

## **RECESS MEETING OF APRIL 16, 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 April 16, 2013. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Dalgo and Hagan were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Denyer was absent.

The Mayor called the meeting to order.

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

### **PROCLAMATIONS**

The Mayor read a proclamation declaring the week of May 19-25, 2013 as National Public Works Week.

### **PUBLIC COMMENTS**

None.

### **CONSENT AGENDA**

Motion was made by Alderman Hagan, seconded by Alderman Dalgo and unanimously carried to approve the Consent Agenda.

### **DEPARTMENT REPORTS**

#### **Peer Review Committee:**

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to approve the purchase of a 2013 Chevrolet Silverado truck for the water and sewer department to replace the vehicle totaled in an accident on April 9, 2013, to be purchased from Preston Hood Chevrolet in the amount of \$19,288.20 and authorize allocating the insurance deductible for document restoration in the amount of \$5,000.00 and begin the restoration process caused by the fire in the Civil Service trailer on April 8, 2013, Peer Review Committee concurs (Exhibit 7-a).

Motion was made by Alderman Gill, seconded by Alderman Dalgo and unanimously carried to authorize All South Engineering, Inc. to proceed with the design phase for the

north side of the Government Street Sidewalk Improvements Project, the Peer Review Committee concurs.

## **CONSENT AGENDA**

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to readdress the Consent Agenda to pull item (6-o).

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to authorize the Mayor to execute the Construction Engineering & Inspection (CE&I) contract with Burk-Kleinpeter, Inc. (BKI) related to the STP project for Government Street Improvements Project, pending MDOT concurrence. Alderman Cody abstained from the vote (Exhibit 6-o).

## **ALDERMEN'S FORUM**

Motion was made by Alderman Hagan, seconded by Alderman Gill and unanimously carried to adopt the Resolution of the City of Ocean Springs, Mississippi to temporarily allow consumption of beverages and sale of beer on public property for Mayfest, 2013 (Exhibit 8-a).

The Mayor stated she is scheduling a meeting on Monday with the downtown merchants, restaurant owners and lounge owners to ask them to consider contributing to the cost the City incurs with the special events such as Mayfest.

Motion was made by Alderman Dalgo, seconded by Alderman Cox to appoint Stephanie Lee to the Historic Preservation Commission.

Alderman Cody asked the Police Department to check a dog problem on Teringo Circle.

Alderman McDonnell asked for a status update on the kudzu lot on Magnolia Avenue. The City Engineer stated there is a problem with clearing the title to the property.

Alderman McDonnell asked for the original list of projects to be accomplished with the BP settlement funds to determine if any of these projects would qualify for the Restore Act funding. The Mayor will provide this list before the next board meeting.

Alderman McDonnell asked if the City has spent more than \$23,000.00 on the proposed hotel project located on Government Street. The Mayor reported the City spent \$23,000 that was paid by the developer on water and sewer upgrades. She also stated there was slip lining work done for the benefit of the entire block. There was Corps of Engineers funding along with CDBG Streetscape grant funding spent on these upgrades.

The Mayor stated she asked the Public Works Director for a breakdown of all expenses; which grants covered these expenses and if any expenses were paid from the general fund. The City Engineer reported the expenses incurred to pave the alley and drainage in the alley came from CDBG Streetscape grant. The Public Works Director stated there were some costs incurred by his department that was not reimbursed by the developer or grants. Alderman McDonnell asked that any additional expenses be identified to the Board related to the Fallo property.

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to authorize up to \$360.00 from Ward 4 Capital Improvement Account to advertise the City's resources at the Tastes of Ocean Springs event.

Alderman Cox asked the Board to consider not donating to all of the special interest groups.

The Mayor announced Ocean Springs was recognized as one of the three communities chosen for as the 2013 Great American Main Street Award.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cody, 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 Cody, seconded by Alderman Cox and unanimously carried to remain in executive session to discuss potential land acquisition and potential litigation in the Fire Department.

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to discuss potential litigation in Ward 5 in Executive Session.

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

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to adjourn until 6:00 p.m. on May 7, 2013.

Meeting ended at 7:13 p.m.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
April 16, 2013 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) National Public Works Week – May 19-25, 2013 (Exhibit 3-a)

**4. OLD BUSINESS**

**5. NEW BUSINESS**

- 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) Approve the Ocean Springs Garden Club placement of the Blue Star Marker and small garden at the OS Civic Center near the Vietnam Memorial to honor active and retired military (Exhibit 6-a)

**City Clerk:**

- b) Approve Minutes – April 2, 2013 Regular Meeting (Exhibit 6-b)  
c) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 6-c)  
d) Accept Action Report (Exhibit 6-d)  
e) Ratify payment of invoice to Betty Magee in the amount of \$1,680.00 (Exhibit 6-e)

**Police Department:**

- f) Approve Special Event Permits for the Weekend of Discovery Events on Saturday, April 27, 2013, from 8:00 a.m. – 6:00 p.m.: 5K Race of Discovery and One (1) Mile Kids Fun Run; Children's 1699 Pet Parade and 1699 Landing Reenactment Celebrating the City's 314<sup>th</sup> Birthday & Landing of d'Iberville (Exhibit 6-f)  
g) Approve Special Event Permit – Information Purposes for National Day of Prayer on Thursday, May 2, 2013 from 12:00 Noon – 1:00 p.m. at Ocean Springs City Hall (Exhibit 6-g)  
h) Approve Special Event Permit for Earth Day Celebration on Saturday, April 20, 2013, from 11:00 a.m. – 1:00 p.m. at Little Children's Park and authorize to close the street at Calhoun Street from Dewey Avenue to Washington Avenue (Exhibit 6-h)  
i) Approve Special Event Permit for Vietnam Vets Appreciation Motorcycle Ride "In remembrance of those who served in Vietnam" on Saturday, April 27, 2013, from 11:00 a.m. – 1:00 p.m. from Biloxi VA Cemetery via US 90 to Ocean Springs Vietnam Memorial (Exhibit 6-i)

**Fire Department:**

- j) Accept Monthly Fire Department Report (Exhibit 6-j)  
k) Authorize removal of Lieutenant David Illich from probationary status and placement on full-time status, effective immediately (Exhibit 6-k)

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

- l) Authorize the Mayor to execute Change Order No. 2 in the amount of \$694.75 to Talley Contracting, Inc. for the Creekwood Drainage Improvements Project (Exhibit 6-l)
- m) Authorize the property owner at 4010 Government Street (Ken Ritchey) to install an irrigation water well (Exhibit 6-m)
- n) Authorize to extend water/sewer/storm sewer rehab Contract with Graham Construction Co., Inc. for an additional one year period beginning May 18, 2013 (Exhibit 6-n)

**Community Development & Planning:**

- o) Authorize the Mayor to execute the Construction Engineering & Inspection (CE&I) Contract with Burk-Kleinpeter, Inc. (BK1) related to the STP Project for Government Street Improvements Project pending MDOT concurrence (Exhibit 6-o)
- p) Authorize the Mayor to execute the Construction Engineering & Inspection (CE&I) Contract with Burk-Kleinpeter, Inc. (BK1) related to the MDOT Safe Routes to School, pending legal and MDOT concurrence (Exhibit 6-p)

Planning Commission:

- q) Accept Planning Commissions' recommendation to approve a request for lot reconfiguration for KCP Properties, LLC at 102 Ashley Place (Exhibit 6-q)

Zoning & Adjustment Board:

- r) Accept Zoning & Adjustment Board's recommendation to approve 20% variance to the side yard setback to construct an addition to the existing home at 3 Schooner Drive (Exhibit 6-r)

**Building Department:**

- s) Accept Tree Committee Report (Exhibit 6-s)
- t) Accept Building Department Permit Report (Exhibit 6-t)

**Parks & Leisure Services:**

- u) Accept Individual Service Contract for Brian Wilson as Tennis Instructor (Exhibit 6-u)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

- v) Approve Minutes: Peer Review Committee April 11, 2013 (Exhibit 6-v)

**7. DEPARTMENT REPORTS**

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

**ADJOURN until 6:00 p.m. on May 7, 2013**