

**RECESSED REGULAR MEETING OF THE CITY COUNCIL  
TUESDAY, MAY 17, 2011, AT 6:00 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 Tuesday, May 17, 2011, at 6:00 p.m. Mayor Maxwell called the meeting to order with the following officials present:

Mayor Robert H. Maxwell  
Councilman Joe Abston  
Councilman Frank Corder  
Councilman Jim Milstead  
Councilman Robert Stallworth, Sr.  
Councilman Harold Tillman, Jr.  
Councilman George L. Wolverton, Sr.

City Manager Joe Huffman  
City Attorney Eddie Williams  
Asst. City Clerk Brenda Reed  
City Clerk/Comptroller Robert J. Parker

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Mayor Maxwell welcomed everyone to the meeting. Councilman Milstead then gave the invocation and the pledge of allegiance was recited before the commencing of business.

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Leta Ferrington addressed the Council about a property cleanup matter at 1002 14<sup>th</sup> Street. Ms. Ferrington advised she did not understand that she should have been present at the last Council meeting on this matter. The Council adopted the Resolution on May 3, 2011, to clean the property. Ms. Ferrington apologized and requested that the Council reverse its decision so work can be done on the house. Steve Mitchell, Operations Manager, suggested that the Council continue the case and Code Enforcement can monitor the progress of the work when permits are issued.

After discussion, Councilman Corder made a motion to authorize the Code Enforcement Department to issue the necessary permits for work to be performed at 1002 14<sup>th</sup> Street as requested. The motion was seconded by Councilman Tillman and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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Taylor Tingle, Pascagoula's Distinguished Young Woman of 2012, addressed the Council regarding advertising the resources of the City of Pascagoula through a sponsorship in the state program. The program will be held in Meridian on July 23, 2011. The Council extended congratulations and best wishes to Taylor in the state program.

Councilman Wolverton made a motion to approve a \$250.00 sponsorship in the state Distinguished Young Woman Program for Taylor Tingle as requested. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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The next item was a property cleanup hearing for 2009 Beach Blvd. which was continued from the Council meeting of April 5, 2011. Attorney Mike Whitehead was in attendance to represent Anna Belle Cumbest, property owner. He submitted photos for the record and advised the items have been removed from the top of the slab. Ms. Cumbest is in the process of ordering "No Trespassing Signs" to place on the property. Councilman Milstead commented that he felt much progress has been made on the property. Other members of the Council also made comments.

After discussion, the Council then considered the following Resolution:

**RESOLUTION**

**WHEREAS**, by order dated March 1, 2011, this Council authorized giving notice to the owner of the parcel of land listed in Exhibit A of a hearing before this Council at 6:00 P.M., April 5, 2011, to determine whether the parcel listed is in such a state of uncleanliness as to be a menace to the public health and safety of the community; and

**WHEREAS**, notice of the hearing has been given in the manner and time required by law; and

**WHEREAS**, this matter was continued at the April 5, 2011, meeting until May 17, 2011; and

**WHEREAS**, the Council has received evidence from the staff of the City as to the condition of the parcel listed and the owner has been given an opportunity to be heard; and

**WHEREAS**, we find that the parcel of land listed in the exhibit is in such a state of uncleanliness as to be a menace to the public health and safety of this community:

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That the parcel of land listed in Exhibit A is hereby found and determined to be in such a state of uncleanliness as to be a menace to the public health and safety of the community.

**SECTION 2.** That, if the parcel is not cleaned by the owner within seven days of this date, the City Manager, by use of City personnel or a private contractor, shall have the parcel cleaned by removing any dilapidated buildings thereon, removing any standing water, by cutting any excess vegetation thereon, and by removing rubbish and debris. Thereafter, this Council shall adjudicate the actual cost of cleaning the parcel and such costs shall be an assessment against said parcel.

**EXHIBIT A**

<b><u>Tax Parcel Number and Property Address</u></b>	<b><u>Owner(s) and Mailing Address</u></b>	<b><u>Described at the following Jackson County, MS, Deed Books and Pages</u></b>
40410062.000 2009 Beach	Anna Belle Cumbest 2009 Beach Blvd. Pascagoula, MS 39567	Deed Book 738, Page 121

The above Resolution was introduced by Councilman Corder, seconded for adoption by Councilman Wolverton, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "NAY", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". The Mayor then declared the Resolution adopted on the 17<sup>th</sup> day of May, 2011.

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Minutes of the Planning Board meeting held on May 11, 2011, are spread on the minutes as follows:

**REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD  
WEDNESDAY, MAY 11, 2011, AT 6:00 PM  
CITY OF PASCAGOULA, MISSISSIPPI**

The Planning Board of the City of Pascagoula, Mississippi, met at City Hall in a regular meeting on Wednesday, May 11, 2011, at 6:00 P. M.

**The following official(s) were present:**

Wesley Smith (Chairman)  
Joseph Odom  
Etienne Melcher  
Stephen Parker (Vice-Chairman)  
Charles Busby  
Linda Tillman

**Official(s) not present:**

Mike Gilly  
Karen Joplin

**Other Officials present:**

Eddie Williams, City Attorney  
Brian Nelson, Director of Planning  
Angelia Kimbrough, Administrative Assistant

**1. Tube Mac Services**

**5201 Orchard Rd.** The property is zoned Single-Family Residential 6. The request is for a variance to construct a 30' x 100' metal storage building with a 6' rear yard setback of the required 15' in an SFR 6 zone.

Jack Waters with Tube Mac Services was present to explain the application. Staff's recommendation is to **"APPROVE"** with the condition that the storage facility be constructed to the satisfaction of the Building Official. Mr. Waters stated that the building would be used for storage only and that access for large trucks would be limited if the storage building was constructed within the setback requirements. After hearing Mr. Water's request, and there being no protest, a motion was made by Etienne Melcher to **"APPROVE"** the application. The motion was seconded by Charles Busby and the vote thereupon was as follows: Linda Tillman **"AYE"**, Wesley Smith **"AYE"**, Charles Busby **"AYE"**, Joseph Odom **"AYE"**, Etienne Melcher **"AYE"**, Stephen Parker **"AYE"**.

The application will go to the City Council with the recommendation to **"APPROVE"**.

**COUNCIL ACTION:**

Councilman Corder made a motion to **"APPROVE"** the request of Tube Mac Services as recommended by the Planning Board. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell **"AYE"**. Councilmen Abston **"AYE"**, Corder **"AYE"**, Milstead **"AYE"**, Stallworth **"AYE"**, Tillman **"AYE"**, and Wolverton **"AYE"**. (Approved 5-17-11)

**2. McDonald's**

**3227 Denny Ave.** The property is zoned Regional Commercial. The request is for a variance to add (1) additional wall sign and (2) **"M"** logos to exterior of building for the new McDonald's.

Lonnie Trautman with Young Signs Company was present to explain the application. Staff's recommendation is to **"APPROVE"**. The proposed signs are consistent with previous signage allowed at this location. After hearing Mr. Trautman's request, and there being no protest, a motion was made by Joseph Odom to **"APPROVE"** the application. The motion was seconded by Steven Parker and the vote thereupon was as follows: Linda Tillman **"AYE"**, Wesley Smith **"AYE"**, Charles Busby **"AYE"**, Joseph Odom **"AYE"**, Etienne Melcher **"AYE"**, Stephen Parker **"AYE"**.

The application will go to the City Council with the recommendation to “**APPROVE**”.

**COUNCIL ACTION:**

Councilman Corder made a motion to “APPROVE” the request of McDonald’s as recommended by the Planning Board. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

**3. Built Rite Signs**

**3503 Denny Ave.** The property is zoned Regional Commercial. The request is for a 16’ square foot variance of the allowed 65 sq. ft. to increase the sign area of the existing wall sign for Citi-Trends to 81 sq. ft. to help maximize the visibility of the sign.

Danny Summers with Built Rite Signs was present to explain the application. Staff’s recommendation is to “**APPROVE**”. The distance of the sign from the Highway 90 thoroughfare could make identification of the business difficult. The increase in square footage of the sign is an effort to remedy the lack of visibility. After hearing Mr. Summer’s request, and there being no protest, a motion was made by Joseph Odom to “APPROVE” the application. The motion was seconded by Etienne Melcher and the vote thereupon was as follows: Linda Tillman “AYE”, Wesley Smith “AYE”, Charles Busby “AYE”, Joseph Odom “AYE”, Etienne Melcher “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**”.

**COUNCIL ACTION:**

Councilman Corder made a motion to “APPROVE” the request of Built Rite Signs as recommended by the Planning Board. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

**4. Complete Signs LLC**

**4301 Denny Ave.** The request is for a variance to add (2) additional wall signs illuminated (2) Non-illuminated painted murals for the new Raising Canes. The request is also for an additional 24 sq. ft. of signage for a freestanding sign for adequate visibility. The allotted sign area based on building frontage is 60 sq. ft.; the request is for 84 sq. ft.

