

RECESS MEETING OF OCTOBER 21, 2014

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 October 21, 2014. *Mayor Pro Tem* Gill presiding, Aldermen Cox, McDonnell, Cody, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. The Mayor and Alderman Denyer were absent.

The *Mayor Pro Tem* called the meeting to order.

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

PROCLAMATION

The *Mayor Pro Tem* read the Proclamation declaring the month of October, 2014 as Domestic Violence Awareness Month (Exhibit 3-a)

OLD BUSINESS

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve the No Protest Resolution for Government Entities and authorize to move forward with the loan application process for the MDA Energy Efficiency Revolving Loan for up to \$150,000.00 (Exhibit 4-a).

The Grants/Planning Administrator explained this loan can cover other potential interior energy saving activities such as movement sensor light switches, any other interior lights in addition to the ones already studied but they need to be identified now so they can be included in the loan application. The Board agreed to consider all other options.

Alderman McDonnell stated he thought exterior lighting was being studied as well as interior lighting. The Public Works Director explained the Board tasked him with studying the interior lighting. He said when the exterior lighting study is done, the Parks Director should also be involved to address her concerns with ball field lighting. The Grants/Planning Administrator explained the exterior lighting would probably have to be a different package because of the dollar amount.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize the City Engineer and City Attorney to finalize and advertise the Request for Qualifications for interior lighting to include all other potential interior energy saving options.

The Peer Review Committee will serve as the Selection Committee to receive and review the Requests for Qualifications and make a recommendation to the Board.

Alderman Cody asked the Board to consider closing the streets on Friday, October 31st beginning at 5:00 p.m. for Trick or Treat Down the Street and keep them closed until Sunday, November 2nd until 5:00 p.m. for the Peter Anderson Festival 2014. He said his main concern is safety. This would also help to reduce or eliminate towing any vehicles when the vendors begin to set up for the Peter Anderson Festival. Capt. Hoppner stated with all three (3) events, Trick or Treat, St. Alphonsus Kids Festival and Peter Anderson, happening on the same weekend, there will be large crowds which brings a safety issue with traffic. Alderman Dalgo asked how the street closures would affect the business owners' downtown.

Mr. Chris Kwitsky, Kwitsky's Dugout and Buzzy's Breakfast Joint, stated that Friday night is the number one night for business in any restaurant and bar. He said most of business is done between 9:00 p.m. until 12:00 midnight – 1:00 a.m. and if the streets remain closed it is definitely an issue. It is important for his type of business to be open on Friday nights. He asked the Board to consider opening the streets after Trick or Treat Down the Street and closing them at 12 midnight or 1:00 a.m. This would allow the booth vendors to set up for the Peter Anderson Festival after 1:00 a.m. Another concern discussed is the parking issues. Mr. Kwitsky stated the food vendors will fill up the parking areas beginning Friday afternoon at 2:00 p.m. Alderman Cody explained the some of the designated parking areas for vendors would be First Baptist Church as well as the new Fallo parking lot.

Mr. Brian Ladner, owner of Broadway Bar & Grill, said the hours between 9:00 p.m. – 12:00 midnight are very crucial to the restaurant and bar business. He agreed that safety is very important with the children and hopes a compromise will be made to open the streets after the trick or treat event and close them again around midnight.

Ms. Mimi Burrows, Athena Salon, suggested that the City purchase the candy and shuttle the vendors to allow the parking lot for the citizens.

Motion was made by Alderman Cox and seconded by Alderman Dalgo to open the streets at 9:30 p.m. following the Trick or Treat event and close them again at 2:00 a.m. There was concern about the number of cars being towed.

Mr. Kwitsky suggested the restaurant and bar owners hang signage advising the public that they will close at 1:00 a.m. and any cars left in the street will be towed beginning at 3:00 a.m.

Alderman Dalgo withdrew his second to the motion made by Alderman Cox.

After further discussion, a motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to open the streets at 9:30 p.m. following the Trick or Treat event; close the streets beginning at 2:00 a.m. and any vehicles left in the footprint of the Peter Anderson Festival are subject to being towed. The vehicles will be towed as a last resort after diligent efforts have been made to contact the owner.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to close the street to make Calhoun Street one-way from Washington Avenue to Jackson Avenue West beginning 5:00 p.m. on Friday, October 31st until 10:00 p.m., Sunday, November 2nd.

The Public Works Director advised the street sweeper will not be able to clean the streets after the Halloween event. He will put out extra trash receptacles.

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adopt the Resolution of the City of Ocean Springs, Mississippi to Temporarily Allow Consumption and Sale of Beer on Public Property during the Peter Anderson Festival 2014, to begin at 9:00 a.m., November 1st and end at 5:00 p.m. November 2nd, in the downtown business district of Ocean Springs.

PUBLIC COMMENTS

Ms. Leisa Leisy, President of the Gulf Coast Taxi Association, provided the Board with information regarding the US wide taxi procedures. The City Attorney advised the taxi ordinance says the permit allows the taxi cabs the privilege of carry the paying cab customers. If there are issues concerning the taxi ordinance, the Taxi Advisory Board would make recommendations to the Board of Aldermen of any changes to the Taxi Ordinance.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to advertise to fill the vacancies on the Tax Advisory Board.

Ms. Mimi Burrows asked the Board to consider amending the Animal Control Ordinance based on an experience with a vicious dog coming into her yard and attacking her cat. The Animal Control Ordinance states once an owner is notified his/her dog has been deemed vicious, the owner has forty-five (45) days from the ruling to comply with the confinement requirements. She asked that if it be amended to state that if the owner cannot erect a safe place for the vicious animal, the dog should be housed in another area until it can be securely confined. She said after this particular incident with the vicious animal on her property, she still feared for her safety since the dog was able to remain with the owner.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Cody and unanimously carried to approve the Consent Agenda with the exception of item (m) which was pulled by Alderman McDonnell and item (n) which was pulled Alderman Cox.

Alderman McDonnell pulled item (m) and stated more sand needs to added to the area by the existing seatwall and the new edge of the sidewalk away from the road and also there is a void in the landscaping that is clear and apparent compared to the areas on either side of it and also across form the Brumfield property and the corner of Martin Avenue. The Grants/Planning Administrator explained quotes are being obtained for the grass. Alderman Cox questioned if the concrete will be lowered at the opening in the seatwall; it looks unfinished. He said there are voids in the road joints of the existing road need to be filled and sealed. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to table item (m) until the City Engineer, the Public Works Director and the Grants/Planning Administrator gives a report that these items have been completed (Exhibit 8-m).

Alderman Cox pulled item (n) for clarification concerning this position. The Grants/Planning Administrator explained Ms. Becker has been working part-time with the museum and it was in the original scope of work of the grant. This is also a budgeted item under the grant. This is a lump sum contract and will not exceed \$14,000.00. Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute the Professional Services Agreement with Shelly Becker for City Museum Marketing Services in an amount not to exceed \$14,000.00 funded by the Gulf Seafood Tourism and Promotional Fund – City museum (Exhibit 8-n).

DEPARTMENT REPORTS

Community Development & Planning:

Alderman McDonnell thanked the Public Works Department for the amount of man-hours and materials and coordination to bring the Fallo parking lot project to near completion. He also recognized Supervisor McKay and Supervisor Ross for their assistance in completing the paving of this parking lot. Alderman McDonnell recommended naming the parking lot after the Fallo brothers, Jack and Slew, and also John Pleasant, one of the first minority business owners in the City of Ocean Springs. Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to dedicate and name the new parking lot the "Fallo-Pleasant Municipal Parking Lot".

Alderman McDonnell stated the next step in the completion of the parking lot will be to create the signage along with some history about the Fallo brothers and Mr. Pleasant.

There was discussion concerning the types of lighting for the parking lot. Two options were given; the City purchasing the lights at approximately \$20,000.00 and a lease option with limited style choices at an annual cost of \$2,208.00. The Board asked the City Engineer to provide more lighting options. The Public Works Director stated with the remainder to the grant funds, The City was able to purchase Trash receptacles, park benches, signage and paint for the striping. He hopes to have all of this in place before the Peter Anderson Festival with the exception of the lighting (Exhibit 8-a).

The Grants/Planning Administrator gave a status report on the Residentially Zoned Short Term Rental Permitting (Exhibit 8-b).

ALDERMEN'S FORUM

Alderman Cody thanked Dawn Varney and Grace Knochel from Ocean Springs High School for the planning and coordination with the City of the OSHS Homecoming parade.

Alderman Cox reported that PAPOS requested the City to remove the art on the pedestals located in the depot parking lot and store in a safe place until a new location is found to display them.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize Public Works Department to remove the art on the pedestal located at the depot parking lot.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize Public Works Department and Building Department to repair, replace or remove the light at the front door of the Mary C. O'Keefe Cultural Center.

Alderman Impey commended the Public Works Department on the great job of cleaning the streets after OSHS Homecoming parade.

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 Cody, seconded by Alderman Impey and unanimously carried to remain in executive session to discuss personnel in the City Clerk Department and litigation in Federal District Court.

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

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to accept resignation of Employee No. 2151, effective October 21, 2014, and authorize pay out and begin the process of filling the vacancy pending H.R. Committee approval.

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adjourn until 6:00 p.m. on November 4, 2014.

Meeting ended at 8:44 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
October 21, 2014 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) Domestic Violence Awareness Month – October, 2014 (Exhibit 3-a)

4. OLD BUSINESS

- a) Discussion on MDA Energy Efficiency Revolving Loan Project Status (Exhibit 4-a)
- b) Discussion on Special Event Permit Application for the Peter Anderson Festival 2014 (Exhibit 4-b)

5. NEW 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:

- a) Authorize to enter into a Consulting Agreement with Joe Consulting, LLC and authorize the Mayor to execute same (Exhibit 7-a)

City Clerk:

- b) Approve Minutes: Regular Meeting October 7, 2014 (Exhibit 7-b)
- c) Approve Minutes: Special Call Meeting October 14, 2014 (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 Special Event Permit Application for the 5K Apple Dash sponsored by Gardens Pharmacy for Saturday, December 13, 2014 from 8:00 a.m. – 12:00 Noon (race begins at 9:15 a.m.) beginning and ending at Fort Maurepas Park (Exhibit 7-f)

Police Department:

Fire Department:

- g) Accept Monthly Fire Department Report (Exhibit 7-g)
- h) Approve the renewal of the lease agreement with Acadian Ambulance Service for one (1) year at \$700.00 each month for use of the Deena Road Fire Station (Exhibit 7-h)
- i) Accept resignation of Firefighter Cory Viator, effective October 20, 2014 and authorize to begin the process to fill the vacant position, H.R. Committee concurs (Exhibit 7-i)

Human Resources/Risk:

City Engineer:

Public Works:

- j) Accept resignation of Jarrod Mathers, Water Department employee, effective October 28, 2014, and authorize to move Troy Beets from a temporary status to a probationary status, \$12.25 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-j)

Community Development & Planning:

- k) Accept resignation of Gary Bachman from the Tree Committee and authorize to advertise to fill the vacancy (Exhibit 7-k)
- l) Authorize employment of Lacia Walsh, Planning & Grants Assistant, effective November 5, 2014, \$12.00 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-l)
- m) Authorize the *Mayor Pro Tem* to execute the Substantial Completion form and authorize payment for the invoice in the amount of \$49,485.00 with Landmark Contracting, Inc. – Front Beach Sidewalk Repairs – Tidelands Grant Agreement – FY14-M201-2C (Exhibit 7-m)
- n) Authorize the Mayor to execute the Consultant Contract with Shelly Becker for the City Museum Marketing Services in the amount of \$18.00 hourly, not to exceed \$14,000.00, funded by the Gulf Seafood Tourism and Promotional Fund (Exhibit 7-n)

Zoning and Adjustment Board:

- o) Accept Zoning and Adjustment Board's recommendation to approve the variance request as presented with associated comments for 116 Seaside Drive (Exhibit 7-o)
- p) Accept Zoning and Adjustment Board's recommendation to approve the variance request as presented for 401 McNamee Drive (Exhibit 7-p)

Building Department:

- q) Accept Tree Committee Report (Exhibit 7-q)
- r) Accept Code Enforcement Report – updated through October 17, 2014 (Exhibit 7-r)
- s) Building Permit Report for August and September, 2014 (Exhibit 7-s)

Parks & Leisure Services:

- t) Approve and authorize the Mayor to execute the Concessions Contract with Tori Morris for the Ocean Springs Sports Complex (Exhibit 8-t)
- u) Authorize employment of Teddy Rate, full-time Athletic Coordinator, effective October 8, 2014, \$17.50 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-u)

City Attorney:

Peer Review Committee:

Finance Committee:

H.R. Committee:

8. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

- a) Request guidance on the naming, signage, and lights associated with the new parking lot (Exhibit 8-a)
- b) Status Report – Residentially Zoned Short Term Rental Permitting (Exhibit 8-b)

Building Department:

Parks & Leisure Services:

City Attorney:

Peer Review Committee:

H. R. Committee:

Finance Committee:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

- a) Personnel in the City Clerk Department

ADJOURN UNTIL 6:00 P.M. on November 4, 2014