

**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: July 28, 2014
Subject: 3677 Mackerel 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 remove a dilapidated accessory building, dilapidated deck, remove exterior trash and debris, and perform routine yard maintenance. The City of Gautier, incurred a cost of \$ 965.00 combined with a penalty fee of \$1,500.00 equals a sum of \$2,465.00.

Legal Description: PIDN 86304192.000
Lots 173,174 & 175 Point Clear Rivera S/D
Deed Book 1353, page 757

Property Address: 3677 Mackerel Drive Gautier Mississippi 39553

Owners of Record: Barbara L. Aguiard
Last Known Address: 2805 Flounder Circle
Gautier Mississippi 39553

BACKGROUND:

This property was approved for private property clean up during the City of Gautier, Council Meeting and Public Hearing held on June 17, 2014. After considering comments from staff and the owner 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 (June 27, 2014). The property owner was given the opportunity to clean the property before the city proceeded with a contractor to clean the property on July 7, 2014. TRI-STAR Demolition Service started the authorized clean up and removal of dilapidated structures on July 10, 2014 and completed the task on July 11, 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.

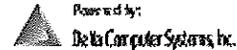
RECOMMENDATION:

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 5:

1. Property tax document
2. Parcel information
3. Council Decision Letter
4. Tri-Star Invoice
5. Photos Before/After

Jackson County Mississippi



Property Link

JACKSON COUNTY, MS

Current Date **4/14/2014**

Tax Year **2013**
Records Last Updated **4/11/2014**

OWNER AGUILLARD BARBARA L
 3677 MACKERAL DR

 GAUTIER MS 39553

PARCEL 86304192.000
ADDRESS 3677 MACKERAL

ACRES : **NA**
LAND VALUE : 5930
IMPROVEMENTS : 46240
TOTAL VALUE: 52170
ASSESSED : 5217

TAX INFORMATION

YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	162.99	0.00	167.88
CITY	180.20	0.00	185.61
SCHOOL	137.02	0.00	141.13
TOTAL	480.21	0.00	494.62 3% Penalty

To Pay Online, WWW.MS1STOP.COM

LAST PAYMENT DATE ****NA****

MISCELLANEOUS INFORMATION

EXEMPT CODE	LEGAL LOTS 173,174 & 175 POINT CLEAR
HOMESTEAD CODE REG	RIVIERA S/D SECT 1 PB 10-24
TAX DISTRICT 3840	DB 1353-757 (357M MAP872.03-01
PPIN 072068)
SECTION 03	
TOWNSHIP 8S	
RANGE 7W	

Book **Page**

PURCHASE COUNTY TAX SALE FILES

TAX SALES HISTORY, FOR UNPAID TAXES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2012	GNART LLC	1/21/2014 MOORE MARIA FOR B AGUILLARD
2011	ADAIR ASSET MGMT LLC, /BMO HARRI	1/21/2014 MOORE MARIA FOR B AGUILLARD
2010	MAGNOLIA GROVE RTO LLC	8/29/2013 MOORE MARIA L
2009	ON POINT LLC	8/31/2011 AGUILLARD BARBARA L
2008	GNART LLC	8/31/2011 AGUILLARD BARBARA L
2007	MELVINA TAYLOR	8/25/2010 AGUILLARD BARBARA L
2006	COLLEGE INVESTMENT CO	5/29/2009 AGUILLARD BARBARA L

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The screenshot displays a web-based GIS application interface. On the left, a vertical sidebar contains the title "Jackson County Dashboard" and "Powered by ArcGIS Server". Below the title are several circular icons representing different map functions. A "Current Action: Pan Map" indicator is visible above a question mark icon. The main map area shows a parcel search tool window titled "Parcel Search Tool" with the following details:

- Features Selected: 1
- AGUILLARD BARBARA L
- Parcel #: 86304192.000
- Address: 3677 MADKERAL DR GAUTIER

The map itself shows a grid of parcels with various parcel numbers (e.g., 86304192.000, 86304193.000, 86304194.000) and street names including "POINT CLEAR RIVIERA" and "Gautier". A scale bar at the bottom right indicates distances of 50 meters and 100 feet. A circular logo for "INFORMATION SYSTEMS JACKSON COUNTY MISSISSIPPI" is located in the bottom right corner of the map area.

Mayor
Gordon F. Gallott

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Cynthia Russell

3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028

Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

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



June 17, 2014

Barbara L. Aguillard
2805 Flounder Circle
Gautier Mississippi 39553

Reference: Public Hearing Decision
3677 Mackerel Drive Gautier, Mississippi 39553
PIDN: 86304192.000

Ms Aguillard,

The City of Gautier, Mayor and City Council held a public hearing on June 17, 2014, pursuant to Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11, concerning the above referenced property. After hearing comments from you and the 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.

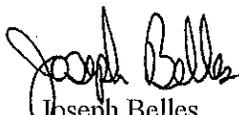
Based on the decision of the governing authority, if the owner does not do so by July 7, 2014, the city shall proceed to clean the land by the use of municipal workers or by contract. The scope of the work may include cutting grass and weeds, removing rubbish, debris, dilapidated fences, dilapidated building, and personal property. In addition, the exterior windows and doors will be monitored for security of the structure and the city will proceed to secure the structure if found unsecured. The city will place a lien against the taxes each time the property is cleaned along with an authorized administrative fee.

Additionally, the municipality may reenter the property or parcel of land for a period of two years 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 July 7, 2014, to clean the property as specified above and save yourself any additional expenses associated with this abatement 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.

Sincerely,


Joseph Belles
Code Enforcement Officer

COPY
mailed 6-18-14
JB

Demolition Invoice

TRI-STAR



DEMOLITION SERVICE, LLC

228-219-6995

Date: 07/09/2014	07092014-02
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BILL TO:
City of Gautier 3330 Highway 90 Gautier, MS 39553

<u>Please Remit:</u> Tri-Star Demolition 228-219-6997 3736 Baywood Drive Moss Point, MS 39563
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Service Location:
3677 Mackerel Drive Gautier, MS

Phone Number:	Project
228-497-8000	Yard clean up

Service Date	Item	Description	Amount
July 9, 2014	30 Yard roll off dumpster		\$265.00
	Mow and weed eat		\$150.00
	Trim trees		\$75.00
	Shed removal		\$250.00
	Rear porch removal		\$225.00
		DELIVERY FEE	
		TAX RATE	
		SALES RATE	
		SUBTOTAL	
		TOTAL	\$965.00

Joseph Belle
 Client's Signature

7/14/14
 Date

[Signature]
 Tri-Star Demolition Services, LLC

7/9/14
 Date

**THANK YOU FOR
 YOUR BUSINESS!**