Brian Lumbatis with Complete Signs was present to explain the application. Staff’s recommendation is to “**APPROVE**”. The proposed signs are integrated into the design of the building. The design and layout of the signs are to reflect the atmosphere of the business. After hearing Mr. Lumbatis’ request, and there being no protest, a motion was made by Charles Busby to “APPROVE” the application. The motion was seconded by Linda Tillman and the vote thereupon was as follows: Linda Tillman “AYE” Wesley Smith “AYE”, Charles Busby “AYE”, Joseph Odom “AYE”, Etienne Melcher “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**”.

**COUNCIL ACTION:**

Councilman Corder made a motion to “APPROVE” the request of Complete Signs, LLC, as recommended by the Planning Board. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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**The following consent agenda items were considered.**

The first item for consideration was the minutes of the regular Council meeting held on May 3, 2011, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Stallworth made a motion to approve and adopt the minutes of the regular Council meeting of May 3, 2011, as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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The next item for consideration was a request to advertise the resources of the City of Pascagoula through the 2011 Home of Grace Golf Classic for \$250.00 as a Silver Sponsor as recommended by Eddie Williams, City Attorney. The event will be held on June 4, 2011. The City is given legal authority to provide support to this group by Section 21-17-1, a non-profit corporation.

Councilman Stallworth made a motion to approve advertising the resources of the City of Pascagoula through the 2011 Home of Grace Golf Classic for \$250.00 as a Silver Sponsor as recommended and authorize a manual check. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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The next item for consideration was a request to advertise for bids for C900 water pipe (Annual Bid # 308) as recommended by Amy Thompson, Purchasing Agent.

Councilman Stallworth made a motion to authorize the City Clerk to advertise for bids for C900 water pipe (Annual Bid #308) as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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The next item for consideration was a request to advertise for Request for Proposals for citywide demolition as recommended by Steve Mitchell, Operations Manager.

Councilman Stallworth made a motion to authorize the City Clerk to advertise for Request for Proposals as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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The next item for consideration was Budget Amendment # 11.62 in the General Fund for vehicle maintenance at the Police Department as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula  
Budget Amendment # 11.62  
May 17, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
-	-	-	-

<b>Revenues:</b>			
-			
- <b>Miscellaneous:</b>			
- <b>Insurance Proceeds</b>	<b>4,850</b>	<b>800</b>	<b>5,650</b>
<b>Total Revenues</b>	<b>4,850</b>	<b>800</b>	<b>5,650</b>
-	-		-
-	-		-
<b>Expenditures:</b>			
-			
- <b>Police Administration</b>			
- <b>Other Services &amp; Charges:</b>			
- <b>Auto Maint. Services</b>	<b>59,850</b>	<b>800</b>	<b>60,650</b>
-			
-			
<b>Total Expenditures</b>	<b>59,850</b>	<b>800</b>	<b>60,650</b>
<b>Net Change in Fund Balance</b>		-	
<b>To amend budget to provide authority for the repair of damages, resulting from an accident, to unit # 14143 and the related insurance proceeds.</b>			

Councilman Stallworth made a motion to approve the above budget amendment as presented and recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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The next item for consideration was a letter of endorsement for community magnets with Universal Adcom, Arlington, TX, as recommended by the City Manager. The City will receive free magnets on a quarterly basis in the next 12 months to place in our buildings for the public. There is no charge to the City.

Councilman Stallworth made a motion authorize the City Manager to execute the letter of endorsement for community magnets with Universal Adcom as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

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The next item for consideration was a request to advertise for bids for backflow preventers (Annual Bid # 309) as recommended by Steve Mitchell, Operations Manager.

