

# MINUTE BOOK 137

## REGULAR MEETING

March 7, 2023

BE IT REMEMBERED that the Mayor and Board of Alderpersons 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, Public Fire Chief; Dwight Gordon, Harbor Master; Russell Holliman, Beautification Director; Brad Manus

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

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kirk Kimball the Board unanimously approved, the agenda for the March 07, 2023, BOA meeting.

\*

\*

\*

## *ADMINISTRATIVE*

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Victor Pickich the Board unanimously agreed to replant trees from Second Street onto Henderson Park and Church Street Park. See attached maps as requested by the Board of Alderpersons. The Pass Christian High School has also requested three to five Live Oak Trees for their Sports Complex.

\*

\*

\*

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed discussing resignation of Bob Escher from the Compton Engineering firm and the consequences of such action upon existing and future engineering projects for the City. Requested by City Attorney Malcolm Jones.

# MINUTE BOOK 137

## REGULAR MEETING

March 7, 2023

\*

\*

\*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed to accept the contract with Bob Escher and his new firm of Covington Civil/Environmental LLC to continue services as the City’s Engineer, requested by Alderman Kimball.

\*

\*

\*

Upon motion of Alderwoman Regina Chalot and seconded by Alderman Victor Pickich the Board unanimously agreed to authorize Public Works Department to dump surplus dirt near the Eastern boundaries of Tax parcel No. 313A-02-025.000 (BBINPC, LLC – Owner) and Tax parcel No. 0313A-02-022.000 (PMBD Jenkins Properties, LLC) to prevent erosion caused or will be caused by the existing drainage pipe within a public drainage easement within that area as provided by MCA Section 21-19-13(2) conditioned upon receipt of an executed right-of-entry form from the property owners. The City Public Works crew will be responsible for spreading dirt within the area of the public easement on Tax parcel No. 0313A-02-022.000 (Jenkins Properties) to fill in low areas and maintain the surface drainage to the existing inlets. The property owner for tax parcel 0313A-02-025.000 (Bradley) and the adjacent property owner’s (Taylor) contractor will be responsible for spreading the dirt placed by the City and creating a drainage swale along the common boundary of their properties. (See Tax Maps attached). Requested by City Attorney Malcolm Jones.

\*

\*

\*

Upon motion of Alderman Victor Pickich and seconded by Alderwoman Betty Sparkman the Board denied motion to schedule a Town Hall meeting the second Monday of every quarter for the purpose of allowing citizens to ask questions and provide feedback. Attendance by the Mayor, Alderpersons, Commission Chairs and Department Heads is encouraged but not mandatory. For the remainder of 2023, the meetings would be April 10, July 10, and October 9, as requested by Alderwoman Sparkman.

\*

\*

\*

# MINUTE BOOK 137

## REGULAR MEETING

March 7, 2023

\*

\*

\*

Upon motion of Alderman Kirk Kimball and seconded by Alderwoman Betty Sparkman the Board denied motion to purchase a portable PA System from Mississippi Sound and Video (quote attached) for use at various events throughout the year. As requested by Susan Putnam – Community Affairs. Mississippi Sound and Video has provided this to use throughout 2022 at no cost to the City. This would be paid out of City Administrative- General Supplies expense and funds are available as confirmed by the City Clerk.

\*

\*

\*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board unanimously agreed adopting the Resolution supporting actions and Mission of the Mississippi Sound Coalition and request for funding from the State of Mississippi. (see attached).

\*

\*

\*

Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board unanimously agreed to authorize the Mayor and City Engineer to submit request for reallocation of FY 22 Tidelands funds in the sum of \$270,000 to Department of Marine Resources (DMR). These funds were appropriated to the City for West Harbor Improvements and the City requests they be reallocated for the six projects described in Exhibit A attached.

\*

\*

\*

Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board unanimously agreed to authorize the Mayor to notify Mississippi Department of Transportation (MDOT) to request activation of the Transportation Improvement Program (TIP) project at the intersection of North Street and Henderson Avenue with the City to receive the sum of \$487,264 and the City to provide a 20% local match of \$121,816 for a total project cost of \$609,080. 20% local match will be paid out of the Capital Improvement Fund and funds will be available as confirmed by the City Clerk.

MINUTE BOOK 137

REGULAR MEETING

March 7, 2023

\* \* \*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board unanimously agreed authorizing the City to select and contract with Overstreet & Associates Engineering to perform design services only for the proposed improvements through the TIP Program with MDOT to the intersection of North Street and Henderson Avenue for an amount not to exceed \$70,000. [The City will request authority under the MDOT regulations to use the design engineering fees it will pay Overstreet to be used for a special local match credit. MDOT requires that the construction engineering and inspection services will have to be separately procured and covered under a different contract at a later date. Although the initial design engineering contract does not have to be approved by MDOT, this second engineering contract for the construction phase must be approved by MDOT later.]

\* \* \*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed to refer blighted property at 215 E. North St. (Webster) to Municipal Court. Requested by Alderman Kimball.

\* \* \*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board agreed to refer blighted property 388 Clark St. to Municipal Court. Requested by Alderman Kimball.

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

\* \* \*

# MINUTE BOOK 137

## REGULAR MEETING

March 7, 2023

\*

\*

\*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed to refer blighted property 391 Hunter Ave to Municipal Court. Requested by Alderman Kimball.

\*

\*

\*

## ***BEAUTIFICATION***

Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Torgeson the Board approved the request to hire Tammi Cuevas as a Laborer I at a rate of \$12.50 an hour effective date March 8, 2023, pending drug test as requested by Brad Manus Beautification Director. This is a vacant budgeted part-time position to be converted to a full-time position to handle janitorial responsibilities for City Buildings. Budget funds are available per attached analysis in the Beautification Personnel Budget. Additionally, the cost of this position will be also partially offset by the termination of the contract with ServiceMaster as noted in the attached analysis. As requested by Brad Manus Beautification Director.

\*

\*

\*

## ***COMMUNITY PLANNING & DEVELOPMENT***

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed on an update for Short-Term Rentals from the Director of Planning and Zoning.

\*

\*

\*

## ***HARBOR***

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed to approve Otis Elevator Maintenance Contract as attached with revisions proposed by City Attorney Malcolm Jones. The cost for the 2022-23 Budget Year will be \$2,892.00 (The annual cost of the contract is \$5,340.00) and will be paid out of the Harbor Fund Contractual Repairs and Maintenance Account and funds are available as confirmed by the City Clerk. The proposed contract is attached pending the final revised contract from Otis Elevator.

**MINUTE BOOK 137**

**REGULAR MEETING**

**March 7, 2023**

\*

\*

\*

***POLICE DEPARTMENT***

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the recommendation to hire Alex Klodnicki to fill the existing vacancy in patrol effective March 8, 2023, and a starting salary of \$18.00 per hour with holiday pay. Klodnicki is a certified officer and is currently on our part-time list. He has passed all civil service requirements. The position has a one-year probationary period. This is a budgeted position and funds are available as confirmed by City Clerk.

\*

\*

\*

***PUBLIC WORKS DEPARTMENT***

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the request to hire Charles McKay as a Truck Driver at a rate of \$15.00 an hour effective date March 8, 2023, pending passage of drug test. This is a budgeted position that has been open, and funds are available in the Public Works Salary Budget as confirmed by the City Clerk.

\*

\*

\*

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board took no motion for approving the request to hire James Tanner as an Operator I at the Public Works Department at a rate of \$14.00 an hour effective date March 8, 2023, pending drug screening. This is an open budgeted position and funds are available in the Public Works Budget as confirmed by the City Clerk.

**MINUTE BOOK 137**

**REGULAR MEETING**

**March 7, 2023**

\* \* \*

***UTILITY DEPARTMENT / WPSCO***

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Regina Charlot the Board unanimously agreed to accept lowest, best, and most responsive quote from A&C Industrial in the amount of \$3,500.00 to relocate existing Grinder Pump at 1571 W. Railroad as requested by WPSCO. This will be paid out of the Utility Operations - Sewer - Other Contractual and funds are available as confirmed by the City Clerk.

\* \* \*

***CONSENT AGENDA***

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed to spread on the minutes the January 31, 2023, and February 28, 2023, Revenue and Expenditure Reports.

\* \* \*

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed to authorize City Attorney to enter an appearance and file a disclaimer or other responsive pleading to Tax Title Confirmation lawsuit styled James and Cynthia Patterson v. City of Pass Christian, et als., Chancery Court of Harrison County, MS 1 JD, Cause 23-406(1) [The City is a nominal party in this case.]

\* \* \*

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed to the repair of buying a mower in the amount of \$4,521.25 as quoted by All Seasons Farm Equipment being the lowest, best, and most responsive quote. This was a planned repair and was budgeted for and to be paid out of the Beautification Repairs and Maintenance budget. Funds are available as confirmed by the City Clerk.

\* \* \*

# MINUTE BOOK 137

## REGULAR MEETING

March 7, 2023

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed to approve the refund request of \$105.75 to Richard Byars. Mr. Byars was arrested for Disorderly Conduct and paid a \$750.00 cash bond. He was convicted on 01/25/2023 and ordered to pay \$644.25 leaving a balance to be refunded.

\* \* \*

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously agreed to issue a refund in the amount of \$776.97 to Louis Guidry for difference of pre-pay slip rental for P-304. Customer never brought the boat back after Hurricane Zeta. This account has been inactive and due to health issues Mr. Guidry has sold the boat.

\* \* \*

Upon motion of Alderwoman Betty Sparkman and seconded by Alderwoman Regina Charlot the Board unanimously agreed to accept a letter of resignation from Deric Gillum effective 2/28/2023, pay any hours of vacation per employee handbook and authorize advertisement of open position.

\* \* \*

## CONSENT AGENDA: PLANNING

In accordance with Ordinance and Planning Commission - approved variance

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Regina Charlot the Board unanimously approved the recommendation of the Planning Commission request for variance to allow construction of a single-family dwelling on a nonconforming lot (front-load parking permitted) Zoned T3R; Tax Parcel: (0213H-03-098.000 - 0 Bay View Avenue - Please see attached map - Agent, Bennie Hensarling for Owner, Ronald Thorp); in accordance with ordinance ((Development Code 3.0)(Sect. 3.0)(Table 3A-Suburban)(T3R)).

\* \* \*



# MINUTE BOOK 137

REGULAR MEETING

March 7, 2023

\*

\*

\*

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Regina Charlot the Board unanimously approved the recommendation of the Planning Commission request for variance to allow construction of a single-family dwelling with front load parking in the first layer of the dwelling; Tax Parcel: (0313F-03-039.001 - 101 Pine Avenue - William Sumter Scheppe). In accordance with ordinance (Development Code 3.0) (Sect. 8.0(Sub 8.10) (8.10.1)(c)).  
In accordance with Ordinance and by Right

\*

\*

\*

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Regina Charlot the Board unanimously approved the recommendation of the City Planner to subdivide one (1) lot to create five (5) lots, T3R (Sub-Urban) Zoning District, tax parcel: (0313D-07-018.000 - 105 Timber Ridge Boulevard - located at the corner of West North Street and Timber Ridge Boulevard - Elizabeth Tracewell Bailey Hanrahan); in accordance with ordinance and by right ((Development Code 3.0)(Sect. 3.0)(Table 3A-Suburban)(T3R)).

\*

\*

\*

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Regina Charlot the Board unanimously approved the recommendation of the City Planner to subdivide one (1) lot to create three (3) lots. T4+ (General Urban) Zoning District. Tax parcel: (0412J-03-026.000 - 880 North Street - located at the corner of North Street and Rosehart Avenue - Five Star Builder's LLC); in accordance with ordinance and by right (Development Code 3.0) (Sect. 3.0)(Table 3A-Suburban)(T4+)).

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 137

REGULAR MEETING

March 7, 2023

\*

\*

\*

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 \$159,759.81

\*

\*

\*

PUBLIC COMMENT

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

\_\_\_\_\_  
Mayor

03-07-2023  
\_\_\_\_\_  
Date

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

03-07-2023  
\_\_\_\_\_  
Date