

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

**ORDER NUMBER 288-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Consent Agenda Items 1-5 and 7-16 are hereby approved.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

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**MAYOR**

**ATTEST:**

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**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.

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

**ORDER NUMBER 289-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Minutes from Council Meetings held November 20, 2012; and December 4, 2012 are hereby approved.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

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**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.

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

**ORDER NUMBER 290-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Minutes from Planning Commission Meetings held August 16, 2012; September 6, 2012; and September 13, 2012 are hereby approved.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.

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AUGUST 16, 2012

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on August 16, 2012, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Marilyn Minor, James Torrey, Richard Johnson, and Jerry Akins. Absent were Larry Dailey and Greg Spanier. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician, and Melissa Burdine, Court Reporter.

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APPROVAL OF AGENDA

There were no changes to the agenda.

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AGENDA

GAUTIER PLANNING COMMISSION

AUGUST 16, 2012

6:00 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
- III. APPROVAL OF MINUTES -- (AUGUST 2, 2012)
- IV. APPROVAL OF AGENDA
- V. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)
- VI. OLD BUSINESS  
NONE

VII. NEW BUSINESS

A. QUASI-JUDICIAL

1. REQUEST FOR A MAJOR DEVELOPMENT ORDER FOR A MEDICAL COMPLEX IN A C-3 HIGHWAY COMMERCIAL DISTRICT, 6300 ALLEN ROAD (BIENVILLE ORTHOPEDIC SPECIALISTS LLC) (GPC CASE #12-14-MD)

VIII. DIRECTOR'S REPORT

IX. ADJOURN

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PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

There were no public comments.

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OLD BUSINESS:

There was no old business to discuss.

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NEW BUSINESS

A. QUASI-JUDICIAL

1. REQUEST FOR A MAJOR DEVELOPMENT ORDER FOR A MEDICAL COMPLEX IN A C-3 HIGHWAY COMMERCIAL DISTRICT, 6300 ALLEN ROAD (BIENVILLE ORTHOPEDIC SPECIALISTS LLC) (GPC CASE #12-14-MD)

There came before the Planning Commission a request on the part of Bienville Orthopedic Specialists LLC for approval of a Major Development Order that would allow them to develop a medical office complex at 6300 Allen Road, PID #82300003.025 and #82300004.000 which is located in a C-3 Highway Commercial zoning district.

Ben Smith, the project engineer, explained that the proposed project would be constructed in phases and will include two (2) medical office buildings with related parking areas, landscaping, and all other necessary site improvements.

Commissioner Wooten asked if the applicant proposed to fill in the lake on the property. Elmer Wind, the project architect, stated that the lake was actually being used as a stormwater basin and would not be filled in. Mr. Wind also noted

that there were two other parcels that adjoined their property that they would like to obtain and perhaps build a third and fourth building sometime in the future.

Commissioner Johnson asked about the projected time line for the project. Mr. Wind said that Building "A" would be started this fall and scheduled for completion by Christmas of 2013 and then Building "B" would follow suit.

Commissioner Wooten asked about plans for road improvement in the area. Mr. Meyer advised that the Mississippi Development Authority would be helping fund improvements to Allen Road.

Commissioner Johnson made a motion to recommend approval with the applicant satisfying all incomplete items as noted by the Technical Review Committee prior to permitting. Commissioner Wooten seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
David Wooten		Greg Spanier	
James Torrey		Larry Dailey	
Marilyn Minor			
Richard Johnson			
Jerry Akins			

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#### DIRECTOR'S REPORT

Mr. Meyer advised Commissioners that staff would have them a working copy of the UDO tracking various changes made to correct typographical, spelling and grammatical errors prior to the next meeting.

Mr. Meyer also gave an update on the Town Center Streetscape progress and the dedication of the Veterans Tribute Tower.

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#### SUBMITTED BY:

  
Eric Meyer  
Economic Development Director

DATE: 11.15.12

APPROVED:

  
\_\_\_\_\_  
David Wooten, Chairman  
Gautier Planning Commission

DATE: 11-15-12

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SEPTEMBER 6, 2012

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a regular meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on September 6, 2012, at 6:00 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Marilyn Minor, Larry Dailey, Greg Spanier, Richard Johnson, and Jerry Akins. Absent was James Torrey. Also present were Eric Meyer, Economic Development Director; Bob Ramsay, City Attorney; Babs Logan, Planning Technician, and Melissa Burdine, Court Reporter.

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APPROVAL OF AGENDA

There were no changes to the agenda.

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AGENDA

GAUTIER PLANNING COMMISSION

SEPTEMBER 6, 2012

6:00 P.M.

- I. CALL TO ORDER
  - II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
  - III. APPROVAL OF MINUTES – (AUGUST 16, 2012)
  - IV. APPROVAL OF AGENDA
  - V. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)
  - VI. OLD BUSINESS
- NONE

VII. NEW BUSINESS

A. LEGISLATIVE

1. REQUEST TO AMEND THE PARKING REQUIREMENTS FOR A HEALTH CLUB/FITNESS CENTER (KENNY BORRIES, OWNER OF BODY QUEST) (GPC CASE #12-17-UDO)

B. DISCUSSION

1. CONSIDERATION OF UNIFIED DEVELOPMENT ORDINANCE REVISIONS (GPC #12-18-UDO)

VIII. DIRECTOR'S REPORT

IX. ADJOURN

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PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

There were no public comments.

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OLD BUSINESS:

There was no old business to discuss.

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NEW BUSINESS

A. LEGISLATIVE

1. REQUEST TO AMEND THE PARKING REQUIREMENTS FOR A HEALTH CLUB/FITNESS CENTER (KENNY BORRIES, OWNER OF BODY QUEST) (GPC #12-17-UDO)

There came before the Planning Commission a request on the part of Kenny Borries, owner of Body Quest, for an amendment to the Unified Development Ordinance (UDO) regarding parking requirements for a Health Club/Fitness Center. The current number of parking spaces required by the UDO for a Health Club/Fitness Center is ten (10) plus one (1) per two hundred (200) square feet of Gross Leased Area (GLA). The applicant proposed the requirements be changed to ten (10) plus one (1) per five hundred (500) square feet of GLA.

Mr. Meyer reminded the Commissioners that the change was not case specific and that if amended the new requirements would apply to any new

Health Club/Fitness Center. Commissioner Wooten asked that they be allowed to discuss some of the specifics for the request in order to test the standards listed in the UDO.

Tommy Martin, the applicant's representative, stated that the proposed new two (2) story gym would be twelve thousand (12,000) square feet but only about six thousand (6,000) square feet would be actual workout area. The layout for the new gym only allows for forty-eight (48) parking spaces. According to the UDO the new gym must have seventy (70) parking spaces. Mr. Martin said the new gym would not need that many spaces and noted that he had taken a count of the cars in front of the existing gym which is located in a shopping mall at different intervals throughout the day. At 5:30 p.m. that evening the count peaked at thirty-nine (39) vehicles.

Commissioner Johnson asked Mr. Martin how much square footage would be designated for office space and exercise related activity. Mr. Martin said that he would estimate that about nine thousand (9000) square feet would be office space and workout area which would leave about three thousand (3000) square feet of hallways, storage areas, etc.

Commissioner Minor asked Mr. Martin what their busiest days and times were at their current location which Mr. Martin said was about seven thousand (7000) square feet. Mr. Martin said that there were about four (4) days a week when there were thirty (30) to fifty (50) cars at the current location and that was around 5:30 p.m. to 8:00 p.m.

Commissioner Dailey noted that on the information provided in their packets the neighboring cities of Ocean Springs and Pascagoula required substantially less spaces than Gautier's seventy (70) spaces. These cities require between forty (40) and forty-eight (48) parking spaces for a twelve thousand (12,000) square foot Health Club/Fitness Center.

Commissioner Wooten asked Mr. Martin if the parking spaces shown on the site layout were all within the boundary of the property. Jason Lauban, project architect, stated that on the current layout the spaces on the east side of the property were partially in the right-of-way and would have to be moved.

Mr. Meyer suggested the applicant and Staff take another look at the number of spaces that would actually be needed, considering landscaping and the parking spaces that would have to be relocated due to being in the right-of-way, before possibly making a change that would not be sufficient.

Commissioner Dailey made a motion to table the request until Thursday, September 13<sup>th</sup> at 6:30 p.m. for the applicant and Staff to meet and determine the exact number of spaces needed. Commissioner Minor seconded the motion and the following vote was recorded:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>	<u>ABSTAINED</u>
David Wooten		James Torrey	
Larry Dailey			
Marilyn Minor			
Richard Johnson			
Jerry Akins			
Greg Spanier			

**E. DISCUSSION**

1. CONSIDERATION OF UNIFIED DEVELOPMENT ORDINANCE REVISIONS (GPC #12-18-UDO)

Commissioner Johnson began the discussion regarding possible UDO revisions by requesting that Commissioners read Section 3.2.1. (M) and Section 3.4 regarding the Planning Commission's duties as the Tree Board so they could discuss those sections at the Work Session on September 20<sup>th</sup>.

Commissioner Dailey stated that in Section 1.4.2, the words "contains regulations" should be changed to "is" because Section 1.4.2 (A-M) defines areas that should be considered but some areas have no specific regulations spelled out in the UDO, therefore there would be nothing to consider. The change would give latitude for those things to be considered. Mr. Ramsay explained that the new wording would not limit the Planning Commission to things that are specifically regulated in the UDO.

Mr. Ramsay further explained that there are certain objective criteria that must be met and approved by the Technical Review Committee before they will

approve something and forward it to the Planning Commission. The Planning Commission then has certain subjective criteria it must review, such as whether it is compatible with the Comprehensive Plan, the neighborhood, etc., before recommending a decision to the Council. Therefore, the change in wording allows for the subjective criteria to be considered.

Commissioner Wooten stated that he would like to discuss the amount of square footage allowed for signs on Gautier-Vancleave Road. He noted that the Comprehensive Plan classifies Gautier-Vancleave Road and Highway 90 as Principal Arterials but Gautier-Vancleave Road has C-2 zoning as opposed to Highway 90's C-3 zoning which allows for more square footage on signs.

Commissioner Johnson would also like to discuss Planning Commission quorums and majority recommendations at the Work Session.

The meeting was recessed until Thursday, September 13, 2012 at 6:30 p.m.

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**DIRECTOR'S REPORT**

There was no report from the Director.

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**SUBMITTED BY:**

  
Eric Meyer  
Economic Development Director

DATE: 11.15.12

**APPROVED:**

  
David Wooten, Chairman  
Gautier Planning Commission

DATE: 11-15-12

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SEPTEMBER 13, 2012

GAUTIER, MISSISSIPPI

BE IT REMEMBERED THAT a recessed meeting of the Gautier Planning Commission of the City of Gautier, Mississippi, was held on September 13, 2012, at 6:30 P.M. in the Council chambers of the Gautier Municipal Building at 3330 Highway 90, Gautier, Mississippi.

Commission members present: David Wooten, Chairman, Marilyn Minor, Larry Dailey, Greg Spanier, Richard Johnson, James Torrey, and Jerry Akins. Also present were Eric Meyer, Economic Development Director; Babs Logan, Planning Technician, and Melissa Burdine, Court Reporter.

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APPROVAL OF AGENDA

There were no changes to the agenda.

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AGENDA

GAUTIER PLANNING COMMISSION

SEPTEMBER 13, 2012

6:30 P.M.

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE (VOLUNTEER)
- III. APPROVAL OF AGENDA
- IV. PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON THE AGENDA)
- V. OLD BUSINESS
  - A. LEGISLATIVE
    - 1. REQUEST TO AMEND THE PARKING REQUIREMENTS FOR A HEALTH CLUB/FITNESS CENTER (KENNY BORRIES, OWNER OF BODY QUEST) (GPC CASE #12-17-UDO)
- VI. NEW BUSINESS
  - NONE

VII. DIRECTOR'S REPORT

VIII. ADJOURN

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PUBLIC COMMENTS (MATTERS OF THE PLANNING COMMISSION NOT LISTED ON AGENDA)

There were no public comments.

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OLD BUSINESS:

A. LEGISLATIVE

1. REQUEST TO AMEND THE PARKING REQUIREMENTS FOR A HEALTH CLUB/FITNESS CENTER (KENNY BORRIES, OWNER OF BODY QUEST) (GPC #12-17-UDO)

There came before the Planning Commission a tabled request on the part of Kenny Borries, owner of Body Quest, for an amendment to the Unified Development Ordinance (UDO) regarding parking requirements for a Health Club/Fitness Center. The current number of parking spaces required by the UDO for a Health Club/Fitness Center is ten (10) plus one (1) per two hundred (200) square feet of Gross Leased Area (GLA). The applicant proposed the requirements be changed to ten (10) plus one (1) per five hundred (500) square feet of GLA.

After much discussion at the September 6, 2012 Planning Commission meeting, the Commissioners tabled this request until tonight so Mr. Meyer and the applicant's representatives could meet and determine exactly how many parking spaces would be sufficient.

Commissioner Dailey made a motion to recommend an amendment to the UDO to require one (1) parking space per two hundred fifty (250) square feet of gross leasable area for a Health Club/Fitness Center. Commissioner Dailey stated that he based his recommendation on facts presented, requirements of neighboring cities and in trying to unify requirements within Jackson County. Commissioner Spanier seconded the motion and the following vote was recorded:

AYES                      NAYS                      ABSENT                      ABSTAINED

David Wooten

Larry Dailey

Marilyn Minor

Richard Johnson

Jerry Akins

Greg Spanier

James Torrey

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DIRECTOR'S REPORT

There was no report from the Director.

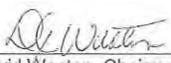
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SUBMITTED BY:

  
\_\_\_\_\_  
Eric Meyer  
Economic Development Director

DATE: 11.15.12

APPROVED:

  
\_\_\_\_\_  
David Wooten, Chairman  
Gautier Planning Commission

DATE: 11-15-12

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

**ORDER NUMBER 291-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Privilege License Report for November 2012 is hereby received.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.

City of Gautier  
Business Registry  
Nov-12

<u>Acct.</u>	<u>License #</u>	<u>Business Name /Owner</u>	<u>Amt.</u>
	511 2013-09-0003389	Primo Engineering	\$22.20
*1186	2013-11-0003390	Unique's Family Kitchen	\$20.00
54	2013-10-0003391	Spa & Tub Manufacturing Co.	\$32.50
1093	2013-09-0003392	Off The Hook	\$45.00
61	2013-10-0003393	MHC TT Membership, LP	\$165.00
1095	2013-09-0003394	Fred's Store #2028	\$440.00
873	2013-10-0003395	Final Environmental Service	\$22.00
*1187	2013-11-0003396	Cellular Citi	\$20.00
23	2013-10-0003397	Gautier Animal Clinic	\$22.00
88	2013-11-0003398	Barbara Harvey, Attorney	\$20.00
530	2013-09-0003399	Gulf Coast Publishing	\$33.30
278	2013-10-0003400	Mowa Development, LLC	\$33.00
132	2013-11-0003401	Tom Terrific Lawn & Garden	\$20.00
1094	2013-09-0003402	Hot Nails	\$22.20
126	2013-11-0003403	Sweet Tooth Bakery	\$20.00
803	2013-11-0003404	Jackson Realty & Builders, Inc.	\$20.00
86	2013-11-0003405	Goodwill Industry of South MS	\$20.00
112	2013-11-0003406	Highway 90 Pawn & Gun, LLC	\$500.00
73	2013-11-0003407	Car Wash I	\$20.00
74	2013-11-0003408	Car Wash II	\$20.00
7	2013-10-0003409	Auto Truck & Trailer Parts, Inc.	\$22.00
882	2013-11-0003410	Specialty Trailer Supply, LLC	\$32.50
102	2013-11-0003411	SRHS Clinics-Gautier	\$69.00
1103	2013-10-0003412	C&S Coast Cleaning	\$22.00
*1188	2013-11-0003413	Gautier Senior Care Center, LLC	\$20.00
128	2013-11-0003414	Samantha Taylor-Taylor & Co.	\$20.00
379	2013-05-0003415	Bunny Bread (Warehouse)	\$23.00
91	2013-11-0003416	Isle of Pines Trailer Park	\$20.00
1109	2013-11-0003417	Smokescreen, LLC	\$20.00
1106	2013-11-0003418	The Happy Boudoir Photography	\$20.00
*1189	2013-11-0003419	Uncorked Chimes	\$20.00
122	2013-11-0003420	Bobbie H. Sirin, C.P.A.	\$20.00
121	2013-11-0003421	Bobbie H. Sirin, C.P.A.	\$20.00
*1190	2013-11-0003422	Ccomics	\$20.00
92	2013-11-0003423	JMAT Software, LLC	\$20.00
90	2013-11-0003424	Hunt Security	\$30.00
883	2013-11-0003425	Tom's Extreme Pizzeria, LLC	\$30.00
935	2013-09-0003426	Salt Water Bed & Breakfast	\$22.20
66	2013-11-0003427	1st Stop Conoco	\$40.00
386	2013-03-0003428	Wallpaper, Etc.	\$23.40
111	2013-11-0003429	Rustic Inn	\$35.00
100	2013-11-0003430	Martin Bluff Grocery	\$52.50
106	2013-11-0003431	Mississippi Mini Warehouses	\$20.00
119	2013-11-0003432	Sears Portrait Studio, # 42196	\$30.00
79	2013-11-0003433	Coldwell Banker United Realtor	\$30.00
117	2013-11-0003434	Scotty's Barber Shop	\$20.00
376	2013-11-0003435	B&G's Cleaning Service	\$20.00
		<b>Total</b>	<b>\$2,238.80</b>
	*	New Business	5
	**	Slot Amusement	0
	***	Due Refund	0
	****	Transient Vendor	0
	*****	Closed Business	0
	*****	Delinquent Renewals Issued	0

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

**ORDER NUMBER 293-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that City is hereby authorized to enter into a one (1) year contract with DPC to deliver chlorine at eighty dollars (\$80.00) per cylinder, seven (7) cylinders per week.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Cindy Steen, Purchasing Agent  
**Through:** Cindy Russell, Interim City Clerk  
**Date:** December 11, 2012  
**Subject:** Chlorine

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**REQUEST:**

Request is for a (1) one year extension to contract with DPC Enterprise to deliver chlorine at eighty dollars (\$80.00) per cylinder, (7) seven cylinders weekly.

**BACKGROUND:**

Bids were accepted from vendors on January 4<sup>th</sup>, 2012 to supply the chlorine deliveries for the City. Upon consideration, it has been determined that a one-year extension to the existing DPC Enterprise contract offers the best price.

With the recent privatization of public works, Clearwater reduced their contract amount in return for the City continuing to pay the chlorine contract for optional savings.

**RECOMMENDATION:**

Based on the attached information from John Skipper regional Sales Manager of DPC, City staff recommends that City Council authorize extending the bid for an additional one (1) year term.

**ATTACHMENT(S):**

John Skipper Email. Dated December 10, 2012

**Cindy Steen**

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**From:** Skipper, John <jskipper@dxgroup.com>  
**Sent:** Monday, December 10, 2012 3:17 PM  
**To:** 'csteen@gautier-ms.gov'  
**Cc:** Moore, Teresa  
**Subject:** Chlorine price extension

December 10, 2012

Ms. Cindy Steen  
City of Gautier  
3330 Highway 90  
Gautier, Mississippi 39553

Ms. Steen:

Thank you for the opportunity to offer the following price extension on Chlorine 150 lb. cylinders for your water department:

Chlorine - 150 lb. cylinders - \$80.00 per cylinder or \$.5333 per lb.

This price will be effective at the end of our current agreement and will be firm through December 31, 2013.

As per normal, please allow 4 to 5 working days for shipment after receipt of order and each shipment will incur a 6.5% fuel surcharge.

Thank you again for this and future opportunities. We greatly value the kind patronage Gautier has shown to us in 2012 and we look forward to another successful year .

John Skipper  
Regional Sales Manager  
DPC Enterprises, L. P.  
251-422-2737  
[jskipper@dxgroup.com](mailto:jskipper@dxgroup.com)

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

**ORDINANCE NUMBER 209-2012**

**AN ORDINANCE OF THE CITY OF GAUTIER, MISSISSIPPI, PROVIDING FOR AUTHORITY AND INTENT; AMENDING CHAPTER 18.4-47, CONNECTION WITH PROPER MUNICIPAL MAINS REQUIRED, TO ESTABLISH A QUALIFYING PAYMENT PLAN FOR SERVICES UNDER CERTAIN CONDITIONS; ESTABLISHING EXEMPTION FROM CONNECTION OF SERVICES UNDER CERTAIN CONDITIONS; PROVIDING FOR CONSISTENCY; AND SETTING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF GAUTIER, MISSISSIPPI:**

**Section 1. Authority & Intent**

The authority for enactment of this ordinance is Section 21-27-23 Mississippi Annotated Code.

**Section 2. Amendment of Section 18.4.47, Connection with Proper Municipal Mains Required, of the Code of Ordinances**

a. Section 18.4.47, of the Code of Ordinances, is hereby amended as follows:

**18.4-47. CONNECTION WITH PROPER MUNICIPAL MAINS REQUIRED**

The owner of all houses, buildings, or properties used for human occupancy, employment, or recreation, situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a municipal water main of the city, is hereby required at his expense to connect such facilities directly with the proper municipal mains in accordance with the provisions of this chapter, within ninety (90) days after official notice to do so, provided that said municipal main is within one hundred (100) feet (30.5 meters) of the property line. Residents with primary residence three hundred (300) feet or greater from the municipal main shall not be required to connect.

Beginning ninety (90) days after official notice to connect, the owner will be billed for municipal water service in accordance with the established rate structure. The owner is responsible for all costs related or incidental to the installation including any tap fees established by the city. Exception: Any structure annexed by the city will be exempt from tap fees for ninety (90) days after official notification of water availability provided the structure existed or was substantially completed on the official date of annexation.

Qualifying Payment Plan. The City Manager or his/her designee may authorize an adjustment and/or payment plans for delinquent accounts, under certain circumstances. A minimum ten dollar (\$10 dollar) monthly payment for delinquent debt must be assessed for qualifying accounts at plan start-up. A request for a payment plan shall be directed to the City Finance Director. The City will only authorize adjustments and/or payment plans on a case-by-case basis based upon the facts and circumstances of each account. The City Manager reserves the right to obtain City Council approval before authorization of an adjustment or payment plan is finalized.

In order to qualify for the hardship designation, participants must either (1) show proof that they have been a resident and/or property owner at the affected address prior to the City's 2002 annexation of the address, and (2) be eligible to participate in or already participate in one of the following low-income in programs: the Housing Subsidy Program For Renters; the Supplemental Security Income Program (S.S.I.); the Medicaid Program; the Nutrition Assistance Program (food stamps); the Temporary Assistance for Needy Families (TANF) program; the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC); and any federal or state unemployment compensation system, which would include those receiving unemployment compensation, a high school, college, vocational school or trade school student with a valid school identification card; a person 65 years of age or older; a person who has claimed the Earned Income Tax Credit on his state or federal individual income tax return for the most recent tax year; a person receiving worker's compensation income benefits; an active military duty service member, a Reservist or a member of the National Guard while on active duty; and someone who has declared bankruptcy or is in foreclosure.

### **Section 3. Effective Date**

This Ordinance shall take effect upon proper advertisement and 30 days after approval by the City Council and signature of the Mayor.

Motion was made by Mayor Fortenberry, seconded by Councilman Gollott and the following vote was recorded.

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

NAYS: None

ABSENT: Johnny Jones

Adopted: December 18, 2012

\_\_\_\_\_  
Tommy Fortenberry, Mayor

Attest:

\_\_\_\_\_  
Cindy Russell, Interim City Clerk

New language is underlined.

Deleted language is ~~stricken~~.

Codification Instructions: Section 18 is codified and changes the code as stated.

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

**ORDER NUMBER 294-2012**

**IT IS HEREBY ORDERED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Notice of Claim for payment of services provided by Jason Lauban in the amount of two thousand four hundred dollars (\$2,400.00) is hereby approved.

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

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

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

**NAYS:** None

**ABSENT:** Johnny Jones

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**INTERIM CITY CLERK**

**PASSED AND ADOPTED** by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of December 18, 2012.