Councilman Stallworth made a motion to authorize the City Clerk to advertise for bids for backflow preventers (Annual Bid #309) as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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The next item for consideration was a list of quotes for additional and/or new property and flood insurance to meet FEMA requirements through Ross-King-Walker Insurance and

LMS, Inc. as recommended by Jeane Bull, Assistant Comptroller. The premiums total \$10,438.64 for additional coverage of \$2,218,800.00. The list of quotes is spread on the minutes as follows:

City of Pascagoula  
Insurance Requirements

1. **Pascagoula Rec Center**: Additional premium to increase flood contents coverage to \$85,725 is \$55.00.
2. **Beach Park Restrooms & Concessions**: Flood quote based on \$500,000 building limit, \$5,000 contents; \$ 1,000 deductibles: \$6,570.00
3. **Anola Club**: \$7.00 additional premium to increase flood building limit to \$37,500.
4. **16 Cottages**: flood premium per cottage based on 45,000 building coverage \$123.00 X 16 = \$1,968.
5. **Police Training Facility**: \$1,000,000 Building Limit; \$10,000 Contents Limit; \$500,000 Excess Flood Building Coverage: Total additional premium \$766.24. Increase existing flood insurance to \$500,000 building maximum, \$32,300 contents for \$1,044.
6. **12<sup>th</sup> Rec Center**: Additional premium to increase wind building limit to \$48,275 for \$28.40

Councilman Stallworth made a motion to approve the quotes for additional and/or new property and flood insurance to meet FEMA requirements through Ross-King-Walker and LMS, Inc. as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

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The next item for consideration was a request to advertise for bids for the Cisco equipment to implement the downtown Wi-Fi network as recommended by Stephen Newell, MIS Director.

Councilman Stallworth made a motion to authorize the City Clerk to advertise for bids for Cisco equipment necessary to implement a downtown Wi-Fi network as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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Minutes of the Historic Preservation Commission meeting of April 27, 2011 were acknowledged by the City Council.

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Minutes of the Recreation Commission meeting of May 4, 2011, were acknowledged by the City Council.

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The next item for consideration was a request to allow residents to place small signs to promote "Blues at the Beach" in their yards or in front of businesses as recommended by Harry Schmidt, Community & Economic Development Director. Signs would be placed the week of the event each month throughout the summer.

Councilman Stallworth made a motion to authorize event signs for “Blues by the Beach” to be placed more than twice per calendar year in residential yards or in front of businesses as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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The next items for consideration were grant extensions for three MDA construction projects as recommended by Jaci Turner, Program Manager. This will allow construction to continue within the period of the grant. No adjustment is made to the funds. The three projects are as follows:

Contract No. R-103-290-02-KCR – Grant No. R-103-290-02-KCR – extension date to 12/20/11  
Contract No. R-109-290-03-KCR – Grant No. R-109-290-03-KCR – extension date to 12/15/11  
Contract No. R-109-290-03-KCR – Grant No. R-109-290-03-KCR – extension date to 12/15/11

Councilman Stallworth made a motion to approve the grant extensions for three MDA construction projects as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

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The next item for consideration was a request for a one-year extension of the Miscellaneous Services Contract with Compton Engineering, Inc., Pascagoula, MS, as recommended by Jaci Turner, Program Manager. The City Manager advised the stimulus requirements also need to be added to the contract, and we will request Compton Engineering to revise the extension to include this in the renewal document.

Councilman Stallworth made a motion to approve a one-year extension of the Miscellaneous Services Contract with Compton Engineering, Inc. as recommended, with the amendment to include the stimulus requirements and authorize the City Manager to execute the related document after review by the City Attorney. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

Renewal Number 1 to the Agreement for Professional Services is spread on the minutes as follows:

**RENEWAL NUMBER 1 TO  
AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN  
CITY OF PASCAGOULA AND COMPTON ENGINEERING, INC.**

**THIS IS A RENEWAL** made on \_\_\_\_\_ **TO THE AGREEMENT** made on May 19, 2010, between the **CITY OF PASCAGOULA**, P. O. Drawer 908, Pascagoula, Mississippi, 39568-0908 (**OWNER**), and **COMPTON ENGINEERING, INC.**, P. O. Box 686, 1706 Convent Avenue, Pascagoula, Mississippi, 39568 (**ENGINEER**).

This **RENEWAL** is in accordance with **ARTICLE VII - CHANGES, AMENDMENTS** of the aforementioned agreement. **OWNER** intends to utilize **ENGINEER** for services as extended in **ARTICLE III** and hourly rates as amended in **EXHIBIT 2** below:

