

REGULAR MEETING OF NOVEMBER 6, 2012

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Regular meeting at City Hall in the City of Ocean Springs at 6:00 p.m. on November 6, 2012. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer and Hagan were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Dalgo was not present.

The Mayor called the meeting to order.

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

NEW BUSINESS

Ms. Cynthia Fisher was not present for her discussion (Exhibit 4-a).

Mr. Ernie Raphael, 1338 Diller Road, asked the City to consider removing a tree located in an easement that is leaning and may cause damage to surrounding properties if it falls over. Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to authorize the City Attorney to review the plat to determine where the easement actually is on the property; what type of easement it is and review the language contained in the easement and make a recommendation to the Board of his findings (Exhibit 4-b).

PUBLIC COMMENTS

Mr. Mark Spicer stated the race sponsored by the Rotary Club was very successful and thanked the Ocean Springs Police Reserves; Fire Department and Public Works Department for their hard work.

CONSENT AGENDA

Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to approve the Consent Agenda with exception of items (c) and (l) which were pulled by Alderman Hagan; item (a) which was pulled by Alderman Denyer; items (o) which was pulled by Alderman McDonnell; item (b) and (q) which were pulled by Alderman Cox.

Alderman Denyer pulled item (a) and Alderman Gill stated he will be abstaining from the vote. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute a one-year contract with Joe Gill Consulting, LLC for lobbying services, pending legal review. Alderman Gill abstained from voting (Exhibit 6-a).

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to accept the resignation of Martin Reeves from the Civil Service Commission and the 911 Commission (Exhibit 6-b).

Alderman Hagan pulled item (c) to correct the minutes of October 16, 2012. Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to approve the minutes of October 16, 2012, with correction to add "Schedule 2 – Manholes and Wet Wells" to the Department Reports for Public Works Department (Exhibit 6-c).

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to declare the old shed behind Dewey Avenue Substation to be surplus property and no longer needed for municipal purposes. Furthermore, the shed is valued at less than \$100.00 and worth even less should the City have to spend funds to move and dispose of the structure. Pursuant to the authorization of Mississippi Code Section 39-15-1, the shed should be donated to support the arts and provided to the Walter Anderson Museum as a match to the numerous other contributed funds they receive. Finally, the shed should be removed from the City's property list (Exhibit 6-l).

Alderman McDonnell pulled item (o) and asked the Building Official if he had input in the job description for the Grants and Planning Administrator. He stated he was. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the revised job description for the Planning and Grants Administrator (Exhibit 6-o).

Alderman Cox pulled item (q) and asked for a status report on the Land Acquisition and Clearing for the Protection of Storm Water Outfalls, Front Beach Drainage Project. The Planning and Grants Administrator advised the amount is within the contingency of the project to obtain the estimate and establish actual costs to make the determination of which scenario to use. This allows Thompson Engineering to come up with an alternative design that would accommodate Mr. Brumfield's request. Once bid, the City will have both alternatives in the bid packet when the actual costs come in.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute Amendment No. 2 with Thompson Engineering, Inc. in the amount of \$5,750.00 for the Land

Acquisition and Clearing for the Protection of Storm Water Outfalls, Front Beach Drainage Project, amount is within the project contingency and no additional funds are requested (Exhibit 6-q).

DEPARTMENT REPORTS

No Department Reports.

ALDERMEN'S FORUM

Alderman McDonnell asked the Engineers to provide Public Works with the "as-builts". Alderman McDonnell asked the Building Official to include Public Works on the initial work done at the harbor improvement project.

Alderman McDonnell asked the Building Official to monitor the hours of Eco-Systems, Inc. He stated he had concerns about staying within the budget.

Alderman McDonnell thanked all departments for a great job during Peter Anderson Festival. He also thanked Alderman Cody for his work done during the festival.

Alderman McDonnell stated the deadline to continue with the Porter Avenue Sidewalk project is coming up in less than two (2) weeks. He asked the Peer Review Committee to determine a mechanism to reconsider this project.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to appoint Monte Tynes as City Prosecutor.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to authorize a demolition permit for 520 Dewey Avenue as recommended by the Building Official and requested by the property owners.

Alderman Cody stated that during the Peter Anderson Festival, the event coordinators worked with everyone to accommodate access to everyone's property and further, no one was denied access to their property.

Alderman Cox asked for a status report on 1213 Lancelot and 1823 Bienville Boulevard. The Building Official stated the property owner at 1213 Lancelot Lane was given 30 days and the update will be the next agenda. The property owner at 1823 Bienville Boulevard was given 90 days to complete all of the conditions the Board made to them.

Alderman Denyer thanked everyone for their hard work during the Peter Anderson Festival especially the Police Department Reserves.

Alderman Denyer gave the Peer Review Committee update. He reported the indoor light study was ongoing.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to authorize the City Attorney to review an invoice for LED lighting and equipment for legal clarification and a written response.

He stated the Department Heads have been asked to police the take home vehicle policy and if there are any issues to report it to a Peer Review committee member.

The Peer Review Committee recommended approval for police travel because the training was less than fifty (50) miles away and the Police Chief's travel to Jackson, Mississippi for a meeting wherein he serves on the Committee.

The Peer Review Committee also recommended approval for the Mayor's request for travel.

The Peer Review Committee are of the opinion that any remaining grant funds from the Mary C. O'Keefe Cultural Center would be transferred to the Fire Department.

The Peer Review Committee recommended repairing all railroad crossings at a cost of \$2,500.00 each. This will reduce the County paving money by \$15,000.00 total. The Washington Avenue crossing will not be done at this time since it is cement and does not need to be repaired.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to approve all travel for police officer's training, Police Chief and Mayor as recommended by the Peer Review Committee.

Motion was made by Alderman Denyer, seconded by Alderman McDonnell and unanimously carried to authorize the Assistant Public Works Director, Alderman Cody and Alderman Cox to work with Supervisor McKay, Supervisor Ross and CSX Railroad to determine a cost estimate to repair all crossings in the City; one estimate with asphalt and one estimate with concrete and will then make a recommendation to the Peer Review Committee.

The Mayor stated there is \$5,086.00 remaining in grant funds from the Mary C. O'Keefe Cultural Center project. There has been discussion to purchase a

dedication plaque for the MCOK. Supervisor Ross agreed to split the cost of the plaque with the City in the amount of \$1,100.00 each. The remaining funds would be transferred to the Fire Department.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to allow the Peer Review Committee to review the final proof and revised cost for the plaque at the Mary C. O'Keefe Cultural Center and make a recommendation to the Board.

Alderman Hagan stated he may not be willing to spend the paving monies to repair the railroad crossings. He also asked why it is the City's responsibilities to repair the crossings.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to recess until 6:00 p.m. on Monday, November 19, 2012.

Meeting ended at 7:13 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
November 6, 2012 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. OLD BUSINESS

4. NEW BUSINESS

- a) Discussion on access to and from homes during festivals and other events – Ms. Cynthia Fisher (Exhibit 4-a)
- b) Discussion on City easement at 1338 Diller Road to access Pumping Station No. 32 – Mr. Ernie Raphael (Exhibit 4-b)

5. 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.

6. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 6, 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 the Mayor to execute one year contract with Joe Gill Consulting, LLC for lobbying services, pending legal review (Exhibit 6-a)
- b) Accept the resignation of Martin Reeves from the Civil Service Commission Board (Exhibit 6-b)

City Clerk:

- c) Approve Minutes: Recess Meeting October 16, 2012 (Exhibit 6-c)
- d) Approve Minutes: Special Call Meeting October 23, 2012 (Exhibit 6-d)
- e) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 6-e)
- f) Accept Action Report (Exhibit 6-f)
- g) Authorize to advertise the random drawing for plot sales in Evergreen Cemetery at a rate of \$3,000.00 per plot, \$1,500.00 for urn plots and a maximum of 4 plots per household (Exhibit 6-g)
- h) Authorize to renew the Aclara Annual Maintenance Agreement for the electronic water meter system in the amount of \$10,080.00 (Exhibit 6-h)

Police Dept.:

- i) Approve Special Event Permit for Casting the Coast – Rock U2 to hold a bonfire on Thursday, November 8, 2012 from 8:00 p.m. – 11:00 p.m. for the Sun & Sand Film and Music Festival (Exhibit 6-i)
- j) Authorize to trade seized weapons to a licensed federal firearms dealer for supplies for the Police Department (Exhibit 6-j)
- k) Authorize employment of Terrence Chandler, Part-time Court Cashier, effective November 7, 2012, \$10.00 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 6-k)
- l) Authorize the metal shed behind the Dewey Avenue Substation declared surplus, of no asset to the city and donate to the Walter Anderson Museum of Art (Exhibit 6-l)

Fire Dept.:

- m) Accept resignation of Firefighter Darren Ross, effective October 31, 2012, and authorize to begin the process to fill the vacancy (Exhibit 6-m)

Human Resources/Risk Management:

City Engineer:

Public Works:

- n) Authorize the City Attorney to prepare the necessary Ordinance to make changes to water and sewer connection fees (Exhibit 6-n)

Community Development & Planning:

- o) Accept the revised description for the Planning and Grants Administrator (Exhibit 6-o)
- p) Authorize the Mayor to execute Change Order No. 1 related to the Dewey Avenue Renovations in the amount of \$675.00, amount is within the project budget and no additional funds are requested, funded by 2% tax levy (Exhibit 6-p)
- q) Authorize the Mayor to execute Amendment No. 2 with Thompson Engineering, Inc. in the amount of \$5,750.00 for the Land Acquisition and Clearing for the Protection of Storm Water Outfalls, Front Beach Drainage Project, amount is within the project contingency and no additional funds are requested (Exhibit 6-q)
- r) Authorize the Mayor to execute the proposal from Machado/Patano as engineers for the FY2011-P108 Improvements to the Ocean Springs Harbor project, pending legal review and approval, funds are within the grant and no additional funds are requested (Exhibit 6-r)

Historic Preservation Commission:

- s) Accept Historic Preservation Commissions recommendation to issue a COA for install wind protection to home at 608 Catchot Place (Exhibit 6-s)

Building Department:

- t) Accept Tree Committee Report (Exhibit 6-t)
- u) Accept Code Enforcement Report (Exhibit 6-u)
- v) Accept the proposal from ECO-Systems, Inc. regarding the Ocean Springs 2013 Phase II Stormwater Implementation, pending review and approval by the City Attorney, and authorize the Mayor to execute same (Exhibit 6-v)

Parks & Leisure Services:

- w) Authorize to advertise for the Ocean Springs Sportsplex Marquee Sign, pending legal review and approval (Exhibit 6-w)
- x) Accept Parks Advisory Board Minutes for October 10, 2012 (Exhibit 6-y)
- y) Approve Facility Use Agreement for the girls softball team to practice at the Ocean Springs Sports Complex beginning October 23, 2012 and ending December 20, 2012 (Exhibit 6-y)

City Attorney:

Facilities:

7. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

8. ALDERMEN'S FORUM

9. EXECUTIVE SESSION

RECESS UNTIL 6:00 P.M. on November 20, 2012