

**Tuesday  
December 4, 2012  
Gautier, Mississippi**

**BE IT REMEMBERED THAT A REGULAR MEETING of the Mayor and Council of the City of Gautier, Mississippi was held December 4, 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 Cindy Russell, City Attorney Robert Ramsay and other concerned citizens. Absent was Councilman Hurley Ray Guillotte.**

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**AGENDA  
CITY OF GAUTIER, MISSISSIPPI  
CITY HALL COUNCIL CHAMBERS  
December 4, 2012**

- I. Call to Order**
  - 1 Prayer**
  - 2 Pledge of Allegiance**
- II. Agenda Order Approval**
- III. Announcements**
  - 1 Christmas Carols for City Employees scheduled on Thursday, December 6, 2012 at 9:00 AM**
  - 2 Office closed on Monday, December 24, 2012 and Tuesday, December 25, 2012 in Observance of Christmas Holidays**
  - 3 Office Closed on Monday, December 31, 2012 and Tuesday, January 1, 2013 in Observance of New Year's Day**
- IV. Presentation Agenda**
- V. Public Agenda**
  - 1 Agenda Comments**

**VI. Business Agenda**

- 1 Consider Order approving a Qualifying Hardship Payment Plan for Overdue Water and Sewer charges
- 2 Consider Order accepting FEMA Hazard Mitigation Grant Funding for MEMA's Coastal Wind Retrofit Project
- 3 Consider Order authorizing the City to enter into a contract with Geotechnical Engineering-Testing, Inc. for Allen Road improvements
- 4 Consider Order approving payment for services provided by Vaughn Lauban Designs, Inc. in the amount of \$2,400.00 nun pro tunc
- 5 Consider Order approving Renovation Plans for the Gautier Public Works Building
- 6 Consider Order approving payment of services and contract renewal for Gulf Coast Communications and Security Systems
- 7 Consider Order approving Memorandum of Understanding and Intergovernmental Agreement with the MS Department of Wildlife, Fisheries and Parks to assume the operating and maintenance of Shepard State Park
- 8 Consider Order approving Dean Mosher Studio invoice in the amount of \$4,205.55 For ELAR1/Pro and light display
- 9 Consider Resolution approving funding for MS Coast Crime Stoppers
- 10 Consider Order approving Docket of Claims

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

- 1 Consider Order receiving Attorney General letter not to interpose any objection to the specified change to the 2012 Redistricting Plan for the City of Gautier
- 2 Consider Resolution authorizing the continuance of the Local Emergency for the Deep Water Horizon Oil Spill until further notice
- 3 Consider Resolution approving in-kind services for Gautier Christmas Parade

**STUDY AGENDA  
CITY OF GAUTIER, MISSISSIPPI  
December 4, 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

Recess until December 18, 2012 @ 6:30 PM  
[www.gautier-ms.gov](http://www.gautier-ms.gov)

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Motion was made by Councilman Colledge to add Consent Item #4 – Providence Baptist Church In-Kind Services and approve the agenda order. Motion was seconded by Councilman Macfarland and unanimously carried.

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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 277-2012**

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that the Qualifying Hardship Payment Plan for overdue Water and Sewer Charges is 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 Councilman Macfarland, seconded by Councilman Jones 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

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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 4, 2012.

**CITY OF GAUTIER**

**MEMORANDUM**

**To:** Honorable Mayor and Council  
**From:** Samantha D. Abell, City Manager  
**Date:** November 28, 2012  
**Subject:** Approval of a Qualifying Hardship Payment Plan for Overdue Water and Sewer Charges

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**REQUEST:**

The Council has requested the City Manager consider options for a qualifying hardship payment plan for delinquent water and sewer customers.

**DISCUSSION:**

Gautier has been implementing several strategies over the past several months to strengthen the City's financial practices, focusing initially on billing and collections areas. A well-managed utility should have a strong collection policy which precludes paying customers from subsidizing those that do not pay their bills. Although the number of customers that are affected by this policy is a relatively small percentage of the overall customer base, the City is nevertheless obligated by law to charge all users of the potable and sewerage systems equitably. Implementing a qualifying hardship payment plan for citizens who have accrued substantial fees through non-payment will provide a means for the City to recoup debt by a reasonable payment plan, in lieu of prosecution. Further, a payment plan ensures that the City can keep rates steady while continuing needed maintenance and repairs of the system.

Section 18.4-138 of the City's Code of Ordinance states thus:

The city manager of the municipal water system shall review periodically the water contributions of users, the total costs of operation and maintenance (including replacement) of the water system, and the user charge system. The city manager shall revise the user charge, if necessary, to generate sufficient revenue to pay the total operation and maintenance costs necessary for the proper operation and maintenance (including replacement) of the water system, the cost of water treatment, retirement of existing debt included herein, and repayment of any drinking water systems improvements revolving fund loans.