**ARTICLE III - PERIOD OF SERVICES**

1. The period of services shall be from May 20, 2011 to May 19, 2012.

**EXHIBIT 2  
COMPTON ENGINEERING, INC.  
CHARGE RATES 2011**

<u>Labor Classification</u>	<u>Hourly Rate</u>
Engineer Principal .....	\$ 145.00
Senior Project Engineer .....	\$ 125.00
Project Engineer .....	\$ 105.00
Geologist (P.G.) .....	\$ 94.00
Engineer II (P.E.) .....	\$ 94.00
Engineer I (E.I.) .....	\$ 78.00
Architect Intern .....	\$ 78.00
Senior Project Manager .....	\$ 105.00
Project Manager .....	\$ 89.00
Environmental Specialist .....	\$ 94.00
Senior Engineering Assistant .....	\$ 84.00
Engineering Assistant .....	\$ 68.00
Senior Design Technician .....	\$ 78.00
Design Technician .....	\$ 68.00
Resident Project Representative Manager .....	\$ 75.00
Resident Project Representative .....	\$ 65.00
Business Manager .....	\$ 90.00
Specification Writer .....	\$ 65.00
Administrative Assistant .....	\$ 50.00
Clerical .....	\$ 35.00
Professional Land Surveyor .....	\$ 95.00
Senior Survey Technician .....	\$ 70.00
Survey Technician .....	\$ 60.00
Survey Crewman .....	\$ 42.00
Two-Man Survey Crew .....	\$ 115.00
Three-Man Survey Crew .....	\$ 135.00
GPS Survey Crew .....	\$ 155.00
Subcontractors and Project Specific Expenses (With prior approval from Owner)	Cost + 10%

**ARTICLE VIII - MISCELLANEOUS** has been amended as follows to add a line item immediately following Line Item 6 to incorporate the Terms and Conditions for the American Recovery and Reinvestment Act ("ARRA") as they apply to professional services,

7. If any part of this **AGREEMENT** is funded pursuant to the American Recovery and Reinvestment Act ("ARRA"), then **ENGINEER** shall provide services and include applicable conditions to the construction contract documents in accordance with Terms and Conditions in **EXHIBIT 3**.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this **Renewal** as of the day and year first written above.

**OWNER:  
CITY OF PASCAGOULA, MS**



<b>Net Change in Fund Balance</b>		-	
<b>To amend budget to provide for expenditure authority for the 2011 MDOT Urban Youth Corps Grant approved by the Council on April 19, 2011</b>			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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Financial reports for the month of April 2011 were filed by the City Clerk and acknowledged by the Council.

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Next for consideration was a request by First Premier Corp d/b/a Charter Bank for a Central Business District ad valorem tax exemption as presented by Eddie Williams, City Attorney. The application is spread on the minutes as follows:

**APPLICATION OF FIRST PREMIER CORP D/B/A CHARTER BANK FOR EXEMPTION FROM AD VALOREM TAXES FOR A PERIOD OF TEN (10) YEARS AS AUTHORIZED BY SECTION 27-31-31, MISSISSIPPI CODE OF 1972, AS AMENDED TO THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI:**

First Premier Corp d/b/a Charter Bank ("Applicant") files this Application for exemption from ad valorem taxation, and respectfully represents as follows:

1. The Applicant is now operating a banking business on property owned by it, as described in Deed Book 1512, Page 118, and Deed Book 1514, Page 45, located at 1519 Jackson Avenue, and having tax parcel numbers 41411149.000, 41411150.000, 41411151.000 and 41411151.050, within the Central Business District as established by the City Council pursuant to Section 27-31-31, Mississippi Code of 1972, and is eligible for the exemption provided by the above mentioned section.
2. The construction of new structures or improvements to or renovations of existing structures on the parcels were completed on Jun 9, 2010; therefore, the exemption hereby requested should commence on January 1, 2011.
3. That the true value of the building to be exempted, which was constructed on the land, is \$2,293,000.

WHEREFORE, Applicant prays that this Council enter a finding that Applicant's building referred to in this application is new construction and the same was completed on June 9, 2010; and

That Applicant be granted an exemption from ad valorem taxation, except Pascagoula Municipal Separate School district ad valorem taxes, for a period of ten (10) years beginning on January 1, 2011, upon the building constructed on the above parcel of land; and

That this Council approves this Application by an order spread upon its minutes, declaring that such building shall be exempt from ad valorem taxation, except for Pascagoula Municipal Separate School District ad valorem taxes, for a period of ten (10) years beginning January 1, 2011.

