

## **RECESS MEETING OF JULY 17, 2012**

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Recess Meeting at City Hall in the City of Ocean Springs at 6:00 p.m. on July 17, 2012. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Hagan were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards.

Reverend Barnett gave the invocation and the Mayor led the Pledge of Allegiance.

### **PRESENTATION**

Senator Brice Wiggins presented the City with the Award of Excellence from the Mississippi Municipal League for Best Overall City/Project for the Public Safety Facility.

### **PROCLAMATIONS**

The Mayor read a proclamation declaring July 17, 2012 as Asgard Motorcycle Club Day (Exhibit 4-a).

### **ADDENDUM**

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to add the Addendum to the Agenda.

### **NEW BUSINESS – Addendum**

Mr. Bobby Culumber with the Accounting Firm of Culumber, Fletcher, Harvey & Assoc., P.A. presented the unqualified 2010-2011 Audit Report (Exhibit A-1a). Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to accept the audit report and make it available for citizens to view. Mr. George Triggs made the presentation.

### **OLD BUSINESS**

Mr. Scott Lemon presented the proposal to add the Armory to the City's policy. He estimated an annual premium of \$12,000.00 for the armory building for

\$1M coverage and \$1,200.00 for contents for \$100,000 coverage. Mr. Lemon will explore more options from other brokers. No action was taken.

### **OLD BUSINESS – Addendum**

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to add a discussion item under Old Business - Mary C. O'Keefe Cultural Center Audit and follow up on Tax Abatement Ordinance.

The Mayor presented an unqualified audit for year ending December 30, 2011, for the Friends of the Mary C. O'Keefe Cultural Center by Jason S. Keenum, CPA. Motion was made by Alderman Denyer and seconded by Alderman Gill to accept the FY11 Audit of the Mary C. O'Keefe Cultural Center and to implement all corrective actions in the next budget year. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer and Hagan voting aye and Alderman Dalgo voting nay.

The Mayor presented maps of the current Central Business District (CBD) and the proposed Central Business District which shows the expansion. There was discussion about the expansion of the CBD to either Hanshaw Road or Highway 57. Motion was made by Alderman Denyer and seconded by Alderman Gill to accept the ordinance and expansion of the CBD and have follow up discussions with City Planner to make recommendations to determine the borders of the new CBD.

After further discussion, Alderman Denyer withdrew his motion and Alderman Gill withdrew his second. Motion was made by Alderman Gill and seconded by Alderman McDonnell to determine the borders of the CBD to Hanshaw Road, both sides of Highway 90 to Ocean Springs Road to the city limits at Reilly Road. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer and Dalgo voting aye and Alderman Hagan voting nay.

### **NEW BUSINESS**

Mr. Ken Meyer of Coastal Coin Laundry was not present (Exhibit 5-a).

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to authorize up to \$100.00 each from Mayor, Alderman at Large, Wards 1, 3, 4, 5 and 6 Capital Improvement Accounts and \$50.00 from Ward 2 Capital Improvement Account to advertise the City's resources through the Ocean Springs 8 Year Old All-Star Baseball team (Exhibit 5-b)

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to waive the rental fees for the Community Center on August 14<sup>th</sup> for a workshop hosted by the Mississippi Urban Forest Council, Inc. and advertise the City's resources (Exhibit 5-c).

## **CONSENT AGENDA AND ADDENDUM**

Motion was made by Alderman Gill, seconded by Alderman Hagan and unanimously carried to approve the Consent Agenda with exception of item (b) which was pulled by the Mayor and item (u) which was pulled by Alderman Denyer.

The Mayor pulled item (b) to allow more engineering firms to submit Request for Qualifications for the Ocean Springs harbor project (Exhibit 8-b).

Alderman Denyer pulled item (u) to address concerns he had with the proposal submitted by GB Concessions and asked that the City Attorney review and approve the Contract. The Parks Director advised the City Attorney has reviewed the Contract and will submit his changes before it is executed by the Mayor. Alderman Cox also stated he did not agree with requiring everyone to enter through the main gate and prohibiting teams from bringing in coolers with beverages for the players in the dugout.

Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to table item (8-u) until the next board meeting.

## **DEPARTMENT REPORTS**

### **Mayor:**

Motion was made by Alderman Gill, seconded by Alderman Dalgo and unanimously carried to appoint Terry Dickson to the Library Board, term expiring June 30, 2013.

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to re-appoint Maybelle Bowers and appoint Robert Endt to the Museum Commission, terms expiring June 30, 2016.

Motion was made by Alderman Hagan, seconded by Alderman Gill and unanimously carried to re-appoint Charlene Roemer to the Historic Preservation Commission, term expiring June 30, 16.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to appoint Terry Armstrong, Abner C. Oglesby, and Bon Ha to the Zoning and Adjustment Board, term expiring June 30, 2015.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to appoint Dogan & Wilkinson as City Attorney, term expiring June 30, 2013.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to appoint Matthew Mestayer as City Judge, term expiring June 30, 2013.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to appoint Daryl Dryden as City Prosecutor, term expiring June 30, 2013.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to appoint Culumber, Fletcher, Harvey & Associates, P.A. as City Auditors, term expiring June 30, 2013.

Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to appoint Alderman Matt McDonnell as Mayor Pro Tempore, term expiring June 30, 2013.

No action taken on the appointment of the City Engineers.

### **Community Development & Planning:**

Motion was made by Alderman Hagan and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-08 AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF OCEAN SPRINGS, MISSISSIPPI, BEING ORDINANCE NO. 13-1976, AS AMENDED BY ADDING A LOT AREA VARIANCE FOR PRE-1985 PLATTED SUBDIVISIONS; AND TO PROVIDE FOR RELATED FILING FEE** (Exhibit 9-c). The motion carried with a roll call vote as follows:

Alderman Cox	<u>Voting Aye</u>
Alderman Gill	<u>Voting Aye</u>
Alderman McDonnell	<u>Voting Aye</u>
Alderman Cody	<u>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Hagan and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-07 AN ORDINANCE REGULATING STORMWATER RUNOFF, ILLICIT DISCHARGES AND ILLEGAL CONNECTIONS** (Exhibit 9-d). The motion carried with a roll call vote as follows:

Alderman Cox	<u>Voting Aye</u>
Alderman Gill	<u>Voting Aye</u>
Alderman McDonnell	<u>Voting Aye</u>
Alderman Cody	<u>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

### **ALDERMEN'S FORUM**

Alderman Gill asked Public Works to check the road caving in at Hastings Lane and Diller Road.

Alderman McDonnell asked for an update on the donation of the mobile home to the Wildlife Care and Rescue Center. The Building Official reported Mr. Hines could not obtain funding to move the trailer. Also, the mobile home did not meet the requirements of Jackson County because it did not have commercial wiring. The Building Official stated he is obtaining a quote to have the trailer moved within 2-3 weeks.

Alderman Cody asked Public Works to check the sinkhole eastbound at Highway 90 by Mellow Mushroom and the Shell station.

Alderman Cody asked Public Works to clean the ditches at Woodland Circle and around Linda Circle.

Alderman Cody asked to have house at 206 Woodland Circle boarded up.

The Mayor announced she spoke with MDOT Commissioner Tom King and we are in receipt of the intersection signs for the traffic signals on Highway 90.

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to implement a hiring freeze and authorize no promotions until the Finance Committee can review the budget and make a recommendation to the Board.

Alderman Dalgo stated he has complaints of a house on Zettel Road due to high grass causing snakes.

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to authorize the pay application to S.H. Anthony, Inc. in the amount of \$11,240.90 for point repairs at Saratoga Drive (Exhibit 10-a).

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to authorize the Mayor to execute the Change Order No. 1 for the Service Agreement for Sewer Maintenance for point repairs on Saratoga Drive with no increase or decrease but a change in the quantity (Exhibit 10-b).

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to authorize the Mayor to execute the Change Order No. 2 for the Service Agreement for Sewer Maintenance for an increase in the amount of \$1,500.00 for point repairs at Saratoga Drive (Exhibit 10-c).

Alderman Hagan stated there will be more special call meetings with the full board concerning the upcoming budget.

## **EXECUTIVE SESSION**

Motion was made by Alderman Hagan, seconded by Alderman Gill and unanimously carried to go into closed session to determine the necessity of going into executive session.

The City Clerk returned to the meeting and announced a motion was made by Alderman Hagan, seconded by Alderman Gill and unanimously carried to remain in executive session to discuss property acquisition and Highway 57 construction contract.

Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to return to regular session.

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to not purchase property on Laurie Circle due to Seller's lack of having a confirmed title.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to accept recommendation for the Phase 4 close out.

Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to adjourn until 6:00 p.m. on August 7, 2012.

Meeting ended at 8:46 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**July 17, 2012 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PRESENTATION**

- a) Proclamation presented by Senator Brice Wiggins on the Award of Excellence from the Mississippi Municipal League to the City of Ocean Springs for Best Overall City/Project for the Public Safety Facility

**4. PROCLAMATION**

- a) Asgard Motorcycle Day – July 17, 2012 (Exhibit 4-a)

**5. NEW BUSINESS**

- a) Overbilling for water/sewer usage and water meter accuracy – Ken Meyer, Coastal Coin Laundry (Exhibit 5-a)
- b) Request for financial support to assist the 8-year old Ocean Springs all-star baseball team traveling to Arkansas to play in the Southwest Regional Tournament – David Lee (Exhibit 5-b)
- c) Request to waive rental fees for Ocean Springs Community Center for a workshop hosted by the Mississippi Urban Forest Council, Inc. on Tuesday, August 14<sup>th</sup>, from 9 am – 2 pm (Exhibit 5-c)

**6. OLD BUSINESS**

- a) Insurance Estimate for the Armory – Scott Lemon (Exhibit 6-a)

**7. PUBLIC COMMENT:** The public is invited to address the Board for up to 3 minutes. The Board will take all comments under advisement for potential action at a later date if warranted.

