

**RECESSED REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, NOVEMBER 17, 2015, 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, November 17, 2015, 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
Councilwoman Brenda Simkins
Councilman David Tadlock
Councilman Scott Tipton

Councilman Marvin Pickett, Sr. was absent.

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

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

Opening remarks were made by members of the Council. Councilman Jackson commented on the National League of Cities Conference that he and Councilman Tipton recently attended in Nashville, TN. Councilman Tadlock commented on the Round Island Lighthouse lighting ceremony. He thanked everyone who participated in making this a reality. Councilman Tipton congratulated the football teams at Resurrection Catholic School and Pascagoula High School for a great season and wished them well in the playoff games. Councilwoman Simkins noted the 7 and 8 yr. old and 9 and 10 yr. old teams also had a very good season and won their championship games. Mayor Blevins stated there are a lot of programs being offered through the Parks & Recreation Department. He also noted that former Ocean Springs Fire Chief Michael Hare recently donated an item to the City of Pascagoula that he found in 1985 on Round Island by the lighthouse. The item is a small glass ink well that came from the original lighthouse property. Mayor Blevins thanked Mr. Hare for the donation.

The Council considered an Ordinance to change the name of the southern part of Fair Street (south of Telephone Road) to Bruce Evans Drive.

The Ordinance is spread on the minutes:

**ORDINANCE NO. 12-2015
CITY OF PASCAGOULA, MISSISSIPPI**

**AN ORDINANCE TO CHANGE THE NAME OF THE SOUTHERN PART
OF FAIR STREET (SOUTH OF TELEPHONE ROAD) TO BRUCE
EVANS DRIVE; AND FOR RELATED PURPOSES**

WHEREAS, Deputy Bruce W. Evans served the citizens of Jackson County and Pascagoula as a patrolman with the Jackson County Sheriff's Department from November, 1994, until his death on July 18, 2000; and

WHEREAS, Deputy Bruce W. Evans paid the ultimate sacrifice and gave his life in the line of duty for the citizens of Jackson County; and

WHEREAS, Deputy Bruce W. Evans began his career with the Montgomery County Sheriff's Department in February, 1992, after receiving a degree in Psychology and a minor in Criminal Justice in 1991 from Faulkner University; and

WHEREAS, Deputy Bruce W. Evans was a devoted husband to his wife, Kristi, and father of two children, Blake and Tyler, and was involved in community and youth sporting activities; and

WHEREAS, Fair Street extends from Pascagoula Street on the north to Kenneth Avenue on the south with a portion abandoned north of the intersection of Telephone Road with a section of Fair Street south of Telephone Road; and

WHEREAS, the City Council desires to honor the memory of Deputy Bruce W. Evans by renaming a portion of Fair Street in his honor:

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

SECTION 1. All that portion of Fair Street extending northward from Kenneth Avenue to its terminating point located south side of Telephone Road is hereby renamed and shall henceforth be known as Bruce Evans Drive.

SECTION 2. The new name shall be placed on the official street naming and numbering map of the City.

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

SECTION 4. This ordinance shall not be codified.

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

Passed this the 17th day of November, 2015.

APPROVED:

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

ATTEST:

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

(S E A L)

At this time, Mayor Blevins made some remarks about Deputy Bruce Evans. He then recognized members of the Evans family who were in attendance tonight which included his wife, Kristi, and his children, Blake and Tyler. Jackson County Sheriff Mike Ezell and Jackson County Deputy Bryan White were also at the meeting. Mayor Blevins read and presented a signed copy of the above Ordinance to the family. They thanked the City for this special honor. Sheriff Ezell and Deputy White gave brief comments and thanked the City for this action.

Amy Brandenstein, Michele Coats, Martha Gallahue, Heather Wiggins, and Tracy Jackson-Wilson addressed the Council regarding the "Little Free Libraries" Project they have been working on to promote literacy and develop reading skills. Ms. Brandenstein advised that twelve little libraries have been built by the vo-tech students at Pascagoula High School. They will be painted by local artists and placed at several locations around town. After comments, the Council thanked them for their efforts on this great project.

Michael Wiggins addressed the Council regarding a sponsorship for the Pascagoula Gautier School District Lacrosse Team. Mr. Wiggins advised this is a new program with 17 members thus far. He hopes the program will grow to 30 members. The cost per student is \$250.00. Mayor Blevins thanked Mr. Wiggins for his work with this program.

Councilman Tipton made a motion to advertise the resources of the City of Pascagoula and approve a sponsorship of \$100.00 for the Pascagoula Gautier School District Lacrosse Team. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

A status report on 3611 Frederic Street was provided by Donovan Scruggs, City Planner. Mr. Scruggs stated that after reviewing documents submitted by Charles Petty that he would recommend granting a 90 day building permit in accordance with the documents provided, and Mr. Petty may need a variance from the Flood Damage Prevention Ordinance. At the end of the 90 day period, this matter will come back to the Council for a status report.

The following information was presented to the Council for the record:



4015 14th Street
Pascagoula, MS 39567

Phone: 228-938-6620
Fax: 228-938-6765

To: Mr. Charles Petty

From: Donovan Scruggs, AICP

Date: November 4, 2015

RE: 3611 Frederic

I have reviewed documents that were submitted to this office and at the City Council meeting on November 3, 2015. In both conversations, it was mentioned that additional documents and estimates existed. In an effort to provide a final recommendation to the City Council at the November 17 meeting, the following documents and clarifications must be provided to this office by 4:00 on Friday November 6. These documents and clarifications include the following:

- Additional estimates for repair of the structure mentioned on November 3;
- The estimates should be summarized into a single document that itemizes repairs by room or overall area (roof, substructure/foundation) with a subtotal cost for each area and a total cost for the completion of all repairs. It is recognized that these are estimates but should be provided by licensed contractors;
- Strengths Professional Home Repair is not a General Contractor but has a privilege license issued by the City of Pascagoula. Edward's Construction is not a General Contractor and does not have a privilege license. Daygo's Plumbing is licensed for plumbing repairs. These companies are not licensed for electrical work, and contractor's estimates will be needed;
- Because the home repair companies listed above are not licensed General Contractors, all permits with the exception of plumbing and electrical, will need to be obtained by the home owner. The home owner will be responsible and liable for all work and workers on his site;
- All jobs or areas of repairs need to include cost of labor;
- According to the Elevation Certificates on file, the lowest adjacent grade is 7.92' and the highest adjacent grade is 10.44'. The rear (west side) of the structure needs to be lifted. A proposed final elevation must be provided. The costs of elevating the structure should be covered in the estimates mentioned above along with the contractor responsible for the work;
- The proposed finished elevation must be provided to be considered for the Variance Application. At present, the application is considered incomplete; and
- A proposed timeline for substantial completion and final occupancy must be provided.

The items mentioned above reflect the "detailed estimates" and information requested previously. The documents provided to date are still deficient. If the required information is not provided by this Friday, I will conclude my review based on the documents that have been presented.



4015 14th Street
Pascagoula, MS 39567

Phone: 228-938-6620
Fax: 228-938-6765

To: Joe Huffman, City Manager

From: Donovan Scruggs, AICP

Date: November 9, 2015

RE: 3611 Frederic

I have reviewed documents that were submitted by Mr. Charles Petty to this office and at those provided to the City Council at the meeting on November 3, 2015. In both cases, Mr. Petty mentioned that additional documents and estimates existed and they would be provided. In an effort to provide a final recommendation to the City Council at the November 17 meeting, I reviewed the documents that had been provided and asked for additional details and information. It was requested that this information be provided by Friday, November 6 at 4:00 p.m. (see attached memorandum). Mr. Petty contacted our office and indicated that he could not make that deadline, but indicated it would be provided "first thing Monday morning." On Monday he called and indicated that the information was not complete due to a sinkhole problem that occurred several years ago.

The information and documents requested from Mr. Petty were clarifications and details that have been previously requested over the past several months. These were requests were not fulfilled or were incomplete.

Mr. Petty has not provided documents that have now been requested for several months. No permits have been issued and the house remains in a deteriorated, substandard condition. *Unless otherwise directed, I plan to take the necessary steps to enforce the Resolution to clean the property adopted on July 21, 2015. This will result in the demolition of the residential structure at the address.*



4015 14th Street
Pascagoula, MS 39567

Phone: 228-938-6620
Fax: 228-938-6765

To: Joe Huffman, City Manager

From: Donovan Scruggs, AICP

Date: November 16, 2015

RE: 3611 Frederic – Release for Permitting & Floodplain Variance

I have reviewed documents that were submitted to this office on Friday, November 13, 2015. The documents are consistent with the request for information previously provided to Mr. Petty. The packet of information includes detailed estimates for the rehabilitation of the home at 3611 Frederic and a time line for the implementation of the repairs. A copy of these documents can be provided but are not included for review.

During the review, it was determined that the applicant desires to rehabilitate the structure at its current elevation. Based on an Elevation Certificate within the property file, the 'Top of the Bottom Floor' is 9.95 ft. and the property is situated in an AE 13 zone that includes an additional 1 ft. of freeboard (required elevation of 14 ft.). Compliance with the Floodplain regulations would require the structure to be elevated an additional 5 feet.

The property is *Individually Listed* in the National Register of Historic Places. The structure, known as the Marguerite A. Colle House, is also located within the Orange Avenue Historic District. Elevating the home to comply with the requirements of the Flood Damage Prevention Ordinance would negatively impact the historical integrity of the home and the surrounding structures. The Pascagoula Historic Preservation Commission has provided a letter in support of this variance (see attached).

It is my recommendation that a 90 Day Building Permit be issued for the rehabilitation of the structure at 3611 Frederic Street to implement work outlined in Mr. Petty's letter of November 12, 2015, and that a variance of the Flood Damage Prevention Ordinance be granted to allow the structure to be substantially repaired at its existing elevation below Base Flood Elevation.



630 Delmas Avenue Pascagoula MS 39567
**HISTORIC PRESERVATION
COMMISSION**

16 November 2015

Mr. Donovan Scruggs
City Planner / City of Pascagoula
4015 14th Street
Pascagoula MS 39567

RE: 3611 Frederic Street, Pascagoula

Dear Mr. Scruggs:

The residence at 3611 Frederic Street is listed individually on the National Register of Historic Places as well as being in the Orange Street Historic District, which is also listed in the National Register of Historic Places.

44 CFR 60.6 (a) states in part that "Variances may be granted for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure." This has been interpreted as part of the NFIP floodplain management that 'historic structures' can be excluded from the NFIP elevation and flood proofing requirements. The City of Pascagoula is a signatory to the Programmatic Agreement covering this item.

If the residence at 3611 Frederic should be elevated, it would aid in the destruction of the historical integrity of the house, as well as being totally out of character for the historic neighborhood, as the other resources in the area remain at their original elevation.

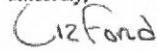
It is our recommendation that the variance be issued to preserve the integrity of the neighborhood, the historic district and the structure. The issuance of such variance would be in line with the intended purpose of 44 CFR 60.6 (a).

The house was built c1895, during a part of what is called Pascagoula's Golden Age due to significant activities in commerce and maritime industries as well as improvements in transportation which helped the city grow and prosper.

Historically known as the Marguerite A. Colle Residence, the residence is a good example of a late 19th century Queen Anne Cottage. It is believed to have been built by Wilhelmina Colle in the 1890's as rental property for employees of the Colle Towing Company. It has remained, and still is, in the Colle family throughout its history.

Thank you in advance for your one last consideration of saving this historical residence and for issuing the requested variance against the elevation requirements.

Sincerely,



Liz Ford, Chairman
Pascagoula Historic Preservation Commission

United States Department of the Interior
National Park Service

National Register of Historic Places Registration Form

COPIES

This form is for use in nominating or requesting determinations of eligibility for individual properties or districts. See instructions in *Guidelines for Completing National Register Forms* (National Register Bulletin 16). Complete each item by marking "x" in the appropriate box or by entering the requested information. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, styles, materials, and areas of significance, enter only the categories and subcategories listed in the instructions. For additional space use continuation sheets (Form 10-500a). Type all entries.

1. Name of Property

historic name Colle Company Housing

other names/site number _____

2. Location

street & number 3611 Frederic

city, town Pascagoula N/A not for publication

state Mississippi code MS county Jackson N/A vicinity

code 59 zip code 39567

3. Classification

Ownership of Property	Category of Property	Number of Resources within Property	
<input checked="" type="checkbox"/> private	<input checked="" type="checkbox"/> building(s)	Contributing	Noncontributing
<input type="checkbox"/> public-local	<input type="checkbox"/> district	<u>1</u>	<u>1</u>
<input type="checkbox"/> public-State	<input type="checkbox"/> site		buildings
<input type="checkbox"/> public-Federal	<input type="checkbox"/> structure		sites
	<input type="checkbox"/> object		structures
		<u>1</u>	objects
			Total
			<u>2</u>

Name of related multiple property listing:
Historic Resources of Pascagoula, MS

Number of contributing resources previously listed in the National Register 0

4. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act of 1966, as amended, I hereby certify that this nomination request for determination of eligibility meets the documentation standards for registering properties in the National Register of Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Kenneth H. P. Paul
Signature of certifying official Oct. 24, 1991
Date

Deputy State Historic Preservation Officer
State or Federal agency and bureau

In my opinion, the property meets does not meet the National Register criteria. See continuation sheet.

Signature of commenting or other official _____ Date _____

State or Federal agency and bureau _____

5. National Park Service Certification

I, hereby, certify that this property is:

entered in the National Register. entered in the
National Register 12/20/91

See continuation sheet.

determined eligible for the National Register. See continuation sheet.

determined not eligible for the National Register.

removed from the National Register.

other, (explain): _____

Hugh M. Lapsley _____
Signature of the Keeper Date of Action

6. Function or Use	
Historic Functions (enter categories from instructions)	Current Functions (enter categories from instructions)
<u>Domestic/Single Dwelling</u>	<u>Domestic/Single Dwelling</u>
_____	_____
_____	_____
7. Description	
Architectural Classification (enter categories from instructions)	Materials (enter categories from instructions)
<u>Late Victorian</u>	foundation <u>Brick</u>
_____	walls <u>Weatherboard</u>
_____	roof <u>Asphalt</u>
_____	other <u>N/A</u>
_____	_____

Describe present and historic physical appearance.

The Colle Company house is situated to the front of a gently rising lot, facing east on Frederic Street. It was originally a long, narrow, one-story house parallel to the street, with a small mass projecting near the northeast corner of the east side, and a porch running from this projection to the southeast corner of the house mass. Infill was placed the length of the west side, its walls extending the south-north walls of the house west. A small lawn rises up to the house. A low concrete retaining wall at the front property line is interrupted by two steps up to a concrete path that leads to the front steps. There is foundation planting, and large trees in the back yard. Behind the house, along the south property line, is a small, wood frame garage with a shallow gable roof and a pair of flush wood car doors. It is a non-contributing element.

A brick chimney with a later masonry "peak" surrounding a pipe flue falls to the front of the ridge of the asphalt shingle roof about a third of the way in from the south end of the main ridge. The roof has modern tile. Except as noted, the house is weatherboarded, with simple eave boxing, flat opening trim, corner boards, a water table and fascia, and sits on brick piers. Except as noted, sash is six-over-one.

As seen from the front, the south two-thirds of the house is a simple long plane; at the north third, a projecting clipped gable end of delicate and sophisticated detailing contrasts. A shed-roof porch parallels the long main wall, returning on the south end of the front wall of the gable.

The openings of the wall facing the porch are remarkable for their asymmetrical placing. Towards the south end is a double-hung sash with, going north, a door close to it. Going north a large space, there is another window, and somewhat less distance away, another window. South, again even lesser space, is another door of the same type, and a couple of feet down, the gable end starts. The heads of all openings line up. The doors are replacement sash with three vertical lights over two wood panels; above are two-light transoms.

The clipped front gable has a wide front plane with two slightly narrow one-over-one double-hung sash separated by a mullion. On the angled sides, they are a typical width and fall one each to the wall surface. Wall surfaces adjacent to all sash are clad with weatherboards. The gable is a cross gable sharing the low pitch of the roof, which hips at the north end. At the top of the gable, there is a delicate projecting verge board with bed mold, ornamented at the top just inside the verge board, with a triangular panel of three rows of spade-shaped shingles over one row of flat shingles, this panel supported

See continuation sheet

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

 COPY

Section number 7 Page 2

at the outside of its bottom edge by small jigsaw brackets. Below the peak in the plane of the front wall, the gable is filled in with rectangular-shaped shingles, every other one shorter than those on each side. A fascia runs under this, fat on the front and thin where it makes the soffit overhanging the clipped corners. Below this, the building wall is weatherboarded down to the sill level of the sash where a wood sill runs entirely across the wall surfaces of the clipped gable walls, with a paneling of vertical flush boards going down to the water table.

The five-bayed, wood-floored porch has a simple soffit beam and is supported by turned posts, supporting at the square sectioned top portion a frieze of turned balusters, and at the similar tall square sectioned lower end, a boldly detailed railing with rectangular sectioned pickets. The entrance at the center bay does not line up with any openings on the house wall, and is concrete or stucco with the steps butting into two masonry buttresses with heavy projecting caps.

Parallel to the original mass along the west side, later infill construction almost doubles the area of the house. A porch on the new west side can be seen at the southwest corner of the building.

NATIONAL FLOOD INSURANCE PROGRAM
ELEVATION CERTIFICATE

O.M.B. No. 3067-0077
 Expires December 31, 2005

Important: Read the instructions on pages 1 - 7.

SECTION A - PROPERTY OWNER INFORMATION

BUILDING OWNER'S NAME Charles Petty	For Insurance Company Use Policy Number
BUILDING STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 3611 Frederic Street	Company NAIC Number
CITY Pascagoula	STATE MS
PROPERTY DESCRIPTION (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)	ZIP CODE 39567

BUILDING USE (e.g., Residential, Non-residential, Addition, Accessory, etc.) Use a Comments area, if necessary.
Commercial - PEMCO

LATITUDE/LONGITUDE (OPTIONAL)
 (##-##-#### or ##-####)
 HORIZONTAL DATUM: NAD 1983 NAD 1983 SOURCE: GPS (Type) USGS Quad Map Other

SECTION B - FLOOD INSURANCE RATE MAP (FIRM) INFORMATION

B1 FIP COMMUNITY NAME & COMMUNITY NUMBER City of Pascagoula 285260	B2 COUNTY NAME Jackson	B3 STATE MS
B4 MAP AND PANEL NUMBER 285260 0002	B5 SUFFIX C	B6 FIRM INDEX DATE 3.15.84
B7 FIRM PANEL EFFECTIVE/REVISED DATE 3.15.84	B8 FLOOD ZONE(S) B & A6	B9 BASE FLOOD ELEVATION(S) (Zone A0, use depth of flooding) 9.0

B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in B9:
 FIS Profile FIRM Community Determined Other (Describe):
 B11. Indicate the elevation datum used for the BFE in B9: NGVD 1929 NAVD 1986 Other (Describe):
 B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? Yes No Designation Date:

SECTION C - BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

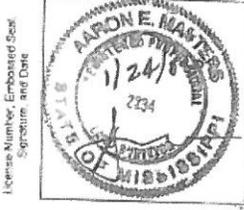
C1. Building elevations are based on: Construction Drawings Building Under Construction Finished Construction
 *A new Elevation Certificate will be required when construction of the building is complete.

C2. Building Diagram Number **5** (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)

C3. Elevations - Zones A1-A20, AE, AH, A (with BFE), VE, V1-V3, V (with BFE), AR, ARIA, ARAE, ARA1-A30, ARAH, ARVAO
 Complete items C3-a-i below according to the building diagram specified in item C2. State the datum used. If the datum is different from the datum used for the BFE in Section B, convert the datum to that used for the BFE. Show field measurements and datum conversion calculation. Use the space provided or the Comments area of Section D or Section G, as appropriate, to document the datum conversion.
 Datum: _____ Conversion/Comments: _____

Elevation reference mark used **4.48**. Does the elevation reference mark used appear on the FIRM? Yes No

- a) Top of bottom floor (including basement or enclosure) **2 95** ft (m)
- b) Top of next higher floor **N/A** ft (m)
- c) Bottom of lowest horizontal structural member (V zones only) **N/A** ft (m)
- d) Attached garage (top of slab) **N/A** ft (m)
- e) Lowest elevation of machinery and/or equipment servicing the building (Describe in a Comments area) **13 56** ft (m)
- f) Lowest adjacent finished grade (LAG) **7 92** ft (m)
- g) Highest adjacent finished grade (HAG) **10 44** ft (m)
- h) No. of permanent openings (flood vents) within 1 ft. above adjacent grade **N/A**
- i) Total area of all permanent openings (flood vents) in C3-h: **N/A** sq. in. (sq. cm)



SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information in Sections A, B, and C on this certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

CERTIFIER'S NAME **Aaron Masters** LICENSE NUMBER **2234**

TITLE **Senior Vice President** COMPANY NAME **Compton Engineering**

ADDRESS **1706 Convent Avenue** CITY **Pascagoula** STATE **MS** ZIP CODE **39567**

SIGNATURE *[Signature]* DATE **1/24/06** TELEPHONE **228-762-3970**

NOTE: In these spaces, copy the corresponding information from Section A.		For Insurer/Company Use
STREET ADDRESS (including Apt., Unit, Suite, and/or Bldg. No.) OR P.O. ROUTE AND BOX NO. 3611 Frederic Street		Policy Number
CITY Osageola	STATE MS	ZIP CODE 39567
		Company NAIC Number

SECTION D - SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION (CONTINUED)

Copy both sides of this Elevation Certificate for (1) community official, (2) insurance agent/company, and (3) building owner

COMMENTS
Bottom of electrical box is at elevation 13.56.

Work order number **205-003.295** Check here if attachments

SECTION E - BUILDING ELEVATION INFORMATION (SURVEY NOT REQUIRED) FOR ZONE AO AND ZONE A (WITHOUT BFE)

For Zone AO and Zone A (without BFE), complete items E1 through E4. If the Elevation Certificate is intended for use as supporting information for a LOMA or LOMRF, Section C must be completed.

- E1. Building Diagram Number: (Select the building diagram most similar to the building for which this certificate is being completed - see pages 6 and 7. If no diagram accurately represents the building, provide a sketch or photograph.)
- E2. The top of the bottom floor (including basement or enclosure) of the building is ft.(m) in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available.)
- E3. For Building Diagrams 6-8 with openings (see page 7), the next higher floor or elevated floor (elevation b) of the building is ft.(m) in.(cm) above the highest adjacent grade. Complete items C3h and C3i on front of form.
- E4. The top of the platform of machinery and/or equipment serving the building is ft.(m) in.(cm) above or below (check one) the highest adjacent grade. (Use natural grade, if available.)
- E5. For Zone AO only: If no flood depth number is available, is the top of the bottom floor elevated in accordance with the community's floodplain management ordinance?
 Yes No Unknown. The local official must certify this information in Section G.

SECTION F - PROPERTY OWNER (OR OWNER'S REPRESENTATIVE) CERTIFICATION

The property owner or owner's authorized representative who completes Sections A, B, C (items C3h and C3i only), and E for Zone A (without a FEMA-issued or community-issued BFE) or Zone AO must sign here. The statements in Sections A, B, C, and E are correct to the best of my knowledge.

PROPERTY OWNER'S OR OWNER'S AUTHORIZED REPRESENTATIVE'S NAME			
ADDRESS	CITY	STATE	ZIP CODE
SIGNATURE	DATE	TELEPHONE	
COMMENTS			

Check here if attachments

SECTION G - COMMUNITY INFORMATION (OPTIONAL)

The local official who is authorized by law or ordinance to administer the community's floodplain management ordinance can complete Sections A, B, C (or E), and G of this Elevation Certificate. Complete the applicable item(s) and sign below.

- G1. The information in Section C was taken from other documentation that has been signed and embossed by a licensed surveyor, engineer, or architect who is authorized by state or local law to certify elevation information. (Indicate the source and date of the elevation data in the Comments area below.)
- G2. A community official completed Section E for a building located in Zone A (without a FEMA-issued or community-issued BFE) or Zone AO.
- G3. The following information (Items G4-G9) is provided for community floodplain management purposes.

G4 PERMIT NUMBER	G5 DATE PERMIT ISSUED	G6 DATE CERTIFICATE OF COMPLIANCE/OCCUPANCY ISSUED
G7 This permit has been issued for: <input type="checkbox"/> New Construction <input type="checkbox"/> Substantial Improvement		
G8 Elevation of as-built lowest floor (including basement) of the building is:	<u> </u> ft.(m)	Datum: <u> </u>
G9 BFE or (in Zone AO) depth of flooding at the building site is:	<u> </u> ft.(m)	Datum: <u> </u>
LOCAL OFFICIAL'S NAME	TITLE	
COMMUNITY NAME	TELEPHONE	
SIGNATURE	DATE	
COMMENTS		

Councilwoman Simkins made a motion to approve the variance for 3611 Frederic Street as recommended by Donovan Scruggs, City Planner, and proceed with the 90-day plan as set forth and created by Mr. Scruggs based on the documentation submitted by Charles Petty in achieving the goal of consistency in the Historic District. The motion as seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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 from Donovan Scruggs, City Planner, to accept the minutes of the Planning Board meeting of November 12, 2015.

The minutes are listed below:

NOVEMBER 4, 2015

TO: MEMBERS OF THE PASCAGOULA PLANNING BOARD
JOSEPH HUFFMAN, CITY MANAGER
EDDIE WILLIAMS, CITY ATTORNEY

DONOVAN SCRUGGS, CITY PLANNER
ANGELIA KIMBROUGH, PERMIT TECH

FROM: PLANNING & BUILDING DEPARTMENT

SUBJECT: REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
THURSDAY NOVEMBER 12, 2015 AT 6:00 P.M.

AGENDA

A. PUBLIC HEARINGS:

- 1 **Walter C. Randle Sr.**
Area located between Louise Street and Bayou Cassotte Parkway near the intersection of Newman and New Hope Avenues. The request is to rezone certain land generally situated between Bayou Cassotte Parkway and Louise Street near its intersections with New Hope and Newman Avenues. The parcel is currently zoned Single Family Residential 6 (SFR 6) district, and the applicant is requesting a change to a Light Industrial (LI) district.

- 2 **Daniel M. Parker Jr.**
1611 Ingalls Ave. The request is for a Special Use permit to operate a Flea Market/Variety Store in a Neighborhood Commercial (NC) district.

REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
THURSDAY, NOVEMBER 12, 2015 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 Thursday November 12, 2015 at 6:00 P. M.

The following official(s) were present:

Wesley Smith (Chairman)
Mike Gilly
Linda Tillman
Joseph Odom
Stephen Parker (Vice Chairman)
Jimmy Krebs
Stewart P. Keene

Other officials present:

Eddie Williams, City Attorney
Donovan Scruggs, City Planner
Angelia Kimbrough, Permit Tech

A. **PUBLIC HEARING**

1. **WALTER C. RANDLE SR.**

Area located between Louise Street and Bayou Cassotte Parkway near the intersection of Newman and New Hope Avenues. The request is to rezone certain land generally situated between Bayou Cassotte Parkway and Louise Street near its intersections with New Hope and Newman Avenues. The parcel is currently zoned Single Family Residential 6 (SFR 6) district, and the applicant is requesting a change to a Light Industrial (LI) district.

Donovan Scruggs was present to explain the application. He described conditions in the area. He provided details on the industrial expansion east of Bayou Cassotte Parkway, but noted much of this was simply clearing of land for parking. He demonstrated that the industrial change in area did not occur on the west side of Bayou Cassotte Parkway. He indicted concerns of the encroachment of industrial uses on the west side of the Parkway in closer proximity to single family residential neighborhoods. He noted that there is a need for a transitional zone in the area and that the subject parcel may not be a good fit for single family residential uses. He further noted that the Comprehensive Plan shows the property as Mixed Use.

Charlie Green made comments about the area, and that the residential zoning was not a good fit.

George Murphy spoke on behalf of the applicant. He indicated the property had previously been zoned for industrial uses. He further stated the reason of the Parkway was to encourage the expansion of the industrial uses. He felt that the property was never viable of residential uses, and it should be zoned for the uses it was intended, which is industrial.

The staff recommends denial of the application to rezone the property from Single Family Residential to Light Industrial. The designation of Light Industrial would permit uses that are too intense and conflicting with the residential area to the west. Additionally, the encroachment of an industrial designation on the west side of Bayou Cassotte Parkway would be adverse to the "Public Need" of a buffer or transition area between the contrasting districts. After hearing the staff's request, and there being no protest a motion was made by Joseph Odom to "APPROVE" the application. The motion was seconded by Jimmy Krebs and the vote thereupon was as follows: Linda Tillman "NAYE", Wesley Smith "NAYE", Mike Gilly "AYE", Stewart P. Keene "NAYE", Joseph Odom "AYE", Jimmy Krebs "AYE", Stephen Parker "NAYE".

The motion failed by a vote of 3 (to approve the application to rezone) to 4 (to deny the request).

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

2. DANIEL M. PARKER

1611 INGALLS AVE. The request is for a Special Use permit to operate a Flea Market/Variety Store in a Neighborhood Commercial (NC) district.

Donovan Scruggs was present to explain the application. He indicated that the building had been vacant since 2014. He explained the intended use of the property. He indicated that there may be issues with parking, but that parking can be reviewed during the building permit and occupancy reviews. Parking, in his opinion, could be available to the rear of the building or by lease on the adjacent parcel. He noted that some use of the building may be better than no use of the building.

The staff recommends approval of the Special Use Permit to operate a Flea Market/Variety Shop at 1611 Ingalls Avenue with no exterior display to be located within parking areas, ingress or egress to the site or building, right of way, or as otherwise prohibited by the Unified Development Ordinance.

After hearing the staff's request, Dr. John Privett who has a Dental Office across the street from the location in question voiced concerns regarding parking as to whether there would be sufficient parking. Mr. Privett was concerned that if there wasn't sufficient parking customers would use his site for parking. Sharon Privett also, voiced her concerns as to the type of business that would be going into that location as well as the parking concerns. Donovan assured them that the parking would be addressed during site approval.

Mr. Daniel Parker stated that as long as his grandfather was in business at that location parking was never a problem. He also noted the parking concerns and that he would abide by whatever was required by the city. He indicated he had sufficient land in the rear to accommodate the needed parking. Concerns were also addressed as to signage and how it would be handled. Mr. Parker stated that he would get with the city as to the sign requirements.

With no additional comments or concerns being voiced, a motion was made by Stephen Parker to "APPROVE" the application. The motion was seconded by Mike Gilly and the vote thereupon was as follows: Linda Tillman "NAYE", Wesley Smith "AYE", Mike Gilly "AYE", Stewart P. Keene "AYE", Joseph Odom "AYE", Jimmy Krebs "AYE", Stephen Parker "AYE". The vote to approve passed 6-1.

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

There being no further business to discuss the meeting was adjourned at 6:50 p.m.

Councilman Hill made a motion to accept the minutes of the Planning Board meeting of November 12, 2015, as recommended. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilman Hill "AYE", Jackson

“AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”.
(Approved 11-17-15)

The next item for consideration was a request by Walter Randle to rezone a parcel of land along the west side of Bayou Cassotte Parkway and east of Louise Street in the area of New Hope Avenue and Newman Avenue from Single Family Residential (SFR6) to Light Industrial (LI). The recommendation of the Planning Board was to “DENY” the request. Donovan Scruggs, City Planner, provided an overview of the request by Mr. Randle.

Additional information is spread on the minutes as follows:



Agenda Number:

AGENDA ITEM REQUEST FORM

Meeting Date: Nov. 17, 2015

Submitting Department or Individual: Donovan Scruggs, City Planner

Contact Name: Donovan Scruggs Phone: 228.938.6620

Agenda Topic: Consider request by Walter Randle to rezone a parcel of land along the west side of Bayou Cassotte Parkway and the east side of Louise Street in the area of New Hope and Newman Avenues from Single Family Residential (SFR6) to Light Industrial (LI).

Attach additional information as necessary

Action Requested:

Accept Planning Board's recommendation to deny the rezoning request.

Alternative Actions...

Based on reviews the two following options can be supported by changes in area and comprehensive plan.

Adopt an Ordinance to Rezone the parcel from Single Family Residential (SFR6) to Neighborhood Commercial (NC) to create a transitional zone with mixed use opportunities as provided in the Comprehensive Plan. This supports the Public Need to create a buffer and transitional area between the Industrial and Residential areas. The Change in Neighborhood Character is reflected with the commercial and industrial expansion along the east side of Bayou Cassotte Parkway, or

Adopt an Ordinance to Rezone the parcel from Single Family Residential (SFR6) to Community Commercial (CC) to create a transitional zone with mixed use opportunities as provided in the Comprehensive Plan. This supports the Public Need to create a buffer and transitional area between the Industrial and Residential areas. The Change in Neighborhood Character is reflected with the commercial and industrial expansion along the east side of Bayou Cassotte Parkway. A transitional/buffer area with a depth of fifty feet along Louise Street shall remain single family residential.

The following option reflects approval of the application as requested with a buffer area, but this option lacks demonstrated evidence to support:

Adopt an Ordinance to Rezone the parcel from Single Family Residential (SFR6) to Light Industrial (LI). This supports the Public Need to create a buffer and transitional area between the Heavy Industrial and Residential areas. The Change in Neighborhood Character is reflected with the commercial and industrial expansion along the east side of Bayou Cassotte Parkway. A transitional/buffer area with a depth of fifty feet along Louise Street shall remain single family residential.

Budgeted Item, Contract Required, Mayor or Manager's Signature Required, Source of Funding (General Fund, Utility Fund, Grant, Other) with Yes/No radio buttons.

For grants and contracts, attach two (2) originals for Mayor or Manager's signature
For ordinances, resolutions, or other correspondence, attach one (1) original for Mayor or Manager's signature

NOTE: ALL AGENDA REQUESTS MUST BE TURNED INTO THE CITY CLERK'S OFFICE WITH ALL ATTACHMENTS NO LATER THAN 2PM ON THE WEDNESDAY PRECEDING THE CITY COUNCIL MEETING

ORDINANCE NO. _____ 2015
CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN LAND LYING WEST OF BAYOU CASSOTTE PARKWAY, EAST OF LOUISE STREET, AND GENERALLY EAST OF NEW HOPE, NEWMAN, AND LEGARE AVENUES FROM SINGLE FAMILY RESIDENTIAL (SFR6) TO NEIGHBORHOOD COMMERCIAL (NC).

WHEREAS, the City of Pascagoula proposes to have the zoning of the land described below changed from Single Family Residential (SFR6) to Neighborhood Commercial (NC); and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 12th day of November, 2015, 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, a second public hearing on the proposal was held by the City Council on the 17th day of November, 2015, after due notice thereof, at which time all interested persons were given an opportunity to be heard; 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, that the area is no longer consistent with the single family residential district, and that a public need requires a change in the zoning designation to create a transitional area between incompatible residential and industrial uses; and

WHEREAS, we further find that the change in zoning will not create 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 Single Family Residential (SFR6) to Neighborhood Commercial (NC):

The property is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Commencing at a ½ inch iron pipe found at the Northwest corner of Lot 5 of Cherokee Forest Block 6, Part 1, Plat Book 8, Page 14, Jackson County, Mississippi, said point having a Latitude of 30 Degrees 21 minutes 17 seconds. 12473” and a Longitude of 88 degrees 30 minutes 51 seconds 56813”, NAD 83; thence South 89 degrees 51 Minutes 35 Seconds East a distance of 346.93 feet to a concrete monument found on the East Margin of Louise Street; thence North 29 Degrees 32 Minutes 38 seconds West a distance of 50.11 feet to a point having no monument found or set lying at the Southwest corner of said Section 8, based on alignment of record descriptions; thence North a distance of 1440.02 feet to a point, having no monument found or set’ thence East a distance of 9.79 feet to a ½ inch steel reinforcing bar set on the East Margin of Louise Street and the Point of Beginning. Thence North 00 degrees 40 Minutes 22 Seconds West a distance of 1025.78 feet, along the East Margin of Louise Street, to a ½ inch steel reinforcing bar found; thence South 89 degrees 19 Minutes 22 Seconds East a distance of 455.41 feet to a ¾ inch steel reinforcing bar found on the West Right-of-Way of Bayou Cassotte Parkway; thence with a curve turning to the left with an arc length of 1046.48 feet, with a radius of 3163.54 feet, with a chord bearing of South 12 Degrees 18 Minutes 18 Seconds West, with a chord length of 1041.72 feet, along the West Right-of-Way of Bayou Cassotte Parkway, to a ½ inch steel reinforcing bar found; thence South 89 Degrees 20 Minutes 37 Seconds West a distance of 221.35 feet to the Pont of Beginning, having an area of 7.3 acres, more or less.

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.

SECTION 4. This ordinance shall not be codified.

ORDINANCE NO. _____ 2015
CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN LAND LYING WEST OF BAYOU CASSOTTE PARKWAY, EAST OF LOUISE STREET, AND GENERALLY EAST OF NEW HOPE, NEWMAN, AND LEGARE AVENUES FROM SINGLE FAMILY RESIDENTIAL (SFR6) TO COMMUNITY COMMERCIAL (CC).

WHEREAS, the owner, Walter Randle, proposes to have the zoning of the land described below changed from Single Family Residential (SFR6) to Community Commercial (CC); and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 12th day of November, 2015, 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 denied; and

WHEREAS, a second public hearing on the proposal was held by the City Council on the 17th day of November, 2015, after due notice thereof, at which time all interested persons were given an opportunity to be heard; 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, that the area is no longer consistent with the single family residential district, and that a public need requires a change in the zoning designation to create a transitional area between incompatible residential and industrial uses; and

WHEREAS, we further find that the change in zoning will not create 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 Single Family Residential (SFR6) to Community Commercial (CC):

The property is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Commencing at a ½ inch iron pipe found at the Northwest corner of Lot 5 of Cherokee Forest Block 6, Part 1, Plat Book 8, Page 14, Jackson County, Mississippi, said point having a Latitude of 30 Degrees 21 minutes 17 seconds. 12473" and a Longitude of 88 degrees 30 minutes 51 seconds 56813", NAD 83; thence South 89 degrees 51 Minutes 35 Seconds East a distance of 346.93 feet to a concrete monument found on the East Margin of Louise Street; thence North 29 Degrees 32 Minutes 38 seconds West a distance of 50.11 feet to a point having no monument found or set lying at the Southwest corner of said Section 8, based on alignment of record descriptions; thence North a distance of 1440.02 feet to a point, having no monument found or set' thence East a distance of 9.79 feet to a ½ inch steel reinforcing bar set on the East Margin of Louise Street and the Point of Beginning. Thence North 00 degrees 40 Minutes 22 Seconds West a distance of 1025.78 feet, along the East Margin of Louise Street, to a ½ inch steel reinforcing bar found; thence South 89 degrees 19 Minutes 22 Seconds East a distance of 455.41 feet to a ¾ inch steel reinforcing bar found on the West Right-of-Way of Bayou Cassotte Parkway; thence with a curve turning to the left with an arc length of 1046.48 feet, with a radius of 3163.54 feet, with a chord bearing of South 12 Degrees 18 Minutes 18 Seconds West, with a chord length of 1041.72 feet, along the West Right-of-Way of Bayou Cassotte Parkway, to a ½ inch steel reinforcing bar found; thence South 89 Degrees 20 Minutes 37 Seconds West a distance of 221.35 feet to the Pont of Beginning, having an area of 7.3 acres, more or less.

LESS AND EXCEPT: an area running the length of the property along the western property line that extends eastward from the Louise Street right of way to a depth of 50.0 feet. This area is not included in the change in zoning designation.

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.

SECTION 4. This ordinance shall not be codified.

**ORDINANCE NO. _____ 2015
CITY OF PASCAGOULA, MISSISSIPPI**

AN ORDINANCE TO AMEND ORDINANCE NO. 1-2011 (UNIFIED DEVELOPMENT ORDINANCE) TO CHANGE THE ZONING OF CERTAIN LAND LYING WEST OF BAYOU CASSOTTE PARKWAY, EAST OF LOUISE STREET, AND GENERALLY EAST OF NEW HOPE, NEWMAN, AND LEGARE AVENUES FROM SINGLE FAMILY RESIDENTIAL (SFR6) TO LIGHT INDUSTRIAL (LI).

WHEREAS, the owner, Walter Randle, proposes to have the zoning of the land described below changed from Single Family Residential (SFR6) to Light Industrial (LI); and

WHEREAS, a public hearing on the proposal was held by the Pascagoula Planning Board on the 12th day of November, 2015, 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 denied; and

WHEREAS, a second public hearing on the proposal was held by the City Council on the 17th day of November, 2015, after due notice thereof, at which time all interested persons were given an opportunity to be heard; 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, that the area is no longer consistent with the single family residential district, and that a public need requires a change in the zoning designation to create a transitional area between incompatible residential and heavy industrial uses; and

WHEREAS, we further find that the change in zoning will not create 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 Single Family Residential (SFR6) to Light Industrial (LI):

The property is located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Commencing at a ½ inch iron pipe found at the Northwest corner of Lot 5 of Cherokee Forest Block 6, Part 1, Plat Book 8, Page 14, Jackson County, Mississippi, said point having a Latitude of 30 Degrees 21 minutes 17 seconds. 12473" and a Longitude of 88 degrees 30 minutes 51 seconds 56813", NAD 83; thence South 89 degrees 51 Minutes 35 Seconds East a distance of 346.93 feet to a concrete monument found on the East Margin of Louise Street; thence North 29 Degrees 32 Minutes 38 seconds West a distance of 50.11 feet to a point having no monument found or set lying at the Southwest corner of said Section 8, based on alignment of record descriptions; thence North a distance of 1440.02 feet to a point, having no monument found or set' thence East a distance of 9.79 feet to a ½ inch steel reinforcing bar set on the East Margin of Louise Street and the Point of Beginning. Thence North 00 degrees 40 Minutes 22 Seconds West a distance of 1025.78 feet, along the East Margin of Louise Street, to a ½ inch steel reinforcing bar found; thence South 89 degrees 19 Minutes 22 Seconds East a distance of 455.41 feet to a ¾ inch steel reinforcing bar found on the West Right-of-Way of Bayou Cassotte Parkway; thence with a curve turning to the left with an arc length of 1046.48 feet, with a radius of 3163.54 feet, with a chord bearing of South 12 Degrees 18 Minutes 18 Seconds West, with a chord length of 1041.72 feet, along the West Right-of-Way of Bayou Cassotte Parkway, to a ½ inch steel reinforcing bar found; thence South 89 Degrees 20 Minutes 37 Seconds West a distance of 221.35 feet to the Point of Beginning, having an area of 7.3 acres, more or less.

LESS AND EXCEPT: an area running the length of the property along the western property line that extends eastward from the Louise Street right of way to a depth of 50.0 feet. This area is not included in the change in zoning designation.

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.

SECTION 4. This ordinance shall not be codified.



W. Randle
Rezoning Application

Planning Board Staff Report
November 12, 2015
Donovan Scruggs / City Planner

Applicant: Walter Randle

Property Location: Area located between Louise Street and Bayou Cassotte Parkway near the intersection of Newman and New Hope Avenues

Parcel ID Number: 40208036.050

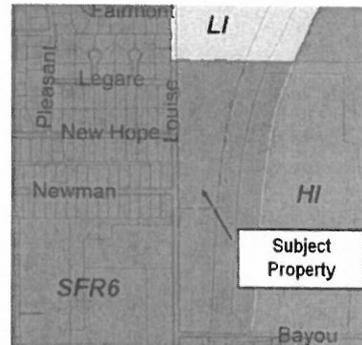
Existing Zoning District: Single Family Residential (SFR6) District

Requested Action: Rezoning of approximately 7.3 acres of vacant land from SFR6 to Light Industrial (LI).

Applicable Zoning Ordinance Section(s): 2.5.B – Map Amendment (Rezoning)

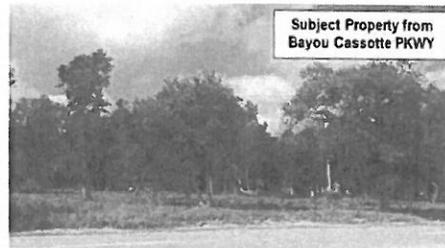
Facts and Findings:

- The applicant recently purchased the property with the intent to develop or convey for development.
- The property had been owned by a bank. Previous property owners submitted plans for the development of the property in a manner consistent with the single family residential zoning designation. This project did not move forward and plans were abandoned.
- During this previous effort, the property was rezoned from Light Industrial to Single Family Residential.
- The site has never been developed. The applicant recently cleared the property after it was purchased.



Basis for Rezoning:

- Change in Neighborhood Character and Community/Public Need. The applicant states "The conditions have changed since the property was last rezoned. The property was originally zoned Industrial prior to its current classification as residential."
- The applicant also states "special circumstances of Hurricane Katrina prompted the change in zoning from industrial to residential which was....based on the perceived need for housing."
- A primary concern for the rezoning is the apparent lack of a real "change in neighborhood character." Most of the development has been in place prior to the initial rezoning of the property in approximately 2008.

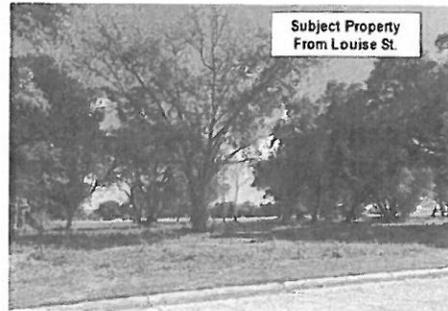


**W. Randle
Rezoning Application**

- Development and expansions that have occurred have done so in existing industrial zones and not west of Bayou Cassotte Parkway.
- In 2010, the City Council approved the rezoning of approximately 35 acres from R-2 to Industrial. This area is situated northeast of the subject site.

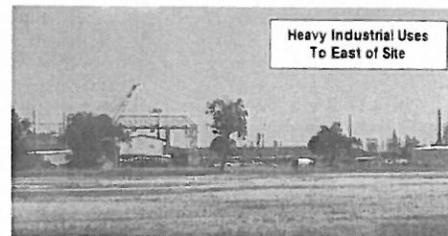
Considerations:

- The subject parcel has never been developed. For years, it has remained vacant covered with trees and brush.
- The property is bordered to the west and south by single family residential areas (SFR6). To the north is Light Industrial (LI) and to the west is Heavy Industrial (HI).
- The transition from heavy or light industrial to single family residential is severe and the uses permitted within each district are not compatible. Permitting the Light Industrial zoning to encroach to the south along Louise Street could cause harm or conflicting uses with the residential areas on the west side of the street.
- Bayou Cassotte Parkway is a primary street for industrial traffic and separates higher intensity, industrial uses from the residential areas. These sites and uses limit the practicality of the subject site ever being used in a single family, residential form.



Public/Community Need:

- The proposed rezoning to Light Industrial would be in conflict with the adjacent properties. While there exists a public need to permit the development of the sites, this should be done in a manner that is consistent with the properties to the west and not simply the properties to the north and east.
- There exists some need to provide a buffer or transitional area between the SFR6 District and the Heavy Industrial District and uses to the east. If a more suitable zoning designation was proposed, more favorable consideration could be warranted.

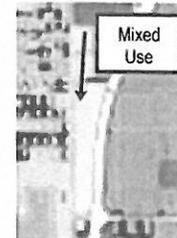


Consistency with Comprehensive Plan:

- The Future Land Use Map shows the property as Mixed Use (pink). This sliver of land (see lower right) is proposed to serve as a transitional area between the industrial area (gray) and the residential area (yellow).

Excerpts from the Comprehensive Plan:

- **Policy L-4:** Where possible, avoid abrupt changes in scale and density between residential and non-residential areas and between residential areas of different densities. To promote compatibility and gradual transitions between land uses, place zoning district boundaries at mid-block locations rather than along streets wherever possible.



W. Randle
Rezoning Application

- *Program L-2: Review and change zoning regulations to promote gradual transitions in the scale of development where residential districts abut more intense uses.*
- *Program L-3: Establish new performance and architectural standards that minimize negative impacts where land use transitions occur.*
- *Program L-4: Revise the City's zoning requirements to better address land use transitions.*
- *Since commercial zones are frequently located next to residential areas, development standards are particularly important to ensure compatibility and reduce negative impacts on adjacent land uses.*
- **Policy L-5:** Evaluate changes in land use in the context of regional needs, overall City welfare and objectives, as well as the desires of surrounding neighborhoods.
- **Policy I-6:** Enhance desirable characteristics in mixed use areas. Use the planning and zoning process to create opportunities for new mixed use development.
 - *The Comprehensive Plan recognizes that mixed use environments can be interesting and dynamic. A new mixed use land use classification has been created to encourage this type of development in the future. This represents a change from past attitudes that sought to separate different uses from each other as a means of protecting property values, public safety, and the quality of life. With proper guidance such concerns can be addressed, allowing a more vital urban environment to be created.*

Review Standards:

The requested rezoning is not consistent with the Review Standards (Section 2.5.B.2.e.iii.)

- Is consistent with city-adopted plans;
- Is required by changed conditions; and
- Addresses a demonstrated community need.

As demonstrated on the attached page (Change in Neighborhood Character), there exists evidence of a changing character of the area along the east side of Bayou Cassotte Parkway. However, no such change is demonstrated on the western side of the Parkway.

The change mentioned above along the east side of Bayou Cassotte Parkway has involved clearing for industrial overflow parking. The site is currently not used and could be achieved in a much less intense zoning designation. The clearing of the land and "gravel lot improvements" should not justify a rezoning to Light Industrial.

Staff Recommendation:

- **Denial** – Staff recommends denial of the application to rezone the property from Single Family Residential to Light Industrial. The designation of Light Industrial would permit uses that are too intense and conflicting with the residential area to the west. Additionally, the encroachment of an industrial designation on the west side of Bayou Cassotte Parkway would be adverse to the "Public Need" of a buffer or transitional area between the contrasting districts.

Change in Neighborhood Character



Pre-2007 to 2010
According to satellite imagery, the existing site and the area to the immediate east were heavily vegetated in 2007. No development had occurred within the area and a definitive "line" is represented along Louise Street.

In addition, there is no real development or evidence of use along Bayou Cassotte Parkway in this vicinity.

In the 2010 image, some clearing of the property to the east had occurred but the site was still vacant and undeveloped. The subject property owned by the applicant showed no signs of change.



2010 to present

According to satellite imagery, changes to the eastern area experienced some change in 2012-2013. After the property to east was cleared, it was improved for parking to support industry in the area.

Additionally, other parcels to the east developed toward a more compact and intense industrial area.

Changes along the west side of Bayou Cassotte Parkway have not occurred. The area from Ingalls Avenue to the north between Louise and BCP has remained vegetated and undeveloped. The area serves as a transitional or buffer area between the industrial and residential uses.

**MEMORANDUM IN SUPPORT OF RE-ZONING
PROPERTY FROM INDUSTRIAL TO RESIDENTIAL**

The previous re-zoning was requested by the Petitioner in anticipation of a need for housing and residential development in the aftermath of Hurricane Katrina. At the time there appeared to be substantial interest and financing available to begin this re-zoning process.

However, due to the slowing down of residential construction in the aftermath of Hurricane Katrina and the drastic economic changes affecting mortgages and the construction industry, this residential development never occurred. As state in *RLZPN Section 42:2* The “change or mistake re-zoning” has a practical effect of permitting a body or agency the ability to allow re-zoning in situations involving changed conditions or a showing of some mistake of previous zoning. It is the Petitioners opinion that the previous re-zoning was done in good faith with the anticipation of an increased need for residential development but, in practicality, was a mistake based on the drastic economic effects on the mortgage and residential market along with the re-development of residential housing in other areas after Hurricane Katrina.

The proof in support of this re-zoning request is the absence of any substantial residential development in the area in question. As stated in the *Maryland* opinion cited in *Miller v. Abraham* 239 MD.263 “there is a limitation upon the power of the body to re-zone rather than a strict rule of presumption therefore allowing the body the ability to correct a previous mistake in a zoning matter.”

Based upon this, we respectfully request that this body approve the zoning change of this property from residential to its previous designation of industrial.

City of Pascagoula
Required Special Use, Variance & Zoning Information

1. **Reason for Request:**

The conditions have changed since this property was last re-zoned. This property was originally zoned heavy industrial prior to its current classification as residential.

2. **General Description of Request:**

This property, as part of a much larger tract, was re-zoned residential after the devastation of Hurricane Katrina with many to address the public need for affordable “work force” housing. The housing development did not materialize, which ultimately meant that the expected change in the nature and character of the neighborhood did not materialize.

Only the special circumstances of Hurricane Katrina prompted the change in zoning from industrial to residential which was, as stated, based on the perceived need for housing which was otherwise addressed.

The bulk of the tract, which was re-zoned after Hurricane Katrina to residential, has subsequently been re-zoned to industrial which further indicates the wisdom of the original zoning. This property is more naturally an industrial zone as recognized by the original zoning.

This property is bounded on the North and East by property that is zoned industrial and on the South by property that was previously zoned industrial but is now zoned residential and to the West by residentially zoned property. A change back to industrial is in keeping with the original purpose and intention of the comprehensive plan.

HEARING NOTICE
PASCAGOULA PLANNING BOARD

Notice is hereby given that a Public Hearing will be held by the Planning Board of the City of Pascagoula on November 12, 2015 at 6:00 P.M., in the Council Chambers in the City Hall at 603 Watts Avenue, Pascagoula, MS, to hear the application of:

Walter C. Randle Sr.

For: The request is to rezone certain land generally situated between Bayou Cassotte Parkway and Louise Street near its intersections with New Hope and Newman Avenues. The parcel is currently zoned Single Family Residential 6 (SFR6) district, and the applicant is requesting a change to a Light Industrial (LI) district.

The property is zoned Single Family Residential 6 (SFR6) and located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Commencing at a ½ inch iron pipe found at the Northwest corner of Lot 5 of Cherokee Forest Block 6, Part 1, Plat Book 8, Page 14, Jackson County, Mississippi, said point having a Latitude of 30 Degrees 21 minutes 17 seconds, 12473" and a Longitude of 88 degrees 30 minutes 51 seconds 56813", NAD 83; thence South 89 degrees 51 Minutes 35 Seconds East a distance of 346.93 feet to a concrete monument found on the East Margin of Louise Street; thence North 29 Degrees 32 Minutes 38 seconds West a distance of 50.11 feet to a point having no monument found or set lying at the Southwest corner of said Section 8, based on alignment of record descriptions; thence North a distance of 1440.02 feet to a point, having no monument found or set' thence East a distance of 9.79 feet to a ½ inch steel reinforcing bar set on the East Margin of Louise Street and the Point of Beginning. Thence North 00 degrees 40 Minutes 22 Seconds West a distance of 1025.78 feet, along the East Margin of Louise Street, to a ½ inch steel reinforcing bar found; thence South 89 degrees 19 Minutes 22 Seconds East a distance of 455.41 feet to a ¼ inch steel reinforcing bar found on the West Right-of-Way of Bayou Cassotte Parkway; thence with a curve turning to the left with an arc length of 1046.48 feet, with a radius of 3163.54 feet, with a chord bearing of South 12 Degrees 18 Minutes 18 Seconds West, with a chord length of 1041.72 feet, along the West Right-of-Way of Bayou Cassotte Parkway, to a ½ inch steel reinforcing bar found; thence South 89 Degrees 20 Minutes 37 Seconds West a distance of 221.35 feet to the Pont of Beginning, having an area of 7.3 acres, more or less.

Interested parties may appear at the hearing and speak and submit evidence and written comments on the application. Written comments may be submitted before the hearing, and additional information may be obtained about the application or review process, at the Planning & Building office at 4015 14th Street between the hours of 8:00 a.m. and 5:00 p.m.

After the above hearing, the Planning Board will make a recommendation to the City Council of the City of Pascagoula as to what action should be taken on the above application. The date the application will be presented to the City Council will be announced during the hearing at the Planning Board.

WITNESS MY HAND AND THE OFFICIAL SEAL of the City of Pascagoula, Mississippi,

This the 21st day of October, 2015

Brenda J. Reed

Brenda J. Reed, Asst. City Clerk
By: _____

(SEAL)
(Publication- October 25, 2015).



IN ORDER TO BE CONSIDERED FOR A VARIANCE OR SPECIAL USE PERMIT, YOU MUST BE ABLE TO SHOW THAT BECAUSE OF SPECIAL CIRCUMSTANCES, A LITERAL INTERPRETATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE WOULD CAUSE A HARDSHIP. PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WHAT SPECIAL CONDITIONS OF THE LAND, STRUCTURE, AND BUILDING THAT CAUSED YOU TO REQUEST A VARIANCE, SPECIAL USE, OR ZONING CHANGE? The property is located in a historically industrial area.
2. ARE THE SPECIAL CONDITIONS DESCRIBED A RESULT OF YOUR OWN ACTIONS? NO.
3. HOW WILL THE LITERAL INTERPRETATION AND ENFORCEMENT OF THE ORDINANCE CAUSE YOU AN UNNECESSARY HARDSHIP? I believe it will prevent a reasonable development of the property in the foreseeable future.

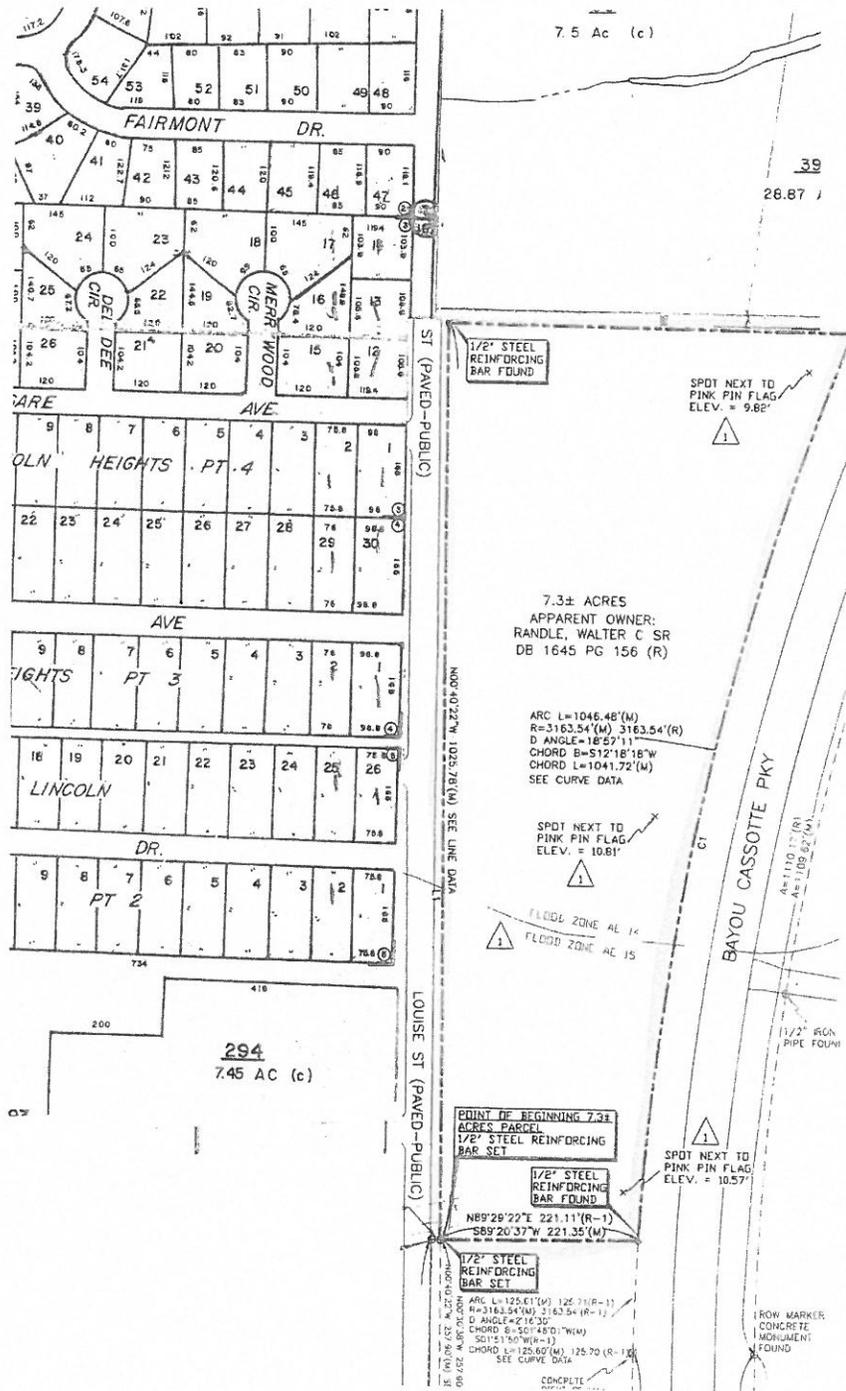
SIGNATURE OF APPLICANT AND PROPERTY OWNER (IF DIFFERENT)

SIGNATURE OF APPLICANT: Walter C. Randle DATE: 10-20-15
SIGNATURE OF PROPERTY OWNER: Walter C. Randle DATE: 10-20-15

STAFF ONLY

DATE RECEIVED: _____ TAKEN BY: _____

___ VARIANCE ___ HOME OCCUPANTION VARIANCE ___ SPECIAL USE PERMIT ___ ZONING CHANGE



After comments, Councilman Tadlock made a motion to "TABLE" this item until the Council meeting of December 15, 2015, for additional information to be reviewed. The motion

was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Tabled 11-17-15)

The next item for consideration was a request by Daniel Parker, Jr. for a Special Use Permit to operate a flea market at 1611 Ingalls Avenue. The Planning Board recommended approval for a Special Use Permit to operate a flea market at 1611 Ingalls Avenue with the stipulation that no exterior display be located within parking areas, ingress and egress to the site or building, right of way or other areas prohibited by the Unified Development Ordinance. Donovan Scruggs, City Planner, and Mr. Parker commented on the request.

Additional information is spread on the minutes as follows:



D. Parker
Special Use Application

**Planning Board Staff Report
November 12, 2015
Donovan Scruggs / City Planner**

Applicant: Daniel M. Parker, Jr.
Property Location: 1611 Ingalls Avenue
Parcel ID Number: 41940147.000
Existing Zoning District: Neighborhood Commercial (NC)
Requested Actions: Special Use Permit for Flea Market in a Neighborhood Commercial District

Applicable Zoning Ordinance Section(s): 2.5.C - Special Use Permit

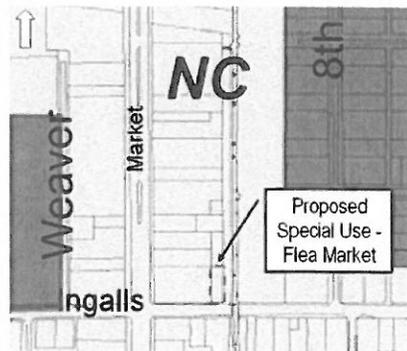
Facts and Findings:

- The applicant is requesting a Special Use Permit to operate a Flea Market/Variety Store at the subject location. The property is situated in a Neighborhood Commercial (NC) zoning district and a Special Use Permit is required in this district.
- The City Council recently adopted standards and rules related to Flea Markets to address second-hand. An ordinance has been provided to the applicant.



Review Standards (Special Use Permit) 2.5.C.3.e.i

- Complies with applicable zoning district standards and Standards for Specific Principal Uses (Section 4.3);
- Compatible with character of surrounding properties and uses
- Avoids significant adverse economic, odor, noise, glare, and vibration;
- Is configured and designed to screen, buffer and otherwise minimize adverse visual impacts;
- Avoids significant deterioration of water and air resources, wildlife habitat, scenic resources and natural resources;
- Maintains safe and convenient ingress and egress and traffic flows;
- Allows for the protection of property values and the ability of neighboring lands to develop.



Considerations:

- The NC district is intended to accommodate primarily small-scale, low-intensity, convenience retail, service and office uses that provide goods and services primarily serving daily needs of residents of the immediately surrounding neighborhoods (e.g.....grocery stores, drug stores, convenience stores). (Article 3.3.B. Neighborhood Commercial).

**D. Parker
Special Use Application**

- The building is situated in a flood hazard zone and limited improvements can be implemented on the site.
- The applicant has indicated that the property is family-owned and the store should generate income to help pay the taxes and upkeep associated with the property.
- The building is situated near the intersection of Ingalls Avenue and Market Street and no traffic related impacts are anticipated on these corridors.
- The property is situated near the front (Ingalls Avenue) side of the parcel. Little to no parking exists on along this area. Parking is a concern and will need to be addressed during permitting.



Public/Community Need:

- The site is vacant and has not had utilities connected since March 2014. The site is located on a major corridor and a viable business would be considered better for the corridor than a vacant deteriorating business.

Staff Recommendation:

Approve – Staff recommends approval of Special Use Permit to operate a Flea Market at 1611 Ingalls Avenue with no exterior display to be located within parking areas, ingress or egress to the site or building, right of way, or as otherwise prohibited by the Unified Development Ordinance.

HEARING NOTICE
PASCAGOULA PLANNING BOARD

Notice is hereby given that a Public Hearing will be held by the Planning Board of the City of Pascagoula on November 12, 2015 at 6:00 P.M., in the Council Chambers in the City Hall at 603 Watts Avenue, Pascagoula, MS, to hear the application of:

Daniel M. Parker Jr.

For: The request is for a Special Use permit to operate a Flea Market/Variety Store in a Neighborhood Commercial (NC) district.

At: 1611 Ingalls Avenue

The property is zoned Neighborhood Commercial (NC) and located in the City of Pascagoula, Jackson County, Mississippi, and is more particularly described as follows to wit:

Beginning at the Northeast corner of Lot Fifteen (15), of SQUARE A, of J. Z. SARRAZIN TRACT, thence run East a distance of 40 feet, more or less, to the line dividing Claim Sections, 5 and 7, Township 8 South, Range 6 West, Jackson County, Mississippi, thence running South a distance of 125 feet, more or less, to the North margin of Lincoln Avenue (now known as Ingalls Avenue; thence running West along the North margin of East Lincoln Avenue (Ingalls Avenue) a distance of 40 feet, more or less, to the East line of Lot 17, of Square A of the J.Z. Sarrazin Tract; thence running North along the East line of said Square A of the J.Z. Sarrazin Tract a distance of 125 feet, more or less, to the Northeast corner of said Lot 15 and the point of beginning, being the same property conveyed by Warranty Deed dated September 5, 1958 to Wallace Reeves, recorded in Land Deed Book 181, Page 320, of the Land Record of Jackson County, Mississippi, and being located in Claim Section 5, Township 8 South, Range 6 West, in the City of Pascagoula, Jackson County, Mississippi.

Interested parties may appear at the hearing and speak and submit evidence and written comments on the application. Written comments may be submitted before the hearing, and additional information may be obtained about the application or review process, at the Planning & Building office at 4015 14th Street between the hours of 8:00 a.m. and 5:00 p.m.

After the above hearing, the Planning Board will make a recommendation to the City Council of the City of Pascagoula as to what action should be taken on the above application. The date the application will be presented to the City Council will be announced during the hearing at the Planning Board.

WITNESS MY HAND AND THE OFFICIAL SEAL of the City of Pascagoula, Mississippi,

This the 21st day of October, 2015

Brenda J. Reed

Brenda J. Reed, Asst. City Clerk
By: _____

(SEAL)
(Publication- October 25, 2015).



IN ORDER TO BE CONSIDERED FOR A VARIANCE OR SPECIAL USE PERMIT, YOU MUST BE ABLE TO SHOW THAT BECAUSE OF SPECIAL CIRCUMSTANCES, A LITERAL INTERPRETATION AND ENFORCEMENT OF THE PROVISIONS OF THE ORDINANCE WOULD CAUSE A HARDSHIP. PLEASE ANSWER THE FOLLOWING QUESTIONS:

1. WHAT SPECIAL CONDITIONS OF THE LAND, STRUCTURE, AND BUILDING THAT CAUSED YOU TO REQUEST A VARIANCE, SPECIAL USE, OR ZONING CHANGE? It is a family owned property I am caring for, maintaining and I need it to generate an income to help maintain economic burden

2. ARE THE SPECIAL CONDITIONS DESCRIBED A RESULT OF YOUR OWN ACTIONS? yes

3. HOW WILL THE LITERAL INTERPRETATION AND ENFORCEMENT OF THE ORDINANCE CAUSE YOU AN UNNECESSARY HARDSHIP? power bill cost of taxes upkeep

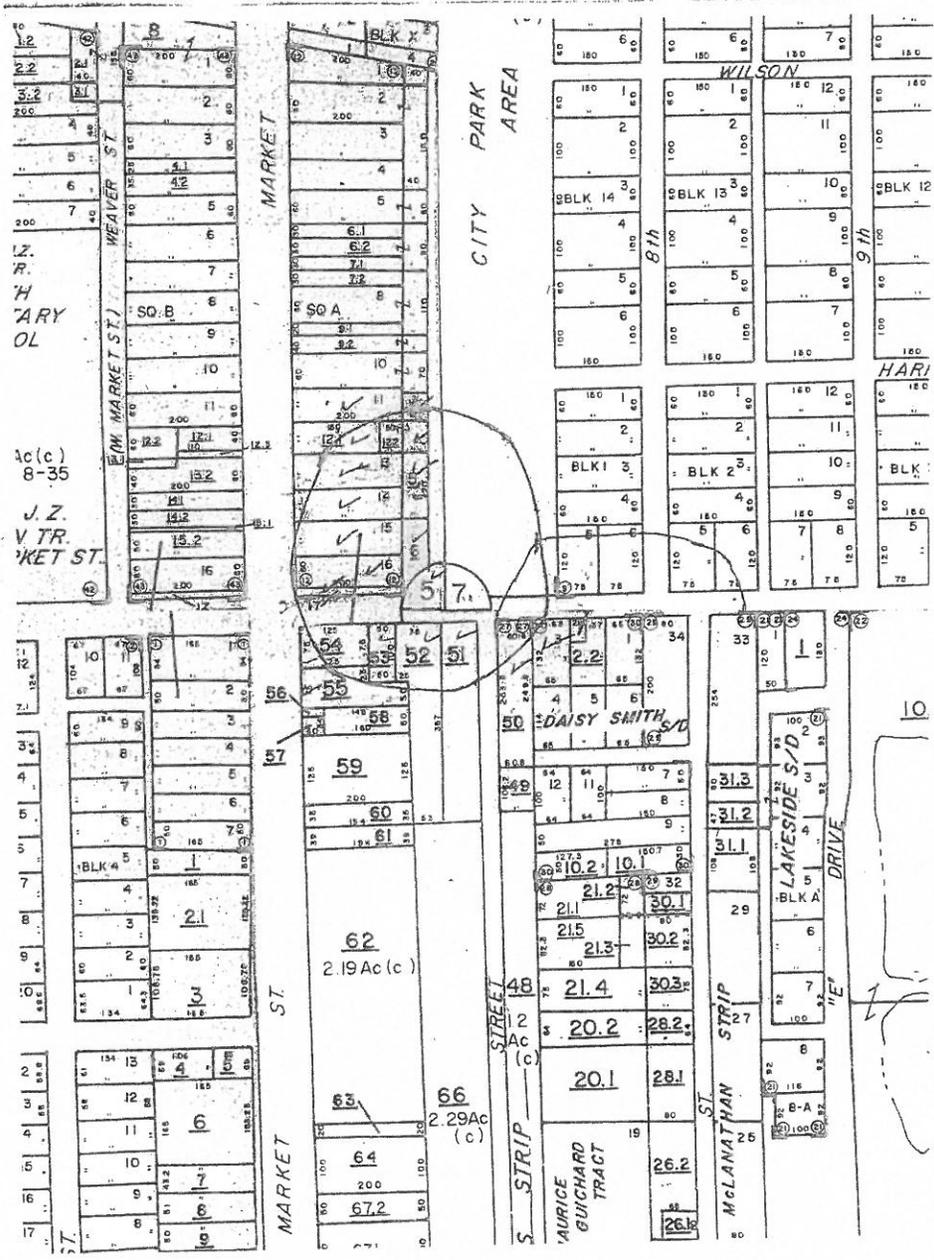
SIGNATURE OF APPLICANT AND PROPERTY OWNER (IF DIFFERENT)

SIGNATURE OF APPLICANT: [Signature] DATE: 10-8-2015
SIGNATURE OF PROPERTY OWNER: Wallace [Signature] DATE: 10-8-2015

STAFF ONLY

DATE RECEIVED: _____ TAKEN BY: _____

___ VARIANCE ___ HOME OCCUPANTION VARIANCE ___ SPECIAL USE PERMIT ___ ZONING CHANGE





SUBJECT PROPERTY AS SHOWN ON TAX RECORDS

NAMES AND ADDRESSES OF THE PROPERTY OWNERS WITHIN 160 FEET OF THE SUBJECT PROPERTY ACCORDING TO THE TAX ROLLS

	NAME	ADDRESS
1.	SS VAN AULTON III	1834 Market St Pascagoula
2.	541 Poole Clayton Dale	101 DOCTRAN rd Lucedale 39445
3.	53 Rice Enterprises inc	2802 fernwood st Pascagoula
4.	52 Privett John E and Sharron	1622 Ingalls Pascagoula
5.	51 Mississippi State of (tax sale 1989)	2516 Buck Lake L
6.	50 Rainey Clinton D E T A L	1704 Ingalls Ave Mt. M. 3956
7.	3 Rainey Kenneth W Sr.	1708 Ingalls Ave
8.	6 JAF LLC	Ingall ave - P.O. BOX 1287 39568
9.	13 JAF LLC	1934 Market St.
10.	12.1 GE Properties LLC	1964 Market St (Pascagoula, MS)
11.	5 JAF LLC	1940 Ingalls Ave
12.	12 Smith L Gary & Opal R	Market St Pascagoula
13.	11 Clotfelter Carolyn JEANETTE	2002 Market St 39568
14.	4 Clotfelter carolyn JEANETTE	2002 Market St
15.	14 Rayborn BOBBY L St. & Johnnie L	1702 Market
16.	15 P.O. BOX 2261	" " "
17.	16 " " " "	" " "
18.	17 " " " "	" " "
19.		
20.		

TO OBTAIN THE LISTING OF PROPERTY OWNERS, GO TO THIS WEBSITE:
<http://mapping.co.jackson.ms.us/jacksoncountywebmap/>

THE TAX DIVISION HAS AIDED IN PREPARING THIS LISTING FOR THE CONVENIENCE OF THE APPLICANT, HOWEVER, THE CITY IS NOT LEGALLY RESPONSIBLE FOR ITS ACCURACY. IT SHALL BE THE RESPONSIBILITY OF THE APPLICANT TO PROVIDE THE CITY NAMES AND ADDRESS OF ALL SUCH ADJACENT AND ADJOINING PROPERTY OWNERS. PLEASE CHECK CAREFULLY
 THE ABOVE DESCRIPTION IS A TAX DESCRIPTION; THE APPLICANT MUST PROVIDE THE CITY WITH A COMPLETE AND ACCURATE LEGAL DESCRIPTION OF THE PROPERTY IN QUESTION.

Councilwoman Simkins then made a motion to “DENY” the Special Use Permit for 1611 Ingalls Avenue. The motion was seconded by Councilman Tadlock and received the following

vote: Mayor Blevins “NAY”. Councilmen Hill “AYE”, Jackson “NAY”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “NAY”. (Motion failed 11-17-15)

The consent agenda was considered at this time:

The first item for consideration was the minutes of the regular Council meeting of November 3, 2015, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Hill made a motion to adopt and approve the minutes of the regular Council meeting of November 3, 2015, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 11-17-15)

Minutes of the Mayor’s Youth Council meeting of September 14, 2015, were acknowledged by the Council.

Minutes of the Pascagoula Redevelopment Authority meeting of September 28, 2015, were acknowledged by the Council.

Minutes of the Recreation Commission meeting of October 7, 2015, were acknowledged by the Council.

Joe Huffman, City Manager, requested the Amendment No. 1 for a one-year extension to the agreement with The Snack Shop (concession vendor at Beach Park) be removed from the agenda tonight. The Council approved removing this item from the consent agenda as requested.

The next item for consideration was a Resolution authorizing acceptance and recordation of a Quitclaim Deed of certain real property located along Chicot Street and Middle Avenue as recommended by Eddie Williams, City Attorney.

The Resolution is spread on the minutes as follows:

**RESOLUTION AUTHORIZING ACCEPTANCE AND
RECORDATION OF QUITCLAIM DEED**

WHEREAS, Kenneth B. Turner and wife Sheila M. Turner are the owners of certain real property located along Chicot Street and Middle Avenue in the City of Pascagoula; and

WHEREAS, the Turners recently approached the City Attorney about a problem affecting the southern portion of their property and encompassing a portion of Middle Avenue; and

WHEREAS, after doing the appropriate title work, the City Attorney procured a survey of the subject property which indicated that a portion of Middle Avenue inadvertently transverses the property belonging to Mr. and Mrs. Turner; and

WHEREAS, Middle Avenue has been in existence for many decades and is a public thoroughfare operated and maintained by the City of Pascagoula; and

WHEREAS, the encroachment of Middle Avenue onto the property belonging to the Turners casts a cloud of suspicion upon their title to the property in question; and

WHEREAS, the Turners were desirous of clearing their title to the property in anticipation of a future sale and have offered to quitclaim a portion thereof to the City at no expense, other than the cost of the survey, which has been paid by the City; and

WHEREAS, attached hereto is a copy of the quitclaim deed that has now been executed by Mr. and Mrs. Turner conveying to the City that portion of Middle Avenue which transverses their property and granting additional footage for a right-of-way and maintenance of the Avenue; and

WHEREAS, the City Attorney has advised the Council that it is in the best interest of the City to accept this conveyance and to have the same duly recorded in the office of the Chancery Clerk of Jackson County, MS:

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. All of the matters and facts set forth in the foregoing preambles are found to be true and correct as therein stated.

SECTION 2. The City Council, on behalf of the City of Pascagoula, does hereby accept the conveyance of the property described in the attached quitclaim deed for and on behalf of the City.

SECTION 3. The City Manager is authorized and directed to cause the original of the quitclaim deed to be filed of record in the Land Deed Office of the Chancery Clerk of Jackson County, Mississippi, as soon as may conveniently be done.

SECTION 4. The City extends its thanks to Mr. and Mrs. Turner for bringing this matter to the attention of the City Attorney and for the gracious manner in which they have sought to resolve the issue.

This instrument prepared by:

Eddie C. Williams
MS Bar No. 7232
City of Pascagoula
P.O. Box 908
Pascagoula, MS 39568-0908
(228)762-5969

Return to:

City of Pascagoula
Eddie C. Williams
P.O. Box 908
Pascagoula, MS 39568-0908

Index in: Plat Book 2, Page 77 – unnumbered lot at Northeast corner of Sigalas Subdivision, Claim Section 7, Township 8 South, Range 5 West, Jackson County, Mississippi.

Grantors Address:

Kenneth B. Turner
Sheila M. Turner
7624 Carlos Keys Road
Moss Point, MS 39562
(228)588-6957

Grantee Address:

P.O. Box 908
Pascagoula, MS 39568-0908
(228)762-5969

STATE OF MISSISSIPPI

COUNTY OF JACKSON

QUITCLAIM DEED

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, we, **KENNETH B. TURNER and wife, SHEILA M. TURNER**, one and the same person as “**SHELIA**” M. TURNER, do by these presents grant, bargain, sell, convey and quitclaim unto the **CITY OF PASCAGOULA, MISSISSIPPI**, a municipal corporation, the following described real property designated as Parcel 2 on the Plat which is attached hereto in aid of this description:

A PARCEL OF LAND SITUATED IN THE UNNUMBERED LOT AT THE NORTHEAST CORNER OF SIGALAS SUBDIVISION, PASCAGOULA, JACKSON COUNTY, MISSISSIPPI, AS RECORDED IN PLAT BOOK 2 AT PAGE 77, OFFICE OF CHANCERY CLERK, JACKSON COUNTY COURTHOUSE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 1, AS SHOWN IN THE RECORDED PLAT OF SAID SIGALAS SUBDIVISION, SAID POINT ALSO LYING ON THE SOUTH MARGIN OF LANIER AVENUE; THENCE ALONG THE SOUTH MARGIN OF LANIER AVENUE, S89°59'44"E 445.49 FEET TO A 1/2" IRON ROD SET; THENCE CONTINUE ALONG THE SOUTH MARGIN OF LANIER AVENUE, S89°59'44"E 290.00 FEET TO A 1/2" IRON ROD FOUND AT THE SOUTHWEST INTERSECTION OF LANIER AVENUE AND CHICOT STREET; THENCE ALONG THE WEST MARGIN OF CHICOT STREET, S00°28'16"E 135.00 FEET TO A 1/2" IRON ROD SET AT THE POINT OF BEGINNING; THENCE S89°59'55"W 166.32 FEET TO A 1/2" IRON ROD SET; THENCE ALONG A CURVE TO THE LEFT, WITH A RADIUS OF 125.00 FEET AND AN ARC LENGTH OF 56.29 FEET, AND HAVING A CHORD BEARING AND DISTANCE OF S77°05'53"W 55.81 FEET TO A 1/2" IRON ROD SET; THENCE S64°11'51"W 170.56 FEET TO A 1/2" IRON ROD SET ON THE EAST BOUNDARY LINE OF LOT 24, AS RECORDED IN THE PLAT OF SAID SIGALAS SUBDIVISION; THENCE ALONG THE EAST BOUNDARY LINE OF SAID LOT 24, S00°03'53"E 28.37 FEET TO A MAGNETIC NAIL SET IN ASPHALT AT THE SOUTHEAST OF SAID LOT 24; THENCE N89°47'23"E 20.00 FEET TO A POINT; THENCE N56°11'10"E 179.70 FEET TO A POINT; THENCE N89°59'55"E 205.06 FEET TO A POINT LYING ON THE WEST MARGIN OF CHICOT STREET; THENCE ALONG THE WEST MARGIN OF CHICOT STREET, N00°28'16"W 15.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 7,248 SQUARE FEET, MORE OR LESS.

The purpose of this conveyance is to quitclaim to the City the right, title and interest of the Grantors, if any, in and to that portion of Middle Avenue which crosses the above described property and encroaches upon the property purchased by the Grantors and as appears of record in Deed Book 1052, Page 226 and in Deed Book 1057, Page 642 of the Land Deed Records of Jackson County, Mississippi.

Witness the signatures of Grantors on this the _____ day of _____,
2015.

KENNETH B. TURNER

SHEILA M. TURNER

STATE OF MISSISSIPPI

COUNTY OF JACKSON

Personally came and appeared before me, the undersigned Notary Public in and for the jurisdiction aforesaid, **KENNETH B. TURNER**, and wife, **SHEILA M. TURNER**, who acknowledged that they executed the above and foregoing document on the day and date set forth therein.

Witness my signature and seal of office the _____ day of _____,
2015.

NOTARY PUBLIC

My commission expires:_____

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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 17th day of November, 2015.

The LaPointe-Krebs Foundation Annual Report was acknowledged by the Council.

The next item for consideration was a request to advertise the resources of the City through NovoPrint USA for the Jackson County Chamber of Commerce community maps for 2016 – 2018 in the amount of \$595.00 as recommended by Eddie Williams, City Attorney.

Councilman Hill made a motion to approve advertising the resources of the City through NovoPrint USA for the Jackson County Chamber of Commerce community maps for 2016-2018 for \$595.00 as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 11-17-15)

Next for consideration was the Tidelands Trust Fund FY2016 Application Amendment for the Beachfront Promenade Project as recommended by Jen Dearman, Community and Economic Development Director.

Councilman Hill made a motion to approve the Tidelands Trust Fund FY2016 Application Amendment for the Beachfront Promenade Project 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 “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 11-17-15)

(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 # 01 to the Claims Administrative Agreement with Lockard & Williams Insurance Services and the City of Pascagoula as recommended by Brenda Germany, Human Resources Generalist. Ms. Germany advised that approval is requested to amend the previously approved 2015 -2018 Claims Administrative Agreement to include two items inadvertently omitted from the Agreement.

The amendment is spread on the minutes as follows:

CITY OF PASCAGOULA
Claims Administrative Agreement Year 2015-2018
Amendment #01

The City of Pascagoula does hereby amend the City of Pascagoula 2015-2018 Claims Administrative Agreement as follows:

Effective October 1, 2015:

Page 11 | Exhibit A | Services and Duties of L&W is amended to add the following:

- (25) Provide telemedicine services to the participants of the City of Pascagoula Employees' Health Plan;

Page 13 | Exhibit C | Monthly Fees is amended to add the following:

(8) **Claims Negotiation**

L&W - 15% of negotiated savings

These changes, as approved by the City of Pascagoula on _____ day of _____, 2015, are effective October 1, 2015. By signature of its duly authorized representative below, the Plan Administrator agrees to be bound by the terms and provisions of the above amendment on or after the effective date hereof.

City of Pascagoula

Printed Name: _____ Title: _____

Signature: _____ Date: _____

Councilman Hill made a motion to approve the Amendment #01 to the Claims Administrative Services Agreement with Lockard & Williams Insurance Services 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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 letter of support for Jackson County's application for Transportation Improvement Program Funds for a County-Wide Bike & Pedestrian Master Plan as recommended by Anne Pitre, Public Relations Specialist.

The proposed letter is spread on the minutes as follows:

HARRY J. BLEVINS
MAYOR

JOSEPH R. HUFFMAN
CITY MANAGER

EDDIE C. WILLIAMS
CITY ATTORNEY



CITY COUNCIL

MARVIN PICKETT, SR. Councilman, Ward 1
FREDDY JACKSON Councilman, Ward 2
DAVID TADLOCK Councilman, Ward 3
BURT HILL Councilman, Ward 4
SCOTT TIPTON Councilman, Ward 5
BRENDA H. SIMKINS Councilwoman at Large

603 WATTS AVE. • P.O. DRAWER 908
PASCAGOULA, MS 39568-0908 • TELEPHONE 228-762-1020
FAX 228-372-6851

November 17, 2015

Brian Fulton
County Administrator
Jackson County, Mississippi
P.O. Box 998
Pascagoula, MS 39568

Re: Letter in Support of County-wide Bike/Ped Master Plan

Dear Mr. Fulton:

The City of Pascagoula is in full support of Jackson County's application for Transportation Improvement Program funds through the Gulf Regional Planning Commission. The plan to develop a county-wide Bicycle and Pedestrian Master Plan is much needed throughout Jackson County as well as in the City of Pascagoula.

Jackson County's Bicycle and Pedestrian Master Plan embodies much of what we stand for as a City in terms of public health. Pascagoula, and our sister city of Moss Point, were named Blue Cross Blue Shield Foundation Healthy Hometowns in 2014. We have also earned an Honorable Mention from our efforts to obtain a Bicycle Friendly Community designation from the League of American Bicyclists. We believe that if the County develops a master plan for bicycle and pedestrian safety amenities, it will go a long way in helping us achieve that goal.

I have said many times that Pascagoula's greatest asset is its people. Being cognizant of this fact is what drives the City Council's commitment to public health and safety. Making our community more friendly to pedestrians and cyclists will reduce emissions, get more people healthy and active, and will improve road conditions for drivers and pedestrians alike. Jackson County's vision will do nothing but enhance the quality of life in our four municipalities and in the unincorporated areas.

Again, it is our pleasure to offer our sincere support of this program without hesitation or reservations, and I look forward to realizing its potential impact. Please feel free to contact me with any questions at 228-938-6614 or jimblevins@cityofpascagoula.com.

Sincerely,

Harry "Jim" Blevins
Mayor

Councilman Hill made a motion to approve the letter of support for Jackson County's application for Transportation Improvement Program Funds for a County-Wide Bike and Pedestrian Master Plan as presented and authorize the Mayor 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-15-15)

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

The next item for consideration was an extension of the annual grates, frames and covers - Bid #343 with Mississippi Utilities, Gulfport, MS, at the same contract pricing as recommended by Jaci Turner, City Engineer. The new contract dates are November 1, 2015, through October 31, 2016.

Additional information is spread on the minutes as follows:

Robin Wood
Purchasing Agent
rwood@cityofpascagoula.com



Phone: (228) 938-6722
Fax: (228) 938-6749

603 Watts Avenue - P.O. Drawer 908
Pascagoula, MS 39567 - Pascagoula, MS 39568-0908

Friday, November 06, 2015

Catrina Walker
Mississippi Utilities
14231 Seaway Rd Unit BS
Gulfport, MS 39503

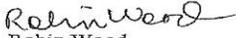
Re: Extension of Annual Bid #343- Grates, Frames and Covers

Dear Ms. Walker:

The City of Pascagoula would like to extend annual bid #343 for Grates, Frames and Covers with Mississippi Utilities at the current pricing, per the attached tabulation sheet. Upon City Council approval, new contract dates will be 11/1/2015-10/31/2016.

If you are in agreement with this extension, please sign below and return to me as soon as possible.

Sincerely,


Robin Wood
Purchasing Agent


Signature

Inside Sales
Title

11/10/15
Date

Councilman Hill made a motion to approve the one year extension of the annual grates, frames, and covers – Bid #343 with Mississippi Utilities as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 11-17-15)

The year-to-date revenue and expense reports for October 2015 were acknowledged by the Council.

The next item for consideration was a request to advertise for bids for asphalt – annual Bid # 360 as recommended by Jaci Turner, City Engineer.

Councilman Hill made a motion to authorize the City Clerk to advertise for bids for asphalt – annual Bid # 360 as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”.
(Approved 11-17-15)

The next item for consideration was a request to extend the annual fire hydrants – Bid # 345 with Vellano Brothers Corporation, Inc., Robertsdale, AL, at the same contract pricing as recommended by Jaci Turner, City Engineer. The new contract dates will be November 19, 2015, to November 18, 2016.

Additional information is spread on the minutes as follows:

Robin Wood
Purchasing Agent
rwood@cityofpascagoula.com



Phone: (228) 938-6722
Fax: (228) 938-6749

603 Watts Avenue - P.O. Drawer 908
Pascagoula, MS 39567 - Pascagoula, MS 39568-0908

10/29/2015

Mr. Scott McGowan
Vellano Brothers, Inc.
26111 US Highway 90
Robertsdale, AL 36567

Re: Extension of Fire Hydrants Annual Bid 345

Dear Mr. McGowan,

We would like to extend the current Fire Hydrants Bid 328 for an additional 12 months at the current contract prices: M&H brand fire hydrants at \$1231 for 36", \$1261 for 42", and \$1291 for 48". The dates of the extension will be 11/19/2015-11/18/2016, pending City Council approval. If you are in agreement with this extension, please sign the concurrence line below and return via email or fax, which are indicated at the top of this letter. Please feel free to call if you have any questions. Thank you!

Sincerely,

Robin Wood
Purchasing Agent

CONCURRENCE:

 Branch Manager 10-29-2015
Signature Title Date

Councilman Hill made a motion to approve the one-year extension of the annual fire hydrants – Bid # 345 with Vellano Brothers Corporation, Inc. at the same contract pricing as recommended. The motion was seconded by Councilman Jackson and received the following

vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

Next for consideration was the FEMA Assistance to Firefighters Grant FY14 – Agreement Amendment Package as recommended by Jen Dearman, Community and Economic Development Director.

Councilman Hill made a motion to accept the FEMA Assistance to Firefighters Grant FY14 – Agreement Amendment Package as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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 Tidelands Trust Fund FY2016 Application Amendment – Lowry Island as recommended by Jen Dearman, Community and Economic Development Director.

Councilman Hill made motion to approve the Tidelands Trust Fund FY2016 Application Amendment for Lowry Island 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

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

Next for consideration was a recommendation from Shannon Broom, Police Department, to request \$50,000.00 for the "Wireless Radio Communication Program" through the Mississippi Department of Public Safety.

Additional information is spread on the minutes as follows:

To: Joe Huffman, City Manager
From: Shannon J. Broom, Captain of Administration
Date: November 5, 2015
Subject: Wireless Communication Funds

Attached please find a draft letter to the Mississippi Department of Public Safety requesting funds, \$50,000.00, contributed to the "Wireless Communication Program," to assist with the costs of the connectivity fees for the wireless cards for the mobile computers. There is a monthly fee for this connectivity service with the wireless communications cards. The funds in the Wireless Communication Program in Jackson accumulate from the surcharge on 63 Violations, traffic tickets, we write. As each year we are faced with this service charge, and the funds continue to grow in the Wireless Communication Program, our yearly goal is to utilize the monies to fund the connectivity fee.

As per the Department of Public Safety's usual procedure, they require the request for funds be submitted by the Mayor of the requesting city. Therefore, I would like to request the Council's approval for Mayor H. J. Blevins to submit a request for the necessary funds needed for the cost of the wireless card service for the mobile computers.

If you have any questions concerning this matter, please feel free to call me. A draft letter from the Mayor has been included for your convenience.

Sincerely Submitted,

Shannon Broom
Enclosures (1)

The proposed letter is as follows:

HARRY J. BLEVINS
MAYOR

JOSEPH R. HUFFMAN
CITY MANAGER

EDDIE C. WILLIAMS
CITY ATTORNEY



CITY COUNCIL

MARVIN PICKETT, SR.	Councilman, Ward 1
FREDDY JACKSON	Councilman, Ward 2
DAVID TADLOCK	Councilman, Ward 3
BURT HILL	Councilman, Ward 4
SCOTT TIPTON	Councilman, Ward 5
BRENDA H. SIMKINS	Councilwoman at Large

603 WATTS AVE. • P.O. DRAWER 908
PASCAGOULA, MS 39568-0908 • TELEPHONE 228-938-6605
FAX 228-372-6851

November 5, 2015

Ms. Judy Rather
Mississippi Department of Public Safety
P.O. Box 958
Jackson, MS 39205

RE: Wireless Communication Fund

Dear Ms. Rather:

The City of Pascagoula is requesting \$50,000.00 from the available funds that we have contributed to the "Wireless Radio Communication Program." The funds will provide the necessary funding for the connectivity fees associated with the wireless communication card service through Cellular South. This connectivity fee is imperative for the wireless mobile computers to communicate with the Police Department's server and with NCIC.

This wireless card service for the mobile computers is billed to the Police Department on a monthly basis. The amount requested will enable the Police Department to provide additional mobile computers and service as expansion becomes necessary and any overage costs for the wireless communications.

Respectfully,

Harry J. Blevins
Mayor
City of Pascagoula

Councilman Hill made a motion to approve and authorize the Mayor to execute a letter requesting \$50,000.00 for the "Wireless Radio Communication Program" as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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 Mutual Aid Agreement between the Pascagoula Police Department and the Naval Battalion Center in Gulfport for police support at the Navy's Lakeside barracks on Chicot Street in Pascagoula as recommended by Police Chief Kenny Johnson.

Additional information is spread on the minutes as follows:

DEPARTMENT OF THE NAVY
NAVAL CONSTRUCTION BATTALION CENTER
4902 MARVIN SHIELDS BLVD
GULFPORT MS 39501-5001

NCBC
5500
Ser N3AT7

MUTUAL AID AGREEMENT BETWEEN

COMMANDING OFFICER
NAVAL CONSTRUCTION BATTALION CENTER GULFPORT
4902 MARVIN SHIELDS BLVD
GULFPORT, MS 39501

AND

PASCAGOULA POLICE DEPARTMENT
611 LIVE OAK AVE
PASCAGOULA, MS 39567

SUBJ: MUTUAL AID AGREEMENT BETWEEN COMMANDING OFFICER, NAVAL
CONSTRUCTION BATTALION CENTER, GULFPORT AND PASCAGOULA
POLICE DEPARTMENT, PASCAGOULA, MS

This is a Mutual Aid Agreement (MAA) between the Commanding Officer, Naval Construction Battalion Center (NCBC) and the Pascagoula Police Department (PPD). When referred to collectively, the Commanding Officer, Naval Construction Battalion Center and the Pascagoula Police Department are referred to as the "Parties".

1. PURPOSE: To enter into an agreement between the Naval Construction Battalion Center and the Pascagoula Police Department which defines the scope of services provided by PPD.
2. AUTHORITIES: This MAA between NCBC Commanding Officer and the PPD will become effective upon ratification by the City Council of the City of Pascagoula, MS.
3. BACKGROUND: Due to the Geographic location of the Lakeside Barracks, Chicot Street, Pascagoula, MS, PPD will need to respond to any Incident, emergency, violation, or crime. In the event the need arises Regional Dispatch Center (RDC) will contact PPD dispatch.
4. RESPONSIBILITIES OF THE PARTIES: In the event the need arises, Regional Dispatch Center (RDC) will contact PPD to dispatch patrols as PPD deems necessary based on the incident, emergency, violation, or crime at the Lakeside Barracks. PPD will provide a copy of a written incident report to the Gulfport Security Officer/Assistant Security Officer when requested.

SUBJ: MUTUAL AID AGREEMENT BETWEEN COMMANDING OFFICER, NAVAL
CONSTRUCTION BATTALION CENTER, GULFPORT AND PASCAGOULA
POLICE DEPARTMENT, PASCAGOULA, MS

5. PERSONNEL: Each Party is responsible for all costs of its personnel, including pay and benefits, support and travel. Each Party is responsible for supervision and management of its personnel.

6. JURISDICTION: It is known that properties listed in this document are legally defined as Concurrent Jurisdiction. This allows for the enforcement of both state and federal laws by responding, supporting or investigating agencies.

7. GENERAL PROVISIONS:

7.1. POINTS OF CONTACT: The following Points of Contact (POC) will be used by the Parties to communicate in the implementation of this MAA. Each Party may change its Point of Contact upon reasonable notice to the other Party.

For the NCBC:

NCBC Security Officer, Primary, (228) 871-2104
NCBC Security Operations Officer, Alternate, (228) 871-2163

For the PPD:

PPD Chief of Police, Primary, (228)762-2211
PPD Deputy Chief of Police, Alternate, (228) 726-2211

7.2. CORRESPONDENCE: All correspondence to be sent and notices to be given pursuant to this MAA will be addressed, to the NCBC Security Officer, to

NCBC

Greenwood Avenue, Building 436
Gulfport, MS, 39501.

And, if to the City of PPD Chief, to

3214 Pascagoula Street
Pascagoula, MS 39567.

Or as may from time to time otherwise be directed by the Parties.

7.3. REVIEW OF AGREEMENT: This MAA will be reviewed annually on or around the anniversary of its effective date for financial impacts and triennially in its entirety.

7.4. MODIFICATION OF AGREEMENT: This MAA may only be modified by the written agreement of the Parties, duly signed by their authorized representatives. Each Party shall conduct an annual review of this agreement to evaluate its effectiveness and determine if any

SUBJ: MUTUAL AID AGREEMENT BETWEEN COMMANDING OFFICER, NAVAL
CONSTRUCTION BATTALION CENTER, GULFPORT AND PASCAGOULA
POLICE DEPARTMENT, PASCAGOULA, MS

modifications are needed. When practical, support agreement modifications will be made bilaterally and with sufficient advance notice to permit appropriate resource adjustments to be made.

7.5. TERMINATION OF AGREEMENT: This MAA may be terminated by either Party by giving at least 180 days written notices to the other Party. The MAA may also be terminated at any time up the mutual written consent of Parties.

7.6. TRANSFERABILITY: This MAA is not transferable except with the written consent of the Parties.

7.7. ENTIRE AGREEMENT: It is expressly understood and agreed that this MAA embodies the entire agreement between the Parties regarding the MAA's subject matter.

7.8. EFFECTIVE DATE: This MAA takes effect beginning on the day after the last Party signs.

7.9. EXPIRATION DATE: This MAA will expire six years from the date of the final signature unless terminated sooner by mutual agreement.

7.10. CANCELATION OF PREVIOUS Agreement: This MAA cancels and supersedes the previously signed agreement between the same parties with the MUTUAL AID.

7.11. DISPUTES: Any disputes arising from performance or any provision of this agreement shall be resolved through each party's Chain of Command.

8. FINANCIAL DETAILS: No Party will be liable to the other Party with regard to the extent of resources or assistance provided. Also, no Party shall be obligated to reimburse the other party for costs incurred pursuant to this agreement.

9. APPROVAL: The agreement has been agreed on and will be executed by the Parties concerned, as shown by their signatures.

C. M. HANSEN, CAPT, CEC, USN (Date)
Commanding Officer
NCBC, Gulfport, MS

K. Johnson (Date)
Chief of Police
Pascagoula, MS,

Councilman Hill made a motion to approve the Mutual Aid Agreement between the Pascagoula Police Department and the Naval Battalion Center in Gulfport as recommended and authorize Police Chief Kenny Johnson 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-15-15)

(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 proposal letter for professional services with Covington Civil & Engineering Environment, LLC, Gulfport, MS, as presented by Eddie Williams, City Attorney. The proposal includes the evaluation of costs and operations of the Jackson County Utility Authority.

The proposal is spread on the minutes as follows:



October 30, 2015

DRAFT

Via E-Mail

Jackson County Utility Authority Task Force
C/o Mr. Robert Wilkinson, Attorney
Dogan & Wilkinson, PLLC
734 Delmas Avenue
Pascagoula, MS 39567

Re: Proposal for Professional Services to Evaluate Costs and Operations of Jackson County Utility Authority, Jackson County, MS

Dear Task Force Members:

Covington Civil & Environmental, LLC (Covington) wishes to first thank you for giving us the opportunity to attend your Task Force Meeting on October 27, 2015 to gain a better understanding of the issues associated with the operations and costs of the Jackson County Utility Authority (JCUA). From that meeting, we understand that the JCUA Task Force wishes to engage a professional engineering firm without any ties to the JCUA to:

1. Evaluate the costs and rates of the JCUA in comparison to other utility authorities operating on the Mississippi Gulf Coast, if available;
2. Meet with individual JCUA Task Force members to discuss and gain an understanding of specific issues the Task Force members have with JCUA;
3. Review and evaluate operational and cost data obtained from JCUA either from direct contact with JCUA or from other sources to determine:
 - a. Capital, Administrative, Operation and Maintenance Costs allocated to wholesale and retail portions of JCUA's business;
 - b. Other costs utilized to determine rates for JCUA's wholesale and retail business;
 - c. Existing debt service and Allocation of Bond Funds; and
 - d. Operational and Maintenance Plan for JCUA's operations
4. Review Master Plan of Development for the JCUA, if available;
5. Identify potential future environmental compliance issues and associated costs;
6. Prepare a DRAFT report of findings along with recommendations to the JCUA Task Force;
7. Incorporate comments of the JCUA Task Force into a final report.

In addition to the tasks outlined above, Covington personnel will be available to attend JCUA Task Force and other meetings as requested to give updates on findings and issues that have and may

Fax: (228) 396-0487

2510 14th Street, Suite 1010
Gulfport, Mississippi 39501

Phone: (228) 396-0486

become available.

At this time, it is difficult to establish a budget for the proposed services, but Covington will provide the required services on a "time and materials" basis in accordance with the attached Rate Sheet and General Conditions. Below are suggested budgets for the work to be completed, but as the project proceeds, these budgets may need to be adjusted.

- | | |
|---|---------------------|
| 1. Discovery, information gathering and evaluations | \$25,000 - \$40,000 |
| 2. Development of Draft Report for JCUA Task Force Review | \$5,000 |
| 3. Incorporate JCUA comments into final report | \$5,000 |

Covington will provide a bi-weekly report of the work that has been performed and the cost of those services so that the Task Force members will be kept informed, can anticipate costs and can direct the work. We will, however, need to establish who will be engaging Covington and who Covington will be reporting to.

If you accept this proposal, please return a signed copy to us at your convenience, or fax the signature page to (228) 396-0487. We appreciate being given the opportunity to provide you with these services.

Sincerely,
Covington Civil and Environmental, LLC.



John F. Szabo, P.E.
Principal Engineer

ENCLOSURES

Accepted by:

(Sign and Date)

**COVINGTON CIVIL & ENVIRONMENTAL, LLC
GENERAL CONDITIONS**

*Professional Services
Evaluate Costs and Operations of Jackson County Utility Authority*

1.0 BILLING

- 1.1 **An invoice will be issued upon completion of each task, payable within 15 days after submittal, unless otherwise agreed. Payment of this invoice is not conditioned upon closing of loans, obtaining financing or any other condition, unless agreed to, in writing, by CCE.**
- 1.2 Interest of 1½% per month (but not exceeding the maximum rate allowable by law) will be payable on any amounts not paid within 15 days; payment thereafter to be applied first to accrued interest and then to the principal unpaid amount. The Client shall pay any attorney's fees or other costs incurred in collecting any delinquent amount.
- 1.3 In the event that the Client requests termination of the work prior to completion of a report, Covington Civil and Environmental, LLC reserves the right to complete such analyses and records as are necessary to place its files in order and, where considered necessary to protect its professional reputation, to complete a report on the work performed to date. In addition to the costs incurred to the date of termination, a termination charge in an amount not to exceed 30% of all charges incurred up to the date of the stoppage of the work may, at the discretion of Covington Civil and Environmental, be made.
- 1.4 Harrison County, MS courts shall be the legal jurisdiction of any legal disputes arising out of the execution of this project.

2.0 WARRANTY AND LIABILITY

- 2.1 Covington Civil and Environmental, LLC warrants that its services are performed, within the limits prescribed by its Clients, in a manner consistent with that level of care and skill ordinarily exercised by members of the same professions currently practicing in the same locality under similar conditions. No other warranty or representation, either expressed or implied, is included in its proposals, contracts or reports.
- 2.2 Covington Civil and Environmental, LLC has neither created nor contributed to the existence of any hazardous, radioactive, toxic or otherwise dangerous substance or condition at the site, and its compensation hereunder is in no way commensurate with the potential risk of injury or loss that may be caused by exposure to such substances or conditions. Accordingly, notwithstanding any other provision herein, the liability of Covington Civil and Environmental, LLC, its employees, subcontractors and agents for any injury or loss arising from any such pre-existing or client generated dangerous substance or condition at or near the project site, shall not exceed \$5,000.
- 2.3 Covington Civil and Environmental, LLC, its employees, subcontractors and agents shall not be liable for indirect or consequential damages, including without limitation loss of use and loss of profits.
- 2.4 In addition to the limitations provided in 2.2 and 2.3, and notwithstanding any other provision herein, the liability of Covington Civil and Environmental, LLC, its employees,

Page 1 of 2

subcontractors and agents shall be limited to injury or loss to the extent caused by the negligence of Covington Civil and Environmental, LLC its subcontractors and/or agents hereunder, and the liability of Covington Civil and Environmental for injury or loss arising from (1) professional errors or omissions and/or (2) environmental impairment or pollution and/or (3) radiation, nuclear reaction, or radioactive substances or conditions shall not exceed \$5,000.

- 2.5 The liability of Covington Civil and Environmental, LLC, its employees, subcontractors and agents for any other claim(s) of any kind shall not exceed the fee for services.
- 2.6 Increased liability limits may be negotiated upon the Client's written request, prior to commencement of services, and agreement to pay an additional fee.
- 2.7 The Client agrees to indemnify and hold harmless Covington Civil and Environmental, LLC, its employees, subcontractors and agents against and from any claim liability, attorneys' fees or other defense costs incurred because of (i) injury or loss caused by the actions or omissions of the Client, its employees or its other agents, contractors or subcontractors, or (ii) any third party claim arising from the performance of services hereunder by Covington Civil and Environmental, its agents or subcontractors, to the extent the liability and costs exceed the relevant amount of Covington Civil and Environmental, LLC's liability specified in sections 2.2-2.6 above and does not result solely from the negligence or willful misconduct of Covington Civil and Environmental, its agents or subcontractors. Covington Civil and Environmental' reports contain limitations and exceptions.
- 2.8 In the event the Client makes a claim against Covington Civil and Environmental, LLC, at law or otherwise, for any alleged error, omission or other act arising out of the performance of its professional services, and to the extent the Client fails to prove such claim, then the Client shall pay all costs, including attorney's fees, incurred by Covington Civil and Environmental, LLC in defending itself against the claim.



Rate Sheet v09/01/2015

<u>Item</u>	<u>Basis</u>	<u>Std. Rate</u>
Principal	per hr.	\$157.00
Principal Engineer	per hr.	\$157.00
Chief Scientific Officer	per hr.	\$175.00
Senior Scientist	per hr.	\$165.00
Certified Industrial Hygienist	per hr.	\$130.00
Sr. Consultant	per hr.	\$100.00
Sr. Geologist	per hr.	\$125.00
Sr. Biologist	per hr.	\$125.00
Registered Engineer	per hr.	\$115.00
GIS Operator	per hr.	\$85.00
Sr. Estimator	per hr.	\$80.00
AutoCAD Operator	per hr.	\$80.00
Technician	per hr.	\$65.00
Supervisor	per hr.	\$40.00
Laborer	per hr.	\$35.00
Clerical	per hr.	\$45.00
Third-Party Services/Sub-Contractors		Cost + 20%
Laboratory Charges		Cost + 25%
Other Expenses (hotel, food, etc.)		Cost + 15%
Vehicles:		
Personal	per mile	\$0.75
Pick-Up Truck	per day	\$75.00
Four-Wheeler	per day	\$50.00
Shipping		Cost + 20%
Copying:		
Black & White		
8.5x11		\$0.20
11x17		\$0.30
24x36	per s/f	\$0.40
Color		
8.5x11		\$1.00
11x17		\$1.50
24x36	per s/f	\$0.60
Faxes:		
Local	per sheet	\$1.00
Long-Distance	per sheet	\$1.50

Fax: (228) 396-0487

2510 14th Street, Suite 1010
Gulfport, Mississippi 39501

Phone: (228) 396-0486

Councilman Hill made a motion to approve the contract for professional services with Covington Civil & Engineering Environmental, LLC, and authorize the City Manager to execute the related documents with the understanding that costs to the City of Pascagoula will not exceed

one-fourth (1/4) of the total contract price as presented. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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:

The first item for consideration was a request to advertise the resources of the City for CASA Blues 2016 on February 26, 2016, honoring the Police Departments and Jackson County Sheriff's Department as presented by Eddie Williams, City Attorney.

Councilman Tadlock made a motion to approve a \$500.00 sponsorship to advertise the resources of the City for CASA Blues 2016 honoring the Police Departments and Jackson County Sheriff's Department. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilman Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-15-15)

The next item for consideration was a proposed fiber optic loop interlocal agreement with other coastal cities as presented by Eddie Williams, City Attorney. Mr. Williams advised it has been requested that Mayor Blevins send a letter to Biloxi Mayor Gillich setting forth the City of Pascagoula's position with regard to the invitation to join the interlocal agreement.

After general comments, Mayor Blevins requested that Mr. Williams prepare a draft letter for Council's review regarding their concerns with the interlocal agreement. No action was taken at tonight's meeting.

The next item for consideration was a job description for the new position of Engineering Document and GIS Technician as recommended by Jaci Turner, City Engineer, and Valerie Moore, Human Resources Director. Ms. Turner stated she plans to fill the position with existing staff.

The job description is spread on the minutes as follows:



City of Pascagoula Job Description

Engineering Document and GIS Tech

DEPARTMENT:	Engineering	LABOR GRADE:	115
EXEMPT(Y/N):	No	POSITION CODE:	
REPORTS TO:	City Engineer		

MEETING PERFORMANCE EXPECTATIONS

To perform this job successfully, an individual must perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skills and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

SUMMARY:

This position is responsible for performing various skilled clerical tasks and providing support services to the City Engineer in accordance with all applicable laws and City of Pascagoula policies and procedures.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following:

- Performs varied data gathering and entry to create, maintain, display and update Geographic Information Systems databases and coverages.
- Produces accurate maps and other representations of data.
- Researches source records and documents or goes out in the field to visually locate items to resolve conflicting information and ensure the accuracy of data.
- Duties include reading and interpreting engineering plans, plot maps, and legal descriptions, entering required data into the GIS.
- Updates maps as new data is gathered and received relative to water systems, sewer systems, storm sewer systems, traffic signal, street lighting, buildings, streets, parcels, and other various objects; records and documents details of map updates, additions and/or deletions.
- Performs data queries, prints and plots specialized maps.
- Maintains and files subdivision maps, construction plans, building plans, print-outs and other documents for future reference. Performs document imaging and database referencing.
- Maintains a positive and courteous attitude in dealing with the public in a fast paced and stressful environment.
- Sorts, indexes, and files materials according to established filing system, improving efficiency where possible.
- Develops and maintains electronic filing systems as appropriate.
- Schedules and coordinates departmental activities.
- Oversees maintenance of facility, supplies and equipment, orders supplies as needed.
- Serves as receptionist, directing callers to the proper person or office; gives general information in response to public or official inquiries.
- Resolves complaints or refers to supervisory staff, as appropriate.
- Maintains accurate records of solid waste complaints and route tracking results, reporting issues to supervisory staff as appropriate.

- Maintains documentation regarding ongoing construction and maintenance contracts.
- Delivers, retrieves, opens, sorts, and distributes departmental mail daily.
- Prepares and proofreads letters, memos, reports, accounting and financial statements, vouchers, requisitions, purchase orders, specifications, bid documents, and other documents.
- Maintains a variety of records and reports; receives, distributes, and sends documents specific to area of assignment.
- Reviews simple accounts, reports, and other documents for completeness, accuracy, and conformance with established procedures.
- Gathers information and materials needed to compile various reports.
- Any other duties assigned by the City Manager or designee.

The absence of specific statements of duties does not exclude those tasks from the position if the work is similar, related, or a logical assignment of the position.

QUALIFICATION REQUIREMENTS:

The requirements listed below are representative of the knowledge, skill and/or ability required to successfully perform the essential functions of this position.

SUPERVISORY REQUIREMENT:

This position does not supervise any employees.

EDUCATION and/or EXPERIENCE:

Associate's degree or equivalent course work at a technical or vocational school, in geographic information systems, planning, architecture, civil engineering, computer science, or a related field, or any combination of education and experience that results in the required knowledge, skills and abilities is required.

SPECIAL QUALIFICATIONS:

Computer proficiency in MS Word, MS Excel, and Outlook is required; previous experience with MUNIS software is preferred. Knowledge of office machines, terminology and procedures is essential. Knowledge of GIS software; Knowledge of symbols and terminology used in civil, architectural or electronic drawings; Knowledge of document imaging, digitizing and data manipulation procedures for geographic information systems; Knowledge of GPS equipment and software for data capture, conversion, and implementation into GIS. Must have the ability to read and use zoning maps, quarter-section maps, plat maps, land use maps, single line maps and aerial maps; the ability to become familiar with industry specific (such as utility, wastewater, municipal infrastructure, planning and zoning) terms and symbols; ability to perform mathematical calculations using algebra, geometry and trigonometry. A valid driver's license is required.

LANGUAGE AND REASONING SKILLS:

Ability to understand written or oral instructions; read, analyze and interpret documents, instruction manuals, policies and procedures is essential. Skill in oral and written communications is essential. Strong interpersonal skills are essential to maintain effective working relationships with others. The ability to work effectively and efficiently to ensure deadlines are met is essential. Ability to apply logical reasoning application to carry-out instructions furnished in written, oral or diagram form. Ability to prepare statistical reports and required records is necessary.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this job, the employee is regularly required to talk, see or hear; to stand; walk; sit; and use hands to finger, handle or feel objects, tools or controls.

WORKING ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

The noise level in the work environment is usually low and work is performed in a well lit, adequately ventilated, climate controlled office.

After comments, Councilman Tadlock made a motion to approve the job description for the Engineering Document and GIS Tech at a Grade 115 as recommended. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

The next item for consideration was Budget Amendment No. 16.06 in the Fire Insurance Rebate Fund for a transfer to the Community Development Fund as a match to the FEMA Firefighters Assistance Grant as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 16.06
November 17, 2015**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Fire Insurance Rebate Fund</u>			
<u>Expenditures:</u>			
<u>Fire Insurance Rebate:</u>			
<u>Transfers:</u>			
Transfers to Comm. Dev. Fund	-	11,765	11,765
Total Expenditures	-	11,765	11,765
Net Change in Fund Balance - Fire Insurance Rebate Fund		(11,765)	
To amend budget to provide expenditure authority for the transfer to the Community Development Fund for the match to the FEMA Assistance to Firefighters Grant approved by Council on September 15, 2015.			

Councilwoman Simkins 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

The next item for consideration was Budget Amendment No. 16.07 in the Community Development Fund for the FEMA Firefighters Assistance Grant as recommended by Bobby Parker, City Clerk/Comptroller.

The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 16.07
November 17, 2015**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>			
<u>Revenues:</u>			
<u>Grants:</u>			
FEMA Assistance to Firefighters Grant	-	117,652	117,652
Transfers In - Fire Insurance Rebate Fund	-	11,765	11,765
Total Revenues	-	129,417	129,417
<u>Expenditures:</u>			
<u>Community Development:</u>			
<u>Other Services & Charges:</u>			
FEMA Assistance to Firefighters Grant	-	129,417	129,417
Total Expenditures	-	129,417	129,417
Net Change in Fund Balance - Community Development Fund		-	
To amend budget to provide expenditure authority for the FEMA Assistance to Firefighters Grant and the the related grant revenue/City match as approved by Council on September 15, 2015.			

Councilman Tadlock made a motion to approve the budget amendment as recommended and presented. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

Item #33 regarding a sewer demand fee rate increase was removed from the agenda tonight. The Council concurred to remove this item from the agenda tonight for further study.

The next item for consideration was a request for a fireworks display by Artisan Pyrotechnics, Wiggins, MS, on Thursday, December 3, 2015, at Beach Park for the Christmas Tree Lighting Celebration as recommended by Darcie Crew, Parks & Recreation Director. The fireworks display will be held on the sand beach at the south end of Oliver Street. The cost will be \$1,500.00.

Councilman Hill made a motion to approve a contract with Artisan Pyrotechnics for a fireworks display at Beach Park for the Christmas Tree Lighting Celebration on December 3, 2015, 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 "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

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

Joe Huffman, City Manager, requested approval to expend funds up to \$1,500.00 from the Economic Development Department budget for the TechTown reception which will be held at the Grand Magnolia on December 1, 2015, from 5:30 p.m. – 7:00 p.m.

Councilman Jackson made a motion to approve advertising the resources of the City up to \$1,500.00 from the Economic Development Department budget for the TechTown reception on December 1, 2015, as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 11-17-15)

(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 recommended by Jeane Bull, Asst. Comptroller.

The Order is spread on the minutes as follows:

ORDER

WHEREAS, the attached docket of claims for the period of October 30, 2015, through November 13, 2015, has been presented to the City Council for allowance and approval; **WHEREAS**, the below claim numbers 10-09-01, 10-23-02, and 10-03 have also been presented to the City Council for allowance and approval:

<u>October 9, 2015</u>		<u>Claim # 10-09--01</u>
010	General Fund	\$ 486,302.08
400	Pascagoula Utilities	23,592.01
480	Solid Waste Mgmt.	<u>567.02</u>
	Total	<u>\$ 510,461.11</u>

<u>October 23, 2015</u>		<u>Claim 10-23-02</u>
010	General Fund	\$ 486,299.26
400	Pascagoula Utilities	23,717.74
480	Solid Waste Mgmt.	<u>567.02</u>
	Total	<u>\$ 510,584.02</u>

<u>Miscellaneous Claim</u>		<u>Claim #10-03</u>
1000	City Share FICA	\$ 49,315.77
1100	City Share Medicare	11,533.53
7000	City Share PERS	<u>128,459.92</u>
	Total	<u>\$ 189,309.22</u>

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

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

The above Order was introduced by Councilman Jackson, seconded for adoption by Councilwoman Simkins, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson

“AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. The Mayor then declared the Order adopted on the 17th day of November, 2015.

Mary Spalding, 4202 Pascagoula Street, addressed the Council and discussed a survey she prepared and received from property owners on Hospital Road and Tupelo Avenue, south of Highway 90 to Old Mobile Highway. Ms. Spalding is concerned about the Hospital Road Project and wanted to share the results with the Council. She received several comments regarding the flooding issues in this area, and it was requested that a public hearing be held to better inform the property owners about the project plans. The Council thanked Ms. Spalding for her concerns.

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

Councilman Tadlock made a motion to close the meeting to consider the need for an executive session. The motion as seconded by Councilman Tipton, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”.

Councilman Tadlock made a motion to go into executive session for the purpose of discussing potential litigation involving Section 42 tax setoffs, a land sale, and PPM Consultants. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”, after which Mayor Blevins 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.

Councilman Tipton made a motion to end the executive session and return to open session. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “ABSENT”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”.

No action was taken in executive session.

There being no further business to come before the Council at this time, Councilman Hill made a motion to adjourn. The motion was seconded by Councilman Tadlock and received the

following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "ABSENT", Simkins "AYE", Tadlock "AYE", and Tipton "AYE".

The meeting ended at 8:25 p.m.

APPROVED:

Harry J. Blevins, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk