

**Tuesday
March 19, 2013
Gautier, Mississippi**

BE IT REMEMBERED THAT A RECESSED MEETING of the Mayor and Members of the Council of the City of Gautier, Mississippi was held March 19, 2013 at 6:30 PM in the City Hall municipal Building, 3330 Highway 90, Gautier, Mississippi.

Those present were Mayor Fortenberry, Council Members Johnny Jones, Hurley Ray Guillotte, Gordon Gollott, Mary Martin, Scott Macfarland, Adam Colledge, City Manager Samantha Abell, City Clerk Cynthia Russell, City Attorney Robert Ramsay and other concerned citizens.

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
March 19, 2013 @ 6:30 PM**

- I. Call to Order**
 - 1 Prayer**
 - 2 Pledge of Allegiance**
- II. Agenda Order Approval**
- III. Announcements**
 - 1 Dedication for Nature's Playground Sculpture, Friday, March 22, 2013, 10:00 AM at Town Center Roundabout**
 - 2 2nd Annual Easter Egg Hunt Saturday, March 23, 2013, 10:00 AM at Shepard State Park**
 - 3 Office closed Friday, March 29, 2013 in observance of Good Friday**
 - 4 Jackson County Household Hazardous Waste Collection Day, Saturday, April 20, 2013, 8:00 AM – 12:00 PM**
- IV. Presentation Agenda**
 - 1 Presentation of Safe Digging Month Proclamation presented by Mayor Fortenberry**
 - 2 February 2013 Financial Report by Teresa Montgomery**
- V. Public Agenda**
 - 1 Agenda Comments**
- VI. Business Agenda**

- 1 Consider Order approving the Development and Reimbursement Agreement between the City of Gautier, Mississippi, and Singing River, LLC., at 2800 Highway 90 and SM Properties Gautier, LLC., and Wal-Mart Real Estate Trust
- 2 Consider Order approving Contract Change Order No. 7 for Gautier Downtown Streetscape Phase 2, CDBG Project No. R-109-192-01-KCR from Lane Construction, Inc.
- 3 Conduct public hearing and consider Order approving abatement of substandard property at 7301 Pineview Drive. Jonathan Palmer, owner
- 4 Consider Ordinance amending signs for businesses that abut Highway 90 and Highway 57 and Commercial Parcels in TCMU, Town Center Mixed use District. GPC Case #13-03-UDO
- 5 Consider Ordinance establishing the maximum number of domesticated animals that can be kept at a residence. GPC Case #13-04-UDO
- 6 Consider Ordinance approving a city-initiated comprehensive rezoning of properties comprising approximately 87.5 acres to C-3 Highway Commercial. GPC Case#13-05-UDO
- 7 Consider Ordinance allowing automobile detail shops in C-2 and C-3 as Conditional Uses. GPC Case #13-06-UDO
- 8 Consider Ordinance allowing existing mobile homes in MURC-MW to be replaced with enlarged mobile homes. GPC Case #13-07-UDO
- 9 Consider Order approving bid advertisement for improvements on Allen Road
- 10 Consider Order authorizing the submission of a grant application to the Mississippi Department of Transportation for the 2013 Urban Youth Corps Program
- 11 Consider Order authorizing the submission of a grant application to the Mississippi Department of Wildlife, Fisheries and Parks for a Mississippi Recreational Trails Program Grant
- 12 Consider Order authorizing the City to become a conservation partner with the Mississippi Wildlife Federation's Habitat Stewards Program (HSP)
- 13 Consider Order authorizing the submission of a grant application for Mississippi Office of Highway Safety Alcohol Countermeasures Grant
- 14 Consider Order approving Docket of Claims

VII. Consent Agenda (All items approved in one motion)

- 1 Consider Order approving minutes from Council Meeting held March 5, 2013
- 2 Consider Resolution approving the continuance of Deep Water Horizon local emergency

STUDY AGENDA

**CITY OF GAUTIER, MISSISSIPPI
March 19, 2013**

- 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 April 2, 2013
www.gautier-ms.gov

Motion was made by Councilman Macfarland to add Jackson County Board of Supervisors to Presentation Agenda as #1 and Add Item #15 to Business Agenda. Seconded by Councilwoman Martin and unanimously carried.

Announcements Agenda



Jackson County Household Hazardous Waste Collection Day



DO NOT BRING

Explosive Materials,
Radioactive Materials,
PCB's, Medical Waste,
Syringes, Waste from
Business, Compressed
Cylinders



ACCEPTABLE ITEMS

Aerosols, All Purpose Cleaners, Ammonia, Anti-Freeze, Automobile Cleaners, Batteries, Brake Fluid, Charcoal Lighter Fluid, Chlorine Bleach, Detergents, Disinfectants, Drain Opener, Furniture Polish, Gasoline, Glass Cleaner, Herbicides, Insecticides, Mothballs, Motor Oil, Oven Cleaner, Paint, Paint Thinner, Pesticides, Pool Chemicals, Rodent Poisons, Rubber Cement, Rug & Upholstery Cleaner, Scouring Powder, Silver Polish, Snail & Slug Killers, Toilet Bowl Cleaner, Transmission Fluid, Tub & Tile Cleaner, Turpentine, Varnish, Water Seal, Wood Finish

A One Day FREE

Proper Disposal Turn-in Event

Saturday, April 20, 2013

8 a.m. - 12 noon

Singing River Mall Parking Lot

Highway 90, Gautier



Call (228) 872-8340 for more information

Household Hazardous Waste is... Unused or leftover portions of products containing toxic chemicals. Any product which is labeled **CAUTION, POISONOUS, TOXIC, FLAMMABLE** or **CORROSIVE** is considered a household hazardous waste.

A Safe Substitute is... A safe alternative to a toxic product. Fact sheets are available to help you reduce the use of toxics and minimize health risks.

Legal Transportation is... Leaving products in the original containers and making sure that the containers are sealed so that they will not leak. Transport containers in the trunk or in the back of the vehicle away from passengers.

DO NOT TRANSPORT OVER 5 GALLONS OR 50 POUNDS AT ONE TIME

Proper Disposal is... Extremely important. It is dangerous and illegal to discard hazardous household materials in the trash or down the drain. Instead, use up the product as intended or take to a household hazardous waste event.

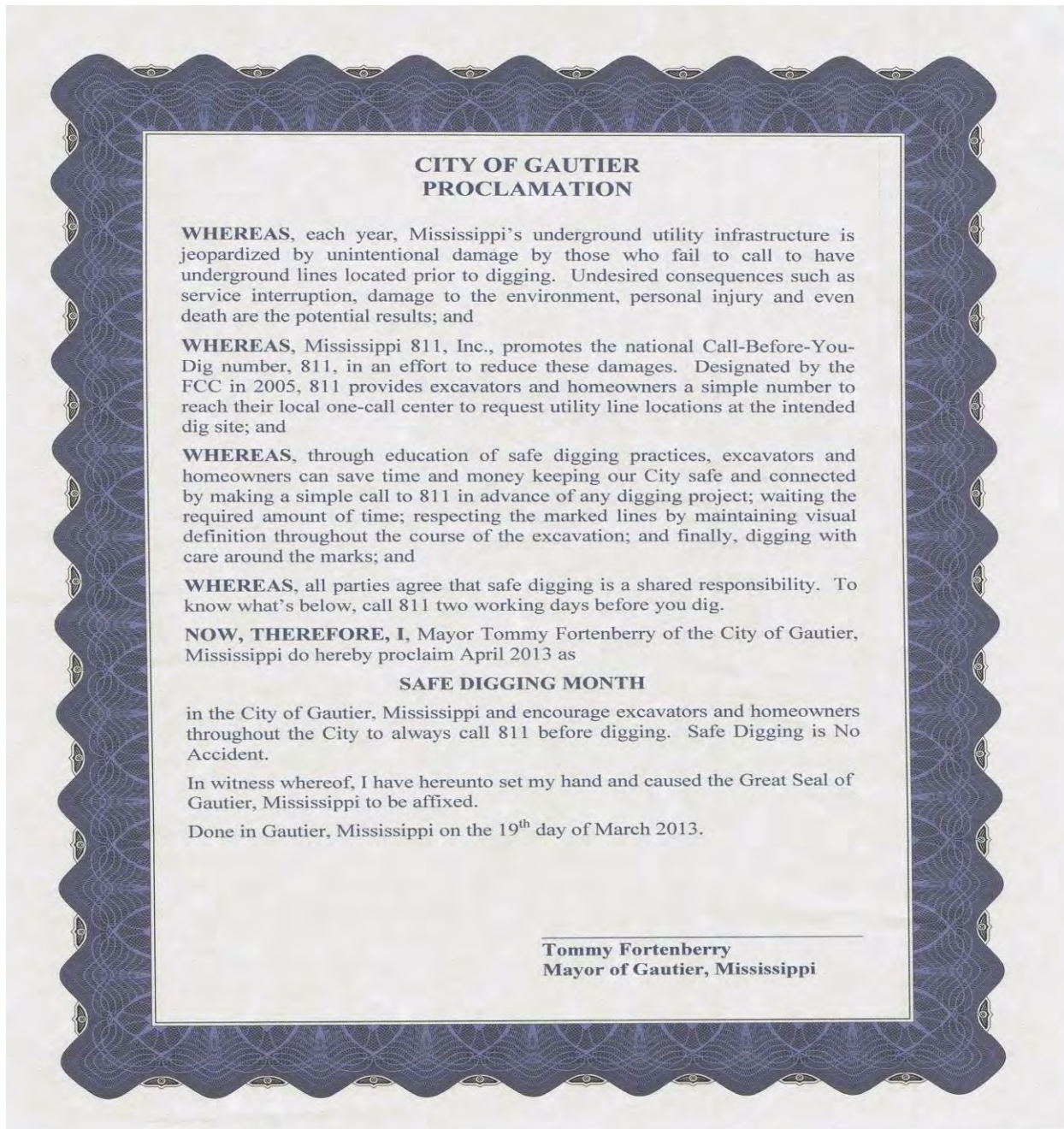
The collection event is a community service funded by the MS Department of Environmental Quality in cooperation with the Jackson County Board of Supervisors, Municipalities and the Jackson County Solid Waste Department.



Presentation Agenda

Jackson County Board of Supervisors presentation on funds received by County.

Proclamation for Safe Digging Month



February 2013 Financial Report

February 2013 Ending Cash Balances

GENERAL DEPOSITORY

Fund Name		Account #	Balance
General Fund	Depository Account	001-000-001	\$1,474,650.88
MS Development Loan Katrina	Depository Account	007-000-001	\$3,495.45
CDBG-Downtown Revitalization	Depository Account	012-000-001	(\$65,281.76)
Transportation Enhancement	Depository Account	013-000-001	\$15,000.00
Martin Bluff Road Improvements	Depository Account	128-000-001	\$259,683.40
U S Justice Equitable Sharing	Depository Account	157-000-001	\$171,501.96
Fire Protection Fund	Depository Account	160-000-001	\$222,571.72
DMR-BP Oil Spill Grant	Depository Account	165-000-001	(\$349.94)
MDOT-Youth Corp Program	Depository Account	166-000-001	(\$5,035.15)
Tidelands Grant	Depository Account	171-000-001	(\$5,656.25)
Library Support Fund	Depository Account	172-000-001	\$39,960.50
Shepard State Park Fund	Depository Account	176-000-001	(\$713.91)
Solid Waste Fund	Depository Account	404-000-001	\$118,162.99
General Ledger Cash Balance			\$2,226,788.89
General Depository Actual Cash Balance			\$2,170,538.02

ENTERPRISE FUND

Fund Name		Account #	Balance
Water & Sewer Utility	Enterprise Account-M&M	400-000-001	\$216,926.35
	Enterprise Account-Hancock	400-000-002	\$1,038,308.23
	CIAP:Old Shell-Hancock	414-000-002	(\$38,566.68)
Utility Bond Refunding	Enterprise Account-Hancock	430-000-002	\$13,216.66
General Ledger Cash Balance			\$1,231,881.36
Enterprise Actual Cash Balance			\$1,211,355.37

**FEBRUARY 2013
YEAR TO DATE TOTALS**

General Fund Totals				41.6%
	BUDGET FY 2013	As of February 2013	Balance	% to date
General Fund Revenues	9,404,149.00	4,479,873.57	4,924,275.43	47.6%
Expenditures:				
001 Legislative	98,035.00	44,478.79	53,556.21	45.3%
010 City Court	278,801.00	96,365.40	182,435.60	34.5%
021 City Manager	167,163.00	65,112.46	102,050.54	38.9%
022 Human Resources	134,607.00	52,005.75	82,601.25	38.6%
030 Elections	15,500.00	31.06	15,468.94	0.2%
040 City Clerk	449,702.00	172,788.68	276,913.32	38.4%
060 City Attorney	80,878.00	33,593.05	47,284.95	41.5%
090 Economic Dev - Planning	675,191.00	243,788.93	431,402.07	36.1%
091 Antique Fair	5,000.00	0.00	5,000.00	
092 Building & General Expenses	373,900.00	171,334.49	202,565.51	45.8%
100 Police	3,514,444.00	1,323,630.13	2,190,813.87	37.6%
161 Fire	1,809,066.00	717,568.88	1,091,497.12	39.6%
170 Recreation	161,052.00	57,949.63	103,102.37	35.9%
200 PW: Administration	27,541.00	27,538.69	2.31	99.9%
201 PW: Streets	282,976.00	168,205.25	114,770.75	59.4%
205 PW: Maintenance	196,069.00	84,873.53	111,195.47	43.2%
295 Drainage Systems	0.00	0.00	0.00	
680 Debt Service	86,161.00	0.00	86,161.00	
900 Interfund Transfers	996,695.00	248,637.50	748,057.50	24.9%
556 Contingency				
General Fund Expenditures	9,352,781.00	3,507,902.22	5,844,878.78	37.5%
<i>Total Operating Expenditures</i>	<i>8,002,272.00</i>	<i>3,118,704.72</i>	<i>4,883,567.28</i>	
<i>Total Capital Outlay Expenditure</i>	<i>61,700.00</i>	<i>17,316.72</i>	<i>44,383.28</i>	
<i>Total Debt Service</i>	<i>292,114.00</i>	<i>123,243.28</i>	<i>168,870.72</i>	
<i>Total Transfers Out</i>	<i>996,695.00</i>	<i>248,637.50</i>	<i>748,057.50</i>	
<i>Total Contingencies</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
<i>Check Total</i>	<i>9,352,781.00</i>	<i>3,507,902.22</i>	<i>5,844,878.78</i>	
 <i>Personnel</i>	 <i>6,533,548.40</i>	 <i>2,556,693.72</i>	 <i>3,976,854.68</i>	 <i>39.1%</i>
<i>Supplies</i>	<i>441,277.00</i>	<i>137,507.13</i>	<i>303,769.87</i>	<i>31.2%</i>
<i>Other Services</i>	<i>1,027,446.60</i>	<i>424,503.87</i>	<i>602,942.73</i>	<i>41.3%</i>
<i>Capital Outlay</i>	<i>61,700.00</i>	<i>17,316.72</i>	<i>44,383.28</i>	<i>28.1%</i>
<i>Debt Service</i>	<i>292,114.00</i>	<i>123,243.28</i>	<i>168,870.72</i>	<i>42.2%</i>
<i>Interfund Transfers</i>	<i>996,695.00</i>	<i>248,637.50</i>	<i>748,057.50</i>	<i>24.9%</i>
<i>Contingencies</i>	<i>0.00</i>	<i>0.00</i>	<i>0.00</i>	
<i>Check Total</i>	<i>9,352,781.00</i>	<i>3,507,902.22</i>	<i>5,844,878.78</i>	<i>37.5%</i>
 Beginning Cash Balance			630,724.45	
General Fund Revenue			1,772,326.44	
General Fund Expenditures			928,400.01	
Remaining balance			1,474,650.88	

**FEBRUARY 2013
YEAR TO DATE TOTALS**

<i>General Depository Special Funds</i>	BUDGET FY 2013	As of February 2013	Balance	41.6% % to date
007 MS Dev 2.36M Katrina Bonds				
Revenues	278,566.25	248,637.50	29,928.75	89.20%
Expenditures	279,616.25	248,637.50	30,978.75	88.90%
012 CDBG Downtown Revitalization				
Revenues	3,093,900.00	2,360,221.99	733,678.01	76.20%
Expenditures	2,880,337.00	2,212,940.28	667,396.72	76.80%
013 TE-Downtown Revitalization				
Revenues	450,000.00	15,000.00	435,000.00	3.30%
Expenditures	450,000.00	0.00	450,000.00	
014 CIAP-Town Center				
Revenues	777,000.00	0.00	777,000.00	
Expenditures	777,000.00	0.00	777,000.00	
157 US Justice Equitable Sharing				
Revenues	0.00	15,123.30	-15,123.30	
Expenditures	0.00	12,677.91	-12,677.91	
160 Fire Protection Fund				
Revenues	176,785.00	0.00	176,785.00	
Expenditures	255,989.00	3,059.98	252,929.02	1.10%
166 MDOT Youth Corp Program				
Revenues	34,150.53	32,899.66	1,250.87	96.30%
Expenditures	35,000.00	3,308.88	31,691.12	9.40%
171 Combined Tidelands Grant				
Revenues	701,713.00	16,575.00	685,138.00	2.30%
Expenditures	695,856.75	16,575.00	679,281.75	2.30%
172 Library Support Fund				
Revenues	117,603.00	76,096.42	41,506.58	64.70%
Expenditures	117,603.00	43,891.29	73,711.71	37.30%
176 Shepard State Park				
Revenues		0.00	0.00	
Expenditures		613.91	-613.91	
404 Solid Waste Fund				
Revenues	1,369,696.90	519,711.02	849,985.88	37.90%
Expenditures	1,417,235.90	450,983.97	966,251.93	31.80%

FEBRUARY 2013
YEAR TO DATE TOTALS

Special Fund

130 \$7M GO Bond - Capital Improvements

	BUDGET FY 2013	As of February 2013	Balance	41.6% % to date
Revenues	486,587.50	163,427.93	323,159.57	33.5%
Capital Improvements	2,535,825.00	124,741.41	2,411,083.59	4.9%
Debt Service	486,587.50	111,743.76	374,843.74	22.9%
Transfer to Fund 013	30,000.00	0.00	30,000.00	
Bond Fund Exenditures	<u>3,052,412.50</u>	<u>236,485.17</u>	<u>2,815,927.33</u>	<u>7.7%</u>

<i>Beginning Cash Balance</i>	2,476,647.98
<i>Total GO Bond Revenues</i>	57,391.17
<i>Total GO Bond Expenditures</i>	41,059.77
<i>Ending Cash Balance</i>	2,492,979.38

**FEBRUARY 2013
YEAR TO DATE TOTALS**

Water & Sewer Utility Fund Totals					41.66 %
	BUDGET	As of			% to
	FY 2013	February 2013	Balance		date
Utility Fund Revenues	6,607,294.00	2,505,884.26	4,101,409.74		37.9%
Contingencies	212,244.00	0.00	212,244.00		
Administration	163,844.00	78,376.86	85,467.14	47.8%	
Water & Sewer O & M	3,808,577.00	1,297,250.21	2,511,326.79	34.0%	
Debt Service	2,016,748.00	846,382.61	1,170,365.39	41.9%	
Transfers	708,860.00	400,000.00	308,860.00	56.4%	
Utility Fund Expenditures	6,910,273.00	2,622,009.68	4,288,263.32	37.9%	
<i>Total Operating Expenditures</i>					
	4,184,665.00	1,375,627.07	2,779,037.93		
<i>Total Capital Outlay Expenditure</i>					
	0.00	0.00	0.00		
<i>Total Debt Service</i>					
	2,016,748.00	846,382.61	1,170,365.39		
<i>Total Interfund Transfers</i>					
	708,860.00	400,000.00	308,860.00		
<i>Check Total</i>					
	6,910,273.00	2,622,009.68	4,258,263.32		
<i>Personnel</i>					
	310,224.00	231,433.32	78,790.68	74.6%	
<i>Contingencies</i>					
	212,244.00	0.00	212,244.00		
<i>Supplies</i>					
	379,497.00	78,908.43	300,588.57	20.8%	
<i>Other Services</i>					
	3,282,700.00	1,065,285.32	2,187,414.68	32.5%	
<i>Capital Outlay</i>					
<i>Debt Service</i>					
	2,016,748.00	846,382.61	1,170,365.39	42.0%	
<i>Interfund Transfers</i>					
	708,860.00	400,000.00	308,860.00	56.4%	
<i>Check Total</i>					
	6,910,273.00	2,622,009.68	4,258,263.32	37.9%	
Cash Balance					
<i>Beginning Cash Balance</i>			1,377,652.16		
<i>Water Utility Fund Revenue</i>			546,873.46		
<i>Water Utility Fund Expenditures</i>			669,291.04		
<i>Ending Cash Balance</i>			1,255,234.58		

Enterprise Special Funds					33.3% %
	BUDGET	As of			% to
	FY 2013	February 2013	Balance		date
414 CIAP: Old Shell Landing					
Revenues	513,825.00	0.00	513,825.00		
Expenditures	513,825.00	36,569.88	477,255.12	7.10%	

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

ORDER NUMBER 070-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Development and Reimbursement Agreement between the City of Gautier, Mississippi and Singing River, LLC at 2800 Highway 90, and SM Properties Gautier, LLC., and Wal-Mart Real Estate Trust is hereby authorized and approved.

IT IS FURTHER ORDERED that the City Manager and City Attorney are authorized to make minor changes for internal consistency as may be necessary. Substantial changes shall require approval by the City Council.

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 Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

DEVELOPMENT AND REIMBURSEMENT AGREEMENT

THIS DEVELOPMENT AND REIMBURSEMENT AGREEMENT is made and entered into as of _____, 2013 (this "Agreement"), by and between the **CITY OF GAUTIER, MISSISSIPPI** (the "City"), a body politic of the State of Mississippi (the "State"), **SINGING RIVER, LLC**, a Mississippi limited liability company, and **SM PROPERTIES GAUTIER, LLC**, a Mississippi limited liability company (collectively, the "Developer"), and **WAL-MART REAL ESTATE TRUST**, a Delaware statutory trust ("Wal-Mart").

WITNESSETH:

WHEREAS, the Developer is in the process of redeveloping the Singing River Mall retail shopping complex, more particularly described in the Tax Increment Financing Plan, Town Center Project, Gautier, Mississippi, October 2011 (the "City TIF Plan") and in **EXHIBIT A** hereto (the "Project");

WHEREAS, pursuant to Sections 21-45-1 *et seq.*, Mississippi Code of 1972, as amended (the "Act"), the City is authorized to undertake redevelopment projects (as defined in the Act) in connection with redevelopment plans (as defined in the Act) within the City in order to encourage private redevelopment therein and is authorized to finance such redevelopment projects through the issuance of tax increment financing bonds; and

WHEREAS, the Developer has requested the City issue tax increment financing bonds, in one or more series, pursuant to the Act in a principal amount not to exceed Twenty Million Dollars (\$20,000,000) (the "Bonds"), to provide funds for the Public Infrastructure Improvements as more particularly described in **EXHIBIT A** hereto; and

WHEREAS, the Public Infrastructure Improvements will cost approximately Twenty Million Dollars (\$20,000,000); and

WHEREAS, by resolution dated _____, 2011, the City adopted and approved the City TIF Plan after holding a public hearing in connection therewith, and indicated its intent to proceed with the sale and issuance of the Bonds, in one or more series, in order to finance all or a part of the costs of the Public Infrastructure Improvements pursuant to the request of the Developer and by virtue of such statutory authority as may now or hereafter be conferred by the Act and as described in the City TIF Plan;

WHEREAS, on _____, 2011, Jackson County, Mississippi (the "County") adopted and approved the Tax Increment Financing Plan Town Center Project, Jackson County, Mississippi, November 2011 (the "County TIF Plan") after holding a public hearing in connection therewith, and indicate its intent to cooperate with the City's efforts to finance all or a portion of the costs of the Public Infrastructure Improvements pursuant to the request of the Developer and by virtue of such statutory authority as may now or hereinafter be conferred by the Act and as described in the City TIF Plan and/or the County TIF Plan (collectively referred to herein as the "TIF Plans"); and

WHEREAS, it is anticipated that the City and County will enter into an Interlocal Cooperation Agreement, pursuant to the Act, (the "Interlocal Agreement") wherein the City and County will agree to pledge certain ad valorem and sales tax revenues in a proportional amount provided therein in connection with City's issuance of the Bonds; and

WHEREAS, at the time of the issuance and sale of the Bonds, the City intends to create a debt service reserve fund in connection therewith, and to partially fund such debt service reserve fund with certain incremental increases in tax revenues collected (and intended to be pledged pursuant to the TIF Plans) prior to the issuance and sale of the Bonds; and

WHEREAS, it is necessary for the Developer to go forward with the Project and the construction of the Public Infrastructure Improvements in anticipation of the delivery of the Bonds, and as required by the Act, the City, the Developer and Wal-Mart now desire to enter into this Agreement in order to set forth the agreement between the parties for (a) the construction and installation of the Project and the Public Infrastructure Improvements by the Developer and (b) the sale and issuance of the Bonds by the City in order to finance all or a part of the costs of the Public Infrastructure Improvements and the costs incident to the sale and issuance of the Bonds; and

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the parties hereto intend to be legally bound hereby and in consideration of mutual covenants hereinafter contained do hereby agree as follows:

1. UNDERTAKINGS OF THE CITY. Subject to the conditions herein stated, the City agrees as follows:

a. The City will effect such procedures with respect to the sale and issuance of the Bonds, including, without limitation, the adoption of appropriate resolutions and such other procedures and documents as may be required by the Act.

b. Upon the sale and issuance of the Bonds, the City hereby agrees to partially fund the debt service reserve fund (as may be created in connection with the Bonds) with such tax increment collected. If Bonds are never issued pursuant to this Agreement, such funds shall be treated as the general revenue of the City. Funds will be segregated at the time of issuance of the Bonds. Bonds will be issued for TIF reimbursable expenditures only for the amounts serviceable for the life of the Bonds. The City's obligation under the TIF Plan is based upon the Developer's representation therein.

c. The City will use all reasonable efforts to sell and issue the Bonds, in one or more series, in an amount necessary to reimburse Wal-Mart for the cost of acquiring that certain parcel of land, together with the existing parking lot improvements thereon, described on **Exhibit B** hereto (the "Future Wal-Mart Parking Site") and Wal-Mart and/or Developer for their respective costs associated with the installation, acquisition, and construction of the Public Infrastructure Improvements and to provide for any necessary capitalized interest, a debt service reserve fund, and costs of issuance of the Bonds, pursuant to the terms of the Act on such terms, conditions and

rates of interest as shall be mutually agreeable to the City and to the Purchaser (as hereinafter defined).

d. The sale or sales of the Bonds shall be by negotiated sale to one or more purchasers (the "Purchaser") or public bid determined by Bond Counsel and City advisors.

e. Pursuant to the resolution or resolutions of the City authorizing the sale and issuance of the Bonds (collectively, the "Bond Resolution"), the proceeds from any sale of the Bonds will be delivered to the City for handling and distribution according to the terms of the Bond Resolution and the Act.

f. The Bond Resolution will, among other provisions, provide that proceeds from any sale of the Bonds shall first pay the City's costs incurred in connection with the Project, which shall include but not be limited to the expenses, costs and fees incurred by the City in connection with the TIF Plans, and this Agreement, including costs of issuance of the Bonds and funding a reserve to pay any debt service on the Bonds that will be due and payable before the first Tax Increment (as defined hereinbelow) is received by the City and any reserve that may be required by the Purchasers, and then the proceeds shall next be used to reimburse Wal-Mart \$7,500,000.00 for the cost of the the Future Wal-Mart Parking Site and any other eligible TIF costs, and then to reimburse the Developer for eligible TIF costs, in an amount not to exceed \$12,500,000, for Developer acquiring, installing and constructing the Public Infrastructure Improvements; and the remainder of the Bond proceeds, if any, shall be disbursed by the City in the manner authorized by law.

g. In accordance with the Act, the Bonds shall mature twenty (20) years from their date, may be subject to redemption at such times and at such premiums and shall be in such form and in all other respects be of such detail and issued under such conditions as may be determined in the Bond Resolution.

h. The Bonds will be secured by a pledge from the City of 100% of the increased real and personal property ad valorem taxes and 35% of the increased retail sales tax, and an anticipated pledge from the County of 75% of the increased real and personal property ad valorem taxes generated from within the TIF District as set forth in the TIF Plans, in accordance with the Interlocal Agreement. As used herein and subject to the limitations set forth in the Interlocal Agreement, the term "Tax Increment" shall mean the incremental increase in tax revenues generated by the Project as provided in the TIF Plans, including a pledge of a portion of the incremental increase in tax revenues derived from (i) sales tax rebates to the City generated by the Project, and (ii) certain ad valorem revenues to the City and County generated from the "captured assessed value" (as defined in the Act) of the real and personal property comprising the Project, excluding levies for public school purposes to secure and provide for the payment of the principal of and interest on the Bonds.

i. Costs of issuance for the Bonds, including, but not limited to, the fees and expenses of City Counsel, Bond Counsel, Financial Advisor, Planning Consultant and

Bond Underwriter will be paid from the proceeds of the Bonds; provided, however, that if the Bonds are not issued and this Agreement is terminated as provided in Paragraph 5 hereof, fees and expenses incurred by City Counsel and Bond Counsel will be paid as provided in Paragraph 5 hereof.

j. Within a reasonable time after adoption of all proceedings of the City required by the Act for the sale and issuance of the Bonds, the City may submit the same for validation under the provisions of Sections 31-13-1, *et seq.*, Mississippi Code of 1972, as amended, and may prosecute said validation proceedings and secure therein a final decree of the Chancery Court of Jackson County, Mississippi validating the Bonds.

k. The City's obligation to reimburse Wal-Mart and the Developer under this Agreement is further limited to Wal-Mart's actual cost of acquiring the Future Wal-Mart Parking Site and Wal-Mart's and Developer's actual costs to acquire, install, and construct the Public Infrastructure Improvements as defined in **EXHIBIT A** hereto, including professional fees and other incidental costs necessary for the acquisition, installation, and construction of the infrastructure. Furthermore, the City's obligation to expend funds or reimburse the Developer is expressly limited to funds available under this Agreement from Bond proceeds derived from any sale and delivery of the Bonds and available after distribution in accordance with the Bond Resolution and Paragraph 1(d) and (e) of this Agreement. Any and all land acquisition costs necessary for the Public Infrastructure Improvements and reimbursement are limited to cost of the land and will not include soft costs such as consulting or realtor fees associated with such land acquisition.

2. UNDERTAKINGS OF THE DEVELOPER. Subject to the conditions herein stated, the Developer agrees as follows:

a. The Developer, and/or its agents, will timely cause to be constructed and installed the Project in accordance with the TIF Plans and as set forth in **EXHIBIT A**, and in accordance with the building codes of the City and all other applicable standards, laws and regulations.

b. The Developer, and/or its agents, will timely cause to be constructed and installed the Public Infrastructure Improvements in accordance with the building codes of the City and all other applicable standards, laws and regulations of the City and as otherwise required under State law. The Developer shall submit plans and specifications with respect to the Public Infrastructure Improvements to the City and such plans and specifications shall be subject to the approval of the City, which approval shall be limited to the determination of whether such plans and specifications are in compliance with the building codes of the City and all other applicable standards, laws and regulations of the City.

c. The Developer will prepare and file with the City a Preliminary Plat and Final Plat in connection with the Project in accordance with the City's zoning and subdivision regulations.

d. In connection with the construction and installation of the Project and the Public Infrastructure Improvements, the Developer will obtain all necessary approvals from all applicable State, City, federal and other governmental agencies.

e. The Public Infrastructure Improvements described in **EXHIBIT A** will be constructed and installed to City standards to allow for their dedication or conveyance to the City, if applicable.

f. Following their installation and construction, the Developer will, in a manner and form satisfactory to the City, dedicate or convey or have dedicated or conveyed to the City, if applicable, the Public Infrastructure Improvements described in **EXHIBIT A**, and, if required by the nature of such Public Infrastructure Improvements, convey or have conveyed easements to the City in connection with such Public Infrastructure Improvements.

g. Wal-Mart assumes the risk of acquiring the Future Wal-Mart Parking Site and the Developer assumes the risk of proceeding with construction of the Project and Public Infrastructure Improvements prior to sale and issuance of the Bonds, and acknowledge and agree the City is not authorized or obligated to use its general fund to pay any part of the costs of the Project or the Public Infrastructure Improvements. In the event the Bonds are not sold and delivered, no resulting liability shall accrue to the City, irrespective of expenditures made by Developer or Wal-Mart. Developer acknowledges and agrees that the final amount of the Bonds will be determined by mutual agreement between the Developer and the City based on the pledged Tax Increment available to the City to fund debt service on the Bonds. In the event the Bond proceeds are insufficient to pay the costs of the Public Infrastructure Improvements, the Developer agrees to pay such deficiency necessary to complete the Public Infrastructure Improvements as set forth herein and still dedicate or convey the intended Public Infrastructure Improvement areas to the City. The City's financial reimbursement liability is specifically limited to section 1(k) hereinabove.

h. The Developer shall maintain separate records on the costs of the Project and the Public Infrastructure Improvements in a manner so as to aid the City in accounting for costs eligible for reimbursement under this Agreement. Invoices for Public Infrastructure Improvements and any other documentation shall be delivered to the City Manager on not less than a quarterly basis throughout the Project.

3. CONDITIONS PRECEDENT TO ISSUANCE OF THE BONDS.

The Developer and Wal-Mart acknowledge and agree that the City's obligation to issue and close the Bonds and reimburse the Developer and Wal-Mart pursuant to this Agreement is expressly subject to the conditions precedent that the Developer (i) shall have obtained all required approvals of the Preliminary Plat in connection with the Project and (ii) shall have the plans and specifications for the Public Infrastructure Improvements described in **EXHIBIT A** approved by the City pursuant to section 2(b) above. Upon satisfaction of the requirements of this Paragraph 3, the City agrees to use its best efforts to timely sell and issue the Bonds on a schedule mutually acceptable to the City and the Developer. The City further agrees to issue Bonds at the request of the Developer, in one or more series, as certain phases of the

Public Infrastructure Improvements and the Project have been completed and in such amounts and terms necessary for the marketing of the Bonds to be issued during each phase or series; provided that before the Developer incurs any cost with respect to the Public Infrastructure Improvements for which it shall seek reimbursement, the Developer shall have obtained the City's prior written approval of the scope of work and all construction and engineering contracts and cost of each, in order for such item of expense to be an eligible TIF expenditure and reimbursable cost item. Any cost overruns or costs in excess of the proceeds of the TIF Bonds available for such purposes shall be an obligation of Developer irrespective of the requirement that such improvements will be dedicated to the City for general public use. Bonds will not be marketed to the public for any portion of the Public Infrastructure Improvements in the TIF Plan until the same has been dedicated or conveyed to the City.

4. LIMITED OBLIGATION. The Bonds will be limited obligations of the City and County payable solely from the pledged Tax Increment. The Bonds will be secured by a pledge from the City of 100% of the increased real and personal property ad valorem taxes and 35% of the increased retail sales tax as prescribed in the TIF Plans, and an anticipated pledge from the County of 75% of the increased real and personal property ad valorem taxes generated from within the boundaries of the TIF District and as set forth in the respective TIF Plans of the City and County. Except for the pledged Tax Increment, neither the full faith and credit or taxing power of the City or County nor the full faith and credit or taxing power of the State or any political subdivision thereof, including the City and County, is pledged to the payment of the Bonds.

5. TERMINATION. If the Bonds are not issued and delivered on or before five (5) years from the date hereof (or such other date as shall be mutually agreed upon in writing by the City and the Developer), this Agreement shall thereupon terminate. This Agreement may also be terminated by written agreement of the Developer and the City. Upon termination of this Agreement related solely to any failure to fulfill the conditions precedent in Paragraph 3 above, it is expressly understood that the City assumes sole liability for all reasonable fees and expenses incurred by the City, City Counsel, Bond Counsel, Financial Advisor and Planning Consultant to the City in relation, directly or indirectly, to the sale and issuance of the Bonds.

6. ADDITIONAL PROVISIONS.

a. This Agreement has been made by the City and the Developer and no person other than the foregoing and their successors and assigns shall acquire or have any right under or by virtue of this Agreement.

b. This Agreement shall become effective upon the execution and acceptance hereof by the parties hereto and shall be valid and enforced from and after the time of such execution and acceptance.

c. If any paragraph or part of a paragraph of this Agreement shall be declared null and void or unenforceable against any of the parties hereto by any court of competent jurisdiction, such declaration shall not affect the validity or enforceability of any other section or part of a paragraph of this Agreement. Unless

such section so materially affects the document as a whole to render the same not in accordance with the intent of the parties hereto.

d. In the event any agreement contained in this Agreement shall be breached and such breach shall thereafter be waived, such waiver shall be limited to the particular breach so waived and shall not be deemed to waive any other breach hereunder.

e. This Agreement shall inure to the benefit of the City and the Developer and their respective successors and assigns.

f. This Agreement shall be governed as to validity, construction and performance by the laws of the State.

g. This Agreement may be executed in any number of counterparts, each of which, when so executed and delivered, shall be an original; but such counterparts shall constitute but one and the same agreement.

h. Except as otherwise provided herein, no amendment, change, modification, alteration or termination of this Agreement shall be made other than pursuant to a written agreement signed by the City, Wal-Mart and the Developer with the authorization of the City Council.

IN WITNESS WHEREOF, the parties hereby have caused this Agreement to be duly executed as of the _____ day of _____, 2013.

CITY OF GAUTIER, MISSISSIPPI

By: _____
Tommy L. Fortenberry, Mayor

Cindy Russell, City Clerk

SINGING RIVER, LLC,
a _____ limited liability company

By: _____
Name: _____
Title: _____

SM PROPERTIES GAUTIER, LLC

By:_____

Name:_____

Title:_____

WAL-MART REAL ESTATE TRUST

By:_____

Name:_____

Title:_____

EXHIBIT A

PROJECT: The Project will be the redevelopment of the Singing River Mall and its four (4) to five (5) outparcels (the “Mall”) into a high quality mixed-use development that is expected to feature commercial businesses, office buildings, parking facilities, and related uses, which will be undertaken by the Developer, and the development of the City’s new town center located north of Singing River Mall (“Town Green”), which will be undertaken by the City with the participation of Developer as provided hereinafter. The Mall will be converted to an open air shopping venue by a complete reconfiguration of the layout, including demolition of approximately two hundred fifty thousand (250,000) square feet of the existing leasable area. The redeveloped Mall will consist of three hundred fifty thousand (350,000) square feet of open-air anchor (including a retail store to be constructed by Wal-Mart adjacent to the Future Wal-Mart Parking Site), junior anchor, and smaller retail spaces. A minimum of two sit-down full-service restaurants will exist on the Project site.

PUBLIC INFRASTRUCTURE IMPROVEMENTS:

A. General Improvements. The funds will be used to pay the cost of the Wal-Mart acquiring the Future Wal-Mart Parking Site, and Wal-Mart and/or Developer constructing public and/or private parking facilities, and various public infrastructure improvements of the Project including, but not limited to, installation of utilities such as water, sanitary sewer, and natural gas lines, relocation of utilities; installation and relocation of electrical services; installation of storm drainage; construction of roadways with curb and gutter, sidewalks; installation of traffic signalization and signage; grading; landscaping and lighting of parking areas and rights- of-way; purchase of rights-of-way necessary for the installation of the infrastructure improvements described hereinabove; capitalized interest; engineering; preparation fees for this TIF Plan; other incidental costs; and related professional fees. The construction of the aforementioned improvements will be undertaken to provide for the public convenience, health, and welfare.

B. Town Center Project Improvements. The landscaping for the Project shall include: stamped concrete at key pedestrian connections; a minimum of two comparable public art sculptures approved by the City that convey the City’s theme as “Nature’s Playground”; a splash/spray pad (2,000 square feet minimum) at the northwest corner of the site; substantial landscaping; uplifting of many shade trees and key landscape features; tall (30” minimum height) landscaped pots with irrigation along storefronts; holiday lighting infrastructure; and irrigated hanging baskets on lights at key intersections.

1. Notwithstanding any provisions in this Development and Reimbursement Agreement to the contrary, Developer's obligation with respect to the costs of the Town Center Project Improvements listed in paragraph B shall be limited to \$500,000.00 in the aggregate, for which Developer will be reimbursed from eligible TIF funds.
2. The Project shall include the following architectural details: blade store signs; two-story end-caps for multi-tenant buildings; an arcade store front with a minimum depth of eight feet (8'); varied building setbacks; varied rooflines; brick, stucco and cast stone as the dominant building materials; and architectural building lights.
3. The rear of the retailers along the East/West Dolphin shall address the pedestrian with architectural details for a "mainstreet feel" such awnings, a varied façade, signage, faux shutters and other features.
4. The Project shall include the following safe and direct pedestrian connections:
 - a. From the easternmost entrance on Hwy 90 to the new retail strip on the east;
 - b. From the westernmost entrance on Hwy 90 to the main Belks entrance;
 - c. From North/South Dolphin Drive to the front of Sears;
 - d. From the westernmost entrance on Dolphin Drive to the small retailers adjacent to the major new tenant;
 - e. From the easternmost entrance on Dolphin Drive to the main entrance of the major new tenant;
 - f. Interconnections between Sears, Belks, and the new retail nodes; and
 - g. From the new Hwy 90 path to the main entrances of the new retailers (outparcels) along Hwy 90.

C. Town Green Improvements. The City's vision for Town Green necessitates roadway, stormwater, pedestrian, landscape, architectural and amenity elements. In furtherance of the Town Green portion of the Project, the Developer will participate in a transportation enhancement project along Dolphin Road to add sidewalks, landscaping, site furnishings and street lights. In order to address stormwater impacts of the Town Green portion of the Project, the Developer will participate in the engineering and funding of stormwater improvements serving the Project and also on the City's new Town Green property.

1. Notwithstanding any provisions in this Development and Reimbursement Agreement to the contrary, Developer's obligation with respect to the costs of the Town Green Improvements listed in paragraph B shall be limited to \$850,000.00 in the aggregate, for which Developer will be reimbursed from eligible TIF funds.

**EXHIBIT B LEGAL
DESCRIPTION OF
FUTURE WAL-MART
PARKING SITE
PROPERTY**

Motion was made by Councilman Jones to move Business Item #5 – Discussion on domesticated animals to Business Item #2 and to table the item until further investigation is done and a worksession is held. Seconded by Councilman Colledge and unanimously carried. No date was set on worksession.

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

ORDER NUMBER 071-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Contract Change Order No. 7 from Lane Construction, Inc. for Gautier Downtown Streetscape-Phase 2, CDBG Project No. R-109-192-01-KCR to provide landscaping at the roundabout and modifying the structural capacity of the sculpture and adjust pay items to actual installed quantities or expected final contract totals is hereby approved.

IT IS FURTHER ORDERED that change order request is contingent upon MDA approval.

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 Macfarland and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

CONTRACT CHANGE ORDER NO. 7

OWNER: CITY OF GAUTIER, MISSISSIPPI

CONTRACTOR: LANE CONSTRUCTION, INC.

PROJECT NAME: GAUTIER DOWNTOWN STREETScape - PHASE 2

CONTRACT NUMBER: CDBG PROJECT NO. R-109-192-01-KCR

REASON FOR CHANGE: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

You Are Hereby Requested to Comply with the Following Changes from the Contract Plans, Specifications and Contract Documents: (Use Additional Sheets if Required)

DEDUCTIONS					
ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL CONTRACT
201-D	RANDOM CLEARING	4500	SY	\$ 0.90	\$ 4,050.00
202-A	REMOVAL OF OBSTRUCTIONS (LVM)	100	CY	\$ 13.70	\$ 1,370.00
202-B	REMOVAL OF PIPE, 8" AND ABOVE	197	LF	\$ 3.00	\$ 591.00
202-B	REMOVAL OF WATER MAIN, ALL TYPES, ALL SIZES, ALL DEPTHS	296	LF	\$ 3.00	\$ 888.00
202-B	REMOVAL OF CURB AND/OR CURB AND GUTTER, ALL TYPES	12	LF	\$ 3.00	\$ 36.00
202-B	REMOVAL / RELOCATION OF DECORATIVE ROADWAY SIGNS	2	EA	\$ 200.00	\$ 400.00
907-203-EX	BORROW EXCAVATION, AH, LVM, CLASS B5	970.36	CY	\$ 10.00	\$ 9,703.60
203-I	SITE GRADING	3.58	AC	\$ 200.00	\$ 716.00
907-207-A	SAW CUTTING OF CONCRETE SURFACES	55	LF	\$ 5.25	\$ 288.75
907-207-B	SAW CUTTING OF ASPHALT SURFACES	664	LF	\$ 1.05	\$ 697.20
212-B	STANDARD GROUND PREPARATION	860	SY	\$ 0.20	\$ 172.00
907-227-A	HYDROSEEDING, CENTIPEDE	1.25	AC	\$ 3,135.00	\$ 3,918.75
234-A	TEMPORARY SILT FENCE	982	LF	\$ 1.90	\$ 1,865.80
907-234-D	INLET SILTATION GUARD	28	EA	\$ 185.00	\$ 5,180.00
907-237-A	WATTLE, 12"	285	LF	\$ 4.00	\$ 1,140.00
907-237-A	WATTLE, 20"	726	LF	\$ 4.75	\$ 3,448.50
907-246-A	SANDBAGS	89	LF	\$ 1.00	\$ 89.00
907-304-D	SIZE II STABILIZER AGGREGATE (GRAVEL)(FM)	263.05	CY	\$ 59.00	\$ 15,519.95
907-304-E	SIZE 610 CRUSHED STONE BASE, FM	167.13	CY	\$ 59.00	\$ 9,860.67
907-403-A	HOT MIX ASPHALT, ST, 9.5-MM MIXTURE	40	TON	\$ 85.70	\$ 3,428.00
907-403-A	HOT MIX ASPHALT, MT, 19.0-MM MIXTURE	284.5	TON	\$ 85.70	\$ 24,381.65
406-A	COLD MILLING OF BITUMINOUS PAVEMENT, ALL DEPTHS	635	CY	\$ 5.25	\$ 3,333.75
602-A	REINFORCING STEEL	2383.39	LB	\$ 1.70	\$ 4,051.76
603-CA	18" REINFORCED CONCRETE PIPE, CLASS III	140	LF	\$ 39.70	\$ 5,558.00
603-CA	24" REINFORCED CONCRETE PIPE, CLASS III	148	LF	\$ 52.50	\$ 7,770.00
603-CA	30" REINFORCED CONCRETE PIPE, CLASS III	4	LF	\$ 82.60	\$ 330.40
603-CA	48" REINFORCED CONCRETE PIPE, CLASS III	2	LF	\$ 206.45	\$ 412.90
603-CB	18" REINFORCED CONCRETE END SECTION	7	EA	\$ 646.00	\$ 4,522.00
603-CB	24" REINFORCED CONCRETE END SECTION	1	EA	\$ 803.00	\$ 803.00
604-B	GRATINGS	2840	LB	\$ 2.60	\$ 7,384.00
907-608-A	CONCRETE SIDEWALK, WITHOUT REINFORCEMENT	2767.11	SY	\$ 34.60	\$ 95,742.01
609-B	CONCRETE CURB, HEADER (MATCH EXISTING)	313.58	LF	\$ 16.85	\$ 5,283.82
609-D	COMBINATION CONCRETE CURB AND GUTTER (MATCH EXISTING)	175.00	LF	\$ 15.75	\$ 2,756.25
609-B	CONCRETE CURB AND GUTTER, TYPE 2	3.00	LF	\$ 18.95	\$ 56.85
907-611-A	BRICK PAVERS(WITH CONCRETE BANDING/ WITHOUT CONCRETE BASE)	250.31	SF	\$ 10.05	\$ 2,515.62
907-611-B	BRICK PAVERS (WITH 5" CONCRETE BASE)	430.00	SF	\$ 12.25	\$ 5,267.50
907-611-B	BRICK PAVERS DOUBLE SOLDIER COURSE-GROUTED (WITH 8" CONCRETE BASE)	12.50	LF	\$ 47.15	\$ 589.38
907-611-C	BRICK PAVERS CROSS WALK- 10' WIDE (WITH 6" CONCRETE BASE)	47.25	LF	\$ 85.20	\$ 4,025.70
907-612-PP	REMOVE AND REPLACE FIRE HYDRANT, PER PLANS	3	EA	\$ 2,379.00	\$ 7,137.00
613-D	ADJUSTMENT OF WATER METER BOX	3	EA	\$ 90.40	\$ 271.20
616-A	CONCRETE MEDIAN AND/OR ISLAND PAVEMENT, 10"	214.7	SY	\$ 43.50	\$ 9,339.45
626-C	6" THERMOPLASTIC EDGE STRIPE, CONTINUOUS WHITE	74	LF	\$ 2.10	\$ 155.40

CONTRACT CHANGE ORDER NO. 7

OWNER: CITY OF GAUTIER, MISSISSIPPI

CONTRACTOR: LANE CONSTRUCTION, INC.

PROJECT NAME: GAUTIER DOWNTOWN STREETScape - PHASE 2

CONTRACT NUMBER: CDBG PROJECT NO. R-109-192-01-KCR

REASON FOR CHANGE: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

626-G	THERMOPLASTIC DETAIL STRIPE, WHITE, 6" EQUIVALENT LENGTH	163	LF	\$	2.10	\$	342.30
626-H	THERMOPLASTIC LEGEND, WHITE	190.93	SF	\$	5.25	\$	1,002.38
630-A	STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.080" THICKNESS	6.6	SF	\$	36.60	\$	241.56
630-A	STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.125" THICKNESS	16	SF	\$	36.60	\$	585.60
630-K	WELDED AND SEAMLESS STEEL PIPE POSTS, 3 1/2"	148	LF	\$	52.25	\$	7,733.00
907-632-C	CONCRETE INTEGRAL COLOR ADDER	10	CY	\$	10.45	\$	104.50
682-A	UNDERGROUND BRANCH CIRCUIT, #6, 4 CON	914	LF	\$	6.70	\$	6,123.80
682-A	UNDERGROUND BRANCH CIRCUIT, #10, 3 CON	91	LF	\$	3.90	\$	354.90
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #6, 4 CON	32	LF	\$	12.25	\$	392.00
682-D	UNDERGROUND PULL BOX	1	EA	\$	1,568.00	\$	1,568.00
815-A	LOOSE RIPRAP, SIZE 100#	193.21	TON	\$	58.75	\$	11,351.09
815-B	GROUTED RIPRAP	250	SY	\$	18.25	\$	4,562.50
CO2-2	CONCRETE ETCHING - COMPASS - PAVERS	1	EA	\$	15,000.00	\$	15,000.00
CO2-4	100 FOOT DECORATIVE SECTION	1	EA	\$	18,200.00	\$	18,200.00
Total Deductions =						\$	(322,612.48)

CONTRACT CHANGE ORDER NO. 7

OWNER: CITY OF GAUTIER, MISSISSIPPI

CONTRACTOR: LANE CONSTRUCTION, INC.

PROJECT NAME: GAUTIER DOWNTOWN STREETSCAPE - PHASE 2

CONTRACT NUMBER: CDBG PROJECT NO. R-109-192-01-KCR

REASON FOR CHANGE: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

ADDITIONS					
ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL CONTRACT
202-B	REMOVAL OF PAVEMENT, ALL TYPES AND DEPTHS	1002.13	SY	\$ 3.00	\$ 3,006.39
202-B	REMOVAL OF DRAINAGE BOX, ALL TYPES & SIZES	4	EA	\$ 200.00	\$ 800.00
907-203-A	UNCLASSIFIED EXCAVATION, LVM, AH	52.26	CY	\$ 5.00	\$ 261.30
907-203-G	EXCESS EXCAVATION, LVM, AH	123	CY	\$ 5.00	\$ 615.00
216-B	SOLID SODDING, CENTIPEDE	1697.22	SY	\$ 2.95	\$ 5,006.80
907-403-A	HOT MIX ASPHALT, MT, 9.5-MM MIXTURE	277.13	TN	\$ 85.70	\$ 23,750.04
907-601-B	CLASS "B" STRUCTURAL CONCRETE, MINOR STRUCTURES	57.7	CY	\$ 839.00	\$ 48,410.30
603-CE	22" X 13" CONCRETE ARCH PIPE, CLASS III	25	LF	\$ 52.30	\$ 1,307.50
603-CE	29" X 18" CONCRETE ARCH PIPE, CLASS III	102	LF	\$ 62.25	\$ 6,349.50
603-CE	44" X 27" CONCRETE ARCH PIPE, CLASS III	34.5	LF	\$ 100.80	\$ 3,477.60
603-CF	29" X 18" CONCRETE ARCH PIPE END SECTION	5	EA	\$ 803.00	\$ 4,015.00
907-603-PE	18" HDPE PIPE, PERFORATED W/sock	2	LF	\$ 34.50	\$ 69.00
907-603-PE	36" HDPE PIPE, PERFORATED W/sock	5	LF	\$ 72.65	\$ 363.25
604-A	CASTINGS	649	LB	\$ 2.60	\$ 1,687.40
609-B	CONCRETE CURB, MONOLITHIC (MATCH EXISTING)	326.5	LF	\$ 8.20	\$ 2,677.30
609-B	CONCRETE CURB AND GUTTER, TYPE 3B	523.5	LF	\$ 16.15	\$ 8,454.53
907-611-C	BRICK PAVERS CROSS WALK- 8' WIDE (WITH 6" CONCRETE BASE)	5.32	LF	\$ 79.40	\$ 422.41
907-611-D	BRICK PAVERS PAD WITH DETECTABLE WARNING	1	EA	\$ 530.00	\$ 530.00
907-612-A	12" WATER MAIN (PVC OR DUCTILE IRON)	21	LF	\$ 55.30	\$ 1,161.30
613-D	ADJUSTMENT OF FIRE HYDRANT, ALL TYPES	1	EA	\$ 208.20	\$ 208.20
907-613-G	ADJUSTMENT OF MANHOLE (1' OR LESS)	3	EA	\$ 208.20	\$ 624.60
614-A	CONCRETE DRIVEWAY, WITHOUT REINFORCEMENT, 6-INCH THICKNESS	265.3	SY	\$ 35.50	\$ 9,418.15
626-G	THERMOPLASTIC DETAIL STRIPE, YELLOW, 6" EQUIVALENT LENGTH	315	LF	\$ 2.10	\$ 661.50
682-A	UNDERGROUND BRANCH CIRCUIT, #2, 4 CON.	787	LF	\$ 11.45	\$ 9,011.15
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #2, 4 CON.	492	LF	\$ 17.05	\$ 8,386.60
682-B	UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #10, 3 CON.	12	LF	\$ 9.65	\$ 115.80
815-E	GEOTEXTILE UNDER RIPRAP	505	SY	\$ 5.15	\$ 2,600.75
C07-A *	LANDSCAPING AROUND FOUNTAIN	1	LS	\$ 17,644.45	\$ 17,644.45
C07-B *	LANDSCAPING IN SIDEWALK CIRCLE (IN FRONT OF HANCOCK BANK)	1	LS	\$ 1,967.52	\$ 1,967.52
C07-C *	SCULPTURE STRUCTURAL MODIFICATIONS	1	LS	\$ 24,162.08	\$ 24,162.08
* Items added by this change order				Total Additions =	\$ 187,167.41

CONTRACT CHANGE ORDER NO. 7	
OWNER:	CITY OF GAUTIER, MISSISSIPPI
CONTRACTOR:	LANE CONSTRUCTION, INC.
PROJECT NAME:	GAUTIER DOWNTOWN STREETScape - PHASE 2
CONTRACT NUMBER:	CDBG PROJECT NO. R-109-192-01-KCR
REASON FOR CHANGE:	Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.
TOTAL DEDUCTIONS = \$ (322,612.48) TOTAL ADDITIONS = \$ 187,167.41	
NET RESULT = \$ (135,445.07)	
ORIGINAL CONTRACT AMOUNT:	\$ 4,456,214.80
TOTAL CONTRACT CHANGES TO DATE:	\$ 188,140.30
CURRENT CONTRACT AMOUNT:	\$ 4,644,355.10
THIS CONTRACT CHANGE:	\$ (135,445.07)
REVISED CONTRACT AMOUNT:	\$ 4,508,910.03
CURRENT CONTRACT COMPLETION DATE:	January 27, 2013
TIME EXTENSION REQUIRED BY CHANGE:	60
REVISED CONTRACT COMPLETION DATE:	March 28, 2013
NOTE: THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.	
RECOMMENDED BY:	NEEL-SCHAFFER, INC. ENGINEER
	DATE
ACCEPTED BY:	LANE CONSTRUCTION, INC. CONTRACTOR
	DATE
APPROVED BY:	CITY OF GAUTIER, MISSISSIPPI OWNER
	DATE

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

ORDER NUMBER 072-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to the Mississippi Codes Annotated, 1972 & Title 21, Chapter 19, Section 11 and based on all evidence and testimony presented at the public hearing, including the Planning and Economic Development Department's discussion paper, that the property owned by – Jonathan Palmer, 7301 Pineview Drive, Lots 91 & 99 Singing River Land Subdivision and made the subject of this public hearing, to be in substandard conditions.

Based on these findings, the Mayor and Members of the Council hereby approve and authorize abatement proceedings as recommended by the Planning and Economic Development Department – Jonathan Palmer, 7301 Pineview Drive, and Lots 91 & 99 Singing River Land Subdivision.

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

Motion was made by Councilman Colledge, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

MEMORANDUM

DATE: March 11, 2013

TO: Samantha D. Abell, City Manager

THRU: Eric Meyer, Planning and Economic Development Director
Patty Huffman, Grants and Projects Manager

FROM: Joseph E. Belles, Code Enforcement Officer

SUBJECT: Public Hearing for Substandard Property Conditions, 7301 Pineview Drive
Gautier, Mississippi 39553

ISSUE:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City Council has set the date of March 19, 2013, in order to conduct a public hearing and receive public comment(s) regarding the abatement of the subject property.

LEGAL DESCRIPTION:

This property listed on the land assessment roll more generally described as:

<u>Legal Description:</u>	PIDN 87116076.000 Lots 91 & 99 SINGING RIVER LAND SUBDIVISION Trailer # 2003433 1979 12 x 66 Fairmore Home Deed Book 1604, page 516
<u>Property Address:</u>	7301 Pineview Drive
<u>Owners of Record:</u>	Jonathan Palmer.
<u>Last Known Address:</u>	7205 Pineview Drive Gautier, Mississippi 39553

BACKGROUND:

Initial code violations have existed with the previous owner going back to March 2009, concerning this dilapidated 1979 manufactured home. More recently, a final water bill was mailed to Mr. Palmer in Jan 2012 for a sum over five hundred dollars. Code Enforcement began getting telephone calls from neighbors concerned with individuals residing in this manufactured home without any water. Code Enforcement mailed an initial letter of violation to Mr. Palmer on January 25, 2012. The letter cited several code violations including the placement of two accessory structures, overgrown property condition and the overall dilapidated condition of the manufactured home. Mr. Palmer was advised the structure required repairs in accordance with the building code standards and it was suggested Mr. Palmer contact the City's Building Administrator for a complete inspection of the structure. A second letter of violation mailed on

February 29, 2012, cited the same previous violations and informing Mr. Palmer a summons would be issued to appear in City of Gautier, Municipal Court if the violations were not corrected by March 16, 2012. A final letter with a summons to appear were mailed to Mr. Palmer March 21, 2012, the letter informed Mr. Palmer there was no water or electrical power supplied to this structure and someone was living in the home. Mr. Palmer did not appear for his April 9, 2012 plea date and a warrant was issued. Subsequently, he was apprehended on the outstanding warrant entered a plea of not guilty and given a court date of July 9, 2012. Mr. Palmer failed to appear in court and was found guilty in his absence and reached the maximum fine of one thousand dollars. When no repairs were observed Code Enforcement served another summons October 26, 2012, to appear in municipal court in November 26, 2012. In early November 2012 code enforcement noticed, the manufactured home was being demolished and there was no permit issued by the Planning Department. Mr. Palmer was informed of the additional requirement to obtain a permit by code enforcement. When he appeared in municipal court, again, he entered a plea of Guilty and the judge found him guilty and assessed him a daily fine but suspended the fine until December 10, 2012 provided the property was in compliance or the fine would be assessed. Mr. Palmer incurred a second maximum fine of one thousand dollars and was scheduled to make payment to the City's collection agency. The manufactured home has remained in a state of disrepair and there has been no attempt to obtain a permit or complete the demolition of this manufactured home. Additionally, the property owner has allowed a pig and a goat to roam the vacant property without obtaining the appropriate permit from the city clerk. Mr. Palmer currently has an Outstanding Warrant for failure to pay old fines.

Property owners in the vicinity remain concerned with the visible appearance of this dilapidated structure, overgrown property and are concerned for the health, safety and welfare of their neighborhood. Staff considers the structure a potential hazard with all the loose material as we approach the hurricane season. Code enforcement informed the owner by letter on February 20, 2013, of the public hearing on March 19, 2013. Additionally, the property was posted with a copy of the hearing notification letter on March 5, 2013. The parcel of land and City of Gautier, bulletin board were posted with a copy of the public hearing notice on March 5, 2013.

RECOMMENDATION:

The City Council should make a determination to find the property a menace (as a nuisance and a hazard) to public health, safety and welfare of the community and direct staff to commence with the abatement of the dilapidated structures and surrounding property after the statutory 10-day appeal period from the date of Council action and adjournment.

Parcel Information

PIDN: 87116076.000
GISP: 771.12-04-0095.00M

Owner Information

Name: PALMER JONATHAN Percent of Ownership: 100
Name2:
Mailing Address: 7301 PINEVIEW DRIVE Physical Address: 7301 PINEVIEW DR GAUTIER
GAUTIER MS 39553

Land Information

Section, Township, Range: 12 7S 7W Acreage: .00
Street Name: PINEVIEW DR

Value and Tax Information

Total Assessed Value: 1585 Total Appraised Value: 10560
Improvement Value: 1070 Land Value: 9490
Tax Amount: 198 SQ. FT: 0 Year Built: 1979

Legal Description

Description: LOTS 91 & 99 SINGING RIVER LAND DB 1604-516 (95M Map771.12-04) TRL#2003433 1979 12X66
FAIRMORE
Deed Book / Page: 1604 / 516





Mayor
Johnny Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Cindy Russell

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon F. Gollott
Ward 4 Scott D. Macfarland
Ward 5 Adam D. Colledge



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

February 20, 2013

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

POSTED
3-05-13 JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

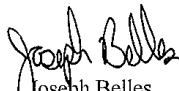
The City of Gautier, Mayor and City Council has approved and scheduled a public hearing for Tuesday, March 19, 2013, at 6:30 PM. The location for the hearing is the Gautier City Hall, 3330 Highway 90 Gautier, Mississippi 39553. The purpose of this public hearing is to determine whether or not the property 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 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 land by the use of municipal workers or by contract. The scope of the work to be performed may include cutting grass/weeds, removing rubbish, draining cesspools/standing water from the property, removing dilapidated fences/building, removing personal property and other debris from the property.

Additionally, the municipality may reenter the property or parcel of land for a period of one year after the hearing 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 days before the property or parcel of land is reentered for cleaning.

If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or cell number (228) 219-7035.

Sincerely,

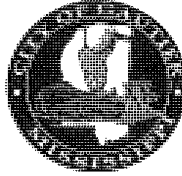

Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

Mayor
Tommy Fontenberry

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon J. Gollott
Ward 4 Scott D. MacFarland
Ward 5 Adam D. Colledge

City of Gautier
Gautier, Mississippi



City Manager
Samantha D. Abell

City Clerk
Cindy Russell

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

February 20, 2013

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

COPY
mailed 2-21-13
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

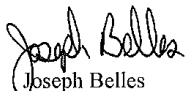
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Sincerely,


Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

Mayor
Tommy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Wendy S. McClain

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
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3330 Highway 90
Gautier, MS 39553
Phone: (228) 497-8000
Fax: (228) 497-8028
Email: gautier@gautier-ms.gov
Website: www.gautier-ms.gov

January 31, 2013

Jonathan Palmer
7205 Pineview Drive
Gautier, Mississippi 39553

COPY

mailed 2-01-13
JB

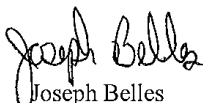
Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 7301 Pineview Drive Gautier, Mississippi is a menace to the public health, safety, and welfare of the community. Code Enforcement will request the mayor and city council review the history of the code violations at this property during a scheduled February 2013 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled March 2013 council meeting. The purpose of the hearing is to listen to testimony and determine if the property meets the requirements outlined in Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11 to begin the necessary clean-up of this property.

Code enforcement is requesting the property be in compliance by February 15, 2013. If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878 or code enforcement cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

LTR RETURNED

FEB 27, 2013

Mayor
Tammy Fortenberry

City of Gautier
Gautier, Mississippi



Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon T. Gollott
Ward 4 Scott D. Macfarland
Ward 5 Adam D. Colledge

City Manager
Samantha D. Abell

City Clerk
Wendy S. McClain

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

January 22, 2013

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY

mailed 1-23-13
JB

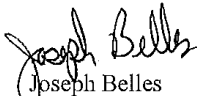
Reference: 7301 Pineview Drive Gautier, Mississippi 39553

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Sincerely,


Joseph Belles
Code Enforcement Officer

LTR RETURNED
JAN 31, 2013

Mayer
Tommy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

Council

At Large *Mary F. Martin*
Ward 1 *Johnny Jones*
Ward 2 *Harley Ray Guillotte*
Ward 3 *Gordon T. Gollott*
Ward 4 *Scott D. MacFarland*
Ward 5 *Adam D. Colledge*



City Clerk
Wendy S. McClain

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

March 21, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

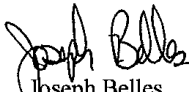
Reference: 7301 Pineview Drive Gautier, Mississippi 39553

Mr. Palmer,

Two previous letters mailed to you identified code violations at the property referenced above. My last letter requested you correct the violations identified and maintain the property within property code requirements so no other action would be necessary. The home remains in a state of disrepair, there is no water or electric servicing the home and someone is living in the home. Nothing identified in my last letter has been corrected, nor have you contacted the code enforcement office.

You are hereby summoned to appear in City of Gautier, Municipal Court on April 9, 2012, at 1:30 PM. You can contact the City of Gautier, Court Clerk, Monday – Friday, 8:00 AM - 5:00 PM at (228) 497-8004, if you have any questions.

Sincerely,


Joseph Belles
Code Enforcement Officer

Two Attachments: 1. Letter dated January 25, 2012
2. Letter dated February 29, 2012

"Nature's Playground!"

Mayor
Tommy Fontenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

City Clerk
Wendy S. McClain

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

February 29, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY

mailed 3-01-12
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

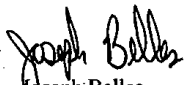
Mr. Palmer,

The property address referenced above remains in violation of the City of Gautier, zoning ordinances after previously sending you a letter of violation and providing you thirty days to make the improvements/repairs. On February 29, 2012, the property was reviewed and there is an accessory structure in the front yard, another accessory structure frame in the side yard and the property is overgrown. Additionally, the overall appearance of the manufactured home is in a state of disrepair needing repairs to comply with building code standards. Code enforcement would suggest you contact the city's zoning administrator for an inspection of your property to identify all the building code violations. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

It is unlawful for the owner or occupant of all residential and nonresidential structures, or property to utilize the premises of such property for the open storage of any abandoned motor vehicle or parts thereof, appliances, building material, building rubbish or similar items." It shall be the duty and responsibility of every such owner or occupant to keep the premises and property clean and to remove from the premises all such abandoned items as listed below, including but not limited to weeds, dead trees, trash, garbage, etc. Furthermore, the general site and/or premises shall be maintained in general with particular references to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

A summons to appear in court will be issued if repairs are not completed by March 16, 2012. You may contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878, if you have any questions. We gratefully appreciated your cooperation in this matter.

Sincerely,


Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

Interim City Manager
Robert G. Ramsay

City Clerk
Wendy S. McClain

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon T. Gollott
Ward 4 Scott D. Macfarland
Ward 5 Adam D. Colledge



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

January 25, 2012

Jonathan Palmer
7301 Pineview Drive
Gautier, Mississippi 39553

COPY
mailed 1-26-12
JB

Reference: 7301 Pineview Drive Gautier, Mississippi 39553

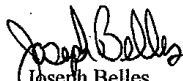
The property address referenced above is in violation of the City of Gautier, zoning ordinances. This letter will serve as my initial notice of violation and you have thirty days to clean-up and repair the property as requested. On January 24, 2012, the property was reviewed and there is an accessory structure in the front yard, another accessory structure frame in the side yard and the property is overgrown. Additionally, the overall appearance of the manufactured home is in a state of disrepair needing repairs to comply with building code standards. Code enforcement would suggest you contact the city's zoning administrator for an inspection of your property to identify all the building code violations. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

It is unlawful for the owner or occupant of all residential and nonresidential structures, or property to utilize the premises of such property for the open storage of any abandoned motor vehicle or parts thereof, appliances, building material, building rubbish or similar items." It shall be the duty and responsibility of every such owner or occupant to keep the premises and property clean and to remove from the premises all such abandoned items as listed below, including but not limited to weeds, dead trees, trash, garbage, etc. Furthermore, the general site and/or premises shall be maintained in general with particular references to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare of the community. All exterior surfaces, including but not limited to, doors, door and window frames, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted

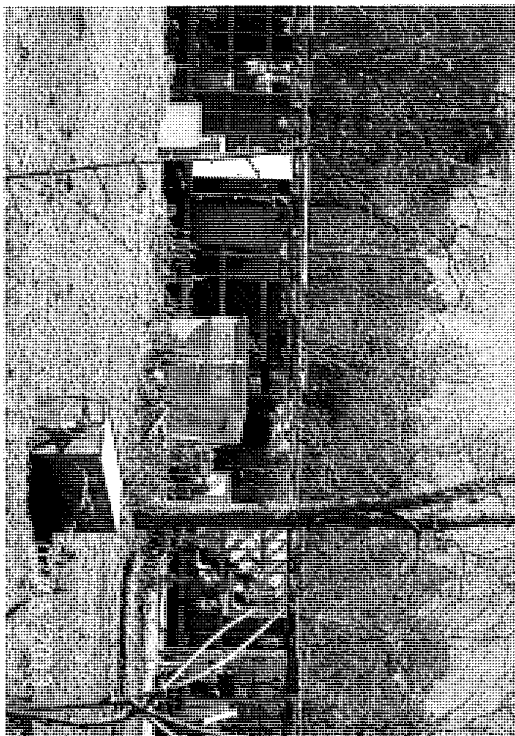
Code Enforcement Department is requesting your cooperation in correcting the violations and repairing this mobile home by February 27, 2012. Failure to comply with city regulations pursuant to Article XVI, Section 16.7, is punishable by fines as imposed by the municipal judge, with each day constituting a new and separate offense. You may contact the City of Gautier, Code Enforcement Office/Zoning Administrator, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878. Code Enforcement will be happy to assist you with any questions that you may have.

Sincerely,

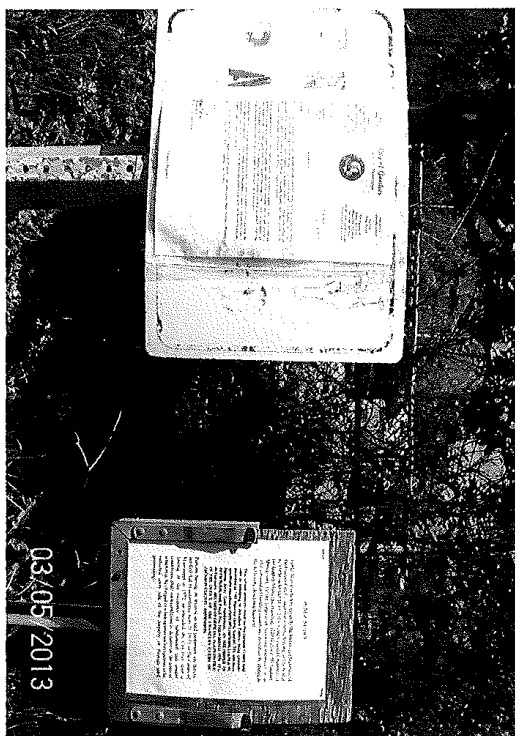

Joseph Belles
Code Enforcement Officer

"Nature's Playground!"

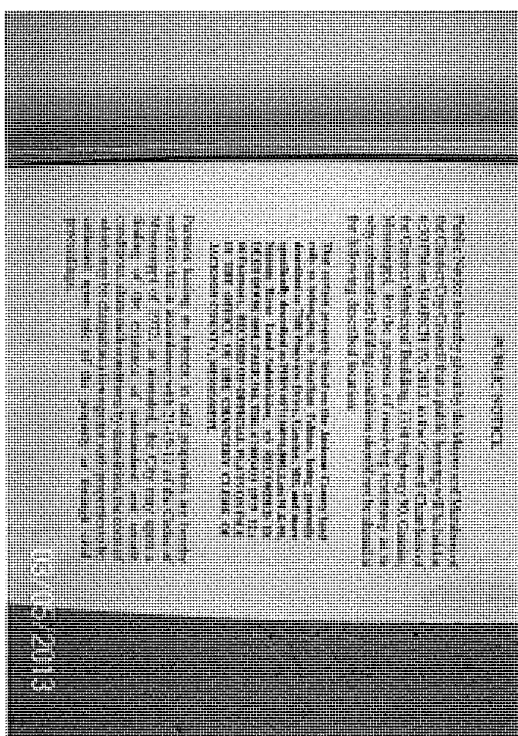
Recent Photo 3-05-13



Posted At Property



Recent Photo 3-05-13

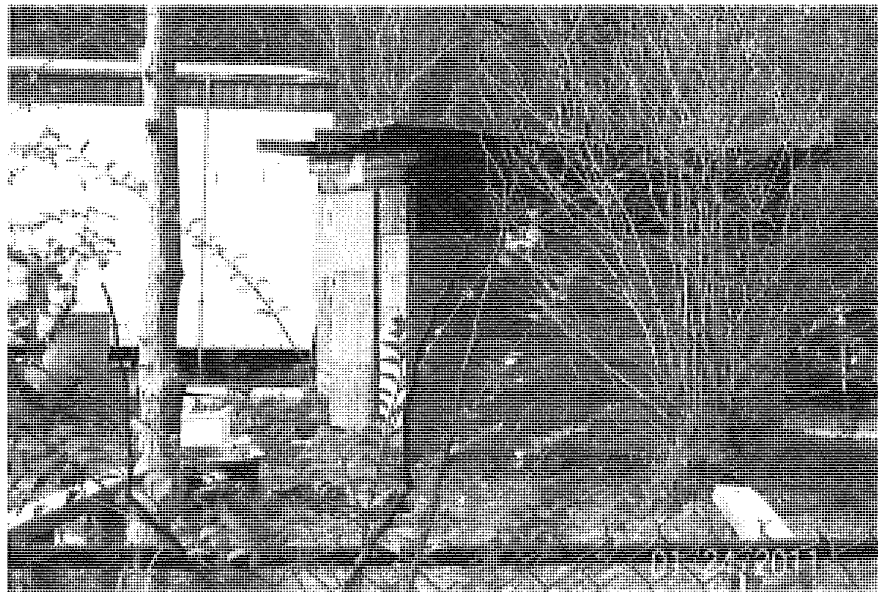
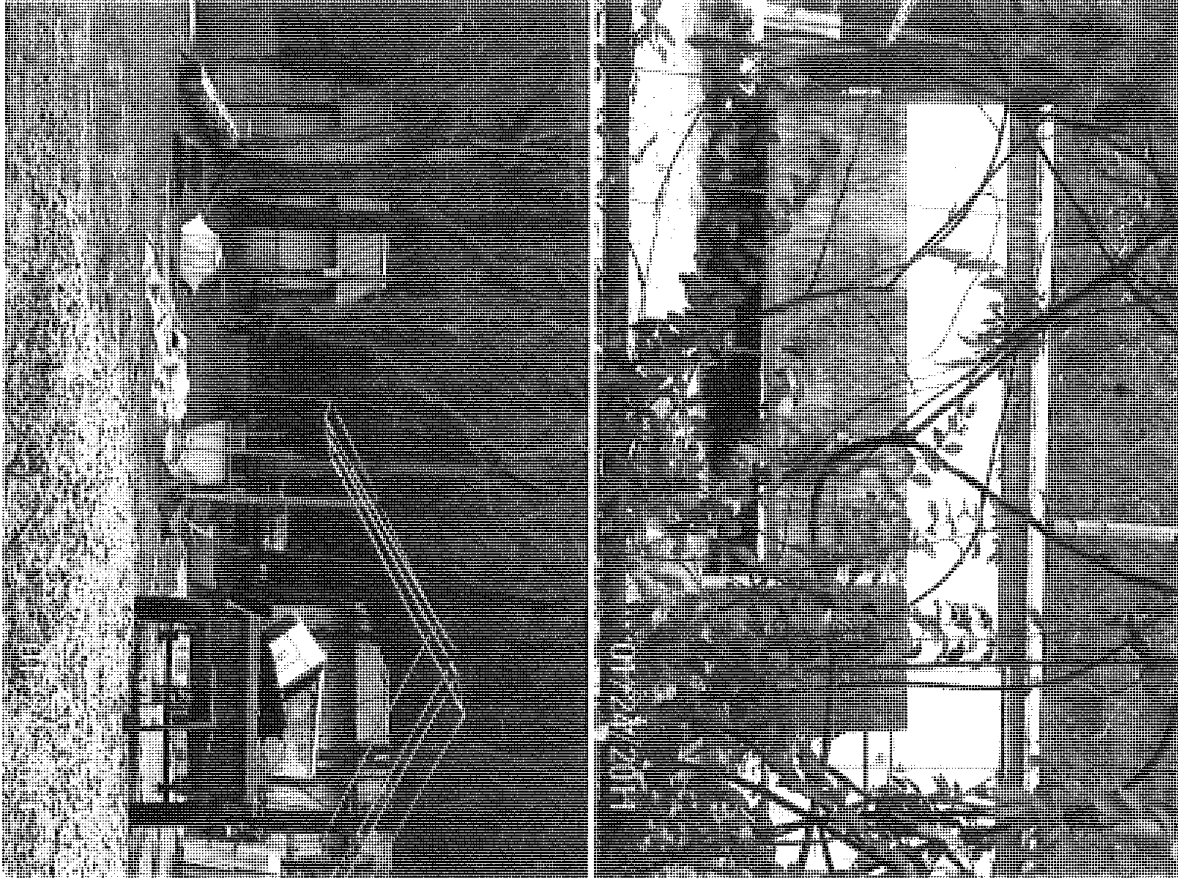




7301 PINEVIEW, HICKORY HILL







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

ORDINANCE NUMBER 211-2013

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XII, SIGNS, BILLBOARDS AND ADVERTISING MATERIAL, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY ALLOWING ADDITIONAL SIGNAGE FOR BUSINESS SUITES LOCATED IN SHOPPING CENTERS WITH SECTIONS PERPENDICULAR TO HIGHWAY 90 OR HIGHWAY 57 AND BUSINESSES LOCATED ON COMMERCIAL PARCELS IN TCMU TOWN CENTER MIXED USE WITHIN ONE THOUSAND FEET OF HIGHWAY 90, AND TO ESTABLISH SIGNAGE REQUIREMENTS FOR MASTER PLANNED COMMERCIAL DEVELOPMENTS WITH LINEAR FRONTAGE ON HIGHWAY 90 OR HIGHWAY 57; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that the sign ordinance does not address signage for larger commercial developments such as a Master Planned Commercial Development, nor does it consider certain situations that have developed with commercial parcels within the TCMU Town Center Mixed Use District or shopping centers with sections perpendicular to Highway 90 or Highway 57.

Section 2. Amendment of Article XII

Article XII, Section 12.8.1 Lots Abutting Highway 90 or Highway 57, Unified Development Ordinance, is hereby amended to wit (add underlined):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

- 5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed

to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

Adopted: March 19, 2013

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cynthia Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: March 12, 2013
Subject: Consideration of an Ordinance Amendment Relating to Signs for Businesses that Abut Highway 90 and Highway 57 and Commercial Parcels in TCMU, Town Center Mixed Use District. GPC Case #13-03-UDO

REQUEST:

The Planning and Economic Development Director directed Staff to draft ordinances regarding the following signage:

- 1) to allow a business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57, and is an end suite, a canopy and a wall sign on both the interior side and the Highway side of the building.
- 2) to allow a commercial parcel located in TCMU with linear frontage along Highway 90 to have a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90.
- 3) to establish signage allowed for Master Planned Commercial Development with linear Frontage on Highway 90 or Highway 57.

BACKGROUND:

Amendment Process

Amendments to the Unified Development Ordinance may be initiated by the City Council, the Gautier Planning Commission (GPC), the City Staff, or by a citizen. The process requires that the GPC review and forward a recommendation to the City Council on the proposed amending ordinance(s).

After due public notice the City Council shall hold a public hearing after the first reading of the ordinance amending the UDO. The City Council may consider approval after a public hearing based on the application and the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

DISCUSSION:

Planning Commission finds that:

- 1) allowing a canopy and a wall sign on both walls of the end suite in a shopping mall with frontage that is perpendicular to Highway 90 or Highway 57 would be keeping with the intent of the sign ordinance.
- 2) allowing a commercial business within one thousand (1,000) feet of Highway 90 to advertise on a multi-tenant sign placed on the commercial parcel that has linear frontage on Highway 90 would be keeping with the intent of the sign ordinance.
- 3) the City's existing sign ordinance does not provide for adequate signage for a Master Planned Commercial Development. A large commercial development consisting of two hundred thousand (200,000) square feet of building space or more will require more sign area to advertise the various businesses within the development.

If approved, Section 12.8 of the City's sign code shall be amended to read (underline is new):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add:

- H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:
 1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
 2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
 3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of

Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.

4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

RECOMMENDATION:

The City Council may:

1. Approve the Planning Commission's unanimous recommendation of the proposed ordinance amendment;
2. Approve the proposed ordinance amendment with changes; or
3. Deny the proposed ordinance amendment.

ATTACHMENTS:

Ordinance

Staff Report with Back-up

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty (30) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

Gautier Planning Commission

Regular Meeting Agenda

March 7, 2013

VII. NEW BUSINESS

A. LEGISLATIVE

1. CONSIDER AN AMENDMENT TO ARTICLE XII OF THE UNIFIED DEVELOPMENT ORDINANCE RELATING TO SIGNS FOR BUSINESSES THAT ABUT HIGHWAY 90 OR HIGHWAY 57 AND COMMERCIAL PARCELS IN TCMU (STAFF) (GPC CASE #13-03-UDO)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Babs Logan, Planning Technician

Thru: Eric Meyer, Planning and Economic Development Director

Date: February 27, 2013

Subject: GPC CASE #13-03-UDO | Consideration of an Ordinance Amending the Sign Regulations Section 12.8 to: 1) Allow a Business Within a Shopping Center Abutting Hwy 90 or Hwy 57 That Has a Store Frontage Perpendicular to the Hwy to Have Signage on the Interior Side And the Hwy Side; 2) to Allow Commercial Parcels in TCMU Within 1,000 Feet of Hwy 90 to Advertise on a Multi-Tenant Sign on Hwy 90 Frontage; and 3) to Establish Signage Allowed for Master Planned Commercial Developments With Linear Frontage on Hwy 90 or Hwy 57.

REQUEST:

The Planning and Economic Development Director directed Staff to draft ordinances regarding the following signage:

- 1) to allow a business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57, and is an end suite, a canopy and a wall sign on both the interior side and the Highway side of the building.
- 2) to allow a commercial parcel located in TCMU with linear frontage along Highway 90 to have a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90.
- 3) to establish signage allowed for Master Planned Commercial Development with linear Frontage on Highway 90 or Highway 57.

BACKGROUND:

Section 4.20 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Unified Development Ordinance. The Gautier Planning Commission (GPC) shall review a proposal for an amendment and shall make an advisory recommendation to the City Council as to the need and justification for the change.

After due public notice and a recommendation by the Planning Commission, the City Council shall hold a public hearing to consider the adoption of this ordinance amendment. The City Council may consider approval after a public hearing based on the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

Following an advertised public hearing by the GPC on March 7th, the Ordinance to amend the City's UDO will be considered for approval by the City Council on March 19th.

DISCUSSION:

1) Staff has been approached by a commercial business located in a section of a shopping center that is perpendicular to Highway 90 regarding placing signage on the side of the business as well as the front. The business is the end suite along Highway 90 and the front of the business faces the interior area of the shopping center. They have requested signs on both the interior and Highway 90 side. Staff finds that allowing signage on both sides of the end suite would be keeping with the intent of the sign ordinance.

2) There are three (3) outparcels between Lowe's and Dolphin Road zoned TCMU Town Center Mixed Use. Only one of these outparcels has frontage on Highway 90. The city has been approached by several business owners that are interested in the outparcels asking if they would be allowed signage on the corner of Highway 90 and Dolphin. Staff finds that the existing sign ordinance only allows for off-site directional signs. Staff finds that allowing a commercial business within one thousand (1,000) feet of Highway 90 to advertise on a multi-tenant sign placed on the commercial parcel that has linear frontage on Highway 90 would be keeping with the intent of the sign ordinance.

3) Staff finds that the City's existing sign ordinance does not provide for adequate signage for a Master Planned Commercial Development such as the new development planned for the current Singing River Mall area. A large commercial development consisting of two hundred thousand (200,000) square feet of building space or more will require more sign area to advertise the various businesses within the development.

If approved, Section 12.8 of the City's sign code shall be amended to read (underline is new):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty-five (35) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

RECOMMENDATION:

Staff recommends approval of the ordinance to amend the City's sign regulations as noted above.
The Commission may:

1. Recommend that City Council approve the Ordinance;
2. Recommend that City Council approve the Ordinance with changes; or
3. Recommend that City Council disapprove the Ordinance.

ATTACHMENTS:

Ordinance

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XII, SIGNS, BILLBOARDS AND ADVERTISING MATERIAL, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY ALLOWING ADDITIONAL SIGNAGE FOR BUSINESS SUITES LOCATED IN SHOPPING CENTERS WITH SECTIONS PERPENDICULAR TO HIGHWAY 90 OR HIGHWAY 57 AND BUSINESSES LOCATED ON COMMERCIAL PARCELS IN TCMU TOWN CENTER MIXED USE WITHIN ONE THOUSAND FEET OF HIGHWAY 90, AND TO ESTABLISH SIGNAGE REQUIREMENTS FOR MASTER PLANNED COMMERCIAL DEVELOPMENTS WITH LINEAR FRONTAGE ON HIGHWAY 90 OR HIGHWAY 57; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that the sign ordinance does not address signage for larger commercial developments such as a Master Planned Commercial Development, nor does it consider certain situations that have developed with commercial parcels within the TCMU Town Center Mixed Use District or shopping centers with sections perpendicular to Highway 90 or Highway 57.

Section 2. Amendment of Article XII

Article XII, Section 12.8.1 Lots Abutting Highway 90 or Highway 57, Unified Development Ordinance, is hereby amended to wit (add underlined):

Section 12.8.1 Lots Abutting Highway 90 or Highway 57:

Add to A, B, C and D:

5. Each store, office or other place of business located in a section of a shopping center with frontage that is perpendicular to Highway 90 or Highway 57 and is an end suite, shall also be allowed a canopy sign and a wall sign on the Highway 90 or Highway 57 side. The area limitation allowed in subsection 12.9 below shall be allowed for the interior side as well as the highway side.

Add:

H. Commercial parcels located in TCMU Town Center Mixed Use zoning districts with linear frontage along Highway 90:

1. One (1) free-standing, on-site sign shall be permitted, provided the sign is located on the Highway 90 frontage.
2. Sign shall not exceed ten (10) feet in height. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, signage shall not exceed fifteen (15) feet in height.
3. Sign square footage shall not exceed sixty (60) square feet. However, if it is a multi-tenant sign for commercial businesses within one thousand (1,000) feet of Highway 90, total signage shall not exceed one hundred fifty (150) square feet with individual stores not exceeding fifty (50) square feet.
4. Each store, office, or other place of business shall be permitted one canopy sign and one wall sign subject to the area limitation of subsection 12.9, below.

I. Master planned commercial developments, defined as consisting of two hundred thousand (200,000) square feet of building space or larger, with linear footage along Highway 90 or Highway 57:

1. Two (2) free-standing, on-site, multi-tenant signs shall be permitted on Highway 90 or Highway 57 frontage, and one (1) free-standing, on-site, multi-tenant sign shall be permitted on other public street frontage.
2. Each sign on Highway 90 or Highway 57 frontage shall not exceed thirty-five (35) feet in height. Each additional sign allowed on public streets shall not exceed twenty-five (25) feet in height.
3. Total sign square footage for each sign on Highway 90 or Highway 57 frontage shall not exceed five hundred (500) square feet. Total sign square footage for each additional sign allowed on public streets shall not exceed three hundred (300) square feet.
4. Each store, office or other place of business shall be permitted one (1) canopy sign and one (1) wall sign subject to the area limitation of subsection 12.9, below.

Section 4. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 5. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 6. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

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

ORDINANCE NUMBER 212-2013

AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, RELATING TO THE COMPREHENSIVE REZONING OF PROPERTY EQUAL TO APPROXIMATELY 87.5 ACRES TO C-3 HIGHWAY COMMERCIAL; GENERALLY DESCRIBED AS LOCATED NORTH OF HIGHWAY 90, BEGINNING APPROXIMATELY ELEVEN HUNDRED FIFTY (1,150) FEET EAST OF HIGHWAY 57, AND CONTINUING APPROXIMATELY SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90, AND CONSISTING OF THE SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90 DESCRIBED ABOVE, NORTH SIX HUNDRED TWENTY-FIVE (625) FEET; PROVIDING AUTHORITY; MAKING FINDINGS OF FACT; PROVIDING FOR A ZONING MAP AMENDMENT; AND SETTING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, AS FOLLOWS:

SECTION 1. AUTHORITY.

The authority for enactment of this ordinance is Section 17-1-5, Mississippi Code Annotated Section 17-1-15 (1972), Mississippi Statutes.

The City Council of Gautier finds that a comprehensive rezoning is necessary to provide for the orderly growth and development of the City. A public hearing was held before the Gautier Planning Commission on March 7, 2013, and the Commission recommended that Council approve the change for a zoning map amendment to adopt the C-3 Highway Commercial District. The City Council has conducted a public hearing on March 19, 2013 after giving due public notice pursuant to the Public Hearing Process of the City's Unified Development Ordinance. The requested rezoning is consistent with the City's Comprehensive Plan.

SECTION 2. PROPERTY REZONED.

The property generally described as north of Highway 90, beginning approximately eleven hundred fifty (1,150) feet east of Highway 57, and continuing approximately sixty-one hundred (6,100) feet along Highway 90 and consisting of the sixty-one hundred (6,100) feet along Highway 90 described above, north six hundred twenty-five (625) feet, is hereby rezoned to C-3 Highway Commercial District.

SECTION 3. FINDINGS OF FACT.

The Planning Commission finds the probability of a mapping error in the Official Zoning Map and subsequent Comprehensive Plan has occurred, in that the 2002 city annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future, commercial development of the area.

SECTION 4. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Gautier is hereby amended to include a comprehensive change of classification from AG Agricultural to C-3 Highway Commercial for the specific portions of parcels number #82422800.100, #82429210.000 and #82438120.000 and all of parcel #82429230.050 as described in this Ordinance.

SECTION 8. SETTING EFFECTIVE DATE AND APPEAL. This Ordinance shall become effective 30 days after approval by the City Council and signature of the Mayor.

Motion was made by Councilman Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

ADOPTED: March 19, 2013

Tommy Fortenberry, Mayor

ATTEST:

Cynthia Russell, City Clerk

Codification Instructions: Not Codified.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: March 13, 2013
Subject: Consideration of a City-Initiated Comprehensive Rezoning of Properties
Comprising approximately 87.5 Acres to C-3 Highway Commercial. GPC #13-05-RZ

REQUEST:

The Planning Commission held a public hearing on March 7, 2013 and recommended approval of the Ordinance to rezone lands generally described as located north of Highway 90, beginning approximately eleven hundred fifty (1,150) feet east of Highway 57, and continues approximately sixty-one hundred (6,100) feet along Highway 90. The rezoned property will consist of the sixty-one hundred (6,100) feet along Highway 90 described above, north six hundred twenty-five (625) feet. The rezoning includes portions of the parcels listed on the Jackson County Land Records as Parcel Numbers 82422800.100, 82429210.000, 82438120.000 and all of parcel 82429230.050. City Council has final authority to approve the city-initiated rezoning from AG Agricultural to C-3 Highway Commercial.

The purpose of this city-initiated rezoning is to rezone lands designated as Agricultural since before the City's 2002 annexation, and prepare lands for appropriate development along a viable commercial corridor.

BACKGROUND:

Section 4.16 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a comprehensive rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change and the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan. The GPC shall include in its recommendation to the City Council findings and any information which it deems is relevant to issues relating to the proposed rezoning.

Following an advertised public hearing by the GPC on Thursday, March 7th, the Ordinance to amend the City's Official Zoning Map will be considered for approval by the City Council on Tuesday, March 19th.

DISCUSSION:

Planning Commission recommends a rezoning to the C-3 Highway Commercial zoning district established to the east, west and south of the area. The purpose of the C-3 Highway Commercial District is to provide for areas where relative high intensity commercial and retail uses, office buildings, medical facilities, automobile car lots and regional shopping areas may be located. C-3 Districts are to be located along major highways or major arterials.

Planning Commission finds that the Comprehensive Plan takes only into account the existing Agricultural designation of the area based on Jackson County zoning prior to city annexation. The Plan does not anticipate the commercial development of this area. In order to provide for the orderly growth and development of the area, Planning Commission therefore finds a commercial rezoning appropriate.

The table below shows the density and intensity for the C-3 District as well as existing zoning

Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max % of area covered on lot		
			Tier 1	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
C-3	---	None	35	45	60	40	15/35/40	0/35	---	---	---	---	---	---	75	80	85
AG	20,000	100	35	---	---	50	20/35	25	---	---	---	---	---	---	15	---	---

districts. The table also reflects bonus density and intensity provisions which can be granted according to a Tier Bonus System, in accordance with the City's amended UDO.

DATA AND ANALYSIS:

Location: Ward 1 and Ward 3

Current Zoning of the Request Property: AG Agricultural

Current surrounding existing land use and zoning:

	Current Land Use	Zoning District
North	Vacant	AG Agricultural
South	Vacant	C-3 Highway Commercial

East	Vacant	C-3 Highway Commercial
West	vacant	C-3 Highway commercial

Comprehensive Plan Land Use Designation: The subject properties are designated Mixed Use Residential and Regional Scale Commercial.

Surrounding Future Land Use Map (FLUM) designations:

	FLUM Designation
North	Mixed Use Residential, Regional Scale Commercial
South	Regional Scale Commercial, High Impact Commercial
East	High Impact Commercial
West	Regional Scale Commercial

Proposed Zoning: C-3 Highway Commercial

REVIEW CRITERIA:

The Planning Commission, in its report and recommendation to the City Council on the appropriateness of the request, has studied and considered the following criteria and recommends to City Council that “Item D”, below, meets the requirement for a comprehensive rezoning.

- A. The existing zoning in the subject area is not in accordance with the Comprehensive Plan; **and**
- B. The need for additional land in the City having the same zoning classification as the one proposed; **and**
- C. A substantial change in the land use character of the surrounding area that justifies the change in zoning; **or**
- D. *The probability of a mapping error in the Comprehensive Plan or the Unified Development has occurred.*

The Planning Commission finds that there is a probability that a mapping error in the original zoning of the property occurred, and subsequently the City’s Comprehensive Plan. The 2002 annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County’s Agricultural land designations. The result does not recognize the likely future of commercial development of the area.

FINDINGS / APPROPRIATENESS OF THE REQUEST:

Based on the Planning Commission's recommendation and findings of facts, the City Council must approve the Commission's below finding:

The probability of a mapping error in the Comprehensive Plan and Official Zoning Map has occurred, in that the 2002 city annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future of commercial development of the area.

CONCLUSION AND RECOMMENDATION:

Based on the analysis of the site data, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the request relevant to the criteria established by Section 4.16 of the Unified Development Ordinance, the Council may:

1. Approve the Ordinance to Comprehensively Rezone the subject area to C-3 Highway Commercial; or
2. Deny the Comprehensive Rezoning.

ATTACHMENTS:

Ordinance

Staff Report as Submitted to the GPC with Back-Up

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ORDINANCE

AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, RELATING TO THE COMPREHENSIVE REZONING OF PROPERTY EQUAL TO APPROXIMATELY 87.5 ACRES TO C-3 HIGHWAY COMMERCIAL; GENERALLY DECRIBED AS LOCATED NORTH OF HIGHWAY 90, BEGINNING APPROXIMATELY ELEVEN HUNDRED FIFTY (1,150) FEET EAST OF HIGHWAY 57, AND CONTINUING APPROXIMATELY SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90, AND CONSISTING OF THE SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90 DESCRIBED ABOVE, NORTH SIX HUNDRED TWENTY-FIVE (625) FEET; PROVIDING AUTHORITY; MAKING FINDINGS OF FACT; PROVIDING FOR A ZONING MAP AMENDMENT; AND SETTING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, AS FOLLOWS:

SECTION 1. AUTHORITY.

The authority for enactment of this ordinance is Section 17-1-5, Mississippi Code Annotated Section 17-1-15 (1972), Mississippi Statutes.

The City Council of Gautier finds that a comprehensive rezoning is necessary to provide for the orderly growth and development of the City. A public hearing was held before the Gautier Planning Commission on March 7, 2013, and the Commission recommended that Council approve the change for a zoning map amendment to adopt the C-3 Highway Commercial District. The City Council has conducted a public hearing on March 19, 2013 after giving due public notice pursuant to the Public Hearing Process of the City's Unified Development Ordinance. The requested rezoning is consistent with the City's Comprehensive Plan.

SECTION 2. PROPERTY REZONED.

The property generally described as north of Highway 90, beginning approximately eleven hundred fifty (1,150) feet east of Highway 57, and continuing approximately sixty-one hundred (6,100) feet along Highway 90 and consisting of the sixty-one hundred (6,100) feet along Highway 90 described above, north six hundred twenty-five (625) feet, is hereby rezoned to C-3 Highway Commercial District.

SECTION 3. FINDINGS OF FACT.

The Planning Commission finds the probability of a mapping error in the Official Zoning Map and subsequent Comprehensive Plan has occurred, in that the 2002 city annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future, commercial development of the area.

SECTION 4. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Gautier is hereby amended to include a comprehensive change of classification from AG Agricultural to C-3 Highway Commercial for the specific portions of parcels number #82422800.100, #82429210.000 and #82438120.000 and all of parcel #82429230.050 as described in this Ordinance.

SECTION 8. SETTING EFFECTIVE DATE AND APPEAL. This Ordinance shall become effective 30 days after approval by the City Council and signature of the Mayor.

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ADOPTED: _____

Tommy Fortenberry, Mayor

ATTEST:

Cindy Russell, City Clerk

Codification Instructions: Not Codified.

DRAFT

Gautier Planning Commission

Regular Meeting Agenda

March 7, 2013

VII. NEW BUSINESS

B. QUASI-JUDICIAL

1. REQUEST FOR A COMPREHENSIVE REZONING OF PROPERTIES ON HIGHWAY 90 FROM AG AGRICULTURAL TO C-3 HIGHWAY COMMERCIAL (STAFF) (GPC 13-05-RZ)

QUASI-JUDICIAL PROCEDURES

1. Announcement of Matter. Read the matter title to be considered.
2. Swear the Witnesses. All witnesses, parties, citizen participants and City Staff who plan to speak at the hearing shall collectively be sworn at the beginning of the hearing by the City Attorney
3. Ex Parte Disclosure. All members must disclose on the record any ex parte communications, to include any physical inspections of the subject property. The disclosure should include with whom any communication has taken place, a summary of the substance of the communication, and the date of the site visit, if any. If anyone has received written communications, the writing must be presented, read into record or a copy provided to all participants, and made a part of the official record.
4. Applicant Presentation.
5. Questions directed to Applicant. The applicant should answer any questions by the public, the Council, or others.
6. Staff Presentation. This includes presentation of the staff report into the official record.
7. Objections from Applicant. Confirm whether there are objections from the applicant regarding the staff report or development order.
8. Questions directed to Staff. The staff answers any questions by the public, the Council, or others.
9. Public Comments. Members of the public should be allowed to make comments regarding the application.
10. Applicant rebuttal/final comments
11. Staff rebuttal/final comments
12. Call for final questions.
13. Close public portion of the hearing.
14. Motion & Deliberation. Council makes a motion, and debates and deliberates regarding the application and development order.
15. Vote.
16. Close the quasi-judicial proceeding.

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: February 28, 2013
Subject: Consideration of a City-Initiated Comprehensive Rezoning of Properties
Comprising approximately 87.5 Acres to C-3 Highway Commercial.

REQUEST:

The purpose of this city-initiated rezoning is to rezone lands designated as Agricultural since before the City's 2002 annexation, and prepare the lands for appropriate development along a viable commercial corridor. The subject property is generally described as located north of Highway 90, beginning approximately eleven hundred fifty (1,150) feet east of Highway 57, and continues approximately sixty-one hundred (6,100) feet along Highway 90. The rezoned property will consist of the sixty-one hundred (6,100) feet along Highway 90 described above, north six hundred twenty-five (625) feet. The rezoning includes portions of the parcels listed on the Jackson County Land Records as Parcel Numbers 82422800.100, 82429210.000, 82438120.000 and all of parcel 82429230.050.

BACKGROUND:

Section 4.16 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Official Zoning Map. The Gautier Planning Commission (GPC) shall review a proposal for a comprehensive rezoning and shall make an advisory recommendation to the City Council as to the need and justification for the change and the relationship of the proposed change to the goals, objectives and policies of the Comprehensive Plan. The GPC shall include in its recommendation to the City Council findings and any information which it deems is relevant to issues relating to the proposed rezoning.

Following an advertised public hearing by the GPC on March 7th, the Ordinance to amend the City's Official Zoning Map will be considered for approval by the City Council on March 19th.

DISCUSSION:

Staff recommends a rezoning to the C-3 Highway Commercial zoning district established to the east, west and south of the area. The purpose of the C-3 Highway Commercial District is to

provide for areas where relative high intensity commercial and retail uses, office buildings, medical facilities, automobile car lots and regional shopping areas may be located. C-3 Districts are to be located along major highways or major arterials.

Staff finds that the Comprehensive Plan takes only into account the existing Agricultural designation of the area based on Jackson County zoning prior to city annexation. The Plan does not anticipate the commercial development of this area. In order to provide for the orderly growth and development of the area, Staff therefore finds a commercial rezoning appropriate.

The table below shows the density and intensity for the C-3 District as well as existing zoning districts. The table also reflects bonus density and intensity provisions which can be granted according to a Tier Bonus System, in accordance with the City's amended UDO.

Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width	Maximum Building Height			Setbacks			Maximum Density (units per acre)			Maximum Floor Area Ratio			Max % of area covered on lot		
			Tier 1	Tier 2	Tier 3	Front	Side	Rear	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
C-3	---	None	35	45	60	40	15/35/40	0/35	---	---	---	---	---	---	75	80	85
AG	20,000	100	35	---	---	50	20/35	25	---	---	---	---	---	---	15	---	---

DATA AND ANALYSIS:

Location: Ward 1 and Ward 3

Current Zoning of the Request Property: AG Agricultural

Current surrounding existing land use and zoning:

	Current Land Use	Zoning District
North	Vacant	AG Agricultural
South	Vacant	C-3 Highway Commercial
East	Vacant	C-3 Highway Commercial
West	vacant	C-3 Highway commercial

Comprehensive Plan Land Use Designation: The subject properties are designated Mixed Use Residential and Regional Scale Commercial.

Surrounding Future Land Use Map (FLUM) designations:

	FLUM Designation
North	Mixed Use Residential, Regional Scale Commercial
South	Regional Scale Commercial, High Impact Commercial
East	High Impact Commercial
West	Regional Scale Commercial

Proposed Zoning: C-3 Highway Commercial

REVIEW CRITERIA:

The Commission, in its report and recommendation to the City Council on the appropriateness of the request, should study and consider the following criteria and recommend whether or not each is met, if applicable. Staff has recommended findings for the GPC's consideration.

- A. The existing zoning in the subject area is not in accordance with the Comprehensive Plan; **and**
- B. The need for additional land in the City having the same zoning classification as the one proposed; **and**
- C. A substantial change in the land use character of the surrounding area that justifies the change in zoning; **or**
- D. The probability of a mapping error in the Comprehensive Plan or the Unified Development has occurred.

Staff finds that there is a probability that a mapping error in the original zoning of the property occurred, and subsequently the City's Comprehensive Plan. The 2002 annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future of commercial development of the area.

FINDINGS / APPROPRIATENESS OF THE REQUEST:

Based on Staff's recommendation that the GPC forward a favorable recommendation to City Council, the Commission must find the following:

The probability of a mapping error in the Comprehensive Plan and Official Zoning Map has occurred, in that the 2002 city annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but

instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future of commercial development of the area.

CONCLUSION AND RECOMMENDATION:

Based on the analysis of the site data, existing and future land use maps, impact on the availability of infrastructure, consistency with the Comprehensive Plan, and the appropriateness of the request relevant to the criteria established by Section 4.16 of the Unified Development Ordinance, the Commission may:

1. Recommend that City Council approve the Ordinance to Comprehensively Rezone the subject area to C-3 Highway Commercial; or
2. Recommend that City Council deny the Comprehensive Rezoning.

ATTACHMENTS:

Ordinance

Map Exhibits A-E

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ORDINANCE

AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, RELATING TO THE COMPREHENSIVE REZONING OF PROPERTY EQUAL TO APPROXIMATELY 87.5 ACRES TO C-3 HIGHWAY COMMERCIAL; GENERALLY DECRIBED AS LOCATED NORTH OF HIGHWAY 90, BEGINNING APPROXIMATELY ELEVEN HUNDRED FIFTY (1,150) FEET EAST OF HIGHWAY 57, AND CONTINUING APPROXIMATELY SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90, AND CONSISTING OF THE SIXTY-ONE HUNDRED (6,100) FEET ALONG HIGHWAY 90 DESCRIBED ABOVE, NORTH SIX HUNDRED TWENTY-FIVE (625) FEET; PROVIDING AUTHORITY; MAKING FINDINGS OF FACT; PROVIDING FOR A ZONING MAP AMENDMENT; AND SETTING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, AS FOLLOWS:

SECTION 1. AUTHORITY.

The authority for enactment of this ordinance is Section 17-1-5, Mississippi Code Annotated Section 17-1-15 (1972), Mississippi Statutes.

The City Council of Gautier finds that a comprehensive rezoning is necessary to provide for the orderly growth and development of the City. A public hearing was held before the Gautier Planning Commission on March 7, 2013, and the Commission recommended that Council approve the change for a zoning map amendment to adopt the C-3 Highway Commercial District. The City Council has conducted a public hearing on March 19, 2013 after giving due public notice pursuant to the Public Hearing Process of the City's Unified Development Ordinance. The requested rezoning is consistent with the City's Comprehensive Plan.

SECTION 2. PROPERTY REZONED.

The property generally described as north of Highway 90, beginning approximately eleven hundred fifty (1,150) feet east of Highway 57, and continuing approximately sixty-one hundred (6,100) feet along Highway 90 and consisting of the sixty-one hundred (6,100) feet along Highway 90 described above, north six hundred twenty-five (625) feet, is hereby rezoned to C-3 Highway Commercial District.

SECTION 3. FINDINGS OF FACT.

The Planning Commission finds the probability of a mapping error in the Official Zoning Map and subsequent Comprehensive Plan has occurred, in that the 2002 city annexation of these lands did not alter the zoning to provide for the future orderly growth and development of the area, but instead perpetuated Jackson County's Agricultural land designations. The result does not recognize the likely future, commercial development of the area.

SECTION 4. ZONING MAP AMENDMENT. The Official Zoning Map of the City of Gautier is hereby amended to include a comprehensive change of classification from AG Agricultural to C-3 Highway Commercial for the specific portions of parcels number #82422800.100, #82429210.000 and #82438120.000 and all of parcel #82429230.050 as described in this Ordinance.

SECTION 8. SETTING EFFECTIVE DATE AND APPEAL. This Ordinance shall become effective 30 days after approval by the City Council and signature of the Mayor.

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ADOPTED: _____

Tommy Fortenberry, Mayor

ATTEST:

Cindy Russell, City Clerk

Codification Instructions: Not Codified.

DRAFT

Location Map
HWY 90
Proposed Zonning Change

City Of Gautier
Economic Development/Planning



0 400 800
Feet



Prepared by the
City of Gautier
GIS Division



Existing Zoning Map

City Of Gautier
Economic Development/Planning



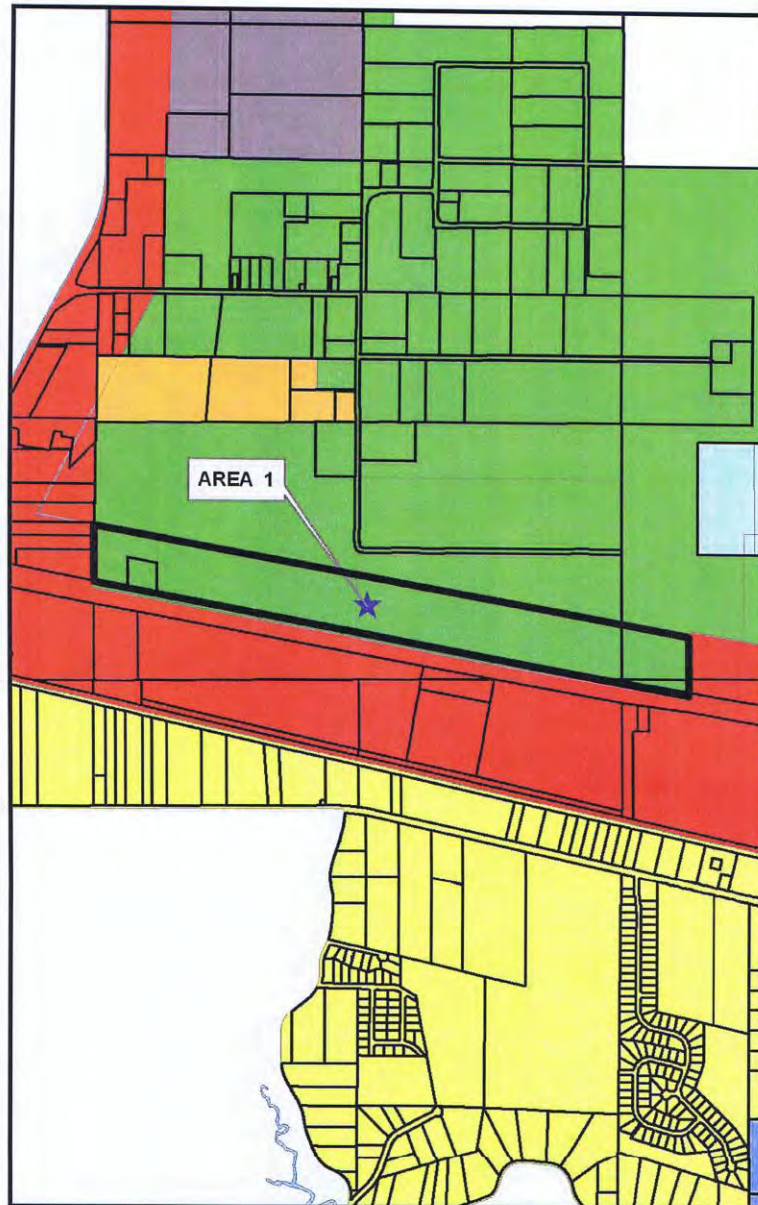
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Prepared by the
City of Gautier
GIS Division

Legend

- AG Agricultural
- PL Public/Semi-Public
- PUD Planned Unit Development
- R-1 Low Density Residential
- R-2 Multi-Family Residential
- R-3 Mobile Home District
- MUM
- TC
- MURC-1
- MURC-2
- MURC-MW
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- C-3 Highway Commercial
- I-2 Industrial



Existing Land Use Map

City Of Gautier
Economic Development/Planning



0 400 800
Feet

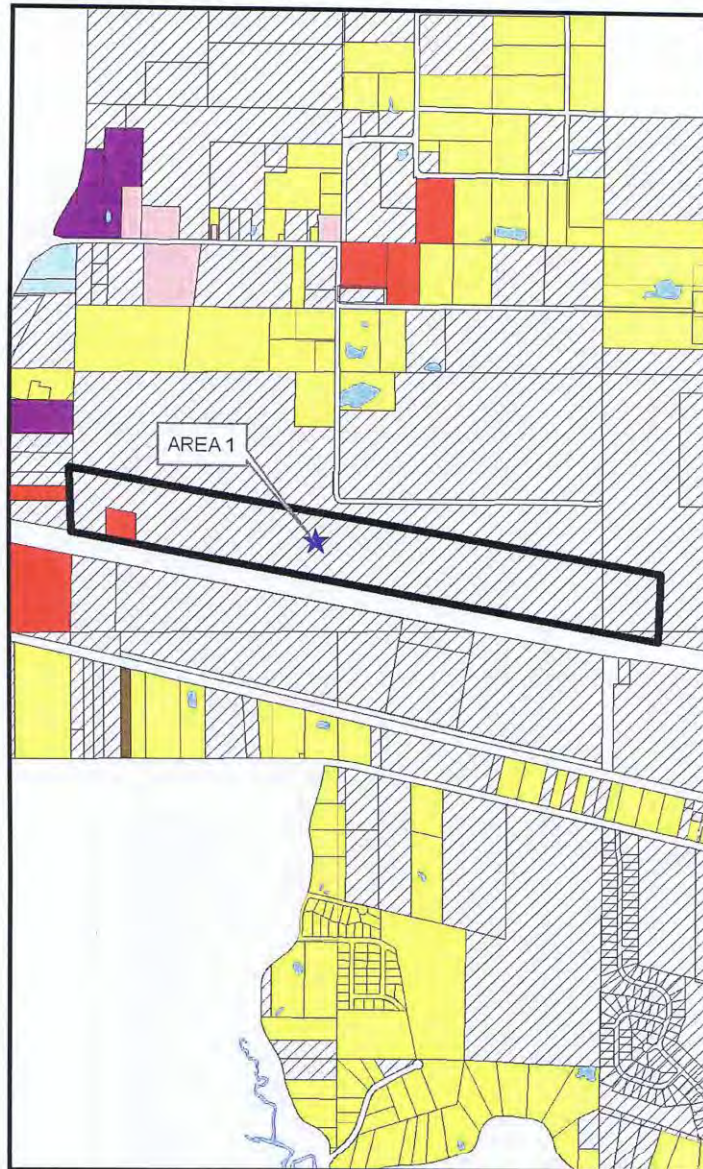


Prepared by the
City of Gautier
GIS Division

Legend

EXISTING LAND USE

- 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



Future Land Use Map

City Of Gautier
Economic Development/Planning



0 400 800



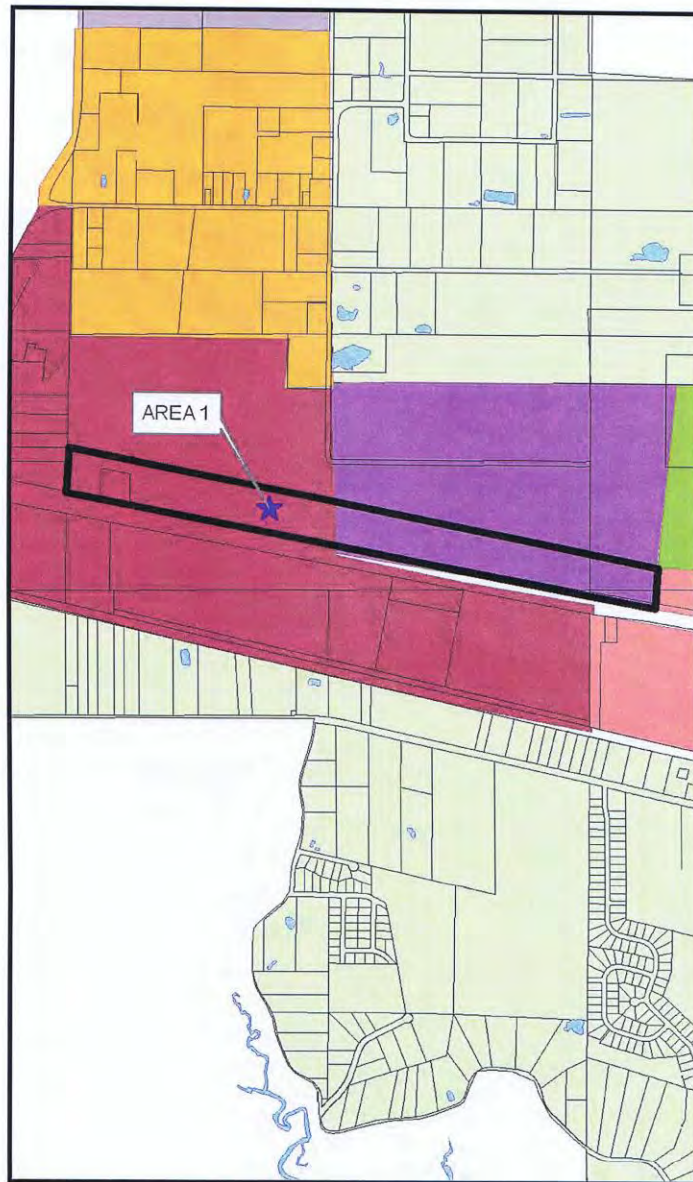
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Prepared by the
City of Gautier
GIS Division

Legend

- 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



PROPOSED ZONING

City Of Gautier
Economic Development/Planning



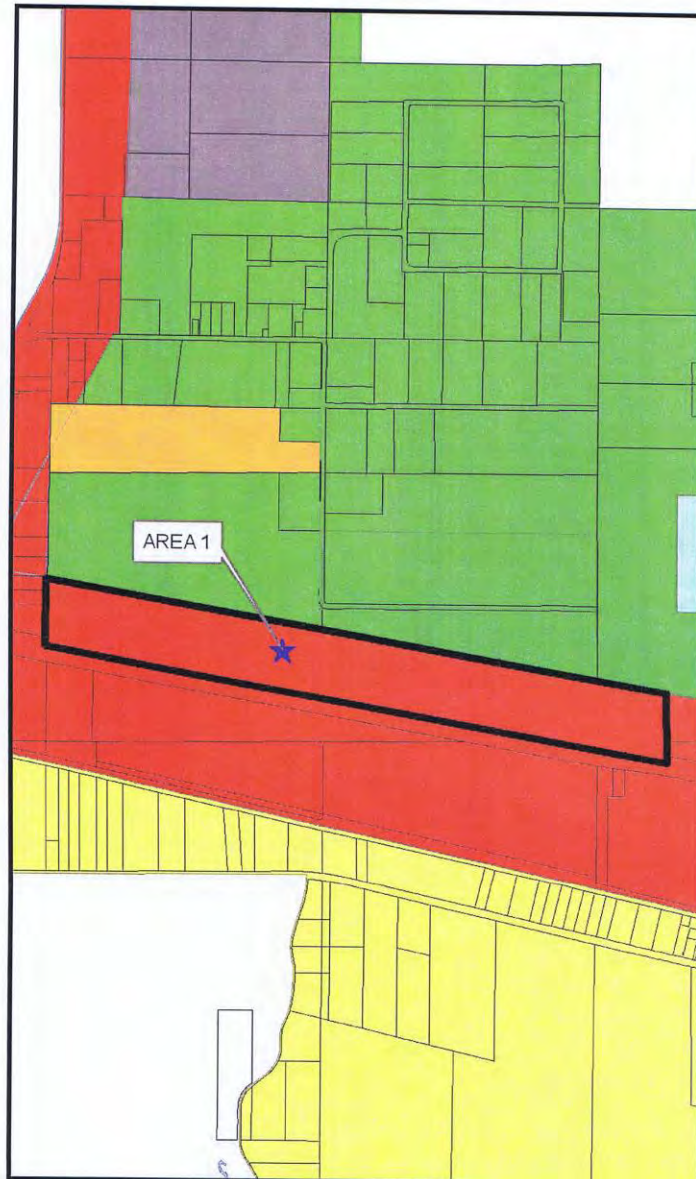
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Prepared by the
City of Gautier
GIS Division

Legend

- AG Agricultural
- RE Residential Estates
- PL Public/Semi-Public
- PUD Planned Unit Development
- R-1 Low Density Residential
- R-2 Multi-Family Residential
- R-3 Mobile Home District
- MUM
- TC
- MURC-1
- MURC-2
- MURC-MW
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- C-3 Highway Commercial
- I-2 Industrial



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

ORDINANCE NUMBER 213-2013

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE V, ZONING DISTRICTS AND SPECIFIC REGULATIONS, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY PERMITTING AUTOMOBILE DETAIL SHOPS AS A CONDITIONAL USE-MINOR IN A C-3 HIGHWAY COMMERCIAL DISTRICT AND AS A CONDITIONAL USE-MAJOR IN A C-2 COMMUNITY COMMERCIAL DISTRICT; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that special consideration must be given to ensure that Automobile Detail Shops are compatible within the C-2 and C-3 commercial districts. Automobile Detail Shops will be allowed as a conditional use to ensure the use is consistent with the goals, objectives and policies of the Comprehensive Plan, ensure the conditional use is consistent with the character of the immediate vicinity, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed.

Section 2. Amendment of Table 4

Article V, Section 5.2.2 Uses Permitted by Right and Conditional Uses, Unified Development Ordinance, is hereby amended to permit Automobile Detail Shops as a Conditional Use – Minor in C-3 Highway Commercial Districts and as a Conditional Use-Major in C-2 Community Commercial Districts, as listed in Table 4.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 4. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Motion made by Mayor Fortenberry, seconded by Councilman Macfarland and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

Adopted: March 19, 2013

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cynthia Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: March 12, 2013
Subject: Consideration of an Ordinance Allowing Automobile Detail Shops in C-2 and C-3 as Conditional Uses; GPC Case #13-06-UDO

REQUEST:

The Planning and Economic Development Director directed Staff to draft an amendment to the Unified Development Ordinance (UDO) to include automobile detail shops as a Conditional Use-Minor in C-2 Community Commercial, C-3 Highway Commercial and TCMU Town Center Mixed Use zoning districts. After reviewing Staff's report, the Planning Commission recommended to amend the UDO by allowing automobile detail shops in C-2 as a Conditional Use-Major and in C-3 as a Conditional Use-Minor.

BACKGROUND:

Amendment Process

Amendments to the Unified Development Ordinance may be initiated by the City Council, the Gautier Planning Commission (GPC), the City Staff, or by a citizen. The process requires that the GPC review and forward a recommendation to the City Council on the proposed amending ordinance(s).

After due public notice the City Council shall hold a public hearing after the first reading of the ordinance amending the UDO. The City Council may consider approval after a public hearing based on the application and the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

DISCUSSION:

Planning Commission finds that the TCMU zoning district is a more restricted district and Automobile Detail Shops should not be allowed in that district. They find that an Automobile Detail Shop should not be permitted by right in a C-3 or a C-2 zone; however, the use could be made compatible within the C-2 or C-3 district with conditions. Because C-2 is somewhat stricter than C-3 they find that an Automobile Detail Shop should be allowed in a C-2 district as a Conditional Use-Major which must be approved by Council, and that an Automobile Detail Shop

should be allowed in a C-3 district as a Conditional Use-Minor which can be approved in-house by the Technical Review Committee.

If approved, Article V, Section 5.2.2 Uses Permitted by Right and Conditional Uses of the Unified Development Ordinance will be emended to permit Automobile Detail Shops as a Conditional Use-Minor in a C-3 zoning district and as a Conditional Use-Major in a C-2 zoning district, as listed in Table 4.

RECOMMENDATION:

The City Council may:

1. Approve the Planning Commission's unanimous recommendation of the proposed ordinance amendment;
2. Approve the proposed ordinance amendment with changes; or
3. Deny the proposed ordinance amendment.

ATTACHMENTS:

Ordinance

Staff Report with Back-up

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE V, ZONING DISTRICTS AND SPECIFIC REGULATIONS, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY PERMITTING AUTOMOBILE DETAIL SHOPS AS A CONDITIONAL USE-MINOR IN A C-3 HIGHWAY COMMERCIAL DISTRICT AND AS A CONDITIONAL USE-MAJOR IN A C-2 COMMUNITY COMMERCIAL DISTRICT; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that special consideration must be given to ensure that Automobile Detail Shops are compatible within the C-2 and C-3 commercial districts. Automobile Detail Shops will be allowed as a conditional use to ensure the use is consistent with the goals, objectives and policies of the Comprehensive Plan, ensure the conditional use is consistent with the character of the immediate vicinity, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed.

Section 2. Amendment of Table 4

Article V, Section 5.2.2 Uses Permitted by Right and Conditional Uses, Unified Development Ordinance, is hereby amended to permit Automobile Detail Shops as a Conditional Use – Minor in C-3 Highway Commercial Districts and as a Conditional Use-Major in C-2 Community Commercial Districts, as listed in Table 4.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 4. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

Gautier Planning Commission

Regular Meeting Agenda

March 7, 2013

VII. NEW BUSINESS

A. LEGISLATIVE

3. CONSIDER AN AMENDMENT TO ARTICLE V OF THE UNIFIED DEVELOPMENT ORDINANCE ALLOWING AUTOMOBILE DETAIL SHOPS IN C-2, C-3 AND TCMU AS CONDITIONAL USE-MINOR (STAFF) (GPC 13-06-UDO)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Babs Logan, Planning Technician

Thru: Eric Meyer, Planning and Economic Development Director

Date: February 26, 2013

Subject: Consideration of an Ordinance to Amend Section 5.2.2 of the UDO to Allow Automobile Detail Shops as a Conditional Use-Minor in C-2, C-3 and TCMU Zoning Districts. GPC #13-06-UDO

REQUEST:

The Planning and Economic Development Director directed Staff to draft an amendment to the Unified Development Ordinance (UDO) to include automobile detail shops as a Conditional Use-Minor in C-2 Community Commercial, C-3 Highway Commercial and TCMU Town Center Mixed Use zoning districts.

BACKGROUND:

Zoning and Land Use History

The City's Unified Development Ordinance does not permit automobile detail shops within a C-2, C-3 or TCMU zoning district.

The amendment only grants property owners within a C-2, C-3 or TCMU district the right to request a conditional use-minor permit to allow an automobile detail shop, after a public hearing and approval by the Technical Review Committee (TRC).

The Amendment Process

Amendments to the Unified Development Ordinance may be initiated by the City Council, the Gautier Planning Commission (GPC), the City Staff, or by a citizen. The process requires that the GPC review and forward a recommendation to the City Council on the proposed amending ordinance(s).

The City Council may consider approval after a public hearing based on the application and the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

DISCUSSION:

The City's UDO has three (3) types of uses which may be allowed in the various districts established: permitted principal uses, permitted accessory uses both of which are permitted by right, and conditional uses.

Conditional uses are uses that are not generally considered compatible with other land uses in a particular zoning district. A Conditional Use-Minor may be approved by the TRC, if they find the use appropriate, after individual site review, based on their site location, design, configuration of buildings, intensity or density of use, or the imposition of conditions pertinent thereto, and may permit such individual uses. Minor Conditional Uses do not "run with the land" and may not be transferred from one owner to the next without application for another Conditional Use –Minor.

The criteria for approval of a conditional use-minor development permit can ensure design and land use compatibility with the uses allowed in a C-2, C-3 or TCMU District.

STAFF FINDINGS:

Staff finds that special consideration must be given to ensure that automobile detail shops are compatible within a C-2, C-3 or TCMU district. With the proposed change to the UDO, automobile detail shops will be allowed as a minor conditional use to ensure the use is consistent with the goals, objectives and policies of the Comprehensive Plan, ensure the conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed.

Staff further finds the request consistent with the policies of the Comprehensive Plan.

RECOMMENDATIONS:

The Planning Commission may:

1. Recommend that City Council approve the Ordinance; or
2. Recommend that City Council not approve the Ordinance.

ATTACHMENTS:

Ordinance

ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE V, ZONING DISTRICTS AND SPECIFIC REGULATIONS, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY PERMITTING AUTOMOBILE DETAIL SHOPS AS A CONDITIONAL USE-MINOR IN C-2 COMMUNITY COMMERCIAL, C-3 HIGHWAY COMMERCIAL AND TCMU TOWN CENTER MIXED USE DISTRICTS; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE CODE OF ORDINANCES OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The Gautier Planning Commission held a public hearing after due public notice and considered this ordinance on Thursday, March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- B. The City Council finds that special consideration must be given to ensure that Automobile Detail Shops are compatible within the commercial and mixed use district. Automobile Detail Shops will be allowed as a minor conditional use to ensure the use is consistent with the goals, objectives and policies of the Comprehensive Plan, ensure the minor conditional use is consistent with the character of the immediate vicinity of the land proposed for development, and designed so that it is consistent with the harmonious development of the zoning district in which it is proposed.

Section 2. Amendment of Table 4

Article V, Section 5.2.2 Uses Permitted by Right and Conditional Uses, Unified Development Ordinance, is hereby amended to permit Automobile Detail Shops as a Conditional Use – Minor in C-2 Community Commercial, C-3 Highway Commercial and TCMU Town Center Mixed Use Districts, as listed in Table 4.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 4. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

Adopted: _____

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cindy Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

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

ORDINANCE NUMBER 214-2013

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XIII, NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY DELETING A REQUIREMENT OF SECTION 13.2.3 VESTED INTEREST PROVISION FOR MOBILE HOMES CURRENTLY LOCATED IN THE MURC-MW DISTRICT; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The authority for enactment of this ordinance is contained in Section 4.20 of the City's Unified Development Ordinance.
- B. The Gautier Planning Commission held a public hearing, after giving due public notice and considered this ordinance on March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- C. The Planning Commission finds that the City's regulations regarding nonconforming structures do not provide consideration of the restrictions zoning changes placed on mobile home owners due to zoning changes implemented by the adoption of the Comprehensive Plan and Unified Development Ordinance. Therefore, this amendment will allow existing mobile homes to be replaced with larger mobile homes within the MURC-MW district.

Section 2. Amendment of Section 13.2

Article XIII, Nonconforming Buildings, Structures and Uses of Land, is hereby amended to wit (delete strike-thru):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure ~~is not enlarged and~~ meets all other requirements of the Code.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

Section 4. Severability

If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

Section 5. Effective Date

This Ordinance shall take effect immediately upon approval by the City Council and signature of the Mayor.

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

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

NAYS: None

Adopted: March 19, 2013

Tommy Fortenberry, Mayor

Attest:

Approved as to form and legal sufficiency.

Cynthia Russell, City Clerk

New language is underlined.
Deleted language is ~~stricken~~.

Councilman Gollot did not vote on Business Item #8 – Ordinance allowing existing mobile homes in MURC-MW to be replaced with enlarged mobile homes GPC Case No. 13-07-UDO. Mayor Fortenberry called the vote unanimous.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Babs Logan, Planning Technician
Thru: Eric Meyer, Planning and Economic Development Director
Date: March 12, 2013
Subject: Consideration of an Ordinance Allowing Existing Mobile Homes in MURC-MW to be Replaced With Enlarged Mobile Homes. GPC Case #13-07-UDO

REQUEST:

The City Manager directed Staff to draft an ordinance amendment removing the words “is not enlarged and” from Article XIII: Nonconforming Buildings, Structures and Uses of Land, Section 13.2.3 Vested Interest Provision of the Unified Development Ordinance (UDO). This amendment will allow owners of older mobile homes in MURC-MW the option of upgrading to larger mobile homes.

BACKGROUND:

Amendment Process

Amendments to the Unified Development Ordinance may be initiated by the City Council, the Gautier Planning Commission (GPC), the City Staff, or by a citizen. The process requires that the GPC review and forward a recommendation to the City Council on the proposed amending ordinance(s).

After due public notice the City Council shall hold a public hearing after the first reading of the ordinance amending the UDO. The City Council may consider approval after a public hearing based on the application and the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

DISCUSSION:

Planning Commission finds that the MURC-MW zoning district is a mix of single-family dwellings, fish camps, mobile homes, travel trailers, etc. and that allowing an existing mobile home to be replaced with a larger mobile home would not be detrimental to the zoning district as long as it meets all other requirements of the Code.

If approved, Section 13.2.3 of the City's Unified Development Ordinance shall be amended to read (delete strike-thru):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure ~~is not enlarged and~~ meets all other requirements of the Code.

RECOMMENDATION:

The City Council may:

1. Approve the Planning Commission's unanimous recommendation of the proposed ordinance amendment; or
2. Deny the proposed ordinance amendment.

ATTACHMENTS:

Ordinance

Staff Report with Back-up

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ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING AUTHORITY & INTENT; AMENDING ARTICLE XIII, NONCONFORMING BUILDINGS, STRUCTURES AND USES OF LAND, OF THE UNIFIED DEVELOPMENT ORDINANCE, BY DELETING A REQUIREMENT OF SECTION 13.2.3 VESTED INTEREST PROVISION FOR MOBILE HOMES CURRENTLY LOCATED IN THE MURC-MW DISTRICT; AND SETTING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAUTIER, MISSISSIPPI, THAT THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF GAUTIER IS AMENDED AS FOLLOWS:

Section 1. Authority & Intent

- A. The authority for enactment of this ordinance is contained in Section 4.20 of the City's Unified Development Ordinance.
- B. The Gautier Planning Commission held a public hearing, after giving due public notice and considered this ordinance on March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- C. The Planning Commission finds that the City's regulations regarding nonconforming structures do not provide consideration of the restrictions zoning changes placed on mobile home owners due to zoning changes implemented by the adoption of the Comprehensive Plan and Unified Development Ordinance. Therefore, this amendment will allow existing mobile homes to be replaced with larger mobile homes within the MURC-MW district.

Section 2. Amendment of Section 13.2

Article XIII, Nonconforming Buildings, Structures and Uses of Land, is hereby amended to wit (delete strike-thru):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure is not enlarged and meets all other requirements of the Code.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

45 **Section 4. Severability**

46 If any word, phrase, sentence, paragraph or provision of this ordinance or the
47 application thereof to any person or circumstance is held invalid or unconstitutional,
48 such finding shall not affect the other provisions or applications of this ordinance which
49 can be given effect without the invalid or unconstitutional provision or application, and to
50 this end the provisions of this ordinance are declared severable.
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52 **Section 5. Effective Date**

53 This Ordinance shall take effect immediately upon approval by the City Council
54 and signature of the Mayor.
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57 Adopted: _____ Tommy Fortenberry, Mayor
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61 Attest: _____ Approved as to form and legal sufficiency.
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64 _____
65 Cindy Russell, City Clerk
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68 New language is underlined.
69 Deleted language is ~~stricken~~.
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Gautier Planning Commission
Regular Meeting Agenda
March 7, 2013

VII. NEW BUSINESS

A. LEGISLATIVE

4. CONSIDER AN AMENDMENT TO ARTICLE XIII REGARDING NON-CONFORMING MOBILE HOMES IN MURC-MW (STAFF) (GPC 13-07-UDO)

**CITY OF GAUTIER
STAFF REPORT**

To: Chairman and Members, Planning Commission

From: Babs Logan, Planning Technician

Through: Eric Meyer, Planning and Economic Development Director

Date: February 27, 2013

Subject: GPC CASE #13-07-UDO | Consideration of an Ordinance Amending Section 13.2.3 Vested Interest Provision to Allow Mobile Homes Existing Within the MURC-MW Zoning District as of June 21, 2011, to be Replaced With a Larger Mobile Home.

REQUEST:

At a City Council meeting on April 19, 2011, Councilman Gordon Gollott made a motion approved by Council to direct Staff to draft an ordinance allowing mobile home owners in the MURC-MW zoning district to be able to replace existing mobile homes, so long as additional mobile homes are not brought into the zoning district. The motion was based on correspondence between the councilman and property owners of the area's mobile home park. On June 21, 2011 the ordinance amendment was approved by Council as follows (underline is new):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure is not enlarged and meets all other requirements of the Code.

Earlier this month the City Manager directed Staff to draft an ordinance amendment that would remove the words "is not enlarged and" from the current ordinance 13.2.3 Vested Interest Provision. This will allow the owners of older mobile homes in MURC-MW the option of upgrading to a larger mobile home.

BACKGROUND:

Section 4.20 of the City's Unified Development Ordinance (UDO) establishes the procedure to amend the City's Unified Development Ordinance. The Gautier Planning Commission (GPC) shall review a proposal for an amendment and shall make an advisory recommendation to the City Council as to the need and justification for the change.

After due public notice and a recommendation by the Planning Commission, the City Council shall hold a public hearing to consider the adoption of this ordinance amendment. The City Council may consider approval after a public hearing based on the relevant support materials, testimony at the public hearing, the GPC recommendation, and the Staff Report.

Following an advertised public hearing by the GPC on March 7th, the Ordinance to amend the City's UDO will be considered for approval by the City Council on March 19th.

DISCUSSION:

The intent of the MURC-MW district is to protect a mix of uses that includes permanent single family residences, seasonal single-family detached residences, and tourist-oriented uses. Several mobile home parks were located within this special planning area prior to it being rezoned to MURC-MW which does not allow mobile homes, but does allow Mississippi Cottages. Therefore, the existing mobile homes are nonconforming structures. Owners of these mobile homes are currently allowed to replace these homes if they were existing as of June 21, 2011 but they cannot be enlarged. Staff finds that the intent of the MURC-MW zoning district will not be compromised by allowing an existing mobile home to be replaced by a larger mobile home.

If approved, Section 13.2.3 of the City's Unified Development Ordinance shall be amended to read (delete strike-thru):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure is ~~not enlarged and~~ meets all other requirements of the Code.

RECOMMENDATION:

Staff recommends approval of the ordinance to amend Section 13.2.3 of the City's Unified Development Ordinance. The Commission may:

1. Recommend that City Council Approve the Ordinance; or
2. Recommend that City Council Disapprove the Ordinance.

ATTACHMENTS:

Ordinance

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ORDINANCE

**AN ORDINANCE OF THE CITY COUNCIL OF GAUTIER, MISSISSIPPI, PROVIDING
AUTHORITY & INTENT; AMENDING ARTICLE XIII, NONCONFORMING BUILDINGS,
STRUCTURES AND USES OF LAND, OF THE UNIFIED DEVELOPMENT
ORDINANCE, BY DELETING A REQUIREMENT OF SECTION 13.2.3 VESTED
INTEREST PROVISION FOR MOBILE HOMES CURRENTLY LOCATED IN THE
MURC-MW DISTRICT; AND SETTING AN EFFECTIVE DATE.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GAUTIER, MISSISSIPPI, THAT THE UNIFIED DEVELOPMENT ORDINANCE OF THE
CITY OF GAUTIER IS AMENDED AS FOLLOWS:**

Section 1. Authority & Intent

- A. The authority for enactment of this ordinance is contained in Section 4.20 of the City's Unified Development Ordinance.
- B. The Gautier Planning Commission held a public hearing, after giving due public notice and considered this ordinance on March 7, 2013. The City Council conducted a public hearing on March 19, 2013.
- C. The Planning Commission finds that the City's regulations regarding nonconforming structures do not provide consideration of the restrictions zoning changes placed on mobile home owners due to zoning changes implemented by the adoption of the Comprehensive Plan and Unified Development Ordinance. Therefore, this amendment will allow existing mobile homes to be replaced with larger mobile homes within the MURC-MW district.

Section 2. Amendment of Section 13.2

Article XIII, Nonconforming Buildings, Structures and Uses of Land, is hereby amended to wit (delete strike-thru):

13.2.3 Vested Interest Provision

Any non-conforming use of buildings and land which was lawful before the adoption of this Ordinance may be continued, and further no structure that was lawfully approved or on which construction has begun prior to the effective date of adoption of this Ordinance shall be required to change plans or proposed use of any building provided construction takes place in the time required by this Ordinance. Within the MURC-MW zoning district, mobile homes existing as of June 21, 2011, may be replaced so long as the nonconforming structure is not enlarged and meets all other requirements of the Code.

Section 3. Conflicts

All ordinances or parts of ordinances in conflict with this ordinance are repealed to the extent of such conflict.

45 **Section 4. Severability**

46 If any word, phrase, sentence, paragraph or provision of this ordinance or the
47 application thereof to any person or circumstance is held invalid or unconstitutional,
48 such finding shall not affect the other provisions or applications of this ordinance which
49 can be given effect without the invalid or unconstitutional provision or application, and to
50 this end the provisions of this ordinance are declared severable.
51

52 **Section 5. Effective Date**

53 This Ordinance shall take effect immediately upon approval by the City Council
54 and signature of the Mayor.
55

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57 Adopted: _____

Tommy Fortenberry, Mayor

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61 Attest:

Approved as to form and legal sufficiency.

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64 _____
65 Cindy Russell, City Clerk

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68 New language is underlined.
69 Deleted language is ~~stricken~~.
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There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

ORDER NUMBER 073-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the bid advertisement for improvements for Allen Road 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 Councilman Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordan Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants & Projects Manager
Through: Eric Meyer, Economic Development and Planning Director
Date: March 11, 2013
Subject: Bid Advertisement for Allen Road Project

REQUEST:

The Economic Development & Planning Department requests approval of a bid advertisement for improvements to Allen Road.

BACKGROUND:

City Council previously approved entering into a Capital Improvements Revolving Loan Program (CAP) Agreement (Order # 199-2012, August 21, 2012) with the Mississippi Development Authority to complete capital improvements including promenade enhancements on Allen Road. Once advertising for bids is approved, the City's Purchasing Agent plans to advertise on March 20th and March 27th with the bid opening scheduled for 2:00 p.m. on Monday, May 13th to allow sufficient time for bids to be submitted.

RECOMMENDATION:

City staff recommends that City Council approve the advertisement of the Allen Road project for bids as specified above.

The City Council may:

1. Approve the bid advertisement as presented; or
2. Approve the bid advertisement with changes.

ATTACHMENT(S):

Bid Package Proposed by Compton Engineering, Inc.

CONTRACT DOCUMENTS
FOR THE

ALLEN ROAD IMPROVEMENTS

PREPARED FOR THE

CITY OF GAUTIER



Tommy Fortenberry	Mayor
Mary Martin	Councilwoman At Large
Johnny Jones	Councilman Ward 1
Hurley Ray Guillotte	Councilman Ward 2
Gordon Gollott	Councilman Ward 3
Scott Macfarland	Councilman Ward 4
Adam Colledge	Councilman Ward 5
Samantha Abell	City Manager
Cindy Russell	City Clerk

MARCH 2013

For information regarding
this contract, contact:



COMPTON ENGINEERING, INC.
Engineering, Surveying, and Environmental Services
1706 Convent Avenue
Pascagoula, Mississippi 39567
Phone: (228) 762-5870 Fax: (228) 765-9079
E-mail: compton@comptonengineering.com

PROJECT MANAGER: KEITH BUMPERS, P.E.

CE JOB No. 211-026
REV D - ISSUED FOR REVIEW

2013-03-01 10:00 AM - Project 211-026 City of Gautier - Allen Road Improvements, Page: Contract Documents, Page: 001 of 026, 3/10/2013 10:00 AM, Project 211-026

FOR THE

PREPARED FOR THE

Mayor
Councilwoman At Large
Councilman Ward 1
Councilman Ward 2
Councilman Ward 3
Councilman Ward 4
Councilman Ward 5

City Manager
City Clerk

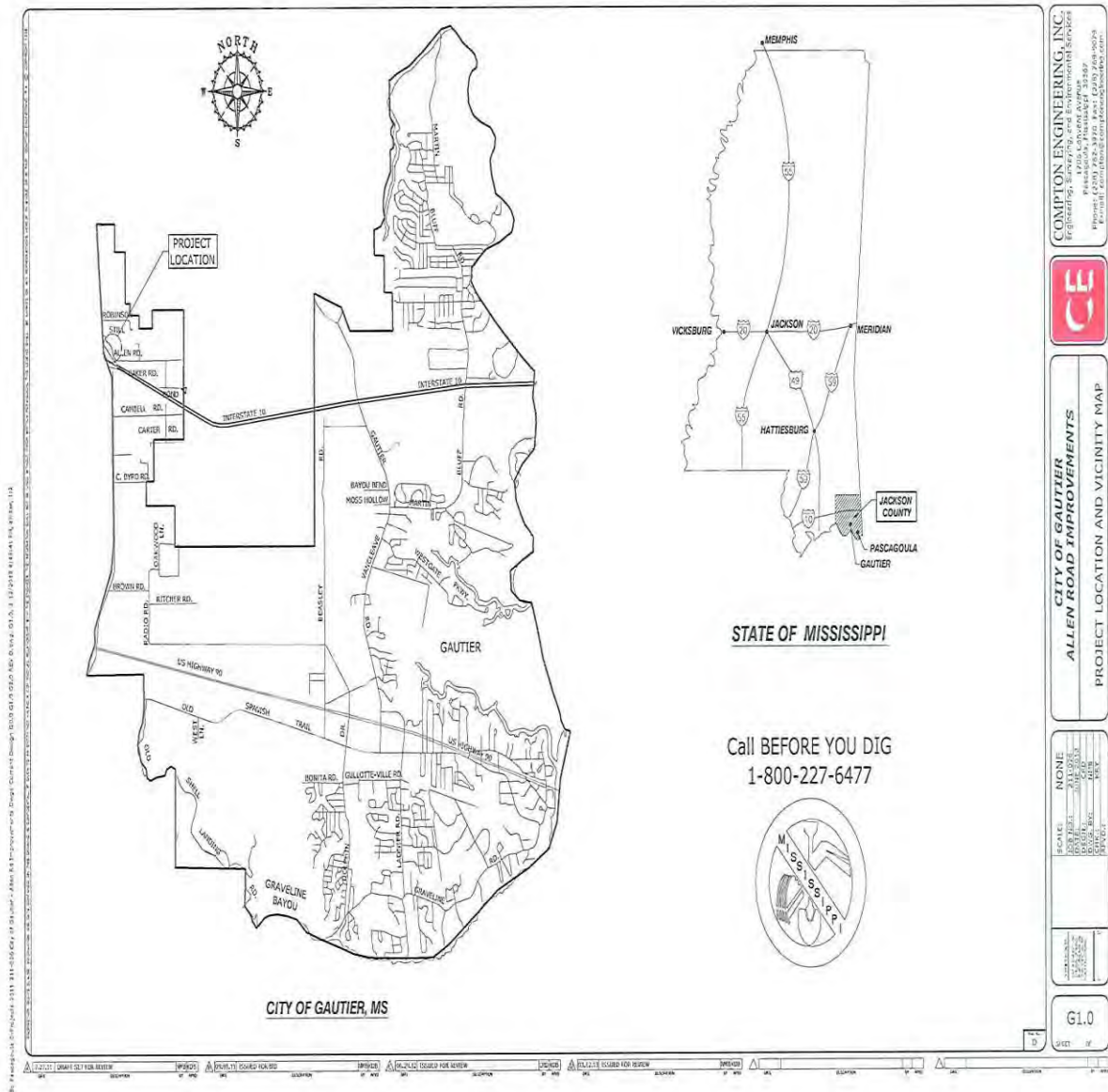
For information regarding
This contract, contact:



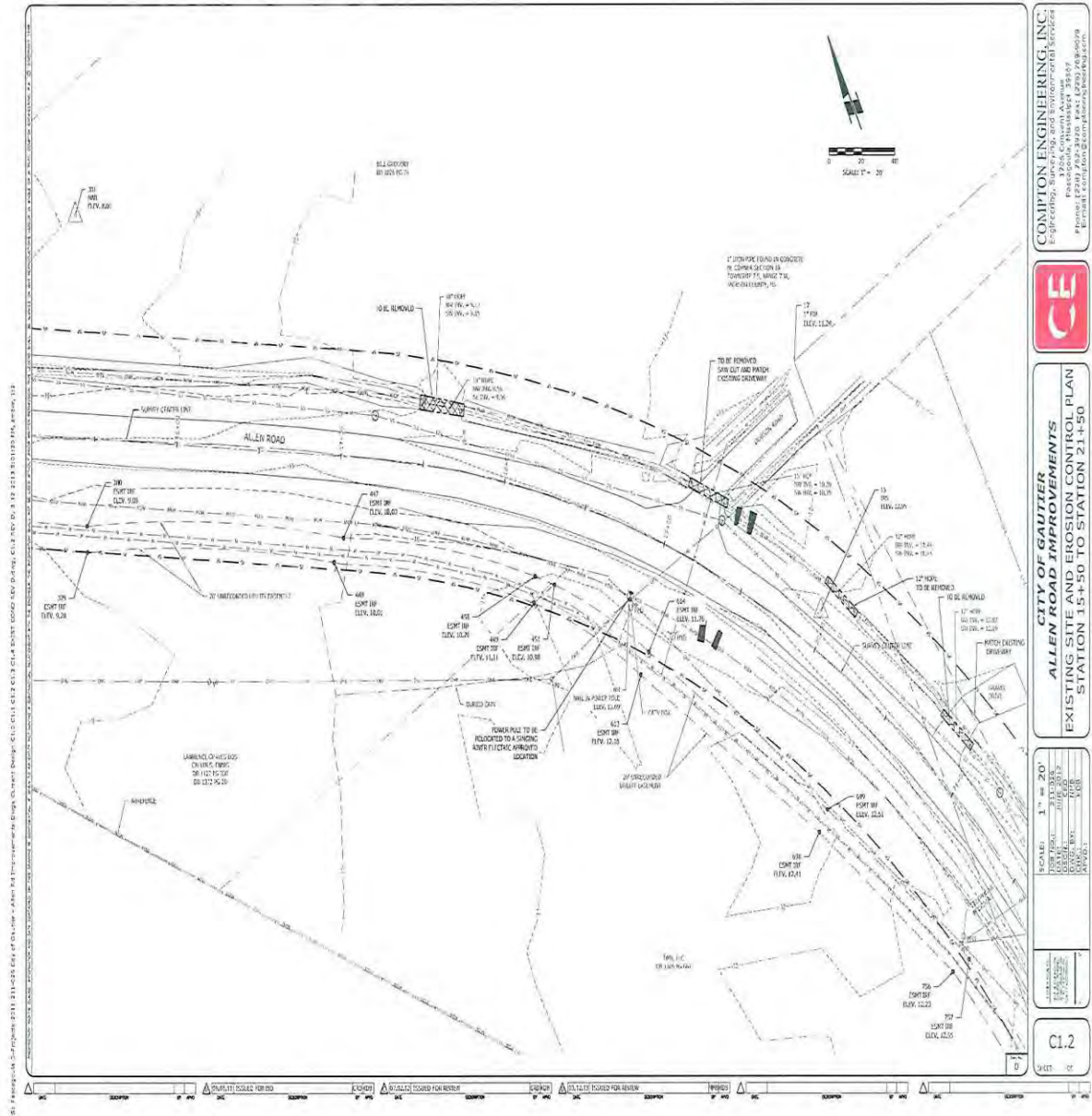
COMPTON ENGINEERING, INC.
Engineering, Surveying, and Environmental Services
1706 Convent Avenue
Pascagoula, Mississippi 39567
Phone: (228) 762-9970 Fax: (228) 768-9079
E-mail: compton@comptonengineering.com

PROJECT MANAGER: KEITH DUMPERS, P.E.

CE JOB No. 211-026
REV D - ISSUED FOR REVIEW



Page 110 of 164



COMPTON ENGINEERING, INC.
 Engineering, Surveying, and Environmental Services
 10000 Highway 100, Suite 100
 Houston, Texas 77055-1000
 Phone: 281.460.1000
 Fax: 281.460.1001
 Email: compton@comptongroup.com



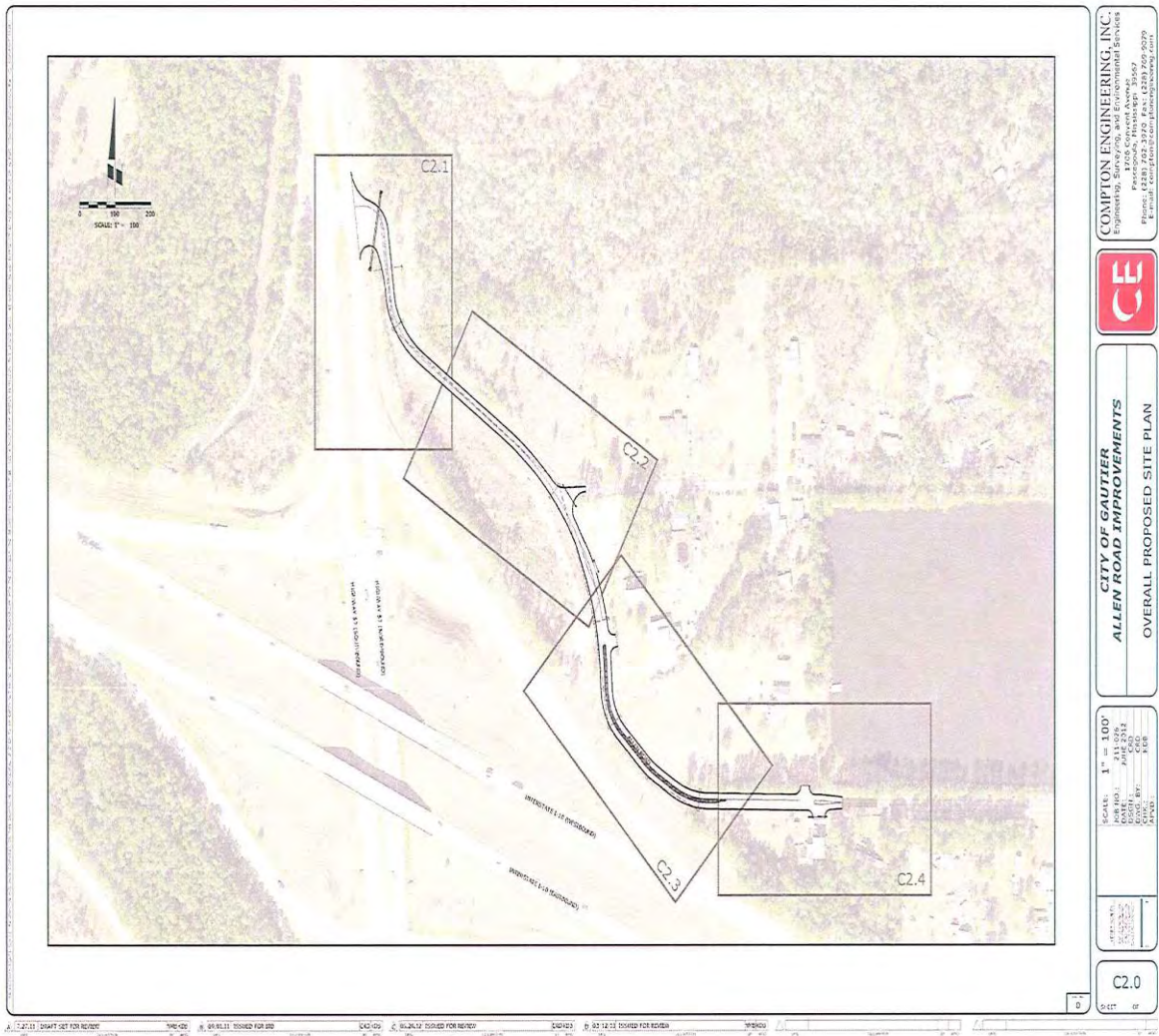
CITY OF GAUTIER
ALLEN ROAD IMPROVEMENTS
 EXISTING SITE AND EROSION CONTROL PLAN
 STATION 15+50 TO STATION 21+50

SCALE:	1" = 20'
DATE:	01/10/10
BY:	CEI
CHECKED BY:	CEI
APPROVED BY:	CEI

C1.2
 SHEET 17

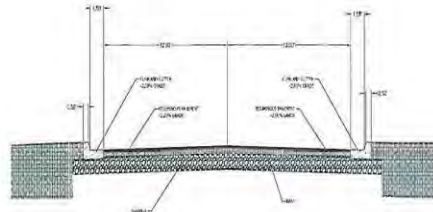
g. *Approved* - Subjects 2011-211-026 Call of Gravel - After 8th Improvement to Buys Current Design C1.0 C1.1 C1.2 C1.3 C1.4 Exist CONC NEW DRAIN, CTS NEW D, 3 TO 2013 SLO126 PM, 8/1/09, 12

C1.5



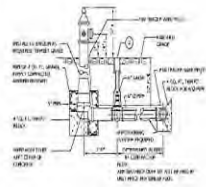
GENERAL CIVIL NOTES:

1. CONTRACTOR SHALL LOCATE ALL PROPERTY LINES AND DETERMINE NEAREST PROPERTY LINES TO ADJACENT PROPERTY. CONTRACTOR SHALL SUBMIT TO THE CITY FOR REVIEW AND APPROVAL.
2. CONTRACTOR TO USE TURNING RADIUS PLANS THAT ARE SHOWN ON THE PLANS FOR VERTICAL CURVES. CONSIDERATIONS FOR HORIZONTAL CURVES FOR PROJECT LAYOUT CAN BE OBTAINED FROM THE CITY OF GAITHER.
3. CONTRACTOR IS TO COORDINATE ALL WORK WITH UTILITY COMPANIES IN ORDER TO PREVENT DAMAGE TO UTILITY LINES AND THE MAKING OF ADJUSTMENTS TO SAME, IF REQUIRED. THE CONTRACTOR SHALL MAINTAIN AT LEAST 48 HOURS NOTICE TO THE UTILITY COMPANIES PRIOR TO CONSTRUCTION LOCATIONS, EQUIPMENT AND OPERATIONS OF EXISTING UTILITIES, STRUCTURES, AND OTHER FACILITIES ARE SHOWN RELATIVE TO THE PROJECT. THE CONTRACTOR SHALL VERIFY THIS INFORMATION AND BE FAMILIAR WITH ALL CITY CONDUCTIVE (INCLUDING SUBSISTENCE CONDITIONS MAINTAINING UTILITIES) SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. IF THE CONTRACTOR DOES NOT SHOW INTERFERE, THE CONTRACTOR SHALL NOTIFY THE UNDERGROUND UTILITY NOTIFICATION CENTER (1-800-327-4447) PRIOR TO COMMENCING THE WORK.
4. DETERMINE THE LAYOUT OF THE PROJECT AREA, FOLLOWING THE FOLLOWING:
 - A. CONTRACTOR IS TO PROVIDE EXISTING CONDUIT/UNDERGROUND SERVICES (WATER, SEWER, GAS, ETC.) TO BE MAINTAINED OR RELOCATED TO ADJACENT PROPERTY, STRUCTURES, AND UTILITIES. IN ADDITION, CONTRACTOR SHALL PLACE STAIRS, MULCH OR OTHER SUITABLE MATERIAL ON GROUND IN AREAS WHERE CONSTRUCTION RELATED TRAFFIC IS TO ENTER AND EXIT SITE. IF IN THE OPINION OF THE ENGINEER AND/OR LOCAL AGENCIES, EXCESSIVE QUANTITIES OF DIRT ARE TRANSPORTED OFF SITE BY TRUCKS, OR EXCESSIVE DIRT IS TRANSPORTED ON VEHICLES, THE CONTRACTOR IS TO REMOVE AND CLEAN SAID DIRT TO THE SATISFACTION OF THE AGENCIES/AGENCIES.
 - B. UNDESIRABLE FERTILIZATION SHALL BE DISCARDED OR OFF THE PROJECT SITE BY THE CONTRACTOR. THIS SHALL INCLUDE A MAJORITY OF THE UNDESIRABLE FERTILIZATION, REMAIN FOR USE FOR FERTILIZATION AND SUITABLE MATERIAL, IF ANY, FOR USE.
 - C. SEE UNDERGROUND FOUNDATION FILL FOR SPECIFIC REQUIREMENTS FOR BUILDING FOUNDATION CONSTRUCTION.
 - D. MAINTAIN CLOSURE AND THE FILL AT OPTIMUM MOISTURE CONTENT AFTER COMPLETION OF FILL PLACEMENT. THIS MAY INCLUDE SPRINKLING OR HEATING PROCESSING DURING OR AFTER THE INTRODUCTION OR COMPLETION OF FILL TO IMPROVE THE DENSITY AND FILL AREAS, WHICH ARE NOT ACCEPTABLE TO THE A.C.
5. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH STATE AND LOCAL ORDINANCES AND REGULATORY REQUIREMENTS.
6. ALL HANDCOP MARKING FACILITIES TO BE IN ACCORDANCE WITH AASHTO.
7. REMOVE ALL UNDERGROUND AND SMALL TREES NOT INDICATED TO REMAIN.
8. REMOVE EXISTING UNDERGROUND HAND ADJUST AS NECESSARY TO ACHIEVE GRADIENTS AS SHOWN, DAMAGED ASPHALT MAY NEED TO BE REMOVED TO ACHIEVE CONSTRUCTION REQUIREMENTS ON THE JUNE MATERIAL. THIS MUST BE COMPLETED AT AN ADDITIONAL COST TO THE OWNER.

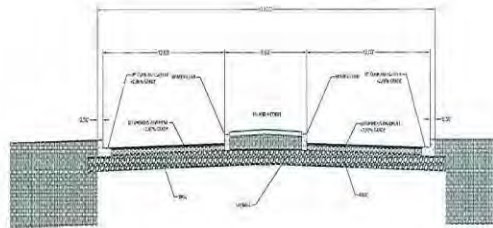


TYPICAL ROAD CROSS-SECTION ALLEN ROAD

SCALE: NTS



FIRE HYDRANT ASSEMBLY DETAIL
NTS



TYPICAL ROAD CROSS-SECTION WITH ISLAND MEDIAN FOR ALLEN ROAD

SCALE: NTS

COMPTON ENGINEERING, INC.
Engineering, Surveying, and Environmental Services
Pasadena, California 91104
Phone: 626-799-8888
Fax: 626-799-8889
Email: info@comptoneng.com



CITY OF GAITHERSBURG
ALLEN ROAD IMPROVEMENTS
CIVIL DETAILS

SCALE: N.T.S.
DATE: 10/1/2010
BY: J. B. BAKER
CHECKED: J. B. BAKER
APPROVED: J. B. BAKER

PROJECT: ALLEN ROAD IMPROVEMENTS

D2.0

1. TYPICAL DRAINAGE FOR ROADWAY 2. TYPICAL DRAINAGE FOR SIDEWALK 3. TYPICAL DRAINAGE FOR PARKING 4. TYPICAL DRAINAGE FOR DRIVEWAY 5. TYPICAL DRAINAGE FOR DRIVEWAY 6. TYPICAL DRAINAGE FOR DRIVEWAY 7. TYPICAL DRAINAGE FOR DRIVEWAY 8. TYPICAL DRAINAGE FOR DRIVEWAY 9. TYPICAL DRAINAGE FOR DRIVEWAY 10. TYPICAL DRAINAGE FOR DRIVEWAY

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

ORDER NUMBER 074-2013

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 submit a grant application to the Mississippi Department of Transportation for the 2013 Urban Youth Corps Program.

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

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants and Projects Manager
Through: Eric Meyer, Economic Development and Planning Director
Date: March 11, 2013
Subject: 2013 MDOT Urban Youth Corps Grant Application

REQUEST:

The Economic Development and Planning Department requests authorization to submit a grant application to the Mississippi Department of Transportation for the 2013 Urban Youth Corps Program.

BACKGROUND:

The Transportation Enhancement- Urban Youth Corps Program is a youth employment and training service program, established to: (1) offer meaningful full-time or productive summer work for individuals between the ages of 16 and 25 in transportation-related settings; (2) give the participants a mix of work experience and on-the-job training that includes a minimum of 10% of the participants' time for basic life skills, education, training, safety, etc.; and (3) provide the youths with an opportunity to develop citizenship values and skills through service to their communities and the State of Mississippi. Approximately eight youths will be hired to work ten weeks during the summer to beautify the City's corridors, main thoroughfares and gateways to the City. The City will be reimbursed up to \$35,000 for the project and must provide at least 20% in matching funds and/or in-kind payment through administrative and supervisory costs. The City must agree to meet all specified terms and conditions to ensure that Federal and State rules and regulations will be followed.

DISCUSSION:

The City of Gautier was previously awarded the Urban Youth Corps grant in 2011 and 2012. The participants provided valuable service to the City and received weekly trainings including life skills training, landscape design, safety training, and leadership development.

RECOMMENDATION:

The Economic Development and Planning staff recommends that City Council authorize submission of a 2013 Urban Youth Corps grant application to the Mississippi Department of Transportation for up to \$35,000.00.

The City Council may:

1. Authorize submission of a grant application for the 2013 Urban Youth Corps Program as presented above; or
2. Disapprove the proposed request.

ATTACHMENT(S):

2013 Transportation Enhancement Urban Youth Corps Program announcement

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

ORDER NUMBER 075-2013

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 submit a grant application to the Mississippi Department of Wildlife, Fisheries and Parks for a Mississippi Recreational Trails Program Grant for trail improvements at 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 Councilman Colledge, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants and Projects Manager
Through: Eric Meyer, Director of Economic Development and Planning
Date: March 8, 2013
Subject: Request to submit an application to the MS Dept. of Wildlife, Fisheries and Parks for a MS Recreational Trails Program grant

REQUEST:

The Economic Development and Planning Department requests City Council authorization for the submission of a grant application to the Mississippi Department of Wildlife, Fisheries and Parks for a Mississippi Recreational Trails Program grant for trail improvements at Shepard State Park.

BACKGROUND:

The U.S. Congress first authorized the Recreational Trails Program in 1991. For 2013 and 2014, the Federal funds have been reauthorized as a set-aside from the new Transportation Alternatives Program. The Recreational Trails Program (RTP) is an assistance program of the U.S. Department of Transportation's Federal Highway Administration (FHWA). The RTP provides funds to states to develop and maintain recreational trails and trail-related facilities for motorized and non-motorized recreational trail uses.

DISCUSSION:

A grant application is proposed for up to \$100,000 for improvements to Shepard State Park trails for non-motorized use. The RTP is a reimbursement program that requires grant recipients to pay 100% of the cost of an item before submitting a request for payment for 80% of eligible costs. The 20% match can be from cash, donation of materials or services at fair market value. The total project cost would equal no more than \$125,000.00 (100,000 grant + 25,000 match).

RECOMMENDATION:

The Economic Development and Planning Department staff recommends that City Council authorize submission of a grant application for the Mississippi RTP grant for up to \$100,000 in grant funding with a 20% cash/in-kind match up to \$25,000.

City Council may:

1. Authorize submission of an application for up to \$100,000 in grant funding as described above; or
2. Authorize submission of a grant application with changes; or
3. Disapprove submission of a grant application.

ATTACHMENT(S):

N/A

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

ORDER NUMBER 076-2013

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 become a conservation partner with the Mississippi Wildlife Federation's Habitat Stewards Program (HSP).

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 Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants & Projects Manager
Through: Eric Meyer, Economic Development and Planning Director
Date: March 11, 2013
Subject: Mississippi Habitat Stewards Program Partnership

REQUEST:

The Economic Development & Planning Department requests approval for the City of Gautier to become a conservation partner with the Mississippi Wildlife Federation's Habitat Stewards Program (HSP). The Habitat Stewards Program partners with natural land managers all along the Mississippi Coast to help with land management. Volunteers are trained in a series of classes including how to improve and care for natural resources, protect and observe wildlife, and monitor and manage nature trails. This partnership can provide valuable volunteer resources for work planned for Shepard State Park.

BACKGROUND:

Partnership in this organization does not involve any financial cost to the City. The Habitat Stewards Program is funded through grant-writing, fundraising and fee-for-service efforts of the Mississippi Wildlife Federation and Natural Capital Development. Other conservation partners include Mississippi Coastal Preserves (DMR), Sandhill Crane NWR, Grand Bay NWR, and Land Trust for Mississippi Coastal Plain. Volunteers have already made significant investments in Gautier at Indian Point Coastal Preserve, Graveline Bay, and Sandhill Crane NWR.

DISCUSSION:

What HSP asks of the City:

- Designate and authorize a primary point of contact to engage with HSP coordinator to plan and implement volunteer management activities at Shepard State Park
- Provide program information to keep them aware of HSP benefits to the City: Mayor, City Council, City Staff and others as needed
- Work in partnership with HSP to assess natural resource management needs at the Park and involve HSP in the master planning process, especially natural area zones within the park

The Habitat Steward Program will provide on behalf of the City:

- Recruit new volunteers and provide one training class each year
- Match volunteer skills and interests with needs at Shepard State Park
- Coordinate work days and individual steward work plans
- Track volunteer hours
- Assist City in identifying grant funding sources to match needs at the Park (primarily natural areas)

RECOMMENDATION:

City staff recommends that City Council approve entering into a partnership with the Mississippi Habitat Stewards as described above.

The City Council may:

1. Approve entering into a partnership with the Habitat Stewards Program; or
2. Disapprove entering into a partnership with the Habitat Stewards Program.

ATTACHMENT(S):

Mississippi Habitat Stewards brochure

Be A Habitat Steward!

Mississippi Wildlife Federation is joining with managers of South Mississippi natural areas to create a team of well-trained and dedicated volunteers to protect nature along the Coast.



Potential volunteer activities include:

- Plant native grasses, shrubs and trees
- Monitor wildlife
- Help control weeds and animal pests
- Build or repair trails and public access sites in natural areas
- Remove storm debris and litter
- Keep natural areas beautiful, safe and healthy for future generations



The 2012 Mississippi Habitat Stewards Program is sponsored by a grant from BP.

Our natural areas need ongoing care. But too often in our cash-strapped state, funding for the long-term care of our natural areas is limited. These areas require constant care to remain healthy. There are over 60,000 acres of land to monitor and only limited funding and staff resources. The new Habitat Steward Volunteers will be able to work with land managers on our federal, state, and non-profit natural areas to make a real difference for our wildlife and habitats.

With your help, we can look after our wildlife and provide safe, beautiful natural areas for future generations. Habitat Steward Volunteers will be a unique group, trained to care for natural areas and to maintain safe, clean areas for the public to enjoy. After completing 24 hours of free training, volunteers will choose from a variety of locations and activities designed for all skill levels and abilities.



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

ORDER NUMBER 077-2013

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 submit a grant application for the Alcohol Countermeasures to the Mississippi Office of Highway Safety for the 2014 Federal Fiscal Year beginning October 1, 2013.

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

Motion was made by Councilman Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarlan
Adam Colledge

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of March 19, 2013.

**CITY OF GAUTIER
MEMORANDUM**

TO: Samantha Abell
City Manager

FROM: Dante Elbin *Just 01*
Chief of Police

DATE: March 13, 2013

SUBJECT: MS Office of Highway Safety Alcohol Countermeasures Grant

REQUEST:

The Gautier Police Department requests City Council approval to submit a grant application for Alcohol Countermeasures to the Mississippi Office of Highway Safety for the 2014 Federal Fiscal Year beginning October 1, 2013

BACKGROUND:

The National Highway Traffic Safety Act of 1966 provides Federal funds to states for approved highway safety projects. The Gautier Police Department previously received this grant funding for 2008-2009 fiscal year. Grant approved activities can include equipment purchases, checkpoints and/or saturation patrols during safety campaigns and holidays, educational presentations and alcohol related training for officers.

DISCUSSION:

Grant funding for FY2013-2014 will be requested in the amount of \$50,756.41 for overtime salary and equipment costs. This program requires no local match. The grant application is due by March 29, 2013.

RECOMMENDATION:

The Police Department recommends that City Council approve submission of a grant application to the MS Officer of Highway Safety for Alcohol Countermeasures as outlined above.

The City Council may:

1. Approve the above grant submission as presented;
2. Approve the above grant submission with changes; or
3. Disapprove submission of this grant application.

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

ORDER NUMBER 078-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the 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 Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

Docket of Claims
Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	BELL AUTO PARTS, INC.	131162	03/19/2013	03/04/2013			495.15	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
		001-100-570	REAR BRAKE ROTORS & PADS(2)	39557	02/07/2013		97.75	
		001-161-638	5 GAL ROTELLA OIL-FIRE TRUCKS	39586	02/25/2013		99.95	
		001-161-639	GAL HYD FLUID-JAWS OF LIFE	39591	02/26/2013		99.95	
		001-161-639	GAL HYD FLUID-JAWS OF LIFE	39592	02/27/2013		97.75	
001	PASCAGOULA UTILITIES	131165	03/19/2013	03/04/2013			160.49	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
		001-161-630	CENTRAL FIRE STN	1441723	03/14/2013		40.38	
001	GLOBALSTAR	131167	03/19/2013	03/04/2013			42.39	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
001	TEC	131170	03/19/2013	03/05/2013			49.09	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
001	AUTO TRUCK AND TRAILER PARTS INC	131172	03/19/2013	03/05/2013			598.30	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
		001-100-570	OIL FILTER(12)	231903	02/06/2013		10.00	
		001-100-570	TRANS FLUID(9) & FILTER(2)	231990	02/11/2013		61.30	
		001-161-638	ROTELLA OIL-ENGINE #4	232132	02/18/2013		38.00	
001	JOS'S GARAGE	131189	03/19/2013	03/06/2013			113.99	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
		001-090-638	ALIGNMENT UNIT#900	12038	02/05/2013		89.99	
		001-100-638	FLAT REPAIR UNIT#105	12063	02/13/2013		12.00	
001	G&K SERVICES INC	131190	03/19/2013	03/07/2013			366.00	
		Account Number	Description	Invoice #	Date	P.O.	Amount	
		001-201-535	STREETS	1033350967	02/06/2013		23.35	
		001-205-535	MAINTENANCE	1033350967	02/06/2013		44.31	
		001-201-535	STREETS	1033353088	02/13/2013		23.35	
		001-205-535	MAINTENANCE	1033353088	02/13/2013		41.99	
		001-201-535	STREETS	1033355183	02/20/2013		23.35	
		001-205-535	MAINTENANCE	1033355183	02/20/2013		41.99	
		001-201-535	STREETS	1033357310	02/27/2013		23.35	
		001-205-535	MAINTENANCE	1033357310	02/27/2013		41.99	
		001-170-698	RECREATION	1033350966	02/06/2013		7.46	
		001-201-535	STREETS	1033350966	02/06/2013		18.57	
		001-170-698	RECREATION	1033353087	02/13/2013		6.86	
		001-201-535	STREETS	1033353087	02/13/2013		18.57	
		001-170-698	RECREATION	1033355182	02/20/2013		6.86	
		001-201-535	STREETS	1033355182	02/20/2013		18.57	

Docket of Claims
Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
								366.00 (CONTINUED)
001	G&K SERVICES INC	131190	03/19/2013	03/07/2013				
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-170-698	RECREATION	1033357309	02/27/2013			6.86	
	001-201-535	STREETS	1033357309	02/27/2013			18.57	
								51.00
001	STEINER SAW & MOWER	131193	03/19/2013	03/07/2013				
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-170-639	CARB KITS(3)	763718	02/06/2013			32.00	
	001-170-639	CAMSHAFT GEAR	763733	02/14/2013			19.00	
								929.26
001	O'REILLY AUTO PARTS	131197	03/19/2013	03/07/2013				
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-100-570	OIL FILTER	1978284303	01/29/2013			19.92	
	001-170-639	O-RING(5)	1978284430	01/31/2013			2.20	
	001-170-638	FILTER,1QT OIL,5QT OIL	1978284858	02/04/2013			25.97	
	001-090-638	METALLIC PAD,TIE ROD END(2)	1978284940	02/05/2013			75.79	
	001-090-638	5QT OIL,1QT OIL,WIPER BLADE(3)	1978284942	02/05/2013			41.32	
	001-170-638	BOOSTER CABLE	1978285089	02/06/2013			48.99	
	001-170-639	HEX NUTS(6),CAP SCREWS(6)	1978285203	02/07/2013			5.16	
	001-100-570	BATTERY UNIT#14404	1978285252	02/08/2013			85.04	
	001-201-638	BATTERY,TERM BOLT,BATT BOLT	1978285605	02/11/2013			71.27	
	001-201-638	NEUTRAL SWITCH	1978285606	02/11/2013			35.36	
	001-170-638	BATTERY	1978285619	02/11/2013			42.69	
	001-100-570	1GAL ANTIFREEZER(3) UNIT#148	1978285760	02/13/2013			32.97	
	001-170-639	BEARINGS(2)	1978285813	02/13/2013			19.12	
	001-201-639	FUEL/WATER SEPARATOR	1978285917	02/14/2013			11.43	
	001-201-638	IGNITION SWITCH,OIL FILTER	1978285960	02/15/2013			45.00	
	001-201-559	HYD JACK OIL	1978286458	02/19/2013			3.99	
	001-022-638	AIR & OIL FILTER,5QT OIL	1978286592	02/20/2013			24.82	
	001-201-638	MOBILE POWER #222	1978286719	02/21/2013			49.99	
	001-100-570	EXHAUST UNIT#108	1978286737	02/21/2013			67.18	
	001-201-638	TAIL LIGHT #222	1978286748	02/21/2013			47.00	
	001-100-570	1GAL ANTIFREEZER(6)	1978286773	02/21/2013			77.94	
	001-100-570	THREADLOCKER,GLUB UNIT#14402	1978287165	02/25/2013			25.08	
	001-170-559	SPRAY BOTTLE	1978287173	02/25/2013			6.59	
	001-100-570	OIL FILTER(2) UNIT#70	1978287280	02/26/2013			3.98	
	001-170-639	1QT MOTOR OIL(12)	1978287417	02/27/2013			47.88	
	001-170-577	COUPLER SET(2)	1978285952	02/14/2013			12.58	
								2,501.08
001	MALLETT BROTHERS CONSTRUCTION, INC	131199	03/19/2013	03/11/2013				
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-201-576	25.36 TN RAP FOB	16745	02/28/2013			862.74	
	001-201-576	19.02 TN FILL SAND FOB	16745	02/28/2013			285.30	
	001-201-576	6.17 CY FILL SAND FOB	16745	02/28/2013			74.04	
	001-201-576	5.48 TN ASPHALT FOB	16745	02/28/2013			411.00	
	001-201-576	28.95 TN CR. CONCRETE FOB	16745	02/28/2013			868.50	
								2,467.73
001	LOWE'S HOME CENTER'S, INC.	131218	03/19/2013	03/11/2013				
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-161-559	24PK OF WATER(6)	914738	01/25/2013			23.82	
	001-170-559	SCREWS(4)	914745	01/25/2013			29.29	
	001-170-634	PINE STRIP(8),STAKES(3)	902399	01/28/2013			29.92	
	001-170-634	PINE STRIP(4),STAKES(3)	901275	01/28/2013			25.12	

TIM GLMCIN17 03/14/2013 16:31 ACCOUNTING CURRENT YEAR
 Docket of Claims
 Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	LOWE'S HOME CENTER'S, INC.		131218 03/19/2013	03/11/2013			2,467.73	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-170-634	PINE STRIP(6), STAKES(3)	902533	01/29/2013			25.98	
	001-170-559	100CT CABLE TIES	914043	01/29/2013			11.36	
	001-161-559	CAUTION TAPE(2)	912789	01/30/2013			28.46	
	001-170-634	SUPPLIES BUDDY DAVIS FIELD	901585	02/04/2013			350.48	
	001-092-559	CABLE CUTTER, SOCKET SET	903787	02/04/2013			80.72	
	001-170-634	DUPLEX BOX COVER(3)	918379	02/05/2013			-9.15	
	001-170-559	18-VOLT CORDLESS COMBO KIT	902436	02/05/2013			269.00	
	001-170-634	PLYWOOD(5), LUMBER(8), STUD(10)	902435	02/05/2013			192.46	
	001-170-634	BROOM(2), DRILL, CUTOFF WHEEL(5)	901645	02/05/2013			102.53	
	001-161-559	16PK:AAA(3) & AA(2), 4PK:9V(3)	913113	02/05/2013			90.76	
	001-170-634	GPCI OUTLET(2), BOX COVER	912995	02/05/2013			48.14	
	001-170-634	LUMBER(3), DRYWALL SCREW	901692	02/05/2013			19.01	
	001-170-634	DUPLEX BOX COVER(3), BOX COVER	913078	02/05/2013			12.90	
	001-170-634	FALLST OF WATER	901705	02/06/2013			223.80	
	001-040-559	LUMBER(8), CONCRETE BAR(10)	901710	02/06/2013			76.50	
	001-170-634	CHAIN, DRILL BIT, SNAP(8), BOLT	902549	02/06/2013			69.85	
	001-170-634	STEEL REBAR PIN(10)	901719	02/06/2013			33.30	
	001-170-634	LUMBER, REBAR SUPPORT(11)	902577	02/06/2013			7.82	
	001-170-634	COVER(3), OUTLET(3), METAL COVER	902490	02/13/2013			58.65	
	001-092-559	LIGHTING BALLAST	902494	02/13/2013			15.17	
	001-092-559	FLUORESCENT LIGHT BULB(2)	902489	02/13/2013			13.26	
	001-161-635	GARBAGE DISPOSAL	913975	02/14/2013			94.96	
	001-201-680	HICKORY HILLS KIOSK	992907	02/14/2013			92.97	
	001-092-559	FRAME(19) & WOOD ANGLE, PAINT(2)	902691	02/14/2013			26.81	
	001-170-634	OUTKRETE(3), CONCRETE MIX	902409	02/19/2013			17.86	
	001-201-680	HICKORY HILLS KIOSK	902393	02/19/2013			8.40	
	001-170-635	PVC PIPE(2), SATIN SPRAY PAINT	923690	02/19/2013			7.93	
	001-161-639	UNBURNED ALCOHOL(2)	902515	02/20/2013			30.36	
	001-201-559	HICKORY HILLS SIGN	914351	02/20/2013			20.54	
	001-170-634	CONCRETE MIX(5)	902468	02/20/2013			16.50	
	001-201-680	ART PAD GATOR MOUNTS	993218	02/21/2013			54.20	
	001-170-635	TREATED LUMBER(3)	901338	02/21/2013			62.61	
	001-170-635	PLYWOOD(2), STUD(2)	902662	02/21/2013			47.02	
	001-170-559	DECK SCREWS	902628	02/21/2013			28.48	
	001-170-635	RATCHET TIE DOWN	902663	02/21/2013			15.18	
	001-170-635	PLYWOOD, PLYWOOD SIDING(3)	902638	02/21/2013			114.76	
							20.29	
001	ADVANCE AUTO PARTS		131228 03/19/2013	03/12/2013			Amount	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-100-570	BATT DISCONNECT TOP POST #104	8616	02/14/2013			20.29	
							105.00	
001	DELTA SANITATION OF MS, LLC		131231 03/19/2013	03/13/2013			Amount	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-170-698	FRAZIER PORT O LET	233248	02/28/2013			105.00	
							338.95	
001	INFORMATION TECHNOLOGY SERVICE		131232 03/19/2013	03/13/2013			Amount	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-100-640	FEB 2013	5220925	02/28/2013			338.95	

Docket of Claims
Release date from 03/19/2013 thru 03/19/2013

Pund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
001	BOYS & GIRLS CLUBS OF JACKSON COUNTY, INC	131240	03/19/2013	03/13/2013			833.33	
	Account Number	Description	Invoice #	Date	P.O.		Amount	833.33
	001-090-645	FEB 2013 CLUB SUPPORT	02282013	03/05/2013				
001	COMPANION PROPERTY & CASUALTY GROUP	131243	03/19/2013	03/13/2013			6,709.54	
	Account Number	Description	Invoice #	Date	P.O.		Amount	6,709.54
	001-092-625	COMMERCIAL PROPERTY	1631775	02/26/2013				
001	C SPIRE WIRELESS	131244	03/19/2013	03/13/2013			1,027.78	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-021-605	CITY MGR CELL PHONES	0030759348	02/28/2013			124.02	
	001-022-605	HR CELL PHONES	0030759348	02/28/2013			124.02	
	001-040-605	CITY CLERK CELL PHONES	0030759348	02/28/2013			186.04	
	001-090-605	ECON DEV CELL PHONES	0030759348	02/28/2013			260.46	
	001-161-605	FIRE DEPT CELL PHONES	0030759348	02/28/2013			197.65	
	001-170-605	RECREATION CELL PHONES	0030759348	02/28/2013			88.92	
	001-205-605	MAINT CELL PHONES	0030759348	02/28/2013			46.67	
001	MS DEPT OF FINANCE & ADMIN	131247	03/19/2013	03/13/2013			44,300.00	
	Account Number	Description	Invoice #	Date	P.O.		Amount	44,275.00
	001-000-300	FEB 2013 COURT ASSESSMENTS	02282013	03/05/2013			25.00	
	001-000-300	FEB 2013 SPICAL ASSESSMENTS	02282013	03/05/2013				
001	FEDERAL EXPRESS	131248	03/19/2013	03/13/2013			24.15	
	Account Number	Description	Invoice #	Date	P.O.		Amount	24.15
	001-090-607	PRIORITY SHIPPING	219768108	03/06/2013				
001	FIRST INSURANCE FUNDING CORP	131249	03/19/2013	03/13/2013			13,946.48	
	Account Number	Description	Invoice #	Date	P.O.		Amount	13,946.48
	001-092-625	MAR 2012 LIABILITY	03312013	03/11/2013				
001	FURLMAN OF MS	131250	03/19/2013	03/13/2013			4,104.26	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-090-525	UNL FUEL	NP37385439	03/04/2013			35.03	
	001-092-525	UNL FUEL	NP37385439	03/04/2013			58.76	
	001-100-525	UNL FUEL	NP37385439	03/04/2013			3,488.14	
	001-161-525	UNL & DSL FUEL	NP37385439	03/04/2013			218.13	
	001-170-525	UNL & DSL FUEL	NP37385439	03/04/2013			180.70	
	001-205-525	UNL & DSL FUEL	NP37385439	03/04/2013			123.50	
001	CREDIT CARD CENTER	131254	03/19/2013	03/13/2013			275.18	
	Account Number	Description	Invoice #	Date	P.O.		Amount	275.18
	001-021-681	HOTEL-ABELL-MEDC WINTER CONF	3504	02/11/2013				
001	IBM CORPORATION	131255	03/19/2013	03/13/2013			816.40	
	Account Number	Description	Invoice #	Date	P.O.		Amount	816.40
	001-040-730	AS400 FMT APR 2013	13659F2	03/01/2013				

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001	JACKSON COUNTY ADULT DETENTION CENTER	131256	03/19/2013	03/13/2013			11,484.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-010-696	FEB 2013 ADC CHGS	02282013	03/07/2013		11,484.00					
001	JOE MARTIN, CIRCUIT CLERK	131259	03/19/2013	03/13/2013			1,000.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-030-699	REALIGN PRECINCTS IN SBMS	03072013	03/07/2013		1,000.00					
001	SBM REPORTING, LLC	131260	03/19/2013	03/13/2013			175.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-090-698	03/07/13 PLANNING MTG	MX-108	03/12/2013		175.00					
001	SECURE NETWORKS LLC	131261	03/19/2013	03/13/2013			2,280.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-092-698	APR 2013 NETWORK SVCS	1677	02/14/2013		2,280.00					
001	SOUTHERN PEST CONTROL INC	131263	03/19/2013	03/13/2013			221.90				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-161-698	FIRE STATIONS (3)	260845	03/07/2013		136.20					
	001-092-698	CITY HALL	260848	03/07/2013		85.70					
001	SYSCON INC	131264	03/19/2013	03/13/2013			1,475.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-092-698	MAR 2013 COURT SUPPORT	1-21250	03/04/2013		1,475.00					
001	PRESS REGISTER	131265	03/19/2013	03/13/2013			119.64				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-022-684	MS PRESS SUBSCRIPTION	15211410	03/04/2013		119.64					
001	UNITED PARCEL SERVICE	131266	03/19/2013	03/13/2013			235.14				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-090-607	NEXT DAY AIR	1YY324093	03/02/2013		120.12					
	001-170-577	SHIP SCOREBOARD FOR REPAIR	1YY324103	03/09/2013		29.32					
	001-090-607	NEXT DAY AIR	1YY324103	03/09/2013		85.70					
001	A & B DISCOUNT TIRE INC	131268	03/19/2013	03/13/2013			93.00				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-161-638	SERV CALL/REPAIR:ENGINE 3	61821	03/06/2013		93.00					
001	AIRGAS USA, LLC	131275	03/19/2013	03/14/2013			171.38				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-205-588	CYLINDER RENTAL	9907715169	02/28/2013		171.38					
001	ACTION PRINTING CENTER INC	131276	03/19/2013	03/14/2013			275.45				
	Account Number	Description	Invoice #	Date	P.O.	Amount					
	001-040-500	SECURITY ENVELOPES	79244	02/20/2013	130418	275.45					

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001	INTERNATIONAL PERSONNEL MANAGEMENT ASSOC	131277	03/19/2013	03/14/2013			299.34	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-092-660	EMERGENCY COMMUNICATIONS TEST	24189531	02/21/2013	130442	299.34		
001	SOUTH MISSISSIPPI BUSINESS MACHINES, INC	131278	03/19/2013	03/14/2013			114.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-500	TONER FOR SHARP FAX MACHINE	AR202657	03/04/2013	130476	114.00		
001	LEWIS PRINTING	131279	03/19/2013	03/14/2013			561.75	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-620	DOOR HANGERS COOR ENFORCEMENT	34414	02/22/2013	130452	246.75		
	001-090-645	STREETSCAPE DEDICATION CARDS	34428	02/28/2013	130497	315.00		
001	LAWRENCE PRINTING COMPANY, INC.	131281	03/19/2013	03/14/2013			703.19	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-040-500	1 REAMS-MINUTE BOOK PAPER	58818	02/27/2013	130447	246.00		
	001-040-500	SHIPPING	58818	02/27/2013	130447	12.08		
	001-040-500	PAYROLL CHECKS	59141	03/11/2013	130489	434.25		
	001-040-500	SHIPPING	59141	03/11/2013	130489	10.86		
001	HAYGOOD'S INDUSTRIAL ENGRAVERS, INC.	131282	03/19/2013	03/14/2013			70.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-201-680	MEMORIAL PLATES: HWY 90	15794	02/01/2013	130467	25.00		
	001-090-645	LARRY MORAN AWARD PLAQUE	15794	02/01/2013	130467	40.00		
	001-090-645	ENGRAVED YEAR PLATE	15794	02/01/2013	130467	5.00		
001	PASCAGOULA TIRE & SERVICE	131283	03/19/2013	03/14/2013			500.36	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-638	4 FS FIREHAWKS: UNIT# 11760	52557	02/27/2013	130477	500.36		
001	SOUTHERN WATERWORKS SUPPLY, INC	131285	03/19/2013	03/14/2013			4,280.64	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-201-576	36" X 20"ASTM DOUBLE WALL	46899	02/28/2013	130453	2,675.40		
	001-201-576	36" X 20"ASTM DOUBLE WALL	46918	02/28/2013	130453	1,605.24		
001	STAPLES BUSINESS ADVANTAGE DEPT ATL	131287	03/19/2013	03/14/2013			38.59	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-040-500	INDEX A-E ASST TABS	3194457063	03/05/2013	130506	5.39		
	001-022-500	DYMO LABEL TAPE	3194457063	03/05/2013	130506	33.20		
001	COAST CLOTHING COMPANY	131289	03/19/2013	03/14/2013			249.92	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-535	TACTICAL PANTS, PANTS, SHIRT	0001317	03/01/2013	130499	249.92		
001	MINGLEDORFF'S INC	131290	03/19/2013	03/14/2013			82.35	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-092-635	FILTERS	4596213-00	03/04/2013	130493	82.35		

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001	MEADOWS OCCUPATIONAL CLINIC	131291	03/19/2013	03/14/2013			75.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-604	PRE-BMP PHYSICAL:DAVIS,K	9334	03/04/2013	130450	50.00		
	001-161-604	PRE-BMP SCREEN:DAVIS,K	5219	03/04/2013	130450	25.00		
001	WEEKS BAY RESERVE	131293	03/19/2013	03/14/2013			30.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-090-681	CYPM CLASS:ATKINSON,M	CA030113-1	03/01/2013	130389	30.00		
001	AFFORDABLE PAINT & BODY	131306	03/19/2013	03/14/2013			500.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-638	REPAIR REAR BUMPER AND BHSIDE 0192	0192	02/24/2013	130455	250.00		
	001-100-638	REPAIR FRONT FENDER ON 0192	0192	02/24/2013	130455	250.00		
FUND TOTAL	1 Claims to	Checks	47 Total	105,311.49 Manual		Held	Total	105,311.49

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007	HANCOCK BANK	131236	03/19/2013	03/13/2013			535.00	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	007-680-801	RFDG RDS SERIES 2010	18507	02/26/2013			535.00	
FUND TOTAL	7 Claims	to	Checks	1 Total	535.00 Manual	Held	Total	535.00

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130	THE LPA GROUP INCORPORATED	131237	03/19/2013	03/13/2013			9,186.26	
	Account Number 130-130-770			Invoice # 17	Date 02/27/2013	P.O.	Amount 9,186.26	
		Description ENGINEERING-MDOT						
FUND TOTAL 130 Claims	to	Checks	1 Total	9,186.26 Manual		Held	Total	9,186.26

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171	CHRISTIAN FREUS LANDSCAPE ARCHITECTURE	131304	03/19/2013	03/14/2013			3,750.00	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	171-021-779	SCHEMATIC: TOWN GREEN	2035	01/10/2013			3,750.00	
							Total	3,750.00
FUND TOTAL 171 Claims	to	Checks	1 Total	3,750.00 Manual		Held		

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176		BELL AUTO PARTS, INC.		131164	03/19/2013	03/04/2013			284.08		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-639		SPINDLE SHAFT, PULLEY, BLADE		39579		02/21/2013	95.43		
		176-170-639		SPINDLE SHAFT, BEARING		39593		02/28/2013	90.13		
		176-170-639		BLADES(6)		39594		02/27/2013	98.52		
176		LOWE'S HOME CENTER'S, INC.		131216	03/19/2013	03/11/2013			217.02		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-635		OFFICE KEY(7), PAPER KEY TAGS		913703		01/25/2013	17.45		
		176-170-635		LIGHT FIXTURE, SHOWERHEAD		901726		01/07/2013	126.04		
		176-170-635		LOCK INSTALLATION		902359		02/12/2013	12.42		
		176-170-635		REPAIR SHOWER STALL		902557		02/13/2013	11.86		
		176-170-635		SHOWER BRACKET		913701		02/13/2013	8.06		
		176-170-559		OUTDOOR OUTLET, POLE BREAKER(2)		902044		02/01/2013	41.19		
176		AD2 INC		131239	03/19/2013	03/13/2013			1,750.00		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-699		SHEPARD RESERVATIONS WEBSITE		2118		03/04/2013	1,750.00		
176		ENTERPRISE FUND		131241	03/19/2013	03/13/2013			763.47		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-632		PERIOD END 02112013		872968		03/19/2013	763.47		
176		C SPIRE WIRELESS		131245	03/19/2013	03/13/2013			227.43		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-605		CELL PHONES		0010759348		02/28/2013	227.43		
176		O'REILLY AUTO PARTS		131251	03/19/2013	03/13/2013			181.97		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-639		BATTERY #FW13		1978284276		01/29/2013	99.99		
		176-170-639		SGAL TRACTOR FLUID #FW13		1978284277		01/29/2013	49.99		
		176-170-639		BATTERY		1978287467		02/28/2013	31.99		
176		FUELMAN OF MS		131252	03/19/2013	03/13/2013			149.38		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-525		UNL FUEL		NP37385439		03/13/2013	149.38		
176		LEWIS PRINTING		131280	03/19/2013	03/14/2013			157.16		
		Account Number		Description		Invoice #		Date P.O.	Amount		
		176-170-559		KV MIRROR HANGERS-CAMPSITES		34413		02/22/2013 130451	157.16		
FUND TOTAL 176 Claims		to		Checks	8 Total	3,730.51 Manual		Held	Total	3,730.51	

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400	BELL AUTO PARTS, INC.	131163	03/19/2013	03/04/2013			675.02	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-639	5GAL TRACTOR HYD FLUID(2)	39544	02/07/2013		99.00		
	400-651-638	CABLE, SILICONE(3)	39562	02/11/2013		95.10		
	400-651-638	CABLE INSTALL KIT	39563	02/12/2013		98.20		
	400-651-639	HOUSING	39569	02/18/2013		99.85		
	400-651-639	BELT, IDLER(2)	39570	02/18/2013		93.38		
	400-651-639	BELT, IDLER, BLADE	39571	02/19/2013		97.49		
	400-651-639	WHEELS, BEARINGS	39572	02/19/2013		92.00		
400	IRBY'S ANSWERING SERVICE INC	131166	03/19/2013	03/04/2013			255.70	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-605	SERVICE 02/27-03/26/13	130200415	02/27/2013		255.70		
400	DPC ENTERPRISES, L.P.	131168	03/19/2013	03/04/2013			596.37	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-580	CHLORINE 150# CYL	2120038713	02/26/2013		596.37		
400	CITY OF GAUTIER	131169	03/19/2013	02/28/2013			7,172.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-000-104	TXK WIRE TO GEN FUND 176	02282013	02/28/2013		7,172.00		
400	AUTO TRUCK AND TRAILER PARTS INC	131173	03/19/2013	03/05/2013			169.09	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-559	PURPLE POWER, WHEELS, TIP	231835	02/04/2013		33.78		
	400-651-559	FILTER WRENCH	231933	02/07/2013		22.73		
	400-651-559	OIL DRY	232001	02/11/2013		6.25		
	400-651-638	SIDE MARKER LIGHT(2)	232190	02/20/2013		25.00		
	400-651-638	LIGHT(4)	232229	02/21/2013		9.52		
	400-651-639	JACK, AIR HOSE END	232342	02/26/2013		65.31		
	400-651-639	ROLL PIN SBT	232391	02/28/2013		6.50		
400	MTLC/NFL	131186	03/19/2013	03/06/2013			18.06	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-559	EXTENSION CORD	20080252	02/01/2013		3.29		
	400-651-584	TUBE CUTTER, LIGHT BULBS(2)	20080278	02/19/2013		14.77		
400	G&K SERVICES INC	131191	03/19/2013	03/07/2013			322.60	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-535	UNIFORMS	1033350966	02/06/2013		82.39		
	400-651-535	UNIFORMS	1033353087	02/13/2013		80.07		
	400-651-535	UNIFORMS	1033355182	02/20/2013		80.07		
	400-651-535	UNIFORMS	1033357309	02/27/2013		80.07		
400	O'REILLY AUTO PARTS	131198	03/19/2013	03/08/2013			695.66	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-639	LUBRICANT(2), WELD	1978284941	02/05/2013		13.47		
	400-651-559	TOW STRAP	1978284978	02/05/2013		23.99		
	400-651-639	TRAILER LIGHT, LENS(2), WIRE TIE	1978285038	02/06/2013		31.40		
	400-651-638	HEAT TUBE(2), SOLDER, TOOL	1978285098	02/06/2013		20.36		

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131198 03/19/2013 03/06/2013								695.66 (CONTINUED)
400	O'REILLY AUTO PARTS							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-638	MOBILE POWER			1978285151	02/07/2013		99.99
	400-651-639	SPARK PLUG(S)			1978285167	02/07/2013		9.95
	400-651-638	BATT CABLE(2), COPPER LUG(2)			1978285175	02/07/2013		34.36
	400-651-638	1GAL OIL, DIESEL SUPPLEMENT			1978285253	02/08/2013		34.98
	400-651-559	1GAL BRAKE FLD, POWER FLD(3)			1978285694	02/12/2013		52.51
	400-651-559	WORK LIGHT, STOP LEAK, JACK OIL			1978285761	02/13/2013		38.57
	400-651-559	LENS TAPE, LENS REPAIR			1978286591	02/20/2013		4.50
	400-651-559	TAPE(2), NITE SHADE			1978286607	02/20/2013		22.61
	400-651-638	SCREW VALVE PK			1978286716	02/21/2013		6.69
	400-651-638	PUMP, STARTER FLD, SPARK PLUG			1978287169	02/25/2013		15.73
	400-651-638	BATTERY #418			1978287174	02/25/2013		62.69
	400-651-559	CODE READER			1978287371	02/27/2013		99.99
	400-651-639	ADAPTER, BOOST CHL, BATT TENDER			1978287373	02/27/2013		87.97
	400-651-638	OIL FILTER, PUSH BUTTON, SPRINGS			1978287488	02/28/2013		35.90
131200 03/19/2013 03/11/2013								600.04
400	MALLSTYER BROTHERS CONSTRUCTION, INC							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-585	7.60 TN RAP FOB			16745	02/28/2013		258.40
	400-651-585	8.22 CY FILL SAND FOB			16745	02/28/2013		98.64
	400-651-585	8.10 TN LIMESTONE FOB			16745	02/28/2013		243.00
131217 03/19/2013 03/11/2013								163.77
400	LOWE'S HOME CENTER'S, INC.							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-581	WATER WELL SUPPLIES			902857	01/31/2013		121.28
	400-651-559	PICKUP TOOL			903781	02/04/2013		34.16
	400-651-559	FLASHLIGHT			903946	02/11/2013		8.33
131238 03/19/2013 03/13/2013								94,607.79
400	CITY OF GAUTIER							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-000-104	FEB 2013 GARBAGE PMTS			02282013	02/28/2013		94,607.79
131242 03/19/2013 03/13/2013								145,083.00
400	CLEARWATER SOLUTIONS LLC							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-696	FEB 2013 OPERATION FEES			GAUTIER003	03/01/2013		145,083.00
131246 03/19/2013 03/13/2013								445.79
400	C SPIRE WIRELESS							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-650-605	CELL PHONES			0030759348	02/28/2013		445.79
131253 03/19/2013 03/13/2013								58.09
400	FUELMAN OF MS							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-525	UNL FUEL			NP37385439	03/04/2013		58.09
131257 03/19/2013 03/13/2013								66.87
400	AT&T							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-650-605	MONTHLY SERVICE			2284972276	03/06/2013		66.87
131258 03/19/2013 03/13/2013								102,978.00
400	JACKSON COUNTY UTILITY AUTHORITY							
	Account Number	Description			Invoice #	Date	P.O.	Amount
	400-651-668	MAR 2013 TREATMENT CHGS			26792	03/01/2013		102,978.00

Docket of Claims
Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	UTILITY SERVICES CO., INC.	131267	03/19/2013	03/13/2013			14,580.50	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-698	SR WALL TANK	311168	03/01/2013		2,451.52		
	400-651-698	LARK ST TANK	311169	03/01/2013		2,395.67		
	400-651-698	CENTRAL FD TANK	311170	03/01/2013		6,533.45		
	400-651-698	MARTIN BLUFF TANK	311171	03/01/2013		3,199.86		
400	COAST CHLORINATOR & PUMP CO., INC.	131284	03/19/2013	03/14/2013			71.95	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-667	DPD FREE CHLORINE 10ML/100PK	58504	03/04/2013	130431	32.00		
	400-651-667	10ML ROUND GLASS SAMPLE CELL	58504	03/04/2013	130431	39.95		
400	SOUTHERN WATERWORKS SUPPLY, INC	131286	03/19/2013	03/14/2013			790.20	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-583	23" X 1 1/2" MANHOLE RISER	46819	02/21/2013	130406	163.50		
	400-651-581	GREEN MARKING PAINT	46896	02/28/2013	130405	93.60		
	400-651-581	2" X 36" SIGHT GLASS TUBE	46897	02/28/2013	130454	120.60		
	400-651-581	CARSON HINGED REPLACE LID	47061	03/08/2013	130430	412.50		
400	STAPLES BUSINESS ADVANTAGE DEPT ATL	131288	03/19/2013	03/14/2013			552.30	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-500	CASE PAPER (10)	3194408760	03/02/2013	130498	368.20		
	400-650-500	CASE PAPER (5)	3194408760	03/02/2013	130498	184.10		
400	MEDWORKS OCCUPATIONAL CLINIC	131292	03/19/2013	03/14/2013			65.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-559	CDL PHYSICAL-M RICKS	5219	03/04/2013	130350	65.00		
400	J H WRIGHT & ASSOCIATES, INC.	131294	03/19/2013	03/14/2013			540.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-584	CONERY ROTO-FLOAT P30ND	366252	03/04/2013	130494	540.00		
FUND TOTAL 400 Claims to		Checks	22 Total	370,507.80 Manual	Held	Total	370,507.80	

TLM GLMCLM17 03/14/2013 16:31 ACCOUNTING CURRENT YEAR
 Docket of Claims
 Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
404	DEHYA SANITATION OF MS, LLC	131171	03/19/2013	03/05/2013			80,262.27	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	404-677-693	FEB 13 RES GARBAGE SERV	7384	02/28/2013		77,175.00		
	404-677-693	FEB 13 CART RENTAL	7384	02/28/2013		2,896.00		
	404-677-693	FEB 13 COM CART RENTAL	7384	02/28/2013		191.27		
404	APPLEWHITE IND	131192	03/19/2013	03/07/2013			40.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	404-677-695	FEBRUARY 2013 20 @ 2.00	1471	02/28/2013		40.00		
FUND TOTAL 404 Claims	to	Checks	2 Total	80,302.27 Manual	Held	Total	80,302.27	

TLN GLWCLM17 03/14/2013 16:31 ACCOUNTING CURRENT YEAR

PAGE 16

Docket of Claims
Release date from 03/19/2013 thru 03/19/2013

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
414	SEYMOUR ENGINEERING, PLLC	131262	03/19/2013	03/13/2013			15,000.00	
	Account Number 414-651-702	Description DESIGN ENGINEERING 75%		Invoice # 4374	Date 03/13/2013	P.O.	Amount 15,000.00	
FUND TOTAL 414 Claims		to	Checks	1 Total	15,000.00 Manual	Held	Total	15,000.00

SUMMARY OF ALL FUNDS

FUND 1 Claims	to	Checks	47 Total	105,311.49 Manual	Held	Total	105,311.49
FUND 7 Claims	to	Checks	1 Total	535.00 Manual	Held	Total	535.00
FUND 130 Claims	to	Checks	1 Total	9,186.26 Manual	Held	Total	9,186.26
FUND 171 Claims	to	Checks	1 Total	3,750.00 Manual	Held	Total	3,750.00
FUND 176 Claims	to	Checks	8 Total	3,730.51 Manual	Held	Total	3,730.51
FUND 400 Claims	to	Checks	21 Total	370,507.80 Manual	Held	Total	370,507.80
FUND 404 Claims	to	Checks	2 Total	80,302.27 Manual	Held	Total	80,302.27
FUND 414 Claims	to	Checks	1 Total	15,000.00 Manual	Held	Total	15,000.00
Total for all Funds			83 Total	588,323.33 Manual	Held	Total	588,323.33

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

ORDER NUMBER 079-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Manager is hereby authorized to draft a letter requesting that the Pascagoula School District, Jackson County, and/or other sources fund the 20% match, if grant funding is approved, in the amount of \$49,625.00 for a Safe Routes to School Grant for College Park Elementary School. The City of Gautier has applied for a total of \$248,125.00 for infrastructure improvements around the school and for programmatic non-infrastructure activities. The new federal transportation bill (MAP-21) carries an 80/20 obligation authority that requires each community to participate financially in all federally funded programs at 20%, including the Safe Routes to School Program.

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

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

Tricia Thigpen

From: Samantha Abell <sabell@gautier-ms.gov>
Sent: Tuesday, March 19, 2013 12:43 PM
To: 'Patty Huffman'; 'Eric Meyer'; tthigpen@gautier-ms.gov; 'Cindy Russell'
Subject: RE: Important grant match requirement

Council, please read Patty's correspondence, below.

Tricia,

Please draft an order for the Council to authorize the city manager to draft a letter requesting the school district fund the \$50,000 (20%) match for this grant. I will amend tonight's agenda to include this item. We can discuss whether the city would like to pledge a portion of the funding tonight. We could also reach out to the county.

From: Patty Huffman [<mailto:phuffman@gautier-ms.gov>]
Sent: Tuesday, March 19, 2013 12:03 PM
To: Samantha Abell; Eric Meyer
Subject: Important grant match requirement

Important decision needed by April 3rd regarding Safe Routes to School 20% match requirement. See below. Thanks.
Patty

Sent from my iPhone

Begin forwarded message:

From: "Leffler, Cookie" <cleffler@mdot.ms.gov>
Date: March 19, 2013, 11:57:56 AM CDT
To: undisclosed-recipients;;
Subject: SRTS Application Update

Hello Safe Routes to School Applicants,

We have received your application(s). Thank you for your interest in and commitment to the Safe Routes to School program.

When you were notified in November that the Safe Routes to School program opened its funding cycle, we assumed that because we still had old federal transportation bill (SAFETEA-LU) funds that we also had old federal transportation bill obligation authority of funding projects at 100%. Sadly, this is not the case.

In the new federal transportation bill (MAP-21), which went into effect October 1, 2012, the Safe Routes to School program became a part of the Transportation Alternatives Program, which carries an 80/20 obligation authority. The 100% obligation authority was not maintained for the Safe Routes to School program. So despite the availability of SAFETEA-LU funds, our obligation authority comes from MAP-21 and requires each community to participate financially in all federally funded programs at 20%.

With this said, please look at your budgets and your finances and let me know no later than April 3, 2013 if your agency will be able to participate by providing 20% of the total Safe Routes to School project budget that was submitted. If you are able to participate, please submit a new project budget showing

the 80/20 breakdown. If you are unable to participate, please let me know by phone (601-359-1454) or email.

If you have any questions, please don't hesitate to email or call me. Please accept my sincerest apology for this change after you put much work into your applications.

Cookie

Cookie Leffler
Safe Routes to School Coordinator
Mississippi Department of Transportation
www.mdottrafficsafety.com
601-359-1454

CONFIDENTIALITY NOTICE This e-mail and any files or attachments may contain confidential and privileged information.

If you have received this message in error, please notify the sender at the above e-mail address and delete it and all copies from your system.

Tricia Thigpen

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2013 Comprehensive Safe Routes to School Program

Each section of the application is designed to help us learn as much about your project as possible—the obstacles preventing children from walking and/or bicycling to and from school, the solutions to address these obstacles, your community partners and collaborations, the project timeline and budget, and your method for tracking progress. All applications will be reviewed for completeness and to ensure that project goals are those of the Safe Routes to School Program.

Applicant (agency) name: City of Gautier

(Remember: Non-profit organizations may apply for non-infrastructure funds only and must complete the Non-infrastructure Only application.)

Mailing address: 3330 Hwy 90

City: Gautier

County: Jackson

Zip: 39553

Contact person: Patty Huffman

Title: Grants & Projects Manager

(The contact person is the person who answers questions about the application.)

Telephone: (228) 219-8016

Ext. _____

Fax: (228) 497-1038

E-mail: phuffman@gautier-ms.gov

Authorizing official's name: Samantha Abell

Title: City Manager

Telephone: (228) 497-8017

E-mail: sabell@gautier-ms.gov

Project Contacts and Information

City/County Contact

Name: Eric Meyer

Title: Economic Development and Planning Director

(This person will answer questions about the infrastructure improvements of the project if the project is funded.)

Telephone: (228) 217-5055

Ext. _____

Fax: (228) 497-1038

E-mail: emeyer@gautier-ms.gov

School Contact

Name: Suzanne Ros

Title: Principal

(This person will answer questions about the non-infrastructure activities of the project if the project is funded.)

Telephone: (228) 522-8829

Ext. _____

Fax: _____

E-mail: sros@psd.ms

School name(s): College Park Elementary School

School district: Pascagoula School District

Funding request? Infrastructure: \$244,025.00

Non-infrastructure: \$4,100.00

Total of the funding request?

\$248,125.00

(If completing form in Adobe Acrobat, this amount should automatically calculate.)

Total number of project applications being submitted by your agency: 1

If more than one application is being submitted, what is the priority of this application? N/A

Student Information (If more than one school, attach a separate copy for each school. Include the name of the school on each copy.)

School Name: College Park Elementary School

Number of students enrolled by grade (ex. K—54): K- 61, 1st- 59, 2nd- 63, 3rd- 66, 4th- 58, 5th- 65,
6th- 0, 7th- 0, 8th- 0

Total number of students at this school: 372 (369 addresses mapped)

Number of students receiving free or reduced lunch: 281 % of total: 75.6%

Number of students living within a half-mile radius of the school: 135 % of total: 36.5%

Number of students who live within a half-mile to one-mile radius of the school: 166 % of total: 45%

Number of students who live within a one-mile to two-mile radius of the school: 43 % of total: 11.5%

*Outside two-mile radius: 25 *% of total: 7%

For the following questions, please use the Student Travel Tally Sheet found in Appendix C or at [National Center for Safe Routes to School: Evaluation -- Student In-Class Travel Tally](#).

Number of students currently walking to and from school by grade: Based on highest # per day during 3 days tallied:
K: 12, 1st: 13, 2nd: 10, 3rd: 10, 4th: 14, 5th: 15 (Total: 74)

Number of students currently bicycling to and from school by grade: Based on highest # per day during 3 days tallied:
K: 1, 1st: 1, 2nd: 2, 3rd: 2, 4th: 3, 5th: 3 (Total: 12)

How many of these students wear a helmet? According to the school nurse, none of the children wear helmets.

Number of students arriving at school in a private vehicle: 221 on a bus: 135 #s based on highest # per day during 3 days tallied. Weather conditions directly impacted the number of walkers/bike riders vs. other transportation modes.

Number of crashes involving student(s) walking and bicycling to or from school in the last 3 years: -0-

If bussing is provided, do busses pick up students living within a one-mile radius of the school (hazard bussing)? No

Does your school or school district have a policy regarding students walking and/or bicycling to school? No

If yes, what is that policy?

Proposed Route Information

Will this project include the acquisition of right-of-way (ROW)? Yes ____ No X

Will a stormwater permit* be required for the construction of this project? Yes ____ No X

Are any known utilities in conflict with the project?** Yes ____ No X

Other than utilities, are there any encroachments on the ROW, i.e., fences or poles that are closer than 3' behind the back of the curb that could affect project construction? Yes ____ No X

Will the proposed route cross railroad tracks? Yes ____ No X

Will the proposed project route cross any ditches or streams where the pipe/box culvert may have to be lengthened to accommodate a path/lane/sidewalk? Yes ____ No X

*A National Pollutant Discharge Elimination System permit, better known as the storm water permit, is required for all construction activity that includes disturbing an area of one (1.0) acre or more.

**MDOT requires a minimum height of 18' for communication lines, 20' for low voltage power lines and 24' for high voltage power lines.

Project Description

All applications will be evaluated based on the following **review criteria**:

- Need for the project (25 points)
- Comprehensiveness of the planned program (25 points)
- Community and partner commitment and support (25 points)
- Project budget and evaluation (25 points)

For more information about the review criteria, please refer to the *2013 SRTS Funding Guidelines* section *XII. Application Review and Selection*.

For your project description, please use no more than three pages, a minimum 12-point font, and a one-inch margin on all sides. Please be clear and concise. Maps, photos and other supporting materials should be submitted along with the project description, completed application form, and budget itemization(s).

1. Current Infrastructure and Barriers

Briefly describe the current infrastructure and traffic calming measures of existing and/or planned school routes (not to exceed a two-mile radius of the school). Include a description of barriers preventing children from safely walking and bicycling to school, such as 1) infrastructure barriers like missing or deteriorating sidewalks, lack of crosswalks, encroachments on the right-of-way, or railroad crossings; 2) safety hazards like speeding traffic, overgrown brush, or aggressive animals; and 3) other barriers like parent fears and perceptions, neighborhood crime, or an unsupportive school policy.

As a part of your description include

- current traffic conditions around the school and in the neighborhoods from where students live and could/do walk or bicycle to school. If available, provide traffic counts, travel speeds, injury data, etc.;
- existing routes on which children walk and bicycle to school, referencing school location and relevant street names; and
- existing traffic calming measures currently used and the condition of each, i.e., crosswalks, reduced speed limits around the school, driver feedback signs, in-street school crossing signs, crossing guards, and police monitoring.

Attach a map of the school and surrounding area that identifies the routes described. Note the location of the existing traffic calming devices and existing sidewalks and include street names. (see Appendix A for sample maps)

Plot the addresses of students attending the school. Include as a part of the map a designation for a ½-mile radius around the school, a one-mile radius around the school, and a 2-mile radius around the school. Attach this map.

Attach a copy of the school district's school zone map for this school.

Attach clear, color photos or a disk of photos to illustrate barriers. Include a caption or a description with each photo. (see Appendix B for sample photos)

2. Current School Travel and Parent Perception

Complete the [*Student Travel Tally Sheet*](#) for each class and the [*Parent Survey*](#) for each school listed in this application. Click [SRTS data collection tools and instructions](#) for instructions on completing these forms and to access the forms. Completed surveys and tallies may be mailed to the National Center for SRTS where the data will be put into the data system and made available to you within approximately 4 weeks. Include the results from the parent surveys and student tallies in your supporting material. This data is your baseline data.

Once the data from the [*Student Travel Tally*](#) and the [*Parent Survey*](#) is available, use this data to plan the routes for improvements and the noninfrastructure activities that will increase the number of children walking and

bicycling safely to school while addressing parent concerns. For example, if the results from the parent survey show that one issue affecting parents' decision to allow or not allow their children to walk and bicycle to school is the speed of traffic along the route, then you will want to plan for infrastructure improvements that slow traffic like narrowing the roadway AND you will want to plan to work with local law enforcement to change traffic behavior along those routes and to educate children on pedestrian safety.

3. Current Safety Programs for Students

Briefly describe the following, if applicable.

- Current pedestrian and bicycle safety educational programs provided at the school.
- Current participation in events that encourage children to walk and bicycle to school, i.e., Walk to School Day, Walking Wednesdays, bicycle trains, and walking school bus.
- Current enforcement programs at the school, i.e., student patrol, crossing guard program with training, school resource officers, and police enforcing the posted speed limit and ensuring cars yield to pedestrians.

4. Proposed Solutions

Your application must show a comprehensive approach including using data, the appropriate partners, and thoughtful planning. Applications that fall short of a comprehensive approach will not be considered.

Describe the comprehensive plan to encourage and enable all children to walk and bicycle to school safely. Explain how the identified barriers will be addressed and routes will be made safer. Describe the education, encouragement, and enforcement activities planned for increasing safety of the current walkers once the funds are awarded (short-term activities) and those activities planned to increase the number of walkers and bikers once the infrastructure improvements have been completed (long-term activities). If applicable, explain how the proposed plan was developed in coordination with the comprehensive traffic safety plan for the school, school district and/or as a part of a larger transportation plan for your community. *Make sure all 5 E's are addressed.*

- Describe the proposed **engineering** solutions and why they were chosen. Include a map or diagram identifying the solutions. Make sure the map is detailed and includes street names, location of proposed sidewalks, and traffic calming measures. If known, include the current width of the road to ensure the required amount of space available for the bicycle and/or pedestrian lanes. Include the owner the right-of-way. If it is *not* the local government, include the plan for acquiring it.

The following refers to **noninfrastructure activities** proposed as a part of the plan. When discussing the noninfrastructure components, make sure to include specifics about the activities—what they are, where and when they will take place, who will lead, who will participate, and what you hope to accomplish. *It is imperative that the school is involved in this plan.* For existing programs available free of charge, please visit the SRTS section of the MDOT Traffic Safety website at www.mdottrafficsafety.com.

- Describe the **encouragement** activities planned to increase the number of children walking and bicycling to school, like Walk and Bicycle to School Days, walking school buses, or mileage contests and how these activities will lead to daily, routine walking and bicycling to school.
- Describe the **education** programs planned for instructing children and their parents on bicycling and walking safety skills and instructing parents and the community on driving safely in school zones like driver safety campaigns. Remember that every year a new class of students will arrive at your school. How will you ensure those students receive this education? Two ways would be to incorporate pedestrian and bicycle safety into the Physical Education curriculum. Or use the MDE-developed SRTS lesson plans for K – 8th grade available on the SRTS web section at www.mdottrafficsafety.com.
- Describe **enforcement** efforts that will address traffic safety for children walking and bicycling to school, i.e., use of local law enforcement to enforce speed, the training of crossing guards, the use of school faculty to monitor proper pedestrian and bicycle behaviors, and the implementation of a student safety patrol. Note: Crossing training and equipment is available free of charge from the MDE's Safe and Orderly Schools.
- Describe the **evaluation** plan to measure progress. What are your goals for the project? What are the planned, measurable outcomes? How will you track these outcomes? Your measurement should minimally include the increase in the total number of students bicycling and/or walking to school

regularly and the decrease in the total number of students driven in private vehicles. You may also consider changes in attitude toward walking and bicycling to school, changes in public perception of safety, the effect on safety behavior, and the increase in the awareness of safe bicycling and walking practices. **NOTE:** If awarded funding, you will be required to complete the [Student Travel Tally Sheet](#) and the [Parent Survey](#) periodically throughout the project. These are standardized surveys used throughout the country to evaluate SRTS programs on the local, state, and national levels. MDOT will provide the necessary copies if needed. The [National Center for Safe Routes to School](#) will complete data entry and provide the results to you and MDOT, or you may enter the data using their on-line program. Progress reports will be required periodically. Dates of reports will be determined based on the authorization and timeline of your project.

If you are requesting infrastructure funds only, please describe the noninfrastructure activities that will support the infrastructure project(s). Include who will be responsible for implementing these activities and how they will be funded. All planning must include the school and, if desired, the school district. If there is no clear plan for noninfrastructure activities, the application will be deemed ineligible.

5. Project Collaboration and Community Support

Comprehensive projects require, at a minimum, the collaboration of the city or county, the school/school district, and parents. Other partners like local law enforcement may be included in the collaboration. This collaborating body is the SRTS Task Force.

Include in the application a list and contact information for each member of this task force and the role that each will play in the implementation of the project. If the application is eligible for SRTS funding, the SRTS Coordinator will meet with the task force to discuss the proposed project. Along with the task force information, please include a letter from each task force member explaining the role they have agreed to play in the implementation of the project.

In addition, include letters of support from individuals and organizations who are not actively involved in project implementation but who support the project.

*Again, your application must show a comprehensive approach including using data, **the appropriate partners**, and thoughtful planning. Applications that fall short of a comprehensive approach will not be considered.*

6. Program Sustainability

What is the plan for sustaining the program beyond the life of the Safe Routes to School federal funds? Are their policies in place or in the planning stages to encourage walking and bicycling to school on a regular basis? What are these policies? Are there policies in place prohibiting walking and bicycling to school? Are there plans to dispose of these policies? If expenses are being used to pay a stipend to a SRTS project coordinator in the community, who will coordinate the project once funds are no longer available for this stipend? What are the plans for changing the culture of the school community to make walking and bicycling to school the norm?

Budget for the Infrastructure Project

Itemize, or explain in greater detail, each expense of the budget on a separate page. Clearly indicate how project costs were derived. If local funds are being committed to the project, please note the sources of these funds. Remember that your request may not exceed \$250,000. If this project is awarded funds and the cost of the project exceeds the amount of funds awarded, it is the responsibility of the applicant organization to cover the overage.

Estimated Infrastructure Project Expenses	Total
PE and ROW costs	
Professional engineering and (PE) and design	\$ 19,522.00
Permitting	\$ 0.00
Materials	\$ 0.00
Right of Way (ROW)—land acquisition, appraisals, agent(s), surveys, etc.	\$ 0.00
Other (environmental evaluation, etc.)	\$ 0.00
Sub-total PE and ROW	\$ 19,522.00
Construction Costs	
Construction	\$ 195,220.00
Construction engineering	\$ 9,761.00
Testing	\$ 9,761.00
Contingency	\$ 9,761.00
Sub-total Construction	\$ 224,503.00
Total Infrastructure Project	\$ 244,025.00

Infrastructure Project Funding	Total
Federal funds requested for infrastructure project(s)	\$ 244,025.00
Local share (if applicable)*	\$
Total Infrastructure Project	\$ 244,025.00

*Local funds and contributions are not required. However, please list all local funds and in-kind contributions being used for the project.

Keep in mind that preliminary engineering planning and design may be completed by the city/county engineer in-house or an engineering consulting firm let to contract. However, the construction project must be let to a private contractor.

*All expenses realized prior to the appropriate MDOT approval and receipt of an official "Notice to Proceed" are not eligible expenses and will **not** be reimbursed.*

Certifications

The authorizing official sign after each statement. Submit this form as a part of the application.

I. I understand that if this project is awarded funds, it will be designed and constructed according to the latest edition of MDOT'S *Project Development Manual for Local Public Agencies* found at <http://sp.mdot.ms.gov/LPA/Manuals/PDM%20Manual.pdf>.

Authorizing official's signature: _____ Title: City Manager

II. I understand completing this project entails meeting all regulatory requirements of both the state and federal governments.

Authorizing official's signature: _____ Title: City Manager

III. I certify that no foreseeable legal impediments exist that would prohibit completion of the proposed project. I certify that the project will comply with all applicable codes, standards and regulations required for completion.

Authorizing official's signature: _____ Title: City Manager

IV. I certify that all environmental consequences of the proposed project have been identified and have been or will be dealt with appropriately.

Authorizing official's signature: _____ Title: City Manager

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

ORDER NUMBER 080-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the minutes from Council Meeting held March 5, 2013 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 Mayor Fortenberry, seconded by Councilman Macfarland and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

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

**RESOLUTION NUMBER 010-2013
PROCLAMATION
(A Local Emergency)**

WHEREAS, the City Council of the City of Gautier, Mississippi does hereby find that the conditions of extreme peril to the safety of persons and property within the City of Gautier, Mississippi, is forecast to receive oil slick in the Gulf of Mexico due to the explosion and collapse of the Deep Water Horizon oil rig in the Gulf of Mexico.

NOW, THEREFORE, BE IT RESOLVED that a local emergency does exist throughout said City of Gautier, Mississippi; and

IT IS FURTHER PROCLAIMED AND RESOLVED that said local emergency shall be deemed to continue to exist until further notice.

IT IS FURTHER PROCLAIMED AND RESOLVED that the City Manager or Interim City Clerk is hereby authorized to executed any and all documents necessary.

Motion was made by Mayor Fortenberry, seconded by Councilman Macfarland and the following vote was recorded:

AYES: Tommy Fortenberry
Johnny Jones
Hurley Ray Guillotte
Gordon Gollott
Mary Martin
Scott Macfarland
Adam Colledge

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 March 19, 2013.

Motion was made by Mayor Fortenberry, seconded by Councilwoman Martin and unanimously carried to adjourn until April 2, 2013 at 6:30 PM.

APPROVED BY:

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 April 2, 2013.