

**Tuesday
October 16, 2012
Gautier, MS 39553**

BE IT REMEMBERED THAT A RECESSED MEETING of the Mayor and Council of the City of Gautier, Mississippi was held October 16, 2012 at 6:30 PM in the City Hall Municipal Building, 3330 Highway 90, Gautier, Mississippi.

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

**AGENDA
CITY OF GAUTIER, MISSISSIPPI
CITY HALL COUNCIL CHAMBERS
October 16, 2012 @ 6:30 PM**

- I. Call to Order**
 - 1 Prayer**
 - 2 Pledge of Allegiance**
- II. Agenda Order Approval**
- III. Announcements**
 - 1 22nd Annual Gautier Mullet and Music Fest October 20-21, 2012**
- IV. Presentation Agenda**
 - 1 Presentation on Seafood Receiving and Distribution Dock by Bruce W Maghan**
 - 2 Letter of Commendation presented to Officer Lee Bond by Chief Dante Elbin**
 - 3 Veterans Tribute Tower Committee**
 - 4 Brain and Spinal Cancer Awareness Week presentation**
- V. Public Agenda**
 - 1 Agenda Comments**

VI. Business Agenda

- 1 Conduct public hearing and consider Order approving abatement of substandard property conditions at 1428 Rue De Courmont. Everett B Smith Sr., owner
- 2 Conduct public hearing and consider Order approving abatement of substandard property conditions at 7213 River Music. Patsy Evelyn Robinson, owner
- 3 Consider Order authorizing the City Manager to send letter of support to the Martin Bluff Elementary PTA for a Making Your Community Healthy Mini-Grant Application
- 4 Consider Order approving Docket of Claims

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

- 1 Consider Order to set a public hearing date for November 6, 2012 regarding the abatement at 5501 Roxanne Street. Anthony D and Patricia G Mattina, owners
- 2 Consider Order authorizing up to three (3) Public Works Department employees to Attend the 2012 American Public Works Association (APWA) Fall Conference.
- 3 Consider Order approving Council Meeting Minutes held August 27, 2012 (Morning); and October 2, 2012

**STUDY AGENDA
CITY OF GAUTIER, MISSISSIPPI
October 16, 2012**

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

Adjourn until November 6, 2012 @ 6:30 PM
www.gautier-ms.gov

Motion was made by Councilman Macfarland, seconded by Councilman Colledge and unanimously carried to approve the agenda order.

Announcement

Presentation

- 1 Presentation on Seafood Receiving and Distribution Dock by Bruce W. Meghan
 - 2 Letter of Commendation presented to Office Lee Bond of Chief Dante Elbin
 - 3 Veterans Tribute Tower Committee
 - 4 Brain and Spinal Awareness Week proclamation
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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 244-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to the Mississippi Codes Annotated, 1972 & Title 21, Chapter 19, Section 11 and based on all evidence and testimony presented at the public hearing, including the Planning and Economic Development Department's discussion paper, that the property owned by – Everett B. Smith, 1428 Rue De Courmont, Lot #105, LA Villa de Courmont Subdivision and made the subject of this public hearing, to be in substandard conditions.

Based on these findings, the Mayor and Members of the Council hereby approve and authorize abatement proceedings as recommended by the Planning and Economic Development Department – Everett B. Smith, Lot #105, LA Villa De Courmont Subdivision.

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 Councilwoman Martin and the following vote was recorded:

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

NAYS: None

ABSENT: Hurley Ray Guillotte

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 October 16, 2012.

MEMORANDUM

DATE: October 2, 2012

TO: Samantha D. Abell, City Manager

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

FROM: Joseph E. Belles, Code Enforcement Officer

SUBJECT: Public Hearing for Substandard Property Conditions, 1428 Rue De Courmont
Gautier, Mississippi 39553

ISSUE:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City Council has set the date of October 16, 2012, in order to conduct a public hearing and receive public comment(s) regarding the abatement of the subject property.

