

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, SEPTEMBER 4, 2012, 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, September 4, 2012, 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
Asst. City Clerk Brenda Reed
City Attorney Eddie Williams
City Clerk/Comptroller Robert J. Parker

Mayor Maxwell welcomed everyone to the meeting. The invocation was given by Councilman Abston and the pledge of allegiance was recited before the commencement of business.

Roosevelt Crockett, 1102 Skip Avenue, addressed the Council regarding the street parking problem by a building at Skip Avenue and Market Street. Mr. Crockett advised it is hard for vehicles to travel on the street. The City Manager will follow up on the complaint.

Susan Wilson, CFE Floodplain Management and Insurance (FMI) Branch Chief with FEMA, presented the City of Pascagoula with a plaque for obtaining the Region IV Community Rating System – Class 5. Ms. Wilson gave an overview of the program and advised the City has done an outstanding job with this program. We have been participating in the National Flood Insurance Program since July 17, 1970. She congratulated the City of Pascagoula and recognized William Dunnam, Steve Mitchell, and other departments for their contributions and dedication to this program.

Dr. Teresa Williamson, President of the local Zonta chapter, addressed the Council regarding support of the Zonta Arts and Crafts Festival which will be held on October 6, 2012. She advised that sponsorships have decreased some and requested that the Council increase its current support of \$500.00 to \$1,000.00. Dr. Williamson also requested approval of placing a 5' x 8' wooden sign on Highway 90 and hanging a banner to advertise the event.

Councilman Tillman made a motion to advertise the resources of the City of Pascagoula by increasing its support to \$1,000.00 for Zonta and approve the 5' x 8' wooden sign on Highway 90 and a banner to promote the event. 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 9-4-12)

Susie Harvill, Executive Director/Founder of Advocates for Freedom (AFF), Biloxi, MS, addressed the Council and provided an overview of human trafficking. It is currently the second highest crime in the United States. Five cases have been reported in Pascagoula.

Their mission statement is "to bring awareness to Mississippi of the problem of human trafficking and to work with law enforcement and other advocacy groups to help the victims of

modern-day slavery". She stated we need to encourage the local legislature to change the laws. She requested funding in the amount of \$1,000.00 if possible.

After discussion, Councilman Corder made a motion to "TABLE" this item for further review. 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 "AYE", and Wolverton "AYE". (Tabled 9-4-12)

Bruce W. Maghan, Chief Advocate, Gautier, MS, addressed the Council regarding the Singing River Island seafood receiving and distribution dock. He requested support from the City of Pascagoula by authorizing the Mayor to submit a letter to the Steering Committee for Working the Waterfront Restoration regarding the need for a feasibility study for this project. Mr. Maghan advised it would be a modern facility for commercial vessels.

Councilman Corder made a motion to authorize the Mayor to execute a letter in support of this 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 9-4-12)

Nicole Grundel, Public Information Officer for the Jackson County Board of Supervisors, addressed the Council regarding permission to set off a fireworks display between approximately 7-8 p.m. on October 23, 2012, during the Jackson County Fair to help celebrate their bicentennial event. Jackson County will be 200 years old on December 18, 2012. The fireworks will be set up at the walking track near Singing River Hospital.

Councilman Corder made a motion to allow Jackson County to set off a fireworks display on October 23, 2012, during the Jackson County Fair to help celebrate their bicentennial event 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 9-4-12)

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

Greg Freeman, Athletic Director, Pascagoula School District, addressed the Council regarding permission for a fireworks display during the C-Spire: Bright Lights Football event on October 4, 2012, at the Pascagoula High School home football game. Pascagoula High School will host Picayune High School.

Councilman Corder made a motion to approve the request for permission for a fireworks display during the C-Spire: Bright Lights Football event on October 4, 2012, at the Pascagoula High School home football game. 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 9-4-12)

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

A public hearing was held at this time on the FY 2013 budget. Joe Huffman, City Manager, and Bobby Parker, City Clerk/Comptroller, made brief comments which was followed by a Power Point presentation. A handout of estimated revenues and expenditures for FY 2013 was available to the public. There were no comments from the audience.

Councilman Stallworth then made a motion to close the public hearing on the FY 2013 budget. The motion as 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".

A property cleanup hearing was held at this time for 4711 Oneida, Lot on School and 1017 Tucker. Jaci Turner, Program Manager, gave a status report on each parcel.

4711 Oneida – Staff recommendation was to adopt the Resolution.

Lot on School – Staff recommendation was to adopt the Resolution. Heidi Oppie Sheffield, addressed the Council regarding the property.

1017 Tucker – Staff recommendation was to adopt the Resolution.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated August 7, 2012, 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., September 4, 2012, 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 the parcels 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 the parcels 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 the parcels.

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>
41335236.000 4711 Oneida	Rebuild America, Inc. 940 Center Circle, Suite 2005 Altamonte Springs, FL 32714	Deed Book 1643, Page 677
41410605.000 Lot on School	Proffitt Rev Inter Vivos Trust 715 South Pascagoula Street Pascagoula, MS 39567	Deed Book 1227, Page 670
41410628.000 1017 Tucker	Irene Hester Prince 1015 Krebs Avenue Pascagoula, MS 39567	Deed Book 1584, Page 281

The following actions were taken by the Council:

4711 Oneida -

Councilman Abston made a motion to adopt the Resolution as presented. 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". The Mayor then declared the Resolution adopted on the 4th day of September, 2012.

Lot on School -

Councilman Tillman made a motion to adopt the Resolution as presented. 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". The Mayor then declared the Resolution adopted on the 4th day of September, 2012.

1017 Tucker -

Councilman Corder made a motion to adopt the Resolution as presented. 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 "AYE", and Wolverton "AYE". The Mayor then declared the Resolution adopted on the 4th day of September, 2012.

The consent agenda was considered at this time.

The first items for consideration were minutes of the recessed regular Council meetings of August 21 and 28, 2012, and the special call Council meeting of August 26, 2012, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Corder made a motion to adopt and approve minutes of the recessed regular Council meetings of August 21 and 28, 2012, and the special call Council meeting of August 26, 2012, as recommended. 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 9-4-12)

Minutes of the Main Street Board meetings of July 12, 2012, and August 6, 2012, were acknowledged by the City Council.

Minutes of the Historic Preservation Commission meeting of July 25, 2012, were acknowledged by the City Council.

The next item for consideration was a request for advertising the resources of the City through the Jackson County Sheriff's 11th Annual Gospel Sing on November 17, 2012, with a Bronze Package in the amount of \$200.00 as recommended by Eddie Williams, City Attorney. This package includes a one-half page ad in the program book and a 2' x 3' banner to be hung in the auditorium.

Councilman Corder made a motion to approve the request for advertising the resources of the City through the Jackson County Sheriff's 11th Annual Gospel Sing on November 17, 2012, with a Bronze Package in the amount of \$200.00 as recommended. 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 9-4-12)

(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 renewal of flood insurance for four City locations with Hartford Insurance Company through Lemon Mohler Insurance Agency, Pascagoula, MS, as presented by Jeane Bull, Assistant Comptroller. The renewal cost is \$16,353.00 at current values of insurance which is an increase from last year of \$813.00. After further review, the City Manager advised that the staff is now recommending Option 2 for an additional coverage of \$74,300.00 at an extra cost of \$262.00.

Councilman Corder made a motion to approve Option 2 for the renewal of flood insurance for four City locations with Hartford Insurance Company through Lemon Mohler Insurance Agency 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 9-4-12)

(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 revised quantity adjustment for Supplemental Agreement No. 2 on the Historic Pathways Project as recommended by Jaci Turner, Program Manager. This will revise the quantity adjustment, with typographical errors corrected, for SA2 on this project. There is no change to the contract results.

Councilman Corder made a motion to approve the revised quantity adjustment for Supplemental Agreement No. 2 on the Historic Pathways Project and authorize the City Manager to execute the related documents as recommended. 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 9-4-12)

(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 Resolution granting final approval of tax exemption from ad valorem taxes for a period of nine years to Huntington Ingalls from and after December 31, 2011, as recommended by Eddie Williams, City Attorney.

The Resolution is spread on the minutes as follows:

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PASCAGOULA, MISSISSIPPI,**

**GRANTING FINAL APPROVAL OF AN AD VALOREM
TAX EXEMPTION TO HUNTINGTON INGALLS**

WHEREAS, Huntington Ingalls On May 31, 2011, filed an application with the City Council for exemption from ad valorem taxes, except school district taxes, for a period of nine (9) years as authorized by Section 27-31-101, Mississippi Code of 1972, which application was approved on June 19, 2012, by the City Council, subject to the approval of the State Tax Commission; and

WHEREAS, on August 8, 2012, the State Tax Commission of the State of Mississippi approved said application; and

WHEREAS, a copy of the aforesaid approval by the State Tax Commission has been received by the City Council, which reads as follows:

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pascagoula, Mississippi, that it does hereby finally approve said application of Huntington Ingalls for ad valorem tax exemption, except school district taxes, for a period of nine (9) years from and after December 31, 2011, on the property described in the referenced application, which shows a true value of \$18,817,984.

BE IT FURTHER RESOLVED that the City Clerk shall duly record this resolution in the minutes of the City Council and any exemption book of the City and that a certified copy thereof shall be mailed to the State Tax Commission, the Jackson County Tax Assessor, and the State Auditor of Public Accounts.

