

RECESS MEETING OF NOVEMBER 18, 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 November 18, 2014. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Dalgo was absent.

The Mayor called the meeting to order.

Mr. James Foster gave the invocation and the Mayor led the Pledge of Allegiance.

PUBLIC HEARING

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to open the Public Hearing for a lot cleaning at 10 Mayfair Court.

The Building Official gave an update on the condition of the residence at 10 Mayfair Court. On June 23, 2014, a complaint was made concerning the overgrowth of weeds and grass in excess of eleven (11) inches in the front and rear yards. Notices were sent to the property owner and was returned marked undeliverable. Progress Checks were made with a final progress check on August 4, 2014 and no corrective actions had been taken. On October 15, 2014, notice was posted on the property; notice was sent to the last known address; posted on the bulletin board at City Hall and published in the City publication of record. There has been no correspondence or contact with the property owner. The Building Official reported as of this date, the property issues has been corrected and recommends no action be taken.

The property owner was not present at the public hearing.

Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to close the Public Hearing for 10 Mayfair Court.

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to take no action on the lot cleaning at 10 Mayfair Court (Exhibit 3-a).

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to open the Public Hearing for a lot cleaning at 1300 Chalmette Avenue.

The Building Official gave an update on the condition of the residence at 1300 Chalmette Avenue. On July 9, 2014, a complaint was made concerning the

overgrowth of weeds and grass in excess of eleven (11) inches in the front and rear yards. Notices were sent to the property owner and were returned marked undeliverable. Progress Checks were made with a final progress check on September 11, 2014 and no corrective actions had been taken. On October 15, 2014, notice was posted on the property; notice was sent to the last known address; posted on the bulletin board at City Hall and published in the City publication of record. There has been no correspondence or contact with the property owner. The exterior property has overgrowth from weeds and plant growth in excess of eleven (11) inches. As of this date, no corrective action has been taken and the property remains in a state of uncleanness, disrepair or neglect as to be a menace to the public health, safety and welfare of the community. The Building Official presented pictures showing the condition of the property for the record.

The property owner nor representatives of the property owner were present at the hearing.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to close the Public Hearing for 1300 Chalmette Avenue.

Motion was made by Alderman Impey, seconded by Alderman McDonnell and unanimously carried to accept the Building Official's recommendation to proceed with the lot cleaning at 1300 Chalmette Avenue because it is such a state of uncleanness, disrepair or neglect as to be menace to the public health, safety and welfare of the community and obtain quotes for lot cleaning (Exhibit 3-b).

NEW BUSINESS

Mr. Danny Duval, Commander of the Island X-1, Navy Seabee Veterans of America, asked the Board to consider allowing placement of a Seabee monument of the Vietnam era at Vietnam Veterans Memorial Park at no cost to the City. He also presented a replica of the monument. He stated they have contacted Larry Lucas, a committee member of the memorial park, concerning the placement within the park. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to allow the placement of the Seabee monument at the Vietnam Veterans Memorial Park located at the Civic Center in honor of those Naval Construction Battalions which served in Vietnam. Alderman Denyer asked them to work with the Building Official regarding the placement of the monument (Exhibit 4-a).

Ms. Jacklyn Wrigley, spoke on behalf of the Economic Development Council, asking the Board to consider allocating \$2,900.00 for the Eat Y'all campaign. She explained that Eat Y'all is the umbrella company for a variety of different entities that service the culinary industry. Andy and Marianna Chapman from Eat Y'all would conduct evaluation interviews with local restaurants and people in the culinary industry to determine the

pros and cons; what works well, identify problem areas and where there is room for improvements. This assessment would be a road map by which to operate to continue to enjoy the success and compete with our neighbors along the coast. The Economic Development Council thinks this is a good fit to have an objective third party make an assessment of the local restaurants.

Mr. Jonathan Maisano stated we need to continue to showcase what Ocean Springs has to offer, make Ocean Springs restaurants stand out, to bring in tourists and keep the locals in Ocean Springs.

Ms. Wrigley stated there has been some discontent within the restaurant community and the Chamber of Commerce. The council wants to make sure the 2% food and beverage tax is being used in the best possible way for marketing the restaurants and bars. The EDC has asked the Chamber for a break-down on the 2% food and beverage tax. Alderman Denyer questioned what the follow up costs would be and how will it be paid.

