

RECESS MEETING OF DECEMBER 18, 2012

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 December 18, 2012. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Hagan were present. Also present was Deputy City Clerk Karen Kennedy and City Attorney John Edwards.

Alderman Cody gave the invocation and Boy Scout Troup 273 led the Pledge of Allegiance.

PROCLAMATION

The Mayor read a proclamation declaring December 18, 2012 as Poor Man's Yacht Club Day (Exhibit 3-a).

PRESENTATION

The Grants and Planning Administrator gave an update on Gay Lemon Shelter project. The project is awaiting final approval from FEMA of the specifications to be able to begin advertisement. The total estimated cost of the project is \$3.4M and that is a 95/5 split, 95% reimbursed by FEMA and 5% being the local match, approximately \$167,000.00. The City has expended approximately \$10,000.00 with a remaining balance of \$157,000.00 expected over the course of the construction of the project. She estimates construction would not be complete until Spring, 2014 at the earliest. The local match was original budgeted with 2% funding. The amount spent to date has been submitted for reimbursement. If the Board does not continue with the project, the reimbursement will have to be rejected. This amount is \$282,403.67. Alderman McDonnell asked for an operational plan to be presented to the Board before the project continues. The Grants Administrator further stated this project has an assigned revenue line in the budget specifically for this project so all reimbursements will be assigned to that line item.

The Parks Director stated she feels the only costs to operate the facility would be utilities and insurance. Revenues would come from participation fees. She has already obtained cost estimates for one-time costs such as bleachers and score boards. Alderman McDonnell asked her to submit in writing an operational plan including overhead, staffing, insurance, maintenance and utilities for the Board to review before the project is advertised for bids.

Motion was made by Alderman Denyer, seconded by Alderman Hagan and unanimously carried to authorize the Parks Director, Grants and Planning Administrator and the City Clerk to determine the final project costs on the Gay Lemon Shelter project and make a presentation at the next board meeting.

Motion was made by Alderman Gill, seconded by Alderman Hagan and unanimously carried to authorize payment of Bruce Tolar's invoice in the amount of \$4,598.85 for the Gay Lemon shelter project.

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to approve the amendment to the Memorandum of Understanding with the Ocean Springs School District for the use of the N.E. Taconi School Building to end March, 2013.

The Parks Director asked the Board to not renew the Tennis Pro's Contract at the end of January, 2013. The Parks Advisory Board will review further into leasing the facility to a private entity and make a recommendation to the Board of Aldermen.

OLD BUSINESS

A representative from the Chamber of Commerce was not present for discussion on the funding request for the 2% restaurant and beverage tax. The Mayor explained the City earmarked funds to promote restaurants and bars. It has been requested by a group of restaurant and bar owners to upgrade the OceanSpringsEats.com website and print a dining guide. No action was taken at this time (Exhibit 5-a).

NEW BUSINESS

Mr. Arturo Barajas, owner of Mosaic, and Mr. Steve Barshov, Director of Market Development for Converge, made a power point presentation about a mobile phone app to provide mapping to show businesses in the area and would direct visitors of the existing Ocean Springs Eats.com to an all-inclusive site to be updated regularly by Converge (Exhibit 6-b).

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to approve the funding request from the 2% tax levy to the Chamber of Commerce pending the City Clerk's determination of the amount of the allotment to be paid over the next six (6) months.

OLD BUSINESS

Motion was made by Alderman Hagan, seconded by Alderman McDonnell and unanimously carried to officially dissolve the City's association with the Jackson County Narcotics Task Force. Alderman Dalgo abstained from the vote.

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to authorize the Police Chief to invite the Director of the newly formed task force in Jackson County to meet with the Board concerning the operation of this new task force at the January 15th meeting.

NEW BUSINESS

Mr. Nick Kinderman asked for the City's support during the Battle on the Bayou event scheduled for March 2, 2013. The Peer Review Committee will review the request of using two (2) City buses; the fire boat during the event and trash pick-up.

PUBLIC COMMENTS

Mr. Jack Gottsche, 416 Jackson Avenue, addressed the Board about an abandoned house located at the corner of Calhoun and Jackson. He asked the Board to consider beginning the lot cleaning procedures on this property.

CONSENT AGENDA

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda with exception of item (c) which was pulled by Alderman Hagan and items (k) and (p) which were pulled by Alderman Gill.

Alderman Hagan pulled item (c) for clarification. He asked who asked the City to proceed with this request. The Executive Assistant stated the Mississippi Municipal League approached her concerning this matter. This resolution is requesting the introduction and passage of a bill entitled "Citizens for Economic Development Act" (CEDA). This would make it easier for municipalities to enact up to a 1% additional sales tax revenue but it would still require a 60% referendum vote. Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to table item (c) to gather more input from our legislators (Exhibit 8-c).

Alderman Gill pulled item (k) for clarification concerning the monies collected from the lease. The Fire Chief stated one-half (1/2) of the lease monies collected will go to the

General and the other one-half (1/2) to the Fire Department. The Fire Chief assured the Board the sirens would not be turned on until the ambulance reaches Highway 90. Motion was made by Alderman Gill, seconded by Alderman Hagan and unanimously carried to authorize the City Clerk and City Attorney to enter into negotiations with Acadian Ambulance to lease the Champ Gay fire station (Exhibit 8-k).

Alderman Gill pulled item (p) for clarification concerning the extension date. Motion was made by Alderman Gill, seconded by Alderman Hagan and unanimously carried to authorize the extension of the deadline for demolition for 1823 Bienville Boulevard until February 5, 2013, to allow the property owners to have a hearing before the Zoning and Adjustment Board (Exhibit 8-p).

DEPARTMENT REPORTS

Mayor:

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute the Resolution Supporting the Acquisition of the "Harbor Landing" property in the Ocean Springs Small Craft Harbor by the Mississippi Department of Marine Resources (Exhibit 9-a).

City Clerk:

Due to the City Clerk's absence, she will give her update on the current budget along with the 2% funding report at the first meeting in January, 2013.

Police Department:

The Police Chief stated the police boat will be appraised tomorrow and will be asking the Board to set a reserve once the appraisal is complete.

Building Department:

Due to the Building Official's absence, Alderman Hagan asked to table this item until the Board is familiar with each change before the ordinances are adopted. Motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to table item (c) for input from the Building Official.

ALDERMEN'S FORUM

Alderman McDonnell asked to research the best solution to clean and dissolve the graffiti spray painted at Fort Maurepas Park. The Police Chief will review the surveillance camera tapes.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to authorize to begin the lot cleaning process at the property located at the corner of Calhoun and Jackson Avenue.

Motion was made by Alderman Cody, seconded by Alderman Hagan and unanimously carried to instruct the Mayor to provide the Board with the presentation she will make at the State of the City Address prior to the event tentatively set for January 17th at 6:00 p.m. at the Mary C. O'Keefe Cultural Center. The Mayor further stated she would like to have an interactive strategic planning session during this event.

Alderman Cox asked the Assistant Public Works Director for an update on the drainage on Morris Noble Road. He stated approximately \$200,000 of drainage work has been done in that area; 12-14 catch basins as well as water and sewer lines. There are plans to build another catch basin in the area to begin after the holidays.

Alderman Cox asked to put back the garbage dumpster and port-o-let at the boat launch at the research lab for the kayakers year round. Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to authorize the Mayor to ask the gulf Coast Research Lab to extend the terms of the Temporary Dedication and Use of Land for Public Purposes to all year round.

Alderman Denyer asked Public Works Department to check the ditch at Oaklawn.

EXECUTIVE SESSION

Motion was made by Alderman Hagan, seconded by Alderman Gill 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 Cody, seconded by Alderman Hagan and unanimously carried to remain in executive session to discuss potential litigation with the Public Safety Center and attorney/client privileged discussion.

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

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to approve and authorize the Mayor to execute the Resolution rejecting Solid Waste Proposals and authorizing for proposals for Solid Waste Services (Exhibit

The City Attorney outlined the specifications provided by the Board to be placed in the Solid Waste Request for Proposals. The Board approved the specifications as described and approved their inclusion in the Request for Proposals.

Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried to change the number of containers to four (4) provided by the Garbage Contractor shall at no cost to be stated in the Request for Proposal.

Motion was made by Alderman McDonnell, seconded by Alderman Hagan and unanimously carried to accept the Request for Proposal as presented by the City Attorney and authorize to advertise as soon as possible for Solid Waste Collection for two (2) consecutive weeks.

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to open the sealed Request for Proposals for Solid Waste Collection at the first available Board of Aldermen meeting as law requires.

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-16 AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL BUILDING CODE** (Exhibit 9-c-i). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-17 AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS** (Exhibit 9-c-ii). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-18 AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL PLUMBING CODE** (Exhibit 9-c-iii). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-19 AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL MECHANICAL CODE** (Exhibit 9-c-iv). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-20 AN ORDINANCE ADOPTING THE 2012 EDITION OF THE INTERNATIONAL FUEL GAS CODE** (Exhibit 9-c-v). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-21 AN ORDINANCE ADOPTING THE 2011 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE** (Exhibit 9-c-vi). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Gill and seconded by Alderman Dalgo to adopt **Ordinance No. 2012-22 AN ORDINANCE ADOPTING THE 2011 EDITION OF THE NATIONAL ELECTRICAL CODE** (Exhibit 9-c-vii). 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>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Hagan	<u>Voting Aye</u>

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to adjourn until 6:00 p.m. on January 2, 2013.

Meeting ended at 9:09 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
December 18, 2012 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) Poor Man's Yacht Club Day (Exhibit 3-a)

4. PRESENTATION

- a) Storm Shelter Update -- Geri Straight, Carolyn Martin and Bruce Tolar (Exhibit 4-a)
- b) Update on the recommendation from the Parks Advisory Board for the use of Taconi gym

5. OLD BUSINESS

- a) Funding Request for 2% restaurant and beverage tax -- Ms. Margaret Miller (Exhibit 5-a)
- b) Withdrawal from the Narcotics Task Force of Jackson County -- Alderman Hagan

6. NEW BUSINESS

- a) Battle on the Bayou Kayak Event -- Mr. Nick Kinderman (Exhibit 6-a)
- b) Website to promote restaurants -- Mr. Arturo Barajas

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:

- a) Authorize Mayor to execute the Resolution ratifying the temporary closing of Front Beach Drive for a motion picture film (Exhibit 8-a)
- b) Authorize to participate in the Senior Community Service Program (SCSEP) and authorize the Mayor to execute the Host Agency Agreement, a grant funded initiative that provides low-income senior citizens (aged 55+) with on-the-job training to update their skill sets and prepare them to re-enter the workforce; worker's hourly wages are covered 100% by a Department of Labor grant, which is administered through the South Mississippi Planning and Development District, pending legal review and approval (Exhibit 8-b)
- c) Approve and authorize the Mayor to execute the Resolution requesting the introduction and passage of a bill entitled "Citizens for Economic Development Act" (CEDA) (Exhibit 8-c)
- d) Approve and adopt the City's Social Media Policy (Exhibit 8-d)

City Clerk:

- e) Approve Minutes: Regular Meeting December 4, 2012 (Exhibit 8-e)
- f) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 8-f)
- g) Accept Action Report (Exhibit 8-g)

Police Dept.:

- h) Authorize employment of Delaney Waltman, as a patrol officer, effective January 2, 2013, \$15.95 per hour, one-year probationary period and pending successful completion of all pre-employment requirements (Exhibit 8-h)

Fire Dept.:

- i) Accept Monthly Fire Department Report (Exhibit 8-i)
- j) Authorize the Mayor to execute the Mutual Aid Agreement for Fire Protection (Exhibit 8-j)
- k) Authorize the City Clerk and City Attorney to enter into negotiations with Acadian Ambulance to lease the Champ Gay fire station (Exhibit 8-k)

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

- l) Authorize the Mayor to execute the Agreement with DMR and administer the program in coordination with Jackson County and authorize to advertise for environmental services related to the Harbor Storm Water Management and Wetlands Restoration - CIAP - MS-30706 (Exhibit 8-l)

Planning Commission

- m) Accept Planning Commission's recommendation to approve the lot reconfiguration to transfer the (16.5 feet) portion of Lot 83 and transferring the ownership to the property owner of Lot 82, Schulter Park Subdivision (Exhibit 8-m)

Zoning & Adjustment Board

- n) Accept Zoning & Adjustment Boards recommendation to approve 20% variance to allow the construction of the front stairs at 105 Ashley Place (Exhibit 8-n)

Building Department:

- o) Accept Tree Committee Report (Exhibit 8-o)
- p) Authorize extending the deadline for demolition for 1823 Bienville Boulevard to February 5, 2013 (Exhibit 8-p)

Parks & Leisure Services:

City Attorney:

Facilities:

9. DEPARTMENT REPORTS

Mayor:

Action Item:

- a) Approve recommendation by the Ocean Springs Harbor Commission and the Jackson County Board of Supervisors requesting a Restoration, Public Use and Management Plan to allow the Ocean Springs Small Craft Harbor to manage the property owned by the Department of Marine Resources, known as the "Harbor Landing Property"

City Clerk:

- b) Update on current budget

Police:

Fire:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

- c) Adoption of the 2012 International Building Codes and 2011 National Electrical Code
 - i. An Ordinance Adopting the 2012 Edition of the International Building Code (Exhibit 9-c-i)
 - ii. An Ordinance Adopting the 2012 Edition of the International Residential Code for One and Two Family Dwellings (Exhibit 9-c-ii)
 - iii. An Ordinance Adopting the 2012 Edition of the International Plumbing Code (Exhibit 9-c-iii)
 - iv. An Ordinance Adopting the 2012 Edition of the International Mechanical Code (Exhibit 9-c-iv)
 - v. An Ordinance Adopting the 2012 Edition of the International Fuel Gas Code (Exhibit 9-c-v)
 - vi. An Ordinance Adopting the 2012 Edition of the International Property Maintenance Code (Exhibit 9-c-vi)
 - vii. An Ordinance Adopting the 2011 Edition of the International Electrical Code (Exhibit 9-c-vii)

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

10. ALDERMEN'S FORUM

11. EXECUTIVE SESSION

ADJOURN UNTIL 6:00 P.M. on Wednesday, January 2, 2013