

**RECESSED REGULAR MEETING OF THE CITY COUNCIL
TUESDAY, DECEMBER 21, 2010, AT 6:00 P. M.
CITY HALL, PASCAGOULA, MISSISSIPPI**

The City Council of the City of Pascagoula, Mississippi, met at City Hall in a recessed regular meeting on Tuesday, December 21, 2010, at 6:00 p.m. Mayor Maxwell called the meeting to order with the following officials present:

Mayor Robert H. Maxwell
Councilman Joe Abston
Councilman Frank Corder
Councilman Jim Milstead
Councilman Robert Stallworth, Sr.
Councilman Harold Tillman, Jr.
Councilman George L. Wolverton, Sr.

Acting City Manager/City Attorney Eddie Williams
Asst. City Clerk Brenda Reed

City Clerk/Comptroller Robert J. Parker was absent.

Mayor Maxwell welcomed everyone to the meeting. The invocation was given by Councilman Abston, which was followed by the Pledge of Allegiance.

Rebecca Davis, Main Street Director, addressed the Council and recognized the winners for the Downtown for the Holidays decorating contest and the winners of the Pascagoula Christmas parade. They are as follows:

Decorating:

1st Place – Grand Magnolia Bed & Breakfast
2nd Place – EnVogue
3rd Place – Antiques, Treasures & Treats
Honorable Mention – Coast Clothing Company

Parade:

1st Place – Pascagoula Noon Lions Club
2nd Place – Church of the Living God
3rd Place – Carpet Cottage

The Council extended congratulations to everyone who participated.

Eric Hartman addressed the Council wherein he requested permission to place baseball registration signs and banners around town during the month of January 2011.

Councilman Corder made a motion to approve the placement of baseball registration signs and banners around town during the month of January 2011 as requested. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

Minutes of the Planning Board meeting of December 8, 2010, are spread on the minutes as follows:

**REGULAR MEETING OF THE PASCAGOULA PLANNING BOARD
WEDNESDAY, December 8, 2010, AT 6:00 P.M.
CITY OF PASCAGOULA, MISSISSIPPI**

The Planning Board of the City of Pascagoula, Mississippi, met at City Hall in a Regular Meeting on Wednesday, December 8, 2010, at 6:00 P. M.

The following official(s) were present:

Linda Tillman
Wesley Smith (Chairman)
Joseph Odom
Etienne Melcher
Stephen Parker (Vice-Chairman)
Mike Gilly
Charles Busby

Other officials present:

Susan Bonura, Director - Code Enforcement Eddie Williams, City Attorney, Acting City Mgr.
Angelia Kimbrough, Administrative Assistant Brian Nelson, Planning Director

A. PUBLIC HEARINGS:

1. 2010 Comprehensive Plan Public Hearing.

The 2010 Comprehensive Plan was presented for discussion. The Staff made the recommendation to "APPROVE". After hearing the recommendation, and there being no protest, a motion was made by Mike Gilly to "APPROVE" The motion was seconded by Linda Tillman and the vote thereupon was as follows: Linda Tillman "AYE", Mike Gilly "AYE", Wesley Smith "AYE", Charles Busby "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE".

The recommendation will go to the City Council to “**APPROVE**”.

COUNCIL ACTION:

The Council then considered the following Resolution:

**RESOLUTION ADOPTING A NEW COMPREHENSIVE PLAN
PREPARED BY CLARION ASSOCIATES, LLC**

WHEREAS, pursuant to Section 17-1-11 of the Mississippi Code of 1972, the City Council approved and adopted a Comprehensive Plan bearing date of May 9, 2006, which was prepared by Frederick J. Rux, ASLA; and

WHEREAS, the Plan has become outdated and obsolete and needed to be updated and replaced; and

WHEREAS, on the 14th day of January, 2008, the City Council employed Clarion Associates, LLC to prepare a new Plan; and

WHEREAS, Clarion submitted a final draft of the Plan dated November 3, 2010, to the City; and

WHEREAS, the Planning Board set December 8, 2010, at 6:00 p.m. as the date and time to hold a public hearing on the proposed Plan; and

WHEREAS, due and proper notice of the hearing was twice published in *The Mississippi Press*, a newspaper published in the City; and

WHEREAS, at the appointed time on December 8, 2010, the Planning Board held the hearing at which time citizens appeared and commented on the proposed Plan; and

WHEREAS, at the conclusion of the public hearing the Planning Board recommended that the City Council adopt the Plan as submitted by Clarion:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PASCAGOULA, MISSISSIPPI, that the Comprehensive Plan dated the 3rd day of November, 2010, which was prepared by Clarion Associates, LLC, a copy of which is filed in the papers of this meeting and incorporated by reference, is hereby adopted as the New Comprehensive Plan for the City.

The above Resolution was introduced by Councilman Wolverton, seconded for adoption by Councilman Stallworth, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". The Mayor then declared the Resolution adopted on the 21st day of December, 2010.

2. **Singing River Health System**

3101 Denny Ave. The property is zoned C-1A. The request is for a 1' 4" height variance over the allowed 4' to construct an 11'6" x 5'4" monument sign.

Stuart Carothers & Greg Hebard were present to explain the application. The staff's recommendation is to "APPROVE" the request. After hearing Mr. Carothers request, and there being no protest, a motion was made by Charles Busby to "APPROVE" the application. The motion was seconded by Stephen Parker and the vote thereupon was as follows: Linda Tillman "AYE", Mike Gilly "AYE", Wesley Smith "AYE", Charles Busby "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE".

The application will go to the City Council with the recommendation to "**APPROVE**".

COUNCIL ACTION:

Councilman Corder made a motion to "APPROVE" the request of Singing River Health System as recommended by the Planning Board. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

3. **Fred's & Clark Holdings**

2511 Ingalls Ave. The property is zoned R-1. The request is for a Special Use Permit to permit the construction of a retail store (Fred's Store) in an R-1 zone.

Paul Clark (Clark Holdings), Terry Holder (Jones Property) & Ronnie Webb (Fred's Real Estate Manager) were present to explain the application. The staff's recommendation was to "APPROVE" the request with the following conditions, that lighting shall not project onto adjacent residential properties, Noise generated by deliveries or dumpster collection shall be kept to a minimum and deliveries shall not be received after 5:00 P.M. or before 7:00 A.M. Delivery vehicles shall not enter into Belair Street at any point North of the location of the proposed use and Commercial landscaping & setback requirements shall be met. Ms. Etienne Melcher & Matt Parker had suggested that a 6' high privacy fence be put up for the protection of the neighbors and that the dumpster not be placed near the north property line. Ms. Holder had no objection to putting up a fence. Mr. Wesley Smith questioned Mr. Clark on the distance the store would be from the school; Mr. Clark stated they would meet the 50 ft. setback requirement. Mr. Smith had concerns about the existing oak trees located on the property. Mr. Webb stated that the trees would be protected. Mr. Odom asked about the pharmacy drive through area. Ms. Holder

replied that the pharmacy would be located on the east side of the building with traffic exiting onto Belair St. or to the front onto Ingalls Ave. After hearing Mr. Clark, Ms. Holder, and Mr. Webb's request, and there being no protest, a motion was made by Joseph Odom to "APPROVE" the application with Staff recommendations. The motion was seconded by Charles Busby and the vote thereupon was as follows: Linda Tillman "AYE", Mike Gilly "AYE", Wesley Smith "AYE", Charles Busby "AYE", Joseph Odom "AYE", Etienne Melcher "AYE", Stephen Parker "AYE".

The application will go to the City Council with the recommendation to "**APPROVE**".

COUNCIL ACTION:

Paul Clark (Clark Holdings), Ronnie Webb (Fred's), and Ms. Terri Holder (Jones Property) addressed the Council regarding their proposed plans. Several matters discussed included signage, noise, dumpster location, six foot privacy fence, and trees.

After discussion, Councilman Corder made a motion to "APPROVE" the request of Fred's and Clark Holdings as recommended by the Planning Board with the following Staff recommendations: lighting shall not project onto adjacent residential properties, noise generated by deliveries or dumpster collection shall be kept to a minimum and deliveries shall not be received after 5:00 p.m. or before 7:00 a.m., delivery vehicles shall not enter into Belair Street at any point North of the location of the proposed use, and commercial landscaping requirements shall be met. The motion was seconded by Councilman Tillman and received the following vote: Mayor Maxwell "AYE", Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

4. Santos Manzanillo

3615 Chicot St. The property is zoned C-2. The request is for a Special Use Permit to permit the operation of a sports bar in a C-2 zone.

Mr. Manzanillo was present with an interpreter by the name of Nancy to present the application. Ms. Nancy explained to the Board that she has not witnessed any of the neighbor's complaints, that they have security on hand, and that the business is a place for people to come and relax after a day's work. The staff recommended "APPROVAL" with conditions; that all provisions of Chapter 6, and Article IV, section 54-120 (Noise ordinance) shall apply. Staff recommends limiting the hours of operation to no later than 10:00 P.M. due to the proximity of residential dwellings. Staff received a letter of protest from Karen Thomas along with protest from Colesta Grady of 3408 New York Ave, Sharon Daughtry, Bonnie Broadway, Mary Hawkins, Dale Gordon and LeMarvin Brown in regards to the noise, late hours, additional traffic down side streets, hundreds of beer bottles in dumpster, trash blowing into neighbors' yards, safety of children in the neighborhood walking to I G Levy park, day care nearby, single women and elderly living alone, customers standing outside near neighbors' homes drinking and being loud. The residents feel for the safety of their neighborhood, and they do not want a bar there.

After hearing Mr. Manzanillo's request, a motion was made by Charles Busby to "DENY" the application. The motion was seconded by Mike Gilly and the vote thereupon was as follows: Linda Tillman "NAY", Mike Gilly "NAY", Wesley Smith "NAY", Charles Busby "NAY", Joseph Odom "NAY", Etienne Melcher "NAY", Stephen Parker "NAY".

The application will go to the City Council with the recommendation to "DENY".

COUNCIL ACTION:

No one was present to represent this matter. Councilman Abston made a motion to "DENY" the application as recommended by the Planning Board. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Denied 12-21-10)

The consent agenda was considered at this time.

The first item for consideration was the minutes of the regular Council meeting of December 7, 2010, as recommended by Brenda Reed, Asst. City Clerk.

Councilman Stallworth made a motion to adopt and approve the minutes of the regular Council meeting of December 7, 2010, as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

Minutes of the Recreation Commission meeting of December 1, 2010, were acknowledged by the Council.

Minutes of the Main Street Board meeting of October 11, 2010, were acknowledged by the Council.

Minutes of the Main Street joint meetings of the board and committees held on November 15 and 29, 2010, were acknowledged by the Council.

The next item for consideration was an updated fee schedule for the Parks and Recreation Department programs as recommended by Darcie Crew, Parks and Recreation Director. The updated schedule is as follows:

PASCAGOULA PARKS & RECREATION DEPARTMENT

FEE SCHEDULE

ACTIVITY	PASCAGOULA RESIDENT	NON- RESIDENT
Youth Basketball	\$60.00	\$70.00
Youth Football	\$80.00	\$90.00
Youth Cheerleading	\$105.00	\$115.00
Summer Day Camp	\$70.00 per week	\$80.00 per week
After School Program	\$40.00 per week	n/a
Registration Fee	\$5.00	\$5.00
Aerobics	\$35.00 per session	\$35.00 per session
Senior Membership	Free	\$50.00 per year
Latin Dance/Pottery	Instructor costs	Instructor costs
Instructional Classes	Instructor costs	Instructor costs
Swimming Lessons	\$25.00 per class	\$30.00 per class
Pool Admission-Child	\$1.00 per day	\$1.25 per day
Pool Admission-Adult	\$1.50 per day	\$2.00 per day
Pool Admission-Group	\$.75 per person	\$1.00 per person
Pool Admission- Boys & Girls Club	\$.50 per person	\$.50 per person
Pascagoula Rec. Center Admission	\$1.00 per person	\$1.00 per person
Gulf Nature Camp	\$50.00 per week	\$60.00 per week
Pavilion Rental	\$15.00 per day + \$15 deposit	\$30.00 per day + \$15 deposit
Field Rental	Per hour rates per agreement	Per hour rates per agreement

The above rates are for existing programs. Any additional programs offered will be added to this listing as needed.

If you have any questions please feel free to call the Pascagoula Parks & Recreation Department at 228-938-2356.

(Effective December 21, 2010)

Councilman Stallworth made a motion to approve the updated fee schedule for the Parks and Recreation Department to become effective immediately as recommended. The motion was

seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item to be considered was an Order for property cleanup matters as recommended by Eddie Williams, City Attorney. The Order is spread on the minutes as follows:

ORDER

WHEREAS, on its own motion the City Council of the City of Pascagoula, Mississippi, alleges that the parcels of land listed in Exhibit A hereto are in need of cleaning; and

WHEREAS, the parcels are described by reference to the appropriate book and page of the Land Deed Records of Jackson County, Mississippi, or by a detailed description; the property owner or owners, if known, and their mailing addresses, if known, are listed; and the tax parcel numbers and addresses of the parcels are listed;

THEREFORE, IT IS ORDERED that the owners of the parcels listed on the exhibit shall be given notice by the City Clerk as provided in Section 21-19-11, Mississippi Code of 1972, that a hearing shall be held by the City Council on January 4, 2011, in the City Hall of the City at 6:00 P.M. to determine whether the parcels of land as shown on the exhibit are in such a state of uncleanliness as to be a menace to the public health and safety of this community.

EXHIBIT A

<u>Tax Parcel Number and Property Address</u>	<u>Owner(s) and Mailing Address</u>	<u>Described at the following Jackson County, MS, Deed Books and Pages</u>
41780009.00 1803 Prospect	Timothy A. Krebs and Donna M. Krebs 4012 Bellview Street Moss Point, MS 39563 (Footnote 1)	Deed Book 1192, Page 399

40408072.000 Carol N. Morris Deed Book 975, Page 340
Vacant Lot on Shepherd 1308 Roosevelt Street
Pascagoula, MS 39567
(Footnote 2)

41825054.100 Tofino Holding, LLC Deed Book 1618, Page 289
3218 Argentina P.O. Box 160
Magee, MS 39111-0160
(Footnote 3)

40205008.000 Jonice Baggett Deed Book 1267, Page 77
3402 Tillman 3402 Tillman
Pascagoula, MS 39567
(Footnote 4)

PARTIES WITH INTEREST

Footnote 1: -Hancock Bank, 2510 14th Street, Gulfport, MS 39501
-Ellis Hall Marganx, 6213 Olde Magnolia Drive, Ocean Springs, MS 39564
-Melvina Taylor, 12844 Paige Bayou Road, Vancleave, MS 39565

Footnote 2: Merchants & Marine Bank, 3118 Pascagoula Street, Pascagoula, MS 39567

Footnote 3: William Arsan Lynd, 8335 Bennett Road E, Grand Bay, AL 36541

Footnote 4: Federal National Mortgage Association, 14221 Dallas Parkway – Suite 1000,
Dallas TX 75254

The above Order was introduced by Councilman Stallworth, seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. The Mayor then declared the Order adopted on the 21st day of December 2010.

The next item for consideration was annual quotes for pest control services for City buildings as presented by Helen Mitchell, Purchasing Agent. Eddie Williams, City Attorney, requested this item be tabled for further review.

Next for consideration was Budget Amendment # 11.18 in the General Fund for the prior year unemployment taxes as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.18
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>General Administration:</u>			
<u>Other Charges:</u>			
Judgements	4,300	29,500	33,800
- Total Expenditures	4,300	29,500	33,800
 Net Change in Fund Balance		<u>(29,500)</u>	
 To amend budget to provide expenditure authority for the payment of unemployment taxes relating to prior years.			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The next item for consideration was Budget Amendment # 11.19 in the Community Development Fund for CDBG-R Grant for school sidewalks as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.19
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>			
- CDBG-R - School Sidewalks	-	81,779	81,779
-			
Total Revenues	-	81,779	81,779
<u>Expenditures:</u>			
- Community Development:			
- Other Services & Charges:			
- CDBG-R - School Sidewalks	-	81,779	81,779
-			
Total Expenditures	-	81,779	81,779
Net Change in Fund Balance		-	
To amend budget to provide authority for expenditures stemming from the CDBG-R Grant for sidewalks at the Cherokee and Arlington			

Elementary Schools and the related grant revenue approved by the Council on August 18, 2009.			
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Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item for consideration was Budget Amendment # 11.20 in the General Fund for the FY 2011 DUI Grant as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.20
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>			
- 2011 DUI Grant	-	49,774.40	49,774.40
-			
Total Revenues	-	49,774.40	49,774.40
- <u>Expenditures:</u>			
- <u>Field Services:</u>			
- Personal Services:			
- Overtime - DUI	-	41,600.00	41,600.00
- Retirement - DUI		4,992.00	4,992.00

-	Social Security - DUI		2,496.00	2,496.00
-	Medicare - DUI		686.40	686.40
-				
	Total Expenditures	-	49,774.40	49,774.40
	Net Change in Fund Balance		0.00	
	To amend budget to provide authority for expenditures stemming from the FY 2011 DUI Grant and the related grant revenue approved by the Council on June 1, 2010.			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item for consideration was Budget Amendment # 11.21 in the General Fund for Economic Development – Special Events as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.21
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- Revenues:	-		
- <u>Miscellaneous:</u>			

- Donations from Private Sources	22,500	2,650	25,150
- Total Revenues	22,500	2,650	25,150
Expenditures:			
<u>Economic Development:</u>			
<u>Other Services & Charges:</u>			
Special Events	33,850	2,650	36,500
Total Expenditures	33,850	2,650	36,500
Net Change in Fund Balance		0	
To amend budget to provide authority for increased Special Event expenditures financed by private contributions.			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item for consideration was Budget Amendment # 11.22 in the General Fund for the new postage machine contract as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.22
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
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<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>General Gov't Bldg Maintenance:</u>			
<u>Other Charges:</u>			
Postage Machine Contract	5,500	1,400	6,900
- Total Expenditures	5,500	1,400	6,900
 Net Change in Fund Balance		(1,400)	
 To amend budget to provide additional expenditure authority for the increased costs stemming from the replacement of our current machine as approved by the Council on December 7, 2010.			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The next item for consideration was Budget Amendment # 11.23 in the General Fund for the MPO funding with Gulf Regional Planning Commission (GRPC) as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.23
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>General Fund</u>	-	-	-
- <u>Expenditures:</u>	-		-
- <u>City Council:</u>			
<u>Other Charges:</u>			
Planning Commission	0	10,000	10,000
- Total Expenditures	0	10,000	10,000
Net Change in Fund Balance		(10,000)	
To amend budget to provide expenditure authority for the payment of MPO fee to GRPC inadvertently omitted from the budget.			

Councilman Stallworth made a motion to approve the budget amendment as presented above and as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item was a request for a manual check for \$235.00 payable to the U. S. Postmaster for the annual renewal of the post office box rental for the City of Pascagoula as recommended by Bobby Parker, City Clerk/Comptroller.

Councilman Stallworth made a motion to approve a manual check for \$235.00 payable to the U. S. Postmaster for the annual renewal of the post office box rental as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item was a request to advertise for bids for gas pipe (Annual Bid # 305) as recommended by Steve Mitchell, Operations Manager.

Councilman Stallworth made a motion to authorize the City Clerk to advertise for bids for gas pipe (Annual Bid # 305) as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The financial reports for the month of November 2010 were filed by the City Clerk and acknowledged by the Council.

The following new business items were considered at this time:

The first item was a request to extend the state of emergency declared on April 30, 2010, until January 4, 2011, as recommended by Bruce Knott, Human Resources Director.

Councilman Stallworth made a motion to approve the extension of the state of emergency until January 4, 2011, as recommended. The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The next item for consideration was a request for a manual check for payment of \$29,492.41 to the Mississippi Department of Employment Security (MDES) as recommended by Bruce Knott, Human Resources Director. Due to a recent audit of the City's account, it was found that an outstanding payment was due to MDES which has been verified by Mr. Knott and Bobby Parker, City Clerk/Comptroller. Mr. Knott's memorandum regarding this matter is spread on the minutes as follows:

INTEROFFICE MEMORANDUM

TO: EDDIE WILLIAMS
COUNCIL MEMBERS

FROM: BRUCE E. KNOTT

SUBJECT: MDES

DATE: 1/5/2011

Attached you will find a letter we received from the state tax department in September outlining outstanding reimbursement payments. We have verified that we do in fact owe the amount listed. Bobby and I worked with the tax department and got them to remove the interest payment.

We ask that you approve a manual check in the amount of \$29,492.41.

Councilman Stallworth made a motion to approve a manual check for \$29,492.41 payable to the Mississippi Department of Employment Security (MDES) for outstanding reimbursement payments as recommended. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The next item to be considered was an amendment to the City of Pascagoula Personnel Manual concerning our Sick Leave Policy as recommended by Bruce Knott, Human Resources Director. Mr. Knott's memorandum regarding the amendment is spread on the minutes as follows:

INTEROFFICE MEMORANDUM

TO: EDDIE WILLIAMS
COUNCIL MEMBERS
FROM: BRUCE E. KNOTT
SUBJECT: SICK LEAVE
DATE: 1/5/2011

Our current sick leave policy allows sick leave to be used for the following reasons:

(d) Sick leave will be granted for the following reasons:

1. Employees sickness.
2. Medical, dental, or optical treatment which is necessary during working hours.

3. Quarantine due to exposure to contagious disease.
4. In connection with workers compensation.
5. Sickness of any dependent child.
6. Spouse's sickness.
7. Any dependent or live-in relative.

However, FMLA allows for other uses of sick time. To come into compliance with this federal requirement I recommend we change our policy to read:

(d) Sick leave will be granted for the following reasons:

1. Employees sickness.
2. Medical, dental, or optical treatment which is necessary during working hours.
3. Quarantine due to exposure to contagious disease.
4. In connection with workers compensation.
5. Sickness of any dependent child.
6. Spouse's sickness.
7. Any dependent or live-in relative.
8. As permitted under FMLA.

Councilman Corder made a motion to approve the amendment to the City of Pascagoula Personnel Manual concerning the Sick Leave Policy as recommended. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

The next item for consideration was the 2011 Cafeteria Plan as recommended by Bruce Knott, Human Resources Director. The Resolution is spread on the minutes as follows:

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASCAGOULA
FOR THE ADOPTION OF THE CITY OF PASCAGOULA CAFETERIA PLAN**

On this date, the CITY COUNCIL OF THE CITY OF PASCAGOULA did meet to approve the implementation of the CITY OF PASCAGOULA CAFETERIA PLAN to be effective, January 01, 2011.

Let it be known that the following resolutions were duly adopted by the CITY COUNCIL OF THE CITY OF PASCAGOULA

RESOLVED, that the PREMIUM ONLY form of CAFETERIA PLAN, as authorized under Section 125 of the Internal Revenue Code of 1986, presented to this meeting is hereby adopted and that the proper officers of the CITY OF PASCAGOULA are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the City of Pascagoula Cafeteria Plan Document and Summary Plan Description.

RESOLVED, that the Plan Year shall be for the period beginning on January 1, 2011 and ending December 31, 2011.

RESOLVED, that the proper officers of the CITY OF PASCAGOULA shall act as soon as possible to notify all eligible employees of the adoption of the CAFETERIA PLAN by delivering to each Employee a copy of the Summary Plan Description as presented and approved in this meeting.

The undersigned certifies that attached hereto as Exhibits A and B respectively are true copies of the Plan Document, and Summary Plan Description for CITY OF PASCAGOULA CAFETERIA PLAN as approved and adopted in the foregoing resolutions.

These changes, as approved by the City of Pascagoula on the _____ day of _____, _____, are effective January 1, 2011. By signature of its duly authorized representative below, the Plan Administrator agrees to be bound by the terms and provisions of the above resolution on and after the effective date hereof.

City of Pascagoula

By: _____

Title: _____

Date: _____

The above Resolution was introduced by Councilman Corder, seconded by Councilman Wolverton, and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE",

Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". The Mayor then declared the Resolution adopted on the 21st day of December, 2010.

(A copy of the 2011 Cafeteria Plan is filed in the minute file of this meeting and incorporated herein by reference.)

The next item to be considered was the Mississippi Department of Environmental Quality (MDEQ) Recycling Grant for \$40,000.00 for the recycling program expansion and outreach program as recommended by Harry Schmidt, Community Development Director. This will provide recycling bins in parks and downtown and coordinating the recycling promotion campaign. There is no match required.

Councilman Milstead made a motion to approve the MDEQ Recycling Grant for \$40,000.00 as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was the FY 2010 Tidelands Grant Agreement – FY 2010 P413 Riverfront Marina through the Mississippi Department of Marine Resources for the small riverfront docking facility as recommended by Harry Schmidt, Community Development Director. The grant award is for \$75,000.00. There is no match required.

Councilman Tillman made a motion to approve the FY 2010 Tidelands Grant Agreement – FY 2010 P413 Riverfront Marina through the Mississippi Department of Marine Resources for the small riverfront docking facility for \$75,000.00 as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

The next item brought before the Council was the FY 2010 Tidelands Grant Agreement – FY 2010 P414 through the Mississippi Department of Marine Resources for the Magnolia Street Birding Pier Project for \$125,000.00 as recommended by Harry Schmidt, Community Development Director. There is no match required.

Councilman Stallworth made a motion to approve the FY 2010 Tidelands Grant Agreement – FY 2010 P414 through the Mississippi Department of Marine Resources for the Magnolia Street Birding Pier Project for \$125,000.00 as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was the Mississippi Art Commission – Building Fund for the Arts Grant contract addendum as recommended by Harry Schmidt, Community Development Director. MAC had to reduce the amount of the grant by \$300.00. The amended grant award will now be \$22,200.00. The addendum is spread on the minutes as follows:

**Mississippi Arts Commission
Grant Contract Addendum**

INTRODUCTION

This addendum modifies contract number 11-370-AI/BFA between the Mississippi Arts Commission (MAC) and City of Pascagoula (grantee) entered into on October 6, 2010. The grant was made through MAC’s Building Fund for the Arts Initiative to renovate the Pascagoula Senior Center into an arts center.

MODIFIED CONTRACT AMOUNT

The total grant award has been lowered from \$22,500 to \$22,200. All other aspects of the contract remain the same.

APPROVAL

This contract addendum will become part of the original contract, attached, and is made and entered into on December 8, 2010.

/s/ Malcolm White
Malcolm White, Executive Director Date
Mississippi Arts Commission

Robbie Maxwell Date
City of Pascagoula

Councilman Stallworth made a motion to approve the Mississippi Art Commission – Building Fund for the Arts Grant contract addendum as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”,

Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".
(Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was the professional services selection for the Highway 90/Hospital Road Development Project as recommended by Jaci Turner, Program Manager. The Selection Committee provided the following recommendations on the project:

Professional Selection for Hospital Road / HWY 90 Development Project

We received proposals for legal services, administrative services and engineering services for the referenced project. A selection committee of staff members evaluated every proposal that was submitted in accordance with the requirements of the request for proposals (RFP), rated each firm, and ranked them based on their total rating. Below is a summary of the results of the evaluation. The detailed evaluation forms are on file in the Community Development grant department for reference.

Legal:

Received: Heidelberg, Steinberger, Colmer & Burrow, P.A.

Selected: Heidelberg, Steinberger, Colmer & Burrow, P.A.

Administrative:

Received: Gouras & Associates

Selected: Gouras & Associates

Engineering:

Received: Neel-Schaffer
Krebs, LaSalle, LeMieux
Tice Engineering, Inc.
Digital Engineering
Seymour Engineering

Selected: Neel-Schaffer

Councilman Corder made a motion to authorize the City Manager and staff to negotiate contracts with Heidelberg, Steinberger, Colmer & Burrow, P.A., for legal services; Gouras & Associates for administrative services; and Neel-Schaffer for engineering services, contingent upon grant award criteria, as recommended. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

Next for consideration was Change Order No. 5 to the contract with Benning Construction Company for the MDA/CDBG Riverfront Property Redevelopment, Phase II, Parking Garage Project as recommended by Jaci Turner, Program Manager, and Compton Engineering, Inc. The change order is for an increase of \$19,322.00 and 65 days to reconcile some final quantities used, make some code compliance adjustments, and add a canopy above the elevator entrance on the top floor. The additional cost will be funded through MDA grant funding.

Councilman Stallworth made a motion to approve Order No. 5 to the contract with Benning Construction Company for the MDA/CDBG Riverfront Property Redevelopment, Phase II, Parking Garage Project as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Milstead and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

The next item for consideration was a contract with Compton Engineering, Inc., Pascagoula, MS, for the Lowry Island Harbor MDA/CDBG Grant Project as recommended by Jaci Turner, Program Manager. Ms. Turner advised the scope of work includes preliminary design tasks only at this time. Amendments to this contract will be presented in the future as the grant is available for full design and construction supervision services. A budget amendment will also follow to incorporate grant funding into our budget.

Councilman Corder made a motion to approve the contract with Compton Engineering, Inc. for the Lowry Island Harbor MDA/CDBG Grant Project as recommended and authorize the Mayor to execute the related documents. The motion as seconded by Councilman Stallworth and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration were closeout documents with GT Development and Contracting, LLC, Pascagoula, MS, on the Live Oak Site Work Project at the new Senior Center as recommended by Jaci Turner, Program Manager, and Compton Engineering, Inc. The request includes Final Pay Application No. 8 for \$70,068.32 and approval of a manual check.

Councilman Abston made a motion to approve the closeout documents with GT Development and Contracting, LLC, Pascagoula, MS, on the Live Oak Site Work Project at the new Senior Center, a manual check for \$70,068.32, as recommended, and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”.
(Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

The next item for consideration was Budget Amendment # 11.24 in the Community Development Fund for the Sewer Rehab/592 Grant as recommended by Bobby Parker, City Clerk/Comptroller. The budget amendment is spread on the minutes as follows:

**City of Pascagoula
Budget Amendment # 11.24
December 21, 2010**

	<u>Current Budget</u>	<u>Budget Amendment</u>	<u>Amended Budget</u>
<u>Community Development Fund</u>	-	-	-
- <u>Revenues:</u>	-		-
- <u>Grants:</u>			
- Sewer Rehab/592 Corps of Eng	-	1,590,000	1,590,000
-			
Total Revenues	-	1,590,000	1,590,000
- <u>Expenditures:</u>			
- <u>Community Development:</u>			
- Other Services & Charges:			

- Sewer Rehab	-	2,120,000	2,120,000
-			
Total Expenditures	-	2,120,000	2,120,000
Net Change in Fund Balance		(530,000)	
To amend budget to provide authority for expenditures stemming from the Corps of Engineers Section 592 Grant for sewer system improvements approved by the Council on September 29, 2009. The balance of the costs will be funded by loans which have already been budgeted.			

Councilman Milstead made a motion to approve the budget amendment as recommended and presented above. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related document is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was the 2010 HUD EDI Grant application for earmarked funds of \$500,000.00 for the Beachfront Promenade as recommended by Harry Schmidt, Community Development Director. No match is required.

Councilman Corder made a motion to authorize the Mayor to execute the grant application for the 2010 HUD EDI earmarked funds of \$500,000.00 for the Beachfront Promenade as recommended. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was Task Order No. 14a to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, on the Project Management of Hazard Mitigation Grant Program (HMGP) to Elevate Residential Structures as recommended by Harry Schmidt, Community Development Director. AMEC has requested that the City of Pascagoula extend their period of performance date for services until December 31, 2011. All cost and scope of work items will remain unchanged.

Councilman Wolverton made a motion to approve Task Order No. 14a to the contract with AMEC Earth and Environmental, Inc. on the Project Management of Hazard Mitigation Grant Program (HMGP) to Elevate Residential Structures as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was Task Order No. 19 to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, on the Administrative Services of a Hazard Mitigation Grant Program (HMGP) for the City of Pascagoula, MS, HMGP Housing Elevation Grant Program for \$12,975.00 as recommended by Harry Schmidt, Community Development Director.

Councilman Wolverton made a motion to approve Task Order No. 19 to the contract with AMEC Earth and Environmental, Inc. on the Administrative Services of a Hazard Mitigation Grant Program (HMGP) for the City of Pascagoula, MS, HMGP Housing Elevation Grant Program for \$12,975.00 as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE". (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was Task Order No. 20 to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, on the Project Management of a Hazard Mitigation Grant Program (HMGP) for the City of Pascagoula, MS, HMGP Acquisition Project for \$4,000.00 as recommended by Harry Schmidt, Community Development Director. The property acquisition under Task Order No. 20 is located at 1906 Washington Avenue.

Councilman Wolverton made a motion to approve Task Order No. 20 to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, on the Project Management of a Hazard Mitigation Grant Program (HMGP) for the City of Pascagoula, MS, HMGP Acquisition Project for \$4,000.00 as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell

“AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

Next for consideration was Task Order Nos. 15a-17a to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, for the HMGP Wind Retrofit and Strengthen Project, (FEMA Project No. DR-1604-MS-0181, 0182, and 0183), as recommended by Harry Schmidt, Community Development Director. Task Order No. 15a (\$15,000.00) is for the project management of the Police Department HMGP Hardening Project. Task Order No. 16a (\$10,000.00) is for the project management of the Public Works Building HMGP Hardening Project. Task Order No. 17a (\$5,000.00) is for the project management of the Code Enforcement Office HMGP Hardening Project.

Councilman Wolverton made a motion to approve Task Order Nos. 15a-17a to the contract with AMEC Earth and Environmental, Inc., Biloxi, MS, for the HMGP Wind Retrofit and Strengthen Project (FEMA Project No. DR-1604-MS-0181, 0182, and 0183), as recommended and authorize the Mayor to execute the related documents. The motion was seconded by Councilman Abston and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

The next item for consideration was the 2011 Street Paving List as presented by Steve Mitchell, Operations Manager. Mr. Mitchell discussed the list of streets, some of which will be funded by Jackson County, some from the City’s General Fund, and other streets that have already been completed.

After a brief discussion, Councilman Corder made a motion to approve the 2011 Street Paving List as recommended. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

(A copy of the related documents is filed in the minute file of this meeting and incorporated herein by reference.)

The next item for consideration was street closures on Ingalls Avenue as recommended by Steve Mitchell, Operations Manager. The work will be done in phases/sections over a period of 2-3 weeks and will begin after the holidays. Mr. Mitchell advised he will work closely with the Police Department on the street closure project. Councilman Abston recommended the public be notified in some manner.

Councilman Wolverton made a motion to approve the street closure project on Ingalls Avenue as recommended. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. (Approved 12-21-10)

The next item for consideration was the Order for the docket of claims as follows:

ORDER

WHEREAS, the attached docket of claims for the period of December 3, 2010, through December 17, 2010 , has been presented to the City Council for allowance and approval; and

WHEREAS, the below claim numbers 11-12-01, 11-24-02, and 11-03 have also been presented to the City Council for allowance and approval:

<u>November 12, 2010</u>		<u>Claim # 11-12-01</u>
010	General Fund	\$ 425,221.12
180	Code Enforcement Grant	2,701.74
400	Pascagoula Utilities	27,283.74
475	Transfer Station	11,078.73
480	Solid Waste Mgmt.	<u>555.89</u>
	Total	<u>\$ 466,841.22</u>

<u>November 24, 2010</u>		<u>Claim # 11-24-02</u>
010	General Fund	\$ 440,738.61
180	Code Enforcement Grant	3,444.71
400	Pascagoula Utilities	26,822.37
475	Transfer Station	11,679.37
480	Solid Waste Mgmt.	<u>496.34</u>
	Total	<u>\$ 483,181.40</u>

<u>Miscellaneous Claim</u>		<u>Claim # 11-03</u>
1000	City Share FICA	\$ 47,165.87

1100	City Share Medicare	11,030.76
7000	City Share PERS	<u>92,547.88</u>
	Total	\$ 150,744.51

WHEREAS, it appears that all of said claims are proper and should be allowed;

NOW, THEREFORE, IT IS ORDERED that all claims shown on said dockets are hereby allowed and approved for payment.

The above Order was introduced by Councilman Stallworth, seconded for adoption by Councilman Abston, and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”. The Mayor then declared the Order adopted on the 21st day of December 2010.

Councilman Stallworth made a motion to close the meeting to consider going into executive session. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”.

Councilman Abston made a motion to go into executive session for the purpose of discussing potential litigation regarding the BP oil spill issue, and a personnel matter regarding the City Manager search. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”, after which the Mayor announced to the public and those in attendance that the Council had voted to go into executive session for the purpose stated above. The Council then began the executive session.

Councilman Abston made a motion to end the executive session and return to open session. The motion was seconded by Councilman Stallworth and received the following vote: Mayor Maxwell “AYE”. Councilmen Abston “AYE”, Corder “AYE”, Milstead “AYE”, Stallworth “AYE”, Tillman “AYE”, and Wolverton “AYE”.

No action was taken during the executive session.

After a brief discussion regarding the BP oil spill issue, Councilman Corder made a motion to approve the priority list of City projects for possible funding by BP:

1. Lighthouse Project
2. Promenade Project
3. Marina
4. Point Park

The motion was seconded by Councilman Wolverton and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

Eddie Williams, City Attorney, advised the publication notice has been in The Mississippi Press regarding applications for the upcoming School Board position. The deadline to receive the applications is January 14, 2011.

The Council wished everyone a Merry Christmas and a Happy New Year!

There being no further business to come before the Council at this time, Councilman Abston made a motion to adjourn. The motion was seconded by Councilman Corder and received the following vote: Mayor Maxwell "AYE". Councilmen Abston "AYE", Corder "AYE", Milstead "AYE", Stallworth "AYE", Tillman "AYE", and Wolverton "AYE".

The meeting ended at 6:55 p.m.

APPROVED:

Robert H. Maxwell, Mayor

ATTEST:

Brenda J. Reed, Asst. City Clerk