

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 2, 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 regular meeting on Tuesday, August 2, 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 George L. Wolverton, Sr.

Councilman Harold Tillman, Jr. was absent.

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 Abston and was followed by the Pledge of Allegiance.

Lance Moffa, Green Interests Enterprises, Inc., gave a Power Point presentation on the company which promotes the “going green” initiative and educating people to combat negative environmental impacts. Mr. Moffa advised that a group of citizens has been working for some time on a proposed environmental center. The center would serve as an environmental training and development location which would provide new innovative jobs, educational opportunities for children and students, and would allow for small businesses to come and gain support and advancement which could increase job growth on the Mississippi Gulf Coast. Green technologies help to promote wind power, solar power, remediation, and green products.

Mr. Moffa requested consideration from the Council on the proposed project. Mayor Maxwell thanked Mr. Moffa for attending the meeting tonight and recommended that the Council consider this matter as it progresses along.

(Mayor Maxwell left the meeting at 6:18 p.m.)

Mayor Pro Tem Abston announced that a public hearing is being held at this time for the Tax Increment Financing Redevelopment Plan of 2002 for the City of Pascagoula, as amended

and restated August 2011. There were no public comments. Chris Gouras, Gouras & Associates, made brief comments.

Councilman Corder made a motion to close the public hearing. 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 "ABSENT", and Wolverton "AYE".

The Council then considered the following Resolution:

A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE TAX INCREMENT FINANCING REDEVELOPMENT PLAN OF 2002, THE CITY OF PASCAGOULA, MISSISSIPPI, AS AMENDED AND RESTATED, AUGUST 2011.

WHEREAS, under the power and authority granted by the laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended, the City Council on July 5, 2011, did adopt a certain resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH A TAX INCREMENT FINANCING REDEVELOPMENT PLAN OF 2002, THE CITY OF PASCAGOULA, MISSISSIPPI, AS AMENDED AND RESTATED, AUGUST 2011 AND FOR RELATED PURPOSES.

WHEREAS, as directed by the aforesaid resolution and as required by law, a Notice of Public Hearing was published once a week for at least three (3) consecutive weeks in the *Mississippi Press*, a newspaper having a general circulation within the City, and was so published in said newspaper on July 13, July 20, and July 27, 2011, as evidenced by the publisher's proof of publication of the same heretofore presented to the City Council and filed with the clerk;

WHEREAS, the Notice of Public Hearing generally described the Tax Increment Financing Redevelopment Plan of 2002, the City of Pascagoula, Mississippi, as Amended and Restated, August 2011, and further called for a public hearing to be held in Council Chambers at the Joe D. Cole, Jr. Municipal Building located at 603 Watts Avenue, Pascagoula, Mississippi, 39567 at 6:00 P.M. on Tuesday, August 2, 2011, in order for the general public to state or present their views on the Plan; and

WHEREAS, at 6:00 P.M. on Tuesday, August 2, 2011, the public hearing was held and all in attendance were given an opportunity to state or present their oral and written comments on the Tax Increment Financing Redevelopment Plan of 2002, the City of Pascagoula, Mississippi, as Amended and Restated, August 2011.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

SECTION ONE: That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

SECTION TWO: That the Redevelopment Plan conforms to the Comprehensive Plan of the City.

SECTION THREE: That the City Council is now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, as amended, to adopt and implement the Tax Increment Financing Redevelopment Plan of 2002, the City of Pascagoula, Mississippi, as Amended and Restated, August 2011, and does hereby adopt and approve such Plan as presented.

The above Resolution was introduced by Councilman Corder, seconded for adoption by Councilman Stallworth and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". Mayor Pro Tem Joe Abston then declared the Resolution adopted on the 2nd day of August, 2011.

Mayor Pro Tem Abston announced a public hearing would be held at this time for the adoption and implementation of the Tax Increment Financing Plan, LaFont Inn Redevelopment Plan. Councilman Corder commented on the amount up to \$500,000.00 that was discussed at an earlier meeting. He noted the Resolution before the Council tonight stated an amount not to exceed \$1,365,000.00. Chris Gouras, Gouras & Associates, advised this was only a statement of intent. A developer agreement will be forthcoming and will set the parameters and authorities. Councilman Corder commented this is a future matter and funds would not be utilized unless developments are made on the property.

