

## **REGULAR MEETING OF JULY 2, 2013**

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 July 2, 2013. The Mayor 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.

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

The Mayor pulled items (3-a) Proclamation and (5-a) discussion on restaurant smoking issue because Mr. Switzer is not being able to attend the meeting.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to move the recess meeting from Tuesday, July 16<sup>th</sup> to Thursday, July 18<sup>th</sup> at 6:00 p.m. because the City is hosting the Mississippi Municipal League Reception at the Ocean Springs Community Center on July 16<sup>th</sup>. The Planning Commission candidates will be interviewed on July 18<sup>th</sup> at 5:00 p.m.

Motion was made by Alderman Cody, seconded by Aldermen Cox and unanimously carried to interview the Building Official candidates on July 9<sup>th</sup> at 6:00 p.m. Motion was amended by Alderman Cody, seconded by Aldermen Cox and unanimously carried to interview the Building Official candidates on July 10<sup>th</sup> at 5:30 p.m.

Motion was made by Alderman Cody, seconded by Aldermen Cox and unanimously carried to interview for Broker/Agent for Request for Qualifications for Employee Benefit Services on July 30th at 5:30 p.m. The Selection Committee will choose the top 3 to 4 companies to give presentations to the Mayor and Board of Aldermen. The Selection Committee consists of Alderman Cox, Alderman Cody, Police Chief, Public Works Director, City Clerk and H.R. Director.

## **OLD BUSINESS**

The Mayor and Alderman Gill spoke about the projects to be considered and funded by the BP Restore Act. The Mayor stated she met with Trudy Fisher, Director of Department of Environmental Quality and is the Trustee for the State of Mississippi. The Mayor presented the original list of projects from 2011 and requested the Board to make suggestions concerning new projects to revise the list. She further stated there is no deadline for applications nor is there an application process. She pointed out different kinds of projects they will be looking at such as economic development,

restoration, eco-tourism venues, and drainage. They will also be looking for innovative green infrastructure projects. Alderman Gill suggested having a balance of the projects submitted for funding. He feels one of the projects should be running sewer lines to the 60 or 70 residents still using septic tanks and infiltration issue at Fort Bayou. Alderman Impey stated drainage in the Parktown area and dredging Davis Bayou.

Alderman Impey said the dip in the road on Davis Bayou is causing flooding issues when it is high tide and heavy rains.

Motion was made by Alderman Gill and seconded by Alderman Denyer to appoint Alderman Jerry Dalgo as Mayor Pro Temp. Motion failed with Aldermen Gill, Denyer and Dalgo voting aye and Aldermen Cox, McDonnell, Cody and Impey voting nay.

Motion was made by Alderman Cox and seconded by Alderman McDonnell to appoint Alderman Chic Cody as Mayor Pro Tem, term expires June 30, 2014. Motion carried with Aldermen Cox, McDonnell, Cody, Dalgo and Impey voting aye and Aldermen Gill and Denyer voting nay.

Motion was made by Alderman Cody and seconded by Alderman McDonnell to advertise for Request for Qualifications (RFQ) for City Engineer, City Attorney and City Auditor positions.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to appoint Matthew Mestayer as City Judge; Monty Tynes as City Prosecutor; George Murphy as City Judge Pro Tem and City Prosecutor Pro Tem and Nate Wilson as EOC Director with all terms expiring June 30, 2014.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to appoint Alderman Greg Denyer to the 911 Commission.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to appoint Willis White to the Tree Committee, term expiring June 30, 2018.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to appoint Michael Smith and Jason Payne to the Zoning and Adjustment Board, terms expiring June 30, 2016.

Motion was made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to appoint Mickey Williams, Kelcey Allison, Todd Mowat and Joey Conwill to the Economic Development Council.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to appoint William Pontius to the Historic Preservation Commission, term expiring June 30, 2017.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to appoint Kevin Westbrook to the Historic Preservation Commission, term expiring June 30, 2017.

## **PUBLIC COMMENTS**

None.

## **CONSENT AGENDA**

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

## **DEPARTMENT REPORTS**

The Public Works Director announced the Peer Review Committee will be meeting on Wednesday, July 3<sup>rd</sup> at 8:00 a.m. to discuss the sidewalk project.

### **Public Works Department:**

The Public Works Director reported they have been meeting with FEMA concerning the largest project worksheet from Hurricane Isaac to restore the front beach lighting, irrigation, drainage and trash/recycling containers. The last unpaid project is the drainage and estimated at \$250,000. As a compromise, FEMA is allowing the City to bid the project as originally built and an alternate as a corrected project. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize the City Engineer with the assistance of the Public Works Department to draw bid specifications as originally built and an alternate as a corrected project and authorize the City Clerk to advertise the bid.

Motion was made by Alderman Denyer, seconded by Alderman Impey and unanimously carried to authorize the Mayor to apply for Pat Harrison Waterway District funding for the Highway 90 North Drainage project.

### **Peer Review Committee:**

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Mayor to request the variances concerning the redesign of the Government Street Sidewalk Project.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute the Contract with PAC Services, LLC for an Environmental Permitting for the Government Street Sidewalk Project not to exceed \$750.00 to be funded from Mayor's Contractual Services budget.

## **ALDERMEN'S FORUM**

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to approve the request by the Harbor Commission to host a Christmas boat parade on December 14, 2013; the entrance fee will be a toy to be donated to the Toys for Tots campaign.

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to make traffic one-way on Front Beach on the 4<sup>th</sup> of July from 9:00 a.m. until 12:00 midnight.

Alderman McDonnell asked for a timeline from the homeowner concerning the residence on the corner of Jackson Avenue and Calhoun Avenue.

Alderman McDonnell stated his concerns about the weeds on Front Beach. The Mayor stated she spoke to Mr. Barton from Homes of Grace to help out with this on-going project. Mr. Barton will have a crew to begin work on Front Beach next week. Alderman McDonnell asked for a long term plan.

Alderman McDonnell thanked Ms. Pitre and everyone who helped with the swearing-in ceremony.

Alderman McDonnell and Alderman Cody will be inducted into the Mississippi Municipal League Hall of Fame recognizing their 20 years of service on Wednesday, July 17<sup>th</sup> at the Mississippi Coast Coliseum.

Alderman Cody asked everyone to write the Senators about the poor condition of the railroad crossings throughout the City. The Public Works Director stated repairing the crossings with asphalt is a short term fix.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to authorize the Mayor to contact MDOT and CSX concerning the railroad crossings throughout the City.

Alderman Cody stated he had a request from the restaurant and bar owners to extend the outdoor music until midnight on Thursday, July 4<sup>th</sup>. The City Attorney stated the ordinance would have to be changed to allow the extra hour of outdoor music.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to authorize up to \$250.00 from Ward 4 Capital Improvement Account for the McRath-Cruthirds Awards Group as a matching donation for a community service program.

Alderman Impey expressed his gratitude to the Police Department for work done in the Parkwood area. He also recognized Mr. Charles Cooper, owner of WOSM Radio, who will be retiring soon.

## **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 Cody, seconded by Alderman Denyer and unanimously carried to remain in executive session to discuss economic development in the Commercial Business District.

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

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to recess until 6:00 p.m. on July 18, 2013.

Meeting ended at 7:34 p.m.

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City Clerk

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Mayor

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Date

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Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**July 2, 2013 - 6:00 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATION**
  - a) Parks and Leisure Services Month - July, 2013 (Exhibit 3-a)
- 4. OLD BUSINESS**
  - a) Discussion of BP Restore Act projects and update by the Mayor
- 5. NEW BUSINESS**
  - a) Discussion of restaurant smoking issue – Mr. John B. Switzer (Exhibit 5-a)
- 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:**  
**City Clerk:**
  - a) Approve Minutes: Recess Meeting June 18, 2013 (Exhibit 7-a)
  - b) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-b)
  - c) Accept Action Report (Exhibit 7-c)
  - d) Ratify payment of invoice in the amount of \$4,240.00 to Turf Ryder, LLC (Exhibit 7-d)**Police Dept.:**
  - e) Accept resignation of Dispatcher Megan DeCair, effective June 30, 2013 and authorize the process to fill the vacant position (Exhibit 7-e)
  - f) Accept resignation of Dispatcher Renae Rossrup, effective June 28, 2013 and authorize the process to fill the vacant position (Exhibit 7-f)**Fire Dept.:**
  - g) Authorize employment of Patrick S. Doswell, Firefighter, effective July 17, 2013, \$10.03 hourly, one-year probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-g)**Human Resources/Risk:**  
**City Engineer:**  
**Public Works:**
  - h) Approve July 4<sup>th</sup> Weekend Cleanup plan (Exhibit 7-h)
  - i) Authorize removal of Robert Franklin from probationary status and placement on full time status, effective July 17, 2013 (Exhibit 7-i)
  - j) Accept resignation of Head Mechanic, James Tonner, effective June 21, 2013, and temporarily assign Scott Smajd as Head Mechanic at \$20.64 hourly (Exhibit 7-j)
  - k) Authorize to advertise the Head Mechanic position at Public Works at the current salary of \$38,000 - \$45,000 (Exhibit 7-k)
  - l) Authorize transfer of maintenance employee Kyle Higginbotham to the Sign Department as Work Leaderman, \$15.65 hourly, effective immediately, and authorize to begin the process to fill the vacancy in the maintenance department (Exhibit 7-l)

- m) Approve designation of sole source providers for Pumps - Wemco, Controls - Control Systems, Inc. and SCADA - Mission Systems for obtaining and maintaining emergency repairs parts for the sanitary sewer life stations, City Attorney and City Engineer concur (Exhibit 7-m)

**Community Development & Planning:**

**Building Department:**

- n) Accept Tree Committee Report (Exhibit 7-n)
- o) Accept Code Enforcement Report (Exhibit 7-o)
- p) Approve demolition permit for a structure located 717 Pine Drive (Exhibit 7-p)

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**8. DEPARTMENT REPORTS**

**Mayor:**

- a) Consider having second meeting of month on Thursday, July 18<sup>th</sup> due to City hosting MML Reception on Tuesday, July 16<sup>th</sup>

**City Clerk:**

**Police:**

**Fire:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**9. ALDERMEN'S FORUM**

- a) Harbor Commission Boat Parade on December 14, 2013 – Alderman Cody

**10. EXECUTIVE SESSION**

- a) Economic Development

**RECESS UNTIL 6:00 P.M. on Tuesday, July 16, 2013**