

## **REGULAR MEETING OF FEBRUARY 2, 2016**

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 February 2, 2016. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson.

The Mayor called the meeting to order.

Mr. Arthur Carlisle gave the invocation and the Mayor led the Pledge of Allegiance.

### **ADDENDUM**

Motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to add the Addendum to the Agenda and combine items 4-c and 5-b to be discussed under Old Business.

### **PROCLAMATIONS**

The Mayor read a proclamation declaring the month of February, 2016 as **American Heart Month** (Exhibit 3-a).

The Mayor read a proclamation declaring the February 5, 2016 as **National Wear Red Day** (Exhibit 3-b).

### **NEW BUSINESS**

Ms. Joey Conwill spoke on the Youth Health Coalition, an organization sponsored by the Bacot McCarty Foundation, to address childhood obesity. Ms. Kelsey Defayette, Director of Childhood Obesity Initiative, explained the program called Let's Go Gulf Coast. Their slogan is Make 5210 Your Goal Every Day which means eat 5 fruits and vegetables every day; 2 hours of less of recreational screen time; 1 hour or more of physical activity every day and 0 sugar-sweetened drinks. They will be partnering with early childcare centers, elementary, middle and high schools, doctors' offices and healthy workplaces. Ms. Joey Conwill also explained the pilot program to promote and encourage citizens of Ocean Springs to seek a healthy lifestyle. The program will be an 8-week community wide weight loss challenge with a weigh-in beginning the first week of March. The initial weigh-in will be done at the YMCA with individual weight loss goals set with the assistance of qualified trainers. Everyone will receive a daily activity calendar to include demonstrations and nutrition programs. The final weigh-in will be

held on April 30<sup>th</sup> at Fort Maurepas Park in conjunction with the 1699 event and Healthy Kids are Fit for Life 1-mile marathon program.

Ms. Cady Cooper, President of the Mayor's Youth Council, gave an update on projects the Council has been working on recently. The Council created a high-school wide Youth Survey containing questions based on issues and problems concerning today's youth. The survey addressed issues concerning underage drinking, drug abuse, college preparedness and pollution. She reported 536 surveys were returned. The Youth Council then devised an Action Plan on how to solve these issues within the community and youth. They also met with the school administrators who were excited about implementing some of their ideas. They will meet with the Police Department and Sun Herald Editorial Board to start conversation within the coastal youth about what they are doing in Ocean Springs and maybe start a coastal revolution of teens making a difference in the community. Ms. Cooper stated their hope is the initiative will be more effective since it was started by the youth. They will also host a first ever "State of the Youth Address" on February 17<sup>th</sup> at 5:30 p.m. and will present the Action Plan at this time. The Youth Council also partnered with the OS Police Department in "The Gift of Giving" Toy Drive and raised over \$2,000 in donations and over 500 toys distributed to low income families. Their next upcoming event is the Senior Prom at the Villa Maria to be held on Thursday, February 4<sup>th</sup> (Exhibit 4-b).

Alderman Denyer stated he was asked by residents living on Whispering Pines Drive to consider reducing the speed limit because their street is being used as a cut-thru by parents getting in line to drop off and pick up children at Pecan Park.

Mrs. Higginbotham stated her concern with more and more vehicles speeding down Whispering Pine Drive and requested the speed limit be reduced drastically as well as signage to protect the children who play in the area. She said parents are using this street as a thru-way or by-pass to get to the line quicker when dropping off and picking up children at Pecan Park. She has a petition signed by 90% of the residents on Whispering Pine Drive requesting this reduction in the speed limit. She said making the traffic one-way during certain time is a great idea but is concerned this may cause Pecan Park traffic to overflow to other streets.

Alderman Cox will plan to meet with Dr. Potter to get ideas and suggestions to alleviate this problem. Alderman Denyer said this is not traffic stacking problem; it is a traffic speeding problem.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to begin the procedure to reduce the speed limit to 15 mph on Whispering Pines Drive; increase signage indicating "children at play" to help slow down and after a traffic study is completed, determine if other calming devices can be implemented, such as making it one-way traffic at certain times of the day.

