

**REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, APRIL 5, 2016, AT 6:00 P. M.
CITY HALL, PASCAGOULA, MISSISSIPPI**

The City Council of the City of Pascagoula, Mississippi, met at City Hall in a regular meeting on Tuesday, April 5, 2016, at 6:00 p.m. Mayor Blevins called the meeting to order with the following officials present:

Mayor Harry J. Blevins
Councilman Burt Hill
Councilman Freddy Jackson
Councilman Marvin Pickett, Sr.
Councilman David Tadlock
Councilman Scott Tipton

City Manager Joe Huffman
City Attorney Eddie Williams
Assistant City Clerk Brenda J. Reed

Councilwoman Brenda Simkins was absent.
City Clerk/Comptroller Robert J. Parker was absent.

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

Mayor Blevins welcomed Pascagoula Mayor's Youth Council members, Victoria Miller and Gabriel Wells, to the meeting tonight.

Councilman Hill read the following Proclamation for "Fair Housing Awareness Month":



Whereas, In 1968, the Federal Fair Housing Act was passed by Congress and adopted to protect against unlawful housing discrimination based on race, religion, color, gender, and national origin.

Whereas, In 1988, the Fair Housing Amendments Act added additional provisions that extend protection to persons with disabilities and families with children under the age of 18.

Whereas, We all benefit from living in a culturally diverse society, and

Whereas, In an effort to eliminate illegal housing discrimination from which disparate impact occurs,

Now, Therefore, I, Harry J. Blevins, Mayor of the City of Pascagoula, do hereby proclaim

April as Fair Housing Awareness Month

In the City of Pascagoula. I urge all citizens to celebrate cultural diversity throughout Fair Housing Awareness Month and year round.

Dated this 5th day of April, 2016

Mayor _____

Councilman Tadlock recognized Ron Schnoor and Marlo Thomas from the American Heart Association. Mr. Schnoor and Ms. Thomas commented on the benefits of a healthier lifestyle and encouraged everyone to participate in “National Walking Day” tomorrow. The event will start at 12:15 p.m. at the Round Island Lighthouse. Councilman Tadlock read and presented them with a Proclamation for “National Walking Day”.

The Proclamation is spread on the minutes as follows:

Proclamation

WHEREAS, cardiovascular disease is the leading cause of death in the United States and accounts for one-third of all deaths and stroke is the number 5 cause of death in the United States; and

WHEREAS, regular physical activity can reduce cardiovascular disease risk and may increase life expectancy, but only 36 percent of children and 44 percent of adults get the recommended amount; and

WHEREAS, the American Heart Association recommends that children and adolescents participate in at least 60 minutes of moderate or vigorous intensity physical activity each day and adults do at least 150 minutes of moderate intensity physical activity or at least 75 minutes of vigorous intensity physical activity (or combination of both) each week; and

WHEREAS, moderate physical activity has many proven benefits for an individual's overall health including controlling body weight, blood cholesterol, and blood pressure. All of these changes help reduce the risk of cardiovascular disease and stroke; and

WHEREAS, by providing families and children with safe places to be physically active, we can take steps towards improving heart health and reducing obesity rates; and

WHEREAS, studies have reported that people who have parks or recreational facilities nearby exercise more than those who do not have easy access; and

WHEREAS, on National Walking Day, April 6, the American Heart Association will kick-off a month-long campaign to encourage Americans to become more physically active; and

WHEREAS, on National Walking Day, the American Heart Association encourages all Americans to take a 30-minute walk with family, friends and colleagues and to share their minutes walked on social media with hashtag #AHALaceUp.

NOW, THEREFORE, I, Harry J. Blevins, recognizing the importance of regular physical activity, do hereby proclaim Wednesday, April 6, 2016 as "National Walking Day" in Pascagoula and urge all citizens to show their support for physical activity and the fight against heart disease and commemorate the month by taking time to get active.

Harry "Jim" Blevins, Mayor

Mayor Blevins read and presented Shelia Tillman with a Proclamation for Coastal Treasures Pilgrimage Day.

The Proclamation is spread on the minutes as follows:

Proclamation

WHEREAS, garden clubs are vital to the quality of life in the communities where they are located because they promote the love of gardening, civic responsibility, and environmental stewardship; and

WHEREAS, the Mississippi Gulf Coast Council of Garden Clubs, Inc. has sponsored a pilgrimage of homes across the Gulf Coast for the past sixty-four years; and

WHEREAS, the annual Spring Pilgrimage brings visitors from all over the country to take in the beauty of the homes across the Mississippi Gulf Coast, from Pass Christian to Pascagoula; and

WHEREAS, the City of Pascagoula has greatly benefited from the favorable exposure offered by the Mississippi Gulf Coast Council of Garden Clubs, Inc.;

NOW, THEREFORE, I, Harry J. Blevins, Mayor of Pascagoula do hereby commend the Pascagoula Garden Club and Mississippi Gulf Coast Council of Garden Clubs for their dedication to making Pascagoula and the greater Gulf Coast ever more beautiful and do hereby proclaim Sunday, April 17, 2016

Coastal Treasures Spring Pilgrimage Day

Harry "Jim" Blevins
Mayor

Opening remarks were made by several members of the Council. Councilman Tipton stated he attended the Pascagoula Youth Baseball opening ceremonies last Saturday and thanked Frank Corder and the board for a great job. Mayor Blevins stated he has received a number of compliments about the beauty and progress in Pascagoula.

Joe Huffman, City Manager, recognized the 2015 Mississippi State Karate Champions from the Koast Karate Association at this time. Lynn Rouse also commented on the group and awards they have received.

Members who were recognized and received awards are as follows:

SINGLE DIVISION STATE CHAMPIONS

Trey Smith- Mini Pee Wee-Hi Blue, Green, Purple- **Kata Forms**
Jim Blevins- Executive Men- Advanced Div.- **Kumite Sparring**
Daniel Lawrence- Young Adult Men-Beginner- **Kumite Sparring**

DOUBLE DIVISION STATE CHAMPIONS:

Danielle Lawrence- Executive Women-Beginner- **Kata Forms, Kumite Sparring**
Randi Smith- Tots Division- Hi Blue, Green and Purple- **Kata, Kumite**
Noah Tolbert- Tiny Tots Division-Yellow- **Kata, Kumite**
Bo Smith- Executive Men-Advanced- **Kumite & Weapons**
Jenny Thompson- Mini Pee Wee- Brown, Red & Black- **Kumite & Weapons**

TRIPLE DIVISION STATE CHAMPIONS:

Scott Lawrence- Executive Men- Beginner- **Kata Forms, Kumite Sparring & Weapons**
Samuel Turner- Tots- Lo Blue, Orange- **Kata, Kumite Sparring & Weapons**

Head Instructor: Hayward Butler
Assistants: Danny Davis
Lynn Rouse

OTHER RECOGNITION:

2015 State Champions School of the Year -**10 State Champion Title Winners- 3 Singles, 5 Doubles & 2 Triples**
2015 Competition of the Year- **9 & under Competition of the Year- Samuel Turner**

Misc:

The Lawrence family, Scott, Danielle, & Daniel all were State Champions.

Competitions were held in numerous locations in MS over 2015 with competitors from MS, LA, AL, FL and a few more. State Champions are based on total results from all MKA sometime tournaments during the year.

At this time, Jen Dearman commented on the recent “Best of Pascagoula” event where citizens were encouraged to participate in several categories. Ms. Dearman then recognized the winners as follows:



- Best Art Gallery - Pascagoula Public Library
- Best Community Event or Festival - Zonta
- Best Landmark or Local Attraction – Beach/ Beach Park
- Best Free Kid’s Activity – Movie Night Under the Stars
- Best Park – Beach Park
- Best Place to Fish/Crab/Flounder? Krebs Lake
- Best Place to Take Out of Town Guests - Bozo's Seafood Market & Deli
- Best Project you'd Like to see Happen in Pascagoula - Movie Theater
- Best Reason to Live in Pascagoula - Coast Life
- Best Thing Pascagoula Needs – Entertainment Opportunities
- Best Trail – Beach Boulevard
- Best View – Beach
- Best Volunteer Opportunity – Our Daily Bread
- Best Breakfast - Anderson's Bakery
- Best Family Dinner – Cornerstone
- Best Lunch Place - Bozo's Seafood Market & Deli
- Best Buffet - Jerry Lee's Grocery & Deli
- Best Burger - Edd’s Drive In
- Best Po-Boy - Bozo's Seafood Market and Deli
- Best Sweet Treat - Anderson's Bakery
- Best Seafood Place - Bozo's Seafood Market & Deli
- Best Pizza - New York Pizza
- Best Tamales - La Fiesta Brava
- Best Sandwich Shop - Lenny's Sub Shop
- Best Healthy Option - Corder's Creamery & Garden Bar
- Best Place to hear Live Music - Jack's By the Tracks
- Best Cocktail or Drink - Downtown Jazz Club
- Best Beer Selection - Jack's by the Tracks
- Best Liquor Store - Liquors Unlimited
- Best Place to Meet After Work - Jack's by the Track's

The consent agenda was considered at this time:

The first item for consideration was the minutes of the recessed regular Council meeting of March 15, 2016, as recommended by Brenda J. Reed, Assistant City Clerk.

Councilman Hill made a motion to adopt and approve minutes of the recessed regular Council meeting of March 15, 2016, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

Minutes of the Pascagoula Redevelopment Authority meetings of February 11, 2016, and February 26, 2016, were acknowledged by the Council.

Minutes of the Pascagoula Mayor's Youth Council meeting of March 14, 2016, were acknowledged by the Council.

Minutes of the Historic Preservation Commission meeting of January 27, 2016, were acknowledged by the Council.

Minutes of the Strategic Plan Steering Committee meeting of February 18, 2016, were acknowledged by the Council.

The next item for consideration was advertising the resources of the City for "Litter Bugs Me Day" on April 22, 2016, as recommended by Darcie Crew, Parks & Recreation Director. Ms. Crew advised the City would offer educational packages to the Pascagoula School District teachers with "Litter Bugs Me" stickers, activity coloring books, car litter bags, garbage bags, and gloves at a cost not to exceed \$800.00.

Councilman Hill made a motion to advertise the resources of the City for "Litter Bugs Me Day" on April 22, 2016, at a cost not to exceed \$800.00, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". (Approved 4-5-16)

The next item for consideration was a request for approval of conference fees and travel for the City Council to attend the 2016 Mississippi Municipal League (MML) Annual Conference in Biloxi, MS, as presented by Joe Huffman, City Manager. The conference will be held June 27-29, 2016.

Councilman Hill made a motion to authorize conference fees and travel for the City Council to attend the 2016 Mississippi Municipal League (MML) Annual Conference in Biloxi, MS, as presented. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". (Approved 4-5-16)

The next item for consideration was a Resolution to place a lien on a parcel of land for cost of cleaning for 1415 St. Peter Avenue as recommended by Eddie Williams, City Attorney.

The Resolution is spread on the minutes as follows:

RESOLUTION

WHEREAS, in accordance with Section 21-19-11, Mississippi Code of 1972, this City Council heretofore adjudicated, after lawful notice and hearing, that the parcel of land described hereinafter was in such a state of uncleanness as to be a menace to the public health and safety of this community and authorized the parcel to be cleaned by the City; and

WHEREAS, the parcel has been cleaned by the City; and

WHEREAS, it is hereby adjudicated that the amount set opposite the parcel listed hereinafter is the actual cost of cleaning of the parcel;

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

SECTION 1. That the parcel of land listed below, which is described by reference to the deed recorded at the appropriate page in the Jackson County, Mississippi, Land Deed Books, is hereby charged with the cost of cleaning of the parcel appearing opposite.

SECTION 2. That this amount is hereby declared to be an assessment and lien against the parcel listed below, which shall be enrolled in the office of the Circuit Clerk of Jackson County, Mississippi, as judgments are enrolled, and the Jackson County Tax Collector, acting as collector of City taxes, is hereby directed to sell the parcel of land to satisfy the lien in the manner provided by law for the sale of land for delinquent taxes, to wit:

EXHIBIT A

| <u>Tax Parcel Number and Property Address</u> | <u>Owner(s) and Mailing Address</u> | <u>Described at the following Jackson County, MS, Deed Books and Pages</u> | <u>Cost of Cleaning</u> |
|--|--|---|--------------------------------|
| 41450044.000 1415 St. Peter Avenue | Robert Hunt c/o Barbara Hunt 1415 E. St. Peter Avenue Pascagoula, MS 39567 (Footnote 1) | Deed Book 375, Page 512 | \$6,130.75 |

PARTIES WITH INTEREST

Footnote 1: -Wachovia Bank, 1114 Jackson Avenue, Pascagoula, MS 39567

The above Resolution was introduced by Councilman Hill, seconded for adoption by Councilman Jackson, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 5th day of April, 2016.

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

The Order is spread on the minutes as follows:

ORDER

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

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

THEREFORE, IT IS ORDERED that the owners of the parcels listed on the exhibit shall be given notice by the City Clerk as provided in Section 21-19-11, Mississippi Code of 1972, that a hearing shall be held by the City Council on May 3, 2016, in the City Hall of the City at 6:00 P.M. to determine whether the parcels of land as shown on the exhibit are in such a state of uncleanliness as to be a menace to the public health and safety of this community.

EXHIBIT A

| <u>Tax Parcel Number and Property Address</u> | <u>Owner(s) and Mailing Address</u> | <u>Described at the following Jackson County, MS, Deed Books and Pages</u> |
|--|--|---|
| 41780045.150 1812 Prospect | Esther Batiste P.O. Box 8041 Moss Point, MS 39562 AND Ashley Batiste 1623 Popp's Ferry Road C112 Biloxi, MS 39532 | Deed Book 1691, Page 353 & Deed Book 1772, Pg. 852 |
| 41330145.000 4813 Chateau | Hoyt K. Evans 4813 Chateau Drive Pascagoula, MS 39581 AND Paulette E. Evans 4813 Chateau Drive Pascagoula, MS 39581 | Deed Book 594, Page 286 |

The above Order was introduced by Councilman Hill, seconded for adoption by Councilman Jackson, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Order adopted on the 5th day of April, 2016.

Next for consideration was an Ordinance to amend Article III to add a new Division 4 – City Prosecutor, as recommended by Eddie Williams, City Attorney.

The Ordinance is spread on the minutes as follows:

**ORDINANCE NO. 4-2016
CITY OF PASCAGOULA, MISSISSIPPI**

AN ORDINANCE TO AMEND ARTICLE III. OFFICERS AND EMPLOYEES, OF THE CODE OF THE ORDINANCES OF THE CITY OF PASCAGOULA, TO ADD A NEW DIVISION 4. CITY PROSECUTOR; TO CREATE THE OFFICE OF CITY PROSECUTOR; TO PROVIDE FOR HIS APPOINTMENT BY THE CITY COUNCIL;

TO PROVIDE FOR HIS COMPENSATION; TO PROVIDE THE DUTIES OF THE OFFICE; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

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

Section 1. Chapter 2. Administration, of the Code of Ordinances of the City of Pascagoula, Article III. Officers and Employees, is amended as follows:

DIVISION 4. CITY PROSECUTOR

Section 2-115. Office created.

There is hereby created the office of city prosecutor.

Section 2-116. Appointment.

The city prosecutor shall be appointed by the city council and shall serve until his successor shall be appointed and qualified.

Section 2-117. Compensation.

The city prosecutor shall receive such compensation as the city council may from time-to-time direct by ordinance or resolution as may be recommended by the city manager or his designee.

Section 2-118. Duties.

The city prosecutor shall prosecute all misdemeanors in the municipal court and shall represent the city in all appeals therefrom. He shall perform such other duties as the judge of the municipal court may, from time-to-time, direct in accordance with his office.

Section 2. Inasmuch as the city council has heretofore appointed a city prosecutor, who has been serving in that capacity for a number of years, this ordinance shall take effect upon passage.

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

Passed this the 5th day of April, 2016.

APPROVED:

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

APPROVED:

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

(S E A L)

The next item for consideration was a request to approve an Economic Development Internship 2016 Agreement with Zoie Mestayer, a senior from Resurrection Catholic School, as recommended by Jen Dearman, Community and Economic Development Director.

The agreement is spread on the minutes as follows:



Economic Development Internship 2016 Agreement

Intern: Zoie Mestayer, Senior, Resurrection Catholic School

Internship Supervisor: Jen Dearman, Director of Community and Economic Development
(228) 938-6651, jdearman@cityofpascagoula.com

Work Schedule: June 13, 2016 through July 31, 2016

Compensation: There will be no monetary compensation for the internship.

Internship Purpose:
To provide the City with community and economic development administrative support while providing the intern with mentoring and professional development skills.

Internship Duties:
The Intern agrees to provide general administrative support for community and economic development efforts which may include the research, filing, grassroots organization tasks, and grant writing.

City Responsibilities:
The City of Pascagoula agrees to provide a safe and positive working environment. The Internship Supervisor will monitor and evaluate the Intern's performance while providing training in areas of community and economic development in a municipal government setting.

About the City of Pascagoula
Pascagoula, Mississippi is located on the southeast border between Mississippi and Alabama. The population in the 2010 census was 22,392. It is 15 square miles, and is a part of the Gulfport-Biloxi-Pascagoula Metropolitan Statistical Area. It is the county seat of Jackson County. Its major industries include shipbuilding, oil, and energy. It is the home of Mississippi's largest employer, Huntington-Ingalls Shipbuilding, and the Chevron Pascagoula Refinery, which is the world's largest producer of base oils.

The municipal government provides services to all those who live, work and recreate within the City limits. It is administered by a mayor and city council, and has a council-manager form of government. The government organization has 289 employees organized into nine departments.

By signing on the line below, I fully agree to the respective responsibilities as presented above.

Intern Signature, Date

Internship Supervisor Signature, Date

Councilman Hill made a motion to approve the Economic Development Internship 2016 Agreement with Zoie Mestayer from Resurrection Catholic School as recommended and authorize the Community and Economic Development Director to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". (Approved 4-5-16)

(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 request to award the 4th of July fireworks show for 2016 to J&M Displays, Iowa, for \$19,000.00 as recommended by Darcie Crew, Parks & Recreation Director. Ms. Crew advised a proposal was also received from Artisan Pyrotechnics, Inc.

The agreement is spread on the minutes as follows:

FIREWORKS DISPLAY AGREEMENT

THIS AGREEMENT is made and entered into this 6TH day of April, 20 16, by and between J & M Displays, Inc., an Iowa corporation, having its principal place of business at Yarmouth, Iowa, hereinafter referred to as "Seller", and City of Pascagoula, hereinafter referred to as "Buyer".

Seller shall furnish to Buyer one (1) fireworks display, as per the \$ 19,000 program submitted and accepted by the Buyer, and which by reference is made a part hereof as Exhibit "A". The display is to take place on the evening of July 4, 20 16 at approximately 9:00 pm, weather permitting.

IT IS FURTHER UNDERSTOOD AND AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. Firing of Display (check one of the below options):

Seller agrees to furnish all necessary fireworks display material and personnel for a fireworks display in accordance with the program approved by the parties. Seller agrees to comply with all local, state, and federal guidelines pertaining to the storing and displaying of fireworks.

Buyer waives the services of Seller's technician. Buyer is a municipality or has a valid permit from the Bureau of Alcohol, Tobacco, Firearms & Explosives and will be firing the display. If Buyer shoots the display, proof of liability insurance is required as stated in paragraph number five (5), proof of auto insurance (if pyrotechnics will be transported), and proof of worker's compensation insurance coverage is required. Buyer agrees to comply with all local, state, and federal guidelines pertaining to the storing and displaying of fireworks.

2. Payment. The Buyer shall pay to the Seller (check one of the below options):

the sum of \$ 0 as a down payment upon execution of this Agreement. The balance of \$ 19,000 shall be due and payable in full within ~~fifteen (15)~~ ^{forty-five (45)} days after the date of the fireworks display. A service charge of one and one-half percent (1 1/2%) per month shall be added to the unpaid balance if the account is not paid in full within ~~fifteen (15)~~ ^{forty-five (45)} days from the date of the show. If this account remains unpaid and is turned over to a collection agency for non-payment, all fees incurred in collecting the balance will be at the Buyer's expense. All returned checks will be assessed a \$30.00 fee.

\$ _____ in full by _____ (70 days prior to the event date).
The Buyer will receive the 8% prepayment bonus product in this fireworks display.

\$ _____ in full by _____ (30 days prior to event date).
The Buyer will receive the 5% prepayment bonus product in this fireworks display.

3. Weather Delay/Cancellation. If Buyer postpones or cancels the fireworks display after the Seller has arrived on site and began setting up the display, the Buyer shall pay to the Seller the amount of the shoot fee \$ 30% as payment in full for the postponement/cancellation fee. If the Buyer postpones or cancels the display prior to Seller arriving on site for set up, there will be no charge for rescheduling.

4. Rain Date. Should inclement weather prevent the firing of the display on the date mentioned herein, the parties agree to a mutually convenient rain date of July 5, 2016 or another date as agreed to by both parties. The determination to cancel the fireworks display because of inclement weather or unsafe weather conditions shall rest within the sole discretion of the Seller. In the event the Buyer does not choose to reschedule another date or cannot agree to a mutually convenient date with the Seller, then the Seller shall be entitled to thirty percent (30%) of the contract price for full settlement of this Agreement.

5. Insurance. (Check one of the below options):

Seller agrees to provide, at its expense, general liability insurance coverage, in an amount not less than \$10,000,000, and within two (2) weeks prior to the date of the fireworks display, shall submit to the Buyer, if requested in writing, a certificate of insurance. All entities listed on the certificate of insurance will be deemed an additional insured. In the event of a claim by Buyer, the applicable deductible shall be paid by the Seller.

The Seller agrees to defend, indemnify and hold harmless the Buyer and its agents, and employees from and against all claims, costs, judgments, damages and expenses, including reasonable attorney fees that may or shall arise from the performance of the fireworks by the Buyer. The Buyer agrees to give the Seller prompt notice of any claims or demands and to cooperate with the Seller or its successors in interest or assigns, if any, in the defense of any such claims and/or demands.

_____ Buyer agrees to provide, at its expense, general liability insurance coverage with a rating by AM Best of A VIII or higher, in an amount not less than \$5,000,000, and within two (2) weeks prior to the date of the fireworks display, shall submit to the Seller a certificate of insurance. All entities listed on the certificate of insurance will be deemed an additional insured. Any charge incurred from the insurance provider for additional insurance after insurance application has been sent in, shall be the responsibility of the Buyer. In the event of a claim by Seller, the applicable deductible shall be paid by the Buyer.

~~The Buyer agrees to hold the Seller harmless and defend Seller from any and all claims brought against the Seller by employees or sponsors of the Buyer for any and all acts of the Buyer relating to the event for which the fireworks is performed.~~

6. Buyer agrees to provide: All items will be clarified at the site visit

- (a) sufficient area for the display, including a minimum spectator set back as determined by Seller.
- (b) protection of the display area by roping off or similar facility.
- (c) adequate police protection to prevent spectators from entering display area.
- (d) dry, clean sand, if needed, for firing.
- (e) inspection and cleanup of fireworks debris in the fallout zone of the shoot site at first light the morning following the display for anything that may have been missed at the night search, performed by seller.
- (f) ~~necessary local permits.~~ Seller must obtain permits from Coast Guard.

7. No representation of affirmation of fact, including but not limited to statement regarding capacity, suitability for use, or performance of equipment or products shall be, or deemed to be a warranty by the Seller for any purpose, nor give rise to any liability or obligation of the Seller whatsoever, except for acts of Seller's negligence as above stated.

8. It is further understood and agreed that nothing in this Agreement shall be construed or interpreted to mean a partnership. Both parties hereto being responsible for their separate and individual debts and obligations, and neither party shall be responsible for any agreements not stipulated in this Agreement.

9. The parties hereto do mutually and severally guarantee terms, conditions, and payments of this Agreement. This document shall be binding upon the parties, themselves, their heirs, executors, administrators, successors and assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

BY: Charles McKinley

J & M Displays, Inc.
SELLER

BY: _____
BUYER

Please include the DISPLAY INFORMATION form with this Agreement so your order is processed accurately.

Councilman Hill made a motion to award the 4th of July fireworks show to J&M Displays for \$19,000.00 as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "ABSENT", Tadlock "AYE", and Tipton "AYE". (Approved 4-5-16)

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

The next item for consideration was Amendment No. 1 to the Agreement with Compton Engineering, Inc. for the BB Jennings Boardwalk Project as recommended by Darcie Crew, Parks & Recreation Director. The amendment increases the agreement from \$19,000.00 to \$21,195.00 for a total increase of \$2,195.00. The amendment allows Compton Engineering to complete deed research to resolve property ownership over the parking lot, driveway, and a portion of the boardwalk area.

The amendment is spread on the minutes as follows:

**AMENDMENT NUMBER 1 TO
AGREEMENT FOR PROFESSIONAL SERVICES**

BETWEEN

CITY OF PASCAGOULA

AND

COMPTON ENGINEERING, INC.

THIS IS AN AMENDMENT made on _____ **TO THE AGREEMENT** made on December 1, 2015, between the **CITY OF PASCAGOULA**, PO Drawer 908, Pascagoula, Mississippi, 39568-0908 (**OWNER**), and **COMPTON ENGINEERING, INC.**, PO Box 686, 1706 Covert Avenue, Pascagoula, Mississippi, 39568 (**ENGINEER**).

OWNER and **ENGINEER**, agree with respect to the performance of professional engineering services by **ENGINEER** with respect to the City of Pascagoula BB Jennings Park Boardwalk project and the payment for these services by **OWNER** as set forth herein *for additional surveying services* and payment in accordance with terms and conditions included in the contract in place and the following amendments:

EXHIBIT B

SCOPE OF ARCHITECTURAL/ENGINEERING PHASE SERVICES

1.0 Basic Services

- 1.4 A limited boundary survey will be provided at the parking lot locating the western-most property line at the parking lot entrance and continuing south to Telephone Road and east to the western edge of the brush line at the existing drainage way. Topographic survey will also be limited to the parking lot and area of new overlook. *Additional services to include deed research to resolve property ownership of the parking lot, drive, and a portion of the board walk. Property corners will be set and we will provide a written description and plat to be filed.*

EXHIBIT C

PAYMENTS TO ENGINEER

- 1.1 Basic Services. **OWNER** shall pay **ENGINEER** for Basic Services rendered under Section 1, as supplemented by **Exhibit B**, "Scope of Professional Phase Services," the following fees totaling \$19,000.00:

COMPTON ENGINEERING, INC.
215-073

Amendment #1 to Agreement for Professional Services
1

1.1.1 Design Review and Prepare Front-End Bidding Documents

The OWNER shall pay ENGINEER on a lump sum basis, as follows:

| <u>Description</u> | <u>Planning Fee (lump sum)</u> |
|--|--------------------------------|
| Survey, Boundary, Research, Legal Description and Plat, and limited Topography | \$4,695 |
| Environmental - Wetland Delineation | \$1,500 |
| Environmental – Section 404/10 Permitting | \$3,500 |
| Design and Engineering Services | \$6,500 |

Adjustments, if necessary, to fees or between phases will not be made without written agreement from the Owner and Funding Agency.

1.1.2 Services During Construction

The OWNER shall pay ENGINEER on a lump sum basis, as follows:

| <u>Description</u> | <u>SDC Fee (lump sum)</u> |
|---|---------------------------|
| Bid Phase Services | \$2,500 |
| Construction Services (based on 60-day construction contract; limited to review and approval of pay applications, responding to RFI's, and project close-out) | \$2,500 |

Adjustments, if necessary, to fees or between phases will not be made without written agreement from the Owner and Funding Agency.

1.2 Additional Services. OWNER shall pay ENGINEER for Additional Services rendered under Section 2 at rates indicated on attached rate sheet. Subconsultants will be billed at actual cost times a factor of 1.1.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the day and year first written above.

OWNER:
CITY OF PASCAGOULA, MS

ENGINEER:
COMPTON ENGINEERING, INC.

WITNESS: _____



WITNESS: Katie Lee

Councilman Hill made a motion to approve Amendment No. 1 to the Agreement with Compton Engineering, Inc. for the BB Jennings Boardwalk 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 “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

(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 Task Order No. 052 with Compton Engineering, Inc., Pascagoula, MS, for the Market Street Redevelopment – Area 1 – Beach Blvd. to Parsley Avenue Project as recommended by Jaci Turner, City Engineer. The task order will complete

the design and construction administration services associated with this project. This project is programmed to be funded with bond proceeds.

The task order is spread on the minutes as follows:

COMPTON ENGINEERING, INC.
GENERAL SERVICES AGREEMENT
213-008.052:

TASK ORDER No. 052
CITY OF PASCAGOULA GENERAL SERVICES CONTRACT

PROJECT NAME: Market Street Improvements AREA 1 – Beach Boulevard to Parsley Avenue

Owner to identify desired services:

- | | | |
|---|---|---|
| <input type="checkbox"/> Concept Plan | <input type="checkbox"/> Conceptual Opinion of Cost | <input type="checkbox"/> Phase I ESA |
| <input type="checkbox"/> Phase II ESA | <input type="checkbox"/> Phase III ESA | <input type="checkbox"/> Wetlands Delineation |
| <input type="checkbox"/> Wetlands Permitting | <input type="checkbox"/> Cultural Resource Survey | <input checked="" type="checkbox"/> SWPPP Preparation |
| <input type="checkbox"/> Topographic Survey | <input type="checkbox"/> Boundary Survey | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Elevation Certificate | <input type="checkbox"/> Easement/ROW Exhibits |
| <input checked="" type="checkbox"/> Civil Design | <input type="checkbox"/> Structural Design | <input type="checkbox"/> Electrical Design |
| <input type="checkbox"/> Mechanical Design | <input type="checkbox"/> Architectural Design | <input type="checkbox"/> Landscape Architecture |
| <input checked="" type="checkbox"/> Contract Docs for Bid | <input type="checkbox"/> Contract Docs for quote | <input type="checkbox"/> Design Documents only |
| <input checked="" type="checkbox"/> Bid Administration | <input checked="" type="checkbox"/> Construction Admin. | <input checked="" type="checkbox"/> RPR Services |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> O&M Manuals | <input type="checkbox"/> Warranty Inspection |
| <input type="checkbox"/> Study / Report | <input type="checkbox"/> Grant Application Preparation | <input type="checkbox"/> Other (described below) |

Owner's General Description of Project: The consultant shall provide design and construction documents for the approved conceptual design of Market Street Improvements Area 1 from Beach Boulevard to a point no greater than 100' north of Parsley Avenue.

DETAILED SCOPE OF WORK, SCHEDULE AND COST:

Consultant to provide detailed proposed scope of work, with any applicable associated milestones, dates, and costs associated with phases of work:

Proposed Scope of Work:

1. Compton Engineering (CE) shall provide design services to prepare construction documents to acquire bids one time for a contractor to construct the proposed improvements as shown on the attached Exhibit A "Proposed Market Street Improvements – Beach Boulevard to Parsley Avenue".
2. CE shall prepare a SWPPP in accordance with local codes for the proposed improvements as on the attached Exhibit A.
3. CE shall prepare and submit applications to permit improvements to the City water and sewer infrastructure, to MS Department of Health, MS Department of Environmental Quality, and Jackson County Utility Authority.
4. CE shall provide services during construction to include bid administration, construction administration, and construction observation for the construction of the proposed improvements as shown on the attached Exhibit A.

Timeline and Milestones: CE will begin work within 30 days of receipt of an executed agreement. CE will complete the services within 120 days thereafter.

Cost and Method of Compensation:

1. CE shall provide design services as described in Item 1 above for a lump sum fee based on a percentage of the construction cost from the fee curve 40/log C, whereas "C" is the construction cost. The estimated fee is \$152,377.43 based on an estimated cost of construction of \$2,467,516.00, less fee for Concept/Phasing Plan under Task Order 27. The actual fee shall be adjusted based on the actual bid price for the proposed improvements at the time the contract is awarded by issuing an amendment to this agreement.
2. CE shall prepare a SWPPP as described in Item 2 above for a lump price of \$1,500.00.
3. CE shall prepare and submit applications for permitting as described in Item 3 above for a lump sum of \$2,500.00
4. CE shall provide services during construction as described in Item 4 above on a time and material basis not to exceed \$96,125.00 based on CE's hourly rates in the general services agreement. The services during construction shall be based on a time allocation of 40 hours PM time for bid administration, 8 hours per day RPR time for construction observation for 5 out of 7 days a week for a 120 calendar day construction contract, 0.5 hours per day PM time for construction administration for 5 out of 7 days a week for a 210 calendar day construction contract, and 30 hours PM time for project close-out. The actual fee shall be adjusted based on the actual length of the calendar day contract for the proposed improvements at the time the contract is awarded by issuing an amendment to this agreement.

_____By initialing here, the Consultant agrees that the above described scope of work represents a complete scope of work consistent with the goals of the Owner and no additional tasks will be needed to accomplish the intent.

It is agreed that the above described work will be completed in accordance with the provisions of the General Services Consulting Contract dated February 4, 2015.

CITY OF PASCAGOULA:

CONSULTANT:

BY: _____

BY: _____

DATE: _____

DATE: _____

EXHIBIT A

PROPOSED MARKET STREET IMPROVEMENTS

BEACH BOULEVARD TO PARSLEY AVENUE



1 - BEACH BOULEVARD TO PARSLEY AVENUE



PREPARED BY
COMPTON ENGINEERING, INC.

EXHIBIT B
Proposed Market Street Improvements
AREA 1 Beach Boulevard to Parsley Avenue

Conceptual Opinion of Cost

| | |
|---|--------------|
| PROBABLE BUDGET ESTIMATE FOR CONSTRUCTION COST | |
| Estimated Construction Cost: | \$ 2,467,516 |

Note: The above probable budget estimate was estimated under Task Order 27 (CE Project No. 213-008.027) and is based on conceptual designs prepared over aerials. This estimate is subject to change as the design progresses and is incorporated into the surveyed conditions.

| | |
|---|-----|
| ESTIMATED PROJECT DURATION BASED ON CONCEPTUAL SCOPE | |
| Estimated Project Duration | 210 |

| PROFESSIONAL SERVICES COST | | | |
|--|---|--|---------------------|
| Item | Description | Unit | Amount |
| 1 | SWPPP | Lump Sum | \$ 1,500 |
| 2 | Utility Permits (MDEQ, MDOH, and JCUA) | Time & Material NTE | \$ 2,500 |
| 3 | Professional Design Services | 40/(log of the Construction Cost)% | \$ 154,406 |
| 4 | Professional Design Services - Concept/Phasing Plan under Separate Contract | Lump Sum | \$ (2,028.57) |
| 5 | Services During Construction | Time allocation of 8 hours per day RPR & 0.5 hours per day PM for 5 days a week for the above estimated project duration with 40 hours PM time for bid administration and 30 hours PM time for project close out | \$ 96,125 |
| TOTAL PROFESSIONAL SERVICES COST: | | | \$ 252,503 |
| SUBTOTAL CONSTRUCTION COST & PROFESSIONAL SERVICES COST: | | | \$ 2,720,019 |
| 10% CONTINGENCY: | | | \$ 272,002 |
| TOTAL CONSTRUCTION & PROFESSIONAL SERVICES COST WITH CONTINGENCY: | | | \$ 2,992,021 |

Note: The above costs are considered order of magnitude and have been prepared without design considerations. The cost may vary minus 25 to plus 25 percent.

COMPTON ENGINEERING, INC.
213-008.052

CONCEPTUAL OPINION OF COST

Councilman Hill made a motion to approve Task Order No. 052 with Compton Engineering, Inc. for the Market Street Redevelopment – Area 1 – Beach Blvd. to Parsley Avenue 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 “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

(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 contract with Government Capital Corporation for the financing of software needed for the Police Department as recommended by Bobby Parker, City Clerk/Comptroller.

Additional information is spread on the minutes as follows:

TO: City Council
FROM: Bobby Parker, City Clerk/Comptroller
DATE: April 5, 2016

Software to be financed: the need for this software is due to our current CAD/RMS software being out dated and unable to meet our current needs. Our current software provider is unable to upgrade their system to meet our current needs. We need to replace our current CAD/RMS system with a system that will perform at the level of our agency and grow as the technology continues to improve.

Councilman Hill made a motion to approve a contract with Government Capital Corporation for the financing of software needed for the Police Department as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

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

The following new business items were considered at this time:

The City Manager requested that the item regarding a work session to discuss the public works and solid waste contracts be removed from tonight’s agenda.

Eddie Williams, City Attorney, requested that the proposed Ordinance to amend Article III to add a new Division 5 – Public Defender be removed from tonight’s agenda.

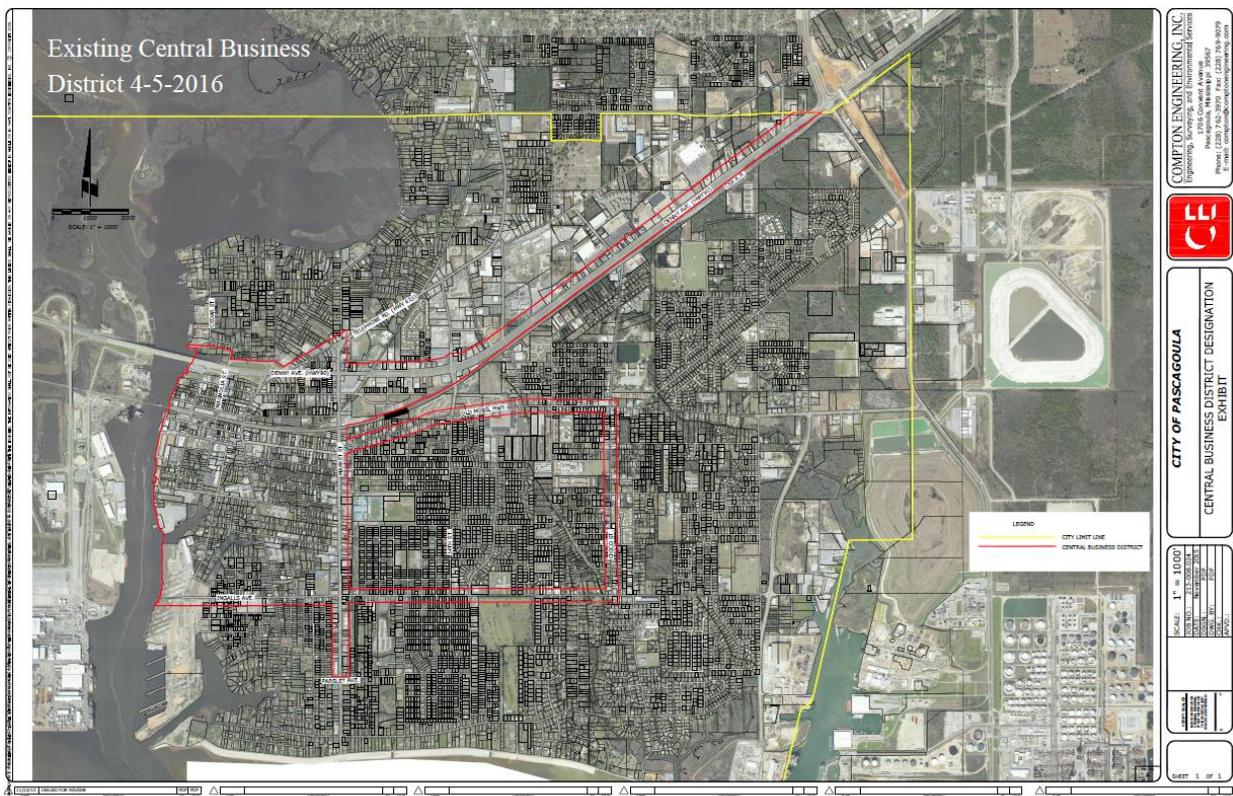
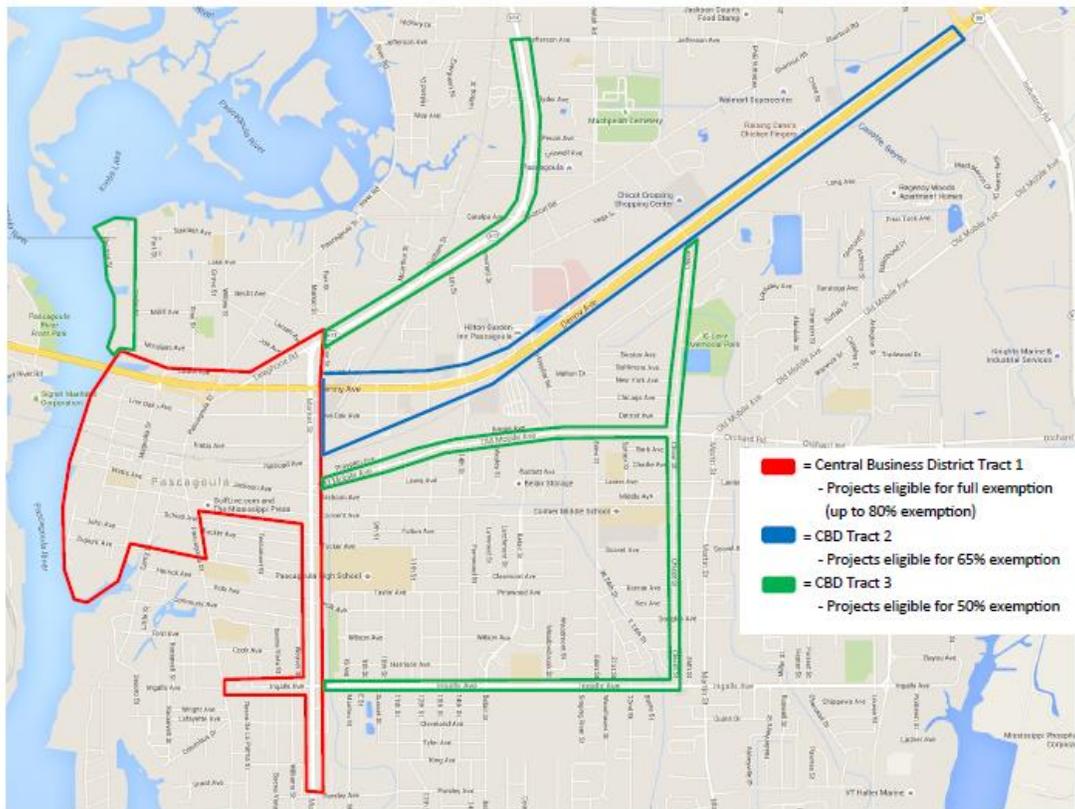
The next item for consideration was an appointment to the Pascagoula Redevelopment Authority (PRA) as presented by Jen Dearman, Community and Economic Development Director. Ms. Dearman advised Jackie Grimes’ term on the PRA will expire on April 18, 2016, and he has expressed an interest in being reappointed. This will be for a five-year term from April 19, 2016.

Councilman Tadlock made a motion to reappoint Jackie Grimes to the Pascagoula Redevelopment Authority for a five-year term effective April 19, 2016. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

Next for consideration were proposed conceptual design revisions to the Central Business District as recommended by Jen Dearman, Community and Economic Development Director. A question and answer session followed. After comments, the Council tabled this item until the meeting of April 19, 2016.

Additional information is spread on the minutes as follows:

Central Business District—2016 Revision



Next for consideration was a cost proposal from Allen Engineering and Science, Jackson, MS, for the Brownfields – Phase II Environmental Site Assessment of the Pascagoula Ice and Freezer Company property as recommended by Jen Dearman, Community and Economic Development Director.

The proposal is spread on the minutes as follows:



6360 I-55 North, Suite 330
Jackson, Mississippi 39211
www.AllenES.com

Phone 601.936.4440
Fax 601.936.4463

VIA ELECTRONIC MAIL (jdearman@cityofpascagoula.com)

March 25, 2016

Ms. Jen Dearman
Director of Community Development
City of Pascagoula
630 Delmas Avenue
Pascagoula, Mississippi 39567

**Re: Cost Proposal – Limited Phase II Environmental Site Assessment
Pascagoula Ice and Freezer Company Property, Pascagoula, Mississippi**

Dear Ms. Dearman:

Allen Engineering and Science (AllenES) is pleased to submit this cost proposal to you and the City of Pascagoula (City) for conducting a limited Phase II Environmental Site Assessment (ESA) at the above-referenced site located at 3708 Pascagoula Street in Pascagoula, Mississippi. The objective of completing this Phase II ESA is to evaluate the presence, nature and/or extent of soil and groundwater impact, if present, associated with five (5) of the six (6) Recognized Environmental Conditions (RECs) identified in draft Phase I ESA findings recently prepared on the subject site (AllenES, March 2016). AllenES proposed scope of work, anticipated schedule, and estimated costs for completing the work are summarized below.

Background

Based on the draft findings from AllenES Phase I ESA, AllenES established the following RECs, including active, controlled (CREC), and historical (HREC) and more generalized Areas of Potential Environmental Concern (AECs) at the subject site.

| REC / AEC Name | Investigation Recommended? |
|---|-----------------------------------|
| REC-1/AEC-1 - Former Ammonia-based Refrigeration System | Yes (soil / groundwater) |
| REC-2/AEC-2 - Former Engine and Compression Operations | Yes (soil / groundwater) |
| REC-3/AEC-3 - Former Foundry Operations | Yes (soil / groundwater) |
| REC-4/AEC-4 –Historical Dry Cleaners (Offsite) | Yes (groundwater only) |
| REC-5/AEC-5 – Undifferentiated Historical Filling Stations and Auto Repair Operations (Offsite) | Yes (groundwater only) |
| CREC-1/AEC-6 - Former/Current Leaking Underground Storage Tank (LUST) Sites (Offsite) | No |
| AEC-7 - Onsite Water Wells | Yes (Not included herein) |

Scope of Work

AllenES will complete focused Phase II ESA soil and groundwater sampling on the interior and exterior of the property proximal to each of the five (5) onsite/offsite RECs of concern. Soil borings will be advanced

Jackson / Hattiesburg / Meridian / Mobile / Atlanta / Houston



predominantly with an all-terrain 7700-series direct-push technology (DPT) drilling rig supplemented with a manually-advanced hand auger. AllenES will utilize field screening techniques (visual and olfactory descriptions, head-space screening with an organic vapor detector (OVD), and Oil Red O testing for the presence/absence of free and residual-phase non-aqueous liquids, if necessary, to assist in identifying worst-case intervals to sample as well as to guide in generalizing the lateral- and vertical-bounding of impact, if present.

AllenES is recommending the uppermost water-bearing zone (UWZ) be sampled at up to five (5) locations using temporary PVC monitor points (TMPs) with 10-slot screens **pre-packed** with 20/40 sand installed with the DPT rig. The well points are anticipated to be installed at depths of up to fifteen feet below land surface (bls). Following well development and then purging each point will be sampled using low stress methods using a peristaltic pump with low density polyethylene tubing or mini bailer. At least three (3) TMPs will be installed to allow for determining the potentiometric surface elevation and direction of flow. Each well will be completed with a man-hole cover encased in concrete. The top of casings and ground elevations will be measured determined. Borings advanced through concrete or asphalt will be replaced as necessary.

Soil samples will be collected in accordance with applicable state/federal guidelines. The number of soil borings, samples and laboratory parameters will be selected based on the nature and extent of potential impact. However, for the purposes of this proposal, AllenES proposes to advance no more than twelve (12) soil borings to depths up to twenty (20) feet bls with TMPs installed into five (5) of the twelve (12) borings that intercept the UWZ. It is assumed that up to ten (10) soil samples will be collected from the advanced borings and five (5) groundwater samples (from TMPs). One (1) sample will be collected from worst case impacted zones around the site and, if necessary, one (1) additional sample may be collected at depth and/or lateral to impact observed in other borings (if applicable) to attempt to vertically- and/or laterally bound impact believed to be below applicable Target Remedial Goals (TRGs) established by the MDEQ's Brownfield's Program (2002). All other sampling will focus on screening for the presence of impact using field screening techniques including visual and olfactory evaluation and headspace testing using a portable OVD. Soil and groundwater samples will be placed in iced coolers and submitted under proper chain of custody documentation to Test America Laboratories or other qualified laboratory for testing of one (1) or more of the following baseline constituents of concern (CoCs):

- Target Compound List (TCL) Volatile Organic Compounds (VOCs) using SW-846 Method 8260
- Ammonia Nitrogen using EPA SW 846 Method 4500F or similar
- Polycyclic Aromatic Hydrocarbons using EPA SW 846 Method 8270 or similar
- Polychlorinated Biphenyls (PCBs) using EPA SW 846 Method 8080
- Resource Conservation and Recovery Act (RCRA) Metals using EPA SW-846 6000/7000 series methods

The actual number of soil samples and laboratory parameters will be determined based on the nature and extent of potential impact identified in the field and real-time communication with and authorizations from the City. For proposal purposes, AllenES has assumed \$200 of analytical testing per soil and groundwater sample (on average) based on a 15 day normal turn-around time. Please note that sampling will target "worst-case" locations or intervals, and be designed to provide an indication of the relative degree of environmental impact at the site as opposed to full delineation of all impact observed onsite. Subsequent assessment activities may be required to characterize the full nature and extent of impact detected.

The results from the focused soil and groundwater sampling will be incorporated into a stand-alone Phase II ESA report that will include a description of sampling activities, a site map illustrating sampling locations, soil



boring logs with well construction information, tables summarizing the soil and groundwater sampling results, a potentiometric surface map, laboratory analytical data sheets along with a comparison of sampling data to applicable regulatory screening standards, and recommendations regarding the findings.

Anticipated Schedule

AllenES is prepared to complete the above-referenced work and reporting within six (6) weeks of receipt of formal authorization to proceed. This schedule assumes we will be able to schedule and mobilize to the site within two weeks of receipt of the authorization to proceed. The above-referenced schedule can be accelerated by expediting the laboratory turn-around time but this will likely result in additional surcharge.

Estimated Costs

AllenES can complete the above-described limited Phase II ESA work for a time and expense (T&E) basis of **Eighteen Thousand Nine Hundred Dollars (\$18,900)**.

This cost estimate does not include any sampling within any of the onsite water supply wells. AllenES is prepared to provide estimated costs for this recommended sampling upon request. AllenES assumes that the land owner and/or the City of Pascagoula will be able to locate buried utilities within the interior of the subject property as AllenES will initiate a MS One Call away from the property. Out of scope items will include, but not be limited to, having to hire a utility finder for within the property as well as needing to spend more than three (3) days onsite for the subsurface investigation.

Closing

If this cost estimate is acceptable, please sign below and return the signed page to our attention via electronic mail. AllenES appreciates the opportunity to submit this proposal to you and the City of Pascagoula. Please call me at (601) 936-4440 or (601) 583-2182 if you have any questions or need additional information.

Sincerely,
Allen Engineering and Science, Inc.

John M. Ryan, RPG, CHMM
Associate Scientist

Jay C. Estes, AICP
Senior Principal Planner & Director of Operations

Authorized on _____, 2016 by _____
Title _____

Councilman Tadlock made a motion to approve the cost proposal from Allen Engineering and Science, Inc. for the Phase II Environmental Site Assessment for the Pascagoula Ice and Freezer Company property as recommended and authorize the City Manager to execute the related documents. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

(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 appointment to the Pascagoula Recreation Commission as presented by Darcie Crew, Parks & Recreation Director. There is a vacancy due to the recent resignation of David Bates. Ms. Crew advised the City received one application from David Blackledge.

Mayor Blevins made a motion to appoint David Blackledge to the Pascagoula Recreation Commission effective April 6, 2016. The motion was seconded by Councilman Tipton and

received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

The next item for consideration was a job description for the Beautification Crew Leader as recommended by Darcie Crew, Parks & Recreation Director. This is a change in the job description and an upgrade from CWC Superintendent (Labor Grade 106) to Beautification Crew Leader (Labor Grade 108).

The proposed job description is spread on the minutes as follows:



**City of Pascagoula
Job Description**

Beautification Crew Leader

| | | | |
|---------------------|--|-----------------------|-----|
| DEPARTMENT: | Parks & Recreation | LABOR GRADE: | 108 |
| EXEMPT(Y/N): | No | POSITION CODE: | |
| REPORTS TO: | Director of Beautification and Maintenance | | |

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 the maintenance of landscaped areas, the general positive appearance of entryways and public green spaces in the City of Pascagoula.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following:

- Provides direct supervision and oversight of the daily maintenance of the beautification and landscaped areas within the City of Pascagoula.
- Oversees the maintenance of all landscaped areas including rights-of-way, roadways, major thoroughfares, medians and green spaces including installation of plants, flowers, shrubbery, trees, mulch and other items to beautify the City.
- Maintains small equipment and minor vehicular repairs.
- Must possess the ability to safely use gardening hand tools and equipment including chainsaws, mowers, hedgers, augers, and tool sharpening equipment.
- Provides training to the beautification staff in the proper and safe use of hand tools and mechanical equipment necessary for the performance of the assigned duties.
- Operates heavy equipment.
- Plans, prioritizes and implements work schedules.
- Completes the necessary paperwork such as work orders, timesheets and material requisitions.
- Briefs Director and makes recommendations on job status and personnel issues.
- Plans and organizes the job, ensuring that sufficient resources and materials are available.
- Maintains assigned equipment and notifies management of repair needs.
- Supervises Beautification Laborers and Seasonal Urban Youth Corps Laborers.

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 directly supervises full-time and part-time laborers on a daily basis and seasonal Urban Youth Corps Laborers.

EDUCATION and/or EXPERIENCE:

A high school graduate or its equivalent. Five (5) to ten (10) years experience in a manual labor supervisory position directly related to outside activities or an equivalent combination of education and experience that results in the required knowledge, skills, and abilities is required.

SPECIAL QUALIFICATIONS:

A state of Mississippi Department of Agriculture and Commerce Commercial Pesticide Applicator Certificate or the ability to obtain one within 12 months of employment is required. The ability to operate a variety of equipment and tools including forklifts, end loaders, mowers, mechanic tools, and trucks is required. A valid Mississippi Class D driver’s license is required.

LANGUAGE AND REASONING SKILLS:

Ability to understand written or oral instructions; read, analyze and interpret complex documents, instruction manuals, policies and procedures is essential. Excellent communication skills are required to effectively present information in a one-on-one and small group setting. Strong interpersonal skills are essential to maintain effective working relationships with others. The ability to work effectively and efficiently, under stressful conditions, to ensure deadlines are met is essential. Must have demonstrated, through prior work experience, the ability to identify and resolve complex issues and problems while adhering to an appropriate policy and procedure.

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.

This position is required to sit, stand, and walk for a sustained period of time; the ability to see and hear; bend and lift up to 100 pounds. Work requires the ability to differentiate between colors, climb, crawl, stoop and possess physical dexterity.

WORKING ENVIRONMENT:

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

This position typically performs work in a poorly lit and inadequately heated and ventilated environment. Observance of safe work practices and avoidance of falls, trips, and similar construction site hazards.

Beautification Crew Leader

2 of 2

Beautification Crew Leader

Councilman Jackson made a motion to approve the job description for Beautification Crew Leader at Labor Grade 108 as recommended. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. (Approved 4-5-16)

The next item for consideration was a job description for Laborer – Beautification (Labor Grade 104) as recommended by Darcie Crew, Parks & Recreation Director. Ms. Crew advised this is a new position which is necessary due to the elimination of the MDOC County Work Center Inmate Program.

The proposed job description is spread on the minutes as follows:



Job Description

Laborer - Beautification

DEPARTMENT: Parks and Recreation **POSITION CODE:**
EXEMPT(Y/N): No **PAY GRADE:** 104
REPORTS TO: Beautification Crew Leader

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 full-time position is responsible for performing routine maintenance work in and around the City of Pascagoula in accordance with all applicable laws and City of Pascagoula policies and procedures.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following:

- Operates a small dump truck to transport sand, clay, soil and supplies.
- Operates a light truck to carry tools, equipment supplies, and crews to and from job sites.
- Operates a tractor with front-end loader and box blades to prepare existing and new landscaped areas; occasionally services and performs minor repairs on automotive equipment.
- Assists in loading and unloading materials and equipment.
- Prepares soil, installs plants, flowers, shrubbery and mulch to landscaped areas; pulls weeds; provides chemical application of weed control as needed.
- Cleans vacant lots and rights-of-way as needed.
- Performs general cleaning and maintenance tasks in and around City facilities;
- Trims tree limbs and bushes and performs general yard work such as mowing and edging;
- Determines the equipment and supplies needed to perform duties.
- Prepares and maintains all types of landscaped areas including rights-of-way, roadway medians, green spaces and major thoroughfares.
- Picks up litter and debris throughout the City; ensures the safety and security of each landscaped areas.
- Any other duties assigned by the Beautification Crew Leader.

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:

Some experience in the operation of automotive equipment, tractors, and trucks; prepares and maintains landscaped areas; maintaining equipment; and completion of a standard grade school course or any equivalent combination of experience and training which provides the required knowledge, skills and abilities.

SPECIAL QUALIFICATIONS:

Knowledge of traffic rules; mechanical aptitude; ability to make minor repairs and adjustments to equipment; dependability; knowledge of skill and semi-skill trades such as, plant types and installation and a valid Mississippi 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. 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. Must have demonstrated, through prior work experience, the ability to identify and resolve problems while adhering to an appropriate policy and procedure.

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 or hear. The employee is also regularly required to stand; walk; sit; and use hands to finger, handle or feel objects, tools or controls. The employee is occasionally required to reach with hands and arms, and to sit; climb or balance and stoop, kneel, crouch or crawl, lift and move heavy objects and operate lawn care equipment. The employee is required to lift objects weighing 50 lbs or more and operate mowers and tractors.

WORKING ENVIRONMENT:

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

The majority of work is performed outdoors in all types of weather conditions. The noise level in the work environment is usually moderate.

Councilman Tipton made a motion to approve the job description for Laborer – Beautification at a Labor Grade 104 as recommended. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”.
(Approved 4-5-16)

The Order for the docket of claims for April 5, 2016, is spread on the minutes as follows:

ORDER

WHEREAS, the attached docket of claims for the period of March 11, 2016, through April 1, 2016, has been presented to the City Council for allowance and approval.

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

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

The above Order was introduced by Councilman Pickett, seconded for adoption by Councilman Tipton, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”. The Mayor then declared the Order adopted on the 5th day of April, 2016.

Eddie Williams, City Attorney, advised no executive session was needed tonight.

Councilman Jackson briefly commented on a “Notice of Funding Availability” from the Southern Rail Commission. He noted the time span is short and stated they are ready to accept applications wherein the City could receive funding to improve our train depot. He encouraged the Council to review the opportunities to support the Gulf Coast Passenger Rail Program.

Councilman Tipton thanked Jen Dearman, Community and Economic Development Director, for the “Possibility Tour” last Saturday.

Councilman Tadlock commented on the campout event sponsored through the Parks & Recreation Department last weekend. Darcie Crew, Parks & Recreation Director, advised they had approximately 120 campers to participate in the event.

Mayor Blevins commented on the additional work at Buffet Bridge on Beach Boulevard. He also thanked staff for the work done at Point Park.

Eddie Williams, City Attorney, advised the Council that last weekend in Oxford, MS, he saw Larry Taylor (former Councilman – Ward 1). Mr. Taylor stated he was doing well in Water Valley and sent greetings to the Council.

There being no further business to come before the Council tonight, Councilman Tadlock made a motion to recess until Tuesday, April 19, 2016, at 6:00 p.m. to transact such business as may lawfully come before the Council. The motion was seconded by Councilman Pickett and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “ABSENT”, Tadlock “AYE”, and Tipton “AYE”.

The meeting ended at 7:16 p.m.

APPROVED:

Harry J. Blevins, Mayor

ATTEST:

Brenda J. Reed, Assistant City Clerk