

## **REGULAR MEETING OF OCTOBER 7, 2014**

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 October 7, 2014. The *Mayor Pro Tem* Gill presiding, Aldermen Cox, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. The Mayor was absent.

The *Mayor Pro Tem* called the meeting to order.

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

### **PROCLAMATION**

The *Mayor Pro Tem* read a proclamation declaring October 8, 2014 as Walk to School Day in the City of Ocean Springs (Exhibit 3-a).

### **PUBLIC HEARINGS**

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to open the Public Hearing on 1213 Lancelot Lane (Exhibit 4-a).

The Building Official reported this residence at 1213 Lancelot Lane has been ongoing issue for numerous years and also presented pictures to for the record. Prior to this public hearing, notices were posted on the property on September 18, 2014; 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 now deceased and his estate is currently being probated. The Building Official said currently the grass has been mowed in the front yard and the bushes have been trimmed to allow visibility in front of the house. The back yard still needs to be mowed. He said there are tarps on the roof but have not had access to the interior of the residence. He further reported the structure is in disrepair and lacks maintenance; said building lacks of illumination, ventilation, and sanitary facilities adequate to protect the health or safety of occupants or the public and numerous building, electrical and plumbing code violations as well as being a fire hazard.

Ms. Karen Champiomont, Executrix of her father's Estate, and Ms. Champiomont's fiancé, Mr. Mike Brown, were present at the public hearing. Mr. Brown stated they were in the process of probating the Will and the probate process is in the final stages, approximately 2 months until it's complete. Mr. Brown presented their letter stating

their intentions; a copy of the letter of testimony, and a copy of the Affidavit of the Executrix. Mr. Brown said he has bids to repair the front of the residence. He stated the tarp is only covering the chimney and the roof does not leak. Mr. Brown stated that once the Estate is closed and the funds are disbursed, Ms. Champiomont intends to make all of the repairs and use the house as rental property.

Alderman Gill expressed his concerns stating the City has used thousands of manhours cutting the yard over the past several years to make it presentable to the neighborhood. He has also received hundreds of phone calls concerning this property over the years.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to close the Public Hearing for 1213 Lancelot Lane.

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried finding the property/building in such a condition as to pose a menace to the public health, safety and welfare of the community. Further, that should the owner fail to comply with all of the written conditions by the Building Official within 30 days of the public hearing; the Building Official is authorized to proceed with the lot cleaning and removal of dilapidated buildings.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to open the Public Hearing for a lot cleaning at 124 Beverly Drive.

The Building Official gave an update on the condition of the residence at 124 Beverly Drive. He reported on the history of this property and presented pictures showing the condition of the property for the record. On September 18, 2014, notice was 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. There has been no correspondence or contact from the property owner and he was not present at the hearing. The exterior property has overgrowth from weeds and plant growth in excess of eleven (11) inches.

The property owner was not present at the public hearing.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to close the Public Hearing for 124 Beverly Drive.

Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to accept the Building Official's recommendation to proceed with the lot cleaning at 124 Beverly Drive because it is such a state of uncleanness, disrepair or neglect as to be menace to the public health, safety and welfare of the community and obtain quotes for lot cleaning.

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to open the Public Hearing for a lot cleaning at 4013 Yosemite Drive.

The Building Official reported this residence at 4013 Yosemite Drive has been ongoing issue for numerous years and also presented pictures showing the condition of the property for the record. Prior to this public hearing, notices were posted on the property on September 18, 2014; 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 Building Official said currently the grass is overgrown in excess of eleven (11) inches and the vacant structure is in disrepair and lacks maintenance; said building lacks of illumination, ventilation, and sanitary facilities adequate to protect the health or safety of occupants or the public and numerous building, electrical and plumbing code violations as well as being a fire hazard.

The Building Official reported the County Tax Rolls list Bridgett Broussard as the current property owner. Ms. Bridgett Broussard has conveyed to the Building Official she is not owner of the residence; the property belongs to the bank. Ms. Broussard was not present at the Public Hearing.

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to close the Public Hearing for 4013 Yosemite Drive.

Motion was made by Alderman Impey, seconded by Alderman Cody and unanimously carried to accept the Building Official's recommendation to proceed with the lot cleaning at 4013 Yosemite Drive because it is such a state of uncleanness, disrepair or neglect as to be menace to the public health, safety and welfare of the community and obtain quotes for lot cleaning. Further, a title search will be done to determine the current property owner of this residence before any work begins.

## **NEW BUSINESS**

Mr. Mike Streiff, representing the Rotary Club, asked the Board to consider approving the Run/Walk Permit Application for the 6<sup>th</sup> Annual 5K Rotary Run using the same run course as used in the past events. He also presented a map of the course and their run application. They will have 50-60 volunteers and they will be located at every corner with lights and reflective vests. Mr. Streiff stated the runners will have glow sticks and 1 in every 6 will have a reflective vest. Capt. Hoppner expressed his concerns about the safety of the route and the amount of manpower they will be able to provide. Capt. Hoppner recommended using the new route the OSHS Cheerleaders will be using on for another 5K run on October 25<sup>th</sup>. Alderman Cody stressed to Mr. Streiff that all runners need to wear reflective clothing.

Motion was made by Alderman Cox, seconded by Alderman McDonnell and unanimously carried to approve the Special Event Permit Application for the 6<sup>th</sup> Annual Rotary Run on Saturday, October 18, 2014, using the rotary route as presented (Exhibit 5-a).

Mr. Nick Thomas, representing the OSHS Cheerleaders, asked the Board to consider approving the Run/Walk Permit Application for the 5K Run sponsored by the OSHS Cheerleaders as a fundraising event. Mr. Thomas advised they will be using a different 5K run route. He stated the runners will have on reflective gear as well as glow sticks. They also will have volunteers along the route. Capt. Hoppner stated they support the new route presented to the Board.

Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to approve the 5K Run sponsored by the OSHS Cheerleaders as a fundraiser on October 25, 2014 using the new route presented (Exhibit 5-b).

## **OLD BUSINESS**

Alderman Cox asked that Alderman Cody be included in all meetings concerning special events and runs as the Special Events coordinator.

Alderman McDonnell asked for an approved day and night route for the 5K runs/walks.

Alderman Denyer asked Capt. Hoppner to meet with the Icy Pints group that runs on Tuesday and Thursday nights to help accommodate them with their run without causing traffic concerns.

## **PUBLIC COMMENTS**

Mr. James Compton with Compton Engineering introduced Mr. Andy Douglas. He is a professional engineer working in their office. He may be working on some of the projects in Ocean Springs.

Ms. Kay Shaefer, 2508 Ridgewood Road, stated she leases the property at 1601 Government Street. She said allowing the runs/walks are a dangerous precedence. Her main concerns were when streets are closed, it interferes with business and also allowing organizations like the Rotary to distribute food at their event while she, as a local business person, is trying to sell food right across the street. Ms. Shaefer reported an organization called Fear Fete is also planning a Zombie Pub Crawl on October 18 in downtown Ocean Springs. She will be hosting the after party for the pub crawl.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to allow Alderman Cody, Alderman Gill, Deputy City Clerk, Capt. Hoppner, Fire

Department and Public Works Department to meet with the event organizer of the Fear Fete Zombie Public Crawl that is scheduled for Saturday, October 18<sup>th</sup>, beginning at 8:00 p.m. in downtown Ocean Springs and to make a recommendation to the Board at a Special Call Meeting.

## **CONSENT AGENDA**

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with the exception of items (a) which was pulled by Alderman Cody; items (d), (h), (j), (m), (t) and (v) which was pulled by Alderman Cox.

Alderman Cody pulled item (a) and said he has enjoyed working with Ms. Floyd for the past 6 months. She has done a great job helping with the Cruisin event as well as all the other events she has worked on since she became an employee of the City. Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to authorize the removal of Ravin Floyd, Executive Assistant/Public Relations Officer from probationary status and placement on full time status, effective immediately (Exhibit 8-a).

