

RECESS MEETING OF JANUARY 15, 2013

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 January 15, 2013. 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.

The Mayor called the meeting to order.

The Mayor announced the State of the City Address would be held on Thursday, January 17th at 6:00 p.m. at the Mary C. O'Keefe Cultural Center.

The Mayor announced the Ocean Springs Police Department is the 17th in the State to receive accreditation from the Mississippi Law Enforcement Accreditation Commission.

PRESENTATION

The Mayor stated the City Clerk would open the Request for Proposals for the solid waste collection and announce the monthly rate.

The City Clerk read as follows: Advanced Disposal Services Gulf Coast, LLC – Base Proposal \$10.95; Alternate #1 (Recycling Rewards Program) - \$0.35; additional standard portable toilet - \$50.00 per rental and additional thirty (30) yard roll off container - \$175.00 per rental and Waste Pro of Mississippi, Inc. – Base Proposal \$10.74; Alternate #1 (Recycling Rewards Program) - \$0.40; Additional standard portable toilet - \$25.00 per rental and additional thirty (30) yard roll off container - \$85.00 per rental. Waste Management submitted a letter stating they have chosen not to respond to the Request for Proposal.

Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to authorize the Mayor and City Attorney to negotiate a Contract with Waste Pro for up to six years.

After further discussion, Alderman McDonnell amended his motion and Alderman Dalgo amended his second to make a determination that the Request for Proposals submitted by Advanced Disposal Services Gulf Coast, LLC and Waste Pro of Mississippi, Inc. are both qualified proposals and authorize the Mayor and City Attorney to negotiate a one-year Contract with Waste Pro of Mississippi, Inc. with a renewal option for up to six years of service.

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to not participate in the optional recycling rewards program at this time but it will be in the Contract as an option to be added at a later if the Board so desires.

OLD BUSINESS

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to approve the Temporary Dedication of Gulf Coast Research Lab Boat Launch for public use on weekends from February 1, 2013, through December 31, 2013 and authorize the Mayor to execute the agreement once it is approved by the Board of Trustees of the University of Mississippi and placement of large trash carts and a port-o-let (Exhibit 5-a).

PUBLIC COMMENTS

Mr. Bill Curtis, 1316 Mill Circle, stated the crossing at Highway 90 near Winn Dixie is very hazardous. The Mayor will follow-up with MDOT.

CONSENT AGENDA

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to approve the Consent Agenda with exception of item (c) which was pulled by Alderman Hagan and items (h) and (n) which were pulled by Alderman Denyer.

Alderman Hagan pulled item (c) to amend the minutes. Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to amend the minutes of January 2, 2013 to include "Alderman Dalgo's identification of the neighborhood being well defined as Highway 90, Hanshaw Rd, the Railroad tracks and Davis Bayou" (Exhibit 7-c).

Alderman Denyer pulled item (h) for clarification whether this was an antennae site or cellular phones. The City Clerk advised this was an amendment with Cingular regarding adding additional antennas to their existing tower. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to authorize the Mayor to execute the Amendment to the Master Agreement (Ground License Agreement and Antennae Site License Agreement) between the City of Ocean Springs and New Cingular Wireless, PCS, LLC, pending results of the interference study (Exhibit 7-h).

Alderman Denyer pulled item (n) for clarification on funding for this Change Order. It is a budgeted project in Trentwood Subdivision with no additional funding requested. Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to authorize the Mayor to execute Change Order No. 1 for the Creekwood

Drainage Improvement project in the amount of \$5,251.40 to Talley Contracting, Inc. to hydroseed grass to the project (Exhibit 7-n).

DEPARTMENT REPORTS

City Clerk:

The City Clerk presented her update on the current budget (Exhibit 8-a).

Peer Review Committee:

Alderman Denyer stated the Peer Review Committee would be meeting on Friday, January 25th, with Mississippi Power Company regarding the LED lighting proposal.

Alderman Denyer said the Committee has no answers yet on the Gay Lemon Shelter Project as they are still waiting on more information.

ALDERMEN'S FORUM

Alderman Denyer noted he is authorizing up to \$1,253.00 for a fertilizer spreader for the Parks and Leisure Services Department.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to authorize up to \$200.00 from Ward 2 Capital Improvement Account; \$100.00 from Ward 4 Capital Improvement Account; \$100.00 from Ward 1 Capital Improvement Account and \$200.00 from the Mayor's Capital Improvement Account to advertise the City resources at the MLK Day at Macedonia Baptist Church.

Alderman McDonnell asked for an update on the progress of the house located at Calhoun and Jackson Avenue. The Code Enforcement Officer reported he was not satisfied with the progress made. He will be sending another letter to the property owner and have a report at the next board meeting concerning the clean-up; securing of the property and bringing it up to code.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to task the Police Chief to meet with the Commander of the new task force within the next two (2) weeks and request a member of the new task force to attend the next board meeting.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to allow the Boy Scouts to adopt the World War II monument at the corner of Freedom Field as a community service project for the next year.

Alderman Denyer encouraged everyone to support the 1699 Committee. As they start preparations for their annual event, they are asking for manpower to help organize it.

Alderman Denyer asked for a viable explanation as to why the new traffic lights at Hanley Road and Government Street and Ocean Springs Road and Government Street have not been activated. The Grants Administrator she will get an update from the Contractor. He also asked about the re-design of Pabst Road. The Mayor advised it was never in the conceptual design plan. The Mayor stated she will follow-up with this matter.

EXECUTIVE SESSION

Motion was made by Alderman Cox, seconded by Alderman Hagan 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 Cody, seconded by Alderman Hagan and unanimously carried to remain in executive session to discuss potential litigation in Circuit Court; potential litigation regarding zoning and personnel in the Police Department.

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

Motion was made by Alderman Hagan and seconded by Alderman Gill to allow the City Attorney to file a Notice of Appeal in the Circuit Court Action. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer, and Hagan voting aye and Alderman Dalgo voting nay.

Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to adjourn until 6:00 p.m. on February 5, 2013.

Meeting ended at 7:57 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
January 15, 2013 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PRESENTATION

- a) Opening of Request for Proposals for Solid Waste Collection

4. NEW BUSINESS

5. OLD BUSINESS

- a) Request Board approval for Temporary Dedication of Gulf Coast Research Lab Boat Launch for public use on weekends from February 1, 2013, through December 2013, and authorize Mayor to execute the agreement once it is approved by the Board of Trustees of the University of Southern Mississippi

- 6. 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.

7. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 7, 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:

City Clerk:

- a) Approve Minutes: Special Call Meeting December 17, 2012 (Exhibit 7-a)
- b) Approve Minutes: Recess Meeting December 18, 2012 (Exhibit 7-b)
- c) Approve Minutes: Regular Meeting January 2, 2013 (Exhibit 7-c)
- d) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-d)
- e) Accept Action Report (Exhibit 7-e)
- f) Authorize the Mayor to execute the Order Approving Application for Ritchey Land Company, LLC for Ad Valorem Tax Exemption on a Tract of Land in the Central Business District located at 1019 Government Street (Exhibit 7-f)
- g) Authorize the Mayor to enter into and execute the Contract between Cellular South, Inc. d/b/a C Spire Wireless and Public Works and Parks Department for mobile phone services (Exhibit 7-g)
- h) Authorize the Mayor to execute the Amendment to the Master Agreement (Ground License Agreement and Antennae Site License Agreement) between the City of Ocean Springs and New Cingular Wireless, PCS, LLC, pending results of interference study (Exhibit 7-h)

Police Dept.:

- i) Approve Special Event Permits for fundraiser for YMCA- 10K Run/Walk on Saturday, January 19, 2013 from 9:00 -10:30 a.m. and fundraiser for YMCA – 8K Run/Walk on Saturday, February 2, 2013 from 9:00 – 10:00 a.m. (Exhibit 7-i)
- j) Accept resignation of Officer Kenneth Neal Allen, II, effective January 31, 2013, and authorize to begin the process to fill the vacant position in patrol (Exhibit 7-j)

Fire Dept.:

- k) Accept Monthly Fire Department Report (Exhibit 7-k)
- l) Authorize removal of Firefighter Garrett Beasley from probationary status and placement on full time status, effective January 19, 2013 (Exhibit 7-l)

- m) Approve travel and training for Lt. David Illich to attend the Fire Officer class at the State Fire Academy from January 28-February 7, 2013 and Lt. Tim Heath to attend the Confined Space Rescue class at the State Fire Academy from February 11-14, 2013 (Exhibit 7-m)

Risk Manager/HR:

City Engineer:

Public Works Dept.:

- n) Authorize the Mayor to execute Change Order No. 1 for the Creekwood Drainage Improvement project in the amount of \$5,251.40 to Talley Contracting, Inc. to hydroseed grass to the project (Exhibit 7-n)
- o) Authorize employment of Robert Franklin, Equipment Operator in the Street Department, effective January 16, 2013, \$15.00 hourly and six-month probationary period (Exhibit 7-o)

Community Development & Planning:

Historic Preservation Commission:

- p) Accept Historic Preservation Commissions recommendation to issue a COA to remove and replace the existing concrete walk in front of home with a new brick steps at 515 Jackson Avenue (Exhibit 7-p)
- q) Accept Historic Preservation Commissions recommendation to issue a COA for repairs and renovations at 306 Washington Avenue (Exhibit 7-q)

Zoning and Adjustment Board:

- r) Accept the Zoning and Adjustment Board's recommendation for a variance request to be allowed to construct a new residence in a C-3 (Highway Commercial) district at 1823 Bienville Boulevard – Tammy Miller (Exhibit 7-r)

Building Department:

- s) Accept Tree Committee Report (Exhibit 7-s)

Parks & Leisure Services:

- t) Approve Individual Service Contract with Lisa Dickinson – Pottery Instructor (Exhibit 7-t)

City Attorney:

Facilities:

8. DEPARTMENT REPORTS

Mayor:

City Clerk:

- a) Update on current budget (Exhibit 8-a)

Police Dept.:

- b) Update on Narcotics Task Force

Fire Dept.:

Risk Manager/HR:

City Engineer:

Public Works Dept.:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

ADJOURN UNTIL 6:00 P.M. on February 5, 2013