

Motion was made by Councilman Jones to move Business Item #5 – Discussion on domesticated animals to Business Item #2 and to table the item until further investigation is done and a worksession is held. Seconded by Councilman Colledge and unanimously carried. No date was set on worksession.

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

ORDER NUMBER 071-2013

IT IS HEREBY ORDERED by the Mayor and Members of the Council of the City of Gautier, Mississippi, that Contract Change Order No. 7 from Lane Construction, Inc. for Gautier Downtown Streetscape-Phase 2, CDBG Project No. R-109-192-01-KCR to provide landscaping at the roundabout and modifying the structural capacity of the sculpture and adjust pay items to actual installed quantities or expected final contract totals is hereby approved.

IT IS FURTHER ORDERED that change order request is contingent upon 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 Colledge, 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 March 19, 2013.

CONTRACT CHANGE ORDER NO. 7

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: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

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 | TOTAL |
| | | | | COST | CONTRACT |
| 201-D | RANDOM CLEARING | 4500 | SY | \$ 0.90 | \$ 4,050.00 |
| 202-A | REMOVAL OF OBSTRUCTIONS (LVM) | 100 | CY | \$ 13.70 | \$ 1,370.00 |
| 202-B | REMOVAL OF PIPE, 8" AND ABOVE | 197 | LF | \$ 3.00 | \$ 591.00 |
| 202-B | REMOVAL OF WATER MAIN, ALL TYPES, ALL SIZES, ALL DEPTHS | 296 | LF | \$ 3.00 | \$ 888.00 |
| 202-B | REMOVAL OF CURB AND/OR CURB AND GUTTER, ALL TYPES | 12 | LF | \$ 3.00 | \$ 36.00 |
| 202-B | REMOVAL / RELOCATION OF DECORATIVE ROADWAY SIGNS | 2 | EA | \$ 200.00 | \$ 400.00 |
| 907-203-EX | BORROW EXCAVATION, AH, LVM, CLASS B5 | 970.36 | CY | \$ 10.00 | \$ 9,703.60 |
| 203-I | SITE GRADING | 3.58 | AC | \$ 200.00 | \$ 716.00 |
| 907-207-A | SAW CUTTING OF CONCRETE SURFACES | 55 | LF | \$ 5.25 | \$ 288.75 |
| 907-207-B | SAW CUTTING OF ASPHALT SURFACES | 664 | LF | \$ 1.05 | \$ 697.20 |
| 212-B | STANDARD GROUND PREPARATION | 860 | SY | \$ 0.20 | \$ 172.00 |
| 907-227-A | HYDROSEEDING, CENTIPEDE | 1.25 | AC | \$ 3,135.00 | \$ 3,918.75 |
| 234-A | TEMPORARY SILT FENCE | 982 | LF | \$ 1.90 | \$ 1,865.80 |
| 907-234-D | INLET SILTATION GUARD | 28 | EA | \$ 185.00 | \$ 5,180.00 |
| 907-237-A | WATTLE, 12" | 285 | LF | \$ 4.00 | \$ 1,140.00 |
| 907-237-A | WATTLE, 20" | 726 | LF | \$ 4.75 | \$ 3,448.50 |
| 907-246-A | SANDBAGS | 89 | LF | \$ 1.00 | \$ 89.00 |
| 907-304-D | SIZE II STABILIZER AGGREGATE (GRAVEL)(FM) | 263.05 | CY | \$ 59.00 | \$ 15,519.95 |
| 907-304-E | SIZE 610 CRUSHED STONE BASE, FM | 167.13 | CY | \$ 59.00 | \$ 9,860.67 |
| 907-403-A | HOT MIX ASPHALT, ST, 9.5-MM MIXTURE | 40 | TON | \$ 85.70 | \$ 3,428.00 |
| 907-403-A | HOT MIX ASPHALT, MT, 19.0-MM MIXTURE | 284.5 | TON | \$ 85.70 | \$ 24,381.65 |
| 406-A | COLD MILLING OF BITUMINOUS PAVEMENT, ALL DEPTHS | 635 | CY | \$ 5.25 | \$ 3,333.75 |
| 602-A | REINFORCING STEEL | 2383.39 | LB | \$ 1.70 | \$ 4,051.76 |
| 603-CA | 18" REINFORCED CONCRETE PIPE, CLASS III | 140 | LF | \$ 39.70 | \$ 5,558.00 |
| 603-CA | 24" REINFORCED CONCRETE PIPE, CLASS III | 148 | LF | \$ 52.50 | \$ 7,770.00 |
| 603-CA | 30" REINFORCED CONCRETE PIPE, CLASS III | 4 | LF | \$ 82.60 | \$ 330.40 |
| 603-CA | 48" REINFORCED CONCRETE PIPE, CLASS III | 2 | LF | \$ 206.45 | \$ 412.90 |
| 603-CB | 18" REINFORCED CONCRETE END SECTION | 7 | EA | \$ 646.00 | \$ 4,522.00 |
| 603-CB | 24" REINFORCED CONCRETE END SECTION | 1 | EA | \$ 803.00 | \$ 803.00 |
| 604-B | GRATINGS | 2840 | LB | \$ 2.60 | \$ 7,384.00 |
| 907-608-A | CONCRETE SIDEWALK, WITHOUT REINFORCEMENT | 2767.11 | SY | \$ 34.60 | \$ 95,742.01 |
| 609-B | CONCRETE CURB, HEADER (MATCH EXISTING) | 313.58 | LF | \$ 16.85 | \$ 5,283.82 |
| 609-D | COMBINATION CONCRETE CURB AND GUTTER (MATCH EXISTING) | 175.00 | LF | \$ 15.75 | \$ 2,756.25 |
| 609-B | CONCRETE CURB AND GUTTER, TYPE 2 | 3.00 | LF | \$ 18.95 | \$ 56.85 |
| 907-611-A | BRICK PAVERS(WITH CONCRETE BANDING/ WITHOUT CONCRETE BASE) | 250.31 | SF | \$ 10.05 | \$ 2,515.62 |
| 907-611-B | BRICK PAVERS (WITH 5" CONCRETE BASE) | 430.00 | SF | \$ 12.25 | \$ 5,267.50 |
| 907-611-B | BRICK PAVERS DOUBLE SOLDIER COURSE-GROUTED (WITH 8" CONCRETE BASE) | 12.50 | LF | \$ 47.15 | \$ 589.38 |
| 907-611-C | BRICK PAVERS CROSS WALK- 10' WIDE (WITH 6" CONCRETE BASE) | 47.25 | LF | \$ 85.20 | \$ 4,025.70 |
| 907-612-PP | REMOVE AND REPLACE FIRE HYDRANT, PER PLANS | 3 | EA | \$ 2,379.00 | \$ 7,137.00 |
| 613-D | ADJUSTMENT OF WATER METER BOX | 3 | EA | \$ 90.40 | \$ 271.20 |
| 616-A | CONCRETE MEDIAN AND/OR ISLAND PAVEMENT, 10" | 214.7 | SY | \$ 43.50 | \$ 9,339.45 |
| 626-C | 6" THERMOPLASTIC EDGE STRIPE, CONTINUOUS WHITE | 74 | LF | \$ 2.10 | \$ 155.40 |

CONTRACT CHANGE ORDER NO. 7

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: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

| | | | | | | | |
|---------------------------|---|--------|-----|----|-----------|-----------|---------------------|
| 626-G | THERMOPLASTIC DETAIL STRIPE, WHITE, 6" EQUIVALENT LENGTH | 163 | LF | \$ | 2.10 | \$ | 342.30 |
| 626-H | THERMOPLASTIC LEGEND, WHITE | 190.93 | SF | \$ | 5.25 | \$ | 1,002.38 |
| 630-A | STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.080" THICKNESS | 6.6 | SF | \$ | 36.60 | \$ | 241.56 |
| 630-A | STANDARD ROADSIDE SIGNS, SHEET ALUMINUM, 0.125" THICKNESS | 16 | SF | \$ | 36.60 | \$ | 585.60 |
| 630-K | WELDED AND SEAMLESS STEEL PIPE POSTS, 3 1/2" | 148 | LF | \$ | 52.25 | \$ | 7,733.00 |
| 907-632-C | CONCRETE INTEGRAL COLOR ADDER | 10 | CY | \$ | 10.45 | \$ | 104.50 |
| 682-A | UNDERGROUND BRANCH CIRCUIT, #6, 4 CON | 914 | LF | \$ | 6.70 | \$ | 6,123.80 |
| 682-A | UNDERGROUND BRANCH CIRCUIT, #10, 3 CON | 91 | LF | \$ | 3.90 | \$ | 354.90 |
| 682-B | UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #6, 4 CON | 32 | LF | \$ | 12.25 | \$ | 392.00 |
| 682-D | UNDERGROUND PULL BOX | 1 | EA | \$ | 1,568.00 | \$ | 1,568.00 |
| 815-A | LOOSE RIPRAP, SIZE 100# | 193.21 | TON | \$ | 58.75 | \$ | 11,351.09 |
| 815-B | GROUTED RIPRAP | 250 | SY | \$ | 18.25 | \$ | 4,562.50 |
| CO2-2 | CONCRETE ETCHING - COMPASS - PAVERS | 1 | EA | \$ | 15,000.00 | \$ | 15,000.00 |
| CO2-4 | 100 FOOT DECORATIVE SECTION | 1 | EA | \$ | 18,200.00 | \$ | 18,200.00 |
| Total Deductions = | | | | | | \$ | (322,612.48) |

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

REASON FOR CHANGE: Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals.

ADDITIONS

| ITEM NO. | DESCRIPTION | QTY | UNIT | UNIT | |
|------------|--|---------|------|--------------------------|----------------------|
| | | | | COST | TOTAL CONTRACT |
| 202-B | REMOVAL OF PAVEMENT, ALL TYPES AND DEPTHS | 1002.13 | SY | \$ 3.00 | \$ 3,006.39 |
| 202-B | REMOVAL OF DRAINAGE BOX, ALL TYPES & SIZES | 4 | EA | \$ 200.00 | \$ 800.00 |
| 907-203-A | UNCLASSIFIED EXCAVATION, LVM, AH | 52.26 | CY | \$ 5.00 | \$ 261.30 |
| 907-203-G | EXCESS EXCAVATION, LVM, AH | 123 | CY | \$ 5.00 | \$ 615.00 |
| 216-B | SOLID SODDING, CENTIPEDE | 1697.22 | SY | \$ 2.95 | \$ 5,006.80 |
| 907-403-A | HOT MIX ASPHALT, MT, 9.5-MM MIXTURE | 277.13 | TN | \$ 85.70 | \$ 23,750.04 |
| 907-601-B | CLASS "B" STRUCTURAL CONCRETE, MINOR STRUCTURES | 57.7 | CY | \$ 839.00 | \$ 48,410.30 |
| 603-CE | 22" X 13" CONCRETE ARCH PIPE, CLASS III | 25 | LF | \$ 52.30 | \$ 1,307.50 |
| 603-CE | 29" X 18" CONCRETE ARCH PIPE, CLASS III | 102 | LF | \$ 62.25 | \$ 6,349.50 |
| 603-CE | 44" X 27" CONCRETE ARCH PIPE, CLASS III | 34.5 | LF | \$ 100.80 | \$ 3,477.60 |
| 603-CF | 29" X 18" CONCRETE ARCH PIPE END SECTION | 5 | EA | \$ 803.00 | \$ 4,015.00 |
| 907-603-PE | 18" HDPE PIPE, PERFORATED W/SOCK | 2 | LF | \$ 34.50 | \$ 69.00 |
| 907-603-PE | 36" HDPE PIPE, PERFORATED W/SOCK | 5 | LF | \$ 72.65 | \$ 363.25 |
| 604-A | CASTINGS | 649 | LB | \$ 2.60 | \$ 1,687.40 |
| 609-B | CONCRETE CURB, MONOLITHIC (MATCH EXISTING) | 326.5 | LF | \$ 8.20 | \$ 2,677.30 |
| 609-B | CONCRETE CURB AND GUTTER, TYPE 3B | 523.5 | LF | \$ 16.15 | \$ 8,454.53 |
| 907-611-C | BRICK PAVERS CROSS WALK- 8' WIDE (WITH 6" CONCRETE BASE) | 5.32 | LF | \$ 79.40 | \$ 422.41 |
| 907-611-D | BRICK PAVERS PAD WITH DETECTABLE WARNING | 1 | EA | \$ 530.00 | \$ 530.00 |
| 907-612-A | 12" WATER MAIN (PVC OR DUCTILE IRON) | 21 | LF | \$ 55.30 | \$ 1,161.30 |
| 613-D | ADJUSTMENT OF FIRE HYDRANT, ALL TYPES | 1 | EA | \$ 208.20 | \$ 208.20 |
| 907-613-G | ADJUSTMENT OF MANHOLE (1' OR LESS) | 3 | EA | \$ 208.20 | \$ 624.60 |
| 614-A | CONCRETE DRIVEWAY, WITHOUT REINFORCEMENT, 6-INCH THICKNESS | 265.3 | SY | \$ 35.50 | \$ 9,418.15 |
| 626-G | THERMOPLASTIC DETAIL STRIPE, YELLOW, 6" EQUIVALENT LENGTH | 315 | LF | \$ 2.10 | \$ 661.50 |
| 682-A | UNDERGROUND BRANCH CIRCUIT, #2, 4 CON. | 787 | LF | \$ 11.45 | \$ 9,011.15 |
| 682-B | UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #2, 4 CON. | 492 | LF | \$ 17.05 | \$ 8,388.60 |
| 682-B | UNDERGROUND BRANCH CIRCUIT, JACKED OR BORED #10, 3 CON. | 12 | LF | \$ 9.65 | \$ 115.80 |
| 815-E | GEOTEXTILE UNDER RIPRAP | 505 | SY | \$ 5.15 | \$ 2,600.75 |
| CO7-A * | LANDSCAPING AROUND FOUNTAIN | 1 | LS | \$ 17,644.45 | \$ 17,644.45 |
| CO7-B * | LANDSCAPING IN SIDEWALK CIRCLE (IN FRONT OF HANCOCK BANK) | 1 | LS | \$ 1,967.52 | \$ 1,967.52 |
| CO7-C * | SCULPTURE STRUCTURAL MODIFICATIONS | 1 | LS | \$ 24,162.08 | \$ 24,162.08 |
| | | | | Total Additions = | \$ 187,167.41 |

* Items added by this change order

| CONTRACT CHANGE ORDER NO. 7 | |
|---|---|
| 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: | Proposed change includes providing landscaping at the roundabout and modifying the structural capacity of the sculpture. Change also includes adjusting pay items to actual installed quantities or expected final contract totals. |
| TOTAL DEDUCTIONS = \$ (322,612.48) TOTAL ADDITIONS = \$ 187,167.41 | |
| NET RESULT = \$ (135,445.07) | |
| ORIGINAL CONTRACT AMOUNT: | \$ 4,456,214.80 |
| TOTAL CONTRACT CHANGES TO DATE: | \$ 188,140.30 |
| CURRENT CONTRACT AMOUNT: | \$ 4,644,355.10 |
| THIS CONTRACT CHANGE: | \$ (135,445.07) |
| REVISED CONTRACT AMOUNT: | \$ 4,508,910.03 |
| CURRENT CONTRACT COMPLETION DATE: | January 27, 2013 |
| TIME EXTENSION REQUIRED BY CHANGE: | 60 |
| REVISED CONTRACT COMPLETION DATE: | March 28, 2013 |
| NOTE: THIS DOCUMENT SHALL BE AN AMENDMENT TO THE CONTRACT AND ALL PROVISIONS OF THE CONTRACT WILL APPLY. | |
| RECOMMENDED BY: | _____ NEEL-SCHAFFER, INC. ENGINEER _____ DATE |
| ACCEPTED BY: | _____ 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 072-2013

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 – Jonathan Palmer, 7301 Pineview Drive, Lots 91 & 99 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 – Jonathan Palmer, 7301 Pineview Drive, and Lots 91 & 99 Singing River Land Subdivision.

