

RECESSED REGULAR MEETING OF THE CITY COUNCIL

TUESDAY, DECEMBER 16, 2014, 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, December 16, 2014, at 6:00 p.m. Mayor Blevins called the meeting to order with the following officials present:

Mayor Harry J. Blevins
Councilman Burt Hill
Councilman Freddy Jackson
Councilman Marvin Pickett, Sr.
Councilwoman Brenda Simkins (absent – arrived at 6:50 p.m.)
Councilman Scott Tipton

Councilman David Tadlock was absent.

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

Mayor Blevins welcomed everyone to the meeting. The invocation was given by Councilman Hill. The pledge of allegiance was led by Councilman Jackson.

Some of the Council gave opening comments at this time. Councilman Tipton complimented the Parks & Recreation Department on the wonderful Christmas tree lighting event on December 4, 2014. Mayor Blevins stated that “Downtown for the Holidays” was a successful event on December 5, 2014, and announced other upcoming holiday events in Pascagoula.

Mike Fondren addressed the Council on a proposed project for a boat marina north of the Highway 90 bridge on the Pascagoula River for his client, Bruce Linton. Mr. Fondren stated they would like the blessing from the City on the project. Mayor Blevins and other members of the Council felt this was a good idea and would like to review it further.

Clare Baumhauer, Vice Mayor of the Pascagoula Mayor’s Youth Council, gave a Power Point presentation of the semi-annual report for the Youth Council which was established in June

2013. After comments, Mayor Blevins thanked Ms. Baumhauer for attending the meeting tonight and sharing the information about activities and projects the Council has been involved in the past few months.

Jackson County Supervisors Melton Harris and Mike Mangum presented the City with a check in the amount of \$175,000.00 for the sewer improvements project related to the new Jackson County jail. Mayor Blevins thanked them for the check and stated the new jail will be a great facility. Completion is scheduled for the summer of 2015.

Minutes of the Planning Board meeting held on December 10, 2014, were filed by Donovan Scruggs, City Planner, and receipt was acknowledged by the Council. The minutes are spread as follows:

**REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
WEDNESDAY, DECEMBER 10, 2014, 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, December 10, 2014 at 6:00 P. M.

The following official(s) were present:

Wesley Smith (Chairman)
Mike Gilly
Linda Tillman
Joseph Odom
Stephen Parker (Vice Chairman)

Official(s) not present:

Etienne Melcher
Alan Wiley
Eddie Williams, City Attorney

Other officials present:

Donovan Scruggs, City Planner
Angelia Kimbrough, Permit Tech

A. PUBLIC HEARINGS:

1. Vincent Jackson

2307 Market Street. The request is for a 5ft. rear yard variance and a 15 ft. variance of the minimum buffer width requirement for an addition to an existing building in a

Neighborhood Commercial (NC) district that abuts to a Single Family Residential 6 (SFR 6) district to the west.

Donovan Scruggs presented the report related to application. He noted the surrounding properties, uses and zoning designations. He indicated the hardships related to the property. The narrowness of the lot limits the parking and the ability to expand. Mr. Vincent Jackson indicated his desire to expand and answered questions related to the project. After hearing the staff's report and there being no protest, a motion was made by Mike Gilly to "APPROVE" the request for a variance based on the identified hardships. The motion was seconded by Linda Tillman and the vote thereupon was as follows: Linda Tillman "AYE", Wesley Smith "AYE", Mike Gilly "AYE", Joseph Odom "AYE", Stephen Parker "AYE".

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

2. City of Pascagoula

The request is to rezone certain land generally in the area between Magnolia and Cedar Streets and North of the Hwy 90 Bridge from Regional Commercial (RC) district and Single Family Residential 10 (SFR 10) district to a Waterfront Mixed Use (WMU) district.

Donovan Scruggs was present to explain the proposed change in zoning. He explained changes in neighborhood character that include new public amenities, the relocation of the Hwy 90 Bridge and the removal of some residential structures in the area. He also noted the properties' proximity to other zoning districts and uses to include Regional Commercial and Light Industrial. Mr. Scruggs outlined planning documents to include the Comprehensive Plan and the Future Land Use Map and in-house plans that show anticipated uses of the properties being commercial. The staff recommended approval of the change from Regional Commercial and Single Family Residential 10 to Waterfront Mixed Use District.

Mr. Steve Raley spoke in opposition to the zoning change on behalf of the Morgan Street property owners. He identified four concerns to include: traffic, noise, privacy, and use. He indicated he had spoken with Mr. Brady about voluntary or restrictive covenants to address some of the neighborhood concerns. Wesley Smith questioned the proposed use, and Steve Brady, potential developer of the site, spoke of his plans for a restaurant at the site. After hearing from Steve Brady, Ricky Larsen questioned the rear yard setback of the WMU district. Donovan Scruggs stated that there is a 20 foot buffer requirement between the proposed WMU District and residential properties. After additional discussions, a motion was made to by Stephen Parker to "APPROVE" the recommendation to adopt an ordinance to change the zoning from Single Family Residential and Regional Commercial to Waterfront Mixed Use based on a change in

neighborhood character within the immediate area, the public need, and benefit associated with higher quality and neighborhood friendly development along the waterfront. The motion was seconded by Mike Gilly and the vote thereupon was as follows: Linda Tillman “AYE”, Wesley Smith “AYE”, Mike Gilly “AYE”, Joseph Odom “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**” the adoption of an ordinance to amend the zoning of the properties.

ORDINANCE NO. _____ 2014

CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN LAND LYING GENERALLY SOUTH OF MORGAN AVENUE, WEST OF MAGNOLIA STREET, EAST OF CEDAR STREET AND NORTH OF A BODY OF WATER KNOWN AS “BLODGETT’S SLIP”, FROM SINGLE FAMILY RESIDENTIAL 10 AND REGIONAL COMMERCIAL TO WATERFRONT MIXED USE; AND FOR RELATED PURPOSES

WHEREAS, the City of Pascagoula proposes to have the zoning of the land described below changed from Regional Commercial and Single Family Residential 10 to Waterfront Mixed Use; and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 10th day of December, 2014, after due notice thereof, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, after hearing the matter, the Planning Board recommended to the City Council that the application to change the zoning be granted; and

WHEREAS, we find that the zoning change is supported by the evidence adduced at the hearing, is reasonable and in the public interest; and

WHEREAS, we further find that the character of the neighborhood wherein the property is located has changed substantially over the years and that the property no longer has a viable residential use and public necessity requires a change in the zoning designation; and

WHEREAS, we further find that the change in zoning will not create any non-conforming uses within the area described herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI:

SECTION 1: Ordinance 1-2011 (Unified Development Ordinance) is hereby amended to change the zoning of the following described land from Regional Commercial and Single Family Residential 10 to Waterfront Mixed Use:

A tract of land situated in Claim Section 7, Township 8 South, Range 6 West, Pascagoula, Jackson County, Mississippi and more particularly described as follows: Commencing at the intersection of the east right-of-way of Cedar Street and the south right-of-way of Morgan Avenue; thence South 7 degrees 37 minutes 37 seconds West along the east right-of-way of Cedar street 141.77 feet to the southwest corner of that property described in Deed Book 1625, page 77 and to the Point of Beginning; thence South 79 degrees 08 minutes 30 seconds East along a fence 187.16 feet to a fence corner at the southeast corner of that property described in Deed Book 1596, page 479; thence South 7 degrees 04 minutes 49 seconds West along a fence to the southwest corner that property described in Deed Book 1724, page 527; thence South 79 degrees 34 minutes 37 seconds East along a fence and the extension thereof 359.33 feet to the west right-of-way of Magnolia Street; thence South 10 degrees 41 minutes 18 seconds West along the west right-of-way of Magnolia Street 115. 23 feet to the northeast corner of Lot 27, Rene Krebs Tract (Deed Book 3, page 236 ½); thence West along the north line of Lot 27, 563.35 feet to the northwest corner of Lot 27; thence North 12 degrees 06 minutes 05 seconds East along the east right-of-way of Cedar Street 231.31 feet to the Point of Beginning.

SECTION 2. The zoning map adopted by and incorporated in Ordinance 1-2011 (Unified Development Ordinance) shall be revised to show this change.

SECTION 3. This ordinance shall become effective as provided by law.

3. **2302 Denny Avenue** Request for a Variance to place an additional 48 sq. ft. attached wall sign on the front of building in a Regional Commercial (RC) district.

Donovan Scruggs presented the staff report. He noted the location of the property and the visible obstruction caused by 14th Street Overpass. He indicated the requirements of the UDO for wall signs and recently constructed buildings that adhered to the requirements. He noted relief that had been granted to Mr. Perkins at the site and provided a recommendation to “DENY” the variance for an additional wall sign along the front of building façade. William Perkins Jr. was present to explain the request and the need to comply with requirements of being a dealer for certain products. Wesley Smith questioned whether signage was allowed on the Victor Street side and the 14th Street side. Donovan Scruggs addressed the hardship of the 14th Street side of the building. Based on the hardship of the 14th Street bridge, and there being no protest, a motion was made by Mike Gilly to “APPROVE” the application to grant the variance. The motion was seconded by Joseph Odom and the vote thereupon was as follows: Linda Tillman “AYE”, Wesley Smith “AYE”, Mike Gilly “AYE”, Joseph Odom “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**” the variance based on the hardship of the 14th Street bridge.

4. **City of Pascagoula**

The request to amend various sections and subsections of Article 2 Administration of the Unified Development Ordinance.

Donovan Scruggs was present to explain the amendments. He mentioned the previous meetings and gave an overview of the changes. The staff made a recommendation to approve the amendments to Article 2: Administration of the Unified Development Ordinance. After hearing the staff’s report and there being no protest, a motion was made by Joseph Odom to “APPROVE” the adoption of an ordinance to amend Article 2 of the Unified Development Ordinance. The motion was seconded by Linda Tillman and the vote thereupon was as follows: Linda Tillman “AYE”, Wesley Smith “AYE”, Mike Gilly “AYE”, Joseph Odom “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**” the adoption of the Ordinance to amend the UDO.

ORDINANCE NO. _____ 2014

CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND VARIOUS SECTIONS AND SUBSECTIONS OF ARTICLE 2: ADMINISTRATION, OF THE UNIFIED DEVELOPMENT ORDINANCE, TO PROVIDE AS FOLLOWS: AMEND SECTION 2.1.A. SUMMARY TABLE, TO ALLOW THE CITY MANAGER TO MAKE DECISIONS WITH RESPECT TO TREE REMOVAL WITHOUT FURTHER REVIEW BY THE PLANNING BOARD AND CITY COUNCIL, BY DELETING THE LETTER “R” AT LINE SEVEN OF TABLE 2.1: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES, AND INSERTING THE LETTER “D” IN ITS PLACE; AMEND SECTION 2.2.A. REVIEW AND DECISION-MAKING AUTHORITIES GENERALLY, SUBSECTION 3., TO DELETE THE WORDS “CITY STAFF” AND REPLACE THEM WITH THE WORDS “CITY MANAGER”; AMEND SECTION 2.2.D. CITY MANAGER, TO INSERT A PERIOD AFTER THE WORD “STAFF” AND TO DELETE THE WORDS “IN THE CODE ENFORCEMENT DEPARTMENT” IN THE SECOND SENTENCE THEREOF; AMEND SECTION 2.3.B.2. APPLICATION CONTENTS, TO DELETE THE WORD “SHALL” IN THE FIRST SENTENCE THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.3. APPLICATION FEES, TO DELETE THE WORD “SHALL” IN THE SECOND SENTENCE THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.4. SUBMITTAL AND REVIEW SCHEDULE, TO DELETE THE WORD “SHALL” IN THE FIRST SENTENCE THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.6.b. APPLICATION INCOMPLETE, TO DELETE SUBSECTION “iii” THEREOF AND RENUMBER SUBSECTION “iv” AS SUBSECTION “iii”; AMEND SECTION 2.3.D.2.a. BEFORE PUBLIC HEARING NOTICE, TO DELETE THE WORDS “TO THE CITY MANAGER, WHO MAY GRANT SUCH REQUEST FOR GOOD CAUSE” AND INSERT A PERIOD AFTER THE WORD “DEFERRED”; AMEND SECTION 2.3.D.3.a. GENERAL NOTICE REQUIREMENTS, TO DELETE THE WORD “AS” APPEARING IN THE SECOND SENTENCE THEREOF AND INSERT THE WORD “AT” IN ITS PLACE; AMEND SECTION 2.3.D.3. PUBLIC HEARING NOTICE, TO DELETE SUBSECTION “d” AFFIDAVIT OF NOTICE, IN ITS ENTIRETY AND TO RE-LABEL SUBSECTION “e” CONSTRUCTIVE NOTICE, AS SUBSECTION “d”;

AMEND SECTION 2.3.F. ADMINISTRATIVE APPEAL, SUBSECTION 2, TO DELETE THE WORDS “CLERK OF COUNCIL” APPEARING IN THE FIFTH LINE OF THE SECOND SENTENCE THEREOF AND SUBSTITUTING THE WORDS “CITY CLERK” THEREFOR; AMEND SECTION 2.4.A. NOTICE OF DECISION, TO DELETE THE WORDS “CODE DEVELOPMENT” IN LINE THREE THEREOF AND SUBSTITUTE THE WORDS “PLANNING AND BUILDING” THEREFOR; AMEND SECTION 2.5.B.2.e.iii. REVIEW STANDARDS, TO DELETE SUBSECTIONS (A), (D), (E), (F), (G), (H), (I)

AND (J) THEREOF AND RE-LABEL SUBSECTION “(B)” AS “(A)”, SUBSECTION “(C)” AS “(B)” AND SUBSECTION “(K)” AS “(C)”, AND INSERT THE WORD “AND” AT THE END OF SUBSECTION (A), AND THE WORD “OR”, AT THE END OF SUBSECTION “(B)”; AMEND SECTION 2.5.C.5. RECORDATION, BY DELETING IT IN ITS ENTIRETY; AMEND SECTION 2.5.C.6. EXPIRATION, SUBSECTION c. BY DELETING IT IN ITS ENTIRETY; AMEND SECTION 2.5.C. SPECIAL USE PERMIT, BY RENUMBERING SUBSECTION “6” AS SUBSECTION “5”, SUBSECTION “7” AS SUBSECTION “6” AND SUBSECTION “8” AS SUBSECTION “7”; AMEND SECTION 2.5.D.3. PROCEDURE, BY DELETING SUBSECTION d. STEP 4, SCHEDULING AND NOTICE OF PUBLIC HEARING, AND SUBSECTION e. STEP 5, ACTION BY REVIEW AND DECISION-MAKING AUTHORITIES, AND SUBSECTION f. ADMINISTRATIVE APPEAL, IN THEIR ENTIRETY; AMEND SECTION 2.5.L.4. RECORDATION, TO DELETE THE LAST SENTENCE THEREOF REQUIRING RECORDATION OF A VARIANCE WITH THE CHANCERY CLERK AND TO CHANGE THE TITLE OF SUBSECTION 4. “RECORDATION” TO “APPROVAL”; AMEND SECTION 2.5.L.5. EXPIRATION, SUBSECTION a. TO DELETE IT IN ITS ENTIRETY AND TO DELETE THE LAST SENTENCE OF SUBSECTION b.; AMEND SECTION 2.5.L.6. EFFECT OF VARIANCE APPROVAL, TO DELETE THE WORDS “AND RECORDED” APPEARING IN LINE NINE THEREOF; AMEND SECTION 2.5.M.3. PROCEDURE, ADMINISTRATIVE ADJUSTMENT CHART, STEP 5, TO DELETE THE WORDS “OPERATIONS MANAGER” AND INSERT THE WORDS “CITY MANAGER” IN PLACE THEREOF; AMEND SECTION 2.5.M.4. RECORDATION, TO DELETE THE SECOND SENTENCE THEREOF IN ITS ENTIRETY AND TO RE-LABEL THE SUBSECTION BY DELETING THE WORD “RECORDATION” AND REPLACING IT WITH THE WORD “APPROVAL”; AMEND SECTION 2.5.N. INTERPRETATION CHART, STEP 5, TO DELETE THE WORDS “OPERATIONS MANAGER” AND INSERT THE WORDS “CITY MANAGER” IN PLACE THEREOF; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA

AS FOLLOWS:

Section 1. 2.1.A. Summary Table is amended as follows:

Table 2.1: Summary of Development Review Responsibilities				
< > = Public Hearing R = Recommendation D = Decision				
Application Review Procedure	Pre-Application Conference Required (✓)	Review and Decision-Making Authorities		
		City Manager ¹	Planning Board	City Council
Text Amendment (Sec. 2.5.A)		R	<R>	<D>
Map Amendment (Rezoning) (Sec. 2.5.B)	✓	R	<R>	<D>
Special Use Permit (Sec.2.5.C)	✓	R	<R>	<D>
Site Plan (Sec. 2.5.C)	✓	R	<R>	<D>
Preliminary Plat (Sec. 2.5.E.3)	✓	R	<R>	<D>
Final Plat ² (Sec. 2.5.E.4)		R		D
Tree Removal Permit (Sec.2.5.G)		D		
Temporary Use Permit (Sec.2.5.G)		D		
Sign Permit (Sec. 2.5.H)		D		
Zoning Compliance Permit (Sec.2.5.I)		D		
Building Permit ³ (Sec. 2.5.J)		D		
Certificate of Occupancy ³ (Sec. 2.5.K)		D		
Variance (Sec.2.5.L)		R	<R>	<D>
Administrative Adjustment (Sec. 2.5.M)		D		
Interpretation (Sec. 2.5.N)		D		
Administrative Appeal ⁴			<R>	<D>
Notes: 1.The City Manager may delegate assigned duties and responsibilities to subordinate professional-level staff. 2.Staff recommendations for approval of a final plat go to the City Council. 3.Review procedures for Building Permits and Certificates of Occupancy are established by Chapter 14 (Buildings and Building Regulations) of the Pascagoula Code of Ordinance and the Building Code, but are shown here because they are closely related to the review procedures and enforcement provisions of this Ordinance. 4.Appeals of decisions by the City Manager are subject to the Administrative Appeal procedure. Decisions of the City Council constitute final City action and are appealable to the Circuit Court of Jackson county.				