## **ADDENDUM**

### **Building Department:**

The Mayor presented the arborist report from Mr. Ben Kahlmus with Fulghams, Inc. Tree Preservation Specialist & Consultants, concerning the cedar tree located on Jackson Avenue. She also clarified the cedar tree is located entirely within the public right-of-way. In the report, Mr. Kahlmus determined the cedar tree is not a hazard but has sustained damage over the years and recommends termite bait stations and treating the root system by aerating and deep root stimulation. The Mayor said she and the Building Official met with the property owners who are planning to build on the lot by the cedar tree. The property owners are willing to work with the City to look at an alternative for the driveway situation and access at the south end of the parcel and asked the City to accept the recommendations made by the arborist.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the recommendations of the arborist, Mr. Ben Kahlmus with Fulghams, Inc. and begin maintenance of the cedar tree as suggested by the arborist (Exhibit A-1a).

Mrs. Mollie Pontius, a member of the Tree Committee, stated for the record the tree committee made no formal decision because a site plan was not provided.

### **Community Development & Planning:**

The Planning/Grants Administrator reported that the proposed location for the floating pier / kayak launch is the water side of the fishing pier, corner of southern most finger pier and the fishing pier. Award of the contract for the CIAP Harbor project resulted in unobligated funds from the grant and a kayak launch was already approved as an eligible project under that scope. After meeting with the Harbormaster, the Supervisors, and other County and City staff over the course of the project meetings, there seems to be a consensus on this location. It serves a dual purpose since it is a floating pier, it can be used to load and unload for motorized boats waiting to launch, as well as the kayak launch. She stated she was asking for input for official consensus on the concept to move forward with final design, DMR permitting, and advertising. Alderman Cox had concern about motor boats in the same area as the kayakers. She explained the Harbor Master and others involved preferred this location as to the beach side and only one of the locations were possible within budget. The design will include signage on the pier and in the waterway to alert fisherman and boaters to the presence of kayakers, as well as an alert for the kayakers. The kayak launch is between the floating dock and fishing pier. It was also stated it will be ADA accessible. Alderman Denyer's concern was for the wind surfers in this area. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to

accept the concept for the floating pier/kayak launch pending concurrence by the Jackson County Board of Supervisors.

## **OLD BUSINESS**

Mr. Ken Altman presented a power point concerning the large leaning oak tree on Lover's Lane. In his presentation, Mr. Altman disputed the claims made by the City that the tree is leaning; it is unhealthy and dangerous and it is a public safety issue as indicated by the report submitted by Gary R. Ickes, a Board Certified Master Arborist. He also questioned whether the delay in the response time is 1 minute, 2 minutes or 5 minutes as previously reported by the Fire Chief. He determined the delay to be 42 seconds according to a video of the fire truck leaving Lover's Lane. He suggested using Lover's Lane as a place to train the driver's at the Fire Department to improve the response time. Mr. Altman pointed out the differences in Mr. Ickes report and the two (2) other reports submitted by Mr. Jim Heinzl and Mr. Ken Kahlmus. He further stated this tree was not a problem ten (10) years ago and asked if anything has changed since then.

Mr. Hilliard Fountain, the City Building Official gave a brief synopsis for the discussion concerning the leaning oak tree on Lover's Lane. He also stated it is still his opinion that the tree is a public safety concern and recommends that it be removed. Fire Chief Ponson explained the video of the fire truck leaving the lane and also it was taken under ideal conditions, sunny and clear day, with no emergency call.

Motion was made by Alderman McDonnell and seconded by Alderman Impey to accept the recommendation of the Building Official and Fire Chief to remove the leaning oak tree on Lover's Lane because it is a public safety issue. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer and Impey voting aye and Alderman Dalgo voting nay.

### **City Clerk:**

In the budget update, the City Clerk reported the 8% increase of the sewer rates has been sufficient to offset the JCUA rate increase but does anticipate another increase in the next fiscal year. She plans to review this matter quarterly and report to the Board on a quarterly basis. She also stated that due to the loss of receiving any forfeited seizure money, the City will have to borrow \$250,000 in the next fiscal year to be able to purchase ten (10) new police vehicles to be paid by raising the debt service millage by ½ mil. She reported that with the budget amendments made throughout the year, she has estimated a \$250,000.00 ending balance for the next fiscal year which does not reflect any employee raises or capital improvements. The ending cash balance for this fiscal year is still estimated to be \$400,000.00 but she is concerned that the ending cash balance will be less next year.

.

Alderman McDonnell asked the City Clerk to look at any ways to divert the 2% funding to possibly offset the amount the City needs to borrow.

## **PUBLIC COMMENTS**

Ms. Roxanne Sammies, 3217 Cumberland Road, made the Mayor and Board aware that the boathouse to be utilized for the Jackson County Search and Rescue Flotilla is actually on her property and requested that the Board not move forward without including her on any arrangements made. She is not opposed to allowing the flotilla the use but would like to have input concerning this matter.

Ms. Jessica Zenor, asked to consider donating the oak tree on Lover's Lane to Mystic Seaport once the tree has been removed.

## **CONSENT AGENDA AND ADDENDUM**

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to approve the Consent Agenda and Addendum with the exception of items (A-2b) which were pulled by Alderman Impey.

Alderman Impey pulled item (8-x) to recognize Megghan Purvis for her service to the City. Motion was made by Alderman Impey, seconded by Alderman Denyer and unanimously carried to accept the resignation of Megghan Purvis and begin the process to fill the vacant position (Exhibit 8-x).

Alderman Impey pulled item (A-2b) for discussion concerning the City's property insurance. He reported Lemon Mohler Insurance does not anticipate a rate increase even with the addition of the Taconi property. Motion was made by Alderman Impey, seconded by Alderman Dalgo and unanimously carried to accept the Insurance Committee Meeting minutes of February 1, 2016 and also to continue the relationship with Lemon Mohler Insurance as the City's Agent of record. Alderman Denyer recused himself from the vote.

## **ALDERMEN'S FORUM**

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize use of the armory by the Girl Scouts for their cookie delivery on February 17th.

Alderman Cox asked for an update concerning the MDOT Scenic By-Ways designation. The Mayor asked the Board to consider allowing her to apply with MDOT which will

designate Front Beach, Washington Avenue and Government Street to be a Scenic By-Way which will help get more signage on the interstate. Alderman McDonnell asked for the requirements and guidelines in order to meet this designation. The Planning/Grants Administrator stated she will report on this matter at the next board meeting.

Alderman Cox asked the Building Official to trim the oak trees in the bulb-outs on Government Street. The City Engineer stated they must be trimmed to 7' to meet the ADA requirements.

Alderman Cody asked to include Gum Street on the paving list.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to get a recommendation from the Police Department and Gulf Regional Planning Commission to install rumble sticks on Halstead Road.

Alderman Cody asked the Building Official for a report on the 2<sup>nd</sup> oak tree on Bechtel Boulevard.

Motion was made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to authorize up to \$500.00 from Ward 3 Capital Improvement Account to the Ocean Springs Carnival Association for the night parade on February 5<sup>th</sup>.

Alderman McDonnell asked when the Fallo-Pleasant parking lot sign would be installed. The Building Official reported everything is ready for installation but they are waiting on the quickcrete.

Alderman McDonnell asked for an update on the Ocean Springs Harbor project. The Planning/Grants Administrator confirmed the County reported they will be done by the second week of February. The Contractor will be ready to finish their portion of the work. Alderman Denyer stated his concern that the barge be in place as soon as the County has completed their work.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize the Building Official to secure the best and lowest quote to remove the oak tree on Lover's Lane and get the work done in a fashion to be able to save the trunk for whomever the City designates to receive it.

The Building Official asked the Board to consider hearing an appeal by Mr. John Howell to remove a magnolia tree at 403 Maginnis. He said the Tree Committee had previously voted to table this issue because the tree had not been marked when they did their inspection and also the other protected trees on site did not have protective fencing during construction. They also requested information on the material to be used for the construction of the driveway and how the owner plans to maintain the

health of the live oak located on the property. Mr. Howell asked to remove the magnolia tree in order to construct a circular driveway at 403 Maginnis.

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to authorize John F. Howell to remove the magnolia tree at 403 Maginnis and to plant another protected tree on his property.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cody, seconded by Alderman Cox 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 McDonnell, seconded by Alderman Gill and unanimously carried to remain in executive session to discuss personnel in the Public Works Department.

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

Motion was made by Alderman Dalgo, seconded by Alderman McDonnell and unanimously carried to remove Candice Hooks from probationary status to full-time status and increase hourly rate by \$2.00.

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to recess the meeting until 6:00 p.m. on February 16, 2016.

Meeting ended at 8:45 p.m.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
REGULAR MEETING  
February 2, 2016 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATIONS**

- a) American Heart Month - February, 2016 (Exhibit 3-a)
- b) National Wear Red Day – February 5, 2016 (Exhibit 3-a)

**4. NEW BUSINESS**

- a) Discussion regarding the Healthy Ocean Springs Initiative – Let’s Go Gulf Coast – Mr. Randy Doyle and Mrs. Joey Conwill
- b) Mayor’s Youth Council Update – Ms. Cady Cooper (Exhibit 4-b)
- c) Discussion regarding the leaning tree on Lover’s Lane – Mr. Kenneth Altman (Exhibit 4-c)
- d) Discussion concerning change of speed limit on Whispering Pines Drive – Alderman Denyer

**5. OLD BUSINESS**

- a) Budget Update – Shelly Ferguson, City Clerk (Exhibit 5-a)
- b) Discussion concerning the recommendation of the Building Official and Fire Chief to remove an oak tree on Lover’s Lane based on the concern for public safety (Exhibit 5-b)

**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 removal of Johnny Groue, Public Works Director, from probationary status to full-time status as he has passed a satisfactory performance evaluation conducted on January 28, 2016, as voted on by the board in August 2015 (Exhibit 7-a)

**City Clerk:**

- b) Approve Minutes: Recess Meeting January 19, 2016 (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) Approve Run/Walk Permit Application for a 5K/1 Mile Run sponsored by The Good Fight Foundation on Saturday, March 12, 2016 from 7:00 a.m. – 12:00 Noon, Front Beach/bridge route (beginning and ending at Fort Maurepas Park) at no costs to the City (Exhibit 7-e)
- f) Approve Special Event Permit Application for a Back to School Skate Break sponsored by Paddles Up Paddleboards on Saturday, April 16, 2016 from 10:00 a.m. – 5:00 p.m., and authorize to close Bellande Avenue from Government Street to the driveway of the Mason Lodge; at no costs to the City (Exhibit 7-f)



- g) Approve Special Event Permit Application for the 2<sup>nd</sup> Annual Face Off at the Fort sponsored by Paddles Up Paddleboards on Saturday, July 16, 2016 from 8:00 a.m. – 2:00 p.m., on Front Beach; at no costs to the City (Exhibit 7-g)

**Police Department:**

- h) Approve Adam Wilson, Animal Control Officer, to attend Level One Animal Control training (Exhibit 7-h)
- i) Authorize employment of Mike King as Dispatcher, effective February 22, 2016, \$13.29 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-i)

**Fire Department:**

**Human Resources/Risk Management:**

- j) Authorize removal of Deanna McLallen, Human Resources Assistant, from probationary status to full-time status effective immediately (Exhibit 7-j)

**City Engineer:**

**Public Works:**

- k) Authorize to advertise for materials/reinforced concrete pipe (RCP) for a one-year term (Exhibit 7-k)
- l) Authorize promotion of Stephen Farnsworth from Drainage Department Operator to Street Department Equipment Operator from a current rate of \$14.86 hourly to \$15.00 hourly and authorize to begin the process to fill the vacant position in the Drainage Department (Exhibit 7-l)

**Community Development & Planning:**

- m) Authorize the Mayor to execute the Temporary Construction Easement to allow for the emergency, CIAP-funded repairs to the drainage system to be completed by Graham Construction under their current contract (Exhibit 7-m)
- n) Authorize employment of Amanda Moser, Planning & Grants Assistant, effective February 15, 2016, \$12.00 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-n)

**Planning Commission:**

- o) Accept Planning Commission's recommendation to approve the Short Term Rental Permit for Lee Robinson – 106 Watersedge Lane (Exhibit 7-o)
- p) Accept Planning Commission's recommendation to approve the Short Term Rental Permit for Rosemarie Perrin – 1702 Kensington Avenue (Exhibit 7-p)
- q) Accept Planning Commission's recommendation to approve the Short Term Rental Permit for Travis Norman – 302 Dewey Avenue (Exhibit 7-q)
- r) Accept Planning Commission's recommendation to approve the Short Term Rental Permit for Susan Gale Smith – 106 201 Linda Drive (Exhibit 7-r)

**Building Department:**

- s) Accept Tree Committee Report (Exhibit 7-s)
- t) Adopt Resolution to urge and memorialize the Mississippi Legislature to Appropriate Funding to the Southern Mississippi Planning and Development District to Assist with Costs Associated with Attempts by the Three Coastal Counties to Mitigate the Negative Impacts of the Biggert-Waters Flood Insurance Reform Act of 2012 and for related purposes (Exhibit 7-t)
- u) Authorize removal of two (2) cypress trees at 1056 Conley Circle (Stark Bayou) for emergency repairs due to blockage causing flooding to the neighbor's residence (Exhibit 7-u)

**Parks & Leisure Services:**

- v) Approve Facility Use Agreement with the Ocean Springs Baseball Organization for use of Alice Street baseball fields, Stephen Parker fields, and Ocean Springs Sports Complex baseball and softball fields (Exhibit 7-v)

- w) Authorize to fill the new position of Grounds Maintenance worker at \$11.00 hourly and six-month probationary period, H.R. Committee and Finance Committee concurs (Exhibit 7-w)
- x) Accept resignation of Megghan Purvis, Camp and Special Events Coordinator, effective February 12, 2016, and authorize to begin the process to fill the position (Exhibit 7-x)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

- y) Accept Finance Committee meeting minutes of January 28, 2016 (Exhibit 7-y)

## **8. 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:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

## **9. ALDERMEN'S FORUM**

## **10. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on February 16, 2016**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
REGULAR MEETING  
February 2, 2016 - 6:00 p.m.**

1. **OLD BUSINESS**

**Building Department:**

- a) Discussion concerning Cedar tree on Jackson Avenue (Exhibit A-1a)

**Community Development & Planning:**

- b) Discussion concerning proposed pier/launch in the Harbor area (Exhibit A-1b)

2. **CONSENT AGENDA**

**City Clerk:**

- a) Authorize transfer of Megan Boston from the Building Department Administrator to the Utility Billing Supervisor at \$16.00 hourly, six-month probationary period; authorize to begin the process to fill the vacant position in the Building Department at a clerk level and recommend promotion of current clerk to Administrator position once she has completed her probationary period and performance levels are satisfactory (Exhibit A-2a)

**Insurance Committee:**

- b) Accept Insurance Committee minutes of February 1, 2016 (Exhibit A-2b)