Alderman Cody pulled item (h) for a clarification. The City Clerk advised Aclara is the company that handles the electronic meter reading and they have upgraded their meters and software. The components on water towers that read the meters are being replaced. This upgrade is mandatory.

Alderman Cox asked to pull (j) for discussion in Executive Session. The City Attorney stated discussion of a contractual service does not qualify as an Executive Session item. The City Clerk explained the amendment is at no additional cost to the City. A new law was passed, House Bill 579 that raised the "Other Misdemeanors" assessments collected by the State by an additional \$14.00. The cities are now able to receive \$7.50 from that assessment toward court collection efforts if a private attorney or collection agency oversees, performs and/or maintains collection efforts.

Alderman Cox pulled item (m) and asked who Nancy Bucklar be replacing. Capt. Jackson advised she will fill a position left vacant when Sgt. McCool resigned. A patrol officer was promoted to Sergeant leaving a vacant patrol position.

Alderman Cox pulled item (t) for clarification. Alderman Cox asked if other concession vendors were given an opportunity to submit proposals. Alderman Cox asked to table this item until the next Board meeting.

Alderman Cox pulled item (v) and asked to table it until the next Board meeting. Alderman Cox stated he was contacted by two (2) individuals who submitted

applications but have not heard anything. The City Clerk explained that Civil Service will provide the department head with the top three (3) candidates to be interviewed. If the department head is satisfied with one of the three candidates, they will not interview anyone else. She stated she does not know if this is what happened in this instance but this is the Civil Service procedure.

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to table items (t) and (v) on the Consent Agenda until the next Board meeting.

Alderman Impey pulled item (d) for clarification. He questioned the purchase of certain concession equipment. He said it is his understanding that in the past, the concession vendors supplied their own equipment. The docket of claims shows the City purchasing concession equipment. The City Clerk advised the equipment was being purchased to bring in more revenue.

Motion was made by Alderman Denyer, seconded by Alderman Impey and unanimously carried to remove transaction no. 109722 from the docket of claims.

Alderman Cox expressed his concern with the total amount of the docket of claims being approved. Alderman Cox warned the departments that the budgets are tight and they should watch their spending.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to approve the Docket of Claims excluding transaction no. 109722.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with the exception of items (t) and (v) which were tabled until the next Board meeting.

## **DEPARTMENT REPORTS**

### **Mayor:**

The City received a letter of recognition from the Jackson-George Regional Library System recognizing City employees for their help in installing a new fire alarm system at the Ocean Springs Library system (Exhibit 9-a).

### **City Attorney:**

The City Attorney explained the City gave a remnant parcel of property to Doug Roll at 105 Holcomb. There is a two (2) foot discrepancy in the legal description done by the surveyor and Mr. Roll is asking to correct the square footage in the legal description in the Land Roll records at the County. Motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to authorize the Mayor to execute a corrected Quitclaim Deed.

Motion was made by Alderman Dalgo, seconded by Alderman Cody to adopt **Ordinance No. 2014-09 AN ORDINANCE TO CLOSE AND VACATE A PART OF HARBOR ROAD** (Exhibit 9-B). The motion carried with a roll call vote as follows:

Alderman Cox	<u>Voting Aye</u>
Alderman Gill	<u>Acting Mayor Pro Tem and Not Voting</u>
Alderman McDonnell	<u>Voting Aye</u>
Alderman Cody	<u>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Impey	<u>Voting Aye</u>

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to accept the Draft Easement and acknowledge the associated value as presented in the amount of \$32,087.00 as a charitable contribution (Exhibit 9-c).

#### **Building Department:**

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to remove a pecan tree at Fort Maurepas Park.