In the initial assessment, the company would meet with local restaurants, the Chamber of Commerce and the EDC. Alderman McDonnell suggested forming a Food and Beverage Association and meet with the Chamber as an organized body to open lines of communication with them. He stated he was in support of the assessment but would like to see the restaurant and bar owners and Chamber meet to reach a common goal and develop a plan of action. The Mayor stated she will facilitate a meeting with the Chamber, Economic Development County and City officials.

OLD BUSINESS

Motion was made by Alderman Denyer, seconded by Alderman Cody to adopt **Amended Ordinance No. 2014-09 AN ORDINANCE TO CLOSE AND VACATE A PART OF HARBOR ROAD AND VACATE A PORTION OF BOARDWALK EASEMENT** (Exhibit 5-a). 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>Absent</u>
Alderman Impey	<u>Voting Aye</u>

PUBLIC COMMENTS

Ms. Kay Shaffer, 2508 Ridgewood Road, stated she is a member of the Economic Development Council and also a member of the Chamber of Commerce and her personal experience with the Chamber has been a struggle. She said the Dining Guide is full of untruths. She further stated the Chamber has been difficult to work and communicate with and feels they are not deserving of the 2% food and beverage tax.

Mr. Earl Brown, 15704 Cruthirds Road, gave an update on the property located at 1213 Lancelot Lane. He received bids for the repairs of the house and has been working on the interior and exterior and will continue to do so. He also reported the Estate of Mr. Champiomont will be finalized on Friday and funds will be available to begin the structure repairs. The Building Official reported he has done a walk-thru of the house. He said although some clean-up of the interior has been done, there is still a lot of work to be done. The City Attorney advised he spoke to their Estate Attorney and reported the bids will be presented to a Chancery Court Judge at the hearing on Friday and they will ask the judge to grant an amount of money to use toward the repairs of the house. The City Attorney stated he advised them that once they receive the repair funds, a permit will need to be pulled quickly or the house will be demolished.

Ms. Robin Cooley, 710 General Pershing Avenue, spoke on behalf of a small group of women, Gulf Coast WAVE (Women Against Violence Everywhere), to ask for approval for a bridge walk to show support not only for the victim of the recent incident on the bridge but also the whole community of the Gulf Coast. She asked to consider approving the Run/Walk Permit Application for a walk on Friday, November 21st at 5:30 p.m. until 8:00 p.m. They are not requesting any City services. She further stated they will be accepting donations either monetarily or certain items listed on their flyer to be donated to the Gulf Coast Women's Center for Nonviolence.

CONSENT AGENDA

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to approve the Consent Agenda with exception of item (a) which was pulled by Alderman Gill; item (e) which was pulled by Alderman Cox; items (h) and (n) which were pulled by Alderman Impey; item (j) which was pulled by Alderman Denyer and item (m) which was pulled by Alderman McDonnell.

Alderman Gill pulled item (7-a) for discussion concerning the mention of closing railroad crossings in the minutes of Economic Development Council dated November 13, 2014. He stated that in 2011, the Board of Alderman minutes reflect a comment from Mr. Mike Strieff with BancorpSouth concerning the hardship on the customers and employees if the Cox and Church railroad crossings were closed. He reminded the Mayor and Board that CSX made a proposal to make some crossings safer if the City

would agree to close Cox, Church and Thorn. Aldermen Gill asked if there had been any new discussions with CSX about closing crossings. At that time, the Board did not want to close any crossings. Mr. Mickey Williams, EDC member, stated it was not the council's intent to create controversy in the City by holding a public meeting. Mr. Maisano stated it was the goal of the EDC to compile information about the pros and cons and to talk with local business owners that would be affected in the areas looking at possible closures. Alderman McDonnell said by closing these roads it causes a potentially dire situation for the school, businesses, and two (2) retirement homes and during the events and festivals.

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to accept the Economic Development Council meeting minutes of November 13, 2014 (Exhibit 7-a).

Alderman Cox pulled item (7-e) for clarification of items on the Docket of Claims. He asked why a survey was done a Marble Springs. The City Engineer answered it was to verify the property lines so a fence could be erected by the Parks Department.

Alderman Cox asked to meet with the Public Works Director concerning the Bechtel/Davidson ditch to get a plan of action and before any more money is spent.

Alderman Cox asked the Planning/Grants Administrator about the invoice for Unabridged Architecture listed on the docket. Ms. Martin confirmed that the activity was paid in full by the BP grant for items within the allotted Share for the Charnley House. This activity covers research and design of historic sign.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to approve payment of the Docket of Claims and spread Summary upon the Minutes (Exhibit 7-e).

Alderman Impey pulled item (7-h) for clarification. The City Clerk explained this lease is for one parking space behind the Dewey Avenue Substation. The Public Works Director asked that permanent fencing be erected to maintain the integrity of the tower. The City Attorney advised the same "cancellation" clause be included in the lease. Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to approve and authorize the Mayor to execute the Lease Agreement and Memorandum of Option, Lease and Easement Agreement between Cellular South Real Estate, Inc. and the City of Ocean Springs, pending the Building Official review and adding same cancellation rights as tenant (Exhibit 7-h).

Alderman Denyer pulled item (7-j) for discussion to require all runners to wear reflective clothing. Alderman Cody explained there are rules and regulations included in the Run/Walk permit application stating all runners to wear reflective clothing. Alderman Denyer asked to research this issue to determine how other cities handle these matters.

Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to approve Run/Walk Permit Application for the South Mississippi Aids Task Force Walk – Bid for Life on Saturday, December 6, 2014, from 7:00 a.m. – 12:00 Noon, Ocean Springs Bridge only, no costs incurred by the City (Exhibit 7-j).

Alderman McDonnell pulled item (7-m) to bring Alderman Impey and Alderman Cox up to date on this matter. He stated over the years there have been a lot of conceptual ideas but he has not seen a complete Master Plan on what is being proposed for this acreage. He also stated he does not know if the property has been conveyed to the City. He also expressed concern that the developer has not continued through with any past plans. Alderman McDonnell would like the developer to construct his project before the City completes theirs. The Grant/Planning Administrator explained that the request is to accept the award and to advertise a Request for Qualifications for professional services.

The property has already received approval for reconfiguration. The order of activity is that Bay Village would convey the northern parcel along the bayou to the City; the City will not be providing anything to their project that will take place on the southern parcels fronting Highway 90. They are independent parcels.

Alderman McDonnell requested to wait to advertise until the property is conveyed. Alderman Cody asked to see the conveyance. Alderman Cox asked for the impact to the City by taking this property off of the tax rolls. Alderman Impey expressed his concerns with the maintenance because he does not have confidence in the developer.

The Mayor said the developer cannot go forward with his project without the City accepting the gift to the City, this will allow him a tax write-off to help leverage the actual funding of the project.

The question was asked if the conveyance could be contingent upon the development of the project, it would go back to the developer if not complete. The City Attorney stated that is possible.

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to accept the Tidelands Grant funding only (Exhibit 7-m).

Alderman Impey pulled item (7-n) for clarification. He said the road improvement project was well underway when the Harbor Green plans were developed. He asked what has changed with the road that necessitates this amendment. The Planning & Grants Administrator explained that when the landscape plan was approved, some of the details of the harbor road project were still being decided. During the pre-construction meeting, a conflict was discovered due to a delayed timeline for the road project. This caused the city to take the limestone out of the contract for the landscape

project and move it to the road project. Also, the soil conditions both the revised grading and around the large Live Oak created the need for revisions including additional mulch around landscaping and additional sod and sand base. The contracted design professionals for each project recommended laying more sod to establish a perimeter and hydroseed the middle to due to the time of year and the need to stabilize during the establishment period.

Alderman Cox stated his concerns about the amount of sod and also the amount charged for five (5) site visits to water the landscaping.

Motion was made by Alderman Denyer and seconded by Alderman Cody to approve and authorize the Mayor to execute a Contract Amendment #1 with Acadian Landscaping of Louisiana, Inc. in the amount of \$4,538.00 for the Harbor Green Landscaping, to coordinate with the adjacent road improvement project – funded by Tidelands Grant Agreement – FY10-P412. Motion failed with Aldermen Gill, McDonnell, Cody, Impey and Cox voting nay and Alderman Denyer voting aye. Alderman Dalgo was absent.

ALDERMEN'S FORUM

Motion was made by Alderman Impey, seconded by Alderman Cody and unanimously carried to approve the Run/Walk Permit Application sponsored by Gulf Coast WAVE (Women Against Violence Everywhere) on Friday, November 21st from 5:30 p.m. – 8:00 p.m. on the Biloxi/Ocean Springs bridge and no costs incurred by the City.

Alderman Impey commended the Fire Chief and Department for a great job done at the fire on April Lane.

Alderman Impey commended Ms. Geri Straight, Parks Director, for a great job at the 1st Annual Jackson County Youth Football Association Superbowl in Pascagoula. Ocean Springs, Moss Point, Pascagoula, and Gautier all participated with great cooperation between the municipalities. The City had three (3) teams represented at the competition.

Alderman Impey invited everyone to the Annual Christmas Tree Lighting at Marshall Park on Thursday, December 4th.

Alderman Cox congratulated the Ocean Springs High School football team on their win in the first round of the playoffs.

Alderman Cox asked the Public Works Department to sweep the dirt around the mound where the monument sits at the Mary C. O'Keefe Cultural Center. He also asked to plant a row of holly bushes around the bottom to prevent children from climbing on

the mound and monument. There was discussion concerning erecting a bench around it at a later date.

Alderman Cox asked Public Works to check the railroad crossings at Washington and Hanley. He stated he was told the inserts would extend out 4'-6' past the road.

Alderman Cox asked why the fire hydrant on Highway 90 has been running for the last week and half every morning. The Public Works Director advised it has automatic turn-ons and helps flush the lines to bring fresh water through the system.

Alderman Cox asked the Parks Director to provide a report of any new structures or improvements done by the Parks Department now and in the future.

Alderman Cox asked Alderman Cody to schedule a follow-up meeting with Department Heads as well as other parties and constituents concerning Cruisin' the Coast and Peter Anderson Festival. It will be scheduled after the Thanksgiving holidays.

Alderman Denyer asked to include LaBranche Avenue on the paving list and fill the pot holes.

Alderman Cody announced the 2nd Annual Christmas Boat Parade will be held on Saturday, December 13th at 6:00 p.m.

Alderman Cody asked Public Works to fill pot holes on Woodland Circle at Halstead to the curve.

Alderman Cody stated he will provide Public Works with the drawing of the bench to go around the monument at the Mary C. Another suggestion was putting up chains and bollards like the ones at the Seaman's Memorial. The Grants/Planning Administrator will need to request permission from MS Dept. of Archives and History.

Alderman McDonnell asked for an update on the lighting for the Fallo-Pleasant Parking lot. The City Engineer advised the information has been submitted to Mississippi Power Company and has asked several times for a response but has not received anything. He stated he will follow up with them.

Alderman McDonnell asked for an update on the quotes for grass and additional sand for Front Beach. He stated he would like to have that done before the end of the year.

Alderman McDonnell asked for an update on the Kudzu lot. The Grant/Planning Administrator advised that the offer had been sent to the property owner and she had discussed the amount with him. He had questions about the property taxes and she is getting an answer for him to make a final decision on selling. The issue will come back to the Board with the outcome.

Alderman McDonnell asked the Deputy Police Chief to have extra patrol on the Front Beach pedestrian path as well as the bridge due to the recent assault on the bridge.

Alderman Gill asked the Mayor to add a request that MDOT fund installing security cameras on the bridge.

Alderman Gill asked for an update on slip lining on Nottingham. The City Engineer advised they have received the Contract back from the Contractor and working through one issue. They will have a kick off meeting possibly in the next 2 weeks.

Alderman Gill asked for an update on the sign ordinance. The Grant/Planning Administrator does not know what changes will be made but asked him schedule a meeting to discuss this matter.

Alderman Gill stated he would like the Board to be able to review the plans for the Highway 90 widening project before it is finalized. The Mayor advised she invited Mr. Castleberry with MDOT and design engineer to give a presentation. She asked the Board to provide their ideas and input to give to MDOT.

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to adjourn the meeting.

The meeting ended at 8:44 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
November 18, 2014 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC HEARINGS

- a) Lot Cleaning Hearing – 10 Mayfair Court (Exhibit 3-a)
- b) Lot Cleaning Hearing – 1300 Chalmette Avenue (Exhibit 3-b)

4. NEW BUSINESS

- a) Discussion on placement of Seabee Monument at Vietnam Veterans Memorial Park (Exhibit 4-a)
- b) Discussion on allocating \$2,900.00 for the Eat Ya'll Campaign as recommended by the Economic Development Council (Exhibit 4-b)

5. OLD BUSINESS

- a) Discussion on Amending Ordinance 2014-09 to Vacate Harbor Road to Allow for Relocation as part of The Harbor Road Improvement Project funded with Tidelands(Exhibit 5-a)

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) Accept Economic Development Council Meeting Minutes of November 13, 2014 (Exhibit 7-a)
- b) Approve appointment of Lauren Hillery to the Tree Committee, term beginning immediately and expiring June 30, 2019 (Exhibit 7-b)

City Clerk:

- c) Approve Minutes: Special Call Meeting November 4, 2014 (Exhibit 7-c)
- d) Approve Minutes: Regular Meeting November 4, 2014 (Exhibit 7-d)
- e) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 7-e)
- f) Accept Action Report (Exhibit 7-f)
- g) Authorize Mayor to execute the Order approving application of Wash-It of Ocean Springs, LLC for Ad Valorem Tax Exemption for a track of land in the Central Business District located at 3915 Bienville Boulevard (Exhibit 7-g)
- h) Approve and authorize the Mayor to execute the Lease Agreement and Memorandum of Option, Lease and Easement Agreement between Cellular South Real Estate, Inc. and the City of Ocean Springs (Exhibit 7-h)
- i) Ratify per diem in the amount of \$87.20 for Officers Pearson and Jalanivich to attend training in Pearl, MS (Exhibit 7- i)
- j) Approve Run/Walk Permit Application for the South Mississippi Aids Task Force Walk – Bid for Life on Saturday, December 6, 2014 from 7:00 a.m. – 12:00 Noon, Ocean Springs Bridge only, no costs incurred by City (Exhibit 7- j)

Police Department:

Fire Department:

- k) Accept Monthly Fire Department Report (Exhibit 7-k)

Human Resources/Risk:

City Engineer:

Public Works:

- l) Authorize the Mayor to execute a 30-foot Right-of-Way Easement with Singing River Electric Power Association to install and maintain primary poles, wires, guys and anchors south of the Ocean Springs Civic Center feeding the water tower, City Attorney concurs (Exhibit 7-l)

Community Development & Planning:

- m) Authorize the Mayor to execute the Tidelands Grant Agreement for FY15-P0501-14OS-Old Fort Bayou Greenway and advertise for professional services through a Request for Proposals (Exhibit 7-m)
- n) Approve and authorize the Mayor to execute a Contract Amendment #1 with Acadian Landscaping, of Louisiana, Inc. in the amount of \$4,538.00 for the Harbor Green Landscaping, to coordinate with the adjacent road improvement project - funded by Tidelands Grant Agreement – FY10-P412 (Exhibit 7-n)
- o) Authorize the City Attorney to modify the Planning Commission ordinance by reducing the commission to a seven (7) member commission and a majority of members will constitute a quorum (Exhibit 7-o)

Historic Preservation Commission:

- p) Accept Historic Preservation Commission's recommendation to issue a COA for the construction of a new rear yard picket fence at 418 Ruskin Avenue (Exhibit 7-p)

Building Department:

- q) Accept Building Permit Report - October, 2014 (Exhibit 7-q)
- r) Accept Tree Committee Minutes of November 13, 2014 (Exhibit 7-r)
- s) Approve demolition permit for structure located at 3098 Bienville Boulevard (Exhibit 7-s)
- t) Authorize budget amendment of \$4,500.00 from lot cleaning to repairs and maintenance for the purpose of elevating the tree canopy and trimming deadwood (Exhibit 7-t)

Parks & Leisure Services:

- u) Approve Facility Use Agreement for the Ocean Springs Lacrosse Association to utilize Gay Lemon Football Field (Exhibit 7-u)
- v) Authorize employment of Justin Cook, full-time Parks maintenance worker, effective November 19, 2014, \$12.00 hourly, six-month probationary period and pending successful completion of all pre-employment requirements (Exhibit 7-v)

Facilities:

City Attorney:

Peer Review Committee:

H.R. Committee:

Finance Committee:

8. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

ADJOURN UNTIL 6:00 p.m. on December 2, 2014