

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
July 19, 2022 @ 6:30 PM**

I. Call to Order

1. Prayer
2. Pledge of Allegiance

II. Agenda Order Approval

III. Announcements

1. Gautier Youth Football Camp (ages 5-12) will be July 21st beginning at 8:30am until 11am at the Gautier High School Football Field.
2. Goodwill's Express Donation Station will be July 21st, 22nd, and 23rd from 8am until 6pm at the Singing River Mall Property.
3. Tasty Thursday will be July 28th beginning at 11am at the Singing River Mall Property.
4. Gautier's Farmers Market will be on August 13th starting at 8 a.m. until 12 p.m. at George Martin City Park.

IV. Presentation Agenda

1. Presentation by Fire Chief, Josh Latch, regarding Fire Department updates.
2. Growth Readiness Training (Phase II Stormwater) with Jay Estes, Allen Engineering and Science

V. Business Agenda

1. Approval of Change Order No. 3 for the Spanish Trail/Gautier Vancleave Road Sewer Improvements Project (RESTORE)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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2. Consideration of a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District (GPC Case No. 22-23-SE)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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3. Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-25-VAR)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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4. Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-26-VAR)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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5. Consideration of a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District, (GPC Case No. 22-27-SE)

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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6. Approval to remove the 50% penalty from 7301 River Music, Gautier, MS

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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7. Approval of FY 2022 Budget Amendments

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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8. Approval of the Docket of Claims

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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VI. Consent Agenda (All items approved in one motion)

1. Approval of Minutes from Regular Council Meeting held July 5, 2022.
2. Receive May 2022 Finance Report
3. Receive June 2022 Privilege License Report
4. Approval of water and sewer adjustments dated July 19, 2022 in the amount of \$2,635.20
5. Resolution requesting and accepting assistance from Jackson County in the amount of \$15,000 for recreational purposes.
6. Authorization to execute any and all documents necessary to obtain House Bill 1353, 2022 Regular Legislative Session, funds to assist the City of Gautier

7. **Authorization to submit an application to MDOT for a Transportation Alternatives Set-Aside Grant for the Graveline Road Sidewalk Project.**
8. **Authorization to execute a legal and compliance certification letter in support of an MDOT Transportation Alternatives Set-Aside grant application for the Graveline Road Sidewalks Project.**
9. **Authorization to execute the Subdivision Settlement Participation Form (exhibit C) for the on-going Mississippi State-Local Government Opioid Litigation**
10. **Approval of the Memorandum of Agreement (MOA) between the 81st Security Squadron and the City of Gautier Police Department**
11. **Approval to submit an application to the Mississippi Development Authority for the Gulf Coast Restoration Fund for the Inclusion Playground at Town Commons Park.**
12. **Approval to submit an application to the Mississippi Development Authority for up to \$1 million in Gulf Coast Restoration Fund funding for the Inclusion Playground at Town Commons Park and to authorize \$400,000 in matching funds.**

VII. STUDY AGENDA

1. **Discuss Citizen Comments**
2. **Discuss Council Comments**
3. **Discuss City Manager Comments**
4. **Discuss City Clerk Comments**
5. **Discuss City Attorney Comments**

Adjourn until August 2, 2022 at 6:30pm
www.gautier-ms.gov

**CITY OF GAUTIER, MISSISSIPPI
ANNOUNCEMENT AGENDA
July 19, 2022**

ITEM DESCRIPTION:

ANNOUNCEMENTS

1. **Gautier Youth Football Camp (ages 5-12) will be July 21st beginning at 8:30am until 11am at the Gautier High School Football Field.**
2. **Goodwill's Express Donation Station will be July 21st, 22nd, and 23rd from 8am until 6pm at the Singing River Mall Property.**
3. **Tasty Thursday will be July 28th beginning at 11am at the Singing River Mall Property.**
4. **Gautier's Farmers Market will be August 13th starting at 8 a.m. until 12 p.m. at George Martin City Park.**

NOTES:

GAUTIER YOUTH FOOTBALL CAMP

Free

AGES 5-12



July 21st

**GHS Football Field " The Swamp"
4307 Gautier-Vanceleave Rd.**

FROM 8:30 AM - 11 AM

Sponsored By:

City of Gautier & Gautier High Football Coaching Staff

INCLUDES CAMP T-SHIRT

**MORE INFORMATION CONTACT:
Gautier Recreation tbrown@gautier-ms.gov**

OR CALL: (228) 219-3259 or (228) 218-4632



EXPRESS DONATION **STATION**



Driving to your area soon!

SR MALL PROPERTY JULY 21ST, 22ND, 23RD 8AM-6PM

Donations that power our mission.

- Clothing
- Home Decor
- Jewelry
- Electronics
- Household Items
- Purses
- Furniture
- Plates, Pots, Utensils, Etc.
- Shoes



Call 228.209.5722 or visit www.goodwillsms.org to check out our calendar for donation locations.



GAUTIER PRESENTS

TASTY

THURSDAY!



28
JUL

11 AM

GOOD EATS FROM AWESOME

FOOD TRUCKS

MANN KETTLE CORN - THE BURGER BOX, MEATBAWL'S FOOD TRUCK - NORWOODS FAMOUS SKINS, KEEPIN' IT TASTY, FRANKIE FAYE'S, MAMA RED'S GRILL & MORE, LOS SARAPES TACO'S Y MAS, SUGAR BEANS CAFE, O THE PEANUT MAN, GREEK GALS YUMMIES, MR. TAMALES, THE JUICE BOX, ROSITA'S,

SINGING RIVER MALL PROPERTY

2800 HWY 90 GAUTIER, MS



Come be apart of the
GAUTIER
FARMER'S
MARKET



2ND SAT MAY- SEPT. 8AM-12PM

George Martin City Park- 902 De La Pointe Dr.



To become a vendor call 228-497-2244



**CITY OF GAUTIER, MISSISSIPPI
PRESENTATION AGENDA
July 19, 2022**

ITEM DESCRIPTION:

PRESENTATION AGENDA

1. Presentation by Fire Chief, Josh Latch, regarding Fire Department updates.
2. Growth Readiness Training (Phase II Stormwater) with Jay Estes, Allen Engineering and Science

NOTES :

**CITY OF GAUTIER
Business Agenda Item #1
Fact Sheet**

Council Meeting:
Title:

July 19, 2022
Approval of Change Order No. 3 for the Spanish Trail/Gautier Vancleave Road Sewer Improvements Project (RESTORE)

Introduced by:
Contact Person/Telephone

April Stennett 497-8000 ext. 315

Summary Explanation: Approval of Change Order No. 3 for the Spanish Trail/Gautier Vancleave Road Sewer Improvements Project (RESTORE) in an amount not to exceed \$34,890.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the City of Gautier has been awarded a \$2.3 million grant by the Mississippi Department of Environmental Quality as part of the Mississippi Gulf Coast Water Quality Improvement Program; and

WHEREAS, Change Order No. 3 increases the contract amount by \$34,890, with the new contract amount totaling \$1,937,475.99; and

WHEREAS, Change Order No. 3 will not increase the contract duration; and

WHEREAS, added to the contractor's scope of work is: 48" diameter doghouse manhole to connect existing sewer main to SMH 8, plus 30 LF of 8" gravity sewer; 21" x 6" Tee Wye for sewer service connection; seven (7) 2' risers to six manholes, one 3' riser to one manhole and one 4' riser to one manhole to prevent surface water from entering sewer manholes; and 4" and 6" HDPE sanitary sewer service directional bores. This portion of the change order will increase the contract amount by \$34,890 and will be incurred entirely by the City; and

WHEREAS, the Mayor and Council Members find, consistent with fact, that this change order is necessary and incidental to the completion of the work as originally stated, is commercially reasonable, is not made to circumvent the public purchasing statutes, and that the increase in costs is reasonable;

WHEREAS, Seymour Engineering has reviewed the change order and recommends approval of Change Order 3; and

WHEREAS, the Mayor and Council Members find it is in the best interest of the City of Gautier to approve Change Order 3; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Change Order No.3 for the Old Spanish Trail/Gautier Vancleave Road Sewer Improvements Project (RESTORE) is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi,
at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 07/13/2022
Subject: Change Order No. 3 for the Old Spanish Trail/Gautier Vancleave Road Sewer Improvements Project (RESTORE)

REQUEST:

The Grants and Projects Department requests that City Council approve Change Order No. 3 for the Old Spanish Trail/Gautier Vancleave Road sewer improvements project (RESTORE) in an amount not to exceed \$34,890.

BACKGROUND:

The City of Gautier has been awarded a \$2.3 million grant by the Mississippi Department of Environmental Quality as part of the Mississippi Gulf Coast Water Quality Improvement Program. The city will install a new sanitary sewer system consisting of gravity lines, force mains, and a lift station to transport the sewer to the existing wastewater treatment plant. The new lines will be installed along Old Spanish Trail and Gautier Vancleave Road.

DISCUSSION:

Change Order No. 3 serves to increase the contract amount by \$34,890. This change order will not increase the contract time. If approved, the new contract total will be \$1,937,475.99.

Added to the contractor's scope of work is: 48" diameter doghouse manhole to connect existing sewer main to SMH 8, plus 30 LF of 8" gravity sewer; 21" x 6" Tee Wye for sewer service connection; seven (7) 2' risers to six manholes, one 3' riser to one manhole and one 4' riser to one manhole to prevent surface water from entering sewer manholes; and 4" and 6" HDPE sanitary sewer service directional bores.

RECOMMENDATION:

The Grants and Projects Department recommends that City Council approve Change Order No. 3 for the Old Spanish Trail/Gautier Vancleave Road sewer improvements project (RESTORE) in an amount not to exceed \$34,890.00.

The City Council may:

1. Approve Change Order No. 3, as presented; or
2. Not approve Change Order No. 3.

ATTACHMENTS:

1. Change Order #3

Change Order

OWNER:

The City of Gautier
3330 US-90
Gautier, MS 39553

CHANGE ORDER NUMBER: 3**DATE:** June 30, 2022**CONTRACTOR:**

DNA Underground LLC
16101 S Swan Road
Gulfport, MS 39503

ENGINEER: Seymour Engineering, PLLC**PROJECT TITLE:** City of Gautier Old Spanish
Trail Wastewater System Upgrades**SUMMARY:**

This Change Order serves to increase the contract amount.

The following Items have been added to the Contractor's scope of work: Added 48" diameter Doghouse Manhole to connect existing sewer main to SMH 8. Added 21" x 6" Tee Wye for Sewer Service connection. Added seven 2' risers to six manholes, one 3' riser to one manhole and one 4' riser to one manhole to prevent surface water from entering Sewer Manholes.

The Change Order will increase the contract amount by \$34,890.00.

Add 0 days to the contract time as this was completed previously.

THE CONTRACT AMOUNT IS AMENDED AS SHOWN ON THE NEXT PAGE:

TOTAL THIS CHANGE ORDER**Not valid until signed by the Owner, Engineer and Contractor.**

The original Contract Sum	\$	1,838,760.00
Net change by previously authorized Change Orders	\$	63,825.99
The Contract Sum prior to this Change Order was	\$	1,902,585.99
The Contract Sum will now Change (+)	\$	34,890.00
The new Contract Sum including this Change Order will be	\$	1,937,475.99

The Contract Time will add 0 days. The Date of Substantial Completion as of the date of this Change Order therefore is July 3, 2022

CONTRACTOR**ENGINEER****OWNER**

By: _____

By:  _____

By: _____

Date: _____

Date: 7/13/2022

Date: _____

No Contract Pay Item- Add Line Items	Description	Quantity	Unit	Unit Price	Extended
1	Added 48" Diameter Doghouse Manhole	1	EA	\$9,200.00	\$9,200.00
2	Added 21" x 6" Tee Wye	1	EA	\$3,890.00	\$3,890.00
3	Added 2' Riser to SMH 12 and 13, added 3' and 2' riser to SMH14	1	LS	\$9,000.00	\$9,000.00
4	Added 2' riser to SMH 4-9-10 and 11	1	LS	\$8,700.00	\$8,700.00
5	Added 4' Riser to SMH 15	1	LS	\$4,100.00	\$4,100.00

Total = \$34,890.00

**CITY OF GAUTIER
Business Agenda Item #2
Fact Sheet**

Council Meeting:
Title:

July 19, 2022
Consideration of a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District (GPC Case No. 22-23-SE)

Introduced by:
Contact Person/Telephone

Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consideration of a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District (GPC Case No. 22-23-SE), located at 3100 Ladnier Road, Gautier, MS PID #82436075.000 (GPC Case No. 22-23-SE).

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

**CITY OF GAUTIER
SPECIAL EXCEPTION PERMIT
GPC CASE NO. 22-23-SE
3100 LADNIER ROAD – SPECIAL EXCEPTION FOR A
CANNABIS CULTIVATION FACILITY IN A
C-2 COMMUNITY COMMERCIAL ZONING DISTRICT
REGARDING PARCEL ID NO: 82436075.000**

WHEREAS, an application for a Special Exception Permit to allow a cannabis cultivation facility in a C-2 Community Commercial Zoning District was submitted by Gautier Agricultural Company, LLC; and

WHEREAS, the City Council hereby finds that the proposed use, classified as a cannabis cultivation facility, requires a Special Exception Permit in the C-2 Community Commercial Zoning District; and

WHEREAS, the parcel subject to this Permit is located on 3100 Ladnier Road, Gautier, MS; and

WHEREAS, after due public notice, Planning Commission, at its July 7, 2022 meeting, held a public hearing on this matter; and

WHEREAS, the Planning Commission considered testimony and exhibits presented by the applicant, the report of the City Staff and all relevant evidence, and recommended to deny the permit; and

WHEREAS, the City Council hereby finds that the proposed Special Exception (will or will not) be in harmony with the purpose and intent of the Unified Development Ordinance; and will not be injurious to the neighborhood or the general welfare; and

WHEREAS, the City Council hereby finds that the proposed Special Exception (is or is not) consistent with the character of the immediate vicinity of the proposed use; and

WHEREAS, the City Council hereby finds that all relevant criteria in the Unified Development Ordinance have been met to (approve or deny) a Special Exception Permit; and

IT IS THEREFORE ORDERED that the Mayor and City Council (accepts or denies) the recommendation of the Planning Commission and (approves or denies) the application submitted by Gautier Agricultural Company, LLC on July 7, 2022 for a Special Exception Permit.

IT IS FURTHER ORDERED that the Planning Department shall have this permit on file and provide the applicant a copy of the permit.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 07/13/2022
Subject: Consider a request for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District, 3100 Ladnier Road. (GPC #22-23-SE)

REQUEST:

The Planning Department has received a request from Gautier Agricultural Company LLC for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District at 3100 Ladnier Road, PID #82436075.110 (GPC #22-23-SE). The application fee of \$250 was paid on May 27, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: 3100 Ladnier Road, PID #82436075.110 (See Exhibit A)

1. General features of the proposed project:

Site Size: Approximately 1.5 Acres

Existing building on property - approximately 16,000 square feet

1. Potable Water and Wastewater Services: Existing at current location

1. Current Zoning (See Exhibit B): C-2 Community Commercial

1. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial and MURC-1 Mixed Use Recreation Commercial

1. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: *Medical marijuana, specifically, the cultivation was legalized in Mississippi in February 2022. The City's Unified Development Ordinance does not address this use. Because the use is not specifically listed within any of the zoning districts, the applicant is requesting a Special Exception to allow the cultivation within an existing building located within a C-2 District.*

Staff Finding: *Additions to the City of Gautier's Unified Development Ordinance, as it pertains to allowed uses for Medical Marijuana Facilities within the City, are currently being drafted and will be brought before Planning Commission and City Council in the near future for consideration. Included in these proposed additions is an allowance for a Cultivation Facility to be placed in a C-2 District with the approval of a Conditional Use Major.*

1. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: *The existing building is approximately 15,000 square feet in size. The nearby and adjacent uses include a quasi-industrial site (mini-warehouses to the north) or vacant/undeveloped (to the north and east). The site immediately north of the property was once occupied by a car wash facility. The facility was removed and the site is overgrown and vacant.*

Along the west side of Ladnier Road is a liquor store and convenience store. North of the liquor store is vacant and undeveloped properties. Behind these parcels is Mallette Brother Construction Company that is zoned industrial.

To the immediate south is a CSX Right of way, and north of Guillotteville Road is a narrow strip of vacant parcels. These parcels along with the rights-of-way indicated provide a buffer from the area to the south. There are residential properties located south of Guillotteville Road along the east side of Ladnier Road. The property south of Guillotteville Road and on the west side of Ladnier Road is a convenience store.

The area is transitional with a mix of commercial/industrial uses north of the railroad right of way and a mix of commercial and residential uses south of the right of way.

The building will be improved with significant investments and will be beneficial to the surrounding area.

Staff Finding: *Staff's opinion is that approval of the request will not negatively affect the neighborhood.*

1. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *The requested special exception results from the recent legislation that approved medical marijuana in Mississippi. The building was constructed in approximately 1974. At the time of construction, the building was located in unincorporated Jackson County.*

Staff Finding: *Staff is in agreeance with the applicant's response.*

DETERMINATION OF APPLICABLE LAW:

-
-

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.

1. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).

1. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

1. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)

1. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:

1. The property changes ownership
2. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
3. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION:

The Planning Commission recommends that City Council deny the Special Exception..

The City Council may:

Approve the Special Exception;

Approve the Special Exception with changes; or

Deny the Special Exception.

ATTACHMENTS:

1. Distance Waiver from Churches 22-23-SE
2. Power Point Presentation 22-23-SE
3. Complete Packet 22-23-SE
4. Excerpt GPC Meeting 7.7.22 (#22-23-SE)

**APPLICATION FOR WAIVER OF MINIMUM
DISTANCE REQUIREMENTS BY
A SCHOOL, CHURCH, OR CHILD CARE FACILITY**

Perry L. Rodgers for The Power of Deliverance Church

The undersigned, _____, whose address is
2417 Gullottville, Gautier MS (Church Address) _____ and having full knowledge of the distance limitations
imposed by Senate Bill 2095, the Mississippi Medical Cannabis Act of 2022 (MMCA 2022), upon a licensed medical
cannabis establishment, do hereby approve a waiver from the distance requirements necessary for the issuance of a license
to operate a medical cannabis business.

The medical cannabis establishment seeking to become licensed is Gautier Agricultural Company LLC
to be located at 3100 Ladnier Road, Gautier, MS

I understand that this medical cannabis establishment is seeking to become licensed as a (check all that apply):

- ☒ Cultivation Facility that will be growing, cultivating, and harvesting medical cannabis.
- ☐ Processing Facility that will be manufacturing medical cannabis and medical cannabis products and selling
them to retail medical cannabis dispensaries.
- ☐ Testing Facility that will be analyzing medical cannabis.
- ☐ Transportation Entity that will be transporting medical cannabis.
- ☐ Disposal Entity that will be involved in the commercial disposal or destruction of medical cannabis.
- ☐ Research Facility that will be researching cannabis and its medical use.

The Power of Deliverance Church

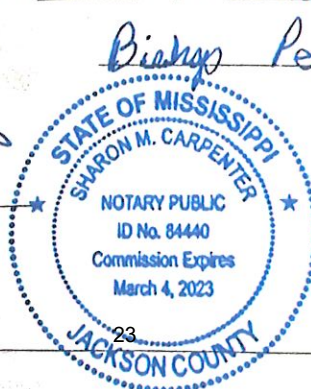
I certify that I am vested with authority on behalf of _____ to approve this waiver of
the distance requirement as set forth in MMCA 2022. As such, I understand that if approved a medical cannabis
establishment (as described above) may be located less than 1,000 feet, but not closer than 500 feet from the nearest
property boundary line of the school, church, or childcare facility on whose behalf I am authorized to act.

I further understand that this waiver has no expiration date and will remain in effect for the duration of the medical
cannabis establishment's license for which it is executed.

I also understand that this Approval for Waiver will be submitted by the applicant business named as part of its
application to receive licensure as a medical cannabis establishment from the State.

SWORN TO AND SUBSCRIBED before me, this the 3rd day of June, 2022.

Sharon M. Carpenter
NOTARY PUBLIC
My commission expires: March 4, 2023



**APPLICATION FOR WAIVER OF MINIMUM
DISTANCE REQUIREMENTS BY
A SCHOOL, CHURCH, OR CHILD CARE FACILITY**

Felix Jackson for Parkview Missionary Baptist Church

The undersigned, _____, whose address is
2825 Ladnier Road, Gautier MS (Church Address) _____ and having full knowledge of the distance limitations
imposed by Senate Bill 2095, the Mississippi Medical Cannabis Act of 2022 (MMCA 2022), upon a licensed medical
cannabis establishment, do hereby approve a waiver from the distance requirements necessary for the issuance of a license
to operate a medical cannabis business.

The medical cannabis establishment seeking to become licensed is Gautier Agricultural Company LLC
to be located at 3100 Ladnier Road, Gautier, MS

I understand that this medical cannabis establishment is seeking to become licensed as a (check all that apply):

- ☒ Cultivation Facility that will be growing, cultivating, and harvesting medical cannabis.
- ☐ Processing Facility that will be manufacturing medical cannabis and medical cannabis products and selling
them to retail medical cannabis dispensaries.
- ☐ Testing Facility that will be analyzing medical cannabis.
- ☐ Transportation Entity that will be transporting medical cannabis.
- ☐ Disposal Entity that will be involved in the commercial disposal or destruction of medical cannabis.
- ☐ Research Facility that will be researching cannabis and its medical use.

I certify that I am vested with authority on behalf of Parkview Missionary Baptist Church to approve this waiver of
the distance requirement as set forth in MMCA 2022. As such, I understand that if approved a medical cannabis
establishment (as described above) may be located less than 1,000 feet, but not closer than 500 feet from the nearest
property boundary line of the school, church, or childcare facility on whose behalf I am authorized to act.

I further understand that this waiver has no expiration date and will remain in effect for the duration of the medical
cannabis establishment's license for which it is executed.

I also understand that this Approval for Waiver will be submitted by the applicant business named as part of its
application to receive licensure as a medical cannabis establishment from the State.

SWORN TO AND SUBSCRIBED before me, this the 28 day of May, 2022

NOTARY PUBLIC

My commission expires: 6 Apr 2026





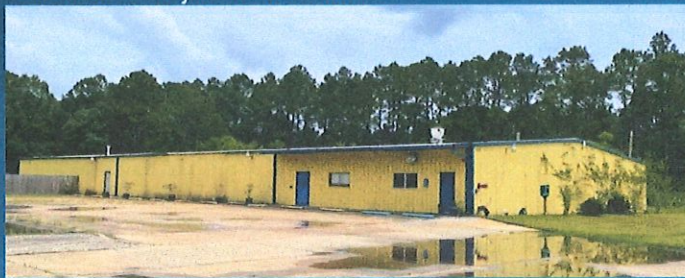
Request for a Special Exception for a Medical Marijuana/Cannabis Cultivation Facility at 3100 Ladnier Road

Applicant:
Gautier Agriculture Company, LLC

Donovan Scruggs, AICP
July 7, 2022

1

The building was constructed in 1974, and has been used as a marketplace, dance studio, learning center and skating rink. It was constructed prior to incorporation of Gautier and the adoption of the zoning ordinance. The proposal includes the improvements to an existing building. The site is within a Community Commercial (C-2) District and is proposed to function as a cultivation facility for medical marijuana/cannabis.



Proposed Site



2

Request for a Use Permit on Review

The building is approximately 16,000 square feet in size. Many of the uses such as Ambulance Services, Amusement Arcades, Art Galleries, Medical or Dental Clinics, Convenience Stores, Day Spas, Drug Stores, Fish Camps, Instructional Studios, Dental Laboratories, Commercial Marinas, Secondhand Stores, Specialty Retail Spaces and others are not consistent with the size or location of the building (typical sizes of 1,000 to 4,000 square feet)

The size of the building is not consistent with most of the permitted uses within the C-2 District. Options to reuse the building or site could include demolition or significant efforts to divide the building. The dividing of the building could cause parking issues with more intense uses.

The building has been underutilized for years and would be more appropriate in a C-3 or I-2 District. A higher intensity zoning could lead to unwanted uses within the area. The building should be considered a conforming building and consistent with the C-2 district.

3

Request for a Special Exception

The proposed use of a Medical Marijuana/Cannabis Cultivation Facility is not a listed use within the C-2 District or the zoning ordinance. The growing, dispensing, and use of medical cannabis was approved by the State of Mississippi in February 2022. No dispensing of the product will occur at the site, if approved.

No processing will occur at the site. The building will basically function as a large green house. All growing will be enclosed and with strict security requirements in place.

Cities throughout Mississippi are being tasked to adopt regulations to regulate Medical Marijuana. The Special Exception is the existing route for approval.

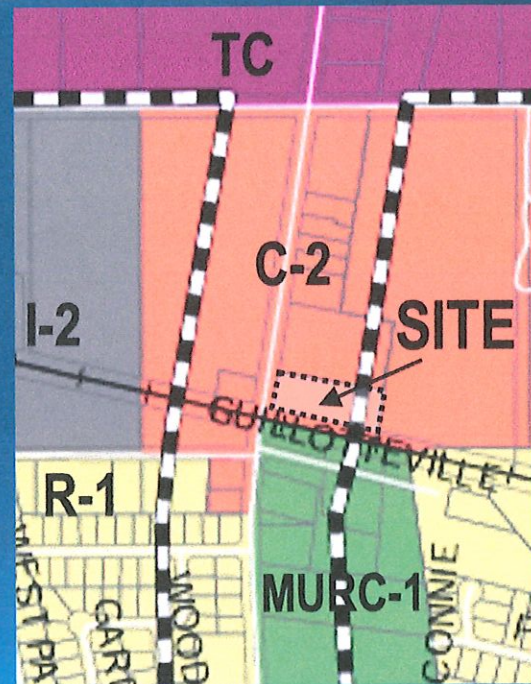
4

The subject property is surrounded by commercial or non-residential districts. This includes C-2 and MURC. The MURC District permits a variety of commercial activities.

The site is located north of the CSX railroad right of and east of Mallette Brothers Construction site (I-2 District).

Residential areas exist south of the railroad right of way along Ladnier Road and the adjacent street network.

There are no residential sites along the corridor north of the railroad right of way.



5

The majority of surrounding properties are vacant. This includes the demolished carwash to the north and the undeveloped areas to the east, south, and northwest. The closest occupied building is the packaged liquor store and convenience store located along the west side of Ladnier Road. This is directly across the street from the site.



6

Adjacent and Nearby Uses

Along the corridor are a variety of non-residential uses, but there is no definitive or prevailing character.

Funeral Home-Conditional Use

Bar/Lounge-Conditional Use

Retail Center-Permitted Use

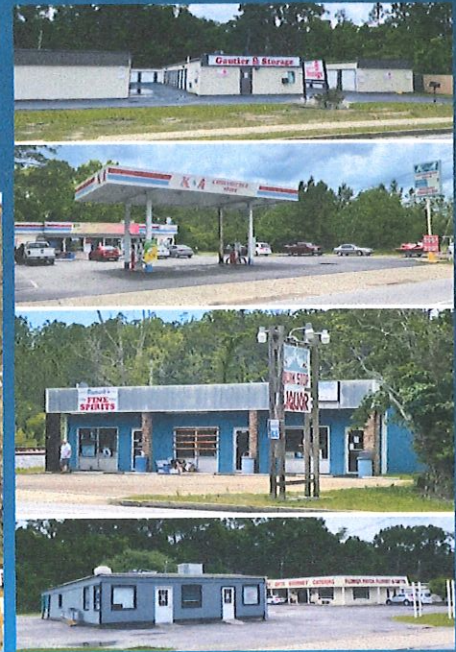
Mini-Warehouses/Self Storage-

Not Permitted/Non-Conforming

Packaged Liquor Store-Conditional Use

Convenience Store(2)-Permitted

Large areas of vacant property existing NE and NW of the site.



7

Adjacent and Nearby Vacant Properties

Several surrounding properties or tracts of land are vacant. Almost 30 acres to the east and northeast are vacant, the site.



Over 12 acres along the west side of Ladnier Road and north of railroad right of way are vacant (convenience stores and liquor store are occupied). Areas south of CSX right of way are also vacant. These areas provide a significant buffer between the site and adjacent or nearby uses.

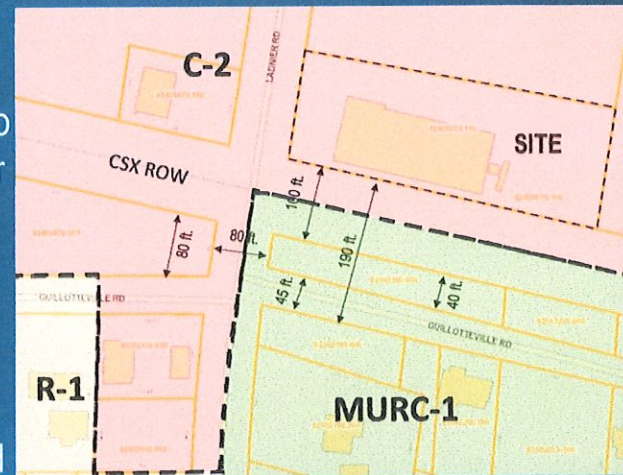
8

Southern Separation

While the proposed use will be enclosed and function as a large green house with no harmful noises, odors, smoke, dust or other nuisances, the site will be significantly buffered from nearby properties.

The CSX right of way is 100 feet and Gulliotteville Road has a 45-foot right of way. Additional private strips of 40 feet and 80 feet (along east and west sides of

Ladnier, respectively) buffer the railroad and the site. These private buffer areas will likely remain in place because they are largely unusable and/or owned by the property owner to south (likely provided and established to buffer train noises).



9

Consistency with the Special Exception

Section 4.16 of the UDO outlines requirements for Special Exceptions. This section establishes that uses 'not permitted by right' may be granted an exception or be allowed to operate with adherence to the following standards:

- A. That a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and that interpretation of this ordinance would work unnecessary hardship upon the applicant:

10

Consistency with the Special Exception

The size of the building limits its uses. The building is more consistent with C-3 or I-2 uses that permit automobile related or industrial activities. This has led to the historical underutilization and difficulties with the marketing of the building.

In order to permit a broader option of choices, based on the size of the building, a rezoning could be considered. The potential impact of more intense uses are a concern.

The special exception allows the area to maintain its zoning, and addresses the unique characteristics of the building, site, and area. This removes a significant hardship related to the size of the building and limited related uses.

11

Consistency with the Special Exception

B. That the requested Special Exception will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or the general welfare:

A Special Exception is a better than a rezoning to a more intense classification. The area lacks distinct character with conditional and non-conforming/non-permitted uses mixed with a limited number of permitted uses. The proposed use is similar to other uses within the area.

There are significant vacant areas that buffer the site to assure no injury to adjacent properties.

The use is similar to a large greenhouse with no outdoor activities or storage.

12

Consistency with the Special Exception Criteria of Zoning Ordinance

C. That the special circumstances are not the result of actions of the applicant.

The use is not defined and was not approved until February 2022.

The building was constructed in 1974 and predates the incorporation of the City and the zoning regulations. The Special Exception will permit the conveyance of the property. This will lead to improvements to the building and site.

Hardship associated with the site are based on the large size of the building and proximity to CSX railroad.

13

Medical Cannabis is Highly Regulated

The use is regulated by Mississippi Department of Revenue that included residency requirement for owners, high permitting fees, tracking of products, and security.

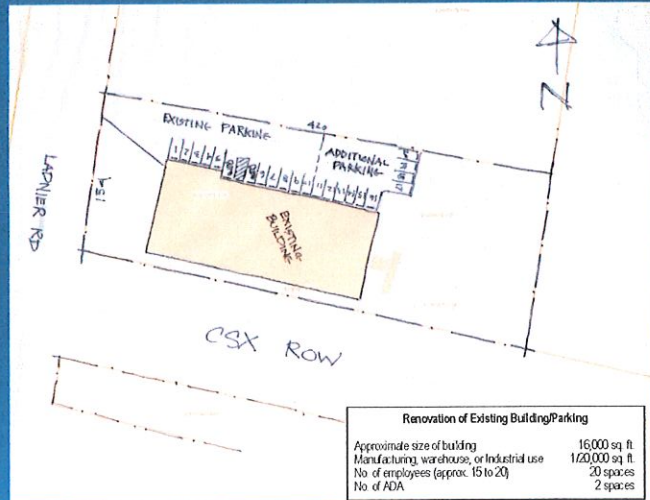
Distances are required from schools, churches and day-care facilities. The proposed use has complied with and will comply with all requirements of the MDOH during the application process and eventual operation of the facility.

14

Site Plan

The proposed use will utilize the existing building with no outside storage or cultivation of cannabis.

Parking will be expanded as needed, and interior improvements will be implemented.



15

Requested Action

The applicant is requesting a Special Exception for the cultivation of medical cannabis/marijuana to be located within an existing building at 3100 Ladnier Road.

16



Request for a Special Exception for a Medical Marijuana/Cannabis Cultivation Facility at 3100 Ladnier Road

Applicant:
Gautier Agriculture Company, LLC

Donovan Scruggs, AICP
July 7, 2022

Gautier Planning Commission

Regular Meeting Agenda

July 7, 2022

GPC #22-23-SE

Gautier Agricultural Company LLC

3100 Ladnier Road

VII. NEW BUSINESS

1. Consider a request from Gautier Agricultural Company LLC for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District, 3100 Ladnier Road. (GPC #22-23-SE)

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: June 24, 2022

Subject: Consider a request for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District, 3100 Ladnier Road. (GPC #22-23-SE)

REQUEST:

The Planning Department has received a request from Gautier Agricultural Company LLC for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District at 3100 Ladnier Road, PID #82436075.110 (GPC #22-23-SE). The application fee of \$250 was paid on May 27, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: 3100 Ladnier Road, PID #82436075.110 (See Exhibit A)
2. General features of the proposed project:
 - Site Size: Approximately 1.5 Acres
 - Existing building on property - approximately 16,000 square feet
3. Potable Water and Wastewater Services: Existing at current location
4. Current Zoning (See Exhibit B): C-2 Community Commercial
5. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial and MURC-1 Mixed Use Recreation Commercial
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: Medical marijuana, specifically, the cultivation was legalized in Mississippi in February 2022. The City's Unified Development Ordinance does not address this use. Because the use is not specifically listed within any of the zoning districts, the applicant is requesting a Special Exception to allow the cultivation within an existing building located within a C-2 District.

Staff Finding: Additions to the City of Gautier's Unified Development Ordinance, as it pertains to allowed uses for Medical Marijuana Facilities within the City, are currently being drafted and will be brought before Planning Commission and City Council in the near future for consideration. Included in these proposed additions is an allowance for a Cultivation Facility to be placed in a C-2 District with the approval of a Conditional Use Major.

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: The existing building is approximately 15,000 square feet in size. The nearby and adjacent uses include a quasi-industrial site (mini-warehouses to the north) or vacant/undeveloped (to the north and east). The site immediately north of the property was once occupied by a car wash facility. The facility was removed and the site is overgrown and vacant.

Along the west side of Ladnier Road is a liquor store and convenience store. North of the liquor store is vacant and undeveloped properties. Behind these parcels is Mallette Brother Construction Company that is zoned industrial.

To the immediate south is a CSX Right of way, and north of Guillotville Road is a narrow strip of vacant parcels. These parcels along with the rights-of-way indicated provide a buffer from the area to the south. There are residential properties located south of Guillotville Road along the east side of Ladnier Road. The property south of Guillotville Road and on the west side of Ladnier Road is a convenience store.

The area is transitional with a mix of commercial/industrial uses north of the railroad right of way and a mix of commercial and residential uses south of the right of way.

The building will be improved with significant investments and will be beneficial to the surrounding area.

Staff Finding: *Staff's opinion is that approval of the request will not negatively affect the neighborhood.*

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *The requested special exception results from the recent legislation that approved medical marijuana in Mississippi. The building was constructed in approximately 1974. At the time of construction, the building was located in unincorporated Jackson County.*

Staff Finding: *Staff is in agreeance with the applicant's response.*

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

SPECIAL EXCEPTION HEARING APPLICATION

Public Hearing Number

22-23-SE

TYPE OF REQUEST:

Special Exception

XXX

FEE:

\$250.00

Special Exception— These uses are not allowed by right, and **require** a recommendation by the Planning Commission and approval of the City Council.

Donovan Scruggs, agent

Name of Applicant: _____

Name of Business: Gautier Agricultural Company LLC

317 Pine Drive, Ocean Springs, MS 39564

Address: _____

Mailing Address (if different): _____

Email Address: donovan@scruggsplanning.com

Phone: 228.348.1315 Cell Phone: 228.348.1315

Reason for request, location and intended use of Property: Use of an existing building as a cannabis cultivation facility. at 3100 Ladnier Road

ATTACHMENTS REQUIRED AS APPLICABLE:

- ✓ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- ✓ 2. Legal descriptions and street address.
- ✓ 3. A detailed project narrative that also addresses the questions on the "Criteria for Approval" page of this application.
- n/A 4. Copy of protective covenants or deed restrictions, if any.
- n/A 5. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- n/A 6. Any other information requested by the Planning Director and/or members of the Technical Review Committee.
- ✓ 7. Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: _____

FOR OFFICE USE ONLY

Date Received 5/27/22 Verify as Complete SA

Fee Amount Received 250.00

Initials of Employee Receiving Application BZ

Date of Application: May 25, 2022I, Marita Lynae Jacob, Vice President of DLA Investments LLC, the fee simple owner of the following

described property (give legal description):

See Exhibit A

hereby petition to the City of Gautier to *Grant a Special Exception of* _____
3100 Ladnier Rd. and affirm that Donovan Scruggs

is hereby designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application, attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

Marita Lynae Jacob
 (Owner's Signature)

The foregoing instrument was acknowledged before me this 26th day of _____May, 20 22 by Marita Lynae Jacob_____, who is personally known to me or has produced a drivers licence

_____ as identification and who did take an oath.

Amy S. Lemon
 (Printed Name of Notary Public)

[Signature]
 (Signature of Notary Public)

Commission # _____ My commission expires _____.

(Notary's Seal)





OFFICIAL RECORDS JACKSON COUNTY
Terry Miller
CHANCERY CLERK
RECORDING FEE: \$12.00
#201211998 BK: 1681 PG: 455-457
07/23/2012 04:02 PM 3 PGS
KPEACOCK, DC Rcpt#009627

Prepared by:
Island Winds Title Company, LLC
906 Convent Avenue
Pascagoula, MS 39567
228-762-5110
Michael L. Fondren
MS BAR 8941

Return to:
Island Winds Title Company, LLC
906 Convent Avenue
Pascagoula, MS 39567
228-762-5110
File No: 12-205

**STATE OF MISSISSIPPI
COUNTY OF JACKSON**

Indexing Instructions: The SW 1/4 of SW 1/4 of Section 36, T7S, R7W, Jackson County, MS

WARRANTY DEED

Grantor
Robert Lee Wood, Jr.
P.O. Box 821
Gautier, MS 39553
228-218-2003

Grantee
DLA Investments LLC
3100 Ladnier Road
Gautier, MS 39553
228-762-0304

FOR AND IN CONSIDERATION of the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, I, **ROBERT LEE WOOD, JR.**, do hereby sell, convey and warrant unto **DLA INVESTMENTS, LLC**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

This conveyance is also subject to the reservation of all oil, gas and minerals of record in the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

WITNESS THE SIGNATURES of the Grantors, this the 23RD day of July, 2012.


ROBERT LEE WOOD, JR.

STATE OF MISSISSIPPI

COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the county and state, on this 23rd day of July, 2012, within my jurisdiction, the within **ROBERT LEE WOOD, JR.**, who acknowledged before me that he/she/they executed the above and foregoing instrument of writing.

(AFFIX SEAL)


NOTARY PUBLIC

My Commission Expires:



EXHIBIT A
LEGAL DESCRIPTION

That certain tract, piece of land situated in the SW 1/4 of SW 1/4 of Section 36, T7S, R7W, Jackson County, Mississippi, being more particularly described as follows:

COMMENCING at the SW corner of Section 36; thence North 72 degrees 49 minutes 46 seconds East 546.18 feet (recorded North 73 degrees 30 minutes East 541.00 feet) to the intersection of the North right-of-way of the CSX Railroad and the East right-of-way of Ladnier Road, said point being the POINT OF BEGINNING; thence North 8 degrees 30 minutes East along the East right-of-way of Ladnier Road 154.80 feet; thence South 77 degrees 14 minutes 41 seconds East to and along the South wall of a carwash and extension thereof parallel to the centerline of the CSX Railroad 420.00 feet to the East line of that property described in Deed Book 501, Page 595; thence South 8 degrees 30 minutes West along said line 154.80 feet to the North right-of-way of the CSX railroad; thence North 77 degrees 14 minutes 41 seconds West along the right-of-way of said railroad 420.00 feet to the POINT OF BEGINNING. This being part of the same land as conveyed to Glo-Mac Enterprises Inc. by Warranty Deed from McKinley R. Clark and wife, Gloria S. Clark, dated January 9, 1974 recorded in Deed Book 486, Page 304, Land Deed Records of Jackson County, Mississippi; and further being the same property as survey by Lewis Aldred, Jr., P.L.S., as by survey dated October 5, 1999.

Subject to any existing easements and/or rights-of-way.

Project: Mississippi Real Estate LLC

Location: 3100 Ladnier Road / PIDN: 82436075.110

RE: Consistency with Criteria for a Special Exception Request for Medical Marijuana Cultivation Facility



1. *Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?*

Medical marijuana, specifically, the cultivation was legalized in Mississippi in February 2022. The City's Unified Development Ordinance does not address this use. Because the use is not specifically listed within any of the zoning districts, the applicant is requesting a Special Exception to allow the cultivation within an existing building located within a C-2 District.

2. *Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?*

The existing building is approximately 15,000 square feet in size. The nearby and adjacent uses include a quasi-industrial site (mini-warehouses to the north) or vacant/undeveloped (to the north and east). The site immediately north of the property was once occupied by a car wash facility. The facility was removed and the site is overgrown and vacant.

Along the west side of Ladnier Road is a liquor store and convenience store. North of the liquor store is vacant and undeveloped properties. Behind these parcels is Mallette Brother Construction Company that is zoned Industrial.

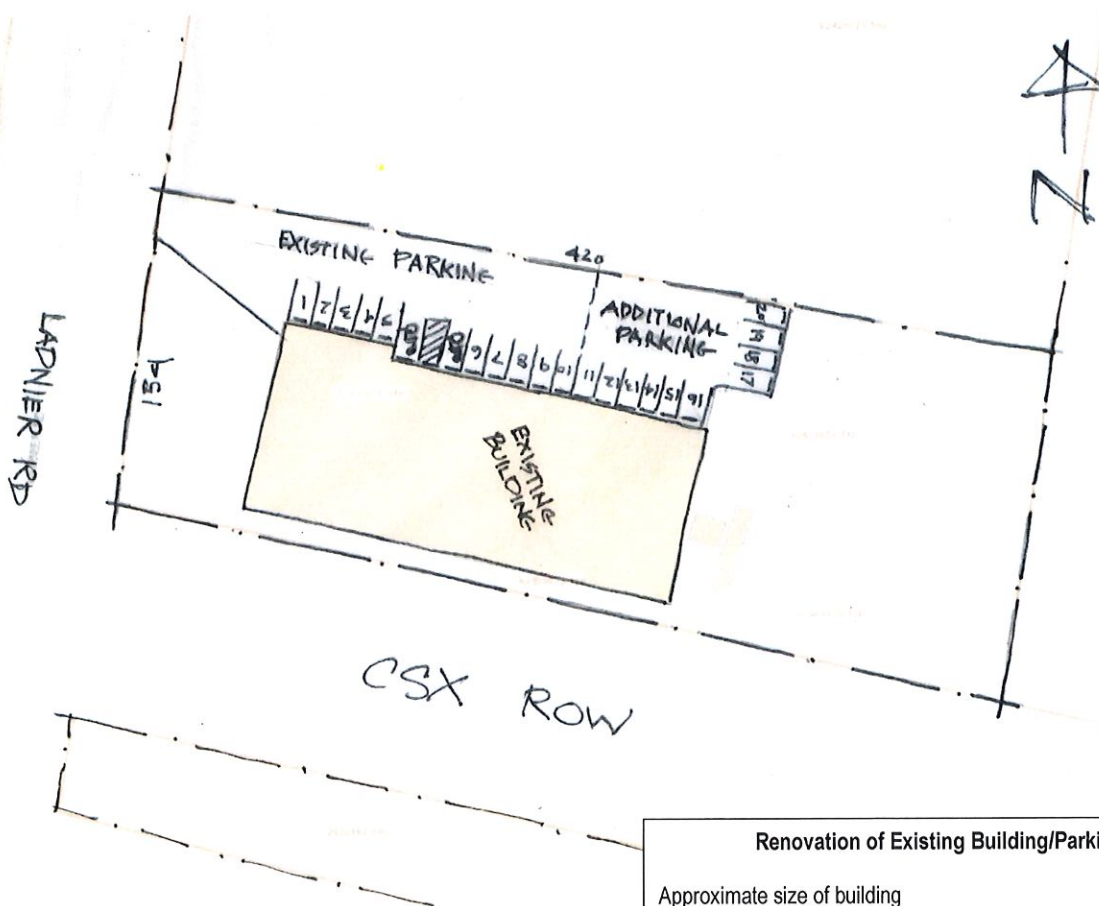
To the immediate south is a CSX Right of way, and north of Guillotteville Road is a narrow strip of vacant parcels. These parcels along with the rights-of-way indicated provide a buffer from the area to the south. There are residential properties located south of Guillotteville Road along the east side of Ladnier Road. The property south of Guillotteville Road and on the west side of Ladnier Road is a convenience store.

The area is transitional with a mix of commercial/industrial uses north of the railroad right of way and a mix of commercial and residential uses south of the right of way.

The building will be improved with significant investments and will be beneficial to the surrounding area.

3. *Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant?*

The requested special exception results from the recent legislation that approved medical marijuana in Mississippi. The building was constructed in approximately 1974. At the time of construction, the building was located in unincorporated Jackson County.



Renovation of Existing Building/Parking

Approximate size of building	16,000 sq. ft.
Manufacturing, warehouse, or Industrial use	1/20,000 sq. ft.
No. of employees (approx. 15 to 20)	20 spaces
No. of ADA	2 spaces

**Land Use Report for Special Exception
For a Medical Marijuana Cultivation Facility at 3100 Ladnier Road
PIDN: 82436075.110**

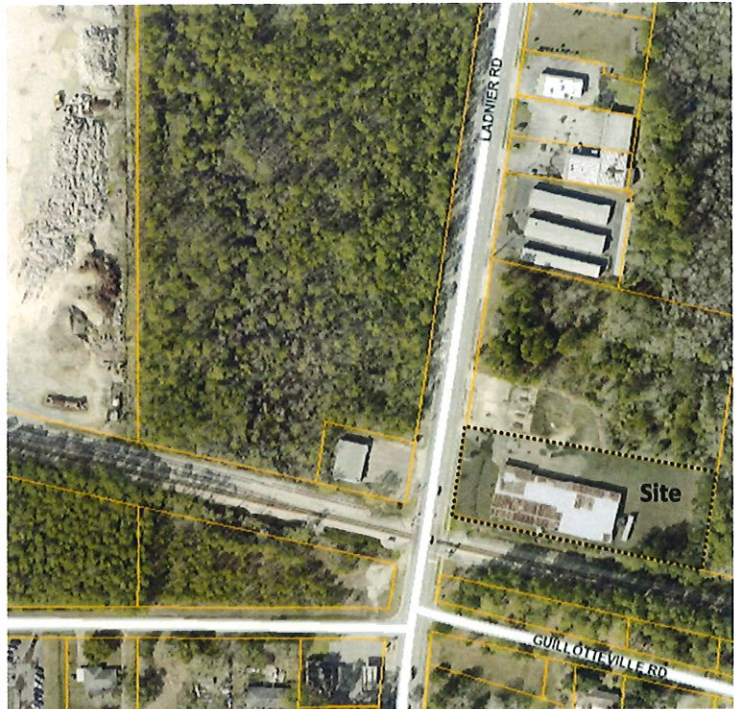
Submitted by: Donovan Scruggs, AICP
June 17, 2022

Gautier Agricultural Company, LLC has a contract to purchase a building located at 3100 Ladnier Road. The building has a footprint of approximately 16,000 square feet in area, and the purchasers hope to convert the structure into a facility to cultivate and grow medical marijuana.

Overview

The City of Gautier, like many local units of government in Mississippi, has not adopted regulations for medical marijuana facilities. The City did not 'opt out' for the growing, transporting, or selling of medical marijuana. Until regulations are adopted to address the use, the City has advised the applicant that the proper process for consideration is a Special Exception. The use is not a listed or 'permitted use' within the C-2 Community Commercial District or any other zoning district of the City, and the use is not defined within the zoning ordinance.

The site is an existing building that has included a variety of uses. It operated as a skating rink for several years. It has been used as a dance studio and market place. Currently, it functions as a day-care or after school use (Dream Tree Enterprises).



The building and immediate area are transitional with no distinct character. Most of the buildings in the area were constructed more than 35 years ago and pre-date the incorporation of the City. The subject building was constructed in 1974, and it needs improvements. The building currently is and historically has been underutilized, and its size or floor area presents challenges to the owner for re-use. The current lease is expiring, and the tenant will be vacating the building in July.

The Proposed Use

The applicant hopes to establish one of the first cultivation facilities for medical marijuana on the Mississippi Gulf Coast. While the industry may be new to Mississippi, it has become increasingly more common for

medicinal or recreational use throughout the United States. To date 37 states have approved the use for medical purposes. Mississippi approved its medicinal use in February 2022.

With the legalization of various forms of use throughout the country, the growing or cultivation of cannabis has become more standardized and controlled. This is to improve both consistency and efficiency. Because the product is being produced for pharmaceutical purposes, controls and security will be required. To achieve and maintain standards, the operators will fully control the quality or levels of the air, light, temperature, water, and fertilizers. The building's electrical equipment will likely require significant upgrades to accommodate the lights and air systems. The building will be very similar to a large green house with numerous rows and platforms for the plants. However, because of the strict requirements and security associated with the facility, all activities and equipment will be located inside the building with permanent walls. The building will be upgraded with commercial-grade exterior and interior doors, and the cultivation occurring inside the building cannot be visible to the public (limited or no windows).

The plants will be harvested and transported to a facility to process or refine the plant for use. No processing will occur at the proposed facility.

Special Exception Requirements

Section 4.16 of the City's Unified Development Ordinance (UDO) sets forth requirements for Special Exceptions. Subsection 4.16.4 *Criteria for Approval* establishes the standards for consideration as a Special Exception. This section establishes that uses 'not permitted by right' may be granted an exception or be allowed to operate with adherances to the following standards:

- A. That a literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and that interpretation of this ordinance would work unnecessary hardship upon the applicant;
- B. That the requested Special Exception will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or the general welfare; and
- C. That the special circumstances are not the result of actions of the applicant.

The following sections of this report will address consistency with these standards.

Special Exception – The Building

The size of the building and district in which it is located "deprive(s) the applicant of rights commonly enjoyed by others of the district..."(4.16.4.A.). According to the Jackson County Tax Assessors Office, the building was constructed in 1974. This construction pre-dates the incorporation of the City of Gautier and the adoption of the current zoning regulations for the City.

Table 7. *Intensity and Dimensional Standards*. establishes minimum and maximum criteria for lots and structures within various zones. Within the C-2 District, there are no maximum floor areas established (Maximum Floor Area Ratio). The building does not exceed the "maximum percentage of area covered on a lot". As a result, the building is largely compliant with the established standards of the zoning district, however, the uses permitted within the zoning district are not necessarily helpful for a building with a floor area of 16,000 square feet. The C-2 District includes a number of uses, but most are typical of buildings with smaller footprints and not adjacent to railroad rights of way. Ambulance Services, Amusement Arcades, Art Galleries, Medical or Dental Clinics, Convenience Stores, Day Spas, Drug Stores, Fish Camps, Instructional Studios, Dental Laboratories, Commercial Marinas, Secondhand Stores, Specialty Retail Spaces, and other

uses permitted within the district are not consistent with a building of 16,000 square feet. Because of the size of the building, the owner must either decide to demolish the building, create petitions for smaller areas within the building, seek a rezoning, or request the Special Exception. Attempts to utilize the building as set forth within the ordinance provides an extremely limited number of options for the owner.

The size of the building creates an unnecessary hardship that is not commonly present on other properties within the district. Most smaller or more modest sized structures have the flexibility to accommodate many of the uses outlined above. Buildings or floor areas that range in sizes of 1,000 to 4,000 square feet have greater flexibility and can be used for retail or office space, restaurants, clinics, and a number of uses permitted within the C-2 District. The size of this building is not necessarily consistent with the uses of the C-2 District, but it should not be considered nonconforming.

Conversely, the building would be better suited for a C-3 Highway Commercial or I-2 Industrial District that permits warehousing, manufacturing, storage, automotive service or repair, paint and body shops, and other uses that typically occupy larger building sizes. Even though the building should not be considered a nonconforming structure, the size of the building limits its uses and overall viability. A rezoning would provide the owner greater flexibility for the use of the building, but it may not be consistent with the area.

The Special Exception is the preferred alternative to a rezone because a number of uses permitted within the C-3 or I-2 Districts may not be consistent with the area. An 'upzoning' to C-3 or I-2 could be damaging to the area and open the door for undesirable uses along the corridor. The Special Exception provides the City of Gautier with more control over future land uses at the site.

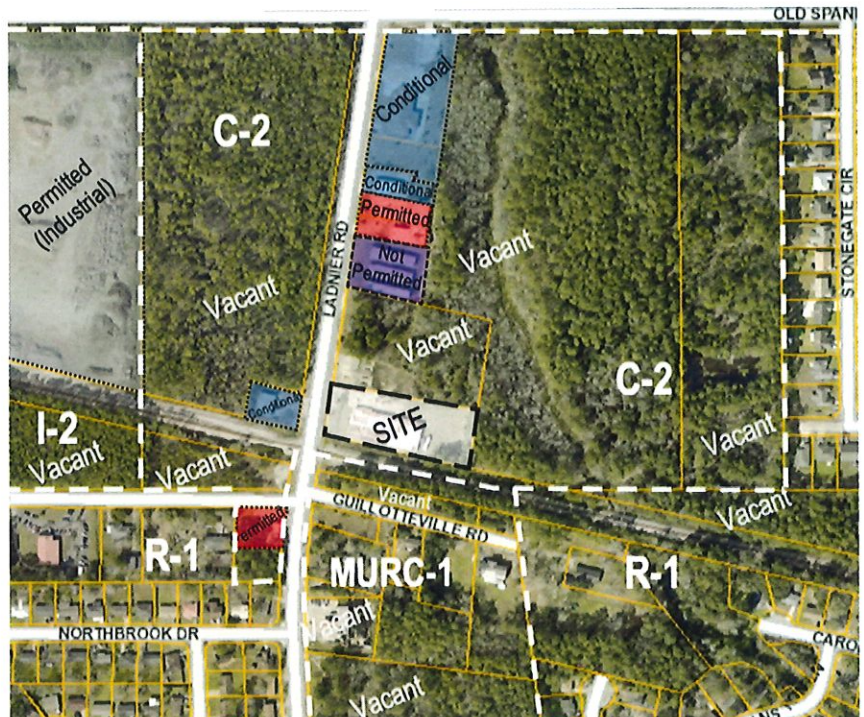
Special Exception – Consistency with Area and UDO

The proposed cultivation facility "...will be in harmony with the purpose and intent of this ordinance and will not be injurious to the neighborhood or the general welfare" (4.16.4.B). Unlike many of the uses prohibited within the C-2 District, this use will not generate large volumes of traffic, loud noises, smoke, glare, dust, and other objectional by-products. The use will not include outdoor storage, dilapidated or inoperable vehicles, or uses involving large equipment.

The use may be related to a wholesale nursery, but the activities and functions will be enclosed with no need for numerous acres of land for planting, temporary greenhouses, and material storage. The number of employees will be consistent with many of the office spaces, clinics and other uses of the C-2 District. With very limited outdoor display or signage associated with the facility, the site will have no real outward appearance of a cultivation facility. The proposed facility will allow a good use of a building that has existed within the neighborhood for almost 50 years.



The property is within a C-2 Community Commercial District. While the district's intent is to 'provide areas of medium density commercial including a mixture of retail, professional services, and studios', the uses along Ladnier Road are not necessarily consistent with this intended character of the district. Within the immediate area are a liquor store, mini-warehouses, a lounge, and two convenience stores. While there is a floral/flower shop to the north, the area lacks professional services, studios, or a mixture of retail establishments. Some of the uses mentioned are only allowed as Conditional Uses. The mini-warehouses are not permitted within the C-2 District and represent a nonconforming use. The vacant site immediately north of the proposed facility is a demolished car wash. In the center of these uses is the



Within the immediate area are several non-residential uses and vacant sites. Convenience stores and specialty retail (flower shop) are permitted uses (red) in the C-2 District. Package liquor stores and bars & lounges require a conditional use permit (blue). Mini-warehouses are not permitted (purple). To the west is an industrial zone and permitted uses.



Several properties adjacent to or surrounding the subject site are vacant. These include large tracts of land that have never been developed. The parcel north of the site (upper left photo) has become overgrown since the demolition of the car wash. The parcel between Old Spanish Trail and the convenience/liquor store is heavily wooded and has never been developed (lower left photo).

proposed cultivation facility to be located within an existing 16,000 square foot building. Many of the surrounding buildings were constructed prior to the incorporation of Gautier or the adoption of its zoning regulations.

A review of the surrounding properties demonstrates that many of the adjacent and nearby parcels are vacant or have never been developed. The 2.55 acre lot to the north is vacant and includes the demolished car wash. The site has been vacant for approximately 12 years. To the east of the site are three undeveloped tracts that total approximately 30 acres (17.2 ac., 10.0 ac., and 3.26 ac.). Immediately west of the site are a convenience store and packaged liquor store, however to the north, west, and south of that parcel is approximately 40 acres of undeveloped land (12.65 ac., 1.06 ac., and 25.31 ac.). Along the west side of Lahnier Road and between this convenience/liquor store and Old Spanish trail are wooded, undeveloped areas. South of the proposed facility between CSX right of way and Guillotteville Road is a narrow strip of undeveloped land. These wooded, undeveloped areas provide visual buffer from the building and the site for the residential areas to the south. It is likely that these strips of land will remain in place to provide a visual and sound buffer from trains along the railway.

Special Exception – Special Circumstances

The applicant is requesting consideration for a condition that is not addressed within the UDO. The request is to address... “special circumstances [that] are not the result of actions of the applicant” (4.16.4.C.). The proposed use was approved in February 2022 by the State of Mississippi, and the City of Gautier and some other cities across the Coast have not finalized local regulatory standards. Until rules are adopted to address the use, the Special Exception is the only viable route for approval.

The use is unique and not similar to other uses within the UDO. A wholesale nursery is obviously a related use, but differs greatly because of the amount of land dedicated to growing plants and material in fields or garden areas. Wholesale nurseries also contain large areas of outdoor storage for material that is ready for distribution. These are often located in agricultural areas such as northeast, unincorporated Jackson County. These uses are typically located tracts of land that are 5 acres or much larger.

A retail nursery is another related use, and these are more likely to be partially enclosed. These uses are smaller and will typically have large exterior display areas of plants, pots, soils, and other gardening needs. These are retail stores that are open to the public.

The proposed facility will not be open to the public. The proposed uses will be within an enclosed building with no exterior evidence of cultivation. No on-site purchase, dispensing, or use will be permitted. The product will be grown and transported to a processing facility. Once processed, it will be distributed for dispensaries for patients with prescriptions. Each stage or phase of the process will be heavily regulated and secured.

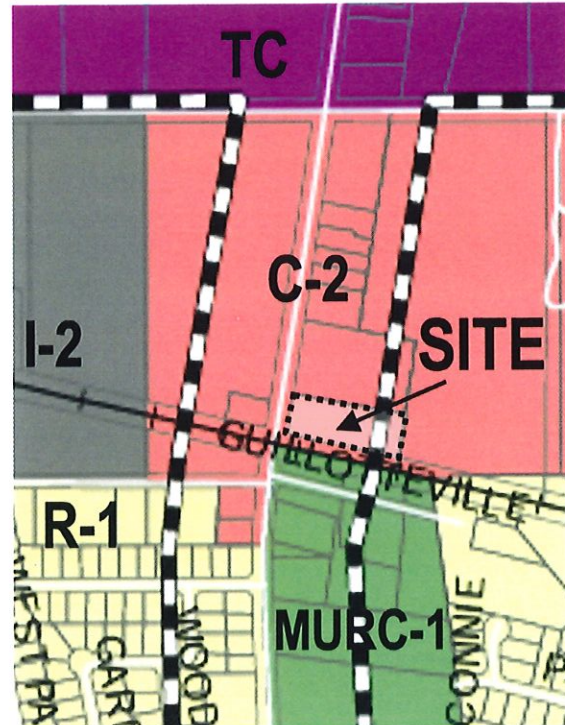
Zoning Map Review

As mentioned earlier in this report, the subject site is located in the C-2 Community Commercial District. A review of surrounding districts indicate that the site is not adjacent to any residential districts or uses. To the north and east are large areas of the C-2 District. To the west are additional C-2 areas and a large I-2 District. Immediately south of the site (and south of the CSX right of way) is the MURC-1 Mixed Use Recreation Commercial. To the southwest of the C-2 District and south and east of the MURC-1 District are R-1 Single-Family Residential Districts.

As implied in the name, the Mixed Use Recreation Commercial District permits a number of uses including single-family and multi-family residential dwellings. The MURC-1 also permits restaurants, hotels and motels, retail plant nurseries, specialty retail shops, title loan businesses and other commercial uses permitted within the C-2 District. The MURC-1 serves as a transitional district between the C-2 areas and the R-1 areas to the south. Because the site is surrounded by commercial and mixed use areas, it is not adjacent to a single-family residential district. Any single family residential use that is within close proximity to a MURC-1 or C-2 District has the potential of a commercial use being established.

Southern Right of Ways

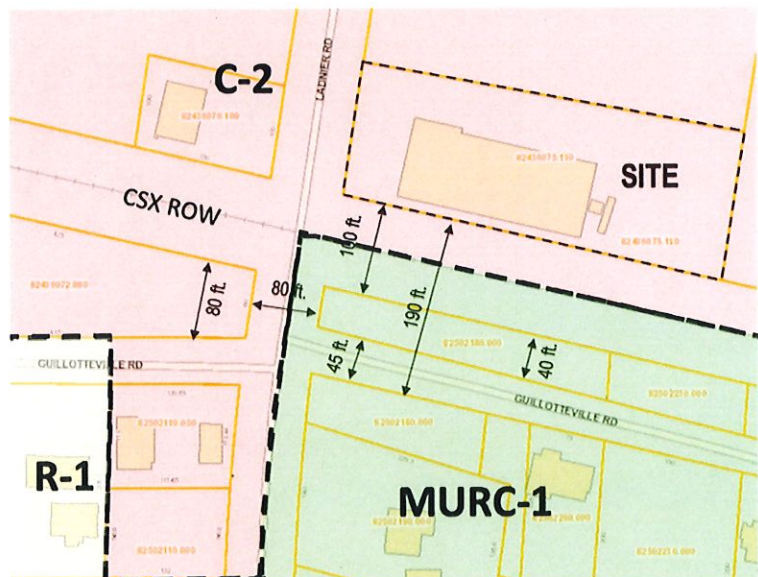
Buffering is addressed within the UDO for some properties and uses, but these buffering requirements are typically associated with the use of the adjoining properties. Because the property is adjacent to CSX and Ladnier Road rights of way and vacant areas to the north and east, no buffering is required.



The subject property is located adjacent to wider than normal rights of way. To the south the CSX right of way is 100 feet wide. To the west the Ladnier Road right of way is 80 feet wide. South of the site is the Guillotville Road with a right of way of 45 feet. These rights of way provide additional separation from neighboring properties within the C-2 and MURC-1 District to the south. Along both sides of the street are narrow strips of undeveloped properties that provide additional separation. As a result, the closest occupied or developable site to the south is approximately 200 feet from the property line of the subject site.

Summary

The applicant is requesting a Special Exception to convert an existing 16,000 square foot building into a facility to cultivate medical marijuana. This use was recently approved by the Mississippi Legislature and signed into law in February 2022. At present, the City of Gautier has not adopted regulations for medical marijuana, and the request for a Special Exception is a manner to gain approval for this specific site.



The subject building is situated on approximately 1.5 acres of land. It is surrounded largely by vacant or undeveloped areas that are largely wooded. The site is located along the north side of the CSX right of way.

The proximity to the railroad right of way impacts the use of the property. It also impacts the area in regards to residential developments. Noises and vibrations associated with trains often decrease the desirability of adjacent and nearby properties. The CSX right of way is 100 feet in width, and when combined with a private buffer area and the Guillotteville Road right of way, the site is separated from residential structures to the south by approximately 200 feet. It should be noted that the residential properties to the south of the site are located within a Mixed Use Recreation Commercial 1 District, and these districts permit commercial uses.

The proposed use is an excellent fit for the building. Within the C-2 District, there are very limited uses that would 'fit' into a 16,000 square foot building. Most of the uses only require floor areas of 1,000 to 4,000 square feet. The lack of marketability and underutilization of the building is a factor in its decline and the lack of investment into the building. The proposed use will occupy the building and justify improvements to the site and building, create jobs, and bring more tax revenues to the City.

Despite the negative, historical aspects oftentimes associated with marijuana as an illegal drug, the medical or pharmaceutical characteristics of the drug are beneficial in treating a number of medical conditions. Based on the 2020 vote, approximately 70 percent of Mississippians that voted favored the legalization of medical marijuana. Studies have demonstrated that the drug is beneficial for a number of patients in treating a variety of diseases. The plant will be grown or cultivated inside the facility with little or no exterior evidence of the building's use. Once mature, the plants will be harvested and transported to an off-site facility to be processed for use and distribution as a pharmaceutical product. At the proposed facility, there will be no dispensing or use of the products. The proposed facility will be a very highly regulated and secured. The use and activity associated with the building will have an overall positive impact on the neighborhood and the site.

82436075.110 DLA INVESTMENTS LLC

PIDN: 82436075.110

GISP: 777.36-03-0001.00

Owner Information

Percent of Ownership: 100

Name: DLA INVESTMENTS LLC

Name 2:

Mailing Address: 806 MARTIN ST
PASCAGOULA MS
39581

Site Address: 3100 LADNIER RD GAUTIER

Land Information

Section: 36 Acreage: 1.50

Township: 7

Range: 7

Street Name LADNIER
RD

Value and Tax Information

Total Assessed Value: 24184

Total Appraised Value: 161229

Improvement Value: 101649

Land Value: 59580

Tax Amount: 3519

SQ FT: 16000

Year Built: 1974

Legal Description

Description: COM SWC SEC 36 N 72 DEG E 546.18
TO N/M RR & E/M LADNIER RD TO P
OB N 8 DEG E 154.80' S 77 DEG E
420' S 8 DEG W 154.80' N 77 DEG
W 420' TO POB DB 1681-455 (1 Map
777.36-03)

Deed Book / Page: 1681 / 455

82436075.110 DLA INVESTMENTS LLC



Jackson County GIS

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning

ZONECODE

	AG
	C-1
	C-2
	C-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	R-3
	RE
	TC

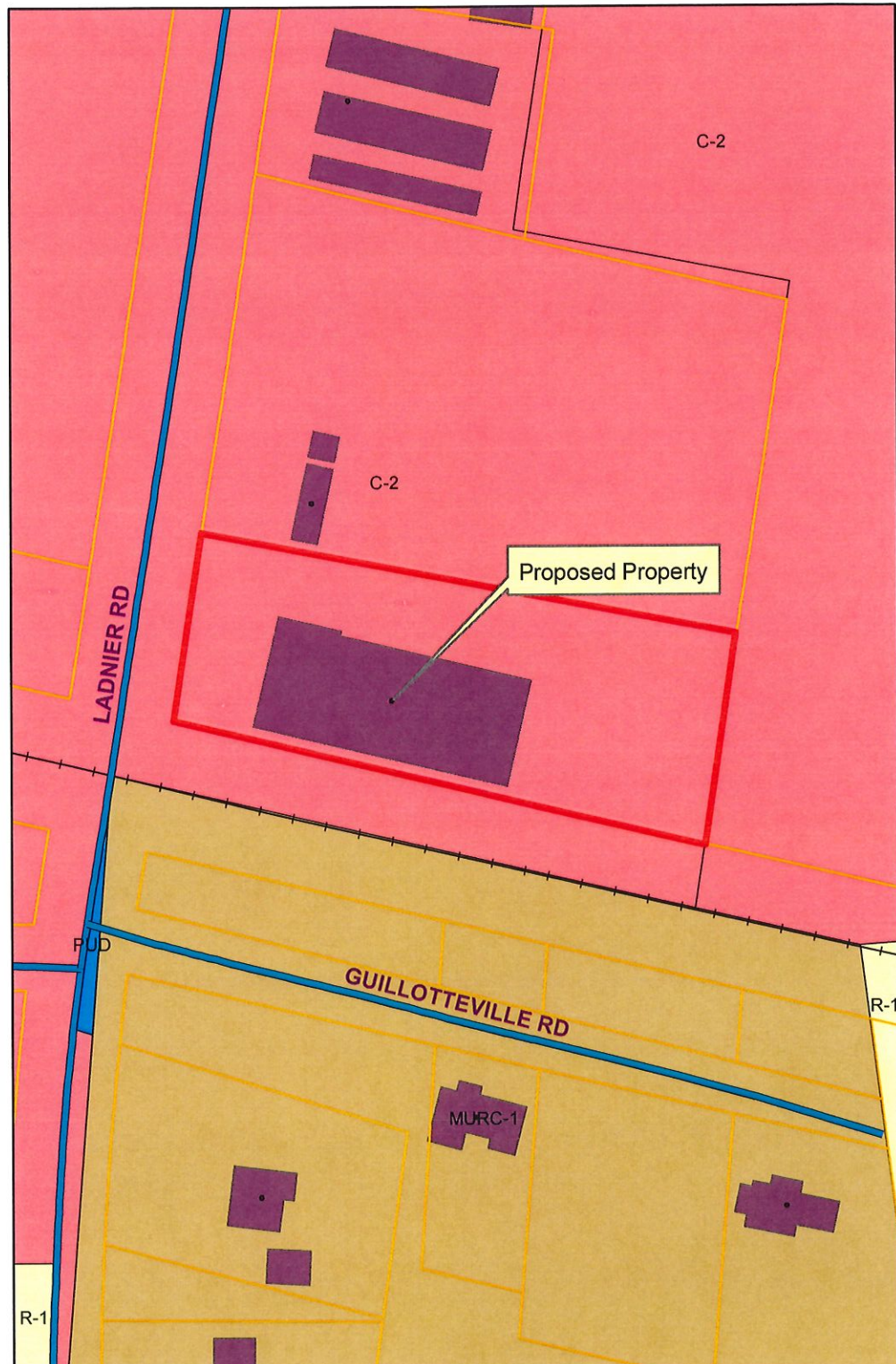


Exhibit C

Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

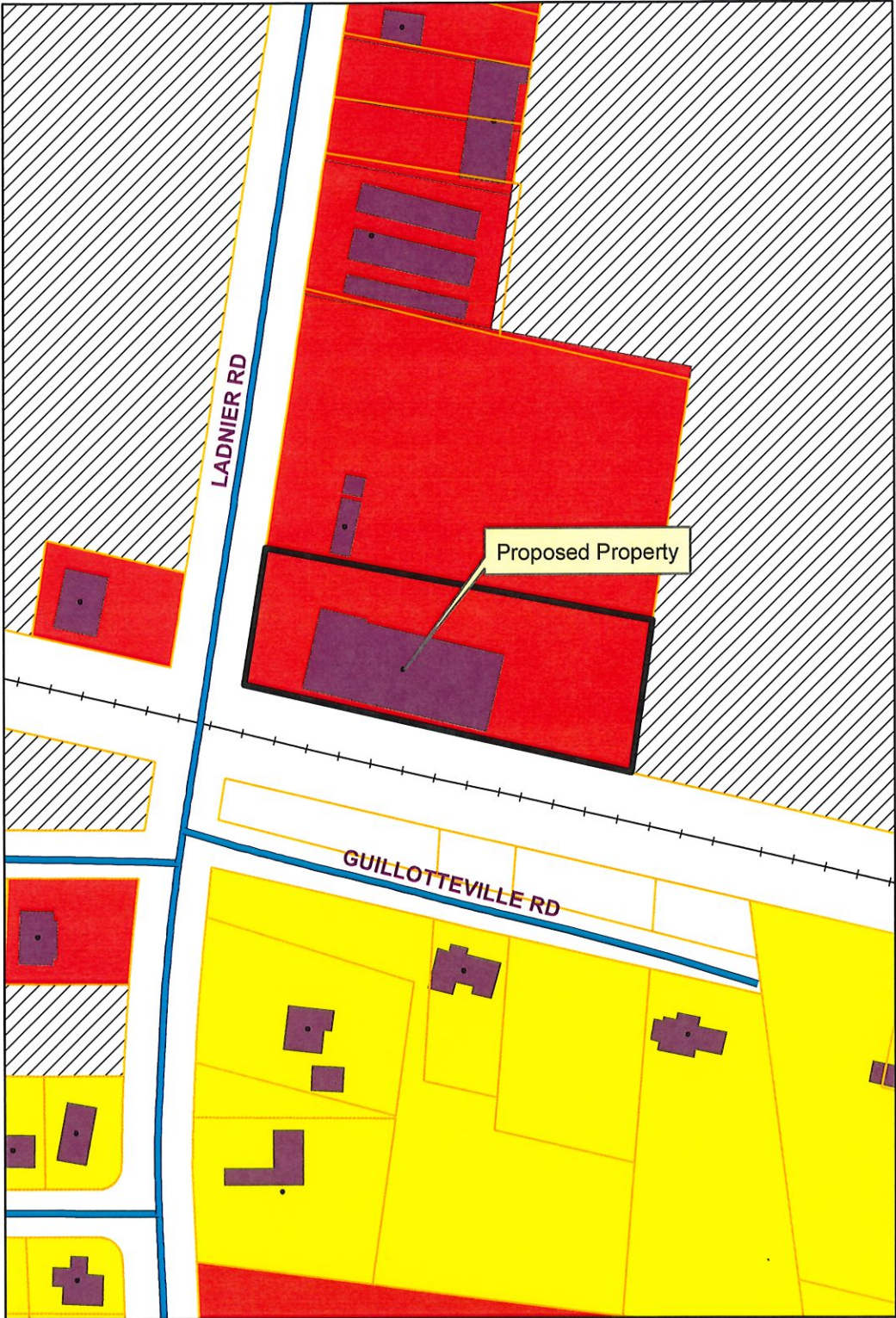


Exhibit D

Future Land-Use

Prepared By:

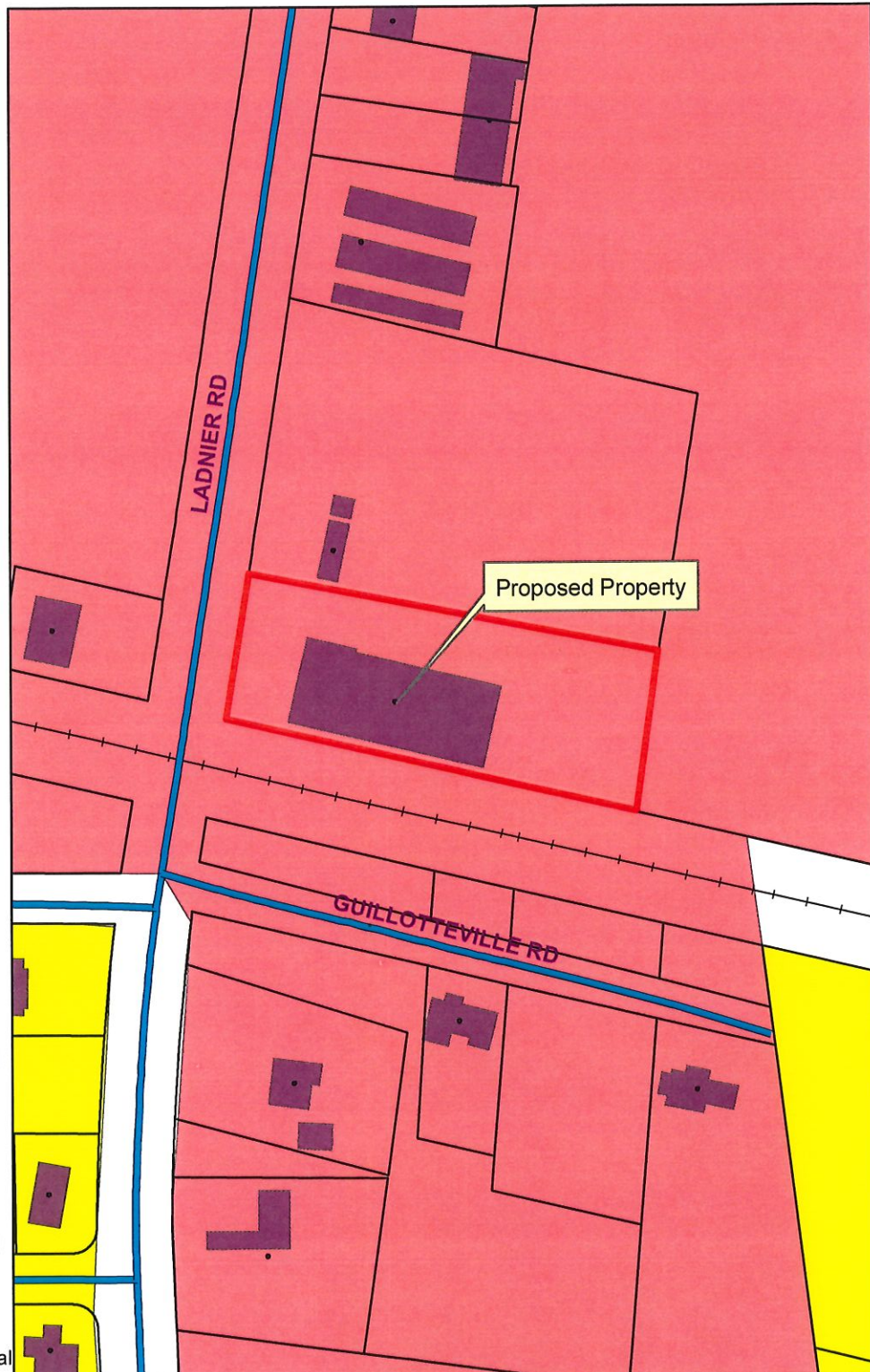
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



Excerpt from July 7, 2022 Gautier Planning Commission Meeting:

The Planning Department has received a request for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District at 3100 Ladnier Road, PID #82436075.110 (GPC #22-23-SE).

Scott Ankerson, Planning Director, gave a brief overview of the case. He advised that in the near future there would be clarification verbiage presented for addition to the existing UDO in regards to cannabis uses and this use in this district (C-2 District) is proposed to be added as a Conditional Use-Major.

REQUEST:

The Planning Department has received a request from Gautier Agricultural Company LLC for a Special Exception that would allow a cannabis cultivation facility in an existing building in a C-2 Community Commercial Zoning District at 3100 Ladnier Road, PID #82436075.110 (GPC #22-23-SE). The application fee of \$250 was paid on May 27, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-2 Community Commercial.

1. Location: 3100 Ladnier Road, PID #82436075.110 (See Exhibit A)
2. General features of the proposed project:
 - Site Size: Approximately 1.5 Acres
 - Existing building on property - approximately 16,000 square feet
3. Potable Water and Wastewater Services: Existing at current location
4. Current Zoning (See Exhibit B): C-2 Community Commercial
5. Current Surrounding Zoning (See Exhibit B): C-2 Community Commercial and MURC-1 Mixed Use Recreation Commercial
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others

of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: Medical marijuana, specifically, the cultivation was legalized in Mississippi in February 2022. The City's Unified Development Ordinance does not address this use. Because the use is not specifically listed within any of the zoning districts, the applicant is requesting a Special Exception to allow the cultivation within an existing building located within a C-2 District.

Staff Finding: Additions to the City of Gautier's Unified Development Ordinance, as it pertains to allowed uses for Medical Marijuana Facilities within the City, are currently being drafted and will be brought before Planning Commission and City Council in the near future for consideration. Included in these proposed additions is an allowance for a Cultivation Facility to be placed in a C-2 District with the approval of a Conditional Use Major.

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: The existing building is approximately 15,000 square feet in size. The nearby and adjacent uses include a quasi-industrial site (mini-warehouses to the north) or vacant/undeveloped (to the north and east). The site immediately north of the property was once occupied by a car wash facility. The facility was removed and the site is overgrown and vacant.

Along the west side of Lадnier Road is a liquor store and convenience store. North of the liquor store is vacant and undeveloped properties. Behind these parcels is Mallette Brother Construction Company that is zoned industrial.

To the immediate south is a CSX Right of way, and north of Guillotteville Road is a narrow strip of vacant parcels. These parcels along with the rights-of-way indicated provide a buffer from the area to the south. There are residential properties located south of Guillotteville Road along the east side of Lадnier Road. The property south of Guillotteville Road and on the west side of Lадnier Road is a convenience store.

The area is transitional with a mix of commercial/industrial uses north of the railroad right of way and a mix of commercial and residential uses south of the right of way.

The building will be improved with significant investments and will be beneficial to the surrounding area.

Staff Finding: *Staff's opinion is that approval of the request will not negatively affect the neighborhood.*

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *The requested special exception results from the recent legislation that approved medical marijuana in Mississippi. The building was constructed in approximately 1974. At the time of construction, the building was located in unincorporated Jackson County.*

Staff Finding: *Staff is in agreeance with the applicant's response.*

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or

- C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

ATTACHMENTS:

1. Applicant’s Exhibit 1 – Application
2. City’s Exhibit A – Location Map
3. City’s Exhibit B – Existing Zoning Map
4. City’s Exhibit C – Existing Land Use Map
5. City’s Exhibit D – Future Land Use Map

Chairman Jamison asked the applicant to present his case.

Donovan Scruggs, representative for Gautier Agricultural Company LLC, stated that they had started talking with the City about two and a half months ago regarding this particular property and how to go about getting approval for a cannabis cultivation facility

or grow house. At that time, and at present, Gautier has not adopted any regulations regarding a cannabis grow house or any kind of cannabis dispensary. The rules for these facilities were just adopted by the State of Mississippi in February of this year.

Mr. Scruggs stated that the proposed site was once a skating rink and is 16,000 square feet. Most uses allowed in a C-2 zoning district are uses with a building size of 1,000 to 4,000 square feet. A building of this size would be more appropriate located in a C-3 Highway Commercial or Industrial district. Mr. Scruggs stated that there would be no dispensing or processing of the product at this site if approved and that all growing would be enclosed and with strict security requirements in place. He noted that the property is surrounded by commercial or non-residential districts such as MURC-1 Mixed Use Recreation Commercial and C-2 Community Commercial. The property does not abut a residential district and a lot of the surrounding properties are vacant. He also said they did intend to improve the exterior of the building.

The proposed use is regulated by Mississippi Department of Revenue and includes residency requirement for owners, high permitting fees, tracking of products, and security. Distances are required from schools, churches, and day-care facilities.

Lanae Jacob, one of the owners the property, stated that she bought the property in 2009 to rent out for wedding receptions and private parties, and that she also did ballroom, country, Latin, and swing dancing there. Through the years, the cost of cooling the building made it no longer cost effective for her business, so they put the property up for sale in 2013. In 2019 she let the current tenants rent the building with interest in purchasing the building later. They are still only renting the building. Ms. Jacob said she could no longer continue to carry the cost of the building, she needed to sell it. Gautier Agricultural Company LLC made her a good offer, and she would like to sell to them because she also thinks a cannabis cultivation facility would be good for the community in terms of being a safer area due to the added security required for the use.

Chairman Jamison asked if Staff had received any calls or letters regarding the request.

Babs Logan, Planning Technician, said letters were sent to the adjoining property owners and that no one had called or sent a letter regarding the request.

Chairman Jamison asked how many employees there would be and would there be any smell coming from the building.

Mr. Scruggs said there would be about fifteen to twenty employees and because this would be one of the smaller facilities allowed by State regulations there should not be any smell coming from the building.

Chairman Jamison asked if there would be eighteen wheelers in and out of the property picking up the product. She is concerned because the railroad tracks already cause a traffic backup sometimes.

Mr. Scruggs stated that he didn't think eighteen wheelers would be used for transportation of the product because it would be a small facility and he didn't expect trucks on a daily basis. Traffic should not be an issue.

Commissioner McManus asked why this particular location was chosen. The area is highly populated, highly traveled and there is a school, and a Boys and Girls Club on the street. Why not choose a location that is more remote and less traveled.

Mr. Scruggs stated that the location has water, sewer and electricity that is readily available as opposed to a more remote location. He said it is also easier to secure when you have a ready Police Force in town. It is also an existing building and it would take about a year to build a new facility and the expense of building is going up all the time.

Commissioner Decoteau asked, from a legal standpoint, does the State of Mississippi allow the Planning Commission to legally approve the facility in a C-2 Zone.

Josh Danos, City Attorney, stated that since the City of Gautier did not opt-out the facility is allowed by right in Agricultural and Industrial Zoning Districts and it is legally okay for this request in this district even though the City has not adopted any ordinances regarding cannabis cultivation facilities at this time.

Mr. Ankerson told the Commissioners to keep in mind that even with the State of Mississippi allowing cannabis cultivation facilities in Agricultural Districts, the City of Gautier's Agricultural District is currently mostly residential.

Commissioner McManus asked the City Attorney what kind of revenue the City would receive from this business.

Mr. Danos said that the City would probably not receive any revenue from the facility because sales tax would come from the point of sale or the dispensaries.

Mr. Scruggs said that with the improvements to the building it should add something to the ad valorem taxes.

Lanae Jacob stated that they had obtained waivers from several churches in the area.

Mr. Danos explained that if you were within 1000 linear feet of a church or 500 linear feet if you get a waiver from the church.

Commissioner Gainer said he was concerned because it was a high traffic area and, in the past, there had been drug trafficking in the area. He was not comfortable having the facility at that location even with a fence and 24/7 security.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Hoover made a motion to recommend the City Council approve the request for a cannabis cultivation facility at 3100 Ladnier Road.

Commissioner Davis seconded the motion and the following vote was recorded:

AYES:	William Davis Chris Hoover Ricky Decoteau
NAYS:	DeAnna McManus Kay C. Jamison Paul Gainer Josh Ward

Motion failed.

Commissioner Ward made a motion to recommend the City Council deny the Special Exception.

Commissioner McManus seconded the motion and the following vote was recorded:

AYES:	DeAnna McManus Kay C. Jamison Paul Gainer Josh Ward
NAYS:	William Davis Chris Hoover Ricky Decoteau

Motion passed.

CITY OF GAUTIER
Business Agenda Item #3
Fact Sheet

Council Meeting: July 19, 2022
Title: Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-25-VAR)

Introduced by:
Contact Person/Telephone Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory building in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-25-VAR) (PID #85700022.000)

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order/Public Hearing	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the homeowner of 7600 Bluff Point Road, (PID #85700022.000) has requested a six-foot (6') variance to side yard setback requirements for an accessory building in an R-1 Low Density Single-Family Residential District; and

WHEREAS, the proposed accessory building would be four feet (4') from the side property line, in lieu of the required ten feet (10'); and

WHEREAS, Planning Commission conducted a public hearing on this request and recommended approval of same;

WHEREAS, based on the information presented to the Council, the Mayor and Councilmembers hereby find that all criteria under Section 4.18.4 of the Unified Development Ordinance (have or have not) been met in this case;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Council hereby (adopts or denies) the Gautier Planning Commission's recommendation to approve this variance;

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 07/13/2022
Subject: Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-25-VAR)

REQUEST:

The Planning Department has received a request from Jannea Rogers Willis for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, PID #85700022.000. The application fee of \$175 was paid on May 31, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single-Family Residential. The applicant has had an accessory building placed four feet (4') from the side property line. The required set-back from the side property line is ten feet (10'). The applicant needs a six-foot (6') variance.

DISCUSSION:

The applicant requests a six-foot (6') variance to the minimum side yard setback requirements in a R-1 Low Density Single-Family Residential Zoning District that would allow an accessory building to be four feet (4') from the side property line in lieu of the required ten feet (10').

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

1. 30% of required off-street parking spaces and/or
2. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

1. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
3. That the special conditions and circumstances do not result from actions of the applicant; and
4. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION:

The Planning Commission recommends that City Council approve the variance as presented.

The City Council may:

Approve the variance request as presented;

Approve the variance request with changes; or

Deny variance request.

ATTACHMENTS:

1. Excerpt GPC Meeting 7.7.22 (#22-25-VAR)
2. Complete Packet 22-25-VAR

Excerpt from July 7, 2022 Planning Commission Meeting:

The Planning Department has received a request for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District at 7600 Bluff Point Road, PID #85700022.000. (GPC #22-25-VAR)

Scott Ankerson, Planning Director, gave a brief overview of the case. He explained that the shed was put in without a permit because the applicant was not aware that one was needed or that there were setback requirements.

REQUEST:

The Planning Department has received a request from Jannea Rogers Willis for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, PID #85700022.000. The application fee of \$175 was paid on May 31, 2022. All public notice requirements have been met.

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DISCUSSION:

The applicant requests a six-foot (6') variance to the minimum side yard setback requirements in a R-1 Low Density Single-Family Residential Zoning District that would allow an accessory building to be four feet (4') from the side property line in lieu of the required ten feet (10').

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Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

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- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

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- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant’s Exhibit 1 – Application
- 2. City’s Exhibit A – Location Map
- 3. City’s Exhibit B – Existing Zoning Map
- 4. City’s Exhibit C – Existing Land Use Map
- 5. City’s Exhibit D – Future Land Use Map

Chairman Jamison asked the applicant to present her case.

Jannea Rogers Willis explained that she had purchased the property in November 2021. Her primary residence is in Semmes, Alabama. This is a small house to be used on the weekends and it has no ancillary storage on the property. The property is on the river and she needs a shed to keep life vests, kayaks, etc. She stated that she had searched the ordinance online to find regulations for sheds but had apparently misinterpreted the

regulations. She said that her house sits on a bluff and the top of the bluff is only about twelve feet (12') away from the house. She chose the right side of the property to place the shed because that would make it the least obvious to anyone passing by.

Chairman Jamison noted that Ms. Willis had included affidavits from the neighbors stating they did not have any objections. Chairman Jamison asked Ms. Willis if the home was for her personal use or was it going to be used as an ABNB (Air Bed and Breakfast).

Ms. Willis said it was for her personal use and would not be used as an ABNB.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Decoteau made a motion to recommend that City Council approve the variance as presented.

Chairman Jamison seconded the motion and the following vote was recorded:

AYES:	Josh Ward
	Kay C. Jamison
	DeAnna McManus
	William Davis
	Paul Gainer
	Ricky Decoteau
	Chris Hoover

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

July 7, 2022

GPC #22-25-VAR

7600 Bluff Point Road

VII. NEW BUSINESS

1. Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-25-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: June 24, 2022

Subject: Consider a request for a six-foot (6') variance to side yard setback requirements for an accessory structure in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-25-VAR)

REQUEST:

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BACKGROUND:

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DISCUSSION:

The applicant requests a six-foot (6') variance to the minimum side yard setback requirements in a R-1 Low Density Single-Family Residential Zoning District that would allow an accessory building to be four feet (4') from the side property line in lieu of the required ten feet (10').

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- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
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- 4. City's Exhibit C – Existing Land Use Map
- 5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

22-25-VAR

TO BE HEARD BY GAUTIER PLANNING COMMISSION:

FEE:

Zoning Change	_____	\$300.00
Major Development	_____	\$100.00
Variance	_____✓_____	\$175.00
Appeal to Staff Decision	_____	\$100.00

Name of Applicant :

Jannea Rogers WILUS

Name of Business:

Phone: 251-232-3446

Property Address:

1600 Bluffport Rd

Mailing Address (if Different):

1270 Howells Ferry Rd, Semmes, AL

E-Mail Address:

Jannea.Rogers@arlaw.com

Reason for request, location and intended use of Property:

Variance for shed to be

36575

within 10' offset, 6' sideyard variance

ATTACHMENTS REQUIRED AS APPLICABLE:

- ✓ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- ✓ 2. A detailed project narrative.
- n/a 3. Copy of protective covenants or deed restrictions, if any.
- n/a 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- ✓ 5. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.

Signature of Applicant:

Jannea Rogers Wilus

Date of Application:

5-31-22

FOR OFFICE USE ONLY

Date Received

5/31/22

Verify as Complete

Post

Fee Amount Received

175.00

Initials of Employee Receiving Application

BZ

July 7

VARIANCE CRITERIA for APPROVAL — Please answer the questions below to establish that you meet the Criteria for Approval for a Variance. If more room is needed, answers can be provided on a separate sheet of paper.

- A. Do special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district? If yes, please explain.

YES. The lot is very narrow and shallow on rear (see diagram). The shed is a well built moveable structure 8x16 (128 sq ft). It cannot be placed at the rear as there is a Bluff approx 12' from the back steps. The shed is placed in the most logical place to be sure it is not an eyesore and is functional.

- B. Would the literal interpretation of the provisions of this Ordinance deprive the applicant (you) of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? If yes, please explain.

yes, a survey of the area within a 1 mile radius indicated in excess of 50 sheds placed on or near the side property line. Any other placement of this shed would single out this property and make the shed more noticeable and less useful to the property owner.

- C. Do the special conditions and circumstances result from actions of the applicant (you)?

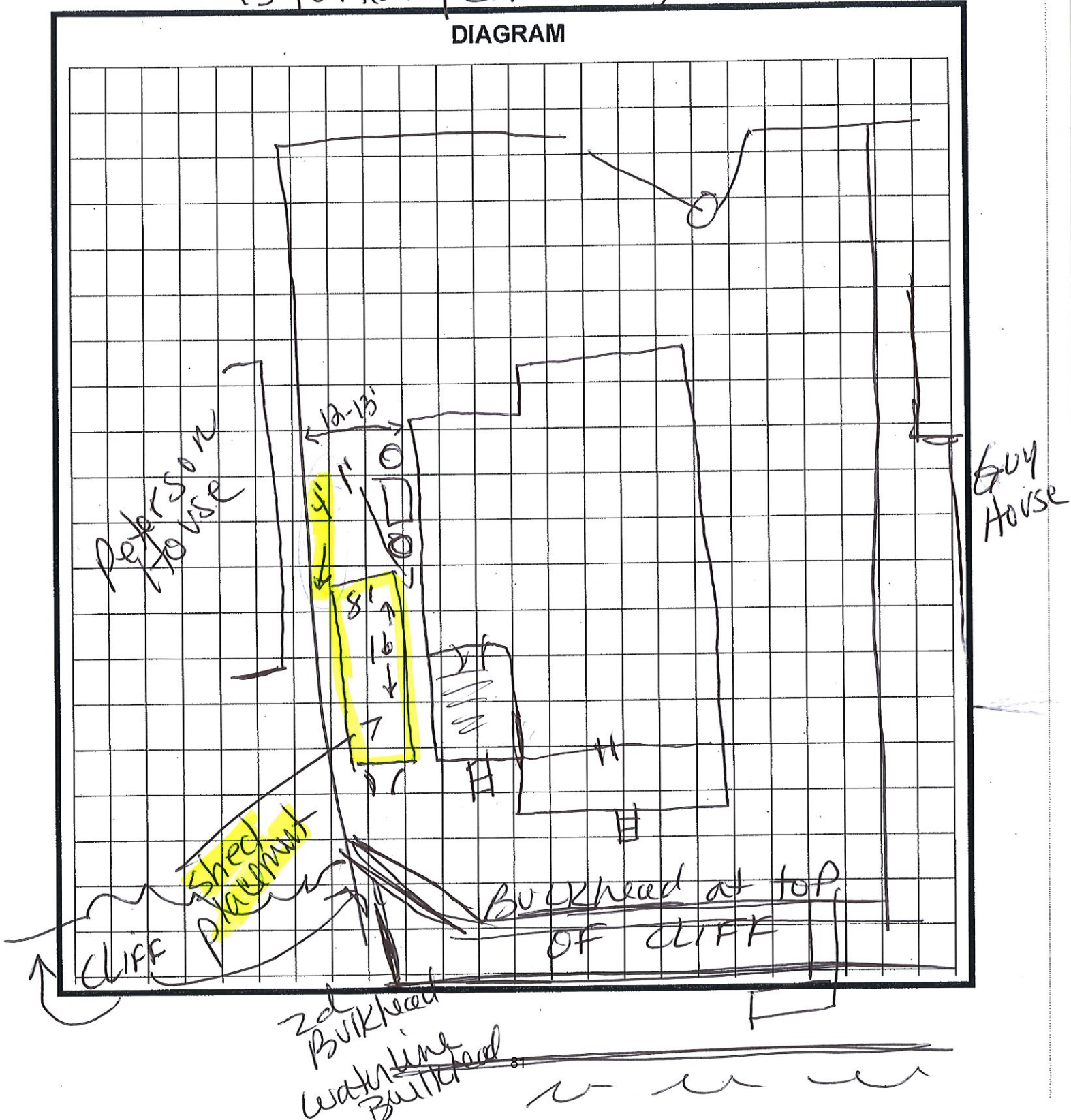
NO

- D. Does granting the Variance requested confer upon the applicant (you) any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district?

NO - as stated the 10' offset is not in place as both houses on either side are constructed within the 10' offset, there are numerous structures on the side property line of houses within a one mile radius.

- Shed Dripline is 100% on this property (intend to install Gutters)
- Both adjacent landowners agree with placement of shed
- Shed placement is optimal for use and is partially camouflaged from road as is

DIAGRAM



NARRATIVE

The house is roughly 1300 sq. ft. and a shed is necessary for normal use and enjoyment of the property. A very nice and attractive shed was purchased and placed on the property in the most logical and optimal location on the side of the house where it is not a eyesore to either adjacent neighbor.

The neighbors were consulted prior to installation and agreed to the location of the shed. The shed offers the Petersons privacy on their back porch as it does to us on ours. The shed is wholly located within our property lines including the roof line + drip line. The shed is barely visible from the road where it is currently located.

There is no better location for the shed to be - no spot behind the house as there is a bluff and drop off that prevents it from being put behind the house. The other side of the house would still place it within the 10' set off, would make the shed less useable and would make it more obtrusive and a eyesore. The most "affected landowner" is the Petersons whose house is less than 5' from the property.

line - and who signed an affidavit that they like the shed where it is.

AFFIDAVIT

STATE OF ALA
COUNTY OF Washington

COMES NOW the undersigned, Jannea Rogers Willis, who is personally known to me and states under oath the following:

1. My name is Jannea Rogers Willis, I am the owner of the property located at 7600 Bluff Point Road in Gautier, Mississippi and have been since its purchase by me in November of 2021.
2. I am over the age of 21, of sound mind and body and make this declaration based upon my own personal knowledge.
3. As the owner, I, along with my husband and son, constructed a fence around the south side property line as well as across the front of the property, and we completed a fence that had been started on the north side of the property line. There was a preexisting chain link fence that ran on these three lines of the property which was removed for the wood fence to be constructed.
4. The wood fence newly built was the exact same fence that had been erected by the prior owner, George Floyd, on the north property line from the top of the cliff to the midpoint between the front of the house and the road.
5. Prior to the demolition of the old chain link fence, which was an eyesore and in significant disrepair, I spoke with both adjoining landowners, Wesley and Charlotte Guy to the north and Carmen and Cooper Peterson to the south, as well as Dale and Alisa Sellers across the street, to inform them of the upcoming demolition and new fence construction. Frankly, they were all universally delighted I was going to take down the old dilapidated chain link fence that had weeds, brush, vines and trash lodged in its links and install something new and nice that would better the neighborhood. We all discussed the fence and everyone was in agreement with our plans.
6. Prior to the installation of the new fence, I also had a surveyor come to the property and mark with a stake as well as angle iron the six corners of the property (there are four corners at the house elevation and then two corners at the water line) to ensure the fence was in the right location. The fence followed the surveyor's stakes and was placed one inch inside the property line on all corners.
7. The fence itself is slightly less than 5' high with posts that are slightly less than 6' high as decorative additions to the wood fence. The fence is plain but will be stained at a later date.

8. The fence is the same height as the pre-existing fence that had been put in place by George Floyd without complaint or incident. It is important to note the Floyd fence extended beyond the front of the house and was halfway to the roadway when he stopped construction and that fence had been in place for at least 3 years prior to the construction of the remainder of the fence.
9. In order to obtain whatever "variance" is required to allow the fence to stay, the three adjoining landowners have executed affidavits and have gone to the expense and inconvenience of having them notarized to comply with the building code provision that permits an owner such as myself to obtain a variance and showing their universal agreement to the fence as it is currently constructed, just as they had agreed prior to construction. Those 3 affidavits are attached hereto.
10. In addition to the fence, we have purchased an 8'x16' portable building or shed from a seller in Lucedale, Mississippi and have had it brought to the property. The seller employed a licensed and insured mover who brought the shed to the property and located it in its current location. The shed is not a permanent structure, it is not on a slab as it is on wooden "skids" that allows it to be moved, and it is not attached to the dirt in such a way as to become "part of the property." Rather, it is a removable shed that can be sold and separated from the real property itself.
11. The shed has been placed wholly within the surveyed lines of this property. The drip line from the roof also is within the surveyed lines of this property although the intention is to install gutters as soon as this "Stop Work Notice" issue is resolved. The intent is also to have the shed anchored with tie downs to secure it in the event of a storm. However, as you know tie downs do not make a structure permanent to the real estate as they can be dug up and the shed disconnected at some time in the future.
12. The shed is located on the south side of the property. Again, prior to bringing in the shed the adjoining property owners were notified and inquiry made whether there was any objection to the shed and again no one objected. In fact, the "most affected" property owners, Carmen and Cooper Peterson, like the shed and appreciate the privacy it now affords them on their back porch. All of the adjoining property owners have included in their affidavits that they have no issue with the shed or its location.
13. I am confused as to why the shed location is an issue as stated on the stop work notice as I could find nothing in the code that discusses moveable, non-permanent structures like a shed other than information on moving them to and from the property. As you can see above, the shed is less than 8.5' wide and therefore the moving issue is nonexistent. The shed is also less than 200 sq. ft. so it would not seem a permit is needed for the shed.
14. If the issue is the 10' setback then I would direct your attention to the 100 or so "sheds" in the adjoining neighborhoods that are all set within 15' of the rear property lines and/or

within 10' of the side property lines. I would also point out that there are innumerable houses that are permanent construction that are within the 10' setback not only on my street but on almost every street within a one mile radius. Finally, I would point out that any other location on the property would make the shed stand out and be more obvious such that the adjoining landowners each and every agree that the best location for the shed is where it is currently placed.

15. In any event, to the extent a variance is required to allow the shed to remain then the affidavits of the adjoining landowners and this affidavit are submitted with that purpose in mind.
16. No violation of any building code was intended by either the construction of the fence or the locating of the shed on the property at 7600 Bluff Point Road.
17. This affidavit is prepared and signed in good faith and for the purposes stated herein and to attach to a permit and or variance application as made necessary by the Stop Work Notice posted 5/12/22.
18. Any communication about this affidavit or the permit/variance can be directed to me at my law offices as follows:

Jannea Rogers Willis
11 N. Water St. Suite 23200
Mobile AL 36602
Jannea.rogers@arlaw.com
251-232-3446.

If a hearing to confirm the variance is requested, I would ask for at least 14 day's notice in order to have one of my partners from my Jackson, Mississippi office appear with me to ensure that the variance is approved and that no further action be needed on my part to occupy the property at 7600 Bluff Point Road in peace and quiet enjoyment.

Further affiant sayeth naught.

[intentionally left blank]


Jannea Rogers Willis

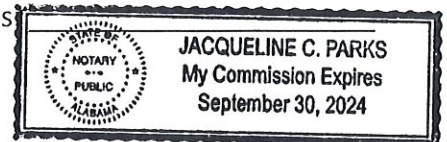
STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned Notary Public in and for said State and County, hereby certify that **Jannea Rogers Willis**, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 23rd day of May, 2022.

[AFFIX NOTARIAL SEAL]


NOTARY PUBLIC
My Commission Expires



AFFIDAVIT

STATE OF MS

COUNTY OF Jackson

COME NOW before me the undersigned Colin Peterson or Carmen Peterson who resides at 7530 Bluff Point Road in Gautier, Mississippi. Colin Peterson or Carmen Peterson, after being duly sworn, states and attests to the following as truthful.

James Cooper JCP

1. My name is Carmen Peterson OR ~~Colin~~ Peterson, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.

2. I reside on a permanent basis at the Bluff Point Road address listed above.

3. The property next to me at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.

4. The new owners approached us about the installation of a new fence similar to the wood fence erected down $\frac{3}{4}$ of the side property line prior to demolition of the chain link fence and installation of the wood fence.

5. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.

6. The new fence is acceptable to us as it is constructed.

7. I recognize the front of the fence is higher than the 3-4' recommended height but do not object to the fence and believe that it has improved the look of the adjacent property and is better than the dilapidated chain link fence.

8. I also understand there is an issue with a 8x16 modular building that has been brought to the property and placed between our respective houses. We do not object to the placement of the accessory building as it is not an eyesore to us, it was professionally constructed and it is in a portion of the yard that does not affect our view or use of our property.

9. To the extent the new owners wish to apply for or ask for a variance, and to the affect that one may be needed, as the adjacent property owner I agree to the variance.

10. There has been no compensation offered for this affidavit, although the new owners did offer to pay for the notary fee since it is an imposition on us to have to obtain a notary for this affidavit.

11. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.


Colin Peterson OR Carmen Peterson

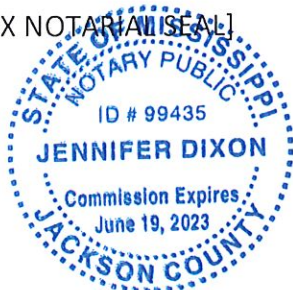
JCP

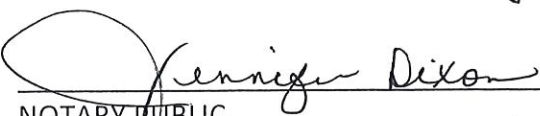
STATE OF MISSISSIPPI
COUNTY OF Jackson

I, the undersigned Notary Public in and for said State and County, hereby certify that Carmen Potts, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 26th day of May, 2022.

[AFFIX NOTARIAL SEAL]




NOTARY PUBLIC
My Commission Expires: 06/19/2023

AFFIDAVIT

STATE OF ms

COUNTY OF George

COME NOW before me the undersigned Dale DS or Felicia _____ who resides at 9304 Briarcrest Lane, in Vancleave, Mississippi. Dale DS or Felicia _____, after being duly sworn, states and attests to the following as truthful.

1. My name is Dale DS or Felicia _____, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.
2. We purchased this property as an investment and do not reside there full time.
3. The property at issue, which is across the street from our property, at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.
4. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.
5. The new fence is acceptable to us as it is constructed.
6. I recognize the front of the fence is higher than the 3-4' recommended height but do not object to the fence and believe that it has improved the look of the adjacent property and is better than the dilapidated chain link fence.
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10. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.

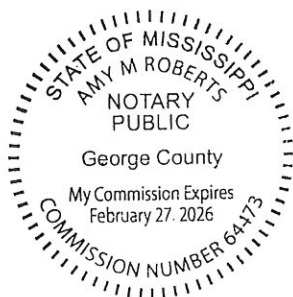
Dale Sellers
Dale _____ OR Felicia _____

STATE OF MISSISSIPPI
COUNTY OF George

I, the undersigned Notary Public in and for said State and County, hereby certify that Dale Sellers, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 19th day of May, 2022.

[AFFIX NOTARIAL SEAL]



Amy M Roberts
NOTARY PUBLIC
My Commission Expires: 2-27-26

AFFIDAVIT

STATE OF Mississippi

COUNTY OF Jackson

COME NOW before me the undersigned Charlotte Guy or Wesley Guy who resides at 7608 Bluff Point Road in Gautier, Mississippi. Charlotte Guy or Wesley Guy, after being duly sworn, states and attests to the following as truthful.

1. My name is Charlotte Guy OR Wesley Guy, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.
2. I reside on a permanent basis at the Bluff Point Road address listed above.
3. The property next to me at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.
4. The new owners approached us about the installation of a new fence similar to the wood fence erected down $\frac{3}{4}$ of the side property line prior to demolition of the chain link fence and installation of the wood fence.
5. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.
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9. To the extent the new owners wish to apply for or ask for a variance, and to the affect that one may be needed, as the adjacent property owner I agree to the variance.

10. There has been no compensation offered for this affidavit, although the new owners did offer to pay for the notary fee since it is an imposition on us to have to obtain a notary for this affidavit.

11. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.

Charlotte Guy
Charlotte Guy OR Wesley Guy

STATE OF MISSISSIPPI
COUNTY OF JACKSON

I, the undersigned Notary Public in and for said State and County, hereby certify that Charlotte Guy, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 13 day of May, 2022.

[AFFIX NOTARIAL SEAL]

03000
NOTARY PUBLIC
My Commission Expires: 5/1/2026

STATE OF MISSISSIPPI
NOTARY PUBLIC
ID # 314793
ORLANDO D. BRADFORD
Commission Expires
May 1, 2026
JACKSON COUNTY

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
The Floyd Family Trust
365 Kirkland Loop
Ellisville, MS 39437
(601) 410-0757

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Jannea Rogers Willis
~~7600 Bluff Point Rd.~~
~~Gautier, MS 39553~~
(251) 232-3446

P.O. Box 1489
Semmes AL 36575

File No. G218568S

INDEXING INSTRUCTIONS: Lots 5 & 6, James Martin Estates and Sec12, T7S, R7W
Jackson County, MS

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **The Floyd Family Trust dated April 27, 2005, George E. Floyd and Linda G. Floyd, Trustors and/or Trustees** does hereby sell, convey and warrant unto **Jannea Rogers Willis**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to The Floyd Family Trust, by instrument recorded in Deed Book 1860, Page 447 Land Deed Records of Jackson County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor quitclaims any and all oil, gas, and other minerals owned, if any, to the Grantee. No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

The death certificate of Linda G. Floyd is attached hereto as Exhibit "A".

The Trust Certification is attached hereto as Exhibit "B".

WITNESS MY SIGNATURE, on this the 19th day of NOV., 2021.

The Floyd Family Trust

By: George E. Floyd, Trustee

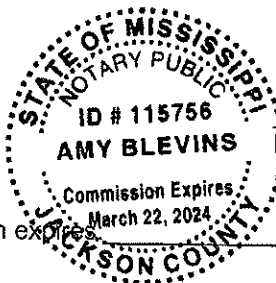
ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **George E Floyd**, the duly appointed **Trustee of The Floyd Family Trust**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 19th day of NOV., 2021.

(AFFIX SEAL)



My commission expires

Amy Blevins
NOTARY PUBLIC

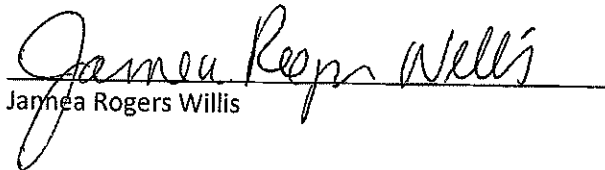
Exhibit "A"

Legal Description

Beginning at the Northeast corner of that property purchased by Grantors from L.E. Hitt and wife, on January 8, 1946, as shown by deed recorded in Book 92, at pages 102-103 of the Records of Deeds of Jackson County, Mississippi, and running then South 428 feet to a point on the West bank of the West Pascagoula River for a point of beginning, and from said point of beginning, running; thence West parallel with the North line of the property purchased by us, as set out above, 200 feet; thence South 80 feet; thence East and parallel with the North line of the property purchased by us, as set out above, 200 feet to the West bank of the West Pascagoula River, thence Northerly along the meanderings of said River 80 feet, more or less, to the place of beginning.

All of said land being situated in Lots 5 and 6 of the James Martin Estates, as shown by Plat of said estate recorded in Surveyor's Record Book 1, Page 48 and being part of Claim Section 12, Township 7 South, Range 7 West.

It is understood and agreed that said property cannot be used for commercial purposes without permission from owners of Singing River Fishing Camp.


Jamea Rogers Willis


Date

85700022.000 FLOYD GEORGE E&LINDA G TRUSTEE

PIDN: 85700022.000

GISP: 763.07-02-0072.00

Owner Information

Percent of Ownership: 100

Name: FLOYD GEORGE E&LINDA G TRUSTEE

Name 2: THE FLOYD FAMILY TRUST

Mailing Address: 365 KIRKLAND LOOP

ELLISVILLE MS

39437

Site Address: 7600 BLUFF POINT RD GAUTIER

Land Information

Section: 03

Acreage: 0.36

Township: 7

Range: 6

Street Name BLUFF POINT
RD

Value and Tax Information

Total Assessed Value: 23122

Total Appraised Value: 154142

Improvement Value: 62652

Land Value: 91490

Tax Amount: 3479

SQ FT: 1340

Year Built: 1964

Legal Description

Description: COM SEC LOT 11 LINDA'S BLUFF S/D

SLY ALG RIVER 246' FOR POB W 20

0 S 80' E 200' TO RIVER N ALG RI

VER 80' BACK TO POB PT LOT 5 JAM

ES MARTIN EST DB 1849-216 DB 186

0-447 (72 MAP763.07-02)

Deed Book / Page: 1860 / 447

85700022.000 FLOYD GEORGE E&LINDA G TRUSTEE



Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B

Existing Zoning

Prepared by:
 City of Gautier
 Planning Department

Legend

Zoning ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC

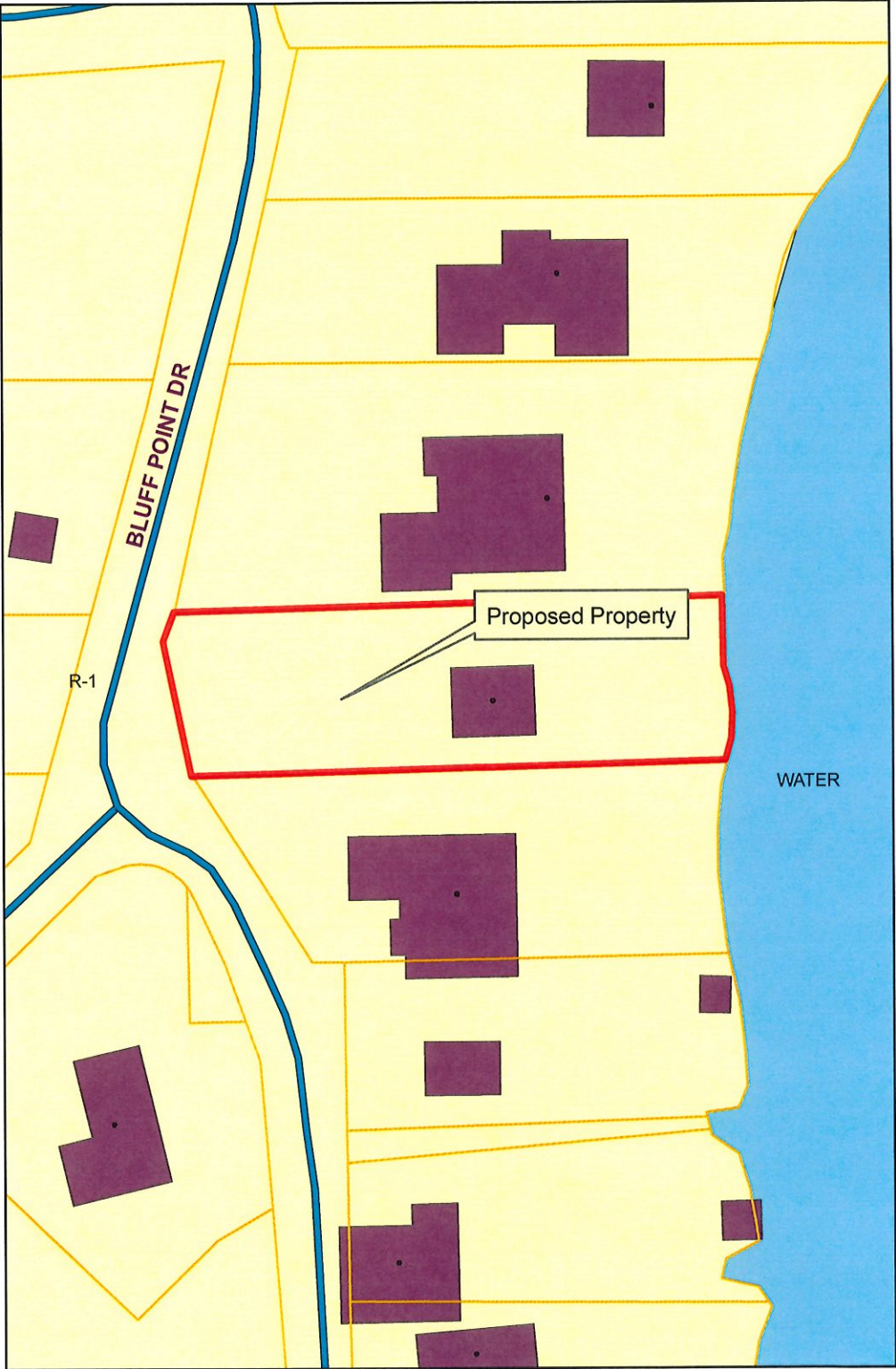


Exhibit C

Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

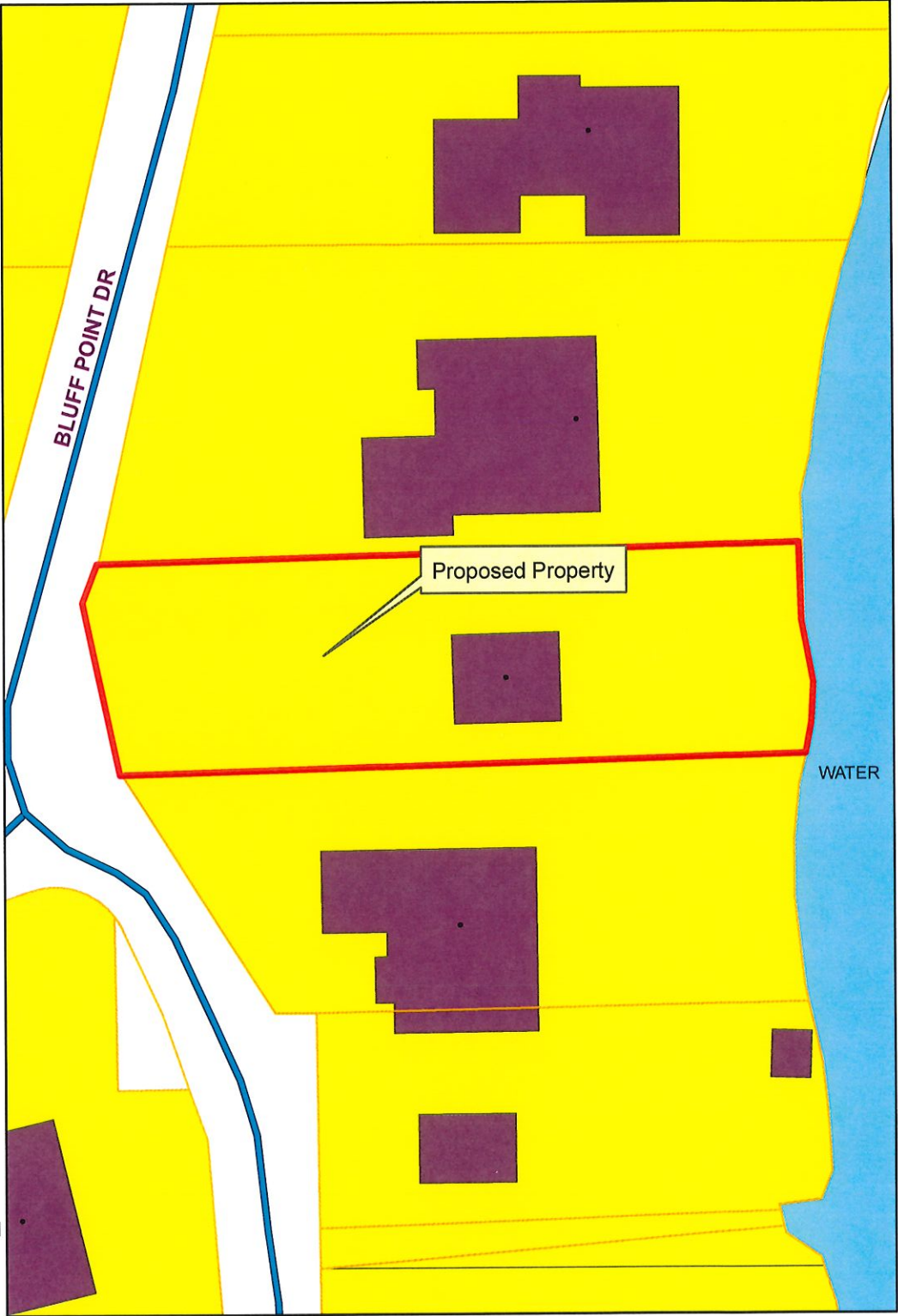


Exhibit D Future Land-Use

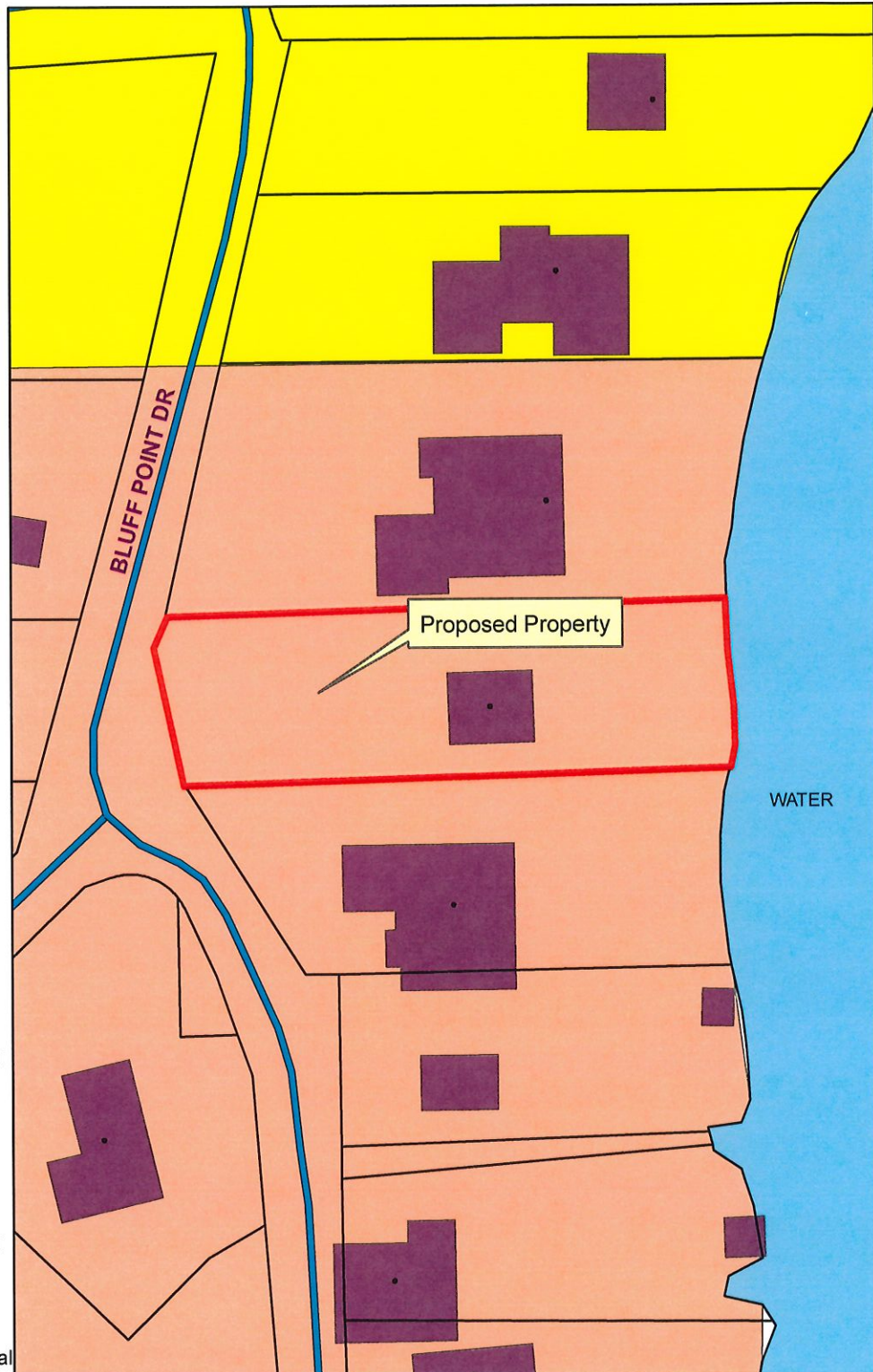
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



CITY OF GAUTIER
Business Agenda Item #4
Fact Sheet

Council Meeting:

July 19, 2022

Title:

Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-26-VAR)

Introduced by:

Contact Person/Telephone

Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District located at 7600 Bluff Point Road, Gautier, MS (GPC #22-26-VAR) (PID #85700022.000)

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order/Public Hearing	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the homeowner of 7600 Bluff Point Road, (PID #85700022.000) has requested a seven-inch (7") variance to height requirements for a fence in a front yard in an R-1 Low Density Single-Family Residential District; and

WHEREAS, the previous owner had built a fence within the front yard that is fifty-five inches (55") in height. The UDO states that fences shall not exceed four feet (4') or forty-eight inches (48") in height within a designated front yard; and

WHEREAS, the applicant extended the wooden fence and continued with the fifty-five inch (55") fence across the front of the property and down the other side of the property. The applicant requests a seven-inch (7") variance to the maximum height requirements that would allow the fence to be fifty-five inches (55') in height instead of the maximum height restriction of four feet (4'); and

WHEREAS, Planning Commission conducted a public hearing on this request and recommended approval of same;

WHEREAS, based on the information presented to the Council, the Mayor and Councilmembers hereby find that all criteria under Section 4.18.4 of the Unified Development Ordinance (have or have not) been met in this case;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Council hereby (adopts or denies) the Gautier Planning Commission's recommendation to approve this variance;

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 07/13/2022
Subject: Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-26-VAR)

REQUEST:

The Planning Department has received a request from Jannea Rogers Willis for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, PID #85700022.000. The application fee of \$175 was paid on May 31, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single-Family Residential. The applicant has built a fence within the front yard that is fifty-five inches (55") in height. The UDO states that fences shall not exceed four feet (4') or forty-eight inches (48") in height within a designated front yard.

DISCUSSION:

The request property is zoned R-1 Low Density Single-Family Residential. The applicant has built a fence within the front yard that is fifty-five inches (55") in height. The UDO states that fences shall not exceed four feet (4') or forty-eight inches (48") in height within a designated front yard.

DISCUSSION:

The previous owner had built a fifty-five inch (55') wooden fence that came past the house into the designated front yard. The applicant extended that fence and continued with the fifty-five inch (55") wood fence across the front of the property and down the other side of the property. The applicant requests a seven-inch (7") variance to the maximum height requirement for a fence within a front yard in a R-1 Low Density Single-Family Residential Zoning District. The variance would allow the fence to be fifty-five inches (55') in height instead of the maximum height restriction of four feet (4').

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:
A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
- (a) for a purpose allowed in that zone (applicable to special exceptions), or
- (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

1. 30% of required off-street parking spaces and/or
2. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

1. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
2. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
3. That the special conditions and circumstances do not result from actions of the applicant; and
4. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION:

The Planning Commission recommends that City Council approve the variance due to the affidavits presented that no one has objections.

The City Council may:

Approve the variance request as presented;
Approve the variance request with changes; or
Deny variance request.

ATTACHMENTS:

1. Complete Packet 22-26-VAR

2. Excerpt GPC Meeting 7.7.22 (#22-26-VAR)

Excerpt from July 7, 2022 Planning Commission Meeting:

The Planning Department has received a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District at 7600 Bluff Point Road, PID #85700022.000. (GPC #22-26-VAR)

Scott Ankerson, Planning Director, gave a brief overview of the case. He explained that the UDO only allows a fence to be four feet (4') in height once the fence crosses the front building line of the house. The applicant has stated that the fence is about fifty-five inches (55") high in some places. The maximum variance she would need is seven inches (7").

REQUEST:

The Planning Department has received a request from Jannea Rogers Willis for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, PID #85700022.000. The application fee of \$175 was paid on May 31, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single-Family Residential. The applicant has built a fence within the front yard that is fifty-five inches (55") in height. The UDO states that fences shall not exceed four feet (4') or forty-eight inches (48") in height within a designated front yard.

DISCUSSION:

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In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as “use Variances” are not legal in the State of Mississippi.

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Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant’s Exhibit 1 – Application
- 2. City’s Exhibit A – Location Map
- 3. City’s Exhibit B – Existing Zoning Map
- 4. City’s Exhibit C – Existing Land Use Map
- 5. City’s Exhibit D – Future Land Use Map

Chairman Jamison asked the applicant to present her case.

Jannea Rogers Willis explained that the dark gray fence was already there when she purchased the property in November 2021. It was built by the previous owner in 2017 and there was a portion of the fence that came in front of the house. She stated she had no idea there would be a height issue of the fence in the front yard. She said she had searched the ordinance online to find regulations for fences and found that a permit was

not needed for a fence unless it was over eight feet (8') in height. The fence was built to match the fence that was there when she bought the property. In keeping the fence level as the topography changes around the yard, she has found that in a couple of places the height is fifty-five inches (55"). Most places are only four (4) or five (5) inches over the forty-eight inch (48") requirement.

Chairman Jamison noted that Ms. Willis had included affidavits from the neighbors stating they did not have any objections.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Commissioner Ward made a motion to recommend that City Council approve the variance due to the affidavits presented that no one has objections.

Commissioner Hoover seconded the motion and the following vote was recorded:

AYES:	Josh Ward
	Kay C. Jamison
	DeAnna McManus
	William Davis
	Paul Gainer
	Ricky Decoteau
	Chris Hoover

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

July 7, 2022

GPC #22-26-VAR

7600 Bluff Point Road

VII. NEW BUSINESS

1. Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-26-VAR)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: June 24, 2022

Subject: Consider a request for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, (GPC #22-26-VAR)

REQUEST:

The Planning Department has received a request from Jannea Rogers Willis for a seven-inch (7") variance to height requirements for a fence in a front yard in a R-1 Low Density Single-Family Residential Zoning District. 7600 Bluff Point Road, PID #85700022.000. The application fee of \$175 was paid on May 31, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned R-1 Low Density Single-Family Residential. The applicant has built a fence within the front yard that is fifty-five inches (55") in height. The UDO states that fences shall not exceed four feet (4') or forty-eight inches (48") in height within a designated front yard.

DISCUSSION:

The previous owner had built a fifty-five inch (55') wooden fence that came past the house into the designated front yard. The applicant extended that fence and continued with the fifty-five inch (55") wood fence across the front of the property and down the other side of the property. The applicant requests a seven-inch (7") variance to the maximum height requirement for a fence within a front yard in a R-1 Low Density Single-Family Residential Zoning District. The variance would allow the fence to be fifty-five inches (55') in height instead of the maximum height restriction of four feet (4').

DETERMINATION OF APPLICABLE LAW:

The Unified Development Ordinance (UDO) defines **Variances** as:

A Variance is a relaxation of the terms of the Unified Development Ordinance where such Variance will not be contrary to the public interest and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in an unnecessary or undue hardship. As used in this Ordinance, a

Variance is authorized only for height, area and size of structure, or size of yards, separation of uses, open spaces, off-street parking spaces and some subdivision of property. The establishment or expansion of a use not permitted shall not be allowed by Variance.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

UDO SECTION 4.18: Variance

In certain circumstances, a Variance from the dimensional requirements (i.e. height, setbacks, square footage) of this ordinance may be granted if the applicant can prove that because of physical constraints of the property involved, he is not able to build the same type of structure that other persons with the same zoning classification can build. Variances for uses permitted will not be considered in as much as "use Variances" are not legal in the State of Mississippi.

Most Variances must be granted by the City Council; however, certain minor Variances may be granted by the Economic Development Director in accordance with *Section 4.18.3* below.

4.18.1 Who May Initiate

A request for a Variance may be initiated by the property owner or agent of the owner provided that said property has not been denied a previous request for a Variance for the same property or portion of property within the past twelve (12) months.

4.18.2 Application for Variance

Applications for a Variance (from dimensional requirements) may be filed on the appropriate application available from the Economic Development/Planning Department and shall include all requested information, attachments and submittals:

4.18.3 Administrative Variances

The following dimensional variances may be granted by the Economic Development Director at his/her discretion (Note: Within the COR, Corridor

Overlay District, applicants shall be required to mitigate a requested dimensional variance in accordance with the Tier Land Use Provisions in Section 5.11):

- A. 30% of required off-street parking spaces and/or
- B. 30% of required setbacks from property lines

4.18.4 Criteria for Approval

The Variance application shall demonstrate the following:

- A. That special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district;
- B. That literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance;
- C. That the special conditions and circumstances do not result from actions of the applicant; and
- D. That granting the Variance requested will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets all "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

- 1. Recommend that City Council approve the variance request as presented;
- 2. Recommend that City Council approve the variance request with changes; or
- 3. Recommend that City Council deny variance request.

ATTACHMENTS:

- 1. Applicant's Exhibit 1 – Application
- 2. City's Exhibit A – Location Map
- 3. City's Exhibit B – Existing Zoning Map
- 4. City's Exhibit C – Existing Land Use Map
- 5. City's Exhibit D – Future Land Use Map

GAUTIER, MISSISSIPPI
PLANNING DEPARTMENT
PUBLIC HEARING APPLICATION

Public Hearing Number

22-26- VAR

TO BE HEARD BY GAUTIER PLANNING COMMISSION:

FEE:

Zoning Change	_____	\$300.00
Major Development	_____	\$100.00
Variance	_____	\$175.00
Appeal to Staff Decision	_____	\$100.00

Name of Applicant: Jannea Rogers WILLIS
Name of Business: _____ Phone: 251-232-3446
Property Address: 7600 Bluff Point Rd Gautier Mailing Address (if Different): 11270 Howell's Ferry Rd Semmes AL 36575
E-Mail Address: Jannea.Rogers@carlaw.com
Reason for request, location and intended use of Property: Variance for fence height 7" variance PID 85700022,000

ATTACHMENTS REQUIRED AS APPLICABLE:

- ☒ 1. Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- ☒ 2. A detailed project narrative.
- ☐ 3. Copy of protective covenants or deed restrictions, if any.
- ☐ 4. Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- ☒ 5. Any other information requested by the Economic Development/Planning Director and/or members of the Technical Review Committee.

Signature of Applicant: Jannea Rogers Willis Date of Application: 5-31-22

FOR OFFICE USE ONLY

Date Received 5/31/22 Verify as Complete Scott

Fee Amount Received 175.00 Initials of Employee Receiving Application BL

VARIANCE CRITERIA for APPROVAL — Please answer the questions below to establish that you meet the Criteria for Approval for a Variance. If more room is needed, answers can be provided on a separate sheet of paper.

- A. Do special conditions and circumstances exist which are peculiar to this particular site (lot or parcel), structure or building involved and which are not applicable to other sites (lots or parcels) or structures or buildings in the same district? If yes, please explain.

There was a fence surrounding the property - a 1960's chain link fence that was dilapidated. The prior owner had constructed a 55" high fence on 3/4 of one side which extended $\pm$ 40-50' beyond the front/side of house. I continued the fence built by the prior owner with the consent of my neighbors.

- B. Would the literal interpretation of the provisions of this Ordinance deprive the applicant (you) of rights commonly enjoyed by other properties in the same district under the provisions of this Ordinance? If yes, please explain.

yes. The house is at the end of a 3 way intersection and without the fence cars lights shine in at all hours. The fence stops the traffic lists from coming into the bedroom, it provides security and privacy. All neighbors agreed to the fence before it was installed.

- C. Do the special conditions and circumstances result from actions of the applicant (you)?

NO

- D. Does granting the Variance requested confer upon the applicant (you) any special privilege that is denied by this Ordinance to other similar sites (lots or parcels) structures or buildings in the same district?

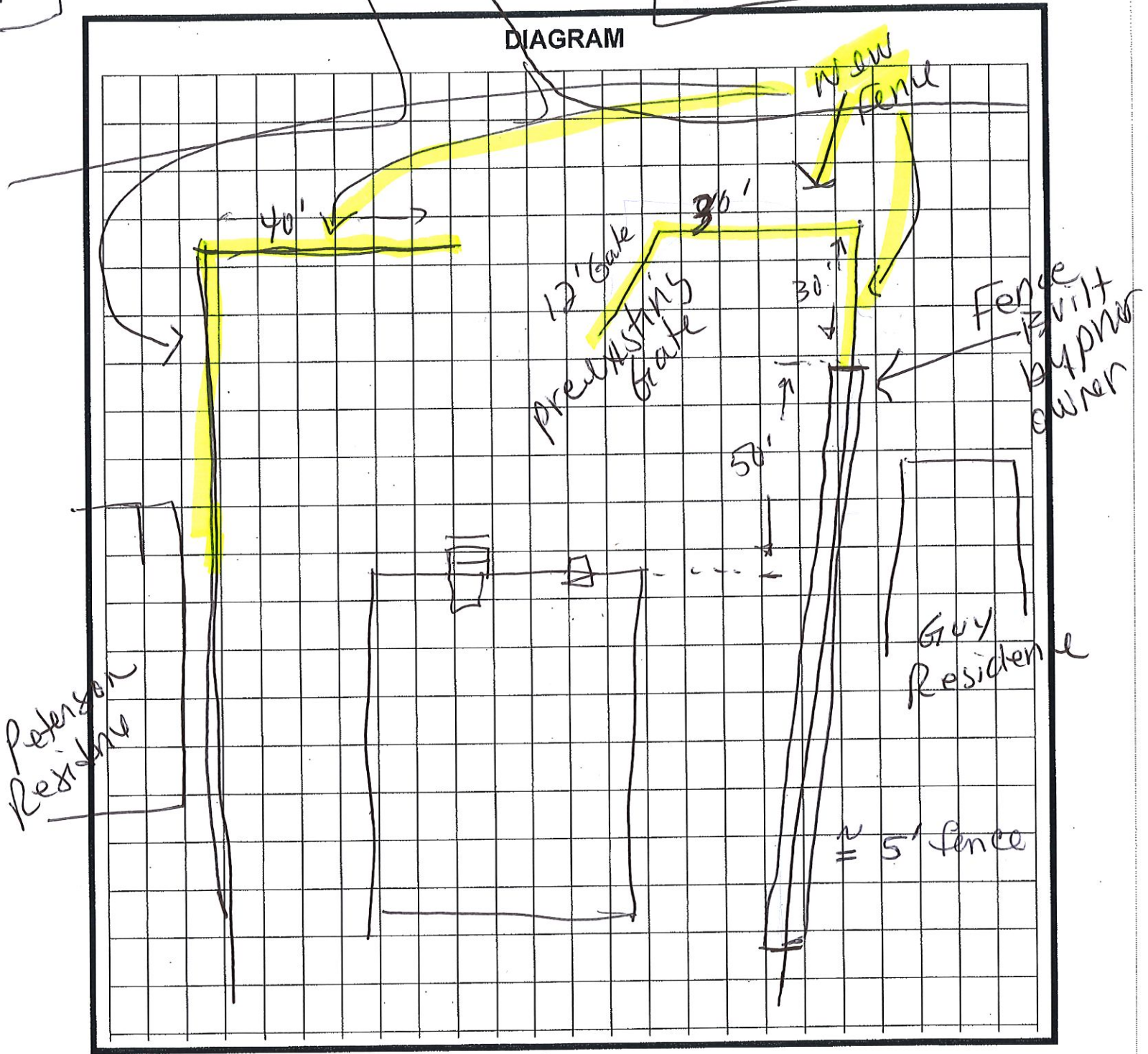
NO
there are several fences that appear to be over 48" within a one mile radius of this property.

The "new" fence matches the prior fence. To try to lower the height would destroy the fence.

Franks
Residence

Sellers Residence

DIAGRAM



Peterson
Residence

Guy
Residence

Bluff + water ↓

← 85' 117 →

NARRATIVE

The fence is a very nice fence and it improves the look of the street immensely. The old fence was 1960's chain link, was rusted, bent and had weeds in it and was generally unkempt.

The new fence is not 5' but something less than 55" and matches the fence installed by the prior owner.

All three neighbors were consulted prior to building the fence, all three consented and all three signed sworn statements to that effect.

Prepared by:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantor:
The Floyd Family Trust
365 Kirkland Loop
Ellisville, MS 39437
(601) 410-0757

Return To:
David B. Pilger
Attorney at Law
1406 Bienville Blvd., Suite 101
Ocean Springs, MS 39564
(228) 215-0011

Grantee:
Jannea Rogers Willis
~~7600 Bluff Point Rd.~~
~~Gautier, MS 39553~~
(251) 232-3446

P.O. Box 1489
Semmes AL 36575

File No. G218568S

INDEXING INSTRUCTIONS: Lots 5 & 6, James Martin Estates and Sec12, T7S, R7W
Jackson County, MS

STATE OF MISSISSIPPI
COUNTY OF JACKSON

WARRANTY DEED

FOR AND IN CONSIDERATION OF the price and sum of TEN AND NO/100 DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, **The Floyd Family Trust dated April 27, 2005, George E. Floyd and Linda G. Floyd, Trustees and/or Trustees** does hereby sell, convey and warrant unto **Jannea Rogers Willis**, all of that certain tract, piece or parcel of land situated in Jackson County, Mississippi, together with all improvements, buildings, fixtures, and appurtenances thereunto belonging, and being more particularly described as follows, to-wit:

Legal Description attached hereto as Exhibit "A"

This being the same property as that conveyed to The Floyd Family Trust, by instrument recorded in Deed Book 1860, Page 447 Land Deed Records of Jackson County, Mississippi.

If this property is bounded by water, this conveyance includes any natural accretion, and is subject to any erosion due to the action of the elements. Such riparian and littoral rights as exist are conveyed herewith but without warranty as to their nature or extent. If any portion of the property is below the mean high tide watermark, or is coastal wetlands as defined in the Mississippi Coastal Wetlands Protection Act it is conveyed by quitclaim only.

Grantor quitclaims any and all oil, gas, and other minerals owned, if any, to the Grantee. No mineral search was requested or performed by preparer.

This conveyance is subject to any and all covenants, rights of way, easements, restrictions and reservations of record in the office of the Chancery Clerk of Jackson County, Mississippi.

It is agreed and understood that the taxes for the current year have been pro-rated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, the Parties hereto agree to make all necessary adjustments on the basis of an actual proration.

The death certificate of Linda G. Floyd is attached hereto as Exhibit "A".

The Trust Certification is attached hereto as Exhibit "B".

WITNESS MY SIGNATURE, on this the 19th day of NOV., 2021.

The Floyd Family Trust

By: George E. Floyd, Trustee

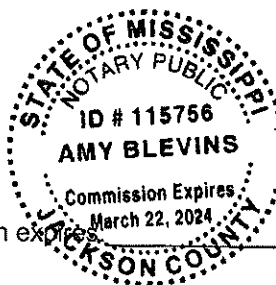
ACKNOWLEDGMENT

STATE OF MISSISSIPPI
COUNTY OF JACKSON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the jurisdiction aforesaid, the within named **George E Floyd**, the duly appointed **Trustee of The Floyd Family Trust**, who acknowledged before me that he signed, executed and delivered the above and foregoing instrument on the day and year thereof, for the use and purposes therein mentioned, for and on behalf of the aforesaid entity, after first having been duly authorized so to do.

GIVEN UNDER MY HAND AND OFFICIAL SEAL, on this the 19th day of NOV., 2021.

(AFFIX SEAL)



My commission expires

Amy Blevins
NOTARY PUBLIC

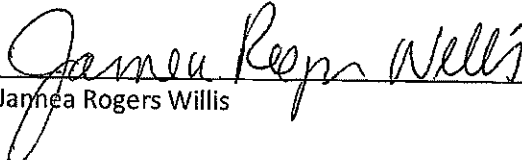
Exhibit "A"

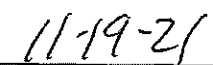
Legal Description

Beginning at the Northeast corner of that property purchased by Grantors from L.E. Hitt and wife, on January 8, 1946, as shown by deed recorded in Book 92, at pages 102-103 of the Records of Deeds of Jackson County, Mississippi, and running then South 428 feet to a point on the West bank of the West Pascagoula River for a point of beginning, and from said point of beginning, running; thence West parallel with the North line of the property purchased by us, as set out above, 200 feet; thence South 80 feet; thence East and parallel with the North line of the property purchased by us, as set out above, 200 feet to the West bank of the West Pascagoula River, thence Northerly along the meanderings of said River 80 feet, more or less, to the place of beginning.

All of said land being situated in Lots 5 and 6 of the James Martin Estates, as shown by Plat of said estate recorded in Surveyor's Record Book 1, Page 48 and being part of Claim Section 12, Township 7 South, Range 7 West.

It is understood and agreed that said property cannot be used for commercial purposes without permission from owners of Singing River Fishing Camp.


Jamea Rogers Willis


Date

AFFIDAVIT

STATE OF ALA

COUNTY OF Washington

COMES NOW the undersigned, Jannea Rogers Willis, who is personally known to me and states under oath the following:

1. My name is Jannea Rogers Willis, I am the owner of the property located at 7600 Bluff Point Road in Gautier, Mississippi and have been since its purchase by me in November of 2021.
2. I am over the age of 21, of sound mind and body and make this declaration based upon my own personal knowledge.
3. As the owner, I, along with my husband and son, constructed a fence around the south side property line as well as across the front of the property, and we completed a fence that had been started on the north side of the property line. There was a preexisting chain link fence that ran on these three lines of the property which was removed for the wood fence to be constructed.
4. The wood fence newly built was the exact same fence that had been erected by the prior owner, George Floyd, on the north property line from the top of the cliff to the midpoint between the front of the house and the road.
5. Prior to the demolition of the old chain link fence, which was an eyesore and in significant disrepair, I spoke with both adjoining landowners, Wesley and Charlotte Guy to the north and Carmen and Cooper Peterson to the south, as well as Dale and Alisa Sellers across the street, to inform them of the upcoming demolition and new fence construction. Frankly, they were all universally delighted I was going to take down the old dilapidated chain link fence that had weeds, brush, vines and trash lodged in its links and install something new and nice that would better the neighborhood. We all discussed the fence and everyone was in agreement with our plans.
6. Prior to the installation of the new fence, I also had a surveyor come to the property and mark with a stake as well as angle iron the six corners of the property (there are four corners at the house elevation and then two corners at the water line) to ensure the fence was in the right location. The fence followed the surveyor's stakes and was placed one inch inside the property line on all corners.
7. The fence itself is slightly less than 5' high with posts that are slightly less than 6' high as decorative additions to the wood fence. The fence is plain but will be stained at a later date.

8. The fence is the same height as the pre-existing fence that had been put in place by George Floyd without complaint or incident. It is important to note the Floyd fence extended beyond the front of the house and was halfway to the roadway when he stopped construction and that fence had been in place for at least 3 years prior to the construction of the remainder of the fence.
9. In order to obtain whatever "variance" is required to allow the fence to stay, the three adjoining landowners have executed affidavits and have gone to the expense and inconvenience of having them notarized to comply with the building code provision that permits an owner such as myself to obtain a variance and showing their universal agreement to the fence as it is currently constructed, just as they had agreed prior to construction. Those 3 affidavits are attached hereto.
10. In addition to the fence, we have purchased an 8'x16' portable building or shed from a seller in Lucedale, Mississippi and have had it brought to the property. The seller employed a licensed and insured mover who brought the shed to the property and located it in its current location. The shed is not a permanent structure, it is not on a slab as it is on wooden "skids" that allows it to be moved, and it is not attached to the dirt in such a way as to become "part of the property." Rather, it is a removable shed that can be sold and separated from the real property itself.
11. The shed has been placed wholly within the surveyed lines of this property. The drip line from the roof also is within the surveyed lines of this property although the intention is to install gutters as soon as this "Stop Work Notice" issue is resolved. The intent is also to have the shed anchored with tie downs to secure it in the event of a storm. However, as you know tie downs do not make a structure permanent to the real estate as they can be dug up and the shed disconnected at some time in the future.
12. The shed is located on the south side of the property. Again, prior to bringing in the shed the adjoining property owners were notified and inquiry made whether there was any objection to the shed and again no one objected. In fact, the "most affected" property owners, Carmen and Cooper Peterson, like the shed and appreciate the privacy it now affords them on their back porch. All of the adjoining property owners have included in their affidavits that they have no issue with the shed or its location.
13. I am confused as to why the shed location is an issue as stated on the stop work notice as I could find nothing in the code that discusses moveable, non-permanent structures like a shed other than information on moving them to and from the property. As you can see above, the shed is less than 8.5' wide and therefore the moving issue is nonexistent. The shed is also less than 200 sq. ft. so it would not seem a permit is needed for the shed.
14. If the issue is the 10' setback then I would direct your attention to the 100 or so "sheds" in the adjoining neighborhoods that are all set within 15' of the rear property lines and/or

within 10' of the side property lines. I would also point out that there are innumerable houses that are permanent construction that are within the 10' setback not only on my street but on almost every street within a one mile radius. Finally, I would point out that any other location on the property would make the shed stand out and be more obvious such that the adjoining landowners each and every agree that the best location for the shed is where it is currently placed.

15. In any event, to the extent a variance is required to allow the shed to remain then the affidavits of the adjoining landowners and this affidavit are submitted with that purpose in mind.
16. No violation of any building code was intended by either the construction of the fence or the locating of the shed on the property at 7600 Bluff Point Road.
17. This affidavit is prepared and signed in good faith and for the purposes stated herein and to attach to a permit and or variance application as made necessary by the Stop Work Notice posted 5/12/22.
18. Any communication about this affidavit or the permit/variance can be directed to me at my law offices as follows:

Jannea Rogers Willis
11 N. Water St. Suite 23200
Mobile AL 36602
Jannea.rogers@arlaw.com
251-232-3446.

If a hearing to confirm the variance is requested, I would ask for at least 14 day's notice in order to have one of my partners from my Jackson, Mississippi office appear with me to ensure that the variance is approved and that no further action be needed on my part to occupy the property at 7600 Bluff Point Road in peace and quiet enjoyment.

Further affiant sayeth naught.

[intentionally left blank]


Jannea Rogers Willis

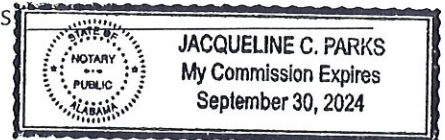
STATE OF ALABAMA
COUNTY OF MOBILE

I, the undersigned Notary Public in and for said State and County, hereby certify that Jannea Rogers Willis, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 23rd day of May, 2022.

[AFFIX NOTARIAL SEAL]


NOTARY PUBLIC
My Commission Expires



AFFIDAVIT

STATE OF MS

COUNTY OF Jackson

COME NOW before me the undersigned Colin Peterson or Carmen Peterson who resides at 7530 Bluff Point Road in Gautier, Mississippi. Colin Peterson or Carmen Peterson, after being duly sworn, states and attests to the following as truthful.

James Cooper JCP

1. My name is Carmen Peterson OR ~~Colin~~ Peterson, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.

2. I reside on a permanent basis at the Bluff Point Road address listed above.

3. The property next to me at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.

4. The new owners approached us about the installation of a new fence similar to the wood fence erected down $\frac{3}{4}$ of the side property line prior to demolition of the chain link fence and installation of the wood fence.

5. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.

6. The new fence is acceptable to us as it is constructed.

7. I recognize the front of the fence is higher than the 3-4' recommended height but do not object to the fence and believe that it has improved the look of the adjacent property and is better than the dilapidated chain link fence.

8. I also understand there is an issue with a 8x16 modular building that has been brought to the property and placed between our respective houses. We do not object to the placement of the accessory building as it is not an eyesore to us, it was professionally constructed and it is in a portion of the yard that does not affect our view or use of our property.

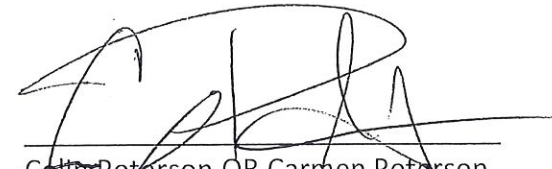
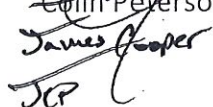
9. To the extent the new owners wish to apply for or ask for a variance, and to the affect that one may be needed, as the adjacent property owner I agree to the variance.

10. There has been no compensation offered for this affidavit, although the new owners did offer to pay for the notary fee since it is an imposition on us to have to obtain a notary for this affidavit.

11. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.

STATE OF MISSISSIPPI
COUNTY OF Jackson

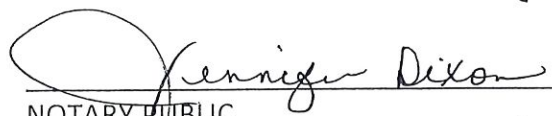

Collin Peterson OR Carmen Peterson

JCP

I, the undersigned Notary Public in and for said State and County, hereby certify that Carmen Potts, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 26th day of May, 2022.

[AFFIX NOTARIAL SEAL]




NOTARY PUBLIC
My Commission Expires: 06/19/2023

AFFIDAVIT

STATE OF ms

COUNTY OF George

COME NOW before me the undersigned Dale DS or Felicia _____ who resides at 9304 Briarcrest Lane, in Vancleave, Mississippi. Dale DS or Felicia _____, after being duly sworn, states and attests to the following as truthful.

1. My name is Dale DS or Felicia _____, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.

2. We purchased this property as an investment and do not reside there full time.

3. The property at issue, which is across the street from our property, at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.

4. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.

5. The new fence is acceptable to us as it is constructed.

6. I recognize the front of the fence is higher than the 3-4' recommended height but do not object to the fence and believe that it has improved the look of the adjacent property and is better than the dilapidated chain link fence.

7. I also understand there is an issue with a 8x16 modular building that has been brought to the property and placed between our respective houses. We do not object to the placement of the accessory building as it is not an eyesore to us, it was professionally constructed and it is in a portion of the yard that does not affect our view or use of our property.

8. To the extent the new owners wish to apply for or ask for a variance, and to the affect that one may be needed, as the adjacent property owner I agree to the variance.

9. There has been no compensation offered for this affidavit, although the new owners did offer to pay for the notary fee since it is an imposition on us to have to obtain a notary for this affidavit.

10. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.

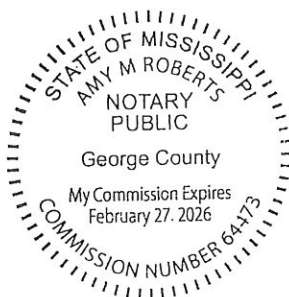
Dale Sellers
Dale _____ OR Felicia _____

STATE OF MISSISSIPPI
COUNTY OF George

I, the undersigned Notary Public in and for said State and County, hereby certify that Dale Sellers, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 19th day of May, 2022.

[AFFIX NOTARIAL SEAL]



Amy M Roberts
NOTARY PUBLIC
My Commission Expires: 2-27-26

AFFIDAVIT

STATE OF Mississippi

COUNTY OF Jackson

COME NOW before me the undersigned Charlotte Guy or Wesley Guy who resides at 7608 Bluff Point Road in Gautier, Mississippi. Charlotte Guy or Wesley Guy, after being duly sworn, states and attests to the following as truthful.

1. My name is Charlotte Guy OR Wesley Guy, am over the age of 19 years, am of sound mind and body and attest to the following of my own accord and volition.
2. I reside on a permanent basis at the Bluff Point Road address listed above.
3. The property next to me at 7600 Bluff Point Road had a chain link fence that was in total disrepair and covered in vines and weeds.
4. The new owners approached us about the installation of a new fence similar to the wood fence erected down $\frac{3}{4}$ of the side property line prior to demolition of the chain link fence and installation of the wood fence.
5. The new owners had a contractor install the fence and at all times used good workmanlike practices, controlled any debris and used filtercloth during construction of the new fence.
6. The new fence is acceptable to us as it is constructed.
7. I recognize the front of the fence is higher than the 3-4' recommended height but do not object to the fence and believe that it has improved the look of the adjacent property and is better than the dilapidated chain link fence.

8. I also understand there is an issue with a 8x16 modular building that has been brought to the property and placed between our respective houses. We do not object to the placement of the accessory building as it is not an eyesore to us, it was professionally constructed and it is in a portion of the yard that does not affect our view or use of our property.

9. To the extent the new owners wish to apply for or ask for a variance, and to the affect that one may be needed, as the adjacent property owner I agree to the variance.

10. There has been no compensation offered for this affidavit, although the new owners did offer to pay for the notary fee since it is an imposition on us to have to obtain a notary for this affidavit.

11. The statements made herein are true and made without influence and are made for the reasons set forth herein.

Further affiant sayeth naught.

Charlotte Guy
Charlotte Guy OR Wesley Guy

STATE OF MISSISSIPPI
COUNTY OF SACKSON

I, the undersigned Notary Public in and for said State and County, hereby certify that Charlotte Guy, whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of said Affidavit, same is executed voluntarily for on the day the same bears date.

Given under my hand and notarial seal on this the 13 day of May, 2022.

[AFFIX NOTARIAL SEAL]

03000
NOTARY PUBLIC

My Commission Expires: 5/1/2026



85700022.000 FLOYD GEORGE E&LINDA G TRUSTEE

PIDN: 85700022.000

GISP: 763.07-02-0072.00

Owner Information

Percent of Ownership: 100

Name: FLOYD GEORGE E&LINDA G TRUSTEE

Name 2: THE FLOYD FAMILY TRUST

Mailing Address: 365 KIRKLAND LOOP

ELLISVILLE MS

39437

Site Address: 7600 BLUFF POINT RD GAUTIER

Land Information

Section: 03

Acreage: 0.36

Township: 7

Range: 6

Street Name BLUFF POINT
RD

Value and Tax Information

Total Assessed Value: 23122

Total Appraised Value: 154142

Improvement Value: 62652

Land Value: 91490

Tax Amount: 3479

SQ FT: 1340

Year Built: 1964

Legal Description

Description: COM SEC LOT 11 LINDA'S BLUFF S/D
SLY ALG RIVER 246' FOR POB W 20
0 S 80' E 200' TO RIVER N ALG RI
VER 80' BACK TO POB PT LOT 5 JAM
ES MARTIN EST DB 1849-216 DB 186
0-447 (72 MAP763.07-02)

Deed Book / Page: 1860 / 447

85700022.000 FLOYD GEORGE E&LINDA G TRUSTEE



Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning ZONECODE

- AG
- C-1
- C-2
- C-3
- I-2
- MURC-1
- MURC-2
- MURC-MW
- PL
- PUD
- R-1
- R-2
- R-3
- RE
- TC

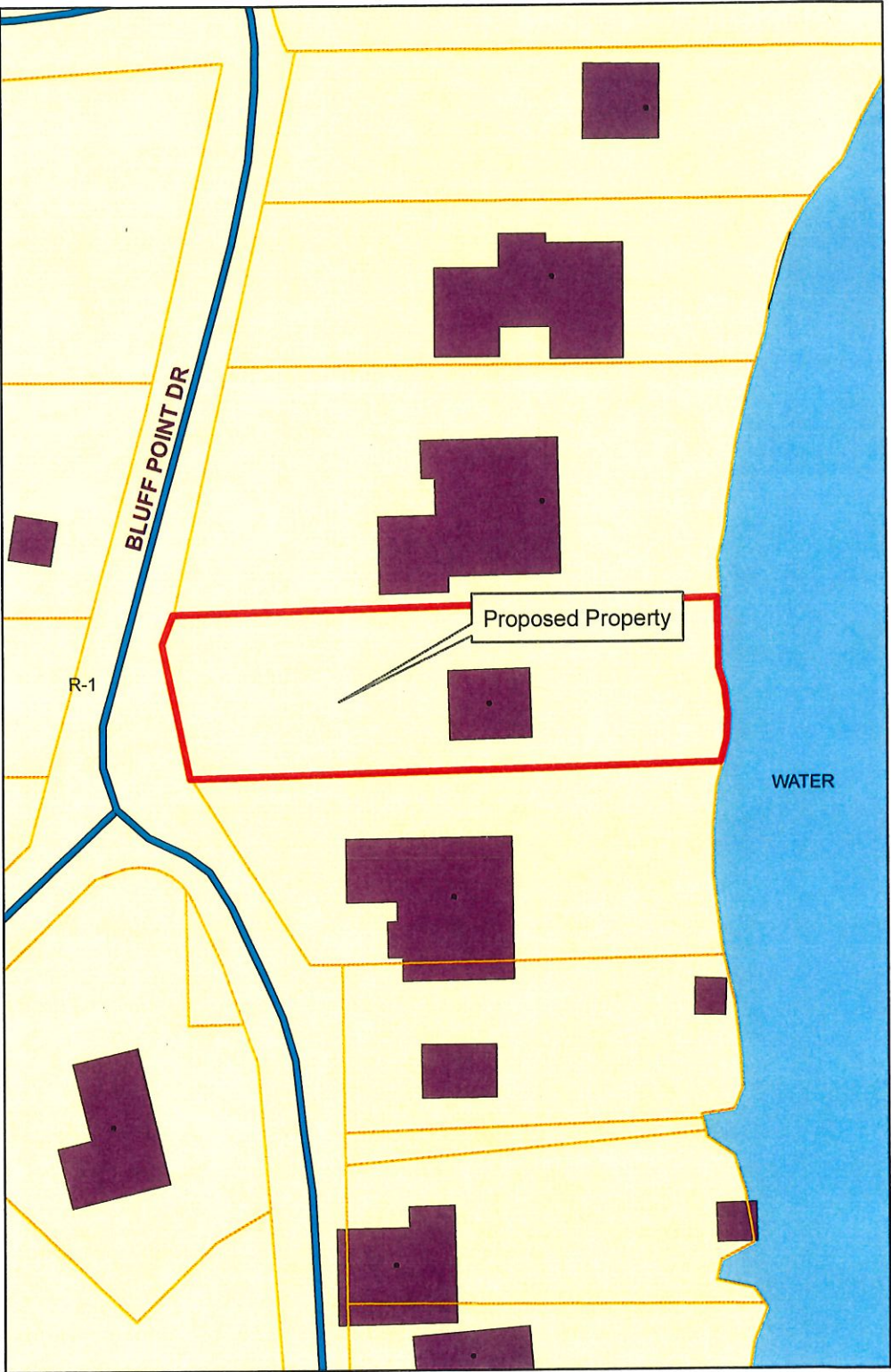


Exhibit C

Existing Land-Use

Prepared by:
City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

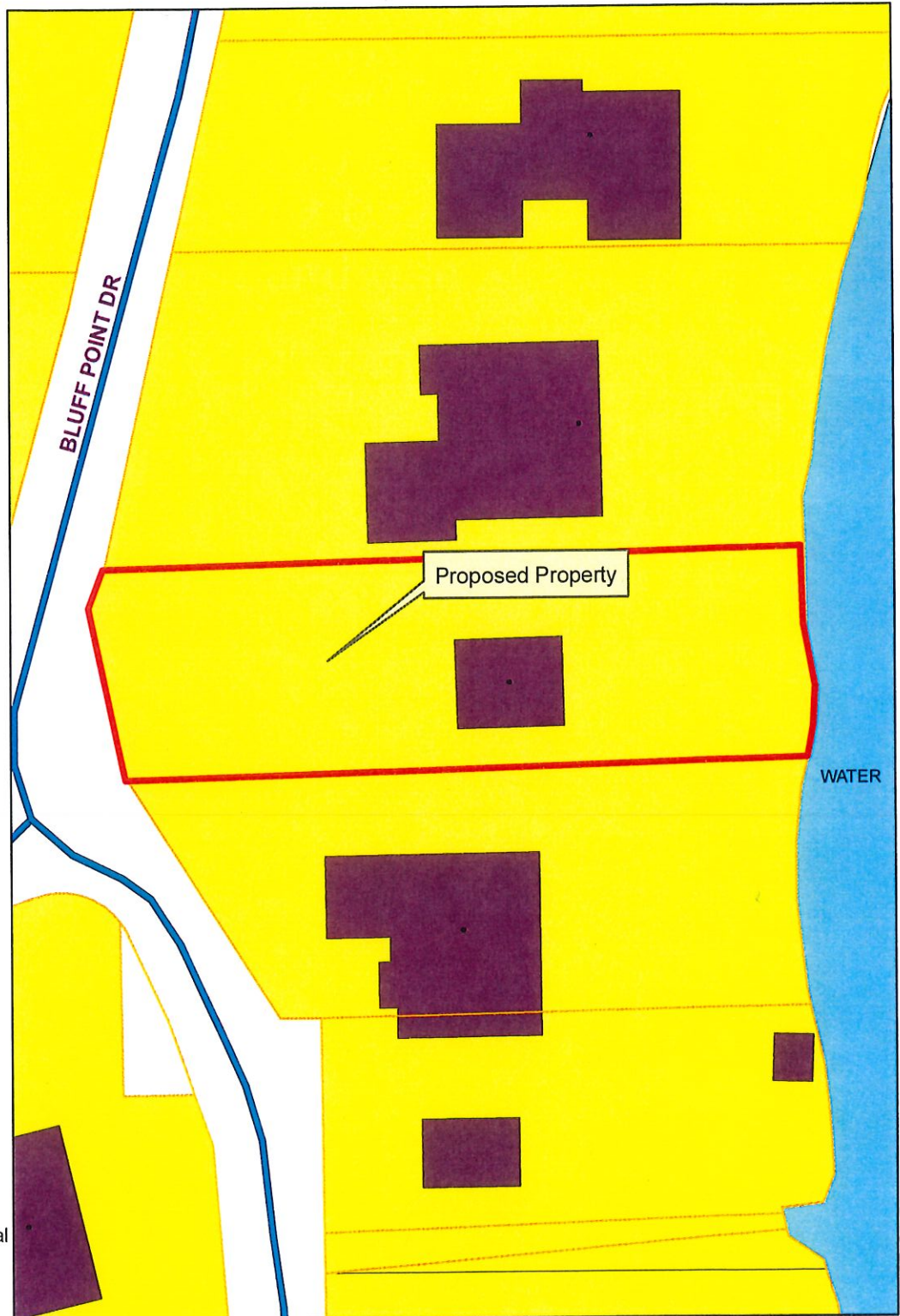


Exhibit D Future Land-Use

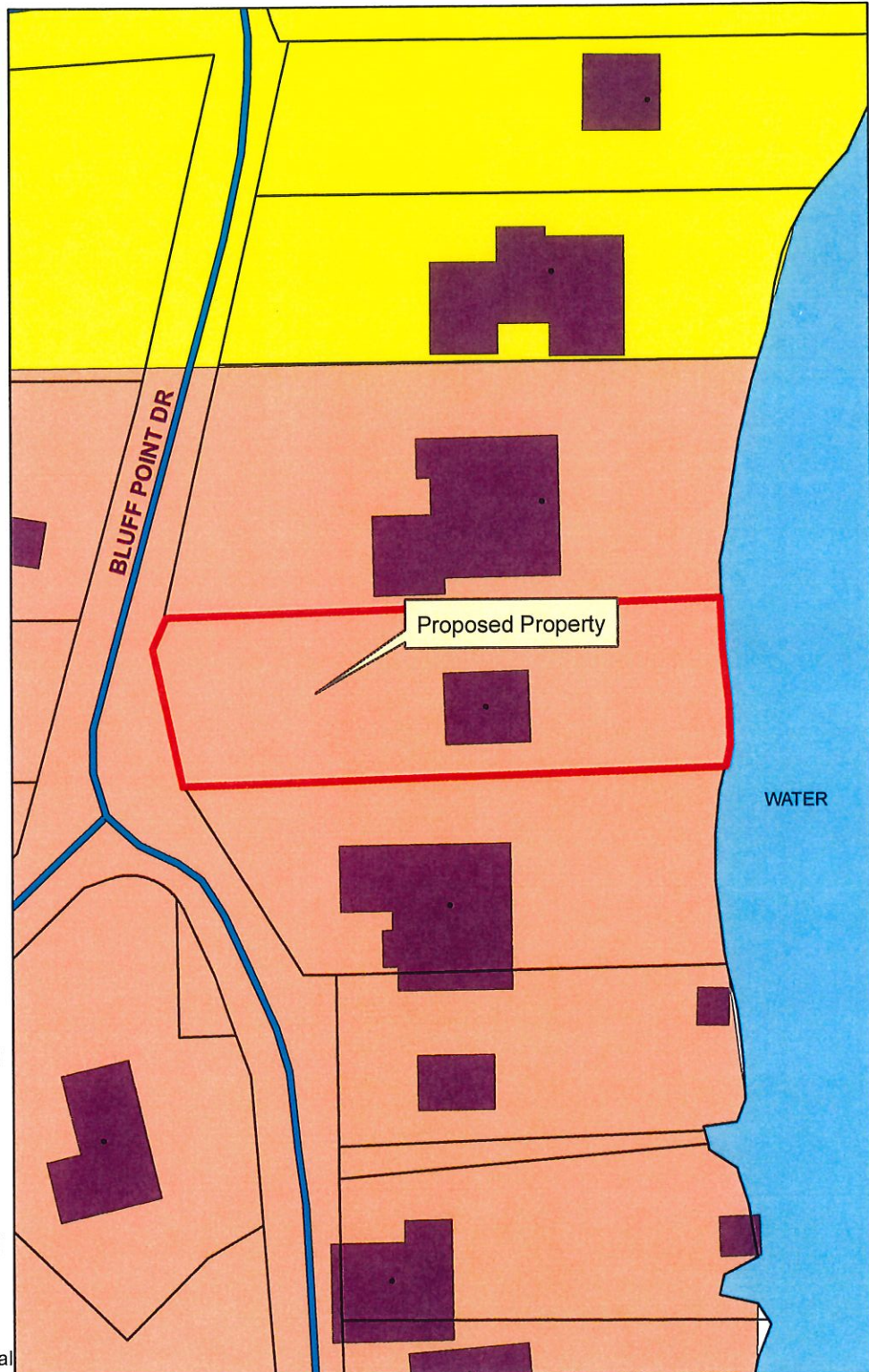
Prepared By:
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



**CITY OF GAUTIER
Business Agenda Item #5
Fact Sheet**

Council Meeting:
Title:

July 19, 2022
Consideration of a recommendation from Planning Commission that a Special Exception is not required for a used RV dealership in a C-3 Highway Commercial Zoning District (GPC Case No. 22-27-SE)

Introduced by:
Contact Person/Telephone

Scott Ankerson 497-8000 ext. 312

Summary Explanation: Consideration of a recommendation from Planning Commission that a Special Exception is not required for a used RV dealership in a C-3 Highway Commercial Zoning District, located at 3708 Highway 90, Gautier, MS PID #82434003.00, #82434017.000, and #82434009.000 (GPC Case No. 22-27-SE).

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

**CITY OF GAUTIER
SPECIAL EXCEPTION PERMIT
GPC CASE NO. 22-27-SE
3708 HIGHWAY 90 – SPECIAL EXCEPTION FOR A USED RV
DEALERSHIP IN A
C-3 HIGHWAY COMMERCIAL ZONING DISTRICT
REGARDING PARCEL ID NO: #82434003.00, #82434017.000,
and #82434009.000**

WHEREAS, an application for a Special Exception Permit to allow a used RV dealership in a C-3 Highway Commercial Zoning District was submitted by Family RV Sales, LLC; and

WHEREAS, the parcel subject to this Permit is located on 3708 Highway 90, Gautier, MS; and

WHEREAS, after due public notice, Planning Commission, at its July 7, 2022 meeting, held a public hearing on this matter; and

WHEREAS, the Planning Commission considered testimony and exhibits presented by the applicant, the report of the City Staff and all relevant evidence, and recommended an ordinance interpretation and finding of fact that “RV Sales” is a “like use” as automobile sales, and as such, a Special Exception is not required for RV sales in a C-3 Zoning District, instead finding the use should be allowed by right, so long as the applicant meets all other relevant ordinance provisions; and

WHEREAS, the City Council hereby (agrees/disagrees) with the Planning Commission’s interpretation; and

IT IS THEREFORE ORDERED that (this matter is remanded to the Planning Commission for appropriate proceedings to determine whether the applicant meets relevant criteria for a special exception permit, OR the applicant does not require a special exception, and the Planning Department should proceed accordingly).

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi,
at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 07/13/2022
Subject: Consider a request for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District, 3708 Highway 90 (GPC #22-27-SE)

REQUEST:

The Planning Department has received a request from Family RV Sales LLC for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District at 3708 Highway 90, PID #82434003.000, #82434017.000, & 82434009.000 (GPC #22-27-SE). The application fee of \$250 was paid on June 15, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 3708 Highway 90, PID #82434003.000, #82434017.000, & #82434009.000 (See Exhibit A)

1. General features of the proposed project:

Site Size: Approximately 8.75 Acres (PID #82434009.000 is approximately 0.75 acres)
Existing construction company on property

1. Potable Water and Wastewater Services: Existing at current location

1. Current Zoning (See Exhibit B): C-3 Highway Commercial

1. Current Surrounding Zoning (See Exhibit B): C-3 Highway Commercial and R-1 Low Density Single-Family Residential

1. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

-

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: *The City would benefit. Will bring more business to our community. It would benefit us by our business being a part of a City that we love and would be local to us and our family.*

Staff Finding: *Staff is not aware of this specific use being located anywhere in this district within the City of Gautier.*

1. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: *I would think so because it is a storage for RV's and boats, and Family RV Sales has been trying for many years and this is a great location for us. Plenty of space for RV sales.*

Staff Finding: *Staff's opinion is that approval of the request will not negatively character of the property given its current uses.*

1. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *More tax revenue to the City and the City of Gautier will benefit from that. Family RV Sales LLC, our RVs are beautiful, very nice RVs. We take pride in our business. It is our livelihood. We will be having seven to twenty RVs at a time. The property will be kept up very clean and neat.*

Staff Finding: *Not substantiated.*

DETERMINATION OF APPLICABLE LAW:

-
-

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
1. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
1. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

1. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)

1. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 1. The property changes ownership
 2. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 3. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION:

The Planning Commission recommends an ordinance interpretation and finding of fact that “RV sales” is a “like use” as automobile sales, and as such, a Special Exception is not required for RV sales in a C-3 Zoning District; instead the use shall be allowed by right, so long as the applicant meets all other relevant ordinance provisions.

The City Council may:

Approve the Special Exception;
Approve the Special Exception with changes; or
Deny the Special Exception.

ATTACHMENTS:

1. Excerpt GPC Meeting 7.7.22 (#22-27-SE)
2. Complete Packet 22-27-SE

Excerpt from July 7, 2022 Gautier Planning Commission Meeting:

The Planning Department has received a request for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District at 3708 Highway 90, PID #82434003.000, #82434017.000, & 82434009.000 (GPC #22-27-SE).

Scott Ankerson, Planning Director, gave a brief overview of the case.

REQUEST:

The Planning Department has received a request from Family RV Sales LLC for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District at 3708 Highway 90, PID #82434003.000, #82434017.000, & 82434009.000 (GPC #22-27-SE). The application fee of \$250 was paid on June 15, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 3708 Highway 90, PID #82434003.000, #82434017.000, & #82434009.000 (See Exhibit A)
2. General features of the proposed project:
Site Size: Approximately 8.75 Acres (PID #82434009.000 is approximately 0.75 acres)
Existing construction company on property
3. Potable Water and Wastewater Services: Existing at current location
4. Current Zoning (See Exhibit B): C-3 Highway Commercial
5. Current Surrounding Zoning (See Exhibit B): C-3 Highway Commercial and R-1 Low Density Single-Family Residential
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: The City would benefit. Will bring more business to our community. It would benefit us by our business being a part of a City that we love and would be local to us and our family.

Staff Finding: Staff is not aware of this specific use being located anywhere in this district within the City of Gautier.

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: I would think so because it is a storage for RV's and boats, and Family RV Sales has been trying for many years and this is a great location for us. Plenty of space for RV sales.

Staff Finding: Staff's opinion is that approval of the request will not negatively character of the property given its current uses.

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: More tax revenue to the City and the City of Gautier will benefit from that. Family RV Sales LLC, our RVs are beautiful, very nice RVs. We take pride in our business. It is our livelihood. We will be having seven to twenty RVs at a time. The property will be kept up very clean and neat.

Staff Finding: Not substantiated.

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.
2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing

to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.

4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the “Criteria for Approval” from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

Chairman Jamison noted that in the current Unified Development Ordinance (UDO) RV Sales is not listed in the use tables. Auto Sales is listed, which is basically the same thing, and Auto Sales are allowed by right in a C-3 Highway Commercial District. If the request were for Auto Sales, a Special Exception would not be needed because Auto Sales is allowed in a C-3 District. Chairman Jamison stated she would like to recommend the Special Exception request be cancelled because she interprets the request to be the same use as Auto Sales.

Mr. Ankerson wanted to clarify why Staff sent this forward as a Special Exception although the UDO does allow for the Planning Director to make decisions based on like uses if a particular use is not spelled out. He said that although Auto Sales and Heavy Equipment Sales and Rentals are allowed by right in a C-3 District, and RV Sales is a similar use there are some differences and he did not feel comfortable making the decision without consulting the Planning Commission therefore the request was before them as a Special Exception.

Commissioner Ward asked Mr. Ankerson if there were different ordinances in place for selling larger equipment vs cars.

Mr. Ankerson said that both are allowed by right as long as they follow all other adopted codes for building and safety.

There were none in attendance speaking in opposition of the request.

ACTION TAKEN:

Chairman Jamison made a motion to recommend an ordinance interpretation and finding of fact that "RV sales" is a "like use" as automobile sales, and as such, a Special Exception is not required for RV sales in a C-3 Zoning District; instead the use shall be allowed by right, so long as the applicant meets all other relevant ordinance provisions.

Commissioner Davis seconded the motion and the following vote was recorded:

AYES: Joshua Ward
William Davis
DeAnna McManus
Kay C. Jamison
Chris Hoover
Ricky Decoteau
Paul Gainer

Motion passed.

Gautier Planning Commission

Regular Meeting Agenda

July 7, 2022

GPC #22-27-SE

Family RV Sales, LLC

3708 Highway 90

VII. NEW BUSINESS

1. Consider a request from Family RV Sales LLC for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District, 3708 Highway 90. (GPC #22-27-SE)

CITY OF GAUTIER STAFF REPORT

To: Chairman and Members, Planning Commission

From: Scott Ankerson, Planning Director

Date: June 27, 2022

Subject: Consider a request for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District, 3708 Highway 90 (GPC #22-27-SE)

REQUEST:

The Planning Department has received a request from Family RV Sales LLC for a Special Exception that would allow a used RV dealership in a C-3 Highway Commercial Zoning District at 3708 Highway 90, PID #82434003.000, #82434017.000, & 82434009.000 (GPC #22-27-SE). The application fee of \$250 was paid on June 15, 2022. All public notice requirements have been met.

BACKGROUND:

The request property is zoned C-3 Highway Commercial.

1. Location: 3708 Highway 90, PID #82434003.000, #82434017.000, & #82434009.000 (See Exhibit A)
2. General features of the proposed project:
 - Site Size: Approximately 8.75 Acres (PID #82434009.000 is approximately 0.75 acres)
 - Existing construction company on property
3. Potable Water and Wastewater Services: Existing at current location
4. Current Zoning (See Exhibit B): C-3 Highway Commercial
5. Current Surrounding Zoning (See Exhibit B): C-3 Highway Commercial and R-1 Low Density Single-Family Residential
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): High Impact Commercial.

DISCUSSION:

The following addresses the review criteria for a Special Exception outlined in Section 4.16.4 of the UDO.

1. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?

Applicant Response: *The City would benefit. Will bring more business to our community. It would benefit us by our business being a part of a City that we love and would be local to us and our family.*

Staff Finding: *Staff is not aware of this specific use being located anywhere in this district within the City of Gautier.*

2. Explain how the requested Special Exception will be in harmony with the purpose of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?

Applicant Response: *I would think so because it is a storage for RV's and boats, and Family RV Sales has been trying for many years and this is a great location for us. Plenty of space for RV sales.*

Staff Finding: *Staff's opinion is that approval of the request will not negatively character of the property given its current uses.*

3. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant.

Applicant Response: *More tax revenue to the City and the City of Gautier will benefit from that. Family RV Sales LLC, our RVs are beautiful, very nice RVs. We take pride in our business. It is our livelihood. We will be having seven to twenty RVs at a time. The property will be kept up very clean and neat.*

Staff Finding: *Not substantiated.*

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines a Special Exception as a relaxation of the terms of the Unified Development Ordinance where such an exception will not be contrary

to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the ordinance would result in undue hardship. Special Exceptions are necessary when an applicant seeks to establish or expand a use not ordinarily permitted in a specific zoning district. "Special Exceptions" are not transferable from one (1) owner of land to another.

2. Special Exception requires a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).
3. Once an application for a Special Exception is submitted to the Planning Department, the procedures outlined in UDO Section 4.14.1 will be followed. At the appropriate time, The Planning Commission will conduct a public hearing to determine whether the applicant meets all relevant criteria, and make a recommendation to City Council pursuant to UDO Section 4.14.4. City Council, pursuant to UDO Section 4.14.4(C), will then consider the matter at its next regularly scheduled meeting and approve or deny the Special Exception.
4. A Special Exception is required for uses not ordinarily permitted in a specific zoning district. Special Exceptions are not permitted by right, and may only be granted when certain criteria are established. (4.16.4)
5. Special Exceptions do not run with the land, and may be revoked by the Planning Department if any of the following circumstances are discovered:
 - A. The property changes ownership
 - B. The property is being utilized in a manner not permitted under the zoning regulations or the special exception; or
 - C. The property ceases to be used for the purpose allowed in the Special Exception for a period of one hundred eighty (180) days during the existence of the Special Exception.

The UDO defines **Hardship** as:

Hardship means the unnecessary hardship that would result from a failure to grant the requested variance or special exception. An unnecessary hardship exists if:

- (1) the land in question cannot yield a reasonable return if used only
 - (a) for a purpose allowed in that zone (applicable to special exceptions), or
 - (b) as permitted by the dimensional requirements of this ordinance (applicable to variances);
- (2) that the plight of the owner is due to unique circumstances of the land for which the variance or special exception is sought; and
- (3) that the use to be authorized by the variance will not alter the essential character of the locality.

RECOMMENDATION & CONCLUSION:

If recommending approval, Planning Commission shall record that the evidence presented meets the "Criteria for Approval" from the UDO as listed above.

The Planning Commission may:

1. Recommend that City Council approve the Special Exception;
2. Recommend that City Council approve the Special Exception with changes; or
3. Recommend that City Council deny the Special Exception.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map

PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

SPECIAL EXCEPTION HEARING APPLICATION

Hearing Number

22-27-SE

TYPE OF REQUEST:

Special Exception

FEE:

\$250.00

Special Exception— These uses are not allowed by right, and **require** a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: Sophie Costello

Name of Business: Family RV Sales LLC

Address: 3708 Hwy 90

Mailing Address (if different): 7200 Hwy 613, MP 395603

Email Address: Sophia - Sophia154@yahoo.com

Phone: _____ Cell Phone: 228-313-6170

Reason for request, location and intended use of Property: I want to open A. Used

R.V. Dealer Ship Selling Camper trailers I live in Gautier ms
Since 110 yrs. want to have my business closer
to where I live. Thank you.

ATTACHMENTS REQUIRED AS APPLICABLE:

- ☒ ① Diagram of intended use, showing dimensions and distances of property, building with setbacks, parking spaces, entrances and exits.
- ☒ ② Legal descriptions and street address.
- ☒ ③ A detailed project narrative that also addresses the questions on the "Criteria for Approval" page of this application.
- ☐ ④ Copy of protective covenants or deed restrictions, if any.
- ☐ ⑤ Copies of approvals, or requests for approval, from other agencies, such as, but not limited to, the Mississippi State Department of Health, U.S. Army Corp of Engineers, Mississippi Department of Environmental Quality and Department of Marine Resources.
- ☐ ⑥ Any other information requested by the Planning Director and/or members of the Technical Review Committee.
- ☒ ⑦ Owner's Consent form, if anyone other than 100% sole owner makes application (see attached).

Signature of Applicant: [Signature]

FOR OFFICE USE ONLY

Date Received 6-15-22 Verify as Complete SA

Fee Amount Received 250.00

Initials of Employee Receiving Application Babs

Date of Application: _____

I, ARLIN MALLETTE, the fee simple owner of the following described property (give legal description):

30, 39538, -88.67121
= 75 Acres JACKSON CO. MS
MALLETTE BROTHERS CONSTRUCTION CO. INC

hereby petition to the City of Gautier to Grant a Special Exception of _____

RV, SALES in CITY OF GAUTIER MS 3708 HWY 90

and affirm that FAMILY RV SALES LLC is hereby

designated to act as agent on my behalf to accomplish the above.

I certify that I have examined the application and that all statements and diagrams submitted are true and accurate to the best of my knowledge. Further, I understand this application; attachments and fees become part of the official records of the City of Gautier, MS, and are not returnable.

(Owner's Signature)

The foregoing instrument was acknowledged before me this 14th day of June

, 20 22 by Sophie Costello

, who is personally known to me or has produced Drivers License

as identification and who did take an oath.

Paula Denise Miller
(Printed Name of Notary Public)

Paula Denise Miller
(Signature of Notary Public)

Commission # 82427. My commission expires August 27, 2022.

(Notary's Seal)



X

SPECIAL EXCEPTION

Criteria for Approval Special Exception

- A. Explain how a literal interpretation of the City of Gautier's Unified Development Ordinance would deprive the applicant of rights commonly enjoyed by others of the district in which the property is located, and would work unnecessary hardship upon the applicant?
- B. Explain how the requested Special Exception will be in harmony with the purpose and intent of the City of Gautier's Unified Development Ordinance and will not be injurious to the neighborhood or the general welfare?
- C. Explain how the special circumstances requiring the proposed Special Exception are not results of actions of the applicant?

A- The City would benefit with
Bring more Business to ARE Community
It would benefit us By are Business
Being a part of a City that we Love and would Be
Local to us and are Family

B- I would think so Because it is a Storage for
RV's and Boats and Family RV. SALES Have been
trying for many years and this is a great
Location for us plenty of Space for RV. Sales.

C- more tax Revenue to the City and the City of
Gautier will benefit from that. Family RV. SALES LLC
are RVs Are Beautiful Very nice RVs we take
Pride in are business is are livelihood will
Be Having Seven to twenty RVs at a time the
Property will Be kept up very Clean and neat.



82434009.000 MALLETTE BROTHERS CONST CO

PIDN: 82434009.000

GISP: 778.34-00-0081.00

Owner Information

Percent of Ownership: 100

Name: MALLETTE BROTHERS CONST CO

Name 2:

Mailing Address: 3708 HWY 90

GAUTIER MS

39553

Site Address: 3708 HWY 90 GAUTIER

Land Information

Section: 34

Acreage: 0.75

Township: 7

Range: 7

Street Name HWY 90

Value and Tax Information

Total Assessed Value: 10205

Total Appraised Value: 68030

Improvement Value: 11590

Land Value: 56440

Tax Amount: 1484

SQ FT: 0

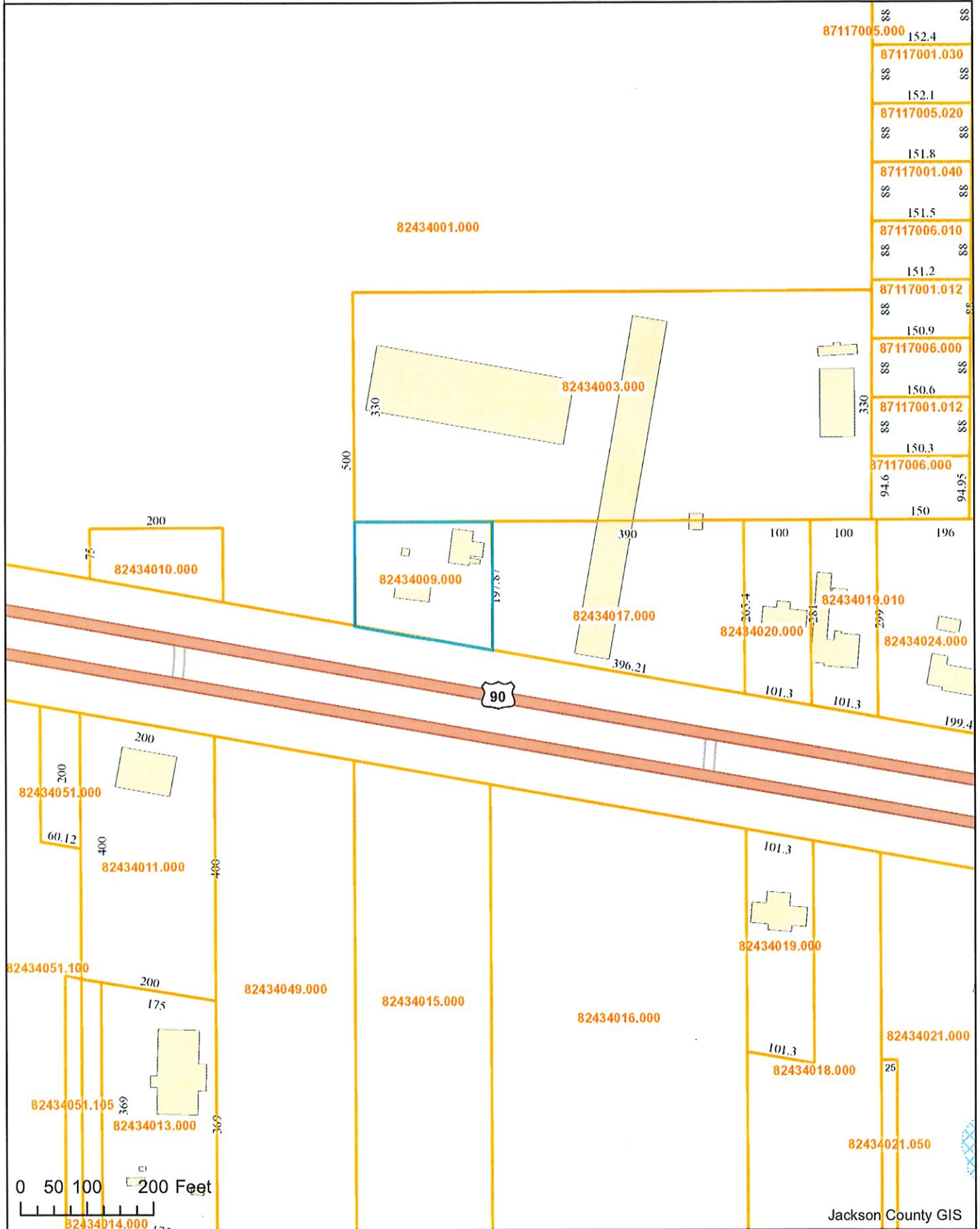
Year Built:

Legal Description

Description: COM SWC NE1/4 OF NE1/4 W 569.3'
FOR POB S TO N/M HWY 90 N 76 DEG
W 170' M/L N TO A PT W OF POB E
TO POB DB 1835-156 (81 MAP778.3
4)

Deed Book / Page: 1835 / 156

82434009.000 MALLETTE BROTHERS CONST CO



Jackson County GIS

Exhibit A Location Map

Prepared by:
City of Gautier
Planning Department



Exhibit B

Existing Zoning

Prepared by:
City of Gautier
Planning Department

Legend

Zoning

ZONECODE

	AG
	C-1
	C-2
	C-3
	I-2
	MURC-1
	MURC-2
	MURC-MW
	PL
	PUD
	R-1
	R-2
	R-3
	RE
	TC

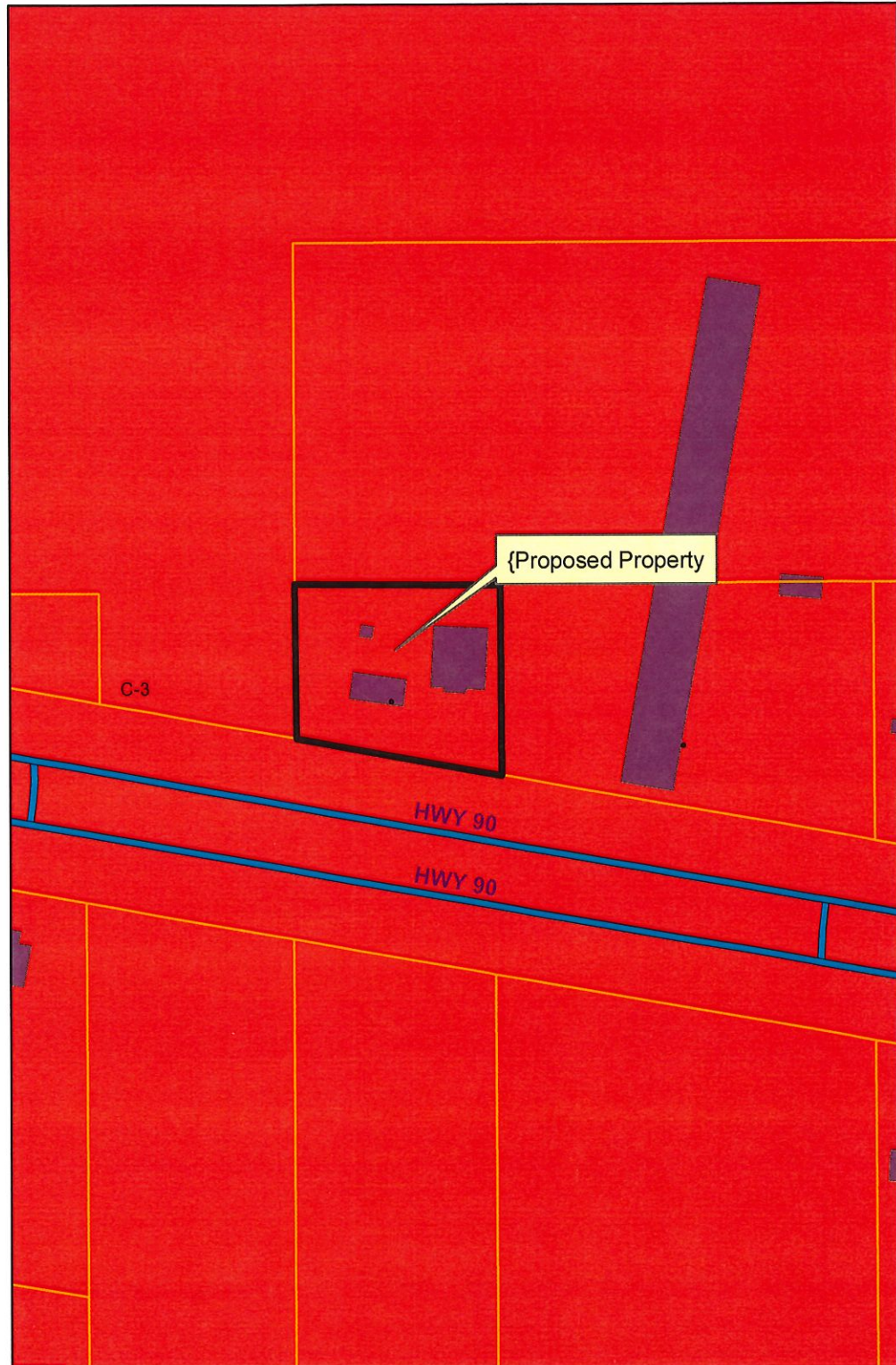


Exhibit C

Existing Land-Use

Prepared by:

City of Gautier
Planning Department

Legend

EXISTING LAND USE

ELU_08

- commercial-retail
- conservation
- civic
- industrial
- marina/fish camps
- high density residential
- mobile home
- mobile home park
- medium density residential
- office
- recreation
- very low to low density residential
- utility
- vacant

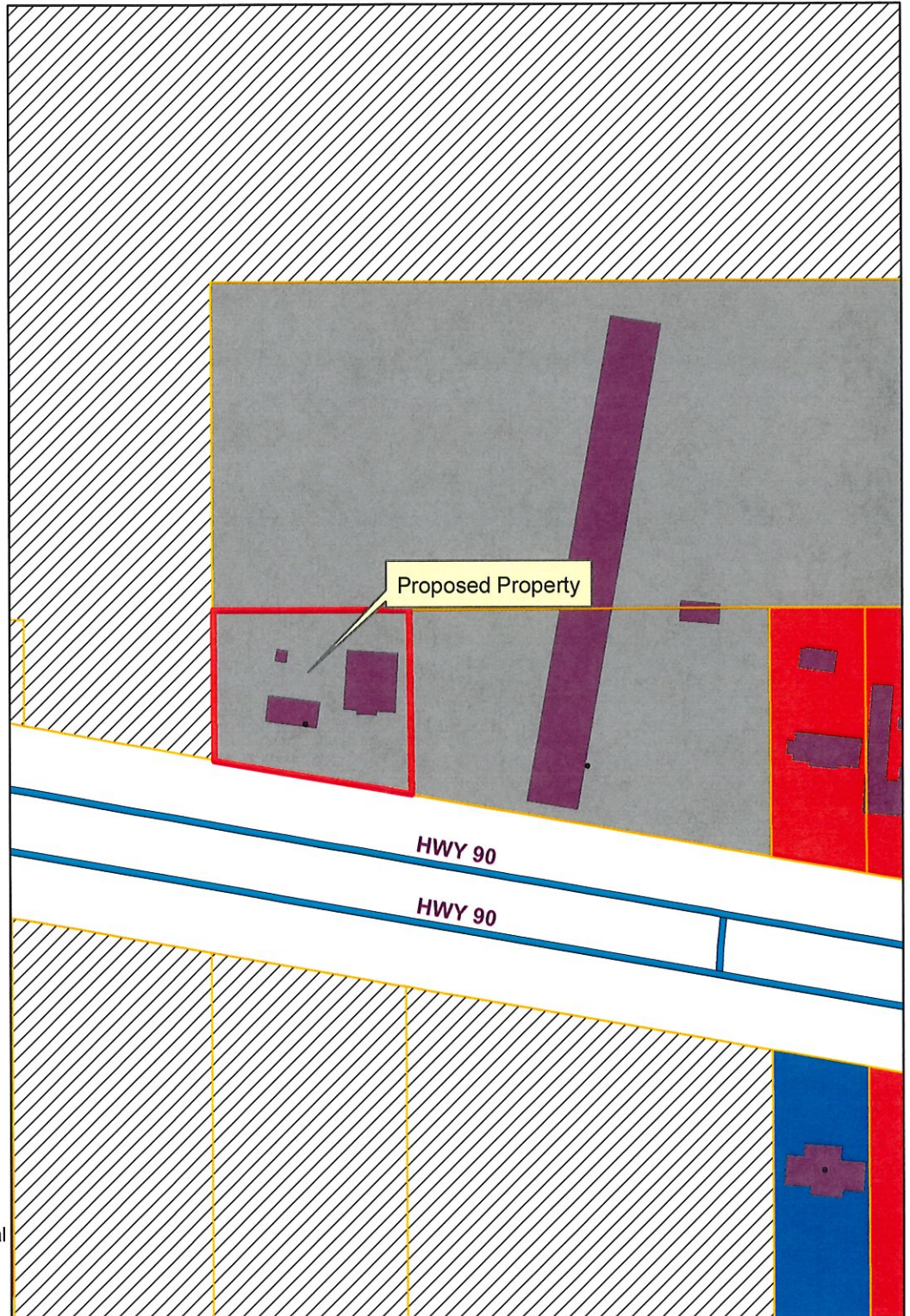


Exhibit D

Future Land-Use

Prepared By:

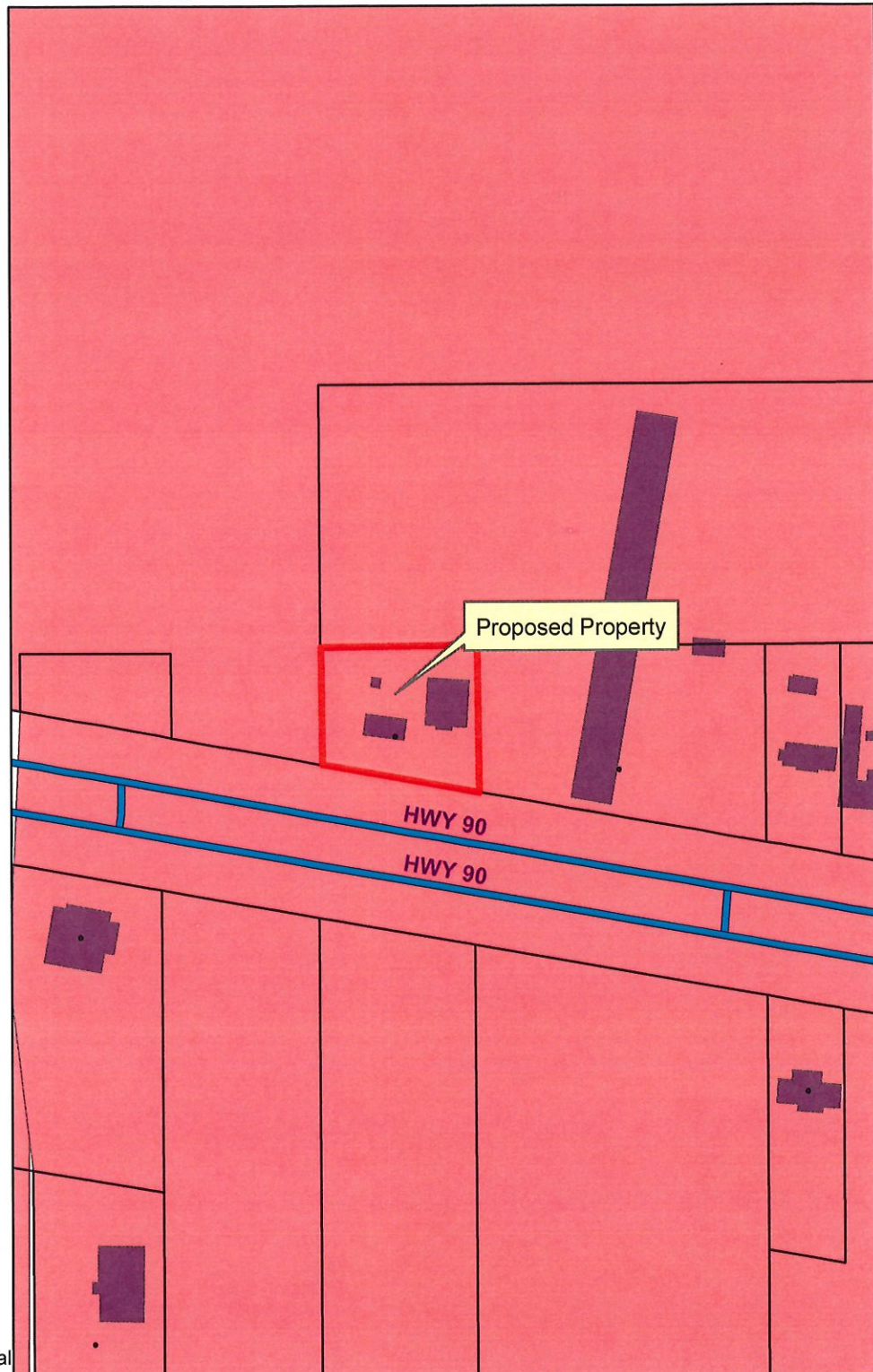
City of Gautier
Planning Department

Legend

FUTURE LAND USE

FLU_Class

- Civic
- high impact commercial
- Conservation
- High Density Residential
- Industrial
- Low Density Residential
- Medium Density Residential
- Mobile Home Residential
- low impact Commercial
- Recreational
- recreational commercial
- Regional Scale Commercial
- mixed use residential
- Town Center
- Very Low Density Residential



**CITY OF GAUTIER
Business Agenda Item #6
Fact Sheet**

Council Meeting:

July 19, 2022

Title:

**Approval to remove the 50% penalty from 7301
River Music, Gautier, MS**

Introduced by:

Contact Person/Telephone

Scott Ankerson 497-8000

Summary Explanation: Approval to remove the 50% penalty from 7301 River Music, Gautier, MS

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, on June 7, 2022, the City of Gautier approved the abatement at 7301 River Music, Gautier, MS, with the cost of the abatement and an additional penalty of fifty-percent (50%) of the actual cost to clean the property imposed as an additional lien to the property; and

WHEREAS, before the City of Gautier approved this abatement, this property was sold, and the parcel was divided into two; and

WHEREAS, the property owner, Sandra Scheck, has agreed to pay the cost of the demolition, but requests the removal of the 50% penalty; and

WHEREAS, pursuant to Miss. Code Ann. §21-19-11, the governing authority *may* by resolution adjudicate the actual cost of cleaning the property and *may* also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more; and

WHEREAS, the penalty nor lien has been assessed to the property tax, so reimbursement will not be necessary; and

WHEREAS, if considered, the City will be assessing the clean-up cost as a lien, if not paid by the current owner; and

IT IS THEREFORE ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, the removal of the 50% penalty for the abatement at 7301 River Music, Gautier, MS (Sandra Scheck) be removed.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

Mayor Casey C. Vaughan

Council At Large Adam Colledge

Ward 1 Cameron George

Ward 2 Richard "DJ" Jackson

Ward 3 Gordon Gallott

Ward 4 Rusty Anderson

Ward 5 Dante Elbin

City of Gautier

Mississippi



City Manager
Paula Yancey

City Clerk
Teresa L. Montgomery

3330 Highway 90
Gautier, MS 39553
Phone : (228) 497-8000
Fax : (228) 497-8028
Email : gautier@gautier-ms.gov
Website: www.gautier-ms.gov

July 8, 2022

Re: removal of 50% penalty from 7301 River Music abatement

Dear Council Members:

On behalf of Sandra Scheck, owner of 7301 River Music, this is a request for the Council to amend order number 094-2022, from June 7, that ordered a 50% penalty for the City to demolish and clear 7301 River Music.

Before the Council approved the abatement for demolition, this property was sold and the parcel was divided in two pieces—with Sandra getting half and her mother taking the other half. The new parcel had the trailer on it that was demolished. Sandra Scheck, the new owner, does not oppose paying the cost of the demolition, but she is requesting that the 50% penalty be removed from the original abatement order. Sandra bought the lot to be used as her retirement home. She plans to rebuild on it with her mother, who will reside on the adjacent parcel.

Neither the penalty nor the lien has been placed on the property tax yet, so the Council will not be reimbursing any money to the owner. If the amendment is approved, the City will only be assessing the clean-up cost as a lien.

I have attached the previous Council order for your convenience. If you need any further information, my number is 228-497-1868 ext 360 and my email address is pfagan@gautier-ms.gov.

Sincerely,

Patrick Fagan

Code Enforcement
City of Gautier
3330 Hwy 90
Gautier, MS. 39553

Councilman Colledge made the motion to approve the abatement at 7301 River Music, Gautier, MS, as presented, with the cost of the abatement and an additional penalty of fifty-percent (50%) of the actual cost to clean the property assessed as a lien to the property. Councilman Gollott seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 094-2022

WHEREAS, after proper notice, on or about June 7, 2022, the City Council of Gautier conducted a public hearing relating to possible abatement of a parcel of property located at 7301 River Music, Gautier, MS, PID #87116078.050, as recorded on file in the office of the Chancery Clerk of Jackson County, MS); and

WHEREAS, based on the information provided during the hearing, the City Council has concluded that the property in question is in such a state of uncleanness as to be a menace to public health, safety, and welfare of the community;

IT THEREFORE ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to Miss. Code Ann. 21-19-11, that municipal employees or contractors are hereby authorized to clean the property located at 7301 River Music, Gautier, MS 39553, by demolishing, clearing, and removing the dilapidated, deteriorating, and unsafe structures as recommended by the Planning Department.

IT IS FURTHER ORDERED, based on these findings, that the municipality may reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

IT IS FURTHER ORDERED, that a penalty is assessed to the property in the amount of 50% of the actual cost of cleaning the property.

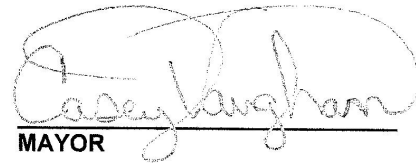
IT IS FURTHER ORDERED, that the City may, in the discretion of the City Manager, collect the costs or penalties (if applicable) associated with this abatement as a civil debt as provided by Miss. Code Ann. 21-19-11(3), or as an assessment against the property as provided by Miss. Code Ann. 21-19-11(4). If collected as a civil debt, the City Attorney is hereby directed and authorized to institute suit to obtain abatement costs, penalties (if applicable), Court costs, reasonable attorney's fees, and interest, as provided by law.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Colledge**, seconded by **Councilman Gollott**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None


MAYOR

ATTEST:


CITY CLERK

Passed and Adopted by the Mayor and Members of the Council of the City of Gautier,
Mississippi, at the meeting of June 7, 2022.

**CITY OF GAUTIER
Business Agenda Item #7
Fact Sheet**

Council Meeting:

July 19, 2022

Title:

Approval of FY 2022 Budget Amendments

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Resolution approving Budget Amendments for FY 2022.

EXHIBITS FOR REVIEW

Resolution	☒
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☐
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		AYES	NAYS	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

RESOLUTION NUMBER 000-2022

WHEREAS, pursuant to Miss. Code Ann. 21-35-25, the City is authorized to revise its budget from time to time as it deems necessary to meet the requirements of Mississippi law; and

WHEREAS, the Mayor and Members of the City Council hereby find that amendment of the current budget as presented is in the best interests of the City;

BE IT RESOLVED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the attached Budget Amendments for FY 2022 are hereby approved.

BE IT FURTHER RESOLVED, that the City Manager or City Clerk is authorized to execute any and all documents necessary.

This resolution shall take effect and be in full force on July 19, 2022.

Motion made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

FY 2022
BUDGET AMENDMENTS

GENERAL FUND: FUND 001	Budget	Amendment	New Budget
REVENUES			
Franchise Fees	132,000.00	(14,000.00)	118,000.00
Sales Tax	2,475,000.00	150,000.00	2,625,000.00
Shared Revenue - Recreation	140,000.00	6,900.00	146,900.00
JCBS InterLocal Funds	0.00	15,000.00	15,000.00
Fine & Forfeits	400,000.00	(100,000.00)	300,000.00
Miscellaneous	143,100.00	48,300.00	191,400.00
Other Financing Sources	0.00	147,333.11	147,333.11
		253,533.11	
EXPENDITURES			
CITY COUNCIL			
Personnel Services	214,905.00	700.00	215,605.00
Supplies	5,000.00	900.00	5,900.00
Capital Outlay	0.00	3,150.00	3,150.00
CITY COURT			
Personnel Services	219,529.00	(4,100.00)	215,429.00
Other Services & Charges	126,550.00	10,000.00	136,550.00
CITY MANAGER			
Other Services & Charges	190,800.00	(7,500.00)	183,300.00
CITY CLERK			
Other Services & Charges	25,500.00	2,500.00	28,000.00
BUILDING & PLANNING			
Personnel Services	428,541.00	(6,000.00)	422,541.00
Supplies	20,000.00	3,360.00	23,360.00
GENERAL EXPENSES & FACILITIES			
Supplies	23,000.00	3,000.00	26,000.00
Other Services & Charges	649,200.00	(15,000.00)	634,200.00
Capital Outlay	0.00	3,000.00	3,000.00
GRANTS & PROJECTS			
Personnel Services	178,725.00	4,050.00	182,775.00
Other Services & Charges	50,280.00	(4,507.00)	45,773.00
Capital Outlay	1,500.00	457.00	1,957.00
POLICE			
Supplies	267,000.00	32,000.00	299,000.00
Other Services & Charges	213,600.00	14,150.00	227,750.00
Capital Outlay	158,000.00	2,117.00	160,117.00
FIRE			
Personnel Services	2,535,217.00	25,000.00	2,560,217.00
Supplies	74,912.00	10,000.00	84,912.00
Other Services & Charges	132,350.00	7,000.00	139,350.00
Capital Outlay	3,000.00	2,950.00	5,950.00

**FY 2022
BUDGET AMENDMENTS**

RECREATION

Personnel Services	587,947.00	(75,000.00)	512,947.00
Supplies	119,000.00	30,500.00	149,500.00
Capital Outlay	34,746.00	29,223.00	63,969.00

MAINTENANCE

Personnel Services	278,374.00	(40,000.00)	238,374.00
Supplies	30,000.00	5,000.00	35,000.00
Other Services & Charges	20,200.00	2,000.00	22,200.00
Capital Outlay	5,500.00	15,000.00	20,500.00

INTERFUND TRANSFERS

Transfers	809,552.00	<u>199,583.11</u>	1,009,135.11
		253,533.11	

Adjust anticipated revenue based on YTD receipts . Reallocate available funding to increased costs resulting from inflation, equipment replacement, emergency repairs and the need for increased security in parks and facilities. Budget transfer to Bacot Park Project for additional improvements.

FUND 002: HB1 MODERNIZATION ACT (USE TAX)	Budget	Amendment	New Budget
REVENUES			
USE Tax Distributions	645,000.00	201,086.00	846,086.00
EXPENDITURES			
Infrastructure: Unappropriated	345,000.00	128,586.00	473,586.00
Infrastructure: Street Repairs	0.00	<u>72,500.00</u>	72,500.00
		201,086.00	

Budget additional revenue and engineering contract for Seacliff project approved by Council.

FUND 030: MDAH SCHOOL HOUSE PROJECT	Budget	Amendment	New Budget
EXPENDITURES			
Supplies	2,983.43	(1,200.00)	1,783.43
Other Services & Charges	0.00	1,200.00	1,200.00

Reallocate Expenditures

FUND 160: FIRE PROTECTION FUND	Budget	Amendment	New Budget
EXPENDITURES			
Other Services & Charges	16,343.30	(646.00)	15,697.30
Capital Outlay	535,000.00	103,400.00	638,400.00
Debt Service	102,754.00	<u>(102,754.00)</u>	0.00
		0.00	

Budget additional cost of Fire Engine.

**FY 2022
BUDGET AMENDMENTS**

FUND 171: TIDELANDS PROJECTS	Budget	Amendment	New Budget
REVENUES			
Grant: Town Center	626.40	(626.40)	0.00
EXPENDITURES			
Capital Outlay: Mary Walker Bayou Parks	626.40	(626.40)	0.00

Tidelands funding moved to Fund 304

FUND 176: SHEPARD STATE PARK	Budget	Amendment	New Budget
REVENUES			
Tidelands	27,560.00	(2,560.00)	25,000.00
USFW Grant	72,440.00	2,560.00	75,000.00
Other Financing Sources (Cash)	0.00	5,470.00	5,470.00
		5,470.00	
EXPENDITURES			
Personnel Services	73,161.00	2,270.00	75,431.00
Other Services & Charges	69,350.00	2,000.00	71,350.00
Capital Outlay	2,500.00	1,200.00	3,700.00
		5,470.00	

Adjust Grant Funding and budget overage due to increased insurance, maintenance and new grinder pump.

FUND 304: TOWN COMMONS PARK PROJECT	Budget	Amendment	New Budget
REVENUES			
Tidelands Grant	1,234,860.98	626.40	1,235,487.38
State Funding Allocations (SB 2971)	1,000,000.00	2,000,000.00	3,000,000.00
Interest	1,000.00	2,200.00	3,200.00
		2,002,826.40	
EXPENDITURES			
Capital Outlay	3,853,665.11	2,002,826.40	5,856,491.51

Budget SB 2971 funding for Ampitheatre and Museum and Tidelands reallocated from Fund 171.

FUND 305: S2019 MPI GO BOND CONSTRUCTION	Budget	Amendment	New Budget
REVENUES			
Interest	1,100.00	1,500.00	2,600.00
Transfer In (Debt Service)	295,482.00	2,250.00	297,732.00
		3,750.00	
EXPENDITURES			
Capital Outlay (Recreation)	46,946.72	1,500.00	48,446.72
Contingencies - Unappropriated	21,142.66	(20,621.00)	521.66
Debt Service	295,482.00	2,250.00	297,732.00
Transfers Out (Fund 307)	0.00	20,621.00	20,621.00
		3,750.00	

Reallocate funding to Bacot Park project and budget additional bond fees.

FY 2022
BUDGET AMENDMENTS

FUND 307: BACOT IMPROVEMENTS	Budget	Amendment	New Budget
REVENUES			
Transfers In Fund 001 , Fund 305	0.00	216,621.00	216,621.00
EXPENDITURES			
Capital Outlay	1,532,374.70	216,621.00	1,748,995.70

Budget Change Orders and additional items: Basketball court, Mural, Security Lighting, Football Field expense

FUND 309: TOWN CENTER RETAIL DEV COMPLEX	Budget	Amendment	New Budget
REVENUES			
Interest	600.00	(185.91)	414.09
Transfers In	320,000.00	1,333.11	321,333.11
Loan Proceeds	0.00	3,500,000.00	3,500,000.00
		3,501,147.20	
EXPENDITURES			
Other Services and Charges	321,870.40	(1,246.22)	320,624.18
Debt Service	0.00	3,502,393.42	3,502,393.42
		3,501,147.20	

Budget grant anticipation loan required to purchase SR Mall property.

FUND 353: HWY 57 UTILITY LINE RELOCATION	Budget	Amendment	New Budget
REVENUES			
MDOT Reimbursements	1,162.38	9,884.96	11,047.34
EXPENDITURES			
Transfers Out (Fund 355)	1,162.38	9,884.96	11,047.34

Budget final reimbursement from MDOT and transfer of funds to Fund 355.

FUND 355: WATER SUPPLY & TREATMENT PLANT	Budget	Amendment	New Budget
REVENUES			
Transfers In (Fund 353)	23,094.61	9,884.96	32,979.57
EXPENDITURES			
Capital Outlay	5,248,705.81	9,884.96	5,258,590.77

Budget transfer of remaining fund balance from Fund 353.

FUND 400: WATER & SEWER	Budget	Amendment	New Budget
EXPENDITURES			
ADMIN: Personnel	578,939.00	(8,000.00)	570,939.00
ADMIN: Supplies	21,000.00	3,000.00	24,000.00
ADMIN: Capital Outlay	0.00	4,200.00	4,200.00
OP-MAINT: Other Services and Charges	3,309,423.00	100,100.00	3,409,523.00
Debt Service	1,065,221.00	700.00	1,065,921.00
Contingency Fund	200,000.00	(100,000.00)	100,000.00
		0.00	

Budget fuel, new computer, security cameras and engineering contracts approved by Council.

**CITY OF GAUTIER
Business Agenda Item #8
Fact Sheet**

Council Meeting: July 19, 2022
Title: Approval of the Docket of Claims

Introduced by:
Contact Person/Telephone Teresa Montgomery 497-8000

Summary Explanation: Approval of the Docket of Claims.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:													
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐

Second Made by:													
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, Miss. Code Ann. 21-39-9 requires governing authority to review all unpaid claims and determine if there is an obligation. An obligation exists if the related materials and supplies were properly contracted for and received by the municipality; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Docket of Claims is hereby approved, provided that all entries thereon are true, correct, properly entered and not fraudulent.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

Docket of Claims
Release date from 07/19/2022 thru 07/19/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	CENTERPOINT ENERGY	222886	07/19/2022	07/08/2022			90.89	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	CENTRAL FIRE STN:5/23-6/23/22		11000885-1	06/30/2022			48.84
	001-161-630	SOUTH FIRE STN:5/23-6/23/22		11000999-0	06/30/2022			42.05
001	SPARKLIGHT	222887	07/19/2022	07/08/2022			83.76	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	JUL 2022:SR BLDG#120793682		07012022	07/01/2022			83.76
001	SPARKLIGHT	222888	07/19/2022	07/08/2022			149.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	JUL 2022:#107571481		07012022	07/01/2022			149.20
001	C SPIRE WIRELESS	222889	07/19/2022	07/08/2022			270.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	NCIC CHGS		3000652433	06/30/2022			270.00
001	ACE DATA STORAGE INC	222890	07/19/2022	07/08/2022			105.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	JUN 2022-SHREDDING SERVICE		85417	07/01/2022			105.00
001	MS DEPT OF FINANCE & ADMIN	222891	07/19/2022	07/08/2022			18,643.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	JUN 2022 COURT ASSESSMENTS		06302022	07/01/2022			18,643.50
001	MS DEPT OF PUBLIC SAFETY	222892	07/19/2022	07/08/2022			971.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	JUN 2022 SPECIAL ASSESSMENTS		06302022	07/01/2022			971.00
001	MS DEPT OF PUBLIC SAFETY	222893	07/19/2022	07/08/2022			250.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-000-300	JUN 2022:INTERLOCK FEES		06302022	07/01/2022			250.00
001	BORDIS & DANOS PLLC	222894	07/19/2022	07/08/2022			11,250.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-060-602	JUL 2022-RETAINER		106	07/01/2022			11,250.00
001	RJ YOUNG COMPANY LLC	222895	07/19/2022	07/08/2022			113.14	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	GEMG00-01 RENTAL FEE		INV4845237	06/24/2022			113.14
001	FUELMAN	222896	07/19/2022	07/08/2022			4,776.10	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP62464117	07/04/2022			238.02
	001-092-525	UNL FUEL		NP62464117	07/04/2022			78.68
	001-100-525	UNL FUEL		NP62464117	07/04/2022			3,537.33
	001-161-525	UNL&DSL FUEL		NP62464117	07/04/2022			838.71
	001-170-525	UNL FUEL		NP62464117	07/04/2022			83.36

Docket of Claims
Release date from 07/19/2022 thru 07/19/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SPORTS CONDUCTOR LLC DBA JARVIS	222915	07/19/2022	07/11/2022			63.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-502	2022 FOOTBALL (7)		5538	07/01/2022			27.65
	001-170-502	2022 CHEER (9)		5538	07/01/2022			35.55
001	DELTA SANITATION OF MS LLC	222916	07/19/2022	07/11/2022			35.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-698	FRAZIER PORT O LET		0001232374	06/30/2022			35.00
001	SPARKLIGHT	222920	07/19/2022	07/11/2022			207.26	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	JUL 2022:#107718371		07012022	07/11/2022			207.26
001	SPARKLIGHT	222921	07/19/2022	07/11/2022			62.38	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	JUL 2022 CABLE BOX:#1184763160		07012022	07/11/2022			62.38
001	SINGING RIVER ELECTRIC COOPERATIVE	222922	07/19/2022	07/11/2022			9,179.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-633	STREET LIGHTING 10054		06182022	06/27/2022			6,261.95
	001-201-629	SIGNAL LIGHTS 10054		06182022	06/27/2022			606.83
	001-092-631	CITY HALL 10054		06182022	06/27/2022			965.70
	001-170-631	FRAZIER PARK 10054		06182022	06/27/2022			52.52
	001-170-631	SENIOR BLDG 10054		06182022	06/27/2022			325.01
	001-161-631	CENTRAL FD 10054		06182022	06/27/2022			435.64
	001-170-631	CITY PARK 10054		06182022	06/27/2022			135.64
	001-092-631	PUBLIC WORKS 10054		06182022	06/27/2022			360.36
	001-092-631	HWY 90 SIGN 10054		09182022	06/27/2022			36.30
001	PASCAGOULA TIRE & SERVICE INC	222923	07/19/2022	07/11/2022			156.97	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-638	4 WHEEL ALIGNMENT: U# 44		104746	06/08/2022			69.99
	001-100-638	THRUST ANGLE ALIGN: U# 50		104958	06/22/2022			69.99
	001-100-638	TIRE REPAIR: U# 50		104958	06/22/2022			16.99
001	SINGING RIVER ELECTRIC COOPERATIVE	222924	07/19/2022	07/11/2022			2,777.03	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-631	POLICE STATION 66298004		06182022	06/27/2022			2,060.94
	001-201-629	SIGNAL LIGHTS 89113001		06182022	06/27/2022			58.51
	001-170-631	CITY PARK RESTRMS 89912001		06182022	06/27/2022			253.68
	001-201-633	STREET LIGHTS 90345002		06182022	06/27/2022			171.34
	001-092-631	RECORDS BLDG 90790001		06182022	06/27/2022			137.92
	001-170-631	FRAZIER RESTRMS 98546001		06182022	06/27/2022			94.64
001	AUTO TRUCK AND TRAILER PARTS INC	222925	07/19/2022	07/11/2022			1,018.75	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-570	BATTERY: F150 BLDG INSP		298002	06/02/2022			136.00
	001-205-570	FUEL PUMP: CROWN VIC ADMIN		298092	06/02/2022			144.80
	001-100-570	RTN CR: AXLE 630-413		297315	06/02/2022			-198.22
	001-100-570	FILTER(12);RAGS;W FLUID (18)		298610	06/21/2022			107.97

Docket of Claims
Release date from 07/19/2022 thru 07/19/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	AUTO TRUCK AND TRAILER PARTS INC	222925	07/19/2022	07/11/2022			1,018.75	(CONTINUED)
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-570	G30 ANTIFREEZE (12)		298612	06/20/2022		180.00	
	001-205-570	SHOP RAGS		298611	06/21/2022		25.47	
	001-100-570	RADIATOR: CID JEEP		298695	06/24/2022		180.00	
	001-100-570	THERMOSTAT;ANTIFRZ: CID JEEP		298696	06/24/2022		54.94	
	001-170-638	IGN SWITCH; WIRE: GATOR		298732	06/24/2022		14.45	
	001-170-638	REAR ROTORS-PADS: U# 50		298792	06/28/2022		186.67	
	001-170-638	FRONT ROTORS-PADS: U# 50		298792	06/28/2022		186.67	
001	SINGING RIVER ELECTRIC COOPERATIVE	222926	07/19/2022	07/11/2022			261.77	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-631	SPORTS PAVILION 66582005		06182022	06/27/2022		183.85	
	001-170-631	FITNESS TRAIL 109268001		06182022	06/27/2022		27.92	
	001-170-631	ROUNDAABOUT 102311004		06182022	06/27/2022		25.00	
	001-170-631	SRM VENUE 104312008		06182022	06/27/2022		25.00	
001	SINGING RIVER ELECTRIC COOPERATIVE	222927	07/19/2022	07/11/2022			961.39	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-631	SOUTH FD 76008001		06182022	06/27/2022		315.14	
	001-170-631	BACOT LIGHTS 10137		06182022	06/27/2022		452.83	
	001-201-629	SIGNAL LIGHTS 10138		06192022	06/28/2022		121.92	
	001-170-631	BACOT SPLASHPAD 103751001		06192022	06/28/2022		27.22	
	001-170-631	BACOT UPGRADES 113730001		06192022	06/28/2022		44.28	
001	SINGING RIVER ELECTRIC COOPERATIVE	222928	07/19/2022	07/11/2022			860.88	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-633	DOLPHIN ST 94987022		06182022	06/27/2022		33.99	
	001-201-633	DOLPHIN ST 94988002		06182022	06/27/2022		50.02	
	001-201-633	DOLPHIN ST 94989002		06182022	06/27/2022		62.44	
	001-201-633	DOLPHIN ST 94990002		06182022	06/27/2022		607.90	
	001-201-633	WM PAYNE 100245001		06182022	06/27/2022		60.83	
	001-201-633	WN PAYNE 100244003		06182022	06/27/2022		45.70	
001	SINGING RIVER ELECTRIC COOPERATIVE	222929	07/19/2022	07/11/2022			25.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-631	BACOT 114484001		06192022	06/28/2022		25.00	
001	O'REILLY AUTO PARTS	222932	07/19/2022	07/11/2022			3,230.11	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-570	RTN CR: HEATER HOSE		1978251281	06/01/2022		-49.31	
	001-161-638	BATTERY: FIRE COMMAND		1978251384	06/02/2022		148.59	
	001-161-638	PCV BREATHER FILTER: ENG 4		1978251385	06/02/2022		66.36	
	001-161-638	AIR FILTER;OIL FILTER: R33		1978251439	06/02/2022		34.67	
	001-100-570	RADIATOR HOSE: F250 WHITE		1978251861	06/06/2022		72.82	
	001-100-570	DOOR LOCK AC: U# 30		1978251861	06/06/2022		96.20	
	001-100-570	RADIATOR: U# 44		1978251863	06/06/2022		161.94	
	001-100-570	RTN CREDIT: RADIATOR U#44		1978251918	06/07/2022		-161.94	
	001-100-570	RADIATOR: U# 44		1978251918	06/07/2022		202.70	
	001-100-570	FRONT BRAKE PADS: U# 44		1978251961	06/07/2022		88.88	
	001-100-570	REAR BRAKE PADS: U# 44		1978251982	06/07/2022		31.04	
	001-100-570	BRAKE ROTORS (2): U# 44		1978252034	06/08/2022		171.72	
	001-100-570	BATTERY: U# 59		1978252036	06/08/2022		198.56	

Docket of Claims
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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	O'REILLY AUTO PARTS	222932	07/19/2022	07/11/2022			3,230.11	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-639	HOSE CLAMP; HOSE: WEED SPRYR	1978252057	06/08/2022			3.55	
	001-161-638	DEF HEATER & FLUID: F COMMAND	1978252231	06/10/2022			288.70	
	001-170-638	BATTERY: POLARIS UTV	1978252612	06/13/2022			95.49	
	001-100-570	BATTERY: U# 58	1978252811	06/15/2022			166.02	
	001-100-570	HEAD GASKET; HEAD BOLT SET	1978252812	06/15/2022			195.51	
	001-170-639	SHUTOFF SWITCH: FE LOADER	1978252813	06/15/2022			41.46	
	001-161-638	DEF FLUID: F COMMAND	1978252815	06/15/2022			27.99	
	001-205-639	BATTERY: CH GENERATOR	1978253679	06/23/2022			160.43	
	001-100-570	MDS SOLENOID (2)	1978252853	06/15/2022			111.60	
	001-161-638	OIL FILTER: FIRE COMMAND 33	1978252854	06/15/2022			23.20	
	001-100-570	REAR WIPER BLADE (2)	1978252855	06/15/2022			19.20	
	001-170-638	WIPER BLADE (2): DEARMAN	1978253283	06/20/2022			60.78	
	001-100-570	WATER PUMP: U# 66	1978253443	06/21/2022			112.05	
	001-100-570	TENS & IDLER PULLEY (3):U# 66	1978253443	06/21/2022			58.40	
	001-100-570	U-JOINT: CROWN VIC #45	1978253635	06/23/2022			20.78	
	001-100-570	PINION SEAL: CROWN VIC #76	1978253635	06/23/2022			10.32	
	001-100-570	ZINC ADDITIVE (3)	1978253635	06/23/2022			59.97	
	001-100-570	ZINC ADDITIVE (8)	1978253636	06/23/2022			159.92	
	001-205-639	BATTERY: CH GENERATOR	1978252829	06/15/2022			160.43	
	001-100-570	BATTERY: U# 30	1978254066	06/27/2022			198.56	
	001-100-570	HEADLAMP RESTORE KIT	1978254067	06/27/2022			39.98	
	001-170-639	SPARKPLUG: POLARIS UTV	1978254121	06/27/2022			8.58	
	001-170-639	9012BP CAPSULE	1978254164	06/27/2022			20.91	
	001-170-639	RTN CR: 9012BP CAPSULE	1978254165	06/27/2022			-20.91	
	001-170-639	9005BP CAPSULE	1978254165	06/27/2022			7.31	
	001-100-570	AIR & OIL FILTER: CID JEEP	1978254187	06/28/2022			12.06	
	001-100-570	TIE WRAPS: CID JEEP	1978254187	06/28/2022			13.99	
	001-100-570	MDS SOLENOID: 16 CHARGER	1978254187	06/28/2022			111.60	
001	MICAH HANCOCK	222936	07/19/2022	07/11/2022			144.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-681	PER DIEM REIMB: FO 1021-1-11	06202022	06/02/2022			144.00	
001	FUELMAN	222938	07/19/2022	07/11/2022			4,147.50	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-525	UNL FUEL	NP62507679	07/11/2022			3,185.85	
	001-161-525	UNL&DSL FUEL	NP62507679	07/11/2022			474.47	
	001-170-525	UNL&DSL FUEL	NP62507679	07/11/2022			487.18	
001	POWELL CONSTRUCTION SERVICES INC	222941	07/19/2022	07/12/2022			9,250.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-201-698	ST LIGHT REPR: HWY 90-DOLPHIN	3340	04/16/2022			9,250.00	
001	TROY ARGUELLES	222942	07/19/2022	07/12/2022			330.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-698	TRAP/RELOCATE RACCOONS (8)	07112022	07/11/2022			330.00	
001	OCCUPATIONAL HEALTH CENTER INC	222943	07/19/2022	07/12/2022			35.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-022-604	RAPID DRUG SCREEN: ARROYO,C	281275	07/05/2022			35.00	

Docket of Claims
Release date from 07/19/2022 thru 07/19/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	AGJ SYSTEMS & NETWORKS INC	222944	07/19/2022	07/12/2022			12,400.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	JUN 2022		MSP-95992	06/01/2022		6,200.00	
	001-092-698	JUL 2022		MSP-96810	07/01/2022		6,200.00	
001	AGJ SYSTEMS & NETWORKS INC	222945	07/19/2022	07/12/2022			97.30	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-559	ADAPTER (8): MISC REPRS		94954	03/03/2022		63.39	
	001-092-559	CABLE (4): MISC REPRS		94954	03/03/2022		33.91	
001	RELX INC DBA LEXISNEXIS	222946	07/19/2022	07/12/2022			247.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	MAY 2022 ACCT 4254VNBSY		3093888544	05/31/2022		123.60	
	001-092-698	JUN 2022 ACCT 4254VNBSY		3093952963	06/30/2022		123.60	
001	SOUTHERN MS PLANNING & DEV DISTRICT INC	222947	07/19/2022	07/12/2022			27,360.16	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-815	LOAN PMT: POLICE VEHICLES (3)		1504	07/12/2022		27,360.16	
001	PITNEY BOWES INC	222951	07/19/2022	07/12/2022			271.98	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-607	RED INK CARTRIDGE (2)		1021055931	07/05/2022		271.98	
001	SINGING RIVER HEALTH SYSTEM	222952	07/19/2022	07/12/2022			279.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-022-604	PRE-EMP DRG SCR: BROWN,T		12478063	03/22/2022		25.00	
	001-022-604	PRE-EMP PHYSICAL: BROWN,T		12478344	03/22/2022		68.00	
	001-100-604	PRE-EMP DRG SCR: NICHOLSON		12751535	04/25/2022		25.00	
	001-100-604	PRE-EMP PHYSICAL: NICHOLSON		12752294	04/25/2022		68.00	
	001-100-604	PRE-EMP DRG SCR: JOHNSON,K		13050314	05/31/2022		25.00	
	001-100-604	PRE-EMP PHYSICAL: JOHNSON,K		13033871	05/31/2022		68.00	
001	ADVANCE AUTO PARTS	222955	07/19/2022	07/12/2022			18.19	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-638	HEADLIGHT: STAFF 48		1403217566	06/24/2022		18.19	
001	AUTOZONE INC	222956	07/19/2022	07/12/2022			7.58	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-639	SPARKPLUG (2)		4907138098	03/15/2022		7.18	
	001-170-559	RENTAL: 7TN REV PULLER		4907169758	05/05/2022		130.00	
	001-170-559	RTN CR: 7TN REV PULLER		4907173166	05/11/2022		-130.00	
	001-170-559	WARRANTY RTN: JUMP STARTER		4907178277	05/19/2022		-99.99	
	001-170-559	DURALAST LITHIUM JUMP STARTER		4907178278	05/19/2022		100.39	
001	CARDMEMBER SERVICES	222957	07/19/2022	07/12/2022			1,811.73	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-681	EMT APP FEE: MCCLURE		06022022	06/03/2022		98.00	
	001-170-513	FREEZE POPS (8): KICKBALL		06062022	06/07/2022		26.32	
	001-092-698	CITY WEBSITE HOST FEE		06062022	06/07/2022		192.00	
	001-092-698	CITY WEBSITE ANNUAL FEE		06062022	06/07/2022		420.00	

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001	CARDMEMBER SERVICES	222957	07/19/2022	07/12/2022			1,811.73	(CONTINUED)
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-535	UNIFORM SHIRT (10)		06162022	06/17/2022		195.80	
	001-170-535	CR RTN: UNIFORM SHIRT (2)		06162022	06/21/2022		-54.80	
	001-170-535	UNIFORM SHIRT (2)		06162022	06/17/2022		33.47	
	001-170-535	UNIFORM TOP (16)		06162022	06/17/2022		284.82	
	001-170-504	WILSON BASKETBALL (4)		06162022	06/17/2022		127.96	
	001-170-535	UNIFORM SHIRT (2)		06162022	06/17/2022		39.98	
	001-170-535	NAME TAG (6): REC STAFF		06162022	06/17/2022		72.78	
	001-040-559	PLANNER; HDMI CABLE		06202022	06/21/2022		24.43	
	001-170-535	UNIFORM SHIRT (11)		06172022	06/21/2022		186.89	
	001-170-513	SUPPLIES: HOOPING SUMMER		06242022	06/27/2022		32.01	
	001-170-511	SUPPLIES: SENIOR EVENTS		06282022	06/29/2022		132.07	
001	HENZE ENTERPRISES INC	222960	07/19/2022	07/12/2022			160.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-576	4 TNS RAP: CARRIE		31280	07/06/2022		160.00	
001	TRANSUNION RISK-ALTERNATE DATA SOLS INC	222966	07/19/2022	07/12/2022			516.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	JUN 2022 ACCT 6006920		202206-1	07/01/2022		516.00	
001	RJ YOUNG COMPANY LLC	222967	07/19/2022	07/12/2022			180.30	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	FNK100-01 RENTAL FEE		INV4841242	06/22/2022		180.30	
001	TEC	222968	07/19/2022	07/12/2022			198.43	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		1051277	07/01/2022		198.43	
001	SEYMOUR ENGINEERING PLLC	222969	07/19/2022	07/12/2022			1,237.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-603	ROAD MAP: FUTURE PAVING		8479	06/29/2022		450.00	
	001-201-603	EMERG ROAD-BRIDGE GRANT		8479	06/29/2022		787.50	
001	AIRGAS USA LLC	222970	07/19/2022	07/12/2022			269.27	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-588	CYLINDER RENTAL		9989545036	06/30/2022		269.27	
001	BLOSSMAN GAS INC	222971	07/19/2022	07/12/2022			308.03	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	PROPANE GAS:NORTH STN		19092855	06/07/2022		308.03	
001	GOVERNMENT BRANDS SHARED SERVICES	222972	07/19/2022	07/12/2022			1,495.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-010-698	JUL 2022 COURT SUPPORT		INV4305280	07/01/2022		1,495.00	
001	LOWES HOME CENTERS INC	222978	07/19/2022	07/12/2022			1,195.79	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-559	WASP-HORNET TWIN PK		902456	05/25/2022		6.64	
	001-170-559	HARDWARE: HANG BACOT RES BOX		901321	05/26/2022		10.70	
	001-205-559	KEYS: CUSTODIAN		902614	05/26/2022		5.66	
	001-161-559	C BATTERY 8 PK		901352	05/30/2022		14.62	

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001	LOWES HOME CENTERS INC	222978	07/19/2022	07/12/2022			1,195.79	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-510	MOP;TANDEM BUCKET;BOWL BRUSH	902502	06/01/2022			72.81	
	001-170-634	WASHER; HEX BOLT	902484	06/01/2022			2.47	
	001-170-559	32 GAL TRASHCAN (2)	902419	06/01/2022			46.52	
	001-170-559	MASTERLOCK HD COMBO LOCK	902419	06/01/2022			18.03	
	001-161-635	DELTA FIXED SHOWER HEAD	902525	06/01/2022			37.97	
	001-170-520	PREM RED MULCH (80)	919294	06/02/2022			226.40	
	001-170-639	METAL HOSE NOZZLE; REPR PARTS	902679	06/02/2022			13.72	
	001-161-559	AQUAFINA 24 CNT (10)	901171	06/02/2022			52.00	
	001-100-559	SCHLAGE BRASS KEY (3)	902312	06/06/2022			8.49	
	001-161-510	35 QT MOP BUCKET	901295	06/07/2022			66.49	
	001-161-635	CTF BASIC AIR FILTER (2)	902535	06/08/2022			11.34	
	001-170-634	BOLTS: SPLASH PAD REPR	902558	06/08/2022			3.96	
	001-170-634	SCH40 ADAPTER; PVC BALL VLV	902688	06/09/2022			8.88	
	001-100-559	SCHLAGE BRASS KEY (4)	902712	06/09/2022			11.32	
	001-170-634	HOSE BIBB: PAV FAUCET REPR	901041	06/10/2022			6.64	
	001-161-510	ORBIT MAX BLASTER NOZZLE	902392	06/13/2022			21.84	
	001-170-520	PREEN WEED PREVENTER (3)	909198	06/13/2022			45.54	
	001-170-520	PREM RED MULCH (40)	919273	06/14/2022			113.20	
	001-170-520	PREM RED MULCH (40)	919429	06/15/2022			113.20	
	001-161-559	AQUAFINA 24 PK (12)	902661	06/16/2022			62.40	
	001-161-559	ORTHO HD MAX	902042	06/19/2022			15.65	
	001-170-559	SM PRO SPRAY TIP;KW DEADBOLT	901716	06/20/2022			27.99	
	001-092-559	AA DURACELL 16 PK	902334	06/21/2022			15.76	
	001-170-559	ALGAEICIDE (2);MICROBAN (6)	901895	06/21/2022			91.04	
	001-161-559	C RAYOVAC 8 CNT (2)	918634	06/21/2022			26.56	
	001-170-559	3M FOLDING EARMUFF	901923	06/21/2022			17.09	
	001-170-510	SIMPLE GREEN (2)	901467	06/23/2022			20.86	
001	CINTAS CORPORATION NO 2	222980	07/19/2022	07/12/2022			438.07	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-205-535	MAINTENANCE	4121155357	06/02/2022			86.67	
	001-205-535	MAINTENANCE	4121771538	06/08/2022			86.67	
	001-205-535	MAINTENANCE	4122438841	06/15/2022			86.67	
	001-205-535	MAINTENANCE	4123134553	06/22/2022			86.67	
	001-205-535	MAINTENANCE	4123810114	06/29/2022			91.39	
001	JACKSON COUNTY ADULT DETENTION CENTER	222981	07/19/2022	07/12/2022			8,995.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-010-696	JUN 2022 ADC CHGS	06302022	07/12/2022			8,995.00	
001	SBM REPORTING LLC	222983	07/19/2022	07/13/2022			175.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-698	PLANNING MTG 7/7/22	MB1401	07/11/2022			175.00	
001	BUTLER SNOW LLP	222984	07/19/2022	07/13/2022			2,167.11	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-001-601	REDIST SERVS THRU 06/30/22	10344528	07/11/2022			2,167.11	

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001	ALABAMA MEDIA GROUP	222985	07/19/2022	07/13/2022			87.48	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-615	PUBL NOTICE: GPC #22-23-SE	0010364700	06/22/2022	221008		17.52	
	001-090-615	PUBL NOTICE: GPC #22-24-VAR	0010364704	06/22/2022	221008		17.64	
	001-090-615	PUBL NOTICE: GPC #22-25-VAR	0010364714	06/22/2022	221008		17.28	
	001-090-615	PUBL NOTICE: GPC #22-26-VAR	0010364717	06/22/2022	221008		17.76	
	001-090-615	PUBL NOTICE: GPC #22-27-SE	0010364723	06/22/2022	221008		17.28	
001	ESTABROOK MOTOR CO INC	222986	07/19/2022	07/13/2022			272.99	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-638	REPROGRAM PCM; REPL DIPSTICK	496479	06/15/2022	220619		272.99	
001	GULF STATES DISTRIBUTORS	222987	07/19/2022	07/13/2022			2,094.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-587	.223 REM 55GR AMMO (6)	1420896-IN	06/27/2022	220279		2,094.00	
001	BELL AUTO PARTS INC	222988	07/19/2022	07/13/2022			12,012.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-702	EXMARK ZERO TURN #412257037	44611	07/11/2022	221031		12,012.00	
001	LAWRENCE PRINTING COMPANY INC	222989	07/19/2022	07/13/2022			416.25	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-559	MINUTE BOOK (3): PLNG COMM	66574	07/07/2022	220498		390.00	
	001-090-559	SHIPPING	66574	07/07/2022	220498		26.25	
001	SUNBELT FIRE INC	222990	07/19/2022	07/13/2022			2,935.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-702	BAAC40060A 6000PSI CYL (2)	129046	06/22/2022	220782		2,400.00	
	001-161-702	BAAC10034 702 NUT-NIPPLE(2)	129046	06/22/2022	220782		100.00	
	001-161-702	2' PIGTAIL (2)	129046	06/22/2022	220782		170.00	
	001-161-702	SHIPPING	129046	06/22/2022	220782		265.00	
001	HAYGOODS INDUSTRIAL ENGRAVERS INC	222993	07/19/2022	07/13/2022			90.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-500	8X10 PLAQUE: MORAN AWARD	2207015	07/08/2022	221056		30.00	
	001-090-500	12X15 PLAQUE: MORAN AWARD	2207015	07/08/2022	221056		50.00	
	001-170-502	ENG TAG (2): SUPERBOWL CHAMPS	2201078	06/03/2022	220427		10.00	
001	PASCAGOULA TIRE & SERVICE INC	222995	07/19/2022	07/13/2022			2,975.29	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-570	FS FIREHAWK PURSUIT (4)	105081	07/06/2022	221016		446.80	
	001-100-570	INSTALLATION (4)	105081	07/06/2022	221016		84.00	
	001-205-638	FS ALL SEASON CUV (4)	104847	06/16/2022	220966		660.67	
	001-205-638	FS DESTINATION LE3 (4)	104894	06/17/2022	220966		674.95	
	001-205-638	FS DESTINATION AT2 (4)	104917	06/20/2022	220966		578.07	
	001-100-570	FS FIREHAWK PURSUIT (4)	105084	06/29/2022	221014		446.80	
	001-100-570	INSTALLATION (4)	105084	06/29/2022	221014		84.00	

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001	CROWN DODGE CHRYSLER JEEP	222996	07/19/2022	07/13/2022			224.80	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-638	COOLING FAN (4): STOCK		90396	06/01/2022	220917		224.80
001	SUN HERALD	222999	07/19/2022	07/13/2022			48.72	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-040-615	BID AD: NANOFILTRATION PLANT		132091	06/30/2022	221011		48.72
001	STAPLES BUSINESS ADVANTAGE DEPT ATL	223000	07/19/2022	07/13/2022			412.69	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-094-559	MD LEGAL STORAGE BOX 12PK		3511246047	06/28/2022	221027		60.85
	001-094-559	BUS CARD SLEEVE CLR (2)		3511246047	06/28/2022	221027		21.06
	001-094-559	COMMAND TRAD LARGE HOOKS		3511246047	06/28/2022	221027		13.46
	001-094-559	TITANIUM SCISSOR 8" 2PK		3511246047	06/28/2022	221027		11.49
	001-094-500	AAA ALKALINE 24 PK		3511246047	06/28/2022	221027		18.91
	001-094-500	AA ALKALINE 24 PK		3511246047	06/28/2022	221027		26.36
	001-094-500	PARCHMENT CERTIFICATE PAPER		3511246047	06/28/2022	221027		12.38
	001-094-500	NOTARY SEAL GOLD (2)		3511246047	06/28/2022	221027		6.60
	001-094-500	STPLS INVISIBLE TAPE 12PK		3511246047	06/28/2022	221027		7.37
	001-094-500	STPLS FILE FOLDER (100)		3511246047	06/28/2022	221027		14.55
	001-094-500	TOPS NOTEPADS PERF LTR (24)		3511246047	06/28/2022	221027		31.54
	001-094-500	BIC BRITE LINER 24PK		3511246047	06/28/2022	221027		6.26
	001-094-500	HP952 XL BK/STD CLR TONER PK		3511246047	06/28/2022	221027		109.59
	001-094-500	POP-UP NOTES 3X3 (3)		3511246047	06/28/2022	221027		21.87
	001-094-500	DYMO 2 PK LETRATAG LBL (3)		3511246047	06/28/2022	221027		30.51
	001-094-559	MONITOR STAND ADJUSTABLE		3511948211	06/28/2022	221027		19.89
001	CODY D DICKERSON	223004	07/19/2022	07/13/2022			4,800.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-601	ABATEMENT: 7301 RIVER MUSIC		06152022-1	06/15/2022	221003		4,800.00
001	STERLING PETROLEUM PRODUCTS INC	223006	07/19/2022	07/13/2022			1,005.40	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-570	SERV PRO SYN BLEND 5W20 (2)		98106	06/28/2022	221028		1,001.00
	001-100-570	LUBE TAX		98106	06/28/2022	221028		4.40
001	THE SOUTHERN CONNECTION POLICE SUPPLIES	223007	07/19/2022	07/13/2022			2,563.26	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-535	BLAUER PANT 8657T Nvy (3)		22142	07/05/2022	220776		194.97
	001-100-535	BLAUER PANT 8657T Nvy (3)		22142	07/05/2022	220776		194.97
	001-100-535	BLAUER PANT 8650T Nvy		22142	07/05/2022	220776		44.99
	001-100-535	BLAUER PANT 8650T Nvy		22142	07/05/2022	220776		44.99
	001-100-535	BLR BASE SHIRT Nvy XL (7)		22142	07/05/2022	220776		349.93
	001-100-535	BLR BASE SHIRT Nvy LG (7)		22142	07/05/2022	220776		349.93
	001-100-535	BLR BASE SHIRT Nvy M (4)		22142	07/05/2022	220776		199.96
	001-100-535	BLR SUPER SHIRT SS Nvy XL		22142	07/05/2022	220776		49.99
	001-100-535	BLR SUPER SHIRT SS Nvy L		22142	07/05/2022	220776		49.99
	001-100-535	511 FREE-FLX SHIRT STORM XL		22142	07/05/2022	220776		59.99
	001-100-535	511 FREE-FLX SHIRT PEACOCK XL		22142	07/05/2022	220776		59.99
	001-100-535	511 PERF POLO BLK XL		22142	07/05/2022	220776		42.99

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001	THE SOUTHERN CONNECTION POLICE SUPPLIES	223007	07/19/2022	07/13/2022			2,563.26	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-535	511 PERF POLO BLK M	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO GRAY XL	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO GRAY M	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO NAVY XL	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO NAVY M	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO GRN XL	22142	07/05/2022	220776		42.99	
	001-100-535	511 PERF POLO GRN M	22142	07/05/2022	220776		42.99	
	001-100-535	GOLD STAR CLUSTER (2)	22142	07/05/2022	220776		25.98	
	001-100-535	3 STARS (2)	22142	07/05/2022	220776		29.90	
	001-100-535	EMBROIDERY (10)	22142	07/05/2022	220776		60.00	
	001-100-535	BLR SUPER SHIRT LS NAVY 16/33	22142	07/05/2022	220776		54.99	
	001-100-535	BLR SUPER SHIRT LS NAVY 17/35	22142	07/05/2022	220776		54.99	
	001-100-535	BLR WOMENS PANT NAVY (3)	22142	07/05/2022	220776		179.85	
	001-100-535	BLR WOMENS PLY TROUSER NAVY	22142	07/05/2022	220776		49.95	
	001-100-535	BLR WM SUPER SHIRT LS NAVY	22142	07/05/2022	220776		54.99	
	001-100-535	BLR WM SUPER SHIRT SS NAVY	22142	07/05/2022	220776		49.99	
	001-100-535	DUTY BELT B/W 30"	22142	07/05/2022	220776		59.00	
001	AMAZON COM SALES INC	223008	07/19/2022	07/13/2022			143.77	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-001-509	CM 100QT ICE CHEST WHEELED	1L1TM3FCJC	06/28/2022	221021		98.99	
	001-094-500	SPIRAL STENO PADS 12 PK	1L1TM3FCWG	06/30/2022	221026		19.79	
	001-094-559	VERBATIM 16GB USB 5 PK	1L1TM3FCWG	06/30/2022	221026		24.99	
001	AGJ SYSTEMS & NETWORKS INC	223009	07/19/2022	07/13/2022			816.17	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-040-704	HP OFFICEJET PRO PRINTER	95649	04/30/2022	220688		329.39	
	001-040-704	BROTHER LASER PRINTER	97079	06/29/2022	221025		486.78	
001	GOKEYLESS	223013	07/19/2022	07/13/2022			2,297.66	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-634	TRILOGY DL SCHROME LOCK (2)	116961	06/03/2022	220935		1,158.00	
	001-170-634	COMPUTER INTERFACE CABLE	116961	06/03/2022	220935		139.90	
	001-170-634	DATA TRASFER MODULE	116961	06/03/2022	220935		264.46	
	001-170-634	STANDARD KEY ALIKE	116961	06/03/2022	220935		16.56	
	001-170-634	GO KEYLESS SHIELD	116961	06/03/2022	220935		315.80	
	001-170-634	GK SUPPORT TIER 2	116961	06/03/2022	220935		350.00	
	001-170-634	SHIPPING	116961	06/03/2022	220935		52.94	
001	GAME ON GULF COAST	223014	07/19/2022	07/13/2022			259.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-513	GAME TRUCK: BACOT PARK EVENT	000060	07/07/2022	221053		259.00	
001	OCCUPATIONAL HEALTH CENTER INC	223015	07/19/2022	07/13/2022			12,099.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-604	YEARLY PHYSICALS	285466	07/05/2022	220980		6,012.00	
	001-100-604	PRE-EMPLOYEE PHYSICAL: BONILLA	281275	07/05/2022	220957		75.00	
	001-100-604	PRE-EMPLOYEE DRUG SCREEN: BONI	281275	07/05/2022	220957		70.00	
	001-022-604	PRE-EMPL PHYSICAL: SCARDINO, J	281275	07/05/2022	220998		75.00	
	001-022-604	PRE-EMPL DRUG SCREEN: SCARDINO	281275	07/05/2022	220998		35.00	
	001-022-604	PRE-EMPL PHYSICAL: WILLIAMS, S	281275	07/05/2022	220883		75.00	

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	OCCUPATIONAL HEALTH CENTER INC	223015	07/19/2022	07/13/2022			12,099.00	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-022-604	PRE-EMPL DRUG SCREEN: WILLIAMS,	281275	07/05/2022	220883		35.00	
	001-100-604	PRE-EMP PHYSICAL: ZELAYA, ALEX	281275	07/05/2022	221022		75.00	
	001-100-604	C.O.C. DRUG SCREEN: ZELAYA, AL	281275	07/05/2022	221022		70.00	
	001-161-604	YEARLY PHYSICALS	284680	06/20/2022	220980		5,577.00	
001	STEINER SAW & MOWER	223016	07/19/2022	07/13/2022			702.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-702	STIHL FS 94 WEEDEATER (2)	15822	07/07/2022	221033		702.00	
001	C SPIRE WIRELESS	223017	07/19/2022	07/13/2022			3.40	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-040-605	JUN 2022 BAL DUE (MAY PD 2X)	0030759348	06/30/2022			3.40	
FUND TOTAL	1 Claims	to	Checks	72 Total	175,536.30 Manual	Held	Total	175,536.30

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Release date from 07/19/2022 thru 07/19/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
002	SEYMOUR ENGINEERING PLLC	222964	07/19/2022	07/12/2022			15,000.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	002-655-603	ENG DESIGN/BIDDING 60%		8481	06/29/2022		15,000.00	
FUND TOTAL	2 Claims	to	Checks	1 Total	15,000.00	Manual	Held	Total 15,000.00

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
003	CARDMEMBER SERVICES	222959	07/19/2022	07/12/2022			150.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	003-450-704	ONEWAY APP: JUN 2022		06022022	06/03/2022		75.00	
	003-450-704	ONEWAY APP: JUL 2022		07022022	07/05/2022		75.00	
003	AGJ SYSTEMS & NETWORKS INC	223010	07/19/2022	07/13/2022			8,425.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	003-450-704	LEAPVAULT PRO: 2 APPL		97248	07/07/2022	220687	7,200.00	
	003-460-704	MS OFFICE 2021 HOME-BUS (5)		95806	05/09/2022	220789	1,225.00	
003	EDDIE PEARSON ROOFING LLC	223012	07/19/2022	07/13/2022			35,137.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	003-460-721	INSTL METAL ROOF: UTLTY BLDG		1946	07/05/2022	220595	35,137.84	
FUND TOTAL	3 Claims	to	Checks	3 Total	43,712.84	Manual	Held	Total 43,712.84

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
130	GULF BREEZE CONSTRUCTION INC Account Number 130-130-770	222982	07/19/2022	07/12/2022			170,120.57	
		Description CONSTRUCTION 12.48%		Invoice # 6	Date 07/11/2022	P.O.	Amount 170,120.57	
FUND TOTAL 130 Claims	to	Checks	1 Total	170,120.57	Manual		Held	Total 170,120.57

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
171	COASTAL PAINTING & GENERAL Account Number 171-176-779	222991	07/19/2022	07/13/2022			3,650.00	
		Description		Invoice #	Date	P.O.	Amount	
		ADA COMP RAMP: SSP BATHHOUSE		2634	07/06/2022	220989		3,650.00
FUND TOTAL 171 Claims	to	Checks	1 Total	3,650.00	Manual	Held	Total	3,650.00

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
176	FUELMAN	222897	07/19/2022	07/08/2022			137.83	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-525	UNL FUEL		NP62464117	07/04/2022			137.83
176	SINGING RIVER ELECTRIC COOPERATIVE	222930	07/19/2022	07/11/2022			3,580.88	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-631	PARK FACILITIES 76854002		06192022	06/28/2022			2,939.21
	176-170-631	HOUSE 76855002		06192022	06/28/2022			49.84
	176-170-631	SSP WELCOME CENTER 108928002		06192022	06/28/2022			566.73
	176-170-631	DUMP STATION 109931001		06192022	06/28/2022			25.10
176	FUELMAN	222939	07/19/2022	07/11/2022			68.17	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-525	UNL FUEL		NP62507679	07/11/2022			68.17
176	HUEY P STOCKSTILL LLC	222949	07/19/2022	07/12/2022			88.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-586	1 TN ASPHALT: SSP ENTRANCE		48063	06/10/2022			88.00
176	CARDMEMBER SERVICES	222958	07/19/2022	07/12/2022			88.75	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-541	INVENTORY ITEMS: GEN STORE		06282022	06/29/2022			88.75
176	HEFLIN ENGINEERING INC	222962	07/19/2022	07/12/2022			11,400.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-176-762	DESIGN PHASE 95%		0205	06/30/2022			5,525.00
	176-176-762	SOS TIDELANDS LEASE SUBMTL		0205	06/30/2022			1,000.00
	176-176-762	ENVIRO PERMITTING 95%		0205	06/30/2022			4,875.00
176	GRAND VIEW SECURITY LLC	222974	07/19/2022	07/12/2022			360.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	176-170-699	LOG CABIN ALARM MONITORING		0630155766	06/30/2022			360.00
FUND TOTAL 176 Claims		to	Checks	7 Total	15,723.63	Manual	Held	Total 15,723.63

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
307	HEFLIN ENGINEERING INC	222963	07/19/2022	07/12/2022			8,000.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	307-300-763	CONST PH SERVS 95%		0204	06/30/2022			8,000.00
FUND TOTAL 307 Claims	to	Checks	1 Total	8,000.00	Manual		Held	Total 8,000.00

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	JACKSON COUNTY UTILITY AUTHORITY	222861	07/19/2022	06/30/2022			230,294.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-668	JUL 2022 TREATMENT CHGS		1819	07/01/2022			230,294.00
400	COG DEPOSITORY ACCOUNT	222885	07/19/2022	07/07/2022			268,033.53	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-000-104	MAY 2022 GARBAGE PMTS		05312022	05/31/2022			139,592.01
	400-000-104	JUN 2022 GARBAGE PMTS		06302022	06/30/2022			128,441.52
400	FUELMAN	222898	07/19/2022	07/08/2022			203.58	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-525	UNL FUEL		NP62464117	07/04/2022			203.58
400	WASTE MANAGEMENT OF MS-GLF COAST INC	222918	07/19/2022	07/11/2022			2,533.21	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-698	ROLL OFF TIMBERLANE		0771820476	07/01/2022			2,533.21
400	CLEARWATER SOLUTIONS LLC	222919	07/19/2022	07/11/2022			170,690.75	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-672	JUL 2022 OPERATION FEE		GAUTIER115	07/01/2022			170,690.75
400	SINGING RIVER ELECTRIC COOPERATIVE	222931	07/19/2022	07/11/2022			5,148.58	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STNS 89627001		06172022	06/24/2022			72.64
	400-651-631	LIFT STNS 89702001		06172022	06/24/2022			25.00
	400-651-631	LIFT STNS 17881		06172022	06/24/2022			1,936.01
	400-651-631	WATER WELLS 17881		06172022	06/24/2022			3,114.93
400	SINGING RIVER ELECTRIC COOPERATIVE	222933	07/19/2022	07/11/2022			523.77	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	G/V LFT STN 3305 114260001		06192022	06/28/2022			459.71
	400-651-631	G/V LFT STN 3330 114046001		06182022	06/27/2022			64.06
400	SINGING RIVER ELECTRIC COOPERATIVE	222934	07/19/2022	07/11/2022			9,412.35	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	IONIZATION PLANT 99216002		06182022	06/27/2022			331.19
	400-651-631	LIFT STNS 17882		06182022	06/27/2022			2,258.55
	400-651-631	WATER WELLS 17882		06182022	06/27/2022			4,339.94
	400-651-631	CTIY HALL SOUTH 17882		06182022	06/27/2022			2,482.67
400	SINGING RIVER ELECTRIC COOPERATIVE	222935	07/19/2022	07/11/2022			3,210.96	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STNS 17875		06192022	06/28/2022			220.28
	400-651-631	LIFT STNS 17883		06192022	06/28/2022			2,125.87
	400-651-631	LIFT STNS 17884		06182022	06/28/2022			864.81
400	O'REILLY AUTO PARTS	222937	07/19/2022	07/11/2022			762.86	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	31-5 BATTERY (4): GENERATORS		1978253680	06/23/2022			547.16
	400-651-581	8D2 BATTERY: GENERATOR		1978253680	06/23/2022			215.70

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	FUELMAN	222940	07/19/2022	07/11/2022			163.55	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-525	UNL FUEL		NP62507679	07/11/2022			163.55
400	HUEY P STOCKSTILL LLC	222948	07/19/2022	07/12/2022			541.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-683	6.15 TN ASPHALT: SOUNDVIEW		48063	06/10/2022			541.20
400	ARISTA INFORMATION SYSTEMS INC	222953	07/19/2022	07/12/2022			4,239.66	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	JUN 2022 PRINTING 2067001		0005646	06/30/2022			1,203.11
	400-650-698	JUN 2022 POSTAGE 2067001		0005646	06/30/2022			3,036.55
400	MISSION COMMUNICATIONS LLC	222954	07/19/2022	07/12/2022			1,144.80	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-698	RENEWAL: GLEN HEATH LS		1066019	06/27/2022			581.40
	400-651-698	RENEWAL: BEMIS AVE LS		1066019	06/27/2022			563.40
400	HENZE ENTERPRISES INC	222961	07/19/2022	07/12/2022			960.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-683	20 TN RAP: DRAINAGE ISSUES		31280	07/06/2022			800.00
	400-651-683	16 CY RED SAND: STORM DRAINS		31280	07/06/2022			160.00
400	SEYMOUR ENGINEERING PLLC	222965	07/19/2022	07/12/2022			600.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-603	ENG DESIGN: HEADSTART PROJ		8480	06/29/2022			600.00
400	SEYMOUR ENGINEERING PLLC	222973	07/19/2022	07/12/2022			7,095.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-603	TAMPICA: DESIGN, COST EST		8479	06/29/2022			770.00
	400-650-603	WOODVILLE: DESIGN WORK		8479	06/29/2022			1,400.00
	400-650-603	MEADOWDALE: TOPO SURVEY		8479	06/29/2022			1,175.00
	400-650-603	PRINCE GEORGE: STAKE EASEMENT		8479	06/29/2022			3,000.00
	400-650-603	PRINCE GEORGE: BOUNDARY ISSUES		8479	06/29/2022			675.00
	400-650-603	GENERAL DRAINAGE		8479	06/29/2022			75.00
400	SOUTHERN LINC	222975	07/19/2022	07/12/2022			86.72	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	JUL 2022 SERV CHGS		73978	07/01/2022			80.00
	400-650-698	TAXES/FEES		73978	07/01/2022			6.72
400	ANSER	222976	07/19/2022	07/12/2022			574.64	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	BASE RATE: 7/6/22-8/2/22		277-070622	07/06/2022			500.00
	400-650-698	HOLIDAY CHGS		227-070622	07/06/2022			12.00
	400-650-698	504 AGENT MNTS 6/8/22-7/5/22		227-070622	07/06/2022			62.64

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	COGENT STRATEGIES LLC	222977	07/19/2022	07/12/2022			7,500.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-601	PROF FEES: 7/6/22-8/5/22		2714	07/11/2022			7,500.00
400	LOWES HOME CENTERS INC	222979	07/19/2022	07/12/2022			212.74	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-585	QUIKRETE 80LB (6)		902453	05/25/2022			27.72
	400-651-584	EATON 125V RECEPTACLE (3)		901191	06/02/2022			10.42
	400-651-683	20LB HYD WTR STOP (2)		901051	06/17/2022			34.16
	400-651-585	QUIKRETE 80LB (5)		901146	06/17/2022			23.10
	400-651-683	2X4 WW STUDS (4)		901018	06/17/2022			18.92
	400-651-581	D DURACELL 8 PK		902500	06/22/2022			14.62
	400-651-683	20LB HYD WTR STOP (2)		901488	06/23/2022			34.16
	400-651-584	WEDGE ANCHOR 25PK;DRILL BIT(2)		901660	06/23/2022			26.54
	400-651-585	QUIKRETE 80LB (5)		901838	06/24/2022			23.10
400	SOUTHERN PIPE & SUPPLY CO INC	222992	07/19/2022	07/13/2022			610.68	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	1.5X1 BRASS BUSHING LF (10)		6654298-01	06/24/2022	220862		111.50
	400-651-709	2" METER MANUAL		6519210-00	06/28/2022	220698		499.18
400	OFFICE DEPOT 1104	222994	07/19/2022	07/13/2022			224.37	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-500	LEXMARK 51B1000 BK TONER (3)		2490868110	06/24/2022	221010		224.37
400	CENTRAL PIPE SUPPLY-JACKSON	222997	07/19/2022	07/13/2022			18,603.80	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-683	24"X20' HDPE PIPE (400 LF)		301058.001	07/01/2022	221024		12,676.00
	400-651-683	24" ADS PE DW TEE (2)		301058.001	07/01/2022	221024		1,635.30
	400-651-683	24" ADS DW SPLIT CPLR (4)		301058.001	07/01/2022	221024		288.72
	400-651-683	NYLOPLAST DROP-IN GRATE (2)		301058.001	07/01/2022	221024		817.50
	400-651-683	PIPE LUBE QUART (3)		301058.001	07/01/2022	221024		17.28
	400-651-683	24"X20' HDPE PIPE (400 LF)		301058.002	07/05/2022	221024		3,169.00
400	BAY MOTOR WINDING INC	222998	07/19/2022	07/13/2022			16,719.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-584	RELIANCE IMPELLER: JSCC-1		0121426	06/30/2022	220683		4,315.00
	400-651-584	3HP CHAMPION PUMP: FLS-1		0121427	06/30/2022	220970		4,384.00
	400-651-584	REBUILD MOTOR: GLENHEATH LS		0121428	06/30/2022	220991		2,365.00
	400-651-584	MACHINE WORK: GLENHEATH LS		0121428	06/30/2022	220991		475.00
	400-651-584	REWIND MOTOR: GARDEN LN 2		0121429	06/30/2022	220992		2,165.00
	400-651-584	SEAL PLATE: GARDEN LN 2		0121429	06/30/2022	220992		425.00
	400-651-584	REWIND MOTOR: GARDEN LN 1		0121430	06/30/2022	220993		2,165.00
	400-651-584	SEAL PLATE: GARDEN LN 1		0121430	06/30/2022	220993		425.00
400	STAPLES BUSINESS ADVANTAGE DEPT ATL	223001	07/19/2022	07/13/2022			450.75	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-500	LEXMARK B221H00 HY BK (2)		3510885987	06/23/2022	221009		189.98
	400-650-500	HP 950XL HY BK/STD CLR 4PK		3510885987	06/23/2022	221009		218.32
	400-650-500	HP 952XL HY BK INK CART		3510885987	06/23/2022	221009		42.45

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	AMERICAN READY MIX LLC Account Number 400-651-683	223002	07/19/2022	07/13/2022			1,184.00	
	Description 8 YDS CONCRETE			Invoice # 2276	Date 07/08/2022	P.O. 221029	Amount 1,184.00	
400	MARK CARTER Account Number 400-651-683	223003	07/19/2022	07/13/2022			3,600.00	
	Description REPR CONCRETE: TAMPICA			Invoice # 395752	Date 06/06/2022	P.O. 221012	Amount 3,600.00	
400	PROFESSIONAL SOLUTIONS USA INC Account Number 400-651-698	223005	07/19/2022	07/13/2022			956.69	
	Description WATER QLTY INSERT (7500)			Invoice # 397714	Date 06/27/2022	P.O. 220893	Amount 956.69	
400	AGJ SYSTEMS & NETWORKS INC Account Number 400-650-704 400-650-704 400-650-704	223011	07/19/2022	07/13/2022			75.93	
	Description REPLACEMENT FAN: COMPUTER			Invoice # 97079	Date 06/29/2022	P.O. 221007	Amount 29.84	
	REPLACEMENT FAN: COMPUTER			97242	06/30/2022	221030	35.09	
	SHIPPING			97242	06/30/2022	221030	11.00	
FUND TOTAL 400 Claims	to	Checks	30 Total	756,357.12	Manual	Held	Total	756,357.12

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
404	DELTA SANITATION OF MS LLC Account Number 404-677-693	222917	07/19/2022	07/11/2022			107,695.17	
		Description		Invoice #	Date	P.O.	Amount	
		JUN 2022 RES GARBAGE (6399)		0001232308	06/30/2022		107,695.17	
FUND TOTAL 404 Claims	to	Checks	1 Total	107,695.17	Manual		Held	Total 107,695.17

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SUMMARY OF ALL FUNDS

FUND	1	Claims	to	Checks	72	Total	175,536.30	Manual	Held	Total	175,536.30
FUND	2	Claims	to	Checks	1	Total	15,000.00	Manual	Held	Total	15,000.00
FUND	3	Claims	to	Checks	3	Total	43,712.84	Manual	Held	Total	43,712.84
FUND	130	Claims	to	Checks	1	Total	170,120.57	Manual	Held	Total	170,120.57
FUND	171	Claims	to	Checks	1	Total	3,650.00	Manual	Held	Total	3,650.00
FUND	176	Claims	to	Checks	7	Total	15,723.63	Manual	Held	Total	15,723.63
FUND	307	Claims	to	Checks	1	Total	8,000.00	Manual	Held	Total	8,000.00
FUND	400	Claims	to	Checks	30	Total	756,357.12	Manual	Held	Total	756,357.12
FUND	404	Claims	to	Checks	1	Total	107,695.17	Manual	Held	Total	107,695.17

Total for all Funds				Checks	117	Total	1,295,795.63	Manual	Held	Total	1,295,795.63

CITY OF GAUTIER
Consent Agenda Item #1
Fact Sheet

Council Meeting:

July 19, 2022

Title:

**Approval of minutes from Regular Council Meeting
held July 5, 2022**

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Approval of minutes from Regular Council Meeting held July 5, 2022.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☒
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, Miss. Code Ann. 21-15-33 requires that the minutes be adopted and approved by a majority of the members of the governing body at the next regular meeting or within thirty (30) days of the meeting they represent, whichever occurs first. Upon such approval, the minutes are valid from and after the date of the meeting; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from the Regular Council Meeting held July 5, 2022 are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**Tuesday
July 5, 2022
Gautier, Mississippi**

BE IT REMEMBERED THAT A REGULAR MEETING of the Mayor and Members of the Council of the City of Gautier, Mississippi was held July 5, 2022 at 6:30 PM in the City Hall Municipal Building, 3330 Highway 90, Gautier Mississippi.

Those present were Mayor Casey Vaughan, Council Members Adam Colledge, Richard Jackson, Gordon Gollott, and Dante Elbin. Also present were Teresa Montgomery, City Clerk; Josh Danos, City Attorney and other concerned citizens. Present by Teleconference were Councilmembers Cameron George and Rusty Anderson and City Manager, Paula Yancey.

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
July 5, 2022 @ 6:30 PM**

I. Call to Order

- 1. Prayer**
- 2. Pledge of Allegiance**

II. Agenda Order Approval

III. Announcements

- 1. Gautier's Farmers Market will be July 9th starting at 8 a.m. until 12 p.m. at George Martin City Park.**
- 2. Gautier Youth Football Camp (ages 5-12) will be July 21st beginning at 8:30am until 11am at the Gautier High School Football Field.**
- 3. Goodwill's Express Donation Station will be July 21st, 22nd, and 23rd from 8am until 6pm at the Singing River Mall Property.**
- 4. Dodging Out of Summer – Dodgeball games (ages 10-16) will be July 27th beginning at 10am until 12pm at Bacot Park.**
- 5. Tasty Thursday will be July 28th beginning at 11am at the Singing River Mall Property.**

IV. Presentation Agenda

V. Business Agenda

1. Consideration for an Abatement at 3000 Ladnier Road, Gautier, MS

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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2. Resolution directing the placement of liens on properties located in Gautier, Mississippi, for fees and charges incurred by the City of Gautier to abate the unsafe conditions of vacant structures, pursuant to Mississippi Code Section 21-19-11

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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3. Authorization to advertise for bids on the construction of the Town Commons Park Amphitheater

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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4. Appointment of Mayor Pro Tem for term of office

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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5. Approval of the Docket of Claims

☐	STAFF PRESENTATION	☐	PUBLIC QUESTIONS/COMMENTS (3 MINUTES PER PERSON)	☐	MOTION COUNCIL DISCUSSION/QUESTIONS	☐	VOTE
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VI. Consent Agenda (All items approved in one motion)

1. Approval of Minutes from Recessed Council Meeting held June 21, 2022

2. Authorization to accept monetary donations for the City of Gautier's Cruisin' Through the Decades event.

3. Approval of a letter of support for Jackson County's Pascagoula River – Jackson County Blueway Connection Project.

4. Authorization to execute a Lease for Public Trust Tidelands, as required for the Shepard State Park Kayak and Boat Launch project.

5. Authorization for the City Manager to execute the MGCCC Rules and Regulations Pertaining to the Use of College Facilities form.

6. Approval of a Settlement of a Disputed Claim between the City of Gautier and Delores Macfarland in the amount of \$133.00

7. **Approval of water and sewer adjustments dated July 5, 2022 in the amount of \$6,295.13**

VII. STUDY AGENDA

1. **Discuss Citizen Comments**
2. **Discuss Council Comments**
3. **Discuss City Manager Comments**
4. **Discuss City Clerk Comments**
5. **Discuss City Attorney Comments**

Recess until July 19, 2022 at 6:30pm
www.gautier-ms.gov

Meeting was called to order by Mayor Vaughan at 6:30pm.

Councilman Gollott made the motion to approve the agenda order, as presented.
Councilman Elbin seconded the motion. The vote was carried unanimously.

Announcements

1. Gautier's Farmers Market will be July 9th starting at 8 a.m. until 12 p.m. at George Martin City Park.
2. Gautier Youth Football Camp (ages 5-12) will be July 21st beginning at 8:30am until 11am at the Gautier High School Football Field.
3. Goodwill's Express Donation Station will be July 21st, 22nd, and 23rd from 8am until 6pm at the Singing River Mall Property.
4. Dodging Out of Summer – Dodgeball games (ages 10-16) will be July 27th beginning at 10am until 12pm at Bacot Park.
5. Tasty Thursday will be July 28th beginning at 11am at the Singing River Mall Property.

Presentation

None



Come be apart of the

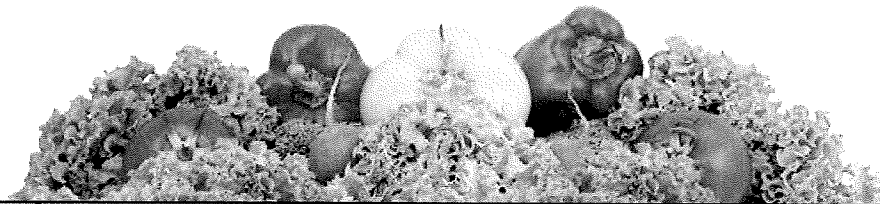


Nature's Playground

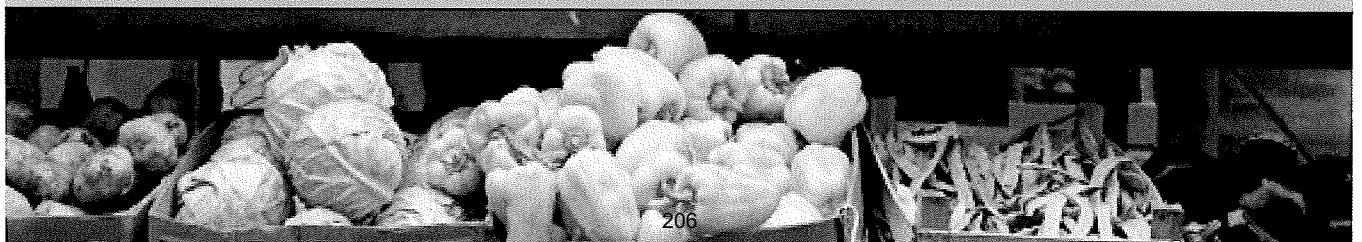
GAUTIER **FARMER'S** MARKET

2ND SAT MAY- SEPT. 8AM-12PM

George Martin City Park- 902 De La Pointe Dr.



To become a vendor call 228-497-2244



GAUTIER YOUTH FOOTBALL CAMP

Free

AGES 5-12

July 21st

**GHS Football Field " The Swamp"
4307 Gautier-Vanceleave Rd.**

FROM 8:30 AM - 11 AM

Sponsored By:

City of Gautier & Gautier High Football Coaching Staff

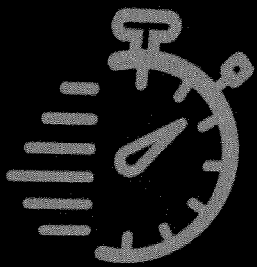
INCLUDES CAMP T-SHIRT

MORE INFORMATION CONTACT:

Gautier Recreation tbrown@gautier-ms.gov

OR CALL: (228) 219-3259 or (228) 218-4632





EXPRESS DONATION STATION



Driving to your area soon!

WEDNESDAY JULY 21ST, 22ND, 23RD 8AM-6PM

Donations that power our mission.

- Clothing
- Home Decor
- Jewelry
- Electronics
- Household Items
- Purses
- Furniture
- Plates, Pots, Utensils, Etc.
- Shoes



Call 228.209.5722 or visit www.goodwillsms.org to check out our calendar for donation locations.

GAUTIER PARKS AND RECREATION DEPARTMENT PRESENTS:

FREE

GAUTIER
MISSISSIPPI

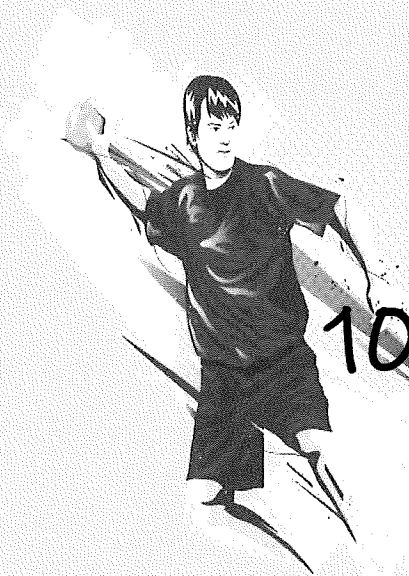


Nature's Playground

DODGING OUT OF THE SUMMER



FRIENDLY DODGEBALL GAMES



AGES 10-16

JULY 27TH

10AM-12NOON

BACOT PARK

2617 LADNIER RD

FOR ANY QUESTIONS PLEASE CONTACT THE
CITY OF GAUTIER'S ATHLETIC MANAGER
TORIAN AT (228)218-4632 OR BY EMAIL AT
TBROWN@GAUTIER-MS.GOV

GAUTIER
MISSISSIPPI



Nature's Playground

GAUTIER PRESENTS

TASTY THURSDAY!

**28
JUL**

11 AM

**GOOD EATS FROM AWESOME
FOOD TRUCKS**

**MANN KETTLE CORN - THE BURGER BOX, MEATBAWL'S FOOD
TRUCK- NORWOODS FAMOUS SKINS, KEEPIN' IT TASTY, FRANKIE
FAYE'S, MAMA RED'S GRILL & MORE, LOS SARAPES TACO'S Y MAS,
SUGAR BEANS CAFE, HAVENS DOWN HOME CREAMERY, & THE
PEANUT MAN, SPUDS & DOGS ON WHEELS, GREEK GALS YUMMIES,
MR. TAMALES, ONES TWOS AND GRILL, THE JUICE BOX, THE FLAMIN
PEPPER**

**SINGING RIVER MALL PROPERTY
2800 HWY 90 GAUTIER, MS**

Councilman Colledge made the motion to approve the Abatement, as presented, at 3000 Ladhier Road, Gautier, MS. Code Enforcement is to allow thirty (30) days prior to taking any action. If at such time, the property owner has not coordinated with the Planning Department, the City shall commence with the abatement process. In addition to the cost of the abatement, a penalty shall be assessed as a lien against the property. Councilman Elbin seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 115-2022

WHEREAS, after proper notice, on or about July 5, 2022, the City Council of Gautier conducted a public hearing relating to possible abatement of a parcel of property located at 3000 Ladhier, Gautier, MS, PID #82502180.000, as recorded on file in the office of the Chancery Clerk of Jackson County, MS); and

WHEREAS, based on the information provided during the hearing, the City Council has concluded that the property in question is in such a state of uncleanness as to be a menace to public health, safety, and welfare of the community;

IT THEREFORE ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to Miss. Code Ann. 21-19-11, that municipal employees or contractors are hereby authorized to clean the abandoned property located at 3000 Ladhier Road, Gautier, MS 39553, by clearing, cutting and removing the rubbish, trash, debris, and unsafe structures, as recommended by the Planning Department.

IT IS FURTHER ORDERED, based on these findings, that the municipality may reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

IT IS FURTHER ORDERED, that a penalty is assessed to the property in the amount of \$1500.00 or 50% of the actual cost of cleaning the property, whichever is more.

IT IS FURTHER ORDERED, that the City may, in the discretion of the City Manager, collect the costs or penalties (if applicable) associated with this abatement as a civil debt as provided by Miss. Code Ann. 21-19-11(3), or as an assessment against the property as provided by Miss. Code Ann. 21-19-11(4). If collected as a civil debt, the City Attorney is hereby directed and authorized to institute suit to obtain abatement costs, penalties (if applicable), Court costs, reasonable attorney's fees, and interest, as provided by law.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Colledge**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Babs Logan, Planning Technician
Date: 06/29/2022
Subject: Consider Abatement of 3000 Ladnier Road, Gautier, MS (Vanderson Chao)

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City of Gautier, the Mayor and City Council will conduct a public hearing and receive public comments regarding staff's recommendation to cut and to remove the rubbish, trash, and debris from the abandoned property at 3000 Ladnier.

BACKGROUND:

DISCUSSION:

The Code Enforcement office has had three (3) cases on 3000 Ladnier for code violations since February 2018. since January 2, 2021. After the owner passed away, the remaining occupant left rubbish, trash, and debris behind a privacy gate in the back of the property. Specifically, there are hundreds of tires left outside that are posing an environmental hazard and mosquitos. One estimate of the tires was that there are 1,000 tires remaining on the property. On May 23, 2022, a code enforcement letter was sent to the address on file with the Jackson County Tax Assessor about the rubbish, trash, and debris left on the property. The Code Enforcement Office received a response from the owner and previous tenant of the property and had talks with both over the phone. Neither the owner nor previous tenant have been financially able to resolve this hazardous problem by removing all the tires. An official abatement notice was sent to the owner on June 21, 2022. The owner called the Code Enforcement office and stated he did not have the money available to dispose of the tires himself and that he would not be attending the abatement hearing. The property taxes are current, but the property has been listed for sale with a real estate agent and the owner is no longer residing in Mississippi.

Due to the length of code enforcement history on this property and the menace that the rubbish, trash, and debris is posing to Gautier, the decision has been made to cut and remove all rubbish, trash, and debris from this property and to properly dispose of all tire debris in accordance with MDEQ regulations.

Public notice for this proposed abatement and council hearing was posted and mailed to the owner as required by law. All reasonable steps have been taken to ensure the property owner has been provided adequate notice that the City of Gautier intends to enter the property and remove any items that detract from the welfare of the neighbors and other residents on the street.

RECOMMENDATION:

The Code Enforcement office requests that City Council approve this abatement for the cutting and removal of rubbish, trash, and debris from 3000 Ladnier in accordance with Mississippi Code Annotated, 1972 § Title 21, Chapter 19, Section 11.

If approved, Council may:

Charge the cost as a lien against the property to be collected upon sale of the property.

Collect the cost through Civil proceedings.

Add \$1,500.00 or 50% to either of the above collection methods.

ATTACHMENTS:

1. Pictures of Property and Postings
2. Parcel Information
3. Code Case History

4. Abatement Public Notice Posted
5. Abatement Hearing Notification Letter
6. Memorandum Public Hearing

TAX HISTORY

Property Link JACKSON COUNTY, MS

Current Date 6/ 2/2022

Tax Year 2021
Records Last Updated 6/ 2/2022

PROPERTY DETAIL			
OWNER	CHAO VANDERSON & CHAO TIENG	ACRES	: 76
	REVOCABLE TRUST	LAND VALUE	: 37026
	8804 LIVE OAK AVE	IMPROVEMENTS	: 82553
	OCEAN SPRINGS MS 39564	TOTAL VALUE	: 119579
		ASSESSED	: 17937

PARCEL 82502180.100

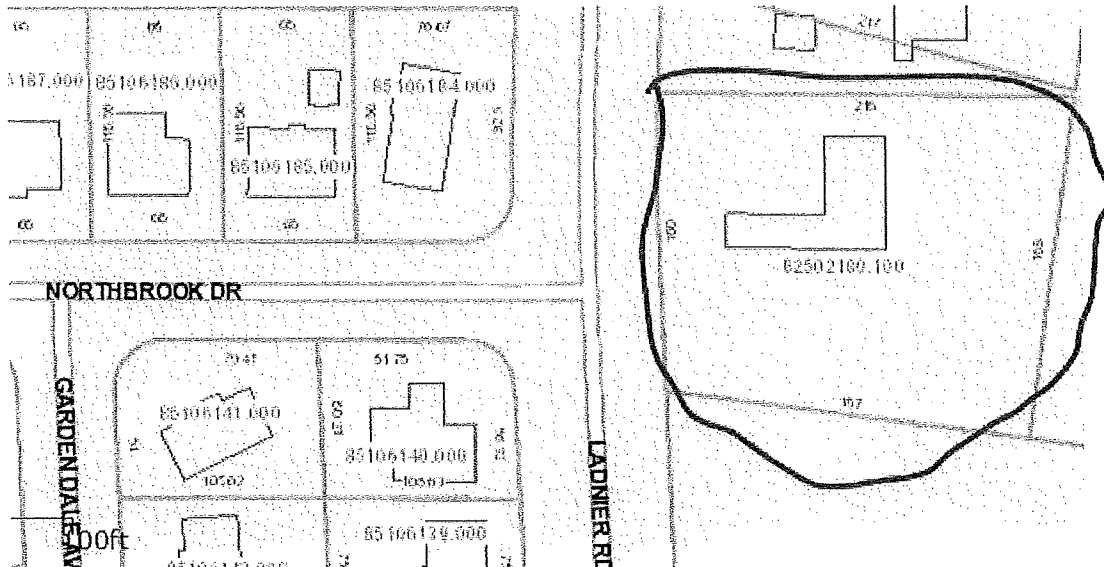
ADDRESS 3000 LADNIER

TAX INFORMATION			
YEAR 2021	TAX DUE	PAID	BALANCE
COUNTY	903.31	903.31	0.00
CITY	771.29	771.29	0.00
SCHOOL	904.56	904.56	0.00
PENALTY & OTHER	25.79	25.79	0.00
TOTAL	2604.95	2604.95	0.00

LAST PAYMENT DATE 5 / 9 / 2022

MISCELLANEOUS INFORMATION

PARCEL INFORMATION



CODE CASE DETAILED REPORT CODE-002849-2022 FOR CITY OF GAUTIER

Case Type: Code **Project:** **Opened Date:** 05/23/2022
Status: Active **District:** **Closed Date:** NOT CLOSED
Assigned To: Patrick Fagan **Description:** tire debris/abate

Address: 3000 Lадnier Main

Note	Created By	Date and Time Created
1. pf. sent ltr to trustee in ocean springs. there is a real estate sign on the property now and I will be going by to get the real estate info to see if the agent can give me any contact info on the former tenant.	Patrick Fagan	5/23/2022 2:33 pm
2. pf. real estate sign info: Heather Tumlinson 228-860-4529. heathertumlinson@gmail.com. She confirmed the owner for me that I have is correct. She is contacting them for me and is sending me the previous tenant's contact info so I can also send them a letter first.	Patrick Fagan	5/23/2022 3:42 pm
3. PF. Vanderson is owner's name. OWNER NUMBER is 228 447 5065, Brandon Martin previous tenant: number is 228-219-7962	Patrick Fagan	5/25/2022 10:29 am
4. PF. I am talking to the new tire store near Hwy 57 to see if they are interested in getting any of the old tires or even leasing the vacant building.	Patrick Fagan	5/25/2022 10:41 am
5. pf. left voicemail at 228-219-7962, which I think might be Brandon Martin's number. Said he needed to call me back because I was getting ready to issue a summons for him to come to court for all the tires that were left behind at Martin Tire Shop. He did not call back. But I used another phone to call him and Brandon answered. He said he was not doing anything, he had no money to do anything, and his name was on no lease or any other paperwork. he would not call any other tire shops to see if they wanted the tires; he would not call the county dump to see if they would take them because he said he had no money for that either. I told him his dad was going to get summonsed to court and that did not even phase him. He did not care at all.	Patrick Fagan	5/26/2022 12:38 pm
6. PF. owner's email address is vannychao@yahoo.com. He texted it to me, so he can also get text messages. He asked for two month extension. I told him I would ask the council for more time if he got some of the tires removed but that I still had to get this on the June 21 docket.	Patrick Fagan	5/31/2022 10:57 am
7. pf. company for tire disposal: jamarius jones, On Time Mechanics Auto Service LLC 2308 Chicot Street, Pascagoula, MS 39553 Jackson (228) 235-7342 \$10 tire, gas, helper--this is going to be very expensive. Maybe \$5000	Patrick Fagan	6/2/2022 10:00 am
8. pf. interested 3rd party sent me about 8 photos of all the tires behind the gate. He said there is at least 1,000 and might even be 2,000. I'm starting the abatement process now and sending the abatement notice for July 21 especially since I have the owner's address and the tenant's name was not on the lease.	Patrick Fagan	6/2/2022 3:37 pm
9. pf. Vanderson's address:	Patrick Fagan	6/2/2022 3:41 pm
10. pf. voicemail left to owner about abatement hearing. abatement notice mailed to tax assessor address, emailed to owner's email address, and emailed to the real estate agent who is trying to sell the property for the owner.	Patrick Fagan	6/2/2022 5:38 pm
11. pf. abatement signs posted	Patrick Fagan	6/3/2022 7:35 am

CODE CASE DETAILED REPORT CODE-001617-2021 FOR CITY OF GAUTIER

Case Type: Code **Project:** **Opened Date:** 07/01/2021
Status: Resolved **District:** **Closed Date:** 11/08/2021
Assigned To: MELISSA CHANDLER **Description:** TIRES VISIBLE FROM THE STREET

Parcel: 82502180.100	Main	Address: 3000 Ladhier Rd Gautier, MS 39553	Main	Zone: MURC-1 (MURC-1)
-----------------------------	------	--	------	------------------------------

Note	Created By	Date and Time Created
1. TIRES ARE VISIBLE FROM THE STREET. LETTER HAND DELIVERED AND MAILECODE ENFORCEMENT 7/1/21		7/1/2021 10:18 am

CODE CASE DETAILED REPORT CODE-000097-2018 FOR CITY OF GAUTIER

Case Type: Code	Project:	Opened Date: 02/08/2018
Status: Resolved	District:	Closed Date: 03/05/2018
Assigned To: CODE ENFORCEMENT	Description: Outside storage ,tires rims ..	

Address: 3000 Ladnier Rd Gautier, MS 39553	Main
--	------

Note	Created By	Date and Time Created
1. I talked to owner and he will get it cleaned up	CODE ENFORCEMENT	2/8/2018 4:13 pm
2. Owner has started removing outside storage from front of property and has removed rims and trailer from front of property.	CODE ENFORCEMENT	2/15/2018 1:03 pm
3. Owner has cleaned up property and removed tire racks from roadside	CODE ENFORCEMENT	3/5/2018 10:34 am

*Mayor
Casey C. Vaughan*

*Council
At Large Adam Colledge
Ward 1 Cameron George
Ward 2 Richard "DJ" Jackson
Ward 3 Gordon Gollott
Ward 4 Rusty Anderson
Ward 5 Dante Elkin*

City of Gautier Gautier, Mississippi



*City Manager
Paula Yancey*

*City Clerk
Teresa L. Montgomery*

*3330 Highway 90
Gautier, MS 39553
Phone : (228) 497-8000
Fax : (228) 497-8028
Email : gautier@gautier-ms.gov*

PUBLIC NOTICE

Public Notice is hereby given by the Mayor and Members of the Gautier City Council that a public hearing will be held at 6:30 PM on July 5, 2022, in the Council Chambers of Gautier City Hall, 3330 Hwy 90, Gautier, Mississippi, to determine whether or not the property or parcel of land described below is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community:

3000 LADNIER

Persons having an interest in said properties are hereby notified that in accordance with 21-19-11 of the Codes of Mississippi of 1972, as amended, the City may upon a finding the property or parcel of land in its existing condition to be a menace to the public health, safety, and welfare of the community, proceed to clean the property or parcel of land as allowed by Mississippi Code 21-19-11. The costs of which may be charged as a lien against such properties to be collected upon sale of the property or through civil proceedings. In addition, an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after final adjudication without any further hearing if notice is posted on the property or parcel of land and at City Hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

*Mayor
Casey C. Vaughan*

*Council
At Large Adam Colledge
Ward 1 Cameron George
Ward 2 Richard "DJ" Jackson
Ward 3 Gordon Gallott
Ward 4 Rusty Anderson
Ward 5 Dante Ellin*

City of Gautier
Gautier, Mississippi



*City Manager
Paula Yancey*

*City Clerk
Teresa L. Montgomery*

*3330 Highway 90
Gautier, MS 39553
Phone : (228) 497-8000
Fax : (228) 497-8028
Email : gautier@gautier-ms.gov
Website: www.gautier-ms.gov*

June 21, 2022

FROM: Patrick Fagan
Code Enforcement
City of Gautier
3330 Hwy 90
Gautier, MS. 39553

TO: Vanderson Chao
8804 Live Oak Ave
Ocean Springs, MS 39564
cc: vannychoo@yahoo.com
heathertumlinson@gmail.com
117 Russel St., Quincy, MA 02171

Re: Notice of Public Hearing
3000 Ladnier

The City of Gautier Mayor and City Council has approved and scheduled a public hearing for adjudication for **3000 Ladnier, Gautier, MS, 39553**. The hearing will be held at Gautier City Hall, 3330 Hwy 90 Gautier, MS. 39553 on **July 5, 2022 at 6:30 P.M.** The purpose of this public hearing is to determine whether or not the property referenced above is in such a state of uncleanness as to be a menace to the public health, safety, and welfare of the community per Mississippi Code Annotated 1972 Title 21, Chapter 19, Section 11.

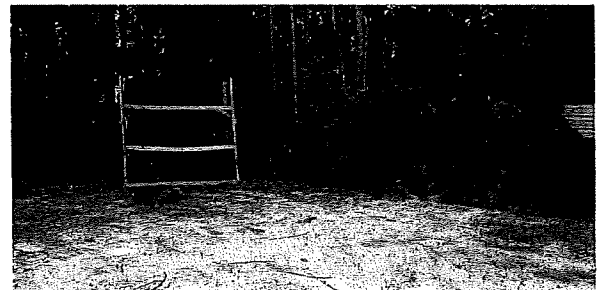
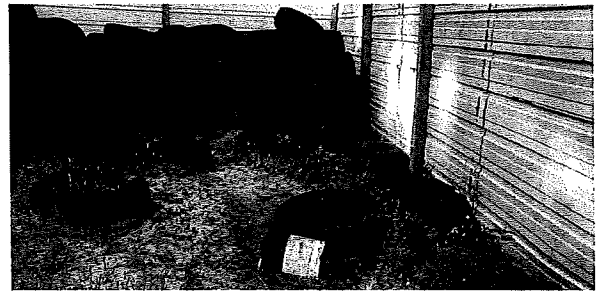
If at the scheduled hearing, the governing authority decides that the property or parcel of land is in a condition determined to be a menace to the public health, safety, and welfare of the community, the City shall proceed to clean the property or parcel of land by the use of municipal workers or by contract.

Additionally, the municipality may reenter the property or parcel of land for a period of one (1) year after the adjudication without any further hearings. A notice will be posted on the property or parcel of land and at City Hall or another place in the Municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for clearing/cleaning.

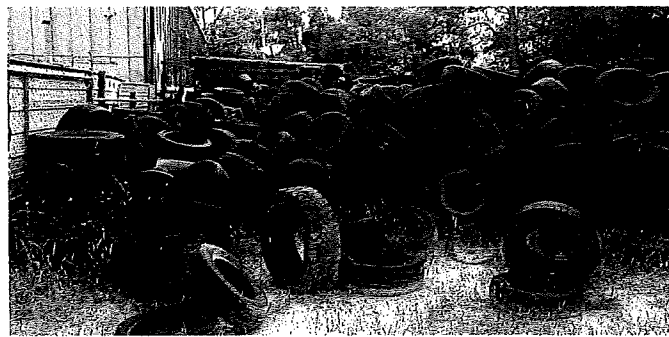
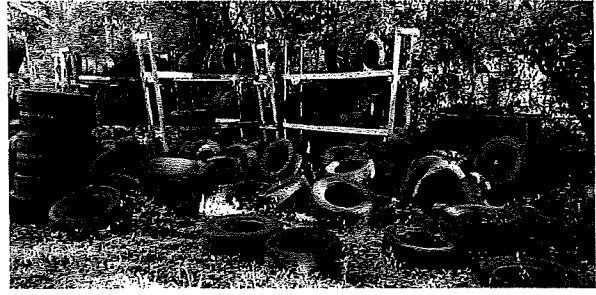
Sincerely,

Patrick Fagan

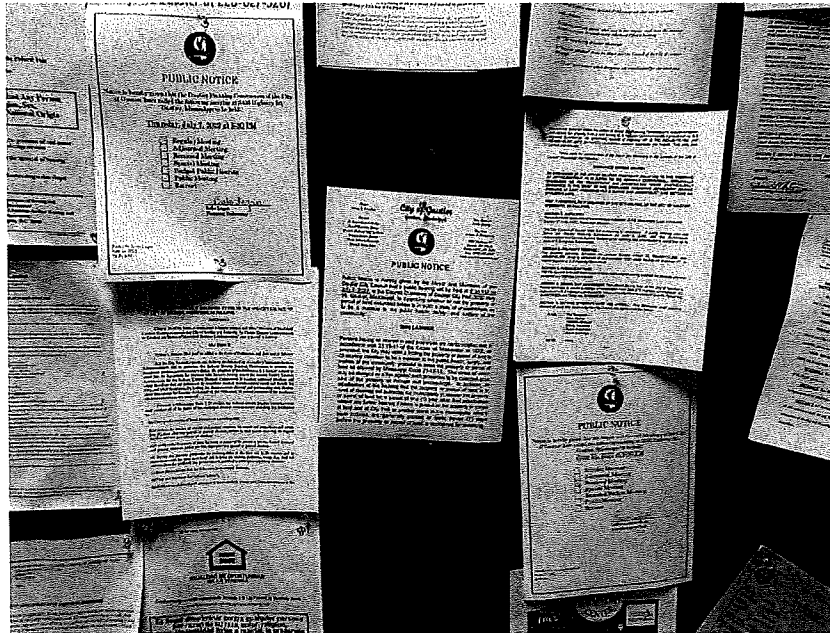
3000 LADNIER ABATEMENT
PHOTOS & POSTINGS

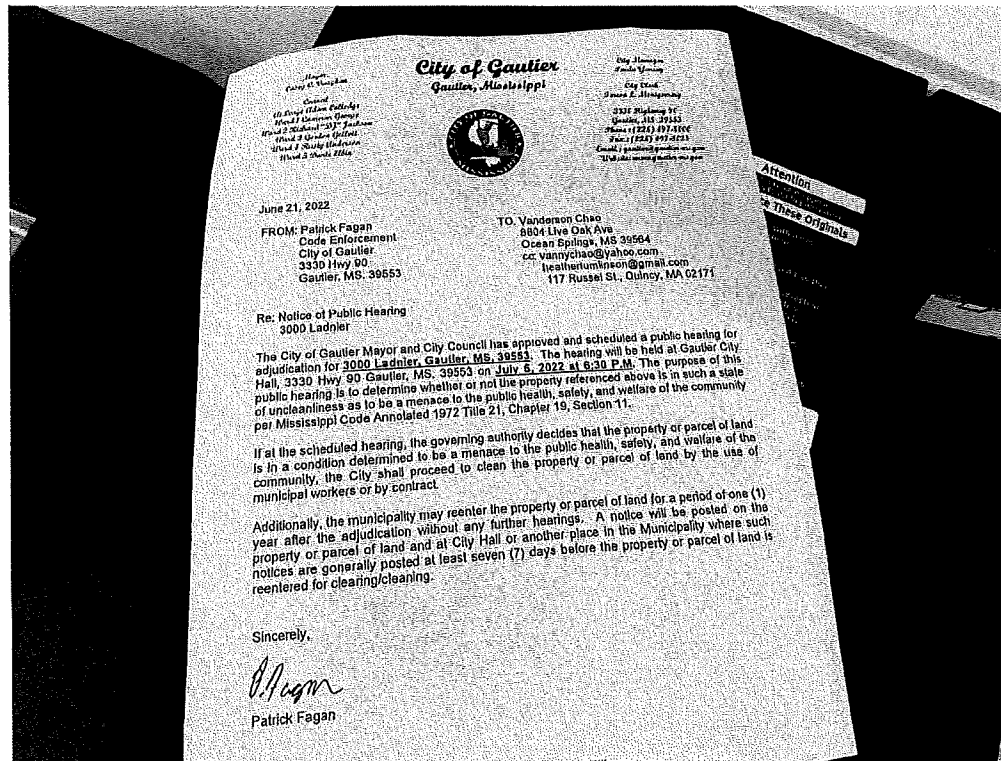
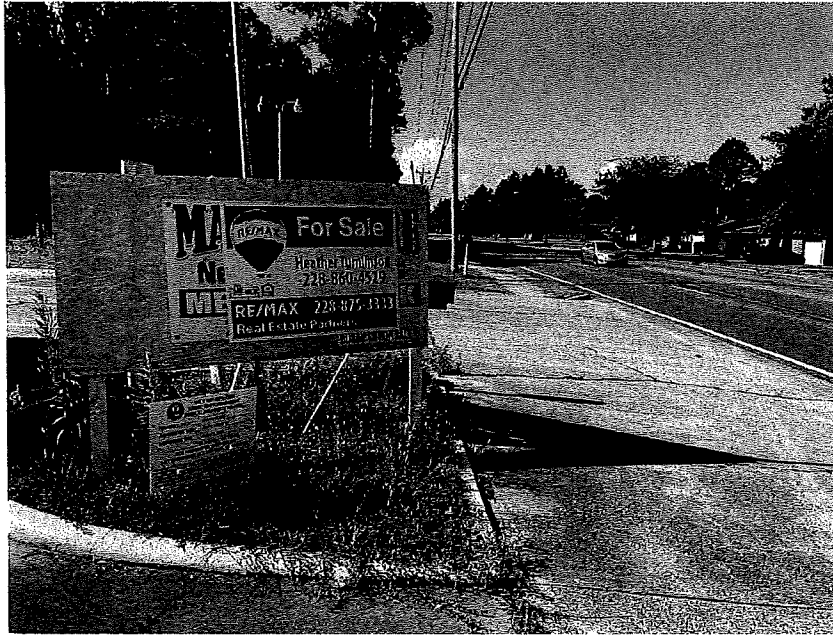






POSTINGS & NOTICE





 Reply  Reply All  Forward



Patrick Fagan

'heathertumlinson@gmail.com'

 1

3000 Ladnier: date changed to July 5 for abatement hearing



Abatement Hearing Notification Letter.pdf
68 KB

Hey! I was letting you know the date for the 3000 Ladnier council hearing changed to July 5, 2022. I've mailed Vanderson the new letter, but it is also attached. Would you be able to forward it to him for me?

Thank you,

Patrick Fagan
Planning & Building Department
City of Gautier, MS
Office: 228-497-1038 ext 316
Fax: 228-497-1038

**CITY OF GAUTIER
MEMORANDUM**

To: Scott Ankerson, Planning and Building Director
From: Patrick Fagan, Code Enforcement Officer
Date: May 26, 2022
Subject: 3000 Ladnier (Abatement: Cut, Remove Rubbish, Trash & Debris)
June 21, 2022 Agenda

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City of Gautier, the Mayor and City Council will conduct a public hearing and receive public comments regarding staff's recommendation to cut and to remove the rubbish, trash, and debris from the abandoned property at 3000 Ladnier.

DISCUSSION:

The Code Enforcement office has had three (3) cases on 3000 Ladnier for code violations since February 2018, since January 2, 2021. After the owner passed away, the remaining occupant left rubbish, trash, and debris behind a privacy gate in the back of the property. Specifically, there are hundreds of tires left outside that are posing an environmental hazard and mosquitos. One estimate of the tires was that there are 1,000 tires remaining on the property. On May 23, 2022, a code enforcement letter was sent to the address on file with the Jackson County Tax Assessor about the rubbish, trash, and debris left on the property. The Code Enforcement Office received a response from the owner and previous tenant of the property and had talks with both over the phone. Neither the owner nor previous tenant have been financially able to resolve this hazardous problem by removing all the tires. An official abatement notice was sent to the owner on June 21, 2022. The owner called the Code Enforcement office and stated he did not have the money available to dispose of the tires himself and that he would not be attending the abatement hearing. The property taxes are current, but the property has been listed for sale with a real estate agent and the owner is no longer residing in Mississippi.

Due to the length of code enforcement history on this property and the menace that the rubbish, trash, and debris is posing to Gautier, the decision has been made to cut and remove all rubbish, trash, and debris from this property and to properly dispose of all tire debris in accordance with MDEQ regulations.

Public notice for this proposed abatement and council hearing was posted and mailed to the owner as required by law. All reasonable steps have been taken to ensure the property owner has been provided adequate notice that the City of Gautier intends to enter the property and remove any items that detract from the welfare of the neighbors and other residents on the street.

RECOMMENDATIONS:

The Code Enforcement office requests that City Council approve this abatement for the cutting and removal of rubbish, trash, and debris from 3000 Ladnier in accordance with Mississippi Code Annotated, 1972 § Title 21, Chapter 19, Section 11.

If approved, Council may:

Charge the cost as a lien against the property to be collected upon sale of the property.

Collect the cost through Civil proceedings.

Add \$1,500.00 or 50% to either of the above collection methods.

ATTACHMENTS:

1. Pictures of Property and Postings
2. Parcel Information
3. Code Case History
4. Abatement Public Notice Posted
5. Abatement Hearing Notification Letter

Councilman Colledge made the motion to adopt a resolution to record liens from abatements, as presented. Councilman Gollott seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

RESOLUTION NUMBER 164-2022

WHEREAS, in accordance with Section 21-19-11, Mississippi Code of 1972, the Council of the City of Gautier, Mississippi, hereby approved, after lawful notice and hearing, that the parcels of land described in "Exhibit A" were in such a state of uncleanness as to be a menace to the public health and safety of the community and authorized them to be abated by the City; and

WHEREAS, during each public hearing, the City Council approved assessment of the cost associated with the abatements, in addition to penalties, as indicated on Exhibit A; and

WHEREAS, the parcels have now been abated by the City of Gautier; and

WHEREAS, it is hereby resolved that the amount set for the parcels listed hereinafter is the actual cost of cleaning of each parcel, plus any penalties, as identified; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI:

SECTION 1. That the City Council for the City of Gautier hereby adopts the foregoing recitals as its findings.

SECTION 2. That the parcels of land identified in "Exhibit A," which are described by reference to deeds recorded at the appropriate pages in the Jackson County, Mississippi, Land Deed Books, are hereby charged with the cost of cleaning each parcel, plus any penalties, as identified.

SECTION 3. That these amounts are hereby declared to be an assessment and lien against each parcel listed in "Exhibit A," which shall be enrolled in the office of the Circuit Clerk of Jackson County, Mississippi, as judgements are enrolled, and the Jackson County Tax Collector, acting as collector of City taxes, is hereby directed to sell each parcel of land to satisfy the liens in the manner provided by law for the sale of land for delinquent taxes.

IT IS FURTHER RESOLVED that the City Manager and City Clerk are authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Colledge**, seconded by **Councilman Gollott**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

Mayor Casey C. Vaughan

Council At Large Adam Colledge

Ward 1 Cameron George

Ward 2 Richard "DJ" Jackson

Ward 3 Gordon Gallott

Ward 4 Rusty Anderson

Ward 5 Dante Ellin

City of Gautier *Mississippi*



City Manager
Paula Yancey

City Clerk
Teresa L. Montgomery

3330 Highway 90
Gautier, MS 39553
Phone : (228) 497-8000
Fax : (228) 497-8028
Email : gautier@gautier-ms.gov
Website: www.gautier-ms.gov

June 20, 2022

Re: Resolution For Lien Assessments

Dear Council Members:

I am requesting the Council approve the abatement costs of six (6) addresses you will find enclosed and titled *Exhibit A*. The costs are associated with previous orders this Council issued for cleaning, cutting, or demolishing dilapidated and dangerous properties. If you need any further information, my number is 228-497-1868 ext 360 and my email address is pfagan@gautier-ms.gov.

Sincerely,

Patrick Fagan

Code Enforcement
City of Gautier
3330 Hwy 90
Gautier, MS. 39553

enclosure

Exhibit A

Gautier Lien Assessments

Parcel & Address	Owner & Mailing Address	Total Assessment
#86301012.000 2521 Dolphin Dr.	Gregory Shorey Address unknown	Cost: \$1,500 50% Penalty: \$0 Total Assessment: \$1,500
#85106016.000 2506 Ridgeway	Michael Stringfield, jr 3906 McCall St Moss Point, MS 39562	Cost: \$4,280 50% Penalty: \$2,140 Total Assessment: \$6,420
#85181137.000 2406 Avenida Del Pinar	Krystal Davison 2624 State St. Gautier, MS 39553	Cost: \$4,860 50% Penalty: \$2,430 Total Assessment: \$7,290
#87116018.010 1701 Sunrise	Greg Hayes 18500 Busby Rd Vancleave, MS 39565	Cost: \$7,300 50% Penalty: \$3,650 Total Assessment: \$10,950
#85432608.000 1305 Hastings	Wesley Heil 1525 Oak Leaf Cr Gautier, MS 39553	Cost: \$3,850 50% Penalty: \$1,925 Total Assessment: \$5,775
#85414005.000 1717 Dolphin	Jean Phillips (est) PO Box 1442 Gautier, MS 39553	Cost: \$5,460 50% Penalty: \$2,730 Total Assessment: \$8,190

Councilman Colledge made the motion to approve the authorization to advertise for bids on the construction of the Town Commons Park Amphitheater, as presented. Councilman Jackson seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 116-2022

WHEREAS, the City of Gautier is requesting the authorization to advertise for bids on the construction of the Town Commons Park Amphitheater; and

WHEREAS, the Town Commons Park Amphitheater is intended to increase economic development, as well as promote regional visitors to our City; and

WHEREAS, this project consists of the construction of the Town Commons Park Amphitheater, entry plaza, stage/support building, restrooms buildings, loading dock/yard area, and all related appurtenances as shown in the bid documents; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to advertise for bids for the construction of the Town Commons Park Amphitheater.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Colledge**, seconded by **Councilman Jackson**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

Councilman Jackson made the motion to re-appoint Councilman At-Large Colledge to serve as Mayor Pro Tem. Councilman Gollott seconded the motion. The vote was carried unanimously. Councilman At-Large Colledge abstained from the vote.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 117-2022

WHEREAS, pursuant to statute the City Council is responsible for selecting the Mayor Pro Tem to serve in the event of the Mayor's absence; and

WHEREAS, the City Council finds that selection of Councilman Colledge as Mayor Pro Tem is in the best interests of the City;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Councilman Colledge is hereby selected as Mayor Pro Tem.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Jackson**, seconded by **Councilman Gollott**, and the following vote was recorded:

AYES: Casey Vaughan
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

ABSTAIN: Adam Colledge

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

Councilman Colledge made the motion to approve the Docket of Claims, as presented, provided that all entries thereon are true, correct, properly entered and not fraudulent. Councilman Gollott seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 118-2022

WHEREAS, Miss. Code Ann. 21-39-9 requires governing authority to review all unpaid claims and determine if there is an obligation. An obligation exists if the related materials and supplies were properly contracted for and received by the municipality; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Docket of Claims is hereby approved, provided that all entries thereon are true, correct, properly entered and not fraudulent.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Colledge**, seconded by **Councilman Gollott**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

Docket of Claims
Release date from 07/05/2022 thru 07/05/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	AT&T	222746	07/05/2022	06/23/2022			70.12	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-699	NCIC TELECOM		2284970262	05/14/2022		35.06	
	001-100-699	NCIC TELECOM		2284970262	06/14/2022		35.06	
001	AT&T	222748	07/05/2022	06/23/2022			3,941.06	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		2284978000	06/14/2022		3,941.06	
001	STEINER SAW & MOWER	222756	07/05/2022	06/27/2022			293.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-639	MOTOR MIX		364538	09/16/2021		9.00	
	001-170-639	GATORLINE(2), WEEDEATER HEAD(6)		242198	03/16/2022		248.00	
	001-170-639	OIL MIX 6PK (4)		242198	03/16/2022		36.00	
001	SPARKLIGHT	222757	07/05/2022	06/27/2022			127.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-698	JUL 2022: MAINT GRG #134679919		06132022	06/20/2022		127.95	
001	SPARKLIGHT	222758	07/05/2022	06/27/2022			85.46	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	JUL 2022: SFD #12202591		06162022	06/23/2022		85.46	
001	SPARKLIGHT	222759	07/05/2022	06/27/2022			85.46	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	JUL 2022: NFD #122024383		06162022	06/23/2022		85.46	
001	SPARKLIGHT	222760	07/05/2022	06/27/2022			85.46	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-698	JUL 2022: CFD #122024086		06162022	06/23/2022		85.46	
001	SPARKLIGHT	222762	07/05/2022	06/27/2022			215.76	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-631	JUL 2022: BACOT #135939403		06162022	06/23/2022		215.76	
001	FUELMAN	222763	07/05/2022	06/27/2022			5,473.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP62361981	06/20/2022		91.76	
	001-100-525	UNL FUEL		NP62361981	06/20/2022		3,642.98	
	001-161-525	UNL&DSL FUEL		NP62361981	06/20/2022		1,286.87	
	001-170-525	UNL&DSL FUEL		NP62361981	06/20/2022		452.23	
001	FUELMAN	222767	07/05/2022	06/27/2022			5,154.17	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP62385427	06/27/2022		169.67	
	001-092-525	UNL FUEL		NP62385427	06/27/2022		44.08	
	001-100-525	UNL FUEL		NP62385427	06/27/2022		3,703.94	
	001-161-525	UNL&DSL FUEL		NP62385427	06/27/2022		674.50	
	001-170-525	UNL FUEL		NP62385427	06/27/2022		508.42	
	001-205-525	UNL FUEL		NP62385427	06/27/2022		53.56	

Docket of Claims
Release date from 07/05/2022 thru 07/05/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SBM REPORTING LLC Account Number 001-090-698	222769	07/05/2022	06/27/2022	Invoice # MB1391	Date 06/13/2022	175.00 Amount	175.00
001	RJ YOUNG COMPANY LLC Account Number 001-092-698	222770	07/05/2022	06/27/2022	Invoice # INV4833754	Date 06/17/2022	470.88 Amount	470.88
001	RJ YOUNG COMPANY LLC Account Number 001-100-699 001-100-699	222771	07/05/2022	06/27/2022	Invoice # INV4814805 INV4814805	Date 06/06/2022 06/06/2022	75.55 Amount	38.00 37.55
001	COG 7M BOND ACCT Account Number 001-000-104	222774	07/05/2022	06/28/2022	Invoice # 06172022	Date 06/17/2022	135,897.03 Amount	135,897.03
001	FRANK A MAY Account Number 001-100-570 001-100-570 001-100-570 001-205-570	222775	07/05/2022	06/28/2022	Invoice # 334061 334061 334061 334061	Date 06/26/2022 06/26/2022 06/26/2022 06/26/2022	103.95 Amount	35.98 38.99 18.99 9.99
001	BUTLER SNOW LLP Account Number 001-001-601	222776	07/05/2022	06/28/2022	Invoice # 10340247	Date 06/16/2022	11,746.40 Amount	11,746.40
001	DIRECTV LLC Account Number 001-161-698	222777	07/05/2022	06/28/2022	Invoice # 06132022	Date 06/14/2022	168.00 Amount	168.00
001	FEDERAL EXPRESS Account Number 001-092-607	222778	07/05/2022	06/28/2022	Invoice # 962774654	Date 06/15/2022	5.23 Amount	5.23
001	PITNEY BOWES GLOBAL FINANCIAL SERVS Account Number 001-092-698	222779	07/05/2022	06/28/2022	Invoice # 3315869947	Date 06/15/2022	537.54 Amount	537.54
001	JACKSON COUNTY BOARD OF SUPERVISORS Account Number 001-170-740	222780	07/05/2022	06/28/2022	Invoice # 06202022	Date 06/20/2022	10.00 Amount	10.00
001	SCOTT INSURANCE SERVICES LLC Account Number 001-092-625 001-092-625	222781	07/05/2022	06/28/2022	Invoice # 44659 37322	Date 06/14/2022 06/10/2022	145.00 Amount	175.00 -30.00

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SUN HERALD	222783	07/05/2022	06/28/2022			802.16	
	Account Number 001-040-559	Description 52 WK SUBSCRIPTION		Invoice # BLX2003375	Date 07/13/2022	P.O.	Amount	802.16
001	VIRTUAL DOXX CORPORATION	222784	07/05/2022	06/28/2022			2,560.00	
	Account Number 001-100-699	Description ANNUAL MAINT 4/22-3/23		Invoice # 22-0028	Date 04/01/2022	P.O.	Amount	2,560.00
001	GRAND VIEW SECURITY LLC	222785	07/05/2022	06/28/2022			350.00	
	Account Number 001-170-698	Description INSTALL LOCKS: BACOT RESTRMS		Invoice # 0627121992	Date 06/27/2022	P.O.	Amount	350.00
001	SINGING RIVER ELECTRIC COOPERATIVE	222788	07/05/2022	06/28/2022			730.37	
	Account Number 001-161-631	Description BROWN FD 95237002		Invoice # 06152022	Date 06/23/2022	P.O.	Amount	426.45
	001-161-631	MARTIN BLUFF FD 58380001		06172022	06/24/2022			239.70
	001-201-629	SIGNAL LIGHTS 17546		06172022	06/24/2022			33.47
	001-092-631	CITY LIMIT SIGN 17546		06172022	06/24/2022			30.75
001	COG 7M BOND ACCT	222803	07/05/2022	06/28/2022			460,535.00	
	Account Number 001-900-969	Description BUDGETED TR: F130 DEBT SERV		Invoice # 08012022	Date 06/28/2022	P.O.	Amount	460,535.00
001	MPI GO BOND S2019 CONSTRUCTION FUND	222804	07/05/2022	06/28/2022			196,000.00	
	Account Number 001-900-969	Description FUND BACOT PARK PROJ BALANCE		Invoice # 07012022	Date 06/28/2022	P.O.	Amount	196,000.00
001	CG MPI GO BOND DEBT SERVICE FUND	222807	07/05/2022	06/28/2022			2,250.00	
	Account Number 001-900-969	Description TR DEBT SERV: ADMIN FEE INC		Invoice # 08012022	Date 06/28/2022	P.O.	Amount	2,250.00
001	C SPIRE WIRELESS	222808	07/05/2022	06/29/2022			954.22	
	Account Number 001-100-605	Description POLICE CELLS		Invoice # 0032680896	Date 06/11/2022	P.O.	Amount	473.60
	001-100-699	DATA CARDS (12)		0032680896	06/11/2022			480.62
001	REYNOLDS WHOLESALE CO	222809	07/05/2022	06/29/2022			230.00	
	Account Number 001-170-559	Description GATORADE POWDER 32PKS/CASE(2)		Invoice # 72214	Date 06/15/2022	P.O. 220985	Amount	230.00
001	ACTION PRINTING CENTER INC	222810	07/05/2022	06/29/2022			68.00	
	Account Number 001-090-500	Description FIRE DEPT STAMP FOR PLANS		Invoice # 103268	Date 06/24/2022	P.O. 220961	Amount	68.00
001	MID SOUTH UNIFORM & SUPPLY INC	222811	07/05/2022	06/29/2022			131.34	
	Account Number 001-100-535	Description CLASS B CONVERT TACT PANTS(2)		Invoice # 629818	Date 06/22/2022	P.O. 220356	Amount	131.34

Docket of Claims
Release date from 07/05/2022 thru 07/05/2022

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	SOUTHERN PIPE & SUPPLY CO INC	222813	07/05/2022	06/29/2022			121.52	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-634	3 SCH 40 PVC SXS BALL VALVE	6784083-00	06/13/2022	220963		63.56	
	001-170-634	3SCH 40 PVC SXS COUPLING (2)	6784083-00	06/13/2022	220963		16.82	
	001-170-634	3SCH 40 PVC SXSXS TEE	6784083-00	06/13/2022	220963		18.79	
	001-170-634	3SCH 40 PVC SXS 90 DEG ELL	6784083-00	06/13/2022	220963		13.04	
	001-170-634	3X2 SCH 40 PVC BUSHING	6784083-00	06/13/2022	220963		6.35	
	001-170-634	2X1 SCH 40 PVC BUSHING	6784083-00	06/13/2022	220963		2.96	
001	HAYGOODS INDUSTRIAL ENGRAVERS INC	222815	07/05/2022	06/29/2022			20.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-022-660	2"X 10" WOOD GRAIN PLATE (2)	2206048	06/14/2022	220988		20.00	
001	PRO-LOCK LOCKSMITH SERVICE	222816	07/05/2022	06/29/2022			2,659.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-635	MASTER KEYING SET UP FEE	60741	04/13/2022	220648		300.00	
	001-100-635	2 LVL MASTERED CYLINDER (57)	60741	04/13/2022	220648		1,140.00	
	001-100-635	7 LVL MASTERED CYLINDER (2)	60741	04/13/2022	220648		70.00	
	001-100-635	MX2 MORTISE CYL W/ 3 KEYS	60741	04/13/2022	220648		30.00	
	001-100-635	SARGENT LA DND KEYS (137)	60741	04/13/2022	220648		616.50	
	001-100-635	LABOR HOURS (6)	60741	04/13/2022	220648		450.00	
	001-100-635	MX2 KIK CYLINDER	60741	04/13/2022	220648		30.00	
	001-100-635	SARGENT LA MORTISE CYLINDER	60741	04/13/2022	220648		22.50	
001	STAPLES BUSINESS ADVANTAGE DEPT ATL	222817	07/05/2022	06/29/2022			250.07	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-500	BRISTOL CRDSTK PAPER 250/SHEET	3509834826	06/07/2022	220956		11.69	
	001-170-500	EASY FEEL ADDRESS LABELS	3509834826	06/07/2022	220956		25.84	
	001-170-500	EVERY LASER SHIPPING LABELS	3509834826	06/07/2022	220956		26.62	
	001-170-500	HP BLACK HIGH YIELD INK	3509834826	06/07/2022	220956		115.85	
	001-170-500	BLACK STANDARD YIELD INK	3509834826	06/07/2022	220956		19.99	
	001-170-500	CYAN/MAGENTA/YELLOW INK 3/PK	3509834826	06/07/2022	220956		38.95	
	001-170-500	SMOOTH PAPER CLIPS 100/BX (4)	3509834826	06/07/2022	220956		1.64	
	001-170-500	HIGHLAND INVISIBLE TAPE 6PK	3509834826	06/07/2022	220956		9.49	
001	SPORTABOUT	222819	07/05/2022	06/29/2022			28.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-170-513	2 POST AWARD TROPHY: REC EVENT	9614	06/27/2022	221004		28.00	
001	SOUTHERN TIRE MART LLC DEPT 143	222822	07/05/2022	06/29/2022			764.19	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-638	2 AXLE ALIGNMENT : E2	2500101372	06/15/2022	220877		199.00	
	001-161-638	TIRE CHANGE MED TRUCK: E3	2500100549	06/15/2022	220784		35.00	
	001-161-638	VALVE STEM STEEL MEDIUM: E3	2500100549	06/15/2022	220784		7.95	
	001-161-638	FREE TIRE DISPOSAL : E3	2500100549	06/15/2022	220784		7.00	
	001-161-638	385/65R/22.5/18 : E3	2500100549	06/15/2022	220784		515.24	

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001	E AND J TIRE LLC	222823	07/05/2022	06/29/2022			20.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-638	VALVE STEM		2674	05/19/2022			20.00
001	THE SOUTHERN CONNECTION POLICE SUPPLIES	222824	07/05/2022	06/29/2022			384.93	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-535	BLAUER PANTS 8657T PANTS (2)		21970	06/22/2022	220900		129.98
	001-100-535	BLAUER TROUSERS 8650T 34 REG		21970	06/22/2022	220900		44.99
	001-100-535	BLAUER SUPERSHIRT LS M/REG		21970	06/22/2022	220900		49.99
	001-100-535	ARMORSKIN WINTER BASE SHIRT ME		21970	06/22/2022	220900		59.99
	001-100-535	SAM BROOME POLY 3INCH TIE		21970	06/22/2022	220900		10.99
	001-100-535	BLAUER SUPERSHIRT 15.5/32 33		21970	06/22/2022	220900		54.99
	001-100-535	POLISHED GOLD BLK NAME PLATE		21970	06/22/2022	220900		16.00
	001-100-535	POLISHED SILVER/BL SERV SINCE		21970	06/22/2022	220900		18.00
001	AMAZON COM SALES INC	222825	07/05/2022	06/29/2022			379.14	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-559	SIMPLE GREEN DEGREASER (3)		1QJQML7DPH	06/11/2022	220959		29.91
	001-205-559	RECHARGABLE TAC FLASHLIGHT		1QJQML7DPH	06/11/2022	220959		31.99
	001-205-559	SELF LOCKING KEYTAGS 1000/PK		1QJQML7DPH	06/11/2022	220959		11.99
	001-205-559	SHIPPING		1QJQML7DPH	06/11/2022	220959		12.27
	001-170-559	OUTDR LOCKG BULLETIN BOARD		1N7F4YXCH	06/10/2022	220975		160.50
	001-170-638	CARBURETOR POLARIS RANGER		1JFPVJURG3	06/10/2022	220972		39.99
	001-170-638	CARBURETOR CARB W/ INTAKE		1JFPVJURG3	06/10/2022	220972		43.67
	001-170-638	POLARIS OFF ROAD CHOKE CABLE		1JFPVJURG3	06/10/2022	220972		92.49
	001-170-638	CARBURETOR CARB W/INTAKE (RTN)		1TP47C1M1J	06/14/2022	220972		-43.67
001	MOTOROLA SOLUTIONS INC	222828	07/05/2022	06/29/2022			984.30	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-559	ASSY GPS STUBBY ANTENNA (10)		8281398532	06/16/2022	220301		153.00
	001-100-559	BATT IMPRESS LIION/RADIOS (6)		8281398317	06/15/2022	220301		831.30
001	PRECISION DOOR SERVICE	222830	07/05/2022	06/29/2022			7,665.96	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-635	COMMERCIAL SERVICE FEE		40112102	04/26/2022	220656		125.00
	001-161-635	COMMERCIAL TUNE UP SPECIAL (2)		40112102	04/26/2022	220656		499.98
	001-161-635	OPERATOR HOIST OPERATOR (2)		40112102	04/26/2022	220656		5,301.00
	001-161-635	LIFTMASTER LIGHT CURTAIN (2)		40112102	04/26/2022	220656		1,739.98
001	PITTMAN HOWDESHELL PLLC	222860	07/05/2022	06/30/2022			887.04	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-060-602	LEGAL SERV:SR MALL PROPERTY		1008	06/29/2022			887.04
001	COASTAL PAINTING & GENERAL	222862	07/05/2022	06/30/2022			2,250.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-170-634	PLBG REPRS CITY PARK: LABOR &		2632	05/24/2022	220897		2,250.00
FUND TOTAL	1 Claims	to	Checks	45 Total	845,892.10 Manual	Held	Total	845,892.10

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130	THE PEOPLES BANK	221534	07/05/2022	06/29/2022			460,535.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-680-812	PRN: GO REF BOND S2020		3322	05/23/2022		425,000.00	
	130-680-813	INT: GO REF BOND S2020		3322	05/23/2022		33,285.00	
	130-680-686	ANNUAL ADMIN FEE GAUTGORF20		3322	05/23/2022		2,250.00	
130	MICHAEL BAKER INTERNATIONAL	222801	07/05/2022	06/28/2022			13,676.56	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-130-763	CONST ENG & INS: #10		1150608	06/23/2022		13,676.56	
FUND TOTAL 130 Claims	to	Checks	2 Total	474,211.56	Manual	Held	Total	474,211.56

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156	AMAZON COM SALES INC	222826	07/05/2022	06/29/2022			279.96	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	156-100-799	2-PACK REPLACEMENT BATTERY (4)		1DT9RT9PRQ	06/26/2022	221019		279.96
156	AGJ SYSTEMS & NETWORKS INC	222827	07/05/2022	06/29/2022			3,545.46	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	156-100-799	DELL OPTIPLEX 3090 (3)		96677	06/20/2022	220982		3,545.46
156	RUSSOM'S GULF COAST INC	222829	07/05/2022	06/29/2022			3,910.38	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	156-100-799	TIRE FR 13080B17: UNIT M1		199445	05/10/2022	220389		245.99
	156-100-799	TIRE DISPOSAL FEE		199445	05/10/2022	220389		5.95
	156-100-799	TIRE R/R 180/65B16		199445	05/10/2022	220389		312.99
	156-100-799	DISPOSAL FEE		199445	05/10/2022	220389		5.95
	156-100-799	ANTI NOISE PAD AND PASTE		199445	05/10/2022	220389		58.99
	156-100-799	KIT BRAKEPAD & PIN FRT CA (2)		199445	05/10/2022	220389		105.98
	156-100-799	KIT GASKET SERV 1K/5K/10K		199445	05/10/2022	220389		5.99
	156-100-799	SYN3 1-QT BTL (6)		199445	05/10/2022	220389		77.94
	156-100-799	OIL FILTER BLACK		199445	05/10/2022	220389		13.99
	156-100-799	BELT SEC DRIVE		199445	05/10/2022	220389		298.99
	156-100-799	SPROCKET BEARING ASY		199445	05/10/2022	220389		262.99
	156-100-799	O-RING (2)		199445	05/10/2022	220389		3.98
	156-100-799	GASKET ROCKER (2)		199445	05/10/2022	220389		15.98
	156-100-799	BREATHING ASSY (2)		199445	05/10/2022	220389		31.98
	156-100-799	GASKET ROCKER COVER (2)		199445	05/10/2022	220389		13.98
	156-100-799	SEAL SHIFT SHAFT		199445	05/10/2022	220389		3.99
	156-100-799	GASKET KIT INNER PRIMARY		199445	05/10/2022	220389		58.99
	156-100-799	GASKET PRIMARY COVER		199445	05/10/2022	220389		38.99
	156-100-799	SYN 3 1-QUART BTL		199445	05/10/2022	220389		12.99
	156-100-799	O-RING		199445	05/10/2022	220389		1.99
	156-100-799	CABLE ASY CLUTCH		199445	05/10/2022	220389		119.99
	156-100-799	BRAKE FLUID DOT 4 PLATINUM		199445	05/10/2022	220389		7.99
	156-100-799	BEARING ROLL ELEM ABS WHE		199445	05/10/2022	220389		32.99
	156-100-799	BEARING ROLL ELEM NO ABS		199445	05/10/2022	220389		22.99
	156-100-799	MASTER CYL REPAIR KIT		199445	05/10/2022	220389		18.99
	156-100-799	LABOR TOTAL		199445	05/10/2022	220389		2,083.81
	156-100-799	SHOP SUPPLIES		199445	05/10/2022	220389		45.00
FUND TOTAL 156 Claims	to	Checks	3 Total	7,735.80	Manual	Held	Total	7,735.80

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
171	ISCO METAL & SUPPLY	222812	07/05/2022	06/29/2022			990.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	171-176-779	6X6 METAL GATE POSTS(2): SSP		222263	06/14/2022	220971		990.00
171	GRAND VIEW SECURITY LLC	222820	07/05/2022	06/29/2022			13,257.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	171-176-779	IP CAMERA STARLIGHT(6)		0623101788	06/28/2022	220600		1,260.00
	171-176-779	NETWORK SWITCH 4 PORT POE (6)		0623101788	06/28/2022	220600		342.00
	171-176-779	CANTEX BOX 12"X12" (3)		0623101788	06/28/2022	220600		255.00
	171-176-779	AVYCON ANTENNA (8)		0623101788	06/28/2022	220600		1,200.00
	171-176-779	ANTENNA MAST 4X4X12' (6)		0623101788	06/28/2022	220600		3,900.00
	171-176-779	LABOR FOR INSTALLATION (40)		0623101788	06/28/2022	220600		4,000.00
	171-176-779	SOLAR PANEL/BATT ON BRACKET (2)		0623101788	06/28/2022	220600		2,300.00
FUND TOTAL 171 Claims	to	Checks	2 Total	14,247.00	Manual	Held	Total	14,247.00

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
172	JACKSON-GEORGE REGIONAL LIBRARY	222800	07/05/2022	06/28/2022			3,758.27	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	172-350-650	LIBRARY SUPPORT		JUN 2022	06/23/2022			3,758.27
FUND TOTAL 172 Claims	to	Checks	1 Total	3,758.27	Manual	Held	Total	3,758.27

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
176	AT&T	222747	07/05/2022	06/23/2022			259.76	
	Account Number 176-170-605	Description MONTHLY SERVICE		Invoice # 2284972244	Date 06/14/2022	P.O.	Amount	259.76
176	SPARKLIGHT	222754	07/05/2022	06/27/2022			246.94	
	Account Number 176-170-699	Description JULY 2022 SSP: INET #132698937		Invoice # 06132022	Date 06/20/2022	P.O.	Amount	246.94
176	SPARKLIGHT	222764	07/05/2022	06/27/2022			127.95	
	Account Number 176-170-699	Description JUL 2022: #136075116		Invoice # 06162022	Date 06/23/2022	P.O.	Amount	127.95
176	FUELMAN	222765	07/05/2022	06/27/2022			64.10	
	Account Number 176-170-525	Description UNL FUEL		Invoice # NP62361981	Date 06/20/2022	P.O.	Amount	64.10
176	COCA COLA BOTTLING CO UNITED INC	222786	07/05/2022	06/28/2022			212.00	
	Account Number 176-170-541	Description CS 200Z SPRITE (1)		Invoice # 3328224447	Date 05/03/2022	P.O.	Amount	28.00
	176-170-541	CS 200Z COKE (1)		3328224447	05/03/2022			28.00
	176-170-541	CS 200Z DIET COKE (1)		3328224447	05/03/2022			28.00
	176-170-541	CS 200Z SPORTS DRINK (1)		3328224447	05/03/2022			24.00
	176-170-541	CS 200Z COKE (1)		3328225055	06/14/2022			28.00
	176-170-541	CS 200Z BARQS (1)		3328225055	06/14/2022			28.00
	176-170-541	CS 200Z SPORTS DRINK (2)		3328225055	06/14/2022			48.00
FUND TOTAL 176 Claims to		Checks 5 Total		910.75 Manual		Held	Total	910.75

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
300	JE TALLEY CONSTRUCTION INC Account Number 300-600-683	222791	07/05/2022	06/28/2022			37,030.05	
	Description			Invoice #	Date	P.O.	Amount	
	CONSTRUCTION 100%			3	06/21/2022			37,030.05
300	JE TALLEY CONSTRUCTION INC Account Number 300-600-683	222792	07/05/2022	06/28/2022			18,185.39	
	Description			Invoice #	Date	P.O.	Amount	
	CONSTRUCTION RETAINAGE			4	06/21/2022			18,185.39
FUND TOTAL 300 Claims	to	Checks	2 Total	55,215.44	Manual		Held	Total 55,215.44

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
305	TYLER RIDGDELL	222831	07/05/2022	06/29/2022			15,420.00	
	Account Number 305-300-721	Description		Invoice #	Date	P.O.	Amount	
		LABOR/MATERIALS TURF REPAIR		22062801	06/28/2022	220974	15,420.00	
FUND TOTAL 305 Claims	to	Checks 1 Total		15,420.00 Manual		Held	Total	15,420.00

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307	STARKS CONTRACTING COMPANY INC	222802	07/05/2022	06/28/2022			186,211.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	307-300-779	CONSTRUCTION 93%		9	06/23/2022		5,756.03	
	307-300-779	RETAINAGE HELD: ORG CONTRACT		9	06/23/2022		180,454.97	
307	TYLER RIDGDELL	222832	07/05/2022	06/29/2022			42,000.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	307-300-779	LABOR/MATER BROADCAST SEED		22062802	06/28/2022	220973	24,000.00	
	307-300-779	IRRIGATION SYSTEM INSTL: BACOT		22062802	06/28/2022	220973	18,000.00	
FUND TOTAL 307 Claims	to	Checks	2 Total	228,211.00	Manual	Held	Total	228,211.00

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Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
355	WAGGONER ENGINEERING INC Account Number 355-723-763	222787	07/05/2022	06/28/2022			25,405.00	
		Description		Invoice #	Date	P.O.	Amount	
		BID PHASE: TRMNT PLANT		39408	06/06/2022			25,405.00
FUND TOTAL 355 Claims	to	Checks	1 Total	25,405.00	Manual		Held	Total 25,405.00

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400	2018-2019 BOND DEBT SERVICE FUND Account Number 400-900-950	222641	07/05/2022	06/14/2022	Invoice # 07012022	Date 07/01/2022 P.O.	24,000.00 Amount	24,000.00
400	2018-2019 BOND DEBT SERVICE FUND Account Number 400-900-950	222642	07/05/2022	06/14/2022	Invoice # 07012022	Date 07/01/2022 P.O.	32,000.00 Amount	32,000.00
400	COG DEPOSITORY ACCOUNT Account Number 400-680-821	222663	07/05/2022	06/14/2022	Invoice # 06092022	Date 06/09/2022 P.O.	43,427.11 Amount	7,877.45
	400-680-822	ST LNS #3 90/57 SWR			06092022	06/09/2022		10,948.67
	400-680-822	ST LNS #4 90/57 WTR			06092022	06/09/2022		9,019.22
	400-680-823	ST LNS #5 ALLEN RD			06092022	06/09/2022		2,149.95
	400-680-824	ST LNS #6 OLD SPAN TR			06092022	06/09/2022		3,765.83
	400-680-825	ST LNS #7 OLD SPAN TR			06092022	06/09/2022		9,665.99
400	AT&T Account Number 400-650-605	222721	07/05/2022	06/21/2022	Invoice # 2284972276	Date 06/06/2022 P.O.	67.77 Amount	67.77
400	AT&T Account Number 400-650-605	222755	07/05/2022	06/27/2022	Invoice # 2284975234	Date 06/14/2022 P.O.	51.29 Amount	51.29
400	SPARKLIGHT Account Number 400-650-698	222761	07/05/2022	06/27/2022	Invoice # 06162022	Date 06/23/2022 P.O.	91.88 Amount	91.88
400	FUELMAN Account Number 400-650-525	222766	07/05/2022	06/27/2022	Invoice # NP62361981	Date 06/20/2022 P.O.	286.58 Amount	286.58
400	FUELMAN Account Number 400-650-525	222768	07/05/2022	06/27/2022	Invoice # NP62385427	Date 06/27/2022 P.O.	308.90 Amount	308.90
400	RJ YOUNG COMPANY LLC Account Number 400-650-698	222772	07/05/2022	06/27/2022	Invoice # GSI100-01:RENTAL FEE	Date 06/17/2022 P.O.	278.34 Amount	166.49
	400-650-698	IM C4500:COLOR			INV4834162	06/17/2022		98.00
	400-650-698	IM C4500:B/W			INV4834162	06/17/2022		13.85
400	SOUTHERN LINC Account Number 400-650-698	222773	07/05/2022	06/27/2022	Invoice # 64866	Date 06/01/2022 P.O.	86.56 Amount	80.00
	400-650-698	MAY 2022 SERV FEES			64866	06/01/2022		6.56
	400-650-698	FEES & TAXES			64866	06/01/2022		

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400	SINGING RIVER ELECTRIC COOPERATIVE	222789	07/05/2022	06/28/2022			25.91	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	CARTER RD WTR TANK 109812001		06152022	06/23/2022			25.91
400	SINGING RIVER ELECTRIC COOPERATIVE	222790	07/05/2022	06/28/2022			2,602.69	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STATIONS 20649		06152022	06/23/2022			1,171.49
	400-651-631	LIFT STATIONS 28779		06152022	06/23/2022			100.87
	400-651-631	LIFT STATIONS 20688		06122022	06/21/2022			193.50
	400-651-631	SCHOONER WELL 20688		06122022	06/21/2022			1,136.83
400	MICRO METHODS INC	222814	07/05/2022	06/29/2022			65.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-698	TOTAL SUSP, SOLID: DMR REPORT		2206231186	06/16/2022	220979		65.00
400	STAPLES BUSINESS ADVANTAGE DEPT ATL	222818	07/05/2022	06/29/2022			522.09	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-500	12 PK COUNTERFEIT PENS		3510277065	06/14/2022	220978		4.43
	400-650-500	HP 950/951 4PK		3510277065	06/14/2022	220978		109.16
	400-650-500	HP 952 3PK		3510277065	06/14/2022	220978		61.57
	400-650-500	LEXMARK B221H00		3510277065	06/14/2022	220978		94.99
	400-650-500	8.5X11 COPY PAPER (6)		3510277065	06/14/2022	220978		251.94
400	MUSCO-GULFPORT 1227	222821	07/05/2022	06/29/2022			530.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-709	1 BB MTR SSR 5' NIC (2)		0724122	06/16/2022	220165		530.00
400	J H WRIGHT & ASSOCIATES INC	222833	07/05/2022	06/29/2022			255.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	PHASE MONITOR SYMCOM MODEL 460		1123217	06/09/2022	220299		230.00
	400-651-581	SHIPPING		1123217	06/09/2022	220299		25.00
FUND TOTAL 400 Claims	to	Checks	16 Total	104,599.12 Manual		Held		Total 104,599.12

Docket of Claims
Release date from 07/05/2022 thru 07/05/2022

SUMMARY OF ALL FUNDS

FUND 1 Claims	to	Checks	45 Total	845,892.10 Manual	Held	Total	845,892.10
FUND 130 Claims	to	Checks	2 Total	474,211.56 Manual	Held	Total	474,211.56
FUND 156 Claims	to	Checks	3 Total	7,735.80 Manual	Held	Total	7,735.80
FUND 171 Claims	to	Checks	2 Total	14,247.00 Manual	Held	Total	14,247.00
FUND 172 Claims	to	Checks	1 Total	3,758.27 Manual	Held	Total	3,758.27
FUND 176 Claims	to	Checks	5 Total	910.75 Manual	Held	Total	910.75
FUND 300 Claims	to	Checks	2 Total	55,215.44 Manual	Held	Total	55,215.44
FUND 305 Claims	to	Checks	1 Total	15,420.00 Manual	Held	Total	15,420.00
FUND 307 Claims	to	Checks	2 Total	228,211.00 Manual	Held	Total	228,211.00
FUND 355 Claims	to	Checks	1 Total	25,405.00 Manual	Held	Total	25,405.00
FUND 400 Claims	to	Checks	16 Total	104,599.12 Manual	Held	Total	104,599.12
Total for all Funds			Checks	80 Total	1,775,606.04 Manual	Held	Total 1,775,606.04

Councilman Gollott made the motion to approve Consent Agenda Items 1-7, as presented. Councilman Elbin seconded the motion. The vote was carried unanimously.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 119-2022

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Consent Agenda Items 1-7 are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 120-2022

WHEREAS, Miss. Code Ann. 21-15-33 requires that the minutes be adopted and approved by a majority of the members of the governing body at the next regular meeting or within thirty (30) days of the meeting they represent, whichever occurs first. Upon such approval, the minutes are valid from and after the date of the meeting; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from the Recessed Council Meeting held June 21, 2022 are hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

ORDER NUMBER 121-2022

WHEREAS, the 26th Annual Cruisin' the Coast will be held October 2, 2022 through October 9, 2022 on the Mississippi Gulf Coast and will feature activities like cruise-ins, headline bands & oldies entertainment, a swap meet, the CTC/Vicari Auto Auction and much more; and

WHEREAS, this is an excellent opportunity for the City of Gautier to promote and bring favorable recognition to the City of Gautier and will have a great economic impact to the local businesses within the City of Gautier; and

WHEREAS, several sponsors have offered donations to the City for the purpose of hosting this event; and

WHEREAS, the Mayor and Council Members have determined that acceptance of the attached donation is in the best interest of the City of Gautier.

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that acceptance of the monetary donations from Bordis and Danos, PLLC (\$500) and Chevron (\$1,000) for the City of Gautier's Cruisin' through the Decades Event to be held October 2, 2022 starting at 4:00 P.M. is hereby approved.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.



Bordis & Danos, PLLC
1215 Government St.
Ocean Springs, MS 39564
(228) 215-1367

Regions
811 Bienville Blvd.
Ocean Springs, MS 39564
85-543/653

3496

6/16/2022

PAY TO THE
ORDER OF City of Gautier

\$ ****500.00**

Five Hundred and 00/100***** DOLLARS

MEMO
Paula Yancey
City Manager
City of Gautier
3330 Highway 90
Gautier, MS 39553
Cruising the Coast



AUTHORIZED SIGNATURE

Security features included. Details on back.

BACOT MCCARTY FOUNDATION
PO BOX 1442
PASCAGOULA, MS 39568

THE CITIZENS BANK

5557

6/23/2022

PAY TO THE
ORDER OF City of Gautier

\$ **1,000.00

One Thousand and 00/100*****

DOLLARS

City of Gautier

MEMO

Chevron
Crusin' Through the Decades - Silver Sponsor



[Signature]
AUTHORIZED SIGNATURE

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 122-2022

WHEREAS, Jackson County's Recreation Department is in the process of applying for grants to fund the Pascagoula River - Jackson County Blueway Connection Project; and

WHEREAS, Allen Engineering and Science, Inc. (AllenES) was retained to assist Jackson County in developing a conceptual design for the project and an opinion of probable cost that can be utilized to assist the county in applying for project funding; and

WHEREAS, the proposed Pascagoula River – Jackson County Blueway Connection project includes 65 miles of fully mapped and signed Blueway, 22 points of interest, kayak ramps/launches, interpretive signage, restrooms, parking, picnic areas, and camping grounds; and

WHEREAS, Jackson County Board of Supervisors will be applying for grants to fund the proposed project, which will directly benefit the City of Gautier; and

WHEREAS, the County has requested a letter of support from the City of Gautier to fund the proposed project; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the letter of support for Jackson County's Pascagoula River – Jackson County Blueway Connection Project is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

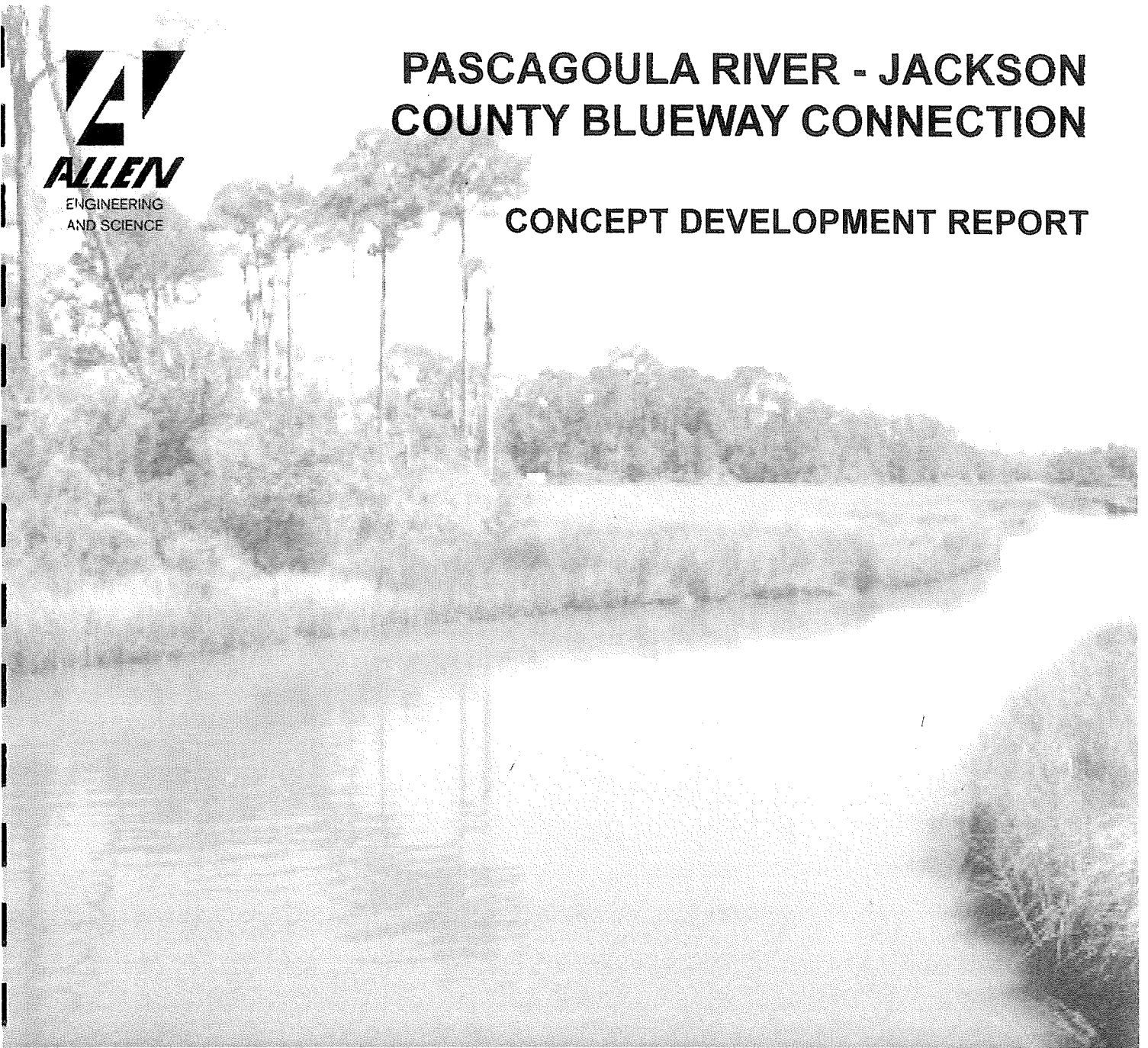
CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.



PASCAGOULA RIVER - JACKSON COUNTY BLUEWAY CONNECTION

CONCEPT DEVELOPMENT REPORT



SUBMITTED TO:

JACKSON COUNTY BOARD OF SUPERVISORS

PREPARED BY:

ALLEN ENGINEERING & SCIENCE, INC.

MAY 2022



1.0 BACKGROUND

Jackson County is proposing to complete the connection between the Pascagoula River - George County Blueway and the City of Pascagoula - Pascagoula River Blueway. The Pascagoula River extends approximately 46 miles through the Jackson County with other branches creating approximately 80 miles of navigable waterway. The proposed Pascagoula River – Jackson County Blueway Connection project would establish 65-miles of mapped and signed River and tributaries creating a connection between the established Pascagoula River George County Blueway and City of Pascagoula - Pascagoula River Blueway and connecting paddlers to businesses throughout the County.

The proposed Pascagoula River - Jackson County Blueway Connection Project includes:

- 65 miles of fully mapped and signed Blueway
- 22 Points of Interest
- Kayak ramps/ launches
- Interpretive signage
- Restrooms
- Parking
- Picnic areas
- Camping grounds

Allen Engineering and Science, Inc. (AllenES) was retained to assist the County in developing a conceptual design for the project and an opinion of probable cost that can be utilized to assist the county in applying for project funding.



Photo 1 – Pascagoula River



2.0 PHYSICAL INVENTORY AND ASSESSMENT

AllenES met with Jackson County Recreation Department representatives to discuss the County's vision for the Blueway and visited all the accessible Points of Interest as depicted in **Figures 1 and 2** below.

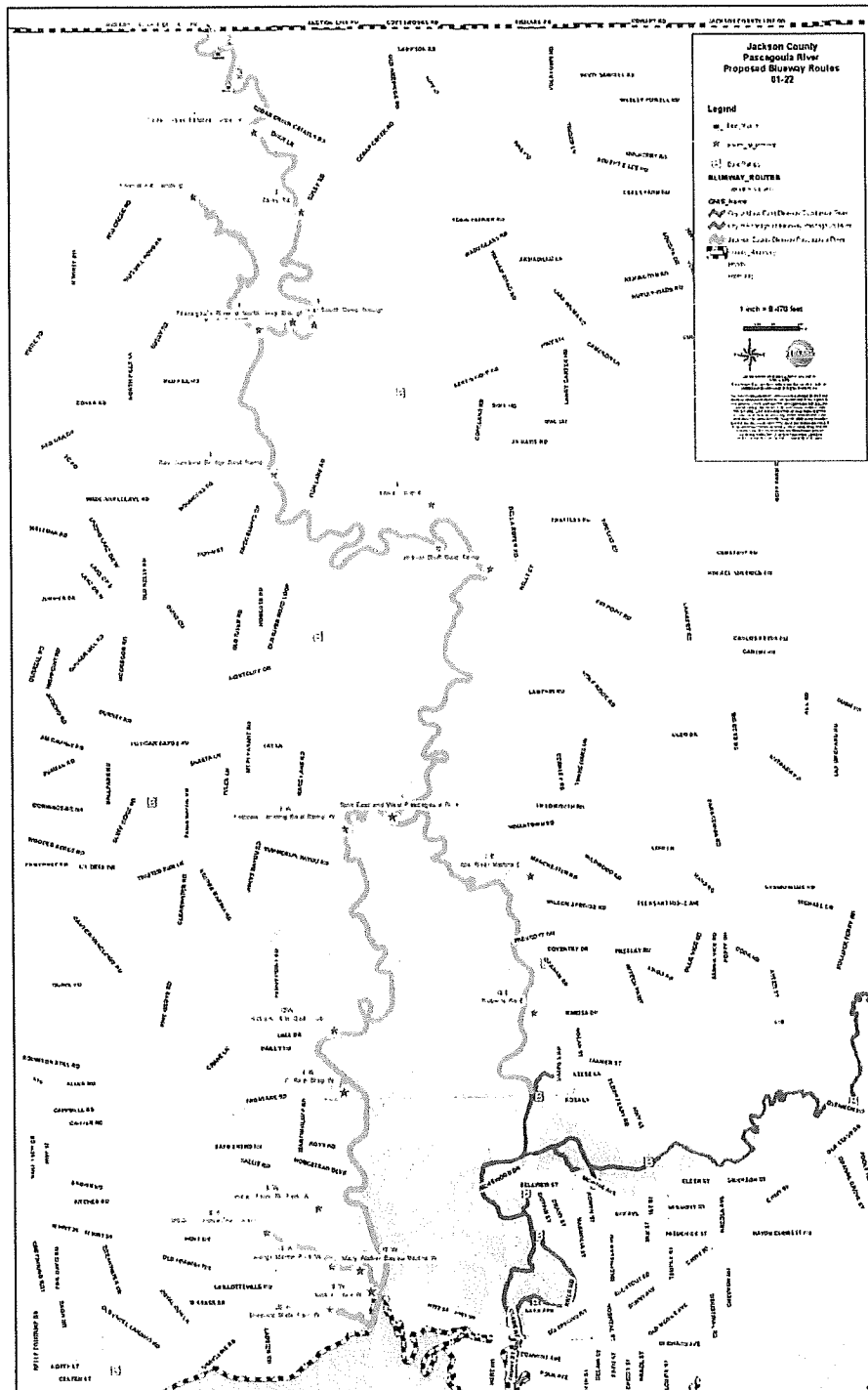
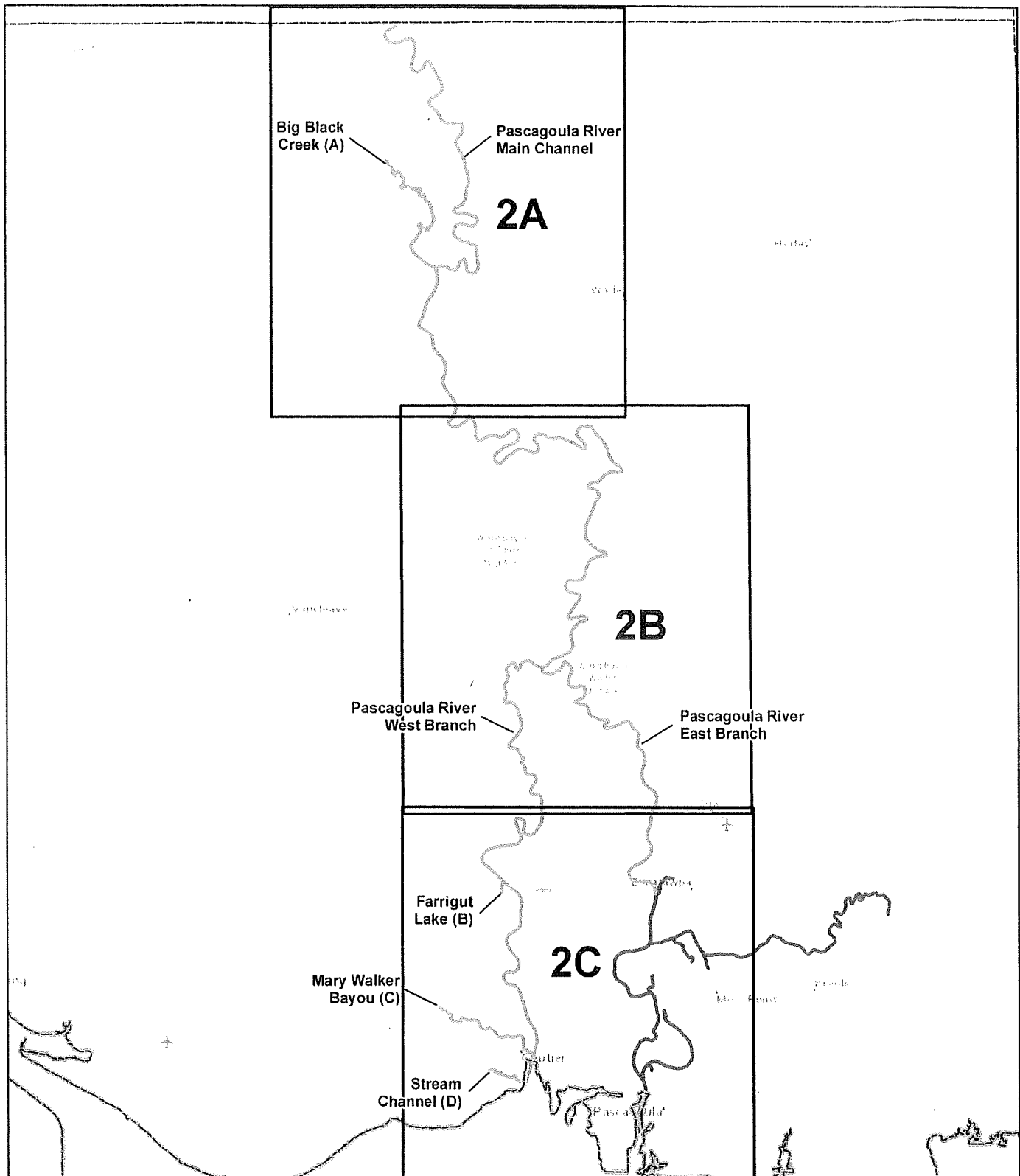


Figure 1. Proposed Blueway Map



Disclaimer
The information contained in this map was generated from GIS data maintained by different sources and agencies. Some limitations may apply based upon restrictions imposed by other sources or agencies providing data directly to Allen Engineering and Science, Inc. (AllenES) or making data available to download via internet. Areas depicted by these products are approximate and are not necessarily accurate to mapping, surveying, or engineering standards. These digital products are for illustration purposes only and are not suitable for site-specific decision making. They are subject to constant changes and may not be complete, accurate or current. Any specific coordinates may be in error by several hundred feet or more. A data layer may have registration errors and not overlay with other data layers correctly.

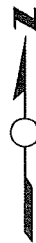
AllenES makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of any data or information contained in or generated from this map. AllenES assumes no liability associated with this map. Conclusions drawn from this information are the responsibility of the user. Every effort has been made to ensure the accuracy, correctness and timeliness of the materials presented. AllenES assumes no liability for damages, incurred directly or indirectly as a result of inaccurate, incorrect or omitted information. The user of this information assumes all liability for their dependence on the information and assumes responsibility for the information.

LEGEND

- Approximate County Boundary
- Jackson County Blueway Pascagoula River
- Approximate City of Pascagoula Blueway Pascagoula River
- Approximate City of Moss Point Blueway Escatawpa River

Source: National Geographic World Map

0 8,500 17,000
Feet
262



BLUEWAYS CONNECTION JACKSON COUNTY, MISSISSIPPI

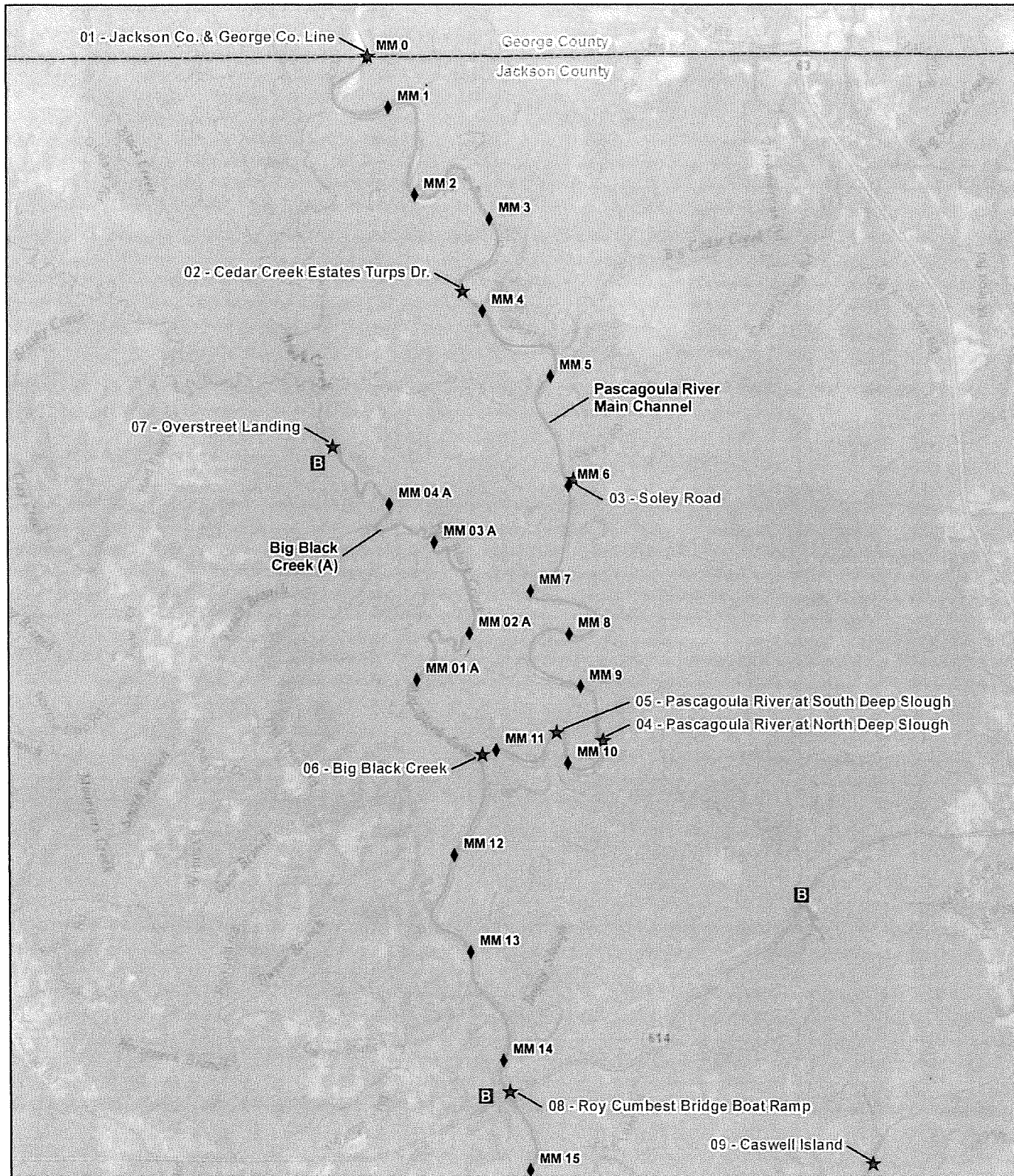
ALLEN ENGINEERING AND SCIENCE

SCALE:	DRAWN BY: PML	DATE: 04-28-2022
1"=17,000'	CHKD BY: WP	DATE: 04-28-2022

PROJECT NO. FILE
22054 22054 042822 FIG01 R00 D Key Map

BLUEWAY KEY MAP

FIGURE
2



Disclaimer:
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LEGEND

- Approximate County Boundary
- Jackson County Blueway Pascagoula River
- Approximate Blueway Milemarker Location and Identification
- Approximate Points of Interest
- Approximate Boat Ramp Location

Source: National Geographic World Map

0 3,000 6,000
Feet

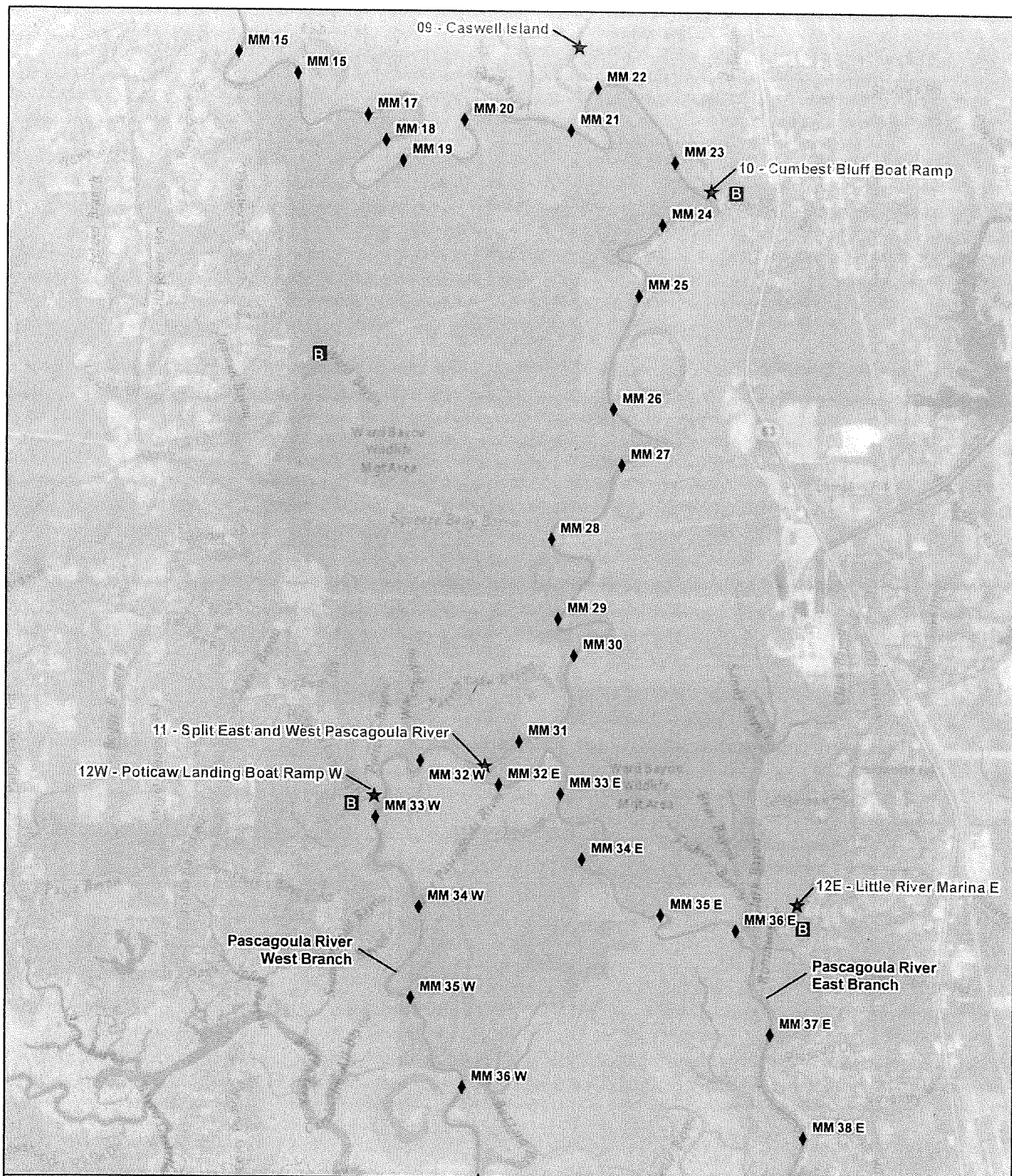
BLUEWAYS CONNECTION JACKSON COUNTY, MISSISSIPPI

ALLEN ENGINEERING AND SCIENCE

SCALE: 1"=6,000'	DRAWN BY: PML	DATE: 04-28-2022
PROJECT NO. 22054	CHKD BY: WP	DATE: 04-28-2022
FILE 22054 042822 FIG02A R00 D Enl. Map		

BLUEWAY ENLARGEMENT MAP

FIGURE
2A



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LEGEND

- Approximate County Boundary
- Jackson County Blueway Pascagoula River
- Approximate Blueway Milemarker Location and Identification
- Approximate Points of Interest
- Approximate Boat Ramp Location

Source: National Geographic World Map

0 3,000 6,000
Feet

BLUEWAYS CONNECTION JACKSON COUNTY, MISSISSIPPI



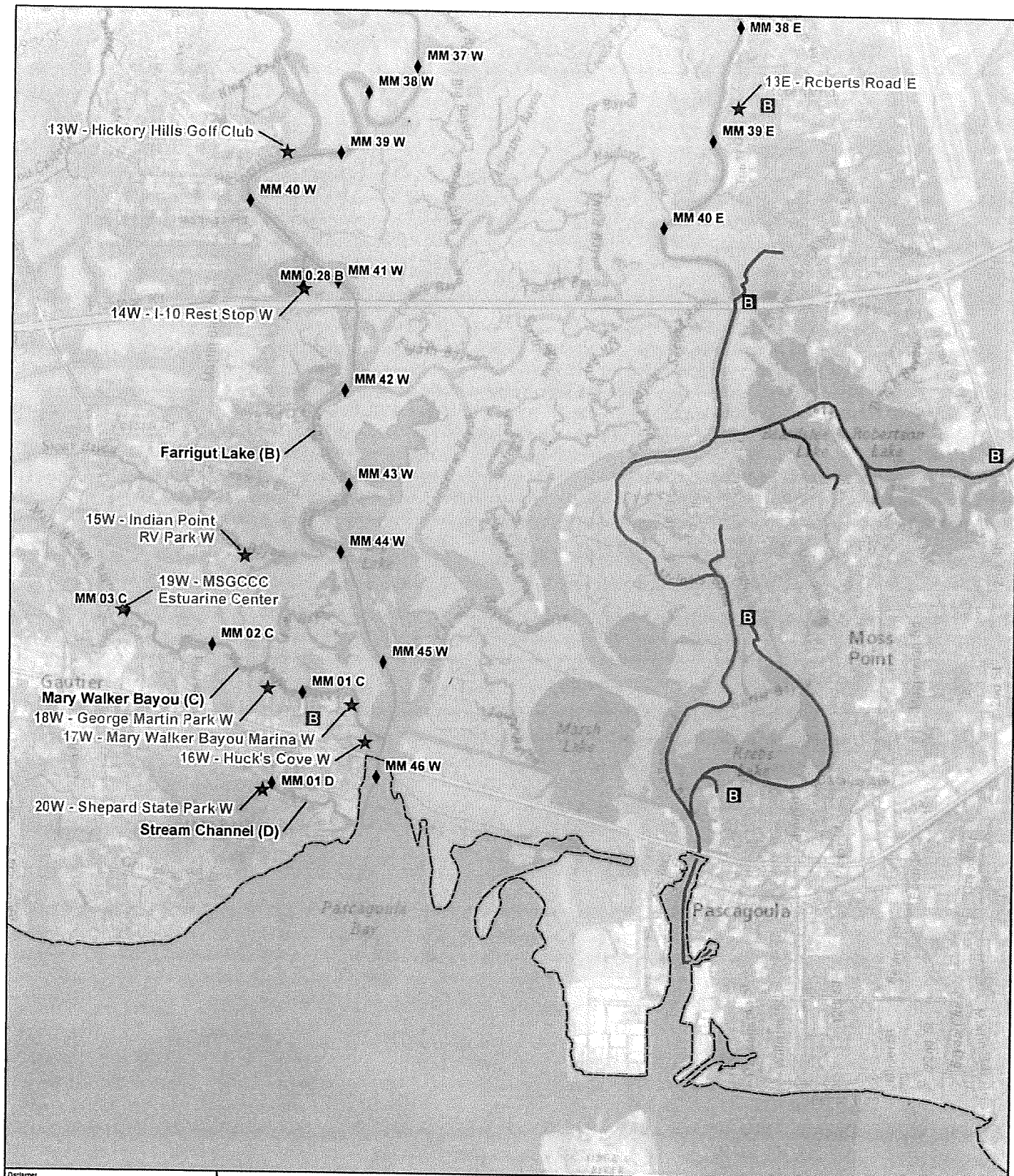
ENGINEERING AND SCIENCE

SCALE: 1"=6,000' DRAWN BY: PML DATE: 04-28-2022
CHKD BY: WP DATE: 04-28-2022

PROJECT NO. FILE
22054 22054 042822 FIG02B R00 D Enl. Map

BLUEWAY ENLARGEMENT MAP

FIGURE
2B



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LEGEND

- Approximate County Boundary
- Jackson County Blueway Pascagoula River
- Approximate City of Pascagoula Blueway Pascagoula River
- Approximate City of Moss Point Blueway Escatawpa River
- Approximate Blueway Milemarker Location and Identification
- Approximate Points of Interest
- Approximate Boat Ramp Location

Source: National Geographic World Map

0 3,000 6,000
Feet

BLUEWAYS CONNECTION JACKSON COUNTY, MISSISSIPPI



ENGINEERING AND SCIENCE

SCALE: 1"=6,000'
DRAWN BY: PML
CHKD BY: WP

DATE: 04-28-2022

DATE: 04-28-2022

PROJECT NO. 22054
FILE 22054 042822 FIG02B R00 D Enl. Map

BLUEWAY ENLARGEMENT MAP

FIGURE 2B

*Mayor
Casey C. Vaughan*

***City of Gautier
Gautier, Mississippi***

*City Manager
Paula Yancey*

*City Clerk
Teresa L. Montgomery*

*Council
At Large Adam Colledge
Ward 1 Cameron George
Ward 2 Richard "DJ" Jackson
Ward 3 Gordon Gallott
Ward 4 Rusty Anderson
Ward 5 Dante Ellin*



*3330 Highway 90
Gautier, MS 39553
Phone : (228) 497-8000
Fax : (228) 497-8028
Email : gautier@gautier-ms.gov
Website: www.gautier-ms.gov*

July 5, 2022

Allen Engineering and Science, Inc.
6360 I-55 N, Ste 330
Jackson, MS 39211

Regarding: Pascagoula River Blueway Project Letter of Support

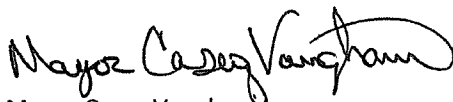
The City of Gautier is pleased to support Jackson County's efforts to establish the Pascagoula River Jackson County Blueway Connection Project. The establishment of this 60+ mile Blueway will connect the Pascagoula River from the Jackson/George County line south where the river meets the Mississippi Sound in Gautier. We support these types of non-consumptive recreational uses and believe they are important to the future of our river systems. We also believe that they are great avenues for simply getting people to enjoy the outdoors which has so many health benefits. Providing a multi-day paddling trail, with multiple access points, will create opportunities for economic development through outfitters and retail outlets. It will also provide educational opportunities through signage and exposure to the region.

We agree with Jackson County in that this Blueway Connection will increase nature-based tourism and will create more nature-based tourism jobs. In turn, this will cause a positive impact on our tax base.

This Blueway Connection area is currently traveled by paddlers, many of which could greatly benefit from knowing more about the river including points of interest and pull-out points. This connection, complete with mile markers and information signage, will certainly give paddlers more information that will help them plan better and be safer. Safety for paddlers and for rescue teams are an important piece of this proposed Blueway Connection.

The City of Gautier supports and appreciates Jackson County's efforts to increase nature-based tourism and their help in making the Pascagoula River safer to enjoy.

Sincerely,


Mayor Casey Vaughan
City of Gautier, Mississippi

"Nature's Playground!"

There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 123-2022

WHEREAS, the Grants and Projects Department requests authorization to execute a Lease for Public Trust Tidelands, as required for the Shepard State Park Kayak and Boat Launch project; and

WHEREAS, this project includes the construction of two accessible floating kayak launches (one at Lamotte Bayou and one at St. Pierre Bayou), along with refurbishment of the boat launch and extension of the pier; and

WHEREAS, it is the policy of the State of Mississippi to favor the preservation of the natural state of the public trust tidelands and their ecosystems to prevent the despoliation and destruction of them, except where a specific alteration would serve a higher public interest in compliance with the public purposes of the trust; and

WHEREAS, land owners and interested parties can apply for a lease for public trust tidelands and submerged lands. If approved, there is no fee for municipalities and it structures as a zero-cost lease; and

WHEREAS, the lease has been provided for forty (40) years, with an option to renew for an additional twenty-five (25) years; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to execute a lease for public trust tidelands, as required for the Shepard State Park Kayak and Boat Launch project.

IT IS FURTHER ORDERED that the City Manager or City Clerk authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: Casey Vaughan
Adam Colledge
Cameron George
Richard Jackson
Gordon Gollott
Rusty Anderson
Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 06/28/2022
Subject: Shepard State Park Kayak and Boat Launch – Lease for Public Trust Tidelands

REQUEST:

The Grants and Projects Department requests City Council approval to execute a Lease for Public Trust Tidelands, as required for the Shepard State Park Kayak and Boat Launch project.

BACKGROUND:

This project includes the construction of two accessible floating kayak launches – one at Lamotte Bayou and one at St. Pierre Bayou, along with the refurbishment of the boat launch and extension of the pier. The public benefit provides additional recreational access to coastal waterways, public access to protected natural areas, and the facilitation of conservation tourism.

DISCUSSION:

Public Trust Tidelands and submerged lands are lands lying under waters naturally subject to tidal influence. Trust Tidelands are owned by the State in trust for all the people of Mississippi. The Secretary of State is the trustee of this great public trust. It is the policy of the State of Mississippi to favor the preservation of the natural state of the public trust tidelands and their ecosystems and to prevent the despoliation and destruction of them, except where a specific alteration would serve a higher public interest in compliance with the public purposes of the trust. Land owners and interested parties can apply for a lease for public trust tidelands and submerged lands.

The lease has been provided for 40 years, with an option to renew for an additional 25 years. There is no fee for municipalities. It is structured as a zero-cost lease.

RECOMMENDATION:

The Grants and Projects Department recommends that City Council authorize the execution of a Lease for Public Trust Tidelands, as required for the Shepard State Park Kayak and Boat Launch project.

The City Council may:

1. Authorize the execution of a Lease for Public Trust Tidelands, as required for the project, as presented; or
2. Not authorize the execution of a Lease for Public Trust Tidelands.

ATTACHMENTS:

1. Tidelands Lease

DO NOT WRITE ABOVE THIS SPACE	
Document Prepared by Office of the Secretary of State Raymond D. Carter Assistant Secretary of State for the Gulf Coast 1141 Bayview Avenue, Suite 120 Biloxi, MS 39530 (228) 432-0541 ☐ Not a Mississippi Attorney ☒ Mississippi Attorney Bar No. 8444	Return Original Document to Office of the Secretary of State 1141 Bayview Avenue Suite 120 Biloxi, MS 39530 (228) 432-0541 <i>If left blank, original document will be returned to document preparer.</i>
PUBLIC TRUST TIDELANDS LEASE CITY OF GAUTIER, MISSISSIPPI (Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)	
Lessor State of Mississippi c/o Secretary of State Public Lands Division Post Office Box 136 Jackson, Mississippi 39205-0136 (601) 359-1350	Lessee City of Gautier, Mississippi By the City Council c/o Mayor, City of Gautier, Mississippi 3330 Hwy 90 Gautier, Mississippi 39553 (228) 497-8000 Owner Mississippi Department of Wildlife, Fisheries and Parks c/o Executive Director 1505 Eastover Drive Jackson, Mississippi 39211 (601) 432-2400
Indexing Instructions Section 1, Township 8 South, Range 7 West, City of Gautier, Jackson County, Mississippi.	
This document contains <u>35</u> pages with the cover page(s) included as an integral part of the document. If there is not enough space for all required information on this page, continue to the next page.	

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

THIS AGREEMENT is made and entered into this the 1st day of June 2022, by and between:

THE STATE OF MISSISSIPPI, by and through the
Secretary of State
Public Lands Division
125 S. Congress Street
Suite 1600
Jackson, Mississippi 39201
Telephone: (601) 359-1350

with approval of the Governor

“LESSOR”

and

CITY OF GAUTIER, MISSISSIPPI, by and through the
City Council
c/o Mayor, City of Gautier, Mississippi
3330 Hwy 90
Gautier, Mississippi 39553
Telephone: (228) 497-8000

“LESSEE”

and

Acknowledgement of:
MISSISSIPPI DEPARTMENT OF WILDLIFE,
FISHERIES AND PARKS
1505 Eastover Drive
Jackson, Mississippi 39211
Telephone: (601) 432-2400

“OWNER”

WITNESSETH:

THAT FOR THE TERM and in consideration of the covenants, conditions, and obligations to be observed and performed by LESSEE, the CITY of GAUTIER, MISSISSIPPI, with acknowledgement of the OWNER to exercise littoral privileges, LESSOR does hereby lease and rent unto LESSEE, pursuant to the authority of MISS. CODE ANN. § 29-1-107 (1972) as amended, the following described fastlands, submerged lands or tidelands, hereinafter referred to as LEASE PREMISES, to-wit:

A parcel of State owned submerged lands and tidelands located within Shepard State Park, Gautier, Mississippi containing 20.32 square feet (0.00046648 acres) more or less that is located within the Public Trust Tidelands below the mean high water lines of St. Pierre Bayou, located in or adjacent to Section 1, Township 8 South, Range 7 West, within the City of Gautier, Jackson County, Mississippi, and, further described in the Legal Description attached hereto as Exhibit "1-A" (1 Page), and depicted in the Site Vicinity Location Map Sheet attached hereto as Exhibit "2" (1 page) and Illustrated in Dock/Kayak Plan Construction Details of Lease Area, dated January 2022, prepared by Heflin Engineering | Cypress Environment & Infrastructure, attached hereto as Exhibit "3-A" (6 Pages), provided by LESSEE and incorporated as a part of this LEASE.

And also:

A parcel of State owned submerged lands and tidelands located within Shepard State Park, Gautier, Mississippi containing 641.20 square feet (0.014719 acres) more or less that is located within the Public Trust Tidelands below the mean high water lines of LaMotte Bayou, located in or adjacent to Section 1, Township 8 South, Range 7 West, within the City of Gautier, Jackson County, Mississippi, and, further described in the Legal Description attached hereto as Exhibit "1-B" (1 Page), and depicted in the Site Vicinity Location Map Sheet attached hereto as Exhibit "2" (1 page) and Illustrated in Kayak Plan Construction Details of Lease Area, dated January 2022, prepared by Heflin Engineering | Cypress Environment & Infrastructure, attached hereto as Exhibit "3-B" (5 Pages), provided by LESSEE and incorporated as a part of this LEASE; LEASE premises contain a total of 661.52 square feet (0.015186 acres) more or less.

1. TERM.

1.1 The PRIMARY TERM of this lease shall be for forty (40) years, beginning on the 1st day of June 2022, and terminating on the 31st day of May 2062.

1.2 At the expiration of the PRIMARY TERM, LESSEE shall have the right to extend LEASE for a SECONDARY TERM of an additional twenty-five (25) years.

1.2 At the expiration of the SECONDARY TERM, LESSEE shall have the prior right, exclusive of all others to re-lease LEASE PREMISES subject to terms and provisions consistent with this LEASE, or as may then be agreed upon by STATE and LESSEE.

2. USE OF LEASE PREMISES

2.1 LESSEE will use LEASE PREMISES for the purpose of public boat dock, boat launch, ramp, platform and kayak launches, and any other use permitted by Mississippi Statute except as may be limited by this LEASE, all of which shall serve a higher public purpose of promoting the public access to and public use of the public trust tidelands and submerged lands and the waters of the State of Mississippi.

2.2 STATE and LESSEE agree gaming operations and casinos (Gaming) are not a permitted USE under the terms of LEASE.

3. CONSIDERATION.

3.1 LESSEE and STATE agree LEASE PREMISES contains approximately 661.52 square feet, (0.015186 acres), more or less, of both submerged lands and tidelands, as are more fully described on Exhibit "1-A, and "1-B" and depicted on Exhibit "2" attached to this LEASE and made a part hereof.

3.2 LESSEE shall be exempt from use or rental fees pursuant to Miss. Code Ann. §29-15-13 (as amended).

4. TRANSFERABILITY OF LEASE.

4.1 Except for USES, LESSEE shall not transfer its rights or obligations under LEASE.

5. PUBLIC ACCESS

5.1 LEASE PREMISES will be operated subject to rules and regulations LESSEE determines reasonably necessary to ensure the safety and convenience of USE and normal operations.

6. DEFAULT.

6.1 In the event of a claimed default of a term, provision, covenant or condition of LEASE, the aggrieved Party shall give written notice to the other Party of the alleged default. The Parties shall have three hundred sixty-five (365) days from receipt of the written notification to negotiate a resolution or seek a judicial determination of the existence of the default(s). Should neither Party seek a judicial determination, the aggrieved party may cancel the LEASE.

7. IMPROVEMENTS, MAINTENANCE AND FUTURE DEVELOPMENT.

7.1 STATE acknowledges improvements which exist on LEASE PREMISES on the effective date of LEASE, or which may be constructed on LEASE PREMISES by LESSEE under the terms of LEASE are not property of STATE unless forfeited pursuant to Paragraph 25.

7.2 STATE and LESSEE share in the public interest in establishing and maintaining an attractive view of the waterfront on the Mississippi Sound.

8. ZONING.

8.1 All zoning, and related permits, variances or exceptions must support USE.

9. RESTRICTIONS.

9.1 LESSEE shall not construct any structure on State property adjacent to or adjoining LEASE PREMISES.

9.2 LESSEE shall maintain LEASE PREMISES in a clean and orderly condition and keep the structures and equipment located thereon in a good state of repair.

10. FEE SIMPLE TITLE.

10.1 Fee simple title to LEASE PREMISES is vested in STATE.

10.2 LEASE does not authorize use of adjoining STATE held Public Trust Tidelands.

11. CATASTROPHIC DESTRUCTION.

11.1 In the event of catastrophic destruction to LESSEE owned improvements on LEASE PREMISES, LESSEE may cancel LEASE, provided LESSEE removes all debris from the LEASE PREMISES if LESSEE receives federal or state funding for such removal.

11.2 In the event of catastrophic destruction to LESSEE owned improvements on LEASE PREMISES, LESSEE may restore or replace any portion of such improvements lost or damaged, but LESSEE shall not be obligated to do so.

11.3 STATE reserves the right to cancel LEASE with three hundred sixty-five (365) days' written notice unless LESSEE notifies STATE within five (5) years after catastrophic destruction of its intent to rebuild. If within three hundred sixty-five (365) days of receiving written notice of cancellation, LESSEE provides STATE with a notice of intent to rebuild and resume permitted USE of LEASE PREMISES and undertakes and continues, without unreasonable delay, work to rebuild and resume USE, then STATE shall not cancel LEASE.

11.4 If LEASE is canceled by STATE under this Paragraph, LESSEE will remove all debris from LEASE PREMISES if LESSEE receives federal or state funding for such removal.

11.5 The parties agree LESSEE'S ability to rebuild after catastrophic damage to improvements depends on availability of federal funding. The timing of the availability of that funding for reconstruction is beyond the control of either party. For purposes of this Paragraph the time beginning when LESSEE files for federal funds or grants for the reconstruction of LEASE PREMISES improvements to the time the federal government either grants or denies funding, LESSEE shall be considered to have undertaken work to rebuild and resume use.

12. PROTECTION OF LEASE PREMISES.

12.1 LESSEE shall exercise due diligence to protect LEASE PREMISES.

13. QUIET AND PEACEFUL POSSESSION.

13.1 LESSEE shall have quiet and peaceful possession of LEASE PREMISES subject to the provisions of this LEASE and applicable Mississippi law.

14. RIGHT OF ENTRY AND INSPECTION.

14.1 STATE'S authorized representative shall have the right to enter LEASE PREMISES to verify compliance with the LEASE terms and provisions.

14.2 LESSEE grants STATE ingress and egress to LEASE PREMISES in, over, across and through LESSEE owned or controlled uplands for the purpose of this Paragraph.

15. STATE NOT RESPONSIBLE.

15.1 Subject to Paragraph 16, STATE is not responsible for LESSEE'S use of LEASE PREMISES.

16. LEASE LIABILITY.

16.1 LESSOR and LESSEE are subject to The Mississippi Tort Claims Act (Miss Code Ann. § 11-46-1 et seq.). Nothing in this LEASE will be construed to conflict with the Act.

16.2 LESSEE may maintain during the LEASE term insurance against accidents, death, bodily injury, or loss or damage to property occurring on or in connection to LEASE PREMISES in a coverage amount LESSEE deems appropriate.

17. RELIANCE.

17.1 In executing this LEASE, STATE is relying on a legal description, survey, and/or depiction (see Exhibits "1-A and 1-B," Exhibit "2," and Exhibits "3-A" and "3-B") provided by or adopted by the LESSEE.

18. RESERVATION OF MINERAL RIGHTS.

18.1 LEASE does not include mineral, oil, gas, coal, lignite, or other subterranean rights.

19. WAIVER NOT A DISCHARGE.

19.1 No failure, or successive failures, on the part of STATE or LESSEE to enforce any term or provision of LEASE, nor any waiver or successive waivers by STATE or LESSEE of any term or provision of LEASE, shall operate as a discharge thereof or render the same inoperative or impair the right of STATE or LESSEE to enforce the same in the event of subsequent or continuing breach or breaches or upon any renewal thereof.

20.1 All notifications or submissions required under the terms of this LEASE shall be made by U.S. Mail, or by rapid delivery courier service to the parties at the following addresses:

Secretary of State:

Public Lands Division

(by U. S. Mail)
Post Office Box 136
Jackson, Mississippi 39205-0136

(by Courier)
401 Mississippi Street
Jackson, MS 39201

Telephone: (601) 359-1350
Facsimile: (601) 359-1461

City of Gautier, Mississippi: Mayor of Gautier
On behalf of City Council

(by U.S. Mail or Courier)
3330 Highway 90
Gautier, MS 39553

Telephone: (228) 497-8000

Mississippi Department of
Wildlife, Fisheries, and Parks:

Executive Director

(by U.S. Mail or Courier)
1505 Eastover Drive
Jackson, Mississippi 39211

Telephone: (601) 432-2400

20.2 Notices shall be effective upon receipt by the receiving party. On written request, STATE and LESSEE agree they will promptly acknowledge in writing receipt of a notice received.

20.3 STATE or LESSEE may change the identity of the party designated to receive notices by delivering notification of change in the manner provided in this Paragraph.

21. LAWS OF MISSISSIPPI TO GOVERN.

21.1 The laws of the State of Mississippi shall govern:

(a) LEASE interpretation and performance.

(b) Jurisdiction and venue.

22. INVALIDATION OF TERM.

22.1 In the event of invalidation of any material LEASE provision by a final, non-appealable court judgment or order, within ninety (90) days of entry of such judgment or order, STATE or LESSEE may renegotiate LEASE on mutually agreeable terms not in conflict with the judgment or order.

23. CANCELLATION FOR ABANDONMENT OF USE.

23.1 Except as provided in Paragraph 11, if LESSEE abandons all permitted USE of LEASE PREMISES for a period of more than five (5) years, then STATE may cancel LEASE on three hundred sixty-five (365) days' written notice. After receiving notice of cancellation, if LESSEE within three hundred sixty-five (365) days provides STATE with a reasonable plan for resumption of permitted USE of LEASE PREMISES, then LEASE shall not be cancelled. All such notices shall be provided to OWNER.

23.2 OWNER, on notice of default not cured by LESSEE or cancellation or termination of LEASE, agrees to assume the duties, obligations, and responsibilities of LESSEE. Should OWNER not assume the duties, obligations and responsibilities of LESSEE, the LEASE will be cancelled or terminated.

24. TERMINATION OF LEASE.

24.1 If not sooner cancelled, LEASE shall terminate at 11:59 P.M. central (standard or daylight savings) time on the last day of PRIMARY TERM, or if renewed pursuant to Paragraph 1.2, then LEASE shall terminate at 11:59 P.M. central (standard or daylight savings) time on the last day of SECOND TERM.

25. CANCELLATION OR TERMINATION OF LEASE.

25.1 Subject to the provisions of Paragraph 6, Paragraph 11, and Paragraph 23, on cancellation or termination of LEASE, STATE shall be entitled to take possession of LEASE PREMISES, custom and usage to the contrary notwithstanding.

25.2 On final cancellation or termination pursuant to this Paragraph, LESSEE shall have three hundred sixty-five (365) days to remove LESSEE'S improvements, structures, and equipment or sell, transfer, or convey the improvements to another entity contingent on that entity entering a Public Trust Tidelands Lease with STATE. If for any reason LESSEE does not remove the improvements, structures or equipment or does not sell, transfer, or convey the same, then the improvements, structures and equipment will be deemed forfeited by LESSEE, and become the property of the STATE. In the event of such forfeiture by LESSEE, STATE shall not be obligated to remove said improvements, structures and equipment or bear any liability to

LESSEE in the event same are not removed. The manner and time of any removal or sale and the price for which said improvements, structures, materials, and equipment may be sold shall be in the discretion of STATE. If at the time of cancellation or termination of LEASE, LESSEE is entitled to receive funds from the federal government or from the state for such removal and thereafter receives such funds, then said funds shall be used for the removal of said improvements, structures and equipment and restoration of LEASE PREMISES, notwithstanding LEASE having been previously terminated.

26. MISCELLANEOUS.

26.1 LESSEE and STATE each covenant and bind itself, its successors, and its assigns to the extent allowed by the laws of the state of Mississippi to faithfully and timely comply with all the terms and provisions of this LEASE.

26.2 LESSEE and STATE agree they will execute and deliver, at the request of the other, all such documents or other written instruments as may be reasonably necessary or appropriate to carry out and effectuate the intent and purpose of this LEASE.

26.3 No amendments or additions to LEASE shall be binding unless in writing and signed by all parties.

26.4 All covenants and agreements herein shall bind and inure to the benefit of the parties hereto and to their successors and assigns.

26.5 This instrument constitutes the entire agreement between LESSEE and STATE and supersedes all prior understandings, previous negotiations, and any memoranda of understanding with respect to the subject matter hereof.

26.6 Each individual executing LEASE on behalf of LESSEE represents and warrants that he/she is duly authorized to do so on behalf of the said City of Gautier, Mississippi (LESSEE), and LESSEE shall, at STATE'S request, deliver a certified copy of its Council's resolution authorizing said execution.

26.7 Each individual acknowledging this LEASE on behalf of OWNER represents and warrants that he/she is duly authorized to do so on behalf of said Mississippi Department of Wildlife, Fisheries, and Parks (OWNER) and that this LEASE is binding upon OWNER in accordance with its terms.

26.8 LESSOR, LESSEE, and OWNER acknowledge the Memorandum of Understanding between OWNER and LESSEE to manage Shepard State Park, attached hereto as "Exhibit 4" (3 Pages).

26.9 OWNER acknowledges LESSEE can exercise littoral privileges associated with the upland property adjoining and adjacent to LEASE PREMISES for the project associated with this LEASE.

26.10 The remedies set forth in this LEASE are not exclusive, and the election of one remedy by LESSEE or STATE shall not be deemed or construed as a waiver of any other remedy available to LESSEE or STATE. In addition to the remedies provided in this LEASE, LESSEE and STATE shall be entitled to whatever remedies it may have otherwise at law or in equity.

26.11 LESSEE and STATE, for all purposes under this LEASE, accept the description and depiction of LEASE PREMISES attached hereto as Exhibits "1-A," and "1-B," and Exhibit "2."

27. DEFINITIONS.

27.1 LESSEE shall mean the City of Gautier, Mississippi and shall be the LESSEE.

27.2 USE shall have the meaning set forth in Paragraph 2.

27.3 LEASE shall mean that lease agreement by and between the State of Mississippi, by the Secretary of State, with the approval of the Governor, and the City of Gautier, Mississippi, as acknowledged by the Mississippi Department of Wildlife, Fisheries, and Parks, effective June 1, 2022, for LEASE PREMISES.

27.4 LEASE PREMISES shall mean all the submerged lands, fastlands, and tidelands as described in Exhibit "1-A," and "1-B," and depicted on Exhibit "2" attached to this LEASE.

27.5 OWNER shall mean the Mississippi Department of Wildlife, Fisheries, and Parks as owner of the uplands adjoining and adjacent to the LEASE PREMISES.

27.6 PRIMARY TERM shall have the meaning set forth in Paragraph 1.1.

27.7 SECONDARY TERM shall have the meaning set forth in Paragraph 1.2.

27.8 STATE shall mean the State of Mississippi, acting by and through the Secretary of State with the approval of the Governor, and shall be the LESSOR.

Remainder of Page Intentionally Left Blank; Signatures Begin Next Page, 11.

IN WITNESS WHEREOF, this LEASE AGREEMENT is executed by LESSEE, this the
5th day of July, 2022.

LESSEE:
CITY OF GAUTIER, MISSISSIPPI

By: _____
Print Name: Casey Vaughan
Title: Mayor

STATE OF MISSISSIPPI
COUNTY OF HARRISON

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said
county and state, on this _____ day of _____, 2022, within my jurisdiction the
within named _____, personally known to me to be the
_____ of the CITY OF GAUTIER, MISSISSIPPI, who acknowledged
that he/she executed the above and foregoing LEASE AGREEMENT as the act and deed of said
Agency, on the date and for the purposes therein stated, being first duly authorized to so do.

NOTARY PUBLIC

My Commission Expires:

IN WITNESS WHEREOF, this LEASE AGREEMENT is acknowledged by OWNER,
this the _____ day of _____, 2022.

OWNER:
**MISSISSIPPI DEPARTMENT OF WILDLIFE,
FISHERIES, AND PARKS**

By: _____
Print Name: _____
Title: _____

STATE OF MISSISSIPPI
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said
county and state, on this _____ day of _____, 2022, within my jurisdiction the
within named _____, personally known to me to be the
_____ of the MISSISSIPPI DEPARTMENT OF WILDLIFE,
FISHERIES, AND PARKS, who acknowledged that he/she executed the above and foregoing
LEASE AGREEMENT as the act and deed of said Agency, on the date and for the purposes
therein stated, being first duly authorized to so do.

NOTARY PUBLIC

My Commission Expires:

IN WITNESS WHEREOF, this LEASE AGREEMENT is executed by LESSOR, this the _____ day of _____, 2022.

LESSOR:
STATE OF MISSISSIPPI

BY: _____
MICHAEL D. WATSON, JR.
Secretary of State
State of Mississippi

STATE OF MISSISSIPPI
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said county and state, on this _____ day of _____, 2022, within my jurisdiction the within named MICHAEL WATSON, JR., personally known to me to be the SECRETARY OF STATE of the STATE OF MISSISSIPPI, who acknowledged that he executed the above and foregoing LEASE AGREEMENT as the act and deed of said SECRETARY OF STATE for and on behalf of the STATE OF MISSISSIPPI, on the date and for the purposes therein stated, being first duly authorized to so do.

NOTARY PUBLIC

My Commission Expires:

APPROVED BY THE GOVERNOR of the State of Mississippi on the _____ day of _____, 2022.

TATE REEVES
Governor

STATE OF MISSISSIPPI
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for said county and state, on this _____ day of _____, 2022, within my jurisdiction the within named TATE REEVES, personally known to me to be the GOVERNOR of the STATE OF MISSISSIPPI, who acknowledged that he executed the above and foregoing LEASE AGREEMENT as the act and deed of said GOVERNOR for and on behalf of the STATE OF MISSISSIPPI, on the date and for the purposes therein stated, being first duly authorized to so do.

NOTARY PUBLIC

My Commission Expires:

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit "1-A" (1 Page)
Legal Description

BOARDWALK (DOCK) AT ST. PIERRE BAYOU

The boardwalk to be resurfaced is with the centerline as described below. The boardwalk shall extend to the left and right of the centerline 2.0 feet in each direction causing the boardwalk to be 6.0 feet wide. All of the boardwalk is to be replaced within the existing footprint of the existing boardwalk and most of the existing boardwalk substructure shall remain untouched.

Beginning at a location of 32.1359181°, -080.8944740° continuing 46.5 feet northwest at a 40° angle to 32.1362547°, -080.8947545°. The centerline turns 90° east from point 32.1362547°, -080.8947545° and continues on for 10.0 feet to 32.1363065°, -080.8946678° where the boardwalk terminates.

KAYAK LAUNCH AT ST. PIERRE BAYOU

An existing bulkhead runs along St. Pierre Bayou from location 32.1360937°, -80.8950426° to 32.1361583°, -080.8949396° with existing 8"x8" structural piles on the bayou-side of the bulkhead. The existing bulkhead will remain in place and will not be replaced in whole or in part. A kayak launch will be secured to the existing bulkhead at the attachment points described below. A front board will be attached to the existing 8"x8" structural piles from a point at 32.1361218°, -080.8950101° extending eastward to a point of 32.1361491°, -080.8949684°. Two 2" Schedule 40 stainless steel pipes will attach to the front board at a center location of 32.1361327°, -080.8949994° and 32.1361456°, -080.8949777°. The stainless steel pipes will extend from 2' above mean high water into the bayou floor. A floating kayak launch will be connected to the stainless steel pipes and will have four corners located at the following points: 32.1361572°, -080.8950356° (northwest point); 32.1361829°, -080.8949922° (northeast point); 32.1361277°, -080.8950114° (southwest point); and 32.1361534°, -080.8949680° (southeast point). The floating kayak launch will be able to move between mean low water and mean high water.

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit "1-B" (Page 1 of 2)
(Legal Description, Provided by LESSEE)

KAYAK LAUNCH AT LAMOTTE BAYOU

A ramp is with the centerline as described below. The ramp shall extend to the left and right of the centerline 3.0 feet in each direction causing the ramp to be 6.0 feet wide.
Beginning at a location of 32.1263304°, -080.9272840° proceeding 30.5 feet southeast at a 276° angle from north to 32.1260567°, -080.9272722° where the ramp terminates. The ramp terminates at a 15 foot by 15 foot platform (Platform 1) at a 231° bias from north. The center of Platform 1 is located along the centerline of the ramp as described above. An additional 15 foot by 15 foot platform (Platform 2) has a 231° bias from north and its centerline is offset 5 feet southeast from the centerline of Platform 1. The northern, southern, eastern, and western point of each platform are as follows:

Platform 1

Northwestern Point	32.1260543°, -080.9273511°
Northeastern Point	32.1260591°, -080.9271933°
Southwestern Point	32.1259200°, -080.9273454°
Southeastern Point	32.1259249°, -080.9271877°

Platform 2

Northwestern Point	32.1259184°, -080.9273987°
Northeastern Point	32.1259228°, -080.9272409°
Southwestern Point	32.1257842°, -080.9273930°
Southeastern Point	32.1257890°, -080.9272352°

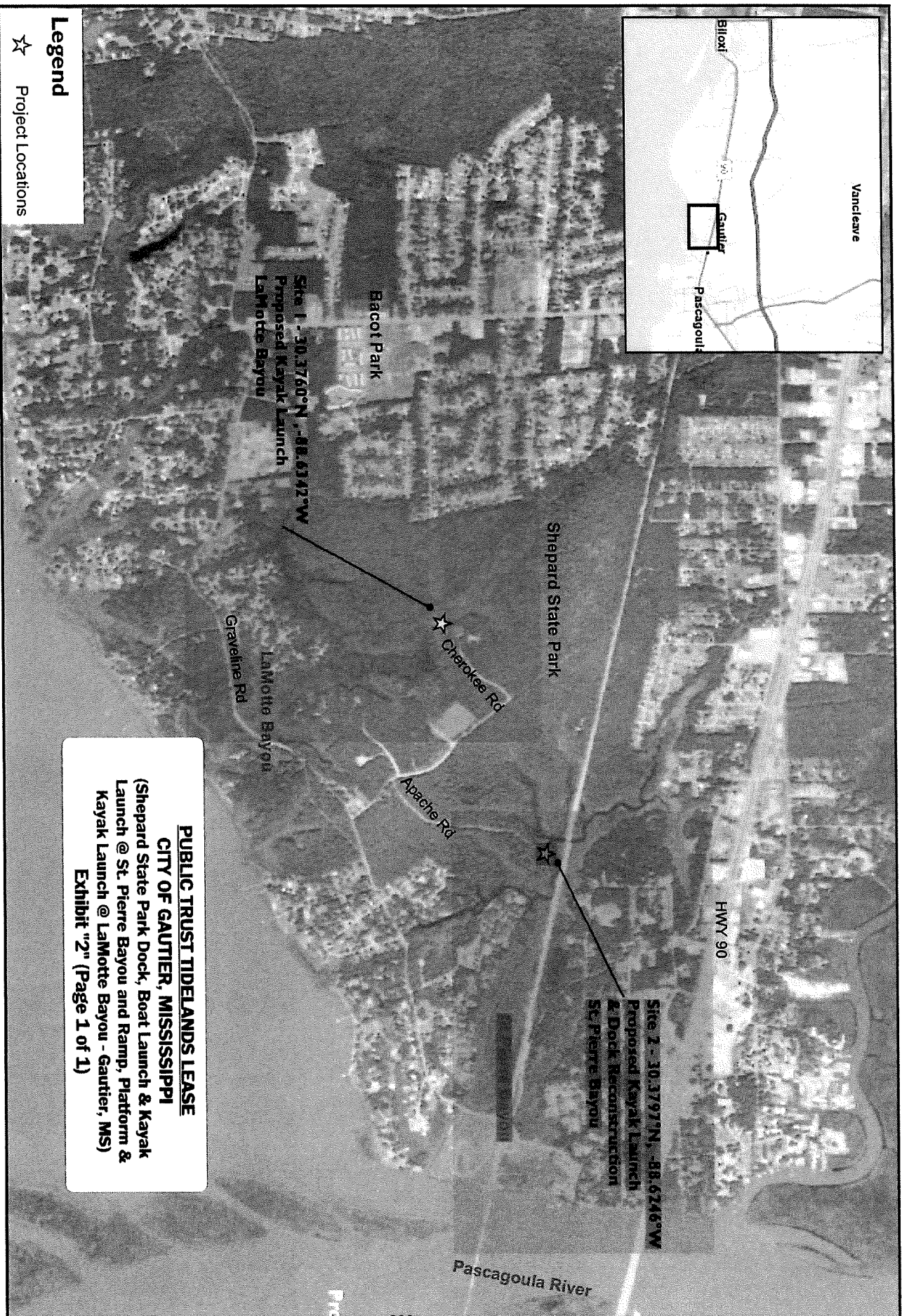
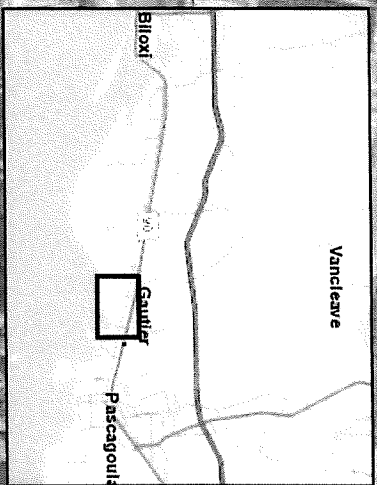
Exhibit "1-B" (Page 2 of 2)
(Legal Description, Provided by LESSEE)

On Platform 1, two 2" Schedule 40 stainless steel pipes will attach to the platform at a pipe center location of 32.1259876°, -080.9271883° and 32.1259651°, -080.9271875°. The stainless steel pipes will extend from 2' above mean high water into the bayou floor. A floating kayak launch will be connected to the stainless steel pipes and will have four corners located at the following points: 32.1259989°, -080.9271867° (northwest point); 32.1260000°, -080.9271445° (northeast point); 32.1259539°, -080.9271850° (southwest point); and 32.1259551°, -080.9271428° (southeast point). The floating kayak launch will be able to move between mean low water and mean high water.

On Platform 2, two 2" Schedule 40 stainless steel pipes will attach to the platform at a pipe center location of 32.1258847°, -080.9272372° and 32.1258622°, -080.9272364°. The stainless steel pipes will extend from 2' above mean high water into the bayou floor. A floating kayak launch will be connected to the stainless steel pipes and will have four corners located at the following points: 32.1258960°, -080.9272357° (northwest point); 32.1258971°, -080.9271934° (northeast point); 32.1258510°, -080.9272340° (southwest point); and 32.1258522°, -080.9271917° (southeast point). The floating kayak launch will be able to move between mean low water and mean high water.

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit 2 (1 Page)
(Site Vicinity Location Map Sheet, Provided by LESSEE)



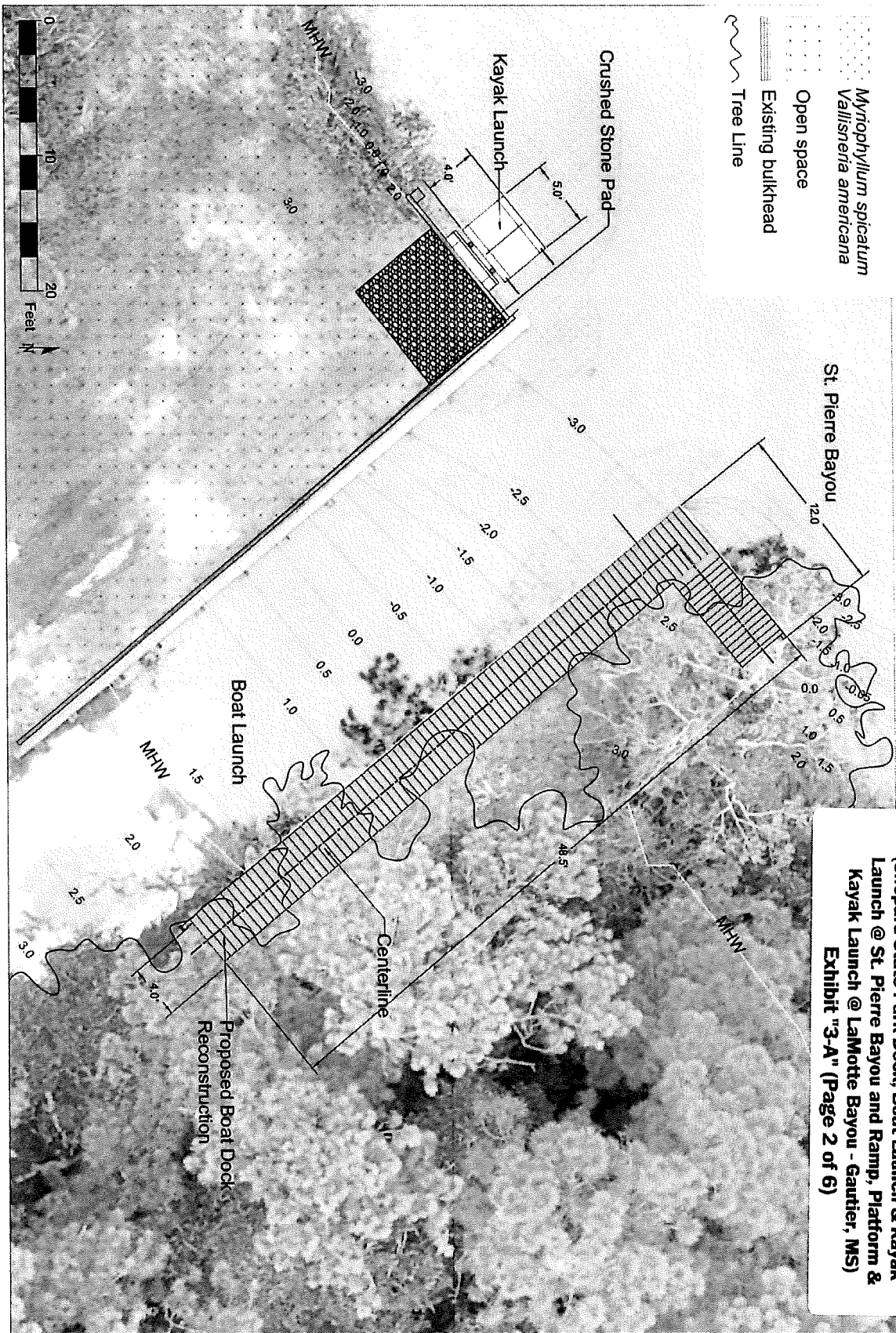
PUBLIC TRUST TIDELANDS LEASE

CITY OF GAUTIER, MISSISSIPPI

**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit "3-A" (6 Pages)

(Dock/Kayak Plan Construction Details of Lease Area, dated January 2022,
prepared by Heflin Engineering | Cypress Environment & Infrastructure, Provided by LESSEE)



PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
 (Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-A" (Page 2 of 6)

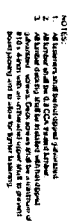
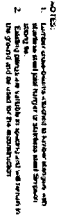
Shepard State Park
 Boat Dock Reconstruction
 Gautier, Mississippi

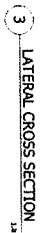
HEFLIN
 ENGINEERING
 CYPRESS
 ENGINEERING

Owner: City of Gautier
 Project: Shepard State Park Boat Dock Reconstruction
 Drawing No.: 3-A
 Drawing Title: Boat Dock Reconstruction
 Drawing Date: 10/1/2019
 Drawing Scale: 1" = 10'-0"

C1.2 Restored Dock Layout

HEFLIN
ENGINEERING
CYPRESS
Engineering & Construction

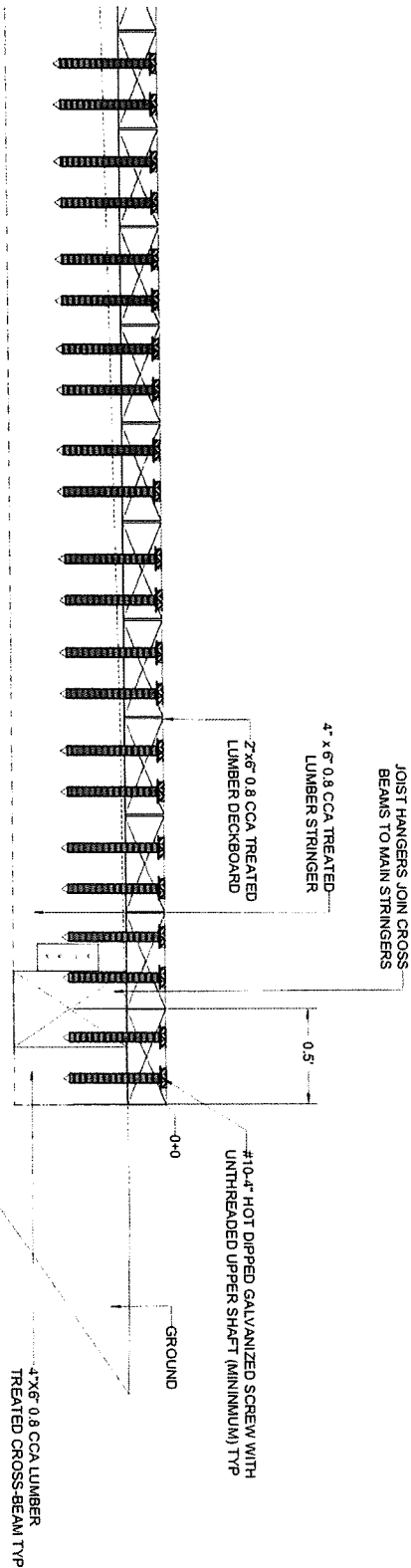
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PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
(Shepard State Park Dock, Boat Launch & Kayak
Launch @ St. Pierre Bayou and Ramp, Platform &
Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-A" (Page 4 of 6)

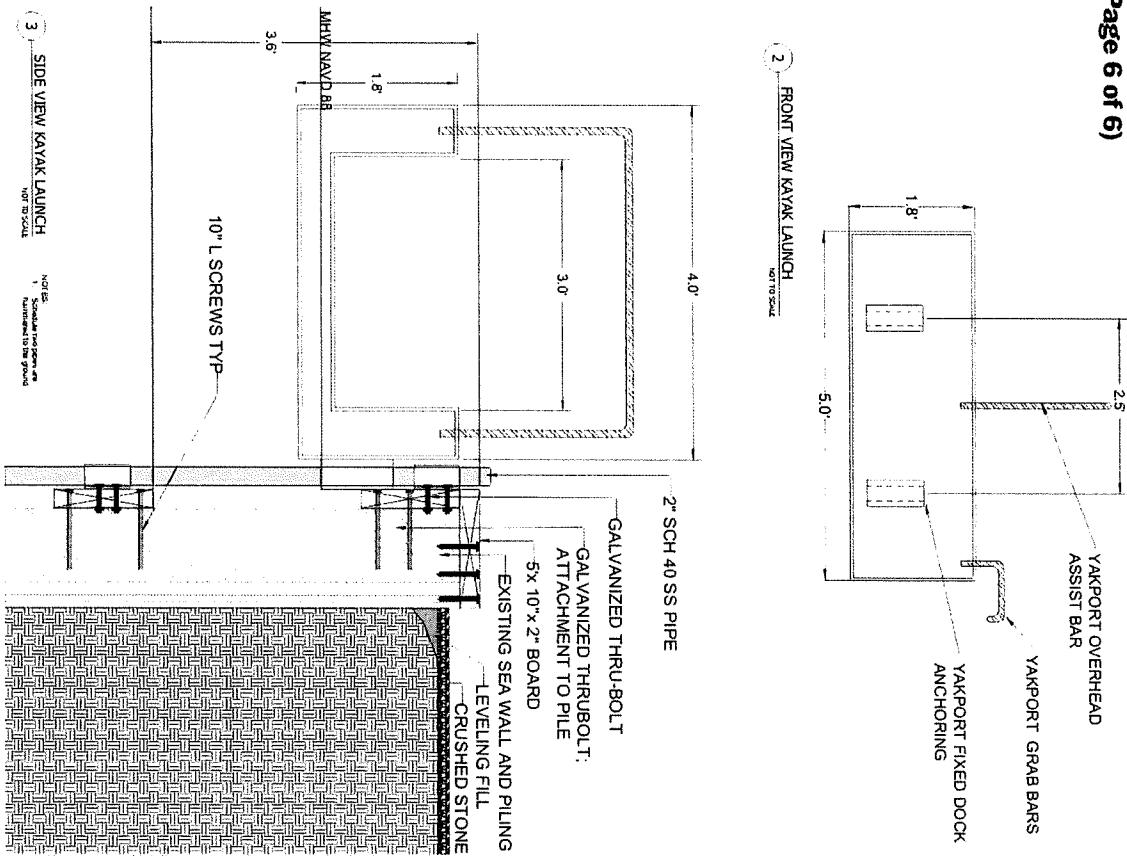
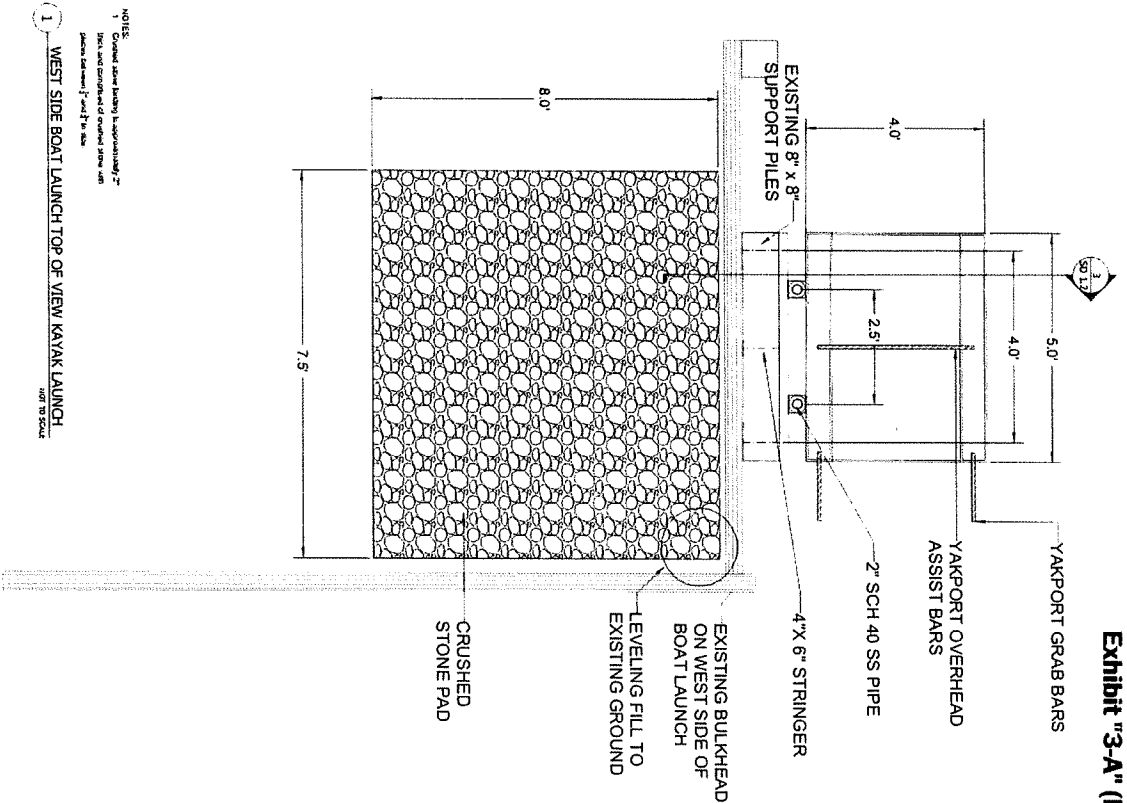
PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
 (Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-A" (Page 5 of 6)

HEFLIN
 ENGINEERING
 CYPRESS



Shepard State Park
 Boat Dock Reconstruction
 Gautier, Mississippi

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
(Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-A" (Page 6 of 6)



3 SIDE VIEW KAYAK LAUNCH
 NOT TO SCALE

NOTES:
 1. Schedule and quantity of material shown are approximate to the ground.

HEFLIN CYPRESS ENGINEERING
 1000 N. 10th Street
 Suite 100
 Gulfport, MS 39201
 Phone: 601.735.1111
 Fax: 601.735.1112
 Email: info@heflincypress.com

Shepard State Park Boat Dock Reconstruction
Gautier, Mississippi

SD 1.2

PUBLIC TRUST TIDELANDS LEASE

CITY OF GAUTIER, MISSISSIPPI

**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit "3-B" (5 Pages)

(Kayak Plan Construction Details of Lease Area, dated January 2022,
prepared by Heflin Engineering | Cypress Environment & Infrastructure, Provided by LESSEE)

INDEX TO SHEETS

SECTION NO.	DESCRIPTION
G1.0	COVER PAGE AND INDEX
C1.1	EXISTING CONDITIONS
C1.2	KAYAK LAUNCH LAYOUT
C2.1	PILING AND THROUGH DECKING LAYOUT
C2.2	ELEVATION AND SECTION WITH DETAILS
SD1.1	KAYAK LAUNCH DETAILS
TOTAL SHEETS- 6	

CITY OF GAUTIER, MISSISSIPPI SHEPARD STATE PARK BOAT DOCK RECONSTRUCTION

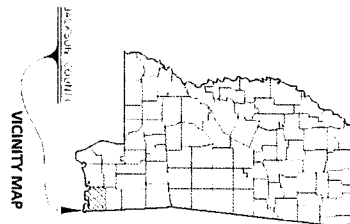


PROJECT LOCATION



PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
 (Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
 Exhibit "3-B" (Page 1 of 5)

LOCATOR MAP
 JANUARY 2022



MAYOR
 Casey Vaughan

CITY COUNCIL
 Adam Colledge, Councilman at Large
 Cameron B. George, Ward 1
 Richard "DJ" Jackson, Ward 2
 Gordon T. Gollott, Ward 3
 Charles "Rusly" Anderson, Ward 4
 Dante Elbin, Ward 5

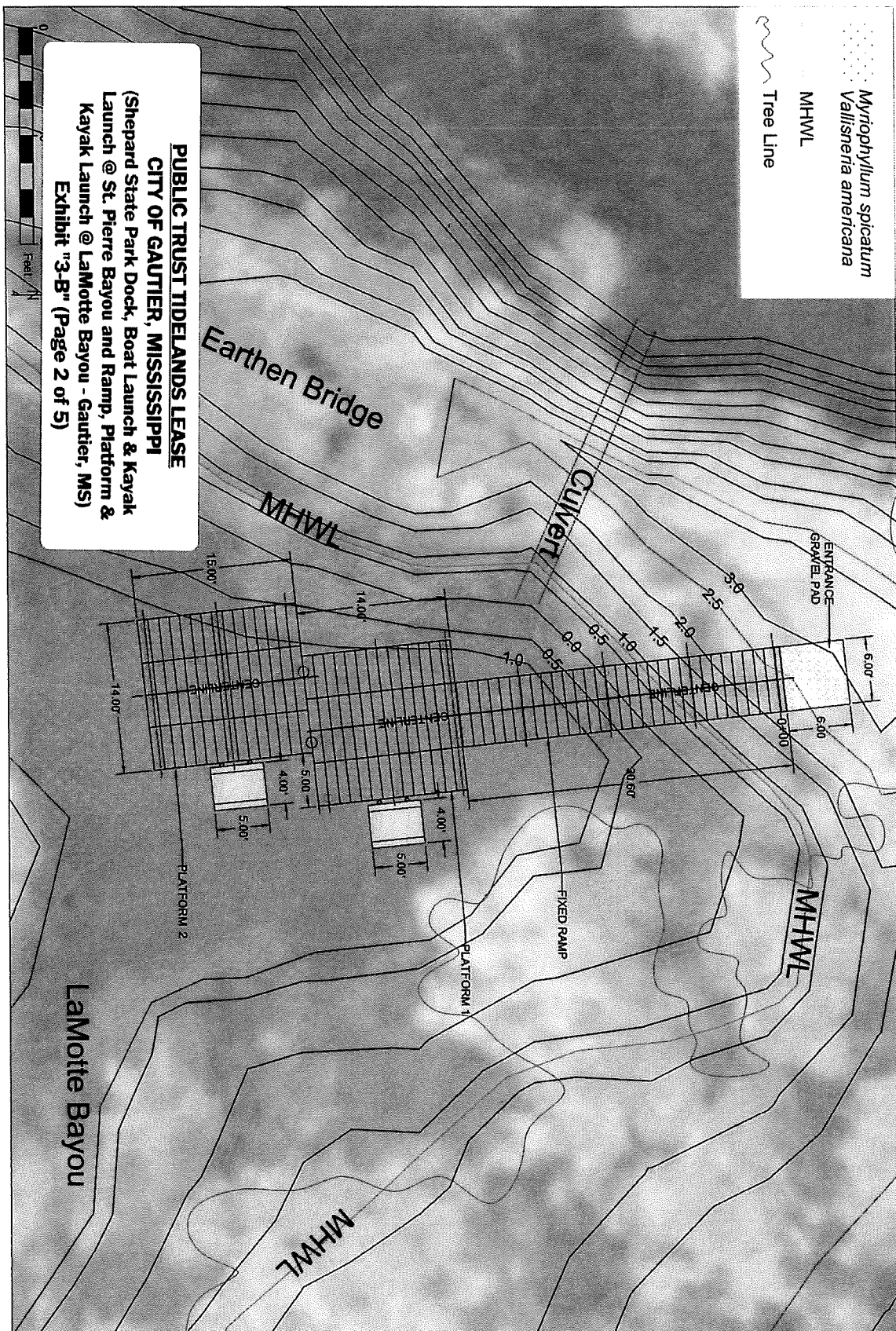
CITY MANAGER
 Paula Yarney

Shepard State Park
 Bayou LaMotte Kayak Launch
 Gautier, Mississippi

HEFLIN
 ENGINEERING
CYPRESS
 DESIGN & CONSTRUCTION

Drawn by: TLE
 Checked by: TLE
 Date: January 2022
 Project No: 22-001
 Cover Page and Index
 Sheet Number: G1.0

Tree Line



PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
(Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-B" (Page 2 of 5)

HEELIN
ENGINEERING
CYPRESS

Shepard State Park
Bayou LaMotte Kayak Launch
Gautier, Mississippi

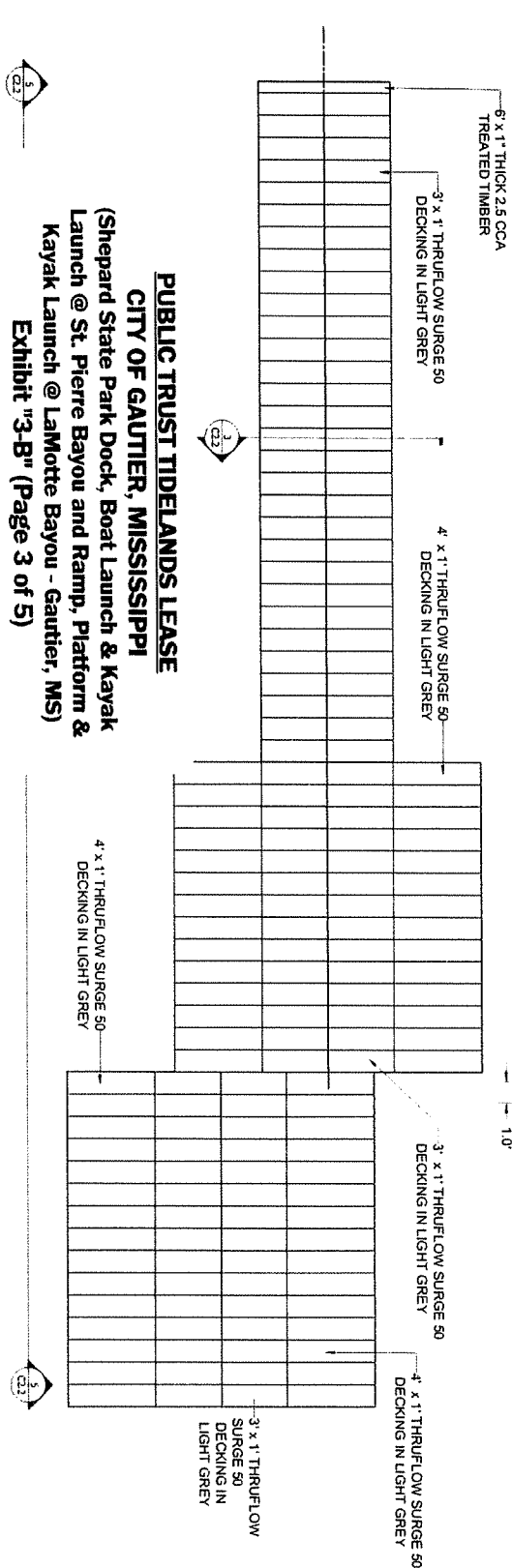
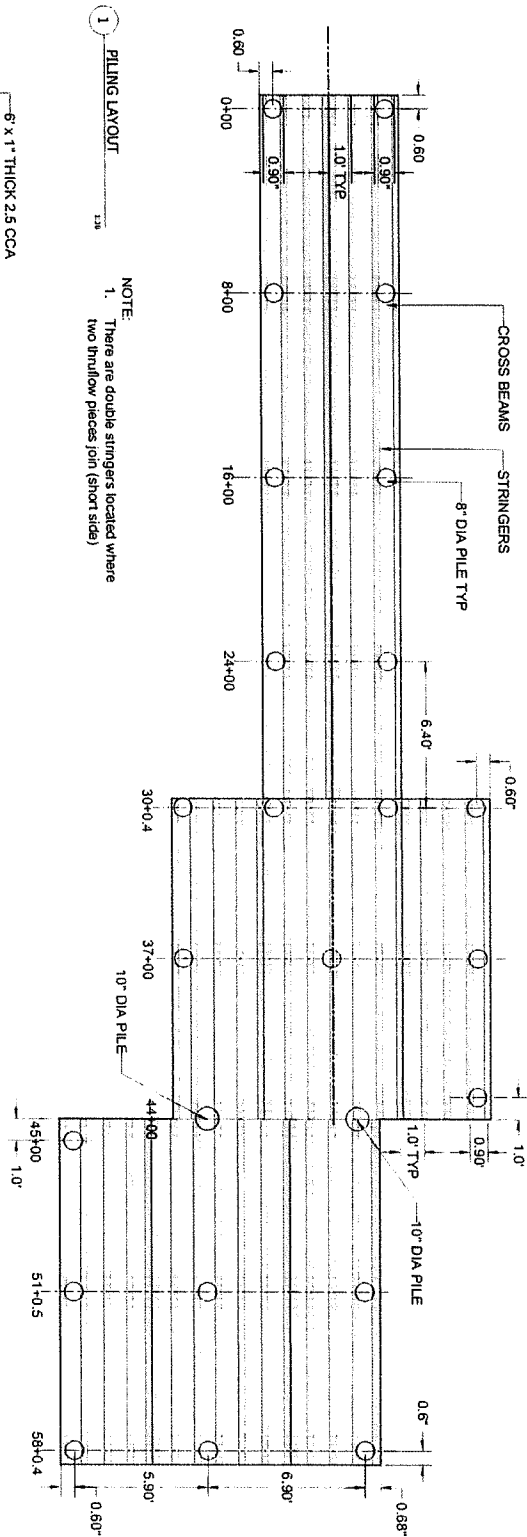
Drawn By: L.L.	Scale: As Shown
Reviewed by:	Date: January 28
Checked by: G.E.	Project: 21418
Drawing Title:	

Kayak Launch
Layout

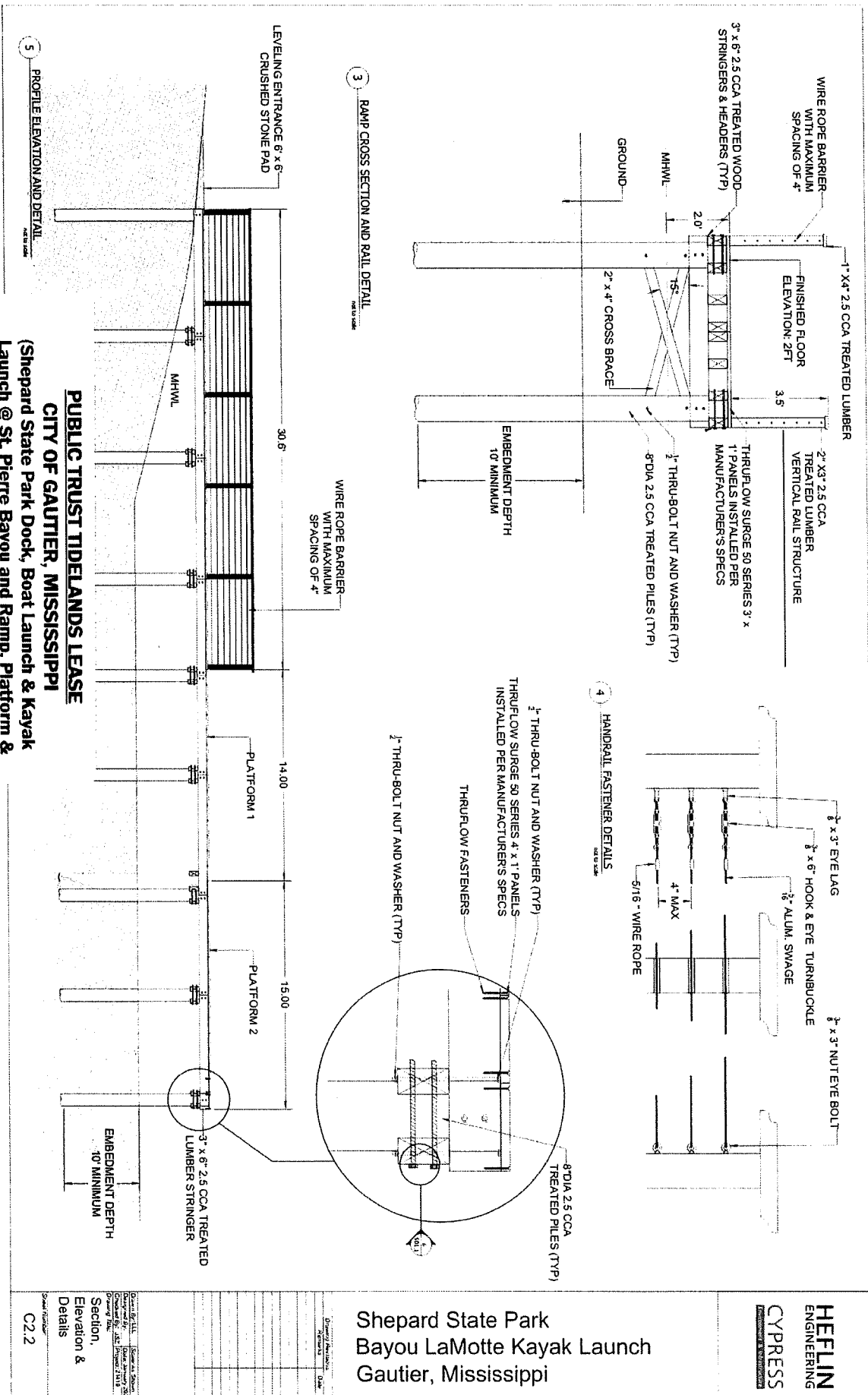
Sheet Number:
C1.2

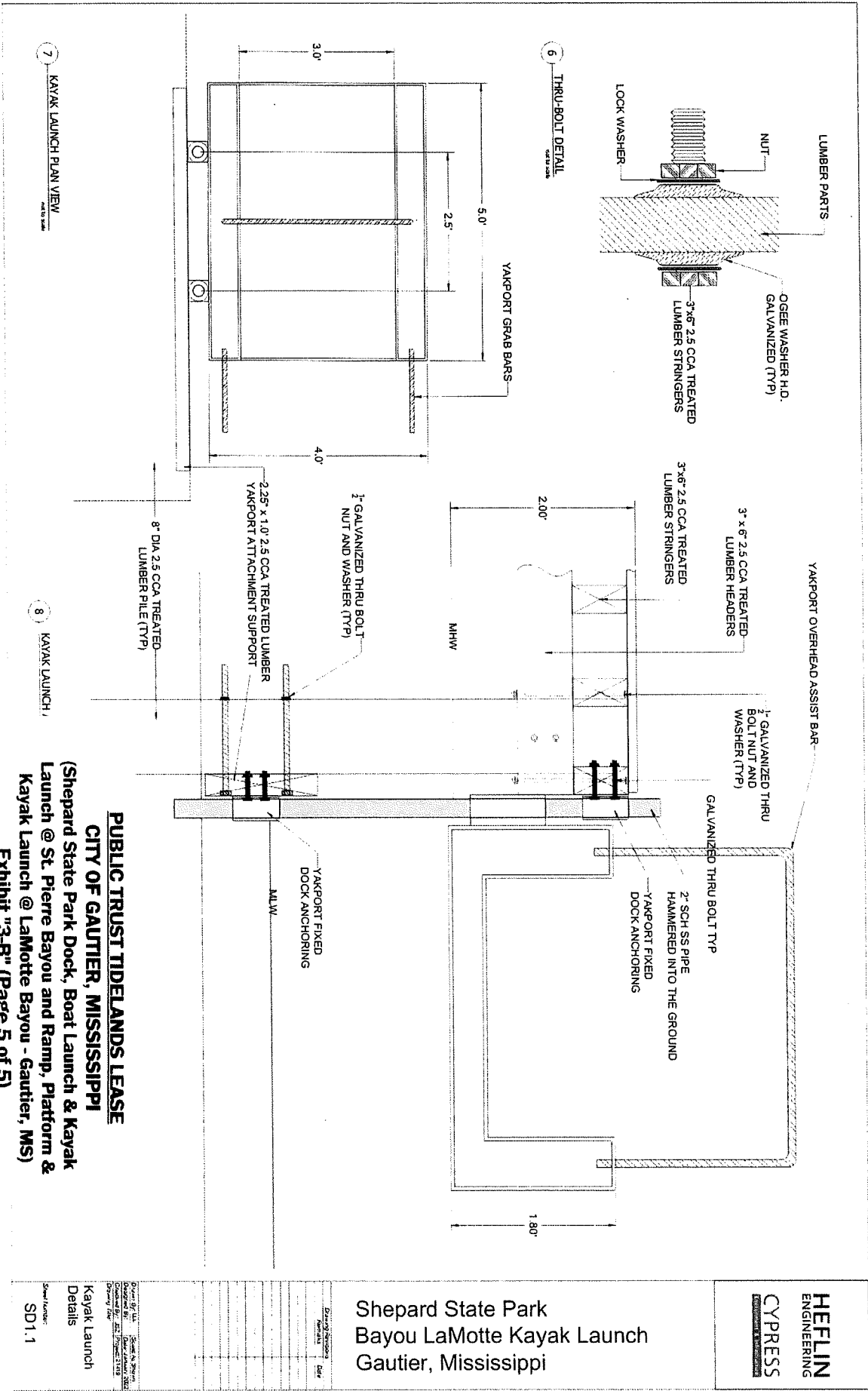
Shepard State Park
Bayou LaMotte Kayak Launch
Gautier, Mississippi

Drawn By: J. L. L. L.
Checked By: J. L. L. L.
Reviewed By: J. L. L. L.
Piling & Thruflow
Decking Layout
C2.1



PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
(Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-B" (Page 3 of 5)





PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
 (Shepard State Park Dock, Boat Launch & Kayak Launch @ St. Pierre Bayou and Ramp, Platform & Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "3-B" (Page 5 of 5)

Shepard State Park
 Bayou LaMotte Kayak Launch
 Gautier, Mississippi

HEFLIN
 ENGINEERING
CYPRESS

Drawn By:	Shepard State Park
Checked By:	Bayou LaMotte
Design Date:	01/11/2011
Sheet Number:	SD1.1
Project Name:	Kayak Launch
Details:	

PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI

**(Shepard State Park Dock, Boat Launch and Kayak Launch @ St. Pierre Bayou
and Ramp, Platform and Kayak Launch @ LaMotte Bayou - Gautier, Mississippi)**

Exhibit 4 (3 Pages)

(Memorandum of Understanding between
the Mississippi Department of Wildlife, Fisheries, and Parks,
and the City of Gautier, Mississippi)

**MEMORANDUM OF UNDERSTANDING
AND
INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES, AND PARKS
AND
THE CITY OF GAUTIER, MISSISSIPPI**

This Memorandum of Understanding is entered into between the Mississippi Department of Wildlife, Fisheries, and Parks (MDWFP), and the City of Gautier, Mississippi, (Gautier) concerning the operation and maintenance of Shepard State Park, and related facilities, located near Gautier, Mississippi.

WHEREAS, beginning in December of 1976, Mr. Horace A. Shepard conveyed certain tracts of land to the State of Mississippi, Afor the purpose of establishing a forest reserve, a public park, and a bird and other wildlife sanctuary..

WHEREAS, the State of Mississippi established Shepard State Park upon the lands conveyed from Mr. Horace A. Shepard.

WHEREAS, the original deeds transferring the lands of the Shepard State Park and Refuge contain a determinable fee contingency that should the State ever cease to operate the property as a Aforest reserve, a public park, and a bird and other wildlife sanctuary, the State would be divested of ownership and the property would pass to a third party.

WHEREAS, the City of Gautier, Mississippi has approached the MDWFP about taking over operation of Shepard State Park and possibly further developing the facilities at the park consistent with city plans for expansion, economic development and related purposes consistent with the restrictions contained in the original granting deeds.

WHEREAS, the Mississippi Commission on Wildlife, Fisheries, and Parks at their regular meeting of _____, 2012, stated its approval and acceptance of Gautier's proposal and authorized the Executive Director to execute any such agreement necessary to effect the transfer of the operation of Shepard State Park to the City of Gautier.

WHEREAS, The City of Gautier, at its regularly scheduled City Council meeting of Dec 18th, 2012, authorized its City Manager to enter into and execute any such agreement as may be necessary to effect the transfer of operation of Shepard State park to the City of Gautier.

NOW, THEREFORE, for and in consideration of the mutual promises and covenants hereinafter set forth, the parties agree as follows:

**PUBLIC TRUST TIDELANDS LEASE
CITY OF GAUTIER, MISSISSIPPI
(Shepard State Park Dock, Boat Launch & Kayak
Launch @ St. Pierre Bayou and Ramp, Platform &
Kayak Launch @ LaMotte Bayou - Gautier, MS)
Exhibit "4" (Page 1 of 3)**

RESPONSIBILITIES OF THE CITY OF GAUTIER:

The City of Gautier will operate Shepard State park in a manner consistent with its current operations as a Aforest reserve, a public park, and a bird and other wildlife sanctuary.

The City of Gautier assures that it has or will employ personnel qualified to operate and maintain the park in as good or better condition as it is at present. The City of Gautier further assures that it will continue to operate the park as a park, and as a bird and wildlife sanctuary/refuge.

The City of Gautier agrees that it will continue to operate and maintain those facilities constructed with funds from the Land and Water Conservation Fund grants in a manner consistent with the rules and regulations applicable thereto, to include, but not be limited to, making application, with the assistance of the MDWFP, to become a Substitute Sponsor under the LWCF grants.

RESPONSIBILITIES OF THE MDWFP:

The MDWFP will provide technical assistance to the City of Gautier in the management of the park as a bird and wildlife sanctuary/refuge, to include, but not be limited to:

Technical assistance with preserving and maintaining critical wildlife habitat;

Technical assistance with preserving and maintaining certain marine and/or estuarine ecosystems

Technical maintenance of all timber and timber management - this item recognizes that all standing timber on Shepard State Park belongs to the MDWFP. Timber resources shall be managed according to MDWFP timber management policies. Should the City of Gautier wish to develop any part of the park, the City shall obtain the MDWFP's prior approval and assistance, and any timber to be removed shall be removed by the MDWFP. All income derived from timber management practices of the MDWFP shall be shared equally by and between the MDWFP and the City of Gautier (50% each).

Income generated by or derived from public use of the park such as gate fees, user fees, special event fees, etc., shall belong to the City of Gautier.

To the extent allowed under state purchasing laws and regulations, the MDWFP will make available to the City of Gautier such equipment and facilities as the City may need to operate and maintain the park. This shall include, but not be limited to those structures constructed and standing on the park grounds, as well as those certain items of equipment or other

inventory set forth on the inventory schedule attached hereto as Exhibit A.

The MDWFP will provide technical guidance and assistance to the City in its application to become a substitute sponsor under the LWCF grant(s).

OTHER PROVISIONS:

The parties agree that they will execute any such other and further agreements as may be necessary for the City to operate, manage and maintain the Park.

The City of Gautier shall have the right to make an offer or offers of employment to any current employees of the MDWFP presently working at Shepard State Park. In the event any employees choose to change their employment to the City of Gautier, the MDWFP shall work with the City to make the transition seamless so as to prevent any loss of or gap in benefits, etc.

Either party to this agreement may terminate the agreement upon 90 days written notice.

ASSURANCES:

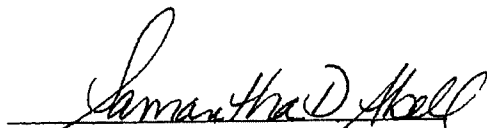
The City of Gautier assures the MDWFP that its operation, management and maintenance of the park shall comply with all applicable laws, regulations and rules, including but not limited to equal employment opportunity laws, nondiscrimination laws and the rules and regulations of the United States Department of Interior, National Park Service.

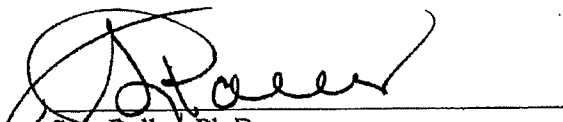
IT IS THE INTENT OF THE PARTIES HERETO, that this agreement shall survive in perpetuity and be binding upon successive city government administrations and commissions of Wildlife, Fisheries and Parks; and/or each party's successors or assigns, to the extent allowed by law.

SO AGREED and executed, this the 19th day of December, 2012.

CITY OF GAUTIER

MISSISSIPPI DEPARTMENT OF WILDLIFE,
FISHERIES, AND PARKS


Honorable
City Manager


Sam Polles, Ph.D.
Executive Director

PUBLIC TRUST TIDELANDS LEASE

CITY OF GAUTIER, MISSISSIPPI

(Shepard State Park Dock, Boat Launch & Kayak
Launch @ St. Pierre Bayou and Ramp, Platform &
Kayak Launch @ LaMotte Bayou - Gautier, MS)

Exhibit "4" (Page 3 of 3)

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

ORDER NUMBER 124-2022

WHEREAS, the Grants and Projects Department requests that the City of Gautier authorize the City Manager to execute a MGCCC Rules and Regulations pertaining to the use of College Facilities form, as required to hold a Gautier Mayor's Youth Council teambuilding event on campus; and

WHEREAS, the Gautier Mayor's Youth Council will have their teambuilding event at the Estuarine Education Center (low ropes course and rock wall) on July 30, 2022; and

WHEREAS, in order to host the teambuilding event, MGCCC is requiring the City to execute the attached documentation; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the City Manager be given authority to execute a MGCCC Rules and Regulations Pertaining to the Use of College Facilities form, contingent upon approval by the City Attorney.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 06/28/2022
Subject: MGCCC Rules and Regulations Pertaining to the Use of College Facilities

REQUEST:

The Grants and Projects Department requests that City Council authorize the City Manager to execute a MGCCC Rules and Regulations Pertaining to the Use of College Facilities form, as required to hold a Gautier Mayor's Youth Council teambuilding event on campus

BACKGROUND:

The Grants and Projects Department would like to host a GMYC teambuilding event at the Estuarine Education Center (low ropes course and rock wall) on July 30, 2022.

DISCUSSION:

The Rules and Regulations Pertaining to the Use of College Facilities form must be executed before the teambuilding event is scheduled. This form has been used previously when hosting events on MGCCC's campus.

RECOMMENDATION:

The Grants and Projects Department recommends that City Council authorize the City Manager to execute a MGCCC Rules and Regulations Pertaining to the Use of College Facilities form, as required to hold a Gautier Mayor's Youth Council teambuilding event on campus.

The City Council may:

1. Authorize the City Manager to execute a MGCCC Rules and Regulations Pertaining to the Use of College Facilities form, as presented; or
2. Not authorize the City Manager to execute a MGCCC Rules and Regulations Pertaining to the Use of College Facilities form, as presented.

ATTACHMENTS:

1. Rules_and_Regulations_for_Use_of_a_College_Facility



RULES AND REGULATIONS PERTAINING TO THE USE OF COLLEGE FACILITIES

1. The Contracting Organization/Individual assumes responsibility for the preservation of order in the college facility(ies) being utilized. Uniformed Police Officers must be provided, as deemed appropriate by the Campus Vice President, for all activities/events by those renting the college facilities. The college may provide this service for an additional fee.
2. Smoking and use of tobacco products will not be permitted anywhere on the campus, including centers, campus buildings, sidewalks, parking lots, building entrances and common areas.
3. Intentional and unintentional littering at any college location will not be tolerated. Mississippi State Code Section 97-15-29 prohibits littering; therefore, Campus Police will issue county citation to visitors who violate this law.
4. The Contracting Organization/Individual assumes any and all liability for damage to the facility(ies) being used for an activity/event as well as property damage or loss of college property. Further, the Contracting Organization/Individual agrees to promptly pay, on demand, for any damage(s) or loss of property that occurs before, during, or after the scheduled activity/event.
5. The Contracting Organization/Individual understands that the use of the college's approved food service provider is required for events held on any of the three comprehensive campuses of MGCCC that involve the serving of food.
6. The Contracting Organization/Individual hereby accepts responsibility for the enforcement of Mississippi Code, Section 67-1-37, sub-section (g), which prohibits the sale or consumption of alcoholic beverages in or on the campus of any public college.
7. The Contracting Organization/Individual hereby accepts total responsibility for the payment of all royalties or other fees which might become due to any third party because of the performance of any drama, musical composition, or other copyrighted work.
8. No permit for use of college facilities will be granted if the purpose or result of such use is personal gain to any individual or individuals or of a political or sectarian nature.
9. Permission to utilize college facilities for an activity/event shall be revocable and shall not be considered as a lease.
10. No pianos, movie or video machines, scenery or other apparatus are to be moved into a college facility unless special permission is granted.
11. Persons and/or organizations who use their own equipment or properties and which they consider valuable, must remove said equipment immediately after the performance unless special permission is given. The college will not be responsible for any equipment left in the facility(ies).
12. Official College Representatives shall at all times have free access to all parts of the facilities. Representatives reserve the right to revoke any meeting permit should the action be deemed necessary or desirable and in the best interests of MGCCC.
13. The college, at its discretion, may require organizations filing an application for use of college facilities to submit details of the program and/or participants. Also, additional regulations specific to the campus/center or college facility(ies) utilized may be attached to this form and will be considered applicable.

Failure to comply with any policy stated above can result in termination of the facility rental agreement at any time.

**I HEREBY CERTIFY THAT I HAVE READ THE ABOVE RULES AND REGULATIONS
AND ACCEPT ALL RESPONSIBILITIES THEREOF.**

Signature

Date

AD-ADM-11 (Rev. 8/20)

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 125-2022

WHEREAS, Gautier citizen, Delores Macfarland (4212 Gautier Vancleave Road., Gautier, MS 39553) reported a water outage at her home; and

WHEREAS, due to the Martin Bluff Road Construction, she was told her water was temporarily interrupted to perform water utility work; and

WHEREAS, after 5:00pm, she reported again that she was still without water; and

WHEREAS, after proper inspection, Ms. Macfarland had a leak on her side, due to a tree limb that fell in the middle of the night; and

WHEREAS, Mrs. Macfarland would have called a plumber immediately, if she was not told by city staff that her water was off due to construction; and

WHEREAS, Ms. Macfarland's utility bill is normally the minimum of \$73.50, but due to the leak, her bill is \$206.50, and Ms. Macfarland has articulated a claim against the City for the difference; and

WHEREAS, the Mayor and Council Members hereby find that settlement of this doubtful and disputed claim is in the best interests of the City of Gautier;

IT IS THEREFORE ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that a settlement of a disputed claim between the City of Gautier and Delores Macfarland is hereby approved in the amount of \$133.00.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: **Casey Vaughan**
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: **None**

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

ORDER NUMBER 126-2022

WHEREAS, the City Council has authorized the City Manager to establish payment plans and fee adjustments contingent upon Council approval; and

WHEREAS, the City Council has adopted a Comprehensive Fee Schedule that establishes such fees for the equitable provision of services;

WHEREAS, based on the reasons included on the attached documentation, the Mayor and Council hereby find that, due to unforeseen events, the respective users did not receive the benefit of the relevant utility;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the attached list of water and sewer adjustments dated July 2022 in the amount of \$6,295.13 is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **Councilman Gollott**, seconded by **Councilman Elbin**, and the following vote was recorded:

AYES: Casey Vaughan
 Adam Colledge
 Cameron George
 Richard Jackson
 Gordon Gollott
 Rusty Anderson
 Dante Elbin

NAYS: None

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 5, 2022.

JULY 2022 UTILITY ADJUSTMENTS								
THESE FOLLOW POLICY/ RECOMMEND APPROVAL								
CUSTOMER NAME	ACCT #	100 WATER	400 SEWER	195 L/C	130 CAPACITY	800 TAX	TOTAL ADJ	REASON FOR ADJUSTMENT
	001-07201-003		233.85				233.85	Pool Fill
	003-33301-000		183.24	35.00			218.24	Pool Fill
	005-10701-000		167.51	35.00			202.51	Pool Fill
	025-10501-000	1,370.55	1,537.35	35.00			2,942.90	Theft
	044-16701-003		122.01	35.00			157.01	Pool Fill
	041-08801-001		83.07				83.07	Pool Fill
	035-05951-005		106.10				106.10	Pool Fill
	035-00451-000	162.86	368.46		200.00	25.40	756.72	Line in Yard
	065-13201-000	138.56	282.96	35.00			456.52	Line in Yard
	059-04401-000		66.89	35.00			101.89	Pool Fill
	059-08001-001		101.84				101.84	Pool Fill
	089-08001-002		110.36	35.00			145.36	Pool Fill
	110-19501-000		176.50				176.50	Pool Fill
	130-20001-007		69.66				69.66	Line in Yard
	139-44651-004	168.67	339.29	35.00			542.96	Hot Water Valve
	TOTAL	1,840.64	3,949.09	280.00	200.00	25.40	6,295.13	
	COMPLETED							

Councilman Gollott made the motion to enter closed session to determine if executive session is appropriate. Councilman Jackson seconded the motion. The vote was carried unanimously.

Councilman Colledge made the motion to enter executive session to discuss potential litigation regarding Coast Meadows. Councilman Gollott seconded the motion. The vote was carried unanimously.

Councilman Colledge made the motion to approve the settlement agreement with Coast Meadows regarding water and sewer deposits. Councilman Gollott seconded the motion. The vote was carried unanimously.

Councilman Gollott made the motion to enter open session. Councilman Jackson seconded the motion. The vote was carried unanimously.

The City Attorney announced to the public all actions taken during executive session.

Councilman Colledge made the motion to recess until July 19, 2022 at 6:30pm. Councilman Jackson seconded the motion. The vote was carried unanimously.

MAYOR

ATTEST:

CITY CLERK

Submitted for approval of the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

SETTLEMENT AGREEMENT

WHEREAS, the City of Gautier (“City”) acquired the Gautier Utility District (“GUD”) which had provided water and sewer service to Coast Meadows Mobile Home Park, which is now wholly owned by Coast Meadows Mobile Estates, LLC, a Mississippi limited liability company (“Coast Meadows”); and

WHEREAS, Coast Meadows’ sole member is Warwick Income Properties, L.P., a Mississippi limited partnership (“Warwick”); and

WHEREAS, the general partners of Warwick are Sharon Warwick Safer and Jonathan E. Warwick, who have authority under the limited partnership agreement to act for Warwick, the sole member of Coast Meadows; and

WHEREAS, the City is a municipality organized under the laws of the State Mississippi; and

WHEREAS, Coast Meadows and the City have had an ongoing dispute related to the amount of money Coast Meadows owes the City for water and sewer services provided to former Coast Meadows’ tenants; and

WHEREAS, the City now owns, operates and performs all billing for GUD; and

WHEREAS, though the amount owed by Coast Meadows is disputed, the City and Coast Meadows have reached an agreement as to the total amount owed to the City; and

WHEREAS, Coast Meadows has been collecting water deposits from tenants at Coast Meadows Mobile Home Park, and as part of this settlement between the City and Coast Meadows, Coast Meadows has agreed to transfer such water deposits to the City pursuant to this Settlement Agreement; and

WHEREAS, City will continue to bill all tenants of the Coast Meadows Mobile Home Park directly for all water and sewer services furnished by the City; and

WHEREAS, Coast Meadows has two accounts with the City for water and sewer services: its Master Meter account and its account for office and pool uses; and

WHEREAS, Charles Warwick, the original sole owner of Coast Meadows Mobile Home Park, had individually guaranteed that he personally would pay for any water bills for any mobile home tenants who “skipped out” without paying their water and sewer bill; and

WHEREAS, Coast Meadows and the City agree that the personal guaranty of Charles Warwick terminated on his death which occurred on December 16, 2018; and

WHEREAS, Coast Meadows and the City desire to settle all of their disputed claims and have agreed to reduce their understanding to a written agreement between the parties to be approved by the City Council of the City of Gautier, with such approval being reflected on the official minutes of the City Council.

THEREFORE, for ten dollars and NO/100 (\$10.00) and other good and valuable consideration, including the mutual covenants and agreements hereinafter expressed, the sufficiency of which are acknowledged by both Coast Meadows and the City, it is agreed as follows:

1. **Incorporation of Recitals.** The recitals set forth in the preamble to this Settlement Agreement are true and correct. These recitals are incorporated into this Settlement Agreement as if fully copied herein and are deemed an integral part of the Settlement Agreement and are not mere recitals.

2. **Parties to this Agreement.** The Parties to this Agreement are: (1) the City of Gautier, Mississippi which is a municipality organized under the laws of the State of Mississippi ("City") and (2) Coast Meadows Mobile Estates, LLC, a Mississippi limited liability company, whose sole member is Warwick Income Properties, L.P., a Mississippi limited partnership ("Coast Meadows"). Together, the City and Coast Meadows are collectively referred to as the "Parties".

3. **Binding Effect.** This Settlement Agreement shall be binding on the Parties when the City approves this Settlement Agreement and reflects such approval on the face of its minutes and when this Settlement Agreement is executed by the General Partners of Warwick Income Properties, L.P.

4. **Settlement of Disputed Claims.** The Parties acknowledge that the various issues referred to in this Settlement Agreement have been disputed for several years, and the Parties desire to settle all of their disputes with each other regarding the water and sewer service provided by the City to Coast Meadows prior to the date of this Settlement Agreement.

5. **Monies Owed to the City.** Coast Meadows agrees to pay by certified check or by wire to the City the sum of \$68,012.81. The Parties agree that this payment will fully pay all monies owed by Coast Meadows to the City. Upon the payment of \$68,012.81, Coast Meadows will not owe any money to the City for water and sewer services (except for current charges for its two accounts) as of the date this Settlement Agreement is approved by the City Council.

6. **Water and Sewer Deposits Transferred to City.** Coast Meadows, upon the execution of this Settlement Agreement, shall pay by certified check or by wire to the City the sum of ~~\$15,215.00~~ ^{\$15,415.⁰⁰} which constitutes tenant water deposits held by Coast Meadows. Attached as **Exhibit A** is a list of each tenant who has paid a water deposit to Coast Meadows, each tenant's lot number and the amount of each tenant's deposit.

7. **Future Water and Sewer Deposits and Bills.** The City, upon approval of this Settlement Agreement, shall thereafter be responsible for the collection of all future water deposits. The City will continue to bill directly each tenant at Coast Meadows for water and sewer.

8. **Coast Meadows Water and Sewer Use.** Coast Meadows shall continue its two accounts with the City. One account is for the Master Meter and a second account is for the water used at the office and pool. Coast Meadows shall pay for the amount of water used at the Mobile Home Park based upon the amount of water through the master meter less the amount of water billed to Coast Meadows' tenants and less the amount of water billed to Coast Meadows account for pool and office.

9. **Guaranty of Charles Warwick.** The personal guaranty of Charles Warwick terminated on Charles Warwick's death on December 16, 2018. Coast Meadows has no further obligation, if one existed in any manner, to guarantee the payment of any past due accounts for any Coast Meadows' tenants. The City shall be solely responsible for the collection of all water and sewer bills.

10. **Mutual Release and Covenant Not To Sue.** Upon the execution of this Settlement Agreement by both Coast Meadows and the City and the approval of this Settlement Agreement by the City Council, such approval being specifically spread upon the face of the City Council's minutes, Coast Meadows and the City mutually do fully, finally, and completely release and discharge each other, their successors and assigns from any acts, claims, demands, petitions, actions, causes of action, suits or damages of every kind and nature whatsoever relating to the subject matter specifically identified and described in this Settlement Agreement.

11. **Prior Agreements.** This Agreement is an integrated agreement containing the entire understanding of the Parties regarding the matters addressed herein and no representation, warranty, or promise has been made or relied upon by the Parties to this Agreement. This

Agreement supercedes all prior communications or prior representations regarding the matters contained herein.

12. **Cooperation.** The Parties agree that they will cooperate fully with one another to carry out this Agreement including the execution of any further documents as may be required to consummate this Settlement Agreement.

13. **Applicable Law.** The interpretation and construction of this Agreement shall be controlled by the law of the State of Mississippi and proper jurisdiction and venue shall be solely in the Chancery Court of Jackson County, Mississippi.

14. **Interpretation.** This Agreement constitutes the product of the negotiation of the Parties, and the enforcement hereof shall be interpreted in a neutral manner, and not more strongly for or against any Party based upon the source of the draftsmanship hereof.

15. **Waiver.** No waiver of any condition, obligation, or term shall constitute a waiver of any other, or a waiver of a subsequent right to demand strict compliance with all conditions, obligations, and terms of this Settlement Agreement.

16. **Copies of Agreement.** Any executed copy or photocopy of an executed copy hereof shall be as effective for any purpose as the original.

17. **Specific Performance.** This Agreement shall be specifically enforceable by either Party in the Chancery Court of Jackson County, Mississippi.

18. **Binding Affect.** This Agreement shall inure to the benefit of, be binding upon and enforceable against heirs, legal representatives, successors, transferees and assigns of the Parties.

19. **Amendments.** This Agreement may be amended or terminated only by mutual agreement of the Parties in writing.

20. **Invalidity of a Provision.** Whenever possible, each provision of this Agreement will be interpreted in such manner as to be effective and valid under applicable law, but if any

provision of this Agreement shall for any reason be held invalid, illegal or unenforceable in any respect under any applicable law or ruling in any jurisdiction, such provision will be ineffective only to the extent of such invalidity, illegality or unenforceability in such jurisdiction, without invalidating the remainder of this Agreement in such jurisdiction or any provision hereof in any other jurisdiction.

21. **Breach of Agreement.** Should any party breach this Agreement, in addition to all other remedies available at law or in equity to the other party, the breaching party shall pay the costs and expenses of the other party or parties resulting therefrom, and/or incurred in enforcing this Agreement, including reasonable attorney's fees and expert witness fees.

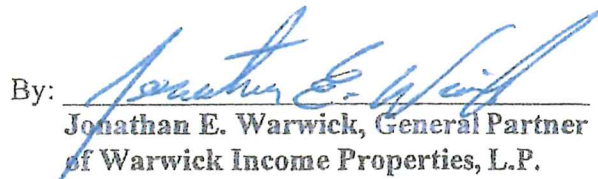
IN WITNESS WHEREOF, the Parties have executed this Settlement Agreement, effective as of July 14th, 2022.

City of Gaultier

By: 
Paula Yancey, City Manager

Coast Meadows Mobile Estates, LLC

By: Warwick Income Properties, L.P.
Sole Member

By: 
Jonathan E. Warwick, General Partner
of Warwick Income Properties, L.P.

By: 
Sharon Warwick Safer, General Partner
of Warwick Income Properties, L.P.

Coast Meadows		
Water Deposits by Lot 7.14.22		
Lot #	Tenants	Water Deposits
Lot 1		\$ 85.00
Lot 2		\$ 85.00
Lot 3		\$ 200.00
Lot 6		\$ 200.00
Lot 7		\$ 200.00
Lot 8		\$ 200.00
Lot 11		\$ 200.00
Lot 12		\$ 85.00
Lot 14		\$ 200.00
Lot 15		\$ 200.00
Lot 16		\$ 85.00
Lot 17		\$ 100.00
Lot 18		\$ 200.00
Lot 19		\$ 50.00
Lot 20		\$ 200.00
Lot 22		\$ 50.00
Lot 23		\$ 100.00
Lot 24		\$ 200.00
Lot 25		\$ 200.00
Lot 27		\$ 200.00
Lot 29		\$ 200.00

Lot 30		\$ 85.00
Lot 33		\$ 200.00
Lot 35		\$ 200.00
Lot 37		\$ 200.00
Lot 39		\$ 200.00
Lot 42		\$ 200.00
Lot 44		\$ 200.00
Lot 46		\$ 100.00
Lot 47		\$ 85.00
Lot 50		\$ 200.00
Lot 53		\$ 200.00
Lot 54		\$ 200.00
Lot 56		\$ 85.00
Lot 59		\$ 200.00
Lot 60		\$ 85.00
Lot 63		\$ 85.00
Lot 65		\$ 200.00
Lot 70		\$ 85.00
Lot 75		\$ 85.00
Lot 76		\$ 200.00
Lot 78		\$ 200.00
Lot 80		\$ 200.00
Lot 84		\$ 85.00

Lot 85		\$ 85.00
Lot 86		\$ -
Lot 88		\$ 200.00
Lot 90		\$ 200.00
Lot 92		\$ 85.00
Lot 94		\$ 200.00
Lot 98		\$ 85.00
Lot 99		\$ 85.00
Lot 101		\$ 100.00
Lot 102		\$ 200.00
Lot 106		\$ 200.00
Lot 107		\$ 85.00
Lot 108		\$ -
Lot 110		\$ 200.00
Lot 112		\$ 200.00
Lot 114		\$ 200.00
Lot 116		\$ 85.00
Lot 119		\$ 85.00
Lot 120		\$ 200.00
Lot 121		\$ 200.00
Lot 124		\$ 200.00
Lot 127		\$ 85.00

Lot 130		\$ 85.00
Lot 131		\$ 50.00
Lot 134		\$ 200.00
Lot 135		\$ 200.00
Lot 137		\$ 200.00
Lot 139		\$ 85.00
Lot 145		\$ 200.00
Lot 149		\$ 100.00
Lot 150		\$ 85.00
Lot 152		\$ 200.00
Lot 154		\$ 85.00
Lot 156		\$ 85.00
Lot 161		\$ 200.00
Lot 162		\$ 200.00
Lot 164		\$ 200.00
Lot 166		\$ 200.00
Lot 168		\$ 200.00
Lot 170		\$ 200.00
Lot 171		\$ 200.00
Lot 172		\$ 200.00
Lot 173		\$ 200.00
Lot 176		\$ 85.00
Lot 178		\$ 85.00
Lot 182		\$ 200.00

Lot 183		\$ 200.00
Lot 186		\$ 200.00
Lot 187		\$ 200.00
Lot 189		\$ 200.00
Lot 190		\$ -
Lot 191		\$ 100.00
Lot 193		\$ 85.00
Lot 197		\$ 200.00
Lot 199		\$ 200.00
Lot 200		\$ 200.00
Lot 202		\$ 200.00
Lot 203		\$ 85.00
TOTAL WATER DEPOSITS HELD		\$ 15,415.00

CITY OF GAUTIER
Consent Agenda Item #2
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Receive May 2022 Finance Reports

Introduced by:
Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Receive May 2022 Finance Reports.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, Miss. Code Ann. 21-35-13 requires a budget report to be presented to the governing authority at the regular meeting each month.

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Finance Report for May 2022 is hereby received.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting July 19, 2022.

MAY 2022 Ending Cash Balances

GENERAL DEPOSITORY

Fund Name		Account #	Balance
General Fund	Depository Account	001-000-001	\$6,873,323.78
HB1 Modernization Act Funds	Depository Account	002-000-001	\$673,534.79
ARP Fiscal Recovery Funds	Depository Account	003-000-001	\$1,772,180.08
MDAH School House Grant	Depository Account	030-000-001	\$1,783.43
SE MS METRO TASK FORCE	Depository Account	156-000-001	\$375,910.96
U S Justice Equitable Sharing	Depository Account	157-000-001	\$74,042.65
Fire Protection Fund	Depository Account	160-000-001	\$214,872.03
Tidelands Grant	Depository Account	171-000-001	\$16,799.07
Library Support Fund	Depository Account	172-000-001	\$3,444.83
Shepard State Park Fund	Depository Account	176-000-001	\$87,848.02
USDA NRCS EWP Program	Depository Account	300-000-001	(\$91,418.95)
MDOT TA Grant: Martin Bluff Sidewalk	Depository Account	303-000-001	\$196,852.11
Town Center Retail Dev Complex	Depository Account	309-000-001	(\$1,333.11)
Solid Waste Fund	Depository Account	404-000-001	\$158,443.40
EPA: Brownfields Assessment	Depository Account	409-000-001	
General Ledger Cash Balance			\$10,356,283.09
General Depository Reconciled Cash Balance			\$10,356,283.09

ENTERPRISE FUND

Fund Name		Account #	Balance
Elevated Water Tank	Enterprise Account	350-000-002	
Bemis Sewer Project	Enterprise Account	351-000-002	
OST-GV Sewer Improvements	Enterprise Account	360-000-002	(\$258,969.62)
GV-Robertsdale Sewer Imps	Enterprise Account	361-000-002	(\$22,466.50)
Water & Sewer Utility	Enterprise Account	400-000-002	\$3,277,660.48
MDB Loan: Water Ion-X Project	Enterprise Account	421-000-002	\$47,562.52
Water Meter Project	Enterprise Account	422-000-002	
Hurricane Katrina (PW Bldg)	Enterprise Account	449-000-002	
General Ledger Cash Balance			\$3,043,786.88
Enterprise Reconciled Cash Balance			\$3,039,262.30

BOND & RESTRICTED FUNDS

Fund Name		Account #	Balance
7M GO Bond S2010	Bond Fund	130-000-001	\$1,963,553.79
W&S Bond S2018-S2019: Debt Service	Debt Service Fund	250/252-000-007	\$156,853.50
W&S Bond S2018-S2019: DS Reserve	Restricted Fund	251/253-000-003	\$723,325.38
W&S Bond S2018-S2019: Contingency	Restricted Fund	251/253-000-005	\$40,496.43
W&S Bond S2018-S2019: Depreciation	Restricted Fund	251/253-000-009	\$40,496.43
Infrastructure Imp Funds: Town Commons	Restricted Fund	304-000-004	\$0.00
SB 2948 Town Commons Funding	Restricted Fund	304-000-005	\$1,000,952.99
SB 2971 Amphitheater-Museum	Restricted Fund	304-000-006	\$2,001,662.61
S2019 Construction Fund MPI GO Bond	Bond Fund	Funds 304-308	\$832,460.92
S2019 MPI GO Bond DS Fund	Restricted Fund	305-000-007	\$107,689.41
S2019 Cash w/ Fiscal Agent (Debt Service)	Restricted Fund	305-000-014	\$0.80
HB1730 Land Purchase Fund	Restricted Fund	309-000-004	\$0.00
W&S Bond S2018-S2019: Construction	Bond Fund	Funds 351-358	\$4,849,334.06
MS Dev Bank SO Bond S2013: DS Reserve	Restricted Fund	497-000-001	\$166,132.74
S2020 Utility Bond Refunding DS Reserve	Restricted Fund	498-000-003	\$254,496.46
Customer Meter Deposit Funds	Restricted Fund	406-000-001	\$893,670.01

Total Bond & Restricted Reconciled Cash Balances \$13,031,125.53

**MAY 2022
YEAR TO DATE TOTALS**

General Fund Totals

	BUDGET FY 2022	MAY 2022	Balance	66.66% % to date
General Fund Revenues	11,270,179.00	8,453,253.45	2,816,925.55	75.0%
Expenditures:				
001 Legislative	273,705.00	160,370.92	113,334.08	58.5%
010 City Court	348,579.00	206,590.70	141,988.30	59.2%
021 City Manager	328,300.00	153,577.09	174,722.91	46.7%
022 Human Resources	79,170.00	49,305.63	29,864.37	62.2%
040 City Clerk	548,011.00	345,806.05	202,204.95	63.1%
060 City Attorney	180,000.00	102,453.06	77,546.94	56.9%
090 Economic Dev - Planning	516,191.00	320,450.50	195,740.50	62.0%
092 Building & General Expenses	672,200.00	457,604.65	214,595.35	68.0%
094 Grants & Project Admin	232,305.00	124,654.97	107,650.03	53.6%
100 Police	4,041,218.00	2,336,084.34	1,705,133.66	57.8%
161 Fire	2,758,895.00	1,755,183.60	1,003,711.40	63.6%
170 Recreation	868,286.00	471,590.06	396,695.94	54.3%
201 PW: Streets	445,000.00	165,523.91	279,476.09	37.1%
205 PW: Maintenance	334,074.00	172,902.92	161,171.08	51.7%
680 Debt Service	87,454.00	87,453.55	0.45	99.9%
900 Interfund Transfers	809,552.00	348,767.00	460,785.00	43.0%
General Fund Expenditures	12,522,940.00	7,258,318.95	5,264,621.05	57.9%
<i>Total Operating Expenditures</i>	<i>11,211,405.00</i>	<i>6,634,162.71</i>	<i>4,577,242.29</i>	
<i>Total Capital Outlay Expenditures</i>	<i>286,446.00</i>	<i>112,416.50</i>	<i>174,029.50</i>	
<i>Total Debt Service</i>	<i>215,537.00</i>	<i>162,972.74</i>	<i>52,564.26</i>	
<i>Total Transfers Out</i>	<i>809,552.00</i>	<i>348,767.00</i>	<i>460,785.00</i>	
<i>Total Unappropriated</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
<i>Check Total</i>	<i>12,522,940.00</i>	<i>7,258,318.95</i>	<i>5,264,621.05</i>	
<i>Personnel</i>	<i>8,458,913.00</i>	<i>5,299,934.17</i>	<i>3,158,978.83</i>	
<i>Supplies</i>	<i>663,712.00</i>	<i>286,244.69</i>	<i>377,467.31</i>	
<i>Other Services</i>	<i>2,088,780.00</i>	<i>1,047,983.85</i>	<i>1,040,796.15</i>	
<i>Capital Outlay</i>	<i>286,446.00</i>	<i>112,416.50</i>	<i>174,029.50</i>	
<i>Debt Service</i>	<i>215,537.00</i>	<i>162,972.74</i>	<i>52,564.26</i>	
<i>Interfund Transfers for DS</i>	<i>809,552.00</i>	<i>348,767.00</i>	<i>460,785.00</i>	
<i>Unappropriated</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
<i>Check Total</i>	<i>12,522,940.00</i>	<i>7,258,318.95</i>	<i>5,264,621.05</i>	

**MAY 2022
YEAR TO DATE TOTALS**

Special Funds	BUDGET FY 2022	As of MAY 2022	Balance	66.66% % to date
002 HB1 Modernization Funds				
Revenues	645,000.00	423,043.13	221,956.87	65.5%
Expenditures	1,075,492.00	180,000.00	895,492.00	16.7%
003 ARP FEDERAL FUNDS SLFR22621				
Revenues	2,272,838.61	0.00	2,272,838.61	
Expenditures	4,545,677.23	500,658.54	4,045,018.69	11.0%
030 MDAH 2014 Community Heritage				
Revenues	0.00	0.00	0.00	
Expenditures	2,983.43	1,200.00	1,783.43	40.2%
130 \$7M GO Bond - Capital Improvements				
Revenues	6,442,527.00	732,198.47	5,710,328.53	11.3%
Expenditures	8,496,100.68	819,979.17	7,676,121.51	9.6%
156 SE MS METRO TASK FORCE				
Revenues	0.00	0.00	0.00	
Expenditures	264,240.00	81,343.40	182,896.60	30.7%
157 US Justice Equitable Sharing				
Revenues	0.00	38,066.15	(38,066.15)	
Expenditures	41,995.93	6,019.43	35,976.50	14.3%
160 Fire Protection Fund				
Revenues	672,000.00	117,537.52	554,462.48	17.4%
Expenditures	654,097.30	0.00	654,097.30	
171 Combined Tidelands Grant				
Revenues	671,934.44	46,292.10	625,642.34	6.8%
Expenditures	701,934.44	59,493.03	642,441.41	8.4%
172 Library Support Fund				
Revenues	125,282.00	110,350.40	14,931.60	88.0%
Expenditures	125,282.00	110,023.04	15,258.96	87.8%
176 Shepard State Park				
Revenues	246,200.00	111,820.32	134,379.68	45.4%
Expenditures	276,511.00	104,056.00	172,455.00	37.6%
250 2018 W&S Bond Debt Service				
Revenues	288,796.00	192,159.14	96,636.86	66.5%
Expenditures	284,494.00	284,493.76	0.24	99.9%
251 2018 W&S Bond Debt Serv Reserve				
Revenues	10,672.00	10,436.03	235.97	97.7%
Expenditures	646.00	0.00	646.00	

**MAY 2022
YEAR TO DATE TOTALS**

Special Funds

	BUDGET FY 2022	As of MAY 2022	Balance	66.66% % to date
252 2019 W&S Bond Debt Service				
Revenues	385,096.00	256,180.21	128,915.79	66.5%
Expenditures	378,707.00	378,706.25	0.75	99.9%
253 2019 W&S Bond Debt Serv Reserve				
Revenues	10,782.00	10,574.42	207.58	98.0%
Expenditures	816.00	0.00	816.00	
300 USDA-NRCS EWP				
Revenues	150,029.46	0.00	150,029.46	
Expenditures	57,715.44	2,500.00	55,215.44	4.3%
303 MDOT-TA Grant: Martin Bluff Sidewalk				
Revenues	481,570.32	363,147.43	118,422.89	75.4%
Expenditures	720,410.82	426,466.82	293,944.00	59.1%
304 Town Commons Park Project				
Revenues	2,235,860.98	3,457,455.60	(1,221,594.62)	154.6%
Expenditures	3,853,665.11	1,348,580.64	2,505,084.47	34.9%
305 S2019 MPI GO Bond Construction Fund				
Revenues	296,582.00	298,111.15	(1,529.15)	100.5%
Expenditures	363,571.38	239,591.63	123,979.75	65.8%
307 Bacot Park Improvements				
Revenues	0.00	0.00	0.00	
Expenditures	1,532,374.70	909,100.20	623,274.50	59.3%
309 Town Center Retail Dev Complex				
Revenues	3,820,600.00	7,020,242.24	(3,199,642.24)	183.7%
Expenditures	5,821,870.40	9,023,017.60	(3,201,147.20)	154.9%
352 2018 Bond General Construction/Admin				
Revenues	0.00	0.00	0.00	
Expenditures	16,702.23	16,702.23	0.00	100.0%
353 Hwy 57 Utility Line Relocation				
Revenues	1,162.38	11,047.34	(9,884.96)	950.4%
Expenditures	1,162.38	11,047.34	(9,884.96)	950.4%
355 Water Supply & Treatment Plant				
Revenues	29,094.61	39,391.86	(10,297.25)	135.3%
Expenditures	5,248,705.81	402,025.20	4,846,680.61	7.6%
358 2019 Bond General Construction/Admin				
Revenues	0.00	0.00	0.00	
Expenditures	5,230.00	5,154.97	75.03	98.5%

MAY 2022
YEAR TO DATE TOTALS

Special Funds

	BUDGET FY 2022	As of MAY 2022	Balance	66.66% % to date
360 OST-GV SEWER IMPROVEMENTS				
Revenues	1,346,847.50	1,059,082.38	287,765.12	78.6%
Expenditures	1,446,885.25	1,247,407.45	199,477.80	86.2%
361 GV-ROBERTSDALE SEWER IMPS				
Revenues	2,668,265.00	184,665.50	2,483,599.50	6.9%
Expenditures	2,654,565.00	148,772.26	2,505,792.74	5.6%
404 Solid Waste Fund				
Revenues	1,586,340.00	1,057,176.11	529,163.89	66.6%
Expenditures	1,592,850.00	986,810.48	606,039.52	61.9%
421 MSB - Water Ionization Plant				
Expenditures	47,562.52	0.00	47,562.52	
497 DSR Fund: 2013 SO Bond				
Revenues	40.00	33.27	6.73	83.1%
Expenditures	95.00	0.00	95.00	
498 DSR Fund: 2020 UTY Bond Refunding				
Revenues	450.00	321.70	128.30	71.4%
Expenditures	827.00	0.00	827.00	

**MAY 2022
YEAR TO DATE TOTALS**

ENTERPRISE FUND (400)

	BUDGET FY 2022	MAY 2022	Balance	66.66% % to date
Utility Fund Revenues	9,095,000.00	6,043,366.45	3,051,633.55	66.4%
Administration	3,115,028.00	2,014,159.22	1,100,868.78	64.6%
Water & Sewer O & M	3,784,423.00	2,262,891.37	1,521,531.63	59.7%
Debt Service	1,065,221.00	523,343.63	541,877.37	49.1%
Transfers	1,472,000.00	858,000.00	614,000.00	58.2%
Contingencies	200,000.00	0.00	200,000.00	
Utility Fund Expenditures	9,636,672.00	5,658,394.22	3,978,277.78	58.7%
<i>Total Operating Expenditures</i>	<i>6,699,451.00</i>	<i>4,244,758.18</i>	<i>2,454,692.82</i>	
<i>Total Capital Outlay Expenditures</i>	<i>200,000.00</i>	<i>32,292.41</i>	<i>167,707.59</i>	
<i>Total Debt Service</i>	<i>1,065,221.00</i>	<i>523,343.63</i>	<i>541,877.37</i>	
<i>Total Interfund Transfers</i>	<i>1,472,000.00</i>	<i>858,000.00</i>	<i>614,000.00</i>	
<i>Total Contingency Expenditures</i>	<i>200,000.00</i>	<i>0.00</i>	<i>200,000.00</i>	
<i>Check Total</i>	<i>9,636,672.00</i>	<i>5,658,394.22</i>	<i>3,978,277.78</i>	
<i>Personnel</i>	<i>578,939.00</i>	<i>374,362.67</i>	<i>204,576.33</i>	
<i>Supplies</i>	<i>296,000.00</i>	<i>123,510.48</i>	<i>172,489.52</i>	
<i>Other Services</i>	<i>5,824,512.00</i>	<i>3,746,885.03</i>	<i>2,077,626.97</i>	
<i>Capital Outlay</i>	<i>200,000.00</i>	<i>32,292.41</i>	<i>167,707.59</i>	
<i>Debt Service</i>	<i>1,065,221.00</i>	<i>523,343.63</i>	<i>541,877.37</i>	
<i>Interfund Transfers</i>	<i>1,472,000.00</i>	<i>858,000.00</i>	<i>614,000.00</i>	
<i>Contingencies</i>	<i>200,000.00</i>	<i>0.00</i>	<i>200,000.00</i>	
<i>Check Total</i>	<i>9,636,672.00</i>	<i>5,658,394.22</i>	<i>3,978,277.78</i>	

CITY OF GAUTIER
Consent Agenda Item #3
Fact Sheet

Council Meeting:

July 19, 2022

Title:

Receive June 2022 Privilege License Report

Introduced by:

Contact Person/Telephone

Teresa Montgomery 497-8000

Summary Explanation: Receive June 2022 Privilege License Report

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, Miss. Code Ann. 27-17-501 requires the governing authority of municipalities to receive a report of the privilege licenses issued during the preceding month; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Privilege License Report for June 2022 is hereby received.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

		City of Gautier		
		Business Registry		
		Jun-22		
ACCOUNT#	LICENSE #	BUSINESS NAME/OWNER	AMOUNT	STATUS
607	2023-06-0007798	Check Now #208	\$20.00	Current
1714	2023-05-0007799	Bounce It Out	\$22.00	Delinquent
1768	2023-06-0007800	KAMU Corp DBA Magnolia Inn	\$410.00	New Business
24	2023-06-0007801	Glen Mark Apartments	\$20.00	Current
324	2023-03-0007802	Faithfully Yours Learning Ctr	\$22.40	Delinquent
433	2023-04-0007805	Tucei's	\$38.85	Delinquent
1355	2023-02-0007804	Bodyquest Gym	\$22.60	Delinquent
216	2023-01-0007803	K.R. Borries Construction	\$22.80	Delinquent
1152	2023-06-0007806	R&R Lawn Care	\$20.00	Current
789	2023-06-0007807	Quality Aero, Inc	\$20.00	Current
769	2023-06-0007808	Waste Pro	\$150.00	Current
377	2023-06-0007809	HMS Incorporated	\$20.00	Current
1325	2023-06-0007810	Carecenter Pharmacy, LLC	\$370.00	Current
1269	2023-06-0007811	McCabe Orthodontics	\$30.00	Current
1769	2023-06-0007812	Albert Pro General Remodeling	\$20.00	New Business
1708	2023-04-0007813	Brock Services	\$33.30	Delinquent
1650	2023-06-0007814	Bond Trucking, LLC	\$51.00	Current
536	2023-06-0007816	Lowes #2700	\$1,840.00	Current
1770	2023-06-0007815	South End Barber Lounge	\$20.00	New Business
626	2023-06-0007817	Andersen-Wells	\$20.00	Current
1435	2023-06-0007818	New York Pizza	\$45.00	Current
623	2023-06-0007819	Jarmon & Sons	\$20.00	Current
1432	2023-05-0007820	Martin Bluff Storage & Rentals	\$22.00	Delinquent
1717	2023-06-0007822	Pugh Associates of Florida	\$20.00	Current
1561	2023-06-0007821	Cammies Home Store	\$20.00	Current
1771	2023-06-0007823	Maid 4 Cleaning Services, LLC	\$20.00	New Business
1772	2023-06-0007824	Legends	\$45.00	New Business
1773	2023-06-0007825	Sioux Bayou Landing	\$35.00	New Business
654	2023-07-0007826	Delo's Heavenly House of Coffee	\$20.00	Current
1774	2023-06-0007827	I Am Me-Hair, LLC	\$20.00	New Business
1728		Just Aqua		Closed Business
1555	2023-05-0007828	All God's Children Learning Center	\$33.00	Delinquent
1003	2023-07-0007829	AD2, Inc.	\$20.00	Current
1775	2023-06-0007830	Burds of a Feather	\$20.00	New Business
1606	2023-07-0007831	MS Coast Garment	\$20.00	Current
924	2023-07-0007832	Furlan's Marine Inc.	\$39.00	Current
634	2023-06-0007833	Robinson Realty, LLC	\$20.00	Current
1724	2023-07-0007834	Leo Rodriguez Tree Pruning	\$20.00	Current
1330	2023-07-0007835	Circle K Stores	\$95.00	Current
331	2023-07-0007836	JWK Carpet, Inc.	\$20.00	Current
649	2023-07-0007837	Batson & Brown, Inc.	\$30.00	Current
620	2023-06-0007838	Dirt Cheap, LLC	\$180.00	Current
1647	2023-05-0007839	Block Therapy Quilt Shop	\$22.00	Delinquent
1730	2023-07-0007840	Angela's Collectables	\$20.00	Current
1648	2023-06-0007841	Upright Cleaning, LLC	\$20.00	Current
1653	2023-07-0007842	Killer Crab & Seafood	\$45.00	Current
		TOTAL:		
		New Business	8	
		Transient Vendor	0	
		Closed Business	1	
		Delinquent Renewals Issued	9	
		Current	28	

New Business June 2022	Business Address	Business Phone	Business Description
KAMU Corporation DBA Magnolia Inn	704 Hwy 90, Gautier	228-522-0288	Hotel
Albert Pro General Remodeling	2200 Chestwood Drive	267-972-2765	General remodeling
South End Barber Lounge	3204 Ladnier Suite 4	228-257-2589	Barber
Maid 4 Cleaning Services, LLC	2217 University St	228-218-0610	Commercial Cleaning Service
Legends	3208 Ladnier	228-383-7514	Restaurant & Lounge
Sioux Bayou Landing	1221 John Dailey Dr	601-618-3282	Rv Resort
I Am Me-Hair, LLC	2430 Northbrook Dr	228-249-9315	Online sale of wigs, hair replacement & products
Burds of a Feather Publishing	1501 Willowbend Dr	228-224-7713	Book Publishing

CITY OF GAUTIER
Consent Agenda Item #4
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Approval of water and sewer adjustments dated
July 19, 2022 in the amount of \$2,635.20

Introduced by:
Contact Person/Telephone

Ramona Morgan 497- 8000

Summary Explanation: Approval of water and sewer adjustments dated July 19, 2022 in the amount of \$2,635.20.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi the following:

ORDER NUMBER 000-2022

WHEREAS, the City Council has authorized the City Manager to establish payment plans and fee adjustments contingent upon Council approval; and

WHEREAS, the City Council has adopted a Comprehensive Fee Schedule that establishes such fees for the equitable provision of services;

WHEREAS, based on the reasons included on the attached documentation, the Mayor and Council hereby find that, due to unforeseen events, the respective users did not receive the benefit of the relevant utility;

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the attached list of water and sewer adjustments dated July 2022 in the amount of \$2,635.20 is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary for this purpose.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

JULY 2022 #2 UTILITY ADJUSTMENTS								
THESE FOLLOW POLICY/ RECOMMEND APPROVAL								
	ACCT #	100 WATER	400 SEWER	195 L/C	130 CAPACITY	800 TAX	TOTAL ADJ	REASON FOR ADJUSTMENT
	019-45901-003		83.44	35.00			118.44	Pool Fill
	025-15301-001		264.84	35.00			299.84	Pool Fill
	025-17101-001		145.88	35.00			180.88	Spigot
	027-25301-001		16.66				16.66	Pool Fill
	027-25601-002		234.40				234.40	Pool Fill
	027-29101-002		71.22				71.22	Pool Fill
	056-08201-000		33.39				33.39	Under Sink
	083-00801-000	82.54	142.54				225.08	Line in Yard
	083-09801-005		34.32				34.32	Pool Fill
	098-13301-002		27.20				27.20	Pool Fill
	098-15801-006		49.67	35.00			84.67	Pool Fill
	102-07601-000	64.56	155.78	35.00			255.34	Busted Pipe
	103-07401-000	50.70	65.95				116.65	Busted Pipe
	113-08301-000	87.87	43.10	70.00			200.97	Theft
	113-08601-000	60.23	81.96				142.19	Line in Yard
	116-36551-002		126.07				126.07	Pool Fill
	139-12401-001		128.48				128.48	Pool Fill
	139-45051-001	113.23	226.17				339.40	Under Sink
	TOTAL	459.13	1,931.07	245.00	0.00	0.00	2,635.20	
	COMPLETED							

CITY OF GAUTIER
Consent Agenda Item #5
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Resolution requesting and accepting assistance from Jackson County in the amount of \$15,000 for Recreational purposes.

Introduced by:
Contact Person/Telephone

Paula Yancey 497-8000

Summary Explanation: Resolution requesting and accepting assistance from Jackson County in the amount of \$15,000 for Recreational purposes.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
								Elbin	☐

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
								Elbin	☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came on for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

RESOLUTION NUMBER 000-2022

RESOLUTION OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, REQUESTING AND ACCEPTING ASSISTANCE FROM JACKSON COUNTY IN THE AMOUNT OF \$15,000.00 FOR RECREATIONAL PURPOSES

WHEREAS, the City of Gautier requests assistance from Jackson County in the amount of \$15,000 for Recreational purposes; and

WHEREAS, this would include new netting, batting cages, pitching mound, pylons, and needed sports equipment; and

WHEREAS, the Jackson County Board of Supervisors is authorized, in its discretion, to provide county equipment, manpower, and other services and resources to municipalities within the county pursuant to H.B. 35 (2002 reg. Sess); and

BE IT, THEREFORE, RESOLVED that the City of Gautier hereby requests and accepts assistance from the Jackson County Board of Supervisors in the amount of \$15,000 for Recreational purposes.

BE IT, FURTHER RESOLVED that the Council authorizes the City Clerk and City Manager to execute all documents necessary for these purposes.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

Mayor
Casey Vaughan
Council At Large Adam Colledge
Ward 1 Cameron B. George
Ward 2 Richard "DJ" Jackson
Ward 3 Gordon Gollott
Ward 4 Charles "Rusty" Anderson
Ward 5 Dante Elbin

City of Gautier
Gautier, Mississippi
Adam D. Colledge



City Manager
Paula Yancey
City Clerk
Teresa Montgomery
3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

July 8, 2022

Jackson County
Ken Taylor, District 3 Supervisor
P.O. Box 998
Pascagoula, MS 39568-0998

Dear Supervisor,

The City of Gautier respectfully requests Board assistance in the amount of \$15,000 to be used for recreational purposes for new netting, batting cages, pitching mound, pylons, and needed sports equipment.

Thank you for your continued support and partnership. If you have any questions or need more information, please feel free to contact City Manager Paula Yancey at 228-497-8000 ext. 306. Thank you in advance for your assistance.

Sincerely,

Paula Yancey
City Manager

CITY OF GAUTIER
Consent Agenda Item #6
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Authorization to execute any and all documents necessary to obtain House Bill 1353, 2022 Regular Legislative Session, funds to assist the City of Gautier

Introduced by:
Contact Person/Telephone

April Stennett 497-8000

Summary Explanation: Authorization to execute any and all documents necessary to obtain House Bill 1353, 2022 Regular Legislative Session, funds to assist the City of Gautier in paying costs associated with the construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, memorandum of understanding, letter to DFA requesting funds transfer, verification form, and contact information form.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Second Made by:

Vaughan ☐ Colledge ☐ George ☐ Jackson ☐ Gollott ☐ Anderson ☐ Elbin ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, Section 25 of House Bill 1353, 2022 Regular Legislative Session, authorized expenditures from the 2022 Local Improvements Projects Fund in an amount not to exceed \$4 million to provide funding to assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park; and

WHEREAS, the memorandum of understanding, letter to DFA requesting transfer of funds, verification form, contact form, and the City's W9 are all required by the Mississippi Department of Finance and Administration before the City can receive the funding; and

WHEREAS, the **City of Gautier** has now determined that there is a necessity to send the required documents, including but not limited to the attached memorandum of understanding, letter to DFA requesting transfer of funds, verification form, contact form and the City's W9 so these funds can be issued and the proceeds thereof disbursed to the **City of Gautier**.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF GAUTIER that, pursuant **Section 25 of House Bill 1353, 2022 Regular Legislative Session,** the Department of Finance and Administration will declare the necessity for the issuance of **\$4,000,000.00** in Local Improvements Projects Fund to assist the **City of Gautier** with the Project for the purpose as stated in paragraph one; and

BE IT FURTHER RESOLVED that the **City Manager** of the **City of Gautier** is hereby authorized to represent the **City of Gautier** in all dealings with the Department of Finance and Administration to assist in the issuance of said Local Improvements Projects Fund in any manner that is required.

SO RESOLVED this the ____ of ____, 2022.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

City of Gautier

By: _____
Casey Vaughan, Mayor

ATTEST:

Teresa Montgomery, City Clerk

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 07/13/2022
Subject: House Bill 1353 Required Documents for Town Commons Park and Mississippi Songwriters Performing Arts Center Funding

REQUEST:

The Grants and Projects Department requests City Council authorization to execute any and all documents necessary to obtain House Bill 1353, 2022 Regular Legislative Session, funds to assist the City of Gautier in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, memorandum of understanding, letter to DFA requesting funds transfer, verification form, and contact information form.

BACKGROUND:

Section 25 of House Bill 1353, 2022 Regular Legislative Session authorized expenditures from the 2022 Local Improvements Projects Fund in an amount not to exceed \$4 million to provide funding to assist the City of Gautier in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park.

DISCUSSION:

These documents are required by the Mississippi Department of Finance and Administration before the City can receive the funding. Documents include memorandum of understanding, letter to DFA requesting transfer of funds, verification form, contact form, and the City's W9.

RECOMMENDATION:

The Grants and Projects Department recommends that City Council authorize the execution of any and all documents necessary to obtain House Bill 1353, 2022 Regular Legislative Session, funds to assist the City of Gautier in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, memorandum of understanding, letter to DFA requesting funds transfer, verification form, and contact information form.

The City Council may:

1. Approve the required documents as presented; or
2. Not approve the required documents as presented.

ATTACHMENTS:

1. Contact Form
2. Government MOU (iii)_6.15.2022
3. Verification Form
4. DFA Transfer of Funds Request Letter



MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION

DATE: 07/19/2022

PROJECT NAME: Town Commons Park/MS Songwriters PAC

MAILING
ADDRESS: 3330 Hwy. 90

Gautier, MS 39553



CONTACT UPDATE LIST

**PROVIDE 3 FORMS OF CONTACT INCLUDING: EMAIL ADDRESS AND PHONE NUMBER
FOR EACH PERSON**

(BE SURE TO UPDATE THIS FORM EACH TIME YOU HAVE CHANGES IN PERSONNEL)

Name	Phone Number	Email Address
Paula Yancey, City Manager	(228) 497-8000	pyancey@gautier-ms.gov
Teresa Montgomery, City Clerk	(228) 497-8000	tmontgomery@gautier-ms.gov
April Stennett, Grants and Projects Director	(228) 219-8016	astennett@gautier-ms.gov

AUTHORIZED PERSONNEL SIGNATURE

DFA USE ONLY
COMPLIANCE OFFICER
INITIAL: _____

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter the “MOU”) is entered into between the Mississippi Department of Finance and Administration (hereinafter the “DFA”) and the City of Gautier for the purpose of establishing the agreed upon conditions under which the DFA may disburse funds to assist the City of Gautier in paying costs associated with the local project (hereinafter the “Project”) specified in Section 25(iii) of House Bill 1353, 2022 Regular Legislative Session, Laws of 2022, (hereinafter the “Act”). This MOU is entered into in accordance with Miss. Code Ann. Section 27-104-351, also known as the Line-Item Appropriation Transparency Act, and pursuant to, and subject to the terms of the Act, which authorizes an amount not to exceed \$4,000,000.00 (hereinafter the “Project Funds”), for the Project. **(PLEASE NOTE THAT IT IS YOUR RESPONSIBILITY TO SPEND THE FUNDS RECEIVED FROM THE STATE IN ACCORDANCE WITH THE ACT AS WELL AS ALL STATE AND FEDERAL LAWS AND REGULATIONS.)**

RECITALS

WHEREAS, Section 25 of House Bill 1353, 2022 Regular Legislative Session, authorized expenditures from the 2022 Local Improvements Projects Fund for certain projects; and

WHEREAS, pursuant to Section 25(iii) of House Bill 1353, 2022 Regular Legislative Session, Laws of 2022, the Legislature has appropriated funds to the City of Gautier to pay the costs of the Project; and

WHEREAS, the Act authorizes the DFA to disburse monies in the 2022 Local Improvements Projects Fund to pay the costs of the Project; and

WHEREAS, the City of Gautier shall maintain the Project Funds in a separate bank account; and

WHEREAS, the DFA has requested the City of Gautier to maintain on file the documentation listed in “Exhibit A” attached hereto and incorporated herein by reference, to the extent the City of Gautier is subject to the State’s procurement laws; and

WHEREAS, the City of Gautier agrees to expend the funds within thirty-six (36) months from the date of receipt from the DFA; and

WHEREAS, the City of Gautier agrees that if any proceeds from the Project Funds are remaining at the completion of the Project, the City of Gautier will immediately notify and consult with the DFA regarding the disposition of the funds, and said funds shall be directed in accordance with the Act; and

WHEREAS, the City of Gautier agrees to provide quarterly notarized reports to the DFA which describe and itemize the expenditure of the Project Funds and also provide an update on the status of the Project including future expenditure of the funds. The quarterly reports must be provided on a form designated by the DFA and must include all invoices and bank statements associated with the reported expenditures. The quarterly reports shall be provided within thirty (30) days of each calendar quarter end. The City of Gautier shall also provide to the DFA a final report no more than thirty (30) days after final expenditure of funds, summarizing the expenditures and use of the Project Funds upon completion of the Project. All invoices that have not previously been submitted, shall be submitted upon completion of the Project; and

WHEREAS, the DFA finds that it is in the best interest of the DFA and the City of Gautier that the funds on deposit in the 2022 Local Improvements Projects Fund for the City of Gautier should be disbursed to the City of Gautier and that the City of Gautier shall directly administer the expenditure of such funds for the Project.

NOW THEREFORE, IT IS MUTALLY AGREED BY THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE CITY OF GAUTIER AS FOLLOWS:

Section 1. The DFA, pursuant to the Act, shall disburse the Project Funds from the 2022 Local Improvements Projects Fund upon written request of the City of Gautier to pay the costs associated with the Project.

Section 2. The City of Gautier certifies and agrees to make every effort to expend all funds received from the 2022 Local Improvements Projects Fund within thirty-six (36) months from the date of receipt and **solely** for the costs of the Project as set forth in the Act and upon the terms and provisions of this MOU. Failure of the City of Gautier to adhere to any provision within this MOU may result in immediate action by the State to recover project funds.

Section 3. The City of Gautier agrees to procure any necessary construction, goods, and services for the Project in accordance with State procurement laws to the extent the City of Gautier is subject to same. Failure to adhere may cause the DFA to withhold all sums for the Project and seek recovery of same. Further, the City of Gautier agrees to maintain on file the documentation listed in "Exhibit A" attached hereto and incorporated herein, in accordance with State law and the recitals of this MOU.

Section 4. The City of Gautier agrees to provide the DFA quarterly notarized reports as set forth hereinabove, in a format designated by the DFA. The quarterly reports shall be provided within thirty (30) days of each calendar quarter end. The City of Gautier shall also provide the DFA with a final report summarizing the expenditures and use of the Project Funds no more than thirty (30) days after final expenditure of the Project Funds.

Section 5. The City of Gautier agrees to maintain copies of all invoices, bank statements, and similar documentation for each expenditure of all funds received from the 2022 Local Improvements Projects Fund sufficient to satisfy and confirm, to the DFA's satisfaction, that such funds have been expended **solely** for the costs of the project as authorized and provided by the Act.

Section 6. The City of Gautier agrees that if any proceeds from the Project Funds are remaining at the completion of the Project, the City of Gautier will immediately notify and consult with the DFA regarding the disposition of the funds and said funds shall be directed in accordance with the Act.

Section 7. The City of Gautier agrees that Project Funds shall be expended in accordance with all State and Federal laws and regulations, and that failure to do so may cause the DFA to withhold funds for the Project or seek recovery of same.

Section 8. All notices or information pursuant to this MOU shall be provided as follows:

City of Gautier
Attn: Paula Yancey, City Manager
3330 Highway 90
Gautier, Mississippi 39553
Telephone: 228-497-8000
Email: pyancey@gautier-ms.com

Mississippi Department of Finance and Administration
Attention: Gilda Reyes, Bond Advisory Director
501 North West Street, Suite 1301
Jackson, Mississippi 39201
Telephone: 601-359-5516
Email: Gilda.Reyes@dfa.ms.gov

Section 9. This MOU shall be effective from and after the final signature date.

IN WITNESS WHEREOF, the parties have affixed their signatures on the dates indicated below.

MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION

By: _____
Liz Welch, Executive Director

Date: _____

CITY OF GAUTIER

By: _____
Paula Yancey, City Manager

Date: _____

EXHIBIT A

The City of Gautier shall maintain on file, the following items in relation to the Project:

1. Proof of Advertisement (i.e. copy of the advertisement, MPTAP and/or procurement portal posting, etc.) for any Request for Qualification (RFQ), Request for Proposals (RFP), or Invitation for Bid (IFB).
2. The Program of Work for the Project.
3. All solicitation documents (RFQ, RFP, IFB, etc.).
4. A list of bidders/respondents, including the Bid Tabulation Form/Register of Proposals. For construction awards, include recommendation of the Professional for the award of contract. For items procured by RFQ or RFP, include evaluation committee tally sheets/overall scoring in support of award decision.
5. A copy of all payment requests or invoices for said construction, goods, and services. In the case of construction contractor payment applications, include Professional's approval of payment.
6. All contracts awarded for the Project.
7. All bank statements.
8. Any and all other documentation which may be required to document, to the DFA's satisfaction, that the Project funds are expended solely for the costs of the Project as set forth in the Act and upon the terms and provisions of this MOU.

Verification Form

Please read and initial each statement below to verify your understanding of the requirements.

_____ 1) The funds (when funding is available) will be sent to your general account that ties to the vendor number supplied to our office through Paymode.

_____ 2) A separate bank account will have to be opened and you are responsible to transfer the funds to the new bank account. This account is only for the funds in HB1353. No other funds can be in this account (even if you have received prior funding for the same project).

_____ 3) Quarterly reports are due to the Bond Advisory Division thirty (30) days after each quarter end.

1st quarter – January – March Report due by April 30

2nd quarter – April – June Report due by July 30

3rd quarter – July – September Report due by October 30

4th quarter – October – December Report due by January 30

_____ 4) Bank Statements (from each month of the quarter) and invoices (when there are expenditures) are to be sent with the quarterly report.

_____ 5) Quarterly reports are to be completed even if there were no expenditures for the quarter.

_____ 6) Bank fees cannot be paid with funds. Please confirm that no fees will be charged by your bank. If the bank does charge fees, the bank will have to refund the fees or you will be responsible to pay those fees.

*Mayor
Casey Vaughan*

*City of Gautier
Gautier, Mississippi*

*City Manager
Paula Yancey*

*City Clerk
Teresa Montgomery*

*Council
At Large Adam Colledge
Ward 1 Cameron George
Ward 2 Richard Jackson
Ward 3 Gordon Gollott
Ward 4 Charles "Rusty" Anderson
Ward 5 Dante Elbin*



*3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov*

July 19, 2022

Mrs. Gilda Reyes, Bond Advisory Director
MS Department of Finance and Administration
501 North West Street, Suite 1301
Jackson, Mississippi 39201

Re: Request for Project Funding
2022 Local Improvements Projects Fund

Dear Mrs. Reyes:

We are requesting that the Department of Finance and Administration (DFA) transfer \$4,000,000.00 of State Funds, as authorized by Section 25(iii) of House Bill 1353, 2022 Regular Legislative Session, for the City of Gautier (construction of the MS Songwriters Performing Arts Center and improvements to Town Commons Park...).

Our electronic payment information is as follows:

Bank Name: _____

Routing No.: _____

Account No.: _____

MAGIC Vendor No.: 3100016398

We appreciate your assistance.

Paula Yancey, City Manager

CITY OF GAUTIER
Consent Agenda Item #7
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Authorization to submit an application to MDOT
for a Transportation Alternatives Set-Aside
Grant for the Graveline Road Sidewalk Project.

Introduced by:
Contact Person/Telephone

April Stennett 497-8000 Ext. 315

Summary Explanation: Authorization to submit a grant application to the Mississippi Department of Transportation for a Transportation Alternatives Set-Aside Grant for the Graveline Road Sidewalks Project.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
									Elbin
									☐

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
									Elbin
									☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the Transportation Alternatives (TA) projects are eligible for funding under the Surface Transportation Block Grant (STBG) program; and

WHEREAS, the Bipartisan Infrastructure Law (BIL) continues the Transportation Alternatives set-aside from the Surface Transportation Block Grant (STBG) program; and

WHEREAS, Eligible uses of the set-aside funds include all projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21); and

WHEREAS, this is an 80/20 grant, which the City will be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project costs; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the submission of an application to the Mississippi Department of Transportation for a Transportation Alternatives Set-Aside Grant is hereby authorized.

IT IS FURTHER ORDERED that the City will be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project costs. This project would construct sidewalks along Graveline Road from Dolphin Drive to Shepard State Park.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi,
at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 07/13/2022
Subject: Request to submit an application to MDOT for a Transportation Alternatives Set-Aside Grant for Graveline Road Sidewalks Project

REQUEST:

The Grants and Projects Department requests City Council authorization for the submission of a grant application to the Mississippi Department of Transportation for a Transportation Alternatives Set-Aside Grant for the Graveline Road Sidewalks Project.

BACKGROUND:

Transportation Alternatives projects are eligible for funding under the Surface Transportation Block Grant (STBG). Effective October 1, 2021, the Bipartisan Infrastructure Law (BIL) continues the Transportation Alternatives set-aside from the Surface Transportation Block Grant (STBG) program. Eligible uses of the set-aside funds include all projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21). This encompasses a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity.

DISCUSSION:

This is an 80/20 grant. The City would be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project cost. This project would construct sidewalks along Graveline Road from Dolphin Drive to Shepard State Park.

RECOMMENDATION:

Staff recommends that City Council authorize submission of a grant application to the Mississippi Department of Transportation for a Transportation Alternatives Set-Aside Grant.

City Council may:

1. Authorize submission of an application as described above; or
2. Authorize submission of a grant application with changes; or
3. Not approve submission of a grant application.

ATTACHMENTS:

CITY OF GAUTIER
Consent Agenda Item #8
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Authorization to execute a legal and compliance
certification letter in support of an MDOT
Transportation Alternatives Set-Aside grant
application for the Graveline Road Sidewalks
Project.

Introduced by:
Contact Person/Telephone

April Havens 497-8000 Ext. 315

Summary Explanation: Authorization to execute a legal and compliance certification letter in support of an MDOT Transportation Alternatives Set-Aside grant application for the Graveline Road Sidewalks Project.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
								Elbin	☐

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
								Anderson	☐
								Elbin	☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the Transportation Alternatives (TA) projects are eligible for funding under the Surface Transportation Block Grant (STBG) program; and

WHEREAS, the Bipartisan Infrastructure Law (BIL) continues the Transportation Alternatives set-aside from the Surface Transportation Block Grant (STBG) program; and

WHEREAS, eligible uses of the set-aside funds include all projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21); and

WHEREAS, this is an 80/20 grant, which the City will be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project costs; and

WHEREAS, as part of the MDOT application process, the signed letter and a separate board order are required; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the execution of a legal and compliance certification letter in support of an MDOT Transportation Alternatives Set-Aside Grant is hereby authorized.

IT IS FURTHER ORDERED that the City will be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project costs. This project would construct sidewalks along Graveline Road from Dolphin Drive to Shepard State Park.

IT IS FURTHER ORDERED that the City Manager, Mayor, or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi,
at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants and Projects Director
Date: 07/13/2022
Subject: Request to Execute a Legal and Compliance Certification Letter in Support of a Transportation Alternatives Set-Aside Grant Application

REQUEST:

The Grants and Projects Department requests City Council authorization for the execution of a legal and compliance certification letter in support of an MDOT Transportation Alternatives Set-Aside grant application for the Graveline Road Sidewalks Project.

BACKGROUND:

Transportation Alternatives projects are eligible for funding under the Surface Transportation Block Grant (STBG). Effective October 1, 2021, the Bipartisan Infrastructure Law (BIL) continues the Transportation Alternatives set-aside from the Surface Transportation Block Grant (STBG) program. Eligible uses of the set-aside funds include all projects and activities that were previously eligible under the Transportation Alternatives Program under the Moving Ahead for Progress in the 21st Century Act (MAP-21). This encompasses a variety of smaller-scale transportation projects such as pedestrian and bicycle facilities, recreational trails, safe routes to school projects, community improvements such as historic preservation and vegetation management, and environmental mitigation related to stormwater and habitat connectivity.

DISCUSSION:

This is an 80/20 grant. The City would be responsible for all Preliminary Engineering and Right of Way costs and at least 20% of the total project cost. This project would construct sidewalks along Graveline Road from Dolphin Drive to Shepard State Park. This signed letter and a separate board order is required as part of the MDOT application process.

RECOMMENDATION:

Staff recommends that City Council authorize execution of a legal and compliance certification letter in support of an MDOT Transportation Alternatives Set-Aside grant application for the Graveline Road Sidewalks Project.

City Council may:

1. Authorize execution of the letter, as described above; or
2. Not approve execution of the letter.

ATTACHMENTS:

1. Legal and Compliance Certification

*Mayor
Casey Vaughan*

City of Gautier

Gautier, Mississippi

*City Manager
Paula Yancey*

*City Clerk
Teresa Montgomery*

*Council
At Large Adam Colledge
Ward 1 Cameron George
Ward 2 Richard Jackson
Ward 3 Gordon Gollott
Ward 4 Charles "Rusty" Anderson
Ward 5 Dante Elbin*



*3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov*

July 19, 2022

TAP Coordinator
MDOT LPA Division
P.O. Box 1850
Jackson, MS 39215-1850

RE: 2022 Transportation Alternatives (TA) grant application
Graveline Road Sidewalk Improvements ("Project")

Legal and Compliance Certification

The City of Gautier (LPA) certifies that no known foreseeable legal impediments exist that would prohibit completion of the Project and that the Project complies with applicable codes, standards and/or regulations required for completion.

Signed,

Mayor Casey Vaughan
Name

Date

Signature

CITY OF GAUTIER
Consent Agenda Item #9
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Authorization to execute the Subdivision Settlement Participation Form (exhibit C) for the on-going Mississippi State-Local Government Opioid Litigation

Introduced by:
Contact Person/Telephone

Paula Yancey 497-8000

Summary Explanation: Authorization to execute the Subdivision Settlement Participation Form for the ongoing Mississippi State-Local Government Opioid Litigation

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
Anderson	☐	Elbin	☐						

Second Made by:									
Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐
Anderson	☐	Elbin	☐						

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the City of Gautier previously adopted the Mississippi State-Local Government Opioid Litigation Memorandum of Understanding on December 21, 2021; and

WHEREAS, the State of Mississippi has successfully negotiated another settlement with Endo Health Solutions Inc. and Endo Pharmaceuticals; and

WHEREAS, Endo has agreed to make a lump-sum payment of \$9,000,000 to the State of Mississippi; and

WHEREAS, the Endo settlement requires each participation City and/or County to execute another Settlement Participation Agreement; and

WHEREAS, the settlement distributions will be based on the previously adopted MOU; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the execution of the Subdivision Settlement Participation form for the on-going Mississippi State-Local Government Opioid Litigation is hereby approved.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.



July 11, 2022

City of Gautier
3330 Hwy. 90
Gautier, Mississippi 39553

Attorney General Lynn Fitch is pleased to inform you that the State of Mississippi has successfully negotiated another settlement in the ongoing opioid litigation. Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. ("Endo") have agreed to make a lump-sum payment of \$9 million to settle all claims against them.

As you may have seen in media reports or otherwise heard, Endo is expected to enter bankruptcy within the next several months so time is of the essence in finalizing this deal while we can still attain this multi-million-dollar settlement for Mississippi.

Like the previous settlements with Johnson & Johnson and the Distributor defendants, the Endo settlement requires each participating city and/or county to execute another Settlement Participation Agreement ("PA") which is attached to this correspondence. The settlement distributions within the State will be based on the previously adopted "Mississippi State-Local Government Opioid Litigation Memorandum of Understanding." *A copy of the settlement agreement and all city and county allocation percentages can be found on the Attorney General's opioid settlement website (<https://www.ago.state.ms.us/opioidsettlement/>).*

Like those previous settlements, the State will cover the required abatement portion of the settlement, so that **local governments will be able to use your funds as you see fit without a national fund administrator micromanaging their use.**

Unlike those previous settlements, however, the Endo settlement requires 100% participation for the specified list of counties and cities. Funds will not be clawed back in increments depending on the participation level of local governments. Instead, **Mississippi and its local governments will only get funding if all local governments participate.**

The Federal Court overseeing this multi-district opioid litigation ordered that 7.5% of the city and county allocations in each state be held-back to cover common benefit charges. At present, this hold-back amount will be applied to both local governments that have retained counsel and those that have not. While this hold-back tends to be a small dollar figure for your localities, the State continues to fight to restore that amount to your settlement funds. Should we be unable to do so, however, the State will make your settlement figure whole.

To participate in the settlement your subdivision must complete the attached Subdivision Settlement Participation Agreement and return it by August 5, 2022.

The State will not receive any funding from the settlement unless and until ***ALL*** eligible subdivisions have provided an executed PA. Further, we are working diligently to finalize this deal before Endo's expected bankruptcy makes this funding level less likely. Thus, it is vital that the attached form is executed and returned to our office as soon as practicable.

Should you have any questions, please email opioidsettlement@ago.ms.gov or contact Caleb Pracht, Special Assistant Attorney General, Consumer Protection Division of the Mississippi Attorney General's Office, at 601-359-9711.

Thank you in again for your time and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn Fitch", with a stylized flourish at the end.

Lynn Fitch
Attorney General
State of Mississippi

Exhibit C

Subdivision Settlement Participation Form

Governmental Entity: City of Gautier	State: Mississippi
Authorized Official: Paula Yancey	
Address 1: 3330 Highway 90	
Address 2:	
City, State, Zip: Gautier, MS 39553	
Phone: (228)497-8000	
Email: pyancey@gautier-ms.gov	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated June 7, 2022 (“*Endo Settlement*”), and acting through the undersigned authorized official, hereby elects to become a Participating Subdivision under the Endo Settlement, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Endo Settlement, understands that all terms in this Subdivision Settlement Participation Form have the meanings defined therein, and agrees that by signing this Subdivision Settlement Participation Form, the Governmental Entity elects to participate in the Endo Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall immediately cease any and all litigation activities as to the Releasees and Released Claims and, within 7 days of the Effective Date of Release, voluntarily dismiss with prejudice any Released Claims that it has filed against any Releasee(s), with each party to bear its own costs.
3. The Governmental Entity expressly agrees to the terms of the Endo Settlement pertaining to Subdivisions and Releasers as defined therein.
4. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Endo Settlement. By becoming a Participating Subdivision and expressly agreeing to the terms of the Endo Settlement and the releases provided for therein, the Governmental Entity is entitled to the benefits provided therein for Participating Subdivisions, including, if applicable, monetary payments beginning after the Effective Date of the Release.
5. The Governmental Entity agrees not to oppose efforts to enact a legislative Bar as defined in Section A(c)(1) of the Endo Settlement.
6. The Governmental Entity submits to the jurisdiction of the Court (as defined in the Endo Settlement) for purposes limited to the Court’s role as provided in, and for resolving disputes to the extent provided in, the Endo Settlement.

7. The Governmental Entity, as a Participating Subdivision, expressly agrees that it is a Releasor for all purposes in the Endo Settlement, including, but not limited to, all provisions of Section D and E, and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind, and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. For avoidance of doubt, the Governmental Entity provides a release to the fullest extent of its authority for any public hospital or school district within the Governmental Entity's ownership, control or jurisdiction. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Releasee in any forum whatsoever. The releases provided for in the Endo Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Releasees the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release Claims. The Endo Settlement shall be a complete bar to any Released Claim.
8. The Governmental Entity expressly agrees, among other things, that the Endo Settlement effects a good-faith release and covenant not to sue and meets the requirements of the Uniform Contribution Among Joint Tortfeasors Act and any similar state law or doctrine that reduces or discharges a released party's liability to any other parties, and that it is the intent of the Endo Settlement to release the Releasees from any liability for contribution, indemnity or any other theory of claim-over based on the Covered Conduct. The Governmental Entity further agrees, among other things, that no Releasee shall be alleged to have acted with a "specific wrongful intent" within the meaning of Miss. Code § 85-5-7(1) or "consciously [or] deliberately" in pursuit of "a common plan or design to commit a tortious act" within the meaning of Miss. Code § 85-5-7(4) in any Action maintained now or in the future by the Governmental Entity.
9. In connection with the releases provided for in the Endo Settlement, the Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release, and that if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but the Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date of the Release, any and all Released Claims that may

exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entity's decision to participate in the Endo Settlement.

10. The Governmental Entity understands that, in compliance with the Common Benefit Order issued by Judge Dan Polster in MDL 2804- National Prescription Opiate Litigation in the U.S. District Court for the Northern District of Ohio, 7.5% of the settlement payment that is to be allocated to subdivisions for abatement will be held back by Endo to be deposited in to the Common Benefit Fund.
11. The Governmental Entity agrees that it will not publicly or privately encourage any other Governmental Entity to bring or maintain any Released Claim.
12. Nothing herein is intended to modify in any way the terms of the Endo Settlement, to which the Governmental Entity hereby expressly agrees. To the extent this Subdivision Settlement Participation Form is interpreted differently from the Endo Settlement in any respect, the Endo Settlement controls.

I have all necessary power and authorization to execute this Subdivision Settlement Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: Paula Yancey

Title: City Manager

Date: July 19, 2022

(the "Execution Date of this Subdivision Settlement Participation Form")

**CITY OF GAUTIER
Consent Agenda Item #10
Fact Sheet**

Council Meeting:
Title:

July 19, 2022
Approval of the Memorandum of Agreement (MOA)
between the 81st Security Squadron and the City of
Gautier Police Department

Introduced by:
Contact Person/Telephone

Chief David Bever 497-2486

Summary Explanation: Approval of the Memorandum of Agreement (MOA) between the 81st Security Squadron (KAFB) and the City of Gautier Police Department.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, the City of Gautier has previously entered an MOA with the 81st Security Squadron (KAFB), and must be renewed; and

WHEREAS, this agreement establishes that on request of the Gautier Police Department by the 81st Security Forces Squadron or any person requiring emergency assistance at Sandhill military housing area in Gautier, Mississippi; crime prevention services or law enforcement response from the City of Gautier Police Department will occur in any point within the crime prevention or law enforcement response in the jurisdiction of Sandhill military family housing area; and

WHEREAS, each party is responsible for all cost of its personnel, including pay and benefits, support, and travel; and

WHEREAS, each party is responsible for supervision and management of its personnel; and

WHEREAS, the Mayor and Council Members hereby find that entering into this Memorandum of Agreement (MOA) is in the best interest of the City.

IT IS HEREBY ORDERED by the Mayor and Member of the Council of the City of Gautier, Mississippi, that entering into the attached Memorandum of Agreement is hereby approved.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary for this purpose.

Motion made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.



**DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 81ST TRAINING WING (AETC)**

**MEMORANDUM OF AGREEMENT
BETWEEN
THE 81ST SECURITY FORCES SQUADRON (SFS)
AND
THE GAUTIER POLICE DEPARTMENT (GPD)
FOR
CRIME PREVENTION AND INCIDENT RESPONSE**

AGREEMENT NUMBER- FB3010-21XXX-000

This is a memorandum of agreement (MOA) between the 81st Security Forces Squadron and Gautier Police Department. When referred to collectively, the SFS and the GPD are referred to as the "Parties."

1. **BACKGROUND:** This agreement establishes that on the request of the Gautier Police Department by 81st Security Forces Squadron or a request from any person requiring emergency assistance at Sandhill military housing area, located in Gautier, Mississippi; crime prevention services or law enforcement response of the Gautier Police Department will occur in any point within the crime prevention or law enforcement response in the jurisdiction of Sandhill military family housing area.
2. **AUTHORITIES:** This agreement is entered into pursuant to the following directives insofar as they are applicable. None of the terms or provisions of this agreement are intended to conflict with or supersede directives or instructions from higher headquarters.
 - 2.1. DoDI 4000.19, *Support Agreements*
 - 2.2. AFD 25-2, *Intra-Service Support Agreements*
 - 2.3. AFI 25-201, *Intra-Service, Intra-Agency, and Inter-Agency Support Agreements Procedures*
 - 2.4. AFI 65-601, Volume 1, *Budget Guidance and Procedures*
 - 2.5. DoD 7000.14R, *DoD Financial Management Regulation, Vol. 11A, Chapter 1, General Reimbursement Procedures and Supporting Documentation*
 - 2.6. Economy Act, 31 U.S.C. 1535
3. **PURPOSE AND SCOPE:** The purpose of this MOA, is for the protection of life and property from crime in the jurisdiction of Sandhill military family housing area.

4. RESPONSIBILITIES OF THE PARTIES:

4.1. The 81st Security Forces Squadron will—

4.1.1. Notify GPD of any incidents in the Sandhill military family housing area and will give GPD all information they have received regarding the incident.

4.1.2. Advise the GPD of the specific incident requiring their assistance.

4.2. The Gautier Police Department will—

4.2.1. Respond to 81 SFS request and respond to the Sandhill family housing area when possible.

4.2.2. Respond to any person residing in the Sandhill family housing area request and will assist them when possible.

4.2.3. Inform Base Defense Operations Control the status of the incident upon arrival and resolving of the incident.

5. **PERSONNEL:** Each party is responsible for all costs of its personnel, including pay and benefits, support, and travel. Each Party is responsible for supervision and management of its personnel.

6. GENERAL PROVISIONS:

6.1. POINTS OF CONTACTs (POCS). The following POCs will be used by the Parties to communicate matters concerning this MOA. Each Party may change its POC upon reasonable notice to the other Party.

6.1.1. For the 81st Security Forces Squadron—

6.1.1.1. NCOIC, Installation Security, 228-376-5618

6.1.1.2. OIC, Operations, 228-376-5677

6.1.2. For the Gautier Police Department—

6.1.2.1. Dispatch, Non-Emergency, (228) 497-2486

6.1.2.2. Captain Johnathan Allmand, Patrol Division, (228) 497-2486 and
jallmand@gautier-ms.gov:

6.2. CORRESPONDENCE. All correspondence to be sent and notices to be given pursuant to this MOA will be addressed, if to the 81 SFS, to—

6.2.1. 405 Larcher Blvd, Bldg 3501, Keesler Air Force Base, MS 39534
and, if to the GPD, to—

6.2.2. 3329 Highway 90, Gautier, MS 39553

6.3. REVIEW OF AGREEMENT. If non-reimbursable, this MOA will be reviewed no less often than mid-point on or around the anniversary of its effective date in its entirety. If reimbursable, this MOA will be reviewed on or around the anniversary of its effective date annually for financial impacts; if there are substantial changes in resource requirements, the agreement will be reviewed in its entirety.

6.4. MODIFICATION OF AGREEMENT. This MOA may only be modified by the written agreement of the Parties, duly signed by their authorized representatives.

6.5. DISPUTES. Any disputes relating to this MOA will, subject to any applicable law, Executive Order, or DoD issuance, be resolved by consultation between the Parties.

6.6. TERMINATION OF AGREEMENT. This MOA may be terminated by either Party by giving at least 45 days' written notice to the other Party. The MOA may also be terminated at any time upon the mutual written consent of the Parties.

6.7. TRANSFERABILITY. This MOA is not transferable except with the written consent of the Parties.

6.8. ENTIRE AGREEMENT. It is expressly understood and agreed that this MOA embodies the entire agreement between the Parties regarding the MOA's subject matter, thereby merging and superseding all prior agreements and representations by the Parties with respect to such subject matter.

6.9. EFFECTIVE DATE. This MOA takes effect beginning on the day after the last Party signs.

6.10. EXPIRATION DATE. This MOA expires on 9 years after the last Party signs.

- 6.11. CANCELLATION OR MODIFICATION OF PREVIOUS AGREEMENT. This MOA modifies or cancels and supersedes the any other agreement.
- 6.12. NO THIRD PARTY BENEFICIARIES. Nothing in this MOA, express or implied, is intended to give to, or will be construed to confer upon, any person or entity not a party any remedy or claim under or by reason of this MOA and this MOA will be for the sole and exclusive benefit of the Parties.
- 6.13. SEVERABILITY. If any term, provision, or condition of this MOA is held to be invalid, void, or unenforceable by a governmental authority and such holding is not or cannot be appealed further, then such invalid, void, or unenforceable term, provision, or condition shall be deemed severed from this MOA and all remaining terms, provisions, and conditions of this MOA shall continue in full force and effect. The Parties shall endeavor in good faith to replace such invalid, void, or unenforceable term, provision, or condition with valid and enforceable terms, provisions, or conditions which achieve the purpose intended by the Parties to the greatest extent permitted by law.
- 6.14. OTHER FEDERAL AGENCIES. This MOA does not bind any federal agency, other than the Parties, nor waive required compliance with any law or regulation.

AGREED:

For the 81st Security Forces Squadron

For the Gautier Police Department

Signature

Signature

Commander,
81st Security Forces Squadron

David Bever, Chief of Police,
Gautier Police Department

(Date)

(Date)

Signature

Commander,
81st Training Wing

(Date)

Signature

Casey Vaughn, Mayor,
City of Gautier, MS

(Date)

CITY OF GAUTIER
Consent Agenda Item #11
Fact Sheet

Council Meeting:

July 19, 2022

Title:

Approval to submit an application to the Mississippi Development Authority for the Gulf Coast Restoration Fund for the Inclusion Playground at Town Commons Park.

Introduced by:

Contact Person/Telephone

April Stennett 497-8000 ext. 315

Summary Explanation: Approval to submit an application to the Mississippi Development Authority for the Gulf Coast Restoration Fund for the Inclusion Playground at Town Commons Park.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other	☐
Submittal Authorization	City Manager

Staff Recommendation:

Approval

Motion Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Second Made by:

Vaughan	☐	Colledge	☐	George	☐	Jackson	☐	Gollott	☐	Anderson	☐	Elbin	☐
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Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, on September 5, 2018, Governor Phil Bryant signed SB2002 into law, establishing the Gulf Coast Restoration Fund; and

WHEREAS, the GCRF is used for programs and projects that have the potential to generate increased economic activity in the Gulf Coast region; and

WHEREAS, the City of Gautier will apply for GCRF funds to construct an inclusion playground at Town Commons Park; and

WHEREAS, this is an 80/20 grant, with the total cost of the project as \$1.4 million; and

WHEREAS, the City will seek \$1 million in grant funds to construct the playground, and the local match would come from City funds and private funds; and

WHEREAS, the attached resolution is required as part of the grant application; and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi that the submission of a grant application to the Mississippi Development Authority for the Gulf Coast Restoration Fund for the Inclusion Playground at Town Commons Park is hereby approved.

IT IS FURTHER ORDERED that the City Manager and City Clerk are authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants & Projects Director
Date: July 14, 2022
Subject: Gulf Coast Restoration Fund Grant Application-Inclusion Playground at Town Commons Park

REQUEST:

The Grants & Projects Department requests City Council approval to submit an application to the Mississippi Development Authority for the Gulf Coast Restoration Fund for the Inclusion Playground at Town Commons Park.

BACKGROUND:

On September 5, 2018, Governor Phil Bryant signed SB2002 into law, establishing the Gulf Coast Restoration Fund. The GCRF shall be used for programs and projects that have the potential to generate increased economic activity in the Gulf Coast region. Applicants eligible for assistance include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities.

DISCUSSION:

The City of Gautier will apply for GCRF funds to construct an inclusion playground at Town Commons Park. This is an 80/20 grant. The total project cost would be \$1.4 million. The City will seek \$1 million in grant funds to construct the playground. The local match would come from City funds and private funds.

RECOMMENDATION:

The Grants & Projects Director recommends that City Council approve the attached resolution to authorize the preparation and submittal of an application for the Gulf Coast Restoration Fund.

The City Council may:

1. Approve the attached resolution; or
2. Not approve the proposed resolution.

ATTACHMENT(S):

Resolution

CITY OF GAUTIER
Consent Agenda Item #12
Fact Sheet

Council Meeting:
Title:

July 19, 2022
Approval to submit an application to the Mississippi Development Authority for up to \$1 million in Gulf Coast Restoration Fund funding for the Inclusion Playground at Town Commons Park and to authorize \$400,000 in matching funds.

Introduced by:
Contact Person/Telephone

April Stennett 497-8000 Ext. 315

Summary Explanation: Approval to submit an application to the Mississippi Development Authority for up to \$1 million in Gulf Coast Restoration Fund funding for the Town Commons Park and to authorize \$400,000 in matching funds.

EXHIBITS FOR REVIEW

Resolution	☐
Ordinance	☐
Contract/Agreement	☐
Minutes	☐
Plan Maps	☐
Order	☒
Other/Discussion	☐
Submittal Authorization	City Manager

Staff Recommendation:
Approval

Motion Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Second Made by:

Vaughan ☐ **Colledge** ☐ **George** ☐ **Jackson** ☐ **Gollott** ☐ **Anderson** ☐ **Elbin** ☐

Voted as follows:		AYES	NAYS	Abstained	Absent
Mayor	Vaughan	☐	☐	☐	☐
At Large	Colledge	☐	☐	☐	☐
Ward 1	George	☐	☐	☐	☐
Ward 2	Jackson	☐	☐	☐	☐
Ward 3	Gollott	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Elbin	☐	☐	☐	☐

Action Taken:

There came for consideration of a Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 000-2022

WHEREAS, On September 5, 2018, Governor Phil Bryant signed SB2002 into law, establishing the Gulf Coast Restoration Fund; and

WHEREAS, the Gulf Coast Restoration Fund shall be used for programs and projects that have the potential to generate increased economic activity in the Gulf Coast region; and

WHEREAS, the City of Gautier will apply for Gulf Coast Restoration Fund funding for the Inclusion Playground at Town Commons Park; and

WHEREAS, this is an 80/20 grant, with the total project cost being \$1.4 million and a local match of \$400,000 million; and

WHEREAS, the \$400,000 local match would come from City funds (\$200,000) and private funds (\$200,000); and

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the submission of an application to the Mississippi Development Authority for up to \$1 million in Gulf Coast Restoration Fund funding for the Inclusion Playground at Town Commons Park is hereby approved.

IT IS FURTHER ORDERED and confirmed that requisite matching funds in the amount of \$400,000 are available.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

Motion was made by **BLANK**, seconded by **BLANK**, and the following vote was recorded:

AYES:

NAYS:

MAYOR

ATTEST:

CITY CLERK

BLANK by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 19, 2022.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: April Stennett, Grants & Projects Director
Date: July 14, 2022
Subject: Gulf Coast Restoration Fund Grant Application-Inclusion Playground at Town Commons Park-Matching Funds Resolution

REQUEST:

The Grants & Projects Department requests City Council approval to submit an application to the Mississippi Development Authority for up to \$1 million in Gulf Coast Restoration Fund funding to construct an inclusion playground at Town Commons Park and to authorize \$400,000 in matching funds.

BACKGROUND:

On September 5, 2018, Governor Phil Bryant signed SB2002 into law, establishing the Gulf Coast Restoration Fund. The GCRF shall be used for programs and projects that have the potential to generate increased economic activity in the Gulf Coast region. Applicants eligible for assistance include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities.

DISCUSSION:

The City of Gautier will apply for GCRF funds to construct an inclusion playground at Town Commons Park. This is an 80/20 grant. The total project cost would be \$1.4 million. The City will seek \$1 million in grant funds to construct the playground. The \$400,000 local match would come from City funds (\$200,000) and private funds (\$200,000).

RECOMMENDATION:

The Grants & Projects Department recommends that City Council approve the attached resolution to authorize the local match, which will be required if awarded grant funds through the Gulf Coast Restoration Fund.

The City Council may:

1. Approve the attached resolution; or
2. Not approve the proposed resolution.

ATTACHMENT(S):

Resolution

**CITY OF GAUTIER, MISSISSIPPI
STUDY AGENDA
July 19, 2022**

ITEM DESCRIPTION:

Citizen Comments

City Council Comments

City Manager Comments

City Clerk Comments

City Attorney Comments

NOTES:
