

**PUBLIC HEARING
CITY COUNCIL OF THE CITY OF NASHVILLE
COUNTY OF BERRIEN
AUGUST 9, 2021
5:30 p.m.**

ROLL CALL: Mayor Pro-tem John Clayton, Scott Stalnaker, Billy Retterbush, Walt Steward, Antonio Carter (late), Eric Gaither (late)

STAFF PRESENT: Loren Williams, Peter Schultz, Jackie Jordan, Nancy Pesce, Chief Edwards, Mitchell Moore

The purpose of the Public Hearing is regarding the properties located at 102 Ann Street and 309 West Avera Avenue as Unsafe Buildings {City Code Article VI Section 5-86} and Public Nuisances {City Code Section 5-87}.

102 Ann Street:

There was no one present regarding ownership or other interest in the property located at 102 Ann Street. Code Enforcement Officer Loren Williams presented pictures and a property inspection report of the property. Walter Lyas is the owner of the real estate. Patricia Williams is the owner of the mobile home situated on the property. Initial inspection of the property revealed violation of several building codes noted above including overgrown vegetation, partial walls or lack of wall structure of the mobile home and no electrical, water, gas or sanitation services. CEO Williams testified proper notifications were mailed or served in accordance with legal requirements which included serving Walter Lyas personally since he lives within the City limits and mailing certified mail with return receipt to Patricia Williams since she does not live within the City limits. Any and all lienholders or creditors were properly notified as well. CEO Williams explained the property owners have been diligently working evenings and weekends on tearing down the structure of which only the frame of the mobile home remains. CEO Williams explained she is satisfied with the efforts being made and suggests allowing them more time to continue clearing the debris from the lot.

309 West Avera Avenue:

There were no heirs at law Eugene Jackson regarding the legal ownership of this property located at 309 West Avera Avenue. Ray Holley was present regarding his vested interest in this property. Code Enforcement Officer Loren Williams explained the property is titled in the name of Eugene and Marilyn Jackson. Eugene Jackson is deceased and Marilyn Jackson is the legal land owner. Heirs at law include Marilyn Jackson, Allen Eugene Jackson and Candy Marie Sturdivant. The front portion of the property has situated thereon a wooden structure, red in color, formerly used as a beauty shop. The rear portion of the property contains a structure formerly used as a residence. CEO Williams presented pictures and a property inspection report of the property. Initial inspection of the property asserts violation of several building codes noted above including overgrown vegetation and no electrical, water, gas or sanitation services. The

report also describes the building located on the front portion as partially collapsed with severe structural and roof damage making it an imminent danger while the building located on the rear portion may be able to be rehabilitated. CEO Williams testified Mr. Ray Holley resides on the neighboring property and had a verbal agreement with the deceased Eugene Jackson that the property at 309 West Avera Avenue would be deeded to Mr. Holley but there has not been previously provided any written documentation to substantiate he had any legally enforceable interest or claim to the property. However, Mr. Holly submitted at hearing written Agreement signed by Mr. Holley and Marilyn Jackson confirming Mr. Holly had paid for land and house at 309 West Avera Avenue. CEO Williams also explained conversations with Mr. Jackson's widow and the legal heirs confirmed they wish to uphold the agreement and wishes of the late Mr. Jackson for Mr. Holley to have the property. Additionally, she confirmed Mr. Holley does want the property and has already pushed over the partially collapsed structure and once legal transfer of the property has been executed, he plans to rehabilitate the former residence on the rear of the property to be used as a shop and clear off the remaining structure and debris. CEO Williams explained the building needs to be deemed unsafe and a deadline date determined to allow the legal transfer to Mr. Holley to occur and then the rehabilitation and debris clearing by Mr. Holley as described here. CEO Williams explained proper notifications were mailed by certified mail and publication or served in accordance with legal requirements included personally serving Candy Sturdivant by hand delivery to her husband, Winston Sturdivant, at their residence located within the City limits and using certified mail with return receipt to Marilyn Jackson and Allen Eugene Jackson since they do not live within the City limits.

Any necessary action will be taken in the Council meeting which follows the Public Hearing.

ADJOURNMENT

The meeting adjourned at 6:00 p.m.

Mayor Pro-tem John Clayton

Alderman Scott Stalnaker

Alderman Antonio Carter

Alderman Billy Retterbush

Alderman Walter Steward

Alderman Eric Gaither

ATTEST:

Jackie Jordan, City Clerk