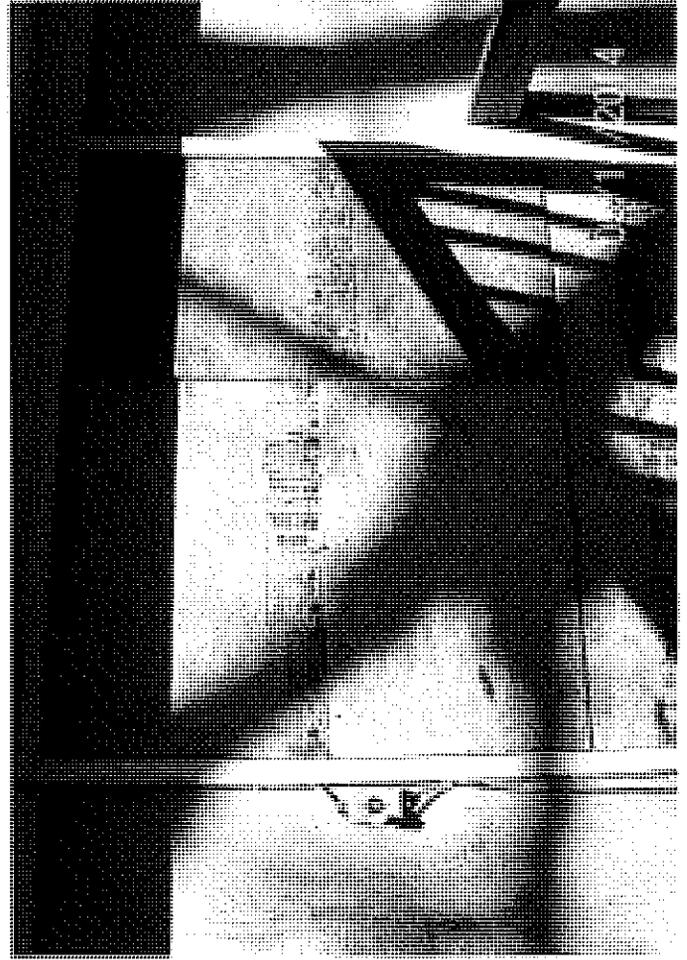
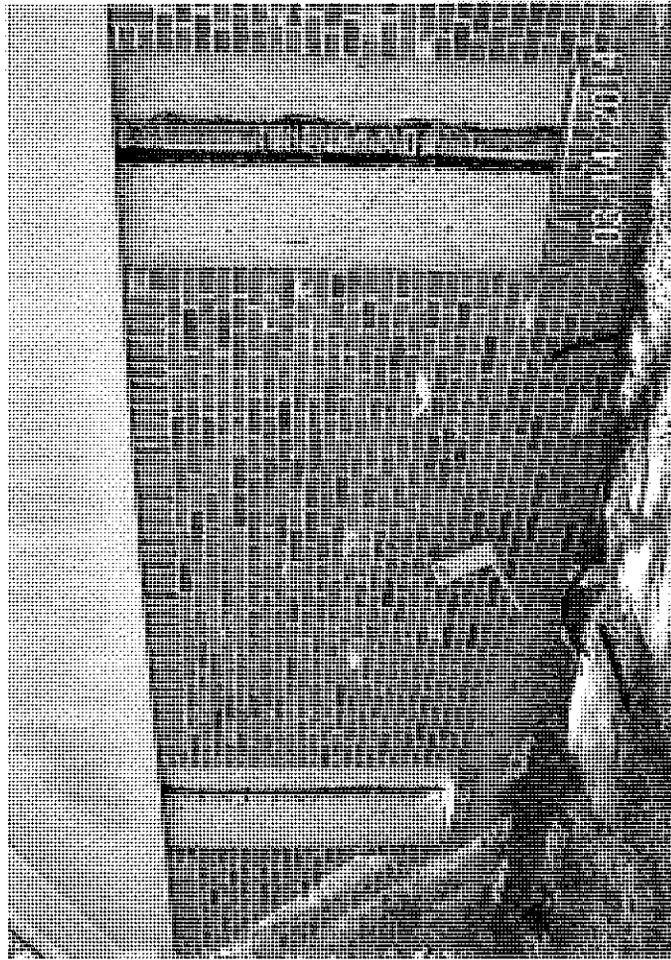
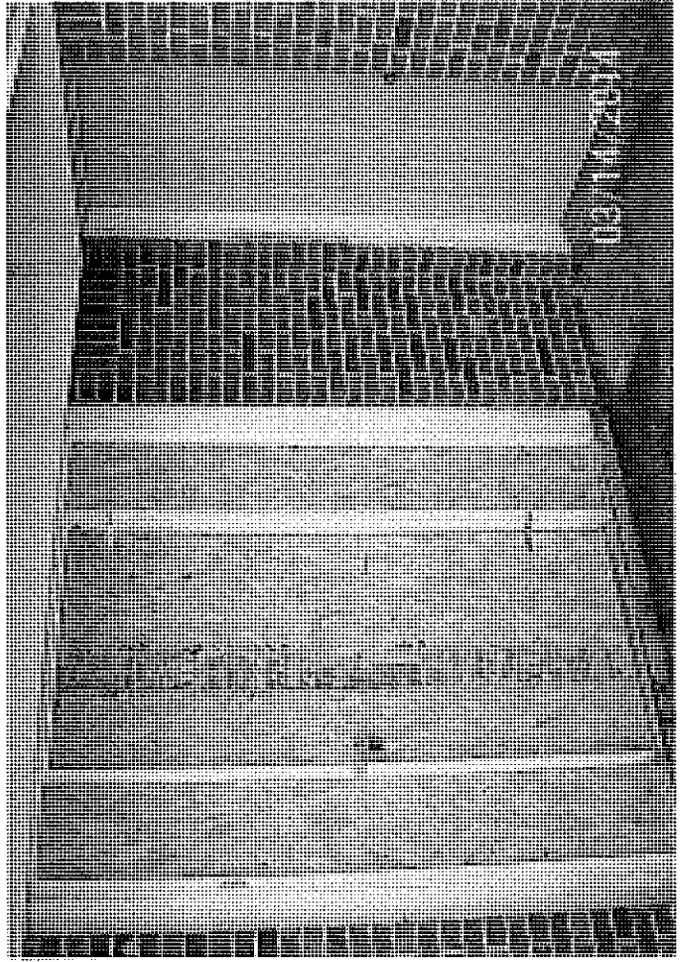
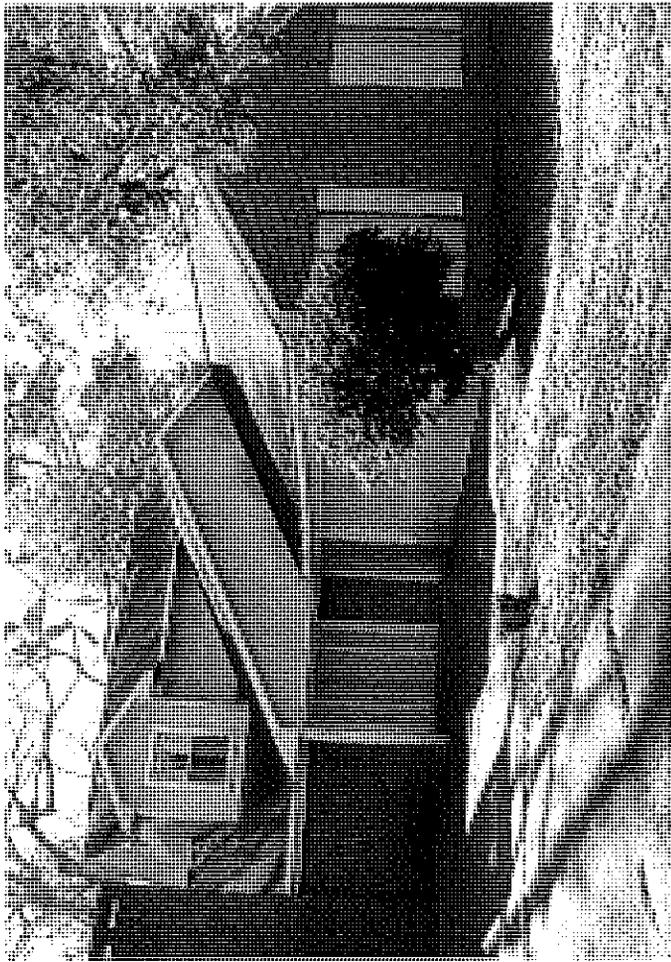
Date


