

**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, May 18, 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 and City Manager Harvey Miller.

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

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

AT THIS TIME CITY EMPLOYEES DARYL SMITH, ANGELA WOOD, LIZ FRIERSON AND PICAYUNE MAIN STREET DIRECTOR REBA BEEBE WERE RECOGNIZED FOR BEING AWARDED THE 2010 KEEP MISSISSIPPI BEAUTIFUL

AT THIS TIME MEMBERS OF THE NEWLY FORMED MAYOR'S YOUTH COUNCIL WERE RECOGNIZED

ORDER TO APPROVE MINUTES

Motion was made by Council Member Gouguet, seconded by Council Member Lane to approve the Minutes for the City of Picayune recessed meeting dated May 4, 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 ACKNOWLEDGE RECEIPT OF MONTHLY PRIVILEGE LICENSE REPORT

Motion was made by Council Member Gouguet, seconded by Council Member Lane to acknowledge receipt of monthly Privilege License Report for the month of April 2010.

REGULAR MEETING MAY 18, 2010

CITY OF PICAYUNE
PRIV LIC ISSUED

DATE: 04/01/2010

PAGE: 1

LICENSE	ACCT	BUSINESS	AMOUNT
9175	1820	ALISON PORTABLE BUILDINGS	20.00
9177	1818	C & S AUTO REPAIR	20.00
9173	1822	CUSTOM NATIVE ART	20.00
9178	1817	FAMILY THRIFT	20.00
9174	1821	KATIE'S BOUTIQUE	20.00
9172	685	MITCHELL BROTHERS	250.00
9176	1819	S & T INVESTMENTS	20.00
9171	1575	SNOWIZ SNOWBALL'S & NACHOS	23.20
	8	TOTAL >>>	393.20

CITY OF PICAYUNE
NEW BUSINESS LISTING

DATE: 05/10/2010

PAGE: 1

ACCT	BUSINESS NAME	ORG DATE	LOCATION	APPLICANT	PROD SRV
1817	FAMILY THRIFT	04/08/2010	201 STEPHENS ST	GARY PEREZ	THRIFT STORE
1818	C & S AUTO REPAIR	04/08/2010	1800 HWY 11 N	CHARLES CALLENDER	AUTO REPAIR
1819	S & T INVESTMENTS	04/08/2010	P.O. BOX 13	STEVEN HURD	NOTE FINDING
1820	ALISON PORTABLE BUILDINGS	04/08/2010	424 HWY 11 N	KELLIE LEE	PORTABLE BU
1821	KATIE'S BOUTIQUE	04/08/2010	220 WEST CANAL ST	STEPHANIE ROBERTS	DRESSES, HAM
1822	CUSTOM NATIVE ART	04/08/2010	314 W CANAL ST	PAULA CRAFT	ART, JEWELRY
TOTAL >>		6			

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 ACKNOWLEDGE RECEIPT OF MONTHLY PUBLIC RECORDS REQUEST REPORT

Motion was made by Council Member Gouguet, seconded by Council Member Lane to acknowledge receipt of monthly Public Records Requests Report for the month of April 2010.

CITY OF PICAYUNE REPORT OF PUBLIC RECORDS REQUESTS MAY 2009				
DATE	PERSON REQUESTING	SUBJECT MATTER	DATE FILLED/DENIED	ACTION
05/28/09	PICAYUNE APARTMENTS FOR	BACKGROUND CHECK	05/28/09	APPROVED

REGULAR MEETING MAY 18, 2010

	DEBBIENEWSOME			
05/28/09	PEARL RIVER COUNTY SHERRIF'S DEPT FOR TERRY R MCLEMORE	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	JOSEPH A PACE	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	U.S. PROBATION OFFICE FOR CLINTON J DUFRENE	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	U.S. PROBATION OFFICE FOR DONALD H STEVISON	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	DELISA M LOCKETT	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	AIMEE A GIOVENGO	BACKGROUND CHECK	05/28/09	APPROVED
05/28/09	RAYMOND G LEBLANC	BACKGROUND CHECK	05/28/09	APPROVED
05/27/09	ROGER D ATEs	BACKGROUND CHECK	05/27/09	APPROVED
05/27/09	FARM BUREAU	ACCIDENT REPORT # 2009-05-2684	05/27/09	APPROVED
05/26/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-05-1766	05/26/09	APPROVED
05/26/09	JACK DONNELLY III	ACCIDENT REPORT # 2009-05-2225	05/26/09	APPROVED
05/26/09	ILIANA RIVERA	ACCIDENT REPORT # 2009-03-1216	05/26/09	APPROVED
05/21/09	MATT KITTRELL/ MORRIS BART, LTD	ACCIDENT REPORT # 2009-04-0048	05/21/09	APPROVED
05/21/09	JOSHUA RESTER	ACCIDENT REPORT # 2009-05-1242	05/21/09	APPROVED
05/21/09	BARBARA J BRICKEEN	ACCIDENT REPORT # 2009-05-1316	05/21/09	APPROVED
05/20/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-04-2279	05/20/09	APPROVED
05/20/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-04-1342	05/20/09	APPROVED
05/20/09	METROPOLITAN REPORTING BUREAU	INCIDENT REPORT # 2009-05-0866	05/20/09	APPROVED
05/20/09	METROPOLITAN REPORTING BUREAU	INCIDENT REPORT # 2009-05-0121	05/20/09	APPROVED
05/20/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-05-1079 NAT	05/20/09	APPROVED
05/20/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-1254	05/20/09	APPROVED
05/20/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-1090	05/20/09	APPROVED
05/20/09	FARM BUREAU	ACCIDENT REPORT # 2009-05-1316	05/20/09	APPROVED
05/20/09	ALFA INSURANCE	INCIDENT REPORT # 2009-05-0224	05/20/09	APPROVED
05/20/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-5-0017	05/20/09	APPROVED
05/20/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-05-1435	05/20/09	APPROVED
05/20/09	PICAYUNE APARTMENTS FOR CHARLENE TOWNS	BACKGROUND CHECK	05/20/09	APPROVED
05/20/09	CHRISTOPHER ARTHUR WILLIAMS	BACKGROUND CHECK	05/20/09	APPROVED
05/20/09	TALETRIS L COLEMAN	BACKGROUND CHECK	05/20/09	APPROVED
05/20/09	U.S. PROBATION OFFICE FOR STACY W RAWLS	BACKGROUND CHECK	05/20/09	APPROVED
05/14/09	CLAVERT MAGEE	BACKGROUND CHECK	05/14/09	APPROVED
05/14/09	SCOTT K TRAVIS	BACKGROUND CHECK	05/14/09	APPROVED
05/14/09	DARREN E BURLEY	BACKGROUND CHECK	05/14/09	APPROVED
05/14/09	RENE J BOUDREAUX	BACKGROUND CHECK	05/14/09	APPROVED
05/11/09	DANNY WILD	ACCIDENT REPORT # 2009-05-0976	05/14/09	APPROVED
05/18/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-0988	05/18/09	APPROVED
05/18/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-0986	05/18/09	APPROVED
05/18/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-0635	05/18/09	APPROVED
05/18/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-05-0565	05/18/09	APPROVED
05/18/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-05-0528	05/18/09	APPROVED
05/18/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-05-0515	05/18/09	APPROVED
05/20/09	FBI FOR JOSH B CAMPBELL	BACKGROUND CHECK	05/20/09	APPROVED
05/19/09	PICAYUNE HOUSING AUTHORITY FOR AMY L SMITH	BACKGROUND CHECK	05/19/09	APPROVED
05/19/09	PICAYUNE HOUSING AUTHORITY FOR JOSEPH A CUNNINGHAM	BACKGROUND CHECK	05/19/09	APPROVED
05/19/09	MARIA K NOLAN	BACKGROUND CHECK	05/19/09	APPROVED
05/19/09	PEARL RIVER COUNTY SHERRIF'S DEPT FOR JAMES P DILLARD	BACKGROUND CHECK	05/19/09	APPROVED
05/19/09	PEARL RIVER COUNTY SHERRIF'S DEPT FOR COLLEN M LOHR	BACKGROUND CHECK	05/19/09	APPROVED
05/19/09	ALEXANDRA COOPER	ACCIDENT REPORT # 2009-05-0515	05/19/09	APPROVED
05/14/09	JASON RUIZ/MORRIS BART, LTD	ACCIDENT REPORT # 2008-11-1700	05/14/09	APPROVED
05/14/09	LEXIS NEXIS	INCIDENT REPORT # 2009-03-2409	05/14/09	APPROVED
05/14/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-0121	05/14/09	APPROVED
05/14/09	LEXIS NEXIS	INCIDENT REPORT # 2009-05-0617	05/14/09	APPROVED
05/14/09	FARM BUREAU	ACCIDENT REPORT # 2009-05-0635	05/14/09	APPROVED
05/14/09	PROGRESSIVE INSURANCE COMPANY	ACCIDENT REPORT # 2009-04-22520	05/14/09	APPROVED
05/18/09	MONTY SPEARMAN	ACCIDENT REPORT # 2009-05-0617	05/18/09	APPROVED
05/18/09	ANN HAWKINS WITH HUDSON'S	INCIDENT REPORT # 2009-03-1609	05/18/09	APPROVED

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05/18/09	WILLIAM MCPHERSON	ACCIDENT REPORT # 2009-05-0515	05/18/09	APPROVED
05/14/09	G GERALD CRUTHIRD, P.A.	ACCIDENT REPORT # 2009-03-1117	05/14/09	APPROVED
05/14/09	DINA CHAUTIN	BACKGROUND CHECK	05/14/09	APPROVED
05/14/09	CAROLYN STEWART	ACCIDENT REPORT # 2009-05-0617	05/14/09	APPROVED
05/14/09	ATTY GLENN WHITE FOR THOMAS ROWAN	RESEARCH FOR RECORDS AND INCIDENT REPORT # 2009-03-2325	05/14/09	APPROVED
05/14/09	ATTY GLENN WHITE FOR CHARLOTTE HARMO	RESEARCH FOR RECORDS AND INCIDENT REPORT # 2009-01-2630	05/14/09	APPROVED
05/13/09	MONROE HUMPHREY	ACCIDENT REPORT # 2009-05-0866	05/13/09	APPROVED
05/04/09	FARM BUREAU	ACCIDENT REPORT # 2009-04-2596	05/04/09	APPROVED
05/05/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-04-1342	05/05/09	APPROVED
05/05/09	LEXIS NEXIS	INCIDENT REPORT # 2009-04-1793	05/05/09	APPROVED
05/05/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-04-2596	05/05/09	APPROVED
05/05/09	STATE FARM INSURANCE COMPANY	ACCIDENT REPORT # 2009-04-2469	05/05/09	APPROVED
05/05/09	METROPOLITAN REPORTING BUREAU	INCIDENT REPORT # 2009-04-2520	05/05/09	APPROVED
05/05/09	FARM BUREAU	ACCIDENT REPORT # 2009-04-2219	05/05/09	APPROVED
05/05/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-04-02120	05/05/09	APPROVED
05/05/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-04-1293	05/05/09	APPROVED
05/05/09	LEXIS NEXIS	ACCIDENT REPORT # 2009-04-1088	05/05/09	APPROVED
05/05/09	IMPERIAL FIRE & CASUALTY INS CO	ACCIDENT REPORT # 2009-03-1604	05/05/09	APPROVED

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 APPROVE PLANNING COMMISSION MINUTES

Motion was made by Council Member Gouguet, seconded by Council Member Lane to approve Planning Commission Minutes dated April 13, 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 ACKNOWLEDGE PLANNING COMMISSION MINUTES

Motion was made by Council Member Gouguet, seconded by Council Member Lane to acknowledge Planning Commission Minutes dated May 11, 2010 as presented.

The following roll call was made:

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

VOTING NAY: None

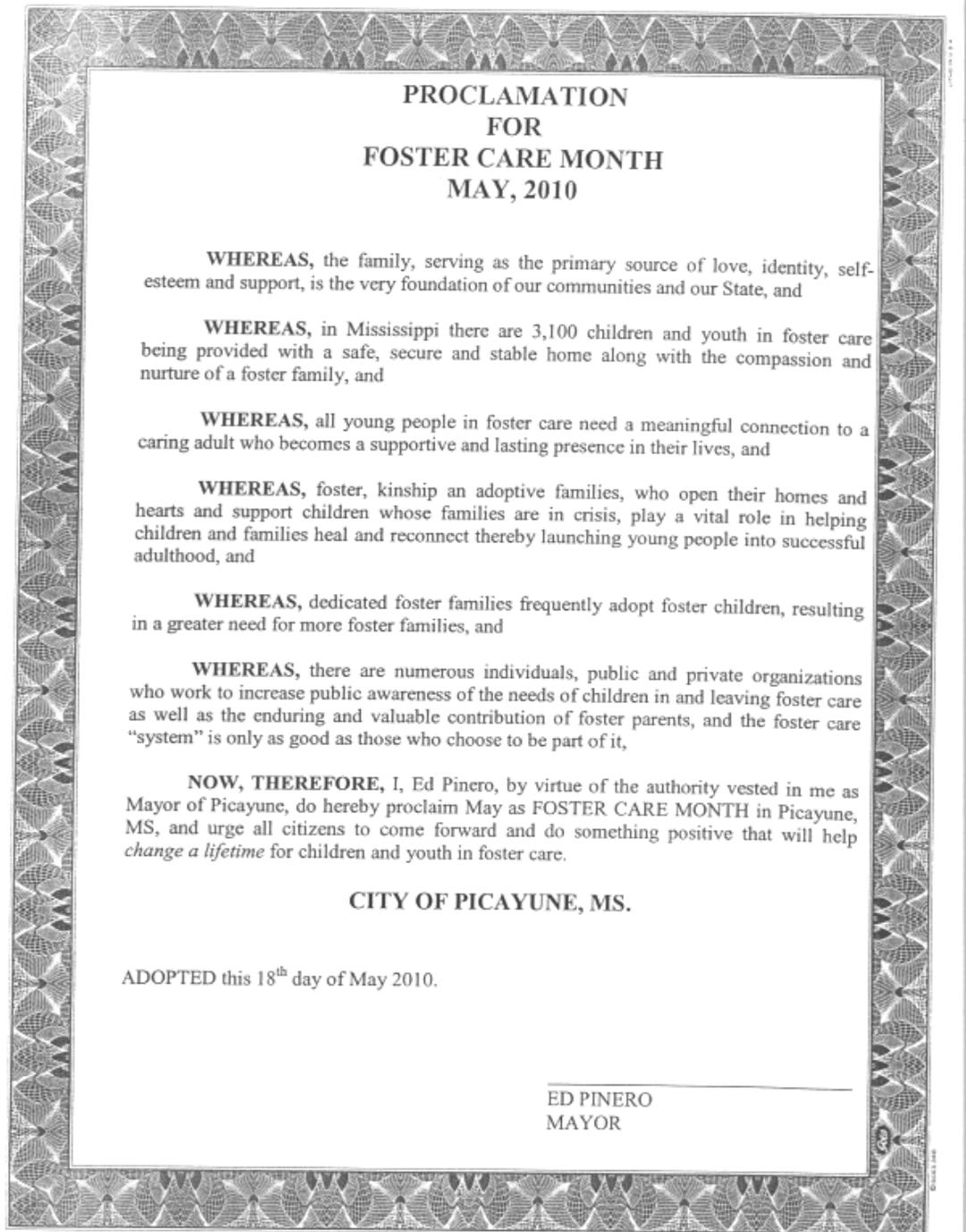
ABSENT AND NOT VOTING: None

ABSTAINING AND NOT VOTING: None

The motion was declared carried.

PROCLAIM MAY AS FOSTER CARE MONTH

Motion was made by Council Member Watkins, seconded by Council Member Lane to Proclaim May as Foster Care Month.



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 3RD ANNUAL JUNE SUMMER BLUES OUT

Motion was made by Council Member Breland, seconded by Council Member Gouguet to approve the 3rd Annual June Summer Blues Out and Greater Picayune Arts Council Art Walk scheduled for June 11, 2010 from 5pm-10pm in downtown Picayune on East and West Canal Streets and North and South Main Streets to Elizabeth St.

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 "CAN SHAKE" FROM WORLD OUTREACH REVIVAL CENTER

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request from World Outreach Revival Center to hold a "can shake" at the intersections of Hwy 11 N at Hwy 43 N and Canal Streets on May 22, 2010 from 10am to 1pm to raise funds to attend a youth conference.

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.

AUTHORIZE CITY ENGINEER TO DRAFT AND SEND A LETTER TO MDOT REFERENCING ESTIMATES FOR THE STP FUNDS

Motion was made by Council Member Breland, seconded by Council Member Gouguet to authorize City Engineer to draft and send a letter to MDOT by May 28, 2010 referencing preliminary estimates for the STP funds (Cooper Rd-\$150,000 & S Beech overlay from Jackson Landing to Goodyear- \$200,000).

INSERT COPY OF LETTER HERE

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.

ADOPT WATER ORDINANCE AMENDMENT # 876

Motion was made by Council Member Breland, seconded by Council Member Gouguet to adopt the Water Ordinance Amendment # 876 to change the manner of charging for Multi-Residential and Multi-Commercial Water and Garbage; and to establish Late Charges for Utility Billings.

ORDINANCE NUMBER _____

OF THE

CITY OF PICAYUNE, MISSISSIPPI

**AN ORDINANCE TO CHANGE
THE MANNER OF CHARGING FOR MULTI-RESIDENTIAL AND
MULTI-COMMERCIAL WATER AND GARBAGE SERVICE AND
TO ESTABLISH LATE CHARGES FOR UTILITY BILLINGS**

WHEREAS, the Mayor and City Council in and for the City of Picayune find that it is desirable and necessary to change the manner of charging for multi-residential and multi-commercial water and garbage service and to establish late charges for utility billings collected in the corporate limits of the City Picayune.

WHEREAS, the Mayor and City Council find that it should adopt said changes and to amend all other Ordinances that touch upon the subject matter of this Ordinance set forth hereafter.

NOW THEREFORE, BE IT Ordained by the Mayor and City Council of the City of Picayune, that the manner of charging for multi-residential and multi-commercial water and garbage service and to establish late charges for utility billings collected in the corporate limits of the City Picayune be changed and that any relevant Ordinances be amended as follows, to-wit:

SECTION - ONE

A. RESIDENTIAL WATER:

1. Water deposits for customers who lease or rent residential property the deposit will be \$150.

B. MULTI-RESIDENTIAL WATER:

1. For any apartment complex, mobile home park or single family dwellings, with an additional apartment or apartments on the same water service, where individual meters cannot be placed, due to hardship, the MINIMUM rate will be charged by the following computation:
 - A. Residential Water Service Inside of the City Limits up to 4,000 Gallons per Unit. 4,000 gallons X the number of units equals the MINIMUM Usage. All in excess of the MINIMUM Usage will be charged at \$ 2.15 per 1,000 gallons. \$16.25 X the number of units equals the MINIMUM Rate.
 - B. Residential Water Service Outside of the City Limits up to 4,000 Gallons Per unit. 4,000 gallons X the number of units equals the MINIMUM Usage. All in excess of the MINIMUM Usage will be charged at \$3.75 per 1,000 gallons. \$32.25 X the number of units equals the MINIMUM Rate.

C. COMMERCIAL WATER:

1. For any commercial complex, consisting of more than one office or suite, where individual meters cannot be placed, due to hardship, the MINIMUM rate will be charged by the following computation:

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- A. Commercial Water Service Inside of the City Limits up to 4,000 Gallons per Unit. 4,000 gallons X the number of units equals the MINIMUM Usage. All in excess of the MINIMUM Usage will be charged at \$2.15 per 1,000 gal. \$21.25 X the number of units equals the MINIMUM Rate.
 - B. Commercial Water Service Outside of the City Limits up to 4,000 Gallons per Unit. 4,000 gallons X the number of units equals the MINIMUM Usage. All in excess of the MINIMUM Usage will be charged at \$3.75 per 1,000 gal. \$32.25 X the number of units equals the MINIMUM Rate.
- D. TEMPORARY SERVICE FEE:
- 1. A \$100 floating deposit will be put up in the name of the landlord/owner along with a current list of properties owned by the landlord/owner. When a property of the landlord's becomes vacant said owner will be responsible for contacting the Utility Department to have the water temporarily turned on for a predetermined length of time and when the water is shut off at the end of said time, the owner will be sent a bill for the actual amount of water and sewer used and garbage service, if used.

SECTION - TWO

- A. AMENDMENT(S) TO GARBAGE ORDINANCE:
- 1. When garbage is picked up, where more than one residence exists on the same water meter, and a dumpster is not provided by the property owner, a garbage rate will be charged by the following computation: \$19.35 X the number of units equals the MINIMUM Rate.

SECTION - THREE

- A. AMENDMENT(S) TO GAS ORDINANCES:
- 1. A fine of \$500 will be imposed for any customer tampering with any gas meter.

SECTION - FOUR

- A. AMENDMENT(S) TO GAS AND WATER ORDINANCES:
- 1. That after the billing date of a utility bill to a customer and the City has not received payment within twenty days for said amount from the customer, the amount shall be in arrears, the City shall on the next bill notify the customer in writing that service shall be disconnected in ten days. At the time of said notification, a late payment charge of \$10.00 on residential accounts and one and one-half percent of the total amount past due on commercial accounts shall be added to the amount due and payable. Ten days after notification, service shall be terminated until the TOTAL AMOUNT owed plus the reconnection fee is paid in full.
 - 2. Request for reconnection made prior to 4:30 p.m. Monday through Thursday will be charged a reconnection fee of

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\$50.00. Request for reconnection made after 4:30 p.m.
Monday through Thursday will be charged \$75.00

SECTION - FIVE

A. ADDITIONAL PROCEDURAL CHANGES:

1. The Planning Department will no longer collect Water Tap Fees for the Utility Department. A copy of the Building Permit will be given to the contractor and they will have to take the permit to the Utility Department and pay the tap fees, meter deposit and set up an account to be used during construction. The City is losing a tremendous amount of water because there is no communication between the contractor and the Utility Department. Tenants have moved in, where the water has been left on by the contractor, and meter deposits are not being collected until the City finds the water on with tenants already living there.
2. The Planning Department will give a copy of the Certificate of Occupancy, when issued, to the Utility Department and the water can be cut off and the contractor billed for his usage, also.
3. The Utility Department is making a concerted effort to bring all of the utility customers into compliance with the City's ordinances. They are checking on cases where the meter deposits are still \$5.00, \$10.00 and up to \$25.00 to be sure that the same resident is still there that put up the deposits. If they are not, the current tenant will be required to come in and update his deposit and information.

SECTION - SIX

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 _____, seconded by Council member _____, and voted upon as follows:

VOTING YEA:

VOTING NAY:

NOT VOTING:

NOT PRESENT:

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 _____ day of _____, 2010.

ED PINERO, Mayor

ATTEST:

City Clerk

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.

ADOPT AN ORDER TO AUTHORIZE PEARL RIVER COUNTY TAX COLLECTOR TO SELL PROPERTIES ASSESSED WITH PROPERTY CLEANUP LIENS

Motion was made by Council Member Gouguet, seconded by Council Member Lane to Adopt an Order to authorize the Pearl River County Tax Collector to sell properties assessed with Property Clean up Liens.

BEFORE THE MAYOR AND COUNCIL OF THE CITY OF PICAYUNE

PEARL RIVER COUNTY, MISSISSIPPI

**IN RE: THE DECLARATION AS A
PUBLIC NUISANCE AND/OR PUBLIC
MENACE A CERTAIN TRACT OF REAL
PROPERTY LOCATED WITHIN THE
CORPORATE LIMITS OF THE
CITY OF PICAYUNE , A MISSISSIPPI
MUNICIPALITY**

FILE NO.: _____

**CITY OF PICAYUNE, A MISSISSIPPI
MUNICIPALITY, DEPARTMENT OF
CODE ENFORCEMENT**

COMPLAINANT

**RESOLUTION AND/OR ORDER OF COUNCIL
ASSESSING LIEN AND GRANTING OTHER RELIEF**

COMES NOW the above cause on for consideration before the Mayor and Council in and for the City of Picayune, A Mississippi Municipality, pursuant to Miss. Code Ann. §21-19-11, as amended, upon the Request and/or Petition of the Department of Code Enforcement for the City of Picayune, and this Council after considering same does hereby FIND, ORDER, RESOLVE AND ADJUDGE as follows, to-wit:

1.

The Council finds that it has the jurisdiction and authority to hear matters pursuant to Miss. Code Ann. §21-19-11, as amended, and any other applicable laws of the State of Mississippi and Ordinances currently in force in the City of Picayune.

2.

The Council finds that previously after the required public hearing was held before the City Council pursuant to Miss. Code Ann. §21-19-11, the City Council

assessed liens on certain real properties located inside the limits of the City of Picayune on various dates as reflected the properties attached hereto and incorporated herein as Exhibit "1".

3.

The Council further finds that the liens assessed were imposed as an assessment and/or lien against the real property described in Exhibit "1" attached hereto; and, the Council further finds the Tax Collector for Pearl River County, Mississippi, shall be authorized and directed to sell the land to satisfy the subject liens as now provided by law for the sale of lands for delinquent municipal taxes; and further, pursuant to any Interlocal Agreements the City of Picayune has entered into between the City and the Tax Assessor for Pearl River County, Mississippi.

4.

The Council also finds the County Tax Collector and/or City Clerk is authorized and directed to enroll a certified copy of this Resolution/Order in the office of the Pearl River County Circuit Clerk, which such costs of enrollment shall be added to the total costs assessed by the Council herein.

5.

THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS:

1. The Tax Collector for Pearl River County, Mississippi, be, and is hereby authorized and directed to sell the subject lands described in Exhibit "1" attached hereto and to satisfy the hereinbefore assessed liens as now provided by law for the sale of lands for delinquent municipal taxes; and further, pursuant to any Interlocal Agreements the City of Picayune has

entered into between the City and the Tax Assessor for Pearl River County, Mississippi.

2. The County Tax Collector and/or City Clerk be, and is authorized to enroll a certified copy of this Resolution/Order in the office of the Pearl River County Circuit Clerk, which such costs of enrollment shall be added to the total costs assessed by the Council herein.

MOTION MADE by _____, seconded by _____,

to approve the foregoing Resolution/Order.

The following roll call was taken:

VOTING YEA:

VOTING NAY:

ABSENT AND NOT VOTING:

The Motion was declared carried and the Resolution/Order was approved on this, the _____, day of _____, A.D., 200 ____.

MAYOR

ATTEST:

CITY CLERK

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 BIDS FOR THE OVERLAY AND STRIPING OF THE EXISTING RUNWAY AND OTHER RELATED ITEMS AT THE PICAYUNE MUNICIPAL AIRPORT

Motion was made by Council Member Lane, seconded by Council Member Gouguet to authorize bids for the overlay and striping of the existing runway and other related items at the Picayune Municipal Airport to be funded in part by the Federal Aviation Administration (Project #3 0060-2010).

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.

ACCEPT MONTHLY BUDGET REPORT

Motion was made by Council Member Watkins, seconded by Council Member Breland to accept the monthly budget report of the month of April 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.

AUTHORIZE RHONDA MARTIN TO ATTEND A GRANT WRITING AND RESOURCE DEVELOPMENT WORKSHOP

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize Rhonda Martin to attend a Grant Writing and Resource Development Workshop in New Orleans, LA on July 27-28, 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.

ADOPT RESOLUTION APPOINTING MS MUNICIPAL LEAGUE 2010 VOTING DELEGATES FOR THE CITY OF PICAYUNE IN THE ELECTION OF THE MML 2ND VICE PRESIDENT

Motion was made by Council Member Gouguet, seconded by Council Member Breland to Adopt Resolution Appointing MS Municipal League 2010 Voting Delegates for the City of Picayune in the Election of the MML 2nd Vice-President.

RESOLUTION

**RESOLUTION APPOINTING
MISSISSIPPI MUNICIPAL LEAGUE
2010 VOTING DELEGATES
FOR THE CITY OF _____**

WHEREAS, the Mississippi Municipal League amended the bylaws of the association to provide for a ballot election, to be conducted by the officers of the Mississippi Municipal Clerks and Collectors Association, to be held each year at the summer convention, to elect a second vice president and to vote on any proposed bylaw changes; and

WHEREAS, the amended bylaws require the governing authority board (Alderman, City Council, City Commission) to designate in its minutes the voting delegate and two alternates to cast the vote for each member municipality.

**NOW, THEREFORE, BE IT RESOLVED BY THE (Governing Authority Board)
OF THE CITY OF _____**

In accordance with the bylaws of the Mississippi Municipal League, the voting delegate(s) for the 2010 Mississippi Municipal League election to be held at the annual convention on June 28-July 1, 2010 are as follows:

Voting Delegate: (Name and title)

First Alternate: (Name and title)

Second Alternate: (Name and title)

That public interest and necessity requiring same, this Resolution shall become effective upon passage.

The above and foregoing Resolution, after having been first reduced to writing, was introduced by _____, seconded by _____, and was adopted by the following vote, to-wit:

YEAS: NAYS:

The President thereby declared the motion carried and the Resolution adopted, this the (day, month, year).

(S E A L)

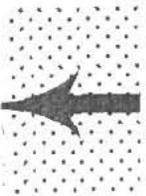
ATTEST: ADOPTED:

CLERK OF COUNCIL PRESIDENT

The above and foregoing Resolution having been submitted to and approved by the Mayor, this the (day, month, year).

ATTEST: APPROVED:

CITY CLERK 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 OPEN A NEW CHECKING ACCOUNT

Motion was made by Council Member Watkins, seconded by Council Member Lane to open a new checking account for the use of the Court Cash Bonds.

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 BRAD WILSON TO RE-SUBDIVIDE PROPERTY

Motion was made by Council Member Breland, seconded by Council Member Lane to accept Planning Commission recommendation to approve request from Brad Wilson to re-subdivide property at 207 S Abrams Ave to add 25 sq ft to existing property.

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 GLEN WILSON TO SUBDIVIDE PROPERTY

Motion was made by Council Member Lane, seconded by Council Member Gouguet to accept Planning Commission recommendation to approve request from Glen Wilson to subdivide property at 211 S Abrams Ave to add part of lot 45 to lot 46.

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 VALSPAR REFINISH, INC AND GOODWILL INDUSTRIES TO SUBDIVIDE PROPERTY

Motion was made by Council Member Watkins, seconded by Council Member Gouguet to accept Planning Commission recommendation to approve request from Valspar Refinish, Inc. and Goodwill Industries to subdivide property located on Palestine Road and Crosby Street (parcel 617-515-002-07-017-00) into two parcels.

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 L & N RENTALS TO SUBDIVIDE PROPERTY

Motion was made by Council Member Watkins, seconded by Council Member Lane to approve request from L & N Rentals to subdivide property located in Ridge Road Subdivision on Cedar Grove Avenue (parcel 617-623-002-003-035-00) into two parcels.

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 CLEANUP/ REMOVE PROPERTY FROM CLEANUP LIST

Motion was made by Council Member Watkins, seconded by Council Member Lane to remove 1316 Jackson Landing Road from property cleanup list and to set June 15, 2010 as Public Hearing date for 120 S Steele 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.

AUTHORIZE APPLICATION FOR 2010 BULLETPROOF VEST PARTNERSHIP GRANT

Motion was made by Council Member Gouguet, seconded by Council Member Watkins to authorize Application for 2010 Bulletproof Vest Partnership Grant.

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 TOMMY DYLE TO ATTEND GRANT WRITING TRAINING

Motion was made by Council Member Lane, seconded by Council Member Gouguet to approve request for Tommy Dyle to attend a Grant Writing Training in New Orleans, LA.

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.

AUTHORIZE REQUEST TO ENTER INTO CONTRACT WITH THE MS STATE DEPARTMENT OF HEALTH FOR GRANT TO CONDUCT FIRE ACADEMY FOR KIDS

Motion was made by Council Member Watkins, seconded by Council Member Lane to authorize request to enter into contract with MS State Department of Health for the purpose of a \$700 grant to conduct summer Fire Academy for Kid's Camp and authorize Chief Brown to sign contract and accept grant.

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 PROFESSIONAL SERVICES AGREEMENT WITH DUNGAN ENGINEERING FOR THE PURPOSE OF CONDUCTING A HYDRAULIC ANALYSIS FOR FIRE HYDRANTS AND WATER SYSTEM

Motion was made by Council Member Breland, seconded by Council Member Gouguet to approve request for authorization to enter into professional services agreement with Dungan Engineering for the purpose of conducting a hydraulic analysis of fire hydrants and water system and authorize Mayor to sign.

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 T-HANGAR LEASE AGREEMENT BY AND BETWEEN CITY OF PICAYUNE AND GARY BEHRENS

Motion was made by Council Member Breland, seconded by Council Member Gouguet to approve T-Hangar lease agreement by and between City of Picayune and Gary Behrens and authorize the Mayor to sign the same.

STATE OF MISSISSIPPI
COUNTY OF PEARL RIVER

T-HANGAR LEASE AGREEMENT

This T-Hangar Lease Agreement made and entered into this, the **18th day of May 2010** by and between the City of Picayune, hereinafter referred to as "Lessor" and **Mr. Gary Behrens** hereinafter referred to as the "Lessee",

WITNESSETH:

For and in consideration of the rents, covenants and agreements hereinafter-contained Lessor does hereby rent and lease unto Lessee the following:

1. **PREMISES**

Lessor does hereby lease and let to Lessee **T-Hangar No. J-13** located at the Picayune Municipal Airport, Picayune, Mississippi, together with reasonably necessary rights of access across Lessor's adjoining areas. Lessee has inspected the T-Hangar and accepts the T-Hangar in its present condition.

2. **TERMS**

The term of this Agreement shall be month to month, with the term to begin on the **18th day of May, 2010** and continue thereafter yearly until either party gives notice of termination or default by Lessee. Either party may terminate this Agreement by giving thirty (30) days written notice to the other party of its intent to terminate this Agreement, regardless of breach or compliance of either party.

3. **RENT**

Lessee shall pay, as rent for the use of the described Hangar, the amount of **\$275.00** per month in advance on the first day of each month plus a **\$275.00** hangar deposit fee is due at the inception of this contract. Said rent shall be

payable by mail to the Picayune Municipal Airport, 815 North Beech Street, Picayune, Mississippi 39466, or by personal delivery to the Picayune Municipal Airport office at 148 Runway Road, Picayune, Mississippi. Lessor may change the rent from time-to-time by giving the Lessee a thirty-days written notice.

4. **REPAIRS AND MAINTENANCE**

Lessor shall be responsible for timely repairs, replacements and maintenance of the building structure, foundation, exterior walls, and roof. Lessee shall be responsible and liable for any damage to the hangar caused by Lessee's use of the hangar, including but not limited to, bent or broken interior walls, damage to floors due to fuel and oil spillage, door damage due to the Lessee's improper or negligent operation. Lessee shall make no alterations, modifications or additions to the hangar without the prior written permission of Lessor.

5. **USE OF PREMISES**

The hangar whereby leased shall be used only for the storage of aircraft owned or leased by Lessee. No maintenance of the stored aircraft shall be conducted in the Hangar except such minor maintenance as would normally be performed by an aircraft owner without the benefit of an aircraft mechanic. Lessee further agrees that no commercial aviation activities shall be conducted at the Picayune Municipal Airport without the express written permission of the Lessor. Commercial Aviation activities include, but are not limited to aircraft rental, charter, aircraft leasing, flight instruction, aerial survey and aerial photography, etc. The storage of fuel or other flammable materials in the Hangar is strictly prohibited. The Lessee shall not engage in any illegal activity and shall abide by all Federal, State, and FAA regulations and the City of Picayune Airport

Minimum Standards and Rules and Regulations.

6. **INDEMNIFICATION**

Lessee shall keep, protect and save harmless, Lessor from any loss, cost, claim, judgment or expense of any sort or nature, and from any liability to any person, on account of any injury, damage or death to any person, or property arising out of any use of the leased premises by Lessee, its agents, or any other party or person acting under the direction or control of Lessee.

7. **INSPECTION**

The Lessor may enter the leased Hangar at reasonable times to inspect the premises.

8. **SECURITY**

Lessee agrees to abide by and cooperate with Lessor in the enforcement and implementation of all airport security regulations. Security of the Hangar shall be the responsibility of Lessee. Lessee agrees to provide Lessor with a key to any lock or locking device used to secure the Hangar. Lessor agrees that the key will be used only in case of emergency or for inspection of the premises.

9. **UTILITIES**

Lessor shall pay electrical utility. Lessee shall use light fixtures for its intended purpose only and shall not alter the existing electrical facilities. Lessee shall not operate any air conditioners, refrigerators, large heaters, or other similar appliances. Outlets, when available, may be used only for operation of droplights, small hand tools, etc. No permitted electrical appliances or other electrical devices shall be connected into the outlet when the Lessee is not present. Lessee will provide basic water and sewer services to the hangar.

10. **HAZARDOUS SUBSTANCES**

Lessee shall not cause or permit any hazardous substances to be brought upon, kept or used in, on or about the hangar by Lessee, its agents or invitees, and Lessee, by execution of this Lease, covenants, warrants and represents to Lessor that it will keep the lease premises free from any and all unlawful contamination with hazardous substances and that it will hold Lessor harmless from any loss or damage with respect thereto and that Lessee will be solely responsible for any and all costs and expenses incurred for remediation in the event the same is required. Violation of this provision shall mean immediate termination of this Lease, which said termination, shall not relieve the Lessee from its liability hereunder.

11. **SUBLEASE/ASSIGNMENT**

Lessee shall not have the right to sublet the T-Hangar leased under this agreement, nor shall the Lessee have the right to assign this Lease without the express written consent of the Lessor. Storage of aircraft not belonging to or leased by the Lessee shall be construed as a sublease, and unless approved by the Lessor, shall be grounds for termination of this Lease.

12. **DEFAULT**

In the event Lessee shall default in the payment of any installment of rent or other sum herein specified and such default shall continue for ten (10) days after written notice thereof, or if Lessee shall default in the observance or performance of any other of the Lessee's covenants, agreements, or obligations hereunder and such default shall not be corrected within thirty (30) days after written notice thereof, then the Lessor shall have the right to take complete possession of the leased premises, to declare the term of this Lease ended, and

remove any of the Lessee's personal effects, without prejudice to any remedies which might be otherwise used for arrears of rent or other default.

13. FORCE MAJEURE

In the event of a natural disaster or other unforeseen event including, but not limited to, flooding, major wind or storm damage or fire, Lessor may, at its option and with or without notice, terminate this Lease.

14. INSURANCE

Lessee agrees to be responsible for maintaining liability insurance in an amount not less than \$100,000.00 during the term of this Lease. Lessee shall deliver to Lessor an annual certificate demonstrating that insurance is paid and copies of the insurance policy issued by the insurance company. Lessor will be named an insured and loss payee under the policy.

Lessee is solely responsible for maintaining insurance coverage on the contents of the T-Hangar.

15. SURRENDER OF PREMISES

Upon expiration of this Agreement for any reason, Lessee shall peacefully surrender and deliver possession of the leased premises to Lessor in as good condition and repair as at the inception of this Agreement, normal wear and tear accepted.

16. NOTICES

Should any notices be required to be given to the respective parties, the notice shall be given in writing by registered or certified mail at the following addresses or at such other addresses as may be substituted by subsequent notices to-wit:

As to Lessor: City Manager
815 North Beech Street
Picayune, MS 39466

At to Lessee: Garry Behrens
35363 Fleetwood Dr.
Slidell LA 70460
985-502-0691

WITNESS the signatures of the parties hereto, this the ____ day of May, 2010.

LESSOR: CITY OF PICAYUNE

BY: _____
Ed Pinero, Mayor

ATTEST:

City Clerk

LESSEE: _____

WITNESS:

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 ENTER CLOSED SESSION TO DETERMINE THE NEED FOR AN EXECUTIVE SESSION

Motion was made by Council Member Breland, seconded by Council Member Gouguet 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 Gouguet

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 Gouguet, seconded by Council Member Watkins to enter executive session to discuss the following:

Personnel Matter
Contractual Matter-PRCUA
Economic Development

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 Breland, seconded by Council Member Watkins to return to regular 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.

NO ACTION TAKEN IN EXECUTIVE SESSION

MOTION TO RECESS

Motion was made by Council Member Bumpers seconded by Council Member Breland to adjourn until Tuesday, June 1, 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