

MINUTE BOOK 137

REGULAR MEETING

February 7, 2023

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 Renaud “Jimmy” Rafferty, Alderman at Large Kenny Torgeson, Alderwoman Betty Sparkman, Alderwoman Regina Charlot, Alderman Kirk Kimball, Alderman Victor Pickich, City Attorney, Malcolm Jones and City Clerk, Ron Duckworth.

DEPARTMENT DIRECTORS PRESENT: Chief of Police Daren Freeman, Code Enforcement, Mark Savasta; City Planner; Derrick Duckworth, Fire Chief; Dwight Gordon, Harbor Master; Russell Holliman

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

Open bids for the Annual Unit Price Infrastructure Project
Open bids for the Southeast Boat Launch Access Piers

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kirk Kimball the Board unanimously approved, the agenda for the February 7, 2023, BOA meeting.

FESTIVALS & FUNCTIONS

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously agreed on the City declaring Friday, February 10th as Arbor Day in Pass Christian (that is the date recognized by the State as well). The Garden Club will be donating a tree to be planted that day as well. This will bring favorable notice to the resources and opportunities of the City. Mayor will present the proclamation.

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Upon motion of Alderman Victor Pickich and seconded by Alderwoman Betty Sparkman the Board unanimously agreed to approve the request by M.C. Scriber to use space outside the Whiskey Bar on North side to serve patrons as described in Exhibit A during the City’s Mardi Gras Parade on February 19, 2023.

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Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously agreed to approve purchase of supplies for the February 19, 2023, Mardi Gras Parade, authorized by Section 17-31 which allows advertising and promotional expenditures to advance the moral, financial and other interest of the municipality, for public entertainment. This will bring favorable notice to the resources and opportunities of the City. Not to exceed \$1,000.00. To be paid out of the General Administration Budget; General Supplies Expense (001-105-505) and funds are available as confirmed by the City Clerk.

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the use of the City stage and street closure of Market/Scenic to Hiern/Scenic Saturday, March 11th from 11am to 7pm. This is a public event sponsored by The Deck partnering with Charity Animal A.I.D. of MS to bring awareness to their organization and aid in fundraising. The public event will feature live music, pet adoptions and a microchip check site. This bringing favorable notice of the resources and opportunities of the City. As requested by Alderman Kimball.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Torgeson the Board unanimously approved the request of Gulf Coast Running Club for use of Memorial Park and public streets for annual running events on the following dates in 2023, from 7:00 a.m. to 10:00 a.m., this bringing favorable notice to the resources and opportunities of the City, as requested by Leonard Vergunst, Representative.

- Saturday April 15, 2023
- Saturday August 5, 2023
- Saturday December 16, 2023

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Upon motion of Alderman Victor Pickich and seconded by Alderwoman Regina Charlot the Board unanimously agreed on the request for “Juneteenth in the Pass” to be held on Saturday June 17, 2023, at the Randolph Center. The City is requested to make a financial contribution in the amount of \$1,500, waiver of the Randolph Center Rental Fee, use of the City’s stage, a police officer for security, overtime for City employees for set up and clean up (Public Works, Beautification, etc.), and other needs as deemed necessary by the Mayor. The City’s financial contribution will be paid out of the Community Promotions budget verified and confirmed by the City Clerk. This will bring favorable notice to the resources and opportunities to the City.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board unanimously agreed to allow the Pass Christian Library to use War Memorial Park for the Butterflies in the Pass Monarch Festival on Saturday, September 30th, 2023, from 10am-1pm. The Library is also asking for all fees to be waived for the event. This will bring favorable notice of the resources and opportunities of the City.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Torgeson the Board unanimously agreed on allowing The American Red Cross to use the Pass Christian Senior event room at the Randolph Center for the Media Blood Drives thought out the 2023 season. The dates for the drives will be as follows:

- Red Cross Month Community Drive – Tuesday, March 21, 2023
- Media 4 Red Cross – Monday, June 19, 2023
- Katrina Memorial – Thursday August 24, 2023
- WLOX New Year Celebration – Tuesday December 26, 2023

They are also asking for all fees to be waived. This will bring favorable notice of the resources and opportunities of the City.

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ADMINISTRATIVE

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kirk Kimball the Board unanimously approved the Gulf Coast Restoration Fund Agreement in the sum of \$3,000,000 with Mississippi Development Authority as recommended by City Attorney.

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the Development Agreement with St. Paul Center, LLC (Nicaud) in the sum of \$1,500,000 to be funded by the GCRF grant with the City’s local match to be \$300,000 as recommended by the City Attorney. (Exhibits will be provided prior to the Board meeting.)

Betty Sparkman	Yay
Regina Charlot	Nay
Kirk Kimball	Yay
Victor Pickich	Yay
Kenny Torgeson	Yay

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Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved the contract for the sale and purchase of the northern portion of Tax Parcel 0313H-02-011.000, less a part 20’ wide and 60’ in length in the SE corner of the property, as shown on the diagram attached to Exhibit A for the sum of \$142,500 and authorize the City to make improvements and renovations to the proposed parking area with limestone and landscaping in an amount not to exceed \$107,500 for a total investment of \$250,000, for the Downtown Development Initiative with such funding for the purchase and improvement of such property being derived from the Capital Expenditure appropriation provided to the City by the Mississippi Legislature or under the Gulf Coast Restoration Fund Grant.

Betty Sparkman	Yay
Regina Charlot	Nay
Kirk Kimball	Nay
Victor Pickich	Yay
Kenny Torgeson	Yay

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed to use up to \$750,000 of the Capital Expenditure Grant Funds or Gulf Restoration Funds Grant for improvement of eligible infrastructure costs for including, but not limited to work for Drainage, Public Utilities, Public Infrastructure, Public Roads to allow for ingress and egress, lighting, sidewalks, etc. The breakdown to be as follows: \$500,000 to Trinity Park Subdivision / \$250,000 to Pass Harbor Town.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board no action was taken on clarifying whether current ordinance(s) prohibits construction work being done on Sundays and before 7:00am on Monday-Saturday. As requested by Alderperson Betty Sparkman.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously approved the invoice from Overstreet and Associates for engineering services related to 1148 Pass Bungalow Project in the amount of \$790.00. This will be paid out of the Gulf Coast Restoration Fund and funds are available as confirmed by the City Clerk.

- Betty Sparkman Aye
- Regina Charlot Nay
- Kirk Kimball Aye
- Victor Pickich Aye
- Kenny Torgeson Aye

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board unanimously accept lowest, best, and most responsible quote from Gibson Maintenance for repair of the road at the Dollar General store on West North St. in the amount of \$12,180. This will be paid from the Modernization and Infrastructure Fund and funds are available as confirmed by the City Clerk.

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Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board unanimously approved pay application No. 8 in the amount of \$137,348.99 to Bottom 2 To Construction, LLC for the Beach Bungalows project as recommended by David Ball, project engineer.

Betty Sparkman	Yay
Regina Charlot	Nay
Kirk Kimball	Yay
Victor Pickich	Yay
Kenny Torgeson	Yay

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Upon motion of Alderman Victor Pickich and seconded by Alderwoman Betty Sparkman the Board unanimously approved final pay application No. 9 in the amount of \$46,031.30 to Bottom 2 Top Construction, LLC for the Beach Bungalows project as recommended by David Ball, project engineer. [This final pay application includes the release of the retainage in the sum of \$54,531.30 and a deductive change order in the amount of \$8,500.00 for removal of the construction of the handrails from project. This work will be done by the Developer. Per the terms of the City’s Development Agreement the Developer has paid to the City all sums due under the contract as adjusted in excess of the GCRF Grant in the sum of \$750,000 and \$150,000 for the City’s local match for a total of \$900,000 and all engineering fees billed to the City by the project engineer, Overstreet and Associates (Attachments to be sent out on Friday, February 3, 2023)

Betty Sparkman	Yay
Regina Charlot	Nay
Kirk Kimball	Yay
Victor Pickich	Yay
Kenny Torgeson	Yay

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BEAUTIFICATION

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved request to hire Anna Hillhouse as a Laborer I at a rate of \$12.00 an hour effective date February 8,2023, pending passing of drug test. This hire is to replace a budgeted vacant position and funds are available as confirmed by the City Clerk.

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COMMUNITY PLANNING & DEVELOPMENT

Upon motion of Alderwoman Regina Charlot and seconded by Alderman Victor Pickich the Board unanimously approved the request from the City Planner to form a committee to assist with Short-Term Rentals in the City of Pass Christian. The committee will be an advisory committee to the Director of Planning and Zoning. The advisory committee will be comprised of six (6) members: one resident from each respective ward, Fire Department representative, and the Director of Planning and Zoning.

Betty Sparkman	Yay
Regina Sparkman	Nay
Kirk Kimball	Yay
Victor Pickich	Yay
Kenny Torgeson	Yay

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Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board unanimously approved the travel for Derek Duckworth and Mark Savasta to attend the American Planning Association (APA) National Conference, in Philadelphia, Pennsylvania, April 1-4, incurring a cost of \$765 for the conference, \$440 for flights, and \$237 per diem, totaling \$1,442 each. This conference will be paid out of the Protective Inspection Contractual Services and Planning Contractual Services Budget. Funds are available per the City Clerk.

Betty Sparkman	Yay
Regina Charlot	Yay
Kirk Kimball	Yay
Victor Pickich	Nay
Kenny Torgeson	Yay

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved the request of the Planning Commission and the City Planner for a warrant/variance application for front-load parking in the T4+ (General Urban – Plus) Zoning District (Lots 19 & 20 – 0 Henderson Avenue – near Corner of Henderson Avenue and St. Louis Street – Across from Live Oaks Cemetery – Parcel Number (0313F-02-018.000). Per legal, process of warrant/ variance can be done by right as advertised.

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FIRE DEPARTMENT

Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Torgeson the Board unanimously agreed approving Chief Gordon’s request to pay effected City Employees over time for working the Pass Parade on February 19, 2023. Expenditure of Overtime in this department is budgeted and funds are available and confirmed by the City Clerk.

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HARBOR

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously agreed no action be taken on purchasing picnic tables from Lowes, being the lowest bid, in the amount of \$6,836.28 paid from the FEMA Funds.

- FEMAS Specification List:
- 12 – 5’ picnic tables
- 12 – 6’ picnic tables

Funds are available as confirmed by the City Clerk.

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POLICE DEPARTMENT

Upon motion of Alderman Kenny Torgeson and seconded it by Alderman Kirk Kimball the Board unanimously agreed adding Nichole Saccurato on part-time list at \$16.69 per hour effective February 10, 2023, pending drug test.

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Upon motion of Alderman Kirk Kimball and seconded it by Alderman Kenny Torgeson the Board unanimously agreed adding Alex Klodnicki to part-time list of Officer at \$16.69 per hour effective February 8, 2023, pending drug test. Mr. Klodnicki would also like consideration for future full-time employment as a patrolman in later March, date TBD.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously agreed to accept the donation of a British Labrador Retriever Puppy from D. Christopher Daniel for K9 Program/Narcotics Detention and to promote Community Relations.

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UTILITIES DEPARTMENT

Upon motion of Alderman Kenny Torgeson and seconded it by Alderman Kirk Kimball the Board unanimously agreed to approve quote from Riverbend Underground in the amount of \$4,725.00 as recommended by WPSCO as the lowest, best, and most responsible quote, to install water/sewer taps in the mains for the new Cat Island Bookstore Outpost. This was approved at the December 20, 2022, Board Meeting pending receipt of quotes. This will be paid out of the Utility Department Waster Contractual Services and funds are available as confirmed by the City Clerk.

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Upon motion of Alderman Kirk Kimball and seconded it by Alderwoman Regina Charlot the Board unanimously accepted, from WPSCO (Water), A&C Industrial Inc., the lowest, best, and most responsible quote, in the amount of \$2,350.00 to make repairs to the water service line at the end of East Harbor Dr. near the Ice House Office. This will be paid out of the Utility Operations Water Repair and Maintenance Account (400-704-560-) and funds are available as confirmed by the City Clerk.

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CONSENT AGENDA

Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved Board of Alderpersons Charlot, Kimball and Pickich to attend Mississippi Rural Water Association Advanced Board Training. New State Law requires additional training. Registration Fee with Training Manual is \$50.00 per person for a total cost of \$150.00. This will be paid out of the Legislative Training and Travel Budget and funds are available as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously considered reimbursing Mayor Rafferty \$151.25 for copies of presentations that were made to State Legislators while he was in Jackson on January 10, 2023. Attached is the receipt from Fed Ex Kinkos. To be paid out of the General Fund (001-105-500) and funds are available as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously considered covering the cost of having the Mayor attend the Annual Mississippi Municipal League (MML) Annual Conference in Biloxi on June 26-28, 2023, at a cost of \$325. To be paid out of the Executive Budget; Training and Travel (001-102-610) and funds are available as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved payment of the following Invoices for Compton Engineering:

Invoice# 221-018-22 / Small Craft Harbor / \$3,150.00 / FEMA Hurricane ZETA Fund / 141-751-602
Invoice# 221-088-10 / East Small Craft Harbor Electrical Haz Mit / \$462.50 / FEMA Hurricane ZETA Fund / 141-751-602
To be paid out of the FEMA Hurricane ZETA Fund and funds are available as confirmed by the City Clerk.

