

## **RECESS MEETING OF MAY 8, 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 May 8, 2013. Mayor Moran presiding, Aldermen Cox, McDonnell, Cody, Denyer, Dalgo and Hagan were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Gill was absent at roll call but arrived later during the meeting.

The Mayor called the meeting to order.

Mr. James Foster gave the invocation and the Mayor led the Pledge of Allegiance.

### **PROCLAMATIONS**

The Mayor read a proclamation declaring the week of May 5-11, 2013 as City Clerk Week.

The Mayor read a proclamation declaring the week of May 5-11, 2013 as Goodwill Industries International Week.

### **OLD BUSINESS**

The Mayor stated the City met with representatives from the Chamber, restaurants, lounges and the Ocean Springs Economic Development Council (EDC) to discuss improving the services, safety, security and trash pickup during night time festivals in downtown Ocean Springs. The First Baptist Church would like to make their parking lot available during these events by extending the temporary dedication of land for public purposes. This would allow the City to monitor and clean the trash on the private property after the event. Another suggestion is improving the lighting. Mississippi Power Company is conducting a light study to determine if better security lighting could be placed in the parking vicinity. Additional trash receptacles could be placed on the adjacent streets. Ms. Kelsey Allen of the EDC suggested seeking sponsors to help with the overtime expenses incurred by the City during the festivals. The City will continue to track the expenses incurred for special events and discuss how to charge the event promoters and organizers for these expenses.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve the Temporary Dedication of Land for Public Purpose between the First Baptist Church and the City of Ocean Springs for use of their parking area during

the Mayfest activities on May 10, 2013 at 6:00 p.m. until May 11, 2013, expiring at 12:00 p.m. (Exhibit 4-a).

## **NEW BUSINESS**

Mr. Dan Dealy, consultant to Mayor Samuel L. Jones of Mobile, Alabama, addressed the Board concerning the effort to bring passenger rail service back to the coast from Florida to Louisiana. Mr. Dealy thanked the Mayor and Board for their consideration in hosting the Gulf Coast Passenger Rail Summit. There has been no rail service since Hurricane Katrina even though the tracks were repaired by January, 2006. He stated restoring a daily passenger rail service across the Gulf Coast would provide significant economic development opportunities to the businesses and residents along the Gulf Coast. He further stated Ocean Springs would be an ideal host for the next summit.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize the use of the Ocean Springs Community Center for the Gulf Coast Passenger Rail Summit to be held on June 27-28, 2013, and to utilize the Mayor's staff.

## **PUBLIC COMMENTS**

None.

## **CONSENT AGENDA**

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to approve the Consent Agenda with exception of items (a) which was pulled by the Mayor; item (c) and (u) which were pulled by Alderman Cox and item (t) which was pulled by Alderman Hagan.

The Mayor pulled item (a) to provide additional information concerning the MML reception. She explained the Mississippi Municipal League (MML) requested the City host a reception during their annual conference in Biloxi since last year's event was extremely popular and well attended. The Mayor will solicit sponsors for any expenses incurred by the City.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to authorize the City host a Mississippi Municipal League (MML) reception at the Ocean Springs Community Center on Tuesday, July 16, 2013, pending prior approval of any City funds expended for the event.

### **Alderman Gill arrives at the meeting.**

Alderman Cox pulled item (c) for clarification of two (2) items on the Docket of Claims. He asked if two (2) plaques were purchased for the Mary C. O'Keefe Cultural Center. The Grants Administrator explained only one (1) plaque was purchased but paid in two (2) installments and a correction of a misspelling of a name on the plaque.

Alderman Cox asked for clarification of landscaping at Keyes Municipal Park. The Mayor explained it was flowers, shrubbery and mulching throughout the park and paid with budgeted funds.

Motion was made by Alderman Cox, seconded by Alderman Hagan and unanimously carried to approve the Docket of Claims and spread the summary upon the Minutes (Exhibit 7-c).

Alderman Hagan pulled item (t) asked if the seven (7) items identified by the City Engineer had been addressed. The Planning/Grants Administrator stated all items had been addressed by Public Works. Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to accept the Planning Commission's recommendation to approve the preliminary plat of Seaside Phase II, East Beach Partners, LLC (Exhibit 7-t).

Alderman Cox pulled item (u) for discussion concerning the live oak tree at 2113 Government Street. Alderman Cox stated he met with Mr. Gryder along with Alderman Cody; does not think the tree should be cut down but would rather have the limbs trimmed that are hanging over the City right-of-way.

