

**RECESSED REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 16, 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, August 16, 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

Mayor Maxwell welcomed everyone to the meeting. The invocation was given by Councilman Corder and was followed by the Pledge of Allegiance.

Ben Blight addressed the Council briefly regarding a business he would like to start in the area.

Mike McIlhaney, member of the Recreation Commission, addressed the Council regarding the long range plan for the Parks and Recreation Department. Mr. McIlhaney also requested that the Council approve advertising for a new Comprehensive Master Plan for this department which was recommended by the Recreation Commission.

Paul Clark, PWB&D Holdings, 3702 Ingalls Avenue, requested that the Council approve a one-year extension of the special use permit to develop a one (1) or two (2) bay drive through automatic carwash to be located at Ingalls Avenue and Martin Street. Mr. Clark hopes to be finished with the carwash by March 2012.

Councilman Stallworth made a motion to approve a one year extension of the special use permit for PWB&D Holdings for the carwash 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 8-16-11)

Haven Hale, BYO Brush Studios, Ocean Springs, MS, addressed the Council and requested approval of an application for the possession of alcohol on City property for painting classes which will be held at the Arts on the Avenue building on Delmas Avenue. This would allow participants to bring their own alcoholic beverage to the classes. Ms. Hale stated the classes will be held on the second Tuesday and the last Thursday of each month. The period requested is September 2011 through September 2012.

Councilman Stallworth made a motion to approve the application for BYO Brush Studios, Ocean Springs, MS, for the possession of alcohol on City property for painting classes at the Arts on the Avenue building as requested. The motion was seconded by Councilman Wolverton.

After discussion, Councilman Stallworth amended his motion to approve the application for BYO Brush Studios, Ocean Springs, MS, for the possession of alcohol on City property for painting classes at the Arts on the Avenue building and to waive the following requirements of the Rules and Regulations for the Sale, Consumption or Possession of Alcohol on City Property:

Rule No. 8 – the hire of off-duty law enforcement officers, or reserve officers, for security during the event

Rule No. 9 – prohibiting attendees at the event from bringing alcohol onto the premises or take alcohol from the premises

Rule No. 11 – requiring signs to be posted at all exits to and from the venue in question regarding alcoholic beverages

The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "NAY", Corder "AYE", Milstead "NAY", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 8-16-11) The City Attorney advised he will prepare a permit for this event for the Mayor's signature.

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

Minutes of the Planning Board meeting of August 10, 2011, are spread on the minutes as follows:

**REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
WEDNESDAY, AUGUST 10, 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, August 10, 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

Other officials present:

Brian Nelson, City Planner
Angelia Kimbrough, Administrative Assistant

Other official not present:

Eddie Williams, City Attorney
Linda Tillman
Mike Gilly

A. PUBLIC HEARINGS:

1. Cynthia Trotter

3903 Washington Ave. The property is zoned Single Family Residential 10. The request is for a Special Use permit to operate a home base business in an SFR-10 zone.

Cynthia Trotter was present to explain the application. Staff's recommendation was to "APPROVE" with the condition that the guidelines set forth in the UDO, Section 4.4.F.7 are maintained. After hearing Mrs. Trotter'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: Wesley Smith "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE," Charles Busby "AYE".

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

COUNCIL ACTION:

Councilman Abston made a motion to "APPROVE" the Special Use Permit for Cynthia Trotter as recommended by the Planning Board, with the condition that the guidelines set forth in the UDO, Section 4.4F.7 are maintained as recommended. 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 8-16-11)

2. William V. Woods, Jr.

3328 Old Mobile Hwy. The property is zoned Community Commercial. The request is for a Special Use permit to allow a Mechanic & Transmission Shop in a CC zone.

William Woods, Jr. was present to explain the application. Staff's recommendation was to **"APPROVE"** with the condition that services provided are limited to mechanic and transmission service. Expansion of the business to include paint/bodywork, auto detailing etc. shall be presented for consideration by the Planning Board and City Council. All provisions set forth in Section 4.3.6.A of the UDO shall be maintained.

After hearing Mr. Wood's request, and there being no protest, a motion was made by Stephen Parker to **"APPROVE"** the application. The motion was seconded by Charles Busby and the vote thereupon was as follows: Wesley Smith "AYE", "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE", Charles Busby "AYE".

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

COUNCIL ACTION:

Councilman Abston made a motion to **"APPROVE"** the Special Use Permit for William V. Woods, Jr. as recommended by the Planning Board, with the condition that services provided are limited to mechanic and transmission service as recommended. 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 8-16-11)

3. All Signs, LLC.

2511 Ingalls Ave. The property is zoned Single Family Residential 8. The request is for a variance to allow for the installation of a 162 sq. ft. projecting sign on the front of the building, in addition to a projecting sign of 57.5 sq. ft. to the front of the building, a 98 sq. ft. freestanding sign with a 30 sq. ft. cabinet sign in front of building.

Michael Hague and Paul Parham were present on behalf of All Signs and Fred's Store to explain the sign application. Staff's recommendation was to **"APPROVE"** with conditions, along with that recommendation, Brian Nelson the City Planner made known that there is no criteria for signs in a residential zone. To determine his recommendation, Mr. Nelson used the nearest commercial zone, which is Community Commercial. Upon hearing objections from Mr. Spencer Bailey who resides at 2010 Belair, Emma Watson, Sujo and Robert Hart who reside at 2002 Belair, and Kathy McClain who made a request to the Planning Board not to permit the freestanding sign. The residents also voiced their concerns regarding the color of the building, noise and traffic. The neighbors had no problem with the wall signs that would be placed on the front of building as long as the freestanding sign was not permitted.

After hearing Mr. Hague and Mr. Parham's request, and objections from the neighbors, a motion was made by Etienne Melcher to **"APPROVE"** the application with the exception of the 98 sq. ft. freestanding sign and the 30 sq. ft. cabinet sign attached to the freestanding sign. The motion was seconded by Charles Busby and the vote thereupon was as follows: Wesley Smith "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE", Charles Busby "AYE".

The application will go to the City Council with the recommendation to **“APPROVE”** the 162 sq. ft. projecting sign on the front of the building, in addition to a projecting sign of 57.5 sq. ft. to the front of the building, and **“DENY”** a 98 sq. ft. freestanding sign with a 30 sq. ft. cabinet sign in front of the building.

COUNCIL ACTION:

Barry Jones, developer, and Michael Hague, All Signs, LLC, addressed the Council regarding the variance and also requested approval of a 4 ft. x 8 ft. monument sign in place of a freestanding sign.

Spencer Bailey, 2010 Belair Street, addressed the Council and stated he represented the area neighbors who are in opposition to the variance request. Mr. Bailey advised the freestanding sign should not be at this location which is in a residential area. The monument sign was not addressed at the Planning Board meeting and neighbors are against it. Mr. Bailey felt visitors should have a positive view of the City of Pascagoula.

Councilman Corder stated he has been contacted by many concerned citizens about this matter and would support the recommendation of the Planning Board. He felt that a request for a monument sign should go before the Planning Board first for review.

Councilman Tillman then made a motion to accept the recommendation of the Planning Board for All Signs, LLC, to **“APPROVE”** the 162 sq. ft. projecting sign on the front of the building, in addition to a projecting sign of 57.5 sq. ft. to the front of the building, and **“DENY”** a 98 sq. ft. freestanding sign with a 30 sq. ft. cabinet sign in front of the building. 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 8-16-11)

4. The City of Pascagoula

1912 Live Oak Ave. The property is zoned Mixed Residential 3. The request is for a Preliminary Plat Plan for Live Oak Addition.

Brian Nelson was present to explain the application. The Staff’s recommendation was to **“APPROVE”** the Preliminary Plat Plan.

After hearing Mr. Nelson’s request, and there being no protest, a motion was made by Charles Busby to **“APPROVE”** the application. The motion was seconded by Joseph Odom and the vote thereupon was as follows: Wesley Smith **“AYE”**, Joseph Odom **“AYE”**, Etienne Melcher **“AYE”**, Stephen Parker **“AYE”**, Charles Busby **“AYE”**.

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

COUNCIL ACTION:

Councilman Abston made a motion to **“APPROVE”** the preliminary plat plan for the Live Oak addition as recommended by the Planning Board. 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 8-16-11)

The consent agenda was considered at this time.

Councilman Abston made a motion to remove Item # L and Item # O from the consent agenda and consider them separately. 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 8-16-11)

The first item for consideration was the minutes of the regular Council meeting of August 2, 2011, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Abston made a motion to adopt and approve the minutes of the regular Council meeting of August 2, 2011, as recommended. 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 8-16-11)

Minutes of the Main Street Board meeting of August 1, 2011, were acknowledged by the Council.

Minutes of the Recreation Commission meeting of August 3, 2011, were acknowledged by the Council.

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

The next item for consideration was authorization to advertise for requests for proposals for the creation of a Comprehensive Master Plan for the Parks and Recreation Department as recommended by Darcie Crew, Parks and Recreation Director.

Councilman Abston made a motion to authorize the City Clerk to advertise for requests for proposals for the creation of a Comprehensive Master Plan for the Parks and Recreation Department as recommended. 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 8-16-11)

The next item for consideration was a travel request for Liz Ford to attend the Destination Downtown session in Tupelo, MS, on September 12-14, 2011. The request includes registration and hotel fees.

Councilman Abston made a motion to approve the travel request for Liz Ford to attend the Destination Downtown session in Tupelo, MS, on September 12-14, 2011, as recommended. 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 8-16-11)

The next item for consideration was a Music License Agreement for Local Governmental Entities with Broadcast Music, Inc. (BMI), Nashville, TN, for a music license for the Parks and Recreation Department as recommended by Darcie Crew, Parks and Recreation Director. The period will be from October 1, 2011, to September 30, 2012, for \$309.00.

Councilman Abston made a motion to approve the Music License Agreement for Local Governmental Entities with Broadcast Music, Inc. (BMI) for the Parks and Recreation Department as recommended 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 8-16-11)

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

The next item to be considered was Budget Amendment #11.94 in the Community Development Fund for the CDBG Façade Improvement Grant as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.94
August 16, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>			
- FY 09 CDBG Façade Impr Prgm	112,500	37,500	150,000

Total Revenues	112,500	37,500	150,000
-	-		-
<u>Expenditures:</u>			
<u>Community Development:</u>			
<u>Other Services & Charges:</u>			
CDBG - Facade Improvement Program	112,500	37,500	150,000
-			
Total Expenditures	112,500	37,500	150,000
Net Change in Fund Balance		-	
To amend budget to provide expenditure authority for the property owners share (25%) of the improvements under the CDBG Facade Improvement Program and the related revenues.			

Councilman Abston made a motion to approve the budget amendment as presented and recommended. 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 8-16-11)

The next item to be considered was Budget Amendment #11.97 in the General Fund for the General Government Building Maintenance Department as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.97
August 16, 2011**

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

-	<u>General Gov't Bldg Maintenance:</u>			
	<u>Supplies:</u>			
	Building Materials	8,500	-5,700	2,800
	<u>Other Charges:</u>			
	Janitorial Contract	90,400	5,700	96,100
-	Total Expenditures	98,900	-	98,900
	Net Change in Fund Balance		-	
	To amend budget in order to reallocate budget provisions as needed.			

Councilman Abston made a motion to approve the budget amendment as presented and recommended. 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 8-16-11)

The next item to be considered was Budget Amendment #11.98 in the General Fund for 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 # 11.98
August 16, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>Criminal Investigations:</u>			
- <u>Other Services & Charges:</u>			

-	Prisoner Pickup	2,000	-800	1,200
-	Debt Service:			
-	Police Car Lease	8,000	800	8,800
-	Total Expenditures	10,000	-	10,000
	Net Change in Fund Balance		-	
	To amend budget in order to reallocate budget provisions as needed.			

Councilman Abston made a motion to approve the budget amendment as presented and recommended. 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 8-16-11)

The next item to be considered was the MDOT Transportation Enhancement Grant application for the completion of the Round Island Lighthouse Park as recommended by Harry Schmidt, Community & Economic Development Director. A memo regarding this item is spread on the minutes as follows:

MEMO

To: City Council
From: Community Development
Date: August 9, 2011
Re: Transportation Enhancement Grant Program

The City of Pascagoula seeks \$250,000 in Transportation Enhancement funds to complete the Round Island Lighthouse Park. The historic 1859 Round Island Lighthouse is being restored in the MDOT right of way, at the gateway to the City of Pascagoula. The base of the lighthouse has been relocated to the new site, and the lantern gallery is currently being restored by a local metal works company. The Mississippi Department of Archives and History is currently reviewing the engineering plans for restoration of the structure, and once complete, the restoration will be publicly bid. Construction should commence in late 2011 or early 2012 with completion to occur in the spring or summer of 2012.

The completion of Round Island Lighthouse Park will include natural island-themed landscaping similar to the lighthouse's environment on Round Island. The landscaping will serve to shield the site from the nearby traffic. The site will also include low seat-walls around the lighthouse, interpretive signage describing the history of the lighthouse, and enhancements to the walkway. This project is an appropriate transportation enhancement project because it is a landscaping and beautification project along a state highway which highlights a historic preservation project. The completion of this project will allow for a tremendous gateway into the City and will provide the Round Island Lighthouse with a proper site for visitors.

Initial plans for the Lighthouse Park have been drafted by a landscape architect firm and are attached.

This grant requires a 20% match, which would total \$50,000. This funding could be covered by funds raised by the Round Island Lighthouse Preservation Society and Pascagoula Pride for improvements to the site to occur after the awarding of the grant. However, if sufficient funds are not generated by these groups, the City would need to cover any remainder.

Councilman Abston made a motion to approve the MDOT Transportation Enhancement Grant for the completion of the Round Island Lighthouse Park as recommended and authorize the Mayor to execute the related documents. 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 8-16-11)

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

The next item to be considered was Budget Modification # 4 for the MDA/CDBG Planning Grant as recommended by Jaci Turner, Program Manager. The extension will extend the time to allow for completion of paperwork and the closeout process.

Councilman Abston made a motion to approve Budget Modification # 4 for the MDA/CDBG Planning Grant as recommended and authorize the City Manager to execute the related documents. 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 8-16-11)

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

The next item for consideration was Budget Modification # 9 for the DEQ/CDBG projects as recommended by Jaci Turner, Program Manager. The purpose of this modification is for a transfer of funds from the Construction budget line item in Projects S32 and W26 to the Construction budget line item in Project S31 to cover the cost of Change Order # 2.

Councilman Abston made a motion to approve Budget Modification # 9 for the DEQ/CDBG projects as recommended and authorize the City Manager to execute the related documents. 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 8-16-11)

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

The next item for consideration was permission to advertise for bids for the Point Park utilities project as recommended by Jaci Turner, Program Manager.

Councilman Abston made a motion to authorize the City Clerk to advertise for bids for the Point Park utilities project as recommended. 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 8-16-11)

The next item for consideration was a letter to Mississippi Power Company regarding the installation of power and lights on the Riverfront project as recommended by Jaci Turner, Program Manager. The monthly cost is \$697.30 and will be added to the City's power costs for the lighting of public roadways.

Councilman Abston made a motion to authorize the Mayor to execute a letter to Mississippi Power Company regarding the installation of power and lights on the Riverfront project as recommended. 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 8-16-11)

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

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

The following new business items were considered.

The first item was Budget Amendment No. 11.96 in the General Fund for additional annexation expenses as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.96
August 16, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>General Administration:</u>			
<u>Other Charges:</u>			
Annexation	106,700	30,000	136,700
- Total Expenditures	106,700	30,000	136,700
Net Change in Fund Balance		(30,000)	
To amend budget to provide additional expenditure authority for professional services related to the annexation case.			

Councilman Corder 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 "NAY", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 8-16-11)

(Mayor Maxwell left the meeting at 6:47 p.m. Mayor Pro Tem Abston then presided over the meeting.)

The next item to be considered was Budget Amendment #11.95 in the Community Development Fund for the LaFont Redevelopment Grant as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.95
August 16, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
-	-		-
-	-		-
<u>Revenues:</u>			
- <u>Grants:</u>			
- LaFont Redevelopment Grant	-	3,318,254	3,318,254
Total Revenues		3,318,254	3,318,254
<u>Expenditures:</u>			
<u>Community Development:</u>			
- <u>Other Services & Charges:</u>			
- Program Outlay & Expense	-	3,318,254	3,318,254
-			
Total Expenditures	-	3,318,254	3,318,254
 Net Change in Fund Balance		 -	
 To amend budget to provide expenditure authority for the CDBG Grant for the LaFont Redevelopment project and the related grant revenue as approved by Council.			

Councilman Wolverton made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “ABSENT”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”.
(Approved 8-16-11)

The next item for consideration was the renewal of flood insurance for eight (8) City locations with Fidelity National Indemnity through Ross-King-Walker Insurance as presented by Jeane Bull, Assistant Comptroller. This is an increase over last year due to an added location of the School Street lift station to meet FEMA requirements. After discussion, the Council concurred that we should increase the coverage amount with Option B.

Councilman Wolverton then made a motion to approve Option B for the renewal of flood insurance for eight (8) City locations with Fidelity National Indemnity through Ross-King-Walker Insurance for the period September 20, 2011 – September 20, 2012. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell “ABSENT”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 8-16-11)

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

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 July 29, 2011, through August 12, 2011, has been presented to the City Council for allowance and approval; and

WHEREAS, the below claim numbers 07-08-01, 07-22-02, and 07-03 have also been presented to the City Council for allowance and approval:

<u>July 8, 2011</u>		<u>Claim # 07-08-01</u>
010	General Fund	\$ 430,158.06
180	Code Enforcement Grant	4,052.36
400	Pascagoula Utilities	26,395.73
475	Transfer Station	11,164.43
480	Solid Waste Mgmt.	<u>555.89</u>
	Total	<u>\$ 472,326.47</u>

<u>July 22, 2011</u>		<u>Claim # 07-22-02</u>
010	General Fund	\$ 443,417.81
180	Code Enforcement Grant	3,647.09
400	Pascagoula Utilities	28,049.42

475	Transfer Station	11,162.11
480	Solid Waste Mgmt.	<u>500.29</u>
	Total	<u>\$ 486,776.72</u>

Miscellaneous Claim

Claim # 07-03

1000	City Share FICA	\$ 47,724.64
1100	City Share Medicare	11,161.47
7000	City Share PERS	<u>92,744.39</u>
	Total	<u>\$ 151,630.50</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 Corder, and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". Mayor Pro Tem Abston then declared the Order adopted on the 16th day of August, 2011.

The City Manager requested that the Council recess tonight's meeting until Tuesday, August 24, 2011, to begin a review of the FY'2012 budget.

Councilman Corder recommended that the Council begin the process of preparing a list of items to present to the state legislature in the fall for consideration in the upcoming session. He also recommended that a meeting be held with Mississippi Power Company representatives regarding the best way to clean up the utility lines at some of the major intersections and commercial areas of the City to provide a better view.

Councilman Abston commented that currently our ordinances do not allow for charitable organizations to tear things down and the City pick them up. He felt this was a matter the City needs to possibly change. A brief discussion followed regarding the UDO and setting colors on buildings. He also requested that the road closures be considered due to work hours and school times to avoid problems. He expressed a concern about trains blocking traffic for extended

periods of time. The City Attorney stated we could talk to CSX about this matter for a possible solution.

Councilman Milstead thanked Steve Mitchell and the Code Enforcement Department for the property cleanup work around the City. Councilman Tillman commented that the Code Enforcement Grant will soon end and there is a need for staff to continue the property cleanup work.

Councilman Corder suggested that staff could possibly meet with the realtors about keeping their properties clean while on the market.

The City Attorney advised that on June 7, 2011, the City Council authorized him to offer \$5,930.00 as the City's share of a settlement with William and Patricia Lobrano on property located at 810 Lafayette Street, Pascagoula, MS, regarding property cleanup. Mr. Williams advised that an interest assessment charge of \$415.10 had been added; however, it was not available to him on June 7, 2011. He requested approval of the new total refund amount of \$6,345.10 to be paid to close out this case.

Councilman Milstead made a motion to approve the total refund amount of \$6,345.10 on the property located at 810 Lafayette Street as recommended. The motion was seconded by Councilman Wolverton.

After discussion, Councilman Milstead amended his motion to approve the settlement of \$6,345.10 on the property located at 810 Lafayette Street and authorize a manual check. 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 8-16-11)

The next item for consideration was a contract with Graham Construction, Inc., Escatawpa, MS, for the north wall repairs at the Transfer Station as recommended by the City Attorney and Compton Engineering, Inc. The amount is \$17,400.00.

Councilman Milstead made a motion to approve the contract with Graham Construction, Inc. for the north wall repairs at the Transfer Station as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tillman and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 8-16-11)

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

The next item for consideration was authorization for the Pascagoula Redevelopment Authority to work with a developer regarding a building at the Ingalls East Bank property (Walker yard) along with the riverfront as recommended by Eddie Williams, City Attorney, and Harry Schmidt, Community and Economic Development Director. The developer would own the building and the City of Pascagoula would be facilitating the development only.

After discussion, Councilman Stallworth made a motion to approve the recommendation for the Pascagoula Redevelopment Authority to work with a developer regarding a building at the Ingalls East Bank property (Walker yard) along with the riverfront property. The motion was seconded by Councilman Milstead and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 8-16-11)

The City Attorney advised that a local law firm has offered to donate property to the City of Pascagoula. Mr. Williams recommended that it would be best for the law firm to donate the property to the Pascagoula Redevelopment Authority for its office and the Main Street office.

Councilman Corder made a motion to authorize the City Attorney to contact the law firm and request that they make the property available to the Pascagoula Redevelopment Authority 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 8-16-11)

The City Attorney then gave an update on the Jackson County Memorial Park Cemetery. There are many issues yet to be resolved. The City Manager and City Attorney will work with staff to review the needs and requirements of the cemetery.

There being no further business to come before the Council at this time, Councilman Wolverton made a motion to recess until Wednesday, August 24, 2011, at 11:30 a.m. to transact such business as may lawfully come before the Council. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

The meeting ended at 7:19 p.m.

APPROVED:

Joe Abston, Mayor Pro Tem

Frank Corder, Councilman

Jim Milstead, Councilman

Robert Stallworth, Sr., Councilman

Harold Tillman, Jr., Councilman

George Wolverton, Sr., Councilman

ATTEST:

Brenda J. Reed, Asst. City Clerk