

## **REGULAR MEETING OF AUGUST 7, 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 August 7, 2012. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer and Dalgo were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Hagan was not present.

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 Gill, seconded by Alderman McDonnell and unanimously carried to add request for approval of the Special Event Permit for the Texaco Country Showdown at Fort Maurepas Park on September 2<sup>nd</sup> to Old Business – Addendum.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to add the addendum to the agenda.

### **NEW BUSINESS**

Alderman Denyer stated his concerns for the bicyclists riding in the City pulling out and darting out in front of traffic. The Police Chief suggested doing an awareness program for a bicycle safety class to inform them to follow the same rules of the road as vehicles.

### **OLD BUSINESS – Addendum**

Supervisors John McKay and Troy Ross stated they were reporting on the issue of the school crossing guards at the new Ocean Springs High School. The Police Chief stated he had a police officer and Sheriff Byrd had three (3) deputies at the school. Supervisor McKay met with Dr. Potter. She asked if the City and County could keep the officers at the school through Tuesday, August 14<sup>th</sup>, to allow their personnel to get the traffic flow issues worked out but they were willing to try and have this issue resolved. If not, Supervisor McKay stated the City, School and County will have to meet to resolve this matter.

## **NEW BUSINESS**

Ms. Carol Jones expressed her issues with flooding in Parktown Estates and Deana Trace. She asked what she and the residents could do to protect their properties from flooding. The Public Works Department has done work in that area to help with these flooding issues. The Assistant Public Works Director explained the problems when there is a high tide and major rain event simultaneously; there was flooding issues all over the City until the tide goes back out. Alderman Gill reported there was major drainage work done in Parktown Estates when he was Ward 6 Alderman. Ms. Jones asked the City to help the residents by teaching them what to do to protect their properties as the Assistant Public Works Director has done. She also reported on the CERT Program (Community Emergency Response Teams). CERT educates people about disaster preparedness for hazards that may impact their area, such as flooding, and trains them in basic disaster response skills (Exhibit 3-b).

Ms. Nicole Grundel, representing the Bicentennial Committee for Jackson County, reported Jackson County will be celebrating its Bicentennial this year. The committee is kicking off the Passport to Jackson County's History program. As part of the program, they will be installing plaques in the ground or hung at designated areas for visitors to see and do their rubbings. She announced different ways to participate to get the word out about the celebration (Exhibit 3-c).

Motion was made by Alderman Dalgo, seconded by Alderman McDonnell and unanimously carried to authorize to waive the rental fees for the Ocean Springs Community Center to advertise the City's resources at the kickoff of the capital campaign for the renovation and expansion of the Blossman Family YMCA on August 28<sup>th</sup> (Exhibit 3-d).

## **NEW BUSINESS – Addendum**

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to approve the Special Event Permit for the Blue Moon Kick Off Event on Friday, August 31 sponsored by F.E.B. Distributing, Inc. and adopt a Resolution to Close the Streets from Washington Avenue and Government Street to Russell Avenue (Exhibit A-1b).

Motion was made by Alderman Gill, seconded by Alderman Dalgo and unanimously carried to approve the Special Event Permit for the Texaco Country Showdown to be held at Fort Maurepas Park on Sunday, September 2<sup>nd</sup> from 6 p.m. – 9 p.m. (Exhibit A-1c).

## **OLD BUSINESS**

Motion was made by Alderman Denyer and seconded by Alderman Cox recommended to appoint Charles Rivers, Bobby Edwards, Lori Carter and Jason McKenzie to the Planning Commission; Vicki Tiblier and David Cook to the Parks Advisory Board; Charlene Roemer to the Historic Preservation Commission; Abner Oglesby and Robert Cothorn to the Zoning and Adjustment Board; Marshall Johnson to the Economic Development Council; Terrence Dickson to the Library Board; Maybelle Bowers and Robert Endt to the Museum Commission; Kenny McClain to the Tree Committee and Martin Reeves to the Civil Service Commission. Alderman Denyer withdraws his motion and Alderman Cox withdraws his second.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to re-appoint Kenny McClain to the Tree Committee, term expiring June 30, 2017.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to re-appoint Maybelle Bowers and appoint Robert Endt to the Museum Committee, terms expiring June 30, 2016.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to appoint Terrence Dickson to the Library Board, term expiring June 30, 2017.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to re-appoint Charlene Roemer to the Historic Preservation Commission, term expiring June 30, 2016.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to appoint Vicki Tiblier and David Cook to the Parks Advisory Board, terms expiring June 30, 2017.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to re-appoint Martin Reeves to the Civil Service Commission, term expiring June 30, 2018.

Motion was made by Alderman Denyer, seconded by Alderman McDonnell and unanimously carried to appoint Lori Carter to the Planning Commission, term expiring June 30, 2015.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to appoint Bobby Edwards to the Planning Commission, term expiring June 30, 2015.

Motion was made by Alderman Denyer to appoint Jason McKenzie to the Planning Commission. Motion failed for lack of a second.

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to appoint Abner Oglesby to the Planning Commission, term expiring June 30, 2015.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to re-appoint Charles Rivers to the Planning Commission, term expiring June 30, 2015.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to appoint Matt Williams to the Economic Development Council, term expiring June 30, 2015.

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to appoint Jonathan Maisano to the Economic Development Council as the representative of the restaurant and/or beverage industry, term expiring June 30, 2015.

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to appoint Jaklyn Wrigley to the Economic Development Council, term expiring June 30, 2015.

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to appoint Marshall Johnson to the Zoning and Adjustment Board, term expiring June 30, 2015.

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to approve the extension of the new Central Business District that would extend tax abatement opportunities to properties included in the revised map. The CBD will extend to Hanshaw Road on the south side of Highway 90 to the railroad track and on the north side of Highway 90 up to Groveland Road and up along the east side of Ocean Springs Road to the City limits.

## **PUBLIC COMMENTS**

Mr. W.T. Broome asked why he received two (2) water bills in two (2) separate envelopes each month. The Mayor stated she was looking into that issue. He also asked where "Guilford" Road name come from.

Mr. Ronald Vincent, 1412 Government Street, expressed his concerns again about the loud noise from the business next door to him. He also stated the grass is very high behind the building.

## **CONSENT AGENDA AND ADDENDUM**

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda with exception of items (a) and (c) which were pulled by the Mayor; item (e) which was pulled by Alderman Cody; items (m), (t) and (A-2f) which were pulled by Alderman Denyer and item (y) which was pulled by Alderman Cox.

Alderman Denyer stated all of his items (m), (t) and (A-2f) pulled deal with hiring replaced employees. His concern was the hiring freeze that has been implemented by the Board. The City Clerk explained there were two (2) firemen positions; two (2) police officers positions and the temporary employee in Public Works to be filled before the hiring freeze went into effect. Therefore, all new positions will not be filled until the hiring freeze is lifted.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to approve agenda items (6-m), (6-t) and (2-Af).

The Mayor pulled item (a) to clarify whether it is a match from other donations or advertising city resources. Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to authorize the use of the Board of Aldermen's Chamber for the Junior Auxiliary of Biloxi-Ocean Springs, Inc. for their Homecoming Closet Sale to benefit the Make a Wish Foundation on Saturday, September 8<sup>th</sup>, from 9 a.m. – 2:30 p.m. as a match for other donations (Exhibit 6-a).

The Mayor pulled item (c) to clarify whether it is a match from other donations or advertising city resources. Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to authorize to waive the rental fees for the Civic Center on December 11<sup>th</sup> for the Jackson County Civic Action Committee, Inc. for the Home Instead Senior Care Community Service Program *Be a Santa to a Senior* committee for a gift wrapping party to advertise the City's resources (Exhibit 6-c).

Alderman Cox pulled item (y) for clarification of the contract with GB Concessions. The Parks and Leisure Services Director advised she had the revised proposal. He stated he is willing to try entering through the main gate only but does not want it in the Contract.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to authorize the Mayor to execute the revised Contract with GB Concessions and the City of Ocean Springs for concession and vendor services (Exhibit 6-y).

Alderman Cody pulled item (e) to change the hourly rate of pay as \$11.19 for the new hires in the Fire Department, items (8-m) and (8-n) on the Agenda for July 17, 2012. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to approve the Minutes of July 17, 2012 with the corrections to the hourly rates for the new hires at the Fire Department to \$11.19 (Exhibit 6-e).

## **DEPARTMENT REPORTS**

### **Mayor:**

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to appoint the Mayor, Alderman Denyer, Alderman Cody and Alderman McDonnell to the Selection Committee for the engineer for the Harbor Tidelands project.

Motion was made by Alderman Denyer, seconded by Alderman McDonnell and unanimously carried to authorize the Mayor to partner with Jackson County to apply for a Mississippi Forestry Commission grant to plant trees at the I-10 and Highway 609 (Washington Avenue) interchange, not to exceed \$20,000 in grant funds, with in-kind local match consisting of county and city labor to plant trees.

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

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to approve the re-plat of the Final Plat for Heron Park, a planned unit development located at the SE corner of Zettel and Pabst Roads pending Kelly Bishop's Engineer and Attorney have signed off stating they have met all rules and subdivision regulations of the City of Ocean Springs (Exhibit 7-c).

## **ALDERMEN'S FORUM**

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to approve up to \$250.00 from Ward 4 Capital Improvement Account to advertise City resources at the Ocean Springs School Golf Booster Organization.

Alderman Denyer announced his daughter created a facebook page to help citizens with lost and found animals. It is "OSMS Pet Finder" and asked the press to include this information in their newspaper.

Motion was made by Alderman McDonnell, seconded by Alderman Denyer and unanimously carried to have all the Department Heads to meet before August 15<sup>th</sup> as a group with the City Clerk and no Aldermen or Mayor present to give ideas and/or solutions regarding the upcoming budget.

Alderman Cody clarified budget amendments were for the departments that had met with the City Clerk. The rest would be on the next agenda.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to close the streets between Cash Alley and Russell Ave. for the mini cruise-in on Friday, August 10<sup>th</sup> from 6 p.m. – 9 p.m.

Motion was made by Alderman Dalgo, seconded by Alderman McDonnell and unanimously carried to authorize up to \$200.00 from Ward 5 Capital Improvement Account for the Wildlife Care and Rescue Center for supplies and advertise City resources.

The Mayor reported about an opportunity to apply by the end of the month for a 100% Grant for public safety grant for two (2) projects; a crosswalk at Winn Dixie by MLK Boulevard/Vermont and a traffic light at the Highway 57 Sports Complex. She stated it is 100% grant funded with the exception of landscaping and engineering. No action was taken.

## **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 Cody, seconded by Alderman Denyer and unanimously carried to remain in executive session to discuss potential litigation regarding Police and Fire Departments; potential litigation regarding Highway 57 Sports Complex and current litigation in Circuit Court. The City Attorney returned to the meeting to announce there would be discussion regarding the City Prosecutor position.

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

Motion was made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to recess until 6:00 p.m. on August 21, 2012.

Meeting ended at 9:08 p.m.

---

City Clerk

---

Mayor

---

Date

---

Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**August 7, 2012 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. NEW BUSINESS**

- a) Discussion concerning bicycle safety – Alderman Denyer
- b) Request to speak of issues in Parktown Estates/Deana Trace – Ms. Carol C. Jones (Exhibit 3-b)
- c) Request to install plaques in the ground or hung at the Vietnam Veterans Memorial to kickoff the Passport to Jackson County's History program – Nicole Grundel, PIO for Jackson County Board of Supervisors (Exhibit 3-c)
- d) Request to waive the rental fees for the Ocean Springs Community Center for the kickoff of the capital campaign for the renovation and expansion of the Blossman Family YMCA on August 28<sup>th</sup> – Mr. Phillip Doiron, President/CEO (Exhibit 3-d)

**4. OLD BUSINESS**

- a) Discussion of appointments to Planning Commission, Parks Advisory Board, Economic Development Council and any other open positions on remaining boards
- b) Discussion of extension of current Commercial Business District map that would extend tax abatement opportunities to properties included in revised map (Exhibit 4-b)

**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 listed 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 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 the use of the Board of Aldermen's Chamber for the Junior Auxiliary of Biloxi-Ocean Springs, Inc. for their Homecoming Closet Sale to benefit the Make a Wish Foundation on Saturday, September 8th, from 9 a.m. – 2:30 p.m. (Exhibit 6-a)
- b) Authorize the Mayor to execute the Supplementary Agreement with Simmons Erosion Control, Inc. for Government Street Overlay and Traffic Signal Project, funded by MDOT STP funds, pending MDOT concurrence (Exhibit 6-b)
- c) Authorize waiver of rental fees for the Civic Center on December 11<sup>th</sup> for the Jackson County Civic Action Committee, Inc. for the Home Instead Senior Care Community Service Program *Be a Santa to a Senior* committee for a gift wrapping party (Exhibit 6-c)

**City Clerk:**

- d) Approve Minutes: Special Call Meeting July 13, 2012 (Exhibit 6-d)
- e) Approve Minutes: Recess Meeting July 17, 2012 (Exhibit 8-e)
- f) Approve Minutes: Special Call Meeting July 19, 2012 (Exhibit 6-f)
- g) Approve Minutes: Special Call Meeting July 31, 2012 (Exhibit 6-g)
- h) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 6-h)
- i) Accept Action Report (Exhibit 6-i)
- j) Approve changes to the Rental Agreements for Fort Maurepas Park and Alice Street Recreation Building (Exhibit 6-j)
- k) Accept proposal from Nick Clark Auctions for the city auction to be held tentatively on Saturday, September 22, 2012 at the Civic Center (Exhibit 6-k)
- l) Authorize to re-schedule the Public Hearing for the Motor Vehicle Assessment Schedule for FY12-13 to Tuesday, August 21<sup>st</sup> at 6 p.m.

**Police Dept.:**

- m) Accept resignation of Sergeant Gene Dufrene, Warrants Officer, effective August 10, 2012, and authorize to begin the process to fill the vacancy (Exhibit 6-m)
- n) Approve Special Event Permit for Walk for Epilepsy Awareness at Front Beach and Fort Maurepas on Sunday, November 4<sup>th</sup> from 8:00 a.m. – 12:00 p.m. (Exhibit 6-n)
- o) Approve Special Event Permit for informational purposes for a Chainsaw Wood Carving Demonstration at Mezo's Bar & Grill on August 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> from 1 p.m. – 6 p.m. (Exhibit 6-o)
- p) Approve Special Event Permit for informational purposes for the 5<sup>th</sup> Annual WOW Walking on Water Bridge Walk and canned food drive on Saturday, August 25<sup>th</sup> from 7 a.m. – 12 noon on Ocean Springs/Biloxi Bridge (Exhibit 6-p)
- q) Authorize Special Event Permit official homecoming parade honoring Marie Wicks, Miss Mississippi on Saturday, August 25<sup>th</sup> from 5 p.m. – 7 p.m. (Exhibit 6-q)

**Fire Dept.:****Human Resources/Risk:****City Engineer:****Public Works:**

- r) Approve transfer of a 2005 Dodge 2500 (3/4ton) Truck from Public Works to the Facilities Department (Exhibit 6-r)
- s) Authorize miscellaneous items of equipment, machinery, etc. to be declared surplus; of no value to the city and send to auction (Exhibit 6-s)
- t) Authorize temporary employment of Rusty Franklin, \$12.00 hourly, and pending all pre-employment requirements (Exhibit 8-t)

**Community Development & Planning:****Building Department:**

- u) Accept Tree Committee Report (Exhibit 8-u)
- v) Accept Code Enforcement Report (Exhibit 6-v)

**Parks & Leisure Services**

- w) Accept donation of a Canon copier from the Samaritan House Apartments to the Parks and Leisure Services Department (Exhibit 6-w)
- x) Authorize the Mayor to execute the Contract with CCBCC Operations, LLC and the City of Ocean Springs (Sports Complex) for beverage sales at Highway 57 Sports Complex (Exhibit 6-x)
- y) Authorize the Mayor to execute the Contract with GB Concessions and the City of Ocean Springs for concession and vendor services (Exhibit 6-y)

- z) Authorize the Mayor to execute final Change Order No. 4 for Phase 4 Highway 57 Sports Complex for a net deductible in the contract of \$1,585.60 with The Arcon Group (Exhibit 6-z)
- aa) Approve termination of probationary Parks Athletic Coordinator, Tobias Donahue, effective immediately (Exhibit 6-aa)

**City Attorney:**

- bb) Authorize Mayor to execute Cellular South/C-Spire agreement amendment to allow alternative frequency antennae on the Pine Drive water tower (Exhibit 6-bb)

**Facilities**

- cc) Authorize 1999 Ford F250 Pickup, Unit No. 99, VIN7286, to be declared surplus; of no value to the city and send to auction (Exhibit 6-cc)

**7. DEPARTMENT REPORTS**

**Mayor:**

**Discussion Items:**

- a) To appoint a Selection Committee for the engineer on the Harbor Tidelands project
- b) Authorize the Mayor to partner with Jackson County to apply for a Mississippi Forestry Commission grant to plant trees at the I-10 and Hwy 609 (Washington Ave) interchange, not to exceed \$20,000 in grant funds, with in-kind local match consisting of county and city labor to plant trees

**City Clerk:**

**Police:**

**Fire:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- c) Discussion on Re-plat of the Final Plat for Heron Park, a planned unit development located at the SE corner of Zettel and Pabst Roads

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**8. ALDERMEN'S FORUM**

- a) Donation to Ocean Springs High School Golf Booster Club to advertise City resources – Alderman Denyer (Exhibit 8-a)

**9. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on August 21, 2012**

**ADDENDUM TO AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**August 7, 2012 - 6:00 p.m.**

**1. NEW BUSINESS**

- a) School Crossing Guards – Supervisor John McKay
- b) Approve Special Event Permit for the Blue Moon Kick Off Event on Friday, August 31<sup>st</sup> sponsored by F.E.B. Distributing, Inc. and adopt Resolution to Close the Streets from Washington Avenue and Government Street to State Street (Exhibit A-1b)
- c) Approve Special Event Permit for Texaco Country Showdown on Sunday, September 2<sup>nd</sup> sponsored by Rex Distributing to be held at Fort Maurepas Park from 6:00 p.m. – 9:00 p.m. (Exhibit A-1c)

**2. CONSENT AGENDA**

**Mayor:**

- a) Authorize the Mayor to execute the Agreement with USM for the MS/AL Sea Grant Consortium Grant Project for the study of the impact of sea level rise (Exhibit A-2a)
- b) Authorize sending Notice of Bid Award to the low bidder, Twin L. Construction, Inc. in the amount of \$109,254.00 for the Washington Avenue Pedestrian Path Project, pending contractor MDOT concurrence, with the intent to negotiate the amount with the contractor to within the allowed grant amount as approved by the Board (Exhibit A-2b)

**City Clerk:**

- c) Accept the recommendation of the Selection Committee to renew employee health insurance with Blue Cross/Blue Shield and reappoint Mark Barhanovich as the City's Agent of Record (Exhibit A-2c)
- d) Accept Budget Amendments (Exhibit A-2d)
- e) Authorize to advertise for Request for Proposals for Solid Waste Collections pending City Attorney review

**Police Department:**

- f) Accept resignation of Officer Stephanie Ramirez Kracht, effective July 31, 2012 and allow payment of accrued personal time and assignment of sick time to PERS and authorize to fill the officer position when hiring freeze has been lifted (Exhibit A-2f)

**Parks and Leisure Services Department:**

- g) Authorize to terminate the Individual Service Contract with Tennis Pro, Brian Wilson, effective September 30<sup>th</sup>, but continue as the Tennis Pro at no monthly fee through the end of his Contract (Exhibit A-2g)