CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 146

R E G U L A R M EE T I N G **October 1, 2024**

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, City Attorney, Alderman Kirk Kimball, City Attorney, Malcolm Jones, City Clerk, Marian Governor

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

Consider adoption of October 1, 2024, agenda of the Alderperson Meeting

- Proclamation for National Down Syndrome Society.
- Proclamation declaring October 22nd as Lauren Groff Day in Pass Christian

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Upon motion of Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board unanimously approved the agenda for the October 1, 2024, Board of Alderperson Meeting.

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PUBLIC COMMENT

THE MAYOR AND BOARD OF ALDERPERSONS ALLOWED 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.

CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 146

R E G U L A R M EE T I N G **October 1, 2024**

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ADMINISTRATIVE

Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board agreed to TABLE adopting the Resolution and agreement with the Pass Christian Main Street Foundation approving City's participation in Fortified Roof and Disaster Rebuilding Assistance Grant Programs through the Federal Home Loan Bank (FHLB) of Dallas working through its member, Hancock Whitney Bank, to provide financial assistance to repair roofs on homes for eligible persons within the City limits for each home as requested by Mayor Rafferty; upon receipt authorize the immediate disbursement of grant funds by City staff to Main Street to be disbursed to the homeowners and roofers as provided in Exhibit"B"; and amend the budget accordingly. [There will be no local match required of the City and the City will not be responsible for any administrative expenses. The disbursement of the funds under the grant program for applications approved by the FHLB and Hancock Whitney Bank will be made by Main Street according to the terms of the attached Management Agreement and the Grant Program].

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

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Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board agreed to TABLED consider supporting the placement of a local "Grab & Go Food Pantry" to be placed on the south side of our local Scout Hut (Second Street across from War Memorial Park). This is Aiden Roth's Eagle Scout Project. Aiden is a Pass Christian resident and chose this project to provide easy access to food supplies when needed. It also gives our community a simple way to share food items with those in need. This bringing favorable notice to the resources and opportunities of the City. As requested, by Susan Putnam.

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Upon motion of Alderman Kenny Torgeson and seconded by Kirk Kimball the Board unanimously approved the Amendment One to MOU with Miss. Department of Marine Resources to increase GOMESA grant funding by $350,000 for a total grant of $4,944,986.00 for North Street Gravity Sewer System Improvements – Phase II and III as requested by the City Attorney.

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Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously approved the payment to Overstreet and Associates for the following invoices:

3477 – in the amount of $19,796.50 for Gravity Sewer Phase I

3478 – in the amount of $1,932.50 for Gravity Sewer Phase II

These expenses are reimbursable by the GOMESA Grant. The funds are available as confirmed by the City Clerk.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously approved the Change Order #3 in the amount of $1,775.50 to DNA Underground LLC, and the Final Payment Application #1 in the amount of $58,864.54, for the Lady Mary Drive Drainage Repairs, as recommended by the City Engineer. This will be paid out of the MIT Fund as confirmed by the City Clerk. The proposed change is necessary or incidental to the completion of the work as originally bid, is commercially reasonable and not made to circumvent the public purchasing status, and that any increase or decrease in cost is reasonable.

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board approved the Change Order #1 in the amount of $29,264.50 to Gray Falcon Construction, LLC for Highway 90 Hurricane Mitigation Improvements, as recommended by the City Engineer. The proposed change is necessary or incidental to the completion of the work as originally bid, is commercially reasonable and not made to circumvent the public purchasing status, and that any increase or decrease in cost is reasonable.

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

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kenny Torgeson the Board unanimously agreed to ratify approval of Work Order #12 with DNA Underground LLC in the amount of $204,817.75 for repairs and replacement of culvert and water main on Morton Avenue on an emergency basis and approving Resolution as recommended by the City Engineer and WPSCO.

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Upon motion of Alderman Victor Pickich and seconded by Alderwoman Betty Sparkman the Board unanimously agreed to renew the Declaration of Emergency for Hurricane Francine for another thirty days as provided in MCA Section 33-15-17(d), as amended.

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Upon motion of Alderwoman Betty Sparkman and seconded by Alderwoman Regina Charlot the Board agreed to adopt the Ordinance amending Ordinance No. 564 (originally adopted on May 18, 1999) to add E-cigarettes (Vapes) to the definition of prohibited Tobacco Products for persons under 18 years of age to purchase, possess or use upon School Property, at School Sponsored Activities, or anywhere within the City Limits; to revise the penalties for such offenses; and to set forth provisions for the responsibility or parents/legal guardians to require their minor child to attend court hearings with their parent/guardian and to require the child to attend community service activities, and/or appear and participate in certain Tobacco Education or Tobacco Use Cessation programs approved by the Court as requested by the City Attorney. Motion by Alderwoman Regina Charlot to not have a public hearing and she is not in favor of this for our youth.

- 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 Kenny Torgeson the Board agreed to TABLE the Saturday Market in the Pass to operate on Scenic Drive. This is necessary for the replanting and Maintenance of War Memorial Park green space. The closure of scenic / Davis to Scenic/ Fleitas has been approved by Public Safety. Requested by Alderman Kimball.

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Upon motion of Alderman Kirk Kimball and seconded by Alderman Kenny Torgeson the Board agreed to NO ACTION TAKEN Consider hearing an update on 215 E. North St. Webster court date. Requested by Alderman Kimball.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board unanimously approved the contract with Harrison County Circuit Clerk to begin work on the voter roll for redistricting plans for each Ward.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kirk Kimball the Board unanimously approved the FY23.24 Municipal compliance questionnaire. As requested by the City Clerk, Marian Governor.

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Upon motion of Alderman Victor Pickich and seconded by Alderman Kenny Torgeson the Board agreed to NO ACTION TAKEN and agreed to bring it back to the next meeting as two different motions. Consider allowing Phyllis Beiser with the Cat Island Arts Collective to have a weekly event at War Memorial Park. The Cat Island Arts Collective will be a weekly event, strictly focused, Art Market for Artists, Artisans, and Fine Crafters who will be set up in a professional type of art circuit setting with white canopies and professional displays. This will be the only market set up on the coast that will be strictly focused on the arts. (If allowed at the requested location, this will displace a portion of the area on the West side of the Park currently used by the Pass Market. Other options available to the Board include: 1) Deny the application because the requested portion of Memorial Park is already occupied by the Pass Market and/or this weekly event will unduly increase the commercial activity in the Park and adversely impair the recreational use of grounds and facilities of the Park by other citizens and children that are not coming to the Park for these commercial events; 2) Approve the application but with the location of the event to be North of the Gazebo with a reasonable buffer between the Pass Market and this event; 3) Approve the application with the requested location on an alternate date, e.g. Sunday; or Approve the application for a weekly Saturday event but at a different location, e. g. Henderson Park.)

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COMMUNITY DEVELOPMENT

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved Peggy Johnson to replace Kenny Welch on the Planning Commission with effect from October 1, 2024, for a 3-year term.

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Upon motion of Alderman Kenny Torgeson and seconded by Alderman Victor Pickich the Board unanimously approved the Re-Subdivision Application from Heather Calder for the property located at 0 Espy Avenue, Tax Parcel #0412I-01-002.000, requesting to split the parcel into sixteen separate parcels. All the property is located within a T3R Transect Zone and will comply with the minimum zoning requirements. The Re-Subdivision request received a courtesy review and approval by the Planning Commission on 9/24/2024. (This action is of "By Right" and will be compliant with the City's Development Code).

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Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously approved the Re-Subdivision application from Tyler Watters for the properties located at 913 East Second Street, Tax parcel #0412O-02-010.003 & 911 East Second Street, Tax Parcel #0412O-02-010.002, requesting to merge both parcels into one parcel. Both parcels are located within a T4L Transect Zone and comply with the minimum zoning requirements. (This action is of "By Right" and will be compliant with the City's Development Code).

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Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kirk Kimball the Board unanimously approved the Re-Subdivision Application from Gayle Hunter Cole for the property located at 375 Courtenay Avenue, Tax Parcel #0412N-04-001.000, requesting to split one parcel into three separate parcels. Two parcels will remain compliant to a T3R Transect Zone and the other parcel will be within the T4+ Transect Zone. (This action is "By Right" and will be compliant with the City's Development Code).

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FIRE DEPARTMENT

Upon motion of Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman the Board unanimously agreed on the purchase of 20 Fire Hydrants and accessories from Consolidated Pipe for $74,770. This will be paid out of the Utility Fund. As requested by Chief Dia'mond Woodman. Quotes are attached.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderwoman Betty Sparkman the Board agreed to NO ACTION TAKEN Consider discussion of a revised outdoor burning ordinance. An AG opinion states that unless the MDEQ has deferred authority to the City the ordinance is no longer enforceable locally. Chief Woodman has partnered with MDEQ to ensure their support. Once final changes have been approved by the Board, MDEQ will provide their approval notice. FD-2

HARBOR

Upon motion of Alderman Kirk Kimball and seconded by Alderman Victor Pickich the Board unanimously approved the lump sum contract with Weaver Electric, Inc. in the sum of $10,800 for electrical repair work in the West Harbor parking lot as requested by the Harbormaster. [This contract is for work that is being performed under a PW as a result of Hurricane Zeta and is subject to reimbursement by FEMA/MEMA].

POLICE DEPARTMENT

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Victor Pickich the Board unanimously approved request to purchase the following from Courtesy Ford (Pine Belt Auto Group), totaling $103,010.00. Two (2) 2023 Ford Police Interceptor Utility $51,505.00 with Light Bar Package. This being the best price from quotes obtained (see attached quotes). This is already budgeted out of account 117-200-915.

Upon motion of Alderman Kenny Torgeson and seconded by Alderman Kirk Kimball the Board unanimously approved the recommendation to hire Kenda Ferguson to fill the existing vacancy in patrol left by Richard West, effective October 2, 2024, and a starting salary of $18.98 per hour plus holiday pay. This is a lateral transfer as she is a certified officer. She has passed all civil service requirements. This position has a one-year probationary period. This is a budgeted position, and funds are available as confirmed by the City Clerk.

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Upon motion of Alderwoman Regina Charlot and seconded by Alderman Kirk Kimball the Board unanimously accepted the resignation from Community Service Officer Angel Hunt effective October 2, 2024, and pay her for any comp-time and vacation pay per City Policy that she may have accrued while employed.

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CONSENT AGENDA

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously approved the items 1 –15 below

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1. Approved allowing The Pass Market to have their regularly scheduled market to move to the North end of War Memorial Park on Saturday, October 12, 2024, during Cruisin' the Coast. This will aid customers in having easier access because Scenic will be blocked. This bringing favorable notice to the resources and opportunities of the City. As requested by Susan Putnam. CA-1
2. Approved waving the fees for Randolph Center September 30 and October 1 for Our Lady Academy Intermural meeting. This bringing favorable notice to the resources and opportunities of the City. Requested by Alderman Kimball. CA-2

3. Approved to allow Live Oak Cemetery Association to have Public Works bring city barriers to close St. Louis Ave. from near the dog park to Church Street on November 8th & 9th for the Annual Cemetery Tours. They will need 6 at each end of the street. The area would be closed off from approximately 4-9 pm. This bringing favorable notice to the resources and opportunities of the City. As requested by Mary Bourdin. CA-3
4. Approved Pass Christian Main Street to use the Pavilion on Second and Davis for the 8th Annual Farm to Table Dinner, on Sunday, November 3, 2024. This bringing favorable notice to the resources and opportunities of the City. CA-4
5. Approved rescheduling Bama-Q TV productions / Steak Cookoff Association to host a two-day event on February 7 -8, 2025 at the Pass Christian Harbor Greenspace. Items needed:

    - City Stage
    - Trash Cans
    - Two Port-o-lets /One Handwashing Station
    - Fire truck for safety
    - Barricades
    - Two City employees for trash pickup
    - City Generator
    - Anything deemed necessary by the Mayor

    This will be televised to over 144M viewers. This bringing favorable notice to the resources and opportunities to the City. As requested by Susan Putnam. CA-5

6. Approved Chief Woodman's request to send FF Gavin Carter to MSFA, for ENGINE COMPANY OPERATIONS. The class will be 10-14-24 through 10-17-24. The cost of class is $360.00, per diem of $130.00 and use of city vehicle. CA-6

7. Approved Chief Woodman's request to go to MFIA Fall Conference (MS Fire Investigators Asso.) in Natchez, November 6,7 and 8th, 2024. The cost of the conference is $225.00, the room rate of $504.50 per diem of $228.00, and use of a city vehicle. CA-7

8. Approved Chief Woodman's request to ratify sending David Easterling to MSFA for Haz Mat NFPA 470 A & O, 9-9-2024. The cost of class is $0.00 per diem of $130.00 and use of city vehicle. CA-8

9. Approved declaring the items on the attached list located at the harbor as broken/lost/replaced as surplus so it can be taken out of inventory: CA-9

10. Approved allowing the Library to use the Randolph Center on Tuesday, October 22, 2024, for the One Book One Pass Author Presentation by Lauren Groff. The Library is also requesting the fees be waived for the day. This bringing favorable notice to the resources and opportunities of the City. As requested by Librarian, Wendy Allard. CA-10

11. Approved the donation of a new water fountain with bottle filler from MSU Plastic Free Gulf coast and to have the water fountain installed at no cost to the city. As requested by Librarian, Wendy Allard. CA-11

12. Approved declaring the item listed below located at the Water Department as broken/lost/replaced as surplus so it can be taken off inventory: 02211 - light clamps, 02495 - hand pump, 02501 - pry bar, 02502 - pry bar. CA-12

13. Approved the minutes (with changes) of September 3, 2024, Regular Mayor and Board of Alderpersons Meeting as requested by Deputy City Clerk, Shannon Starita. CA-13

14. Approved the minutes (with changes) of September 4, 2024, Special Meeting of the Mayor and Board of Alderpersons Meeting, as requested by Deputy City Clerk, Shannon Starita. CA-14

15. Approved the minutes (with changes) of September 12, 2024, Regular Mayor and Board of Alderpersons Meeting as requested by Deputy City Clerk, Shannon Starita. CA-15

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CITY OF PASS CHRISTIAN, MISSISSIPPI

MINUTE BOOK 146

R E G U L A R M EE T I N G **October 1, 2024**

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CLAIMS DOCKET

Upon motion of Alderwoman Betty Sparkman and seconded by Alderman Kenny Torgeson the Board unanimously approved the Claims Docket in the amount of $360,786.25

Motion was made by Alderman Kenny Torgeson and seconded by Alderman Victor Pickich to amend the Agenda.

Motion was made by Alderman Kenny Torgeson and seconded by Alderwoman Betty Sparkman to authorized the City to extend the contract with WPSCO.

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_____ 10-01-2024

Mayor Date

_____ 10-01-2024

City Clerk Date