Section 2. Section 2.2.A. Review and Decision-Making Authorities Generally, Subsection 3 is amended as follows:

The following bodies and City staff have powers and responsibilities in administering and reviewing applications for development approval under this Ordinance:

1. City Council;
2. Planning Board; and
3. City Manager.

Section 3. Section 2.2.D. City Manager is amended as follows:

In addition to, and in conjunction with, the authority and duties conferred by the Floodplain Management Ordinance and Chapter 14, Buildings and Building Regulations, of the Code of Ordinances, the City Manager is the official primarily responsible for administering and enforcing the provisions of this Ordinance. The City Manager may delegate any review or decision-making authority to any professional-level staff. The City Manager shall have the following functions and duties related to this Ordinance:

1. Decision Authority
To review and decide the following applications:
 - a. Tree Removal Permit;
 - b. Temporary Use Permit;
 - c. Sign Permit;
 - d. Zoning Compliance Permit;
 - e. Building Permit;
 - f. Certificate of Occupancy;
 - g. Administrative Adjustment; and
 - h. Interpretation.
2. Recommendation Authority
To review and make recommendations on the following applications:
 - a. Text Amendment;
 - b. Map Amendment (Rezoning);
 - c. Special Use Permit;
 - d. Site Plan;
 - e. Preliminary Plat Approval;
 - f. Final Plat Approval; and
 - g. Variance.
3. Other Powers and Duties
 - a. To conduct pre-application conferences;
 - b. To establish requirements for the content of applications reviewed under this Ordinance and a submittal schedule for review of such applications;
 - c. To compile and maintain an administrative manual;
 - d. To assist the City Clerk in maintaining the Official Zoning Map and related materials;

- e. To serve as Secretary and staff liaison to the Planning Board;
- f. To enforce this Ordinance in accordance with Article 9: Enforcement;
- g. To provide expertise and technical assistance to the City's other decision-making authorities, on request; and
- h. To maintain on file a record of all development applications reviewed under this Ordinance and make copies available on request.

Section 4. Section 2.3.B.2. Application Contents is amended as follows:

The City Manager is authorized to and may establish in an administrative manual the requirements for the content and form of each type of application. The City Manager may amend and update these requirements as determined necessary to ensure effective and efficient City review. The applicant bears the burden of ensuring that an application contains sufficient information to demonstrate compliance of the proposed development with applicable standards.

Section 5. Section 2.3.B.3. Application Fees is amended as follows:

The City Council shall establish application fees, and may amend and update those fees as determined necessary. Fees established by the City Council may be included in the administrative manual.

Section 6. Section 2.3.B.4. Submittal and Review Schedule is amended as follows:

The City Manager is authorized to and may establish in an administrative manual the submittal and review schedule (including time frames for review) for various types or categories of applications. The City manager may amend and update these requirements as determined necessary to ensure effective and efficient City review.

Section 7. Section 2.3.B.6.b. Application Incomplete is amended as follows:

- i. On determining that the application is incomplete, the City Manager shall notify the applicant of the deficiencies within the specified completeness review period. The applicant may correct the deficiencies and resubmit the application for completeness determination.
- ii. If the applicant fails to resubmit an application within 45 calendar days after being first notified of deficiencies, the application shall be considered withdrawn.
- iii. The City Manager shall not process an application for further review until it is determined to be complete.

Section 8. Section 2.3.D.2.a. Before Public Hearing Notice is amended as follows:

If an application is subject to a public hearing and required notice of the hearing has not yet been provided, the applicant may submit a written request that the hearing be deferred.

Section 9. Section 2.3.D.3.a. General Notice Requirements is amended as follows:

Public notice of the public hearings held on an application by the Planning Board and the City Council shall be required as shown in Table 2.3.D.3., Public Hearing Notice Requirements, for the type of application and the type of notice. Required notice of both public hearings may be provided concurrently at the discretion of the City Manager. In computing the time periods prescribed for notices, the day the notice is published, or postmarked, shall not be included, but the day of the hearing shall be included.

TABLE 2.3.D.3: PUBLIC HEARING NOTICE REQUIREMENTS¹		
APPLICATION TYPE	NOTICE REQUIREMENT	
	PUBLISHED	MAILED
Text Amendment	Publish notice of the public hearing at least 15 calendar days before the hearing date	Mail notice of the public hearing to specified recipients at least 15 calendar days before the hearing date
Map Amendment (Rezoning)		
Special Use Permit		
Site Plan Approval		
Preliminary Plat Approval		
Variance	Publish notice of the public hearing at least 15 calendar days before the hearing date	
Administrative Appeal²		
NOTES:		
1. Application types not listed do not require public notice.		
2. Mailed notices are required only if the appeal pertains to application of an Ordinance provision to a specific parcel.		

Section 10. Section 2.3.D.3. Public Hearing Notice, Subsection d. Affidavit of Notice, and Subsection e. Constructive Notice, are amended as follows:

Subsection d. Affidavit of Notice is deleted in its entirety. Subsection e. Constructive Notice, is re-labeled as Subsection d.

Section 11. Section 2.3.F. Administrative Appeal, Subsection 2 is amended as follows:

A final decision by the City Council on an application (including its decision on an Administrative Appeal application) constitutes the final decision of the City. A person aggrieved

by such a final decision by the City Council may appeal the decision by filing a notice of appeal with the Clerk to the Circuit Court of Jackson County no later than ten days after adjournment of the meeting at which the decision was made and by filing a bill of exceptions with the City Clerk and the Circuit Court Clerk in the time and manner provided by law.

Section 12. Section 2.4.A. Notice of Decision is amended as follows:

Within ten calendar days after a final decision on an application reviewed under this Ordinance, the City Manager shall provide the applicant written notice of the decision and make a copy of the decision available to the public in the offices of the Planning and Building Department, during normal business hours.

Section 13. Section 2.5.B.2.e.iii. Review Standards is amended as follows:

Amending the Official Zoning Map (Rezoning) is a matter committed to the legislative discretion of the City Council. In determining whether to adopt or deny a proposed amendment, the City Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

- (A) Is required by changed conditions; and
- (B) Addresses a demonstrated community need; or
- (C) Is the result of a mistake in the original zoning designation.

Section 14. Section 2.5.C.5. Recordation is amended as follows:

This section is deleted in its entirety.

Section 15. Section 2.5.C.6. Expiration, Subsection c. is amended as follows:

This subsection is deleted in its entirety.

Section 16. Section 2.5.C. Special Use Permit, Subsection 6. Expiration, Subsection 7. Effective Approval and Subsection 8. Minor Deviations from Approved Plans are amended as follows:

Subsection 6. Expiration, shall henceforth be Subsection 5., Subsection 7. Effect of Approval, shall henceforth be Subsection 6. and Subsection 8. Minor Deviations from Approved Plans, shall henceforth be Subsection 7.

Section 17. Section 2.5.D.3. Procedure, Subsection d. Step4, Scheduling and Notice of Public Hearing, Subsection e. Step 5, Action by Review and Decision-Making Authorities and Subsection f. Administrative Appeal are amended as follows:

These subsections are deleted in their entirety.

Section 18. Section 2.5.L.4. Recordation is amended as follows:

4. Approval

If the application is approved, the City Manager shall provide the applicant a written notice of Variance approval that identifies the site, the Ordinance provision(s) from which the Variance is granted, any approved plans and documents, and any conditions of approval.

Section 19. Section 2.5.L.5. Expiration, Subsection a. is amended as follows:

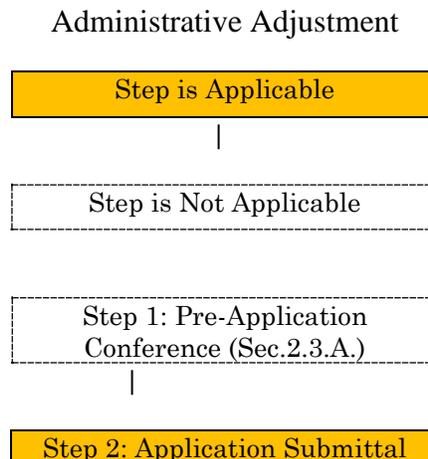
Subsection a. is deleted in its entirety.

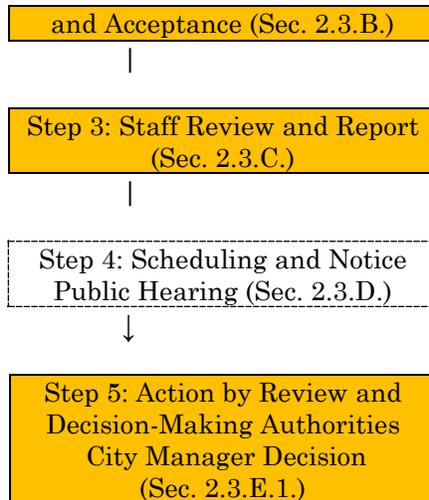
A Variance granted for development activity authorized by a Site Plan, subdivision approval, Zoning Compliance Permit, Tree Removal Permit, or Sign Permit shall automatically expire upon expiration of such permit or approval.

Section 20. Section 2.5.L.6. Effect of Variance Approval is amended as follows:

A Variance authorizes only the particular regulatory relief approved as part of the Variance. It does not exempt the owner or developer of property subject to the Variance from the responsibility to obtain all other permits and approvals required by this Ordinance and any other applicable laws, and does not indicate that the development for which the Variance is granted should receive approval of other development applications unless the relevant and applicable portions of this Ordinance or any other applicable laws are met. Unless it expires in accordance with Section 2.5.C.6., Expiration, or is revoked in accordance with Section 9.6.A.2., Revocation of Permit or Approval, an approved Variance, including any conditions of approval, shall run with the land and shall not be affected by a change in ownership.

Section 21. Section 2.5.M.3. Procedure, Administrative Adjustment Chart, Step 5, Action by Review and Decision-Making Authorities is amended as follows:



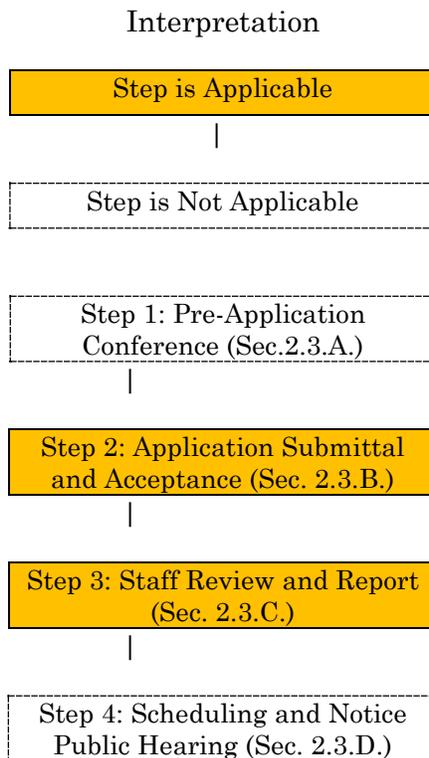


Section 22. Section 2.5.M.4. Recordation is amended as follows:

4. Approval

If the application is approved, the City Manager shall provide the applicant a written notice of Administrative Adjustment approval that identifies the site, the adjusted standard(s), the extent of adjustment, any approved plans and documents, and any conditions of approval.

Section 23. Section 2.5.N. Interpretation Chart is amended as follows:





Step 5: Action by Review and
Decision-Making Authorities
City Manager Decision
(Sec. 2.3.E.1.)

Section 24. This ordinance shall become effective one month after passage.

5. City of Pascagoula

The request to amend various sections and subsections of Article 3 Zoning Districts of the Unified Development Ordinance.

Donovan Scruggs was present to explain the application. He reminded the board of the previous meetings regarding the proposed changes. He indicated the changes were limited to the Downtown and the Waterfront Mixed Use Districts. The staff made a recommendation to approve the amendments to Article 3: Zoning Districts of the Unified Development Ordinance. After hearing the staff’s report and there being no protest, a motion was made by Mike Gilly to “APPROVE” the adoption of an ordinance to amend Article 3 of the Unified Development Ordinance. The motion was seconded by Linda Tillman and the vote thereupon was as follows: Linda Tillman “AYE”, Wesley Smith “AYE”, Mike Gilly “AYE”, Joseph Odom “AYE”, Stephen Parker “AYE”.

The application will go to the City Council with the recommendation to “**APPROVE**” the adoption of an Ordinance to amend the UDO.

ORDINANCE NO. _____ 2014

CITY OF PASCAGOULA, MISSISSIPPI

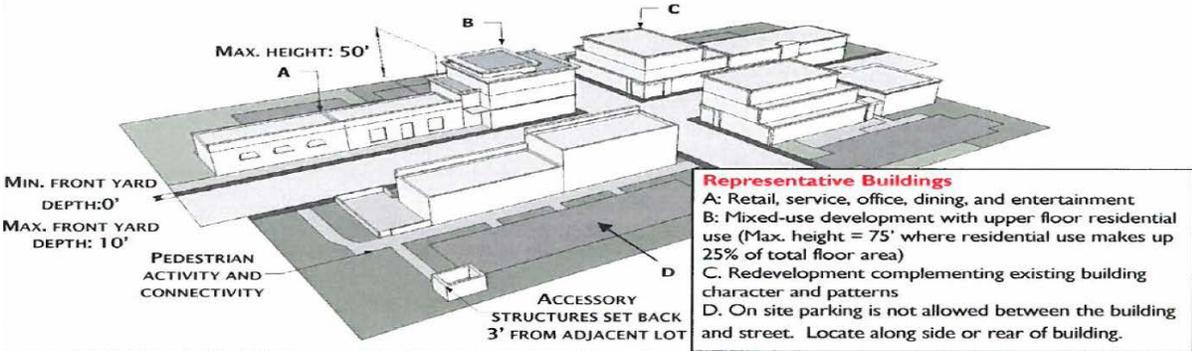
AN ORDINANCE TO AMEND VARIOUS SECTIONS AND SUBSECTIONS OF ARTICLE 3: ZONING DISTRICTS, OF THE UNIFIED DEVELOPMENT ORDINANCE, TO PROVIDE AS FOLLOWS: AMEND SECTION 3.3. COMMERCIAL BASE ZONING DISTRICTS, SUBSECTION E. DOWNTOWN (DT), TO PROVIDE A MINIMUM FRONT YARD DEPTH OF “0” FEET; TO PROVIDE A MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO PROVIDE A BLANK WALL MAXIMUM AREA, LINEAR FEET, HORIZONTAL OR VERTICAL, OF “35” FEET; TO PROVIDE FOR MINIMUM TRANSPARENCY ALONG A PRIMARY STREET OF “40%”, MEASURED BETWEEN TWO FEET AND TWELVE FEET VERTICALLY; TO PROVIDE FOR A MINIMUM GROUND STORY HEIGHT, FLOOR TO CEILING, OF “11” FEET; TO PROVIDE FOR A MINIMUM UPPER-STORY HEIGHT, FLOOR TO CEILING, OF “9” FEET; TO PROVIDE FOR MAXIMUM SPACING BETWEEN ENTRANCES ON A PRIMARY STREET OF “70” FEET; TO PROVIDE FOR BUILDING ON A PRIMARY STREET IN BUILD-TO ZONE AS A PERCENTAGE OF LOT WIDTH TO BE

“70%”; TO AMEND THE TYPICAL DEVELOPMENT CONFIGURATION TO REFLECT NEW SET-BACK PROVISIONS OF MINIMUM FRONT YARD DEPTH OF “0” FEET AND MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO AMEND REPRESENTATIVE BUILDINGS, TO ADD A SUBSECTION “D” TO PROVIDE THAT ON-SITE PARKING IS NOT ALLOWED BETWEEN THE BUILDING AND THE STREET AND MUST LOCATE ALONG THE SIDE OR REAR OF THE BUILDING; TO AMEND SUBSECTION G. WATERFRONT MIXED-USE (WMU), TO PROVIDE A MINIMUM FRONT YARD DEPTH OF “0” FEET; TO PROVIDE A MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO AMEND THE TYPICAL DEVELOPMENT CONFIGURATION TO REFLECT THE NEW SET-BACK PROVISIONS OF MINIMUM FRONT YARD DEPTH OF “0” FEET AND MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA AS FOLLOWS:

Section 1. Section 3.3. Commercial Base Zoning Districts, Subsection E. Downtown (DT) is amended as follows:

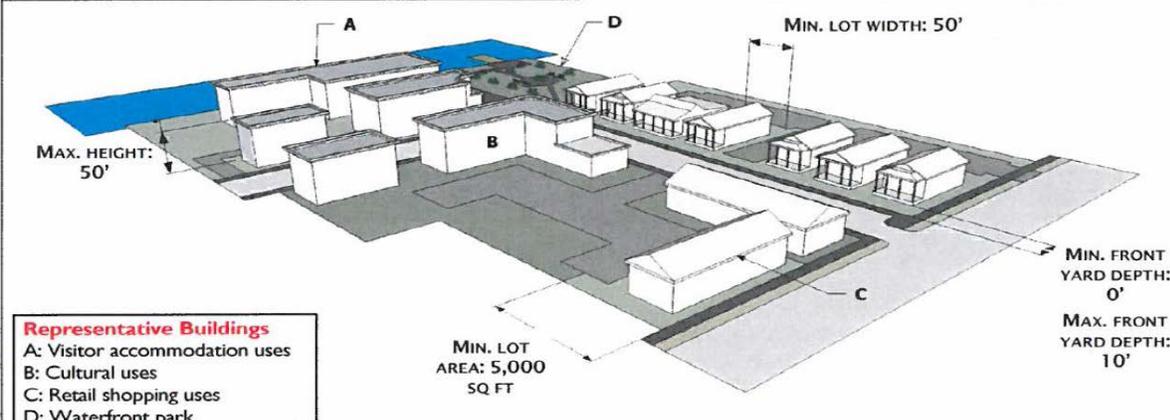
E. DOWNTOWN (DT)

PURPOSE		TYPICAL BUILDING TYPE
<p>The Downtown (DT) District is established and intended to foster vibrant, walkable, mixed-use, and economically-sustainable development and redevelopment in the city's traditional core. The DT district is intended to accommodate a wide range of retail, service, office, dining, entertainment, and upper-floor residential uses that generate daytime and nighttime activity on weekdays and weekends. DT district standards are intended to encourage development or redevelopment that complements the downtown area's unique architectural and historical character and building pattern and encourages pedestrian activity and connections within the downtown and between it and nearby key destinations (e.g., the riverfront and the Market Street commercial corridor). The need to encourage redevelopment and meet parking demands created by new development is intended to be balanced with the need to protect and enhance the downtown's small-scale character and pedestrian orientation.</p>		
PRINCIPAL INTENSITY AND DIMENSIONAL STANDARDS		TYPICAL LOT PATTERN
Minimum lot area (sq ft)	n/a	
Minimum lot area per dwelling unit (sq ft)	1,500	
Minimum lot width (ft)	n/a	
Maximum building coverage (% of lot area)	n/a	
Maximum height (ft) ¹	50 ²	
Minimum front yard depth (ft)	0	
Maximum front yard depth (ft)	10'	
Minimum side yard depth (ft)	n/a	
Minimum rear yard depth (ft)	n/a	
Blank wall maximum area (linear feet; horizontal or vertical)	35'	
Minimum transparency along primary street	40% ³	
Minimum ground story height, floor to ceiling	11'	
Minimum upper story height, floor to ceiling	9'	
Maximum spacing between entrances - primary street	70'	
Building (primary street) in build to zone (% of lot width)	70%	
<p>NOTES: [sq ft = square feet; ft = feet] 1. See Section 5.3.F Height, regarding height measurement in the FPO district. 2. 75 ft for mixed-use development in which at least 25% of total floor area is devoted to residential uses. 3. Measured between 2 feet and 12 feet vertically.</p>		
TYPICAL DEVELOPMENT CONFIGURATION		
 <p>Representative Buildings A: Retail, service, office, dining, and entertainment B: Mixed-use development with upper floor residential use (Max. height = 75' where residential use makes up 25% of total floor area) C: Redevelopment complementing existing building character and patterns D: On site parking is not allowed between the building and street. Locate along side or rear of building.</p>		

Section 2. Section 3.3. Commercial Base Zoning Districts, Subsection G. Waterfront

Mixed-Use (WMU) is amended as follows:

G. WATERFRONT MIXED-USE (WMU)

PURPOSE		TYPICAL BUILDING TYPE
<p>The Waterfront Mixed-Use (WMU) District is established and intended to reconnect the city to its waterfronts by encouraging mixed-use and infill development in targeted waterfront areas (e.g., the east bank of the Pascagoula River, adjacent and south of the downtown, and the mouth of the Bayou Chicot). The district is intended to foster development of mixed-use neighborhoods that support a variety of medium- to high-density housing types, retail shopping uses, cultural uses (e.g. art galleries), hospitality uses (e.g., restaurants, hotels), and water-oriented uses providing opportunities for leisure activities (e.g., marinas, docking facilities, boat launches, boat clubs, marine services). District standards are intended to promote and support tourism, ensure compatibility with adjacent development, encourage human-scale development oriented to the street, and foster pedestrian activity along the waterfront, within the district, and to and from adjoining activity centers.</p>		
PRINCIPAL INTENSITY AND DIMENSIONAL STANDARDS		TYPICAL LOT PATTERN
Minimum lot area (sq ft)	5,000 ¹	
Minimum lot area per dwelling unit (sq ft)	1,500	
Minimum lot width (ft)	50	
Maximum building coverage (% of lot area)	n/a	
Maximum height (ft) ²	50	
Minimum front yard depth (ft)	0	
Maximum front yard depth (ft)	10	
Minimum side yard depth (ft)	n/a	
Minimum rear yard depth (ft)	n/a	
<p>NOTES: [sq ft = square feet; ft = feet]</p> <p>1. For townhouse development, applies to development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.</p> <p>2. See Section 5.3.F regarding height measurement in the FPO district.</p>		
TYPICAL DEVELOPMENT CONFIGURATION		
		

Section 3. This ordinance shall become effective one month after passage.

With there being no further action needed, the meeting of the Planning Board was adjourned.

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

Regarding the above Planning Board minutes, the following actions were taken by the City Council:

- (1) **Vincent Jackson, 2307 Market Street** - A request for a rear yard variance of five (5) feet and a buffer yard variance of fifteen (15) feet for property located at 2307 Market Street

Councilman Hill made a motion to grant the variances for the rear yard and buffer yard requirements for property located at 2307 Market Street as requested by applicant Vincent Jackson and recommended by the Planning Board. The motion was seconded by Councilman Pickett and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

- (2) **City of Pascagoula** - Adoption of an ordinance to change the zoning for certain parcels located between Magnolia Street and Cedar Street and north of the Highway 90 bridge from Regional Commercial and Single Family Residential Districts to Waterfront Mixed Use District.

Charles Graham, 908 Westwood, addressed the Council regarding this rezoning matter. Eddie Williams, City Attorney, stated the City would like to rezone the use of the land only.

After comments, the Council considered the following Ordinance:

ORDINANCE NO. 11-2014

CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN LAND LYING GENERALLY SOUTH OF MORGAN AVENUE, WEST OF MAGNOLIA STREET, EAST OF CEDAR STREET AND NORTH OF A BODY OF WATER KNOWN AS “BLODGETT’S SLIP”, FROM SINGLE FAMILY RESIDENTIAL 10 AND REGIONAL COMMERCIAL TO WATERFRONT MIXED USE; AND FOR RELATED PURPOSES

WHEREAS, the City of Pascagoula proposes to have the zoning of the land described below changed from Regional Commercial and Single Family Residential 10 to Waterfront Mixed Use; and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 10th day of December, 2014, after due notice thereof, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, after hearing the matter, the Planning Board recommended to the City Council that the application to change the zoning be granted; and

WHEREAS, we find that the zoning change is supported by the evidence adduced at the hearing, is reasonable and in the public interest; and

WHEREAS, we further find that the character of the neighborhood wherein the property is located has changed substantially over the years and that the property no longer has a viable residential use and public necessity requires a change in the zoning designation; and

WHEREAS, we further find that the change in zoning will not create any non-conforming uses within the area described herein:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI:

SECTION 1: Ordinance 1-2011 (Unified Development Ordinance) is hereby amended to change the zoning of the following described land from Regional Commercial and Single Family Residential 10 to Waterfront Mixed Use:

A tract of land situated in Claim Section 7, Township 8 South, Range 6 West,

Pascagoula, Jackson County, Mississippi and more particularly described as follows: Commencing at the intersection of the east right-of-way of Cedar Street and the south right-of-way of Morgan Avenue; thence South 7 degrees 37 minutes 37 seconds West along the east right-of-way of Cedar street 141.77 feet to the southwest corner of that property described in Deed Book 1625, page 77 and to the Point of Beginning; thence South 79 degrees 08 minutes 30 seconds East along a fence 187.16 feet to a fence corner at the southeast corner of that property described in Deed Book 1596, page 479; thence South 7 degrees 04 minutes 49 seconds West along a fence to the southwest corner that property described in Deed Book 1724, page 527; thence South 79 degrees 34 minutes 37 seconds East along a fence and the extension thereof 359.33 feet to the west right-of-way of Magnolia Street; thence South 10 degrees 41 minutes 18 seconds West along the west right-of-way of Magnolia Street 115. 23 feet to the northeast corner of Lot 27, Rene Krebs Tract (Deed Book 3, page 236 ½); thence West along the north line of Lot 27, 563.35 feet to the northwest corner of Lot 27; thence North 12 degrees 06 minutes 05 seconds East along the east right-of-way of Cedar Street 231.31 feet to the Point of Beginning.

SECTION 2. The zoning map adopted by and incorporated in Ordinance 1-2011 (Unified Development Ordinance) shall be revised to show this change.

SECTION 3. This ordinance shall become effective as provided by law.

The above Ordinance was introduced in writing by Councilman Jackson, seconded for adoption by Councilman Hill, and received the following vote: Mayor Blevins voted “AYE”, Councilman Hill voted “AYE”, Councilman Jackson voted “AYE”, Councilman Pickett voted “AYE”, Councilwoman Simkins “ABSENT”, Councilman Tadlock “ABSENT”, and Councilman Tipton voted “AYE”.

Passed this the 16th day of December, 2014.

APPROVED:

/s/ Harry J. Blevins
Harry J. Blevins, Mayor

ATTEST:

/s/ Brenda J. Reed
Brenda J. Reed, Asst. City Clerk

(SEAL)

- (3) **William R. Perkins, Jr., 2302 Denny Avenue** - Consideration of a request to place an additional wall sign on the north (front) elevation of a building located at 2302 Denny Avenue.

Councilman Pickett made a motion to grant the variance to allow an additional wall sign on the north elevation of the building located at 2302 Denny Avenue as requested by applicant William Perkins, Jr., and recommended by the Planning Board. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

- (4) **City of Pascagoula** - Adoption of an ordinance to amend Article 2 Administration of the Unified Development Ordinance.

The Ordinance is spread on the minutes as follows:

ORDINANCE NO. 12-2014

CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND VARIOUS SECTIONS AND SUBSECTIONS OF ARTICLE 2: ADMINISTRATION, OF THE UNIFIED DEVELOPMENT ORDINANCE, TO PROVIDE AS FOLLOWS: AMEND SECTION 2.1.A. SUMMARY TABLE, TO ALLOW THE CITY MANAGER TO MAKE DECISIONS WITH RESPECT TO TREE REMOVAL WITHOUT FURTHER REVIEW BY THE PLANNING BOARD AND CITY COUNCIL, BY DELETING THE LETTER “R” AT LINE SEVEN OF TABLE 2.1: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES, AND INSERTING THE LETTER “D” IN ITS PLACE; AMEND SECTION 2.2.A. REVIEW AND DECISION-MAKING AUTHORITIES GENERALLY, SUBSECTION 3., TO DELETE THE WORDS “CITY STAFF” AND REPLACE THEM WITH THE WORDS “CITY MANAGER”; AMEND SECTION 2.2.D. CITY MANAGER, TO INSERT A PERIOD AFTER THE WORD “STAFF” AND TO DELETE THE WORDS “IN THE CODE ENFORCEMENT DEPARTMENT” IN THE SECOND SENTENCE THEREOF; AMEND SECTION 2.3.B.2. APPLICATION CONTENTS, TO DELETE THE WORD “SHALL” IN THE FIRST SENTENCE THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.3. APPLICATION FEES, TO DELETE THE WORD “SHALL” IN THE SECOND SENTENCE THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.4. SUBMITTAL AND REVIEW SCHEDULE, TO DELETE THE WORD “SHALL” IN THE FIRST SENTENCE

THEREOF AND REPLACE IT WITH THE WORD “MAY”; AMEND SECTION 2.3.B.6.b. APPLICATION INCOMPLETE, TO DELETE SUBSECTION “iii” THEREOF AND RENUMBER SUBSECTION “iv” AS SUBSECTION “iii”; AMEND SECTION 2.3.D.2.a. BEFORE PUBLIC HEARING NOTICE, TO DELETE THE WORDS “TO THE CITY MANAGER, WHO MAY GRANT SUCH REQUEST FOR GOOD CAUSE” AND INSERT A PERIOD AFTER THE WORD “DEFERRED”; AMEND SECTION 2.3.D.3.a. GENERAL NOTICE REQUIREMENTS, TO DELETE THE WORD “AS” APPEARING IN THE SECOND SENTENCE THEREOF AND INSERT THE WORD “AT” IN ITS PLACE; AMEND SECTION 2.3.D.3. PUBLIC HEARING NOTICE, TO DELETE SUBSECTION “d” AFFIDAVIT OF NOTICE, IN ITS ENTIRETY AND TO RE-LABEL SUBSECTION “e” CONSTRUCTIVE NOTICE, AS SUBSECTION “d”; AMEND SECTION 2.3.F. ADMINISTRATIVE APPEAL, SUBSECTION 2, TO DELETE THE WORDS “CLERK OF COUNCIL” APPEARING IN THE FIFTH LINE OF THE SECOND SENTENCE THEREOF AND SUBSTITUTING THE WORDS “CITY CLERK” THEREFOR; AMEND SECTION 2.4.A. NOTICE OF DECISION, TO DELETE THE WORDS “CODE DEVELOPMENT” IN LINE THREE THEREOF AND SUBSTITUTE THE WORDS “PLANNING AND BUILDING” THEREFOR; AMEND SECTION 2.5.B.2.e.iii. REVIEW STANDARDS, TO DELETE SUBSECTIONS (A), (D), (E), (F), (G), (H), (I) AND (J) THEREOF AND RE-LABEL SUBSECTION “(B)” AS “(A)”, SUBSECTION “(C)” AS “(B)” AND SUBSECTION “(K)” AS “(C)”, AND INSERT THE WORD “AND” AT THE END OF SUBSECTION (A), AND THE WORD “OR”, AT THE END OF SUBSECTION “(B)”; AMEND SECTION 2.5.C.5. RECORDATION, BY DELETING IT IN ITS ENTIRETY; AMEND SECTION 2.5.C.6. EXPIRATION, SUBSECTION c. BY DELETING IT IN ITS ENTIRETY; AMEND SECTION 2.5.C. SPECIAL USE PERMIT, BY RENUMBERING SUBSECTION “6” AS SUBSECTION “5”, SUBSECTION “7” AS SUBSECTION “6” AND SUBSECTION “8” AS SUBSECTION “7”; AMEND SECTION 2.5.D.3. PROCEDURE, BY DELETING SUBSECTION d. STEP 4, SCHEDULING AND NOTICE OF PUBLIC HEARING, AND SUBSECTION e. STEP 5, ACTION BY REVIEW AND DECISION-MAKING AUTHORITIES, AND SUBSECTION f. ADMINISTRATIVE APPEAL, IN THEIR ENTIRETY; AMEND SECTION 2.5.L.4. RECORDATION, TO DELETE THE LAST SENTENCE THEREOF REQUIRING RECORDATION OF A VARIANCE WITH THE CHANCERY CLERK AND TO CHANGE THE TITLE OF SUBSECTION 4. “RECORDATION” TO “APPROVAL”; AMEND SECTION 2.5.L.5. EXPIRATION, SUBSECTION a. TO DELETE IT IN ITS ENTIRETY AND TO DELETE THE LAST SENTENCE OF SUBSECTION b.; AMEND SECTION 2.5.L.6. EFFECT OF VARIANCE APPROVAL, TO DELETE THE WORDS “AND RECORDED” APPEARING IN LINE NINE THEREOF; AMEND SECTION 2.5.M.3. PROCEDURE, ADMINISTRATIVE ADJUSTMENT CHART, STEP 5, TO DELETE THE WORDS “OPERATIONS MANAGER” AND INSERT THE WORDS “CITY MANAGER” IN PLACE THEREOF;

AMEND SECTION 2.5.M.4. RECORDATION, TO DELETE THE SECOND SENTENCE THEREOF IN ITS ENTIRETY AND TO RE-LABEL THE SUBSECTION BY DELETING THE WORD “RECORDATION” AND REPLACING IT WITH THE WORD “APPROVAL”; AMEND SECTION 2.5.N. INTERPRETATION CHART, STEP 5, TO DELETE THE WORDS “OPERATIONS MANAGER” AND INSERT THE WORDS “CITY MANAGER” IN PLACE THEREOF; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA

AS FOLLOWS:

Section 1. 2.1.A. Summary Table is amended as follows:

Table 2.1: Summary of Development Review Responsibilities				
< > = Public Hearing R = Recommendation D = Decision				
Application Review Procedure	Pre-Application Conference Required (√)	Review and Decision-Making Authorities		
		City Manager ¹	Planning Board	City Council
Text Amendment (Sec. 2.5.A)		R	<R>	<D>
Map Amendment (Rezoning) (Sec. 2.5.B)	√	R	<R>	<D>
Special Use Permit (Sec.2.5.C)	√	R	<R>	<D>
Site Plan (Sec. 2.5.C)	√	R	<R>	<D>
Preliminary Plat (Sec. 2.5.E.3)	√	R	<R>	<D>
Final Plat ² (Sec. 2.5.E.4)		R		D
Tree Removal Permit (Sec.2.5.G)		D		
Temporary Use Permit (Sec.2.5.G)		D		
Sign Permit (Sec. 2.5.H)		D		
Zoning Compliance Permit (Sec.2.5.I)		D		
Building Permit ³ (Sec. 2.5.J)		D		
Certificate of Occupancy ³ (Sec. 2.5.K)		D		
Variance (Sec.2.5.L)		R	<R>	<D>
Administrative Adjustment (Sec. 2.5.M)		D		
Interpretation (Sec. 2.5.N)		D		
Administrative Appeal ⁴			<R>	<D>

Notes:

1. The City Manager may delegate assigned duties and responsibilities to subordinate professional-level staff.
2. Staff recommendations for approval of a final plat go to the City Council.
3. Review procedures for Building Permits and Certificates of Occupancy are established by Chapter 14 (Buildings and Building Regulations) of the Pascagoula Code of Ordinance and the Building Code, but are shown here because they are closely related to the review procedures and enforcement provisions of this Ordinance.
4. Appeals of decisions by the City Manager are subject to the Administrative Appeal procedure. Decisions of the City Council constitute final City action and are appealable to the Circuit Court of Jackson county.

Section 2. Section 2.2.A. Review and Decision-Making Authorities Generally,

Subsection 3 is amended as follows:

The following bodies and City staff have powers and responsibilities in administering and reviewing applications for development approval under this Ordinance:

4. City Council;
5. Planning Board; and
6. City Manager.

Section 3. Section 2.2.D. City Manager is amended as follows:

In addition to, and in conjunction with, the authority and duties conferred by the Floodplain Management Ordinance and Chapter 14, Buildings and Building Regulations, of the Code of Ordinances, the City Manager is the official primarily responsible for administering and enforcing the provisions of this Ordinance. The City Manager may delegate any review or decision-making authority to any professional-level staff. The City Manager shall have the following functions and duties related to this Ordinance:

5. Decision Authority
To review and decide the following applications:
 - i. Tree Removal Permit;
 - j. Temporary Use Permit;
 - k. Sign Permit;
 - l. Zoning Compliance Permit;
 - m. Building Permit;
 - n. Certificate of Occupancy;
 - o. Administrative Adjustment; and
 - p. Interpretation.
6. Recommendation Authority

To review and make recommendations on the following applications:

- h. Text Amendment;
- i. Map Amendment (Rezoning);
- j. Special Use Permit;
- k. Site Plan;
- l. Preliminary Plat Approval;
- m. Final Plat Approval; and
- n. Variance.

7. Other Powers and Duties

- j. To conduct pre-application conferences;
- k. To establish requirements for the content of applications reviewed under this Ordinance and a submittal schedule for review of such applications;
- l. To compile and maintain an administrative manual;
- m. To assist the City Clerk in maintaining the Official Zoning Map and related materials;
- n. To serve as Secretary and staff liaison to the Planning Board;
- o. To enforce this Ordinance in accordance with Article 9: Enforcement;
- p. To provide expertise and technical assistance to the City's other decision-making authorities, on request; and
- q. To maintain on file a record of all development applications reviewed under this Ordinance and make copies available on request.

Section 4. Section 2.3.B.2. Application Contents is amended as follows:

The City Manager is authorized to and may establish in an administrative manual the requirements for the content and form of each type of application. The City Manager may amend and update these requirements as determined necessary to ensure effective and efficient City review. The applicant bears the burden of ensuring that an application contains sufficient information to demonstrate compliance of the proposed development with applicable standards.

Section 5. Section 2.3.B.3. Application Fees is amended as follows:

The City Council shall establish application fees, and may amend and update those fees as determined necessary. Fees established by the City Council may be included in the administrative manual.

Section 6. Section 2.3.B.4. Submittal and Review Schedule is amended as follows:

The City Manager is authorized to and may establish in an administrative manual the submittal and review schedule (including time frames for review) for various types or categories of applications. The City manager may amend and update these requirements as determined necessary to ensure effective and efficient City review.

Section 7. Section 2.3.B.6.b. Application Incomplete is amended as follows:

- r. On determining that the application is incomplete, the City Manager shall notify the applicant of the deficiencies within the specified completeness review period. The applicant may correct the deficiencies and resubmit the application for completeness determination.
- ii. If the applicant fails to resubmit an application within 45 calendar days after being first notified of deficiencies, the application shall be considered withdrawn.
- iii. The City Manager shall not process an application for further review until it is determined to be complete.

Section 8. Section 2.3.D.2.a. Before Public Hearing Notice is amended as follows:

If an application is subject to a public hearing and required notice of the hearing has not yet been provided, the applicant may submit a written request that the hearing be deferred.

Section 9. Section 2.3.D.3.a. General Notice Requirements is amended as follows:

Public notice of the public hearings held on an application by the Planning Board and the City Council shall be required as shown in Table 2.3.D.3., Public Hearing Notice Requirements, for the type of application and the type of notice. Required notice of both public hearings may be provided concurrently at the discretion of the City Manager. In computing the time periods prescribed for notices, the day the notice is published, or postmarked, shall not be included, but the day of the hearing shall be included.

TABLE 2.3.D.3: PUBLIC HEARING NOTICE REQUIREMENTS¹		
APPLICATION TYPE	NOTICE REQUIREMENT	
	PUBLISHED	MAILED
Text Amendment	Publish notice of the public hearing at least 15 calendar days before the hearing date	Mail notice of the public hearing to specified recipients at least 15 calendar days before the hearing date
Map Amendment (Rezoning)		
Special Use Permit		
Site Plan Approval		
Preliminary Plat Approval	Publish notice of the public hearing at least 15 calendar days before the hearing date	
Variance		
Administrative Appeal²		
NOTES:		
1. Application types not listed do not require public notice.		

2. Mailed notices are required only if the appeal pertains to application of an Ordinance provision to a specific parcel.

Section 10. Section 2.3.D.3. Public Hearing Notice, Subsection d. Affidavit of Notice, and Subsection e. Constructive Notice, are amended as follows:

Subsection d. Affidavit of Notice is deleted in its entirety. Subsection e. Constructive Notice, is re-labeled as Subsection d.

Section 11. Section 2.3.F. Administrative Appeal, Subsection 2 is amended as follows:

A final decision by the City Council on an application (including its decision on an Administrative Appeal application) constitutes the final decision of the City. A person aggrieved by such a final decision by the City Council may appeal the decision by filing a notice of appeal with the Clerk to the Circuit Court of Jackson County no later than ten days after adjournment of the meeting at which the decision was made and by filing a bill of exceptions with the City Clerk and the Circuit Court Clerk in the time and manner provided by law.

Section 12. Section 2.4.A. Notice of Decision is amended as follows:

Within ten calendar days after a final decision on an application reviewed under this Ordinance, the City Manager shall provide the applicant written notice of the decision and make a copy of the decision available to the public in the offices of the Planning and Building Department, during normal business hours.

Section 13. Section 2.5.B.2.e.iii. Review Standards is amended as follows:

Amending the Official Zoning Map (Rezoning) is a matter committed to the legislative discretion of the City Council. In determining whether to adopt or deny a proposed amendment, the City Council shall weigh the relevance of and consider whether and the extent to which the proposed amendment:

- (D) Is required by changed conditions; and
- (E) Addresses a demonstrated community need; or
- (F) Is the result of a mistake in the original zoning designation.

Section 14. Section 2.5.C.5. Recordation is amended as follows:

This section is deleted in its entirety.

Section 15. Section 2.5.C.6. Expiration, Subsection c. is amended as follows:

This subsection is deleted in its entirety.

Section 16. Section 2.5.C. Special Use Permit, Subsection 6. Expiration, Subsection 7. Effective Approval and Subsection 8. Minor Deviations from Approved Plans are amended as follows:

Subsection 6. Expiration, shall henceforth be Subsection 5., Subsection 7. Effect of Approval, shall henceforth be Subsection 6. and Subsection 8. Minor Deviations from Approved Plans, shall henceforth be Subsection 7.

Section 17. Section 2.5.D.3. Procedure, Subsection d. Step4, Scheduling and Notice of Public Hearing, Subsection e. Step 5, Action by Review and Decision-Making Authorities and Subsection f. Administrative Appeal are amended as follows:

These subsections are deleted in their entirety.

Section 18. Section 2.5.L.4. Recordation is amended as follows:

8. Approval

If the application is approved, the City Manager shall provide the applicant a written notice of Variance approval that identifies the site, the Ordinance provision(s) from which the Variance is granted, any approved plans and documents, and any conditions of approval.

Section 19. Section 2.5.L.5. Expiration, Subsection a. is amended as follows:

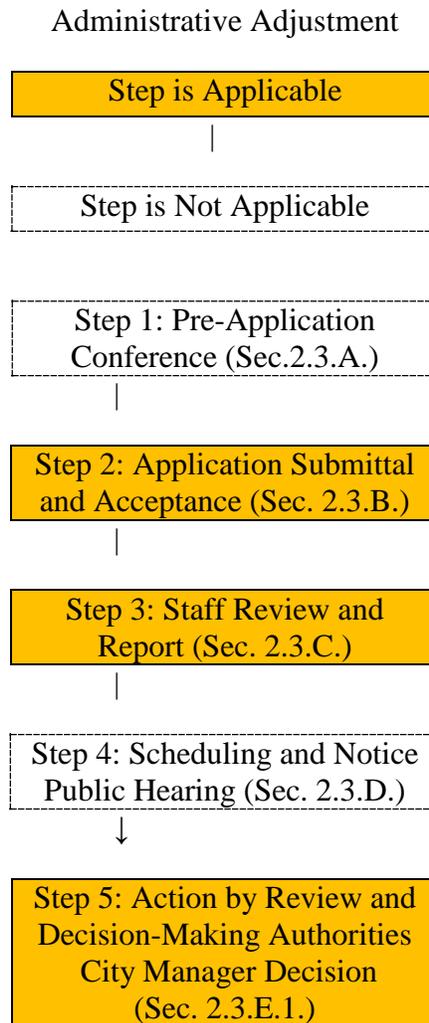
Subsection a. is deleted in its entirety.

A Variance granted for development activity authorized by a Site Plan, subdivision approval, Zoning Compliance Permit, Tree Removal Permit, or Sign Permit shall automatically expire upon expiration of such permit or approval.

Section 20. Section 2.5.L.6. Effect of Variance Approval is amended as follows:

A Variance authorizes only the particular regulatory relief approved as part of the Variance. It does not exempt the owner or developer of property subject to the Variance from the responsibility to obtain all other permits and approvals required by this Ordinance and any other applicable laws, and does not indicate that the development for which the Variance is granted should receive approval of other development applications unless the relevant and applicable portions of this Ordinance or any other applicable laws are met. Unless it expires in accordance with Section 2.5.C.6., Expiration, or is revoked in accordance with Section 9.6.A.2., Revocation of Permit or Approval, an approved Variance, including any conditions of approval, shall run with the land and shall not be affected by a change in ownership.

Section 21. Section 2.5.M.3. Procedure, Administrative Adjustment Chart, Step 5, Action by Review and Decision-Making Authorities is amended as follows:

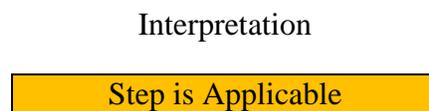


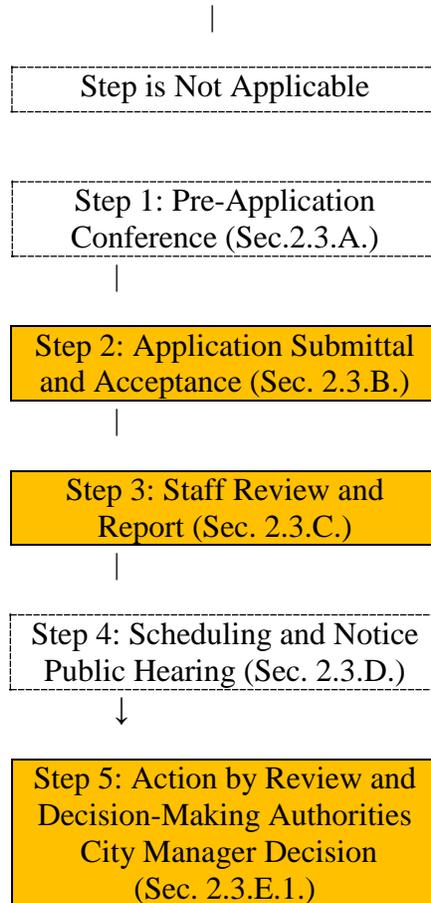
Section 22. Section 2.5.M.4. Recordation is amended as follows:

4. Approval

If the application is approved, the City Manager shall provide the applicant a written notice of Administrative Adjustment approval that identifies the site, the adjusted standard(s), the extent of adjustment, any approved plans and documents, and any conditions of approval.

Section 23. Section 2.5.N. Interpretation Chart is amended as follows:





Section 24. This ordinance shall become effective one month after passage.

