

**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: Clean up of Substandard Property Conditions, PIDN 85440602.000
8105 Exchange Street Gautier, Mississippi 39553

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City of Gautier, the Mayor and City Council will conduct a public hearing and receive public comment(s) regarding staff's recommendation to clean this private property and render the structure safe by securing all windows and doors or the demolition of the abandoned structure.

BACKGROUND:

An initial telephone complaint from a neighbor concerned with visible code violations was reviewed and substantiated by code enforcement and a code violation file was reopened in December 2013. Code enforcement has dealt with repeated code violations since opening the initial file in August 2009 with a previous owner. Upon inspection of the property, code enforcement found the exterior doors unsecured and requested police department assistance. Two officers arrived, proceeded to enter the home, and searched the dilapidated structure. After inspecting the structure, it appeared someone has been illegally living in the structure. Code enforcement took photographs and documented the property condition. While attempting to locate the owner, another city employee informed code enforcement a bank had contacted the city in reference to a recurring water account draft payment plan and informed the city the owner was deceased. A check of death notifications and repeated checks at Jackson County Court Department for a probate order or any other legal action have been not been successful.

Property taxes for 2011, 2012 and 2013 remain unpaid and the property was advertised/published in the Mississippi Press as an available tax sale property for 2012, 2013 and 2014. Code enforcement is continuing to attempt to locate any heirs to the abandoned property.

Property owners in the vicinity remain concerned with the visible appearance of this overgrown property and the unsecured/unsafe structure. Neighbors are concerned for the health, safety and welfare of their neighborhood. On June 12, 2014, code enforcement posted a letter at the property informing any heirs, the City of Gautier, Mayor and Council would set a date for a public hearing if the code violations were not corrected. During a scheduled council meeting on July 1, 2014, the Mayor and City Council set a public hearing date of August 5, 2014, and a letter addressed to any Heirs/Estate Executors was posted at the property. Additionally, both the

property and city bulletin board were posted with a copy of the public hearing notice two weeks prior to the scheduled hearing.

DISCUSSION:

The primary goal is to clean up and maintain the overgrown property pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, and secure the structure in accordance with the International Building Code requirements. The other option is to demolition the dilapidated, abandoned structure.

RECOMMENDATION:

Staff recommends the Mayor and Council should decide:

1. If it is in the best interest of the neighborhood to allow the responsible party until August 31, 2014, to clean up the property and secure the structures doors and windows.

Or

2. Demolish the unsecured, abandoned structure as more advantageous to the health, safety and welfare of the entire neighborhood.

If the property is not cleaned and the structure doors/windows secured or the entire structure demolished by August 31, 2014, the Mayor, and Council should direct staff to commence with clean up of the property as decided upon after the statutory 10-day appeal period from the date of Council action and adjournment.

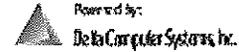
ATTACHMENTS 9:

1. Quasi-Judicial Procedures
2. Property tax document
3. Parcel information
4. Current Photos
5. Quitclaim Deed, recorded April 15, 2011
6. July 3, 2014, Letter of Notification, Public Hearing
7. Public Notice Document Posted two weeks prior to public hearing
8. Water record for Final Bill reflects owner deceased
9. Letter dated June 12, 2014, potential clean up action posted at property

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Council, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Council, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Council makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

Jackson County Mississippi



Property Link

JACKSON COUNTY, MS

Current Date 6/12/2014

Tax Year 2013
Records Last Updated 6/11/2014

OWNER ODOM BOBBY JOE
8105 EXCHANGE ST

GAUTIER MS 39553

ACRES : **NA**
LAND VALUE : 8620
IMPROVEMENTS : 24940
TOTAL VALUE: 33560
ASSESSED : 3356

PARCEL 85440602.000
ADDRESS 8105 EXCHANGE

TAX INFORMATION			
YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	103.39	0.00	108.56
CITY	115.92	0.00	121.72
SCHOOL	86.68	0.00	91.01
TOTAL	305.99	0.00	321.29 5% Penalty

To Pay Online, WWW.MS1STOP.COM

LAST PAYMENT DATE **NA**

TAXES DELINQUENT PRIOR YEAR
MISCELLANEOUS INFORMATION

EXEMPT CODE
HOMESTEAD CODE REG
TAX DISTRICT 5840
PPIN 069150
SECTION 12
TOWNSHIP 7S
RANGE 7W

LEGAL LOT 2 HICKORY HILL EST S/D
UNIT #7 PB 11-22&23 DB 1639-75
(267 Map771.01-03)

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	S & S PROPERTIES, LLC	NOT REDEEMED
2011	HENRY CORNELIUS EDWARDS	NOT REDEEMED
2010	STATE OF MISSISSIPPI	2/ 2/2012 BOBBY ODOM
2009	B.S. CONSTRUCTION	10/27/2010 PILGER TITLE CO
2005	AZURE INVESTMENTS LLC	2/12/2007 AMERICAN GENERAL FINANCIAL
2004	ETC FBO KATHIE BARTHOLOMEW IRA42	2/12/2007 AMERICAN GENERAL FINANCIAL

[Back](#)

Jackson County Dashboard

Powered by ArcGIS

Parcel Search Tool

Features Selected: 1

Parcel Information

PIDN: 85440602.000
GISP: 771.01-03-0267.00

Owner Information

Name: ODOM BOBBY JOE
Name2:
Mailing Address: 8105 EXCHANGE ST
Gautier MS 39553
Physical Address: 8105 EXCHANGE ST GAUTIER
Percent of Ownership: 100

Land Information

Section, Township, Range: 12 7S 7W
Acreage: .00
Street Name: EXCHANGE ST

Value and Tax Information

Total Assessed Value: 3856
Improvement Value: 24940
Tax Amount: 305
Total Appraised Value: 33560
Land Value: 8620
SQ. FT: 1494
Year Built: 1983

Legal Description

Description: LOT 2 HICKORY HILL EST S/D UNIT #7 PB 11-22823 DB 1639-75 (267 Map771.01-03)













OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CHANCERY CLERK
RECORDING FEE: \$12.00
#201105816 BK: 1639 PG: 75-76
04/15/2011 02:19 PM 2 PGS
MHARRIS, DC Rpt#00519B

Prepared by :
David B. Pilger
Attorney at Law
2693 Bienville Blvd., Suite 5
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
Joseph Brian Odom
8716 Pine Grove Rd., Lot 9
Gautier, MS 39553
(228) 282-4545

Return To:
David B. Pilger
Attorney at Law
2693 Bienville Blvd., Suite 5
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Bobby Joe Odom
8105 Exchange Street
Gautier, MS 39553
c/o (228) 818-6122

INDEXING INSTRUCTIONS: Lot 2, Unit 7, Hickory Hill Estates

STATE OF MISSISSIPPI
COUNTY OF JACKSON

QUITCLAIM DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **Joseph Brian Odom**, do hereby release and quitclaim unto **Bobby Joe Odom**, all of my right, title and interest in and to that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Lot 2, Unit 7, Hickory Hill Estates, Jackson County, Mississippi, as per map or plat thereof on file and of record in the office of the Chancery Clerk of Jackson County, Mississippi in Plat Book 11, Pages 22-23.

The above described property is not a part of the Grantor(s) homestead.

TITLE NOT EXAMINED

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

WITNESS MY SIGNATURE, on this the 6th day of April, 2011.

Joseph Brian Odom
Joseph Brian Odom

ACKNOWLEDGEMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, **Joseph Brian Odom**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 6th day of April, 2011.

Therese Lucille Stanley
NOTARY PUBLIC

My commission expires: 1-23-2014

TITLE NOT EXAMINED



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 C. Vaughan
Ward 4 Charles "Rusty" Anderson
Ward 5 Adam D. Colledge



3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8628
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

July 3, 2014

Mr. Bobby Joe Odom or
Estate Executors
8105 Exchange Street
Gautier, Mississippi 39553

Reference: (PUBLIC HEARING) 8105 Exchange Street Gautier, Mississippi 39553

To Whom It May Concern:

The City of Gautier, Mayor and City Council has approved and scheduled a public hearing for Tuesday, August 5, 2014, at 6:30 PM. The location for the hearing is the Gautier City Hall, 3330 Highway 90 Gautier, Mississippi 39553. The purpose of this public hearing is to determine whether or not the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community per Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11.

If at the scheduled hearing, the governing authority decides the property or parcel of land is in a condition determined to be a menace to the public health, safety, and welfare of the community, the city shall proceed to clean the land by the use of municipal workers or by contract. The scope of the work to be performed may include cutting grass/weeds, removing rubbish, draining cesspools/standing water from the property, removing dilapidated fences/building, removing personal property and other debris from the property.