Invoice# 221-060-17 / Miscellaneous Services / \$1,037.50 / General Fund
To be paid out of the General Fund (001-105-600) and funds are available as confirmed by the City Clerk.

Invoice# 221-060-17 / ARPA Grant Applications / \$1,942.50
To be paid out of the General Fund (001-105-600) and funds are available as confirmed by the City Clerk.

Invoice# 222-051-1 / South Market Street Public Boat Launch Access Piers / \$4,810.00
To be paid out of the Harbor Fund (480-751-600) and funds are available as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved authorizing the City Clerk to open a new bank account at the Peoples Bank for depositing the \$750,000.00 in funds received from the HB1353 Capital Expenditures Grant and authorizing transfer of the aforementioned \$750,000 that was received from the State of MS on January 30, 2023, from the Depository bank account to the HB1353 bank account. (These funds are required to be held in a separate bank account), as requested by Ron Duckworth).

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously considered the adoption of Resolution to authorize City to lend 360 barricades to the City of Biloxi for its Mardi Gras Parade to be held on February 21, 2023, upon the condition that the City of Biloxi will be responsible for picking up the barricades after the City's Mardi Gras Parade and returning same by February 22, 2023.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved adopting a resolution requesting Harrison County Board of Supervisors to donate a sum not to exceed \$3,100 for the rental of five tents (20x40), fifteen bistro tables (30inch x 40inch) and twelve banquet tables (8ft) from ABC Rental for the Blessing of the Fleet Festival. Requested by Alderman Kimball.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously considered approving Margaret-Jean Kalif to a new 3-year term on the Planning Commission, with effect from January 1, 2023.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved the refund request of \$1,224.00 to Jose Mauricio Portillo Contreras. Mr. Portillo Contreras paid a cash bond of \$2,000.00. After hearing his charge, he was ordered to pay \$776.00 which was applied from his bond. The remaining balance is requested to be refunded. The City Clerk had confirmed that the Cash Bond is correct and the refund amount that is requested is correct.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved Chief Gordon's request to send FF Jason Smith to MSFA for Engine Company Operations, 2/13/23 to 2/16/23. Cost of class is \$360.00, which will be taken out of State Rebate Acct., per diem of \$115.00 and use of city vehicle. This is a budgeted expenditure and funds are available in the Fire Department Training Budget as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously approved Chief Gordon’s request to send recruit FF Marcos Chacon to MSFA for FF 1001-I-II, beginning February 26, lasting 7 weeks. The cost of class is \$500.00, per diem of \$805.00, and use of city vehicle. This is a budgeted expenditure and funds are available in the Fire Department Training Budget as confirmed by the City Clerk.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously ratified the resignation from Sergeant Sara Reynolds effective January 26, 2023, and pay her for any comp-time and vacation pay per City Policy that she may have accrued while employed.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously ratified the request to apply for Small Rural Tribal Body Worn Camera Grant in the amount of \$14,160.00 and match of same at \$14,160.00 to assist with the purchase of up to 12 body worn cameras for new updated system.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously accepted letter the of resignation from Wesley Blalock effective date March 3, 2023, and pay him for 80 hours of vacation per employee handbook; and to advertise to hire a full-time Mechanic to replace this open position. Requested by Kirk Ladner.

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Upon motion of Alderwoman Betty Sparkman and seconded it by Alderman Kenny Torgeson the Board unanimously spread on the minutes the December 31, 2022 Revenue and Expenditures Report.

CITY OF PASS CHRISTIAN, MISSISSIPPI

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CLAIMS DOCKET

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved the Claims Docket in the amount of \$297,458.02.

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PUBLIC COMMENT

THE MAYOR AND BOARD OF ALDERPERSONS WILL ALLOW RESIDENTS AN OPPORTUNITY TO SPEAK WITH A THREE-MINUTE TIME LIMIT ON EACH SPEAKER. NO PUBLIC QUESTIONING COMMENTS ARE ALLOWED DURING THE MEETING, UNLESS THE MAYOR RECOGNIZES SUCH PERSON.

Mayor

02-07-2023

Date

City Clerk

02-07-2023

Date