

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Clint Creel, Animal Control/Code Enforcement Officer
Through: Chandra Nicholson, Economic Development and Planning Director
Scott Ankerson, Building Official
Date: July 28, 2015
Subject: 1619 Mary Ann 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 Economic Development and Planning Director.

Per the attached invoice from TRI-STAR Demolition Service, who was authorized to remove the existing pool house, demolish an in-ground swimming pool, and remove an existing slab from the former primary residence, the City of Gautier incurred a cost of \$8,875.00 combined with a penalty fee of \$4,437.00 equals a sum of \$13,312.00.

Legal Description: PIDN 87110371.000
Lot 136 & W1/2 of Lot 137 Seacliffe Subdivision 3rd Addition
Deed Book 1559, page 532

Property Address: 1619 Mary Ann Drive Gautier Mississippi 39553

Owners of Record: Pelfresne W Villa Venice (B&B)
Last Known Address: P.O. Box 129
Island Lake, IL 60042

BACKGROUND:

This property was approved for private property clean up during the City of Gautier, Council Meeting and Public Hearing held on March 17, 2015. 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 (April 2, 2015). The property owner 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 June 2, 2015 and completed the task on June 16, 2015, to the satisfaction of the Economic Development and Planning 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 staff recommend that the Code Enforcement Officer be authorized to place a lien against the property in accordance with the attached ORDER and the provisions set forth pursuant to Mississippi Code Annotated, 1972 § 21-19-11, Cleaning and Clearing of Private Property.

ATTACHMENTS 6:

1. Draft Order
2. Before and After Photos
3. Invoice/Purchase Order
4. Council Decision Letter
5. Property Tax Document
6. Parcel Information





TRI-STAR



DEMOLITION SERVICE, LLC

228-219-6995

6/10/2015	CGD06042015
-----------	-------------

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

Please Remit: Tri-Star Demolition 3736 Baywood Drive Moss Point, MS 39563 228-219-6995
--

Service Location:
1619 Mary Ann Dr. Gautier, MS 39553

P O Number:	Project
150960	Existing slab demo and clean-up

Service Date	Item	Description	Amount
06/04/2015	<ul style="list-style-type: none"> Demolition and removal of existing slab from former primary residence 		

Tri-Star Demolition is licensed and insured with the City of Gautier and has completed the following at the above location:

- Contractor will secure the necessary permits
 - Contractor to notify 811 for underground utility locates
 - Install silt screen prior to beginning demolition
 - Demolition and removal of existing slab from former primary residence
 - Fill footprint complete and grade back to natural plain
 - Sow grass seed upon completion for erosion control
 - Clean site complete and haul all debris to proper landfill
- *A one-time mobilization fee will apply if a notice to proceed is awarded on all three projects*

Demolition	\$1000.00
Hauling of concrete	\$475.00
2 loads of dirt including excavation	\$450.00
TOTAL	\$1,925.00

Client's Signature

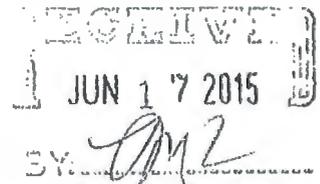
Date

**THANK YOU FOR
YOUR BUSINESS!**

Tri-Star Demolition Service, LLC

Date

James W. Thomas



TRI-STAR



DEMOLITION SERVICE, LLC

228-219-6995

06/10/2015 CGD-06102015

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

Please Remit:
 Tri-Star Demolition
 3736 Baywood Drive
 Moss Point, MS 39563
 228-219-6995

Service Location:
 1619 Mary Ann Dr.
 Gautier, MS 39553

PO Number: 150960	Project Pool House Demo and Clean-up
-----------------------------	--

Service Date	Item	Description	Amount
6/08/2015-06/10/2015	• Demolition of Pool house and clean up		

Tri-Star Demolition is licensed and insured with the City of Gautier and has completed the following at the above location:

- Contractor will secure the necessary permits
- Contractor to notify 811 for underground utility locates
- Demolition and removal of one elevated pool house including cribbing.
- Remove concrete foundation under pool house
- Fill footprint complete and grade back to natural plane
- Compact fill material/ dirt & sow grass seed upon completion
- Clean site complete and haul all debris to proper landfill

***A one-time mobilization fee will apply if a notice to proceed is awarded on all three projects**

Demo pool house	\$1,000.00
Slab removal	\$475.00
1 Load of dirt including excavation	\$225.00
Dump/Trucking fee	\$525.00
TOTAL	\$2,225.00

Client's Signature

Date

Tri-Star Demolition Service, LLC

Date

James W. Thomas
 James W. Thomas

THANK YOU FOR
 YOUR BUSINESS!