**Upon review, approximately \$75,782.00 is owed to the City for active delinquent water/sewer/garbage, water/sewer, garbage-only, water-only and sewer-only accounts;**

**75% of this amount is greater than (3 years) delinquent. The estimated number of delinquent customers is 30. Because the bulk of these customers need service, the City has sufficient opportunity to recover funds that will slow the rate of increases for paying customers.**

I recommend that the Council direct the City Attorney to draft an ordinance amending Section 18, and establishing thus:

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 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.

**RECOMMENDATION:**

The City Council may:

1. Approve the recommendation and direct the City Attorney to draft an ordinance accordingly; or
2. Modify the proposed qualifications for the payment plan by either reducing or adding qualifications, and authorize the City Attorney to draft an ordinance accordingly; or
3. Deny the recommendation for a qualifying payment plan for delinquent customers.

**CITY OF GAUTIER**  
**DELINQUENT ACCOUNTS FOR ANNEXED AREA**

	Account	Name	Current	Due 30-60	Due 60-90	Due 90-120	Over 120	Total Due
1	72843	KELL JOYCE	\$42.00	\$25.00	\$42.00	\$42.00	\$785.00	\$936.00
2	72788	FIELLO ANISE	\$42.00	\$25.00	\$42.00	\$42.00	\$956.00	\$1,107.00
3	72582	VAUGHAN GARY	\$42.00	\$25.00	\$42.00	\$42.00	\$1,108.00	\$1,259.00
4	72194	BRASWELL MELVIN L	\$42.00	\$25.00	\$42.00	\$42.00	\$1,468.00	\$1,619.00
5	72196	BRASWELL MELVIN L	\$42.00	\$25.00	\$42.00	\$42.00	\$1,468.00	\$1,619.00
6	61569	CUEVAS HELENE	\$42.00	\$25.00	\$42.00	\$42.00	\$2,019.72	\$2,170.72
7	50536	PRINGLE WILLIE L	\$64.07	\$25.00	\$64.07	\$64.07	\$1,093.43	\$1,310.64
8	70911	BILBO CHRISTA M	\$83.37	\$25.00	\$83.37	\$83.37	\$1,240.41	\$1,515.52
9	61700	KILLINGSWORTH GINGER	\$42.00	\$25.00	\$112.00	\$42.00	\$638.32	\$859.32
10	61099	HIBBIT CHARLES B	\$42.00	\$42.00	\$42.00	\$42.00	\$2,276.15	\$2,444.15
11	60550	THOMAS ALMA J	\$77.86	\$66.37	\$66.37	\$66.37	\$461.49	\$738.46
12	60173	ROBERTSON RUBY H	\$83.37	\$66.37	\$66.37	\$66.37	\$2,045.77	\$2,328.25
13	60035	LIZANA TINA M	\$90.17	\$76.82	\$70.87	\$70.87	\$2,572.02	\$2,880.75
14	61657	CUMBEST JOEY	\$83.37	\$83.37	\$83.37	\$66.37	\$678.07	\$994.55
15	60425	REEVES JR THOMAS L	\$83.37	\$83.37	\$83.37	\$83.37	\$611.96	\$945.44
16	60542	WEEMS MADDISON L	\$83.37	\$83.37	\$83.37	\$83.37	\$750.33	\$1,083.81
17	60848	ROWELL RICHARD K	\$83.37	\$83.37	\$83.37	\$83.37	\$1,689.37	\$2,022.85
18	61887	DEJAYNES JACKIE S	\$83.37	\$83.37	\$83.37	\$83.37	\$2,504.77	\$2,838.25
19	70040	GARCIA BOBBY	\$83.37	\$83.37	\$83.37	\$83.37	\$3,040.41	\$3,373.89
20	61348	NESBITT KATHY	\$83.37	\$83.37	\$83.37	\$83.37	\$3,122.42	\$3,455.90
21	70037	BRITT BRIAN	\$83.37	\$83.37	\$83.37	\$83.37	\$3,330.45	\$3,663.93
22	70038	BRITT BRIAN	\$83.37	\$83.37	\$83.37	\$83.37	\$3,330.45	\$3,663.93
23	61888	SAUNDERS BRENT	\$83.37	\$83.37	\$83.37	\$83.37	\$3,437.41	\$3,770.89
24	61329	BRITT BRIAN	\$83.37	\$83.37	\$83.37	\$83.37	\$3,740.80	\$4,074.28
25	60465	MASON ANDREW W	\$83.37	\$83.37	\$83.37	\$83.37	\$3,754.67	\$4,088.15
26	60310	PRIDDY ANN R	\$83.37	\$83.37	\$83.37	\$83.37	\$4,387.45	\$4,720.93
27	61342	PATTAT JR ALBERT W	\$83.37	\$83.37	\$83.37	\$83.37	\$5,104.34	\$5,437.82
28	61340	GROVES JAMES A	\$86.77	\$86.77	\$86.77	\$86.77	\$3,604.53	\$3,951.61
29	60260	VAN WINKLE MARGARET A	\$86.77	\$86.77	\$86.77	\$86.77	\$4,365.42	\$4,712.50
30	61336	BENNETT JERRY (TD)11/10/11					\$2,195.81	\$2,195.81
			\$2,075.56	\$1,817.28	\$2,097.77	\$2,010.77	\$67,780.97	\$75,782.35

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

**ORDER NUMBER 278-2012**

**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 accept FEMA Hazard Mitigation Grant Funding for MEMA's Coastal Wind Retrofit Project which includes the Gautier Police Station Wind Retrofit Project

**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 Gollott, 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:**

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**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 4, 2012.

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Patty Huffman, Grants & Projects Manager  
**Through:** Eric Meyer, Director of Economic Development and Planning Dept.  
**Date:** November 27, 2012  
**Subject:** FEMA Hazard Mitigation Grant Award for Police Station Wind Retrofit-  
#1794-23-01

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**REQUEST:**

The Economic Development and Planning Department requests City Council approval to accept FEMA Hazard Mitigation Grant Funding for MEMA's Coastal Wind Retrofit Project which includes the Gautier Police Station Wind Retrofit Project.

**BACKGROUND:**

The City of Gautier applied for Hazard Mitigation grant funding in September 2011 to retrofit the Police Department's windows. Effective November 7, 2012, FEMA approved MEMA's Coastal Wind Retrofit Project which includes the City of Gautier's Police Station Wind Retrofit Project. The Statement of Work is defined below:

*The City will retrofit 1 set of double doors and 2 storefront window walls with large missile impact resistant material bringing the level of protection from 130 to 150 mph. The City has provided a letter from a professional architect confirming that once project is completed, the structure will comply with the IBC and be able to withstand 150 mph wind loads.*

**DISCUSSION:**

The approved Total Cost for the project is \$22,800. The 75% Federal Cost Share is \$17,100 and the 25% Local Cost Share for the City of Gautier is \$5,700. Payments will be made on an eligible cost reimbursement basis and subject to receipt and approval of invoices. The project must be completed by Nov. 8, 2013.

**RECOMMENDATION:**

Economic Development and Planning Department staff recommends that City Council accept the grant award and the local cost share as described above.

The City Council may:

1. Accept the grant award as described; or
2. Decline the grant award.

**ATTACHMENT(S):**

FEMA Approval Letter  
Hazard Mitigation Grant Program Agreement



U.S. Department of Homeland Security  
FEMA Region IV  
3003 Chamblee Tucker Road  
Atlanta, GA 30341

FEMA

November 8, 2012

Mr. Robert R. Latham, Jr., Director  
Mississippi Emergency Management Agency  
Post Office Box 5644  
Pearl, Mississippi 39208

Attention: Mr. Jana Henderson

Reference: Hazard Mitigation Grant Program (HMGP) Project 1794-0023 Parts 1 and 2,  
MEMA Coastal Wind Retrofit Project

Dear Mr. Latham:

I am pleased to inform you that the project referenced above has been approved for \$48,760 with a Federal share of \$36,570. The project's non-federal share of \$12,190 will be provided by the City of Gautier and Jackson County.

The following is the approved Statement of Work (SOW) for the above referenced project as approved in the application:

*Part 1: City of Gautier Police Station Wind Retrofit: The City will retrofit 1 set of double doors and 2 storefront window walls with large missile impact resistant material bringing the level of protection from 130 to 150 mph. The property is located at 3329 HWY 90, Gautier, MS. The City has provided a letter from a professional architect confirming that once project is completed, the structure will comply with the IBC and be able to withstand 150 MPH wind loads.*

*Part 2: Jackson County Fort Lakes Fire Department Wind Retrofit: Jackson County will upgrade 10 bay doors, 5 windows and one office door to protect structure and contents against 140 mph winds. Fire station is owned by the county. Information and documentation was provided that says all other components and the building envelope are built to within the 140mph.*

The period of performance for this subgrant shall be November 7, 2015. All of the activities specified in the scope of work should be completed no later than this date.