Additionally, the municipality may reenter the property or parcel of land for a period of one year after the hearing without any further hearings. A 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 days before the property or parcel of land is reentered for cleaning.

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

PUBLIC NOTICE

Public Notice is hereby given by the Mayor and Members of the Gautier City Council that a public hearing will be held at 6:30 PM on August 5, 2014, in the Council Chambers of the Gautier Municipal Building, 3330 Highway 90, Gautier, Mississippi, for the purpose of receiving testimony as to why substandard building conditions should not be abated at the following described location:

That certain property listed on the Jackson County land rolls as belonging to Bobby Joe Odom, being generally described as 8105 Exchange Street, Gautier, MS, and more specifically described as PIDN #85440602.000, Lot 2, Hickory Hill Estate Subdivision, AS RECORDED IN DEED BOOK 1639, PAGE 75, RECORD OF OFFICIAL PLATS ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF JACKSON COUNTY, MISSISSIPPI.

Persons having an interest in said properties are hereby notified that in accordance with 21-19-11 of the Codes of Mississippi of 1972, as amended, the City may upon a finding the property or parcel of land in its existing condition to be a menace to the public health, safety, and welfare of the community proceed to clean the property or parcel of land as allowed by MS Code 21-11-19. The costs of which may be charged as a lien against such properties to be collected upon sale of the property or through civil proceedings.

Account Name ODOM BOBBY J (DECEASED) ADDENDUM
 9008 F FINAL BILL FOR: 050891 12/11/13 Postal Sort Code MS1
 Street Address 8105 EXCHANGE ST [REDACTED] Apartment Cd
 City, State, Zip GAUTIER, MS 39553 - Phone 334 804 2518
 Hold from Late Fee? Y-Yes Deposit 85.00 Date 4 7 2011 Rec
 Service Address 8105 EXCHANGE
 Last Inspected / / Zoning 1 Grid Flood Zone
 Hold Billing N Y-do not bill until changed, H-Hold next time only Print Bill Y
 Draft Bank Draft Code (27,37,28,38)
 Name on Acct Acct No.
 Does This Account Have 2 Meters N (Y/N) Standing Deposit
 Water Code 101 WATER Rental N
 Sewer 201 SEWER Bad Check N
 Garbage 301 GARBAGE Other Acct N
 Other Pool Size
 Billing Cycle 1 M=Month Q=Qtr S=Semi-Annual A=Annual 1=1st Month,2=2nd Month
 Account Class Code GSW Water Main Code Baths Meter Date 1 6 2014
 Sewer Main Code Garbage Route Rooms Delinquent Info:
 Arrears Water Sewer Garbage Other Total Hold Code
 Total 77.20 88.28 98.00 100.00 363.48 Date 12 5 2013
 Tax FT Bill Count 6 Flag Y

F3-NEXT F8-READINGS F12-ADDENDUM

Line	Notes	Total Lines on File
1	04/07/11.....customer needs 1 gb cart....dkh	7
2	4.8.11 delta delivered cart 1319325 dsb	
3	8/7/13 bank called about chrg on 7/15/13. customer is now deceased.kim	
4	9/19/13 bill ret	
5	10/21/13 bill ret	
6	11/27/13 bill ret. checking to see if it is vacant.sdf	
7	12/18/13 bill ret	
8		
9		
10		
11		
12		
13		
14		
15		

Go directly to line _____
Copyright 2009, Delta Computer Systems, Inc. - All Rights Reserved 01/06-GNJ
F1&5-UP F2&6-DOWN F9-FIRST F10-LAST F13-INSERT F14-DELETE F17-SAVE

Mayor
Gordon F. Gallott

City of Gautier

Gautier, Mississippi

City Manager
Samantha D. Abell

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Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
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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

June 12, 2014

Bobby Joe Odom or
Possible Heirs
8105 Exchange Street
Gautier, Mississippi 39553

Reference: 8105 Exchange Street Drive Gautier, MS 39553

To Whom It May Concern:

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 8105 Exchange Street Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations on this property during a scheduled July 2014 council meeting. If the mayor and council determine the property, meets the criteria for private property clean up they will set a public hearing for a scheduled August 2014 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11.

Code enforcement is requesting the property be in compliance by July 1, 2014. 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

POSTED AT
PROPERTY
6-12-14 JB