

## **RECESS MEETING OF OCTOBER 15, 2013**

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 October 15, 2013. Mayor Pro Tem Cody presiding, Aldermen Cox, Gill, McDonnell, Denyer, Dalgo and Impey were present. Also present was Deputy City Clerk Karen Kennedy and John Edwards, City Attorney. The Mayor was absent.

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

Mr. James Foster gave the invocation and the Fire Chief led the Pledge of Allegiance.

### **PROCLAMATIONS**

The *Mayor Pro Tem* read a proclamation declaring the week of October 6-12, 2013 as Fire Prevention Week (Exhibit 3-b).

The *Mayor Pro Tem* read a proclamation declaring the month of October, 2013 as Domestic Violence Awareness Month (Exhibit 3-c).

The *Mayor Pro Tem* read a proclamation declaring October 15, 2013 as Ocean Springs All-Star Day. The Ocean Springs All-Star 11-12 Year Old Baseball team was presented the prestigious Marvin Norcross Sportsmanship Award (Exhibit 3-a).

### **NEW BUSINESS**

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to appoint John "Jack" Kelly to the Planning Commission, term expiring June 30, 2016.

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to appoint Marcus Thomas to the Building Board of Adjustment and Appeals, term expiring June 30, 2018.

### **PUBLIC COMMENTS**

None.

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with exception of items (f), (v) and (w) which was pulled by Alderman Denyer; item (n) which was pulled by Alderman Dalgo and item (k) which was pulled by Alderman McDonnell.

Alderman Denyer pulled item (f) for clarification. He asked if the split for the bank depository was consistent with last year's split and if the City had advertised for RFPs. The City has properly advertised for proposals.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried table item (f) until later in the meeting to obtain clarification concerning the split.

After further discussion, motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to table item (6-f) to allow time for the Finance Committee to meet and make a recommendation to the Board.

Alderman McDonnell pulled item (k) and stated there may be a possibility Washington Avenue will not need to be closed for the St. Alphonsus OS Kid Fest on Friday, November 1<sup>st</sup> but they will not make a determination until the event is being setting up. Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to approve the Special Event Permit for the festival as submitted with Police Department having discretion to open or close the street if the event coordinator deems it necessary for set up on Friday, November 1st (Exhibit 6-k).

Alderman Dalgo pulled item (n) to amend the memo as recommended by the Public Works Director. He asked to change the memo to read "No. 5 as Arbor Vista" and "No. 6 as Hunter Drive/Bryant Court". Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to approve item (6-n) as amended (Exhibit 6-n).

Alderman Denyer pulled items (v) and (w) to ask if either of these items pertained to the Planning Department. The Grants/Planning Administrator stated these are Building Department items and are budgeted items. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to approve and authorize the Mayor to execute the proposal from Eco-Systems, Inc. regarding the development of the next five-year Stormwater Management Plan and the Ocean Springs 2014 Phase II Stormwater Implementation, both as budgeted, pending review and approval by the City Attorney (Exhibits 6-v and 6-w).

## **DEPARTMENT REPORTS**

### **City Attorney:**

Motion was made by Alderman McDonnell and seconded by Alderman Cody to adopt **Ordinance No. 2013-07 AN AMENDMENT TO THE CODE OF ORDINANCES, OCEAN SPRINGS, REQUIRING STOP SIGNS AT THE FOLLOWING INTERSECTION: GENERAL PERSHING AVENUE AND PORTER AVENUE** (Exhibit 8-c). The motion carried with a roll call vote as follows:

Alderman Cox	<u>Voting Aye</u>
Alderman Gill	<u>Voting Aye</u>
Alderman McDonnell	<u>Voting Aye</u>
Alderman Cody	<u>Acting Mayor and Not Voting</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Impey	<u>Voting Aye</u>

### **Police Department:**

The Deputy Police Chief made the board aware the Communication Workers of America asked to have an informational picket at the AT&T Call Center on Highway 90 which is on State right of way. He further stated he met with the organizers and was assured they would not impede traffic or cause problems on the highway. Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to approve the Special Event for an informational picket held by the Communication Workers of America on Friday, October 18, 2013, at 3051 Bienville Boulevard (Exhibit 8-b).

### **Fire Department:**

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to accept the resignation of Firefighter Justin Burt, effective October 27, 2013, and authorize to begin the process to fill the vacancy, pending H.R. Committee review and approval (Exhibit 8-d).

### **Mayor:**

The *Mayor Pro Tem* stated in order to have all the railroad crossings repaired, it will be a costly endeavor and require a substantial amount of the paving money. The Board was in agreement with using paving money to make these repairs. The City Engineer reported the material to be used for the repairs is a composite plastic made from recycled plastic. He explained this type of material has been used in Mobile, Alabama and has held up for years.

Alderman McDonnell clarified the funding for the repair of the crossings will come from the paving money and remaining paving allocation will be split among the Aldermen.

The City Engineer will have a repair schedule from CSX in January, 2014 and will coordinate with the police department and public works. Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to issue a Purchase Order up to \$25,000.00 for the railroad crossing repairs and authorize the City Clerk to allocate the appropriate funds from the existing budget.

## **ALDERMEN'S FORUM**

Alderman Impey commended the Police Chief for saving over \$13,000.00 with the transfer of several employees to difference positions.

Alderman Impey congratulated the 12-13 year old All-star baseball team along with the coaches for being recognized for their sportsmanship during the tournament in Texas.

Alderman Impey thanked Alderman Cody for his efforts during the Cruisin' the Coast event.

Alderman Impey stated the board has voted on two (2) previous occasions to end the gym/shelter project but saw an article in the newspaper concerning this issue again. He is asking the Mayor to consider being open minded about the new direction the Board is taking the City; away from deficit spending and working towards a balanced budget. They need to focus on growing business to provide a larger tax base to allow the City to take on new projects in the future.

Alderman Dalgo thanked Alderman Cody for his hard work during Cruisin' the Coast.

Alderman Dalgo stated the Board has unfortunately accepted the resignation of Sgt. Patrick Brandle. He stated Sgt. Brandle has represented the Police Department well and appreciated his hard work while being employed with the City.

Alderman Denyer stated his has two (2) executive session items regarding pending litigation.

Alderman Denyer commended Alderman Cody for the hundreds of hours of preparation to make the Cruisin' the Coast event such a success. He stated he did a wonderful job this year. He also thanked the new car club, the Magnolia Cruisers, for their hard work.

Alderman Cox commended Alderman Cody for all of his work during Cruisin' the Coast. Alderman Cody thanked everyone for all of their help this year to have such a successful Cruisin' the Coast event. He stated it was a team effort. The economic impact for the City during this event was tremendous.

Alderman McDonnell stated he did not receive any complaints during the Cruisin' the Coast event.

Alderman McDonnell suggested changing the placement of some of the bathrooms next year. He suggested creating an organized event next year for Saturday night in addition to the Friday night sock hop. This would promote big crowds both nights so the shops, bars and restaurants could have two (2) successful nights during the Cruisin' event. He also suggested utilizing the 2% tax levy to create an activity for Saturday night.

Alderman McDonnell stated the Board previously voted to authorize the Police Department to close the streets for the Zombie Pub Crawl on Thursday, October 17th, if necessary. If the crowds are not large, he hopes the roads are not closed. He asked the Police Department to monitor the event and not arbitrarily close the streets if the crowds are not large.

Alderman Gill commended Alderman Cody, Alderman Denyer and Lamar Bond for their work during the Cruisin' the Coast event. He also said many cruisers stated they would rather come to the Ocean Springs Cruisin' site.

## **EXECUTIVE SESSION**

Motion was made by Alderman Dalgo, seconded by Alderman Impey and unanimously carried to go into closed session to determine the necessity of going into executive session.

The Deputy City Clerk returned to the meeting and announced a motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to remain in executive session to discuss personnel in the Parks and Recreation Department and Facilities Department, potential litigation in Circuit Court and potential litigation involving city services.

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

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to recess until 6:00 p.m. on October 22, 2013.

Meeting ended at 8:19 p.m.

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City Clerk

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Date

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Mayor

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Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**October 15, 2013 - 6:00 p.m.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATIONS AND PRESENTATION**
  - a) Ocean Springs All-Star Day and presentation of Marvin Norcross Sportsmanship Award (Exhibit 3-a)
  - b) Fire Prevention Week- October 6-12, 2013 (Exhibit 3-b)
  - c) Domestic Violence Awareness Month – October, 2013 (Exhibit 3-c)
- 4. OLD BUSINESS**
- 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:**  
**City Clerk:**
  - a) Approve Minutes: Regular Meeting October 1, 2013 (Exhibit 7-a)
  - b) Approve Minutes: Special Call Meeting October 4, 2013 (Exhibit 7-b)
  - c) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-c)
  - d) Accept Action Report (Exhibit 7-d)
  - e) Authorize the Mayor to execute a contract with Cellular South for the placement of a temporary tower in the South parking lot of Dewey Avenue Substation for \$1,000.00 per month (Exhibit 7-e)
  - f) Authorize to award the City's bank depository to Hancock Bank and the split as follows: Hancock Bank 60%; Bancorp South 10%; Merchants and Marine 10%; The First 10% and The Peoples Bank 10% (Exhibit 7-f)
  - g) Ratify per diem in the amount of \$123.00 for Inv. Jonathan Grimes for Interview and Interrogation class in Hattiesburg, MS (Exhibit 7-g)  
**Police Department:**
  - h) Accept resignation of Sgt. Patrick Brandle, effective October 17, 2013, and authorize to begin the process of filling the vacant position (Exhibit 7-h)
  - i) Authorize transfer of Sgt. Brian Kestner from Court to Police Department, effective October 17, 2013, with same rank and pay; transfer Correction Officer Neal Allen to Court as Warrants Officer, at same rank and pay, and continue on one-year probation until August 14, 2014 and begin the process to fill the vacant Correction Officer position(Exhibit 7-i)
  - j) Approve Special Event Permit for Trick or Treat Down the Street" on Wednesday, October 31<sup>st</sup> with requirements to close streets on Washington Avenue at railroad track to Porter Avenue and Washington Avenue to Russell Avenue (Exhibit 7-j)
  - k) Approve Special Event Permit for Ocean Springs Kid Festival, annual fundraiser for St. Alphonsus, on October 31 - November 3, 2013 and authorize street closure on Washington Avenue to Calhoun (Exhibit 7-k)

- l) Approve Special Event Permit for 1<sup>st</sup> Annual Superheroes Walk the Bridge fundraiser on Saturday, October 26, 2013 from 8 a.m. – 10 a.m. (Exhibit 7-l)

**Fire Department:**

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

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

- n) Approve and authorize Public Works Department and City Attorney to solicit quotes for the Woodhaven Drainage Improvements; Highway 90 North Drainage Improvements; Sussex Drainage Improvements; Mulberry Grove Drainage Improvements; Ocean Avenue – Washington Avenue – Calhoun Street Drainage Improvements and Government Street – Pine Drive Drainage Improvements (Exhibit 7-n)
- o) Authorize transfer of 2005 Chevrolet Pickup Truck to the Facilities Department and transfer a 2005 Dodge Ram Pickup Truck from Facilities Department to Public Works to be used by the Youth Corps (Forestry Grant) (Exhibit 7-o)

**Community Development & Planning:**

- p) Accept Tree Committee Report (Exhibit 7-p)
- q) Accept application for tree removal at 255 Lovers Lane (Exhibit 7-q)
- r) Accept resignation of Helen Effinger from the Tree Committee, effectively immediately and authorize to advertise for this position (Exhibit 7-r)
- s) Authorize the Mayor to execute the Revised Change Order #6 (6R2) in the amount of \$2,500.00 to reconcile the paperwork for Morgan Contracting, Inc. for the DEQ/CDBG Water/Sewer Expansion Project, no additional funds requested (Exhibit 7-s)

**Historic Preservation Commission**

- t) Accept Historic Preservation Commissions recommendation to issue a COA to construct a new home at 160 Washington Avenue with conditions (Exhibit 7-t)

**Building Department:**

- u) Accept Building Department Report for September 2013 (Exhibit 7-u)
- v) Approve and authorize the Mayor to execute the proposal from Eco-Systems, Inc. regarding the development of the next five-year Stormwater Management Plan as budgeted, pending review and approval by the City Attorney (Exhibit 7-v)
- w) Approve and authorize the Mayor to execute the proposal from Eco-Systems, Inc. regarding the Ocean Springs 2014 Phase II Stormwater Implementation as budgeted, pending review and approval by the City Attorney (Exhibit 7-w)
- x) Accept the Status of the Floodplain Management Plan (Exhibit 7-x)

**Parks & Leisure Services:**

**City Attorney:**

**Peer Review Committee:**

**Human Resources Committee:**

- y) Approve Minutes: Human Resources Committee October 8, 2013 (Exhibit 7-y)

**8. DEPARTMENT REPORTS**

**Mayor:**

- a) Discussion on Railroad Crossings (Exhibit 8-a)

**City Clerk:**

**Police Department:**

- b) Discussion on Special Event Permit for Informational Picket by the Communication Workers of America on Friday, October 18, 2013 at 3051 Bienville Boulevard (Exhibit 8-b)

**Fire Department:**

**Human Resources/Risk:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

- c) Adopt an Amendment to the Code of Ordinances, Ocean Springs, requiring stop signs at the following intersection: General Pershing Avenue and Porter Avenue (Exhibit 8-c)

**Peer Review Committee:**

**Human Resources Committee:**

**9. ALDERMEN'S FORUM**

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M. on November 5, 2013**