The above Resolution was introduced by Councilman Corder, 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 then declared the Resolution adopted on the 4th day of September, 2012.

(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 authorization for the City Council to attend the Mississippi Municipal League (MML) Small Town Conference in Meridian, MS, on November 15-16, 2012, as presented by Joe Huffman, City Manager.

Councilman Corder made a motion to approve registration fees and travel expenses for the City Council to attend the MML Small Town Conference in Meridian, MS, on November 15-16, 2012. 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 9-4-12)

The next item for consideration was an Assignment of Anchor Square Lease Agreement for Unit D from Lillian Wall (Assignor/Lessee) to Sharon Barlow (Assignee) as recommended by Eddie Williams, City Attorney.

Councilman Corder made a motion to approve an Assignment of Anchor Square Lease Agreement for Unit D from Lillian Wall (Assignor/Lessee) to Sharon Barlow (Assignee) as recommended and authorize the Mayor to execute the related documents. 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 9-4-12)

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

(Mayor Maxwell left the meeting at 6:47 p.m.)

The next item for consideration was the LaFont final plat re-approval as recommended by Jaci Turner, Program Manager. Ms. Turner advised the final plat had been approved by Council on October 18, 2011, to allow for public infrastructure to be built in ROW's, but it had not been recorded until it could be verified that all work was completed within public spaces. There have been some minor adjustments to dimensions resulting from construction; however, there is nothing that alters the intent or function of the plat. Ms. Turner stated that once the plat is approved by Council, it will be recorded and the property can transfer ownership.

Councilman Corder made a motion to approve the LaFont final plat re-approval request as recommended and authorize the Mayor Pro Tem to execute the related documents. The motion was seconded by Councilman Tillman and received the following vote: Mayor Maxwell "ABSENT". Mayor Pro Tem Abston "AYE". Councilmen Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 9-4-12)

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

Next for consideration were LaFont Inn Redevelopment Project expenses and a request for approval to issue manual checks to pay the invoices as recommended by Jaci Turner, Program Manager. The invoices are as follows:

- Two payments to Gouras & Associates for \$7,853.22 each,
- Five payments to Neel Schaffer:
 - \$5,425.00 (Right of Ways/Plats and Descriptions),
 - \$6,292.80 and \$2,318.40 (Bidding and Construction Admin) and
 - \$24,157.86 and \$16,322.87 (Resident Project Representation Services), and
- Three to L J Construction - \$39,880.77, \$82,454.20, and \$114,620.65.

TOTAL PAYMENTS: \$307,178.99

Councilman Tillman made a motion to approve the LaFont Inn Redevelopment expenses and manual checks as follows:

- Two payments to Gouras & Associates for \$7,853.22 each,
- Five payments to Neel Schaffer:
 - \$5,425.00 (Right of Ways/Plats and Descriptions),
 - \$6,292.80 and \$2,318.40 (Bidding and Construction Admin) and
 - \$24,157.86 and \$16,322.87 (Resident Project Representation Services), and
- Three to L J Construction - \$39,880.77, \$82,454.20, and \$114,620.65.

TOTAL PAYMENTS: \$307,178.99

Councilman Corder seconded the motion which received the following vote: Mayor Maxwell "ABSENT". Mayor Pro Tem Abston "AYE", Councilmen Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 9-4-12)

(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 an Order for the Docket of Claims as follows:

ORDER

WHEREAS, the attached docket of claims for the period August 17, 2012, through August 31, 2012, 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 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". The Mayor Pro Tem then declared the Order adopted on the 4th day of September, 2012.

The City Manager recommended approval of a manual check for a VISA payment in the amount of \$1,116.95. The statement was received past the deadline for the docket of claims.

Councilman Stallworth made a motion to approve a manual check for a VISA payment in the amount of \$1,116.95 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 9-4-12)

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

Eddie Williams, City Attorney, advised that the proposed letter requested by Bruce Maghan earlier in the meeting regarding the Singing River Island seafood receiving and distribution dock had been placed on the Council table.

The Council thanked the City employees who worked hard to prepare us during Hurricane Isaac.

Councilman Milstead also thanked Bill Dunnam and Steve Mitchell for their work and diligence on a reduced premium for flood insurance.

Councilman Corder reminded the Council of the upcoming legislative session and suggested any recommendations for proposed changes be submitted to Brice Wiggins.

Brice Wiggins then commended Police Chief Kenny Johnson and the Police Department for work they performed last Saturday when supplies were being delivered after Hurricane Isaac.

There being no further business to come before the Council, Councilman Wolverton made a motion to recess the meeting to Thursday, September 13, 2012, at 12 noon to transact such business as may lawfully come before the Council. 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".

The meeting ended at 7:00 p.m.

APPROVED:

Robert H. Maxwell, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk