

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 2, 2014, AT 6:00 P. M.
PASCAGOULA, MISSISSIPPI**

The City Council of the City of Pascagoula, Mississippi, met at City Hall in a regular meeting on Tuesday, December 2, 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
Councilman David Tadlock
Councilman Scott Tipton

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

The invocation was given by Councilman Pickett and the pledge of allegiance was led by Councilman Tipton.

Mayor Blevins announced to the public that the Council meetings are televised on WGUD and air on Wednesdays at 6:30 p.m. He invited everyone to attend the meetings in the future.

Mayor Blevins recognized members and coaches of the 2014 Jackson County Youth Football Super Bowl champions (Flag Team) at this time. They were presented certificates and tee shirts.

The team is listed as follows:

<u>First</u>	<u>Last</u>
Elijah	Boose
Daviance	Brown
Calijah	Drake
AJ	Guy
Keelan	Harper
Ireyion	Harvey
Christan	Joe
Tomareo	Johnson
Brodie	Merrill

Sawyer Simkins
Aaron Vice
Darius Wright
Adain Evans

Head Coach Danny Beauchamp
Asst. Coach Danny Merrill
Asst. Coach Darius Wright

Coach Danny Beauchamp commented on the team and their great performance this season. The Council extended congratulations and thanked them for attending the meeting tonight.

Mayor Blevins recognized members and coaches of the Jackson County Youth Football Super Bowl champions (Minor League). They were presented certificates and tee shirts.

The team is listed as follows:

SAINTS 2014 Minor League

Jayce Clegg
Tyler Conley (Sunshine)
Corion Evans (Spud)
Tavion Evans (Taterhead)
Jeremy Flora
Brennen Grubbs
Houston Johnson
Carter McCullough
Carter McDonald
Caleibria McDonald
Brandon Mitchell
Damian Peters (Trey)
Jon Erich Reynolds
Riley Schenkewitz
Taverious Smith, Jr.
Dylan Waddell

Head Coach Jon Reynolds
Asst. Coach Tommy Dorsey
Asst. Coach Lee Vance
Asst. Coach Taverious Smith

Coach Jon Reynolds commented on his team and the great job they did in the program. The Council extended congratulations and thanked them for attending the meeting tonight.

Martha Gallahue, 610 Bienville Avenue, provided the Council with an update on the Bayou Yazoo Neighborhood Association. Several other area residents were also in attendance. Ms. Gallahue had a Power Point presentation showing a recap of previous concerns of the neighborhood association. The Bayou Yazoo Neighborhood Association was established in June 2013. She gave a status report on items they have accomplished this past year. Some items that need attention are as follows:

- (1) What is the time and planning of the Ford Street bridge? The neighbors would like to have input on the decision making process. They also suggested placing stanchions, such as those used on the beach for beautification, instead of cement blocks.
- (2) Trashcans and Benches: They are requesting these in an effort to enhance litter pickup and those who fish and net in the area.
- (3) Drainage: The neighbors requested information about how the City will address the culverts south of the neighborhood to open up the area and allow a natural flow to alleviate potential flooding.

Mayor Blevins thanked Ms. Gallahue and area residents for attending the meeting tonight and for the presentation. The Council will review the items mentioned. Ms. Gallahue requested an update from the City within the next 3-6 months.

The consent agenda was considered at this time:

The first item for consideration was the minutes of the recessed regular Council meeting of November 18, 2014, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Hill made a motion to adopt and approve minutes of the recessed regular Council meeting of November 18, 2014, as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

Minutes of the Historic Preservation Commission meeting of October 22, 2014, were acknowledged by the City Council.

Minutes of the Pascagoula Redevelopment Authority meeting of September 11, 2014, were acknowledged by the City Council.

The next item for consideration was a bid award for fire hydrants, Annual Bid # 345, to the low bidder, The Vellano Corporation, Robertsdale, AL, as recommended by Robin Wood, Purchasing Agent. The contract dates will be November 19, 2014, through November 18, 2015.

Councilman Hill made a motion to award the low bid for fire hydrants, Annual Bid # 345, to The Vellano Corporation as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

The next item for consideration was a request to approve Task Order No. 030 with Compton Engineering, Inc. for the Point Park Boat Launch and Pier Restoration Project in an amount not to exceed \$25,000.00 as recommended by Darcie Crew, Parks & Recreation Director. This is for the design, environmental permitting, bid and construction administration services for renovations to the boat launches and piers to Phase III of Point Park. This project is being paid for with 2014 and 2015 Tidelands funding.

Councilman Hill made a motion to approve Task Order No. 030 with Compton Engineering, Inc. for the Point Park Boat Launch and Pier Restoration Project in an amount not to exceed \$25,000.00 as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

(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 Service Call Agreement with KONE, Inc. for the riverfront parking garage, 3104 Front Street, as recommended by Jaci Turner, City Engineer. The elevator was found to be inoperable at a recent exercise session and needs to be repaired. The funding will come from budgeted maintenance accounts through Public Works.

Councilman Hill made a motion to approve a Service Call Agreement with KONE, Inc. for the riverfront parking garage, 3104 Front Street, as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

(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 the National Fish and Wildlife Foundation Grant Agreement in the amount of \$25,001.00 as recommended by Jen Dearman, Community and Economic Development Director. The grant will restore an urban forest at I. G. Levy Park and has a match of \$25,001.00 of which the City is providing \$4,000.00 from the

Parks and Recreation Department professional services budget. The remaining match is being provided through in-kind contributions from the City and project partners.

Councilman Hill made a motion to approve the National Fish and Wildlife Foundation Grant Agreement in the amount of \$25,001.00 as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

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

Next for consideration was an Order to determine whether certain parcels of land are in such a state of uncleanliness as to be a menace to the public health and safety of this community as recommended by Eddie Williams, City Attorney.

The Order is spread on the minutes as follows:

ORDER

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

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

THEREFORE, IT IS ORDERED that the owners of the parcels listed on the exhibit shall be given notice by the City Clerk as provided in Section 21-19-11, Mississippi Code of 1972, that a hearing shall be held by the City Council on January 6, 2015, in the City Hall of the City at 6:00 P.M. to determine whether the parcels of land as shown on the exhibit are in such a state of uncleanliness as to be a menace to the public health and safety of this community.

EXHIBIT A

Tax Parcel Number and Property Address	Owner(s) and Mailing Address	Described at the following Jackson County, MS, Deed Books and Pages
41700018.000 4307 Dunham	William Lee Kibby 17908 Goff Farm Road Moss Point, MS 39562	Deed Book 1600, Page 281
41945029.000 3311 Ronnie	Pamela R. Eaves 2503 Old Mobile Hwy, Apt. 312 Pascagoula, MS 39581	Deed Book 1508, Page 253
41695070.000 1107 School	PARROTHEAD Properties, LLC P.O. Box 7192 Cape Porpoise, ME 04014 (Footnote 1)	Deed Book 1618, Page 288

PARTIES WITH INTEREST

Footnote 1: -David Ringer, 125 E. Main Street, P.O. Box 737, Florence, MS 39073
 -Lewis W. McCall, Jr., 227 2nd Avenue SW, P.O. Box 160, Magee, MS 39111
 -Lewis W. McCall, P.O. Box 7192, Cape Porpoise, ME 04014

The above Order was introduced by Councilman Hill, seconded for adoption by Councilman Tadlock, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 2nd day of December, 2014.

The next item for consideration was an Anchor Square Lease Agreement for Unit C with Aimee Pavlov-Vance (dba Party Girls Gifts & Invitations) as recommended by LaLinda Grace, Economic Development Specialist.

Councilman Hill made a motion to approve the Anchor Square Lease Agreement for Unit C with Aimee Pavlov-Vance (dba Party Girls Gifts & Invitations) and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

(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 Budget Amendment No. 15.08 in the General Fund for the Economic Development Department as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

City of Pascagoula Budget Amendment # 15.08 December 2, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
-	-		
Expenditures:			
<u>Economic Development:</u>			
<u>Other Services & Charges:</u>			
Main Street Program	70,000	10,000	80,000
Total Expenditures	70,000	10,000	80,000
Net Change in Fund Balance -			
General Fund		(10,000)	
To amend budget to provide authority for increased funding of the Main Street Program as per the MOU approved by Council on November 4, 2014.			

Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was Budget Amendment No. 15.09 in the Forfeiture and Seizure 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 # 15.09 December 2, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Forfeiture & Seizure Fund</u>	-	-	-
-	-		-
<u>Expenditures:</u>			
- Police Department:			
- <u>Capital Outlay:</u>			
- Mobile Equipment	-	11,000	11,000
-			
Total Expenditures	-	11,000	11,000
Net Change in Fund Balance -			
Forfeiture & Seizure Fund		(11,000)	
To amend budget to provide expenditure authority for the cost of converting the emergency equipment from the old motorcycle units to the new ones.			

Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was Budget Amendment No. 15.10 in the General Fund for the Mississippi Nursery & Landscape Grant as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

City of Pascagoula Budget Amendment # 15.10 December 2, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>	-		-
- MS Nursery & Landscape Assn.	-	1,000	1,000
-	-		-
Total Revenues	-	1,000	1,000
-	-		-
- <u>Expenditures:</u>	-		-
- <u>Grants Administration:</u>			
- <u>Other Services & Charges:</u>			
- Program Outlay & Expense	-	1,000	1,000
-			
Total Expenditures	-	1,000	1,000
 Net Change in Fund Balance -			
General Fund		-	
 To amend budget to provide expenditure authority for the MS Nursery & Landscape Assn. Grant and the			

related grant revenue approved by the Council on October 21, 2014.			
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Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was Budget Amendment No. 15.11 in the General Fund for the transfer to 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 # 15.11 December 2, 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	11,200
Total Expenditures	-	11,200	11,200
Net Change in Fund Balance		(11,200)	
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 September 2, 2014.

Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was Budget Amendment No. 15.12 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 # 15.12 December 2, 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	11,200
-			
Total Revenues	-	11,200	11,200
<u>Expenditures:</u>			
- Community Development:			
- Other Services & Charges:			
- Program Outlay & Expense	-	11,200	11,200
-			
Total Expenditures	-	11,200	11,200

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 September 2, 2014.			

Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was Budget Amendment No. 15.13 in the General Fund for the Parks & Recreation Department as recommended by Bobby Parker, City Clerk/Comptroller.

City of Pascagoula Budget Amendment # 15.13 December 2, 2014			
	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Miscellaneous:</u>			
- Insurance Proceeds	20,000	8,572	28,572
Total Revenues	20,000	8,572	28,572
-	-		-
- <u>Expenditures:</u>	-		-
- <u>Parks & Recreation:</u>			

- Supplies:			
- Field & Court	53,000	8,572	61,572
-			
-			
Total Expenditures	53,000	8,572	61,572
Net Change in Fund Balance - General Fund		-	
To amend budget to provide authority for the repairs of damages at Beach Park and the related insurance proceeds.			

Councilman Hill made a motion to approve the budget amendment as presented and recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was a request to update the Instructor Activities Agreement and the Operating Policy for Arts on the Avenue as recommended by Jen Dearman, Community and Economic Development Director.

The agreement and policy are spread on the minutes as follows:

Instructor Activities Agreement

Instructors wishing to hold an activity at Arts on the Avenue may do so through this Instructor Agreement along with an approved rental agreement form. A signed copy of the operating procedures must also be attached.

The City of Pascagoula will:

1. Provide adequate facilities and spaces to conduct activities and assume all responsibilities for utility costs.
2. Provide a City employee on site during all activities to ensure proper facility usage and be responsible for opening and closing the facility.
3. Work with the instructor to schedule activities based on the availability of facilities.
4. Advertise activities to the extent possible within budgetary restraints. This typically will only include social media. The instructor is highly encouraged to advertise as well.

5. Handle all calls regarding the activities for information purposes. Any specific calls regarding reservations and further information will be referred to the instructor.
6. Provide blank registration forms to instructor.
7. In the instance of pottery class:
 - a. Provide equipment necessary for pottery activities including wheels, kilns, and glazes.
 - b. Collect the \$5 maintenance fee per student to compensate the City for the pottery material expenses. Collect all money from sale of clay and tools.

The Instructor will:

1. Be responsible for set up and clean-up of the facility upon completion of each activity. This must be accomplished during the agreed upon rental hours.
2. Collect and maintain 100% of the student fees collected.
3. Compensate the City with the \$15 per hour rental fee as stated in the rental agreement.
4. Provide a completed registration form for each student. These are to be filled out and returned to the City by the beginning of the second class meeting.
5. Become familiar with all City policies and rules to ensure participants abide by these rules.
6. Be responsible for its participants and all damages.

Alcoholic beverages are not allowed on City property unless a City alcohol permit has been obtained.

I, _____ (print name) agree to the terms of this agreement and understand my responsibilities as an instructor. I also understand that this agreement may be terminated for non-compliance and can be re-evaluated at any time.

Instructor Signature: _____ Date: _____

Art Center Manager: _____ Date: _____

ARTS ON THE AVENUE OPERATING POLICY

November 7, 2014

RENTAL POLICIES AND PROCEDURES

Instructors wishing to hold a class must do so through a rental agreement with Arts on the Avenue. The cost of holding a class is \$15 per hour for all activities. This must be paid in full at time of reservation.

Instructors wishing to enter into an Arts on the Avenue rental agreement must contact the Art Center Manager at (228) 938-6789 or visit the facility located at 618 Delmas Avenue in Pascagoula, MS.

Upon receipt of a rental agreement application, the application will be reviewed, and the instructor will be informed of the determination. This process may take a few days.

The rental agreement is not valid until it is signed by the Art Center. A copy of the signed form will be provided to the instructor.

All activities must be completed by 10 pm.

Rental time must provide for setup and clean-up of facility.

ALCOHOLIC BEVERAGE POLICY

Alcoholic beverages are not permitted on City property unless an alcohol permit is obtained. The permit process involves submission of proper paperwork and bond. There is a 30 day waiting period required between the date of approval and activity.

REGISTRATION POLICY

All activity students must complete a registration form. If they have previously registered, they may add the current class and date to their existing form. Students who register through Sports Conductor online are exempt from this requirement.

Instructor must submit completed registration forms to management by the end of the activity meeting. Failure to comply with this requirement may jeopardize their future use of Arts on the Avenue facilities.

PAYMENT/CANCELLATION POLICY

All students will pay the instructor directly. The price and cancellation of the activity are at the discretion of the instructor.

CLASS MANAGEMENT POLICY

An employee of the City of Pascagoula will be on-site for the duration of all activities held at Arts on the Avenue. The City employee will be responsible for collecting all monies related to clay or tool purchases and maintenance fees, providing receipts for these purchases, and opening and closing of the facility.

All instructors must be a registered vendor with the City of Pascagoula through the City's Accounting Department. Instructors must remain on-site for the duration of the scheduled activity.

OPEN STUDIO POLICY

An employee of the City of Pascagoula will be on-site for the duration of all open studio activities held at Arts on the Avenue. Participants will pay \$5 per hour for use of the facility and equipment. The City employee will be responsible for collecting all monies, providing receipts, and opening and closing of the facility. As there will be no instructor on duty, the students are responsible for the cleaning of the area. This must be done prior to the end of the studio session.

Councilman Hill made a motion to approve the updated Instructor Activities Agreement and Operating Policy for Arts on the Avenue as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

(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 Fireworks Agreement with Artisan Pyrotechnics, Inc., Wiggins, MS, for a fireworks display at the 35th Annual Christmas Tree Lighting Celebration as recommended by Darcie Crew, Parks & Recreation Director. The event will be held on December 4, 2014, at Beach Park. The cost for the three minute show is \$1,500.00.

Councilman Hill made a motion to approve the Fireworks Agreement with Artisan Pyrotechnics, Inc. for a fireworks display at the 35th Annual Christmas Tree Lighting Celebration on December 4, 2014, as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

(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 advertise the resources of the City by allowing the Parks & Recreation Department to host the 35th Annual Christmas Tree Lighting on December 4, 2014, as recommended by Darcie Crew, Parks & Recreation Director. The City will be providing candy canes and reindeer food to the children at a cost of up to \$150.00, the three minute fireworks show as entertainment for \$1,500.00, and face painting for the children for \$150.00. The funding for this event is expected to come from the 2015 Sponsorship Program.

Councilman Hill made a motion to approve the request to advertise the resources of the City by allowing the Parks & Recreation Department to host the 35th Annual Christmas Tree Lighting Celebration on December 4, 2014, and provide candy canes, reindeer food, a fireworks show, and face painting as recommended. The motion was seconded by Councilman Tadlock

and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”.
(Approved 12-2-14)

The next item for consideration was a request for approval of a fireworks display for the 35th Annual Christmas Tree Lighting Celebration at Beach Park on December 4, 2014, as recommended by Darcie Crew, Parks & Recreation Director.

Councilman Hill made a motion to approve the request for a fireworks display at Beach Park at the 35th Annual Christmas Tree Lighting Celebration on December 4, 2014, as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

Next for consideration was the Tidelands FY 2015 Point Development Phase III Grant Agreement as recommended by Jen Dearman, Community and Economic Development Director.

Councilman Hill made a motion to approve the Tidelands FY 2015 Point Development Phase III Grant Agreement as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

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

The following new business items were considered at this time.

The first item for consideration was a Resolution authorizing the retention of the Mississippi Legislative & Consulting Group, LLC, Brandon, MS, to lobby for certain legislation as recommended by Joe Huffman, City Manager. Ashley Comstock briefly commented on what their company will do for the City in this pilot program.

The Council then considered the following Resolution:

**RESOLUTION AUTHORIZING RETENTION OF
MISSISSIPPI LEGISLATIVE & CONSULTING GROUP
TO LOBBY FOR CERTAIN LEGISLATION**

WHEREAS, pursuant to Senate Bill 3238, which was approved by the Governor on April 2, 1999, this City Council is authorized to “establish, promote and develop tourism and economic development within the City” and to employ such personnel as is necessary and convenient to effectuate the purposes of the aforesaid act; and

WHEREAS, Mississippi Legislative & Consulting Group has tendered to the City an engagement letter, a true and correct copy of which is attached hereto as an exhibit, for the purpose of engaging their services to lobby the State Legislature for a local and private bill authorizing the creation of “Community Redevelopment Areas” (CRA’s) within the Urban Renewal District as previously defined by the City Council; and

WHEREAS, the local and private legislation envisioned by the Consulting Group will enable the City of Pascagoula to set aside certain funds to enable redevelopment of blighted and slum areas within the City by rebating a portion of the sales taxes derived from such redevelopment to the developers and will further enable the City to create a separate fund into which some of the sale tax revenues may be deposited for future use in the redevelopment of the CRA’s within the City of Pascagoula; and

WHEREAS, the City Council finds that the employment of the Consulting Group is within the spirit and purpose of Senate Bill 3238 and constitutes a valid expenditure of City funds for economic development purposes:

NOW, THEREFORE, BE IT RESOVLED AS FOLLOWS:

SECTION 1. The City Council hereby authorizes the retention of the Mississippi Legislative & Consulting Group pursuant to the retention agreement which is attached hereto as an exhibit.

SECTION 2. The Mayor is authorized and directed by the City Council to execute the aforesaid retention agreement with the Consulting Group on behalf of the City of Pascagoula.

The above Resolution was introduced by Councilman Tadlock, seconded for adoption by Councilman Pickett, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. The Mayor then declared the Resolution adopted on the 2nd day of December, 2014.

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



November 25, 2014

The City of Pascagoula
603 Watts Avenue
Pascagoula, MS 39568

SUBJECT: ENGAGEMENT LETTER

Dear City Council,

We are pleased that you have asked Mississippi Legislative and Consulting Group, LLC ("MSLC Group") to provide government relations and legislative lobbying services for your Organization. This engagement letter ("Agreement") will confirm our discussions with you regarding engagement of our firm and will describe the basis upon which our firm will provide government relations and legislative lobbying services to The City of Pascagoula, (the "Organization"). Accordingly, we submit for your approval the following provisions governing our engagement. If you are in agreement, please sign the enclosed copy of this letter in the space provided below. If you have any questions, do not hesitate to call.

Client: Scope of Representation. Our client in this matter will be the Organization. We will be engaged to provide strategic counsel and tactical guidance on legislative, political and financial matters as more fully set forth in Exhibit A ("Strategy and Timeline") attached hereto. The initial scope of service shall be for a period of seven (7) months. All resources of MSLC Group, LLC will be available to Organization as MSLC Group undertakes to work for and represent Organization.

You may limit or expand the scope of our representation from time to time, provided that any substantial expansion must be acknowledged and agreed upon by us. While we would be interested in assisting you in other matters, unless we are specifically engaged for some other future project, this will confirm that our representation of you is limited to the foregoing government relations and legislative lobbying matter.

Fees. Our fee for an initial service period of 7 months (December 1, 2014 through June 30, 2015) shall be U.S. \$14,000. The first payment for one month of service is due on January 1, 2015 after services have been rendered and client will be billed monthly for remainder of term. Organization agrees to pay invoices within forty-five (45) days of receipt. The term of this engagement will be seven months and shall be renewable thereafter at a mutually agreeable rate. Organization shall have the right to terminate this agreement without further obligation, if legislation being pursued as set forth in "Exhibit A" is deemed to be unconstitutional in the State of Mississippi. Organization shall be responsible for payment of services rendered prior to termination date. Any out of state travel required by Mississippi Legislative and Consulting Group, LLC for purposes of government relations or legislative lobbying for Organization shall be reimbursed by Organization. Organization must approve out-of-state travel by Mississippi Legislative and Consulting Group, LLC before expense is incurred.

Potential Conflicts. As we have discussed, you are aware that our firm represents many other companies and individuals. This can create situations where work for one client on a matter might preclude us from assisting other clients on unrelated matters. It is possible that during the time that we are representing the Organization, some of our present or future clients will have disputes or transactions with the Organization or engage in similar business activities. To avoid undue restriction on our practice, the Organization agrees that we may continue to represent or may undertake in the future to represent existing or new clients in any matter that is not substantially related to matters concerning which we represent, or adverse to, the Organization. Specifically, however, we will not undertake a state government or private services representation for any enterprise directly competing with the Organization. Moreover, we do not intend for you to waive your right to have our firm maintain confidences or secrets that you transmit to our firm; and we agree not to disclose such confidential information to any third party without your consent. We would, of course, take commercially reasonable steps to keep such information confidential.

Compliance with Law. We represent to you that the terms of this Agreement comply with applicable State of Mississippi law.

Notice Addresses.

TO MSLC Group:
Mississippi Legislative and Consulting Group, LLC
1037 Lake Village Circle, Suite A
Brandon, MS 39047

To Organization:
The City of Pascagoula
603 Watts Avenue, P.O. Drawer 908
Pascagoula, MS 39568-0908

We appreciate the opportunity to represent you. If these terms of our engagement are acceptable to you, please return a signed copy of this letter to MSLC Group. Our representation of you will commence on December 1, 2014.

Sincerely,

Matthew K. Armstrong
Mississippi Legislative and Consulting Group, LLC

The foregoing is understood and accepted:

By:

Name:

Title:

Exhibit A – Strategy and Timeline

The primary focus of this contractual agreement will be to provide strategic and tactical guidance, government relations and legislative lobbying services in relation to joint effort between The City of Pascagoula and The City of Gautier to establish a Community Redevelopment and Restoration Act. This would allow The City of Pascagoula and their existing Redevelopment Authority to establish a Community Redevelopment Area (CRA) and then within the CRA establish an Urban Renewal Area.

Phase One: 12/01/14 – 01/28/15:

Phase One shall include, but shall not be limited to, the following:

1. Meetings on Organization’s behalf with the relevant committee chairpersons, Lt. Governor, and Governor of Mississippi.
2. Initial drafting of the bill, designating and assigning authors/co - authors.
3. Such other objectives as set forth by Organization.

Phase Two: 01/28/15 – 04/05/15 (SINE DIE):

Phase Two shall include, but shall not be limited to, the following:

1. Final drafting of the bill.
2. Bill presentation to all relevant committees/sub committees and help secure that a floor vote on the Bill takes place. (Floor vote is estimated to occur on or before 02/25/15)
3. Use diligent and best effort to ensure Bill is passed and no opposition to Bill succeeds.
4. Such other objectives as set forth by Organization.

Phase Three: 04/06/15 – 06/30/15:

Phase Three shall include, but shall not be limited to, the following:

1. Monitor bill until it is signed into law by the Governor. The Bill is expected to become “official” on or about 07/01/15.
2. Such other objectives as set forth by Organization.

Community Redevelopment and Restoration Act

FAQ

Community Redevelopment Areas Frequently Asked Questions

Community Redevelopment Areas (CRAs) are a commonly used redevelopment tool. Following are brief answers to common questions regarding CRAs.

43-35-11. Finding of necessity by local governing body.
No municipalities shall exercise the authority hereafter conferred upon municipalities by this article until after its local governing body shall have adopted a resolution finding that: (1) one or more slum or blighted areas exist in such municipality; and (2) the rehabilitation, conservation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals or welfare of the residents of such municipality.

Why is a CRA a better alternative to a TIF?

An important fact in this comparison is that a TIF is only for public use, whereas a CRA is for private use to attract developers. A TIF requires a bond, the cost of bond attorneys and a payback requirement. After approval of a CRA zone within the Urban Renewal Area, a redevelopment trust fund is established for the CRA. Revenue deposited to this fund results from the incremental growth in sales tax derived from development agreements with individual redeveloped properties. All funds received from properties within a CRA area must be used for specific redevelopment purposes within that area.

Cities will continue to earn the current tax revenue, and will create a percentage return agreement with the developer. Cities will determine what percentage of the earned revenue, above the current revenue, will go toward the trust fund for future use and what percentage will be returned to the developer as an incentive for a determined number of years.

How are CRAs Created?

A CRA is an overlay zone within a declared Urban Renewal Area that allows for a method to pay for the redevelopment of a slum or blighted area through the increased sales tax revenue resulting from that redevelopment, or another within the CRA. CRA's have been used in many states since the late 1940s and early 1950s to help pay for redevelopment projects.

Under Mississippi law, local governments are able to designate areas as Urban Renewal Areas when certain conditions exist. Examples include: the presence of substandard or inadequate

structures, a shortage of private enterprise and/or affordable housing, and inadequate infrastructure.

Calculation of the Redevelopment Trust Fund

Once the governing body of the county or municipality approves a resolution that provides for the funding of the redevelopment trust fund for the duration of the redevelopment plan, any resulting "increment sales revenues" are deposited in the Redevelopment Trust Fund.

The annual funding of the redevelopment trust fund shall be determined annually and shall be that amount derived from the sales tax from the state allocation to the local government, exclusive of any amount from any debt service contained within the geographic boundaries of a community redevelopment area.

The funds deposited in the redevelopment trust fund may be expended only in the CRA pursuant to the approved urban redevelopment plan in conformance with the requirements of title 43 chapter 35 M.A.C., which includes but is not limited to the following: (a) Administrative and overhead expenses necessary or incidental to the implementation of a community redevelopment plan adopted by the board. (b) Expenses of redevelopment planning, surveys, and financial analysis, including the reimbursement of the governing body or the community redevelopment agency for such expenses incurred before the redevelopment plan was approved and adopted. (c) The acquisition of real property in the redevelopment area. (d) The clearance and preparation of any redevelopment area for redevelopment and relocation of site occupants as provided in M.A.C. (e) The repayment of principal and interest or any redemption premium for loans, advances, bonds, bond anticipation notes, and any other form of indebtedness. (f) All expenses incidental to or connected with the issuance, sale, redemption, retirement, or purchase of agency bonds, bond anticipation notes, or other form of indebtedness, including funding of any reserve, redemption, or other fund or account provided for in the ordinance or resolution authorizing such bonds, notes, or other form of indebtedness. (g) The development of affordable housing within the area. (h) The development of community policing innovations. (i) The execution of development agreements to directly incentivize commercial developers to renovate existing privately owned buildings for reuse/redevelopment.

Mississippi Annotate Code provides for a limitation of the pledge of public sales tax financing for a term of 6 years after the community redevelopment plan is adopted or amended up to a maximum of 20 years.

The execution of development agreements to directly incentivize commercial developers allows the Board to operate a grant program that would allow private developers to apply for a redevelopment grant to incentivize the reuse/redevelopment of existing commercial buildings. These grants would be paid (in a predetermined amount) to the developer after the first year of redevelopment and opening of new commercial tenant(s).

The funding for the redevelopment grants will come from the redevelopment trust fund of the participating municipality and will be based on the over and above increase in sales tax that results from the redevelopment/reuse project. These funds will be paid from the municipality to the owner/developer through a development agreement.

Uses: The CRA Grant Program can be used to improve both exterior and interior improvements to private buildings that will result in the improved appearance and functionality of blighted/vacant commercial and residential properties.

The grant program cannot be used for Furniture, Fixtures, and Equipment (FFE), general maintenance, or other work that does not improve the appearance or functionality of the building. Grant funds cannot be used to incentivize the relocation of tenants already located within the primary market area (market cannibalizing).

Commercial Funding Flow: Reimbursements to the developer would begin after one (1) full year of tenant(s) occupancy. At that point, the increase in taxes resulting from the improvement would be evaluated, and the agreed upon grant payment would then be made to the owner/developer.

Commercial Grant Amount: The grant amount would be determined by negotiations between the City and the developer. The grant amount would not be allowed to be more than 50% of the developers proposed improvements, which must be documented with invoices, within 90 days of renovation completion. The total grant amount would be paid in annual increments (based on taxes generated over and above the base assessment) until the total amount is reimbursed to the developer.

(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 Amendment No. 1 to Task Order No. 013 with Compton Engineering, Inc. for the Round Island Lighthouse Interior Restoration Project – Phase IV, as recommended by Jen Dearman, Community and Economic Development Director. This amendment increases the task order by \$5,000.00.

Councilman Jackson made a motion to approve Amendment No. 1 to Task Order No. 013 with Compton Engineering, Inc. for the Round Island Lighthouse Interior Restoration Project – Phase IV, as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

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

Jen Dearman, Community and Economic Development Director, also requested formal approval for \$10,765.57 to be added to Task Order 013 for the professional services contract with Compton Engineering, Inc. for the Round Island Lighthouse Interior Restoration Project.

Councilman Tipton made a motion to approve \$10,765.57 to be added to Task Order 013 for the professional services contract with Compton Engineering, Inc. for the Round Island Lighthouse Interior Restoration Project. 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 “AYE”, and Tipton “AYE”. (Approved 12-2-14)

The next item for consideration was a Resolution authorizing the Mayor to accept a donation of a 1957 Chevrolet Belair automobile for use by the Police Department as recommended by Police Chief Kenny Johnson.

The Resolution is spread on the minutes as follows:

**RESOLUTION AUTHORIZING MAYOR TO ACCEPT
DONATION OF MOTOR VEHICLE**

WHEREAS, the City Council has been advised that David Ditsworth, a resident of Pascagoula, has offered to donate to the City of Pascagoula a 1957 Chevrolet Belair automobile for use by the Police Department in City sponsored events; and

WHEREAS, the vehicle has an estimated value of \$28,000.00 and can be retro-fitted to make it appear to be a vintage police patrol unit; and

WHEREAS, the Council has been advised that drug forfeiture monies can be used for retro-fitting the vehicle to be used as a prop for drug education and awareness programs at our local schools; and

WHEREAS, the Police Department plans to solicit private donations to help offset the costs of retro-fitting the vehicle, which will also be used in parades, car shows and other community wide events to advertise the resources of the City; and

WHEREAS, the acceptance of this donation would add a valuable artifact to the City's personal property inventory that will be of great benefit to the citizens of this community:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The Mayor is authorized to accept the donation of the 1957 Chevrolet Belair automobile and to forward a certified copy of this resolution to David Ditsworth expressing the sincere appreciation of the City Council for this donation.

SECTION 2. The City Clerk is directed to cause the vehicle to be entered into the asset inventory of the City and an appropriate number assigned thereto in accordance with the certificate of title, a copy of which is attached hereto.

SECTION 3. The City Manager, or his designee, shall have the authority to utilize the vehicle in whatever fashion deemed appropriate for the advertisement of the resources of the City and participation in community events.

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", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 2nd 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 the Order for the docket of claims as follows:

ORDER

WHEREAS, the attached docket of claims for the period November 14, 2014, through November 28, 2014, has been presented to the City Council for allowance and approval.

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

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

The above Order was introduced by Councilwoman Simkins, seconded for adoption by Councilman Pickett, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Order adopted on the 2nd day of December, 2014.

Joe Huffman, City Manager, requested approval to advertise the resources of the City of Pascagoula by giving out candy and City of Pascagoula tee shirts at the Christmas parade on Friday night, December 5, 2014, at 7:00 p.m.

Councilman Hill made a motion to advertise the resources of the City of Pascagoula by giving out candy and City of Pascagoula tee shirts at the Christmas parade on December 5, 2014, as recommended. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 12-2-14)

Mr. Huffman then reminded the Council of several Christmas events this week. Councilman Tipton encouraged everyone to support local businesses during the holiday season.

Councilman Jackson and Mayor Blevins gave a brief report on the recent National League of Cities Conference they attended in Austin, TX.

Councilman Jackson made a motion to close the meeting to consider going into executive session. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE".

Councilman Hill made a motion to go into executive session for the purpose of discussing several land sale transactions and litigation strategy involving the Pascagoula School District case against Jackson County regarding Chevron tax assessments. 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 “AYE”, and Tipton “AYE”, after which the Mayor then announced to the public and those in attendance that the Council had voted to hold an executive session for the purpose stated above. The Council then began the executive session.

During executive session, Eddie Williams, City Attorney, gave a status report on the litigation matter involving the Pascagoula School District case against Jackson County regarding Chevron tax assessments.

After discussion, Councilman Pickett made a motion to continue the litigation strategy with the Pascagoula School District at least through the appeal process. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “NAY”, Tadlock “AYE”, and Tipton “AYE”. (Approved 12-2-14)

During executive session, Eddie Williams, City Attorney, briefed the Council on a lawsuit received by the City of Pascagoula last week involving Robert M. Daley, et. al. versus Heaven Leigh Price, et. al., to confirm a tax title for property located at 2411 Parsley Avenue, Pascagoula, MS.

After discussion, Councilwoman Simkins made a motion to authorize the City Attorney to file an answer to the lawsuit involving Robert M. Daley, et. al. versus Heaven Leigh Price, et. al., to confirm a tax title for property located at 2411 Parsley Avenue 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 “AYE”, and Tipton “AYE”. (Approved 12-2-14)

(Councilman Tadlock left the meeting at 8:03 p.m.)

Councilman Jackson made a motion to end the executive session and return to open session. 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”.

There being no further business to come before the Council at this time, Councilman Hill made a motion to recess until Tuesday, December 16, 2014, at 6:00 p.m. to transact such business as may lawfully come before the Council. The motion was seconded 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 meeting ended at 8:10 p.m.

APPROVED:

Harry J. Blevins, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk