Tuesday
July 3, 2012
Gautier, MS

BE IT REMEMBERED THAT A REGULAR MEETING of the Mayor and Members Of the Council of the City of Gautier, Mississippi was held July 3, 2012 at 6:30 PM in The City Hall Municipal Building, 3330 Highway 90. Gautier, Mississippi.

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

AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
July 3, 2012 @ 6:30 PM

I. Call to Order

1 Prayer

2 Pledge of Allegiance

II. Agenda Order Approval

III. Announcements

1 Office closed Wednesday, July 4, 2012 in observance of Independence Day

IV. Presentation Agenda (None)

V. Public Agenda

1 Agenda Comments

VI. Business Agenda

1 Set appointments to Recreation Advisory Board

2 Consider Order amending legal services agreement with Deutsch, Kerrigan and Stiles for CDBG Project Number R-109-192-01-KCR

3 Consider Order approving Change Order No. 3 from Lane Construction Inc., for Streetscape Project #R-109-192-01-KCR

4 Consider Order authorizing credit card contract with Hancock Bank

5 Consider Order approving Docket of Claims

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

1 Consider Order approving donation of trash barrels from Ingalls Shipbuilding

2 Consider Order approving Delta Computer System, Inc. Computer Software Agreement

3 Consider Order approving minutes from Council Meeting held June 19, 2012

4 Consider Order approving minutes from Civil Service Commission held October 14, 2010 to December 8, 2011

STUDY AGENDA
CITY OF GAUTIER, MISSISSIPPI
July 3, 2012

1 Discuss Citizen Comments

2 Discuss Council Comments

3 Discuss City Manager Comments

4 Discuss City Clerk Comments

5 Discuss City Attorney Comments

Recess until July 16, 2012
www.gautier-ms.gov

Mrs. Tia Nelson Winsted sang National Anthem. Mayor Fortenberry requested that she sing at the Veterans Tribute Tower ceremony.

Motion was made by Councilman Macfarland to add Business Item #6 and to approve the agenda order. Motion was seconded by Councilwoman at Large Mary Martin and unanimously carried.

1 Business Item #6 – Machado Patano $1,500 professional services agreement for Veterans Tribute Tower Foundation designs.

Announcements

1 Office closed Wednesday, July 4, 2012 in observance of Independence Day.

Motion was made by Mayor Fortenberry, seconded by Councilman Gollott and unanimously carried to approve the following appointments to Recreation Advisory Board.

City of Gautier Recreation Advisory Board

	Nominee	Council Member
1	Steve Torres	Johnny Jones – Ward 1
2	LaFreida C. Ray	Hurley Ray Guillotte – Ward 2
3	Harvey Adams	Gordon Gollott – Ward 3
4	James Torrey	Scott Macfarland – Ward 4
5	Tracey Walker	Adam Colledge – Ward 5
6	Kenny Smith (Senior Representative)	Adam Colledge – Ward 5
7	Larry Davis	Tommy Fortenberry - Mayor
8	Emily Fortney (Youth Representative)	Tommy Fortenberry - Mayor
9	Drew Pickens	

Tricia Thigpen

From: Samantha Abell [sabell@gautier-ms.gov]
Sent: Saturday, May 26, 2012 11:34 AM
To: 'Adam Colledge'; 'Gordon Gollott'; 'Hurley Ray Guillotte'; 'Johnny Jones'; 'Mary Martin'; 'Mayor Fortenberry'; 'Scott Macfarland'
Cc: cbilbo@gautier-ms.gov; robertgramsay@att.net; wmcclain@gautier-ms.gov; tthigpen@gautier-ms.gov
Subject: Recreation Board
Attachments: recreation advisory committee.docx

Council,
For your June 5th agenda, you will need to make nominations and appoint 9 members to the Recreation Advisory Board. The resolution states: "The Recreation Advisory Committee will be comprised of nine members who are residents of the City of Gautier (to include at least one youth and one senior member). Members shall be appointed by Council each year."

It is NOT required that each councilman appoint a member from their ward.
Though, you may choose to look first within your respective wards. It is imperative that Council feel assured that you've appointed members who are capable of handling long-term land use, real estate, and programming decisions regarding parks. This committee will be responsible for providing a special report to Council within 6 months of their first meeting. You can make as many nominations as you desire. You will first make nominations, and then vote on nominees to bring the number to 9.

If you have a bio of your nominees before the meeting, Staff will make copies and provide to all Council via email and hardcopy. I would strongly recommend that you appoint a high school senior to represent the "youth"
member. You'll also need to appoint at least one senior.

The reso is attached to refresh your memory.

Thank you.

-----Original Message-----
From: Chassity Bilbo [mailto:cbilbo@gautier-ms.gov]
Sent: Thursday, May 24, 2012 2:47 PM
To: Samantha
Subject: Emailing: LaFreida Ray- Rec. Board

Your message is ready to be sent with the following file or link attachments:

LaFreida Ray- Rec. Board

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

1

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

RESOLUTION NUMBER 012-2012

WHEREAS, there is a need for an ad-hoc Recreation Advisory Committee to advise and assist the Gautier City Council on all matters relating to recreation in the City of Gautier; and,

WHEREAS, the Recreation Advisory Committee is necessary to provide the City Council with advice concerning immediate and long-range recreational land use, programs and policies and to perform any other services involving recreational facilities, activities, programs, or special events as may be assigned to the committee by the Council; and,

WHEREAS, the Recreation Advisory Committee is necessary to ensure citizen involvement in the future planning of facilities and programs for our youth, disabled, and adults.

NOW, THEREFORE BE IT RESOLVED that an ad-hoc Recreation Advisory Committee be formed.

Section 1. Purpose:

The Recreation Advisory Committee is hereby established to advise the City Council on all recreational matters and to work for the continued co-ordination and improvement of the recreational facilities of the City ofGautier.

Section 2. Functions:

(a) The Recreation Advisory Committee shall provide the City Council with advice on all matters relating to recreation.

(b) The committee shall appoint a recreation programming subcommittee in coordination with the City Manager or his/her designee to provide guidance for programs and activities in the area of recreation.

(c) It shall act as liaison and adviser to the City Council and Planning Commission on matters including the activities of all city-owned and/or managed parklands.

(d) The City Manager shall refer to the committee for his/her consideration on matters relating to recreation which he/she believes to be the proper subject of the committee's study or recommendation; with immediate notification of such referrals given to the Council.

(e) The committee shall make recommendations on matters relating to immediate and long-range recreational problems, policies or programs as it deems appropriate. Permission to proceed on land use and policy recommendations must be approved by the City Council.

(f) The Committee, assisted by the City staff, shall recommend to the City Council a

Gautier Master Plan for Recreation and Open Spaces and its updating as needed.

Section 3. Membership:

The Recreation Advisory Committee will be comprised of nine members who are residents of the City of Gautier (to include at least one youth and one senior member). Members shall be appointed by Council each year.

Section 4.Officers Enumerated, Appointment: (Term of Office)

(a) A chairman shall be selected by the Council for a term of one year. Thereafter, the chairman shall be selected by the members for an annual term of one year.

(b) The committee shall elect a vice-chairman for an annual term of one year.

Section 5. Rules and Regulations:

The committee shall serve as an ad-hoc committee until May 1, 2015, or until completion of the Gautier Parks and Open Space Master Plan, should the Council find that the committee has fulfilled its duties.

The committee shall meet at city hall or another announced public facility at a regular day and time to be determined at their first public meeting.

Section 6.City Council - Committee Review:

The committee shall meet with the Council within six months to present further advice on how to best implement the functions of the committee and to suggest any revisions that may be needed.

INTRODUCED AND PASSED by the Council of the City of Gautier, Mississippi at a Regular Meeting on May 1, 2012.

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

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

NAYS: None

MAYOR

ATTEST:

CITY CLERK

PASSED AND ADOPTED by the Mayor and Members of the Council of the City of Gautier, Mississippi at the meeting of May 1, 2012

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

ORDER NUMBER 163-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the amended legal services agreement with Deutsch, Kerrigan and Stiles for CDBG Project #R-109-192-01-KCR 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 Councilman Macfarland, seconded by Councilwoman Martin and the following vote was recorded:

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

NAYS: None

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 3, 2012.

CITY OF GAUTIER
MEMORANDUM

To:	Samantha Abell, City Manager
From:	Patty Huffman, Grants & Projects Manager
Through:	Eric Meyer, Economic Development and Planning Director
Date:	June 25, 2012
Subject:	Authorization to amend a legal services agreement with Deutsch, Kerrigan and Stiles for CDBG Project Number R-109-192-01-KCR

REQUEST:
The Economic Development and Planning Department requests authorization for the City of Gautier to amend a legal services agreement for CDBG Project Number R-109-192-01-KCR to add appropriate language related to "a contract amount not to exceed $22,094.00" for legal services performed by the law firm of Deutsch, Kerrigan and Stiles.

BACKGROUND:
Upon receipt of an invoice from Deutsch, Kerrigan and Stiles in the amount of $13,035.50 for legal services performed for the above named CDBG Project, it was noted that the letter agreement approved by City Council on June 7, 2011 did not include appropriate language regarding an amount of compensation not to exceed. The attached amendment includes the appropriate language regarding a maximum amount of $22,094.00 and the conditions under which this amount could be exceeded. The total amount of compensation for the legal services performed by Deutsch, Kerrigan and Stiles for this project did not exceed the maximum amount allowed.

RECOMMENDATION:
City staff recommends that City Council approve Amendment No. 1 as presented to incorporate appropriate language into the letter agreement regarding the maximum amount of compensation allowed.

The City Council may:

1. Approve Amendment No. 1 to the letter agreement between the City of Gautier and Deutsch, Kerrigan and Stiles as presented; or
2. Approve Amendment No. 1 to the letter agreement between the City of Gautier and Deutsch, Kerrigan and Stiles with changes; or
3. Disapprove Amendment No. 1 as presented.

ATTACHMENT(S):
Amendment No. 1 to the Agreement between Gautier, Mississippi and Deutsch, Kerrigan and Stiles

AMENDMENT NO. 1

AGREEMENT BETWEEN GAUTIER, MISSISSIPPI AND DEUTSCH, KERRIGAN AND STILES

A letter agreement was approved on June 7, 2011, by and between Gautier, Mississippi and Deutsch, Kerrigan and Stiles for legal services in connection with Project Number R-109-192-01-KCR.

This Amendment will allow for the following language to be incorporated into the agreement:

It is anticipated that the total compensation for all General Legal Services under this Agreement shall not exceed $22,094.00, but it is understood that this is a time billed contract for services requested, and the amount of services can vary depending upon what is required. This amount will be exceeded only after a review of any increase in the services or the scope of services to be rendered or as result of complication or extra time incurred for services requested and upon mutual amendment hereof.

This Amendment No. 1 is approved on this the _____ day of _____, 2012.

_____	_____
Deutsch, Kerrigan and Stiles	Tommy Fortenberry, Mayor City of Gautier
Attest:	Attest:
_____	_____

Motion was made by Mayor Fortenberry, seconded by Councilman Macfarland and unanimously carried to amend Order to read Contingent on MDA approval.

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

ORDER NUMBER 164-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Change Order No. 3 from Lane Construction, Inc., for Streetscape Phase II, project #R-109-192-01-KCR to cover unit price item quantity adjustments and an increase for relocation of power lines impeding the new roundabout and sculpture is hereby approved contingent on MDA approval.

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

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

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

NAYS: None

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 3, 2012.

CITY OF GAUTIER
MEMORANDUM

To:	Samantha Abell, City Manager
From:	Dennis Reeves, Director of Public Works
Through:	
Date:	June 26, 2012
Subject:	Change Order No. 3 City of Gautier - Streetscape Phase II Project #R-109-192-01-KCR

REQUEST:

This item consists of a request to the City Council to approve Change Order No.3 for the above referenced project, as presented on the attached document.

BACKGROUND:

This Change Order consists of several line item quantity adjustments, as well as the modification of the Power Relocation costs to include the wage requirements of the Davis Bacon Act.

DISCUSSION:

The line item quantity adjustments are included to reconcile budgeted vs. realized quantities. These adjustments are made to provide an updated project budget.

The modification to the Power Relocation budget is required to cover the additional cost of hiring a subcontractor to relocate the power lines conflicting with the construction of the roundabout and sculpture at the intersection of William-Payne-Adams and Dolphin Roads. The original intent, and budget for this work, was based upon having the Power Company relocate their own facilities. However, due to the requirements of the Davis-Bacon Act, and the inability of the Power Company to meet the wage rates mandated by this Act, a subcontractor will have to be hired at additional expense to the contract.

This Change Order does not affect the completion date of the project.

This Change Order results in a net deduction of $13,834.98 to the contract.

RECOMMENDATION:

It is recommended that the City Council approve Change Order No. 3 as presented.

ATTACHMENT(S):

Change Order No. 3

CONTRACT CHANGE ORDER NO. 3

OWNER: CITY OF GAUTIER, MISSISSIPPI

CONTRACTOR: LANE CONSTRUCTION, INC.

PROJECT NAME: GAUTIER DOWNTOWN STREETSCAPE - PHASE 2

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

REASON FOR CHANGE: Modifying Power Relocation from previous change order due to having subcontractor perform the work. Also, reducing existing pay items to match actual quantities in the field.

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

DEDUCTIONS					
ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL CONTRACT
* CO2-1	POWER RELOCATION	1	LS	$108,729.34	$ 108,729.34
907-237-A	WATTLE, 20"	1000	LF	$ 4.75	$ 4,750.00
907-304-D	SIZE II STABILIZER AGGREGATE (GRAVEL)(FILL)	200	CY	$ 58.00	$ 11,600.00
907-601-B	CLASS "B" STRUCTURAL CONCRETE, MINOR STRUCTURES	12	CY	$ 839.00	$ 10,068.00
907-612-B	LINE STOP VALVE	2	EACH	$ 12,591.00	$ 25,182.00
907-613-G	ADJUSTMENT OF MANHOLE (GREATER THAN 1')	30	LF	$ 142.95	$ 4,288.50
				Total Deductions =	-$164,617.84

ADDITIONS					
ITEM NO.	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL CONTRACT
* CO3-1	POWER RELOCATION	1	LS	$ 150,982.86	$ 150,982.86
				Total Additions =	$150,982.86

* Indicates Pay Item That Has Been Added to the Project By Previous Change Order

TOTAL DEDUCTIONS =	-$164,617.84
TOTAL ADDITIONS =	$150,982.86
NET RESULT =	-$13,634.98

ORIGINAL CONTRACT AMOUNT:	$4,456,214.80
TOTAL CONTRACT CHANGES TO DATE:	$179,937.76
CURRENT CONTRACT AMOUNT:	$4,636,152.56
THIS CONTRACT CHANGE:	-$13,834.98
REVISED CONTRACT AMOUNT:	$4,622,317.58
CURRENT CONTRACT COMPLETION DATE:	September 29, 2012
TIME EXTENSION REQUIRED BY CHANGE:	
REVISED CONTRACT COMPLETION DATE:	September 29, 2012

NOTE: THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY.

RECOMMENDED BY: _____ 6-25-12
NEEL-SCHAFFER, INC.
ENGINEER
DATE

ACCEPTED BY: _____ 6-25-12
LANE CONSTRUCTION, INC.
CONTRACTOR
DATE

APPROVED BY: _____
CITY OF GAUTIER, MISSISSIPPI
OWNER
DATE

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

ORDER NUMBER 166-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City is hereby authorized to enter into a credit card contract with Hancock Bank with an interest rate of 8.25%.

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

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

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

NAYS: **None**

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 3, 2012.

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

ORDER NUMBER 167-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Docket of Claims is hereby approved, provided that all entries thereon are true, correct, properly entered and not fraudulent.

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

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

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

NAYS: None

_____
MAYOR

ATTEST:

_____
CITY CLERK

PASSED AND ADOPTED by Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of July 3, 2012.