Motion was made by Alderman Cox, seconded by Alderman Hagan and unanimously carried to authorize Public Works Department to trim the live oak tree limbs hanging over the City right-of-way at 2113 Government Street and the property owner, has agreed to the solution and will be responsible for the cost of trimming the limbs hanging over his property.

Motion was made by Alderman Cox, seconded by Alderman Hagan and unanimously carried to accept the Tree Committee Report (Exhibit 7-u).

### **DEPARTMENT REPORTS**

#### **City Attorney:**

Motion was made by Alderman McDonnell and seconded by Alderman Cody to adopt **Ordinance No. 2013-03 AN ORDINANCE REGULATING AND RESTRICTING PARKING IN THE CITY OF OCEAN SPRINGS ON PORTIONS OF WASHINGTON**

**AVENUE BETWEEN LAFONTAINE AND BEACH DRIVE** (Exhibit 8-a). 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>Abstained</u>
Alderman Hagan	<u>Voting Aye</u>

### **ALDERMEN'S FORUM**

The Mayor gave an update on the kudzu lot on Magnolia Avenue. She stated the City received CIAP funding and the City has an option to purchase the property. The title to the property has been cleared and the City can now proceed with purchasing the property. Alderman McDonnell stated he wishes to continue the process of cleaning the property because there is debris believed to be coming from this lot on the adjacent lots that is becoming a nuisance and safety concern. He requested that the city trim the kudzu from the adjoining property line and begin the process of removing debris on the shoreline and lot cleaning in case there is a delay in the process of purchasing the lot and be able to get immediate relief. The Grants Administrator will check if there are any DEQ grants available and if the current CIAP funds will cover this activity. She will work with the Building Official to determine the best strategy for cleanup and report back to the Board.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to begin the lot cleaning process on the kudzu lot on Magnolia.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize up to \$1,000 from Ward 2 Capital Improvement Account to Cherokee Glenn Homeowner's Association for improvements to the medians.

The Mayor stated her intention to contact the State Auditor to determine if it is appropriate for Civil Service Commissioner, Pam Cox, to actively be involved in political campaigns.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to approve and authorize the Mayor to execute the License Agreement with the Land Trust (Exhibit 9-c).

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to authorize Gulf Regional Planning Commission to conduct a traffic study on the

east and west bound traffic on Government Street, approximately 100 yards North of the Promenade entrance to the elementary school and provide their recommendation to the Board.

Alderman Denyer asked Public Works to trim the 6-8 pampas grass bushes on the City right-of-way at the corner of Halstead and Ridgewood that are obstructing the vision of the motor vehicles and also to contact the homeowner to make them aware the City will be doing this work.

Alderman Denyer asked the Police Chief to make a recommendation concerning the speed limit between Broome's Grocery store to the Ocean Springs School District Administration building on Government Street. The speed limit is 25 mph. Alderman Cody stated a traffic study was done many years ago and 25 mph was the recommended speed limit.

Alderman Denyer asked how phone numbers are obtained to conduct automated telephone surveys. The City is not providing phone numbers.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to recess until 6:00 p.m. on Wednesday, May 22, 2013.

The meeting ended at 7:32 p.m.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
May 8, 2013 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) City Clerk Week – May 5-11, 2013 (Exhibit 3-a)
- b) Goodwill Industries International Week – May 5-11, 2013 (Exhibit 3-b)

**4. OLD BUSINESS**

**5. NEW BUSINESS**

- a) Proposal by Dan Dealy, Consultant to Mayor Jones of Mobile, AL for Ocean Springs to be a site for the Gulf Coast Passenger Rail Summit in late June, 2013, no City funds requested (Exhibit 5-a)

**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:**

- a) Authorize to host a Mississippi Municipal League (MML) reception at the Ocean Springs Community Center on Tuesday, July 16, 2013 (Exhibit 7-a)

**City Clerk:**

- b) Approve Minutes: Recess Meeting April 17, 2013 (Exhibit 7-b)
- c) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-c)
- d) Accept Action Report (Exhibit 7-d)
- e) Ratify check in the amount of \$784.00 to Jackson County Chancery Clerk for recording fees for cemetery deeds (Exhibit 7-e)
- f) Ratify check in the amount of \$25.00 to Jackson County Chancery Clerk for recording fees for cemetery deeds (Exhibit 7-f)
- g) Authorize to declare 2007 Ford Ranger as surplus; of no asset to the City and remove from City inventory (Exhibit 7-g)

