

**Public Hearing
City of Waveland
Blighted Properties
August 4, 2015**

Mayor Smith called the Public Hearing to Order. Present were Mayor Mike Smith, Aldermen Burke, Richardson and Lafontaine, along with City Clerk Lisa Planchard and City Attorney Rachel Yarborough. Alderman Piazza arrived later in the meeting. Mrs. Bernie Cullen, Blighted Properties Clerk, discussed the procedures she has gone through to come to this point of a Public Hearing. Note: Mrs. Cullen stated that as of 3 p.m. today she drove by each of the properties to be discussed this evening and found them to be in the same condition. She noted that this advertisement ran twice, once each week for two consecutive weeks in the Sea Coast Echo and she laminated and posted the notices at each of the properties in violation and took pictures of same.

NOTICE OF PUBLIC HEARING FOR BLIGHTED PROPERTIES (EXHIBIT A)

BLIGHTED PROPERTIES/FIRE DEPARTMENT/WAINWRIGHT STREET

Re: 410 Wainwright Street, Mary C. Allen

Mrs. Yarborough asked if Ms. Allen was the sole owner of the property. Ms. Mary Allen said yes. Ms. Yarborough then asked if there is anyone else on her deed. Ms. Allen said no. Ms. Cullen asked Ms. Allen if there is an RV parked on the property. Ms. Allen said yes and that she notified her father a few days earlier that it had to be moved off the property. Ms. Cullen then reminded Ms. Allen of the pictures she had sent her showing the RV and the trash. Ms. Allen said her son has gone to the property on the last several weekends and started cleaning it up. Mrs. Yarborough asked Ms. Allen if she had received the Notice by Mail. Ms. Allen said no, the neighbors had informed her that the notice was posted on the property. Ms. Allen said she received a letter in the mail recently where she now lives, which made her decide to take action on the property. Mrs. Yarborough asked about Ms. Allen's current address. Ms. Allen said her current address is 6165 E. Lafayette Street, Bay St. Louis, Mississippi. Mrs. Yarborough asked Ms. Allen to identify the photos of her property in question, noting there are 6 photographs in all. Ms. Allen said that she wants to repair the home. Ms. Cullen said she recommends that the structure be evaluated for soundness before the property owner invests money into this structure. Mrs. Yarborough asked Ms. Cullen if she was asking the Board to find that the property is a menace to health and safety as to the state of the property and the RV that sits on the property, but to withhold any finding as to the structure. Mrs. Cullen said yes. Ms. Allen noted health and financial issues that had prevented her from being able to move forward with repairs. She said she could board up the structure, but lawn maintenance will be more tedious. Mayor Smith asked if 30 days was sufficient to get the property cleaned up. Ms. Allen said she would need a little more time than that please. Mrs. Yarborough recommended the Board make a finding that the property is menace to health, safety and welfare of the community and give the property owner 30 days to resolve the problem. She added that after that 30 days expires, there will be no need for further Board action or review.

Re: Directives by Board for the property at 409-A Wainwright Street

Alderman Lafontaine moved, seconded by Alderman Burke to make the finding that the property is a menace to health, safety, and welfare of the community and homeowner must come into compliance and the structure not continue being a menace as it relates to the following conditions.

- Secure structure
- Remove RV and debris out of the yard
- Maintain grass cutting
- Meet with Building Inspector, Bill Carrigee for soundness of structure

If the conditions have not been met in 45 days, i.e. 9/16/15, the City will hire a Contractor to demolish the structure and assess costs to property taxes. (Must be resolved by the September 16, 2015 meeting at which time there will be a Public Hearing on the issue) The Board will decide at the 9/16/15 meeting whether the homeowner has met the directives issued.

A vote was called for with the following results:

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Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

BLIGHTED PROPERTIES/ PARCEL#161F-0-02.354.000

Re: Parcel #161F-0-02.354.000, Conchita Garcia Hartel, Property at the Corner of East & Gordon Streets

Alderman Burke moved, seconded by Alderman Lafontaine to make a finding that the property is a menace to the health, safety and welfare of the safety of the community and the property owner must come into compliance by September 16, 2015 and remove the boat.

During discussion, Ms. Cullen said she heard from Mr. Hartel who said the property is in his deceased mother's name. This is the property with the abandoned boat; Mr. Hartel asked for an extension because he was getting married today and needed additional time to get the boat removed. She said Mr. Hartel told her he would come back and remove the boat from the property; she gave him 30 days to get this done so the boat should be removed by 9/16/15. Ms. Cullen will send him a letter to put Mr. Hartel on notice that he has until 9/16/15 to remove the boat.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

Absent: Piazza

BLIGHTED PROPERTIES/127 LAFITTE DRIVE

Re: 127 Lafitte Drive, Kathleen Jones

Alderman Burke moved, seconded by Alderman Lafontaine to **TABLE** action on the property located at 127 Lafitte Drive until such time as an additional notice can be sent to the owner of record to let them know that the structure/property will be condemned.

Ms. Cullen said this is an abandoned house with overgrown grass; part of the structure is completely open on the side and the property needs to be cleaned up. She recommends that Mr. Carrigee, Building Inspector, go to the property to assess the structural soundness of the house and then she will report back to the Board.

Mrs. Yarborough said the City will need, if the house has been assessed, an affidavit or testimony from Mr. Bill Carrigee to note that it is condemnable or that it's a menace and threat to public safety. Mrs. Yarborough said that as to the structure, the City will have to re-notice in the next batch of blighted properties because they need to be given the opportunity to refute any new evidence that would be proposed. She said the notice letter needs to be clear that the City is considering condemning and removing the structure, not just that your property is a menace. Ms. Yarborough said that if the City condemns, we can't spend more than \$20,000 or the value of the property through the whole process so we would have to follow the state statute as to finding a contractor or seeing if Public Works could tear the structure down; the City can use their own labor and then charge for that labor as the lien or a civil debt, or you can contract that out. If we contract, we would have to get quotes.

A vote was called for with the following results:

Voting Yea: Burke, Richardson and Lafontaine

Voting Nay: None

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Absent: Piazza

BLIGHTED PROPERTIES/555 BROWN AVENUE

Re: 555 Brown Avenue, Deborah Plauche

Alderman Piazza moved, seconded by Alderman Burke to **TABLE** discussion regarding 555 Brown Avenue until September 16, 2015.

Ms. Cullen said that the lot is so overgrown you can't even see the house from the street, but the house looks like it's about to fall down. Mr. Anderson said he does not think we have an affidavit, but it is not re-buildable. The Board's consensus is to handle exactly as the prior property discussed; to get Mr. Carrige to go out the access the property to determine if the structure should be condemned and authorized Ms. Cullen to send notice to the owner of record to let them know that the structure/property will be condemned.

Alderman Lafontaine suggested we start adding the language to all the notices that the City will be requesting an affidavit by the Building Inspector as to the soundness of the structure and that the City will condemn the structure and have it torn down if it is deemed irreparable.

A vote was called for with the following results:

Voting Yea: Burke, Richardson Lafontaine and Piazza

Voting Nay: None

Absent: None

BLIGHTED PROPERTIES/142 GROSVENOR DRIVE

Re: 142 Grosvenor Drive, Gerald Fiorello

Alderman Lafontaine moved, seconded by Alderman Richardson to obtain a Right of Entry and declare the property a menace to the health, safety and well-being of the community and authorize the clean-up by City Personnel; and assess the fine or make the motion contingent on all actual costs associated with the City's cleanup. This will be on the 9/16/15 agenda to approve actual costs assessed. Mr. Anderson will turn in a record of all labor, rates, machinery, equipment, etc... costs in to the City Clerk once it's been cleaned up.

Ms. Cullen said this is the overgrown lot that has become a dump site with 2 sofas. She only has one address for the owner of record that she's been sending notices to. She said she is requesting to have the sofas removed and the dump site cleaned up. Ms. Yarborough said, "Just to clarify, this property's advalorem tax notice goes to the same address that the property is located?" Ms. Cullen said yes. Ms. Yarborough said this would be a right of entry and the City could clean this.

A vote was called for with the following results:

Voting Yea: Burke, Richardson Lafontaine and Piazza

Voting Nay: None

Absent: None

CLOSE BLIGHTED PROPERTIES PUBLIC HEARING /ADJOURN

Re: Close Public Hearing at 6:43 p.m.

Alderman Lafontaine moved, seconded by Alderman Burke to adjourn the Blighted Properties Public Hearing/Special Meeting.

A vote was called for with the following results:

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Voting Yea: Burke, Richardson, Lafontaine and Piazza

Voting Nay: None

Absent: None

The foregoing minutes of the Blighted Properties Public Hearing of August 4, 2015 will be presented to Mayor Smith on September 4, 2015.

Lisa Planchard
City Clerk

The Minutes of the Blighted Properties Public Hearing of August 4, 2015 have been read and approved by me on this day the 4th day of August 2015.

Mike Smith
Mayor

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