

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 118

REGULAR MEETING

MARCH 5, 2019

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 at Large Kenny Torgeson, Alderman Anthony Hall, Alderwoman Regina Charlot, Alderman Buddy Clarke, Alderman Victor Pickich, 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 Pickich, the Board approved unanimously, to amend the agenda to move item one on the Addendum to the first item.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, opening bids for unit price Pier Repair Contract, as requested Dawn Sanders, Deputy City Clerk. AD-1

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to accept and tabulate at a later date bids for unit price Pier Repair Contract.

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Upon motion of Alderman Torgeson, seconded by Alderwoman Charlot, the Board approved, minutes of the February 19, 2019 Regular Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-1.

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

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, minutes of the February 25, 2019 Special Mayor and Board of Aldermen meeting, as requested by Dawn Sanders, Deputy City Clerk. A-2.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, reappointment of Avra O'Dwyer to the Pass Christian School Board based upon the results of Aldermen recommendation submitted to the City Clerk.

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Upon motion of Alderman Hall seconded by Alderman Torgeson, the Board approved unanimously, lease agreement for Dog Park with Trinity Episcopal Church of Pass Christian, MS, of the Diocese of Mississippi at location West of the Church on St. Louis Street for one-year term with option to renew for twenty-four additional one-year terms for a total of twenty-five years with the payment of a nominal consideration (\$1.00) as annual rent each year. [The City will be required to maintain a separate liability insurance policy in favor of the Church as Lessor during the initial lease term or renewal term. The Committee for the Dog Park has requested the City to authorize the Public Works Department to clear and bush hog certain areas on the Western and Southern boundaries of the subject property and remove the broken and unused sidewalk along the public street right-of-way. The Church will be responsible for any real property taxes. Other than waiving a future tap fee for faucets at the Water Stations for the Dog Park, the Committee understands that the City will not be participating in the development and cost of the improvements for the fencing, on-street parking with handicap spaces, and any other improvements. The Committee intends to actively pursue Grant funding and other private donations for these purposes to fund contractors to do this work. The lease will be subject to being ratified or cancelled after the end of the current term by the successor administration of the City.] A-4.

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Upon motion of Alderman Hall, seconded by Alderman Clarke, the Board approved unanimously, renewal of lease agreement with Barrett and Barrett, LLC, d/b/a Sea Level for West Harbor Parking Lot for a six-month term commencing on April 1, 2019, at the monthly rental rate of \$450.66 as specified in the lease. A-5.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request from the LAD Project for the use and waiver of rental fee (\$125.00) at Randolph Center on Sunday, March 17, 2019 for a Multicultural Program from 3:00 p.m. until 6:00 p.m., this bringing favorable notice to the resources and opportunities of the City, as requested by Marsha Garziano. A-6.

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Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, request of Gulf Coast Running Club for use of Memorial Park and public streets for annual running events on the following dates in 2019, from 6:00 a.m. to noon, this bringing favorable notice to the resources and opportunities of the City, as requested by Auglain Holmes, Representative. A-7.

- Saturday April 13, 2019
- Saturday August 3, 2019

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- Saturday December 21, 2019

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, to move Administration item 8 to the end of Agenda.

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PLANNING DEPARTMENT

Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to open Public Hearing to approve Application PD-5-2019, Darell Samuels, 3 Japonica Drive, Conditional Use Permit for an eight by four foot shed (non-dwelling outbuilding) on a lot without a Principal Structure, with the conditions as listed in Section 5.14.1 of the SmartCode, in the T3R Single-Family Residential Zone, as requested by Danit Simon, City Planner. PD-1.

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Upon motion of Alderman Clarke, seconded by Alderman Torgeson, the Board approved unanimously, to close Public Hearing to approve Application PD-5-2019, Darell Samuels, 3 Japonica Drive, Conditional Use Permit for an eight by four foot shed (non-dwelling outbuilding) on a lot without a Principal Structure, with the conditions as listed in Section 5.14.1 of the SmartCode, in the T3R Single-Family Residential Zone.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, to accept Planning Commission's recommendation to approve Application PD-5-2019, Darell Samuels, 3 Japonica Drive, Conditional Use Permit for an eight by four foot shed (non-dwelling outbuilding) on a lot without a Principal Structure, with the conditions as listed in Section 5.14.1 of the SmartCode, in the T3R Single-Family Residential Zone.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, City Planner's recommendation to approve a Re-Subdivision Application at 313 Wood Street & 0 Oakland Avenue, Tax Parcels #0312M-04-043.000 & 0312M-04-042.000. Emily (Bogolin) Clemens propose combining the two lots into one, as requested by Danit Simon, City Planner. PD-2.

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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 Cheryl B Walsh's request to remove one magnolia tree at 114 Camellia Drive. As requested by Danit Simon, City Planner, as requested by Danit Simon, City Planner. PD-3

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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, City Planner's recommendation to approve a Re-Subdivision Application at 123 & 141 E 2nd Street, Tax Parcels #0313H-01-061.000 & 0313H-01-044.000. Debra K Wenger and The City of Pass Christian propose reconfiguring the lots, so that 141 E 2nd Street gains a 20 by 150 foot strip of land from 123 E 2nd Street, with Condition upon closing. PD-4.

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Alderman Clarke returned to the meeting.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, Cheryl B Walsh's request of the Pass Christian Tree Board's recommendation at 114 Camellia Drive. The Tree Board recommended to **approve** Cheryl B. Walsh's request to remove one magnolia tree, as requested by Danit Simon, City Planner. PD-5.

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COURT DEPARTMENT

Upon motion of Alderwoman Charlot, seconded by Alderman Torgeson, the Board approved unanimously, refund request of \$38.00 to the Harrison County Sheriff's Office for overpayment of a bond in October of 2018. Check #4444 was made out for \$788.00 when the defendant had only paid \$750.00 (the difference was their credit card fee), as requested by Tina Dupree, Court Clerk. C-1.

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FIRE DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved unanimously, request to put Edward J Resh and James R Butcher on the part-time call out list, effective March 6, 2019 and a rate of pay of \$10.40 per hour, as requested by Fire Chief Gordon.

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HARBOR DEPARTMENT

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, the purchase of decking materials for completion of deck just north of pier C-1 in the amount of \$8,764.00 from All Star Forest Products to be paid out of account 489-751-911, as requested by Harbormaster Tiller. H-1.

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POLICE DEPARTMENT

Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, request to leave the following vehicle located at the police department as an unmarked car, as requested by Police Chief Hendricks. P-1.

- 2000 Toyota 4Runner, VIN# JT3GN86R2Y0159137

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PUBLIC WORKS DEPARTMENT

Upon motion of Alderman Clarke, seconded by Alderman Pickich, the Board approved, request for Public Works to return to 10 hours a day Monday to Thursday 7:00 a.m. to 5:30 p.m. starting March 8, 2019, as requested by Russell Holliman, Public Works Director.

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

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CONSENT AGENDA

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send SRO JW Dedeaux to a 2-day Child Protective Set Instructor course held May 29-31, 2019 in Biloxi. Tuition is free and use of a City vehicle, as requested by Police Chief Hendricks. CA-1.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request to send Sgt. Daniel Sullivan to a 2-day TASER Instructor Certification course held May 13-14, 2019 in Gulfport. Tuition is \$495 and use of a City vehicle, as requested by Police Chief Hendricks. CA-2.

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

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unanimously, request to send Officer William Brett to Harrison County Training Academy for a mandatory skills refresher course beginning May 6, 2019. Tuition is \$1,500 and use of a City vehicle, as requested by Police Chief Hendricks. CA-3.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, request to send Lt. Dennis Brown to a ten-day Fire Investigator 1033 class held March 18-28, 2019 in Jackson, MS. Tuition is \$640, per-diem and use of a City vehicle, as requested by Fire Chief G. CA-4.

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, request to send Sgt. Kyle Broadus to a thirty-day Basic Computer Evidence Recovery (BCERT) training class May 26, 2019-June 29, 2019 held in Birmingham, Alabama. This was previously approved by the Board on October 16, 2018 for Inv. Burkett to attend for training dates of January 7-February 7, 2019, but was canceled due to government shutdown. Tuition, per-diem and lodging are free and use of a City vehicle, as requested by Police Chief Hendricks.

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CLAIMS DOCKET

Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved Claims Docket in the amount of \$163,209.64 CD-1.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, to accept addendum item 2.

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Upon motion of Alderman Torgeson, seconded by Alderman Pickich, the Board approved unanimously, transfer of \$400,000.00 from Hancock Bank Depository account to the City of Pass Christian's Senate Bill 2002 account ending in 4722, as requested by Marian Governor.

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ADMINISTRATION (8)

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Upon motion of Alderman Hall, seconded by Alderman Torgeson, the Board approved unanimously, discussing engineering contract with T. Baker Smith approved at the February 19, 2019, meeting.

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Upon motion of Alderman Torgeson, seconded by Alderman Hall, the Board approved unanimously, to cancel engineering contract with T. Baker Smith approved at the February 19, 2019, meeting, send 30-day notice and to enter into new contract with Overstreet.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke the Board approved unanimously, to go into Executive Session to discuss strategy sessions or negotiations for prospective claim or litigation for property damages in the approx. amount of \$450 at C & J Quick Stop, 400 Henderson Avenue, by Tommy Allison that would have a detrimental effect on the City's position in defending such claim, as requested by Alderman Torgeson.

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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 Torgeson, seconded by Alderwoman Charlot, the Board approved unanimously, to follow recommendation of insurance carrier to deny the claim.

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Upon motion of Alderman Torgeson, seconded by Alderman Clarke, the Board approved unanimously, to recess at 6:47 p.m. until the Tuesday, March 19, 2019 Regular Mayor and Board of Aldermen meeting.

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Mayor

3-19-2019

Date

City Clerk

3-19-2019

Date