

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 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, Alderwoman Regina Charlot, Alderman Buddy Clarke, Alderman Victor Pickich, Alderman at Large Kenny Torgeson, Police Chief Hendricks, 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 Clarke, the Board approved unanimously, hearing from Jennifer Henderson from Henderson Ford about the sign and drive fundraiser coming up for the Pass Christian Raiders youth football program.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, allowing Henderson Ford to place temporary signs and conduct drive fundraiser on May 19, 2018 from 9:00 a.m. to 4:00 p.m. for the Pass Christian Raiders youth football program.

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Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, minutes of the April 3, 2018 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 Hall, seconded by Alderman Clarke, the Board approved unanimously, minutes of the April 10, 2018 Workshop with Mayor and Board of Aldermen, as requested by Dawn Sanders, Deputy City Clerk. A-3.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, request from Asgard Motorcycle Club Inc. for the use of 500 barricades for the annual Memorial Day Blowout, May 20, 2018, conditioned upon signing agreement for replacement of any damaged barricades, this brings favorable notice to the resources and opportunities of the City, as requested by Russell Holliman, Public Works Director. A-4.

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

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Upon motion of Alderman Clarke, seconded by Alderwoman Charlot, the Board approved unanimously, request from the Temple Christian Academy for the use and waiver of fees at Memorial Park on Tuesday, May 1, 2018 from 9:00 a.m. to 2:00 p.m. for a field trip for approximately 30 students, this bringing favorable notice to the resources and opportunities of the City, as requested by Heather, Representative. A-5.

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Upon motion of Alderman Hall seconded by Alderman Torgeson, the Board approved unanimously, request from Pass Christian Public Library for the use of the City Hall Courtyard on the following dates for Summer Library Program, this bringing favorable notice to the resources and opportunities of the City, as requested by Wendy Allard, Head Librarian. A-6.

- June 1, 2018                      Libraries Rock (7:00 p.m.)
- June 5, 2018                      Steampunk Pottery (6:30 p.m.)

\* \* \*

Upon motion of Alderwoman Charlot, seconded by Alderman Pickich, the Board approved unanimously, renewal of agreement with Senior Service America, Inc. (SSAI) and Senior Community Service Employment Program (SCSEP) for the 2017/2018, at no cost to the City, as requested by Marian Gest, City Clerk. A-7.

\* \* \*

Alderman Clarke recused himself at this time during the meeting.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, payment for the property insurance renewal in the amount of \$102,288.62, which is a decrease of \$2,709.13 from prior year, as requested by Marian Gest, City Clerk. A-8.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, payment for the Inland Marine and Auto Insurance Renewal from Betz & Rosetti at a cost of \$62,092.00 and amend the budget accordingly. Increase due to the additional vehicles and equipment that were added to the policy, as requested by Marian Gest, City Clerk. A-9.

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Alderman Clarke returned to the meeting.

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# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, modification to lease agreement with Shaggy's Bar and Grill, as requested by Mayor McDermott. A-10.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, Southern Mississippi Planning & Development District Work Experience Program Agreement, no cost to the City, workers will be allowed up to 400 hours at \$8.00 an hour, as requested by Mayor McDermott. A-11.

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The Board decided to take no action discussing numerous complaints regarding placement of garbage outside of Community Dumpster at South Davis Avenue municipal parking lot.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to use #3 Splash Pad Rules and opening of facility. A-13.

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### *PLANNING DEPARTMENT*

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, City Planner's recommendation to approve a Re-Subdivision at 110 Elmwood Drive, Tax Parcels #0312M-02-161.000, 0312M-02-160.000 and 0312M-02-159.000. Catherine Eagan proposes combining three parcels, as requested by Danit Simon, City Planner. PD-1.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Planning Commission's recommendation to approve Warrant Application PD-18-2018, Christopher Molino and Meri Michaelle Ornsbey, 543 E 2<sup>nd</sup> Street, Warrant Application to locate a carport in the First Layer with 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, Planning Commission's recommendation to approve Warrant Application PD-19-2018, Mark Tramontana as agent for Hancock Bank, 265 E Scenic Drive, 113 Davis Avenue & 0 Highway 90, Warrant Application for (1) a circular sign on the front façade, (2) a directional

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

sign, (3) and five painted signs on the walls surrounding the parking lot, in the T5C Mixed-Use Zone, as requested by Danit Simon, City Planner. PD-3.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the Pass Christian Tree Board's recommendation to *approve* the Penthouse Garden Condos LLC Home Owners Association's request to remove one Magnolia Tree from the property. As requested by Danit Simon, City Planner. PD-4.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, Planning Commission's recommendation to approve Warrant Application PD-20-2018, L. Bruce Newton, 2 Nelson Lane, Warrant Application to exceed the 40% Maximum Lot Coverage, in the T3R Single-Family Residential Zone, as requested by Danit Simon, City Planner. PD-5.

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### COMMUNITY DEVELOPMENT

Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, request of Luckana Martinez for continuance of administrative hearing for slab removal scheduled for May 1, 2018, for corner lot situated at 329 Menge Avenue and Frances, as requested by Malcolm Jones, City Attorney. CO-1.

\* \* \*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to give Luckana Martinez a continuance of administrative hearing for slab removal for an additional 60 days for corner lot situated at 329 Menge Avenue and Frances.

\* \* \*

### LEGAL DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Pickich, the Board approved unanimously, Temporary Construction Easement for property situated at 939 Autumn Wood Court, Jessica and Edgar Ruiz – Owners, to allow Public Works Dept. to perform repair work on City's underground drainage pipe, as requested by Malcolm Jones, City Attorney. L-1.

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# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, attached Final Plat for Whispering Oaks Subdivision for Lots 1 through 19, inclusive, along with approval of a Deferred Improvements Bond for installation of brick pavers around entrance median between Lots 1 and 18, between Lots 8, 12 and 13, and East of Lot 12. [The developer is requesting that the installation of the brick pavers will be deferred until after many of the homes are actually built in the subdivision. The Developer wishes to avoid damage that would be caused to the pavers by heavy concrete trucks and other construction activities during the build-out of the homes in other areas of the subdivision. This construction would be deferred for up to one year from acceptance of the final plat, unless extended by the City for good cause shown by the developer. The City approved a final plat for "Phase One" – Lots 1, 2, 18 and 19 with a Deferred Improvements Bond at a previous meeting with the certificate of occupancies for the homes constructed on such lots to be approved when all infrastructure has been completed. All infrastructure has now been completed, except for the proposed deferred installation of the brick pavers.] As requested by Malcolm Jones, City Attorney. L-2.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request of E. J. Nodurft to defer installation of water and sewer mains on Lot 3, Palmwood Drive Subdivision, until Lot 3 is sold and developed either individually or in conjunction with Lots 1 and/or 2. [At the meeting on October 3, 2017, the Board of Aldermen previously allowed the Owners of Lots 1 and 2 to defer installation of the water and sewer utilities and construction of the driveway to their lots until their property is sold or developed. The owners of Lots 3 and 4 are proceeding with the development of the common driveway across their lots and Mr. Nodurft has paid the utility tap fee to the City in anticipation of the extension of the water and sewer infrastructure.] As requested by Malcolm Jones, City Attorney. L-3.

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### *WATER DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved, WPSCO invoice # 16332 in the amount of \$3720.00 for February 2018 for non-emergency/overtime repairs per paragraph 2.09 and per current contract 2.04 "Hours of Operation" known as "Ten Hour Rule" whereby WPSCO gives the City 10 hours of overtime per

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

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 Torgeson, the Board approved unanimously, request to put Christopher Kane on part time call out list as Fire Fighters, as requested by Fire Chief, Dwight Gordon.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, considering approving inter-departmental request to transfer Edward Walley from the Police Department to the Fire Department with a starting salary of \$32,352.00 effective April 19, 2018. He has met all requirements of the Civil Service, as requested by Fire Chief Dwight Gordon.

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Upon motion of Alderman Hall, the Board approved unanimously, to go into closed session to discuss inter-departmental request to transfer Edward Walley from the Police Department to the Fire Department.

\* \* \*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to go into Executive Session to discuss inter-departmental request to transfer Edward Walley from the Police Department to the Fire Department.

\* \* \*

Upon motion of Alderman Clarke, seconded by Alderman Torgeson the Board approved unanimously, to come out of Executive Session.

\* \* \*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, approving inter-departmental request to transfer Edward Walley from the Police Department to the Fire Department with a starting salary of \$32,352.00 effective April 19, 2018 with a six-month probation. He has met all requirements of the Civil Service, as requested by Fire Chief Dwight Gordon.

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# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, accepting letter of resignation from FF James Ellington. His effective April 27, 2018 and pay him all accrued time per City policy. He would also like to remain on the part time call out list, as requested by Fire Chief Dwight Gordon. F-3.

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### *POLICE DEPARTMENT*

Upon motion of Alderman Hall, the Board approved unanimously, to go into closed session to discuss approving the hiring of Kyle Craig to fill the existing vacancy in patrol with hire date of May 1, 2018 and a starting salary of \$32,152. Craig is already a certified officer and will be a lateral transfer as he has met all requirements of Civil Service with a six-month probationary period per Civil Service Rules, as requested by Police Chief Hendricks.

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Upon motion of Alderman Torgeson seconded by Alderman Pickich, the Board approved unanimously, to go into Executive Session to discuss approving the hiring of Kyle Craig to fill the existing vacancy in patrol with hire date of May 1, 2018 and a starting salary of \$32,152.

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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 Clarke seconded by Alderman Hall, the Board approved unanimously, approving the hiring of Kyle Craig to fill the existing vacancy in patrol with hire date of May 1, 2018 and a starting salary of \$32,152. Craig is already a certified officer and will be a lateral transfer as he has met all requirements of Civil Service with a six-month probationary period.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, Consider request to adopt resolution to leave the following Police vehicles unmarked. P-2.

- 2018 Dodge Durango VIN# 1c4sdhft5jc276039
- 2018 Dodge Durango VIN# 1c4sdhft0jc277969

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# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, yearly clothing allowance request for the following Investigators in the amount of four hundred dollars (\$400.00) each for 2017-2018.

- Investigator Barry Smith
- Investigator Michael Burkett

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### *RECREATION DEPARTMENT*

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, the use of Fleitas soccer/football field April 25 -26, 2018 by the Pass Christian girl's high school soccer team in exchange they will provide a free soccer camp for our youth. This bring favorable notice to the resources and opportunities of the City, as requested by Bret Bentz, Recreation Director.

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Upon motion of Alderwoman Charlot seconded by Alderman Torgeson, the Board approved unanimously, donating two soccer goals, which have no value, to the Pass Christian High School. The Recreation Department no longer have a use for them, as requested by Bret Bentz, Recreation Director.

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### *CONSENT AGENDA*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Danit Simon, City Planner, to a three-day Certified Floodplain Manager Conference held on May 22-24, 2018 in Natchez, MS. Registration fee \$195.00, Per Diem \$62.00, hotel \$238.00 for two nights, and reimbursement for mileage at the Federal rate, amend the budget accordingly, as requested by Danit Simon, City Planner. CA-1.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request to send Andy Purchner, B.J. Ledet and Dia'mond Woodman to a 4-day Fire Truck Manufacturing Plant in Wisconsin, May 1-3, 2018 No cost to the City but use of City vehicle is required, as request by Fire Chief Gordon.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved

# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

unanimously, request to send Dennis Brown to MSFA for Fire Inspector 1031-1, May 7 thru May 17, 2018. Cost of class will be \$885.00, per diem of \$200.00 and use of city vehicle, as requested by Fire Chief Gordon. CA-3.

\* \* \*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, lodging (\$465) and per diem (\$100 x 2) request for Assistant Chief Daren Freeman and Sgt. Alan Bond, previously approved at the March 20, 2018 BOA, to attend STATE MANDATORY T.A.C. Training Class, May 7-11, 2018, as requested by Police Chief Hendricks. CA-5.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to transfer the following item from the Fire Department (220) to Administration (001), as requested by Fire Chief Gordon. CA-6

- ASSET/TAG # 1803 MODEL # M201-3

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### *CLAIMS DOCKET*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Claims Docket in the amount of \$74,127.03. CD-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, to amend the agenda to accept an addendum.

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Upon motion of Alderwoman Charlot, seconded by Alderman Pickich, the Board approved unanimously, paying property taxes on City's South Parking Lot in the amount of \$86.29.

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Upon motion of Alderwoman Charlot, the Board approved unanimously, to go into closed session to discuss personnel matter within the Police Department.

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# CITY OF PASS CHRISTIAN, MISSISSIPPI

## MINUTE BOOK 114

REGULAR MEETING

APRIL 17, 2018

Upon motion of Alderman Torgeson seconded by Alderman Hall, the Board approved unanimously, to go into Executive Session to discuss personnel matter within the Police 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 Clarke seconded by Alderman Hall, the Board approved unanimously,

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Upon motion of Alderman Hall seconded by Alderwoman Charlot, the Board approved unanimously, motion to adjourn at 7:58 p.m.

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\_\_\_\_\_  
Mayor

\_\_\_\_5-1-2018\_\_\_\_\_  
Date

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

\_\_\_\_5-1-2018\_\_\_\_\_  
Date