

## **RECESS MEETING OF FEBRUARY 16, 2016**

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 February 16, 2016. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards.

The Mayor called the meeting to order.

Reverend Barnett gave the invocation and the Mayor led the Pledge of Allegiance.

### **PROCLAMATION**

The Mayor read a Proclamation declaring February 12, 2016 as **Arbor Day** in the City of Ocean Springs (Exhibit 3-a).

### **ADDENDUM**

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to add the Addendum to the Agenda.

### **OLD BUSINESS**

The Mayor presented new evidence, two (2) photographs, of the leaning oak tree on Lover's Lane taken on February 4<sup>th</sup> showing the ladder truck traveling southbound and northbound past the leaning oak tree on Lover's Lane. The photographs indicate there is ample room in good conditions for the truck to pass at the squeeze point when it is traveling south. The Mayor also presented a video the fire truck traveling northbound as if going to a call on Lover's Lane. She stated a school bus as well as a large dump truck passed by later with no issue. She explained the Aldermen have some suggestions to consider such as up-lighting, proper signage to warn all vehicles, installing an emergency warning system to warn vehicles going southbound to warn of an approaching emergency vehicle, activated from the fire truck, to clear the lane of traffic.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cox, 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 Cox and unanimously carried to remain in executive session to discuss potential litigation concerning a right of way, personnel in the Public Works, Facilities and Building Departments.

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to return to regular session.

Motion was made by Alderman Cody and seconded by Alderman Impey to override the Mayor's veto of the vote to remove the leaning oak tree on Lovers Lane dated February 12, 2016. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer and Impey voting aye and Alderman Dalgo voting nay.

Motion was made by Alderman Cody and seconded by Alderman Cox to lighten the tree; trim as needed; install signals and lights on the lane; add reflectors and up lighting, monitor the tree for leaning and general health conditions and explore all legal options. Motion carried with Aldermen Cox, Gill, McDonnell, Cody and Denyer voting aye and Aldermen Dalgo and Impey voting nay.

Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to adopt the Resolution to Accept Transfer of Real Estate, Personal Property and other items associated with Taconi Elementary (Exhibit 4-b).

Alderman Denyer thanked the Ocean Springs School Board for making this an easy transition and the City will continue to serve all the different programs currently housed at Taconi Elementary.

Dr. Teresa Callahan explained the Excel by 5 program is a state wide initiative to be responsive for the needs of our child from birth to age 5 so they will be better prepared for kindergarten and also to bring together the already existing resources that the community has in a collaborative way so parents have a place to come to help navigate the fragmented services. Taconi Elementary will serve as a resource center for Excel by 5.

The Mayor presented the Jackson County Utility Authority's five (5) year projected budget she recently received. She will continue to provide information concerning the JCUA as she receives it.

## **PUBLIC COMMENTS**

Mr. Lloyd Hebert, 403 and 405 Jackson Avenue, stated after submitting an application to remove an oak tree limb, the tree committee asked for a site plan which he provided to them. The tree committee then asked him to have an arborist assess what the impact of the removal of the limb on the oak tree. Mr. Hebert asked the Board to consider allowing him to remove the limb with the guidance of J.R. Wright, tree surgeon. Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to trim the oak tree limb and deadwood as indicated on the picture presented.

## **OLD BUSINESS – Addendum**

Motion was made by Alderman Denyer, seconded by Alderman Impey and unanimously carried to execute the Memorandum of Understanding with Jackson County related to the CIAP-funded floating dock and kayak launch (Exhibit A-1a)

## **CONSENT AGENDA & ADDENDUM**

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda and Addendum.

## **ALDERMEN'S FORUM**

Alderman Gill asked to increase the candle power at the entrances to Monticello Woods and Culeoka subdivision.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to install a street light at 240 Lover's Lane and authorizing the Building Official to check for any other dark spots on Lover's Lane.

Alderman McDonnell stated he supports the Fire Chief and Building Official's views on life safety and appreciates the effort made by them and their staff to study the issue concerning the oak tree on Lover's Lane. He further stated he will support that the City will their recommendation does not work, he will support

Alderman Cody stated he also supports the Fire Chief and Building Official and appreciates the work done on the tree issue.

Alderman Cody asked for a status on the lighting on Washington Avenue across from Two Dogs Dancing. It is still very dark in that area.

The Mayor thanked everyone involved with putting on the night Mardi Gras parade and thanked the Fire Chief and Deputy Fire Chief for partnering with the American Red Cross to provide and install free smoke alarms to houses in need on Saturday morning.

Alderman Cox asked if a light could be installed to illuminate the entrance sign on the East end of the City.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to advertise the City resources by co-sponsoring the Pine Wood Derby put on by the Boy Scouts on Saturday, February 27<sup>th</sup> and allow them the use of the Civic Center and waive the rental fees.

The Mayor asked the Aldermen if they would like to sponsor a team for the Annual Golf Tournament sponsored by the Jackson County Boys and Girls Club to be held at the Gulf Hills golf course.

Alderman Denyer asked the Public Works Director to meet with Mrs. Higginbotham about adding the signage on Whispering Pines Drive in the area where the children are playing.

Alderman Impey stated he and his daughter enjoyed participating in the American Red Cross event with the Fire Department to install smoke alarms. He also stated the City is privileged to have some of the best department heads and was appalled to hear the comments made about some of City's officials. He said Mr. Fountain, Chief Ponson and Deputy Chief Wilson are men of character and integrity.

The Mayor also announced the passenger rail inspection train will be traveling through on Thursday, February 18<sup>th</sup>.

Deputy Fire Chief stated he feels the City has one of the best trained fire departments on the coast.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cox, seconded by Alderman Denyer 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 Cody and unanimously carried to remain in executive

session to discuss donation of land and personnel in the Parks & Leisure Services Department.

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

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to authorize \$1.00 raise to employee Devon Bailey and Jared Seymour for obtaining commercial driver's licenses, H.R. Committee concurs.

Motion was made by Alderman Cody, seconded by Alderman Gill to adjourn the meeting.

The meeting ended at 8:47 p.m.

---

City Clerk

---

Mayor

---

Date

---

Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**February 16, 2016 - 6:00 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATION**
  - a) Arbor Day in the City of Ocean Springs - February 12, 2016 (Exhibit 3-a)
- 4. OLD BUSINESS**
  - a) Discussion concerning new evidence and options to consider regarding the leaning oak tree on Lover's Lane – Mayor Moran
  - b) Discussion concerning Resolution to Accept Transfer of Real Estate, Personal Property and other items associated with Taconi Elementary (Exhibit 4-b)
  - c) Discussion concerning Jackson County Utility Authority 5 Year Projected Budget (Exhibit 4-c)
- 5. NEW BUSINESS**
- 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) Accept Economic Development Council meeting minutes of February 8, 2016 (Exhibit 7-a)**City Clerk:**
  - b) Approve Minutes: Regular Meeting February 2, 2016 (Exhibit 7-b)
  - c) Approve payment: Docket of Claims and spread upon the Minutes (Exhibit 7-c)
  - d) Accept Action Report (Exhibit 7-d)
  - e) Approve Special Event Permit Application for the Spring Arts Festival: Herb, Garden & Art sponsored by the OS Chamber of Commerce on Saturday, March 12<sup>th</sup> from 9 a.m. – 5 p.m. and Sunday, March 13<sup>th</sup> from 9 a.m. – 4 a.m. in downtown at Robinson by the depot; Washington Avenue south of the railroad to Government Street intersection, pending proof of liability insurance naming the City as an additional insured (Exhibit 7-e)
  - f) Approve Run/Walk Permit Application for the Medipalooza 5K Run sponsored by the Medi Weight Loss Clinic on Friday, May 27<sup>th</sup> from 6 p.m. – 8 p.m. using the approved route, \$300.00 cost incurred by Police Department (Exhibit 7-f)
  - g) Approve payment of \$237.00 for hotel reservation for John Russell to attend MWPCOA class (Exhibit 7-g)**Police Department:**
  - h) Accept resignation of Patrolman Michael "Drew" Hanson, effective February 18, 2106, and authorize to begin the process to fill the vacant position (Exhibit 7-h)
  - i) Accept resignation of probationary Patrolman Sean Leverette, effective February 8, 2106, and authorize to begin the process to fill the vacant position (Exhibit 7-i)

- j) Authorize removal of Patrolman Will Anderson from one-year probationary period to full-time status, effective February 4, 2016 (Exhibit 7-j)

**Fire Department:**

- k) Accept Monthly Fire Department Report (Exhibit 7-k)

**Risk Manager/HR:**

**City Engineer:**

**Public Works:**

- l) Authorize removal of Jared Seymour from probationary period to full-time status, effective February 10, 2016 (Exhibit 7-l)

**Community Development & Planning:**

**Zoning & Adjustment Board:**

- m) Accept Zoning and Adjustment Board's recommendation to approve the 20% side yard setback variance at 3613 Magnolia Bayou Circle – Jeff French (Exhibit 7-m)

**Historic Preservation Commission:**

- n) Accept Historic Preservation Commission's recommendation to issue a COA to install decorative picket fence along the front, side and rear yards at 303 Front Beach (Exhibit 7-n)
- o) Accept Historic Preservation Commission's recommendation to issue a COA to construct a detached, single-car garage to include a connecting sidewalk and patio for the existing house at 102 Shearwater Drive (Exhibit 7-o)
- p) Accept Historic Preservation Commission's recommendation to issue a COA to renovate rear and side fencing, driveway, front porch and doors at 702 Porter Avenue (Exhibit 7-p)

**Building Department:**

- q) Accept Tree Protection Committee Report of February 10, 2016 (Exhibit 7-q)
- r) Approve building permit for demolition of structure located at 2488 Davidson (Exhibit 7-r)
- s) Accept resignation of Lauren Hillery from the Tree Committee and authorize to advertise to fill the vacant committee membership (Exhibit 7-s)

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police Department:**

**Fire Department:**

**Risk Manager/HR:**

**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**

- a) Personnel in Building Department

**ADJOURN UNTIL 6:00 P.M. on March 1, 2016**

**ADDENDUM TO AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**February 16, 2016 - 6:00 p.m.**

**1. OLD BUSINESS**

**Community Development & Planning:**

- a) Authorize the Mayor to execute the Memorandum of Understanding with Jackson County related to the CIAP-funded floating dock and kayak launch (Exhibit A-1a)

**2. CONSENT AGENDA**

**Building Department:**

- a) Authorize employment of Marissa Jones, Permit Clerk, effective February 17, 2016, \$12.00 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit A-2a)

**Fire Department:**

- b) Approve and authorize the Mayor to execute the Statewide Mutual Aid Compact (SMAC), pending City Attorney approval (Exhibit A-2b)