The above Ordinance was introduced in writing by Councilman Jackson, seconded for adoption by Councilman Hill, and received the following vote: Mayor Blevins voted “AYE”, Councilman Hill voted “AYE”, Councilman Jackson voted “AYE”, Councilman Pickett voted “AYE”, Councilwoman Simkins “ABSENT”, Councilman Tadlock “ABSENT”, and Councilman Tipton voted “AYE”.

Passed this the 16th day of December, 2014.

APPROVED:

/s/ Harry J. Blevins
 Harry J. Blevins, Mayor

ATTEST:

/s/ Brenda J. Reed
 Brenda J. Reed, Asst. City Clerk

(SEAL)

- (5) **City of Pascagoula** - Adoption of an ordinance to amend Article 3 Zoning Districts of the Unified Development Ordinance.

The Ordinance is spread on the minutes as follows:

ORDINANCE NO. 13-2014

CITY OF PASCAGOULA, MISSISSIPPI

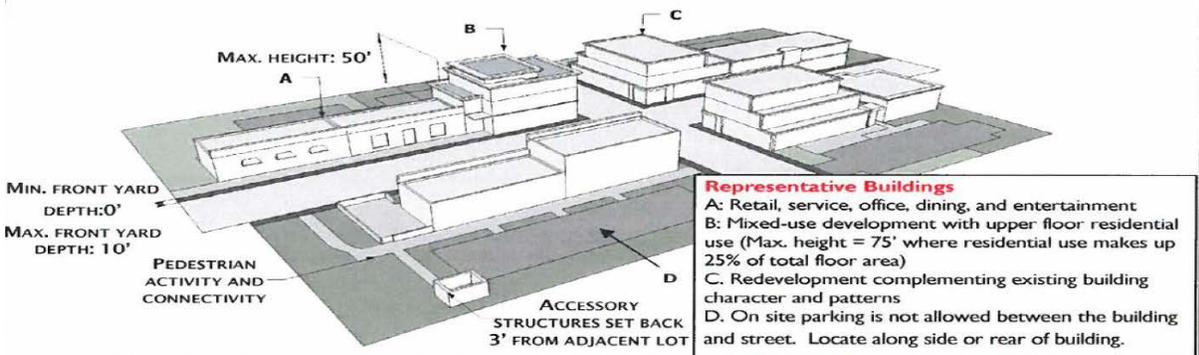
AN ORDINANCE TO AMEND VARIOUS SECTIONS AND SUBSECTIONS OF ARTICLE 3: ZONING DISTRICTS, OF THE UNIFIED DEVELOPMENT ORDINANCE, TO PROVIDE AS FOLLOWS: AMEND SECTION 3.3. COMMERCIAL BASE ZONING DISTRICTS, SUBSECTION E. DOWNTOWN (DT), TO PROVIDE A MINIMUM FRONT YARD DEPTH OF “0” FEET; TO PROVIDE A MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO PROVIDE A BLANK WALL MAXIMUM AREA, LINEAR FEET, HORIZONTAL OR VERTICAL, OF “35” FEET; TO PROVIDE FOR MINIMUM TRANSPARENCY ALONG A PRIMARY STREET OF “40%”, MEASURED BETWEEN TWO FEET AND TWELVE FEET VERTICALLY; TO PROVIDE FOR A MINIMUM GROUND STORY HEIGHT, FLOOR TO CEILING, OF “11” FEET; TO PROVIDE FOR A MINIMUM UPPER-STORY HEIGHT, FLOOR TO CEILING, OF “9” FEET; TO PROVIDE FOR MAXIMUM SPACING BETWEEN ENTRANCES ON A PRIMARY STREET OF “70” FEET; TO PROVIDE FOR BUILDING ON A PRIMARY STREET IN BUILD-TO ZONE AS A PERCENTAGE OF LOT WIDTH TO BE “70%”; TO AMEND THE TYPICAL DEVELOPMENT CONFIGURATION TO REFLECT NEW SET-BACK PROVISIONS OF MINIMUM FRONT YARD DEPTH OF “0” FEET AND MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO AMEND REPRESENTATIVE BUILDINGS, TO ADD A SUBSECTION “D” TO PROVIDE THAT ON-SITE PARKING IS NOT ALLOWED BETWEEN THE BUILDING AND THE STREET AND MUST LOCATE ALONG THE SIDE OR REAR OF THE BUILDING; TO AMEND SUBSECTION G. WATERFRONT MIXED-USE (WMU), TO PROVIDE A MINIMUM FRONT YARD DEPTH OF “0” FEET; TO PROVIDE A MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO AMEND THE TYPICAL DEVELOPMENT CONFIGURATION TO REFLECT THE NEW SET-BACK PROVISIONS OF MINIMUM FRONT YARD DEPTH OF “0” FEET

AND MAXIMUM FRONT YARD DEPTH OF “10” FEET; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA

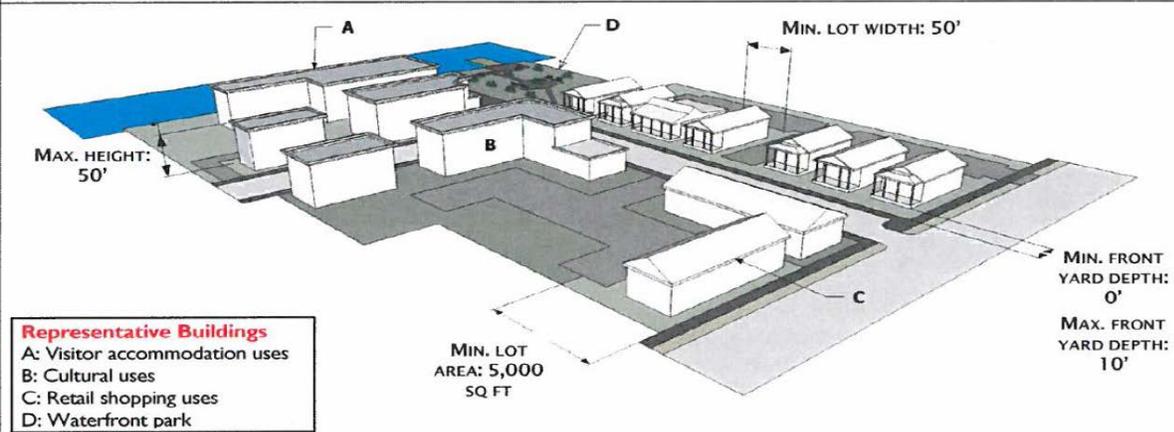
AS FOLLOWS:

Section 1. Section 3.3. Commercial Base Zoning Districts, Subsection E. Downtown (DT) is amended as follows:

E. DOWNTOWN (DT)	
PURPOSE	TYPICAL BUILDING TYPE
The Downtown (DT) District is established and intended to foster vibrant, walkable, mixed-use, and economically-sustainable development and redevelopment in the city's traditional core. The DT district is intended to accommodate a wide range of retail, service, office, dining, entertainment, and upper-floor residential uses that generate daytime and nighttime activity on weekdays and weekends. DT district standards are intended to encourage development or redevelopment that complements the downtown area's unique architectural and historical character and building pattern and encourages pedestrian activity and connections within the downtown and between it and nearby key destinations (e.g., the riverfront and the Market Street commercial corridor). The need to encourage redevelopment and meet parking demands created by new development is intended to be balanced with the need to protect and enhance the downtown's small-scale character and pedestrian orientation.	
PRINCIPAL INTENSITY AND DIMENSIONAL STANDARDS	
Minimum lot area (sq ft)	n/a
Minimum lot area per dwelling unit (sq ft)	1,500
Minimum lot width (ft)	n/a
Maximum building coverage (% of lot area)	n/a
Maximum height (ft) ¹	50 ²
Minimum front yard depth (ft)	0
Maximum front yard depth (ft)	10'
Minimum side yard depth (ft)	n/a
Minimum rear yard depth (ft)	n/a
Blank wall maximum area (linear feet; horizontal or vertical)	35'
Minimum transparency along primary street	40% ³
Minimum ground story height, floor to ceiling	11'
Minimum upper story height, floor to ceiling	9'
Maximum spacing between entrances - primary street	70'
Building (primary street) in build to zone (% of lot width)	70%
TYPICAL LOT PATTERN 	
NOTES: [sq ft = square feet; ft = feet] 1. See Section 5.3.F Height, regarding height measurement in the FPO district. 2. 75 ft for mixed-use development in which at least 25% of total floor area is devoted to residential uses. 3. Measured between 2 feet and 12 feet vertically.	
TYPICAL DEVELOPMENT CONFIGURATION	
 <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>Representative Buildings</p> <p>A: Retail, service, office, dining, and entertainment</p> <p>B: Mixed-use development with upper floor residential use (Max. height = 75' where residential use makes up 25% of total floor area)</p> <p>C: Redevelopment complementing existing building character and patterns</p> <p>D: On site parking is not allowed between the building and street. Locate along side or rear of building.</p> </div>	

Section 2. Section 3.3. Commercial Base Zoning Districts, Subsection G. Waterfront Mixed-Use

(WMU) is amended as follows:

G. WATERFRONT MIXED-USE (WMU)	
PURPOSE	TYPICAL BUILDING TYPE
The Waterfront Mixed-Use (WMU) District is established and intended to reconnect the city to its waterfronts by encouraging mixed-use and infill development in targeted waterfront areas (e.g., the east bank of the Pascagoula River, adjacent and south of the downtown, and the mouth of the Bayou Chicot). The district is intended to foster development of mixed-use neighborhoods that support a variety of medium- to high-density housing types, retail shopping uses, cultural uses (e.g. art galleries), hospitality uses (e.g., restaurants, hotels), and water-oriented uses providing opportunities for leisure activities (e.g., marinas, docking facilities, boat launches, boat clubs, marine services). District standards are intended to promote and support tourism, ensure compatibility with adjacent development, encourage human-scale development oriented to the street, and foster pedestrian activity along the waterfront, within the district, and to and from adjoining activity centers.	
PRINCIPAL INTENSITY AND DIMENSIONAL STANDARDS	TYPICAL LOT PATTERN
Minimum lot area (sq ft)	5,000 ¹
Minimum lot area per dwelling unit (sq ft)	1,500
Minimum lot width (ft)	50
Maximum building coverage (% of lot area)	n/a
Maximum height (ft) ²	50
Minimum front yard depth (ft)	0
Maximum front yard depth (ft)	10
Minimum side yard depth (ft)	n/a
Minimum rear yard depth (ft)	n/a
NOTES: [sq ft = square feet; ft = feet]	
1. For townhouse development, applies to development site as a whole, provided individual townhouse lots have a minimum area of 1,800 sq ft and a minimum width of 18 ft.	
2. See Section 5.3.F regarding height measurement in the FPO district.	
TYPICAL DEVELOPMENT CONFIGURATION	
 <div style="border: 1px solid black; padding: 5px; width: fit-content;"> <p>Representative Buildings</p> <p>A: Visitor accommodation uses</p> <p>B: Cultural uses</p> <p>C: Retail shopping uses</p> <p>D: Waterfront park</p> </div>	

Section 3. This ordinance shall become effective one month after passage.

The above Ordinance was introduced in writing by Councilman Hill, seconded for adoption by Councilman Pickett, and received the following vote: Mayor Blevins voted “AYE”, Councilman Hill voted

“AYE”, Councilman Jackson voted “AYE”, Councilman Pickett voted “AYE”, Councilwoman Simkins “ABSENT”, Councilman Tadlock “ABSENT”, and Councilman Tipton voted “AYE”.

Passed this the 16th day of December, 2014.

APPROVED:

/s/ Harry J. Blevins
Harry J. Blevins, Mayor

ATTEST:

/s/ Brenda J. Reed
Brenda J. Reed, Asst. City Clerk

(SEAL)

(Councilwoman Simkins arrived at 6:50 p.m.)

The consent agenda was considered at this time:

The first item for consideration was the minutes of the regular meeting of the City Council held on December 2, 2014, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Hill made a motion to adopt and approve the minutes of the Council meeting of December 2, 2014, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”.
(Approved 12-16-14)

Minutes of the Recreation Commission meeting of November 5, 2014, were acknowledged by the Council.

Minutes of the Pascagoula Redevelopment Authority meeting of November 13, 2014, were acknowledged by the Council.

The next item for consideration was a request for advertising the resources of the City through the 2015 Gulf Coast Legislative reception for \$1,000.00 as recommended by Eddie Williams, City Attorney. The reception will be held in Jackson, MS, on January 7, 2015. The

City is given legal authority to provide support to this group by Senate Bill 3238 as approved by the Governor on April 2, 1999.

Councilman Hill made a motion to approve advertising the resources of the City through the 2015 Gulf Coast Legislative reception for \$1,000.00 as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "ABSENT", and Tipton "AYE". (Approved 12-16-14)

The next item for consideration was a bid award for the Andrew Johnson Roof Improvements Project to the lowest and most responsive bidder, Mid-Western Commercial Roofers, Inc., Mobile, AL, for the base bid and Alternate #1 in the amount of \$98,915.00 as recommended by Darcie Crew, Parks & Recreation Director, and Compton Engineering, Inc.

Additional information regarding this bid is spread on the minutes as follows:



COMPTON ENGINEERING, INC.
ENGINEERING, SURVEYING & ENVIRONMENTAL SERVICES

December 1, 2014

Ms. Darcie Crew, Parks & Recreation Director
City of Pascagoula
2835 Pascagoula Street
Pascagoula, MS 39567

Re: Andrew Johnson Roof Improvements
(C.E. Project No. 214-071)

Dear Ms. Crew:

Attached is a copy of the Bid Tabulation for the bids received on November 18, 2014. A total of six bid packages were received. One bid package did not contain the contractor's certificate of responsibility number on the outside of the envelope as required by the Invitation to Bid and was therefore not opened and could not be considered.

Of the five bids opened, there was one contractor, E. Cornell Malone Corp., that did not include with his bid the attachments per Article 7 of the Bid Form (Section 00410). This contractor was the apparent low bidder at \$95,730.00 for the Base Bid and Alternate No. 1. This bidder sent their attachments via email to Compton Engineering on November 19, 2014. The other contractors submitted bids that contained the attachments. Three of the five contractors also included the Section 3 documents. Because E. Cornell Malone Corp.'s bid did not include the attachments requested, it is our opinion their bid should be considered "non-responsive".

The next lowest bidder that included the attachments with their bid and the Section 3 documents was Mid-Western Commercial Roofers, Inc. We recommend awarding the Base Bid and Alternate No. 1 to the lowest, responsive bidder, Mid-Western Commercial Roofers, Inc., in the amount of \$98,915.00.

Please note that of the five bids opened, no contractor or subcontractor reported to be Section 3.

Should you have any questions, please advise.

Sincerely,
COMPTON ENGINEERING, INC.
G. Joey Duggan, III
G. Joey Duggan, III
Senior Project Manager

GJD/cwf

Attachments
pc: Jen Dearman, City of Pascagoula

S:\Pascagoula\Projects\2014\214-071 COP Andrew Johnson Roof Improvements\Docs\Bid Opening Docs\Recommend Award letter 12-01-14.doc

PASCAGOULA
■
BILOXI
■
BAY ST. LOUIS

Councilman Hill made a motion to award the base bid and Alternate #1 for the Andrew Johnson Roof Improvements Project to the lowest and most responsive bidder, Mid-Western Commercial Roofers, Inc. for \$98,915.00 as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(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 Parks & Recreation Department Fee Schedule as recommended by Darcie Crew, Parks & Recreation Director.