First Premier Corp d/b/a Charter Bank

By: Pam Lindsey, EVP Charter Bank

The Order is spread on the minutes as follows:

**ORDER APPROVING APPLICATION OF FIRST PREMIER CORP D/B/A  
CHARTER BANK FOR AD VALOREM TAX EXEMPTION ON A  
PARCEL OF LAND IN THE CENTRAL BUSINESS DISTRICT  
LOCATED AT 1519 JACKSON AVENUE**

**WHEREAS**, First Premier Corp d/b/a Charter Bank (“Applicant”) owns a parcel of land as described at Deed Book 1512, Page 118, and Deed Book 1514, Page 45, which is located at 1519 Jackson Avenue and bears tax parcel numbers 41411149.000, 41411150.000, 41411151.000, and 41411151.050; and

**WHEREAS**, the parcel is situated within the Central Business District as established by the City Council pursuant to Section 27-31-31, Mississippi Code of 1972; and

**WHEREAS**, Applicant has constructed a building on the parcel, which was completed on June 9, 2010; and

**WHEREAS**, Applicant originally filed an application for ad valorem tax exemption on the building in November, 2010, which was within twelve months of the completion of the building; and

**WHEREAS**, the true value of the building is estimated to be \$2,293,000; and

**WHEREAS**, the building qualifies for the ad valorem tax exemption provided for in Section 27-31-31;

**NOW, THEREFORE, IT IS ORDERED** that Applicant is hereby granted an exemption from ad valorem taxation pursuant to said Section 27-31-31 for a period of ten (10) years beginning January 1, 2011, and expiring January 1, 2021, upon its building, except for Pascagoula Municipal Separate School District ad valorem taxes.

**IT IS FURTHER ORDERED** that the City Clerk shall file the application and this order in a book kept in her office for that purpose and that a copy of the application and this order be

filed with the Chairman of the State Tax Commission, the State Auditor of Public Accounts, and the Jackson County Tax Assessor.

The above Order was introduced by Councilman Corder, seconded for adoption by Councilman Wolverton, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". The Mayor then declared the Order adopted on the 17<sup>th</sup> day of May, 2011.

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(Mayor Maxwell left the meeting at 6:20 p.m.)

\*\*\*\*\*

Next for consideration were bids for the City's bank depository for 2011-2012 which were received on April 5, 2011, and presented by Bobby Parker, City Clerk/Comptroller. Bids were received from the following banks:

Charter Bank  
First Federal  
The First, ANBA  
Hancock Bank  
Merchants and Marine Bank

After careful review and a tabulation of the bids which were received, Mr. Parker recommended The First, A National Banking Association (ANBA), as the sole bank depository for 2011-2012. He advised all of the institutions are highly qualified and meet all of the City's requirements. The interest rate and the rate offered by The First, ANBA, is more than twice the rate offered by the next highest responder. He advised the cost of transition will be minimal and is a non-factor. The only other factor is that the higher interest rate being offered by The First, ANBA, is predicated on the basis that they will be the sole depository.

Councilman Corder made a motion to approve The First, A National Banking Association (ANBA), as the sole bank depository for 2011-2012 as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

\*\*\*\*\*

(Mayor Maxwell returned to the meeting at 6:23 p.m.)

\*\*\*\*\*

A discussion was held at this time regarding the need for placement of a 12 inch water line on Live Oak Avenue from Pascagoula Street to Market Street. Steve Mitchell, Operations Manager, advised there will soon be new developments in Pascagoula on Highway 90 with the rebuilding of Greater Antioch Missionary Baptist Church and plans by Hancock Bank to move into the vacant Jim Robinson auto dealership building. Mr. Mitchell and Fire Chief Robert O'Sullivan recommended the 12 inch water line as presented. Mr. Mitchell stated the estimated cost is \$244,500.00, and he plans to use our in-house utility contractors to do the work. Funding and budget amendments were addressed.

After discussion, Councilman Stallworth made a motion to approve the proposed 12 inch water line project on Live Oak Avenue from Pascagoula Street to Market Street as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

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Joel Brewer, Utility Partners supervisor, presented the Council with the UP Report for May 2011 for review by the Council.

\*\*\*\*\*

Jaci Turner, Program Manager, provided the Council with an update on the Pascagoula Street paving project. The two parts are (1) Beach Blvd. to Ingalls Avenue and (2) Ingalls Avenue to Highway 90. She advised the CSX permit is the biggest problem right now and it is delaying other areas of the project. Various options were discussed on ways to assist with the dust problems, including a temporary asphalt paving. The remobilization cost would be \$6,500.00.