**Police Dept.:**

- h) Approve Special Event Permit for MML Sponsored Fun Run/Walk Fundraiser on Wednesday, July 17, 2013 from 6:00 a.m. – 8:00 a.m. at Ocean Springs/Biloxi Bridge (Exhibit 7-h)
- i) Approve Special Event Permit – Informational Purposes Only for 5K Run/Walk as fundraiser for cross-country tournament in Australia on Saturday, June 1, 2013 from 9:00 a.m. – 12:00 Noon at Ocean Springs/Biloxi Bridge (Exhibit 7-i)
- j) Approve Special Event Permit – Informational Purposes Only for a Demonstration of Stand-Up Paddle Boarding at Fort Maurepas Park on Saturday, May 11, 2013 from 11:00 a.m. – 6:00 p.m. (Exhibit 7-j)
- k) Approve Special Event Permit for Fish Fry Benefit for Courtney Hubbard at Marshall Park on Saturday, May 11, 2013 from 10:00 a.m. to 10:00 p.m., eight (8) trash receptacles will be provided by the City but no clean up during or after the event; no street closure or security provided by the City staff (Exhibit 7-k)
- l) Approve promotion of Patrolman Patrick Brandle to Sergeant, effective May 8, 2013, \$19.11 hourly, and six-month probationary period (Exhibit 7-l)

- m) Approve promotion of Sgt. Glen Fox to Lieutenant, effective May 8, 2013, \$19.81 hourly, and six-month probationary period (Exhibit 7-m)
- n) Authorize employment of Arthur "Glenn" Fussell as Correction Officer; attend the necessary Correction Officer School for State Certification; \$12.50 hourly; effective May 8, 2013, one-year probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-n)
- o) Adopt Resolution to authorize the Police Department to place a Ten Dollar (\$10.00) surcharge to all Title 63 traffic violations (Exhibit 7-o)

**Fire Dept.:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- p) Accept termination of Larry Patterson, Street Department laborer, effective May 20, 2013 and authorize to begin the process to fill the vacancy (Exhibit 7-p)
- q) Accept resignation of Aaron Cox, Water Department employee, effective May 3, 2013, and authorize employment of Martin Valore, Water Department Laborer, effective May 8, 2013, \$12.25 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-q)

**Community Development & Planning:**

- r) Authorize the Mayor to execute Change Order No. 10 and Summary Change Order No. 11 along with the appropriate closeout documents per the Engineer's recommendation for the Downtown Streetscape Project, Phase II, CDBG Round 1; Delta Construction, Inc.; the two change orders provide a net deduction to the total contract amount of \$91,308.09 (Exhibit 7-r)
- s) Authorize the Mayor to execute Supplementary Agreement #3 with Simmons Erosion Control, Inc. for Government Street Overlay and Traffic Signal Project, funded by MDOT STP funds and pending legal and MDOT concurrence (Exhibit 7-s)

**Planning Commission:**

- t) Accept Planning Commission recommendation to approve preliminary plat of Seaside Phase II, East Beach Partners, LLC (Exhibit 7-t)

**Building Department:**

- u) Accept Tree Committee Report (Exhibit 7-u)
- v) Accept Code Enforcement Report (Exhibit 7-v)
- w) Approve Building Permit for construction of an access pier with boathouse at 523 East Beach Drive (Exhibit 7-w)
- x) Approve Building Permit for repair of a bulkhead at 10 Sauvolle Court (Exhibit 7-x)

**Parks & Leisure Services:**

- y) Approve Individual Service Contract for Rita Leasure, Tennis Instructor at Halstead Tennis Courts (Exhibit 7-y)
- z) Approve Facility Use Agreement for the MS Gulf Coast YMCA for access to Freedom Field for Spring and Fall Soccer Season (Exhibit 7-z)
- aa) Accept resignation of Jason Calcote, Parks Maintenance, effective May 14, 2013, and authorize to begin the process to fill the vacancy (Exhibit 7-aa)
- bb) Approve Parks Advisory Minutes: Meeting March 13, 2013 (Exhibit 7-bb)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police Dept.:**

**Fire Dept.:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Dept.:**

**Parks & Leisure Services:**

**City Attorney:**

- a) Adopt Ordinance Regulating and Restricting Parking in the City of Ocean Springs on Portions of Washington Avenue between Lafontaine and Beach Drive (Exhibit 8-a)

**Facilities:**

**Peer Review Committee:**

**9. ALDERMEN'S FORUM**

- a) Update on kudzu lot on Magnolia Avenue – Alderman McDonnell
- b) Authorize up to \$1,000 from Ward 2 Capital Improvement Account for Cherokee Glenn Homeowner's Association for improvements to medians - Alderman McDonnell

**10. EXECUTIVE SESSION**

**RECESS until 6:00 p.m. on May 8, 2013**