 Tri-Star Demolition Service, LLC

3/17/14
 Date

**THANK YOU FOR
 YOUR BUSINESS!**





There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER XXX-2014

AN ORDER DIRECTING THE PLACEMENT OF A LIEN ON PROPERTY LOCATED AT 3824 KENDALE DRIVE GAUTIER, MS 39553 FOR FEES AND CHARGES INCURRED BY THE CITY OF GAUTIER, TO CLEAN THE PRIVATE PROPERTY AND ABATE THE UNSAFE CONDITIONS

WHEREAS, the City of Gautier, in accordance with procedures established under 21-19-11 of the Codes of Mississippi of 1972, as amended, incurred expenses in the amount of \$948.32 for the (property clean up and securing exterior door and lower level windows, considered a menace to the public health, safety, and welfare of the community) located at 3824 Kendale Drive, in the City of Gautier, Jackson County, Mississippi; and

WHEREAS, the City of Gautier is entitled to administrative fee of \$1,500.00.

NOW THEREFORE, IT IS HEREBY ORDERED by the Mayor and Council of the City of Gautier, Mississippi that a lien in the amount of \$2448.32 is hereby placed on the following described property at 3824 Kendale Drive, Gautier, Mississippi.

That certain property listed on the Jackson County land rolls as LOT 63 NORTHWOOD HILLS SUBDIVISION (12 Map777.36-02) Deed Book 636 page 355

Name and Address:

Norman E. Thompson (Deceased).
1201 Hunter Creek Road Apt F
Northport, Alabama 35479

Arthur D. Carlisle, Executor
900 Washington Avenue
Ocean Springs, MS 39564

Parcel Identification Number 86026063.000

IT IS FURTHER ORDERED that said lien is to be satisfied upon the first subsequent sale of the referenced property following passage of this order and the filing of said lien; or by other means as determined by the Mayor and Council to be necessary in order to protect the well-being of the City of Gautier.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by BLANK, seconded by BLANK and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of April 1, 2014.