

## **REGULAR MEETING OF AUGUST 4, 2015**

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 4, 2015. 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 introduced Mr. Jon Bierd and Mr. Ruport "Binky" Jemmott as representatives of Waste Pro, the City's waste contractor. Mr. Bierd stated he is the new Division Manager for Waste Pro and asked if anyone has any service issues or special service requests to contact Binky. He looks forward to continuing service with the City.

### **PROCLAMATIONS**

The Mayor read a proclamation declaring August 4, 2015 as **Asgard Motorcycle Club Day** in the City of Ocean Springs (Exhibit 3-a).

The Mayor read a proclamation declaring August 20, 2015 as **Blue and Grey Day** in the City of Ocean Springs (Exhibit 3-b).

The Mayor read a proclamation declaring July 26, 2015 as **Americans with Disabilities Act Day** in the City of Ocean Springs (Exhibit 3-c).

### **PUBLIC HEARINGS**

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to open the Public Hearing for lot cleaning at 204 Dewey Avenue.

#### **Proponents for the Lot Cleaning**

The Building Official reported his department has received numerous complaints concerning the overgrowth of grass, weeds and hedges at 204 Dewey Avenue. Notices were sent to the property owner on May 21, 2015; June 4, 2015 and June 10, 2015. He reported the weeds and plant growth are in excess of 11 inches and the hedges need to be trimmed. He stated letters were sent to the property owners of record but was informed the property owner is deceased; therefore, all mail has been

returned as undeliverable. Pictures were presented by the Building Official for the record. Prior to this public hearing, notices were posted on the property; notices were sent to the last known address; the address on the ad valorem tax notices, posted on the bulletin board at City Hall and published in the City's publication of record. His recommendation is to obtain quotes and move forward with the lot cleaning as the weed height and plant growth present a menace to public health and safety.

#### Opponents of the Lot Cleaning

There were no opponents present at the lot cleaning.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to close the Public Hearing for lot cleaning at 204 Dewey Avenue.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the recommendation of the Building Official and determine the property at 204 Dewey Avenue to be in such a state of uncleanliness so as to be a menace to public health and safety based on the matters presented and the City shall proceed to clean the land 6 times in one calendar year and enroll the cost as a lien with the tax collector's office.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to open the Public Hearing for lot cleaning at 1303 Porter Avenue.

#### Proponents for the Cleaning

The Building Official reported the property has been brought into compliance with the City Code. He stated his recommendation would be to remove this property from the lot cleaning process as long as the property owners cut and maintains it as required by the law.

#### Opponents of the Cleaning

The property owners, Mr. and Mrs. Jerry and Johanna Strowd, were present at the lot cleaning hearing. Mrs. Strowd presented pictures showing the progress of the cleaning lot as well as an explanation of some of the plants they left growing on the lot that may be mistaken for weeds. Mrs. Strowd explained they use the concrete steps to sit on and will not be removing them from the lot. Mr. Strowd explained the Municipal Court Judge had previously stated the steps could remain on the lot.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to close the Public Hearing for lot cleaning at 1303 Porter Avenue.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the Building Official's recommendation to remove the property at 1303 Porter Avenue from the lot cleaning process.

## **ADDENDUM**

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to add the Addendum to the Agenda.

## **PUBLIC COMMENTS**

None.

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to approve the Consent Agenda and Addendum with the exception of item (8-n) which was pulled by Alderman Gill.

Alderman Gill pulled item (8-n) to ask if this was awarded to Allen Engineering through a Request for Proposals. The Building Official explained this Plan was originally slated for implementation in 2013 but the Mississippi Department of Environmental Quality (MDEQ) did not have permitting documentation formalized until this time. Allen Engineering has been handling the City's stormwater management plan since that time. Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to approve and authorize the Mayor to execute the proposal from Allen Engineering regarding the development of the next five-year Stormwater Management Plan, funded in FY14-15, pending legal review (Exhibit 8-n).

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

The Planning/Grants Administrator presented the re-bid for the Ocean Springs Harbor Road and related launch/pier improvements project. She described the participation of the County in the coffer dam and dewatering related to the launch and pier improvements. The County will commit to pay the upset cost of the \$282K which represents the add alternate for the coffer dam and dewatering and any unused funds at the end will go towards that. The city's tidelands funds cover the road and sidewalk improvements. They are asking to get approval for Notice of Intent to award to the low bidder with information as provided. She also presented a Draft Memorandum of Agreement with the County that outlines their funding commitment. She described the contingencies that are built into the tidelands funded activities. The MOA commits any unencumbered funds that are not required to complete either the harbor green or the

road to the coffer dam. This amount is projected to be between \$8k and \$40k depending upon conditions encountered during construction.

Alderman Denyer stated the City is effectively shutting down a business for 2 months and asked who is working towards business interruption money to make available to businesses at the harbor affected when construction begins. She said she did not recall but will find out who can best guide the business to assistance. She stated the contract requires that at least one lane of traffic stay open as much as possible, however the launch will have to be closed in its entirety during the launch improvements. Construction will begin after the Labor Day holiday.

The Grants/Planning Administrator further explained that the improvements within the leased parking area were not included in this recommendation. The cost was too high for these improvements to be eligible for implementation. It would have not been an eligible Tidelands expense at any amount. However, the dollar amount as it relates to the length of the lease was more than could be spent by a public entity. Previous discussion indicated that these improvements could be done in-house at a later date.

Alderman Cox asked to notify the Gulf Coast Research Lab about an influx of boating traffic during the 2 months of construction at the harbor, and to ask for any additional trailer launch space. Ms. Martin stated that a press release would be issued prior to the start of construction.

Motion was made by Alderman Gill, seconded by Alderman Impey and unanimously carried to authorize the Notice of Intent for the low bidder pending receipt of the approved MOA from Jackson County.

## **ALDERMEN'S FORUM**

Alderman Cody asked Public Works to paint the crosswalks at the Upper Elementary and Oak Park Elementary and edge the sidewalks around the schools in preparation of the start of school. He also asked for status for striping on Government Street. The Mayor reported the County has received the Interlocal Agreement and will be contacting McCool to schedule the striping.

Alderman Cody also asked for a status on the quotes to do the permanent repairs on the pavers at corner of Government Street and Washington Avenue. The Public Works Director advised the contractor had recommended doing a spot repair and that has already been done. The City Engineer reported the Contractor used new concrete pavers which will last much longer than the clay bricks originally put in. Alderman Cody asked for quotes to repair the whole intersection and to put funding in the budget for this project.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to authorize Public Works to place a tent at the high school football stadium on August 20<sup>th</sup> for the community wide pep rally to advertise the resources of the City.

Alderman Cox asked the Public Works Department for the use of barricades for a fundraiser at the Mary C. O'Keefe Cultural Center. He will report back with a date for the event.

Alderman McDonnell asked the Police Chief to be more vigilant with the live bands and music be played after the midnight curfew. He has received complaints about bands being heard at 2:00 a.m.

Alderman McDonnell asked the Mayor about finding solutions to help with the City's homeless citizens. It was suggested to meet with Disability Connections for their assistance and also to make a resource list to give to these citizens. Alderman Cox stated the Director of the Salvation Army stated there is a shelter in Pascagoula and a larger facility will be opening in Gulfport.

Alderman Gill stated he supports hiring a Planner for the City.

## **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 McDonnell, seconded by Alderman Impey and unanimously carried to remain in executive session to discuss personnel in the Police Department and Public Works Department.

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

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to approve the job description for the Assistant Public Works Director.

Motion was made by Alderman Dalgo, seconded by Alderman McDonnell and unanimously carried that all out of state travel be approved by the Board before arrangements are booked.

Motion was made by Alderman Gill, seconded by Alderman Impey and unanimously carried to recess until 6:00 p.m. on August 18, 2015.

Meeting ended at 7:50 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**  
**REGULAR MEETING**  
**August 4, 2015 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATIONS**

- a) Asgard Motorcycle Club Day (Exhibit 3-a)
- b) Blue and Grey Day (Exhibit 3-b)
- c) Americans with Disabilities Act Day (Exhibit 3-c)

**4. PUBLIC HEARINGS**

- a) Lot cleaning hearing – 204 Dewey Avenue (Exhibit 4-a)
- b) Lot cleaning hearing – 1303 Porter Avenue (Exhibit 4-b)

**5. NEW BUSINESS**

**6. OLD BUSINESS**

**7. 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.

**8. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 8, 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 July 21, 2015 (Exhibit 8-a)
- b) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-b)
- c) Accept Action Report (Exhibit 8-c)
- d) Approve Run/Walk Permit Application for a OSHS Cheer 5K as a fundraiser for the OSHS Cheerleader Squad on Saturday, October 3, 2015 from 8:00 a.m. – 11:00 a.m., Front Beach/Bridge route; no costs incurred by any city department (Exhibit 8-d)
- e) Authorize to award the City Bank Depository to Hancock Bank for a period of two (2) years and split funding as Hancock Bank 60%, BancorpSouth 30% and Peoples Bank 10%, Finance Committee concurs (Exhibit 8-e)
- f) Authorize to re-schedule the Public Hearing for the Motor Vehicle Assessment Schedule for FY14-15 to Tuesday, August 21, 2015 at 6:00 p.m.

**Police Dept.:**

- g) Authorize employment of Michael Hanson as a Police Officer, \$13.95 hourly, effective August 5, 2015, twelve (12) month probationary period and pending successful completion of all pre-employment requirements (Exhibit 8-g)

**Fire Dept.:**

**Human Resources/Risk:**

- h) Authorize employment of Victoria Kline as the part-time Civil Service Assistant, \$10.00 hourly, no more than 40 hours per month, effective August 5, 2015, with no benefits and does not attain Civil Service status (Exhibit 8-h)

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- i) Accept award of \$5,000.00; adopt resolution and authorize the Mayor to execute the Grant Agreement for funds from Office of Highway Safety for Occupant Protection Enforcement for overtime salaries associated with Seatbelt and Child Restraint enforcement activities (Exhibit 8-i)
- j) Authorize to advertise for bids for the CIAP – MS-30706 project known as the “Rehage Swale”, which addresses the swale between LaFontaine and Harbor Drive and make improvements in the Harbormaster parking lot as well as extend the sidewalk north around the corner, pending final approval of the design from Public Works and Jackson County (Exhibit 8-j)

**Building Department:**

- k) Accept Code Enforcement Report (Exhibit 8-k)
- l) Approve building permit for construction of a new pavilion at the Harbor landing property (Exhibit 8-l)
- m) Authorize to partner with Disability Connection to re-design the handicapped parking space in front of City Hall based on new guidelines by the Department of Justice (Exhibit 8-m)
- n) Approve and authorize the Mayor to execute the proposal from Allen Engineering regarding the development of the next five-year Stormwater Management plan, funded in FY14-15, pending legal review (Exhibit 8-n)

**Parks & Leisure Services:**

- o) Authorize request to remove Payton Brown from probationary status to full-time status effective July 21, 2015 (Exhibit 8-o)
- p) Accept resignation of Tori Williams, Custodian, effective August 4, 2015, and authorize employment of Zelda McCreary, effective August 5, 2015, \$11.00 hourly, six month probationary period and pending successful completion of all pre-employment requirements (Exhibit 8-p)
- q) Authorize transfer of Gravely Walk behind Reel Mower, serial no. 000105, from the Parks & Leisure Services Department to Public Works (Exhibit 8-q)

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

- r) Accept Finance Committee meeting minutes of July 21, 2015 (Exhibit 8-r)

**9. DEPARTMENT REPORTS****Mayor:****City Clerk:****Police:****Fire:****Human Resources/Risk:****City Engineer:****Public Works:****Community Development & Planning:**

- a) Discussion status of bid opening for Tidelands funded improvements to the OS Harbor Road and related launch and pier improvements (Exhibit 9-a)

**Building Department:****Parks & Leisure Services:****City Attorney:****Facilities:****Peer Review Committee:****H.R. Committee:****Finance Committee:****10. ALDERMEN'S FORUM****11. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 p.m. August 18, 2015**

**ADDENDUM TO AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**August 4, 2015 - 6:00 p.m.**

**1. CONSENT AGENDA**

**Public Works:**

- a) Authorize employment of Jared Seymour, Sewer Department Laborer, effective August 10, 2015, \$11.50 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit A-1a)

**Police Department:**

- b) Accept resignation of Van Garrard, Patrolman, effective August 14, 2015, and authorize to begin the process to fill the vacant position, H.R. Committee concurs (Exhibit A-1b)