#### **ALDERMEN'S FORUM**

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to appoint Alderman Chic Cody as acting *Mayor Pro Tem* for Saturday, October 11, 2014.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the City Clerk to send a letter of request to the Jackson County Board of Supervisors asking for their assistance with the armory building repairs.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to authorize payment of \$5,500.00 from the Cruisin' account to pay the Chamber of Commerce for the balance due on the entertainment as well as Chick's Picks.

Alderman Cody thanked everyone who has helped with the Cruisin' the Coast and looks forward to a great event this weekend. If anyone has a parking issue, please contact him.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to allow the Cruisin' Event Coordinator Chic Cody, and Public Information Officer, to clearly identify the ingress and egress areas for the residents that live North of Government Street and to issue a Press Release and a map clearly identifying how to access these areas. Also, to provide a letter of explanation to each of the residences in that area as well as parking decals. He requested that this event be handled separately from the Peter Anderson Festival.

Alderman McDonnell asked the Board to consider adjusting the water bill at 612 Cleveland Avenue based on the history of his account for the past twelve (12) months; it appears water could have been stolen from his outside spicket. The account shows two (2) days in July when his water usage spiked and then returned to normal usage. It does not appear he has any leaks. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to waive the sewer charges and late fees for the excess water and allow Mr. Cruthirds to pay for the additional water usage only at 612 Cleveland Avenue as it unreasonably increased due to unforeseen circumstances and he received no benefit of the water.

Alderman McDonnell said a lot of effort has gone into the building of the Fallo parking lot. He said this project was able to be completed with the cooperation of the Jackson County Board of Supervisors, Public Works Department, and the City Engineer. He announced the parking lot will be completely paved tomorrow and can be used on Friday and Saturday as backup parking during the Cruisin event. In the coming months, the City is hoping to complete the project that will include lighting, electrical receptacles, striping and signage. He also stated this project was completed with far less money than if the project was bid out to a Contractor because of the joint effort between the Jackson County Board of Supervisors, Public Works Department, Grants Administrator, Carolyn Martin and the City Engineers, Compton Engineering.

## **EXECUTIVE SESSION**

Motion was made by Alderman Impey, seconded by Alderman Cody 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 Impey and unanimously carried to remain in executive session to discuss personnel in the Fire Department; personnel in the Parks Department and personnel at City Hall.

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



Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to accept the recommendation of the Fire Chief to suspend Employee #1170 for 12 hours and attend sensitivity training.

Motion was made by Alderman Impey, seconded by Alderman Cody and unanimously carried to recess until 6:00 p.m. on October 21, 2014.

Meeting ended at 9:11 p.m.

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City Clerk

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Mayor

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Date

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Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
REGULAR MEETING  
October 7, 2014 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) Walk to School Day – October 8, 2014 (Exhibit 3-a)

**4. PUBLIC HEARINGS**

- a) Lot Cleaning Hearing - 1213 Lancelot Lane (Exhibit 4-a)
- b) Lot Cleaning Hearing - 124 Beverly Drive (Exhibit 4-b)
- c) Lot Cleaning Hearing - 4013 Yosemite Drive (Exhibit 4-c)

**5. NEW BUSINESS**

- a) Discussion on Run/Walk Permit Application for the Rotary Club of Ocean Springs 5K Run on Saturday, October 18, 2014 from 5:00 p.m. – 11:00 p.m. in downtown Ocean Springs with road closures as recommended by the Police Department (Exhibit 5-a)
- b) Discussion on Run/Walk Permit Application for the 5K Run sponsored by the OSHS Cheerleaders on Saturday, October 25, 2014 from 5:30 p.m. – 7:30 p.m. in downtown Ocean Springs with road closures as recommended by the Police Department (Exhibit 5-b)

**6. OLD BUSINESS**

- 7. 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.

