

REGULAR MEETING OF APRIL 1, 2014

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 April 1, 2014. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Dalgo was absent.

The Mayor called the meeting to order.

Reverend Barnett gave the invocation and the Mayor led the Pledge of Allegiance.

PROCLAMATIONS

The Mayor read and presented a Proclamation and a Key to the City to the family of the late Madison G. "Matt" Cox commanding him for excellence in his longstanding public service and other outstanding contributions and proclaiming April 1, 2014 as Madison G. "Matt" Cox Day.

The Mayor read a proclamation declaring the month of April as Safe Digging Month (Exhibit 3-a).

The Mayor read a proclamation declaring the month of April as the 31st National Child Abuse Prevention Month (Exhibit 3-b).

NEW BUSINESS

Mr. Joseph May requested the Mayor and Board to consider honoring his father, Duncan May, by placing a plaque on the Seamen's Memorial. He presented documentation of Duncan May's service as a U.S. Merchant Marine having served abroad oceangoing merchant ships in service during World War II. Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve the request to honor Mr. Duncan May on the Seaman's Memorial.

Mr. Andrew Sexton and Mr. Mike Baker, members of the Crossroads Church of the Nazarene, requested the Mayor and Board to consider approving a "Congo Jam", a Christian Music Festival, at Fort Maurepas Park on Saturday, June 14th from 11:00 a.m. until 8:00 p.m. The event is a fundraiser to help build a school in Kafubu, Democratic Republic of Congo. The event is free to the public but donations will be accepted. Motion was made by Alderman Cody, seconded by Alderman McDonnell and

unanimously carried to approve the Special Event Permit Application for a Congo Jam at Fort Maurepas Park on Saturday, June 14th from 11:00 a.m. until 8:00 p.m. and to block the entrance to the park to allow loading and unloading for the bands and performers.

OLD BUSINESS

The Mayor announced she has sponsors for the Easter Egg Hunt to be held on Saturday, April 12th from 10:00 a.m. – 12:00 Noon at Little Children's Park. Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to close Calhoun Street between Dewey Avenue and Washington Avenue on Saturday, April 12th.

PUBLIC COMMENTS

Mr. Johnny Groue, Assistant Public Works Director, spoke against privatizing the Public Works Department. Mr. Groue asked the Board to consider spreading his letter upon the minutes. Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to spread Mr. Groue's letter upon the minutes (Exhibit 6-a).

Mr. Matt Burrell, 16 year employee of the Ocean Springs Public Works Department, spoke against privatizing the Public Works Department to a private contractor. He further stated his state retirement concerns if the department is privatized.

Mr. Gerald Groue, Water Dept. Supervisor, also spoke against privatizing the Public Works Department. He stated he is also a 16 year employee.

Mr. Michael Richard, Public Works Department employee, also stated he opposes privatizing the Public Works Department. He stated his concern with losing his benefits given to him by the City.

Ms. Teresa Callahan, a resident and also a representative of the Cherokee Glen Subdivision, stated they would not be able to continue with the beautification projects done at Cherokee Glenn without the men in the Public Works Department. She stated they have always done a phenomenal job. She asked the Board to think very carefully about making changes to this department.

Alderman McDonnell stated he was glad the employees of the Public Works Department came to express their concerns to the Board as well as the public about the privatizing of department. He stated privatizing makes sense in some work places. He also stated flexibility is the most important component that he has seen over the many years he has been in office. He feels the sole reason to privatize is to reduce expenses; therefore, privatizing should be considered in all departments. Alderman McDonnell

asked that all cost cutting measures be implemented before the Board ever considers privatization.

Alderman Gill reminded the Board that the H.R. Committee was formed to review each department and determine possibilities of streamlining. One of the tasks for the H.R. Committee was to look into privatization. He asked the Public Works employees to consider the option of privatization for their own benefit.

Alderman Denyer stated he was on the Board when they voted to reduce taxes and never received phone calls from any of his constituents thanking the City for making this decision. He said he has been approached by people downtown, received phone calls, and many emails from citizens stating their opposition to privatizing of the Public Works or any other department. He cannot envision even with the cost savings ever voting to privatize any City department.

Alderman Impey stated the H.R. Committee was tasked with looking at each department. Privatization was one of the ways the City could consider to help reduce costs but this review is in the very early stages of this process. The Board will investigate it thoroughly before a decision is made. He also stated if the City is not considering raising taxes, then the Board will have to think outside the box and look at things differently to get the City back on a sound footing. He stated he will do what is best for the City of Ocean Springs but will not at the expense of the employees.

Alderman Cox stated he attended a presentation made by one (1) company about privatizing the Public Works Department. He thinks the Public Works department should hear the presentation to be able to make their own decision. He liked what he saw in the presentation but stated he is absolutely not ready to make a decision at this time.

Alderman Cody stated his concerns that there is not enough money to run the department, either raise taxes or look for ways to cut. He also said if the consensus of the Board is to not raise taxes, then the Board needs to research other ways to reduce expenses. He stated one of the ways is to limit out-sourcing in all departments.

Mr. Andre Kaufman said he was not made aware of the Board's decision to consider privatizing his department. He asked that his department be able to show the board the other side of the issue. He provided the Mayor and Board with nine (9) national studies concerning privatization and strongly suggested each of them read it. One of the concerns with his employees is losing their State retirement plan. He also asked the Board to look at all departments concerning privatization.

Ms. Patty Gaston, payroll clerk for the City of Ocean Springs, reminded the Board that the City privatized payroll twelve (12) years ago. After ten (10) months, she came on board to clean up the messes done by that company. Ms. Gaston spoke on behalf of

the Public Works employees who have years of knowledge and experience and do a great job.

Mr. Nate Wilson, Deputy Fire Chief and EOC Director, stated he has worked closely with the Public Works Department over the last 25 years and they have always responded promptly to any emergency type situations with knowledge and expertise. He feels it would be a disgrace to the City to privatize their department.

Ms. Colby Kennedy stated she opposes privatization of the Public Works Department and you get what you pay for.

The Mayor thanked everyone for being at the meeting and giving the Board the opportunity to hear the concerns. She explained there has only been one (1) meeting with a company interested in privatization. She and the Board do not have all the facts or a final proposal from them. The H.R. Committee wanted to explore how each department could run more cost efficiently while not compromising the benefits to the employees. Privatization has been implemented in several surrounding communities, Gulfport, Pascagoula and Gautier. She also stated that cutting the millage has put the strain on the City budget and kept them being able to offer the employees raises every year. The Board is looking at every possible way to run more efficiently. No determination has been made at this point concerning privatization and assured the employees they will have all of the facts, answers and be able to ask questions before a decision is made if the Board chooses to move forward with this matter.

CONSENT AGENDA

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to approve the Consent Agenda with exception of item (I) which was pulled by Alderman Cox.

Alderman Cox pulled item (I) to ask for an update. The Public Works Director explained the specs have one of the property owner's getting hydroseed and some would get sod; therefore, will sod it all but will get a credit for the grassing. Also, the road being replaced needs to be doweled for concrete tie in. This Change Order request is within budget. Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute Change Order #1 in the amount of \$7,852.50 with Jay Bearden Construction, Inc. for dowels for concrete paving tie in and sod related to the CIAP- funded Drainage Improvement Projects on Front Beach, funding within the budget and eligible for approval (Exhibit 7-I).

DEPARTMENT REPORTS

Public Works Department:

The Public Works Director asked Alderman Impey to address this issue. Alderman Impey reported Singing River Electric Power Association (SREPA) has agreed to install two (2) light poles with lights on both sides on the median at Highway 90 and the entrance to Lakeview Subdivision due to the high volume of traffic in that area. Once permits are received from MDOT, SREPA will begin installing the lights. Alderman Gill suggested adding a light at Gibson Road.

Parks and Leisure Services Department:

The Parks Director stated the Highway 57 Sports Complex is maxed out with all of the fields being used simultaneously. Ms. Straight stated Ms. Lisa Chapman, a member of the Parks Advisor Board, will address the Board concerning the recommendations their Board is requesting from the City. Ms. Chapman reported the Parks Advisory Board recommends expanding the parking area near the football/soccer fields coming in from Highway 90. Another recommendation made by the Parks Board is constructing shade structures. Alderman Cox asked to meet with their Board to give them his ideas for the shade structures. The Parks Director expressed her ideas for additional parking such as piping the stormwater ditches on either side of the access road and overlaying the turf parking with pervious material. The City Engineer has estimates for laying limestone on the shoulder but they have not looked into piping the ditches. Parking options were discussed. Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to obtain the cost estimates for shade structures and also pursuing alternative options for additional parking.

The Parks Director asked the Board to table this item concerning Fort Maurepas Park in order to gather more information. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to table item (8-c) concerning Fort Maurepas Park (Exhibit 8-c).

Alderman McDonnell explained the Parks Department has expended \$13K from 2% food and beverage taxes. The City Clerk anticipates an excess of \$15,000.00 left from the 2% tax after the debt service payment. Alderman McDonnell said if there are any additional taxes collected; it will be earmarked for the sports complex.

Finance Committee:

The City Clerk presented the recommendations made by the Finance Committee. She explained sales tax, food and beverage tax, court fines and building permit fees are higher than projected at this time.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to accept the recommendations of the Finance Committee as presented by the City Clerk (Exhibit 8-d).

ALDERMEN'S FORUM

Alderman Denyer asked the Public Works Department to address the roadway South of David Harris' house on the East side of the road falls off very sharply (Shearwater Drive).

Alderman Cox asked the Public Works Department to clean the ditch behind Mr. Jurich's house.

Alderman Cox asked the patrolmen to stop and check on the employees at the Mary C. O'Keefe Cultural Center every evening after dark.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Facilities Department to clean the Mary C. O'Keefe building.

Alderman Cody asked the Public Works Department to clean the ditch behind Oak Park; it is holding water and there is ponding on the playground.

Alderman McDonnell stated he was proud of the way the employees handled themselves and how they were able to express their feelings pertaining to privatization. He said it is time the Board decides whether or not to continue discussion about privatization; it was wrong to keep employees uncertain of their future.

Motion was made by Alderman McDonnell and seconded by Alderman Denyer to continue to look for ways to further reduce costs, improve efficiency and productivity in all departments in the City without privatization.

Alderman Denyer stated all stakeholders should be involved in any discussions as the City moves forward with the process of determining ways to save money.

After further discussion, Alderman McDonnell amended his motion and seconded by Alderman Denyer to continue to look for ways to further reduce costs, improve efficiency and productivity in all departments in the City without privatization to include discussion of department heads pertaining to cost cutting measures in their department.

Motion tied with Aldermen McDonnell, Cox and Denyer voting aye and Aldermen Gill, Cody, and Impey voting nay. Alderman Dalgo was absent.

Alderman Gill explained why he voted against the motion by saying he thinks the Public Works employees should look at the numbers, raises and equal benefits offered by the company. He said the H.R. Committee was tasked with looking at all departments and then make to a recommendation to the Board. They have not done that yet and therefore this is circumventing this process.

When Alderman McDonnell asked the Public Works employees if they want privatization. they all answered "No".

Alderman Cody stated privatization could be good for the employees and the City needs to find ways to reduce expenses. If it is not through privatization, the only way is to raise taxes.

Alderman Cox stated he wants to look at numbers but at this time he does not want to vote for privatization.

Motion was made by Alderman McDonnell, seconded by Alderman Denyer and unanimously carried to call for a revote of his previous motion.

Motion was made by Alderman McDonnell and seconded by Alderman Denyer to continue to look for ways to further reduce costs, improve efficiency and productivity in all departments in the City without privatization to include discussion of department heads pertaining to cost cutting measures in their department. Motion carried with Aldermen Cox, Gill, McDonnell, Cody, Denyer voting aye and Alderman Impey voting nay.

EXECUTIVE SESSION

Motion was made by Alderman Gill, seconded by Alderman Cody 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 McDonnell, seconded by Alderman Cody and unanimously carried to remain in executive session to discuss personnel in the Fire Department; potential litigation regarding acquisition of property and potential litigation regarding city services contractor.

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

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to accept the recommendation of the Fire Chief to suspend Employee No. 1475 for one (1) day.

Motion was made by Alderman McDonnell, seconded by Alderman Denyer and unanimously carried to recess until 6:00 p.m. on April 15, 2014.

Meeting ended at 9:41 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
April 1, 2014 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) Safe Digging Month – April, 2014 (Exhibit 3-a)
- b) 31ST National Child Abuse Prevention Month – April, 2014 (Exhibit 3-b)

4. NEW BUSINESS

- a) Request for approval for inclusion of Mr. Duncan May on the Seaman's Memorial – Mr. Joseph May (Exhibit 4-a)
- b) Request to approve Special Event Permit Application for a Congo Jam at Fort Maurepas Park on Saturday, June 14th – Mr. Andrew Sexton and Mr. Mike Baker (Exhibit 4-b)

5. OLD 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 – March 18, 2014 Recess Meeting (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 check for infrastructure cost refund for project on Ocean Springs Road (Exhibit 7-d)

Police Department:

- e) Approve Special Event Permit for 5K Run and ½ Mile Walk for service project for Blair Doyle for fundraiser for Gulf Coast Center for Nonviolence on Saturday, May 10, 2014 from 8:00 a.m. – 12:00 Noon from Fort Maurepas Park to Ocean Springs/Biloxi Bridge (Exhibit 7-e)
- f) Approve Special Event Permits for the Weekend of Discovery Events on Saturday, April 26, 2014, from 8:00 a.m. – 6:00 p.m.: 5K Race of Discovery and One (1) Mile Kids Fun Run; Children's 1699 Pet Parade and 1699 Landing Reenactment Celebrating the City's 315th Anniversary of the Landing of d'Iberville (Exhibit 7-f)
- g) Approve Special Event Permit for Earth Day Celebration on Saturday, April 19, 2014, from 8:00 a.m. – 3:00 p.m. at Little Children's Park and authorize to close the street at Calhoun Street from Dewey Avenue to Washington Avenue (Exhibit 7-g)
- h) Approve Revised Special Event Permit for Mayfest Events: 5K Race on Friday, May 1, 2014, beginning at 7:00 p.m.; Music on Saturday, May 2, 2014 from 10:30 a.m. – 10:00 p.m. and Sunday, May 3, 2014 from 12:00 Noon – 8:30 p.m., street closure on Government Street at Washington Avenue to Russell beginning at 6:00 a.m. on Saturday, May 1st and open street on Sunday, May 3rd at 10:00 p.m.; Fire Truck and Acadian to set up a Cash Alley and block side streets; event organizer to pay \$500.00 to the City of Ocean Springs (Exhibit 7-h)

Fire Department:

- i) Authorize employment of Jacob Jones as Firefighter, effective April 9, 2014; \$10.03 hourly; one-year probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-i)

Human Resources/Risk:**City Engineer:****Public Works:****Community Development & Planning:**

- j) Authorize to submit Application for MDOT Youth Corps Program Funds and sign appropriate documents when funds are awarded (Exhibit 7-j)
- k) Authorize the Mayor to execute Memorandum of Agreement between the Mississippi Department of Archives and History, Mississippi Department of Marine Resources, City of Ocean Springs and Mississippi Heritage Trust Amendment #1 to allow extension of MOU through March 31, 2015, pending legal approval (Exhibit 7-k)
- l) Authorize the Mayor to execute Change Order #1 in the amount of \$7,852.50 with Jay Bearden Construction, Inc. for dowels for concrete paving tie in and for sod related to the CIAP-funded Drainage Improvement Projects on Front Beach, funding within the budget and eligible for approval (Exhibit 7-l)

Building Department:

- m) Accept Tree Committee Report (Exhibit 7-m)
- n) Accept Building Department Permit Report for February, 2014 (Exhibit 7-n)

Parks & Leisure Services:**City Attorney:****Peer Review Committee:****H.R. Committee:****Finance Committee:****8. DEPARTMENT REPORTS****Mayor:****City Clerk:****Police:****Fire:****Human Resources/Risk:****City Engineer:****Public Works:**

- a) Highway 90 Median Lakeview Lighting

Community Development & Planning:**Building Department:****Parks & Leisure Services:**

- b) Recommendations from the Parks Advisory Board for Sports Complex Necessities (Exhibit 8-b)
- c) Recommendation concerning Fort Maurepas Park (Exhibit 8-c)

City Attorney:**Facilities****Peer Review Committee:****H.R. Committee:****Finance Committee:**

- d) Recommendations from Finance Committee (Exhibit 8-d)

9. ALDERMEN'S FORUM**10. EXECUTIVE SESSION**

- a) Personnel in Fire Department

RECESS until 6:00 p.m. on April 15, 2014