There being no public comments, Councilman Milstead made a motion to close the public hearing. 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 "ABSENT", and Wolverton "AYE".

The Council then considered the following Resolution:

A RESOLUTION APPROVING THE ADOPTION AND IMPLEMENTATION OF THE “TAX INCREMENT FINANCING PLAN, LA FONT INN REDEVELOPMENT PROJECT, CITY OF PASCAGOULA, MISSISSIPPI, AUGUST 2011”.

WHEREAS, under the power and authority granted by the Laws of the State of Mississippi and particularly under Chapter 45 of Title 21, Mississippi Code of 1972, as amended, the City Council on July 5, 2011, did adopt a certain resolution entitled:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI, DETERMINING THE NECESSITY FOR AND INVOKING THE AUTHORITY GRANTED TO MUNICIPALITIES BY THE LEGISLATURE WITH RESPECT TO TAX INCREMENT FINANCING AS SET FORTH IN CHAPTER 45 OF TITLE 21, MISSISSIPPI CODE OF 1972, AS AMENDED, DETERMINING THAT THE LA FONT INN REDEVELOPMENT PROJECT, IS A PROJECT ELIGIBLE FOR TAX INCREMENT FINANCING UNDER THE LAWS OF THE STATE, THAT A PUBLIC HEARING BE CONDUCTED IN CONNECTION WITH THE TAX INCREMENT FINANCING PLAN, AND FOR RELATED PURPOSES.

WHEREAS, as directed by the aforesaid resolution and as required by law, a notice of public hearing was published one (1) time in *The Mississippi Press*, a newspaper having a general circulation within the City, and was so published in said newspaper on July 20, 2011, as evidenced by the publisher’s proof of publication of the same heretofore presented to the City Council and filed with the Clerk;

WHEREAS, the notice of public hearing generally described the TIF Plan and further called for a public hearing to be held in the Council Chambers of the Joe D. Cole, Jr. Municipal Building located at 603 Watts Avenue, Pascagoula, 39567, at 6:00 P.M. on Tuesday, August 2, 2011, in order for the general public to state or present their views on the TIF Plan; and

WHEREAS, at 6:00 P.M. on Tuesday, August 2, 2011, the public hearing was held and all in attendance were given an opportunity to state or present their oral or written comments on the TIF Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council as follows:

SECTION ONE: That all of the findings of fact made and set forth in the preamble to this resolution shall be and the same are hereby found, declared, and adjudicated to be true and correct.

SECTION TWO: That the City Council is now fully authorized and empowered under the provisions of Chapter 45 of Title 21, Mississippi Code of 1972, as amended, to adopt and implement the TIF Plan attached hereto, and does hereby adopt and approve such plan as presented in order to assist in the development of the proposed project by participating to issue tax increment financing bonds or notes in one or more series in an amount not to exceed One Million Three Hundred Sixty Five Thousand Dollars (\$1,365,000) to finance the cost of various infrastructure improvements in connection with the TIF Plan.

SECTION THREE: That the tax increment bonds or notes of the City shall be issued pursuant to further proceedings of the City Council.

The above Resolution was introduced by Councilman Milstead, seconded for adoption by Councilman Stallworth, and received the following vote: Mayor Maxwell "ABSENT". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". Mayor Pro Tem Joe Abston then declared the Resolution adopted on the 2nd day of August, 2011.

Mayor Pro Tem Abston recommended the Council consider Item No. 9-AA at this time regarding a Professional Services Agreement with Neel Schaffer, Inc. for engineering services on the Highway 90 and Hospital Road Redevelopment Project. Jaci Turner, Program Manager, discussed this item with the Council.

Councilman Stallworth made a motion to approve a Professional Services Agreement with Neel Schaffer, Inc. on the Highway 90 and Hospital Road Redevelopment Project and authorize the City Manager to execute the related documents. 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 "ABSENT", and Wolverton "AYE".

(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 6:32 p.m.)

A property cleanup hearing was held at this time for 1000 Ruland (tabled from the meeting of June 7, 2011). Steve Mitchell, Operations Manager, gave an update on the parcel.

