

REGULAR MEETING OF MARCH 5, 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 March 5, 2013. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Hagan 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.

PUBLIC HEARING

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to open the Public Hearing concerning the lot cleaning at 106 Niagara Avenue.

The Code Enforcement Officer stated the property has been cleaned and recommends no action at this time.

The property owner, James Hudson, stated he will provide a plan to sustain and maintain the property.

Motion was made by Alderman Dalgo, seconded by Alderman Hagan and unanimously carried to close the Public Hearing concerning the lot cleaning at 106 Niagara Avenue.

OLD BUSINESS

The Mayor asked the representative from WastePro of Mississippi, LLC, Mr. Rick Chancey, to clarify the items that would be picked up for recycling. Mr. Chancey stated the original flier stated glass and cardboard would not be picked up for recycling. He clarified that glass and cardboard will be picked up for recycling. A second, corrected flier will be mailed to the residents and also be included in the recycling bins/carts.

NEW BUSINESS

Mr. John Kindle of St. Paul's United Methodist Church asked for a reconsideration of a decision made by the Tree Committee to remove a magnolia tree at the church. Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to allow the removal of the magnolia tree at 800 Porter Avenue that is growing against

the root system of a live oak and may potentially cause damage to the roof of the church.

Mrs. Aimee Carresi spoke on behalf of Smoke Free Mississippi and asked the Board to consider adopting an Ordinance to become a smoke free city. She also stated there are grants under Blue Cross/Blue Shield to help fund the work to enact the comprehensive smoke free ordinance. There are 68 cities in the State of Mississippi who have adopted comprehensive smoke free ordinances in order to protect their citizens and visitors. Dr. Steve Boscovich, a physician with the Singing River Hospital System, stated some of the risks of second-hand smoke and it can increase the risk of heart attacks.

Mrs. Julia Weaver introduced Dr. Eric Powell as the new Director of the Gulf Coast Research Lab. Dr. Powell asked the Board for their support with an \$11.5M replacement of the J.L. Scott Marine Education Center that was destroyed during Hurricane Katrina. The new site chosen is adjacent to Gulf Islands National Park and near Gulf Park Estates. The developers, Lake Flato, are proposing a development in a natural setting at Cedar Point with smaller buildings for a total of 34,000 square feet between 12 buildings. A power point presentation was made by Dr. Powell and Chris Snyder.

Dr. Hank Roberts presented his patented Electrical Device for Economic Energy (EDEE). He asked the City to allow him to set up his device on one building to show the cost savings on the City's energy bills by using solar power. He further stated if the City did not save at least 50% on their monthly power bill, there would be no cost for the device. Also, by using the EDEE, you would never be without power.

PUBLIC COMMENT

Mrs. Pam Cox asked for an explanation as to why the City was involved in securing a FEMA Cottage for the Bait Shop at the harbor. The Mayor explained the cottage has been conveyed to Mercy Housing to be used for housing so the City has no role in the cottage for a bait shop. The City never intended to directly lease any cottage to the bait shop; an RFP process would have been implemented.

CONSENT AGENDA

Motion was made by Alderman Hagan, seconded by Alderman Denyer and unanimously carried to approve the Consent Agenda with exception of items (a), (b), (h) and (k) which were pulled by the Mayor and item (g) which was pulled by Alderman Denyer.

The Mayor pulled items (a), (b) and (k) concerning the St. Patrick's Day Parade and celebration. At this time, she was not sure if there were enough parade units

participating to cover the cost of the liability insurance coverage. Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to approve the parade permit on Saturday, March 16th from 5:30 p.m. – 6:30 p.m. pending adequate liability insurance naming the City as an additional insured. Alderman Dalgo abstained from the vote (Exhibit 7-k).

There was discussion among the Board concerning the street closure. The City Attorney explained streets can be closed at the discretion of the Police, Fire and/or Public Work departments in an emergency event and circumstances that warrant the closure for public safety.

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to adopt the Resolution to temporarily allow consumption of beverages and sale of beer on public property for Saturday, March 16, 2013 (Exhibit 7-b).

Motion was made by Alderman Hagan, seconded by Alderman Cox and unanimously carried that due to St. Patrick's Day related parade and other activities in the downtown area, Jackson Avenue, Porter Avenue, Washington Avenue and Government Street shall be closed on Saturday, March 13, 2013, from 5:30 p.m. – 10:00 p.m. and further that the Chief of Police shall have the authority to open and close such streets as necessary (Exhibit 7-a).

Peer Review Committee

Alderman Denyer pulled item (g) for clarification from the Peer Review Committee. He stated the committee recommends payment of the invoice in the amount of \$2,300.00 from All South Consulting Engineers to survey the north side of Government Street from Davis Bayou to Ocean Springs Middle School. He stated the engineers are of the opinion if the sidewalk is moved to the north side, the City will have a cost savings of \$18,000.00 and it appears to be a safer route.

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to authorize the Mayor to execute Amendment 1 to the Engineering Services Contract with All South Consulting Engineers, LLC for the Government Street Improvements Project, Peer Review Committee concurs, pending City Clerk's identification of line item account in the existing budget (Exhibit 7-g).

Alderman Denyer also stated the Peer Review Committee is asking the Board to consider appointing Andre Kaufman as Project Manager of the Government Street Improvements Project. Mr. Kaufman will be the point of contact for all matters concerning this project. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to appoint Public Works Director, Andre Kaufman, as Project Manager for the Government Street Improvements Project.

The Mayor asked the Board for consideration to appoint BKI for the CE&I engineer on the Government Street Improvements project. The City Attorney stated since the project is federally funded, three (3) engineering firms must be considered as part of the process to appoint a CE&I engineer. The Peer Review Committee will review.

The Mayor pulled item (h) for discussion concerning the budget amendments for the Dewey Avenue Substation project. The Building Official asked to consider tabling these budget amendments until the paving and milling is complete. The project is near completion within budget. Alderman Gill asked the Building Official to obtain a cost estimate to pave in front of the building for additional parking. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to table the budget amendments until the next meeting (Exhibit 7-h).

DEPARTMENT REPORTS

Parks & Leisure Services Department:

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to accept the recommendations of the Parks Advisory Board concerning the Halstead Tennis Courts, Ocean Springs Sports Complex Advertising and Ocean Springs Sports Complex Amenities (Exhibit 8-b).

ALDERMEN'S FORUM

Alderman Cody asked the City Attorney to draft a Memorandum of Agreement for additional parking at the Mary C. O'Keefe Cultural Center during the Chocolate Ball on April 6th.

Alderman Cody asked Public Works Department to look for funding in Public Works budget in the amount of \$1,000 to remove water oaks and stumps on Elliott Place.

Alderman Cody asked for a cost estimate to repair a broken or clogged pipe behind Hickory.

Motion was made by Alderman Cox, seconded by Alderman Hagan and unanimously carried to authorize the Fire Department to assemble bikes for the veterans during their down time as a donation of in-kind services to match other donations received by a non-profit organization.

Alderman Cox stated the roof at the Mary C. O'Keefe Cultural Center is leaking again and asked if it is still under warranty. The Mayor will ask the architect, Dennis Cowart, about the warranty.

Alderman Hagan asked the Parks Director if there is a set fee for leagues to host tournaments at the Ocean Springs Sports Complex. The Parks Director stated there is a set fee of \$4,000.00 recommended by the Parks Advisory Board and approved by the Board of Aldermen. Alderman Hagan and Alderman Cox asked to meet with the Parks Advisory Board to revisit the amount of fees charged to host tournaments. The Parks Director stated some things to be considered is the city provides field maintenance, cleaning of the restrooms and the cost of lighting the fields. Aldermen McDonnell asked the Parks Director to give a report on the cost of lighting the fields for four (4) hours.

Motion was made by Alderman Hagan, seconded by Alderman Dalgo and unanimously carried to recess until 6:00 p.m. on March 19, 2013.

The meeting ended at 8:43 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
March 5, 2013 – 6:00 p.m.**

1) CALL TO ORDER

2) ROLL CALL

3) PUBLIC HEARING

- a) Lot Cleaning Hearing – 106 Niagara Avenue (Exhibit 3-a)

4) OLD BUSINESS

5) NEW BUSINESS

- a) Appeal of Tree Committee Decision at 800 Porter Avenue – St. Paul's Methodist Church and Donnie McClain (Exhibit 5-a)
- b) Discussion on Smoke Free Mississippi – Aimee Barresi (Exhibit 5-b)
- c) Discussion on Electrical Device for Economic Energy (EDEE) – Dr. Hank Roberts (Exhibit 5-c)
- d) Discussion on Gulf Coast Research Lab programs and projects – Dr. Eric Powell and Julia Weaver (Exhibit 5-d)

- 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 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 discussions of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

Mayor:

- a) Adopt Resolution to allow Chief of Police to Close Streets for a Parade and Other Activities on March 16, 2013, Celebration of St. Patrick's Day (Exhibit 7-a)
- b) Authorize Resolution of the City of Ocean Springs, Mississippi to Temporarily Allow Consumption of Beverages and Sale of Beer on Public Property for Saturday, March 16, 2013 (Exhibit 7-b)

City Clerk:

- c) Approve Minutes: Recess Meeting February 19, 2013 (Exhibit 7-c)
- d) Approve payment: Docket of Claims and spread Summary Upon the Minutes (Exhibit 7-d)
- e) Accept Action Report (Exhibit 7-e)
- f) Approve Replat of Evergreen Cemetery (Exhibit 7-f)
- g) Authorize the Mayor to execute Amendment 1 to the Engineering Services Contract with All South Consulting Engineers, LLC for the Government Street Improvements Project, Peer Review Committee concurs (Exhibit 7-g)
- h) Approve Budget Amendment to transfer remaining funds from Dewey Avenue Substation Project to the Highway 57 Sports Complex project, Peer Review Committee concurs (Exhibit 7-h)

Police Department:

- i) Authorize employment of Adam Scott Lambert, Patrolman, effective March 6, 2013; \$13.94 hourly; one-year probationary period, and pending successful completion of all pre-employment requirements (Exhibit 7-i)
- j) Approve Special Event Permits for a bridge walk sponsored by the Ocean Springs High School International Baccalaureate Program as a fundraiser for the Children's Hospital in New Orleans on Saturday, March 23rd from 9:00 a.m. – 1:00 p.m.; a bridge walk sponsored by Victory International Christian Center as a fundraiser for Gulf Coast charities on Saturday, March 30th from 8:00 a.m. – 10:30 a.m. (Exhibit 7-j)

- k) Approve Special Event Permit for the St. Patrick's Day Parade from 5:30 p.m. – 6:30 p.m. and Pub Crawl from 6:30 p.m. – 10:30 p.m. on Saturday, March 16, 2013, from (Exhibit 7-k)
- l) Approve Special Event Permit for the District Cub Mobile Race on Saturday, April 20, 2013 from 8:00 a.m. – 1:00 p.m. from Washington, Calhoun and Dewey (Exhibit 7-l)

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

- m) Authorize allocation to 2013 Spring Household Hazardous Waste Collection Day not to exceed \$3,125.00 and authorize four (4) representatives to work the event on April 20, 2013 (Exhibit 7-m)

Community Development & Planning:

- n) Authorize the Mayor to Execute the Contract with Cowart Architects, PC related to additional MDAH Hurricane Relief Funds Drainage Improvements and Window Repairs at the Ocean Springs Community Center, grant funded, not to exceed \$3,000, pending MDAH and legal review and approval (Exhibit 7-n)

Planning Commission:

- o) Accept Planning Commission recommendation to approve sketch plat for Seaside Phase II, East Beach Partners LLC (Exhibit 7-o)
- p) Accept Planning Commission recommendation to approve lot splits and amendments of two adjacent parcels in Parkside Square (SE corner of Highway 90 and Ocean Springs Road), Midland Properties/Checkers Lot Amendments (Exhibit 7-p)

Building Department:

- q) Accept Building Permit Report for September 1, 2012 – January 31, 2013 (Exhibit 7-q)
- r) Accept Code Enforcement Report (Exhibit 7-r)
- s) Accept Tree Committee Report (Exhibit 7-s)
- t) Approve demolition permit for 117 Halstead Road (Exhibit 7-t)

Parks & Leisure Services:

- u) Approve Facility Use Agreement for the Ocean Springs High School and Ocean Springs Middle School to use the Halstead Tennis Courts (Exhibit 7-u)

City Attorney:

8) DEPARTMENT REPORTS:

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

Community Development & Planning:

- a) Update on Dewey Avenue Renovations and Use of County Paving Funds (Exhibit 8-a)

Building Department:

Parks & Leisure Services:

- b) Recommendations from the Parks Advisory Board (Exhibit 8-b)

City Attorney:

Peer Review Committee:

9) ALDERMEN'S FORUM

- a) Boys & Girls Clubs of Jackson County Golf Tournament Sponsorship Request (Exhibit 9-a)

10) EXECUTIVE SESSION

RECESS until 6:00 p.m. on March 19, 2013