

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 139

REGULAR MEETING

June 20, 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 Victor Pickich (via phone), Alderman Kirk Kimball, City Attorney, Malcolm Jones and City Clerk, Ron Duckworth.

DEPARTMENT DIRECTORS PRESENT: Chief of Police Daren Freeman, City Planner; Derrick Duckworth, Harbor Master, Russell Holliman, Jr., Fire Captain Diamond Woodman.

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 Kenny Torgeson the Board unanimously approved, the agenda for the April 18, 2023, BOA meeting.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved Chief Gordon’s request to receive a \$2,500.00 grant from Centerpoint Energy Safety Grant. This grant will go towards the purchase of 2 gas detector meters. Centerpoint will be at the meeting to present the award.

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EVENTS & FUNCTIONS

Upon motion of Alderperson Regina and seconded by Alderman Kenny Torgeson the Board unanimously approved the request from The Pass Christian Pirate Excellence Foundation (PEF) for Starz in the Park Gala Fundraiser to be held Saturday, September 30, 2023. All net proceeds are directed to student scholarships and teacher grants within the Pass Christian School District. Use of the following resources from the City of Pass Christian in support of the Excellence Foundation, as requested by Alderman Kimball. This bringing favorable notice to the resources and opportunities of the City.

- Use of the Henderson Park
- Preparation of the grounds to include treatment for ants as well as grass cutting as appropriate.
- Use of city trash receptacles, (cans and recycle bins).
- Use of the city stage
- Use of City generators
- Use of the city's mobile restroom trailer
- Use of the portable panel box
- Four tower lights at \$104.00 each per the City's rate at United Rental
- Use of tables and chairs from the Randolph center to be dropped off at Henderson Park by Beautification/Public Works
- City barricades/cones as needed
- Police, Fire, Beautification, Public Works support including overtime if necessary
- And any further resources as deemed 'necessary and required' by the Mayor

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Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously approved the street closure of Davis Avenue from Davis & Second to Davis & Scenic August 19, 2023, for St. Paul's Carnival Kickoff celebration from 7pm to 11pm. This is a public event, and all are welcome to attend thus bringing favorable notice to the resources and opportunities to the City of Pass Christian.

The following items are requested by Alderman Kimball:

- Use of the mobile restrooms
- Trash Cans
- Barricades
- Generator
- Any circumstance deemed necessary by the Mayor

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Upon motion of Alderman Kirk Kimball and seconded by Alderwoman Betty Sparkman the Board unanimously approved the closure of Barkley Avenue on Sunday July 3, 2023, from 2:00 PM to 6:00 PM, for a local event pursuant to Public safety requirement approvals, by Alderman Kirk Kimball.

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ADMINISTRATIVE

Upon motion of Alderman Kenny Torgeson and Alderman Kirk Kimball the Board Tabled the request for the City of Pass Christian taking over the Memorial/Veteran Banners Program whereby an accurate count of available spaces will be monitored. Applications will be handled by the Deputy City Clerk and ordered by Community Affairs from Southern Printing. In addition, pricing will remain at \$150 and will be used to purchase brackets for poles, as requested by Director of Community Promotions, Susan Putnam.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board directed the City Attorney to prepare and Ordinance to implement a Board policy that requires all Boards, Commissions and Committees of the City of Pass Christian to conduct City meetings and business in the Court/Council Room for the public to attend in person and for those not able to attend in person to be able view those meetings online through the City website, as requested by Alderperson Regina Charlot.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Toregson the Board denied the request for an ordinance that prohibits any increase in an employee’s wages if that employee has not worked for the City for 90 days, as requested by Alderperson Regina Charlot.

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

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously agreed on referring blighted property 215 E. North St. Parcel # 0312O-01-014.000 (Daniel Webster) to Municipal Court for violation of the City's Waste Ordinance, as requested by Alderman Kimball.

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board unanimously agreed to demolish structure on blighted property 338 Saucier Ave. 0313A-04-039.00 (Sondria Palode) in violation of MCA §21-19-11 and IPMC Ordinance by written consent of owner as requested by Alderman Kirk Kimball. (see attached)

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the Development Agreement between the City and Eagan Management Group, LLC for construction of mixed-use retail/residential development on the South side of East Scenic Drive near the intersection with St. Paul Avenue with the City providing the sum of \$500,000 from Capital Expenditure - House Bill 1353 Fund and the Developer committing to a \$5,800,000 private investment.

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Upon motion the Board unanimously agreed to accept the motion to spread on the minutes on the Statement of Revenue and Expenditures for the period ending May 31, 2023 (will be submitted separately).

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BEAUTIFICATION

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved the request to hire Dennis Burlett in the Beautification Department as a laborer at the rate of \$12.50 an hour with an effective date 6/21/2023, pending drug screen results. This is a budgeted position that became open due to a resignation and funds are available for this position as confirmed by the City Clerk. As requested by Brad Manus, Director of Beautification.

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PUBLIC WORKS DEPARTMENT

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the request to hire Gerald Ladner as a Laborer/Sign Tech at the Public Works Department at a rate of \$14.50 an hour effective date 6/21/2023. This is to replace an open budgeted position. Funds are available as confirmed by the City Clerk. As requested by Kirk Ladner, Public Works Director.

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COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT

CHANGE IN CODE: DEVELOPMENT CODE 3.0

Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the recommendation of the Planning Commission for the City of Pass Christian to Adopt Development Code 3.0; Updates to Building Setbacks, Encroachments into Setbacks, Fence Standards; Parking Standards; Swimming Pool Setbacks; Tree Provisions; Prohibited Signage; Add definitions for Sight Triangle, Electronic Message Boards, Front Yard, Side Yard & Rear Yard; with further updates to Section 3.0, Sub-section 3.5 (Architectural Standards), article c; and Section 8.0, Sub-section 8.10 (Additional Parking Standards), 8.10.1 (Transects T3-T5), article c. by warrant. Delete Section 11.0-11.5; Expiration after 1 year on all planning commission

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approvals, special use permits without issuance of a permit; remove MUC portion of code.

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The proposed text amendments are on file and available for inspection at the Building Codes Office at the Municipal Complex, 200 West Scenic Drive, Pass Christian, MS. The Planning Commission reserves the right to make further changes to its Text Amendments of the Development Code Ordinance based upon the outcome of the Public Hearing.

BY RIGHT: RE-SUBDIVISION

Upon motion by Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved the recommendation of the Director of Planning and Zoning to split and merge three (3) parcels to create one (1) parcel; (Tax Parcel(s): 0213A-02-013.000; 0213A-02-013.001; 0213A-02-056.001- 0 Briar Lane - by Owners Joy Peacock & Donald Maitre). By right, Per the Director of Planning and Zoning. ((Development Code 2.0) (Sect. 5) (Sub. 5.3.11) (a)(T3R)).

Upon motion by Alderman Kirk Kimball and seconded by Kenny Torgeson the Board approved the recommendation of the Director of Planning and Zoning to split and merge three (3) parcels to create two (2) parcels; (Tax Parcel(s): 0313F-03-038.001; 0313F-03-039.001 - 107 & 109 Pine Avenue - by Owners Adam Austin & David Vidal). By right, Per the Director of Planning and Zoning. ((Development Code 2.0) (Sect. 5) (Sub. 5.4.11) (a)(T4L)).

HISTORIC COMMISSION APPROVAL

Upon motion by Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board unanimously approved the recommendation of the Historic Preservation Commission to allow construction of a new home in the Historic District (Tax Parcel: 0412N-02-005.000 – 122 Seaside Oaks Drive – Owner, Paula Knizer). The home is to be built in Seaside Oaks Subdivision, built to covenants and historic standards.

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Upon motion of Alderman Kirk Kimball and seconded by Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Historic Preservation Commission to allow renovation and remodeling of a single-family home (Tax Parcel: 0313H-02-038.000 – 213 E. Scenic Drive – Owner, Brandi Viator); home will be renovated and remodeled to historic standards.

TREE BOARD APPROVAL

Upon motion of Alderman Kenny Torgeson and seconded Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Tree Advisory Board to remove a certain protected tree; (6 Japonica Drive – Parcel: 0412P-03-036.000 - Owner, Connie & Stephen Higgs); Tree is located in the footprint of a future single-family dwelling, and considered to be dead and a life-safety risk to the community; (per Development Code 2.0/City Ordinance).

Upon motion of Alderman Kenny Torgeson and seconded Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Tree Advisory Board to remove a certain protected tree; (7 Sherman Avenue – Parcel: 021i-02-029.000 – Owner, Anthony Pace); Tree is considered to be dead and a life-safety risk to the community (per Development Code 2.0/City Ordinance).

Upon motion of Alderman Kenny Torgeson and seconded Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Tree Advisory Board to remove a certain protected tree; (103 Barkley Drive – Parcel: 0313L-02-017.000 – Owner, Michael Giovingo); Tree does not meet minimum requirements of 25” in diameter 4’ above the ground; tree does not require a permit to be applied for (per Development Code 2.0/City Ordinance).

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Upon motion of Alderman Kenny Torgeson and seconded Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Tree Advisory Board to remove a certain protected tree; (121 Wen Mar Drive – Parcel: 0512K-04-026.000 – Owner, Patrick Unoch); Tree is considered dead and a life-safety risk to the community (per Development Code 2.0/City Ordinance).

Upon motion of Alderman Kenny Torgeson and seconded Alderwoman Betty Sparkman the Board unanimously approved the recommendation of the Tree Advisory Board to remove a certain protected tree; (745 West Beach Boulevard – Parcel: 0313L-02-015.000 – Owner, Patrick Unoch); Tree is considered to be dead and a life-safety risk to the community (per Development Code 2.0/City Ordinance).

CONSENT AGENDA

Project Expense Reimbursement Consent Items

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved Pay Application # 1 to Gill's Crane and Dozer in the amount of \$74,175 for Southeast Boat Launch Access Repairs at the Harbor. To be paid from Tideland's Grant Award FY22-P600-03. (City of Pass Christian will submit for reimbursement from the Mississippi Department of Marine Resources and funds are available as confirmed by the City Clerk.) Requested by Bob Escher, City Engineer.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved Invoice #2879 in the amount of \$10,695.00 from Overstreet & Associates for preliminary design services for 1256 North Street Gravity Sewer Improvements Phase I (City of Pass Christian will submit for reimbursement from Mississippi Department of Marine Resources – GOMESA FUNDS). Funds are available as confirmed by the City Clerk. Requested by City Clerk Ron Duckworth.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved Invoice #2838 in the amount of \$25,925.00 from Overstreet & Associates for preliminary design and topographical survey services for 1256 North Street Gravity Sewer Phase I Project (City of Pass Christian will submit for reimbursement from Mississippi Department of Marine Resources – GOMESA FUNDS). Funds are available as confirmed by the City Clerk. Requested by City Clerk Ron Duckworth.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved Invoice #2880 in the amount of \$23,500.00 from Overstreet & Associates for preliminary design services and topographical survey services for 1257 North Street Gravity Sewer Phase II & III (City of Pass Christian will submit for reimbursement from Mississippi Department of Marine Resources - GOMESA FUNDS). Funds are available as confirmed by the City Clerk. Requested by City Clerk Ron Duckworth.

Other Consent Items

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously declared the following item as surplus located at the Beautification Department and removing it from the inventory list. (1) LG Flip Phone Asset #2687. As requested by Brad Manus Director of Beautification.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved the restitution payments of \$750.00 and \$675.00 (respectively) to City of Pass Christian received from Richard and Ethel Ross in the months of October, November, and December 2022. On June 9, 2022, Mr. and Mrs. Ross were convicted of Animal Cruelty and ordered to pay City of Pass Christian restitution for the Harrison County Humane Society bill. These are ongoing monthly payments.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously agreed to Chief Gordon's request to accept the resignation from Part-Time Firefighter, Richard Scott effective July 1, 2023.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved Captain Dia'Mond Woodman to attend the Emergency Manager Basic Academy in Emmitsburg, Maryland from July 9 -22, 2023. Attendance and lodging are free. The required meal plan (\$665.12) and per diem (\$122.00) are requested. Captain Woodman will be responsible for flight expenses and reimbursement from FEMA, as requested by Diamond Woodman.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously agreed to issue a refund in the amount of \$567.52 to Bao Thi Vo for difference of pre-pay slip rental for C-204. The customer has sold his shrimp boat and requests a refund.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously agreed to the installation of a covered boatlift on slip C-513 at the tenant's expense. All construction will comply with harbor modifications guidelines and will be installed by Innovative Builders LLC who will obtain DMR permits before installation.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously ratified the repair to the Police Building Air Conditioning Unit in the amount of \$3,155.52. This was treated as a critical repair due to the necessity of keeping all electronic equipment from damage due to potential overheating. Paid out of the Police Department Repairs and Maintenance Budget, and funds are available as confirmed by the City Clerk.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously accepted the quote from K & R Services of \$5,895.00 as the lowest and most responsive quote for the annual maintenance of 15 City owned Emergency Generators. This cost will be distributed among the Police, Fire and Utility Departments as this is a budgeted expenditure as confirmed by the City Clerk. Quote is attached.

Upon motion by Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board unanimously voted to table the Board Minutes consent items.

1. Consider approving minutes of the June 21, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
2. Consider approving minutes of the October 4, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
3. Consider approving minutes of the October 18, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
4. Consider approving minutes of the November 1, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
5. Consider approving minutes of the November 15, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
6. Consider approving minutes of the December 6, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
7. Consider approving minutes of the December 20, 2022, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
8. Consider approving minutes of the January 3, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
9. Consider approving minutes of the January 17, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
10. Consider approving minutes of the January 31, 2023, Special Meeting with Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.

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- 11. Consider approving minutes of the February 7, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
- 12. Consider approving minutes of the February 23, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
- 13. Consider approving minutes of the March 7, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
- 14. Consider approving minutes of the March 21, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
- 29. Consider approving minutes of the April 4, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.
- 30. Consider approving minutes of the April 18, 2023, Regular Mayor, and Board of Alderpersons Meeting, as requested by Shannon Starita, Deputy City Clerk.

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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 \$262,556.27

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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.

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Mayor

06-20-2023

Date

City Clerk

06-20-2023

Date