

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 113

REGULAR MEETING

MARCH 20, 2018

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 6:00 p.m., same being the time and place for said meeting.

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

LATE: Alderman Victor Pickich (6:01 P.M.)

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

### ADMINISTRATIVE

Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, minutes of the March 6, 2018 Regular Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-1.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request from Student Oceanographic Society for the use of Memorial Park and public streets for 5K running event on Saturday, May 5, 2018 from 7:30 a.m. to 11:30 a.m., this bringing favorable notice to the resources and opportunities of the City, as requested by Haley Spaid, Representative. A-2.

- Barricades
- Trash receptacles

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, adopting Resolution authorizing Mayor to request Harrison County Board of Supervisors to allow the use of their Stage and Tent for the Holy Family Parish Catholic Church Seafood Festival to be held on September 28 – 30, 2018, as recommended by Mayor McDermott. A-3.

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Alderman Pickich arrived at the meeting 6:01 p.m.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved, Interlocal Agreement with City of Long Beach and Harrison County, MS to seek to develop Parkway as limited access highway on East end of City limits not to exceed \$15,000.00, as requested by Malcolm Jones, City Attorney. A-4.

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|------------------------------------|---------|
| ▪ Alderman Anthony Hall            | Abstain |
| ▪ Alderman Buddy Clarke            | Aye     |
| ▪ Alderwoman Regina Charlot        | Aye     |
| ▪ Alderman at Large Kenny Torgeson | Aye     |
| ▪ Alderman Victor Pickich          | Aye     |

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, addendum to the harbor lease agreement with Barrett and Barrett, LLC dba Sea Level to allow the lease payments to change from an annual basis to a monthly basis, effective April 1, 2018. A-5.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request from the C10 Club of South Mississippi for the use of new harbor parking lot behind the store on Wednesday, October 3, 2018 from 1:00 p.m. until 6:00 p.m. for Bowtie Blowout All Chevy Truck Show in conjunction with Crusin the Coast, this bringing favorable notice to the resources and opportunities of the City, as requested by Wade Cuevas and Dereck Ladner. A-6.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, rescinding acceptance of drainage easement from Jon and Sharen Haddad for property situated on Tax Parcel No. 0313L-02-080.000 on Terrace Avenue as approved by the Mayor and Board of Aldermen at the December 5, 2017 meeting. Consider approving revised drainage easement from Jon and Sharen Haddad for the same property upon the condition that the City Public Works crew will relocate and install the new underground drainage pipe when the owners pay the City for the cost of the pipe and materials in the sum of \$1,849.30. [The owners have requested the City to relocate the pipe to a new route to allow the immediate construction of a home on one of the lots. It was necessary to relocate the drainage easement to accommodate the proposed location of the house and applicable zoning setbacks.] A-7.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Change Order #1 for Sewer Point Repair at Fleitas Avenue and East North Street –to DNA Underground, LLC to include 40' of pipe north of manhole with an increase of \$33,430.00 and a revised contract amount of \$65,205.00 and authorize payment for Pay Application No. 1 for DNA Underground, LLC, in the amount of \$55,971.00. The Project Engineer advises that this change order is necessary to the scope of work of the contract as originally bid; the project is not a new undertaking outside the original scope of work; the change of the work of the change order is reasonable and in line with the prices under the original contract; entering into the change order is commercially reasonable under the circumstances; and this change order will not circumvent the public purchasing statutes, as requested by City Engineer, Bob Escher. A-8.

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Upon motion of Alderman Clarke, seconded by Alderman Hall, the Board approved unanimously, authorizing payment of City's portion of real property taxes for South portion of property leased from Sazerac Group (Parcel # 313H-02-011.000) for overflow parking as required by Lease Agreement in the amount of \$1,447.14. [The Harrison County Tax Assessor will calculate the City's portion of the 2017 taxes once the City receives an exemption for the North portion of the property the City purchased.]

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Upon motion of Alderman Torgeson, seconded by Alderwoman Clarke, the Board approved unanimously, Summary Change Order #1 for a net decrease of \$23,001.39, a revised contract amount of \$125,435.61 and Pay Application No. 2 final for Advanced Construction & Development, LLC, in the amount of \$38,197.32 for Construction of the Davis Avenue Municipal Parking Lot, as recommended by Bob Escher, City Engineer. A-10.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, re-appointing Merri Garvey Haines and Paul Burnett to the Park Commission, term ending March 20, 2021, as requested by Chipper McDermott, Mayor.

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Upon motion of Alderman Hall, seconded by Alderman Pickich, the Board approved unanimously, re-appointing Eugene Russell, Donald Moore and Cheryl Millender to the Civil Service Commission, term ending April 1, 2024, as requested by Chipper McDermott, Mayor.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, donation in the amount of \$125.00 to the Pass Christian Historical Society, Garden Party & Home Tour, May 6, 2018, 2:00 p.m. to 5:00 p.m., this bringing favorable notice to the resources and opportunities of the City, as requested by Chipper McDermott, Mayor. A-13.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, request of Gulf Coast Running Club for the use of the War Memorial/Gazebo and public streets for running event on Saturday, April 21, 2018 from 7:00 a.m. to 9:30 a.m., this bringing favorable notice to the resources and opportunities of the City, as requested by Leonard Vergunst, Representative. A-14.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, advertising for the annual unit price bid for drainage and utilities contract, as requested by Bob Escher, City Engineer.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, holding public hearing to City's subdivision ordinance concerning approval of minor subdivisions, minimum lot sizes, and other matters, as recommended by Planning Commission, City Planner, and City Attorney.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to close public hearing to City's subdivision ordinance concerning approval of minor subdivisions, minimum lot sizes, and other matters, as recommended by Planning Commission, City Planner, and City Attorney.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, adopting amendments to City's subdivision ordinance concerning approval of minor subdivisions, minimum lot sizes, and other matters, as recommended by Planning Commission, City Planner, and City Attorney.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to table adopting amendment to Ordinance No. 337 concerning load limits and heavy truck routes as recommended by City Attorney.

\* \* \*

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to holding public hearing on adopting text amendment to City's zoning ordinance concerning signage and other matters, as recommended by Planning Commission and City Planner.

\* \* \*

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to close public hearing on adopting text amendment to City's zoning ordinance concerning signage and other matters, as recommended by Planning Commission and City Planner.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved, adopting text amendment to City's zoning ordinance concerning signage and other matters, as recommended by Planning Commission and City Planner.

- Alderman Anthony Hall Abstain
- Alderman Buddy Clarke Aye
- Alderwoman Regina Charlot Aye
- Alderman at Large Kenny Torgeson Aye
- Alderman Victor Pickich Aye

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### *PLANNING DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the City Planner's recommendation to approve a Re-Subdivision at 144 Sycamore Drive, Tax Parcels #0312M-04-005.000, 0312M-04-006.000, 0312M-04-004.000 and 0312M-04-003.000. Jeffrey T and Leann M Waltman propose combining four parcels, as requested by Danit Simon, City Planner. PD-1.

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### *CODE DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, recommendation to change the department name from Building Code Office to Community Development, updating office signage and website to reflect the change, as requested by Joel Sims, Building Official.

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### *WATER DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderwoman Clarke, the Board denied unanimously, WPSCO Invoice # 16311 in the amount of \$1336.00 for January 2018 for non-emergency/overtime repairs per paragraph 2.09 and per current contract paragraph 2.04 "Hours of Operation" known as "Ten Hour Rule" whereby WPSCO gives the City 10 hours of overtime per week and bills for hours in excess, charge to account 400-704-636, as recommended by Teryl Anthony-WPSCO/Utilities Manager. W-1.

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### *FIRE DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderman Charlot, the Board approved unanimously, accepting letter of resignation/retirement from Lt. Ernest J. Bradley effective March 31, 2018, as requested by Fire Chief, Dwight Gordon. F-1.

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### *HARBOR DEPARTMENT*

Upon motion of Alderman Torgeson, seconded by Alderman Charlot, the Board approved unanimously, refund for Mr. Thomas Thai in the amount of \$729.32. Mr. Thai paid six months in advance but was able to get another slip closer to home so he terminated his slip effective 3/31/18, request to refund credit remaining on his account, as requested by Harbormaster Davis. H-1.

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### *POLICE DEPARTMENT*

Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, removing Matthew Issman from the list of Police Department Part-Time Reserve Officers and adding John Nelson, as requested by Police Chief Hendricks.

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### *PUBLIC WORKS DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, recommendation to increase Ausker Dedeaux, Mechanic's Helper, pay rate to \$10.50 an hour effective March 23, 2018. (There is no need for budget amendment), as requested by Russell Holliman, Public Works Director. PW-1.

\* \* \*

### *RECREATION DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderman Charlot, the Board approved unanimously, refund requests from Tia Avery for Dillian Clark for Youth T-Ball registration in the amount of \$75.00. Youth was unable to participate for personal reasons, as requested by Bret Bentz, Recreation Director. R-1.

\* \* \*

### *CONSENT AGENDA*

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, payment of the following Kevin Scott Fitzpatrick Architect February 2018 invoices totaling \$240.00. CA-1.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to send Tina Dupree to a one-day "Making the Transition from Staff to Supervisor" seminar, April 23, 2018, in Gulfport, MS. The cost of the seminar is \$199.00 and use of city vehicle is required, as requested by Philip Wittmann. CA-2.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to send Kirk Ladner to a one-day "Making the Transition from Staff to Supervisor"

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seminar, April 23, 2018, in Gulfport, MS. The cost of the seminar is \$199.00 and use of city vehicle is required, as requested by Kirk Ladner, Beautification Director. CA-3.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, restitution payment to Tecniflex, LLC, DBA Bancsource. On September 22, 2017, the Pass Christian Municipal Court ordered Courtney Dawson to pay restitution in the amount of \$260.00, which was received on December 4, 2017, as requested by Tina Dupree, Municipal Court Clerk. CA-4.

\* \* \*

Upon motion of Alderman Hall seconded by Alderman Torgeson, the Board approved unanimously, the city's annual membership to the ICC (International Code Council) in the amount of \$135.00 for the City of Pass Christian (Code), as requested by Joel Sims, Community Development Director. CA-5.

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Upon motion of Alderman Hall seconded by Alderman Torgeson, the Board approved unanimously, the City's annual membership to MS Coast Building Officials for the City of Pass Christian (Code) in the amount of \$40.00, as requested by Joel Sims, Community Development Director. CA-6.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson the Board approved unanimously, the City's annual membership to the BOAM (Building Officials of Mississippi) in the amount of \$100.00, as requested by Joel Sims, Community Development Director. CA-7.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to send FF B.J. Ledet to a five-day Vehicle Extrication & Rescue Level I-II training class held on April 16-20, 2018 in Jackson, MS. Cost of training is \$400.00, per diem \$131.00 and use of a City vehicle, as requested by Fire Chief Gordon. CA-8.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to send Assistant Chief Daren Freeman and Sgt. Alan Bond to a STATE MANDATORY T.A.C. Training Class held in Pearl, MS. Dates, lodging and per diem are not yet determined. Tuition is free, and use of a City vehicle, as requested by Police Chief Hendricks.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to send Officer Jared McKinney to a five-day Basic Narcotics Investigation class, June 4-8, 2018 held in Meridian, MS. Tuition is free, lodging and per diem is free, and use of a City vehicle, as requested by Police Chief Hendricks. CA-10.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, accepting oath of office taken from David Hart as Patrol Officer, as requested by Marian Gest, City Clerk. CA-11.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, request to surplus and remove from inventory the following item from the Recreation Department for year 2018, as requested by Bret Bentz, Recreation Director.

- Basketball Jerseys (97)

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, receiving monthly Budget Report for February 2018 from City Clerk, as requested by Marian Gest, City Clerk. CA-13.

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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 \$137,945.04. CD-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke the Board approved unanimously, motion to adjourn at 7:02 p.m.

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\_\_\_\_\_  
Mayor

4-3-2018  
\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

4-3-2018  
\_\_\_\_\_  
Date