

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 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 Victor Pickich Alderwoman Regina Charlot, Alderman Buddy Clarke, Alderman at Large Kenny Torgeson, Assistant Police Chief Freeman, 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 Pickich, the Board approved unanimously, to accept addendum.

* * *

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, to move addendum to the first item.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, hearing from Wendy Allard concerning City Dog Park and to adopt the resolution and move forward with Dog Park, as requested by Alderman at Large Torgeson. AD-1

* * *

Upon motion of Alderwoman Charlot, seconded by Alderman Clarke, the Board approved, minutes of the July 17, 2018 Regular Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-1.

| | |
|----------------------------|-----|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Nay |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

* * *

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved, minutes of the July 18, 2018 Special Mayor and Board of Aldermen Workshop I meeting, as requested by Dawn Sanders, Deputy City Clerk. A-2.

| | |
|----------------------------|-----|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Nay |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Nay |

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

* * *

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, minutes of the July 31, 2018 Special Mayor and Board of Aldermen Workshop II meeting, as requested by Dawn Sanders, Deputy City Clerk. A-3.

* * *

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, request from Pass Christian Public Library for the use of and waiver of fees at Randolph Center for One Book One Pass Panel Discussion-“The Mississippi Sound-The Way Forward on Tuesday, September 25, 2018, and presentation, this bringing favorable notice to the resources and opportunities of the City, as requested by Wendy Allard, Librarian. A-4.

* * *

Upon motion of Alderwoman Charlot, seconded by Alderman Hall, the Board approved unanimously, annual City donation in the amount of \$2,000.00 for Pass Christian Reserve Police Department to procure equipment and training for reserve members, this bringing favorable notice to resources and opportunities of the City, as requested by PC Reserve Officers.

* * *

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, full page ad in the amount of \$110.00 from the Touchdown Club for the 2018 Pass Christian High Football Season, this bringing favorable notice to resources and opportunities of the City, as requested by Mayor McDermott. A-6.

* * *

Upon motion of Alderwoman Charlot, seconded by Alderman Torgeson, the Board approved unanimously, donation to Harrison County TRIAD/S.A.L.T. Council, a non-profit Civic or Social program in the amount of \$500.00 to be used in its service to the Senior Citizens of Harrison County, as provided in MCA section 21-19-65, this bringing favorable notice to the resources and opportunities of the City, as requested by Grace Necaie and Alice Russell, TRIAD Representatives. A-7.

* * *

Upon motion of Alderwoman Charlot, seconded by Alderman Torgeson, the Board approved unanimously, ratifying appointment by Mayor of Dr. Chuck Woods to Gulf Regional Planning Commission, as requested by Mayor McDermott.

* * *

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, discussing need for replacement trees to be planted for protected live oak tree authorized to be removed by the Tree Board and Mayor and Board of Aldermen from path of drainage easement on Nunez property (North of 139 Ridgewood Drive). [The Protected Tree Ordinance requires that the City must plant a new tree “of the same species and number from nursery stock in such location as shall be designated by the City Tree Board”. (In this case, that would be **one tree**.) The SmartCode, Section 1.6, provides that if a protected tree is removed it shall be replaced by **three trees** of the same species with a minimum of ten-inch circumference measured four foot from the ground. The SmartCode provides that it does not amend the Tree Ordinance and in the event of a conflict between the zoning ordinance and protected tree ordinance the stricter provision will apply. If the Board determines there is a conflict between the ordinances, the Board would have to apply the stricter requirement for three replacement trees. Nevertheless, the City can waive any of these requirements if it chooses to do so.] A-9.

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to plant one replacement tree for the protected live oak tree authorized to be removed by the Tree Board and Mayor and Board of Aldermen from path of drainage easement on Nunez property (North of 139 Ridgewood Drive).

| | |
|----------------------------|---------|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Abstain |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

*

*

*

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request from Pass Christian Yacht Club for the use of transient slips for THE 81ST annual Bernard Knost All Women’s Gulf Yachting Association Regatta on August 10-12, 2018 constituting public entertainment and the Harbormaster is authorized to take such other action as shall be reasonable and necessary to accomplish these purposes, this bringing favorable notice to the resources and opportunities of the City, as requested by Clark Brennan - PCYC.

*

*

*

LEGAL DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, adopting Resolution to declare vacant property owned by City as surplus and authorizing employment of licensed real estate broker to assist the City in the marketing and sale of the property, as recommended by City Attorney. L-1.

*

*

*

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, ratifying amended application for reallocation of DMR Tidelands Grant for Mooring Piles (Project No. FY2018-P600-06) to amend Scope of Work to allow modification of Skiff Pier in West Harbor, including but not limited to, installation of pilings and creation of three finger piles, as recommended by City Attorney. L-2.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, Ordinance adopting new Building Codes. L-3.

* * *

Alderman Hall recused himself at this time during the meeting.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved, recommendation to hire First Missionary Baptist Church Youth Ministry for Concession Agreement for Recreation Football Season 2018. L-4.

| | |
|----------------------------|---------|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Recused |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

* * *

Alderman Hall returned to the meeting.

* * *

PLANNING DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, the Planning Commission's recommendation to approve Application PD-30-2018, Nghia Dao and Kim Ha Anh, 327 Menge Avenue, Warrant request to exceed the maximum driveway width of 12 feet in the First Layer and park in the Second Layer, in the T4L Limited Mixed-Use Zone, as requested by Danit Simon, City Planner. PD-1.

* * *

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the City Planner's recommendation to approve a Re-Subdivision at 110 Cedar Avenue, Tax Parcel #0313L-01-022.000. Edward G and Jo Ann Lozes propose dividing one parcel into four, as requested by Danit Simon, City Planner. PD-2.

* * *

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

Alderman Clarke recused himself at this time during the meeting.

* * *

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved, the City Planner's recommendation to approve a Re-Subdivision at 0 Fleitas Avenue, Tax Parcels #0312O-01-045.000 & 0312P-02-001.002. STS Properties LLC proposes combining two lots into one, as requested by Danit Simon, City Planner. PD-3.

| | |
|----------------------------|---------|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Aye |
| Alderman Clarke | Recused |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

* * *

Alderman Clarke returned to the meeting.

* * *

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the City Planner's recommendation to approve a Re-Subdivision at 829 E Scenic Drive, Tax Parcels #0413C-02-001.000 & 0412N-02-005.000. Carlisle Place LLC proposes dividing one lot into two, as requested by Danit Simon, City Planner. PD-4.

* * *

WATER DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, adjustment request from City of Pass Christian in the amount of \$1890.00 (all excess water) for water charges that went through the city water system as a result of a leak that was not easily identifiable due to its location at the harbor C-1 pier. The leak was located under the boardwalk, as requested by WPSCO/Utility Manager. W-1.

* * *

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Annual Basic Service and Load Test contracts with Taylor Power Systems in the sums of \$6,707 and \$4,279 for WPSCO/City generator for Utility Dept. as recommended by Kermit Anthony. W-2.

* * *

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, WPSCO Invoice # 16383 in the amount of \$3,600.00 for June 2018 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 of. Charge to account 400-704-636, as requested by WPSCO/Utility Manager. W-3.

* * *

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, Work Order 3 with DNA Underground LLC in the sum of \$7,552.00 for Bayview Lift Station Coating under Annual Unit Price Maintenance Contract. W-4.

* * *

Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, Work Order 4 with DNA Underground LLC in the sum of \$26,977.50 for Timber Ridge Blvd. Sewer Point Repair under Annual Unit Price Maintenance Contract. W-5.

* * *

Upon motion of Alderwoman Charlot, seconded by Alderman Clarke, the Board approved unanimously, Work Order 5 with DNA Underground LLC in the sum of \$16,707.00 for Courtenay Avenue Sewer Point Repair under Annual Unit Price Maintenance Contract. W-6.

* * *

FIRE DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, awarding quote for Fire Station 1 and 2 to Matt McBride with More Than A Carpenter, LLC in the amount of \$10,715.24, as requested by Fire Chief Gordon. F-1.

* * *

HARBOR DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, ratifying request to advertise for one full-time harbor patrol position at the rate of \$9.00 per hour. Advertisement will run from 07/31/18 - 8/24/18, and request to hire on 09/04/18, as requested by Harbormaster Davis.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, renewing the slip rental agreement MOA between the Mississippi Department of Environmental Quality (MDEQ) and City of Pass Christian to provide for the payment of \$30.00

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

per month for utilities to be charged for such vessel, effective September 1, 2018 thru August 31, 2019, as requested by Harbormaster Davis. H-2.

POLICE DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderwoman Charlot, the Board approved unanimously, accepting check in the amount of \$250.00 from the Mississippi Constables Association to the Police Department for gun range and up keep and amend the budget 001-200-505 accordingly, as requested by Police Chief Hendricks. P-1.

* * *

Upon motion of Alderman Clarke, seconded by Alderwoman Torgeson, the Board approved unanimously, accepting MS Department of Public Safety Police Traffic Services grant award in the amount of \$15,132 to the Pass Christian Police Department, as requested by Police Chief Hendricks. P-2.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved, recommendation of re-hiring of Mechelle Carbine, pending urinalysis and physiatrist evaluation, to fill an existing vacancy as rank of Patrolman and appointed to the position of Investigator, with hire date of August 8, 2018 and a starting salary of \$36,000. She has met all Civil Service requirements. Position has a six month probationary period, as requested by Police Chief Hendricks.

| | |
|----------------------------|-----|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Nay |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

* * *

CONSENT AGENDA

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Marian Gest to a two-day Public Assistance Grants Portal Training on July 26-27, 2018 held in Gulfport, MS. Training is free, as requested by Marian Gest, City Clerk. CA-1.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Marian Gest to attend the two-day Grant Writing Class held in Pensacola, Fl., from September 24-25, 2018. Tuition is \$455, lodging \$236.38, per-diem \$123.00 and use of City vehicle, as requested by Marian Gest, City Clerk. CA-2.

* * *

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send SRO John Dedeaux to a two-day Active Shooter Level I course on Sept. 10-11, 2018 held in Pearl, MS. Tuition and lodging are free, and use of a City vehicle, as requested by Police Chief Hendricks. CA-3.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Assistant Chief Daren Freeman, Inv. Barry Smith and Sgt. Chris Williams to a one-day Guidelines for Officer Involved Shootings and Arrest-Related Deaths course on Sept. 7, 2018 held in Ocean Springs, MS. Tuition is free, and use of a City vehicle, as requested by Police Chief Hendricks. CA-4.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Chief Tim Hendricks to a five-day FBINAA Summer Conference held on August 12-16, 2018 in Gulfport, MS. The registration fee is \$350, and use of City vehicle, as requested by Police Chief Hendricks. CA-5.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Inv. Barry Smith and Officer Mickey Moran to a one-day Responding to Violence Against Elders course on August 30, 2018 held in Perkinston, MS. Tuition is free, and use of a City vehicle, as requested by Police Chief Hendricks. CA-6.

* * *

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

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, accepting oath of office taken from Brandon Zwick as Patrol Officer, as requested by Marian Gest, City Clerk. CA-8.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, accepting oath of office taken from Charles Shoulders as Patrol Officer, as requested by Marian Gest, City Clerk. CA-9.

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, payment of the following Kevin Scott Fitzpatrick Architect May, June and July 2018 invoices totaling \$500.00. CA-10

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, payment of the following A. Garner Russell & Associates, Inc. invoices totaling \$3,840.00, as recommended by Bob Escher, City Engineer. CA-11.

- | | | | |
|-----------|-------|-------------|---------------------------|
| ▪ Invoice | 13553 | \$ 1,502.50 | Annual Unit Price Project |
| ▪ Invoice | 13554 | \$ 662.50 | Extension of Day Pier |
| ▪ Invoice | 13561 | \$ 592.50 | FY 2018 Tidelands |
| ▪ Invoice | 13562 | \$ 1,082.50 | Services to the City |

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, the transfer of the following Fixed Asset items from Harbor Department to Fire Department, as requested by Maria Mena, Purchasing Agent. CA-12.

- | | |
|----------------------------------|------------|
| • 2010 TRITON BOAT | Tag #01188 |
| • HONDA OUTBOARD ENGINE FOR BOAT | Tag #01189 |
| • 2010 SPORT TRAILER FOR BOAT | Tag #01190 |

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring the following item located at the Recreation Department (506) as surplus and disposal and remove from City inventory, items were damaged by power surge, as requested by Shawn Jerone, IT Director. CA-13.

- | | |
|------------------------------|-------------|
| • Linksys Wi-Fi Router E1700 | Tag # 03543 |
| • HP Computer Tower 200G | Tag # 03537 |

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, declaring two (2) lobby chairs, asset numbers unknown, as surplus and discarded, as requested by Police Chief Hendricks. CA-14.

*

*

*

CLAIMS DOCKET

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, Claims Docket in the amount of \$\$321,795.63. CD-1.

*

*

*

Upon motion of Alderman Torgeson, the Board approved unanimously, to go into closed

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

session to discuss a personnel matter in the Beautification Department.

* * *

Upon motion of Alderman Hall, seconded by Alderwoman Charlot, the Board approved unanimously, to go into Executive Session to discuss a personnel matter in the Beautification Department.

* * *

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

* * *

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, to extend unpaid leave for Frank Perry until the September 21, 2018 Mayor and Board of Aldermen meeting.

| | |
|----------------------------|-----|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Aye |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

* * *

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to allow Leonard Prater to work over-time on Fridays, if he so chooses, and to advertise for an Operator I position.

* * *

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

* * *

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

* * *

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

* * *

Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to follow the recommendation of Police Chief Hendricks concerning disciplinary action for Officer Clayton.

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 115

REGULAR MEETING

AUGUST 7, 2018

| | |
|----------------------------|-----|
| Alderman at Large Torgeson | Aye |
| Alderman Hall | Aye |
| Alderman Clarke | Aye |
| Alderman Pickich | Aye |
| Alderwoman Charlot | Aye |

*

*

*

Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, to recess at 6:54 until the August 14, 2018 Special Mayor and Board of Aldermen Workshop.

*

*

*

Mayor

8-21-2018 _____

Date

City Clerk

8-21-2018 _____

Date