BACKGROUND:

An initial telephone complaint (February 27, 2012), from a neighbor concerned with property code violations were reviewed and substantiated by code enforcement and a code violation file was initiated in March 2012. Code enforcement has dealt with repeated minor code violations since September 2008. Additional complaints were addressed to the Mayor and City Manager during a meeting with citizens in August 2012 at city hall. The Director and Code Enforcement Officer reviewed the property after the meeting with citizens and the department director requested an abatement package be prepared for City Council to remove the trash and debris and perform routine property maintenance by cutting the grass and trimming shrubs to comply with the Unified Development Ordinance (UDO) Article XVI. Code enforcement mailed three code violation letters and a potential abatement letter informing the owner of abatement procedures if the property does not comply with the UDO by September 18, 2012. Comments from neighbors and documents obtained from the Land Records Office, Jackson County reflect the owner received a substantial sum of money against the property (possible reverse mortgage) and then just moved away from the property. The owner did leave a final water bill address with the water department and code enforcement has used this address to send written correspondence to the owner. None of the four letters mailed to the owner have been returned. The home has continued to fall into a serious state of disrepair and is a risk to public health, safety and welfare of the neighborhood

The property owner was mailed a copy of the public hearing letter on September 26, 2012, the owner has not contacted the code enforcement nor did the United States Postal Service return the letter. Additionally, the parcel of land and City of Gautier, bulletin board were posted with a copy of the public hearing notice.

Property owners in the vicinity remain disturbed with the scattered debris clearly visible from the roadway and the overgrown property conditions. They continue to voice their concerns to the City of Gautier, for the health, safety and welfare of their neighborhood.

LEGAL DESCRIPTION:

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

PIDN 85909105.000
Lot 105 LA VILLA DE COURMONT SUBDIVISION
Deed Book 1374, page 833

Property Address: 1428 Rue De Courmont

Owners of Record: Everett B Smith Sr.

Last Known Address: 1677 C 162
Westville Florida 32464

RECOMMENDATION:

The City Council should make a determination to find the property a menace to public health, safety and welfare of the community and direct staff to clean the land by the use of municipal workers or by contract. The scope of the work includes cutting the grass and weeds, removing the visible trash and rubbish from the property. The structure will not be touched and work will commence after the statutory 10-day appeal period from the date of Council action and adjournment.

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

ORDER NUMBER 245-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, pursuant to the Mississippi Codes Annotated, 1972 & Title 21, Chapter 19, Section 11 and based on all evidence and testimony presented at the public hearing, including the Planning and Economic Development Department's discussion paper, that the property owned by – Patsy Evelyn Robinson, 7213 River Music, Lot #111, Singing River Land Subdivision and made the subject of this public hearing, to be in substandard conditions.

Based on these findings, the Mayor and Members of the Council hereby approve and authorize abatement proceedings as recommended by the Planning and Economic Development Department – Patsy Evelyn Robinson, 7213 River Music, Lot # 111, Singing River Land Subdivision.

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

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

NAYS: None

ABSENT: Hurley Ray Guillotte

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 October 16, 2012.

MEMORANDUM

DATE: October 3, 2012

TO: Samantha D. Abell, City Manager

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

FROM: Joseph E. Belles, Code Enforcement Officer

SUBJECT: Public Hearing for Substandard Property Conditions, 7213 River Music Gautier
Mississippi 39553

ISSUE:

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the City Council has set the date of October 16, 2012, in order to conduct a public hearing and receive public comment(s) regarding the abatement of the subject property.

BACKGROUND:

Code enforcement had an initial conversation with a law enforcement officer who was concerned with the dilapidated manufactured home the property owner was residing in after he responded to a call where the owner had fallen through the decayed flooring of the home breaking her leg. Code enforcement substantiated visible exterior damage to the structure and other property code violations and a case file was opened against the property in June 2011. Written correspondence to the owner cited the repeated overgrown property condition, decks and stairs that had decayed and were unsafe to use. The code enforcement officer encouraged the owner to allow the City's, Building and Zoning Administrator or a licensed contractor to inspect the manufactured home and repair the structure as necessary, The owner failed to make the necessary repairs in a timely manner, mainly due to financial limitations and the case was referred to municipal court. The municipal court judge instead of assessing any fines directed the owner to allow a thorough inspection by the City's, Building and Zoning Administrator of the repairs recently made by a neighbor. The City's, Building and Zoning Administrator's subsequent inspection of the structure found the structure was not suitable for human occupancy and provided code enforcement and the municipal judge a letter with his findings.

The owner vacated the property as directed by the municipal judge and relocated with family in the Coldwater, Mississippi area. A neighbor began the demolition of the manufactured home but as the neighbor neared completion of the demolition, he became ill and work stopped leaving just the vacant lot with miscellaneous wood, concrete blocks, etc. on the property.

Property owners in the vicinity are concerned with the visible appearance of this vacant property and would just like to see the remainder of the property cleaned and all the remaining debris removed. Additionally, the City Manager has directed code enforcement to pursue the clean up

of properties to the fullest extent possible within the scope of our ordinances and the city's financial ability. The property owner was mailed a copy of the public hearing letter on September 26, 2012, the owner has not contacted code enforcement nor did the United States Postal Service return the letter. Additionally, the parcel of land and City of Gautier, bulletin board were posted with a copy of the public hearing notice.

LEGAL DESCRIPTION:

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

PIDN 87116078.000
Lots 111 SINGING RIVER LAND SUBDIVISION
Deed Book 1630, page 711

Property Address: 7213 River Music

Owners of Record: Patsy Evelyn Robinson

Last Known Address: 7213 River Music
Gautier, Mississippi 39553

RECOMMENDATION:

The City Council should make a determination to find the property a menace to public health, safety and welfare of the community and direct staff to clean the land by the use of municipal workers or by contract. The scope of the work includes cutting the grass and weeds, removing any remaining manufacture home debris and trash from the property. The work will commence after the statutory 10-day appeal period from the date of Council action and adjournment.

Parcel Information

PIDN: 87116078.000
GISP: 771.12-04-0141.00

Owner Information

Name: ROBINSON PATSY EVELYN Percent of Ownership: 100
Name2:
Mailing Address: 7213 RIVER MUSIC DR Physical Address: 7213 RIVER MUSIC DR GAUTIER
GAUTIER MS 39553

Land Information

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

Value and Tax Information

Total Assessed Value: 1395 Total Appraised Value: 9300
Improvement Value: 0 Land Value: 9300
Tax Amount: 183 SQ. FT: 0 Year Built: 1978

Legal Description

Description: LOT 111 SINGING RIVER LAND S/D DB 1630-711 (141 MAP771.12-04)
Deed Book / Page: 1630 / 711

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

ORDER NUMBER 246-2012

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the City Manager is hereby authorized to forward letter of support for a Making Your Community Healthy Mini-Grant Application to the Martin Bluff Elementary PTA for a walking track.

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 Macfarland and the following vote was recorded:

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

NAYS: None

ABSENT: Hurley Ray Guillotte

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 October 16, 2012.

Mayor
Tommy Fortenberry

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

City of Gautier
Gautier, Mississippi



City Manager
Samantha D. Abell

Interim City Clerk
Feresia L. Montgomery

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

October 9, 2012

Martin Bluff Elementary
P.T.A.
1306 Roys Rd.
Gautier, MS 39553

Dear Martin Bluff P.T.A.,

The City of Gautier supports the grant application for a walking track at Martin Bluff Elementary. We have avid outdoor enthusiasts living in the Hickory Hill area who have requested walking tracks and trails. The walking track at Martin Bluff Elementary will be an asset and promote healthy lifestyles. In support of this project, the City of Gautier will post directional signs in partnership with the school.

Sincerely,

Samantha D. Abell
Samantha D. Abell
City Manager

Enclosure:
MSDH Making Your Community Healthy Mini- Grant Application

"Nature's Playground!"



Mississippi State Department of Health
Mississippi Department of Education

Shared Use Agreement (SUA)

2012 - 2013

Healthy Lifestyles: Making Your Community Healthy Mini- Grant Application

Grant Deadline: Wednesday, October 24, 2012

**Mississippi State Department of Health
Bureau of Community & School Health
Office of Preventive Health 0-208
570 East Woodrow Wilson Drive
Jackson, MS 39215
Telephone: 601-576-7781**

Electronic or faxed submissions will NOT be accepted.



Mississippi State Department of Health – Shared Use Agreement Mini-Grant Application

Overview –

The Mississippi State Department of Health's (MSDH) Bureau of Community and School Health is conducting a call for applications to support the establishment of formal shared use agreements (joint use agreements) between schools and communities. Formal shared use agreement policies support MSDH's effort to increase physical activity in the state of Mississippi by increasing access to safe and attractive indoor and outdoor recreation facilities. The establishment of shared use agreement policies is an important obesity prevention strategy in communities that lack access to safe places to be physically active. According to the Institute of Medicine of the National Academies, increasing opportunities for regular physical activity and supporting the efforts of families to incorporate physical activity into their lives are important strategies for reversing the childhood obesity epidemic. These efforts will lay the ground work to advance state and local policies that increase community access to physical activity and recreation facilities outside of the school day.

A Shared Use Agreement (SUA) is a formal agreement between two separate government entities. This is often a school and a city or county. The SUA sets forth the terms and conditions for the shared use of public property. Usually, each party under a shared use agreement helps fund the development, operation, and maintenance of the facility/facilities that will be shared. Therefore, no single party is fully liable for the costs and responsibilities associated with the recreational facilities. Also, after regular school hours, schools can continue to provide their students and community with the facilities needed to maintain active and healthy lifestyles, while incurring little to no additional costs.

A SUA is an opportunity to form collaborative agreements for more efficient and productive use of community and school facilities. These types of agreements help cities and schools avoid the need for duplicate buildings that often serve the same purpose. Also, SUAs provide community residents with amenities such as programs, services or public spaces that would not otherwise



be available. Creating a SUA between cities and schools allows community residents access to gymnasiums, auditoriums, performing arts centers and recreational and educational spaces that meet the various needs of the community during non-school hours. In addition, these spaces may function as a location for public meetings and activities while addressing the recreational and wellness needs of the community. As well, the community may be able to provide facilities, renovation projects, or financing to schools for sharing a facility for community-wide use. Therefore, collaboration between the community and the school allows both parties to pool their resources thus saving tax revenue.

Grant Description:

MSDH will provide a maximum of 11 mini-grants to schools and communities (communities as defined in RFA) to assist with a school and community shared use agreement policy implementation and adoption. This will be a dual application between the school and the community. This funding opportunity is comprised of benchmarks that the school and community must complete in order to receive total grant funding. The total grant award up to \$4,000. The school is identified as the primary agency and will act as the fiscal agent. The grant award will be received through the primary agency (school) through a direct deposit of funds from the MSDH.

All grant recipients will receive one training session provided by MSDH in collaboration with other state partners. In addition, technical assistance will be provided throughout the entire grant cycle to assist grantees so that they may build support for shared use agreement policies of communities and school facilities in the development, adoption, and implementation of a shared use agreement between the school and community.



GOAL:

The intended outcome of this funded initiative is to develop and adopt a shared use agreement policy between Mississippi schools and communities.

Shared Use Agreement of School Facilities Defined:

For the purpose of this project, shared use agreements of school facilities may be defined as any of the following:

- The school gates are unlocked outside of scheduled school hours therefore community members may use the outdoor facilities (athletic fields, basketball courts, tennis courts, playgrounds) for unstructured play.
- School officials allow dance, yoga and/or martial arts instructors to use the gymnasium and other facilities for community classes before and/or after school.
- Indoor school facilities (gymnasiums, swimming pools, auditoriums) are open to community members outside scheduled school hours for structured/unstructured play or use.
- City or county sports leagues use the school gymnasium or other indoor facilities outside scheduled school hours.
- A local government agency (e.g., Parks and Recreation) or non-profit organization (e.g., Boys and Girls Club) uses indoor and outdoor school facilities to operate after school/weekend physical activity programs.
- City or county sports leagues use the school athletic fields or courts outside scheduled school hours.

Communities Defined:

- City
- Town
- County

Who should apply?

- Schools and communities interested in spearheading a shared use agreement policy initiative.
- Schools and communities interested in developing and adopting a shared use agreement policy.



Eligibility:

To be eligible for a SUA mini-grant, applicants must meet the following criteria:

- Be willing to convene a school health council
- Have demonstrated experience working with community partners.
- Have the support of the target school administration and the community administration (demonstrated by letters of support from either school district superintendent or school board and either mayor, board of alderman or county board of supervisors).
- Must designate a contact person from both the school and community.
- The target school district has 40 percent or greater students that qualify for free and/or reduced priced school meals.
- The recipient must be willing to develop and adopt a formal shared use agreement policy (the *Best Practices Tool Kit for Shared Use Agreements in Mississippi* may be found at: <http://www.healthyms.com> and www.mde.k12.ms.us).

**Please note that you will need to demonstrate how you meet the above eligibility requirements in your application.*

Benchmarks:

- Participation in the MSDH meetings/trainings
- Participation in at least one grantee teleconference with MSDH
- Convene school health council committee for planning/sustainability
 - Assemble meetings on a monthly basis
- Develop a shared use agreement policy action plan
- Ensure adoption and implementation of a FORMAL shared use agreement policy
- Submit final SUA grant report to MSDH

Award Notification:

Grant recipients will be notified mid *November 2012*.

Budget:

Single grant up to \$4,000 will be awarded per school /community applying for the implementation, completion, and adoption of a school and community shared use agreement. Funding will be provided by completion of established benchmarks and submission of final project report.