**8. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 8, 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 removal of Ravin Floyd, Executive Assistant/Public Relations Officer from probationary status and placement on full time status, effective immediately (Exhibit 8-a)

**City Clerk:**

- b) Approve Minutes: Recess Meeting September 15, 2014 (Exhibit 8-b)
- c) Approve Minutes: Special Call Meeting September 29, 2014 (Exhibit 8-c)
- d) Approve payment: Docket of Claims and spread docket summary upon the Minutes (Exhibit 8-d)
- e) Accept Action Report (Exhibit 8-e)
- f) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 8-f)
- g) Approve budget amendment for an increase of \$13,500 to replace the plotter and scanner in the Planning Department and the annual payment to Gulf Regional Planning Commission (Exhibit 8-g)

- h) Approve amendment to the current year water and sewer budget in the amount of \$39,345.32 for a mandatory upgrade to our electronic meter system with Aclara (Exhibit 8-h)
- i) Accept revised 2014-2015 Ad Valorem request for the Ocean Springs School District (Exhibit 8-i)
- j) Authorize to amend the current contract with Dogan & Wilkinson, PLLC to review and verify past due court collections of the OS Municipal Court in accordance with House Bill 579, effective immediately (Exhibit 8-j)
- k) Approve Run/Walk Permit Application for a Fun Run/Walk sponsored by Angie's Dance Center on Saturday, November 15, 2014 from 3:00 p.m. – 5:00 p.m., use of Biloxi/Ocean Springs Bridge only (Exhibit 8-k)
- l) Approve Special Event Permit Application for Cruisin' the Coast 2014, on October 9-11, 2014 at various times and approve road closures for this event (Exhibit 8-l)

**Police Department:**

- m) Authorize employment of Nancy Bucklar, Patrol Officer, effective October 8, 2014, \$12.50 hourly, one-year probationary period, upon completion of Mississippi Law Enforcement Academy rate of pay increase to \$13.94 hourly, pending successful completion of all pre-employment requirements (Exhibit 8-m)
- n) Authorize employment of Tyler L. Reid, Correction Officer, effective October 8, 2014, \$12.50 hourly, attend the necessary Corrections/Detention Officer school to be state certified, one-year probationary period, and pending successful completion of all pre-employment requirements (Exhibit 8-n)

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- o) Accept resignation of Matthew Bennett, sewer department employee, effective October 17, 2014, and authorize to begin the process to fill the vacant position (Exhibit 8-o)
- p) Approve transfer of Roy Larry Gossett from Public Works to Building Department, effective October 8, 2014 (Exhibit 8-p)

**Community Development & Planning:**

- q) Authorize the Mayor to execute Contract Amendment #6 with Compton Engineering for services related to the CDBG-funded Streetscape Project (Exhibit 8-q)

**Building Department:**

- r) Accept Tree Committee Report (Exhibit 8-r)

**Parks & Leisure Services:**

- s) Approve the Individual Service Contract with Bill Oster, Karate Instructor and authorize the Mayor to execute same (Exhibit 8-s)
- t) Approve and authorize the Mayor to execute the Concessions Contract with Tori Morris for the Ocean Springs Sports Complex (Exhibit 8-t)
- u) Authorize use of the Ocean Springs Sports Complex to advertise the resources of the City at the benefit softball tournament for Jennie Heines (Exhibit 8-u)  
 Authorize employment of Teddy Rate, full-time Athletic Coordinator, effective October 8, 2014, \$17.50 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 8-v)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

## **9. DEPARTMENT REPORTS**

**Mayor:**

Information Item:

- a) Letter of Appreciation from Jackson-George Regional Library System recognizing City employees (Exhibit 9-a)

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) Adopt Ordinance to Close and Vacate a Part of Harbor Road (Exhibit 9-b)
- c) Accept Draft Easement for Public Right-of-Way and Acknowledgement of Value of Additional Property for New Road Easement as a Gift to the City (Exhibit 9-c)

**Building Department:**

- d) Approve removal of pecan tree at Fort Maurepas Park

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

## **10. ALDERMEN'S FORUM**

## **11. EXECUTIVE SESSION**

- a) Personnel in Fire Department

**RECESS UNTIL 6:00 P.M. on October 21, 2014**