The fee schedule is spread on the minutes as follows:

PASCAGOULA PARKS & RECREATION DEPARTMENT

FEE SCHEDULE

ACTIVITY	PASCAGOULA RESIDENT	NON- RESIDENT
Youth Basketball	\$60.00	\$90.00
Youth Football	\$80.00	\$120.00
Youth Cheerleading	\$100.00	\$150.00
Flag Football	\$50.00	\$75.00
Summer & Holiday Day Camp	\$80.00 per week	\$100.00 per week
After School Program	\$40.00 per week	\$50.00 per week
Counselor in Training	\$350.00 per summer	\$440.00 per summer
Program Registration Fee	\$2.00	\$2.00
Athletic League Registration Fee	\$4.00	\$4.00
Senior Membership	Free	\$50.00 per year
Instructional Classes	Instructor costs	Instructor costs
Swimming Lessons	\$35.00 per class	\$45.00 per class
Pool Admission-Child	\$2.00 per day	\$2.50 per day

Pool Admission-Adult	\$2.50 per day	\$3.50 per day
Pool Admission-Group	\$1.00 per person	\$1.50 per person
Pool Admission-Boys & Girls Club	\$1.00 per person	\$1.50 per person
Pascagoula & AJ Rec. Center Admission	\$1.00 per person	\$1.00 per person
Scranton Nature Center & Museum Admission	\$2 adults \$1 children/groups	\$2 adults \$1 children/groups
Pavilion Rental	\$10.00 per hour	\$20.00 per hour
Field Rental	Per hour rates per agreement	Per hour rates per agreement
Family Camp Out	\$5 each ages 4+	\$5 each ages 4+
Nature Camp	\$80.00 per week	\$100.00 per week
Outdoor Adventure Camp	\$120.00 per week	\$150.00 per week
Haunted House	\$5.00 per person	\$5.00 per person
Lock-Ins	\$25 per person	\$30 per person
Camp Special Forces	\$50 per person	\$60 per person

The above rates are for existing programs. Any additional programs offered will need to be added to this listing on an as needed basis.

If you have any questions please feel free to call the Pascagoula Parks & Recreation Department at 228-938-2356.

(Effective January 1, 2015)

Councilman Hill made a motion to approve the Parks & Recreation Department Fee Schedule as recommended. The motion was seconded by Councilman Jackson and received the

following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT” and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was a request for retroactive approval of the City Manager’s execution of an engagement letter from Nicholson & Company for securing funds for the next phase of the Promenade as recommended by Joe Huffman, City Manager.

The engagement letter is spread on the minutes as follows:

CARL L. NICHOLSON, JR., CPA
RICHARD D. HALBERT, CPA
RICHARD G. TOPP, CPA
FRANK H. McWHORTER, JR., CPA
T. JOHN HARVEY, CPA
WILLIAM T. KELLY, CPA/ABV, CVA
SUSAN A. RILEY, CPA
DAWN T. JONES, CPA
MICHAEL W. DAVIS, CPA
GREGORY L. FAIRY, CPA
JEFFREY M. ALLEN, CPA
JOHN S. HEATH, CPA
PAIGE M. JOHNSON, CPA
JANICE M. BATES, CPA
JOE C. TRAVIS, CPA, CFE
Certified Forensic Accountant
JOSEPH C. TOWNSEND, CPA
STEPHEN W. GRAY, CPA
ANNETTE P. HERKIN, CPA/ABV, CVA, CFE, CFF
LEIGH F. AGNEW, CPA
SHELBY H. LOTT, CPA
RENEE MOORE, CPA
LACEY J. MILLER, CPA
MICHAEL BRADLEY WOOD, CPA
LESLIE C. BELANCIA, CPA/ABV, CVA
ADAM K. SMITH, CPA
MARY M. DENNIS, JD, CPA
D. WHITNEY BRANCH, CPA
WILLIAM JABE MILLS, CPA
JEANA O. RICH, CPA
JODY D. THORNTON, CPA
CRAIG T. TAYLOR, CPA, CGMA
REBECCA KING BAKER, CPA

NICHOLSON & COMPANY, PLLC
CERTIFIED PUBLIC ACCOUNTANTS
2019 23rd AVENUE
GULFPORT, MISSISSIPPI 39501
POST OFFICE BOX 1842
GULFPORT, MISSISSIPPI 39502

TELEPHONE 228-864-1779
FAX 228-864-3850

www.nicholsoncpas.com

December 8, 2014

MEMBERS
AMERICAN INSTITUTE
OF CERTIFIED PUBLIC
ACCOUNTANTS
MISSISSIPPI SOCIETY
OF CERTIFIED PUBLIC
ACCOUNTANTS

OTHER OFFICES:
150 OLD HWY 98 EAST
POST OFFICE BOX 699
COLUMBIA, MISSISSIPPI 39429
TELEPHONE: 601-736-3449
FAX 601-736-0581

#2 SOUTHERN POINTE PARKWAY, STE 100
HATTIESBURG, MISSISSIPPI 39401-8025
POST OFFICE DRAWER 15099
HATTIESBURG, MISSISSIPPI 39404-5099
TELEPHONE: 601-264-3519
FAX 601-264-3652

Mr. Joseph Huffman
City Manager
City of Pascagoula
603 Watts Avenue
Pascagoula, Mississippi 39567

Dear Mr. Huffman:

We have been retained by the Mississippi Department of Environmental Quality (MDEQ) to evaluate your systems and processes for financial management of the Pascagoula Beachfront Promenade project funded by the Natural Resource Damage Assessment (NRDA). This letter agreement sets forth the terms and conditions of our engagement.

We plan to begin our engagement on or about December 10, 2014. In evaluating the systems and processes for project financial management, we will consider information about the City of Pascagoula's structure and internal controls, its strengths and weaknesses, and its specific objectives and strategies as applied to project financial processes. In performing this service we will first interview City of Pascagoula's personnel and review available documentation. We will then assist you by making recommendations based on the information we have gathered. You will be responsible for implementing these recommendations and providing proof of such implementation prior to receiving project funding.

In performing our engagement, we will be relying on the accuracy and reliability of information provided by City of Pascagoula's personnel. We will not audit, examine, or review the information. Please note that our engagement cannot be relied on to disclose errors, fraud, or other illegal acts that may exist. The procedures we perform in our engagement will be heavily influenced by the representations that we receive from City of Pascagoula's personnel. Accordingly, false representations could lead to

Mr. Joseph Huffman
City of Pascagoula
December 8, 2014
Page Two

incorrect assumptions and assessments. Project funding is contingent upon full cooperation and accurate representations by personnel.

If this letter accurately sets forth our understanding, kindly execute the enclosed copy of this letter and return it to the undersigned.

Sincerely,

NICHOLSON & COMPANY, PLLC



Gregory L. Fahey CPA

GLF/mje

RESPONSE:

This letter correctly sets forth the understanding of City of Pascagoula.



Officer's Signature

City Manager

Title

12-09-14

Date

Councilman Hill made a motion for retroactive approval of an engagement letter dated December 8, 2014, from Nicholson & Company for securing funds for the next phase of the Promenade as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(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 authorizing the Mayor to execute a corrected Special Warranty Deed conveying a portion of the Live Oak addition to the Pascagoula Redevelopment Authority as recommended by Eddie Williams, City Attorney.

The Resolution is spread on the minutes as follows:

**RESOLUTION AUTHORIZING EXECUTION OF
“CORRECTED” SPECIAL WARRANTY DEED**

WHEREAS, on or about the 6th day of March, 2012, the City Council of the City of Pascagoula adopted a Resolution authorizing the transfer of certain property to the Pascagoula Redevelopment Authority, which property is located in what is now known as the “Live Oak Addition”, the plat of which is now recorded in Plat Book 24, Page 22, of the Records of Plats on file in the office of the Chancery Clerk of Jackson County, Mississippi. A true and correct certified copy of the Resolution authorizing the aforesaid conveyance is attached hereto as Exhibit “A”; and

WHEREAS, pursuant to the aforesaid Resolution, the Mayor of Pascagoula, Robert H. Maxwell, caused a Special Warranty Deed to be executed on the 7th day of March, 2012, conveying a portion of the property within the Live Oak Addition and which was described in the aforesaid Special Warranty Deed as both a lot in an unplatted subdivision and by metes and bounds pursuant to the aforesaid plat and which deed is now recorded in Deed Book 1673, Page 882, of the Land Deed Records of Jackson County, Mississippi. A true and correct copy of the Special Warranty Deed is attached hereto as Exhibit “B”; and

WHEREAS, since the execution and filing of the aforesaid Special Warranty Deed, the plat of Live Oak Addition was finalized and filed of record in the official Plat Book in the office of the Chancery Clerk of Jackson County; and

WHEREAS, it is now desirous to correct the legal description contained in the Special Warranty Deed dated 7th day of March, 2012, so as to conform to the description contained in the recorded plat, the form of such Corrected Special Warranty Deed being attached hereto and incorporated herein as Exhibit “C”:

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

SECTION 1. The Mayor is authorized and directed to execute a Corrected Special Warranty Deed in substantially the form attached hereto as Exhibit “C” and to cause the same to be delivered to the Pascagoula Redevelopment Authority for proper recordation.

SECTION 2. The Mayor is further authorized and directed to execute any and all other documents that may be necessary to carry out the intent of this Resolution with respect to the property described in the proposed Corrected Special Warranty Deed attached hereto as Exhibit “C”.

The above Resolution was introduced by Councilman Hill, seconded for adoption by Councilman Jackson, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. The Mayor then declared the Resolution adopted on the 16th day of December, 2014.

(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 authority to advertise for bids for the Cherokee Forrest Infrastructure Improvements Project as recommended by Jaci Turner, City Engineer.

Councilman Hill made a motion to authorize the City Clerk to advertise for bids for the Cherokee Forrest Infrastructure Improvements Project as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was Budget Amendment No. 15.14 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 # 15.14 December 16, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
<u>Revenues:</u>	-		-
- <u>Grants:</u>	-		-
PD Wireless Communications	30,000	35,070	65,070
Total Revenues	30,000	35,070	65,070
<u>Expenditures:</u>			
- <u>Police Administration</u>			
- <u>Supplies:</u>			
Software	-	35,070	35,070
Total Expenditures	-	35,070	35,070
Net Change in Fund Balance -			
General Fund		-	
To amend budget to provide authority for the purchase of security software required by Federal authorities and the related grant revenue.			

Councilman Hill made a motion to approve the budget amendment as recommended and presented. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was Budget Amendment No. 15.15 in the General Fund for the transfer to Community Development Fund for Phase IV of the Round Island Lighthouse Project as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

City of Pascagoula Budget Amendment # 15.15 December 16, 2014			
	<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>			
- Transfers to Comm. Dev. Fund	11,200	15,766	26,966
Total Expenditures	11,200	15,766	26,966
Net Change in Fund Balance		(15,766)	
To amend budget to provide expenditure authority for the transfer from the General Fund for the RI Lighthouse project (Phase IV) approved by Council on December 2,			

2014.			
-------	--	--	--

Councilman Hill made a motion to approve the budget amendment as recommended and presented. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was Budget Amendment No. 15.16 in the Community Development Fund for Phase IV of the Round Island Lighthouse Project as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

City of Pascagoula Budget Amendment # 15.16 December 16, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>	-		-
- Transfers In - General Fund	11,200	15,766	26,966
-			
Total Revenues	11,200	15,766	26,966
<u>Expenditures:</u>			
- Community Development:			
- Other Services & Charges:			
- Program Outlay & Expense	11,200	15,766	26,966
-			
Total Expenditures	11,200	15,766	26,966

Net Change in Fund Balance -			
Community Development Fund		-	
To amend budget to provide expenditure authority for the RI Lighthouse project (Phase IV) and the related transfer from the General Fund approved by Council on December 2, 2014.			

Councilman Hill made a motion to approve the budget amendment as recommended and presented. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was closeout documents for the Delmas Avenue Street Lighting Project with Gulf Breeze Landscaping, LLC, Gautier, MS, and invoices #8 and #9 (final) from Compton Engineering, Inc. related to the project as recommended by Jaci Turner. The documents include final pay application to Gulf Breeze for \$114,392.40, Summary Change Order No. 1 for a deduct of \$7,194.50, an increase in time of 29 days, and other related final documents. Ms. Turner recommended manual checks for Gulf Breeze Landscaping, LLC, and Compton Engineering, Inc.

Councilman Hill made a motion to approve the closeout documents for the Delmas Avenue Street Lighting Project with Gulf Breeze Landscaping, LLC, and approval of invoices #8 and #9 to Compton Engineering, Inc., approve manual checks to each one as recommended, and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(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 bid award for sand (Annual Bid # 348) to Graham Construction, Escatawpa, MS, at a price of \$9.25 per yard as recommended by Jaci Turner, City Engineer. The contract dates will be 12-17-14 to 12-16-15.

Councilman Hill made a motion to award the bid for sand (Annual Bid # 348) to Graham Construction at a price of \$9.25 per yard as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was a request to approve the Tree City USA Designation Recertification documents as recommended by Jen Dearman, Community and Economic Development Director. There is no cost associated with the application.

Councilman Hill made a motion to approve the Tree City USA Designation Recertification documents as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(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 a payment of \$3,000.00 for postage funds at City Hall for the Direct Debit/Postage on Call Meter Setting Service with Neo-Post as recommended by Brenda Reed, Asst. City Clerk.

Councilman Hill made a motion to approve a payment of \$3,000.00 for postage funds at City Hall for the Direct Debit/Postage on Call Meter Setting Service with Neo-Post as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

The next item for consideration was a request to retroactively approve a contract with TransUnion Risk and Alternative Data Solutions, Inc. for a subscription service to T.L.O., an online data base for law enforcement investigations, as recommended by Police Chief Kenny Johnson. The effective date will be 12-1-14.

Additional information regarding this item is spread on the minutes as follows:



PASCAGOULA POLICE DEPARTMENT

P.O. DRAWER 1385, PASCAGOULA, MS 39568-1385

VOICE: 228-762-2211 FAX: 228-938-6745

Kenny Johnson
Chief of Police

December 4, 2014

To: Chief Kenny Johnson

From: Lt. Jim Roe, CID Supervisor

Re: Investigative Database

Chief Johnson,

Earlier this year we were subscribed to an investigative database known as TLO. This database was being provided to law enforcement free of charge under a program in place by TLO's parent company TransUnion. Unfortunately, after years of service, the free use program was terminated.

The Criminal Investigation Division has found that the information provided by TLO saves countless hours in investigation and provides information on suspects that are not available in any other format. This information is available to us 24 hours a day and can be accessed immediately upon entering the search criteria. We do not have to speak with any third parties who will "get back to us" with the information and we are not restricted by another party's working hours or backlog.

I would respectfully request that we research the possibility of becoming a paying subscriber to this service. The information the TLO provides and the time that their service save cannot be overstated. This is truly a tool that helps us identify, locate, arrest, and prosecute the "bad guys."

Thank you for your consideration of my request. If you have any questions, or if I can be of assistance to you don't hesitate to contact me.

Respectfully,

Lt. Jim Roe
Criminal Investigation Division



"To Protect and Serve"

**LAW ENFORCEMENT AGENCY
SUBSCRIBER AGREEMENT**

This Agreement is entered into as of the date indicated below, by and between Pascagoula Police Department ("Agency") and TransUnion Risk and Alternative Data Solutions, Inc. ("TRADS"), effective on the date of the approval of the Application by TRADS.

