

REGULAR MEETING OF SEPTEMBER 2, 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 September 2, 2014. The Mayor presiding, Aldermen Cox, Gill, Cody, Denyer and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Aldermen McDonnell and Dalgo were absent.

The Mayor called the meeting to order.

Alderman Cody gave the invocation and the Mayor led the Pledge of Allegiance.

The Mayor announced the Proclamation will be presented at the next Board meeting on September 16, 2014.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to table the Public Hearing on the Short Term Rentals of Dwellings in Residential Zones. He explained the City has received new input. Any significant changes would require advertising along with a Public Hearing. Also, the Planning Commission would give their input. The Grants/Planning Administrator advised if anyone would like to give input, please do so in writing and she would include it with the new information they have received to date. She further stated the main concerns were the review process and the approval process.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to table item (8-b) – Authorize to appoint Chris Handler to the Civil Service Commission starting immediately, term ending June 30, 2020.

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to pull item (8-m) - Award quote to Gulf Coast Underground, LLC for manhole lining in an amount not to exceed \$50,000, funded by the Section 592 Grant.

NEW BUSINESS

Mr. Jay Estes with Allen Engineering and Science gave an update on the Stormwater Program. He said as part of this program, they come periodically to give this update. He reported the State of Mississippi has not renewed their general permit with the EPA the City is regulated under. He said the City will continue to work under the previous permit as per DEQ. He reported the City is in excellent shape and commended the City staff he works with on this program (Exhibit 5-a).

Ms. Renee Davis, Outreach Prevention Educator for the Gulf Coast Women's Center for Non-violence, asked the Board to consider a funding request. She explained some of the services the center provides to the public. They provide services to males and females, offer meals, group counseling, children's services, legal services, emergency services. They also are the sexual assault and rape crisis center. She further stated they appreciate the Board's consideration for this request.

PUBLIC COMMENTS

Ms. Paige Riley, an Ocean Springs resident, stated her concern about the provision in the ordinance concerning short-term rentals in residential zones. She questioned how much control should a neighbor have over something that is a legally zoned property. She said short term rental owners should be treated the same as long-term rental owners.

Mr. Don Abrams, an Ocean Springs resident, asked the Board to please raise his taxes. He stated he is proud to pay a little extra for the quality of city services he receives. He also commented institution of short term rentals have been operating in the City for many years with only three (3) complaints that did not result in tickets or arrests. They are owned by local people who live, work and spend money here. He asked why it has been considered stopping something that has never given the City any problem and provides a much needed service.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Cody and unanimously carried to approve the Consent Agenda with exception of item (b) which was tabled earlier in the meeting; item (e) which was pulled by the Mayor; item (j) which was pulled by Alderman Cox and item (m) which was pulled by Alderman Denyer.

The Mayor explained the minutes of the Ocean Springs Museum of History Commission meetings need to be officially made a part of the record of the Board of Aldermen. Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to accept the minutes of the Ocean Springs Museum of History Commission meetings beginning October 11, 2013 through July 11, 2014 (Exhibit 8-e).

The Mayor presented the list of donated items in the City's history museum. The Risk Manager asked for a total value of the items to obtain insurance for this collection. Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to accept the donated items in the City History Museum collection as presented on the itemized list of the permanent collection (Exhibit 8-e). The Risk Manager will meet with the insurance agent to properly insure these items.

The Mayor advised the Museum Commission is now an advisory board. In order for the Museum Commission to have fundraising capabilities, they should begin their own 501(c)(3) status which would also give them the authority to set policies for the museum. The Mayor said Earl Denham has offered to complete the documentation necessary to obtain their 501(c)(3) status as a pro bono case. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize the City Attorney to transform the document to rescind the current ordinance of the Museum Committee and create it as a Board of Directors.

There was discussion concerning the full-time position would be the city would have to Position is paid for through 2016 from the grant, but would need to be discussed.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to remove item (8-j) from the agenda stating that the generator on the Humvee Pick-up Truck was not working so the Police Chief withdrew his request for the vehicle (Exhibit 8-j).

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to remove item (8-m) from the agenda as requested by the City Engineer (Exhibit 8-m).

DEPARTMENT REPORTS

Mayor:

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to appoint C. William (Bill) Spigener to the Zoning and Adjustment Board (ZAB), effective immediately, term expiring June 30, 2017.

City Clerk:

The City Clerk announced there will be a Special Call Meeting on Thursday, September 4th at 6:00 p.m. at City Hall to discuss the budget for FY14-15.

She also reported the Public Hearing for the FY14-15 budget is scheduled for Monday, September 8th at 6:00 p.m. at City Hall.

ALDERMEN'S FORUM

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to authorize the City Attorney to amend the tree ordinance to give the Planning and Public Works Departments the ability to trim tree limbs causing a hazardous situation on public right of ways, streets and sidewalks without going before the Tree Committee for approval.

Alderman Denyer reported he has had two (2) citizens compliment the Parks Department on the condition of the facilities at three (3) different parks. He commended the Parks Director for her hard work.

Alderman Impey announced Gulf Islands National Seashore will hold a Public Hearing on Thursday, September 11, 2014, at 3:30 p.m. until 7:00 p.m. at the Davis Bayou Visitors Center on the possibility of closing of the VFW Road. He said written comments will be accepted until September 25, 2014.

Alderman Gill reported he along with City employees, John Bosarge and John Russell, worked with 12 Seabees at Evergreen Cemetery. They fixed approximately 30 headstones and coping around some of the grave sites. They will also be working at the cemetery on Wednesday doing general maintenance.

The Fire Chief announced the bridge walk will be held on Saturday, September 6th at 9:00 a.m. beginning at the Biloxi Lighthouse and walk to the end of the Ocean Springs/Biloxi bridge in memory of "343 Brother Firemen" who died on 9/11/01. Afterwards, there will be a fish fry to raise money for the Steven Stiller Foundation. This foundation offers support for military and first responders who have died or been involved in the line of duty.

EXECUTIVE SESSION

Motion was made by Alderman Cody, seconded by Alderman Denyer 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 Gill, seconded by Alderman Impey and unanimously carried to remain in executive session to discuss potential litigation regarding construction on Highway 90; potential litigation regarding city services and potential litigation regarding zoning.

The City Clerk returned to the meeting and announced a motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to discuss potential litigation regarding a water leak.

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

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to recess until 6:00 p.m. on September 16, 2014.

Meeting ended at 8:28 p.m.

City Clerk

Date

Mayor

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
September 2, 2014 – 6:00 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATION**
 - a) Destination Downtown for Mississippi Main Street Association – Senator Brice Wiggins
- 4. PUBLIC HEARING**
 - a) Short-Term Rentals of Dwellings in Residential Zones After Application and Approval (Revised) (Exhibit 4-a)
- 5. NEW BUSINESS**
 - a) Stormwater Program Summary and Update – Mr. Jay C. Estes – Allen Engineering and Science
 - b) Gulf Coast Women's Center for Nonviolence – Ms. Rene Davis
- 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:

 - a) Approve agreement with First Baptist Church to lease the parking areas for the Cruisin' the Coast Event for October 9-11, 2014 for a rental fee of \$10.00 and November 1-2, 2041 for the Peter Anderson Festival in exchange for the use of the Ocean Springs Civic Center for their church service (Exhibit 8-a)
 - b) Authorize to appoint Chris Handler to the Civil Service Commission starting immediately, term ending June 30, 2020 (Exhibit 8-b)
 - c) Authorize to advertise for one vacancy on the Cemetery Board; application deadline is September 11, 2014 (Exhibit 8-c)
 - d) Accept Minutes: Ocean Springs Museum of History Commission Meetings beginning October 11, 2013 through July 11, 2014 (Exhibit 8-d)
 - e) Accept list of donated items in the City History Museum collection as a donation to the city, and authorize Risk Manager to have the items placed under the city insurance policy
(**Exhibit 8-e) ** List will be submitted separately.

City Clerk:

 - f) Approve Minutes: Recess Meeting August 19, 2014 (Exhibit 8-f)
 - g) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-g)
 - h) Accept Action Report (Exhibit 8-h)

- i) Approve Run/Walk Permit Application for Limbs for Life Fundraiser Walk on Saturday, September 13, 2014, from 8:00 a.m. – 10:00 a.m. on the Biloxi/Ocean Springs Bridge, no costs incurred by any department (Exhibit 8-i)

Police Department:

- j) Approve purchase of a military surplus vehicle, one (1) Humvee Pick-up Truck #N6258341694343, for use during emergencies for \$5,500.00, funded from the seized forfeiture account (Exhibit 8-j)

Fire Department:

- k) Approve employment of Jason Meldren, Firefighter position, effective September 10, 2014, \$10.03 hourly, one-year probationary period and pending successful completion of all pre-employment requirements, H.R. Committee concurs (Exhibit 8-k)
- l) Authorize removal of Firefighter Patrick Doswell from probationary status and placement on full-time status at \$11.18 hourly, having completed all job requirements, effective September 3, 2014 (Exhibit 8-l)

Human Resources/Risk Management:

City Engineer:

Public Works:

- m) Award quote to Gulf Coast Underground, LLC for manhole lining in an amount not to exceed \$50,000, funded by the Section 592 Grant
- n) Authorize removal of Mechanic Kevin Ewing, from probationary status and placement on full-time status, effective September 10, 2014; and Laborer Class B, Ron Blanton, from probationary status to full time status, effective September 24, 2014 (Effective 8-n)
- o) Authorize employment of Jenny Morato, Public Works Clerk, \$12.00 hourly, effective September 3, 2014, six-month probationary period, successful completion of all pre-employment requirements (Exhibit 8-o)
- p) Approve final payment to JET Construction, Inc. for the Highway 90 Drainage Improvement and authorize the Mayor to execute the appropriate documents (Exhibit 8-p)

Community Development & Planning:

- q) Authorize the Mayor to executed the Contract with Acadian Landscaping in the amount of \$45,410.00 for the Harbor Green Landscaping, funded by Tidelands Grant Agreement – FY10-P412 (Exhibit 8-q)

Building Department:

- r) Accept Tree Committee Minutes: August 28, 2014 (Exhibit 8-r)
- s) Approve and authorize the Mayor to execute the proposals from Allen Engineering and Science for the Development of the Next Five-Year Stormwater Management Plan and Stormwater Program Implementation as budgeted, pending review and approval by the City Attorney (Exhibit 8-s)
- t) Approve demolition permit for a structure located at 2364 Davidson Road (Exhibit 8-t)
- u) Approve building permit for construction of a pier, access pier with boathouses at 423 East Beach Drive (Exhibit 8-u)

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. DEPARTMENT REPORTS

Mayor:

- a) Fill vacant position on the Zoning and Adjustment Board, by ballot, with term expiring June 30, 2017 (Exhibit 9-a)

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

Community Development & Planning:

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. on September 16, 2014