

REGULAR MEETING OF OCTOBER 2, 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 October 2, 2012. The *Mayor Pro Tem McDonnell* presiding, Aldermen Cox, Cody, Denyer, Dalgo and Hagan were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. The Mayor was not present. Alderman Gill was not present at roll call but arrived later in the meeting.

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

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

Alderman Gill arrives at the meeting.

NEW BUSINESS

Ms. Jane Beaugez asked for the City's assistance to maintain the grounds around the World War II monument near Freedom Field at the corner of Porter Avenue and General Pershing Avenue. She also asked to have lighting on the monument (Exhibit 4-a).

Mr. Ronald Vincent, 1412 Government Street, stated he was pleased with the improvements made by Crossfit Gym to alleviate the noise complaints. Mr. Vincent complained of the high grass behind the building at 1316B Government Street.

Alderman Denyer gave an update on the peer review committee. He reported the USDA funds have been received and recommend the finance committee review this matter. The crape myrtles on Highway 90 should not be replaced at this time. They may cause a vision problem. The police vehicle damaged in a recent accident will not be replaced at this time. The committee had a discussion with Mississippi Power Company and a representative from Compton Engineer certified in LED lighting. A light study is recommended at this time to be done by Mississippi Power Company and Compton Engineering at no cost to the City. Also discussed was festival fees. The committee is requesting but not requiring the event organizers to pay 15% of the cost for the following year. A policy will be discussed and implemented at a later time. The City will monitor the events this year. Alderman McDonnell asked for a breakdown of the costs of Cruisin' the Coast and the Peter Anderson Festival.

The Peer Review Committee meetings will be held Mondays at 8:30 a.m. at the Public Works training room and is open to the public. Andre' Kaufman is Chairman and Shelly Ferguson is the recording secretary. Alderman McDonnell asked the Committee to report monthly to the Board of Aldermen.

Alderman McDonnell asked to go into closed session to determine if it is appropriate to discuss a need for a social media policy in Executive Session.

The City Attorney suggested having a policy in general about agendas and outlining how items are placed on the agenda and firm cut-off times. He Alderman Dalgo asked the City Attorney to draft an ordinance stating no addendums unless deemed an emergency by the City Clerk. All agenda items must be turned in to the City Clerk's office by 12:00 noon on Thursday before the board meeting on Tuesday.

OLD BUSINESS

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to remand the Washington Avenue Pedestrian Pathway Project and LED Lighting Project back to the Peer Review Committee.

PUBLIC COMMENTS

Mr. Norton Havelin spoke on behalf of Church of Christ concerning the high water bill issue. He reported the building and the church have been inspected and no issues were discovered. The City reported new meters have been put in and the old meters were sent to Neptune for inspection and evaluation. Alderman Cody suggested putting in manual read meters if the meter spikes again and is a reoccurring problem. Mr. Havelin is asking for an adjustment on the water bill.

CONSENT AGENDA AND ADDENDUM

Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with exception of item (a) which was pulled by Alderman Dalgo; (l) and (n) which were pulled by Alderman Denyer; item (m) which was pulled by Alderman Gill and (u) which was pulled at the request of the Parks and Leisure Services Director.

Alderman Dalgo pulled item (a) for clarification. The Grants Administrator stated this Change Order is for the remainder of the plants and irrigation at

Front Beach to finalize this project. Motion was made by Alderman Hagan and seconded by Alderman Denyer to authorize the Mayor to execute Change Order No. 3 (Summary) for Front Beach Sidewalk Project for an increase of \$11,119.64 to Gulf Breeze Landscaping, LLC, approved by MDOT and included in the grant budget – MDOT Transportation Enhancement (TE) Funds. Motion carried with Alderman Cox, Gill, Cody, Denyer and Hagan voting aye and Alderman Dalgo abstaining from the vote (Exhibit 7-a).

Alderman Denyer pulled item (7-l) to consider removing the Interlocal Agreement from the Agenda and replace it with the Resolution concerning the windows at the armory. Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to adopt the Resolution of the City of Ocean Springs, Mississippi, approving the County purchasing and the City installing windows for the armory building (Exhibit 7-l).

Alderman Gill pulled item (m) and asked to schedule a meeting with Machado/Patano Engineers prior to beginning the scope of work. Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to accept the proposal from Machado/Patano to provide master planning and layout of burial and urn plots and stake out the newly created cemetery plots in the field to show final location in the amount of \$5,500.00 and schedule a meeting prior to work beginning (Exhibit 7-m). The City Clerk explained the City Attorney recommends doing the sale of the plots by a lottery system. She further stated the City will inform the public through the newspaper and the City website when the applications will be available to be completed.

Alderman Denyer pulled item (n) to make a correction. Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to approve the Special Event Permit for an Art Opening at The Art House on Friday, October 5th from 12:00 Noon until 9:00 p.m. and authorize parking antique cars in "No Parking" area during the opening (Exhibit 7-n).

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to table item (7-u) concerning the Memorandum of Understanding with the Ocean Springs School District for the use of space at the N.E. Taconi School Building (7-u).

DEPARTMENT REPORTS

Mayor:

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to adjust the water bill at 515 East Beach and determined it was unreasonably increased due to unforeseen circumstances and the customer received no benefit of the water.

The *Mayor Pro Tem* asked for consideration to close Washington Avenue to Calhoun on Saturday and Sunday during Peter Anderson Festival for the St. Alphonsus Fall Festival as requested by Ruth W. McPhearson.

The *Mayor Pro Tem* addressed the proposal with Eco-Systems, Inc. Motion was made by Alderman Cody, seconded by Alderman Gill to hire Eco-Systems, Inc. from October 1st – October 16th at an hourly rate of \$80.00 on as needed basis.

ALDERMEN'S FORUM

Alderman Cox asked to have letters sent to CSX concerning the bad condition of many of the railroad crossings in the City.

Alderman Cody asked Public Works Department to sweep up the acorns at the Senior Citizens Center to prevent someone from slipping and falling on them.

Alderman Cody announced the streets in downtown will be closed during the Cruisin' the Coast event. He will be providing parking passes to the business owners, employees and home owners to allow them access to their property.

Motion was made by Alderman Cox and seconded by Alderman Cody to adjust the water bills at 1116 Washington Avenue and 1014 Iberville Drive and determined it was unreasonably increased due to unforeseen circumstances and the customer received no benefit of the water. Motion carried with Aldermen Cox, Gill, Denyer, Cody and Hagan voting aye and Alderman Dalgo voting nay.

Alderman Denyer asked Public Works to provide an estimate on building a circular bench around the monument in front of the Mary C. O'Keefe Cultural Center.

Alderman Dalgo asked about signage at the sites of the upcoming re-zoning issues. Signage is required on only PUD consideration.

Alderman Gill stated there is still a lot of debris on Front Beach. The Assistant Public Works Assistant will contact the County to resolve this matter.

Alderman Hagan asked for consideration for a cemetery on Groveland Road.

Alderman McDonnell spoke of a safety issue at Manhattan Grill. The curb will be tapered back 6"-8" and add a 3' fence identical to the one the establishment to prevent someone from tripping.

Motion was made by Alderman Hagan, seconded by Alderman Cody and unanimously carried to authorize up to \$500.00 from Ward 2 Capital Improvement Account for fencing to correct a safety issue in front of Manhattan Grill.

Alderman Denyer asked the Public Works Department to check the sidewalk at The Office and Moran Realty.

EXECUTIVE SESSION

Motion was made by Alderman Gill, 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 Hagan, seconded by Alderman Cox and unanimously carried to remain in executive session to discuss current litigation in Circuit Court; potential litigation regarding Highway 57 Sports Complex; potential litigation regarding social media; personnel in Planning Department and Mayor's Office and personnel in the Court Department.

Motion was made by Alderman Dalgo, seconded by Alderman Cox and unanimously carried to return to regular session.

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to add the job duties of a Planning Department Administrator, managing the day to day activities associated with the department to the job duties of the Grants Administrator, Carolyn Martin. The position will be located in the Planning Department and will report to the Building Official, Rob Blackman.

Motion was made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to recess until 6:00 p.m. on October 16, 2012.

Meeting ended at 10:48 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 2, 2012 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) October 7-13, 2012 as Fire Prevention Week (Exhibit 3-a)

4. NEW BUSINESS

- a) Discussion of WWII Monument at Porter Avenue and General Pershing Avenue – Ms. Jane Beaugez (Exhibit 4-a)
- b) Discussion of continued disturbance from activity at Crossfit Gym at 1316B Government Street – Mr. Ronald Vincent (Exhibit 4-b)
- c) Update from Peer Review Committee
- d) Discussion on City's Social Media Policy
- e) Discussion on Addendum Policy

5. OLD BUSINESS

- a) Discussion on Washington Avenue/Highway 90 Pedestrian Pathway
- b) LED Lighting Proposal

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 the Mayor to execute Change Order No. 3 (Summary) for Front Beach Sidewalk Project for an increase of \$11,119.64 to Gulf Breeze Landscaping, LLC, approved by MDOT and included in the grant budget – MDOT Transportation Enhancement (TE) Funds (Exhibit 7-a)

City Clerk:

- b) Approve Minutes: Recess Meeting September 14, 2012 (Exhibit 7-b)
- c) Approve Minutes: Recess Meeting September 18, 2012 (Exhibit 7-c)
- d) Approve Minutes: Peer Review Committee September 21, 2012 (Exhibit 7-d)
- e) Approve Minutes: Peer Review Committee September 26, 2012 (Exhibit 7-e)
- f) Approve payment: **Docket of Claims and spread docket summary upon the Minutes (Exhibit 7-f) (**Note- the Docket of Claims will be distributed on Tuesday, October 2, 2012 due to new fiscal year rollover)
- g) Accept Action Report (Exhibit 7-g)
- h) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 7-h)
- i) Accept resignation of Claudette Johnson, IT Technician, effective October 6, 2012 (Exhibit 7-i)
- j) Authorize employment of Michael Landry, IT Administrator, effective October 3, 2012, \$15.50 hourly, the Peer Review Committee concurs (Exhibit 7-j)
- k) Authorize to lift the State of Emergency enacted by Hurricane Isaac (Exhibit 7-k)

- l) Authorize the City to enter into and the Mayor to execute the Interlocal Agreement between Jackson County, Mississippi and the City of Ocean Springs for Use and Maintenance of Armory Voting Precinct (Exhibit 7-l)
- m) Accept proposal from Machado/Patano to provide master planning and layout of burial and urn plots and stake out the newly created cemetery plots in the field to show final location in the amount of \$5,500.00 (Exhibit 7-m)

Police Department:

- n) Approve Special Event Permit for Art Opening at The Art House on Friday, October 5th from 3:00 p.m. – 9:00 a.m. and authorize parking antique cars in “No Parking” area during the opening (Exhibit 7-n)
- o) Authorize employment of Leonard Ordonez, Sr., Part Time Warrants Officer, \$13.00 hourly, not to exceed 20 hours per week, budgeted in the FY12-13 adopted budget (Exhibit 7-o)

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

- p) Ratify necessary repairs under the emergency provisions as provided by State law at the Halstead Road Potable Water Well (Exhibit 7-p)
- q) Authorize to add potential customers outside city limits to water and sewer due to the completion of the Ocean Springs Road/Reilly Road water/sewer project (Exhibit 7-q)
- r) Authorize the Mayor to execute the Amendment to Non-Exclusive Franchise Agreement between the City of Ocean Springs and Cellular South, City Attorney concurs (Exhibit 7-r)

Community Development & Planning:

- s) Accept Tree Committee Report (Exhibit 7-s)

Building Department:

- t) Accept Code Enforcement Report (Exhibit 7-t)

Parks & Leisure Services:

- u) Authorize the Mayor to execute the Memorandum of Understanding with the Ocean Springs School District for the use of space at the N.E. Taconi School Building (Exhibit 7-u)
- v) Approve Facility Use Agreement with the Mississippi Gulf Coast YMCA starting August 29th-November 3rd for their fall soccer program to be held at Freedom Field (Exhibit 7-v)

City Attorney:

Facilities:

8. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police:

Fire:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

- a) Potential Litigation at Highway 57 Sports Complex

RECESS UNTIL 6:00 P.M. on October 16, 2012