

AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
May 9, 2017 @ 5:30 PM

I. Call to Order

1. Prayer

2. Pledge of Allegiance

II. Agenda Order Approval

III. Announcements - None

IV. Presentation Agenda - None

V. Public Agenda

1. Agenda Comments

VI. Business Agenda

1. Authorization for the City of Gautier to enter into a Memorandum of Intent with Sawyer, in connection with Harbor Freight.

2. Authorization to enter into a contract with the Jackson County Election Commission to provide assistance with the City of Gautier's 2017 Municipal Run-Off Election held May 16, 2017.

VII. Consent Agenda - None

VIII. 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 May 16, 2017 at 6:30 PM
www.gautier-ms.gov

**CITY OF GAUTIER, MISSISSIPPI
PUBLIC AGENDA
May 9, 2017**

ITEM DESCRIPTION:

AGENDA COMMENTS

NOTES:

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

Council Meeting:
Title:

May 9, 2017
**Authorization for the City of Gautier to enter into
a Memorandum of Intent with Sawyer, in
connection with Harbor Freight**

Introduced by:
Contact Person/Telephone

City Manager 497-8000 ext. 306

Summary Explanation: Authorization for the City of Gautier to enter into a Memorandum of Intent with Sawyer, in connection with Harbor Freight, to grant tax exemptions and for other incentives.

EXHIBITS FOR REVIEW

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

Staff Recommendation:
Approval

Motion Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Second Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Voted as follows:		Ayes	Nays	Abstained	Absent
Mayor	Gollott	☐	☐	☐	☐
At Large	Martin	☐	☐	☐	☐
Ward 1	Jones	☐	☐	☐	☐
Ward 2	Guillotte	☐	☐	☐	☐
Ward 3	Vaughan	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Colledge	☐	☐	☐	☐

Action Taken:

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

ORDER NUMBER 000-2017

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 enter into a Memorandum of Intent with Sawyer, in connection with Harbor Freight, to grant tax exemptions and for other incentives.

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 May 9, 2017.

**MEMORANDUM OF INTENT
TO GRANT TAX EXEMPTIONS AND FOR OTHER INCENTIVES**

This Memorandum of Intent ("MOI") is entered into as of the _____ day of _____, 2017, by and among the City of Gautier ("City") and Michael Sawyer and his assigns (hereinafter, "Sawyer"). Each above entity is a "Party" and collectively they shall be referred to as the "Parties."

RECITALS

WHEREAS, Sawyer is a developer who has approached the City concerning a potential commercial development, namely Harbor Freight (hereinafter, "the development"), and

WHEREAS, the City desires to promote and secure development and commercial redevelopment within the city limits of Gautier, in particular, within its central business district, and

WHEREAS, as an incentive to Sawyer and the proposed commercial development, the City wishes to set forth its intentions to provide certain incentives to Sawyer as an inducement to complete the development, and

WHEREAS, the Parties acknowledge they are relying on the representations of each other in moving forward under the terms of this agreement, and

NOW THEREFORE, the Parties agree that this is in the best interest of all concerned to enter into this MOI under the terms and conditions set forth below:

1. **Ad Valorem Exemption.** Upon the completion of the development located on certain property within the City of Gautier central business district, Sawyer will make written application to the governing authorities of the City of Gautier, pursuant to Miss. Code Ann. 17-21-5(1). If Sawyer is in compliance with Miss. Code Ann. 17-21-5(1), the City of Gautier agrees to exempt from any and all municipal ad valorem taxes (excluding ad valorem taxes for school district purposes) the value of the improvements to the property for a period of 7 years. Sawyer acknowledges that to be eligible for the exemption, the improvements and/or renovations must be made pursuant to a project approved by the municipality. Sawyer agrees to have the relevant property appraised prior to making the required improvements, and to also have the property appraised (by an appraiser approved by the City), after making the required improvements. The parties agree that Sawyer must complete the development, the application, and the appraisal within eighteen (18) months from the date of execution of this memorandum to obtain the incentives offered in this article.
2. **Commercial Redevelopment Incentive.** Upon acquisition of the relevant property, and successful negotiation of a lease for the development, the City agrees to enter into a tri-party agreement between Sawyer, Southern Mississippi Planning and Development District (hereinafter "SMPDD"), and the City, for a commercial redevelopment grant for the benefit of the developer. Only one third (1/3) of the total project cost under the grant (excluding fixture, furniture, and/or equipment) shall be eligible for the grant; however the amount of the grant shall be limited by the increased sales tax revenue generated by the property as further set forth herein.
 - a. Sawyer acknowledges that the maximum period of grant reimbursement is fifteen (15) years pursuant to the Commercial Redevelopment Grant Program (hereinafter "CRGP").

- b. Sawyer acknowledges that SMPDD administrative costs of ten percent (10%) will be taken from the grant reimbursement.
 - c. Sawyer acknowledges that even upon execution of the tri-party agreement with SMPDD and the City, Sawyer will be required to make an application with SMPDD and to document project costs to the City and SMPDD upon project completion.
 - d. Sawyer acknowledges that upon completion of the above application and execution of the tri-party agreement referenced above, reimbursements pursuant to the grant will not begin until twelve (12) months after redevelopment is complete, and the increase in taxes is verified.
3. The City agrees that upon Sawyer's compliance with the above obligations, it will consent, within the tri-party agreement to contribute __%, **(Note to Council: still being negotiated)** of the total verified increase in the City's portion of sales tax (directly attributable to the development), to SMPDD for the Commercial Redevelopment Grant Program with Sawyer.
4. Sawyer agrees that its lease agreement with Harbor Freight will require Harbor Freight to provide sales tax information and documentation to Sawyer and the City on an annual basis, including but not limited to, total Mississippi sales taxes paid. Both Sawyer and the City acknowledge that the provision of this information is proprietary third party information and will be provided only to SMPDD and the City, and will not be further released without reasonable notice provided to Harbor Freight in order to provide an opportunity to prevent such disclosure.
5. The parties agree that the intentions expressed in articles 2, 3 and 4, and the obligation to enter into a tri-party agreement shall be valid for a period of six (6) months from the date of execution.

Confidentiality. All Parties agree that by virtue of entering into this MOI they will have access to certain confidential information regarding the other Party's operations related to this project. None of the Parties bound in this MOI will at any time disclose confidential information and/or material without the consent of the subject Party unless such disclosure is authorized by this MOI or required by law. Unauthorized disclosure of confidential information shall be considered a material breach of this MOI. Where appropriate, releases will be secured before confidential information is exchanged. Confidential information will be handled with the utmost discretion and judgment.

Modification. This MOI may not be modified or amended except by written agreement executed by the Parties.

Representatives: The primary points of contract for each party to address issues that arise under this MOI are as follows:

City to:
Name: Paula Yancey
Title: City Manager
Address: 3330 HWY 90
Gautier, MS 39553
Phone: (228) 497-8000
Email: pyancey@gautier-ms.gov

Sawyer to:
Name: Michael Sawyer

Title: Developer
Address: 2300 14th St.
Gulfport, MS 39501
Phone: (228) 314-5003
Email: michael@naisawyer.com

THIS MOI is entered into as of the date of the last signature of the Parties, which date shall be inserted in the introductory paragraph of this MOI.

City

By: _____

Date: _____

Name: _____

Title: _____

Sawyer

By: _____

Date: _____

Name: _____

Title: _____

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

Council Meeting:

May 9, 2017

Title:

**Jackson County Election Commission
Contract to provide assistance with the City of
Gautier's 2017 Municipal Run-Off Election held
May 16, 2017**

Introduced by:

Contact Person/Telephone

Cynthia Russell 497-8000 Ext. 302

Summary Explanation: Authorization to enter into a contract with the Jackson County Election Commission to provide assistance with the City of Gautier's 2017 Municipal Run-Off Election held May 16, 2017. The City will use the County owned TSX Voting Machines in the Municipal Primary Election. The total cost should not exceed \$2,580.00.

EXHIBITS FOR REVIEW

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

Staff Recommendation:

Approval

Motion Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Second Made by:

Gollott ☐ **Martin** ☐ **Jones** ☐ **Guillotte** ☐ **Vaughan** ☐ **Anderson** ☐ **Colledge** ☐

Voted as follows:		AYES	NAYS	Abstained	Absent
Mayor	Gollott	☐	☐	☐	☐
At Large	Martin	☐	☐	☐	☐
Ward 1	Jones	☐	☐	☐	☐
Ward 2	Guillotte	☐	☐	☐	☐
Ward 3	Vaughan	☐	☐	☐	☐
Ward 4	Anderson	☐	☐	☐	☐
Ward 5	Colledge	☐	☐	☐	☐

Action Taken:

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

ORDER NUMBER 000-2017

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 enter into a contract with the Jackson County Election Commission to provide assistance with the 2017 Municipal Run-Off Election held May 16, 2017.

IT IS FURTHER ORDERED that the Jackson County Election Commission agrees to provide the following services:

1. Build the primary election in SEMS and GEMS.
2. Provide Logic and Accuracy testing on the TSX voting machines used.
3. Allow the City to use the County owned covered trailers for transport to and from each ward.
4. Set-up the machines prior to the election date.
5. Break down the machines the day after the election.
6. Provide the City with a PDF copy of the ballot for use in printing their absentee ballots and affidavit ballots.
7. Provide "Unofficial" voting accumulation at the end of the election at our office facility located at 4111 Amonett Street in Pascagoula.

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 May 9, 2017.

**CITY OF GAUTIER
MEMORANDUM**

To: Paula Yancey, City Manager
From: Cindy Russell, City Clerk
Date: 05/05/2017
Subject: Authorization to enter into a contract with the Jackson County Election Commission to provide assistance with the City of Gautier's 2017 Municipal Run-Off Election held May 16, 2017.

REQUEST:

City Council action is requested to approve a contract with Jackson County Election Commission to help assist with the Municipal run-off election for the City of Gautier. The City of Gautier will use County-Owned TSX Voting Machines in the Municipal run-off Election. The total cost should not exceed \$2,580.00.

BACKGROUND:

The Jackson County Election Commission agrees to provide assistance for the City of Gautier Municipal run-off Election held May 16, 2017 with a cost not to exceed \$2,580.00 for the following services:

- Build the primary election in SEMS and GEMS.
- Provide Logic and Accuracy testing on the TSX voting machines used.
- Allow the city to use the county owned covered trailers for transport to and from each ward.
- Set-up the machines prior to the election date.
- Break down the machines the day after the election.
- Provide technical assistance for the operation of the voting machines during the day of the election.
- Provide the city with a PDF copy of the ballot for use in printing their absentee ballots and affidavit ballots.
- Provide "Unofficial" voting accumulation at the end of the election at our office facility located at 4111 Amonett St. in Pascagoula.

RECOMMENDATION:

The City Clerk Department recommends approval of the City Municipal Run Off Election Contract with the Jackson County Election Commission

The City Council may:

1. Approve the City Municipal Run Off Election Contract as presented; or
2. Approve the City Municipal Run Off Election Contract with changes, or
3. Not Approve the City Municipal Run Off Election Contract.

ATTACHMENTS:

1. City Municipal Run Off Election Contract

JACKSON COUNTY ELECTION COMMISSION

4111 Amonett Street
Pascagoula, Mississippi 39567

Danny Glaskox, Chairman
Commissioner, District 1
(228) 769-3362
Danny_Glaskox@co.jackson.ms.us



Jerry Sims
Commissioner, District 2
(228) 769-3006

Michael Dickinson
Commissioner, District 4
(228) 769-3261

Debbie Hodges
Commissioner, District 3
(228) 769-3008

Tamara Vidrine
Commissioner, District 5
(228) 769-3007

TO: CITY OF **GAUTIER**

DATE: 5/3/2017

SUB: CITY MUNICIPAL RUN OFF ELECTION CONTRACT

Danny Glaskox and Debbie Hodges of the Jackson County Election Commission agrees to provide assistance for the City of Gautier's Municipal Run Off Election to be held on May 16, 2017. Danny Glaskox will build the election in SEMS & GEMS and prepare you a "master" paper ballot for "hand counted" absentee and affidavit ballots. We will be available for technical assistance the entire day of the election. We will upload your election results at the end of the day into our GEMS system and give you an "Unofficial" count on the night of the election. You will receive an update of the final count with absentee and affidavit ballots counted after the election and at that time we will give you an "Official" results afterwards. The total cost to the city of Gautier should not exceed **\$2580.00** for "our" services.

ALL voting machines will be tested by us with the City representative present to observe. We will deliver and pick-up the TSX voting machines. The associated cost of paying an adequate number of poll managers, receiving and returning managers, resolution board members and any other cost associated with the election is the responsibility of the city of Gautier. **The cost of printing street masters and poll books will be at a cost determined by Circuit Clerk Randy Carney's office unless the city desires to print their own at their expense. Adding voter history in SEMS after the election is recommended and will also be at a cost determined by Circuit Clerk Randy Carney's office.**

We agree to:

- Build the primary election in SEMS and GEMS.
- Provide Logic and Accuracy testing on the TSX voting machines used.
- Allow the city to use the county owned covered trailers for transport to and from each ward.
- Set-up the machines prior to the election date.
- Break down the machines the day after the election.
- Provide technical assistance for the operation of the voting machines during the day of the election.
- Provide the city with a PDF copy of the ballot for use in printing their absentee ballots and affidavit ballots.
- Provide "Unofficial" voting accumulation at the end of the election at our office facility located at 4111 Amonett St. in Pascagoula.

JACKSON COUNTY ELECTION COMMISSION

4111 Amonett Street
Pascagoula, Mississippi 39567

Danny Glaskox, Chairman
Commissioner, District 1
(228) 769-3362
Danny_Glaskox@co.jackson.ms.us



Jerry Sims
Commissioner, District 2
(228) 769-3006

Michael Dickinson
Commissioner, District 4
(228) 769-3261

Debbie Hodges
Commissioner, District 3
(228) 769-3008

Tamara Vidrine
Commissioner, District 5
(228) 769-3007

The city agrees to:

- Provide a safe and secure facility for the TSX voting machines prior to, during, and after the election.
- Provide two city workers & city owned vehicle to transport and help unload the TSX machines to the ward prior to Election Day.
- Provide two city workers & city owned vehicle to transport and help load the machines back to our office after the election.
- Pay mileage reimbursement for any travel in private vehicles at the rate of \$.535 per mile for each commissioner.
- Provide a city representative or party representative to pick up TSX memory packs prior to the election and to return the memory packs to our office at 4111 Amonett for tally of the "UNOFFICIAL" results after the election.
- Provide a resolution board to handle any disputes in a ballot determination.
- Have Municipal Election Commissioners finalize results after all absentee and affidavit ballots are counted.
- Pay the cost of posting voter history to the SEMS program (cost to be determined by voter turn-out)
- **The city further agrees to be liable for any damages to any county owned equipment.**

The city will also provide representatives to witness testing of the TSX machines and when final tally is being done at our office.

Danny Glaskox _____ Chairman, Jackson County Election Commission

Cindy Russell _____ Gautier City Clerk

Date: _____

**CITY OF GAUTIER, MISSISSIPPI
STUDY AGENDA
May 9, 2017**

ITEM DESCRIPTION:

Citizen Comments

City Council Comments

City Manager Comments

City Clerk Comments

City Attorney Comments

NOTES:
