

**Blighted Property Public Hearing**  
**City of Waveland**  
**February 11, 2016**  
**Continued from January 14, 2016**

Mayor Smith called the meeting to order in accordance with Mississippi Code Section 21-19-11, the City of Waveland hereby continues its public hearing regarding the Blighted Property Hearing held January 14, 2016 for blighted properties located in Waveland, Mississippi

**ROLL CALL**

Mayor Smith noted for the record the presence of Aldermen Richardson and Piazza, along with City Clerk Lisa Planchard and Attorney Gary Yarborough.

Absent from the meeting was Alderman Burke, Alderman Lafontaine and City Attorney Rachel Yarborough.

**NOTICE OF SPECIAL MEETING (EXHIBIT A)**

Mr. Yarborough recognized and acknowledged three property continuances and one hearing; he called roll respectively for the following:

**BLIGHTED PROPERTY**

**Re: 518 Turner Street, Ken Huffaker**

Mr. Yarborough said at the last hearing Mr. Bill Carrigee was going to go to Mr. Huffaker's property to check the vehicles. Mr. Carrigee was not able to make it over to the residence since the last meeting (family member had surgery) and is not present tonight. Mr. Huffaker was present and said he had the requested documentation as it relates to the vehicles, "This is the last time I'm coming up here whatever your decision because I came from Tampa, FL. today to be here". Mr. Yarborough told Mr. Huffaker if he could come forward and provide the documentation we can go forward from there. Mr. Huffaker presented the documentation of proof that his vehicles are registered with the State. Mr. Yarborough said that Bill Carrigee will review them; if he has any questions, he'll touch base with you and we'll just continue it. Mr. Huffaker strongly expressed his concerns for the building department's construction permitting rules for making minor repairs to his home. Mr. Yarborough explained that Mr. Carrigee has to review the proposed building repair plan to make sure it's compliant with the City's building code or other Ordinances before we authorize a permit; by Ordinance the City has 60 days to review it. Alderman Richardson agreed that a permit should not be required to change a piece of wood on your house, it's not structural. Mr. Huffaker said, "But if I feel I like if I have to pull a permit

I'm just putting this out here, if I have to pull a permit to replace a piece of siding... all across the United States you don't have to do anywhere... I will go to the Attorney General, I will, I'm not just going to go away quietly. I mean this is ridiculous; there's just you know, it's in my opinion, it's a witch hunt. I asked all my neighbors." The Mayor said that he speaks for the entire Board and this is not a "witch hunt"; he said we do follow the 2012 International Building Code, which just about everyone in the United States follows. Ms. Cullen will speak to Mr. Carrigee.

**6136 Tyler Street – State owned property**

City Attorney Yarborough said that he spoke with the Secretary of State's office, whose property this is; they are working to see if they have money to do this themselves so until we see if the State can take care of this we should not declare it a nuisance.

Alderman Richardson moved, seconded by Alderman Piazza to **TABLE 518 Turner and 6136 Tyler Street** to the Wednesday, March 16, 2016 Board meeting agenda for a final decision on both.

A vote was called for with the following results:

Voting Yea: Richardson, and Piazza,

Voting Nay: None

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Absent: Burke and Lafontaine

**6035 Polk Street – Present for the owner was Mr. Anthony Sides (son of the owner).**

Mrs. Cullen said Mr. Carrigee went to the property with Mr. Sides (see Exhibited letter listing corrections needed); there are 9 points that Mr. Sides has to complete prior to being in flood and building compliance. Mrs. Cullen said she read in the paper about the HRC seeking applicants for home rehab programs and asked Mr. Yarborough if he thought perhaps Mr. Sides would qualify for a Home Recovery Grant. She also gave a brief overview of the family situation and conveyed the concerns of the neighbors. Mr. Yarborough said perhaps the father/family could transfer the property title to Mr. Anthony Sides where he would be the owner, but that would be the family's decision. He recommended the family call this organization before they take any action. Mrs. Cullen said their Department has contacted several outside resources to try and get assistance for Mr. Sides with no luck. Ms. Cullen explained that Mr. Sides has a job with WIC but very limited resources (\$150/week) and not enough to repair this dwelling. She said the neighbors are complaining that Mr. Sides is living there with no electricity, water or sewerage service and this is a public health issue. Mayor Smith noted that Mr. Sides would have to tear out the bottom section of the house to comply with the building flood elevation codes. Mr. Yarborough said we have a hearing now that has been continued under Statute, MS Code Section 21-19-11. He told the Board if they making a finding that this property is a public health hazard or nuisance to the City of Waveland and its residents, you make a factual finding under MS. Code Section 21-19-11 and declare this property a nuisance and public safety hazard and you can authorize work to be done to cure the nuisance.

