

**STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER
CITY OF PICAYUNE**

Be It Remembered that the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi, met at City Hall, 815 North Beech Street, in said City, Tuesday, February 2, 2010, at 5:00 p.m. in regular session with the following officials present: Mayor Ed Pinero, Council Members Larry Watkins, Lynn Bumpers, Todd Lane, Larry Breland and Wayne Gouguet, City Clerk Priscilla Daniel. City Manager Harvey Miller was absent.

It Being Determined a quorum was present, the following proceedings were held.

Opening prayer was given by Brother Claybough, followed by the Pledge of Allegiance led by Mayor Ed Pinero.

ORDER TO APPROVE MINUTES

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to approve the Minutes for the City of Picayune recessed meeting dated January 19, 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO APPROVE DOCKET

Motion was made by Council Member Watkins, seconded by Council Member Bumpers to approve the docket for February 2, 2010 in the amount of \$889,935.97.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

**APPROVE RELAY FOR LIFE OF PICAYUNE TO BE HELD AT THE SOCCER FIELD
ON APRIL 30, 2010**

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request to have Relay for Life of Picayune event at the soccer fields in Friendship Park on April 30, 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FROM PICAYUNE HEAD START TO HOLD A MARDI GRAS PARADE

Motion was made by Council Member Watkins, seconded by Council Member Bumpers to approve request from Picayune Head Start to hold a Mardi Gras Parade on Friday, February 12, 2010 at 9:30 am. The request is also made that the Police Department assist in closing traffic for a brief time on Hwy 11 until the children are safely down the street to the National Guard Armory building. The parade will be behind their building at Friendship Park.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FROM PICAYUNE HOUSING AUTHORITY TO CLOSE BEECHWOOD DRIVE

Motion was made by Council Member Bumpers, seconded by Council Member Lane to approve request from Picayune Housing Authority to close Beechwood Drive from South Beech to West Street as a safety precaution to control access to the recently burned and vandalized units.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPOINT 7TH AND FINAL MEMBER TO THE PLANNING COMMISSION AS PER NEW ORDINANCE REDUCING TO 7 MEMBERS

Motion was made by Council Member Watkins, seconded by Council Member Bumpers to appoint Dennis Collier as the 7th member to the Planning Commission as per new ordinance reducing to 7 members.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ORDINANCE NO. 873 AMENDING COMPREHENSIVE ZONING ORDINANCE, SECTION 402, ARTICLE IV-EXISTING USES

Motion was made by Council Member Gouguet, seconded by Council Member Lane to approve amendment to Comprehensive Zoning Ordinances, Section 402, Article IV-Existing Uses.

ORDINANCE NUMBER 873

OF THE

CITY OF PICAYUNE, MISSISSIPPI

AN ORDINANCE AMENDING SECTION 402, ARTICLE IV - EXISTING USES OF THE CITY OF PICAYUNE COMPREHENSIVE ZONING ORDINANCES

WHEREAS, the Mayor and City Council in and for the City of Picayune find that a necessity is required to clarify the availability of granting of dimensional waivers under Section 402, Article IV of the City of Picayune Comprehensive Zoning Ordinances.

WHEREAS, this amendment is necessary because the Mayor and City Council find that granting dimensional reductions beyond the initial twenty percent (20%) reduction as set forth in Section 402, Article IV of the City of Picayune Comprehensive Zoning Ordinances is neither desirable nor in keeping with the Comprehensive Plan for the City of Picayune.

NOW THEREFORE, BE IT Ordained by the Mayor and City Council of the City of Picayune, that the last sentence of Section 402, Article IV of the Comprehensive Zoning Ordinances of the City of Picayune shall be amended as follows, to-wit:

SECTION - ONE

1.

That the last sentence of Section 402, Article IV of the Comprehensive Zoning Ordinances of the City of Picayune currently reads as follows, to-wit:

“Any lot requiring dimensional waivers below the twenty (20) percent minimum set forth in this Ordinance shall be approved by the Planning Commission provided that further decreased dimensional requirements shall conform as closely as possible to the required dimensions.”

2.

That the last sentence of Section 402, Article IV of the Comprehensive Zoning Ordinances of the City of Picayune shall be amended to read as follows, to-wit:

“Dimensional waivers or variances below the initial twenty percent

(20%) as set forth above shall not be allowed.”

SECTION - TWO

SEVERABILITY, CONFLICT AND EFFECTIVE DATE

Should any section, clause, paragraph, provision, or part of this Ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity or any other section, clause, paragraph, provision, or part of this ordinance. All provision of this Ordinance shall be considered separate provision, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this Ordinance, the provisions of this Ordinance shall take precedence.

This Ordinance shall become effective thirty (30) days after its adoption and publication by the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi.

The foregoing Ordinance, having first been reduced to writing, was moved upon by Council member Wayne Gouguet, seconded by Council member Todd Lane, and voted upon as follows:

VOTING YEA: Mayor Pinero, Councilmembers Gouguet, Lane, Breland, Watkins, and Bumpers

VOTING NAY: None

NOT VOTING: None

NOT PRESENT: None

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Ordinance passed, approved, and adopted on this the 2nd day of February, 2010.

ED PINERO, Mayor

ATTEST:

City Clerk

Published February 28, 2010

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE ORDINANCE NO 874 ADDING SECTION 108 TO ARTICLE I AND SECTION 201.137 TO ARTICLE II OF ZONING ORDINANCES DEFINING AND PROHIBITING SPOT ZONING

Motion was made by Council Member Gouguet, seconded by Council Member Lane to approve Ordinance adding Section 108 to Article I and Section 201.137 to Article II of Zoning Ordinances Defining and Prohibiting Spot Zoning.

ORDINANCE NUMBER 874

REGULAR MEETING FEBRUARY 2, 2010

OF THE

CITY OF PICAYUNE, MISSISSIPPI

AN ORDINANCE ADDING SECTION 108 TO ARTICLE I AND SECTION 201.137 TO ARTICLE II OF THE CITY OF PICAYUNE COMPREHENSIVE ZONING ORDINANCES DEFINING AND PROHIBITING SPOT ZONING WITHIN THE CORPORATE LIMITS OF THE CITY OF PICAYUNE

WHEREAS, the Mayor and City Council in and for the City of Picayune find that it is desirable and necessary to define and prohibit spot zoning within the corporate limits of the City Picayune.

WHEREAS, in order to define the term "spot zoning" Section 201.137 should be added to Article II - Definition of Terms of the City of Picayune Comprehensive Zoning Ordinances.

WHEREAS, in order to prohibit spot zoning inside the corporate limits of the City of Picayune, that Section 108 should be added to Article I - General Provisions of the City of Picayune Comprehensive Zoning Ordinances.

NOW THEREFORE, BE IT Ordained by the Mayor and City Council of the City of Picayune, that the above-described provisions shall be added to the hereinbefore described Comprehensive Zoning Ordinances of the City of Picayune as follows, to-wit:

SECTION - ONE

1.

That Section 108 shall be added to Article I - General Provisions of the City of Picayune Comprehensive Zoning Ordinances to read as follows, to-wit: "Spot zoning shall not be allowed within the corporate limits of the City of Picayune; and, that spot zoning, as defined in Section 201.137, Article II of the City of Picayune Comprehensive Zoning Ordinances is expressly prohibited inside the corporate limits of the City of Picayune inclusive of any extension of said corporate limits."

SECTION - TWO

1.

That Section 201.137 shall be added to Article II - Definitions of the City of Picayune Comprehensive Zoning Ordinances to read as follows, to-wit: "Zoning, Spot: Spot zoning is a reclassification of one or more isolated tracts or lots for a use prohibited by the original or current zoning ordinance which is not related to the general plan for the community as defined in said current zoning ordinance."

SECTION - THREE

SEVERABILITY, CONFLICT AND EFFECTIVE DATE

Should any section, clause, paragraph, provision, or part of this Ordinance for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, this act shall not affect the validity or any other section, clause, paragraph, provision, or part of this ordinance. All provision of this Ordinance shall be considered separate provision, and completely severable from all other portions.

Conflict in any case where a provision of this ordinance is found to be in conflict with the provision of any other ordinance or code of the City of Picayune, Mississippi, existing on the effective date of this Ordinance, the provisions of this Ordinance shall take precedence.

This Ordinance shall become effective thirty (30) days after its adoption and publication by the Mayor and City Council of the City of Picayune, Pearl River County, Mississippi.

The foregoing Ordinance, having first been reduced to writing, was moved upon by Council member Wayne Gouguet, seconded by Council member Todd Lane, and voted upon as follows:

VOTING YEA: Mayor Pinero, Councilmembers Gouguet, Lane, Bumpers, Watkins and Breland

VOTING NAY: None

REGULAR MEETING FEBRUARY 2, 2010

NOT VOTING: None

NOT PRESENT: None

The motion having received the affirmative vote of the majority of the members present, the Mayor declared the motion carried and the Ordinance passed, approved, and adopted on this the 2nd day of February, 2010.

ED PINERO, Mayor

ATTEST:

City Clerk

Published February 28, 2010

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AT THIS TIME THE 2008 AUDIT REPORT WAS PRESENTED BY WILLOUGHBY WRIGHT, CPA BUT WAS NOT ACCEPTED DUE SOME TYPING ERRORS. THE AUDITOR WILL HAVE CORRECTIONS MADE TO PRESENT AT NEXT MEETING.

AUTHORIZE MAYOR'S SIGNATURE ON THE BUDGET MODIFICATION OF THE DOWNTOWN REVITALIATION PROJECT

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Mayor's signature on the budget modification of the Downtown Revitalization Project.

City of Picalyune
 Picalyune Industrial Park-Railroad Spur
 Pearl River County - CDBG Project
 Project No. R-103-297-01-KED
 Certified Bid Tabulation
 January 19, 2010 - 10:00 AM

Item No.	Description	Unit	Qty	Prewitt Enterprises, Inc.		Alabama Railroad & Construction Company, LLC		Continental Ralks and Excavating, Inc.		Smith Railway Services, Inc.		Hoye Stockstill, Inc.		C W & W Contractors, Inc.	
				Price	Subtotal	Price	Subtotal	Price	Subtotal	Price	Subtotal	Price	Subtotal	Price	Subtotal
*1	Mobilization	L5	1	\$ 5,000.00	\$ 5,000.00	\$ 32,067.00	\$ 32,067.00	\$ 19,872.48	\$ 19,872.48	\$ 15,000.00	\$ 15,000.00	\$ 24,000.00	\$ 24,000.00	\$ 32,000.00	\$ 32,000.00
*2	Cleaning and Grubbing	L5	1	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 5,000.00	\$ 5,000.00
*3	Removal of Concrete Pavement	SY	428	\$ 10.00	\$ 2,280.00	\$ 4,500.72	\$ 19,740.00	\$ 5.00	\$ 2,140.00	\$ 53.00	\$ 22,684.00	\$ 19.00	\$ 8,132.00	\$ 10.00	\$ 2,280.00
*4	Unexcavated Excavation (F.M.)	CY	703	\$ 5.00	\$ 3,515.00	\$ 7.86	\$ 5,987.18	\$ 10.00	\$ 7,030.00	\$ 18.00	\$ 12,654.00	\$ 20.00	\$ 14,060.00	\$ 15.00	\$ 10,545.00
*5	Surplus Excavation (L.V.M.) For Undercut & Limestone Removal	CY	100	\$ 8.00	\$ 800.00	\$ 10.00	\$ 1,000.00	\$ 10.00	\$ 1,000.00	\$ 15.00	\$ 1,500.00	\$ 15.00	\$ 1,500.00	\$ 15.00	\$ 1,500.00
*6	12" Compacted Polyethylene Pipe	L1	50	\$ 25.00	\$ 1,250.00	\$ 39.00	\$ 1,950.00	\$ 40.00	\$ 2,000.00	\$ 32.00	\$ 1,600.00	\$ 30.00	\$ 1,500.00	\$ 45.00	\$ 2,250.00
*7	Gravel Material - Class 5' Group B (L.V.M.) # Needed	CY	300	\$ 45.00	\$ 13,500.00	\$ 12.50	\$ 3,750.00	\$ 20.00	\$ 6,000.00	\$ 16.50	\$ 4,950.00	\$ 19.00	\$ 5,400.00	\$ 30.00	\$ 9,000.00
*8	Select Backfill Fine Stabilizer Aggregate (L.V.M.)	CY	135.00	\$ 45.00	\$ 6,075.00	\$ 12.96	\$ 1,750.60	\$ 15.00	\$ 2,025.00	\$ 23.50	\$ 3,172.50	\$ 18.00	\$ 2,430.00	\$ 30.00	\$ 4,050.00
*9	Concrete Paving - 4000 psi (6.5" Thick)	SY	80.00	\$ 55.00	\$ 4,400.00	\$ 62.50	\$ 5,000.00	\$ 100.00	\$ 8,000.00	\$ 150.00	\$ 12,000.00	\$ 150.00	\$ 12,000.00	\$ 130.00	\$ 10,400.00
*10	24" BC CMP	LF	100	\$ 40.00	\$ 4,000.00	\$ 95.00	\$ 9,500.00	\$ 75.00	\$ 7,500.00	\$ 56.00	\$ 5,600.00	\$ 66.20	\$ 6,620.00	\$ 80.00	\$ 8,000.00
*11	6" x 18" x 12' Chain Pipe w/ Chain Coupler or Approve eq	LF	330	\$ 15.00	\$ 4,950.00	\$ 9.09	\$ 2,999.70	\$ 15.00	\$ 4,950.00	\$ 18.00	\$ 5,940.00	\$ 12.00	\$ 3,960.00	\$ 24.00	\$ 7,920.00
*12	2"x2 Prewitt Junction Box - Type SS-3	EA	2	\$ 2,600.00	\$ 5,200.00	\$ 2,950.00	\$ 5,900.00	\$ 1,500.00	\$ 3,000.00	\$ 1,800.00	\$ 3,600.00	\$ 2,100.00	\$ 4,200.00	\$ 3,200.00	\$ 6,400.00
*13	Railroad Crossing	L9	1	\$ 24,300.00	\$ 24,300.00	\$ 4,000.00	\$ 4,000.00	\$ 10,500.00	\$ 10,500.00	\$ 12,000.00	\$ 12,000.00	\$ 4,000.00	\$ 4,000.00	\$ 1,500.00	\$ 1,500.00
*14	Subballast (26" Width x 6" Thickness)	Track F1	159	\$ 45.00	\$ 7,155.00	\$ 25.16	\$ 4,000.44	\$ 36.52	\$ 6,124.68	\$ 65.00	\$ 10,335.00	\$ 60.00	\$ 9,540.00	\$ 45.00	\$ 7,155.00
*15	Rail Ties, Subballast, Ballast, & Appurtenances	Track F1	584	\$ 95.00	\$ 55,380.00	\$ 152.82	\$ 88,846.88	\$ 194.36	\$ 113,942.24	\$ 154.00	\$ 90,336.00	\$ 202.00	\$ 118,168.00	\$ 269.50	\$ 157,654.00
*16	Sub 10 Turnout including Rail Ties, Ballast & Appurtenances, Sign Post, Curb, and 11B Curb (To Be Constructed By Vendor's Supplier)	L5	1	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
*17	Bump Post	EA	1	\$ 3,000.00	\$ 3,000.00	\$ 5,900.00	\$ 5,900.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00	\$ 500.00	\$ 500.00
*18	Pavement Markings	L5	1	\$ 3,750.00	\$ 3,750.00	\$ 2,750.00	\$ 2,750.00	\$ 1,200.00	\$ 1,200.00	\$ 750.00	\$ 750.00	\$ 2,000.00	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00
*19	Advanced Warning Sign	EA	2	\$ 1,200.00	\$ 2,400.00	\$ 800.00	\$ 1,600.00	\$ 1,000.00	\$ 2,000.00	\$ 300.00	\$ 600.00	\$ 500.00	\$ 1,000.00	\$ 600.00	\$ 1,200.00
*20	Project Sign for CDBG Projects installed	EA	1	\$ 750.00	\$ 750.00	\$ 800.00	\$ 800.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 600.00	\$ 600.00	\$ 5,000.00	\$ 5,000.00
*21	16" x 16" (Grasscut) Grade Checker & Regulatory Sign	EA	2	\$ 350.00	\$ 700.00	\$ 800.00	\$ 1,600.00	\$ 1,000.00	\$ 2,000.00	\$ 75.00	\$ 150.00	\$ 500.00	\$ 1,000.00	\$ 800.00	\$ 1,600.00
*22	Temporary Erosion Control Checks (Hay Bales)	EA	45	\$ 10.00	\$ 450.00	\$ 40.00	\$ 1,800.00	\$ 8.50	\$ 382.50	\$ 15.00	\$ 675.00	\$ 10.00	\$ 450.00	\$ 450.00	\$ 20,250.00
*23	200# Loose Rip Rap	Tons	10	\$ 40.00	\$ 400.00	\$ 120.00	\$ 1,200.00	\$ 45.00	\$ 450.00	\$ 150.00	\$ 1,500.00	\$ 150.00	\$ 1,500.00	\$ 1,000.00	\$ 10,000.00
*24	Perennial Erosion Control Checks (Seeding, Fertilizer and Muck)	L5	1	\$ 2,500.00	\$ 2,500.00	\$ 2,200.00	\$ 2,200.00	\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00
				Total Project Construction Cost Bid		\$ 165,035.00		\$ 225,216.90		\$ 228,076.50		\$ 245,850.00		\$ 236,304.00	

Certified Correct By:

 Brooks Wallace, P.E.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gougnet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT CERTIFIED BID TABULATION FOR THE FUEL FARM GENERATOR PROJECT FROM ALLEN & HOSHALL ENGINEERS AND AWARD LOW BIDDER

Motion was made by Council Member Gouquet, seconded by Council Member Lane to accept the certified bid tabulation for the Fuel Farm Generator-MM-0060-0310 from Allen & Hoshall Engineers and their recommendation that the project be awarded to the low bidder, Webster Electric Co. in the amount of \$53,230.00.

Allen&Hoshall
engineering since 1915

TABULATION OF BIDS

FUEL FARM GENERATOR
PICAYUNE MUNICIPAL AIRPORT
PICAYUNE, MISSISSIPPI

5:00 PM 19 JANUARY 2010

DESCRIPTION	QUANTITY	UNIT	WEBSTER ELECTRIC		REFLECTECH		ADVANCE ELECTRIC	
			UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT	UNIT PRICE	AMOUNT
P-151-5.5 Clearing and Grubbing	1	ACRE	\$500.00	\$500.00	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00
P-152-5.1 Unclassified Excavation	60	CY	\$10.00	\$600.00	\$20.00	\$1,200.00	\$41.70	\$2,502.00
P-152-5.3 Embankment	110	CY	\$13.00	\$1,430.00	\$22.00	\$2,420.00	\$35.66	\$3,922.60
P-501-6.1 Concrete Foundation	1	LS	\$1,200.00	\$1,200.00	\$5,000.00	\$5,000.00	\$3,500.00	\$3,500.00
T-904-5.1 Sodding	100	SY	\$7.00	\$700.00	\$5.00	\$500.00	\$11.73	\$1,173.00
16231-1 Generator	1	LS	\$42,800.00	\$42,800.00	\$57,127.00	\$57,127.00	\$56,525.00	\$56,525.00
16231-2 Natural Gas Line Allowance	1	LS	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00
TOTAL BASE BID				\$63,230.00		\$74,747.00		\$75,122.60

I certify that this is a true and correct tabulation of the bids received at 5:00 PM, 19 January 2010 for Fuel Farm Generator for Picayune Municipal Airport, Picayune, Mississippi. I personally reviewed the bids received including all appointment documents and found them to be acceptable.



James C. Nelson
James C. Nelson, No. 9520

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE PROGRESS PAYMENT NO. 1 TO PLAAS, INC. FOR THE PICAYUNE SOUTH BEECH FORCE MAIN UPGRADE PROJECT

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Progress Payment No. 1 in the amount of \$67,493.84 to Plaas, Inc. for the Picayune South Beech Force Main Upgrade Project.

Job No 09-07-7062
Project No. XP-97477403-1

Invoice No. 2010-001
Invoice Date 1/18/2010

AIA DOCUMENT G702 (Instructions on reverse side)

Page One of Two

APPLICATION AND CERTIFICATE FOR PAYMENT

TO OWNER:
City Of Picayune
815 South Beech Street
Picayune, MS 39466

PROJECT:
South Beech Force Main
Wastewater Infrastructure Improvements
US EPA Region 4 Project #XP-97477403-1

APPLICATION NO.: 09-07-7062-001
PERIOD TO: 1/18/2010
PROJECT NO: XP-97477403-1

Distribution to:
OWNER
ENGINEER
CONTRACTOR

FROM CONTRACTOR:
Plaas Incorporated
28 JV Jordan Road
Poplarville, MS 39470
CONTRACT FOR: \$224,850.00

VIA ENGINEER:
Hartman Engineering, Inc.
105 Street A
Picayune, MS 39466

CONTRACT DATE:
December 3, 2009

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR'S APPLICATION FOR PAYMENT
Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 224,850.00
2. Net change by Change Orders \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 + 2) \$ 224,850.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 74,993.15
5. RETAINAGE:
a. 10.0% of Completed Work \$ 7,499.32
b. _____ of Stored Material \$ _____
Total Retainage (Line 5a + 5b or Total in Column I of G703) \$ 7,499.32

CONTRACTOR:
Plaas Incorporated
By:  James Jordan, Southern Operations manager
State of Mississippi
County of Stone
Subscribed and sworn to before me this _____ day of _____, 2009
Date: 1/19/2010

Notary Public: _____

ENGINEER'S CERTIFICATE FOR PAYMENT
In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 67,493.84
(Attach explanation if amount certified differs from the amount applied for. Initial all figures on this application and on the Continuation Sheet that are changed to conform to the amount certified.)

ENGINEER  Roland A. Jones, P.E.
By: _____ Date: 1/20/2010

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

8. CURRENT PAYMENT DUE \$ 67,493.84
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6) \$ 157,356.17

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$0.00	\$0.00
Total approved this Month	\$0.00	\$0.00
TOTALS	\$0.00	\$0.00
NET CHANGES by Change Order		\$0.00

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST FOR PAYMENT FOR PROFESSIONAL SERVICES TO HARTMAN ENGINEERING

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request for payment in the amount of \$39,079.35 for Professional Services to Hartman Engineering, Inc. for services rendered from September 1, 2009 to December 31, 2009 involving Water and Wastewater Infrastructure Improvements.

City of Picayune Water and Wastewater Infrastructure Improvements
 (EPA SPAP Grant)
 Professional Services From September 1, 2009 to December 31, 2009
 EPA Project XP-97477403-2
 HEI Invoice No. 21-019-04-19

HEI Contract Amendment No.1 (Oct. 22, 2007)	Contract Fee	% Complete	Fee To Date	Less Previous	Fee This Invoice
Task 3 Sewer System - Problem Area SSES - Phase 30					
3.1 PA SSES - Engineering Services (LS)	\$ 104,775.00	95.00%	\$ 99,536.25	\$ 99,536.25	\$ -
3.2 PA SSES - Engineering	\$ 45,000.00 *	0.00%	\$ -	\$ -	\$ -
3.3 PA SSES - Construction & Admin. Svc.	\$ 50,600.00	50.00%	\$ 25,300.00	\$ -	\$ 25,300.00
3.4 PA SSES - Resident Inspection	\$ 75,000.00	81.32%	\$ 60,990.00	\$ 55,170.00	\$ 5,820.00
Subtotal Task 3	\$ 275,375.00	67.48%	\$ 185,826.25	\$ 154,706.25	\$ 31,120.00
Task 6 Engineering and Design - Collection System Upgrades - Phase 40					
6.1 CSU - Engineering Services (LS)	\$ 95,587.00	75.00%	\$ 71,690.25	\$ 66,910.90	\$ 4,779.35
6.2 CSU - Supplemental Services (See Attached)	\$ 16,000.00	75.94%	\$ 12,150.40	\$ 12,150.40	\$ -
6.3 PAR - Engineering Services (LS)	\$ 86,063.00	0.00%	\$ -	\$ -	\$ -
6.4 PAR - Supplemental Services (See Attached)	\$ 15,650.00	33.27%	\$ 5,206.76	\$ 5,206.76	\$ -
Subtotal Task 6	\$ 213,300.00	41.75%	\$ 89,047.41	\$ 84,268.06	\$ 4,779.35
Task 7 Sewer Rehabilitation - Construction Services, Resident Inspection - Phase 50					
7.1 CSU - Construction & Admin Svc (LS)	\$ 55,794.00	0.00%	\$ -	\$ -	\$ -
7.2 CSU - Resident Inspection (Hourly)	\$ 75,000.00	4.24%	\$ 3,180.00	\$ -	\$ 3,180.00
7.3 PAR - Construction & Admin Svc (LS)	\$ 61,563.00	0.00%	\$ -	\$ -	\$ -
7.4 PAR - Resident Inspection (Hourly)	\$ 75,000.00	0.00%	\$ -	\$ -	\$ -
Subtotal Task 7	\$ 267,357.00	1.19%	\$ 3,180.00	\$ -	\$ 3,180.00
TOTAL	\$ 756,032.00 *	36.78%	\$ 278,053.66	\$ 238,974.31	\$ 39,079.35
TOTAL THIS PAGE DUE THIS INVOICE					\$ 39,079.35

*NOTE: This amount and total for field services reflects a reduction by \$ 530,110 for the public bid contract for Picayune SSES Field Services per MDEQ comments and letter dated May 7, 2008. HEI contract with The City of Picayune will be amended to reduce fees for engineering services by the same amount.

City of Picayune Water and Wastewater Infrastructure Improvements
 (EPA SPAP Grant)
 Professional Services From September 1, 2009 to December 31, 2009
 EPA Project XP-97477403-2
 HEI Invoice No. 21-019-04-19

	Contract Fee	Complete %	Fee To Date	Less Previous	Fee This Invoice
Task 1 Facility Plan and EID Preparation	\$ 259,000.00	99.42%	\$ 257,487.59	\$ 257,487.59	\$ -
Task 2 Collection Temporary Rainfall & Flow Data	\$ 100,000.00	100.00%	\$ 99,997.09	\$ 99,997.09	\$ -
Task 3 Sewer System - Problem Area SSES - Phase 30 *	\$ 275,375.00	67.48%	\$ 185,826.25	\$ 154,706.25	\$ 31,120.00
Task 6 Engineering and Design - Collection System Upgrades - Phase 40	\$ 213,300.00	41.75%	\$ 89,047.41	\$ 84,268.06	\$ 4,779.35
Task 7 Sewer Rehabilitation - Construction Services, Resident Inspection - Phase 50	\$ 267,357.00	1.19%	\$ 3,180.00	\$ -	\$ 3,180.00
Total Project	\$ 1,115,032.00	57.00%	\$ 635,538.34	\$ 596,458.99	\$ 39,079.35
TOTAL THIS DUE THIS INVOICE					\$ 39,079.35

*NOTE: This amount and total for field services reflects a reduction by \$ 530,110 for the public bid contract for Picayune SSES Field Services per MDEQ comments and letter dated May 7, 2008. HEI contract with The City of Picayune will be amended to reduce fees for engineering services by the same amount.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

AUTHORIZE MAYOR TO SIGN REQUEST FOR CASH NO. 15 FOR THE CDBG DOWNTOWN REVITALIZATION PROJECT AND TO PAY SUBSEQUENT INVOICE

Motion was made by Council Member Gouquet, seconded by Council Member Lane to authorize Mayor to sign Request for Cash NO. 15 in the amount of \$489,517.89 for the CDBG Downtown Revitalization Project and to pay the subsequent invoice.

Mississippi Development Authority
REQUEST FOR CASH

Section A: General Information		Section B: Project Information																																									
Applicant Name: CITY OF PICAYUNE Mailing Address: 815 N. BEECH STREET Street Address: City, State Zip: PICAYUNE, MS 39466 Telephone No.: 601-798-9770 Fax Number: Email Address: Project Description: DOWNTOWN IMPS.	Electronic Transfer: 0653-0194 & 1720010523 Bank Account: BANKPLUS Bank Name: 951 MEMORIAL BLVD Address: PICAYUNE, MS 39466 City, State Zip: Telephone No: Services Rendered: From January 1, 2010 To January 31, 2010	Grant No: Contract No.: R-100-202-03-MCR Request No.: 15	FOR MDA USE ONLY Vendor No.: IDIS Voucher Number: Approval for Payment:																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:30%;">Activity Description</th> <th style="width:15%;">Budget Amount</th> <th style="width:15%;">Total Prior Request to Date</th> <th style="width:15%;">This Request</th> <th style="width:25%;">Remaining Balance</th> </tr> </thead> <tbody> <tr> <td>1 ADMINISTRATION</td> <td>\$80,000.00</td> <td>\$58,500.00</td> <td>\$14,500.00</td> <td>\$17,000.00</td> </tr> <tr> <td>2 PUBLIC FACILITIES</td> <td>\$2,088,882.00</td> <td>\$1,088,611.80</td> <td>\$475,017.89</td> <td>\$525,052.31</td> </tr> <tr> <td>3</td> <td></td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>4</td> <td></td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>5</td> <td></td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>6</td> <td></td> <td></td> <td>\$0.00</td> <td>\$0.00</td> </tr> <tr> <td>Total:</td> <td>\$2,176,882.00</td> <td>\$1,147,311.80</td> <td>\$489,517.89</td> <td>\$542,052.31</td> </tr> </tbody> </table>				Activity Description	Budget Amount	Total Prior Request to Date	This Request	Remaining Balance	1 ADMINISTRATION	\$80,000.00	\$58,500.00	\$14,500.00	\$17,000.00	2 PUBLIC FACILITIES	\$2,088,882.00	\$1,088,611.80	\$475,017.89	\$525,052.31	3			\$0.00	\$0.00	4			\$0.00	\$0.00	5			\$0.00	\$0.00	6			\$0.00	\$0.00	Total:	\$2,176,882.00	\$1,147,311.80	\$489,517.89	\$542,052.31
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Total:	\$2,176,882.00	\$1,147,311.80	\$489,517.89	\$542,052.31																																							
<p>I Hereby Certify That (a) the services covered by this request have not been received from the Federal Government or expended for such services under any other contract agreement or grant; (b) the amount requested will be expended for allowable costs / expenditures under the terms of the contract agreement or grant; (c) the amount requested herein does not exceed the total funds obligated by contract; and (d) the funds are requested for only immediate disbursements.</p> <p>I Hereby Certify That the goods sold and/or services rendered have been delivered and/or performed in good order within the time listed above and are in compliance with all statutory requirements and regulations. I certify that this request does not include any advances or funds for future obligations.</p>																																											
Signature of Authorized Official: ED PINERO, MAYOR Typed Name and Title of Authorized Official		Date Signed: 2/22/2010 Prepared By: Sample & Associates, Inc. Date Prepared: 1/28/2010 Preparer's Telephone No.: 601-932-8050																																									

01/27/2010 12:32 FAX

005/0

CITY OF PICAYUNE
DOWNTOWN IMPROVEMENTS
KATRINA COMMUNITY REVITALIZATION

CDBG REQUISITION FORM

REQUISITION NUMBER: 15

PROJECT NUMBER R-109-297-02-KCR

DATE: February 2, 2010

BANK ACCOUNTS NO: _____

PAYABLE TO:	AMOUNT:
Huey Stockstill, Inc.	\$475,017.89 (CDBG)
Sample & Associates, Inc.	\$ 14,500.00 (CDBG)

APPROVED:

BY: _____
Mayor

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST TO PAY ESTIMATE NO. 3 FROM INDUSTRIAL MANAGEMENT, LLC. ON THE HELICOPTER PAD AND DRAINAGE PROJECT

Motion was made by Council Member Watkins, seconded by Council Member Lane to pay Estimate No. 3 from Industrial Management, LLC on the Helicopter Pad and Drainage in the amount of \$8,302.94.

Industrial Environmental Management, LLC
 PO Box 936
 Poplarville, MS 39470

Invoice

Date	Invoice #
10/9/2009	523

Bill To
Allen and Hoshall C/O Mr. Ed Dedeaux 713 South Pear Orchard Rd Suite 100 Ridgeland, MS 39157-4807

RECEIVED
 OCT 15 2009
 ALLEN & HOSHALL
 JACKSON, MISS.

P.O. No.	Terms	Project
	Net 30	09-1011 HELICOPTER PAD

Quantity	Description	Rate	Amount
		8,304.94	8,304.94
Total			\$8,304.94

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

APPROVE REQUEST TO PAY ALLEN & HOSHALL'S INVOICE FOR THE CONSTRUCTION PHASE OF THE HELICOPTER PAD AND DRAINAGE PROJECT AT PICAYUNE AIRPORT

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request to pay Allen & Hoshall's invoice # 401002 in the amount of \$2,000 for the construction phase for the Helicopter Pad and Drainage Project at the Picayune Airport, FAA Project # 3-28-0060-015-2009.

Allen&Hoshall
engineering since 1915

City of Picayune
815 North Beech Street
Picayune MS 39466

Invoice Date: 01/25/10
Invoice #: 401002
Project #: 71502
Project Manager: Dedeaux, E.K.
Dept: 7000

For Professional Services Rendered through: 25 January 2010

Engineering services in connection with FY09 FAA funded Helicopter Pad and Drainage at the Picayune Municipal Airport.

FAA Project No. 3-28-0060-015-2009

Total Construction Phase Fee Authorized:	\$2,000.00	
Percent Complete as of: 25 January 2010	100.00%	
Fee Earned To Date	\$2,000.00	
Less Previous Billings	1,800.00	
Amount Due		\$200.00
Total Resident Project Representative Phase Fee Authorized	\$18,000.00	
Percent Complete as of: 25 January 2010	100.00%	
Fee Earned To Date	\$18,000.00	
Less Previous Billings	16,200.00	
Amount Due		\$1,800.00
Total Amount Due This Invoice		\$2,000.00

\\Jack\DATA\CORRES\INVOICE\2010\Dedeaux\Picayune\71502 Helicopter Pad & Drainage\Invoice

713 South Pear Orchard Road, Suite 100 Ridgeland, Mississippi 39157-4807 Phone 601.977.8993 Fax 601.977.8924

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

SET A DATE FOR PUBLIC HEARING ON PROPERTY CLEAN UP

Motion was made by Council Member Gouguet, seconded by Council Member Lane to set a date of March 16, 2010 for a Public Hearing for Property Cleanup at 1321 Third Ave.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO DENY REQUEST FROM PICAYUNE SCHOOL DISTRICT TO WAIVE FEES FOR THE SITE PLAN REVIEW, BUILDING PERMITS AND TAP FEES FOR NEW CONSTRUCTION AT SOUTHSIDE ELEMENTARY

Motion was made by Council Member Lane, seconded by Council Member Breland to deny request from Picayune School District to waive fees for the site plan review, building permits and tap fees for new construction at Southside Elementary.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero Council Members, Bumpers, Lane, Breland and Gouguet

VOTING NAY: Council Member Watkins

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO ADVERTISE FOR QUALIFIED FIRMS FOR A FULL SERVICE MAINTENANCE PROGRAM ON THE CITY OF PICAYUNE'S 4 WATER STORAGE TANKS

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request to advertise for Qualified Firms for a full service maintenance program on the City of Picayune's 4 water storage tanks.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO FORM A MAYOR'S YOUTH COUNCIL

Motion was made by Council Member Breland, seconded by Council Member Bumpers to form a Mayor's Youth Council with assistance from Chief Jim Luke.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ACCEPT DONATIONS TO PICAYUNE POLICE MEMORIAL/PAY IT FORWARD FUND

Motion was made by Council Member Breland, seconded by Council Member Watkins to accept donations totaling \$35 for the Picayune Police Memorial/Pay It Forward Fund.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

CITY ATTORNEY PRESENTED A DECLARATORY JUDGEMENT FROM CHANCELLOR FINDING SEC 37-7-203'S PROHIBITION FROM SERVING ON BOARD OF TRUSTEES OF PICAYUNE SCHOOL DISTRICT AND AS CITY MANAGER

ORDER TO ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Watkins, seconded by Council Member Lane to enter closed session to determine the need for an executive session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Lane to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

ORDER TO RE-ENTER EXECUTIVE SESSION

Motion was made by Council Member Watkins, seconded by Council Member Lane to enter executive session to discuss the following:

Personnel Matter-Mike Caples of Butler, Snow & O'Leary
Personnel Matter-Police Department

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

RETURN TO REGULAR SESSION

Motion was made by Council Member Watkins, seconded by Council Member Lane to return to regular session.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouquet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO APPROVE BUTLER, SNOW & O'MEARA TO PROVIDE GOVERNMENTAL RELATIONS COUNSELING IN WASHINGTON D.C.

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Butler Snow to provide Governmental Relations Counseling in Washington D.C. February 25th thru 28th 2010.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO AMEND THE AGENDA TO INCLUDING REAPPOINTMENT OF A SCHOOL BOARD MEMBER

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to amend the agenda to include reappointment of a school board member.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

REAPPOINT EDWARD STUBBS TO PICAYUNE SCHOOL BOARD

Motion was made by Council Member Breland, seconded by Council Member Bumpers to reappoint Edward Stubbs to Picayune School Board to serve another 5 year term.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

MOTION TO RECESS

Motion was made by Council Member Lane seconded by Council Member Watkins to recess until Tuesday, February 16, 2010 at 5:00 pm.

The following roll call was made:

VOTING YEA: Mayor Ed Pinero, Council Members Watkins, Bumpers, Lane, Breland and Gouguet

VOTING NAY: None

ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

Ed Pinero, Mayor

ATTEST:

Priscilla Daniel, City Clerk