1. TRADS agrees to provide Agency access to and use of TRADS Services. TRADS grants Agency a personal, non-exclusive, non-transferable, revocable license to obtain and use the TRADS Services pursuant to the terms of this Agreement. Either party may terminate this Agreement at any time. Agency understands that TRADS Services contain sensitive information that is governed by various state and federal laws, including the Gramm-Leach-Bliley Act (15 U.S.C. § 6801-6809) and The Driver's Privacy Protection Act (18 U.S.C. § 2721-2725), all of which the Agency certifies to comply.
2. If Agency desires to receive TRADS Services subject to GLBA, Agency hereby certifies that the specific purpose(s) for which such TRADS Services will be requested, obtained and used by Agency is one or more of the following uses as described in, and as may be interpreted from time to time, by competent legislative, regulatory or judicial authority, and as being encompassed by Section (6802)(e) of the GLBA and the United States Federal Trade Commission rules promulgated thereunder:
 - To protect against or prevent actual or potential fraud, unauthorized transactions, claims, or other liability;
 - To the extent specifically permitted or required under laws other than the GLBA, and in accordance with the Right to Financial Privacy Act of 1978, to law enforcement agencies, to self-regulatory organizations, or for an investigation on a matter related to public safety; or,
 - To comply with federal, state, or local laws, rules, and other applicable legal requirements.
3. If Agency desires to receive TRADS Services subject to DPPA, Agency hereby certifies that it will request, obtain, and use such TRADS Services only for one of the following permitted uses under the DPPA:
 - Use by any government agency, including any court or law enforcement agency, in carrying out its functions, or any private person or entity acting on behalf of a federal, state, or local agency in carrying out that agency's functions.
 - Use in connection with any civil, criminal, administrative, or arbitral proceeding, in any federal, state, or local court or agency, or before any self-regulatory body, including the service of process, investigation in anticipation of litigation, and the execution or enforcement of judgments and orders, or pursuant to an order of a federal, state, or local court.
4. TRADS is not a "consumer reporting agency," and TRADS Services do not constitute a "consumer report," as defined by the Fair Credit Reporting Act (15 U.S.C. § 1681 et seq.) ("FCRA"). Agency represents and warrants that the TRADS Services obtained hereunder will not be used in whole or in part, as a factor in establishing an individual's creditworthiness or eligibility for (i) credit or insurance, or (ii) employment, nor for any other purpose under the FCRA. The TRADS Services are provided "as-is", with no warranties of any kind, including without limitation, those as to quality, accuracy, completeness, timeliness, or currentness, and those warranties that might be implied from a course of performance or dealing or trade usage and warranties of merchantability and fitness for a particular purpose. Information obtained from TRADS Services should not be relied upon as accurate. Before relying on any such information, Agency must verify it independently through other investigative means in accordance with Agency's guidelines and protocols.
5. Agency agrees to designate an account administrator to ensure compliance with this Agreement by all users granted access by the Agency. Specifically, the account administrator is responsible for (i) allowing only appropriate employees to obtain TRADS Services in compliance with this Agreement; (ii) monitoring appropriate use of TRADS Services by the Agency and its employees; (iii) maintaining accurate records of all current employees with access to TRADS Services, and all former employees who have ever accessed them; (iv) issuing guidelines for the appropriate use of TRADS Services by its users; (v) ensuring that each of its users is accessing TRADS Services with only his or her own individually-assigned username and password; and (vi) terminating access when a user is no longer employed by Agency, is transferred to new duties not requiring access, or is suspected of improper access or use of TRADS Services. Agency will employ appropriate policies and procedures to control access and security of usernames, passwords, and terminal access for TRADS Services. Agency will immediately notify TRADS at SecurityIncident@TransUnion.com of any breach of security in which an unauthorized person has gained access to TRADS Services. TRADS may audit Agency's use of TRADS Services. Agency agrees to cooperate and to provide TRADS all documentation reasonably requested relating to Agency's account.
6. Agency will not use or allow use of TRADS Services for any commercial or non-law enforcement purposes.
7. Agency shall be fully responsible for verifying all information obtained from the TRADS Services, for all liability for any actions taken by the Agency or uses of such information by the Agency, and for any consequences resulting from Agency's access to or use of such information. To the fullest extent permitted by law, TRADS's entire liability to Agency is limited to direct damages not exceeding the greater of \$50,000.00 or the fee paid by Agency for the TRADS Services obtained, and TRADS shall not be liable for any other damages, costs or expenses whatsoever.
8. Agency agrees to pay TRADS all applicable charges for TRADS Services accessed, including taxes, duties and other charges imposed by any governmental entity for the TRADS Services provided under this Agreement. If Agency is using TRADS Services during a free trial period, there is no obligation to pay for those services accessed during such period.
9. This Agreement, the Attachments and the Terms and Conditions located at <http://www.TLO.com/termsandconditions/LE>, all incorporated by reference, constitute the entire agreement between Agency and TRADS. This Agreement and the license granted hereunder may not be assigned, transferred, or sublicensed, in whole or in part, without TRADS's prior written approval.

I certify that I have read and agree to this Agreement, the Attachments, and the Terms and Conditions, that I am authorized to execute this Agreement on behalf of Agency, and that all information I have provided is true and correct. All of the foregoing is accepted and agreed to by:

Pascagoula Police Department
Agency Name ("Agency")

X _____
Authorized Agency Designee Signature Date

Type or Print Name of Authorized Agency Designee

Revised 10/15/14
Account # 220739

APPROVED
TRADS
Law Department
By: A. Talim
Date: 10-15-14

Page 1 of 2

AMENDMENT NO. 1

This Amendment No. 1 ("Amendment"), effective as of the date set forth in the signature block below, is to the Law Enforcement Agency Subscriber Agreement (the "Agreement"), incorporated by reference, between TransUnion Risk and Alternative Data Solutions, Inc. ("TRADS") and the agency identified in the signature block below ("Agency").

In consideration of the parties' mutual promises, and other good and valuable consideration, TRADS and Agency desire to amend the Agreement and agree as follows:

1. Effective on December 1, 2014, during the term of the Agreement, Agency agrees to pay TRADS all applicable charges for products and/or services accessed as set forth in Attachment "A" to this Amendment.

Except as expressly amended above, all of the terms and conditions of the Agreement shall continue in full force and effect. This Amendment may be executed in any number of counterparts, all of which taken together shall constitute one in the same instrument, and any of the parties hereto may execute this Amendment by signing such counterpart in the original, or by facsimile or other electronic transmission.

All of the foregoing is accepted and agreed to by:

Pascagoula Police Department
Agency

Signed by: _____
Authorized Agency Designee

Print Name: _____

Date: _____

Account Number: #220739

ATTACHMENT "A"

Law Enforcement Agency

Agency Name: <input type="text" value="Pascagoula Police Department"/>	
Agency Address: <input type="text" value="611 Live Oak Ave, Pascagoula, MS 39567-3108"/>	
Agency Phone #: <input type="text" value="2287622211"/>	Agency Web Site: <input type="text" value="http://cityofpascagoula.com/police"/>
Agency ORI: <input type="text"/>	Number of Sworn Positions in the Agency: <input type="text" value="Unknown"/>

Agency Head

Name: <input type="text" value="Kenny Johnson"/>	
Phone #: <input type="text" value="228-762-2211"/>	E-mail Address: <input type="text" value="kennyj@cityofpascagoula.com"/>

Authorized Agency Designee (Supervisory rank with authority to bind the Agency)

Name: <input type="text" value="Shannon Massey"/>	
Division: <input type="text" value="CID"/>	
Rank: <input type="text" value="Captain"/>	ID/Badge Number: <input type="text" value="#5"/>
Direct Phone #: <input type="text" value="228-938-6694"/>	E-mail Address: <input type="text" value="smassey@cityofpascagoula.com"/>
Cell Phone #: <input type="text" value="228-219-7920"/>	

Account Administrator (The person responsible for managing your account on behalf of the Agency)

Name: <input type="text" value="Jim Roe"/>	
Division: <input type="text" value="CID"/>	
Rank: <input type="text" value="Lieutenant"/>	ID/Badge Number: <input type="text" value="#27"/>
Address (if not Headquarters): <input type="text"/>	
Direct Phone #: <input type="text" value="228-372-6900"/>	Cell Phone #: <input type="text" value="228-761-6553"/>
E-mail Address: <input type="text" value="jroe@cityofpascagoula.com"/>	

Councilman Hill made a motion to retroactively approve the contract with TransUnion Risk and Alternative Data Solutions, Inc. for a subscription service to T.L.O. for the Police Department as recommended and authorize Capt. Shannon Broom to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

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

The YTD Revenue and Expense Reports for November 2014 were filed by Jeane Bull, Asst. Comptroller, and acknowledged by the City Council.

The following new business items were considered at this time.

The first item for consideration was a Resolution for Signet Maritime Corporation for a ten-year tax exemption on newly acquired equipment 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
TAX EXEMPTION FROM AD VALOREM TAXES
FOR A PERIOD OF TEN (10) YEARS TO
SIGNET MARITIME CORPORATION**

WHEREAS, on or about May 27, 2014, Signet Maritime Corporation, submitted in triplicate with this Council, its application for exemption for ad valorem taxation for a new addition to the Company’s facilities and equipment located in the City of Pascagoula, Jackson County, Mississippi; and

WHEREAS, Signet Maritime Corporation has provided documentation to this Council as to its application in regard to the true value of the prayed-for exemption in the amount of \$1,118,000.00 and a completion date of the improvement, or acquisition, of August 20, 2013; and

WHEREAS, the Tax Assessor has issued his position statement, a copy of which is attached hereto as Exhibit A, determining that the true value of the property which qualifies for consideration of exemption from taxation totals \$1,118,000.00; and

WHEREAS, the Council finds as fact that the property described in the aforesaid application constitutes new additions to, replacements or expansions of the ship construction, overhaul, repair and modernization facilities and property of Signet Maritime Corporation, located in the City of Pascagoula, Jackson County, Mississippi, which is subject to exemption from ad valorem taxation with the exception of ad valorem taxes for school district purposes, and is qualified for the exemption stated herein for a period ten (10) years beginning January 1, 2015, through January 1, 2024, in accordance with Section 27-31-101 et seq. of the Mississippi Code, subject to approval and certification by the Mississippi Department of Revenue:

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

SECTION 1. That the application for ad valorem tax exemption by Signet Maritime Corporation for a period of ten (10) years beginning January 1, 2015, through January 1, 2024, on a new addition to Signet Maritime Corporation’s facilities and equipment in the amount of \$1,118,000.00 be and the same is hereby granted subject to approval and certification by the Mississippi Department of Revenue.

SECTION 2. The City Clerk is hereby directed to spread a copy of this Resolution on the minutes of this City Council and the Clerk shall forward the original and three certified copies of the application and a certified copy of the transcript for this Resolution approving the application to the Mississippi Department of Revenue for its approval and certification; and, the Clerk shall also forward one certified copy to the Tax Assessor of Jackson County and obtain a certificate of the Tax Assessor stating that the property as itemized in Exhibit B to this Resolution and the application has been placed on the appropriate tax roll as “non-taxable”, except for school district ad valorem taxes, for the duration of the exemption.

The above Resolution was introduced by Councilwoman Simkins, seconded for adoption by Councilman Tipton, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”,

and Tipton “AYE”. The Mayor then declared the Resolution adopted on the 16th day of December, 2014.

(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 tax exemption from ad valorem taxes for Huntington Ingalls, Inc. 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 TAX EXEMPTION
FROM AD VALOREM TAXES FOR A PERIOD OF
TEN (10) YEARS TO HUNTINGTON INGALLS, INC.**

WHEREAS, on May 30, 2014, Huntington Ingalls Inc., submitted in triplicate with this Council, its application for exemption from ad valorem taxation for new additions to the Company’s facilities and equipment located in the City of Pascagoula, Jackson County, Mississippi; and

WHEREAS, Huntington Ingalls Inc. has provided documentation to this Council as to its application in regard to the true value of the prayed for exemption in the amount of \$18,072,338.00, and a completion date of the improvements being December 31, 2013; and

WHEREAS, the Tax Assessor has issued his position statement, a copy of which is attached as Exhibit “A”, determining that the true value of the property which qualifies for consideration of exemption from taxation totals \$18,072,338.00; and

WHEREAS, this Council finds as a fact that the property described in the aforesaid application constitutes new additions to, replacements or expansions of the ship construction, overhaul repair and modernization facilities and properties of Huntington Ingalls Inc. located in the City of Pascagoula, Jackson County, Mississippi, which is subject to exemption from ad valorem taxation, with the exception of ad valorem taxes for school district purposes, and is qualified for the exemption stated herein for a period of ten (10) years beginning January 1,

2014, through January 1, 2024, in accordance with Section 27-31-101, et seq., of the Mississippi Code, subject to approval and certification by the Mississippi Department of Revenue:

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

SECTION 1. That the application for ad valorem tax exemption by Huntington Ingalls Inc. for a period of ten (10) years beginning January 1, 2014, through January 1, 2024, on the new additions to Huntington Ingalls facilities and equipment in the amount of \$18,072,338.00 be and the same is hereby approved subject to approval and certification by the Mississippi Department of Revenue.

SECTION 2. The City Clerk is hereby directed to spread a copy of this resolution on the minutes of this City Council and the Clerk shall forward the original and three certified copies of the application and a certified copy of the transcript for this resolution approving the application to the Mississippi Department of Revenue for its approval and certification; and the Clerk shall also forward one certified copy to the Tax Assessor of Jackson County and obtain a certificate of the Tax Assessor stating that the property as itemized in Exhibit “B” to this resolution and the application have been placed on the appropriate tax roll as “non-taxable”, except for school district ad valorem taxes, for the duration of the exemption.

The above Resolution was introduced by Councilman Tipton, seconded for adoption by Councilwoman Simkins, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. The Mayor then declared the Resolution adopted on the 16th day of December, 2014.

(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 Memorandum of Understanding between the City of Pascagoula and the Pascagoula Redevelopment Authority for the operation of the Anchor Square Complex as recommended by Eddie Williams, City Attorney.

The Memorandum of Understanding is spread on the minutes as follows:

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is being entered into by and between the City of Pascagoula (City) and the Pascagoula Redevelopment Authority (PRA) to set forth the rights, duties and obligations of the respective parties regarding the operation of the Anchor Square Complex (Anchor Square) in the City of Pascagoula and the transfer of Riverfront Addition to the Pascagoula Redevelopment Authority.

The City and the PRA agree as follows:

1. Anchor Square has now been conveyed in its entirety to the PRA by Special Warranty Deed bearing date of the 3rd day of December, 2014. This conveyance was made pursuant to a Resolution adopted by the City on the 16th day of September, 2014, a certified copy of which is attached hereto as Exhibit "A".
2. By virtue of a separate Assignment bearing date of 3rd day of December, 2014, the City did formally assign to the PRA all existing leases for properties located at Anchor Square along with the right to collect and receive all rents due thereunder beginning January 1, 2015. A copy of the Assignment is attached hereto as Exhibit "B".
3. In consideration for the acceptance of the conveyance of Anchor Square and the Assignment of the aforesaid leases and rents, the PRA agrees to assume responsibility for the rental of Anchor Square properties and the collection of any and all rents now, or hereafter, due under the leases thereof. The PRA shall have full authority to negotiate all rents and set whatever terms and conditions it deems appropriate, which may be in addition to, or amendatory of, the terms and conditions previously established by the City in its leases and all attachments thereto.
4. The City shall continue to be responsible for and bear the cost of the maintenance and upkeep of the cottages and common areas comprising Anchor Square and the maintenance of the grounds surrounding Anchor Square.
5. The City shall provide an on-site manager for Anchor Square and shall be responsible for the payment of the manager's salary and benefits. The on-site manager shall be an employee of the City and shall report directly to the Community and Economic Development Director. The manager shall attend all meetings of the PRA and shall provide to the PRA such reports of activities at Anchor Square as may be required by the PRA and shall lend such clerical assistance to the PRA as may be necessary for the operation of Anchor Square.
6. The City has heretofore established a process and certain policies for screening applicants who wish to open businesses at Anchor Square. The City shall continue with the screening process for any and all vacancies that may occur. The City shall make recommendations to the PRA for the rental of units to applicants who have successfully passed the screening process. The City shall make available to the PRA copies of business plans submitted by successful

applicants and any other documentation relied upon by the City to make a recommendation.

7. The PRA shall remit to the City, on a monthly basis, all rents collected by the PRA, less and except a pro-rated sum to be applied toward the purchase of structural and premises liability insurance, which shall be for an amount at least equal in value to the policies existing as of the date of transfer of Anchor Square to the PRA. The City agrees that the remitted sums shall be used exclusively for the maintenance and upkeep of the Anchor Square properties. The City further agrees that, with respect to the existing insurance on Anchor Square premises, that the City will cause the PRA to be named as a loss payee thereon. Upon the expiration of the existing policy, the PRA shall thereafter be responsible for procuring insurance on the Anchor Square property and paying all premiums due thereon. The City shall continue to maintain its premises liability policies presently in force with the Municipal Services Company as the same will apply to Anchor Square and the entire Riverfront Addition heretofore conveyed to the PRA.
8. The contact person for the PRA and the City with respect to the operation of Anchor Square, its maintenance and upkeep, shall be the Community and Economic Development Director who may be reached at 228-938-6651.
9. With respect to the Riverfront Addition in its entirety, the PRA and the City agree that, until such time as development activities shall commence, or parcels thereof are sold to third parties, the City shall continue to enjoy the use of the premises for City-sponsored events. The City shall also continue its routine maintenance of the grounds and facilities located in the Riverfront Addition. The City shall provide the PRA with at least 30 days notice of its intent to hold any events on any of the properties of the Riverfront Addition with the understanding that the PRA shall not unreasonably withhold its permission for such events. The City shall be responsible for the hosting of such events and the cleanup thereafter. Unless an event is being co-sponsored with the PRA, the PRA shall have no responsibility for the staging of the event, provision of any funding therefor, or the cleanup thereafter.
10. This Memorandum of Understanding constitutes the entire Agreement between the parties concerning the subject matter herein. No alterations or modifications of this MOU shall be allowed except in writing and properly executed by the parties after being duly authorized so to do. Either party may terminate its participation in this MOU by written notice given at least 30 days prior to the desired termination date.

**WITNESS THE SIGNATURES OF THE RESPECTIVE PARTIES BY THEIR
DULY AUTHORIZED REPRESENTATIVES ON THIS THE _____ DAY OF
_____, 2014.**

Harry J. Blevins, Mayor
City of Pascagoula

ATTEST:

James Estabrook, Chairman
Pascagoula Redevelopment Authority

ATTEST:



**RESOLUTION AUTHORIZING TRANSFER OF CERTAIN
REAL PROPERTY OWNED BY THE CITY OF PASCAGOULA TO THE
PASCAGOULA REDEVELOPMENT AUTHORITY;
AND FOR RELATED PURPOSES**

WHEREAS, the City of Pascagoula has heretofore acquired certain real property located on the East Bank of the East Prong of the Pascagoula River, which property has now been platted and is known as the “Riverfront Addition”; and

WHEREAS, the City Council, by resolution dated the 5th day of April, 2011, established an urban renewal agency for the City of Pascagoula known as the Pascagoula Redevelopment Authority (PRA); and

WHEREAS, pursuant to the aforesaid resolution, the City Council vested in the PRA certain rights, powers, functions, and duties, including the authority to pursue economic development initiatives for the property referenced hereinabove, as well as other properties belonging to the City of Pascagoula; and

WHEREAS, the mandate to the PRA is in keeping with the stated purpose contained in the grant application whereby the City of Pascagoula acquired certain Community Development Block Grant funds for the purchase of the property now known as the Riverfront Addition; and

WHEREAS, the PRA was created by the City Council as a more convenient and flexible means of enticing economic development to the property now known as the Riverfront Addition; and

WHEREAS, it will be in the best interest of the citizens of this community that the City of Pascagoula convey the aforesaid property to the PRA for economic development purposes as set forth in the grant application as referenced hereinabove and in keeping with the resolution establishing the PRA and applicable state statutes conferring such authority; and

WHEREAS, a Resolution to this effect was considered by the City Council on September 20, 2011, and was approved by a unanimous vote thereof; and

WHEREAS, the actual conveyance of the Riverfront Addition to the PRA did not occur at that time due to objections that were interposed by the funding source, the Mississippi Development Authority; and

WHEREAS, all objections to the transfer of the property by the Mississippi Development Authority have now been resolved; and

WHEREAS, the plat of the Riverfront Addition has now been finalized and filed of record and appears in Plat Book 24 at Page 19 of the records of plats on file in the office of the Chancery Clerk of Jackson County; and

WHEREAS, the PRA has continued in its efforts to develop the property known as Riverfront Addition and is now negotiating with developers that have expressed an interest in acquiring certain portions of the Riverfront Addition:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The statements set forth in the foregoing preambles to this resolution are hereby found as fact.

SECTION 2. The Mayor is authorized and directed to execute any and all documents necessary to effect a transfer of the property now known as the Riverfront Addition to the Pascagoula Redevelopment Authority for the purpose of undertaking the economic development thereof and excluding therefrom all property to be retained by the City of Pascagoula for the parking garage, easements, streets and alleyways, as well as the property that is currently subject to the agreement with NOAA for a potential swapping of properties adjacent to Riverfront Addition.

SECTION 3. The Mayor is authorized and directed to assign to the PRA all leases and the rents receivable therefrom now extant on the portion of Riverfront Addition wherein the Anchor Square complex is located.

SECTION 4. The Mayor is authorized to effect this transfer without consideration being paid or given by the Pascagoula Redevelopment Authority, but with the condition that, should the Pascagoula Redevelopment Authority cease to exist, or should it fail to develop the Riverfront Addition in keeping with the purposes set forth in the grant application whereby the funds were acquired for the purchase of the aforesaid property, then in such event, title to same shall revert to the City of Pascagoula.

The above Resolution was introduced by Councilman Tadlock, seconded for adoption by Councilman Hill, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 16th day of September, 2014.

**STATE OF MISSISSIPPI
COUNTY OF JACKSON
CITY OF PASCAGOULA**

I, **BRENDA REED**, duly appointed Assistant City Clerk of the City of Pascagoula, Jackson County, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of a Resolution which was adopted by the City Council of the City of Pascagoula, MS, at its recessed regular meeting held on September 16, 2014.

WITNESS MY HAND AND OFFICIAL SEAL of the City of Pascagoula, Jackson County, Mississippi, on this the 24th day of September, 2014.



Brenda Reed

BRENDA REED, Asst. City Clerk

STATE OF MISSISSIPPI

COUNTY OF JACKSON

ASSIGNMENT OF LEASES AT ANCHOR SQUARE

FOR AND IN CONSIDERATION of the price and sum of Ten and 00/100 (\$10.00) Dollars, cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and in compliance with that certain Resolution adopted by the City Council of the City of Pascagoula on the 16th day of September, 2014, wherein the conveyance of the entirety of the Riverfront Addition, including that portion comprising the "Anchor Square" complex, was authorized, and the conveyance thereof having been effected on the 3RD day of December, 2014, I, **HARRY J. BLEVINS**, Mayor of the City of Pascagoula, after being duly authorized so to do pursuant to the aforesaid Resolution, a certified copy of which is attached hereto as Exhibit "A", do by these presents set-over and assign to the **PASCAGOULA REDEVELOPMENT AUTHORITY** all leases now extant on the property described as follows:

Lot 1, Block A of the Riverfront Addition as per plat thereof recorded in Plat Book 24, Page 19 of the Records of Plats on file in the office of the Chancery Clerk of Jackson County, Mississippi. A complete listing of all extant leases is attached hereto and incorporated herein as Exhibit B to this Assignment and in aid of this description.

The Assignment of these leases is further made subject to a Memorandum of Understanding to be entered into by and between the City of Pascagoula and the Pascagoula Redevelopment Authority for the operation of the Anchor Square complex, the form of which is attached hereto as Exhibit "B". This Assignment is

being made without recourse and includes all rents presently being collected by the City of Pascagoula on the units comprising the Anchor Square complex from and after the 1st day of January, 2015.

WITNESS MY SIGNATURE on this the 3 day of December, 2014.

Harry J. Blevins
Harry J. Blevins, Mayor
City of Pascagoula

**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

Personally came and appeared before me the undersigned Notary Public in and for the jurisdiction aforesaid, **Harry J. Blevins**, known to me to be the Mayor of the City of Pascagoula, who acknowledged to me that he executed the above and foregoing Assignment of Leases for and on behalf of the City of Pascagoula after being first duly authorized so to do by a Resolution dated the 16th day of September, 2014, and duly spread upon the minutes of the City Council of the City of Pascagoula.

Executed before me on this the 3 day of December, 2014.

Keisti H. Summerlin
Notary Public

10/31/15
My commission expires:



**RESOLUTION AUTHORIZING TRANSFER OF CERTAIN
REAL PROPERTY OWNED BY THE CITY OF PASCAGOULA TO THE
PASCAGOULA REDEVELOPMENT AUTHORITY;
AND FOR RELATED PURPOSES**

WHEREAS, the City of Pascagoula has heretofore acquired certain real property located on the East Bank of the East Prong of the Pascagoula River, which property has now been platted and is known as the "Riverfront Addition"; and

WHEREAS, the City Council, by resolution dated the 5th day of April, 2011, established an urban renewal agency for the City of Pascagoula known as the Pascagoula Redevelopment Authority (PRA); and

WHEREAS, pursuant to the aforesaid resolution, the City Council vested in the PRA certain rights, powers, functions, and duties, including the authority to pursue economic development initiatives for the property referenced hereinabove, as well as other properties belonging to the City of Pascagoula; and

WHEREAS, the mandate to the PRA is in keeping with the stated purpose contained in the grant application whereby the City of Pascagoula acquired certain Community Development Block Grant funds for the purchase of the property now known as the Riverfront Addition; and

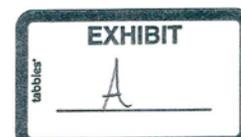
WHEREAS, the PRA was created by the City Council as a more convenient and flexible means of enticing economic development to the property now known as the Riverfront Addition; and

WHEREAS, it will be in the best interest of the citizens of this community that the City of Pascagoula convey the aforesaid property to the PRA for economic development purposes as set forth in the grant application as referenced hereinabove and in keeping with the resolution establishing the PRA and applicable state statutes conferring such authority; and

WHEREAS, a Resolution to this effect was considered by the City Council on September 20, 2011, and was approved by a unanimous vote thereof; and

WHEREAS, the actual conveyance of the Riverfront Addition to the PRA did not occur at that time due to objections that were interposed by the funding source, the Mississippi Development Authority; and

WHEREAS, all objections to the transfer of the property by the Mississippi Development Authority have now been resolved; and



WHEREAS, the plat of the Riverfront Addition has now been finalized and filed of record and appears in Plat Book 24 at Page 19 of the records of plats on file in the office of the Chancery Clerk of Jackson County; and

WHEREAS, the PRA has continued in its efforts to develop the property known as Riverfront Addition and is now negotiating with developers that have expressed an interest in acquiring certain portions of the Riverfront Addition:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The statements set forth in the foregoing preambles to this resolution are hereby found as fact.

SECTION 2. The Mayor is authorized and directed to execute any and all documents necessary to effect a transfer of the property now known as the Riverfront Addition to the Pascagoula Redevelopment Authority for the purpose of undertaking the economic development thereof and excluding therefrom all property to be retained by the City of Pascagoula for the parking garage, easements, streets and alleyways, as well as the property that is currently subject to the agreement with NOAA for a potential swapping of properties adjacent to Riverfront Addition.

SECTION 3. The Mayor is authorized and directed to assign to the PRA all leases and the rents receivable therefrom now extant on the portion of Riverfront Addition wherein the Anchor Square complex is located.

SECTION 4. The Mayor is authorized to effect this transfer without consideration being paid or given by the Pascagoula Redevelopment Authority, but with the condition that, should the Pascagoula Redevelopment Authority cease to exist, or should it fail to develop the Riverfront Addition in keeping with the purposes set forth in the grant application whereby the funds were acquired for the purchase of the aforesaid property, then in such event, title to same shall revert to the City of Pascagoula.

The above Resolution was introduced by Councilman Tadlock, seconded for adoption by Councilman Hill, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 16th day of September, 2014.

STATE OF MISSISSIPPI
COUNTY OF JACKSON
CITY OF PASCAGOULA

I, **BRENDA REED**, duly appointed Assistant City Clerk of the City of Pascagoula, Jackson County, Mississippi, do hereby certify that the above and foregoing is a true and correct copy of a Resolution which was adopted by the City Council of the City of Pascagoula, MS, at its recessed regular meeting held on September 16, 2014.

WITNESS MY HAND AND OFFICIAL SEAL of the City of Pascagoula, Jackson County, Mississippi, on this the 24th day of September, 2014.



BRENDA REED, Asst. City Clerk



**Anchor Square Lease Information
As of December 2, 2014**

Cottage	Leasee	Store Name	Lease Signed Date	Lease Expiration	Council Approval	Rent Amount
A	Main Street Pascagoula	Main Street Pascagoula	November 13, 2014 with a December 1, 2014 start date	November 30, 2015	November 4, 2014	(no charge)
B	Heather Wade	All's Attic	March 1, 2014	February 28, 2015	April 1, 2014	\$233.00
C	Aimee Pavlov & Steven Vance	Party Girl's	December 1, 2013	November 30, 2014	December 17, 2013	\$291.00
D	Stephanie Ngyuen/Rebecca Margerhio	Miss Priss	February 1, 2014	January 31, 2015	January 21, 2014	\$233.00
E	Melinda Safford	Is That Velvet Cupcakes	July 1, 2014	June 30, 2015	July 1, 2014	\$320.00
F	Ashley Knecht	Gourmet Gurl	September 1, 2014	August 31, 2015	September 2, 2014	\$256.00
G		<i>Anchor Square Office</i>				
H	Bridgette Lee	Queen B	May 1, 2014	April 30, 2015	May 6, 2014	\$291.00
I	Casey Martin	Pin Ups	August 1, 2014	July 31, 2015	August 19, 2014	\$387.00
J	Jenifer Gurley	Art Soul Rock and Roll	February 1st, 2014	January 31, 2015	January 21, 2014	\$233.00
K	Jennifer Savell	The Knitting Korner	October 1, 2014	September 30, 2015	September 26, 2014	\$233.00
L	Sharon Stennis	Community Hair Salon	March 1, 2014	February 28, 2015	March 18, 2014	\$352.00
M	Norma Nelson	D'Vine Soul Food	June 1, 2014	May 31, 2015	May 20, 2014	\$387.00
N	Sharon Barlow	Arabasque Boutique	November 1, 2014	October 31, 2013	November 5, 2013	\$387.00
O	Tracy Jackson -Wilson	Whimsy Books & Toys	July 1, 2014	June 30, 2015	July 1, 2014	\$233.00
P	Michele Williams	Hair Care Studio	March 1, 2014	February 28, 2015	March 18, 2014	\$233.00



Councilman Hill made a motion to approve the Memorandum of Understanding between the City of Pascagoula and the Pascagoula Redevelopment Authority (PRA) as recommended

and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Pickett and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(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 a Wall of Fame at the Pascagoula Youth Baseball Complex as recommended by the Recreation Commission. The Wall of Fame would recognize individuals who have worked hard to make a big impact in continuing to advance the game of baseball in Pascagoula. The Recreation Commission would like to begin the Wall of Fame by honoring Eric Hartman who served as president of the league for eight years and as board secretary for several years prior to this. Mr. Hartman passed away in July 2014. The Council requested a copy of the guidelines to be used for the recommendations.

After comments, Councilwoman Simkins made a motion to approve the Wall of Fame at the Pascagoula Youth Baseball Complex as recommended and honor the late Eric Hartman as the first person on the Wall of Fame. The motion was seconded by Councilman Pickett and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “ABSENT”, and Tipton “AYE”. (Approved 12-16-14)

(Mayor Blevins left the meeting at 7:00 p.m. Mayor Pro Tem Jackson then presided over the 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 of November 26, 2014, through December 12, 2014, has been presented to the City Council for allowance and approval;

WHEREAS, the below claim numbers 11-07-01, 11-21-02, and 11-03 have also been presented to the City Council for allowance and approval:

<u>November 7, 2014</u>		<u>Claim # 11-07-01</u>
010	General Fund	\$ 465,001.40
400	Pascagoula Utilities	22,874.13

480	Solid Waste Mgmt.	<u>561.39</u>
	Total	<u>\$ 488,436.92</u>

<u>November 21, 2014</u>		<u>Claim 11-21-02</u>
010	General Fund	\$ 483,860.30
400	Pascagoula Utilities	22,783.47
480	Solid Waste Mgmt.	<u>505.26</u>
	Total	<u>\$ 507,149.03</u>

<u>Miscellaneous Claim</u>		<u>Claim #11-03</u>
1000	City Share FICA	\$ 48,076.52
1100	City Share Medicare	11,243.75
7000	City Share PERS	<u>125,155.98</u>
	Total	\$ 184,476.25

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 Hill, seconded for adoption by Councilman Pickett, and received the following vote: Mayor Blevins "ABSENT". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "ABSENT", and Tipton "AYE". The Mayor Pro Tem then declared the Order adopted on the 16th day of December, 2014.

(Mayor Blevins returned to the meeting at 7:03 p.m.)

Joe Huffman, City Manager, requested approval of a manual check for \$3,400.00 to the U. S. Postmaster for postage for the Utilities Accounting Division for mailing the utility bills to customers.

Councilman Tipton made a motion to authorize a manual check for \$3,400.00 to the U. S. Postmaster for postage for the Utilities Accounting Division as requested. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "ABSENT", and Tipton "AYE". (Approved 12-16-14)

No executive session will be held during tonight's meeting. The Council agreed to recess the meeting to Monday, December 22, 2014, at 11:30 a.m. and wished everyone a Merry Christmas.

After general comments, Councilman Hill made a motion to recess until Monday, December 22, 2014, at 11:30 a.m. to transact such business as may lawfully come before the Council. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "ABSENT", and Tipton "AYE".

The meeting ended at 7:07 p.m.

APPROVED:

Harry J. Blevins, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk