

Tuesday
January 7, 2014
Gautier, Mississippi

BE IT REMEMBERED THAT A REGULAR MEETING of the Mayor and Members of the Council of the City of Gautier, Mississippi was held January 7, 2014 at 6:30 PM in the City Hall Municipal Building, 3330 Highway 90, Gautier, Mississippi.

Those present were Mayor Gordon Gollott, Council Members Mary Martin, Johnny Jones, Hurley Ray Guillotte, Casey Vaughan, Rusty Anderson, Adam Colledge, City Clerk Cynthia Russell, City Attorney Charlie McVea and other concerned citizens. Absent was City Manager Samantha Abell.

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
January 7, 2014 @ 6:30 PM**

- I. Call to Order**
 - 1 Prayer**
 - 2 Pledge of Allegiance**
- II. Agenda Order Approval**
- III. Announcements**
 - 1 Office closed Monday, January 20, 2014 in observance of the birthdays of Robert E. Lee and Dr. Martin Luther King, Jr.**
- IV. Presentation Agenda**
- V. Public Agenda**
 - 1 Agenda Comments**
- VI. Business Agenda**
 - 1 Resolution of support requesting the introduction and passage of a bill entitled "Citizens for Economic Development Act" (CEDA)**
 - 2 Consideration of a Conditional Use-Major Permit for a marine sales and service business in a TCMU Town Center Mixed Use Zoning District at 2029 Highway 90 (GPC#13-30-CU)**
 - 3 Order authorizing FY 2014 Brownfields Assessment Grant Application Submission**
 - 4 Order approving Paid Docket of Claims**
 - 5 Order approving Docket of Claims**
- VII. Consent Agenda (All items approved in one motion)**
 - 1 Order approving Minutes from Recessed Council Meeting held December 17, 2013 and amended Minutes from Regular Council Meeting held November 5, 2013**

- 2 Resolution approving the continuance the Local Emergency for the Deep Water Horizon Oil Spill until further notice
- 3 Notice to set public hearing for abatement of substandard property conditions at 3824 Kendal Drive, Gautier, MS, owner Norman E. Thompson (deceased)
- 4 Notice to set public hearing for abatement of substandard property conditions at 2209 Laurel Glenn Road, Gautier, MS, owner Diana Musick
- 5 Order approving donation of outdoor sign from Singing River Mall
- 6 Order authorizing Babe Ruth/Cal Ripken League Selection for the 2014 baseball/softball season

**STUDY AGENDA
CITY OF GAUTIER, MISSISSIPPI
January 7, 2014**

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

Recess until January 21, 2014 @ 6:30 PM
www.gautier-ms.gov

Motion was made by Councilwoman Martin to approve the agenda order. Motion was seconded by Councilman Vaughan and unanimously carried.

Announcements

- 1 Office closed Monday, January 20, 2014 in observance of the birthdays of Robert E. Lee and Dr. Martin Luther King, Jr.



State Holiday Proclamations

- [New Year's Day](#)
- [Martin Luther King's Birthday / Robert E. Lee's Birthday](#)
- [George Washington's Birthday](#)
- [Confederate Memorial Day](#)
- [National Memorial Day / Jefferson Davis' Birthday](#)
- [Independence Day](#)
- [Labor Day](#)
- [Armistice Day](#)
- [Thanksgiving Holiday](#)
- [Christmas Holiday](#)
- [State Holidays In Mississippi](#)

[Ed & Pubs](#)
[Home](#)

January	New Year's Day	1st Day (1)(2)
	Martin Luther King's and Robert E. Lee's Birthdays	3rd Monday
February	George Washington's Birthday	3rd Monday
April	Confederate Memorial Day	Last Monday
May	National Memorial Day / Jefferson Davis' Birthday	Last Monday
July	Independence Day (July 4th)	4th Day
September	Labor Day	1st Monday
November	Armistice Day (Veteran's Day)	11th Day (1)(2)
	Thanksgiving Day	
December	Christmas Day	25th Day

The day of Thanksgiving is fixed by proclamation by the Governor and shall be fixed to correspond to the date proclaimed by the President of the United States. (**Section 3-3-7, Mississippi Code of 1972, Annotated.**) The Governor, at his discretion, designates any additional day(s) for further observance of the Thanksgiving Season by the same proclamation. (3)

Reference: **Section 3-3-7, Mississippi Code of 1972, Annotated**
(Amended in regular Session 1987, effective from and after passage March 20, 1987.)

Note: 1. **Section 25-1-97, Mississippi Code of 1972**, Provides that holidays which fall on Saturday or Sunday may be observed by state agencies on the following Monday.

2. **Section 25-1-98, Mississippi Code of 1972**, provides that

No Presentations

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

RESOLUTION NUMBER 001-2014

Resolution of the Mayor and Councilmembers of the City of Gautier, requesting the introduction and passage of a bill entitled “Citizens for Economic Development Act” (CEDA). Specifically, we are requesting that the Mississippi Legislature pass this bill and the Governor sign it into law. This bill would allow citizens of a municipality the option of voting on the imposition of a local sales tax. The purpose of this legislation is to locally fund, without impacting the state general fund budget, the implementation and completion of special projects which would enhance the quality of life of local citizens and improve economic development opportunities for the municipality as well as the state. Accordingly, we submit the following in support thereof:

WHEREAS, economic development occurs where infrastructure and municipal services can be provided easily, efficiently, and at a reasonable cost;

WHEREAS, municipal services provide drinking water, utilities, sewer disposal, police and fire protection, maintenance of roads and many other services to local businesses and industries which provide jobs and employment to local citizens;

WHEREAS, good infrastructure is essential to economic development and job creation;

WHEREAS, many municipalities in Mississippi don’t have access to adequate capital and the municipalities do not have sufficient statutory authority or enough debt capacity to borrow money for essential and costly public projects, many of which are directly tied to economic development and quality of life;

WHEREAS, the use of an optional sales tax could save municipalities substantial amounts of taxpayer money on bond project interest payments because projects could be paid off in a shorter period of time;

WHEREAS, a municipal project funded by the provisions of the Citizens for Economic Development Act (CEDA) would represent the vote and approval of the local citizens;

WHEREAS, the details of each project approved by voters under the Citizens for Economic Development Act (CEDA) would be specifically set forth and the local sales tax funding such project would immediately cease upon the final debt payment; and

WHEREAS, other states in our region have enacted similar laws as the Citizens for Economic Development Act (CEDA) to provide their local constituents with an opportunity to fund essential economic development projects;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCILMEMBERS OF THE CITY OF GAUTIER, WE REQUEST THE INTRODUCTION AND PASSAGE OF A BILL ENTITLED "CITIZENS FOR ECONOMIC DEVELOPMENT ACT" (CEDA). SPECIFICALLY, WE ARE REQUESTING THAT THE MISSISSIPPI LEGISLATURE PASS THIS BILL AND THE GOVERNOR SIGN IT INTO LAW. THIS GENERAL ENABLING LEGISLATION WILL BE AVAILABLE TO ANY MUNICIPALITY AND WILL REQUIRE THE VOTERS OF SUCH LOCALITY TO APPROVE ANY SPECIAL PROJECTS FUNDED THEREUNDER WHICH WILL ENHANCE THE QUALITY OF LIFE OF THE CITIZENS AND IMPROVE ECONOMIC DEVELOPMENT OPPORTUNITIES FOR THE MUNICIPALITY AS WELL AS THE STATE WITH THE FOLLOWING CHARACTERISTICS:

- I. AN "UP-FRONT" (60% VOTE FOR PASSAGE) REFERENDUM IN ORDER FOR THE TAX TO BE LEVIED
- II. A SALES TAX OF NO MORE THAN 1% ON GOODS CURRENTLY TAXED AT 7%. TAX MONIES COLLECTED BY THE MUNICIPALITY ARE FORWARDED TO THE STATE AND THEN RETURNED TO THE MUNICIPALITY TO UNDERTAKE AND COMPLETE CITIZEN APPROVED PROJECTS
- II. THE TAX CEASES AND IS DISCONTINUED IMMEDIATELY UPON RETIREMENT OF PROJECT INDEBTEDNESS. CEDA IS PROJECT SPECIFIC AND TIME LIMITED

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

AYES: Gordon Gollott
 Mary Martin
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: Johnny Jones

MAYOR

ATTEST:

CITY CLERK

Adopted this the 7th of January, 2014

ATTEST, CITY OF GAUTIER, MISSISSIPPI

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

ORDER NUMBER 001-2014

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-30-CU
THE BOAT MAN
REGARDING PARCEL ID NO: 82436055.170**

The City of Gautier, at its regular meeting held on January 7, 2014, considered the application for a Conditional Use-Major Development Permit for a marine sales and service business as submitted by Danny Senseney, owner of The Boat Man. The parcel subject to this Permit is located at 2029 Highway 90, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit with conditions and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as marine sales and service, is permitted as a Conditional Use-Major in the TCMU Town Center Mixed Use District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 19, 2013 for a Conditional Use-Major Development Permit with conditions.
5. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
 - a. Merchandise shall be considered any item for sale, new or used, that meets the requirements of these conditions. All merchandise shall be clean, usable, and operable as applicable.
 - b. Used merchandise shall be limited to clean operable boats for sale/display, clean reusable parts for sale, and clean reusable tools/fishing equipment, and other items related to Marine Sales and Service.

- c. Merchandise other than boats, motors, and trailers shall be located inside of the building or in outdoor storage areas and screened from view.
 - d. All inoperable boats, unclean parts, tools, equipment, stands, and other items not considered merchandise or other items used for the repair/service portion of the business shall be screened from view and inaccessible to the general public.
 - e. Boats/trailers for sale may be located inside or outside of the buildings. Only clean, operable boats/trailers for sale may be within the public view shed and accessible to the general public.
 - f. All boats within the public view shed and accessible to the general public shall be on a trailer. Any Trailers within the public view shed and accessible to the general public shall be maintained in good/clean/presentable condition. Tires shall be in place on trailers and properly inflated at all times.
 - g. A display area of no more than five (5) operable boats shall be allowed in front of the building by the freestanding sign. Four (4) shall be allowed to the west of the sign and one (1) to the east of the sign.
 - h. Parts for sale shall be clean/usable and stacked/stored neatly in retail style bins or displays. Unclean parts shall be stacked neatly on pallets that shall be screened from view, be inaccessible to the general public, and kept at least five (5) feet from any property line.
 - i. The outdoor storage area shall be screened from view by a privacy fence that is a minimum of six (6) feet in height. Outdoor storage areas that contain merchandise for sale shall be segregated from storage areas that are required to be inaccessible to the general public according to these conditions.
 - j. A clear path shall be kept around the exterior of the building for emergency vehicle access.
 - k. Noise shall not be at a detectable audible level across property lines.
 - l. Access to all areas of the property shall be allowed to the City Code Enforcement Officer, with notification to owner and time agreed upon by both, for verification that the conditions are being met.
 - m. All maintenance or repair (other than cleaning) to boats, trailers, and other merchandise shall be done in areas that are not within the public view shed and are not accessible to the general public.
6. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.

7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit with conditions on January 2, 2014.

8. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of 7 ayes to 0 nays to approve the application of The Boat Man, located at 2029 Highway 90, in Gautier, Mississippi, and identified as Jackson County Parcel No. 82436055.170.

Motion was made by **Councilman Vaughan**, seconded by **Councilman Guillotte** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 Adam Colledge

NAYS: None

January 7, 2014
Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cynthia Russell
City Clerk

CITY OF GAUTIER MEMORANDUM

To: Samantha Abell, City Manager

From: Babs Logan, Planning Technician

Thru: Chandra Nicholson, Economic Development and Planning Director

Date: January 3, 2014

Subject: Conditional Use-Major Permit for a Marine Sales & Service Business in a TCMU Town Center Mixed Use Zoning District at 2029 Highway 90 (GPC #13-30-CU)

REQUEST:

The Economic Development and Planning Department has received a request from Danny Senseney, owner of The Boat Man, for a Conditional Use-Major Permit that would allow a marine sales and service business in a TCMU Town Center Mixed Use zoning district at 2029 Highway 90, PID #82436055.170. The application fee of \$250 was paid on December 19, 2013. All public notice requirements have been met.

DISCUSSION:

Staff has attached a Staff Report with detailed project analysis. The Planning Commission held a public hearing on January 2, 2014 to consider the request and found that the proposed marine sales and service business will be compatible and harmonious with the TCMU Town Center Mixed Use district with certain conditions. The Planning Commission requested that "condition c" be revised from reading "boats/trailers" as submitted by Staff to read "boats, motors, and trailers". The GPC recommends the approval of the Conditional Use-Major Development Permit with conditions and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as marine sales and service, is permitted as a Conditional Use-Major in the TCMU Town Center Mixed Use District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 19, 2013 for a Conditional Use-Major Development Permit.

5. The following additional conditions will ensure that the operation of the proposed Conditional Use-Major will minimize any detrimental effects on neighboring properties and shall apply to the project:

- a. Merchandise shall be considered any item for sale, new or used, that meets the requirements of these conditions. All merchandise shall be clean, usable, and operable as applicable.
- b. Used merchandise shall be limited to clean operable boats for sale/display, clean reusable parts for sale, and clean reusable tools/fishing equipment, and other items related to Marine Sales and Service.
- c. Merchandise other than boats, motors, and trailers shall be located inside of the building or in outdoor storage areas and screened from view.
- d. All inoperable boats, unclean parts, tools, equipment, stands, and other items not considered merchandise or other items used for the repair/service portion of the business shall be screened from view and inaccessible to the general public.
- e. Boats/trailers for sale may be located inside or outside of the buildings. Only clean, operable boats/trailers for sale may be within the public view shed and accessible to the general public.
- f. All boats within the public view shed and accessible to the general public shall be on a trailer. Any Trailers within the public view shed and accessible to the general public shall be maintained in good/clean/presentable condition. Tires shall be in place on trailers and properly inflated at all times.
- g. A display area of no more than five (5) operable boats shall be allowed in front of the building by the freestanding sign. Four (4) shall be allowed to the west of the sign and one (1) to the east of the sign.
- h. Parts for sale shall be clean/usable and stacked/stored neatly in retail style bins or displays. Unclean parts shall be stacked neatly on pallets that shall be screened from view, be inaccessible to the general public, and kept at least five (5) feet from any property line.
- i. The outdoor storage area shall be screened from view by a privacy fence that is a minimum of six (6) feet in height. Outdoor storage areas that contain merchandise for sale shall be segregated from storage areas that are required to be inaccessible to the general public according to these conditions.

- j. A clear path shall be kept around the exterior of the building for emergency vehicle access.
- k. Noise shall not be at a detectable audible level across property lines.
- l. Access to all areas of the property shall be allowed to the City Code Enforcement Officer, with notification to owner and time agreed upon by both, for verification that the conditions are being met.
- m. All maintenance or repair (other than cleaning) to boats, trailers, and other merchandise shall be done in areas that are not within the public view shed and are not accessible to the general public.

RECOMMENDATION:

The Economic Development and Planning Director finds that the proposed marine sales and service business is consistent with the goals, objectives and policies of the City's Comprehensive Plan and recommends approval of the request with the conditions listed above.

The City Council may:

- 1. Approve the Conditional Use-Major Permit as recommended by the Planning Commission with conditions; or
- 2. Approve the Conditional Use-Major Permit with changes; or
- 3. Deny the Conditional Use-Major Permit.

ATTACHMENTS:

Conditional Use-Major Permit Development Order

Staff Report with Back Up

**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-30-CU**

THE BOAT MAN

REGARDING PARCEL ID NO: 82436055.170

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1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as marine sales and service, is permitted as a Conditional Use-Major in the TCMU Town Center Mixed Use District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 19, 2013 for a Conditional Use-Major Development Permit with conditions.
5. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
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 - b. Used merchandise shall be limited to clean operable boats for sale/display, clean reusable parts for sale, and clean reusable tools/fishing equipment, and other items related to Marine Sales and Service.

- c. Merchandise other than boats, motors, and trailers shall be located inside of the building or in outdoor storage areas and screened from view.
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- m. All maintenance or repair (other than cleaning) to boats, trailers, and other merchandise shall be done in areas that are not within the public view shed and are not accessible to the general public.

6. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.

7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit with conditions on January 2, 2014.

8. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of _____ ayes to _____ nays to approve the application of The Boat Man, located at 2029 Highway 90, in Gautier, Mississippi, and identified as Jackson County Parcel No. 82436055.170.

January 7, 2014
Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cynthia Russell
City Clerk

Gautier Planning Commission

Regular Meeting Agenda

January 2, 2014

The Boat Man

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. THE BOAT MAN - REQUEST FOR A CONDITIONAL USE-MAJOR PERMIT FOR A MARINE SALES AND SERVICE BUSINESS IN A TCMU TOWN CENTER MIXED USE DISTRICT, 2029 HIGHWAY 90, (GPC CASE #13-30-CU)

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 Planning Commission, 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 Planning Commission, 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. Planning Commission 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
THE BOAT MAN**

To: Chairman and Members, Planning Commission

From: Babs Logan, Planning Technician

Through: Chandra Nicholson, Economic Development and Planning Director

Date: December 26, 2013

Subject: Conditional Use-Major Permit for a Marine Sales & Service Business in a TCMU Town Center Mixed Use Zoning District at 2029 Highway 90 (GPC #13-30-CU)

REQUEST:

The Economic Development and Planning Department has received a request from Danny Senseney, owner of The Boat Man, for a Conditional Use-Major Permit that would allow a marine sales and service business in a TCMU Town Center Mixed Use zoning district at 2029 Highway 90, PID #82436055.170. The application fee of \$250 was paid on December 19, 2013. All public notice requirements have been met.

BACKGROUND:

The request property is zoned TCMU Town Center Mixed Use.

1. Location: 2029 Highway 90 (See Exhibit A)
Principal Arterial: Highway 90/Service Drive
Collector Street: Old Spanish Trail
2. General features of the proposed project:
Gross Lot Acreage: 3.2 acres
Main Building Area: approximately 15,000 square feet: 10,000 square feet is heated and cooled retail area, the other 5,000 square feet is storage
Other Storage Area: an overhang off the main building (open on three sides) consists of approximately 3,250 square footage of storage area; there is a 2,000 square foot unattached storage building in the rear and a 2,800 square foot unattached lumber shell that is open on one side to the east of the building.
Off-Street Parking Area Required: 40 spaces; 2 must be accessible spaces and one of those must be a van accessible space.
Potable Water and Wastewater Services: Existing from City
3. Current Zoning: TCMU Town Center Mixed Use

4. Current Surrounding Zoning (See Exhibit B): C-3 Highway Commercial to the north; C-2 Community Commercial to the south; TCMU Town Center Mixed Use to the east and west
5. Current Surrounding Existing Land Use (See Exhibit C): Vacant land to the south; Commercial-Retail (SRHS Lingle Building) to the west; Office (Hancock Bank and Kenny Smith Office Building) to the north; Commercial-Retail (used car lot) to the west.
6. Comprehensive Plan Future Land Use Designation (See Exhibit D): Town Center

DISCUSSION:

The following addresses the review criteria for a Major Conditional Use outlined in Section 4.17.5 of the UDO.

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District?

Applicant: Yes, because I will be engaging in retail and services and will consider myself a specialty business.

Staff Finding: Yes. Marine Sales and Service is listed as a Conditional Use-Major in a TCMU zoning district.

2. Describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.

Applicant Response: (none)

Staff Finding: There will not be any new structures constructed on the property. The applicant will use the existing buildings which will not further impact the density, bulk or intensity of the structures in the vicinity.

Table No. 9 of the UDO establishes minimum parking spaces requirements. Marine Sales and Service is not listed in the schedule; therefore is left up to interpretation as to which description listed better fits the proposed use. For a standalone retail store required parking is 1 per 250 square feet of Gross Floor Area. For Automobile and Truck Sales required parking is 1 parking space per each 3,000 square foot devoted to the sale, display, lease, rental or repair of vehicles. For an automobile repair shop required parking is 1 per 375 square feet of gross floor area including service bays, wash tunnels, and retail areas plus adequate parking lot for overnight storage of vehicles, if needed. Due to the ambiguity in the UDO, staff feels the standalone retail store would be the most stringent. Using the retail store requirements the proposed use would require

40 parking spaces. Section 7.2.4 gives the Economic Development and Planning Director the authority to issue an administrative variance for a reduced number of off-street parking spaces not to exceed thirty percent (30%) if, in her opinion, unusual circumstances exist which warrant such a relief from the requirement of this Ordinance. With a thirty percent (30%) variance a total of 28 spaces would be required. The applicant is providing 31 available spaces.

Table No. 11 of the UDO establishes a minimum of 2 accessible parking spaces are required when the total parking spaces required are between 26 and 50. One of the accessible spaces must be a van accessible space. The applicant is required to have a total of 40 parking spaces and he is showing 31 available spaces.

3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.

Applicant Response: I think that everybody in the community would benefit from this business in this new location because everything can be kept out of sight, nice and neat. My business also brings a lot of people to the community and keeps more money in our town.

Staff Finding: With certain conditions placed on the proposed use it can be made so that it will not have a negative effect on surrounding property values, or cause a detriment to the surrounding properties. The proposed location gives the applicant plenty of space for storage that is not readily visible from public areas, also described as outside the public viewshed.

4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.

Applicant Response: No, my business will not cause a problem for pedestrians or traffic. I am not a high traffic business.

Staff Finding: There is no evidence that the proposed business will have any adverse affect on vehicular or pedestrian traffic in the vicinity.

5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools?

Applicant Response: (none)

Staff Finding: The proposed use can be accommodated by existing public services and facilities.

6. Is the proposed use in harmony with the Comprehensive Plan? Explain how.

Applicant: Yes, it is in harmony with the comprehensive plan because the type of business this is. It will be a retail service business and this is a water based, boat based town, and I will be specializing in taking care of those things. I feel that it will make me a specialty business.

Staff Response: The Comprehensive Plan suggests various types of retail and service businesses, such as specialty shops and restaurants, as land uses in a town center area. Imposed conditions can ensure that a marine sales and service business is compatible with its surroundings and other retail and service businesses in the TCMU district.

7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.

Applicant Response: No, this does not apply to my shop. It does not produce any of these things listed in excess.

Staff Finding: Conditions can be imposed on the proposed use to ensure that it does not pose a hazardous, detrimental or disturbing affect to present surrounding uses.

8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

Applicant Response: Yes it does. This will be a retail and service business specializing in all marine and boat trailer workings.

Staff Finding: The proposed use can be made to conform to district regulations with certain imposed conditions.

DETERMINATION OF APPLICABLE LAW:

1. The UDO defines conditional uses as specific uses which are enumerated in each zoning district and which because of their nature are not allowed by right but may be allowed after the required review process. The City may specify certain conditions as necessary to make the use compatible with other uses in the same district. Conditional uses are issued for uses of land and uses designated "Conditional Uses-Major" are transferable from one (1) owner of land to another.

The UDO further defines Conditional Uses-Major as uses that are not allowed by right but require a recommendation by the Planning Commission and the approval of the City Council. Additionally, if the conditional use is transferred to a new owner, the new owner must submit a letter to the Economic Development Director agreeing to the current terms and conditions before a business license may be issued.

2. Conditional Uses-Major require a public hearing before the Planning Commission and approval by the City Council (Section 4.14 of the UDO).

RECOMMENDATION:

Staff finds that the proposed use may be compatible and harmonious with the Town Center Mixed Use zoning district and recommends approval with the following conditions:

1. Merchandise shall be considered any item for sale, new or used, that meets the requirements of these conditions. All merchandise shall be clean, usable, and operable as applicable.
2. Used merchandise shall be limited to clean operable boats for sale/display, clean reusable parts for sale, and clean reusable tools/fishing equipment, and other items related to Marine Sales and Service.
3. Merchandise other than boats/trailers shall be located inside of the building or in outdoor storage areas and screened from view.
4. All inoperable boats, unclean parts, tools, equipment, stands, and other items not considered merchandise or other items used for the repair/service portion of the business shall be screened from view and inaccessible to the general public.
5. Boats/trailers for sale may be located inside or outside of the buildings. Only clean, operable boats/trailers for sale may be within the public view shed and accessible to the general public.
6. All boats within the public view shed and accessible to the general public shall be on a trailer. Any Trailers within the public view shed and accessible to the general public shall be maintained in good/clean/presentable condition. Tires shall be in place on trailers and properly inflated at all times.
7. A display area of no more than five (5) operable boats shall be allowed in front of the building by the freestanding sign. Four (4) shall be allowed to the west of the sign and one (1) to the east of the sign.

8. Parts for sale shall be clean/usable and stacked/stored neatly in retail style bins or displays. Unclean parts shall be stacked neatly on pallets that shall be screened from view, be inaccessible to the general public, and kept at least five (5) feet from any property line.
9. The outdoor storage area shall be screened from view by a privacy fence that is a minimum of six (6) feet in height. Outdoor storage areas that contain merchandise for sale shall be segregated from storage areas that are required to be inaccessible to the general public according to these conditions.
10. A clear path shall be kept around the exterior of the building for emergency vehicle access.
11. Noise shall not be at a detectable audible level across property lines.
12. Access to all areas of the property shall be allowed to the City Code Enforcement Officer, with notification to owner and time agreed upon by both, for verification that the conditions are being met.
13. All maintenance or repair (other than cleaning) to boats, trailers, and other merchandise shall be done in areas that are not within the public view shed and are not accessible to the general public.

CONCLUSION:

The Planning Commission may:

1. Recommend that City Council approve the Conditional Use-Major with the conditions listed;
2. Recommend that City Council approve the Conditional Use-Major with changes; or
3. Recommend that City Council deny the Conditional Use-Major.

ATTACHMENTS:

1. Applicant's Exhibit 1 – Application
2. City's Exhibit A – Location Map
3. City's Exhibit B – Existing Zoning Map
4. City's Exhibit C – Existing Land Use Map
5. City's Exhibit D – Future Land Use Map
6. City's Exhibit E – Draft Conditional Use-Major Development Order

ECONOMIC DEVELOPMENT/PLANNING DEPARTMENT
GAUTIER, MISSISSIPPI

CONDITIONAL USE-MAJOR HEARING APPLICATION

Hearing Number

GPC 13-30-CU

TYPE OF REQUEST:

Conditional Use – Major

FEE:

\$250.00

Major Conditional Use – These uses are not allowed by right, and **require** a recommendation by the Planning Commission and approval of the City Council.

Name of Applicant: Danny SenseneyName of Business: The Boat manAddress: 2029 Hwy 90 Gautier ms. Mailing Address (if different): _____Email Address: W.W. WALKINSHAW@yahoo.comPhone: 228-522-1600 Cell Phone: 228-218-3080Reason for request, location and intended use of Property: MARINE SALES & SERVICES

ATTACHMENTS REQUIRED AS APPLICABLE:

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

Signature of Applicant: Danny SenseneyDate of Application: Dec 19-13

FOR OFFICE USE ONLY

Date Received 12/19/13 Verify as Complete BSFee Amount Received \$250 cashInitials of Employee Receiving Application BS

OWNERS CONSENT AND DESIGNATION OF AGENCY – CONDITIONAL USE

I, STEVEN R. WADE, Pres., the fee simple owner of the following described property (give legal description):

Commencing at the Southwest corner of Section 36; thence North 1,637.52 feet to the Point of Beginning; thence 196.92 feet; thence North 659.14 feet; thence West 200 feet; thence South 693.09 feet to the Point of Beginning.

hereby petition to the City of Gautier to Grant a Conditional Use of Sales and Service in 2024 Highway 90 Gautier MS and affirm that Danny Sene is hereby designated to act as agent on my behalf to accomplish the above.

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

Steven R Wade
(Owner's Signature)

The foregoing instrument was acknowledged before me this 18 day of Dec 2013,
20 18 by Steven R Wade, who is personally known to me or has produced DL #800366936 Exp 9-27-14 as identification and who did take an oath.

Kyle Hatten
(Printed Name of Notary Public)

[Signature]
(Signature of Notary Public)

Commission # 104452. My commission expires 1-22-17.
(Notary's Seal)



MAJOR CONDITIONAL USE

Criteria for Approval Major Conditional Use

1. Is the proposed use listed in the list of possible Conditional Uses in the particular Zoning District? *yes*
2. Please describe how the project is compatible with the character of development in the vicinity relative to (a) density, bulk and intensity of structures, (b) parking, and (c) other uses. Please attach parking plan, site plan, architectural rendering or other plans.
3. Will your project negatively affect neighboring property values or pose a real or perceived threat to citizens? Explain.
4. Will your project adversely affect vehicular or pedestrian traffic in the vicinity? Explain.
5. Can the proposed use be accommodated by existing or proposed public services and facilities including, but not limited to, water, sanitary sewer, streets, drainage, police and fire protection, and schools?
6. Is the proposed use in harmony with the Comprehensive Plan? Explain how. *yes*
7. Does the proposed use pose a hazardous, detrimental, or disturbing affect, either real or perceived, to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances? Explain.
8. Does the use conform to all district regulations for the applicable district in which it is located, or have other provisions been provided for? Explain.

EXHIBIT 1

Narrative

Question 3, page 2:

We are wanting to open a marine sales and service shop that will consist of selling new and used boat parts, new trailer parts, boat trailer repair, new and used outboard motors, and many types of sporting good equipments. I think this shop fits into the criteria because I will be engaging in retail and service work, I would consider this a specialty shop and also this is a water and boat base community that could really benefit from this shop.

Page 4, Question 1:

The answer to this question is, Yes, because I will be engaging in retail and services and will consider myself a specialty business.

Page 4 , Question 3:

I think that everybody in the community would benefit from this business in this new location because everything can be kept out of sight, nice and neat. My business also brings a lot of people to the community and keeps more money in our town.

Page 4 , Question 4:

No, my business will not cause a problem for pedestrians or traffic. I am not a high traffic business.

Page 4 , Question 6:

Yes it is in harmony with the comprehensive plan because the type of business this is, it will be a retail service business and this is a water base, boat base town, and I will be specializing in taking care of those things. I feel that it will make me a specialty business.

Page 4, Question 7:

No this does not apply to my shop, it does not produce and of these things listed in access .

Page 4, Question 8:

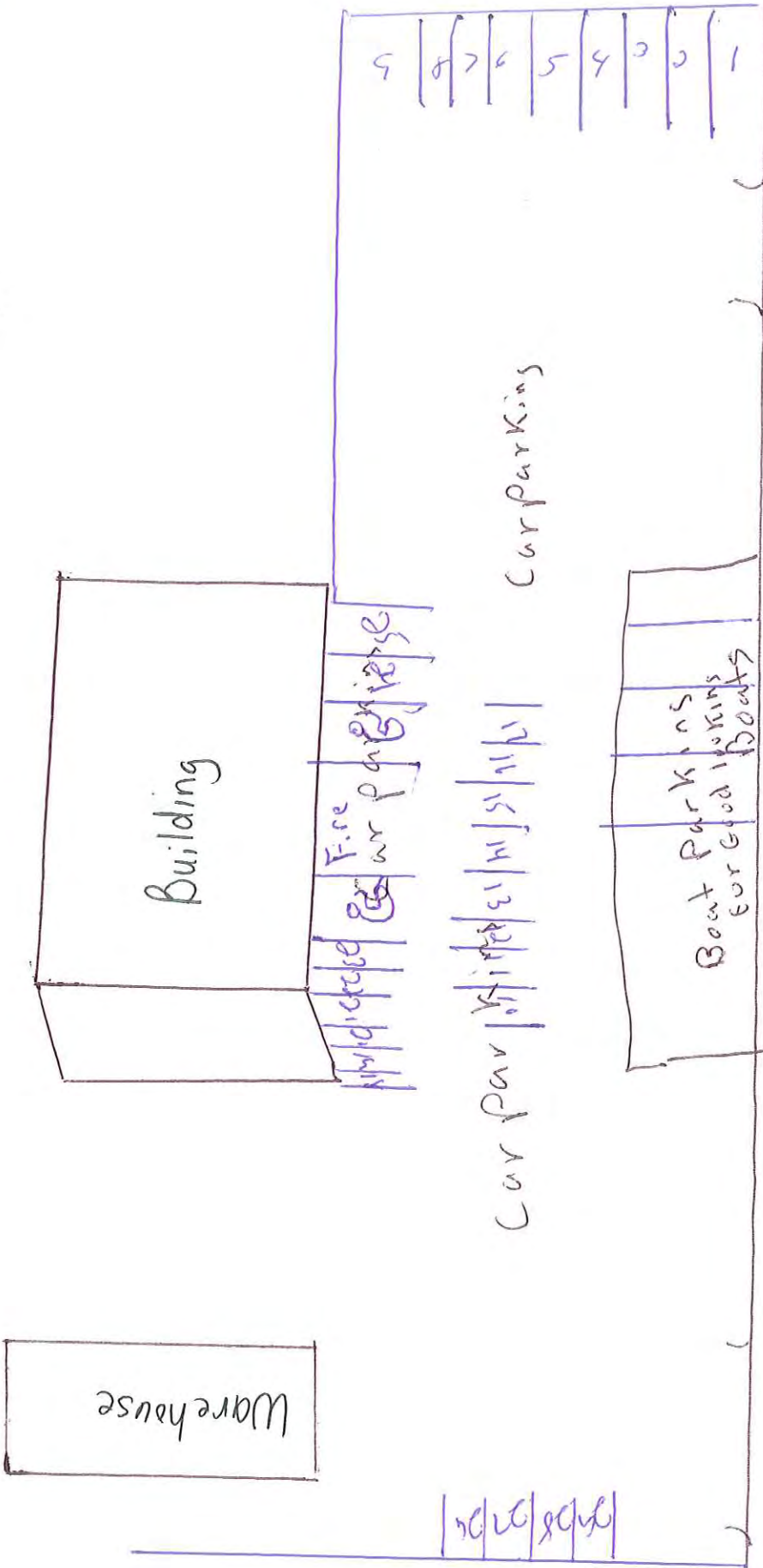
Yes it does. This will be a retail and service business specializing in all marine and boat trailer workings.

*Criteria
major*

EXHIBIT 1



Outside Boat Parking
in Back



HW 90

verified parking spaces

for

EXHIBIT 1

Parcel Information

PIDN: 82436055.170

GISP: 777.36-03-0110.00

Owner Information

Name: WADE BLOCK & TILE CO INC

Percent of Ownership: 100

Name2:

Mailing Address: 3637 LACHENE ST
MOSS POINT MS 39563

Physical Address: 2029 HWY 90 GAUTIER

Land Information

Section, Township, Range: 36 7S 7W

Acreage: 3.20000004

Street Name: HWY 90

Value and Tax Information

Total Assessed Value: 80691

Total Appraised Value: 537940

Improvement Value: 298840

Land Value: 239100

Tax Amount: 10478

SQ. FT: 0 Year Built: 1986

Legal Description

Description: COM AT SWC SEC 36 N 1378' E 1637.52' TO POB E 196.97' N 659.14' N 79 DEG W 200' S 693.07 TO POB DB 842-292 (110 Map777,36-03)

Deed Book / Page: 842 / 292

[illegible]

EXHIBIT A

Location Map 2029 Highway 90 Major Conditional Use

City Of Gautier
Economic Development/Planning



0 400 800
Feet



Prepared by the
City of Gautier
GIS Division

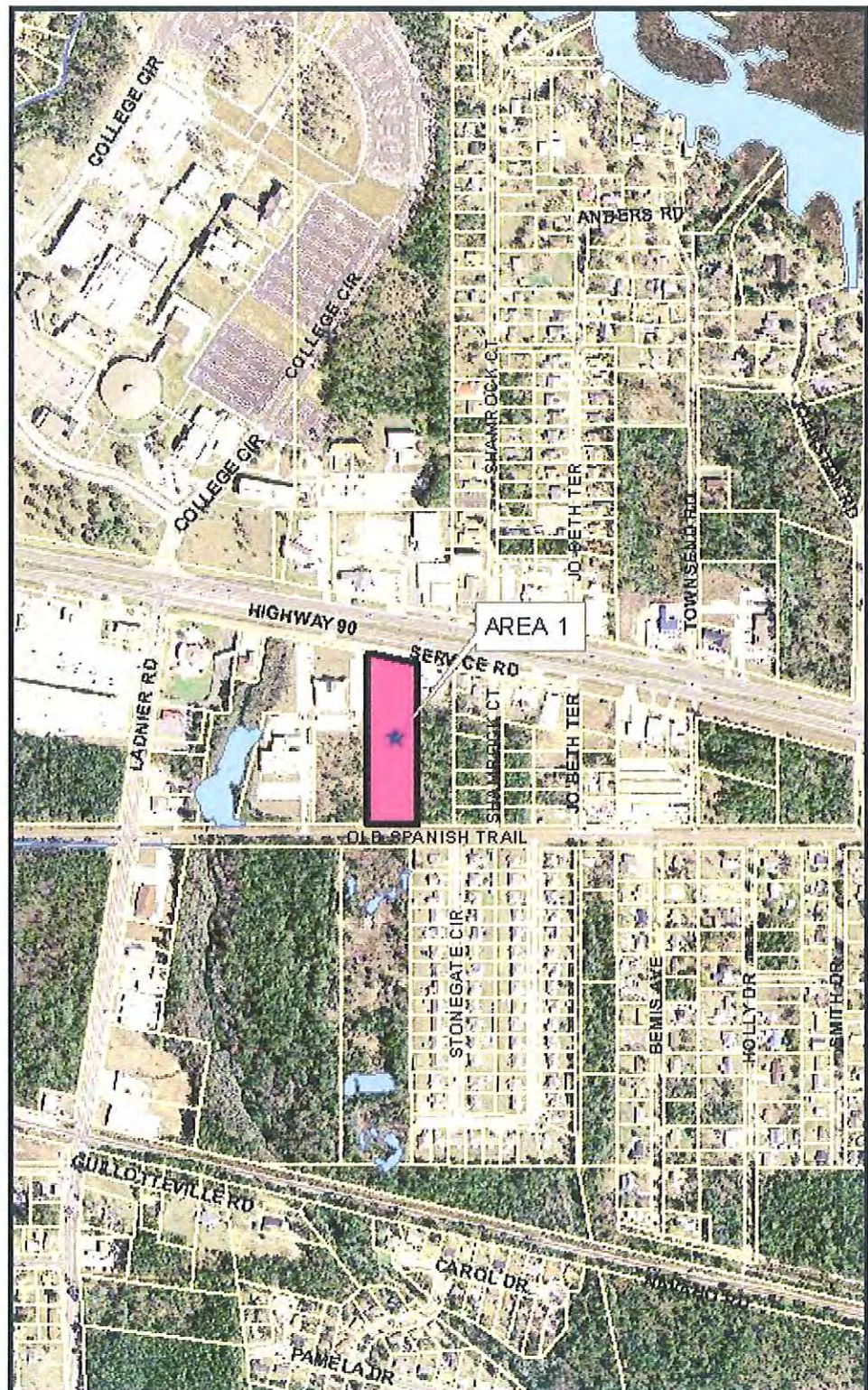
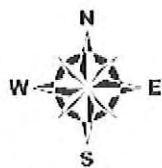


EXHIBIT B

Existing Zoning Map

City Of Gautier
Economic Development/Planning



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

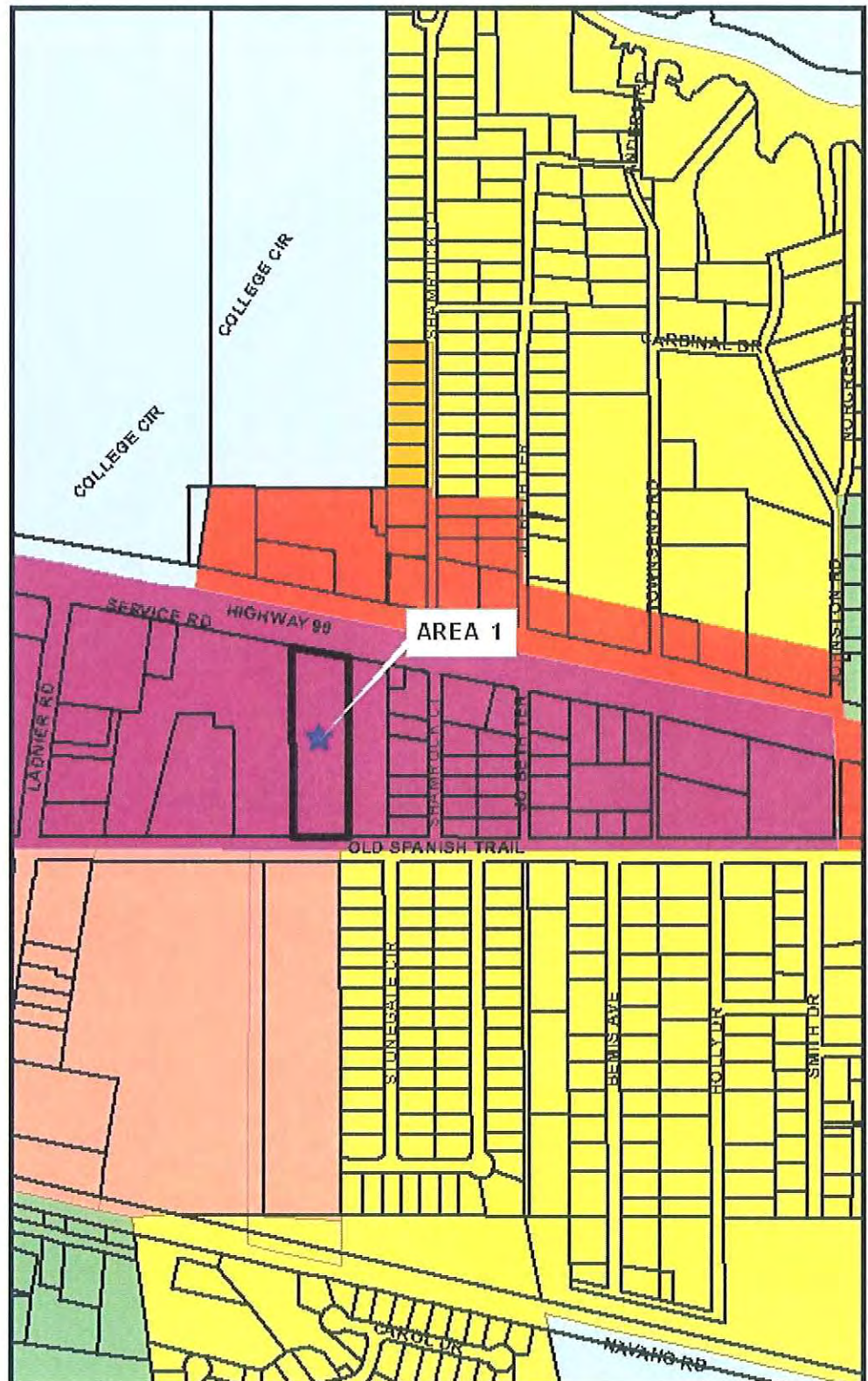


EXHIBIT C

Existing Land Use Map

City Of Gautier
Economic Development Planning



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

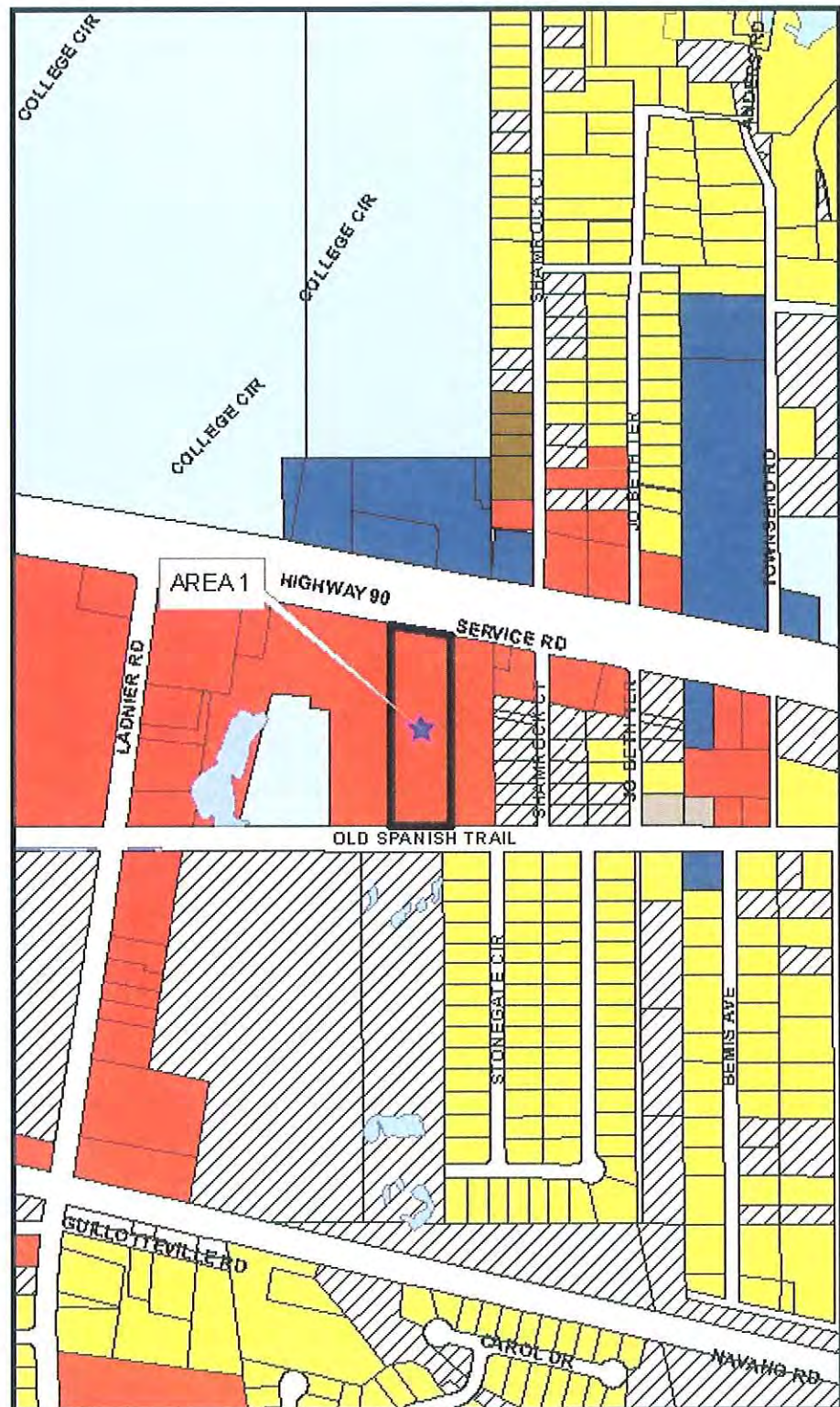


EXHIBIT D

Future Land Use Map

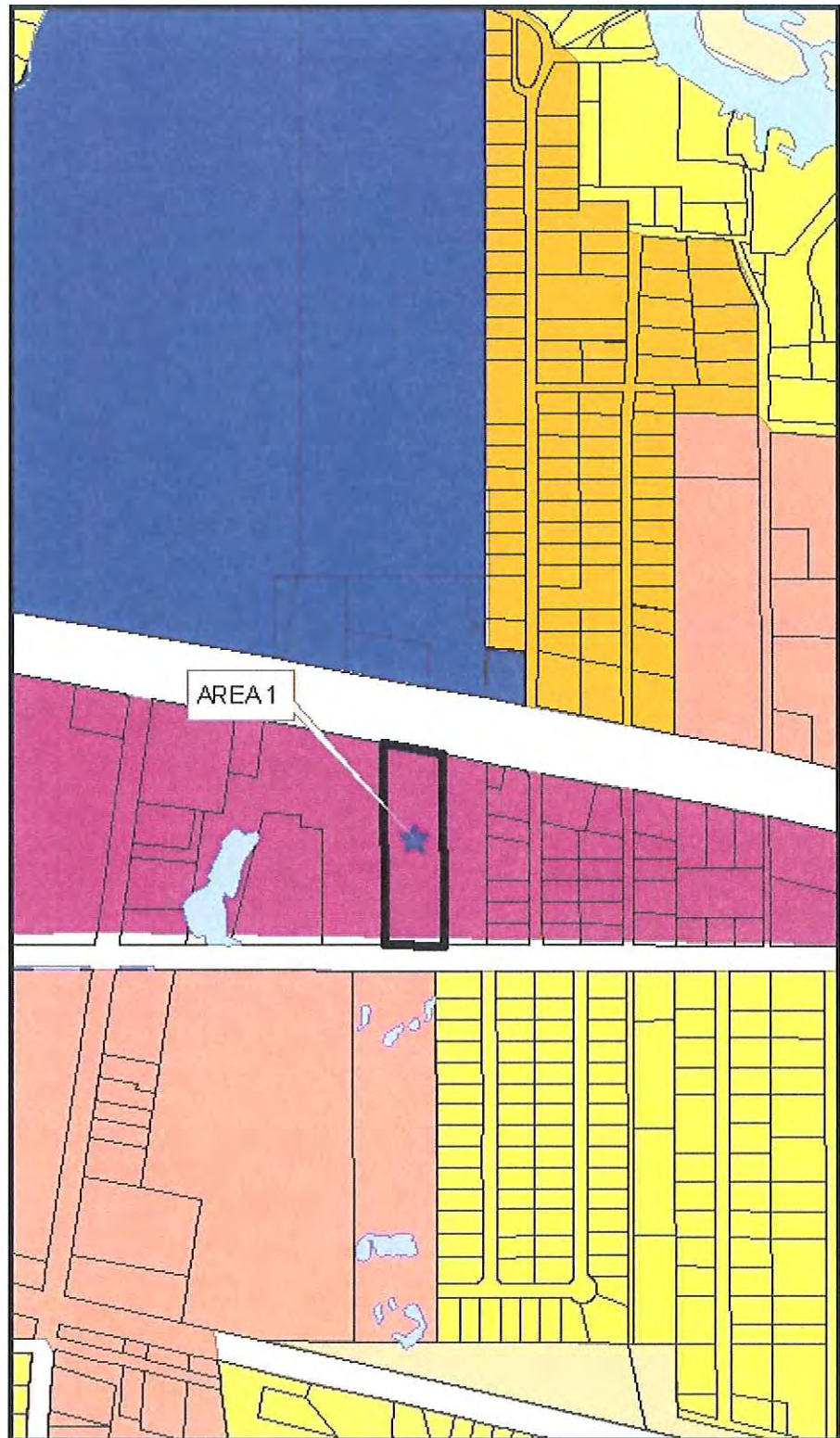
City Of Gautier
Economic Development Planning



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



**CITY OF GAUTIER
CONDITIONAL USE-MAJOR DEVELOPMENT PERMIT
GPC CASE NO. 13-30-CU**

THE BOAT MAN

REGARDING PARCEL ID NO: 82436055.170

The City of Gautier, at its regular meeting held on January 7, 2014, considered the application for a Conditional Use-Major Development Permit for a marine sales and service business as submitted by Danny Senseney, owner of The Boat Man. The parcel subject to this Permit is located at 2029 Highway 90, Gautier, Mississippi, 39553. After due public notice, the City Council, having considered the favorable recommendation by the Planning Commission, application, testimony and exhibits presented by the applicant, the report of the City Staff and all other relevant testimony, exhibits and other evidence, pursuant to applicable provisions of the City's Unified Development Ordinance, hereby approves the Conditional Use-Major Development Permit and orders as follows:

1. This proposed Conditional Use-Major is consistent with the goals, objectives and policies of the City's Comprehensive Plan.
2. This proposed Conditional Use-Major is consistent with the character of the immediate vicinity of the proposed use.
3. The proposed use, classified as marine sales and service, is permitted as a Conditional Use-Major in the TCMU Town Center Mixed Use District.
4. Therefore, the City Council accepts the recommendation of the Planning Commission and approves the application submitted on December 19, 2013 for a Conditional Use-Major Development Permit.
5. The following additional conditions will ensure that the operation of the proposed conditional use will minimize any detrimental effects on neighboring properties and shall apply to the project:
 - a. Merchandise shall be considered any item for sale, new or used, that meets the requirements of these conditions. All merchandise shall be clean, usable, and operable as applicable.
 - b. Used merchandise shall be limited to clean operable boats for sale/display, clean reusable parts for sale, and clean reusable tools/fishing equipment, and other items related to Marine Sales and Service.

EXHIBIT E

- c. Merchandise other than boats/trailers shall be located inside of the building or in outdoor storage areas and screened from view.
- d. All inoperable boats, unclean parts, tools, equipment, stands, and other items not considered merchandise or other items used for the repair/service portion of the business shall be screened from view and inaccessible to the general public.
- e. Boats/trailers for sale may be located inside or outside of the buildings. Only clean, operable boats/trailers for sale may be within the public view shed and accessible to the general public.
- f. All boats within the public view shed and accessible to the general public shall be on a trailer. Any Trailers within the public view shed and accessible to the general public shall be maintained in good/clean/presentable condition. Tires shall be in place on trailers and properly inflated at all times.
- g. A display area of no more than five (5) operable boats shall be allowed in front of the building by the freestanding sign. Four (4) shall be allowed to the west of the sign and one (1) to the east of the sign.
- h. Parts for sale shall be clean/usable and stacked/stored neatly in retail style bins or displays. Unclean parts shall be stacked neatly on pallets that shall be screened from view, be inaccessible to the general public, and kept at least five (5) feet from any property line.
- i. The outdoor storage area shall be screened from view by a privacy fence that is a minimum of six (6) feet in height. Outdoor storage areas that contain merchandise for sale shall be segregated from storage areas that are required to be inaccessible to the general public according to these conditions.
- j. A clear path shall be kept around the exterior of the building for emergency vehicle access.
- k. Noise shall not be at a detectable audible level across property lines.
- l. Access to all areas of the property shall be allowed to the City Code Enforcement Officer, with notification to owner and time agreed upon by both, for verification that the conditions are being met.
- m. All maintenance or repair (other than cleaning) to boats, trailers, and other merchandise shall be done in areas that are not within the public view shed and are not accessible to the general public.

EXHIBIT E

6. The City Clerk shall have this permit recorded in the public records of Jackson County, at the expense of the applicant, and provide the applicant a copy of the permit with the recording information affixed.
7. The Gautier Planning Commission recommended approval of this Conditional Use-Major Development Permit on January 2, 2014.
8. The City Council adopted this Conditional Use-Major Development Permit on a recorded vote of _____ ayes to _____ nays to approve the application of The Boat Man, located at 2029 Highway 90, in Gautier, Mississippi, and identified as Jackson County Parcel No. 82436055.170.

January 7, 2014
Date of Issuance

Attest:

Gordon Gollott, Mayor
City of Gautier, Mississippi
3330 Highway 90
Gautier, MS 39553

Cynthia Russell
City Clerk

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

ORDER NUMBER 002-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City of Gautier is hereby authorized to submit an application to the U.S. Environmental Protection Agency (EPA) for FY2014 Brownfields Assessment Grant funding.

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 Jones**, seconded by **Councilman Vaughan** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants & Projects Manager
Through: Chandra Nicholson, Director of Economic Development & Planning
Date: December 17, 2013
Subject: FY 2014 Brownfields Assessment Grant Application Submission

REQUEST:

The Economic Development and Planning Departments requests City Council authorization to submit an application to the U.S. Environmental Protection Agency (EPA) for FY 2014 Brownfields Assessment Grant funding.

BACKGROUND:

EPA's Brownfields Program provides funds to empower states, communities, tribes and nonprofits to prevent, inventory, assess, clean up, and reuse brownfield sites. A brownfield site is defined as "real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land." Assessment grant funding is used to inventory, characterize, assess, and conduct planning (including clean-up planning) and community involvement related to brownfield sites.

DISCUSSION:

The Economic Development and Planning Department requests authorization to apply for a community-wide Brownfields Assessment Grant for the maximum allowed of \$400,000 (\$200,000 from hazardous substances funding and \$200,000 from petroleum funding). This funding opportunity does not require a local match.

RECOMMENDATION:

The Economic Development and Planning Department recommends that City Council authorize submission of an application for FY 2014 Brownfields Assessment Grant funding as outlined above prior to the January 22, 2014 deadline.

The City Council may:

1. approve submission of an application for FY 2014 Brownfields Assessment Grant funding as described above; or
2. approve submission of an application for FY 2014 Brownfield Assessment Grant funding with changes; or
3. disapprove submission of an application for FY 2014 Brownfield Assessment Grant funding.

ATTACHMENT(S):

FY14 Guidelines for Brownfields Assessment Grants Overview (pp. 1-2)

OVERVIEW

AGENCY: ENVIRONMENTAL PROTECTION AGENCY (EPA)

TITLE: FY14 Guidelines for Brownfields Assessment Grants

ACTION: Request for Proposals

RFP NO: EPA-OSWER-OBLR-13-05

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NO.: 66.818

DATES: Proposals may be sent through the U.S. Postal Service, commercial delivery service, or electronically through www.grants.gov. Only one method should be used for the submission of the original, complete proposal package. Proposals sent through the U.S. Postal Service or via a commercial delivery service must be postmarked by January 22, 2014. Proposals sent electronically through grants.gov must be received by www.grants.gov by 11:59 p.m. Eastern Time on January 22, 2014. Please refer to Section IV.B, *Due Date and Mailing Instructions*, for further instructions.

SUMMARY: The Small Business Liability Relief and Brownfields Revitalization Act ("Brownfields Law", P.L. 107-118) requires the U.S. Environmental Protection Agency (EPA) to publish guidance to assist applicants in preparing proposals for grants to assess and clean up brownfield sites. EPA's Brownfields Program provides funds to empower states, communities, tribes, and nonprofits to prevent, inventory, assess, clean up, and reuse brownfield sites. EPA provides brownfields funding for three types of grants:

1. Brownfields Assessment Grants – provides funds to inventory, characterize, assess, and conduct planning (including cleanup planning) and community involvement related to brownfield sites.
2. Brownfields Revolving Loan Fund (RLF) Grants – provides funds for a grant recipient to capitalize a revolving fund and to make loans and provide subgrants to carry out cleanup activities at brownfield sites.
3. Brownfields Cleanup Grants – provides funds to carry out cleanup activities at a specific brownfield site owned by the applicant.

Under these guidelines, EPA is seeking proposals for **Assessment Grants only**. If you are interested in requesting funding for RLF and/or Cleanup Grants, please refer to announcement EPA-OSWER-OBLR-13-06 (RLF Grant guidelines) and EPA-OSWER-OBLR-13-07 (Cleanup Grant guidelines) posted separately on www.grants.gov and www.epa.gov/brownfields.

For the purposes of these guidelines, the term “grant” refers to the cooperative agreement that EPA will award to a successful applicant. Please refer to Section II.C for a description of EPA’s anticipated substantial involvement in the financial assistance agreements awarded under these guidelines.

EPA urges applicants to review the Frequently Asked Questions which can be found at http://www.epa.gov/brownfields/proposal_guides/FY14_FAQs.pdf.

In addition, prior to naming a contractor or subawardee in your proposal, please carefully review Section IV.E and F of these guidelines.

FUNDING/AWARDS: The total funding available under the national competition for assessment, cleanup, and RLF grants is estimated at \$63.2 million subject to the availability of funds and other applicable considerations. EPA must expend 25 percent of the amount appropriated for brownfields grants on sites contaminated with petroleum. EPA anticipates awarding an estimated 269 grants among all three grant types. Under this announcement, EPA anticipates awarding an estimated 189 assessment grants for an estimated \$40 million.

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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 003-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the paid Docket of Claims to Regions Bank for the Interest Payment due on MS Development Bank Special Obligation Bond Series 2013 (Ionization Project Bond) in the amount of \$53,094.07 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 **Councilwoman Martin**, seconded by **Councilman Colledge** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

Docket of Claims
Claims paid from 01/02/2014 thru 01/02/2014

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	REGIONS BANK	140651	01/02/2014	01/02/2014			53,094.07	APPROVED
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-680-819	WIRE INT PMT: MDB BOND 2013	5703	12/18/2013		53,094.07		
FUND TOTAL 400	Claims	to	Checks	1 Total	53,094.07 Manual	Held	Total	53,094.07

Docket of Claims
Claims paid from 01/02/2014 thru 01/02/2014

SUMMARY OF ALL FUNDS

FUND 400 Claims	to	Checks	1 Total	53,094.07 Manual	Held	Total	53,094.07
Total for all Funds		Checks	1 Total	53,094.07 Manual	Held	Total	53,094.07



CORPORATE TRUST SERVICES

1900 5th Avenue North
Birmingham, AL 35203
Phone (205) 264-5399 Fax (205) 264-5264

Date: December 18, 2013
Account No: 4080001043
Bl#: 5703

City of Gautier
Attn: Cynthia Russell, City Clerk
3330 Highway 90
Gautier, MS 39553

**Re: Mississippi Development Bank Special Obligation Bonds Series 2013
(City of Gautier Mississippi Combined Utility System Revenue Bond Project)**

DESCRIPTION	AMOUNT
Debt Service due January 1, 2014	
Principal	\$0.00
Interest:	\$53,094.07
TOTAL	\$53,094.07

FUNDS ARE DUE BY 1/1/2014

If you intend to transfer Federal Funds VIA Federal Reserve Bank Wire Transfer System, please direct your transfer to the instructions shown below no later than one business day prior to the payment due date:

Regions Bank
ABA #062-005-690
FOR CREDIT TO: A/C #0017541387, Wealth Management Operations
Ref: MDB Gautier 2013
Attn: Patti Maner 205-264-5399

If remitting by check, please have necessary funds in our hands five business days prior to the payment date. Please mail your payment along with a copy of this statement to:

Regions Bank
Attn: Cherie' Sasser
1900 5th Avenue North
Birmingham, AL 35203

THANK YOU FOR YOUR BUSINESS!

**Councilman Vaughan recused himself from the discussion and vote of Business Item #5
– Docket of Claims at 7:00 PM.**

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

ORDER NUMBER 004-2014

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

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Rusty Anderson
 Adam Colledge

NAYS: None

RECUSED: Casey Vaughan

MAYOR

ATTEST:

CITY CLERK

Passed and Adopted by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of January 7, 2014.

Docket of Claims
Release date from 01/07/2014 thru 01/07/2014

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001	AIRGAS USA, LLC	140582	01/07/2014	12/16/2013			184.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-205-588	CYLINDER RENTAL		9914846255	11/30/2013			184.20
001	DELTA COMPUTER SYSTEMS INC	140610	01/07/2014	12/19/2013			330.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	ACCTG SOFTWARE MAINT		101098	12/15/2013			230.00
	001-092-698	VOTER REG SOFTWARE MAINT		101098	12/15/2013			20.00
	001-092-698	PRIV LIC SOFTWARE MAINT		101099	12/15/2013			80.00
001	AT&T	140626	01/07/2014	12/20/2013			52.03	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		2284977070	12/14/2013			52.03
001	AT&T	140629	01/07/2014	12/23/2013			68.98	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		2284972172	12/14/2013			68.98
001	AT&T	140630	01/07/2014	12/26/2013			3,198.39	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		2284978000	12/14/2013			3,198.39
001	GLOBALSTAR	140634	01/07/2014	12/30/2013			52.90	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-605	MONTHLY SERVICE		5271318	12/16/2013			52.90
001	PASCAGOULA UTILITIES	140635	01/07/2014	12/31/2013			427.02	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	CENTRAL FIRE STN		1524747	12/27/2013			161.74
	001-161-630	SOUTH FIRE STN		1524929	12/27/2013			265.28
001	C SPIRE WIRELESS	140652	01/07/2014	01/02/2014			520.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-605	POLICE CELLS		0032680896	12/11/2013			520.20
001	BLOSSMAN GAS, INC.	140653	01/07/2014	01/02/2014			293.87	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-630	PROPANE:NORTH STN		200890	11/12/2013			188.17
	001-161-630	PROPANE:NORTH STN		201031	11/21/2013			105.70
001	CABLE ONE	140654	01/07/2014	01/02/2014			108.94	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	JAN 2014: 23421-102609-01-6		01052014	12/23/2013			108.94
001	FEDERAL EXPRESS	140655	01/07/2014	01/02/2014			669.08	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-021-602	OVERNIGHT DOCUMENTS		248547552	12/04/2013			28.27
	001-100-559	OVERNIGHT EVIDENCE		248547552	12/04/2013			640.81

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001	FIRST INSURANCE FUNDING CORP	140656	01/07/2014	01/02/2014			13,625.28	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-625	JAN 2014 LIABILITY		01312014	01/12/2014		13,625.28	
001	POSTER'S AIR CONDITIONING & HEATING INC	140659	01/07/2014	01/02/2014			492.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	ESA RENEWALS: 6 SYSTEMS		P937132	12/09/2013		307.50	
	001-092-635	REPL PRO 5000 THERMOSTAT		W937774	12/12/2013		185.00	
001	FUELMAN OF MS	140661	01/07/2014	01/02/2014			3,618.24	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP39943277	12/16/2013		48.66	
	001-092-525	UNL FUEL		NP39943277	12/16/2013		29.67	
	001-100-525	UNL FUEL		NP39943277	12/16/2013		2,644.30	
	001-161-525	UNL & DSL FUEL		NP39943277	12/16/2013		544.08	
	001-170-525	UNL & DSL FUEL		NP39943277	12/16/2013		165.37	
	001-205-525	UNL FUEL		NP39943277	12/16/2013		186.16	
001	FUELMAN OF MS	140664	01/07/2014	01/02/2014			4,311.11	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-525	UNL FUEL		NP39988456	12/23/2013		209.83	
	001-092-525	UNL FUEL		NP39988456	12/23/2013		65.96	
	001-100-525	UNL FUEL		NP39988456	12/23/2013		3,288.36	
	001-161-525	UNL & DSL FUEL		NP39988456	12/23/2013		469.53	
	001-170-525	UNL & DSL FUEL		NP39988456	12/23/2013		136.38	
	001-205-525	UNL FUEL		NP39988456	12/23/2013		141.05	
001	FUELMAN OF MS	140667	01/07/2014	01/02/2014			3,317.19	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-525	UNL FUEL		NP40031000	12/30/2013		98.44	
	001-100-525	UNL FUEL		NP40031000	12/30/2013		2,659.58	
	001-161-525	UNL & DSL FUEL		NP40031000	12/30/2013		405.49	
	001-170-525	UNL & DSL FUEL		NP40031000	12/30/2013		153.68	
001	JACKSON COUNTY ADULT DETENTION CENTER	140670	01/07/2014	01/02/2014			9,868.61	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-010-696	NOV 2013 ADC CHGS		11302013	12/18/2013		9,800.00	
	001-010-696	PHARMACY CHARGES		11302013	12/18/2013		68.61	
001	JACKSON COUNTY CHANCERY CLERK	140673	01/07/2014	01/02/2014			3,630.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-698	RESEARCH LAND RECORDS (726)		224	12/17/2013		3,630.00	
001	LLOYD B MARSHALL, JR. CPA	140674	01/07/2014	01/02/2014			2,375.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-092-600	PROGRESS PMT FY 2013		7	12/30/2013		2,375.00	

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001	ROBERT JONES,CUSTODIAN	140675	01/07/2014	01/02/2014			143.15	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-635	WINDOW FILM		09182013	12/12/2013		35.28	
	001-161-682	EMT REGISTRY: HILL		11012013	12/12/2013		15.00	
	001-161-638	VEHICLE TAG		12032013	12/12/2013		12.00	
	001-161-638	COUPLING: E4		11292013	12/12/2013		12.80	
	001-161-559	UPS SHIPPING		12112013	12/12/2013		68.07	
001	SBM REPORTING, LLC	140676	01/07/2014	01/02/2014			175.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-090-698	12/05/13 PLANNING MTG		MK212	12/06/2013		175.00	
001	SINGING RIVER ANIMAL HOSPITAL	140677	01/07/2014	01/02/2014			486.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-514	MEDICAL PROCEDURE		70116	12/13/2013		486.50	
001	SINGING RIVER E.P.A.	140678	01/07/2014	01/02/2014			215.18	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-161-631	MARTIN BLUFF FD	58380001	12132013	12/23/2013		164.12	
	001-201-629	SIGNAL LIGHTS	17546	12132013	12/23/2013		30.81	
	001-092-631	CITY LIMIT SIGN	17546	12132013	12/23/2013		20.25	
001	SINGING RIVER E.P.A.	140679	01/07/2014	01/02/2014			9,079.96	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-633	STREET LIGHTING		12152013	12/26/2013		4,765.08	
	001-201-629	SIGNAL LIGHTS		12152013	12/26/2013		1,447.99	
	001-092-631	CITY HALL		12152013	12/26/2013		1,549.10	
	001-170-631	FRAZIER PARK		12152013	12/26/2013		42.50	
	001-170-631	SENIOR BLDG		12152013	12/26/2013		407.23	
	001-161-631	CENTRAL FD		12152013	12/26/2013		364.87	
	001-170-631	CITY PARK		12152013	12/26/2013		154.18	
	001-092-631	PUBLIC WORKS		12152013	12/26/2013		328.76	
	001-092-631	HWY 90 SIGN		12152013	12/26/2013		20.25	
001	SINGING RIVER E.P.A.	140680	01/07/2014	01/02/2014			2,181.99	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-100-631	POLICE STATION	66298004	12152013	12/26/2013		1,310.72	
	001-201-629	SIGNAL LIGHT	89113001	12152013	12/26/2013		57.63	
	001-170-631	CITY PARK RESTRMS	89912001	12152013	12/26/2013		219.35	
	001-201-633	STREET LIGHTS	90345002	12152013	12/26/2013		450.36	
	001-092-631	RECORDS BLDG	90790001	12152013	12/26/2013		143.93	
001	SINGING RIVER E.P.A.	140681	01/07/2014	01/02/2014			1,165.96	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	001-201-633	DOLPHIN ST	94987002	12152013	12/26/2013		168.26	
	001-201-633	DOLPHIN ST	94988002	12152013	12/26/2013		199.14	
	001-201-633	DOLPHIN ST	94989002	12152013	12/26/2013		256.77	
	001-201-633	DOLPHIN ST	94990002	12152013	12/26/2013		541.79	

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001	SINGING RIVER E.P.A.	140682	01/07/2014	01/02/2014			1,576.98	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-161-631	SOUTH FD 76008001	12172013	12/27/2013				233.79
	001-170-631	BACOT PARK 10137	12172013	12/27/2013				1,207.06
	001-201-629	SIGNAL LIGHTS 10138	12172013	12/27/2013				136.13
001	STAPLES CREDIT PLAN	140699	01/07/2014	01/02/2014			532.52	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-040-500	EXP WALLETS, CALENDARS, MOUSE	12918	12/04/2013				190.19
	001-022-500	FILE, BATTERY, 2014 DAYMINDER	12921	12/04/2013				136.90
	001-090-559	DENVILLE CHAIR	13904	12/13/2013				213.99
	001-022-500	CREDIT ON EXCHANGE	59394	12/04/2013				-8.56
001	CREDIT CARD CENTER	140703	01/07/2014	01/03/2014			1,604.76	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-001-559	CANDY CANES	1365206	12/04/2013				32.07
	001-001-559	CHAMBER DECORATIONS	8943328	12/04/2013				84.18
	001-040-500	ADOBE ACROBAT FEE	7005628	12/09/2013				16.04
	001-001-559	FLOAT DECORATIONS	0082221	12/09/2013				40.66
	001-001-559	CHAMBER DECORATIONS	6541602	12/09/2013				194.55
	001-022-596	CHRISTMAS PARTY PRIZES	12102013	12/11/2013				388.77
	001-022-596	CHRISTMAS PARTY SUPPLIES	12122013	12/13/2013				304.77
	001-022-681	HOTEL-SHRM EXPO: PUGH	8238827	12/16/2013				122.63
	001-040-500	CREDIT RETURN-STAPLES	1449798	12/18/2013				-140.16
	001-090-689	DEER CORN	6040105	12/19/2013				50.00
	001-021-559	LOAN DOCUMENT FEES	4200021	12/20/2013				51.28
	001-040-500	ADOBE ACROBAT CXL FEE	4258167	12/23/2013				74.89
	001-040-500	CHAIR, HP XL INK CART(8)	5009893	12/23/2013				385.08
001	DEMENT PRINTING CO	140706	01/07/2014	01/03/2014			1,047.69	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-010-620	UNIFORM TRAFFIC TICKETS	0135610001	12/16/2013	140127			604.75
	001-010-620	CITY SUMMONS TO APPEAR	0135610001	12/16/2013	140127			408.00
	001-010-620	SHIPPING	0135610001	12/16/2013	140127			34.94
001	CUMMINS MID-SOUTH INC.	140709	01/07/2014	01/03/2014			812.57	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-161-638	KIT, ACTUATOR SERVICE	010-26360	12/20/2013	140256			499.37
	001-161-638	LABOR	010-26360	12/20/2013	140256			313.20
001	NEWELL PAPER COMPANY	140710	01/07/2014	01/03/2014			16.80	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-092-510	CASE CLOROX 960Z	803151	12/17/2013	140226			16.80
001	GULF COAST BUSINESS SUPPLY CO.	140711	01/07/2014	01/03/2014			161.96	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	001-092-510	409 CLEANER (12)	80302	12/13/2013	140225			37.68
	001-092-510	BROWN MULTI FOLD TOWELS	80302	12/13/2013	140225			47.97
	001-092-510	TOILET TISSUE (CASE)	80302	12/13/2013	140225			27.99
	001-092-510	WINDEX GALLON (4)	80302	12/13/2013	140225			42.96

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001	GULF COAST BUSINESS SUPPLY CO.	140711	01/07/2014	01/03/2014			161.96	(CONTINUED)
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-092-510	SPRAY TRIGGER BOTTLES (4)	80302	12/13/2013	140225	5.36		
001	SUNBELT FIRE, INC.	140712	01/07/2014	01/03/2014			138.40	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-639	SCBA ASSESSMENT	103728	12/19/2013	140241	40.00		
	001-161-639	TRAVEL AND MILEAGE	103728	12/19/2013	140241	98.40		
001	CUSTOM PRODUCTS CORPORATION	140713	01/07/2014	01/03/2014			234.22	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-201-576	STREET SIGN(7),NO PARKING(1)	246073	12/18/2013	140216	234.22		
001	A-1 AUTO PARTS	140714	01/07/2014	01/03/2014			389.88	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-570	R AND R MODE DOOR ACTUATOR	10639	12/10/2013	140189	389.88		
001	STAPLES BUSINESS ADVANTAGE DEPT ATL	140717	01/07/2014	01/03/2014			675.45	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-040-500	BANKER'S BOX	3217151146	12/10/2013	140224	74.19		
	001-040-500	WIRELESS DESKTOP KEYBOARD	3217151146	12/10/2013	140224	39.19		
	001-040-500	MICROSOFT ERGONOMIC KEYBOARD	3217151146	12/10/2013	140224	44.99		
	001-040-500	COPY PAPER	3217151146	12/10/2013	140224	184.10		
	001-040-500	LEXMARK TONER CARTRIDGE	3217269035	12/12/2013	140224	293.79		
	001-040-500	WIRELESS DESKTOP KEYBOARD	3217269037	12/12/2013	140224	39.19		
001	JM DOORS	140718	01/07/2014	01/03/2014			175.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-635	REPAIR SW BAY DOOR-CENTRAL	2284	12/18/2013	140232	175.00		
001	AFFORDABLE PAINT & BODY	140719	01/07/2014	01/03/2014			2,450.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-638	PAINT 08 CHARGER WHITE #11760	0198	12/30/2013	140099	2,450.00		
001	JOHNSON DIESEL, INC	140722	01/07/2014	01/03/2014			7,355.30	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-161-638	STARTER REPAIR (ENG 3)	53310	12/27/2013	140244	120.00		
	001-161-638	SOLOINOID	53310	12/27/2013	140244	20.03		
	001-161-638	ROCKER SWITCH	53310	12/27/2013	140244	45.66		
	001-161-638	CAPS FUEL INJ PUMP	53310	12/27/2013	140244	4,370.80		
	001-161-638	MISC SHOP	53310	12/27/2013	140244	15.00		
	001-161-638	FREIGHT	53310	12/27/2013	140244	551.81		
	001-161-638	LABOR	53310	12/27/2013	140244	2,232.00		
001	144TH MARKETING GROUP,LLC	140723	01/07/2014	01/03/2014			5,464.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	001-100-799	3-RAPTOR RP1,DUAL KA BAND ANT	12082	12/06/2013	140123	5,430.00		
	001-100-799	SHIPPING	12082	12/06/2013	140123	34.00		
FUND TOTAL	1 Claims	to	Checks	41 Total	83,226.81 Manual	Held	Total	83,226.81

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012	MITCHELL SIGNS	140720	01/07/2014	01/03/2014			46,995.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	012-021-750	DIGITAL DISPLAY SIGN	1948	12/26/2013	130839	46,995.00		
FUND TOTAL	12 Claims	to	Checks	1 Total	46,995.00	Manual	Held	Total 46,995.00

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130	PEOPLES BANK-CORPORATE TRUST SERVS	140688	01/07/2014	01/02/2014			105,934.38	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-680-813	GAUTIER GO BNDS 2010		3194	02/01/2014		105,934.38	
130	DAN HENSARLING, INC	140689	01/07/2014	01/02/2014			7,144.95	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-130-756	CONSTRUCTION:NEW FIRE STN		11	12/03/2013		7,144.95	
130	TEAM ONE COMMUNICATIONS, INC	140707	01/07/2014	01/03/2014			4,243.85	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	130-130-756	COMMUNICATIONS SYSTEM		1200060771	12/09/2013	130927	4,243.85	
FUND TOTAL 130 Claims	to	Checks	3 Total	117,323.18	Manual	Held	Total	117,323.18

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161	TEAM ONE COMMUNICATIONS, INC	140708	01/07/2014	01/03/2014			4,854.50	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	161-161-702	APX6000 CARRY CASE (17)	9020004101	12/19/2013	140171	952.00		
	161-161-702	APX7000 CARRY CASE (4)	9020004101	12/19/2013	140171	224.72		
	161-161-702	SHOULDER STRAP (22)	9020004101	12/19/2013	140171	429.00		
	161-161-702	RADIO PROGRAMMING (8)	9020004101	12/19/2013	140171	240.00		
	161-161-702	INSTALL APX6500 RADIO (3)	9020004101	12/19/2013	140171	480.03		
	161-161-702	APX7000/6000 SPARE BATT (15)	9020004101	12/19/2013	140171	1,785.00		
	161-161-702	APX7000/6000 IMPRES CHRGR (7)	9020004101	12/19/2013	140171	743.75		
FUND TOTAL 161 Claims	to	Checks	1 Total	4,854.50	Manual	Held	Total	4,854.50

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172	JACKSON-GEORGE REGIONAL LIBRARY	140602	01/07/2014	12/18/2013			1,518.80	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	172-350-650	LIBRARY SUPPORT	DEC 2013	12/18/2013		1,518.80		
FUND TOTAL 172 Claims	to	Checks	1 Total	1,518.80	Manual	Held	Total	1,518.80

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176	AT&T	140627	01/07/2014	12/20/2013			123.86	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-605	MONTHLY SERVICE	2284972244	12/14/2013				123.86
176	AT&T	140628	01/07/2014	12/23/2013			185.02	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-605	MONTHLY SERVICE	2284970676	12/14/2013				75.02
	176-170-605	DEC 2013 DSL	2284970676	12/14/2013				110.00
176	FUELMAN OF MS	140662	01/07/2014	01/02/2014			248.03	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-525	UNL & DSL FUEL	NP39943277	12/16/2013				248.03
176	FUELMAN OF MS	140665	01/07/2014	01/02/2014			69.13	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-525	UNL & DSL FUEL	NP39988456	12/23/2013				69.13
176	FUELMAN OF MS	140668	01/07/2014	01/02/2014			171.74	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-525	UNL FUEL	NP40031000	12/30/2013				171.74
176	SINGING RIVER E.P.A.	140683	01/07/2014	01/02/2014			2,249.18	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-631	PARK FACILITIES	76854002	12172013	12/27/6013			1,788.36
	176-170-631	HOUSE/OFFICE	76855002	12172013	12/27/2013			460.82
176	AD2 INC	140690	01/07/2014	01/02/2014			140.00	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-699	HOST FEE DEC 2013	2328	12/15/2013				25.00
	176-170-699	SHOPPING CART DEC 2013	2328	12/15/2013				115.00
176	ENTERPRISE FUND	140691	01/07/2014	01/02/2014			488.19	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-632	PERIOD: 11/8-12/10/13	872968	01/14/2014				488.19
176	STAPLES CREDIT PLAN	140700	01/07/2014	01/02/2014			114.82	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-500	WIRELESS MOUSE,TAPE,RECEIPTS	12920	12/04/2013				114.82
176	J H WRIGHT & ASSOCIATES, INC.	140724	01/07/2014	01/03/2014			850.00	
	Account Number	Description	Invoice #	Date	P.O.		Amount	
	176-170-586	GOULDS RGS2012 GRINDER PUMP	372844	12/30/2013	140257			800.00
	176-170-586	FREIGHT	372844	12/30/2013	140257			50.00
FUND TOTAL 176 Claims to		Checks	10 Total	4,639.97 Manual		Held	Total	4,639.97

Docket of Claims
Release date from 01/07/2014 thru 01/07/2014

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	AT&T		01/07/2014	12/16/2013			59.29	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-605	MONTHLY SERVICE	2284972276	12/06/2013			59.29	
400	CITY OF GAUTIER		01/07/2014	12/13/2013			43,427.11	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-680-821	ST LNS #3 90/57 SWR	12132013	12/13/2013		7,877.45		
	400-680-822	ST LNS #4 90/57 WTR	12132013	12/13/6013		10,948.67		
	400-680-822	ST LNS #4 90/57 SWR	12132013	12/13/2013		9,019.22		
	400-680-823	ST LNS #5 ALLEN RD	12132013	12/13/2013		2,149.95		
	400-680-824	ST LNS #6 OLD SPAN TR	12132013	12/13/2013		3,765.83		
	400-680-825	ST LNS #7 OLD SPAN TR	12132013	12/13/2013		9,665.99		
400	CITY OF GAUTIER		01/07/2014	12/17/2013			101,838.37	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-000-104	NOV 2013 GARBAGE PMTS	11302013	11/30/2013			101,838.37	
400	DELTA COMPUTER SYSTEMS INC		01/07/2014	12/19/2013			290.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-698	UTILITY SOFTWARE MAINT	101100	12/15/2013		240.00		
	400-650-698	WORK ORDER SOFTWARE MAINT	101100	12/15/2013		50.00		
400	AT&T		01/07/2014	12/20/2013			58.13	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-605	MONTHLY SERVICE	2284974594	12/14/2013		58.13		
400	AT&T		01/07/2014	12/20/2013			60.88	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-605	MONTHLY SERVICE	2284975234	12/14/2013		60.88		
400	BAY ICE		01/07/2014	12/27/2013			47.40	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-559	REFILL ICE @ .79	510678	12/09/2013		47.40		
400	DPC ENTERPRISES, L.P.		01/07/2014	12/31/2013			596.37	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-580	CHLORINE 150# CYL	2120256313	12/09/2013		596.37		
400	FIRST INSURANCE FUNDING CORP		01/07/2014	01/02/2014			2,752.04	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-650-625	JAN 2014 LIABILITY	01312014	01/12/2014		2,752.04		
400	FOSTER'S AIR CONDITIONING & HEATING INC		01/07/2014	01/02/2014			134.00	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-586	SERVICE CALL	W937653	12/05/2013		134.00		
400	FUELMAN OF MS		01/07/2014	01/02/2014			118.17	
	Account Number	Description	Invoice #	Date	P.O.	Amount		
	400-651-525	UNL FUEL	NP39943277	12/16/2013		118.17		

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	FUELMAN OF MS	140666	01/07/2014	01/02/2014			128.20	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-525	UNL FUEL		NP39988456	12/23/2013		128.20	
400	FUELMAN OF MS	140669	01/07/2014	01/02/2014			57.40	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-525	UNL FUEL		NP40031000	12/30/2013		57.40	
400	SINGING RIVER E.P.A.	140684	01/07/2014	01/02/2014			1,565.40	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STATIONS 20649		12122013	12/20/2013		585.21	
	400-651-631	SCHOONER WELL 20688		12102013	12/18/2013		693.99	
	400-651-631	LIFT STATIONS 20688		12102013	12/18/2013		204.11	
	400-651-631	LIFT STATIONS 28779		12132013	12/21/2013		82.09	
400	SINGING RIVER E.P.A.	140685	01/07/2014	01/02/2014			3,852.29	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STNS 17881		12132013	12/23/2013		1,782.61	
	400-651-631	WATER WELLS 17881		12132013	12/23/2013		1,991.05	
	400-651-631	LIFT STNS 89627001		12132013	12/23/2013		58.38	
	400-651-631	LIFT STNS 89702001		12132013	12/23/2013		20.25	
400	SINGING RIVER E.P.A.	140686	01/07/2014	01/02/2014			6,624.98	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STATIONS 17882		12162013	12/24/2013		1,739.68	
	400-651-631	WATER WELLS 17882		12162013	12/24/2013		3,271.38	
	400-651-631	CITY HALL SOUTH 17882		12162013	12/24/2013		1,613.92	
400	SINGING RIVER E.P.A.	140687	01/07/2014	01/02/2014			3,161.29	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-631	LIFT STNS 17875		12172013	12/27/2013		200.35	
	400-651-631	LIFT STNS 17884		12172013	12/27/2013		1,484.25	
	400-651-631	LIFT STNS 17883		12172013	12/27/2013		1,243.87	
	400-651-631	WATER WELL 17883		12172013	12/27/2013		232.82	
400	2012 GUD BONDS DEBT SERVICE	140692	01/07/2014	01/02/2014			116,316.67	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-680-816	JAN 2014 PRN PMT		01012014	12/31/2013		104,166.67	
	400-680-817	JAN 2014 INT PMT		01012014	12/31/2013		12,150.00	
400	ARISTA INFORMATION SYSTEMS INC	140693	01/07/2014	01/02/2014			4,211.60	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-698	NOV 2013 STATEMENTS		16051	12/19/2013		1,211.60	
	400-650-698	NOV 2013 POSTAGE		1425201312	12/20/2013		3,000.00	
400	CABLE ONE	140694	01/07/2014	01/02/2014			59.85	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-698	JAN 2014: 23421-132488-01-8		12272013	12/16/2013		59.85	

Docket of Claims
Release date from 01/07/2014 thru 01/07/2014

Fund	Name of Claimant	Trans #	Release Date	Claim Date	Claim Number	Check Number	Claim Amount	Approved/Disapproved
400	CLEARWATER SOLUTIONS LLC	140695	01/07/2014	01/02/2014			145,083.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-672	DEC 2013 OPERATION FEE		GAUTIER013	01/01/2014		145,083.00	
400	FIRST NATIONAL BANK TRUST DEPT	140696	01/07/2014	01/02/2014			1,940.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-680-803	BOND FEES CY 2013		12312013	12/31/2013		1,940.00	
400	JACKSON COUNTY UTILITY AUTHORITY	140697	01/07/2014	01/02/2014			117,586.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-668	DEC 2013 TREATMENT CHGS		33513	12/11/2013		116,959.00	
	400-651-668	FY 2013 ACTUAL FLOW ADJ		32513	12/11/2013		627.00	
400	PITNEY BOWES PURCHASE POWER	140698	01/07/2014	01/02/2014			621.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-650-607	POSTAGE METER		20060869	12/20/2013		621.00	
400	CREDIT CARD CENTER	140705	01/07/2014	01/03/2014			197.94	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-500	MANUAL CASH DRAWER		7284014	12/05/2013		197.94	
400	C & M ELECTRIC MOTOR SERVICE, INC.	140715	01/07/2014	01/03/2014			1,478.70	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	50 HP MOTOR: HWY 57 WELL		11407	12/11/2013	140230	1,148.90	
	400-651-581	5HP SUBPUMP MOTOR:SPANISH OAK		11407	12/11/2013	140230	329.80	
400	BAYOU CONCRETE, LLC	140716	01/07/2014	01/03/2014			713.50	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	3.5 YD 3000 PSI: SOUNDVIEW		96208	12/10/2013	140209	464.50	
	400-651-581	1 YD 3000 PSI: WESTGATE		96198	12/10/2013	140209	249.00	
400	COBURN'S	140721	01/07/2014	01/03/2014			177.84	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-581	3/4 CTS METER VALVES		6064184391	12/17/2013	140168	174.92	
	400-651-581	2" LONG SCH 40 GLUE CPLG		6064184391	12/17/2013	140168	2.92	
400	J H WRIGHT & ASSOCIATES, INC.	140725	01/07/2014	01/03/2014			855.00	
	Account Number	Description		Invoice #	Date	P.O.	Amount	
	400-651-583	FILL PORT COVER (3)		372840	12/30/2013	140133	150.00	
	400-651-583	FLAPPER VALVE ASSEMBLY (3)		372840	12/30/2013	140133	600.00	
	400-651-583	FREIGHT		372840	12/30/2013	140133	105.00	
FUND TOTAL 400 Claims	to	Checks	29 Total	554,012.42 Manual		Held	Total	554,012.42

SUMMARY OF ALL FUNDS

FUND 1 Claims	to	Checks	41 Total	83,226.81 Manual	Held	Total	83,226.81
FUND 12 Claims	to	Checks	1 Total	46,995.00 Manual	Held	Total	46,995.00
FUND 130 Claims	to	Checks	3 Total	117,323.18 Manual	Held	Total	117,323.18
FUND 161 Claims	to	Checks	1 Total	4,854.50 Manual	Held	Total	4,854.50
FUND 172 Claims	to	Checks	1 Total	1,518.80 Manual	Held	Total	1,518.80
FUND 176 Claims	to	Checks	10 Total	4,639.97 Manual	Held	Total	4,639.97
FUND 400 Claims	to	Checks	29 Total	554,012.42 Manual	Held	Total	554,012.42
Total for all Funds		Checks	86 Total	812,570.68 Manual	Held	Total	812,570.68

Councilman Vaughan returned to the meeting at 7:01 PM.

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

ORDER NUMBER 005-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Consent Agenda Items 1-5 are hereby approved. Consent Item #6 was pulled for further discussion.

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

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

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

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

ORDER NUMBER 006-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that The Minutes from Recessed Council Meeting held December 17, 2013 are hereby approved.

IT IS FURTHER ORDERED that the amended Minutes from Regular Council Meeting held November 5, 2013 are hereby amended. The amendments are as follows:

Page 24 Business Item #2 – Councilman Vaughan's vote was changed from Abstained to Recused.

Page 27 Business Item #3 – Councilman Vaughan's vote was changed from Abstained to Recused.

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

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

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

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

**RESOLUTION NUMBER 002-2014
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 ORDERED that said local emergency shall be deemed to continue to exist until further notice.

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

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

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

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

ORDER NUMBER 007-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to set the date for the following public hearing as requested by the Planning and Economic Development Director is hereby authorized:

WHEN: February 4, 2014
WHERE: Gautier Municipal Building-Council Chambers
TIME: 6:30 pm
PURPOSE: 3824 Kendale Drive
LEGAL DESCRIPTION: PIDN 86026063.000
Lot 63 Northwood Hills Subdivision
Deed Book 636, page 355
Owners of Record: Norman E Thompson (deceased)
Last Known Address: 1201 Hunter Creek Road APT F
Northport, AL 35479

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

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

AYES: Gordon Gollott
Mary Martin
Johnny Jones
Hurley Ray Guillotte
Casey Vaughan
Rusty Anderson
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 January 7, 2014.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Joseph Belles, Code Enforcement Officer
Through: Chandra Nicholson, Planning and Economic Development Director
Patty Huffman, Grants and Projects Manager
Date: December 9, 2013
Subject: Abatement of Substandard Property Conditions, 3824 Kendale Drive
Gautier, Mississippi 39553

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, Staff requests that the City Council set a public hearing date for February 4, 2014, to receive public comment regarding the abatement of the subject property.

BACKGROUND:

An initial telephone complaint from a neighbor concerned with code violations was reviewed and substantiated by code enforcement and a code violation file was opened against the property in July 2009. Code enforcement has dealt with repeated minor code violations since July 2009. The most recent case was reopened when the Crime Prevention Officer requested code enforcement clean and secure the property as neighbors have complained at neighborhood watch meetings repeatedly. Code enforcement learned the owner was deceased (December 2, 2006) and began working with the appointed executor Ms. Wendy Neary and the appointed attorney Michael J Vallette, to correct the minor recurring violations. Initially both individuals would respond and correct the violations when requested. In May 2012, code enforcement contacted Ms. Wendy Neary concerning code violations and Ms. Neary responded by informing code enforcement she was no longer the appointed executor of the property. Code enforcement has sent four letters to the appointed attorney and the last three have not received a reply. In addition, telephone calls to the attorney's office have not been answered. The 2011 and 2012 taxes remain unpaid by the estate; however, the appointed attorney Michael J. Vallette has for the last four years redeemed the most delinquent taxes to prevent a tax sale of the property. The vacant property continues to show signs of disrepair with visible signs of decaying wood surfaces noticeable from the public right-of-way.

Property owners in the vicinity remain concerned with the visible appearance of this overgrown property and are concerned for the health, safety and welfare of their

neighborhood with this unsecured and unsafe structure. Code enforcement informed the owners by letter on December 9, 2012, the property would be recommended for an abatement hearing if not in compliance by January 6, 2014.

DISCUSSION:

The primary goal is to clean up and maintain the overgrown property as necessary and secure the structure in accordance with the International Building Code and Mississippi Code 1972.

RECOMMENDATION:

Staff recommends City Council hold a public hearing on February 4, 2014, in order to determine the property a menace to the public health, safety and welfare of citizens and direct Staff to commence with abatement/clean up of the overgrown property and securing the structure.

ATTACHMENT:

Mississippi Code of 1972, Section 21-19-11, provides procedures to municipalities to clean private property determined to be a menace to those in the municipal community thus:

(1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition * * * signed by a majority of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail * * * two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other

debris; and draining cesspools and standing water there from. The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice.

(2) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(3) If the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

(4) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

(5) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

Parcel Information

PIDN: 86026063.000
GISP: 777.36-02-0012.00

Owner Information

Name: THOMPSON NORMAN E Percent of Ownership: 100
Name2:
Mailing Address: 1201 HUNTER CREEK RD APT F Physical Address: 3824 KENDALE DR GAUTIER
NORTHPORT AL 35479

Land Information

Section, Township, Range: 36 7S 7W Acreage: 0.54000002
Street Name: KENDALE DR

Value and Tax Information

Total Assessed Value: 10595 Total Appraised Value: 70630
Improvement Value: 50630 Land Value: 20000
Tax Amount: 1375 SQ. FT: 1392 Year Built: 1975

Legal Description

Description: LOT 63 NORTHWOOD HILLS S/D (12 Map777.36-02) DB 636-355 DB 915-294
Deed Book / Page: 636 / 355

Jackson County Mississippi



Property Link

JACKSON COUNTY, MS

Current Date 12/ 5/2013

 Tax Year 2013
 Records Last Updated 12/ 4/2013
PROPERTY DETAIL

OWNER THOMPSON NORMAN E
 1201 HUNTER CREEK RD APT F
 NORTHPORT AL 35479

ACRES : **NA**
LAND VALUE : 20000
IMPROVEMENTS : 50630
TOTAL VALUE: 70630
ASSESSED : 10595

PARCEL 86026063.000
ADDRESS 3824 KENDALE

TAX INFORMATION

YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	544.25	0.00	544.25
CITY	365.95	0.00	365.95
SCHOOL	491.50	0.00	491.50
TOTAL	1401.70	0.00	1401.70

To Pay Online, WWW.MS1STOP.COM**LAST PAYMENT DATE **NA******TAXES DELINQUENT PRIOR YEAR****MISCELLANEOUS INFORMATION**

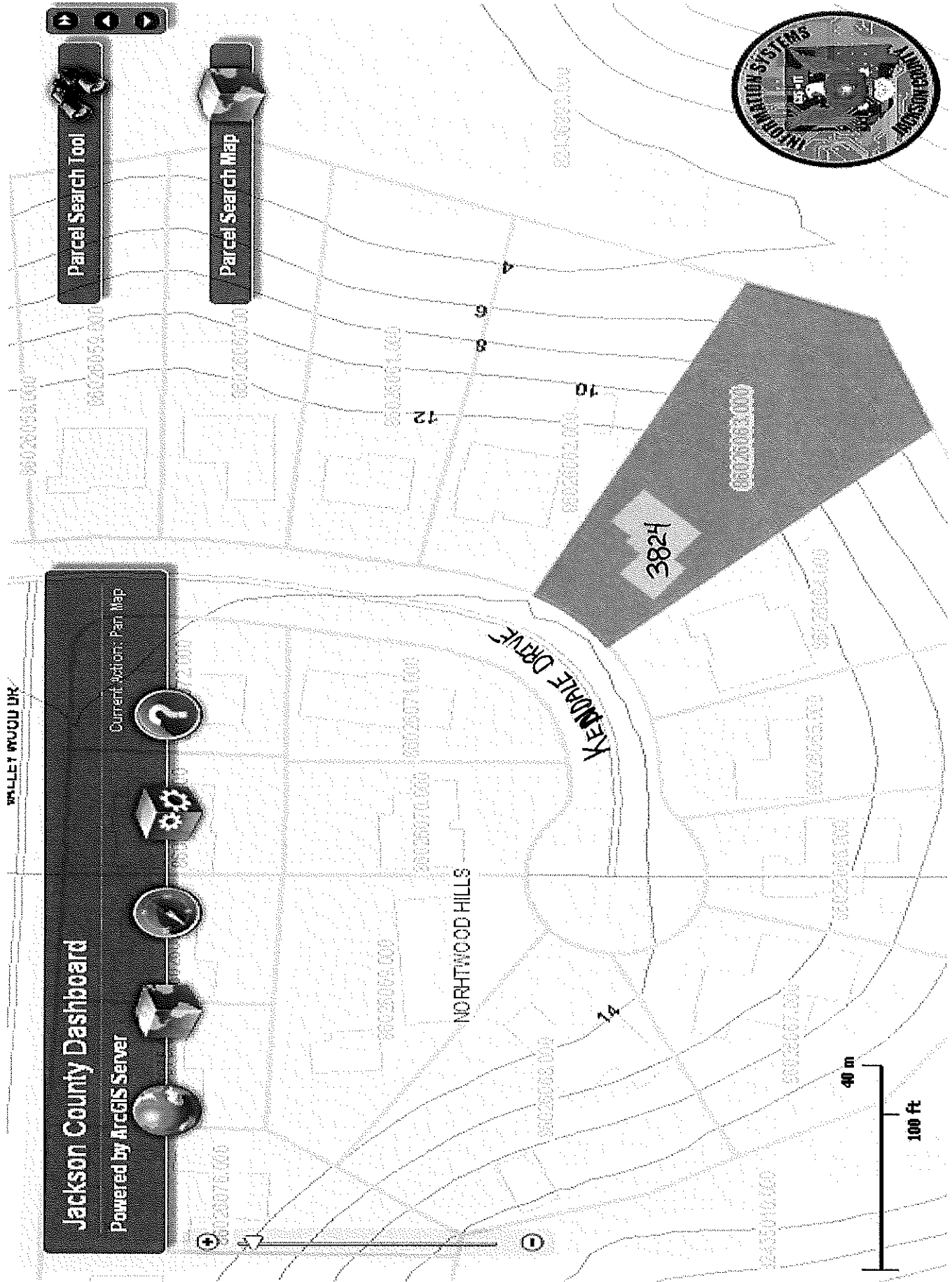
EXEMPT CODE		LEGAL LOT 63 NORTHWOOD HILLS S/D
HOMESTEAD CODE	None	(12 Map777.36-02) DB 636-355
TAX DISTRICT	3840	DB 915-294
PPIN	071306	
SECTION	36	
TOWNSHIP	7S	
RANGE	7W	

Book **Page**

TAX SALESPURCHASE COUNTY TAX SALE FILES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2012	GNART LLC	NOT REDEEMED
2011	SABINE E LADNER	NOT REDEEMED
2010	PUBLICAN ASSET MANAGEMENT	8/23/2013 VALLETTE MICHAEL J
2009	K SCOTT SAUCIER	8/31/2012 MICHAEL VALLETTE
2008	RADLAW LAND INVESTMENTS LLC	8/30/2011 VALLETTE MICHAEL FOR THOMPSON
2007	MARILYN SWANSON	8/20/2010 MICHAEL VALLETTE
2006	DAVID DALEY	8/24/2009 VALLETTE MICHAEL
2005	ADAIR ASSET MANAGEMENT, LLC / US	7/25/2008 WENDY NEARY

[Back](#)

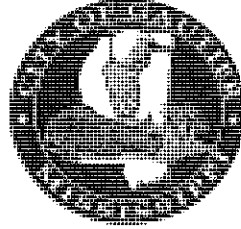


Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon T. Gallott
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

December 9, 2013

Michael J. Vallette
900 Washington Avenue
Ocean Springs, Mississippi 39564

COPY
Mailed + Posted
12-10-13
JB

Reference: Norman Emmett Thompson Estate at 3824 Kendale Drive Gautier, MS 39553

Mr. Vallette,

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 3824 Kendale 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 on this property during a scheduled January 2014 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled February 2014 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 January 6, 2014. 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) 497-8802/1878 or cell number (228) 219-7035.

Sincerely,


Joseph Belles
Code Enforcement Officer

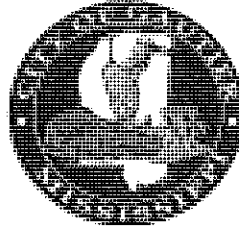
*Mayor
Johnny Fontenberry*

*City of Gautier
Gautier, Mississippi*

*City Manager
Samantha D. Abell*

*City Clerk
Wendy S. McClain*

*Council
At Large Mary F. Martin
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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*

December 9, 2013

Property Owner or
Estate Executor
1201 Hunter Creek Road Apt F
Northport, Alabama 35479

COPY
mailed + posted
12-10-13 JB

Reference: Norman Emmett Thompson Estate at 3824 Kendale Drive Gautier, MS 39553

To Whom It May Concern:

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 3824 Kendale 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 on this property during a scheduled January 2014 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled February 2014 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 January 6, 2014. 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) 497-8802/1878 or cell number (228) 219-7035.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Belles".

Joseph Belles
Code Enforcement Officer

Mayor
Sammy 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
Ward 2 Hurley Ray Guillotte
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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

May 31, 2012

Michael J. Vallette
900 Washington Avenue
Ocean Springs, Mississippi 39564

COPY

mailed 5-31-12
JB

Reference: Norman Emmett Thompson Estate at 3824 Kendale Drive Gautier, MS 39553

Mr. Vallette,

The property address referenced above is in violation of the City of Gautier, property code ordinance after previously sending you three letters of violation. On May 29 2012, the property received another complaint regarding the overgrown vacant property, declining property condition and the general state of disrepair of the structure. Many wood surfaces are decaying and visible from the city street. The City of Gautier, Unified Development Ordinance, Article XVI, Section 16.7, Care of Property and Premises States:

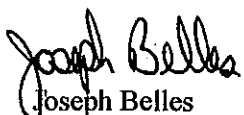
The general site and/or premises shall be maintained in general with particular references to insuring that appearance will be and remain compatible and harmonious with properties in the general area and will not be so at variance with other properties in the general area as to cause a substantial depreciation of such property values.

The owner or tenant is responsible for maintaining all landscaping in good condition to present a healthy, neat, and orderly appearance. All property and yards shall be maintained free from weeds or plant growth in excess of six (6) inches. Weeds shall be defined as all grasses and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated plants, flowers and gardens.

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.

You may contact the City of Gautier, Code Enforcement Office, 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. The property will be reviewed for compliance on/about June 25, 2012.

Sincerely,


Joseph Belles
Code Enforcement Officer

Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

City Manager
Sidney M. Runnels

City Clerk
Wendy S. McClain

Council
At Large Mary Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon T. Gallott
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

May 12, 2011

COPY

mailed 5-13-11

JB

Michael J. Vallette
900 Washington Avenue
Ocean Springs, Mississippi 39564

Reference: Norman Emmett Thompson Estate (Property Maintenance)

Mr. Vallette,

On May 10, 2011, a Code Enforcement Officer for the City of Gautier received another property code complaint against the property address referenced above. I understand you are still the attorney for this estate. The property is overgrown with grass and weeds and has a dead tree located on the property. The dead tree has already dropped a large branch that damaged a storage-building roof on the neighbor's property. The neighbor is not asking for the cost of the damage to her property but she would like to have the tree removed so it will not cause any additional damage as we approach the hurricane season. Additionally, the property needs to be maintained to an amicable appearance with other property owners in this area.

You may contact the City of Gautier, Code Enforcement Office, Monday - Thursday, 8:00 AM - 5:00 PM at (228) 497-8802/1878. I will be happy to assist you with any questions you may have. We gratefully appreciated your cooperation in this matter.

Sincerely,

Joseph Belles
Code Enforcement Officer

Cc: Ms Wendy Neary



City of Gautier

COMMUNITY SERVICES DEPARTMENT

P.O. Box 670
3305 Gautier - Vancleave Road
Gautier, MS 39553

Community Services
Anthony Matheny, Director
Phone: (228) 497-1878
Fax: (228) 497-1038

COPY

mailed 8-11-09

JB

August 10, 2009

Michael J. Vallette
900 Washington Avenue
Ocean Springs, Mississippi 39564

Reference: Norman Emmett Thompson Estate (Property Maintenance)

Mr. Vallette,

On August 10, 2009, I noticed someone had worked on the vacant home of Mr. Thompson and had cut the grass/weeds and trimmed some shrubs. Neighbors informed me there was a person (female) at the property over the weekend who informed neighbors she was in charge of the property and was attempting to sell the vacant home. I just wanted to inform you during my inspection this morning the property was found unsecured (front door wide open) and whoever performed the yard maintenance left the grass and leaves scattered all over the driveway.

I appreciate your initial help resolving the property maintenance complaint I received and would like to know if someone else should be contacted regarding other concerns or problems that arise. You can contact the City of Gautier, Code Enforcement Office, Monday – Friday; 8:00 AM - 5:00 PM at (228) 497-8802 or my cell number (228) 219-7035. We gratefully appreciated your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Belles".

Joseph Belles
Code Enforcement Officer

Cc: File



City of Gautier

COMMUNITY SERVICES DEPARTMENT

P.O. Box 670
3305 Gautier - Vancleave Road
Gautier, MS 39553

Community Services
Anthony Matheny, Director
Phone: (228) 497-1878
Fax: (228) 497-1038

COPY
mailed 7-20-09
JB

July 20, 2009

Michael J. Vallette
900 Washington Avenue
Ocean Springs, Mississippi 39564

Reference: Norman Emmett Thompson Estate (Property Maintenance)

Mr. Vallette,

On July 9, 2009, a Code Enforcement Officer for the City of Gautier received a complaint regarding a code of ordinance violation at 3824 Kendale Drive Gautier, Mississippi. After some research, I discovered you were handling the estate of the deceased owner. The property was being maintained by someone until recently and now needs routine property maintenance to correct the minor code violations. The property needs mowing, trimming shrubs and raking the yard to return the property to within code requirements. I appreciate you returning my phone call and working to correct these minor violations. At this time, we would like to see the minimum maintenance performed to maintain an amicable appearance with other property owners in this area.

You can contact the City of Gautier, Code Enforcement Office, Monday – Friday; 8:00 AM - 5:00 PM at (228) 497-8802 or my cell number (228) 219-7035. I will be happy to assist you with any questions you may have. We gratefully appreciated your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Belles".

Joseph Belles
Code Enforcement Officer

Cc: File

CITY OF GAUTIER
Planning Department
"CODE OF ENFORCEMENT"

Date July 9, 2009

Owner/Occupant: _____

Address: 3824 KENDALL

In the interest of protecting the welfare of the neighborhood and the quality of life in the City of Gautier, YOU are advised that this property is found to be in violation of City Ordinance(s) for the following Reason(s):

- ☐ Failure to have required street numbers prominently displayed on house or building
- ☒ Over grown grass and unkept property
- ☐ Accumulation of trash and debris
- ☐ Open garbage and/or garbage in front yard or on Public Right of Way
- ☐ Abandoned, derelict, inoperable or otherwise unsightly vehicle(s) in yard or driveway
- ☐ Vehicle(s) parked in yard, not on hard surface(s)
- ☐ Other _____

City Ordinance No. 24 Section 14:6

IT SHALL BE UNLAWFUL FOR THE OWNER OR OCCUPANT OF A BUILDING, STRUCTURE, OR PROPERTY TO UTILIZE THE PREMISES OF SUCH PROPERTY FOR THE OPEN STORAGE OF ANY ABANDONED MOTOR VEHICLE, OR PARTS THEREOF, ICE BOX, REFRIGERATOR, STOVE, BUILDING MATERIAL, RUBBISH OR SIMILAR ITEMS. IT SHALL BE THE DUTY AND RESPONSIBILITY OF EVERY SUCH OWNER OR OCCUPANT TO KEEP THE PREMISES OF SUCH PROPERTY CLEAN AND TO REMOVE FROM THE PREMISES ALL SUCH ABANDONED ITEMS LISTED ABOVE. FURTHERMORE, THE GENERAL SITE AND/OR PREMISES SHALL BE MAINTAINED IN GENERAL WITH PARTICULAR REFERENCE 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.

Joe @ 497 8802

Owner/Occupant: YOU will have 7 days from the date of this notice in which to correct the above checked violation(s). If you have any difficulty in complying with the above City Ordinance in the allotted time please call me at 228-497-1878. If you fail to contact me or comply with the City Ordinance, a citation can be issued for you to appear in court regarding this matter.

Code Enforcement
City of Gautier

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI
IN THE MATTER OF THE ESTATE OF
NORMAN EMMETT THOMPSON, DECEASED

FILED

JUN 26 2009
EBB 53 29 17 2007
TERRY MILLER, CLERK
By *Valerie*

CAUSE NO. 2009-1089-NH

WENDY NEARY
ARTHUR D. CARLISLE, ESQ.

PETITIONER
EXECUTOR, CTA

LETTERS TESTAMENTARY

TO ALL WHOM THESE PRESENTS SHALL COME—GREETINGS:

WHEREAS, NORMAN EMMETT THOMPSON, late of Jackson County, Mississippi, Deceased, had while he lived, at the time of his death, divers goods, rights and credits within the County and State aforesaid, and did make and publish his Last Will and Testament, and thereby constituted and appointed the said WENDY NEARY, Executrix thereof, and whereas, the said Will has been ADMITTED TO PROBATE in solemn form in our said Court, and the Court has appointed ARTHUR D. CARLISLE, to serve as Executor, CTA, and he has taken the oath and given bond as required by law:

WE DO THEREFORE HEREBY GRANT unto the said ARTHUR D. CARLISLE, these our Letters Testamentary, CTA authorizing and empowering the said ARTHUR D. CARLISLE to make inventory of the estate of said testator and return the same to our Court as by law required; to pay first the debts of said testator, and then the legacies contained in said Will so far as the goods, chattels and credits will extend and the law shall charge the said ARTHUR D. CARLISLE, to execute and perform the said Last Will and Testament according to the true intent and meaning and thereof; and lastly to render a just and true account of her actions and doings herein, when thereto required by this Court.

WITNESS, HONORABLE, D Neil Harris Judge of the Chancery Court
of Jackson County, Mississippi, on the 20th day of June, 2009

ISSUED the 20th day of June, 2009.

Terry Miller
CHANCERY CLERK

BY: Valerie Sanchez
DEPUTY CLERK

MICHAEL J. VALLETTE, MBN 6075
900 WASHINGTON AVE.
OCEAN SPRINGS, MS 39564
228-875-6700 PH.
228-875-6702 FAX.

IN THE CHANCERY COURT OF JACKSON COUNTY, MISSISSIPPI

NOTICE OF COURT SETTING

COPY

TO: Michael J. Vallette
900 Washington Avenue

Ocean Springs MS 39564

FILED

MAY 14 2009

TERRY MILLER, CLERK

By 2/2

RE: CAUSE NO. 2009-1089
NORMAN EMMETT THOMPSON, DEC. ESTATE OF:

in the above styled and numbered cause has been SET for:
ADMIT WILL TO PROBATE IN SOLEMN FORM (PER JUDGE)

on June 25th 2009
at 09:00 A.M. IN Jackson County
before D. Neil Harris, Sr.

CERTIFICATE

I, the undersigned, do hereby certify that I have
this day May 14th 2009, mailed, postage prepaid
the notice of court setting to above named attorney
at the address stated above.

Theresa Ryan
Court Administrator
228-769-3193

PROBATE

Judge D. Neil Harris, Sr.

Case Number 2009-1089

File No. 76215 Type 1

Styled

NORMAN EMMETT THOMPSON, DEC'D., ESTATE

-VS-

Probate

Party Number 3 Party Type 10 EXECUTOR/TRIX
On Behalf N (P/D/Na) F5-Search ==> 1=Plaint,2=Def,3=P Atty,4=D Atty
Pro Se (Y/N)
Attorney No. 5867 (Enter only if Party is an Attorney)
Party Name CARLISLE, ARTHUR D.
Display Name Arthur D. Carlisle

Address 900 Washington Avenue

Ocean Springs MS 39564
Title
Phone Number 228-872-5568
Comments

Active Y (Y/N) Primary Y (Y/N)

Copyright 2006, Delta Computer Systems, Inc. - All Rights Reserved 02/23-RAQ
F3-SEARCH EVENTS F9-DELETE THIS RECORD F12-SEARCH ATTORNEYS

PROBATE

Judge D. Neil Harris, Sr.

Case Number 2009-1089

File No. 76215 Type 1

Styled

NORMAN EMMETT THOMPSON, DEC'D., ESTATE

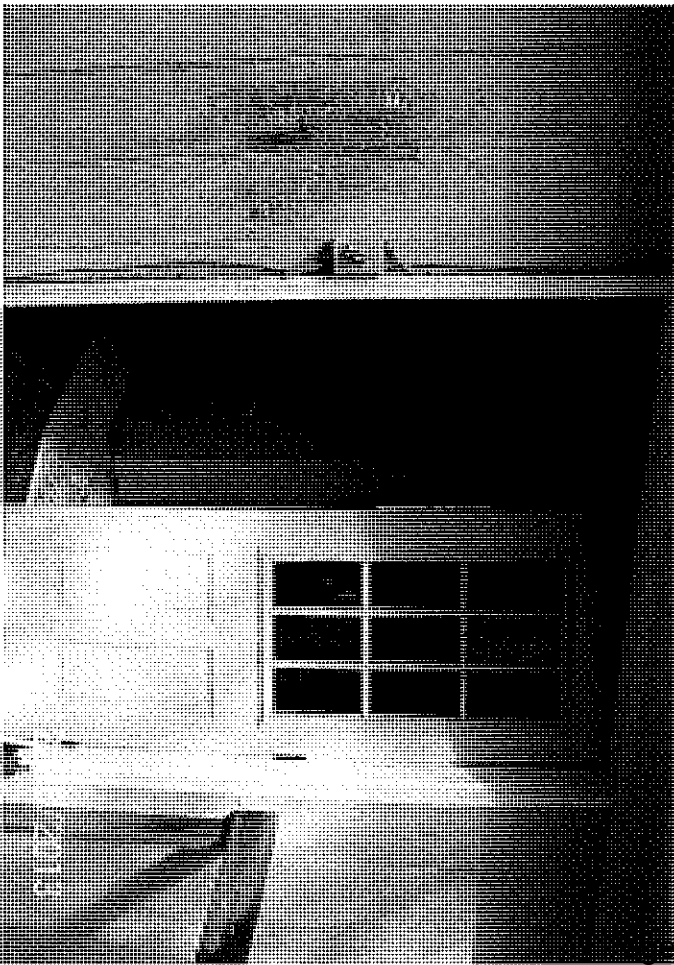
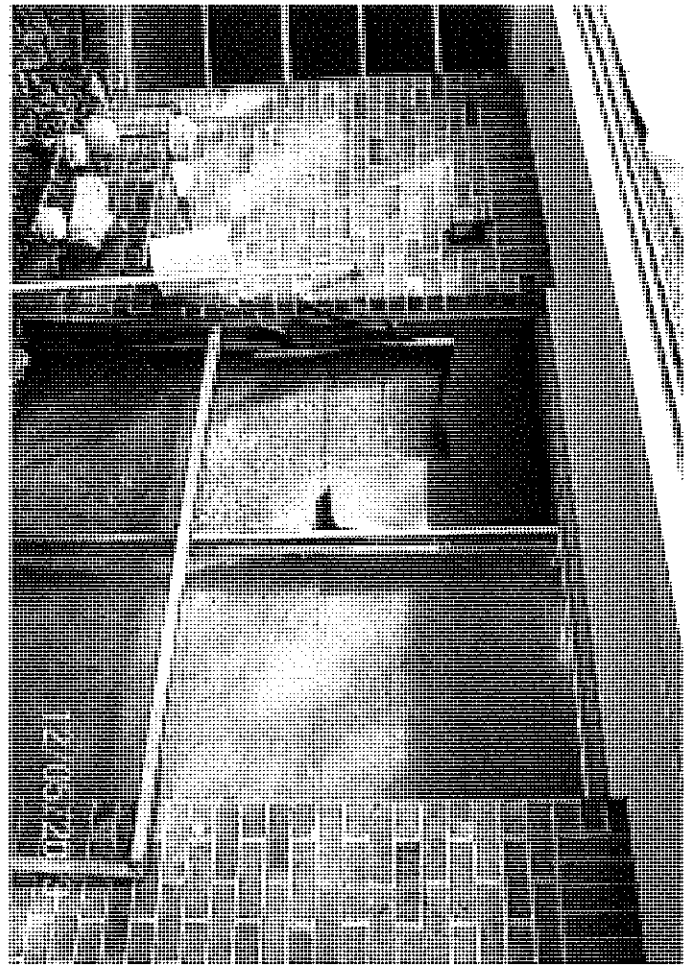
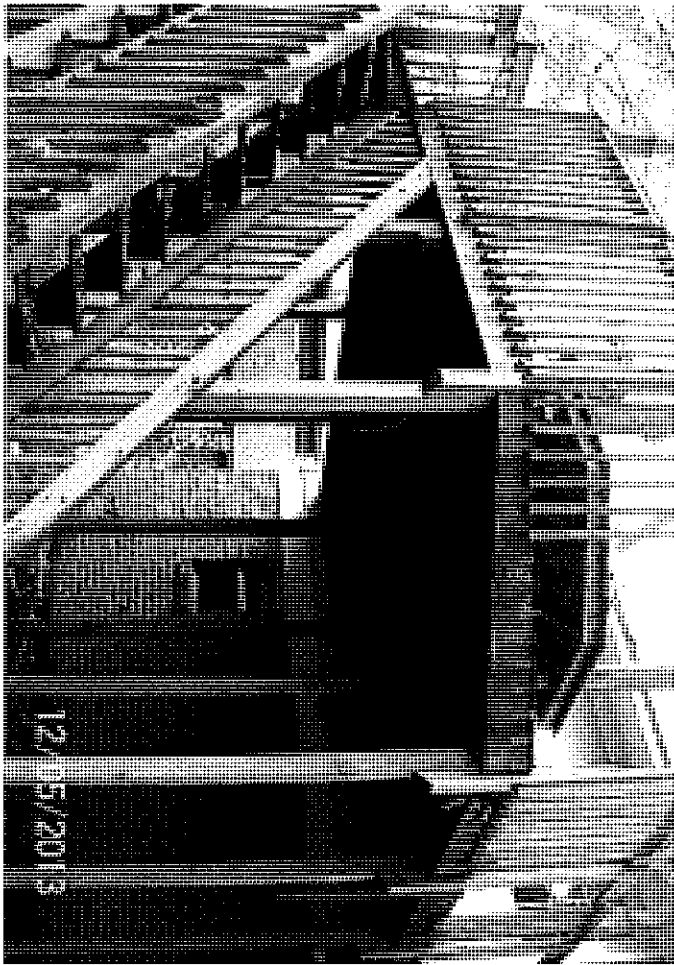
-VS-

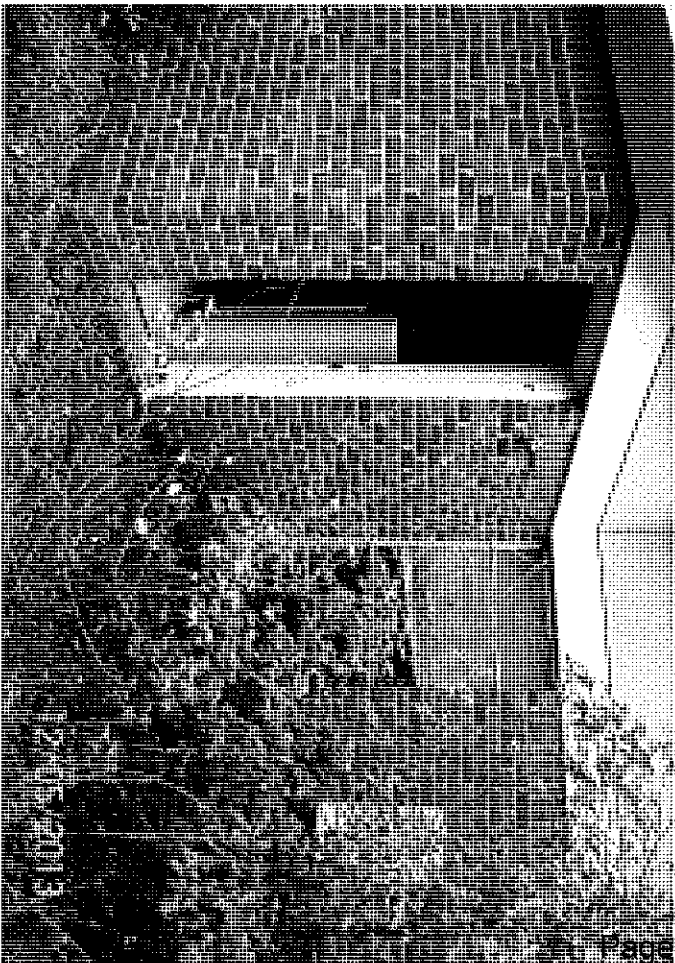
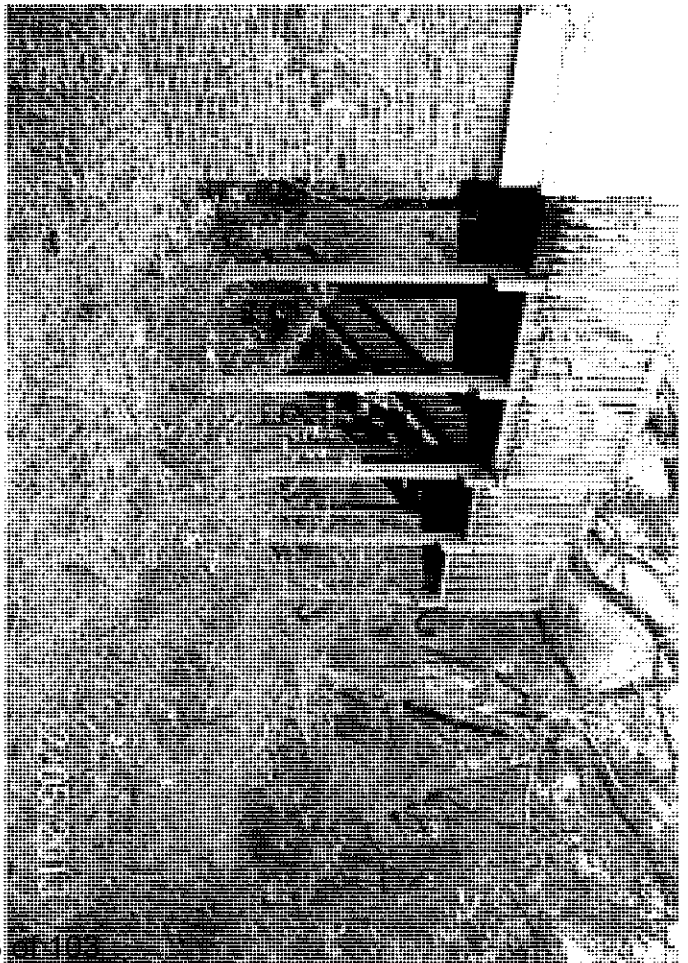
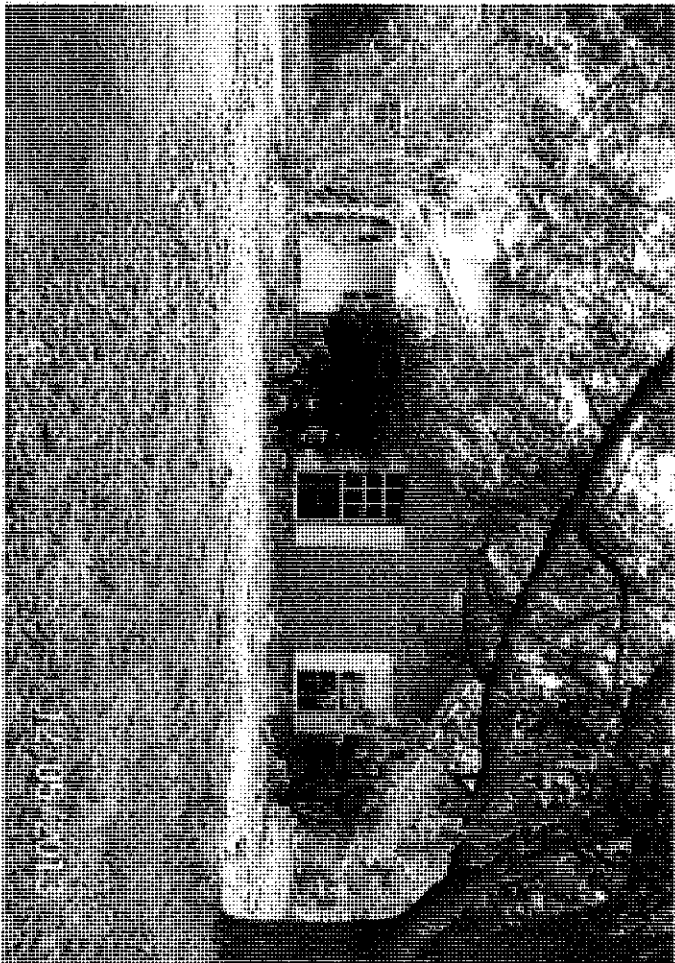
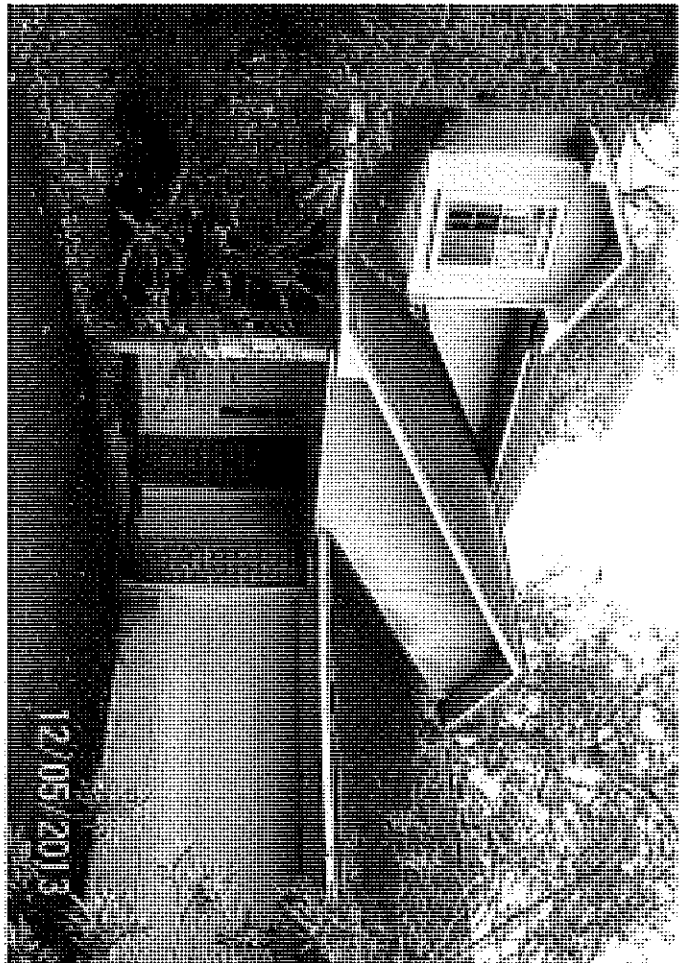
Probate

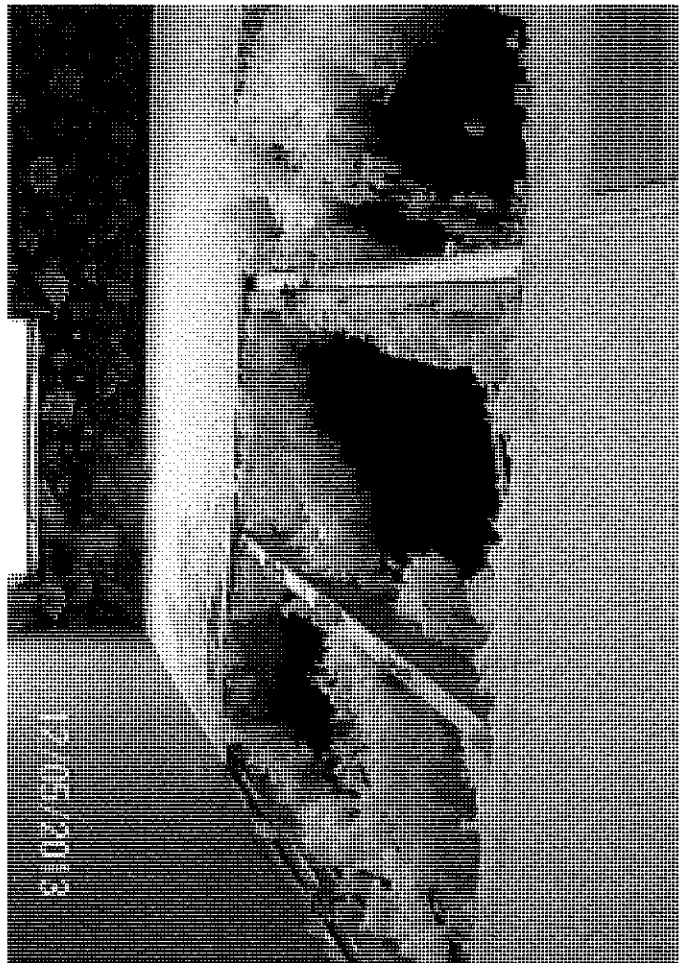
Party Number 2 Party Type 3 PLAINTIFF ATTORNEYS
On Behalf P (P/D/Na) F5-Search ==> 1=Plaint,2=Def,3=P Atty,4=D Atty
Pro Se (Y/N)
Attorney No. 6075 (Enter only if Party is an Attorney)
Party Name VALLETTE, MICHAEL J.
Display Name Michael J. Vallette
Address 900 Washington Avenue
Ocean Springs MS 39564
Title
Phone Number 228-875-6700
Comments

Active Y (Y/N) Primary Y (Y/N)

Copyright 2006, Delta Computer Systems, Inc. - All Rights Reserved 02/23-RAQ
F3-SEARCH EVENTS F9-DELETE THIS RECORD F12-SEARCH ATTORNEYS







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

ORDER NUMBER 008-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, to set the date for the following public hearing as requested by the Planning and Economic Development Director is hereby authorized:

WHEN: February 4, 2014

WHERE: Gautier Municipal Building-Council Chambers

TIME: 6:30 pm

PURPOSE: 2209 Laurel Glen Road

LEGAL DESCRIPTION: PIDN 85700107.000
COM NEC Lot 20 Dell Wood Hgts S/D N 66
Deg E 81.7' E 310' to POB E 75' S 150' W 75' N 150' to
POB PT Lot 5 James Martin EST S/D
Deed Book 1631 page 830

Owners of Record: Ms. Diana Musick
Last Known Address: 3800 NE 23rd
Amarillo, Texas 79107

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

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

AYES: Gordon Gollott
Mary Martin
Johnny Jones
Hurley Ray Guillotte
Casey Vaughan
Rusty Anderson
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 January 7, 2014.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Joseph Belles, Code Enforcement Officer
Through: Chandra Nicholson, Planning and Economic Development Director
Patty Huffman, Grants and Projects Manager
Date: December 9, 2013
Subject: Abatement of Substandard Property Conditions, 2209 Laurel Glen Road
Gautier, Mississippi 39553

REQUEST:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, Staff requests that the City Council set a public hearing date for February 4, 2014, to receive public comment regarding the abatement of the subject property.

BACKGROUND:

In March 2013, code enforcement observed this vacant overgrown property scattered with trash and debris while reviewing other properties in Hickory Hills. The out of state owner Ms. Musick had a For Sale sign on the street right-of-way and code enforcement attempted to contact the owner by telephone. When there was no return call, code enforcement sent a letter of violation to the owner's Texas address. In April 2013, code enforcement talked to Ms Musick and explained the problems with the vacant manufactured home. Ms Musick then informed code enforcement there was a problem with her securing the title in her name from the previous owner. Code enforcement sent additional letters to the owner in May and August 2013. In addition, Ms. Musick has kept in telephone contact with code enforcement since April 2013. Ms Musick has obtained an attorney to resolve the title/ownership issues but the last several months nothing to the knowledge of code enforcement has been resolved. The vacant property has not had water or electricity since 2012. This area of the city was rezoned R-1 several years ago and the manufactured home (nonconforming structure) has been vacant more than sixty consecutive days and can no longer can be occupied per the Unified Development Ordinance Chapter XIII.

The property remains overgrown, and scattered with trash and debris. Neighbors complain, not only concerning the blight this vacant home reflects on the neighborhood but have repeatedly complained about rodents on the property. The 2012 taxes remain unpaid by the owner who is concerned about paying for a manufactured home she does

not own. The vacant property continues to show signs of disrepair and is visible from the public right-of-way.

Property owners in the vicinity remain concerned with the visible appearance of this overgrown property and are concerned for the health, safety and welfare of their neighborhood. Code enforcement informed the owner by letter on December 9, 2013, the property would be recommended for an abatement hearing if not in compliance by January 6, 2014.

DISCUSSION:

The primary goal is to clean up and maintain the overgrown property as necessary. The manufactured home needs to be relocated to an area zoned for manufactured homes if it meets the coastal wind zone and other requirements of our Unified Development Ordinance, demolished and hauled away or removed from the city limits.

RECOMMENDATION:

Staff recommends City Council hold a public hearing on February 4, 2014, in order to determine if the property is a menace to the public health, safety and welfare of citizens and direct Staff to commence with abatement/clean up of the overgrown property and relocation of the structure.

ATTACHMENT:

Mississippi Code of 1972, Section 21-19-11, provides procedures to municipalities to clean private property determined to be a menace to those in the municipal community thus:

(1) To determine whether property or parcel of land located within a municipality is in such a state of uncleanness as to be a menace to the public health, safety and welfare of the community, a governing authority of any municipality shall conduct a hearing, on its own motion, or upon the receipt of a petition * * * signed by a majority of the residents residing within four hundred (400) feet of any property or parcel of land alleged to be in need of the cleaning. Notice shall be provided to the property owner by:

(a) United States mail * * * two (2) weeks before the date of the hearing mailed to the address of the subject property and to the address where the ad valorem tax notice for such property is sent by the office charged with collecting ad valorem tax; and

(b) Posting notice for at least two (2) weeks before the date of a hearing on the property or parcel of land alleged to be in need of cleaning and at city hall or another place in the municipality where such notices are posted.

Any notice required by this section shall include language that informs the property owner that an adjudication at the hearing that the property or parcel of land is in need of cleaning will authorize the municipality to reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearing if notice is posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning. A copy of the required notice mailed and posted as required by this section shall be recorded in the minutes of the governing authority in conjunction with the hearing required by this section.

If, at such hearing, the governing authority shall adjudicate the property or parcel of land in its then condition to be a menace to the public health, safety and welfare of the community, the governing authority, if the owner does not do so himself, shall proceed to clean the land, by the use of municipal employees or by contract, by cutting grass and weeds; filling cisterns; removing rubbish, dilapidated fences, outside toilets, dilapidated buildings, personal property, which removal of personal property shall not be subject to the provisions of Section 21-39-21, and other debris; and draining cesspools and standing water there from. The governing authority may by resolution adjudicate the actual cost of cleaning the property and may also impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality. For subsequent cleaning within the one-year period after the date of the hearing at which the property or parcel of land was adjudicated in need of cleaning, upon seven (7) days notice posted both on the property or parcel of land adjudicated in need of cleaning and at city hall or another place in the municipality where such notices are generally posted, and consistent with the municipality's adjudication as authorized in this subsection (1), a municipality may reenter the property or parcel of land to maintain cleanliness without further notice or hearing no more than six (6) times in any twelve-month period with respect to removing dilapidated buildings, dilapidated fences and outside toilets, and no more than twelve (12) times in any twenty-four-month period with respect to cutting grass and weeds and removing rubbish, personal property and other debris on the land, and the expense of cleaning of the property shall not exceed an aggregate amount of Twenty Thousand Dollars (\$20,000.00) per year, or the fair market value of the property subsequent to cleaning, whichever is less. The governing authority may assess the same penalty for each time the property or land is cleaned as otherwise provided in this section. The penalty provided herein shall not be assessed against the State of Mississippi upon request for reimbursement under Section 29-1-145, nor shall a municipality clean a parcel owned by the State of Mississippi without first giving notice.

(2) If the governing authority declares, by resolution, that the cost and any penalty shall be collected as a civil debt, the governing authority may authorize the institution of a suit on open account against the owner of the property in a court of competent jurisdiction in the manner provided by law for the cost and any penalty, plus court costs, reasonable attorney's fees and interest from the date that the property was cleaned.

(3) If the governing authority does not declare that the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are enrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

(4) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

(5) Nothing contained under this section shall prevent any municipality from enacting criminal penalties for failure to maintain property so as not to constitute a menace to public health, safety and welfare.

Parcel Information

PIDN: 85700107.000
GISP: 771.12-02-0034.00

Owner Information

Name: MUSICK DIANA Percent of Ownership: 100
Name2:
Mailing Address: 3800 NE 23RD Physical Address: 2209 LAUREL GLEN RD GAUTIER
AMARILLO TX 79107

Land Information

Section, Township, Range: 12 7S 7W Acreage: 0.25999999
Street Name: LAUREL GLEN RD

Value and Tax Information

Total Assessed Value: 1395 Total Appraised Value: 9300
Improvement Value: 0 Land Value: 9300
Tax Amount: 181 SQ. FT: 0 Year Built: 1980

Legal Description

Description: COM NEC LOT 20 DELLWOOD HGTS S/D N 66 DEG E 81.7' E 310' TO POB E 75' S 150' W 75' N 150' TO POB
PT LOT 5 JAMES MARTIN EST S/D DB 1631-830 (34 Map771.12-02)

Deed Book / Page: 1631 / 830

Jackson County Mississippi

Powered by:
Delta Computer Systems, Inc.

Property Link

JACKSON COUNTY, MS

Current Date 12/ 5/2013

Tax Year 2013

Records Last Updated 12/ 4/2013

PROPERTY DETAIL

OWNER MUSICK DIANA
3800 NE 23RD

AMARILLO TX 79107

ACRES : .26
LAND VALUE : 9300
IMPROVEMENTS : 2550
TOTAL VALUE: 11850
ASSESSED : 1778

PARCEL 85700107.000
ADDRESS 2209 LAUREL GLEN

TAX INFORMATION

YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	91.33	0.00	91.33
CITY	61.41	0.00	61.41
SCHOOL	82.48	0.00	82.48
TOTAL	235.22	0.00	235.22

To Pay Online, WWW.MS1STOP.COM

LAST PAYMENT DATE **NA**

TAXES DELINQUENT PRIOR YEAR**MISCELLANEOUS INFORMATION**

EXEMPT CODE
HOMESTEAD CODE None
TAX DISTRICT 5840
PPIN 070337
SECTION 12
TOWNSHIP 7S
RANGE 7W

LEGAL COM NEC LOT 20 DELLWOOD HGTS
S/D N 66 DEG E 81.7' E 310' TO
POB E 75' S 150' W 75' N 150'
TO POB PT LOT 5 JAMES MARTIN
EST S/D DB 1631-830
(34 Map771.12-02)

Book **Page**

TAX SALESPURCHASE COUNTY TAX SALE FILES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2012	STATE OF MISSISSIPPI	NOT REDEEMED
2010	WALTER H YATES JR	7/16/2012 MUSICK DIANA & YOUNG JAMES
2009	THE MAINE REASON LLC	7/16/2012 MUSICK DIANA & YOUNG JAMES
2007	JASWANT KAUR	11/12/2008 MUSICK DIANA L

Back

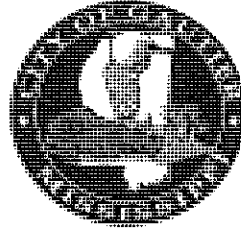


Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

Council
At Large Mary F. Martin
Ward 1 Johnny Jones
Ward 2 Hurley Ray Guillotte
Ward 3 Gordon T. Gallott
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

December 9, 2013

Diana Musick
3800 NE 23 Road
Amarillo, Texas 79107

COPY

mailed

12-10-13

JB

Reference: 2209 Laurel Glen Road Gautier, Mississippi 39553

Ms Musick,

This letter is to inform you the City of Gautier; Planning and Economic Development Department will recommend to the governing authority the property at 2209 Laurel Glen, 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 on this property during a scheduled January 2014 council meeting. If the mayor and council determine the property meets the criteria for abatement they will set a public hearing for a scheduled February 2014 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 fully aware of the situation you have shared and appreciate all the communication we have had in the past concerning this property and manufactured home. Code enforcement is requesting the property be in compliance by January 6, 2014. 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 my cell number (228) 219-7035.

Sincerely,

A handwritten signature in black ink, appearing to read "Joseph Belles".

Joseph Belles
Code Enforcement Officer

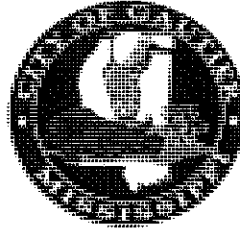
Mayor
Gordon T. Gollott

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 Casey C. Vaughan
Ward 4 Charles "Rusty" Anderson
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

August 14, 2013

Diana Musick
3800 NE 23 Road
Amarillo, Texas 79107

COPY
mailed 8-14-13
JB

Reference: 2209 Laurel Glen Road Gautier, Mississippi 39553

Ms Musick,

The property address referenced above remains in violation of the City of Gautier, zoning ordinances after previously sending you two letters of violation and discussing the violations with you on the phone. On August 14, 2013, the property was reviewed for compliance and your property has a manufactured home that has been vacant more than sixty days and must conform to the City's existing code requirements. There is a scattered trash, debris and the manufactured home remains in a dilapidated condition. There has not been any contact from you since our phone conversation in July 2013. The City of Gautier, Unified Development Ordinance, Article XIII, Section 13.3.1, Termination of Nonconforming Use states:

A nonconforming building, structure, dwelling, or land use or portion thereof, existing at the time of adoption of these regulations, which is, or hereafter becomes vacant for any reason, for a period in excess of sixty consecutive days any subsequent use shall conform to the regulations of this Ordinance for the district in which it is located.

A summons to appear in court will be issued or the violations may be referred to the Mayor and City Council to consider if abatement (clean up/demolition) of the property is in the best interest of the city considering the health, safety and welfare of this neighborhood. Code Enforcement will review the property again September 13, 2013. You may contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878, if you have any questions. Code enforcement gratefully appreciates your cooperation in this matter.

Sincerely,


Joseph Belles
Code Enforcement Officer

Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

City Manager
Samantha D. Abell

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

May 14, 2013

Diana Musick
3800 NE 23 Road
Amarillo, Texas 79107

COPY

mailed 5-14-13 JB

Reference: 2209 Laurel Glen Road Gautier, Mississippi 39553

Ms Musick,

On March 14, 2013, a Code Enforcement Officer for the City of Gautier received a telephone complaint regarding a code of ordinance violation at your property address referenced above. This letter will serve as code enforcements second notice of violation and you have thirty days to correct the problem or notify the code enforcement office if you cannot meet this suspense. Your property has a manufactured home that has been vacant more than sixty days and must conform to the City's existing code requirements. There is a scattered trash, debris and the home is in a state of disrepair. There has not been any contact from you since our phone conversation last month. At this time, code enforcement would like to discuss our observations to maintain an amicable appearance with other property owners in this area. The City of Gautier, Unified Development Ordinance, Article XIII, Section 13.3.1, Termination of Nonconforming Use states:

A nonconforming building, structure, dwelling, or land use or portion thereof, existing at the time of adoption of these regulations, which is, or hereafter becomes vacant for any reason, for a period in excess of sixty consecutive days any subsequent use shall conform to the regulations of this Ordinance for the district in which it is located.

You can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878. Code Enforcement will be happy to assist you with any questions you may have. As you know this area of the city is no longer zoned for manufactured homes. The property will be reviewed for compliance on/about June 11, 2013.

Sincerely,

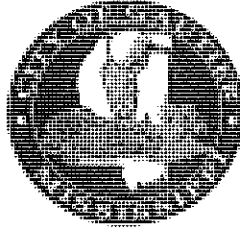
Joseph Belles
Code Enforcement Officer

Mayor
Tommy Fortenberry

City of Gautier
Gautier, Mississippi

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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

March 15, 2013

Diana Musick
3800 NE 23 Road
Amarillo, Texas 79107

COPY

Mailed 3-15-13
JB

Reference: 2209 Laurel Glen Road Gautier, Mississippi 39553

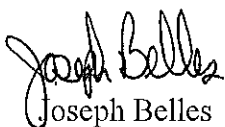
Ms Musick,

On March 14, 2013, a Code Enforcement Officer for the City of Gautier received a telephone complaint regarding a code of ordinance violation at your property address referenced above. This letter will serve as code enforcements initial notice of violation and you have thirty days to correct the problem or notify the code enforcement office if you cannot meet this suspense. Your property has a manufactured home that has been vacant more than sixty days and must conform to the City's existing code requirements. There is a scattered trash, debris and the home is in a state of disrepair. At this time, code enforcement would like to discuss our observations to maintain an amicable appearance with other property owners in this area. The City of Gautier, Unified Development Ordinance, Article XIII, Section 13.3.1, Termination of Nonconforming Use states:

A nonconforming building, structure, dwelling, or land use or portion thereof, existing at the time of adoption of these regulations, which is, or hereafter becomes vacant for any reason, for a period in excess of sixty consecutive days any subsequent use shall conform to the regulations of this Ordinance for the district in which it is located.

You can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878. Code Enforcement will be happy to assist you with any questions you may have. The property will be reviewed for compliance on/about April 9, 2013.

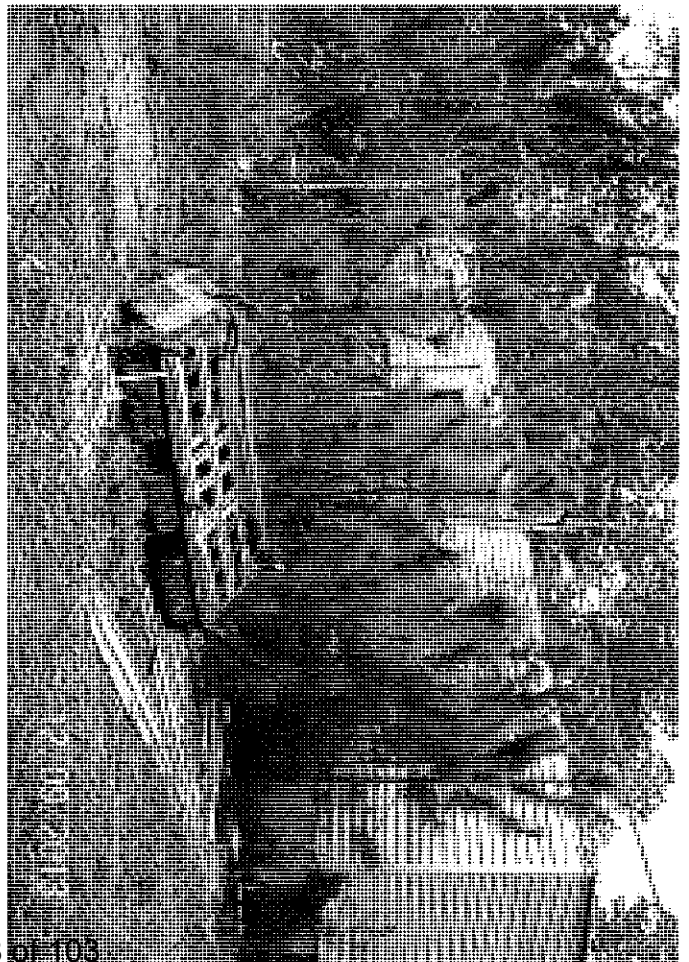
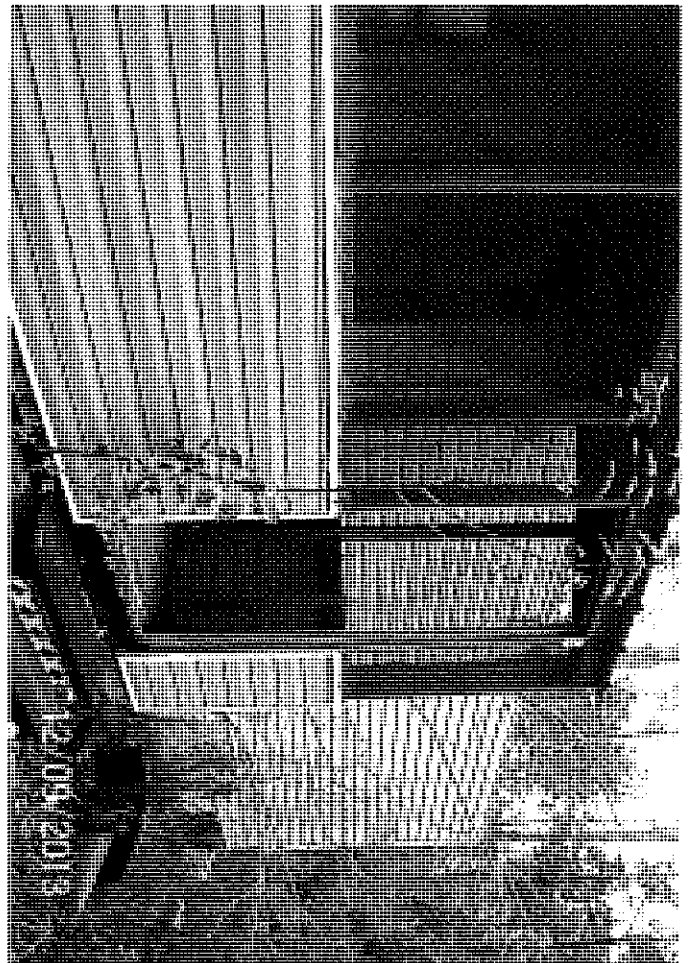
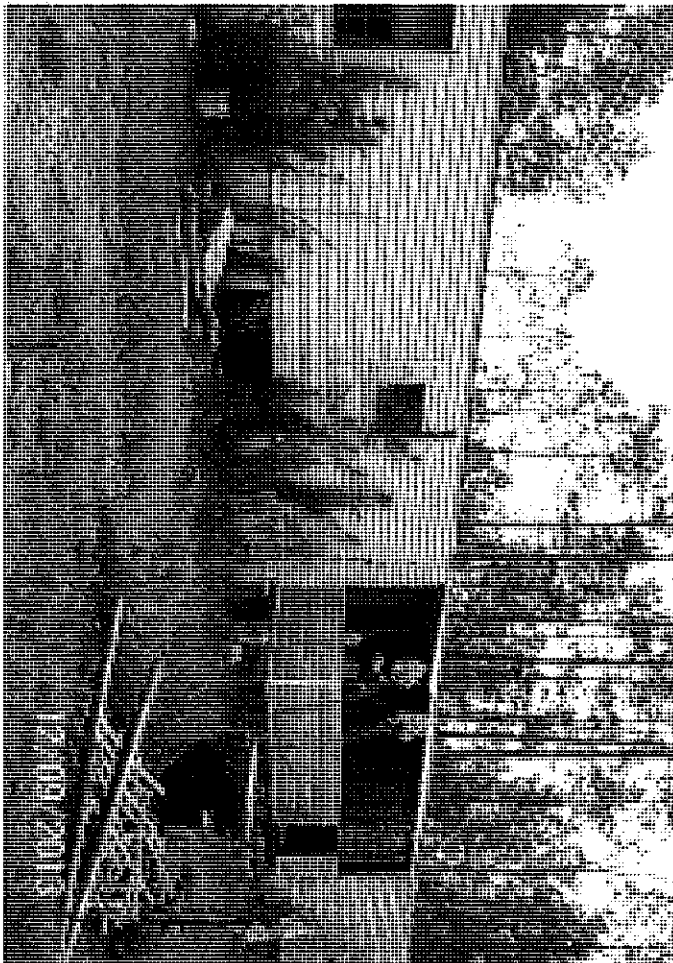
Sincerely,


Joseph Belles

Code Enforcement Officer







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

ORDER NUMBER 009-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City of Gautier is hereby authorized to accept the donation of a large outdoor sign from Singing River Mall.

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

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

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Patty Huffman, Grants and Projects Manager
Through: Chandra Nicholson, Economic Development and Planning Director
Date: December 19, 2013
Subject: Donation of Outdoor Sign from Singing River Mall to the City of Gautier

REQUEST:

The Economic Development and Planning Department requests City Council authorization to accept the donation of a large outdoor sign from Singing River Mall.

BACKGROUND:

Demolition is scheduled to begin soon at Singing River Mall in preparation for a major redevelopment project. The Mall has offered to donate a large outdoor sign that will no longer be needed to the City.

DISCUSSION:

The Economic Development and Planning Department proposes to refurbish the donated sign for use in the Town Center area.

RECOMMENDATION:

The Economic Development and Planning Department recommends that City Council authorize the acceptance of the donated sign from Singing River Mall.

City Council may:

1. Authorize acceptance of the donated sign as presented;
2. Authorize acceptance of the donated sign with changes; or
3. Disapprove acceptance of the donated sign.

ATTACHMENT(S):

Singing River Mall offer to donate sign

Mayor and Council discussed and voted on Consent Item #6.

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

ORDER NUMBER 010-2014

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City of Gautier is hereby authorized to negotiate a Facility Use Agreement with the Babe Ruth/Cal Ripken League for the 2014 baseball/softball season.

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 Guillotte**, seconded by **Councilman Anderson** and the following vote was recorded:

AYES: Gordon Gollott
 Mary Martin
 Johnny Jones
 Hurley Ray Guillotte
 Casey Vaughan
 Rusty Anderson
 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 January 7, 2014.

**CITY OF GAUTIER
MEMORANDUM**

To: Samantha Abell, City Manager
From: Keith Young, Cultural Services Division Manager
Through: Chandra Nicholson, Economic Development and Planning Director
Date: December 31, 2013
Subject: Babe Ruth/Cal Ripken League Selection
2014 Baseball/Softball Season

REQUEST:

Based on a recommendation from the City of Gautier's Recreation Advisory Committee, the Cultural Services Division of the Economic Development and Planning Department requests City Council authorization to begin negotiating a Facility Use Agreement with the Babe Ruth /Cal Ripken League for the 2014 baseball/softball season.

BACKGROUND:

After issuing a press release and contacting known national leagues, three leagues contacted the city with interest in presenting a proposal to the Recreation Advisory Committee. Two leagues presented their proposals (Dixie Youth and Babe Ruth/Cal Ripken). The third league (Little League) failed to appear at their scheduled time.

DISCUSSION:

After meeting with representatives of the two leagues, the Recreation Advisory Committee recommended that City Council authorize the Cultural Services Division to negotiate with the Babe Ruth/Cal Ripken League for a Facility Use Agreement for the 2014 Baseball/Softball Season.

RECOMMENDATION:

The Economic Development and Planning Department therefore recommends that City Council authorize entering into a Facility Use Agreement with the Babe Ruth/Cal Ripken League for the 2014 Baseball/Softball season.

City Council may:

1. Authorize entering into a Facility Use Agreement with the Babe Ruth/Cal Ripken League as recommended;
2. Authorize entering into a Facility Use Agreement with a different Baseball/Softball League; or
3. Disapprove entering into a Facility Use Agreement with any Baseball/Softball League at this time.

ATTACHMENT(S):

N/A

Motion was made by Councilwoman Martin to recess the meeting until January 21, 2014 at 6:30 PM. Motion was seconded by Councilman Vaughan and unanimously carried.

APPROVED BY:

MAYOR

ATTESTI

CITY CLERK

Submitted for approval by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of January 21, 2014.