After discussion, Councilman Corder made a motion to approve \$9,500.00, at the discretion of the City Manager, for work on Pascagoula Street as presented. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

\*\*\*\*\*

The next item for consideration was the Order for the docket of claims as follows:

**ORDER**

**WHEREAS**, the attached docket of claims for the period of April 29, 2011, through May 13, 2011, has been presented to the City Council for allowance and approval; and

**WHEREAS**, the below claim numbers 04-01-01, 04-15-02, 04-29-03 and 04-04 have also been presented to the City Council for allowance and approval:

<u>April 1, 2011</u>		<u>Claim # 04-01-01</u>
010	General Fund	\$ 421,027.19
180	Code Enforcement Grant	5,402.98
400	Pascagoula Utilities	26,473.75
475	Transfer Station	11,128.00
480	Solid Waste Mgmt.	<u>555.89</u>
	Total	<u>\$ 464,587.81</u>

<u>April 15, 2011</u>		<u>Claim # 04-15-02</u>
010	General Fund	\$ 422,442.70
180	Code Enforcement Grant	5,402.98
400	Pascagoula Utilities	26,689.61
475	Transfer Station	11,126.58
480	Solid Waste Mgmt.	<u>555.89</u>
	Total	<u>\$ 466,217.76</u>

<u>April 29, 2011</u>		<u>Claim # 04-29-03</u>
010	General Fund	\$ 438,286.38
180	Code Enforcement Grant	4,322.39
400	Pascagoula Utilities	26,339.93

475	Transfer Station	11,603.00
480	Solid Waste Mgmt.	<u>500.29</u>
	Total	<u>\$ 481,051.99</u>

<u>Miscellaneous Claim</u>		<u>Claim # 04-04</u>
1000	City Share FICA	\$ 71,083.87
1100	City Share Medicare	16,624.48
7000	City Share PERS	<u>137,719.22</u>
	Total	<u>\$ 225,427.57</u>

**WHEREAS**, it appears that all of said claims are proper and should be allowed;

**NOW, THEREFORE, IT IS ORDERED** that all claims shown on said dockets are hereby allowed and approved for payment.

The above Order was introduced by Councilman Stallworth, seconded for adoption by Councilman Wolverton, and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. The Mayor then declared the Order adopted on the 17<sup>th</sup> day of May, 2011.

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Eddie Williams, City Attorney, requested approval of a proposal letter from Chris G. Gouras, Jr., Manager of Gouras & Associates, Ridgeland, MS, for professional services which are necessary to assist the City in updating the Tax Increment Financing Redevelopment Plan which is needed to implement the Tax Increment Financing Plan for the LaFont Inn Redevelopment Project in Pascagoula. The proposal letter is spread on the minutes as follows:

**GOURAS & ASSOCIATES**  
**1022 Highland Colony Parkway, Suite 304 - Ridgeland, MS 39157**  
**P. O. Box 1465-Ridgeland, MS 39158-1465**

**(601) 605-8128**

May 16, 2011

Joseph Huffman  
City of Pascagoula  
City Manager  
603 Watts Avenue  
Pascagoula, MS 39567

Dear Mr. Huffman:

My firm will provide the following services, which are necessary to assist the City of Pascagoula (the “City”) in updating the Tax Increment Financing Redevelopment Plan necessary to implement the Tax Increment Financing Plan for the LaFont Inn Redevelopment Project in Pascagoula, Mississippi (the “Project”) which my firm has been previously engaged with the City to Prepare.

The Scope of Work will include the following activities:

**1. Amended Tax Increment Financing Redevelopment Plan**

- A. Preparation of the Amended Tax Increment Financing Redevelopment Plan for the City. The Plan will, among other things, describe facts about the City, explain the TIF process, describe the redevelopment area boundary, and among other things, it will incorporate the goals and objectives of the City’s Comprehensive Plan;

- B. Consultation and review of the Amended Tax Increment Financing Redevelopment Plan with the City Bond Attorney;
- C. Preparation of necessary documents to authorize a public hearing for consideration of approval of the Amended Tax Increment Financing Redevelopment Plan for the Project and conducting the public hearing;
- D. Meeting with the Planning Commission and preparation of necessary documents for consideration for recommendation of the Planning Commission to the City; and
- E. Preparation of the documents necessary for adoption of the Amended Tax Increment Financing Redevelopment Plan for the Project.

The Scope of Work set forth above will be performed at a cost of \$7,500. The Amended Redevelopment Plan preparation costs are reimbursable from the TIF bond issue.

I look forward to working with you on this project.

Sincerely,

\_\_\_\_\_  
Chris G. Gouras, Jr.  
Manager

Authorized and accepted this the \_\_\_\_ day of \_\_\_\_\_, 2011.

BY: \_\_\_\_\_  
Joe Huffman

Its: City Manager, City of Pascagoula

**ACKNOWLEDGMENT**

WWT Enterprises, LLC, will pay the City within forty-five (45) days of approval of the TIF Plan and acknowledges that these costs are to be reimbursed from TIF Bond proceeds.

BY: \_\_\_\_\_  
WWT Enterprises, LLC  
ITS: \_\_\_\_\_

Councilman Wolverton made a motion to approve the proposal letter dated May 16, 2011, for services by Gouras & Associates, Ridgeland, MS, concerning the Tax Increment Financing Plan for the LaFont Inn Redevelopment Project in Pascagoula and authorize the City Manager to execute the related document. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

(A copy of the related document is filed in the minute file of this meeting and incorporated herein by reference.)

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Councilman Milstead requested that a discussion be held regarding development of The Point before plans are made by staff.

\*\*\*\*\*

Councilman Abston made comments regarding building regulations and its effect on our citizens.

\*\*\*\*\*

Councilman Corder reminded the Council of the “Sounds by the Sea” event on Sunday, May 29, 2011, and requested permission for a fireworks display at the conclusion of the

program. Councilman Corder then made a motion to approve the request for a fireworks display for the “Sounds by the Sea” event on Sunday, May 29, 2011. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 5-17-11)

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Councilman Corder announced the first annual “Walk a Mile in Her Shoes” Walkathon will be held at Beach Park on Saturday, May 21, 2011, at 9:00 a.m. The event supports the New Beginnings Domestic Violence Program. Everyone was encouraged to attend.

\*\*\*\*\*

Councilman Tillman stated he has discussed with the City Manager the need to provide information to our citizens about various projects and other activities taking place in the City of Pascagoula. We are offering this information through Facebook, the City of Pascagoula website, and local newspapers.

\*\*\*\*\*

The City Manager requested approval to send a letter to the Jackson County Board of Supervisors regarding certain recreation and public works project needs. The proposed letter is spread on the minutes as follows:

**CITY OF PASCAGOULA  
P. O. DRAWER 908  
PASCAGOULA, MS 39568-0908**

May 17, 2011

Mr. Mike Mangum, District 3 Supervisor  
Jackson County Board of Supervisors  
P. O. Box 998  
Pascagoula, MS 39568-0998

Dear Mr. Mangum:

The City of Pascagoula appreciates all of the support and assistance that the Jackson County Board of Supervisors continues to provide our community. The City of Pascagoula has identified certain recreation and public works project needs that, if met, will benefit the residents of Jackson County. Therefore, please accept this letter as a formal request for the following items:

- \$15,000 worth of 12” PVC-C900 water pipe, color blue, for the Live Oak Water Line Project
- Portable Lifeguard Chair (1), Turbo Twister Swimming Pool Slide-right hand (1), Blue/White Lifeguard Umbrella (2) and Rescue Tube50” red (2) for the Andrew Johnson Pool, as per the attached quote in the amount of \$4,670.89 including freight and handling fee.

Again, your continued support and assistance is greatly appreciated as we continue to improve the community for our citizens.

Sincerely,

Robert H. Maxwell  
Mayor

Attachment

Councilman Milstead made a motion to authorize the Mayor to execute the proposed letter to the Jackson County Board of Supervisors regarding certain recreation and public works project needs as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

\*\*\*\*\*

Councilman Stallworth made a motion to close the meeting to consider going into executive session. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

\*\*\*\*\*

Councilman Corder made a motion to go into executive session for the purpose of discussing litigation matters regarding the high volume gas suits and the location of a new business on the riverfront. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". The Mayor announced to the public and those in attendance that the Council had voted to hold an executive session for the purpose stated above. The Council then began the executive session.

\*\*\*\*\*

Councilman Wolverton then made a motion to end the executive session and return to open session. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

\*\*\*\*\*

Councilman Corder made a motion to refer the Riverfront Development Project to the Pascagoula Redevelopment Authority for its review and recommendation to the City Council for the best possible development of this property. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 5-17-11)

\*\*\*\*\*

Councilman Wolverton made a motion to adjourn. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

The meeting ended at 7:15 p.m.

**APPROVED:**

\_\_\_\_\_  
Robert H. Maxwell, Mayor

**ATTEST:**

\_\_\_\_\_  
Brenda J. Reed, Asst. City Clerk