He advised the fence needed some repairs. The realtor advised the front rail and steps need to be replaced and additional time was requested. The Council recommended the grass be cut.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated January 18, 2011, this Council authorized giving notice to the owners of the parcel of land listed in Exhibit A of a hearing before this Council at 6:00 P.M., March 1, 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 March 1, 2011, meeting until June 7, 2011; and

WHEREAS, this matter was continued at the June 7, 2011, meeting until August 2, 2011; and

WHEREAS, the Council has received evidence from the staff of the City as to the condition of the parcel listed and the owners have 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 owners 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

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
41948038.000 1000 Ruland	Michelle Dawn Young 10373 North Sam Houston Parkway East, Apt. 720 Humble, TX 77396 and Murphy Dale Young 1000 Ruland Pascagoula, MS 39567 (Footnote 1)	Deed Book 1404, Page 841

PARTIES WITH INTEREST

Footnote 1: Trustmark National Bank, P.O. Box 22889, Jackson, MS 39225

Councilman Abston made a motion to “TABLE” this matter for 1000 Ruland until the Council meeting of October 4, 2011. 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 “ABSENT”, and Wolverton “AYE”. (Tabled 8-2-11)

A property cleanup hearing was held for 3402 Tillman (tabled from the Council meeting of June 7, 2011). Steve Mitchell, Operations Manager, gave an update on the property. The Council recommended the grass be cut. The realtor requested additional time on this property.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated January 4, 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., February 1, 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 February 1, 2011, meeting until March 1, 2011; and

WHEREAS, this matter was continued at the March 1, 2011, meeting until June 7, 2011; and

WHEREAS, this matter was continued at the June 7, 2011, meeting until August 2, 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 the parcel.

EXHIBIT A

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
40205008.000 3402 Tillman	Jonice Baggett 3402 Tillman Pascagoula, MS 39567 (Footnote 1)	Deed Book 1267, Page 77

PARTIES WITH INTEREST

Footnote 1: Federal National Mortgage Association, 14221 Dallas Parkway – Suite 1000, Dallas TX 75254

Councilman Corder made a motion to “TABLE” this matter for 3402 Tillman until the Council meeting of October 4, 2011. 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 “ABSENT”, and Wolverton “AYE”. (Tabled 8-2-11)

A property cleanup hearing was held for 4412 Shadowwood (tabled from the Council meeting of June 7, 2011). Steve Mitchell, Operations Manager, gave an update on the property. He advised the grass needs to be cut again and there is a box of items that was left under the

house. There is no sign in the yard. Mr. Mitchell recommended that the Council pass the Resolution and the City would cut the grass.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated May 3, 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., June 7, 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 June 7, 2011, meeting until August 2, 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

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
41948014.000 4412 Shadowwood	Pikco Finance, Inc. 352 Rawls Drive McComb, MS 39648 (Footnote 1)	Deed Book 1594, Page 268

PARTIES WITH INTEREST

Footnote 1: Bryan & Gail Doxey, 1709 Martin Bluff Road, No. 33, Gautier, MS 39553

The above Resolution was introduced by Councilman Abston, seconded for adoption by Councilman Corder, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverson "AYE". The Mayor then declared the Resolution adopted on the 5th day of July, 2011.

Property cleanup hearings were held for 3204 Brazil, 4603 Fisher, 4607 Fisher, 4611 Fisher, and 1702 Sunset. Steve Mitchell, Operations Manager, gave an update on each parcel.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated July 5, 2011, this Council authorized giving notice to the owners of the parcels of land listed in Exhibit A of a hearing before this Council at 6:00 P.M.,

August 2, 2011, to determine whether the parcels listed are 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, the Council has received evidence from the staff of the City as to the condition of each parcel listed and the owners have been given an opportunity to be heard; and

WHEREAS, we find that the parcels of land listed in the exhibit are 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 parcels of land listed in Exhibit A are 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 parcels are not cleaned by the owners within seven days of this date, the City Manager, by use of City personnel or a private contractor, shall have each 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 parcels and such costs shall be an assessment against each parcel.

EXHIBIT A

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
41825026.000 3204 Brazil	Raul A. Damian 2506 Grimsley Drive	Deed Book 1605, Page 854

	Pascagoula, MS 39567	
41510004.000 4603 Fisher	Felicia S. Mann 5019 Pecan Street Moss Point, MS 39563 and Bankers Insurance Co. 360 Central Avenue St. Petersburg, FL 33701	Deed Book 1501, Page 437
41510003.000 4607 Fisher	Sean Matthew Ellington 6427 Airport Blvd. Apt. 84 Mobile, AL 36608	Deed Book 1383, Page 895
41510002.000 4611 Fisher	Charles R. Stephens 10132 Graystone Drive Pascagoula, MS 39567	Deed Book 874, Page 613
41750017.000 1702 Sunset	Billy & Kimberly A. Goldman 1702 Sunset Street Pascagoula, MS 39567 (Footnote 1)	Deed Book 1573, Page 570

PARTIES WITH INTEREST

Footnote 1: Edward C. Dunston, 2801 Robert Hiram Drive, Gautier, MS 39553

The following actions were taken by the City Council:

3204 Brazil – Councilman Abston made a motion to adopt the Resolution as presented above for this property. 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 “ABSENT”, and Wolverton “AYE”. The Mayor then declared the Resolution adopted on the 2nd day of August, 2011.

4603 Fisher - Councilman Abston made a motion to adopt the Resolution as presented above for this property. 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 “ABSENT”, and Wolverton “AYE”. The Mayor then declared the Resolution adopted on the 2nd day of August, 2011.

4607 Fisher - Councilman Abston made a motion to adopt the Resolution as presented above for this property. The motion was seconded by Councilman Milstead and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverson "AYE". The Mayor then declared the Resolution adopted on the 2nd day of August, 2011.

4611 Fisher – Councilman Abston made a motion to "TABLE" this property cleanup matter until the Council meeting of October 4, 2011, and maintain the property until that time. The motion was seconded by Councilman Milstead and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverson "AYE". (Tabled 8-2-11)

1702 Sunset - Councilman Stallworth made a motion to "TABLE" this property cleanup matter until the Council meeting of October 4, 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 "ABSENT", and Wolverson "AYE". (Tabled 8-2-11)

The consent agenda was considered at this time.

The first item for consideration was the minutes of the recessed regular Council meeting of July 19, 2011, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Stallworth made a motion to adopt and approve the minutes of the recessed regular Council meeting of July 19, 2011, 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 "ABSENT", and Wolverson "AYE". (Approved 8-2-11)

Minutes of the Main Street Board meeting of July 11, 2011, were acknowledged by the Council.

Minutes of the Pascagoula Redevelopment Authority meetings of May 26 and May 31, 2011, and June 8, 2011, were acknowledged by the Council.

The next item to be considered was a request to hang a banner sign and yard signs for Junior Auxiliary's 13th Annual Charity Boil on Saturday, August 20, 2011, at the corner of Highway 90 and Pascagoula Street as recommended by Rebecca Davis, Main Street Director.

Councilman Stallworth made a motion to approve the request to hang a banner sign and yard signs for Junior Auxiliary's 13th Annual Charity Boil 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

The next item to be considered was a request to hang a banner sign at the corner of Highway 90 and Pascagoula Street for two weeks prior to the Family Promiss of Jackson County event scheduled for Saturday, August 20, 2011, as recommended by Rebecca Davis, Main Street Director.

Councilman Stallworth made a motion to approve the request to hang a banner two weeks prior to the Family Promiss of Jackson County event 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

The next item for consideration was an Order for property cleanup matters at 3216 Scovel, 4414 Lynx, 3017 Magnolia, 605 Sarrazin, and 812 Lafayette as recommended by Eddie Williams, City Attorney. The Order is spread on the minutes as follows:

ORDER

WHEREAS, on its own motion the City Council of the City of Pascagoula, Mississippi, alleges that the parcels of land listed in Exhibit A hereto are in need of cleaning; and

WHEREAS, the parcels are described by reference to the appropriate book and page of the Land Deed Records of Jackson County, Mississippi, or by a detailed description; the property owner or owners, if known, and their mailing addresses, if known, are listed; and the tax parcel numbers and addresses of the parcels are listed;

THEREFORE, IT IS ORDERED that the owners of the parcels listed on the exhibit shall be given notice by the City Clerk as provided in Section 21-19-11, Mississippi Code of 1972, that a hearing shall be held by the City Council on September 6, 2011, in the City Hall of the City at 6:00 P.M. to determine whether the parcels of land as shown on the exhibit are in such a state of uncleanliness as to be a menace to the public health and safety of this community.