IT IS FURTHER ORDERED that the City Manager and 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
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 March 19, 2013.

MEMORANDUM

DATE: March 11, 2013
TO: Samantha D. Abell, City Manager
THRU: Eric Meyer, Planning and Economic Development Director
Patty Huffman, Grants and Projects Manager
FROM: Joseph E. Belles, Code Enforcement Officer
SUBJECT: Public Hearing for Substandard Property Conditions, 7301 Pineview Drive
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 March 19, 2013, in order to conduct a public hearing and receive public comment(s) regarding the abatement of the subject property.

LEGAL DESCRIPTION:

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

Legal Description: PIDN 87116076.000
Lots 91 & 99 SINGING RIVER LAND SUBDIVISION
Trailer # 2003433 1979 12 x 66 Fairmore Home
Deed Book 1604, page 516

Property Address: 7301 Pineview Drive

Owners of Record: Jonathan Palmer.
Last Known Address: 7205 Pineview Drive
Gautier, Mississippi 39553

BACKGROUND:

Initial code violations have existed with the previous owner going back to March 2009, concerning this dilapidated 1979 manufactured home. More recently, a final water bill was mailed to Mr. Palmer in Jan 2012 for a sum over five hundred dollars. Code Enforcement began getting telephone calls from neighbors concerned with individuals residing in this manufactured home without any water. Code Enforcement mailed an initial letter of violation to Mr. Palmer on January 25, 2012. The letter cited several code violations including the placement of two accessory structures, overgrown property condition and the overall dilapidated condition of the manufactured home. Mr. Palmer was advised the structure required repairs in accordance with the building code standards and it was suggested Mr. Palmer contact the City's Building Administrator for a complete inspection of the structure. A second letter of violation mailed on

February 29, 2012, cited the same previous violations and informing Mr. Palmer a summons would be issued to appear in City of Gautier, Municipal Court if the violations were not corrected by March 16, 2012. A final letter with a summons to appear were mailed to Mr. Palmer March 21, 2012, the letter informed Mr. Palmer there was no water or electrical power supplied to this structure and someone was living in the home. Mr. Palmer did not appear for his April 9, 2012 plea date and a warrant was issued. Subsequently, he was apprehended on the outstanding warrant entered a plea of not guilty and given a court date of July 9, 2012. Mr. Palmer failed to appear in court and was found guilty in his absence and reached the maximum fine of one thousand dollars. When no repairs were observed Code Enforcement served another summons October 26, 2012, to appear in municipal court in November 26, 2012. In early November 2012 code enforcement noticed, the manufactured home was being demolished and there was no permit issued by the Planning Department. Mr. Palmer was informed of the additional requirement to obtain a permit by code enforcement. When he appeared in municipal court, again, he entered a plea of Guilty and the judge found him guilty and assessed him a daily fine but suspended the fine until December 10, 2012 provided the property was in compliance or the fine would be assessed. Mr. Palmer incurred a second maximum fine of one thousand dollars and was scheduled to make payment to the City's collection agency. The manufactured home has remained in a state of disrepair and there has been no attempt to obtain a permit or complete the demolition of this manufactured home. Additionally, the property owner has allowed a pig and a goat to roam the vacant property without obtaining the appropriate permit from the city clerk. Mr. Palmer currently has an Outstanding Warrant for failure to pay old fines.

Property owners in the vicinity remain concerned with the visible appearance of this dilapidated structure, overgrown property and are concerned for the health, safety and welfare of their neighborhood. Staff considers the structure a potential hazard with all the loose material as we approach the hurricane season. Code enforcement informed the owner by letter on February 20, 2013, of the public hearing on March 19, 2013. Additionally, the property was posted with a copy of the hearing notification letter on March 5, 2013. The parcel of land and City of Gautier, bulletin board were posted with a copy of the public hearing notice on March 5, 2013.

RECOMMENDATION:

The City Council should make a determination to find the property a menace (as a nuisance and a hazard) to public health, safety and welfare of the community and direct staff to commence with the abatement of the dilapidated structures and surrounding property after the statutory 10-day appeal period from the date of Council action and adjournment.

