

REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, AUGUST 2, 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, August 2, 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.
Councilwoman Brenda Simkins
Councilman David Tadlock
Councilman Scott Tipton

City Manager Joe Huffman
City Attorney Eddie Williams
Asst. City Clerk Karen Kennedy
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 Jackson.

Opening remarks were made by several members of the Council. Mayor Blevins recognized a Mayor's Youth Council member, Gracie Usher. Councilman Tadlock stated a public service announcement will be going out concerning recycling. The recycling bins will be distributed over the next few weeks with information detailing what types of articles can be recycled. The Mayor announced two (2) new businesses opening in the City, Delicious Donuts on 14th Street and Metro Beauty on Denny Avenue. Also, he stated all City projects are continuing and on schedule. Councilman Tadlock asked that a link be included on the new city website allowing the public to check the progress of the City projects.

Mr. James Colmer, representing the Pascagoula High Quarterback Club, addressed the Council on ways the booster club plans to encourage the public to attend to the football games. He asked for authorization to shoot a single firework each time the football team scores either a touchdown or field goal during the game. He also presented a Fire Safety Plan approved by Donnie Carlson, Fire Chief. Additional information is spread on the minutes as follows:

JAMES H. COLMER, JR.
2017 BEACH BOULEVARD
PASCAGOULA, MISSISSIPPI 39567
228-762-8021 (OFFICE) • 228-218-1528 (CELL)

July 27, 2016

Honorable Jim Blevins
Mayor
City of Pascagoula
603 Watts Avenue
Pascagoula, MS 39567

Council Members
City of Pascagoula
603 Watts Avenue
Pascagoula, MS 39567

RE: Fireworks at PHS Home Football Games

Dear Mayor Blevins and Council:

I am a member of the Pascagoula Quarterback Club and we are finalizing a number of ideas for the 2016 season to make games more exciting and draw more fans to the games. One of the ideas from last year, which we never pursued, was shooting a single firework when PHS scores. Other teams use cannons, sirens, fireworks, etc. to celebrate their team scoring and the firework idea actually came from the PHS C-Spire game in Pascagoula a couple of years ago when fireworks were launched from the youth league baseball fields.

I am attaching a copy of a safety and security plan I am submitting to Chief Carlson and Fire Inspector Troy Whitmore for approval. (The plan, as well as the type of fireworks proposed, will be modified if changes are requested by the fire department.) However, we also need the City's approval.

In that regard, I am requesting the City ordinance prohibiting fireworks within the City limits be waived for the following dates and times:

| | |
|--------------|-----------------------------------|
| August 19 | vs. Moss Point |
| August 26 | vs. Ocean Springs |
| September 9 | vs. George County |
| September 23 | vs. Long Beach |
| October 7 | vs. West Harrison |
| October 21 | vs. Pearl River Central |
| November 11 | Possible Playoff Game |
| November 18 | Possible Playoff Game |
| November 25 | Possible South State Championship |

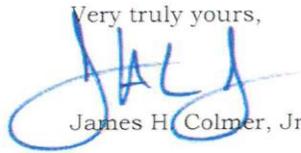
Letter to Mayor Jim Blevins
and Council Members
July 27, 2016
Page Two

The games begin at 7:00 p.m. and are generally concluded by 9:30 p.m. In the event that weather conditions are not conducive to shooting fireworks, in the event the fire department advises us not to shoot the fireworks, or in the event the City advises us not to shoot the fireworks, we will obviously comply.

Should you have any questions or need any additional information, please feel free to give me a call at any time. Thank you for considering this request.

With best regards, I remain

Very truly yours,

A handwritten signature in blue ink, appearing to read "JHC", with a large, stylized flourish underneath.

James H. Colmer, Jr.

JHCjr/dar
cc: Eddie Williams, Esq.

PHS FOOTBALL
FIREWORKS SAFETY & SECURITY PLAN

1. The fireworks are single shot Class C fireworks available for purchase by any of us, launched from a heavy plastic tube provided with the package of fireworks.
2. The proposed location is inside the youth (baseball) league gate on Tucker Street. According to Google Earth, that location is approximately 400 feet from the closest edge of the football stands, approximately 335 feet from the closest house to the east, and approximately 425 feet from the closest house to the north. The surface inside the gate is concrete.
3. The fireworks would be ignited using a standard long reach lighter.
4. The fireworks would remain in the packaging and only one (1) would be removed at a time so only one (1) would be at the location inside the youth league gate at any time. The package with the remainder of the fireworks would remain locked in my truck parked along the fence along Tucker Street.
5. A fire extinguisher approved by the fire department would be on hand in the event it were needed.
6. The heavy plastic tube from which the fireworks are shot would be screwed to either a 4 x 4 or 2 x 2 piece of plywood to prevent tipping over.
7. The single firework in the area inside the gate would never be left unattended. Selected adult members of the Quarterback Club, including myself, would be in charge of the fireworks.
8. No one will be inside the youth league gate with the exception of the selected adult member(s) of the Quarterback Club.
9. There will be no fireworks shot at half-time or at the end of the game, only a single shot when the football team scores.

Councilman Tipton made a motion to waive Section 30-71 of the Code Ordinances prohibiting the discharge of fireworks in the City. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

Mr. Steve Mitchell with Habitat for Humanity of the Mississippi Gulf Coast extended a formal invitation to the Council to attend an upcoming meeting to learn about the Hardest Hit Fund Blight Elimination Program on Wednesday, August 31, 2016, beginning at 1:30 p.m. – 3:00 p.m. at their office located at 2214 - 34th Street, Gulfport, Mississippi.

Ms. Laura Cooley addressed the Council with concerns regarding Market Street. The Mayor thanked Ms. Cooley for coming tonight.

Mr. Al Brimm and Mr. Jay Spradlin with the Pascagoula Recreation Commission stated that they have been working on several projects in the Parks and Recreation Master Plan so that they can move forward with a plan to fund them with the 2% prepared food tax. The plans include improved lighting, parking, improvements to the entrances to the soccer field, baseball, and softball fields, additional restrooms, concession stands, batting cages, etc. The plan also includes improvements to the tennis courts, adding on to the skate park and making a cross country trail. The Commission plans to have pamphlets printed to educate the public on the upcoming special election. They will also be meeting with the football, baseball and soccer coaches from Pascagoula High and Resurrection to get their support. The Mayor asked the Commission to meet with the restaurant owners to help them understand the referendum as well as getting their feedback. The Mayor thanked Mr. Brimm and Mr. Spradlin for coming tonight.

PUBLIC HEARINGS – RESOLUTION FOR PROPERTY CLEANUP:

A public hearing was held at this time for a property cleanup matter at 2704 Canty. Donovan Scruggs, City Planner, provided the Council with an update on each parcel. The property owner was not in attendance due to an illness.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated June 7, 2016, this Council authorized giving notice to the owners of this parcel of land listed in Exhibit A of a hearing before this Council at 6:00 P.M., July 5, 2016, to determine whether the parcel listed is in such a state of uncleanliness as to be a menace to the public health and safety of the community; and

WHEREAS, notice of the hearing has been given in the manner and time required by law; and

WHEREAS, this matter was continued at the July 5, 2016, meeting until August 2, 2016; and

WHEREAS, the Council has received evidence from the staff of the City as to the condition of the parcel listed and the owners have been given an opportunity to be heard; and

WHEREAS, we find that the parcel of land listed in the exhibit is in such a state of uncleanliness as to be a menace to the public health and safety of this community:

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

SECTION 1. That the parcel of land listed in Exhibit A is hereby found and determined to be in such a state of uncleanliness as to be a menace to the public health and safety of the community.

SECTION 2. That, if the parcel is not cleaned by the owners within seven days of this date, the City Manager, by use of City personnel or a private contractor, shall have the parcel cleaned by removing any dilapidated buildings thereon, removing any standing water, by cutting any excess vegetation thereon, and by removing rubbish and debris. Thereafter, this Council shall adjudicate the actual cost of cleaning the parcel and such costs shall be an assessment against the parcel.

EXHIBIT A

| Tax Parcel Number and <u>Property Address</u> | Owner(s) and <u>Mailing Address</u> | Described at the following Jackson County, MS, <u>Deed Books and Pages</u> |
|--|---|---|
| 41585030.000 2704 Canty | Mary F. Culpepper and Thomas B. Culpepper 2215 Taylor Street Pascagoula, MS 39567 | Deed Book 1314, Page 367 |

The following action was taken by the City Council:

2704 Canty: Councilwoman Simkins made a motion to “CONTINUE” the property cleanup hearing for 2704 Canty until the Council meeting of September 6, 2016. The motion was seconded by Councilman Tadlock and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

A public hearing was held at this time for property cleanup matters at 1900 Denny Avenue and 3106 Louise Street. Donovan Scruggs, City Planner, provided the Council with an update on each parcel. One of the property owners was present and made comments.

The Council then considered the following Resolution:

RESOLUTION

WHEREAS, by order dated July 5, 2016, this Council authorized giving notice to the owners of the parcels of land listed in Exhibit A of a hearing before this Council at 6:00 P.M., August 2, 2016, to determine whether the parcels listed are in such a state of uncleanliness as to be a menace to the public health and safety of the community; and

WHEREAS, notice of the hearing has been given in the manner and time required by law; and

WHEREAS, the Council has received evidence from the staff of the City as to the condition of the parcels listed and the owners have been given an opportunity to be heard; and

WHEREAS, we find that the parcels of land listed in the exhibit are in such a state of uncleanliness as to be a menace to the public health and safety of this community:

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

SECTION 1. That the parcels of land listed in Exhibit A are hereby found and determined to be in such a state of uncleanliness as to be a menace to the public health and safety of the community.

SECTION 2. That, if the parcels are not cleaned by the owners within seven days of this date, the City Manager, by use of City personnel or a private contractor, shall have the parcels cleaned by removing any dilapidated buildings thereon, removing any standing water, by cutting any excess vegetation thereon, and by removing rubbish and debris. Thereafter, this Council shall adjudicate the actual cost of cleaning the parcels and such costs shall be an assessment against the parcels.

EXHIBIT A

| <u>Tax Parcel Number and Property Address</u> | <u>Owner(s) and Mailing Address</u> | <u>Described at the following Jackson County, MS, Deed Books and Pages</u> |
|--|---|---|
| 41703527.000 1900 Denny Ave. | Michael D. Haydel 2045 East Pass Road Gulfport, MS 39507 and Gerald W. Haydel P.O. Box 1891 Gulfport, MS 39502 (Footnote 1) | Deed Book 1480, Page 328 |
| 40208090.000 3106 Louise St. | Darshana S. Patel 6007 Hwy 90 Pascagoula, MS 39567 and Anjana Patel 6007 Hwy 90 Pascagoula, MS 39567 (Footnote 2) | Deed Book 1611, Page 296 |

PARTIES WITH INTEREST

Footnote 1: -Gene Whitehurst, P.O. Box 91, Pascagoula, MS 39568

Footnote 2: -Pushpaben Patel, 6007 Hwy. 90, Pascagoula, MS 39567
-Sanjay Patel, 6007 Hwy. 90, Pascagoula, MS 39567

The following action was taken by the City Council.

1900 Denny Avenue: Councilman Tadlock made a motion to adopt the Resolution for 1900 Denny Avenue as recommended. It was further clarified that the sign is a non-conforming structure as a result of Section 8.3.d and 8.5.c of the ??? as well as causing a safety issue. The motion was seconded by Councilman Tipton and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

3106 Louise Street: Councilwoman Simkins made a motion to “CONTINUE” the property cleanup hearing for 3106 Louise Street until the Council meeting of September 6, 2016. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The following consent agenda items were considered at this time:

The first item for consideration was a request to adopt and approve the minutes of the recessed regular Council meeting of July 19, and special call meeting of July 25, 2016, as recommended by Karen Kennedy, Asst. City Clerk.

Councilman Hill made a motion to adopt and approve the minutes of the recessed regular Council meeting of July 19, and special call meeting of July 25, 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 “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

Minutes of the Pascagoula Redevelopment Authority meetings of June 6 and 30, 2016, were acknowledged by the Council.

Minutes of the Recreation Commission meeting of June 1, 2016, and approved by the Pascagoula Recreation Commission on July 6, 2016, were acknowledged by the Council.

The next item for consideration was the approval authorizing the use of four (4) Police vehicles as unmarked in accordance with section 25-1-87 of the Mississippi Code of 1972, as amended, as indicated, as recommended by Kenny Johnson, Police Chief.

Councilman Hill made a motion to approve authorizing the use of four (4) Police vehicles as unmarked in accordance with section 25-1-87 of the Mississippi Code of 1972, as amended, as indicated, as recommended. The motion was seconded by Councilman Jackson and received the

following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

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

The next item for consideration was a request to approve the postage funds in the amount of \$3,000 for the direct debit/postage-on-call meter setting services with Neo-Post, as recommended by Karen Kennedy, Asst. City Clerk.

Councilman Hill made a motion to approve postage funds of \$3,000 for the direct debit/postage-on-call meter setting services with Neo-Post, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The next item for consideration was a request to approve authorizing the submission of the CDBG FY2016 Action Plan to the U.S. Department of Housing and Urban Development, as recommended by Jen Dearman, Community and Economic Development Director and authorize the Mayor to execute documents associated with the CDBG FY2016 Action Plan. Funding associated with the Action Plan is approximately \$179,527 for which no match is required.

Councilman Hill made a motion to approve authorizing the submission of the CDBG FY2016 Action Plan to the U.S. Department of Housing and Urban Development, as recommended and authorize the Mayor to execute related documents. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The next item for consideration was a request to accept and approve the Parks and Recreation Fee Schedule, as recommended by Darcie Crews, Parks and Recreation Director.

Councilman Hill made a motion to accept and approve the Parks Recreation Fee Schedule as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The next item for consideration was the adoption of an Ordinance to amend Section 58-31 of the Code of Ordinances to increase the number of commissioners serving on the Recreation Commission to 13 members, as recommended by Eddie Williams, City Attorney.

The Ordinance 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

July 28, 2016

Schedule of Vehicles: Request to use Police vehicles as unmarked

| Asset # | Year | Make | Model | VIN# |
|----------------|-------------|-------------|--------------|-------------------|
| 15327 | 2016 | FORD | ESCAPE | 1FMCUOE75GUA60506 |
| 15328 | 2016 | FORD | ESCAPE | 1FMCUOF7XGUA42471 |
| 15329 | 2016 | FORD | F150 | 1FTEW1EF7GRB02958 |
| 15336 | 2013 | TOYOTA | TACOMA | 5TFLU4EN3DX070232 |

ORDINANCE NO. _____ - 2016
CITY OF PASCAGOULA, MISSISSIPPI

AN ORDINANCE TO AMEND SECTION 58-31 OF THE CODE OF ORDINANCES OF THE CITY OF PASCAGOULA TO INCREASE THE NUMBER OF COMMISSIONERS SERVING ON THE RECREATION COMMISSION; TO PROVIDE AN EFFECTIVE DATE; AND FOR RELATED PURPOSES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA THAT SECTION 58-31 OF THE CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS:

SECTION 1: There is hereby created a Recreation Commission in and for the City which shall consist of 13 members who are to be appointed by the City Council. Each member shall be a qualified elector of the City and shall not hold any other municipal office.

SECTION 2: In order that vacancies on the Recreation Commission may be filled as expeditiously as possible, this ordinance shall become effective 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 "AYE", Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE. (Approved 8-2-16)

Passed this the 2nd day of August, 2016.

APPROVED:

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

ATTEST:

/s/ Karen Kennedy
Asst. City Clerk

The next item for consideration was a request to approve advertising the resources of the City through the Mississippi Gulf Coast Blues Commission 25th Annual Blues and Heritage Festival on September 9, 2016, with a Bronze Package in the amount of \$500.00, as recommended by Eddie Williams, City Attorney.



**Mississippi Gulf Coast Blues Commission, Inc.
P.O. Box 1129, Gautier, MS 39553**



7/19/2016

Mayor Jim Blevins
P.O. Drawer 908
Pascagoula, MS 39568

Dear Mayor,

Thank you and the Pascagoula City Council very much for the matching funds provided for the Mississippi Blues Trail Marker. We have provided information to the Blues Historian and the Marker is being processed. I have also corresponded with Mrs. Brenda Simkins and asked that she assist with planning the official unveiling ceremony. The ceremony is set for 12:00 noon, September 9, 2016 at the Jackson County Fairgrounds. I'm certainly depending on your presence and participation as we commemorate the unveiling.

Mayor Blevins, on behalf of the Commission, I'm asking the City of Pascagoula to participate as a sponsor for this for 25th Year "Silver Anniversary". It is our desire to include artists from North Mississippi that are already recognized on the MS Blues Trail. The original Country Hill Side Blues Genre is something often overlooked on the "Gulf Coast". However, the diversified selection of entertainers should be appealing to all festival attendees: Eddie Cotton Jr., Mark "The Muleman" Massey and Kent Burnside and others. These guys have also participated in the Mississippi Blues Challenge as well as won International Blues competitions.

Please find attached an information sheet detailing the levels of sponsorship and the benefits associated with each level. Please complete and return the attached form by August 5, 2016. Remember, a portion of the proceeds from the Festival is used to support youth organizations. This year our goal is to present a \$1000.00 Scholarship to a promising Music Major.

Remember to save the dates for the unveiling ceremony, this is not only a "Jackson County" event but a "Mississippi" event. Also, help celebrate the 25th Year "Silver Anniversary", on Saturday, September 10, 2016. For more information, please call or email me at 228-282-0951 or powens1257@icloud.com.

Yours in preserving the legacy of Blues music,

Phyllis Owens

Phyllis Owens, President
Mississippi Gulf Coast Blues Commission, Inc.



Mississippi Gulf Coast Blues Commission, Inc.

P.O. Box 1129, Gautier, MS 39553



2016 ANNUAL BLUES FESTIVAL

LEVEL AND SPONSORSHIP BENEFITS

| LEVEL | Platinum | Gold | Silver | Bronze |
|------------------------------|-----------|-----------|-----------|-----------|
| CONTRIBUTION (min) | \$5000 | \$2500 | \$1000 | \$500 |
| SPONSORSHIP LEVELS AVAILABLE | Four | Unlimited | Unlimited | Unlimited |
| NO OF FESTIVAL TKTS | 12 | 8 | 5 | 3 |
| BANNER STAGE AREA | Selected | Prominent | Inner | Outer |
| BOOTH SPACE | Yes | Yes | Yes | Yes |
| PROGRAM AD | Full Page | Full Page | Full Page | Full Page |
| NAME ON FLYERS | Yes | Yes | Yes | No |
| MENTION IN PRESS | Yes | Yes | Yes | No |

Your sponsorship is critical to the success of the Blues Festival; please show your support by being a sponsor. Thanks for your consideration of our request for sponsorship.

2016 Mississippi Gulf Coast Blues & Heritage Festival Sponsorship Benefits Form

() Platinum \$ _____ () Gold \$ _____ () Silver \$ _____ () Bronze \$ _____

Sponsor's name _____

Mailing Address _____

Name of person to contact _____

Telephone () _____ Fax () _____

Email _____

Please make your check payable to Mississippi Gulf Coast Blues Commission, Inc., and send this completed form with the check to:

Mississippi Gulf Coast Blues Commission, Inc.
P.O. Box 1129
Gautier, MS 39553

For further information contact Phyllis Owens (228) 282-0951 powens1257@icloud.com or Addie Brent (228-497-5493)

Councilman Hill made a motion to approve advertising the resources of the City through the Mississippi Gulf Coast Blues Commission, a non-profit corporation that has qualified as a 501(c)(3), at the 25th Annual Blues and Heritage Festival on September 9, 2016, with a Bronze Package in the amount of \$500.00, as recommended. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins “AYE”, Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE. (Approved 8-2-16)

The next item for consideration was a Resolution authorizing the transfer of certain assets to Jackson County and removal from City of Pascagoula inventory, as recommended by Police Chief Kenny Johnson.

The Resolution is spread on the minutes as follows:

**RESOLUTION AUTHORIZING THE TRANSFER OF ASSETS
TO JACKSON COUNTY AND REMOVAL FROM
CITY OF PASCAGOULA INVENTORY**

WHEREAS, the City of Pascagoula has acquired a Go-Devil Surface Drive Boat bearing identification number ICN12535 and hull identification number GDVO2889G606; and

WHEREAS, the above referenced boat has been in the City's inventory for approximately 10 years and maintained as an asset of the Police Department; and

WHEREAS, due to its configuration and the manner in which the propulsion gear is mounted on the boat, the boat has proven to be of limited utility to the City and has ceased to be of any economic value for the operations of the Pascagoula Police Department, or the City of Pascagoula; and

WHEREAS, the City has received a formal request from Sheriff Mike Ezell of the Jackson County Sheriff's Department for the transfer of the boat to his agency, as reflected in the letter attached hereto as an exhibit; and

WHEREAS, in exchange for the transfer of the boat, the City will receive a utility trailer that can be used by the Police Department for the transport of motorcycles to be repaired and for other purposes during times of emergencies; and

WHEREAS, the relative values of the two assets are nearly equal given their present condition; and

WHEREAS, pursuant to Section 31-7-13 (m)(vi) of the Mississippi Code, intergovernmental sales and transfers of assets are allowed notwithstanding the transfers may not be exactly equal in fair market value; and

WHEREAS, the City Council finds that the need for the boat for use by our Police Department is minimal, while the utility trailer will greatly enhance the ability of the Police Department to transport motorcycles and other equipment for maintenance and repair purposes and during emergencies; and

WHEREAS, Jackson County has heretofore transferred the utility trailer to the Pascagoula Police Department for its use for such purposes and it would be beneficial for the City to transfer the above described boat to Jackson County for its use in rescue operations in shallow water areas throughout Jackson County:

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

SECTION 1. The matters set forth in the foregoing preambles are hereby ratified and found to factual.

SECTION 2. The City Manager is authorized to transfer to Jackson County the Go-Devil Surface Drive Boat described in the first preamble to this resolution and any accessories needed for its operation.

SECTION 3. The City Clerk/Comptroller, once the transfer of the boat is made to Jackson County, shall cause the same to be removed from the City's active inventory.

SECTION 4. The afore-referenced utility trailer which has been received from Jackson County in exchange for the boat, shall be added to the inventory and an inventory tag issued therefor.

SECTION 5. The transfer of the boat and associated equipment needed for its operation, shall take place as soon as may conveniently be done upon the passage of this resolution.

The above Resolution was introduced by Councilman Hill, seconded for adoption by Councilman Jackson, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 2nd day of August, 2016.

The next item for consideration was a request to extend the current Motorcycle Lease Agreement with Bruce Rossmeyer's Daytona Harley-Davidson of Ormond Beach, Florida, under the same terms and conditions, as recommended by Kenny Johnson, Police Chief. The agreement is for twenty-four (24) months at \$425.00 per bike per month for five (5) 2017 FLHTP Electra Glide police motorcycles. The contract dates will be December 1, 2016 through November 30, 2018. Vendor concurs.



BRUCE ROSSMEYER'S
HARLEY-DAVIDSON
POLICE & FLEET SALES

Barry T. Kuhnly
Manager

July 1, 2016

Capt. Shannon Massey
Pascagoula Police Department
611 Live Oak Avenue
Pascagoula, MS 39567

Dear Capt. Massey:

Thank you for taking the time from your busy schedule to speak with me and discuss topics of mutual interest regarding the current fleet and related topics. Please accept this letter as a follow-up to our conversation and an open proposal offered for your review and consideration.

As you are aware the current police motorcycle lease agreement is due to expire November 30, 2016. It has an option to renew upon mutual consent.

Daytona Harley-Davidson is prepared to make the following offer.

1. Renew the current lease agreement for an additional two years under the same terms and conditions for five - 2017 FLHTP Electra Glide police motorcycles solid black in color for \$425.00 per bike per month, (December 1, 2016 to November 30, 2018).
2. Remove the police emergency equipment, saddlebag rails, and radar from the 2015 model year motorcycles to the 2017 model year motorcycles for \$1200.00 per motorcycle.
3. Install standard grips of your choice for \$100.00 per motorcycle.
4. Install performance mufflers of your choice for \$500.00 per motorcycle.
5. Should you need worn tires replaced on any of the turn in motorcycles the cost would be \$325.00 for a rear tire and \$275.00 for a front tire. This price includes installation.

Daytona Harley-Davidson • 1637 North US Hwy 1 • Ormond Beach, FL 32174
Cell: 954.257.2073 • Fax: 386.671.7077 • E-mail: bkuhnly@brhd.com



A simple letter of intent or email from your office is all that is required to place an order with The Motor Company for the new motorcycles. I should have this letter by August 1, 2016 so that the bikes can be received in a timely manner.

Once again, Daytona Harley-Davidson will make reservations at the hotel on the property for your officers to spend the night while we exchange the equipment from one bike to the next.

If you have any further questions please feel free to contact me at any time.



Barry T. Kuhnly
Manager, Police and Fleet Sales
Rossmeyer Daytona Motorcycles Inc.
DBA Daytona Harley-Davidson
1637 North US Highway 1
Ormond Beach, FL 32174
Phone: 954-257-2073
Email: bkuhnly@brhd.com



Councilman Hill made a motion to approve extending the current Motorcycle Lease Agreement with Bruce Rossmeyer's Daytona Harley-Davidson of Ormond Beach, Florida, as recommended. The contract dates will be December 1, 2016 through November 30, 2018. Vendor concurs. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE", Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE. (Approved 8-2-16)

Minutes of the Historic Preservation Commission meeting of June 22, 2016, were acknowledged by the Council.

The following new business items were considered at this time:

The first item for consideration was a presentation by Ravin Floyd, Public Relations Specialist, explaining a new Citizen Recognition Program, *Flagship Award*. Mrs. Floyd stated the program will acknowledge and honor citizens whose efforts and achievements help make Pascagoula a great place to live, work and play. It will be awarded bi-annually during the first meetings in May and November. Citizens can make recommendations to the City Council on who should be nominated. The Council will nominate citizens each month based on a list of nominees. The Council will decide on who will receive the Flagship Citizens Award.

The next item for consideration was the appointments to the Recreation Commission as presented by Darcie Crew, Parks and Recreation Director. City Manager, Joe Huffman advised there are currently three (3) positions vacant after the Council adopted the Ordinance creating a 13- member Commission tonight. Two applications have been submitted for consideration and the City will advertise to fill the third vacant position.

Councilman Simkins made a motion to appoint James H. Colmer, Jr. to the Pascagoula Recreation Commission. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 8-2-16)

Councilman Jackson made a motion to appoint Joseph J. Davis to the Pascagoula Recreation Commission. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 8-2-16)

The next item for consideration was an appointment to the Municipal Election Commission, as presented by Eddie Williams, City Attorney. Mr. Williams advised Mr. Mike Murphy resigned his position due to an issue with his current work schedule, effective immediately.

Councilman Tadlock made a motion to appoint Ms. Debbi McCallam to fill the vacant position on the Municipal Election Commission, 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 “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The next item for consideration was to approve the Residential Central Business District Tax Exemption Policy, as presented by Jen Dearman, Community and Economic Director.



2016

Pascagoula Central Business District Residential Tax Exemption:

Utilizing Miss. Code Ann. 27.31.31, the Pascagoula Central Business District (CBD) Residential Tax Exemption Policy was established to promote private investment and economic growth within the City of Pascagoula. The Exemption will allow for up to an 100% exemption of municipal ad valorem taxes (excluding School Taxes) for up to ten (10) years for residential developments including new structures and improvements to existing structures located within the CBD. The exemption is for the increase in City ad valorem taxes caused by the new construction or renovation of existing structures.

Residential Tax Exemption Facts:

- The tax exemption may be granted for up to 100% and may last up to ten (10) years.
- The residence must be located within the boundaries of the CBD. City staff can assist you in making this determination. See Exhibit A for a description of the CBD and map.
- The investment must be at least \$150,000. This includes cost of renovations or new construction.
- This Exemption can apply to a new residence or an existing residence. It includes remodeling or improving an existing residence or constructing a new residence. The tax exemption is transferrable. If during the exemption period, new ownership of the residence occurs, the terms of the original exemption will carry over to the new owner for the unexpended portion of the exemption period.
- If your residence is to be located in a historic district, additional steps may be required. These will be handled on a case-by-case basis.

How to Apply:

An application for residential tax exemption in the CBD is enclosed (Exhibit B). Complete this application **PRIOR** to beginning construction or renovation. After submitting a building permit application to the Planning and Building Department, tax exemption applications should be submitted to the Community and Economic Development Department.

The Residential Tax Exemption Policy is structured to provide the City Council complete discretion for approving each application up to 100% for up to ten years. The City strives to leverage this incentive to facilitate reconstruction and redevelopment that have been and continue to be affected by the current economic climate and high cost of insurance. In order to maximize the potential of this opportunity, the City staff will consider the criteria below when recommending the level and term of a tax exemption. The Director of Community and Economic Development as well as the Director of Planning and Building will evaluate applications. Based on these evaluations and discussion with the City's Economic Development Team, the Community and Economic Development Director will make the specific recommendation to City Council.

The following point system will be used in staff evaluations:

- Investment – 10 points
 - Value of project costs
 - Projected increased assessed value of finished product
- Community need for development – 10 points
 - Period of time the building or site has been vacant
 - Whether or not the development location is identified as a target for redevelopment by the Urban Renewal Plan (<http://cityofpascagoula.com/publications>)
- Aesthetics and Landscaping – 10 points
 - Degree of landscaping and aesthetic qualities

Total Possible Score – 30 points

For more information, contact: **Jen Dearman**
Community and Economic Development Director
228-938-6651
jdearman@cityofpascagoula.com

Exhibit A

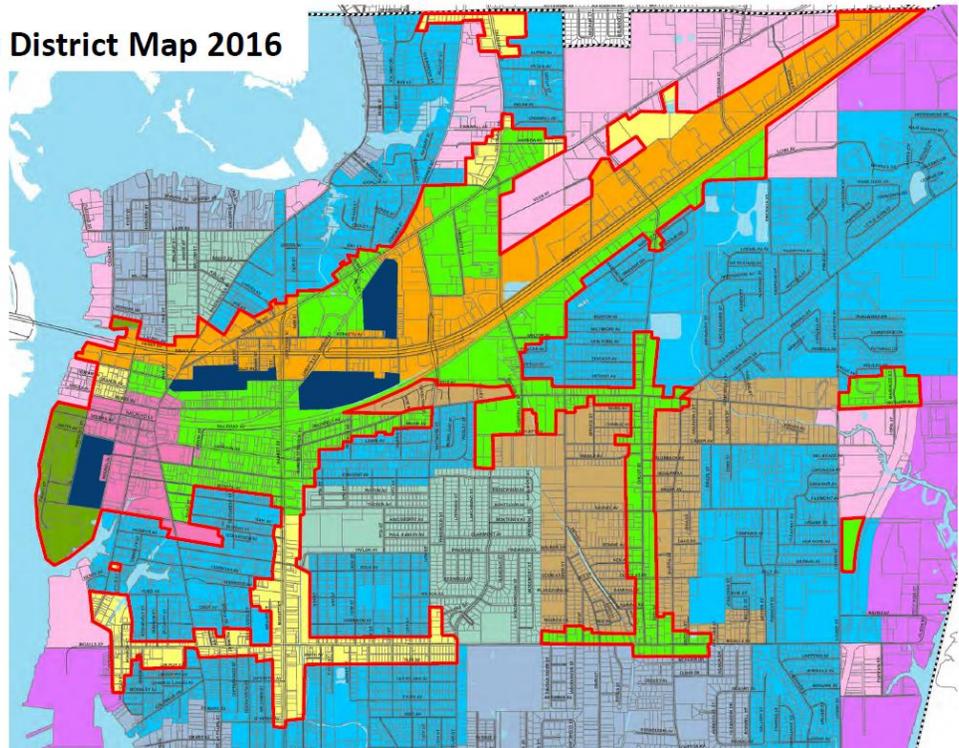
Central Business District Map 2016

The Central Business District (CBD) is designated as parcels of land lying within the Community Commercial (CC), Downtown (DT), Neighborhood Commercial (NC), Regional Commercial (RC), and certain Waterfront Mixed Use (WMU) Zones.

These areas have been outlined in red below and on the map. The CBD excludes dark blue shaded areas.

2016 Zoning Map

- Legend**
- City Limits
 - roads
 - jpa0416
 - water
- Zoning**
- <all other values>
- PropZoning**
- CC
 - DT
 - HI
 - LI
 - RM



Name of Applicant: _____

Applicant Address: _____

City, State, Zip Code: _____

Phone: _____ Fax: _____

Email: _____ Is this an existing residence? YES NO

Project Address: _____

Value of Renovation/Construction Costs: \$ _____

Projected value of finished product: \$ _____

How long has the building/site been vacant? _____ Is the development in the CBD? YES NO

Is the development in the Urban Renewal Area? YES NO

Is it a targeted Urban Renewal Area property? YES NO

Building and landscaping plans are required to evaluate a residential tax exemption application. Please submit these to the Director of Planning and Building once developed.

By signing below, I hereby confirm that I am an authorized representative of the applicant and that the information provided is truthful to the best of my knowledge. Furthermore, I understand that this tax exemption will be approved or denied, or the exemption term or amounts reduced at the sole discretion of the City Council of the City of Pascagoula as per the Order by which the tax exemption policy was established.

Signature of Applicant: _____ Date: _____

After discussion, Councilwoman Simkins made a motion to approve the proposal with the inclusion of a modification that differentiates the investment threshold for a renovation to a minimum of \$75,000.00. The motion was seconded by Councilman Pickett and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. (Approved 8-2-16)

The next item for consideration was the Order for Docket of Claims as follows:

ORDER

WHEREAS, the attached docket of claims for the period July 15, 2016, through July 29, 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 Tipton, seconded for adoption by Councilman Jackson, and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”. The Mayor then declared the Order adopted on the 2nd day of August, 2016.

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

Councilman Tadlock made a motion to go into executive session for the purpose of discussing the potential Section 42 litigation, JCUA legal matters, location of a business and establish just compensation for Hospital Road project. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins “AYE”. Councilmen Hill “AYE”, Jackson “AYE”, Pickett “AYE”, Simkins “AYE”, Tadlock “AYE”, and Tipton “AYE”, after which the Mayor announced to the public and to 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.

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PASCAGOULA, MISSISSIPPI, AUTHORIZING
REVISED JUST COMPENSATION FOR A CERTAIN PARCEL
NEEDED FOR THE HOSPITAL ROAD PROJECT**

WHEREAS, the City of Pascagoula is presently engaged in certain improvements to Hospital Road south of Highway 90, the same being designated as STP-8971-00(005)LPA/ 106448-701000 (Project); and

WHEREAS, the Project calls for the acquisition of a number of parcels of land for rights-of-way; and

WHEREAS, by Resolution dated the 3rd day of May, 2016, the City Council did set just compensation for the various parcels needed for the Project; and

WHEREAS, it is necessary to revise compensation to adjust for a certain negotiated settlement with property owners in order to avoid litigation; and

WHEREAS, an offer has been made by Mark Dye, the acquisitions agent for the Project, to property owners for the parcel identified herein on the basis of values which were established by the Council pursuant to the Resolution of May 3, 2016, and the offer was countered and negotiated by the property owners and Mark Dye resulting in the offer in the amount set forth hereinbelow, contingent on the approval by the City Council of the City of Pascagoula; and

WHEREAS, the City Council finds that it is necessary to the Project and in the best interest of the City that the negotiated offer be approved, the same being reasonable, in order to avoid litigation for the acquisition of same:

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

SECTION 1. That the findings and recitals in the above preambles are hereby declared and found to be true and correct.

SECTION 2. That the Mayor and Mark Dye are hereby authorized to acquire the right-of-way from the owners together with all other parties in interest for reasonable compensation based on the below recited negotiated offer as follows:

| | |
|-----------------------|--|
| Richard & Carron Hall | Original Offer: \$11,300.00 |
| | Administrative Adjustment: \$10,000.00 (88% increase based on revised damages. See attached documents.) |
| | Revised Offer: \$21,300.00 (Accepted) |

SECTION 3. The City Manager is authorized and directed to issue a check payable to the owners of the above listed parcel as consideration for the acquisition of same and revised offer is hereby approved as just compensation for the parcel in question.

The above Resolution was introduced by Councilman Tadlock, seconded for adoption by Councilman Pickett, and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". The Mayor then declared the Resolution adopted on the 2nd day of August, 2016.

During executive session, Eddie Williams, City Attorney discussed and recommended retaining an attorney, Mark Herbert, as co-counsel for a cost in the amount of \$170.00 per hour. This is for the upcoming litigation with Knowles Construction Company.

Councilman Tadlock made a motion to approve retaining Attorney Mark Herbert as co-counsel for litigation with Knowles Construction Company. The motion was seconded by Councilman Hill and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 8-2-16)

Councilman Tadlock made a motion to approve joining in the litigation against the Jackson County Utility Authority (JCUA) contingent upon all the municipalities located within Jackson County join in the lawsuit. The motion was seconded by Councilman Jackson and received the following vote:

Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 8-2-16)

Councilman Hill made a motion to authorize approval of \$50.00 per hour to Dogan & Wilkinson to serve as lead counsel in the litigation against the Jackson County Utility Authority. The motion was seconded by Councilwoman Simkins and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE". (Approved 8-2-16)

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

There being no further business to come before the Council at this time, Councilman Hill made a motion to recess until Wednesday, August 3, 2016, at 8:00 a.m. The motion was seconded by Councilman Jackson and received the following vote: Mayor Blevins "AYE". Councilmen Hill "AYE", Jackson "AYE", Pickett "AYE", Simkins "AYE", Tadlock "AYE", and Tipton "AYE".

The meeting ended at 8:25 p.m.

APPROVE:

Harry J. Blevins, Mayor

ATTEST:

Karen Kennedy, Asst. City Clerk