

October 21, 2010

Pass Christian Harbor Expansion Meeting Minutes

Date/ time of Meeting: 11:45 October 18, 2010
Location: Pass Christian City Hall
Present:
Renee Brooks, Alderman at Large
Nonnie Debardeleben, local citizen
Milady Howard, Project Manager
Robin Riley, local citizen
Jim Schmitt, local citizen
Shawn Wozencraft, Thompson Engineering (arrived later)

The purpose of the meeting was discussed. The Alderman at Large and Project Manager said they hoped to clarify some the areas of concern identified by the local citizens. The local citizens made it clear that their attendance at this meeting should in no way be construed to replace a missing broad based citizen participation process.

The apparent lack of citizen participation in the planning of the harbor extension was discussed:

While State and HUD requirements may have been met, there was concern an open waterfront master planning process similar to that used in other Mississippi cities on the coast was missing in the Pass Christian process.

It seems attempts to include the harbor in a private downtown charrette last year had been discouraged by the City.

The SmartCode excluded the harbor because, according to Dr. Bounds, the City Planner, the harbor was in a special district.

The Planning Commission, which would have normally directed the conceptual phase of the project, had not been active at any level in planning for the harbor expansion. [NOTE: It was intended that Eugene Russell, of the Planning Commission, was to be the commission's contact with the Harbor Project Manager. Mr. Russell, however, subsequently resigned from the commission.]

Plans were not presented at the October 13 meeting because of a misunderstanding between DMR and the City consultants.

The original application, apparently written by Malcom Jones, said a goal of the harbor project was to improve the economy of the downtown. This which would have necessitated a comprehensive waterfront master plan. Such a comprehensive plan, while obviously desirable, had not been undertaken.

[NOTE: Many of the stated deficiencies in the citizen planning process would have occurred prior to the Project Manager and engineer being retained.]

The details of a public hearing that might be held in the near future was discussed. The following points were made:

Have a Public Hearing, " unofficial" is fine, as long as it is INFORMATIVE. (If unofficial, a later official hearing should be required to meet the statutory requirements);

Provide plenty of "Public Notice", a minimum of 2 weeks lead time from the announcement in the newspapers, via email, etc. ... make sure that ALL interested parties have the opportunity to participate. [NOTE: AS of October 21, the Gazebo Gazette editor had been notified of the November 8 meeting];

The presentation should include (at a minimum) Current technical drawings, 36 x 48 or larger on easels (not rolled up on the desk !), AND to be projected on a large screen [NOTE: drawings will be 24" x 36" in lieu of 36" x 48"];

An overview, to include the yacht club property, the old harbor and the relationship to the downtown area;

An artist's rendering of the completed project, accurate and up to date. [NOTE: The rendering will depict the project as it will be within the limits of current funding];

A detailed narration of what exactly is being proposed and WHY... with the reasons for not developing other options (i.e., keeping the majority of the commercial slips in the old harbor, etc.)

A discussion of the steps being taken to accommodate other long range development (restaurants, etc.);

Including pedestrian as well as vehicular connections with future development on the north side of Hwy. 90;

A schedule or general time line for follow-up meetings so that those parties who are interested can continue to be involved.

The group discussed the legally binding memorandum of understanding (MOU) between the City and Pass Christian Yacht Club (PCYC) which would have the effect of moving some of the commercial activities objectionable to PCYC members. Concern was raised by Mr. Riley that this "private deal" would compromise the project's principles of transparency inherent in the State and Federal citizen participation requirements. [NOTE: The Project Manager and Engineer have no knowledge of the process followed by the City regarding the MOU.]

The group discussed the Secretary of State (SOS) contract revision of the "old" harbor in which the City agreed to turn over certain authority and revenues to SOS—changing a long standing agreement between the City and SOS. Concern was raised by Mr. Riley that this change seemed to have been undertaken without public notice. He noted that the SOS takeover effectively prevented planning of the old and new harbors comprehensively and that the takeover could also result in a loss of revenue to the City. [NOTE: The Project Manager and Engineer have no knowledge of the process followed by the City regarding the lease with the SOS]

It was noted, from reviewing the current plans, that the maneuvering area for commercial boats in the new harbor might be too small since it seemed to be smaller than that currently provided in the old harbor—which was itself excessively tight. Apparently, the engineers are still awaiting information from a sub-consultant so that the maneuvering area could be resized. The size of the harbor has recently been reduced to lower the costs and the maneuvering area has not been addressed in the resizing process. Plans for the harbor are still fluid.

It was pointed out that plans should be in place for future restaurants and other amenities even though this concept was apparently being resisted by the regulatory authorities. The sense of the group was that in the future commercial uses might be considered desirable and then permitted. The Mayor's statement at the October 13 meeting that "There will be no more Shaggy's" was clarified. Actually, the mayor was referring to buildings being built over the water; restaurants and amenities in the harbor built on land and meeting the FEMA elevation requirements would not necessarily be resisted. In fact engineering provisions were being made for infrastructure to support privately financed restaurants. A location on land along and south of highway 90 was suggested and discussed. It was noted that the original SOS approval included provisions for appropriate commercial uses. [NOTE: the Project Manager states: "...the final plans will not have adequately sized infrastructure to meet full build out to meet all development needs as we do not know what types of development are expected other than small businesses. We anticipate that development will be slow and the funds are better spent on current harbor needs instead of the maximum future development. Sewer and water infrastructure design will take into account that some commercial development will happen in the not too distant future but will not assume that all land available for commercial developed will be developed at this time."]

The injunction which prevented development west of the harbor was discussed. Apparently, Kenny Jones, the remaining upland party to the west side injunction, might be amenable to a modification of the current court directive since he no longer lives there. [NOTE: the Project Manager states: "The information concerning Kenny Jones property west of harbor would be a moot point because of the limited timeline for using CDBG funds and it would also require that the design team start all over with design and permitting which is not an option."]

Concern was expressed that recent traffic associated with the BP clean-up had posed a serious danger to children in small sailboats practicing sailing off of the PCYC and that the addition (or replacement) of commercial traffic would exacerbate this problem.

It was noted that the decision to mix commercial uses between the old and new harbors and build new commercial ice and loading facilities in the new harbor would require unnecessary commercial traffic between the old and new harbors. This seemed costly, inefficient and dangerous to children sailing off the PCYC. Discussion within the group revealed this was a likely requirement of the grant. The group discussed modifying the details of the grant since this was clearly a situation the City would have to live with for quite some time and that it would be easier to change the terms of a designation than live with a costly physical mistake for many, many years. It was agreed the details of designation should be addressed quite soon. [NOTE: the Project Manager states: "While we agreed that commercial traffic from the new breakwater will increase, at this time no other option exists. I made inquiries after our meeting (October 18) and it is my understanding that MDA will not allow a new harbor for only recreational for the same reasons we discussed at meeting. I did find out that the City may have the right to change the harbor uses after closeout of the grant; ie: commercial for one harbor, recreational for the other."]

Addendum:

Milady Howard, Project Manager, announced at the October 19 Board of Aldermen meeting that a public meeting concerning the harbor expansion would be held November 8, 2010.