JUN 17 2015

TRI-STAR



DEMOLITION SERVICE, LLC

228-219-6995

6/08/2015 CGD-06082015

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

Please Remit:
 Tri-Star Demolition
 3736 Baywood Drive
 Moss Point, MS 39563
 228-219-6995

Service Location:
 1619 Mary Ann Dr.
 Gautier, MS 39553

PO Number: 150960	Project Pool Demo and Clean-up
-----------------------------	--

Service Date	Item	Description	Amount
6/4/2015-6/8/2015	• Demolition of one In-ground swimming Pool		

Tri-Star Demolition is licensed and insured with the City of Gautier and has completed the following at the above location:

- Contractor will secure the necessary permits
 - Contractor to notify 811 for underground utility locates
 - Mobilize equipment to site
 - Remove existing pool cover and drain pool complete
 - Fill pool footprint complete with fill dirt
 - Compact fill material/ dirt & sow grass seed upon completion
 - Clean site complete and haul all debris to proper landfill
- *A one-time mobilization fee will apply if a notice to proceed is awarded on all three projects**

Dirt 28 loads @125.00 per load	\$ 3,500.00
*Mobilization fee	\$250.00
Operator/Labor	\$975.00
TOTAL	\$4725.00

Client's Signature

Date

Tri-Star Demolition Service, LLC

Date

James W. Thomas

THANK YOU FOR YOUR BUSINESS!

RECEIVED
 JUN 17 2015

Mayor
Gordon J. Goffalt

City of Gautier

Gautier, Mississippi

City Manager
Samantha D. Bell

City Clerk
Cynthia Russell

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



3830 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gaulier-ms.gov
Website: www.gautier-ms.gov

March 24, 2015

Pelfresne W Villa Venice (B&B)
P.O. Box 129
Island Lake, IL 60042

Reference: Public Hearing Decision
1619 Mary Ann Drive, Gautier, Mississippi 39553
PIDN: 87110371.000

To Whom It May Concern:

The City of Gautier, Mayor and City Council held a public hearing on March 17, 2015, pursuant to Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11, concerning the above referenced property. After hearing comments from the City staff and citizens, the mayor and city council found the above referenced property to be in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community.

Staff advised the Mayor and City Council that the owner of the property had taken steps to cover the pool and presented pictures of the progress. The pictures were taken just a few hours before the public hearing. The Council determined that the approach the owner was taking to cover the pool was not a solution that would correct the safety concerns that are posed with the swimming pool.

The Mayor and City Council deliberated and directed staff to move forward with cleaning the property.

Based on the decision of the governing authority, if the owner does not do so by April 1, 2015, the city shall proceed to clean the land by the use of municipal workers or by contract. The scope of the work may include:

- Draining and filling the swimming pool.
- Removing the pool house structure and remnants of the old house (primary structure).
- Removing any other slabs/walks/protrusions that are deemed an "attractive Nuisance"
- Cutting grass, weeds, and other overgrown vegetation.
- Removing rubbish/trash/debris.
- Removing the fence as needed for access of equipment and repairing fence back to the same existing condition.

Additionally, the municipality may reenter the property or parcel of land for a period of one 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.

The city will place a lien against the taxes each time the property is cleaned along with an authorized administrative fee.

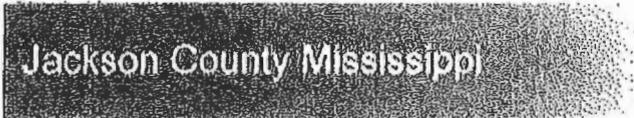
Again, you have until April 1, 2015, to clean the property as specified above and save yourself any additional expenses associated with this abatement process. You also have the right to appeal in the same manner as other appeals from municipal decisions.

If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Friday, 8:00 AM - 5:00 PM, CST at (228) 497-1878, or by e-mail at cCreel@gautier-ms.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Clint Creel', written in a cursive style.

Clint Creel
Animal Control/Code Enforcement Officer



Property Link

JACKSON COUNTY, MS

Current Date 2/18/2015

Tax Year 2014

Records Last Updated 2/17/2015

PROPERTY DETAIL

OWNER	PELFRESNE W	ACRES : **NA**
	VILLA VENICE (B&B)	LAND VALUE : 53170
	PO BOX 129	IMPROVEMENTS : 4700
	ISLAND LAKE IL 60042	TOTAL VALUE: 57870
		ASSESSED : 8681

PARCEL 87110371.000
 ADDRESS 1619 MARY ANN

TAX INFORMATION

YEAR 2014	TAX DUE	PAID	BALANCE
COUNTY	445.93	445.93	0.00
CITY	327.27	327.27	0.00
SCHOOL	406.97	406.97	0.00
TOTAL	1180.17	1180.17	0.00

To Pay Online, WWW.MSISTOP.COM

LAST PAYMENT DATE 2/9/2015

MISCELLANEOUS INFORMATION

EXEMPT CODE		LEGAL LOT 136 & W1/2 OF LOT 137
HOMESTEAD CODE	None	SEACLIFFE S/D 3RD ADD PB 9-51
TAX DISTRICT	3840	DB 1559-532 (177M MAP871.12-03
PPIN	073117)
SECTION	12	
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>
NO TAX SALES FOUND		

[Back](#)

Flex Viewer

Powered by ArcGIS Server



© Copyright 2008 ESRI. All rights reserved. Printed on Wed Feb 18 2015 03:33:01 PM.