EXHIBIT A

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
40230136.000 3216 Scovel	Loraine Broadus Scovel c/o Albert Scovel, Jr. 3310 Scovel Ave Pascagoula, MS 39581	Deed Book 324, Page 504
41230128.000 4414 Lynx	Peter J. Riem 4708 Gibson Road, Box 51 Ocean Springs, MS 39564 (Footnote 1)	Deed Book 1284, Page 445
41595008.000 3017 Magnolia	Deborah A. Thompson 238B Courthouse Road Gulfport, MS 39507 (Footnote 2)	Deed Book 1356, Page 615
41410108.000 605 Sarrazin	Manuel J. Francis and Sherri Ann Francis 4707 Elder Street Moss Point, MS 39563 (Footnote 3)	Deed Book 1137, Page 934
41625243.000 812 Lafayette	Billy D. Vickers, Jr. and Ashley D. Vickers 4700 Ashmore Ridge Vancleave, MS 39565 (Footnote 4)	Deed Book 1199, Page 13

PARTIES WITH INTEREST

Footnote 1: JP Morgan, Chase Bank, 2255 North Ontario, Suite 400, Burbank, CA 91504

Footnote 2: -Merchants & Marine Bank, P.O. Box 729, Pascagoula, MS 39581
-Bancorsouth Bank, P.O. Box 4360, Tupelo, MS 38803

Footnote 3: -First Federal Savings & Loan, 903 Jackson Avenue, Pascagoula, MS 39567
-James E. McNair, P.O. Box 119, Pascagoula, MS 39568

Footnote 4: Tofino Holding, LLC, P.O. Box 160, Magee, MS 39111

The above Order was introduced by Councilman Stallworth, seconded by Councilman Corder, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". The Mayor then declared the Order adopted on the 2nd day of August, 2011.

The next item for consideration was a request to ratify the submission of an application for the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) as recommended by Harry Schmidt, Community and Economic Development Director. The City is eligible for \$18,266 and no match is required. The application had to be submitted to meet deadlines.

Councilman Stallworth made a motion to ratify the submission of an application for the 2011 Edward Byrne Memorial Justice Assistance Grant (JAG) 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

(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 approval of a Resolution to adopt the Action Plan for CDBG 2011 Entitlement, as recommended by Harry Schmidt, Community and Economic Development Director. The Resolution is spread on the minutes as follows:

RESOLUTION

WHEREAS, the City of Pascagoula is an "Entitlement City" under the terms of the United States Department of Housing and Urban Development (HUD), Community Development Block Grant Program (CDBG) program; and

WHEREAS, the Regulations of the CDBG program require the preparation and adoption of a Five-Year Consolidated Plan for Housing and Community Development and a One-Year Action Plan which serves as the annual application for CDBG Entitlement funds allocation: and

WHEREAS, the City will adopt a One-Year Action Plan component for the 2011 CDBG Program Year, which was prepared in accordance with rules and regulations governing the Consolidated Plan; and

WHEREAS, the said One-Year Action Plan for CDBG Program Year 2011 included, among other things, the anticipated use of the City's 2011 Program Year Entitlement estimated at \$273,000 and the reallocation of \$7,500; and

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PASCAGOULA THAT:

Section One: The findings, conclusions, statements of fact contained in the preamble are adopted and ratified.

Section Two: Mayor Robbie Maxwell, Mayor of the City of Pascagoula, be and is hereby authorized to sign the required HUD certifications and submit the 2011 One-Year Action Plan to HUD for HUD review and approval.

The above Resolution was introduced by Councilman Stallworth, seconded for adoption by Councilman Corder and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". The Mayor then declared the Resolution adopted on the 2nd day of August, 2011.

