

## **REGULAR MEETING OF MARCH 6, 2012**

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 March 6, 2012. The Mayor 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.

The Mayor called the meeting to order.

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

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

### **PROCLAMATION**

The Mayor read a proclamation recognizing and celebrating the birthday of our National Anthem and hereby proclaiming March 3, 2012 as Star Spangled Banner Day.

### **NEW BUSINESS**

Ms. Candice Clifton, Court and Community Advocate with the Gulf Coast Women's Center for Nonviolence, Inc., presented the Board with a Coordinated Community Response Proposal to provide greater protection and support to domestic violence victims by educating organizations and community leaders. The program involves anyone that touches a domestic violence case. The team will observe how city handles these types of cases and will address any challenges to do better to serve the victims. The City Judge and Police Chief are in concurrence. They will provide training; education and grant writing at no direct cost to the city (Exhibit 4-a).

Mr. Larry Cospers stated the City is short on burial space and asked the board to re-consider utilizing smaller burial spaces in Evergreen Cemetery for cremation and markers. Alderman McDonnell asked the Cemetery Board to consider this matter.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to allocate up to \$100.00 each from the Mayor's Capital Improvement Account; Alderman at Large Capital Improvement Account and

Wards 2, 4 and 6 Capital Improvement Accounts in order to match other contributions to the Walter Anderson Museum of Art (Exhibit 4-c).

### **NEW BUSINESS – Addendum**

Ms. Anita Arguelles, Café Director at the Mary C. O’Keefe Cultural Center announced a new program “Dinner and a Movie”. They are also introducing a series called “Food for Thought”. There are four (4) parts to the series with a subject for each event. The first one will be March 15<sup>th</sup> – Adding Small Fruits to your Gardens, Yards and Flower Beds. The café will have food that addresses the topic. Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to authorize up to \$250.00 from the Mayor’s and Ward 3 Capital Improvement Account to advertise the city’s resources during the “Food for Thought” series (Exhibit A-1a).

### **CONSENT AGENDA & ADDENDUM**

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to approve the Consent Agenda and Addendum with exception of item (a) which was pulled by Alderman McDonnell; item (j) which was pulled by Alderman Cody and item (o) which was pulled by Alderman Denyer.

Alderman McDonnell pulled item (a) for clarification concerning the Land Trust’s contribution to the acquisition cost and transferring the deed to the Land Trust. Grants Administrator, Carolyn Martin stated that the park construction must be completed prior to transferring of the deed and that the contribution would be received at that time. Alderman McDonnell requested that the Land Trust be contacted regarding this status. Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to award Orocon Construction, LLC the Shearwater Park project in the amount of \$63,090.60 funded by the Trails Program through the MS Department of Wildlife, Fisheries & Parks (Exhibit 6-a).

Alderman Cody pulled item (j) for clarification. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to approve the Special Event Permit for the Ocean Springs Fishing Tournament on June 1, 2012 from 6-8 a.m. and table the Special Event Permit for the Kayak Festival, South Coast Summerfest 2012 and Outdoor Expo on Saturday, June 23<sup>rd</sup> from 9 a.m. – 5 p.m. until more information can be obtained (Exhibit 6-j).

Alderman Denyer pulled item (o) to table this matter until the next meeting. Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to table item (6-o) until the next meeting to allow City Attorney review (Exhibit 6-o).

## **EXECUTIVE SESSION**

Motion was made by Alderman Dalgo, seconded by Alderman Hagan 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 Hagan and unanimously carried to remain in executive session to discuss personnel in the Court Department; Planning Department and Mayor's Office and potential litigation regarding construction on Ocean Springs Road.

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

Motion made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to accept the recommendation of the Mayor to terminate the probationary employee in the Planning Department.

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to accept the recommendation of the City Judge to eliminate the temporary position in the Court Department.

## **OLD BUSINESS**

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to accept the Planning Proposal from Eco-Systems, Inc. to provide professional planning services to the City of Ocean Springs (Exhibit A-2a).

No action was taken on item (A-2b).

## **DEPARTMENT REPORTS**

### **Mayor:**

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute the Temporary

Dedication and Use of Land for Public Purposes with the Gulf Coast Research Lab to reopen the boat ramp to the public from Friday at 6 pm to Sunday at 6 pm and place a dumpster and port-o-let (Exhibit A-4a).

Alderman McDonnell asked the City Clerk to include port-o-lets in the solid waste disposal bids this year for special events.

## **PUBLIC COMMENTS**

Mr. Tobie Baker asked the City to consider having a designated drop off place for recyclable materials. Alderman McDonnell suggested the parking lot of the Gazette.

Mr. David Groves was introduced as the new Assistant Building Official/Code Enforcement Officer.

## **ALDERMEN'S FORUM**

Alderman Hagan requested a sound level meter be available at the recess meeting on Thursday, March 8<sup>th</sup> at 5:30 p.m.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to authorize up to \$300.00 from Ward 1 Capital Improvement Account for various landscaping projects.

Alderman Cody asked the Public Works Department to assist the Mary C. O'Keefe Cultural Center with a project involving the monument in the front of the building.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to authorize up to \$500.00 from Ward 2 Capital Improvement Account for painting and landscaping for the Forrest Hills Subdivision improvement project.

Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to task the City Clerk to provide an overview of the current budget; an anticipation of the revenues and expenditures for the remaining 6 months in order to plan for upcoming budget and also a grant analysis since Hurricane Katrina including grant amounts and matching funds to be presented at the next meeting.

Alderman McDonnell asked the Mayor to publish a press release clarifying the rules for spending the 2% tax levy.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to recess until 5:30 p.m. on March 8, 2012.

The meeting ended at 7:14 p.m.

\_\_\_\_\_  
Mayor

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**March 6, 2012 – 6:00 p.m.**

**1) CALL TO ORDER**

**2) ROLL CALL**

**3) OLD BUSINESS**

**4) NEW BUSINESS**

- a) Presentation regarding free training and grant writing services to offer the City of Ocean Springs Court and Police Departments – Ms. Candice Clifton, Court and Community Advocate for the Gulf Coast Women's Center for Nonviolence
- b) Request for better use of Evergreen Cemetery – Mr. Larry Cosper (Exhibit 4-b)
- c) Request for sponsorship of the 22<sup>nd</sup> Annual Gala hosted by the Walter Anderson Museum of Art on Saturday, April 14, 2012 (Exhibit 4-c)

**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 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 discussions 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 award Orocon Construction, LLC the Shearwater Park project in the amount of \$63,090.60 funded by the Trails Program through the MS Dept. of Wildlife, Fisheries & Parks (Exhibit 6-a)
- b) Authorize the Mayor to execute the Contract with CDM, Inc. for CE&I services related to the Washington Avenue Pedestrian Path, funded by the MDOT Transportation Enhancement program, pending MDOT and legal concurrence (Exhibit 6-b)
- c) Authorize the Mayor to execute Substantial Completion and Closeout Documentation regarding the Energy Efficiency and Conservation Block Grant for the City Hall HVAC system installation (Exhibit 6-c)
- d) Authorize the Mayor to execute Amendment #1 with Gouras Urban Planning Consultants for the DEQ/CDBG Water/Sewer Expansion Project, pending legal concurrence (Exhibit 6-d)
- e) Authorize the Mayor to execute Change Orders #2 and #3 with Gulf Breeze Landscaping, LLC for Front Beach Sidewalk Project, no additional funding needed, project funded by MDOT Transportation Enhancement (TE) (Exhibit 6-e)

**City Clerk:**

- f) Approve Minutes: Recess Meeting February 22, 2012 (Exhibit 6-f)
- g) Approve payment: Docket of Claims and spread upon the Minutes (Exhibit 6-g)
- h) Accept Action Report (Exhibit 6-h)
- i) Approve appointment of the Redistricting Committee (Exhibit 6-i)

**Police Dept.:**

- j) Authorize Special Event Permit for Ocean Springs Fishing Tournament on June 1, 2012 from 6-8 a.m. and Kayak Festival, South Coast Summerfest 2012 and Outdoor Expo with music/food on Saturday, June 23, 2012 from 9 a.m. – 5 p.m. (set-up at 7:30 a.m.) at Front Beach (Fort and Street) (Exhibit 6-j)
- k) Accept resignation from Lt. Harry "Bucky" B. Harris, effective March 27, 2012, and authorize to begin the process of promoting a Sergeant to Lieutenant, a Patrol Officer to Sergeant and the process of filling the vacant patrol in patrol (Exhibit 6-k)

**Fire Dept.:**

- l) Authorize to declare two (2) MSA SCBAs (self-contained breathing apparatus) as surplus; of no use to the City and donate to the Biloxi Fire Department Museum for display (Exhibit 6-l)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- m) Authorize removal of Matthew Bennett from probationary status and place on full-time status, effective March 19, 2012 (Exhibit 6-m)
- n) Authorize removal of Joey Sonnier from probationary status and place on full-time status, effective March 14, 2012 (Exhibit 6-n)
- o) Authorize contract extension with D. O'Brian Construction, LLC for one year, effective March 7, 2012, at the current rates for concrete repairs (Exhibit 6-o)

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**7) DEPARTMENT REPORTS:**

**Mayor:**

**City Clerk:**

**Police Dept.:**

**Fire Dept.:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**8) ALDERMEN'S FORUM**

**9) EXECUTIVE SESSION**

- a) Personnel in Court Department

**RECESS until 6:00 p.m. on March 20, 2012**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
REGULAR MEETING  
March 6, 2012 - 6:00 p.m.**

**1. NEW BUSINESS**

- a) Presentation regarding “Food for Thought” series beginning March 15 – Anita Arguelles, Café Director at the Mary C. O’Keefe Cultural Center (Exhibit A-1a)

**2. OLD BUSINESS**

- a) Planning Proposal from Eco-Systems (Exhibit A-2a)
- b) Planning Proposal from Donovan Scruggs (Exhibit A-2b)

**3. CONSENT AGENDA**

**Mayor:**

- a) Authorize the Mayor to execute the Memorandum of Understanding between the City and MDOT for the Government Street Improvement Project, pending legal review and approval (Exhibit A-3a)
- b) Authorize the Mayor to execute CE&I Services Contract with Batson and Brown, Inc. for the Government Street Signalization and Intersection Overlay project, pending MDOT concurrence (Exhibit A-3b)
- c) Approve Special Event Permit for St. Patrick’s Day Event and authorize the Mayor to execute Resolutions (Exhibit A-3c)
- d) Authorize the Mayor to execute Amendment #1 with Compton Engineering for the DEQ/CDBG Water/Sewer Expansion Project, pending legal concurrence (Exhibit A-3d)

**4. DEPARTMENT REPORTS**

**Mayor:**

- a) Authorize the Mayor to execute Temporary Dedication and Use of Land for Public Purposes with Gulf Coast Research Lab to reopen boat ramp to the public from Friday at 6 pm to Sunday at 6 pm and place dumpster and port-o-let (Exhibit A-4a)