

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 111

REGULAR MEETING

OCTOBER 17, 2017

BE IT REMEMBERED that the Mayor and Board of Aldermen of the City of Pass Christian, Mississippi met on the above date at the Municipal Court Bldg., 105 Hiern Avenue, Pass Christian, Mississippi, at 6:00p.m., same being the time and place for said meeting.

PRESENT: Mayor Chipper McDermott, Alderman Anthony Hall, Alderwoman Regina Charlot, Alderman Buddy Clarke, Alderman Victor Pickich, Alderman at Large Kenny Torgeson, Police Chief Hendricks, City Attorney Malcolm Jones and City Clerk Marian Gest.

There being a quorum present to transact the business of the City, the following proceedings were had and done.

ADMINISTRATIVE

Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, hearing from The Pass Christian Community Sailing Foundation, 501 (c) (3), to discuss City property storage and use of City space and slip usage, as requested by Robin Rafferty, Sailing Development Co-Chair.

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Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, to table taking action on City property storage and use of City space and slip usage.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, minutes of the October 3, 2017 Regular Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-2.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, minutes of the October 5, 2017 Special Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-3.

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Upon motion of Alderman Hall, seconded by Alderman Pickich, the Board approved unanimously, accepting the City of Pass Christian's Fixed Asset Inventory listing for Fiscal Year beginning October 1, 2017, as requested by Maria Mena, A &P/Purchasing Clerk. A-4.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, municipal compliance questionnaire for 2016-2017 FY, as requested by Marian Gest, City Clerk. A-5.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, authorizing close of Hancock Bank account #26012345 (old depository) as all outstanding checks have cleared account and transfer balance to account no. 049500227 (new depository), as requested by Marian Gest, City Clerk.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, appointing Jason Windham from the Fire Department and Malcolm F. Jones, as Co-Applicants for FEMA/MEMA Public Assistance for Hurricane Nate disaster. [Jason Windham works on a shift at the Fire Department and as such, when it becomes necessary for him to work for the City in this capacity he will receive Comp Time. The City Attorney will be paid his regular salary as this is included within his duties.]

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No action was taken on declaring that the vessel, "Gulf Queen" that floated onto the pilings on Pier P-4 during Hurricane Nate is an immediate safety hazard to the Harbor Personnel, the slip renters, and the vessels returning to this Pier after the mandatory evacuation and requiring its immediate removal and also authorizing the Harbormaster to solicit and accept proposals, conditioned upon the owner, Rob Adams, voluntarily surrendering the title to the vessel to the contractor.

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PLANNING DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the Planning Commission's recommendation to approve Warrant Application PD-30-2017, Ward J & Lucinda L Guillot, 113 Mulberry Ln, Warrant request for front entry parking with garage doors and screening, in the T3R Single-Family Residential Zone, as requested by Danit Simon, City Planner. PD-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, the Planning Commission's recommendation to approve Warrant Application PD-31-2017, Keith & Donna Lutenbacher, 334 Lemoyne Rd, Warrant request for front entry parking with garage doors and screening, in the T3R Single-Family Residential Zone, as requested by Danit Simon, City Planner. PD-2.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the Planning Commission's recommendation for Devern S Taylor, 165 W North St, to park his bobtail tractor, without the trailer, in the driveway of his residence, in the High Hazard Commercial Special District Zone, as requested by Danit Simon, City Planner. PD-3.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, the City Planner's recommendation to approve Application PD-32-2017, Elliott Homes LLC and Elliott Development LLC as agent for KatTu LLC, northeast corner of 2nd & Market Streets, Subdivision Application in the T5C Mixed-Use Zone for Preliminary Plat Approval, for a subdivision with ten townhouses (Row Houses) fronting 2nd Street, and to combine the remaining northern lots into one parcel, as requested by Danit Simon, City Planner. PD-4.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, the Pass Christian Tree Board's recommendation to approve Paul & Laurie Burtch request to remove three protected Live Oak Trees from the property, as requested by Danit Simon, City Planner. PD-5.

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Alderman Clarke recused himself at this time during the meeting.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, the Pass Christian Tree Board's recommendation to approve J. Coller Ochsner's request to remove two protected Live Oak Trees, one diseased Water Oak Tree, and to prune 15 Live Oak Trees on the property. As requested by Danit Simon, City Planner. PD-6.

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Alderman Clarke returned to the meeting.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, to move to the end of the agenda City's appeal of decision from Historic Preservation Commission - 305 E. Scenic Drive proposed parking lot, as requested by Malcolm Jones, City Attorney. PD-7.

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WATER DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, WPSCO Invoice #16237 in the amount of \$4,064.00 for Paragraph 2.08 of current contract, "Emergency Conditions Item A, Abnormal Conditions," and 2.06 "Damage to Facilities." Please find attached copies of the work orders and employee work reports. No budget change is required and charge to account #400-702-600, as recommended by WPSCO/Utility Manager. W-1.

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FIRE DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the hiring of Michael (MJ) Jackson to fill the existing vacancy with a hire date of November 1, 2017 and a starting salary of \$33,752 with a six month probationary period. He is a ten year certified fire fighter, as requested by Fire Chief Gordon.

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POLICE DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, to hear from the Pass Christian Police Department Citizen Review Committee on matters regarding mission, status, and upcoming events.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to extend Officer Kandice Clayton's probationary period an additional six (6) months. Officer Clayton's original probationary period will expire on November 7, 2017; the adjusted expiration date for the new probationary period will now be on May 7, 2018, by Police Chief Hendricks.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the hiring of Samantha Phillips to fill the existing vacancy in patrol with hire date of October 18, 2017 and a starting salary of \$32,152.00. She has met all Civil Service requirements. Position has a six (6) month probationary period, as requested by Police Chief Hendricks.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request from the Pass Christian Police Department for use of the following City resources on Friday, October 27, 2016 for the annual Trunk or Treat event, this bringing favorable notice to the resources and opportunities of the City, as requested by Police Chief Hendricks.

- Barricades
- Personnel
- 5-ton Cargo Truck
- Any other resources the Mayor deems necessary

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, ratifying increasing annual pay from \$28,452.00 to \$32,152.00 for patrolman George Bryan who successfully completed and graduated from the Police Academy effective July 14, 2017, as requested by Police Chief Hendricks.

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PUBLIC WORKS DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, awarding quote for a 2008 F-650 Bucket Truck from Southwest Equipment in the amount of \$24,900.00, lowest and best quote. To be paid out of Capital Improvement funds, as requested by Russell Holliman, Public Works Director. PW-1

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CONSENT AGENDA

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Marian Gest to a one-day MS Municipal Service Company – Worker's Compensation and Municipal Liability Workshop in Hattiesburg, MS, November 30, 2017. Registration is free and use of city vehicle is required, as requested by Marian Gest, City Clerk. CA-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Wesley Blalock and Ausker Dedeaux to a one-day Diesel Technology: Ford 6.0 Powerstroke training class held on October 19, 2017 in Gulfport, MS. Training cost is \$49.99 each and use of City vehicle is required, as requested by Russell Holliman, Public Works Director. CA-2.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring the items listed below located at the Police Department as surplus and disposal and remove from inventory. Items are broken and not repairable and will be scrapped, as requested by Police Chief Hendricks. CA-3.

UNK HP PHOTOSMART M415 CAMERA UNK CN5AE1598C
UNK HP PHOTOSMART M415 CAMERA UNK CN59X155N1
1025 HP PHOTOSMART M415 CAMERA UNK CN5AE16KH7
1309 HP PHOTOSMART M415 CAMERA 3479 CN58M1621M
1310 HP PHOTOSMART M415 CAMERA 3480 CNSAE15TMM
1311 HP PHOTOSMART CAMERAM415 3481 CN59X161RT

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, declaring the TASER cartridges listed below located at the Police Department as surplus and disposal. Cartridges expired and therefore were used for training, and are empty and cannot be used again, as requested by Police Chief Hendricks.

- C2102NC5A F09-1862524
- C2101H948 F09-1862518
- C2101FDAE F09-1862449
- C2101H8K6 F09-1862542
- C2102N496 F09-1862545
- C4102WW86 F09-1675493
- C2102N40V F09-1862517
- C2102N842 F09-1862541
- F08-1675484 F08-1675525
- F08-1675514 F07-1107636
- F07-1107998

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring the following item located at the Public Works Department as surplus and disposal and remove from City inventory. Items were upgraded, as requested by Russell Holliman, Public Works Director. CA-5.

- RADIO TAG # 1495
- RADIO / CELL TAG# 1496
- RAIDO / CELL TAG# 1497
- RADIO TAG#1498
- RADIO TAG# 1499
- RADIO TAG# 1500
- RADIO TAG#1502
- RADIO TAG# 1503
- RADIO / CELL TAG#1505
- SPARE RADIOS NO TAG
- SPARE RADIO NO TAG

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, payment of the following Kevin Scott Fitzpatrick Architect September 2017 invoices totaling \$690.00. CA-6.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, accepting oath of office taken from Jeffrey Frye as Patrol Officer, as requested by Marian Gest, City Clerk. CA-7.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, amending registration fee to \$95.00 for Aldermen Hall to attend the two-day 2016 Small Town Conference held in Oxford, MS on October 25-26, 2017. Lower rate of \$85.00 was for early birds, as requested by Dawn Sanders, Deputy Clerk. CA-8.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, authorizing transfer of Court Department front desk change fund of \$50.00 from Bridget Daniels to Tina Dupree, as requested by Marian Gest, City Clerk.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, receiving monthly Budget Report for September 2017 from City Clerk, as requested by Marian Gest, City Clerk. CA-10.

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CLAIMS DOCKET

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, Claims Docket in the amount of \$213,419.70. CD-1.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, Claims Docket in the amount of \$120,014.18. CD-2.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, Claims Docket in the amount of \$699.00. CD-3.

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EXECUTIVE SESSION

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to consider going into Executive Session to discuss City's appeal of decision from Historic Preservation Commission - 305 E. Scenic Drive proposed parking lot.

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Upon motion of Alderman Torgeson, the Board approved unanimously, to go into closed session to discuss City's appeal of decision from Historic Preservation Commission - 305 E. Scenic Drive proposed parking lot.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to go into executive session to discuss City's appeal of decision from Historic Preservation Commission - 305 E. Scenic Drive proposed parking lot.

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Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, to come out of executive session.

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Upon motion of Alderman Hall, seconded by Alderman Charlot, the Board approved unanimously, to follow the concensus of the Board and table until Monday, October 23, 2017 Special Mayor and Board meeting City's appeal of decision from Historic Preservation Commission - 305 E. Scenic Drive proposed parking lot.

- **Alderman Clarke: Aye**
- **Alderwoman Charlot: Aye**
- **Alderman Torgeson: Aye**
- **Alderman Hall: Aye**
- **Alderman Pickich: Aye**

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Upon motion of Alderman Torgeson, the Board approved unanimously, to go into closed session to discuss personnel matter in the Police Department originally requested by Alderwoman Charlot for open session and changed to executive session per Malcolm Jones, City Attorney.

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Upon motion of Alderman Hall, seconded by Alderman Pickich, the Board approved unanimously, to go into executive session to discuss personnel matter in the Police Department, as per Malcolm Jones, City Attorney.

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Upon motion of Alderman Clarke, seconded by Alderwoman Charlot, the Board approved unanimously, to come out of executive session.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved, to follow the concensus of the board, based on approved waivers by the Civil Service, to ratify appointments of Officer Bond and Officer Williams at the September 5, 2017 Mayor and Board of Aldermen meeting nunc pro tunc. Alderwoman Charlot requested that waivers, necessary information and action be taken prior to meetings and she will be checking with Attorney General in this matter.

Alderman Clarke: Aye
Alderwoman Charlot: Nay
Alderman Torgeson: Aye
Alderman Hall: Aye
Alderman Pickich: Aye

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Upon motion of Alderman Hall, the Board approved unanimously, to go into closed session to discuss personnel matter in the Beautification Department.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, to go into executive session to discuss personnel matter in the Beautification Department.

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Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, to come out of executive session.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to follow the recommendation of City Clerk to temporarily raise the hourly rate for Bradford Manus to \$11.00 per hour in the absence of the Beautification Director.

**Alderman Clarke: Aye
Alderwoman Charlot: Aye
Alderman Torgeson: Aye
Alderman Hall: Aye
Alderman Pickich: Aye**

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, motion to recess at 7:28 p.m. until the October 23, 2017 Special Mayor and BOA meeting.

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Mayor

11-7-2017
Date

City Clerk

11-7-2017
Date