(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 #11.88 in the General Fund for Police vehicle maintenance as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

City of Pascagoula
Budget Amendment # 11.88
August 2, 2011

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Miscellaneous:</u>			
- Insurance Proceeds	13,125	1,183	14,308
Total Revenues	13,125	1,183	14,308
-	-		-
- <u>Expenditures:</u>	-		-
- <u>Police Administration</u>			
- Other Services & Charges:			
- Auto Maint. Services	68,125	1,183	69,308
Total Expenditures	68,125	1,183	69,308
Net Change in Fund Balance		-	
To amend budget to provide authority for the repair of damages, resulting from an accident, to unit # 12638 and the related insurance proceeds.			

Councilman Stallworth made a motion to approve the budget amendment as presented and 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

The next item to be considered was Budget Amendment # 11.89 in the Community Development Fund for the 2011 JAG Grant, as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

City of Pascagoula
Budget Amendment # 11.89
August 2, 2011

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development</u>	-	-	-
<u>Revenues:</u>	-		-
- <u>Grants:</u>			-
- FY 2011 Justice Assistance Grant	0	18,266	18,266
Total Revenues		18,266	18,266
<u>Expenditures:</u>			
- <u>Community Development:</u>			
- <u>Other Services & Charges:</u>			
- FY 2011 Justice Assistance Grant	0	18,266	18,266
Total Expenditures	0	18,266	18,266
Net Change in Fund Balance		-	
To amend budget to provide expenditure authority for the FY 2011 Justice Assistance Grant and the related grant revenue to be approved by Council on August 2, 2011.			

Councilman Stallworth made a motion to approve the budget amendment as presented and recommended above. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

The next item to be considered was Budget Amendment # 11.90 in the General Fund for the MIS Department, as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.90
August 2, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>Information Systems Mgmt.</u>			
- <u>Capital Outlay:</u>			
- Other Equipment	10,000	11,025	21,025
- <u>Supplies:</u>			
- Computer Supplies	44,663	-5,100	39,563
- <u>Other Services & Charges:</u>			
- Computer Training Services	12,000	-5,925	6,075
- Total Expenditures	66,663	-	66,663
Net Change in Fund Balance		-	
To amend budget in order to reallocate budget provisions as needed.			

Councilman Stallworth made a motion to approve the budget amendment as presented and recommended above. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

The next item to be considered was Budget Amendment # 11.91 in the Community Development Fund for the MDHA Banners Grant, as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.91
August 2, 2011**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
<u>Revenues:</u>	-		-
- <u>Grants:</u>			
- MDHA Grant - Banners	-	630	630
- Transfers In - Gen Fd (MDHA)	-	420	420
- Total Revenues	-	1,050	1,050
<u>Expenditures:</u>			
- Community Development:			
- Other Services & Charges:			
- MDHA Grant - Banners	-	1,050	1,050
- Total Expenditures	-	1,050	1,050
Net Change in Fund Balance		-	
To amend budget to provide authority for expenditures stemming from the CLG Grant for banners in the City's Historic District and the related grant & match revenue.			

Councilman Stallworth made a motion to approve the budget amendment as presented and recommended above. 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

The next item to be considered was Budget Amendment # 11.92 in the General Fund to match the MDHA Banners Grant, as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.92
August 2, 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 Services & Charges:</u>			
Telephone	40,032	-420	39,612
<u>Transfers:</u>			
Transfer to Comm. Dev. Fd.	-	420	420
- Total Expenditures	40,032	-	40,032
Net Change in Fund Balance		-	
To amend budget to provide expenditure authority for the grant match for the CLG banners grant by reallocation of budgeted expenditures.			

Councilman Stallworth made a motion to approve the budget amendment as presented and recommended above. 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

The next item to be considered was a request to approve the AMEC Task Order 20a, amendment to Task Order 20, for project management of the Hazard Mitigation Grant Program, as recommended by Harry Schmidt, Community and Economic Development Director.

Councilman Stallworth made a motion to approve the AMEC Task Order 20a, amendment to Task Order 20, as recommended above and authorize the City Manager to execute the related documents. 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

(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 a request to approve a Memorandum of Agreement with the Mississippi Transportation Commission –MDOT regarding the conversion of the Frederic Street railroad crossing to two-way traffic, as recommended by Jaci Turner, Program Manager.

After discussion, Councilman Stallworth made a motion to approve Memorandum of Agreement with the Mississippi Transportation Commission-MDOT as recommended above and authorize the City Manager to execute the related documents. 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 “ABSENT”, and Wolverton “AYE”. (Approved 8-2-11)

(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 a request to approve Supplemental Agreement 5 with SCI, Inc. for the Pascagoula Street Project between Ingalls Avenue and Highway 90 to make adjustments to water line improvements as determined necessary in the field and by the Department of Health as recommended by Jaci Turner, Program Manager. The agreement is contingent on MDOT approval.

Councilman Stallworth made a motion to approve Supplemental Agreement 5 with SCI, Inc., for the Pascagoula Street Project between Ingalls Avenue and Highway 90 and authorize City Manager to execute documents, contingent on MDOT approval. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

(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 a request for approval of an amendment to the agreement with Tyler Technologies, Inc., Falmouth, Maine, for MUNIS to drop Tyler Forms Business License Library from the business license module and add one training day as recommended by Stephen Newell, MIS Director. This will reduce the cost of implementation by \$25.00.

Councilman Stallworth made a motion to approve the amendment to the agreement with Tyler Technologies, Inc. for MUNIS to drop Tyler Forms Business License Library from the business license module and add one training day as recommended and authorize the City Manager to execute the related documents. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

(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 a request to approve conference fees and travel for the City Council to attend the 2011 Destination Downtown Annual Conference in Tupelo, MS, on September 12-14, 2011, as presented by the City Manager.

Councilman Stallworth made a motion to approve the conference fees and travel for the City Council to attend the 2011 Destination Downtown Annual Conference in Tupelo, MS, on September 12-14, 2011. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

The next item for consideration was Budget Amendment No. 11.93 in the General Fund for the transfer of funds to the Pascagoula Redevelopment Authority (PRA) as recommended by Harry Schmidt, Community and Economic Development Director, and Bobby Parker, City Clerk/Comptroller. Members of the PRA in attendance at the meeting tonight were Jim Estabrook, Chairman, Alice Walker, and Jackie Grimes.

The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.93**

August 2, 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>Transfers:</u>			
Transfer to Redevelopment Authority	-	50,000	50,000
-			
Total Expenditures	-	50,000	50,000
Net Change in Fund Balance		(50,000)	
To amend budget to provide expenditure authority for a transfer of funds to the Redevelopment Authority.			

Councilman Corder made a motion to approve the budget amendment as recommended and presented above. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

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

Item 9-AA regarding the professional services agreement with Neel Schaffer, Inc. for engineering services for Highway 90 and the Hospital Road Redevelopment Project was handled earlier in tonight's meeting.

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 July 15, 2011, through July 29, 2011, has been presented to the City Council for allowance and approval;

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 Milstead, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". The Mayor then declared the Order adopted on the 2nd day of August, 2011.

The City Attorney recognized Stacey Inlow who requested support for the Pascagoula Dixie Youth baseball team as they travel to the World Series in Virginia.

Councilman Corder made a motion to approve advertising the resources of the City of Pascagoula through the Pascagoula Dixie Youth baseball team for \$250.00. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

After discussion, Councilman Corder amended the motion to approve advertising the resources of the City of Pascagoula through the Pascagoula Dixie Youth baseball team for \$250.00 and authorize a manual check. 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 "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

Councilman Milstead recommended that we look at past support to be fair and consistent in the amount we give to all teams for local, in-state, and out-of-state games.

Councilman Corder then made a motion to approve advertising the resources of the City of Pascagoula by providing the Pascagoula Dixie Youth baseball team with 200 pins to use at the

World Series in Virginia. The motion as seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "ABSENT", and Wolverton "AYE". (Approved 8-2-11)

Gentry Williams commented how well the Pascagoula Dixie Youth baseball teams have done this year. There have been three teams who have advanced to the World Series games.

Councilman Corder gave brief comments regarding an opportunity to advertise the resources of the City of Pascagoula with an advertisement on the football stadium scoreboard. The cost would be \$2,000.00 per year for a five-year period. Mr. Corder suggested the Council look at this during budget time.

There being no further business to come before the Council at this time, Councilman Corder made a motion to recess until Tuesday, August 16, 2011, at 6:00 p.m. to transact such business as may lawfully come before the Council. 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 "ABSENT", and Wolverton "AYE".

The meeting ended at 6:58 p.m.

APPROVED:

Robert H. Maxwell, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk