

**RECESSED REGULAR MEETING OF THE CITY COUNCIL
MONDAY, AUGUST 13, 2018 AT 5:00 P. M.
CITY HALL, PASCAGOULA, MISSISSIPPI**

The City Council of the City of Pascagoula, Mississippi, met at City Hall in a recessed regular meeting on Monday, August 13, 2018, at 5:00 p.m. Mayor Pro Tem Burrow called the meeting to order with the following officials present:

Mayor Dane Maxwell was absent.
Councilwoman Jennifer Colmer
Councilman Willie C. Jones
Councilman George Wolverton
Councilman Stephen Burrow
Councilman Matt Parker
Councilman Scott Tipton

City Attorney/City Manager Ryan A. Frederic
Assistant City Manager Frank Corder
City Clerk Karen Kennedy

Mayor Pro Tem Burrow welcomed everyone to the meeting. The invocation was given by Councilwoman Colmer. The pledge of allegiance was led by Councilman Burrow.

FY 2019 Proposed Budget Presentation:

Frank Corder, Assistant City Manager, facilitated the FY19 budget workshop followed by a question and answer session with the City Council and City staff.

Councilman Burrow made a motion to terminate or modify the facilities cleaning services contract with Fred's Janitorial to exclude all city facilities except the Senior Center, Andrew Johnson Recreation Center and Parks Recreation Center, effective September 14, 2018. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE".

EXECUTIVE SESSION:

Councilman Parker made a motion to enter a closed session to determine whether or not to declare an executive session. The motion was seconded by Councilwoman Colmer and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE".

Councilman Tipton made a motion to go into executive session for the purpose of discussing litigation regarding Tucker Street ballfield expansion. The motion was seconded by Councilman Burrow, and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE". Assistant City Manager Frank Corder announced to the public and those in attendance that the Council had voted to go into executive session for the purpose stated above. The Council then began the executive session.

Councilman Tipton made a motion to close the executive session and return to open session. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE".

No formal action was taken in executive session.

Councilman Wolverton made a motion to amend the agenda to add a Resolution authorizing settlement of the lawsuit of City of Pascagoula, Jackson County, MS vs. Zena R. Scott. The motion was seconded by Councilman Jones and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE".

The Resolution is spread on the minutes as follows:

**RESOLUTION OF THE CITY COUNCIL OF PASCAGOULA, MISSISSIPPI
AUTHORIZING SETTLEMENT OF THE LAWSUIT OF CITY OF PASCAGOULA,
JACKSON COUNTY, MS VS. ZENA R. SCOTT**

WHEREAS, on April 3, 2018, the City Council of Pascagoula, Mississippi authorized the filing of an eminent domain proceeding against Zena R. Scott; and

WHEREAS, on May 15, 2018, a Complaint for Special Court of Eminent Domain was filed in the Special Court of Eminent Domain Jackson County, Mississippi, styled *City of Pascagoula, Jackson County, MS vs. Zena R. Scott; and ANY AND ALL PERSONS claiming any interest in, Lots 5 and 6, Block G of Liberty Addition Annex S/D, Jackson County, MS* No. 2018-20,637; and

WHEREAS, on or about August 8, 2018, Zena R. Scott accepted the City of Pascagoula's offer of \$24,950.00 as settlement of the lawsuit; and

WHEREAS, the City Council of Pascagoula has authority pursuant to Miss. Code Ann. §25-1-47, to compromise claims; and

WHEREAS, after consideration, the City Council has determined that it is in the best interest of the City to settle this lawsuit; and

WHEREAS, upon the payment of \$24,950.00 to Zena R. Scott, a Judgment of Dismissal will be entered as to this lawsuit.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1: That the City Council of Pascagoula, Mississippi, hereby approves payment of \$53,000.00 as settlement of this lawsuit and directs the City Comptroller to issue a warrant for settlement upon request of City Manager/City Attorney.

SECTION 2: That upon payment of \$53,000.00 to Zena R. Scott, a Judgment of Dismissal will be entered in the lawsuit styled, *City of Pascagoula, Jackson County, MS vs. Zena R. Scott; and ANY AND ALL PERSONS claiming any interest in, Lots 5 and 6, Block G of Liberty Addition Annex S/D, Jackson County, MS* No. 2018-20,637.

The motion to approve the foregoing resolution was made by Parker and seconded by Jones, and the following vote was recorded:

Mayor Dane Maxwell	Absent
Councilman Jones	Aye
Councilman Wolverton	Aye
Councilman Burrow	Aye
Councilman Parker	Aye
Councilman Tipton	Aye
Councilman Colmer	Aye

RESOLVED, this the 13th day of August, 2018.

ATTEST:

Karen Kennedy
City Clerk

CITY COUNCIL

Paul Burrow
Mayor Pro Tem

There being no further business to come before the Council tonight, Councilman Wolverton made a motion to recess until Wednesday, August 15, 2018, at 5:00 p.m. The motion was seconded by Councilman Burrow and received the following vote: Mayor Maxwell "ABSENT", Councilmen Colmer "AYE", Jones "AYE", Wolverton "AYE", Burrow "AYE", Parker "AYE", and Tipton "AYE".

The meeting ended at 6:36 p.m.

APPROVED:

/s/ Dane Maxwell
Dane Maxwell, Mayor

ATTEST:

/s/ Karen Kennedy
Karen Kennedy, City Clerk