

## **RECESS MEETING OF AUGUST 21, 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 August 21, 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.

Alderman Cody gave the invocation and the Mayor led the Pledge of Allegiance.

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

Motion was made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to pull item (9-h) from the regular Agenda and amend item (9-d) appoints to the Museum Commission.

### **PROCLAMATION**

The Mayor read a proclamation declaring September 19, 2012 as "No Text on Board – Pledge Day" (Exhibit 4-a).

### **PUBLIC HEARING**

Motion was made by Alderman Gill, seconded by Alderman Dalgo and unanimously carried to open the Public Hearing.

The Code Enforcement Officer stated the residence at 3310 Nottingham Road was condemned in April, 2011. The structure is in disrepair and lacks maintenance. The building lacks illumination, ventilation and sanitary facilities adequate to protect the health or safety of the occupants or the public and there are numerous building, electrical, and plumbing code violations as well as being a fire hazard. Prior to the public hearing, notices were posted on the property; notice was sent to the last known address; posted on the bulletin board at City Hall and published in the City publication of record. The property owner is deceased but representatives of Ms. Carol Miller were present at the public hearing. Mr. Robert Miller, 204 Arbor Circle, son of Ms. Carol Miller, stated the family is in the process of selling the property and asked for additional time to complete the sale.

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to close the Public Hearing.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to accept the recommendation of the Code Enforcement Officer/Assistant Building Official and find the property at 3310 Nottingham Road in such a state of uncleanliness so as to be a menace to public health and safety based on the matters presented and authorize to begin the lot cleaning but to delay the execution for two (2) months to work with the property owners' heirs.

## **PRESENTATION**

Dr. Coleman-Potter, Ocean Springs Schools Superintendent, and Ms. Donna Nester, Ocean Springs Schools Business Manager, presented the Ocean Springs School District 2012-2013 Budget.

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to accept the Ocean Springs School District budget for FY12-13 (Exhibit 3-a).

## **PUBLIC HEARING**

Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to open the Public Hearing.

At this time a public hearing to hear and act on any complaint filed in writing objecting to and petitioning for a specified reduction on any portion or portions of the uniform assessment schedule for motor vehicles ad valorem taxes affecting the complaint directly was held. No complaints were filed.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to close the Public Hearing.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to adopt the Resolution and Order of the FY12-13 Uniform Assessment Schedule for motor vehicles (Exhibit 4-a).

## **NEW BUSINESS**

Mr. James Richardson, 1301 Glacier Avenue, asked to have a left-hand arrow turn signal on Hanshaw Road; issue with handicap parking lot at Wal-mart and speed bumps need to be removed on Iberville Drive (Exhibit 6-a).

Mrs. Kathleen Williams, mother of Kelsey Williams, an Ocean Springs High School student who passed away on May 2, 2012 as a result of Epilepsy. She announced the Epilepsy Foundation has named the walk this year in honor of Kelsey, called a Rainbow of Hope. She asked to use Fort Maurepas Park and Front Beach for the walk on November 4th (Exhibit 6-b).

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to waive the rental fees at Fort Maurepas Park on November 4<sup>th</sup> to advertise the City resources at the Rainbow of Hope Walk honoring Kelsey Williams hosted by the Epilepsy Foundation of Mississippi.

Motion was made by Alderman Hagan, seconded by Alderman McDonnell and unanimously carried to authorize up to \$100.00 each from Ward 1, 2, 4, 5, 6, At-Large and Mayor's Capital Improvement Account to advertise the City's resources at the Rainbow of Hope walk honoring Kelsey Williams to raise awareness of epilepsy.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to authorize the Mayor to contact MDOT to request having a left hand turn signal put in at Hanshaw Road.

## **OLD BUSINESS**

Motion was made by Alderman McDonnell, seconded by Alderman Denyer and unanimously carried to accept the insurance estimate for the armory for a total premium of \$4,140.00 (Exhibit 7-a).

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to authorize up to \$1,942.92 for the new poster on the billboard near the SW corner of the I-10 and Highway 609 interchange at Exit 50 to be paid from 2% funding (Exhibit 7-b).

## **CONSENT AGENDA AND ADDENDUM**

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

Alderman McDonnell pulled item (x) to welcome the new business, Crooked Letter Brewery, to the City. Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to accept the Planning Commission's recommendation to accept the Planning Commission's recommendation to approve a Special Use Permit to

operate a local craft brewery within a C-2 commercial zone, 1805 Government Street (Exhibit 9-x).

## **DEPARTMENT REPORTS**

### **Mayor:**

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to appoint Machado/Patano Engineers for the improvements to the harbor boat ramp area - tidelands project.

### **Building Department:**

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to authorize the City Attorney to draft an amended Ordinance to increase the building permit fees (Exhibit 10-b).

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to authorize the City Attorney to draft an Ordinance amending the banner policy to 90 days to give the businesses additional opportunities to advertise until February 1st. It is currently 60 days within the year.

## **ALDERMEN'S FORUM**

Alderman Cody asked the Board for financial assistance for Cruisin' the Coast 2012. He announced The Platters will perform two (2) 50 minute shows. The fee to Cruisin the Coast is \$4,000.00 and \$2,000.00 for Chic's Picks for a total of \$6,000.00. He further stated he is raising monies from other sources.

Motion was made by Alderman McDonnell and seconded by Alderman Hagan to authorize \$1,200.00 from miscellaneous promotions budget for Cruisin' the Coast 2012. Motion carried with Aldermen, Cox, Gill, McDonnell, Cody, Denyer and Hagan voting aye and Alderman Dalgo voting nay.

## **EXECUTIVE SESSION**

Motion was made by Alderman Gill, seconded by Alderman McDonnell 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 personnel in the Court Department.

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to return to regular session.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to recess until 5:30 p.m. on August 30, 2012.

Meeting ended at 7:45 p.m.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**August 21, 2012 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PRESENTATION**

- a. Ocean Springs School District FY12-13 Budget (Exhibit 3-a)

**4. PROCLAMATION**

- a. "No Text on Board – Pledge Day"– September 19, 2012 (Exhibit 4-a)

**5. PUBLIC HEARING**

- a. Lot Cleaning Hearing – 3310 Nottingham Road (Exhibit 5-a)
- b. Adopt Resolution and Order for the FY12-13 Uniform Assessment Schedule for Motor Vehicles (Exhibit 5-b)

**6. NEW BUSINESS**

- a) Request to discuss red light on Hanshaw Road and Highway 90; Wal-Mart parking lot and speed bumps – Mr. James Richardson (Exhibit 6-a)
- b) Request to waive rental fees at Fort Maurepas Park for the Epilepsy Foundation of Mississippi for a walk in honor of Kelsey Williams on Sunday, November 4<sup>th</sup> (Exhibit 6-b)

**7. OLD BUSINESS**

- a) Insurance Estimate on the Armory (Exhibit 7-a)
- b) Request from Chamber of Commerce for funding of \$1,942.92 from 2% funds for a new poster on the billboard at the SW corner of I-10 and Highway 609 at Exit 50 (Exhibit 7-b)

**8. 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.

**9. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 9, 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. Accept \$600.00 donation from Trentwood Homeowners' Association and authorize up to \$400.00 from Ward 6 Capital Improvement Account for Trentwood Beautification Project (Exhibit 9-a)
- b. Authorize to correct the mislabeled Supplementary Agreement #2 with Simmons Erosion Control, Inc. for Government Street Overlay and Traffic Signal Project, funded by MDOT STP Funds pending MDOT concurrence; it was mislabeled as Supplemental Agreement #1 (Exhibit 9-b)
- c. Accept resignation of Joey Rice from the Museum Commission effective immediately (Exhibit 9-c)
- d. Approve appointment to vacancies on Museum Commission, Historic Preservation Commission, Civil Defense Director and 911 Commissioner (Exhibit 9-d)

**City Clerk:**

- e. Approve Minutes: Regular Meeting August 7, 2012 (Exhibit 9-e)
- f. Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 9-f)
- g. Accept Action Report (Exhibit 9-g)
- h. Accept Budget Amendments (Exhibit 9-h) (Budget Amendments will be sent out separately)
- i. Authorize the Mayor to execute the Amendment to the Governmental Agreement Between Jackson County, Mississippi and the City of Ocean Springs, Mississippi Providing for the Collection of City and School District Taxes by Jackson County (Exhibit 9-i)
- j. Ratify per diem check for \$142.00 for Steven Dye for Driving Instructor Class (Exhibit 9-j)
- k. Authorize to donate mobile home trailer previously used by the Police Department to the Department of Marine Resources for the DMR Emergency Operation Center and to donate the refrigerator in the mobile home trailer to CASA of Jackson County (Exhibit 7-k)

**Police Dept.:**

- l. Approve employment of Lawrence Pearson to fill patrolman slot created by resignation of Kevin Walb, effective August 22, 2012, \$13.95 hourly, one-year probationary period and pending successful completion of all pre-employment requirements (Exhibit 9-l)
- m. Approve Special Event Permit for Bridgewalk Fundraiser for Deuce Noblitt and Family on Sunday, August 26<sup>th</sup> from 2 p.m. – 8 p.m. (Exhibit 9-m)
- n. Approve Special Event Permit for 4<sup>th</sup> Annual Rotary 5K Run "Race", fundraiser for scholarships on Saturday, October 20<sup>th</sup> from 6 p.m. – 11 p.m. (Exhibit 9-n)
- o. Authorize to remove 14-9 Section C from Ocean Springs Municipal Ordinance (one-way Magnolia Street) (Exhibit 9-o)
- p. Authorize various equipment to be declared surplus; of no value to the city and send to auction (Exhibit 9-p)

**Fire Dept.:**

- q. Accept Monthly Fire Department Report (Exhibit 9-q)
- r. Authorize various equipment to be declared surplus; of no value to the city and send to auction (Exhibit 9-r)

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

- s. Accept check in the amount of \$25,000.00 from Pat Harrison Waterway District for drainage improvements on Shadowwood Drive (Exhibit 9-s)
- t. Authorize the Mayor to execute Change Order #1 for W21 – Water Expansion for a decrease of \$30.00 and Change Order #1 for S24 – Sewer Expansion for a decrease of \$7,338.00 with W.R. Mitchell Contractors, Inc. (Exhibit 9-t)

**Community Development & Planning:**

Planning Commission:

- u. Accept Planning Commission's recommendation to approve Preliminary Plat Approval for Lakeview Subdivision Phase III, Randall Corporation, with one contingency (Exhibit 9-u)
- v. Accept Planning Commission's recommendation to approve Non-Conforming Lot and Lot Split at 1015 E. Cherokee Avenue, Patrick Myers (Exhibit 9-v)
- w. Accept Planning Commission's recommendation to approve lot configuration at the Southwest corner of Bienville Blvd. and Hanshaw Road, Rose Lapin (Exhibit 9-w)
- x. Accept Planning Commission's recommendation to approve a Special Use Permit to operate a local craft brewery within a C-2 commercial zone, 1805 Government Street, Wanda and Paul Blacksmith (Exhibit 9-x)
- y. Accept Planning Commission's recommendation to approve lot reconfiguration at 43 Pittman Road, Bradley Patano (Exhibit 9-y)

**Building Department:**

- z. Accept Tree Committee Report (Exhibit 9-z)
- aa. Authorize four (4) vehicles to be declared surplus; of no value to the city and send to auction (Exhibit 9-aa)

**Parks & Leisure Services:**  
**City Attorney:**  
**Facilities:**

**10. DEPARTMENT REPORTS**

**Mayor:**

Discussion Item:

a. Engineer for tidelands harbor boat ramp area

**City Clerk:**

**Police:**

**Fire:**

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

b. Changes to Permit Fees (Exhibit 10-b)

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**11. ALDERMEN'S FORUM**

**12. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M. on September 4, 2012**



**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
August 21, 2012 - 6:00 p.m.**

**1. CONSENT AGENDA**

**Mayor:**

- a) Accept the Bailment Agreement between the Gulf Hills Golf Club, Inc. "Gulf Hills" and the City of Ocean Springs, "Recipient" for the use of equipment solely for the purpose of transporting people and suitable items during the Cruisin' the Coast event, October, 2012 (Exhibit A-1a)
- b) Accept the Temporary Dedication of Land for Public Purpose from David M. Reynolds for Cruisin' the Coast 2012 and the Peter Anderson Festival 2012 (Exhibit A-1b)
- c) Adopt Resolution of the City of Ocean Springs, Mississippi to Temporarily Allow Consumption of Beverages and Sale of Beer on Public Property for the Blue Moon Kick Off Party (Exhibit A-1c)

**Police Department:**

- d) Accept the resignation of City Prosecutor, Daryl Dryden, effective August 31, 2012, and appoint Leilani L. Tynes as City Prosecutor (Exhibit A-1d)