**8. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 8, Consent Agenda, are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**Mayor:**

- a) Authorize Mayor to execute Grant Agreement with Mississippi Department of Marine Resources for FY12 Tidelands funds for Ocean Springs Harbor Improvements near the boat ramp (Exhibit 8-a)
- b) Authorize the Mayor to execute the proposal with Hall Planning and Engineering to provide traffic analysis and preliminary planning, funded with Tidelands Grant FY2011-P108 for improvements to Ocean Springs harbor (Exhibit 8-b)
- c) Authorize removal of Anne Pitre, Public Relations Officer and Executive Assistant to the Mayor and Board of Aldermen from probationary status and placement on full time status, effective immediately (Exhibit 8-c)
- d) Authorize the Mayor to execute the Sidewalk Lease Agreement between the City of Ocean Springs and The Office Bar and Lounge, LLC (Exhibit 8-d)



**City Clerk:**

- e) Approve Minutes: Special Call Meeting June 29, 2012 (Exhibit 8-e)
- f) Approve Minutes: Regular Meeting July 3, 2012 (Exhibit 8-f)
- g) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-g)
- h) Accept Action Report (Exhibit 8-h)
- i) Authorize to schedule public hearing for August 7, 2012 at 6:00 p.m. to adopt Resolution and Order adopting the Uniform Assessment Schedule for motor vehicles (Exhibit 8-i)

**Police Department:**

- j) Authorize employment of Andrew England as Correction Officer and attend the necessary Correction Officer School to be State Certified, \$12.50 hourly, one-year probationary period, effective July 18, 2012 and pending successful completion of all pre-employment requirements (Exhibit 8-j)
- k) Approve Special Event Permit for kickball team ceremony, BBQ, DJ, volleyball and swimming at Front Beach on Sunday, July 29<sup>th</sup> from 10:00 a.m. – 10:00 p.m. (Exhibit 8-k)

**Fire Department:**

- l) Accept Monthly Fire Department Report for June 14, 2012 to July 12, 2012 (Exhibit 8-l)
- m) Authorize employment of Christopher M. Hupe as Firefighter, \$11.77 hourly, one-year probationary period, effective August 2, 2012 and pending successful completion of all pre-employment requirements (Exhibit 8-m)
- n) Authorize employment of Charles L. King as Firefighter, \$11.77 hourly, one-year probationary period, effective August 2, 2012 and pending successful completion of all pre-employment requirements (Exhibit 8-n)
- o) Authorize removal of Firefighter Jeremy Knapp from probationary status and placement on full time status, effective August 4, 2012 (Exhibit 6-o)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- p) Authorize to reject the lowest bid from Talley Contracting, Inc. and solicit quotes under \$50,000, to utilize the maximum \$25,000 Pat Harrison Waterway District 50-50 funding match and allow the City to complete the Trentwood/Parkwood Drainage Project (Monster Ditch II) (Exhibit 6-p)
- q) Authorize to hire a temporary employee until such time as regular employee is able to return to work, \$12.00 hourly with no benefits (Exhibit 8-q)

**Building Department:**

- r) Approve demolition permit at 1110 Government Street (Exhibit 8-r)
- s) Approve demolition permit at 512 Dewey Avenue (Exhibit 8-s)

**Community Development & Planning:**

Historic Preservation Commission:

- t) Accept Historic Preservation Commission's recommendation to approve a COA to construct an addition at 108 Shearwater Drive (Exhibit 8-t)

**Parks & Leisure Services:**

- u) Approve Concession Proposal from GB Concessions for Highway 57 Sports Complex for a period of one (1) year (Exhibit 8-u)

**City Attorney:**

**Facilities:**

**9. DEPARTMENT REPORTS**

**Mayor:**

- a) Appointments to Boards and Commissions

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) Discussion on Tax Abatement
- c) Amendment to Zoning Ordinance to the R-1 and R-2 Districts, Sections 401.4.6 and 402.4.6 and Section 903.1 regarding filing fees (Exhibit 9-c)
- d) An Ordinance Regulating Stormwater Runoff, Illicit Discharges and Illegal Connections (Exhibit 9-d)

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**10. ALDERMEN'S FORUM**

**11. EXECUTIVE SESSION**

**ADJOURN until 6:00 p.m. on August 7, 2012**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
July 17, 2012 - 6:00 p.m.**

**1. NEW BUSINESS**

- a) Presentation of FY10-11 Audit – Culumber, Fletcher, Harvey & Assoc., P.A.

**2. CONSENT AGENDA**

**City Clerk:**

- a) Approve job description for IT Administrator and authorize to begin the process to fill the vacant position (Exhibit A-2a)

**Police Department:**

- b) Approve transfer of Jennie Heines, IT Administrator to Court Clerk, \$15.83 hourly, effective July 21, 2012, six-month probationary period and approve employment of Deanna McLallen, Deputy Court Clerk, \$12.98 hourly, effective August 6, 2012, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit A-2b)

**3. OLD BUSINESS**

- a) Mary C. O'Keefe Cultural Center – Audit Report (Exhibit A-3a)
- b) Follow-up discussion on Tax Abatement and Central Business District