**Re: Declare 6035 Polk Street a Nuisance and Public Health Hazard to the City of Waveland and its Residents**

Alderman Richardson moved, seconded by Alderman Piazza to make a factual finding that 6035 Polk Street is a nuisance and public health hazard under MS. Code Section 21-19-11 to the City of Waveland and its residents, making that factual finding under Section 21-19-11 and authorize work to be done to cure the nuisance.

During discussion, Mr. Yarborough said the action can be to tear out the first floor to make it flood compliant or you can tear down the whole structure; we would probably need a recommendation from Mr. Carrigee about what would cure it from being a public safety hazard. He reiterated, "What action we would need to take to remedy the nuisance, and we need a recommendation from Mr. Carrigee on that."

A vote was called for with the following results:

Voting Yea: Richardson, and Piazza,

Voting Nay: None

Absent: Burke and Lafontaine

**Re: 111 Mollere, Gentilly Boys, Roy Raspanti**

Ms. Bernie Cullen mentioned a request from City Attorney Rachel Yarborough to start doing an affidavit form for each property; this one is regarding the swimming pool on the property. Mrs. Cullen said she has done everything that legal Counsel has asked her to do. Mrs. Cullen reviewed the history of this issue saying that beginning in 2009 with courtesy letters sent and their answer to anyone is always, "I'm going to rebuild". We have told them that in order to keep your pool and to be in compliance you would have to give us a plan; "They have jacked us around for years". Roy Raspanti called Ms. Cullen all in a "huff" and said, "I'm going to bring in plans because I want to rebuild." Ms. Cullen told him she's heard this many times before; so yesterday he came to the Building Department, Ms. Cullen was not there (she was in a meeting), but he gave Christine Gallagher one set of plans that you can't even read. He wanted the permit right then and there so that he can get his water and everything turned on so he can, presumably,

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clean his pool. She said long story short, they could not issue him a permit because the plans were not complete. She said Mr. Raspanti called her three times today to make sure that she got the letter that he dropped off, (see exhibit) that basically says I've left a check and I've got my plans there. Ms. Cullen said, "Well, he never left a check because they could not accept his plans, so we are right back where we were." Mr. Carrigee has not even had a chance to contact Mr. Raspanti about the plans because he left town after he came to the Building office the other day. Alderman Piazza said that this has been going on long enough; he was going to move that the Board do whatever needs to be done.

Alderman Piazza moved, seconded by Alderman Richardson to declare the property a nuisance to the Public Safety Hazard under Mississippi Code Section 21-19-11 and take any action necessary and authorize, based on the recommendation to be submitted by Mr. Bill Carrigee, to take action necessary to cure the nuisance.

During discussion, Ms. Cullen said the pool is full of stagnant water, but does have a secure fence around it. Ms. Cullen said she would get the recommendation from Mr. Carrigee as to what is necessary to cure the nuisance.

A vote was called for with the following results:

Voting Yea: Richardson, and Piazza,

Voting Nay: None

Absent: Burke and Lafontaine

**ADJOURN**

**Re: Adjourn Meeting at 7:02 p.m.**

Alderman Piazza moved, seconded by Alderman Richardson to adjourn the meeting at 7:02 p.m.

A vote was called for with the following results:

Voting Yea: Richardson, and Piazza,

Voting Nay: None

Absent: Burke and Lafontaine

The foregoing minutes of the Blighted Properties Public Hearing of February 11, 2016 will be presented to Mayor Smith on March 4, 2016.

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Lisa Planchard  
City Clerk

The Minutes of the Blighted Properties Public Hearing of February 11, 2016 have been read and approved by me on this day the 4<sup>th</sup> day of March, 2016.

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Mike Smith  
Mayor