

REGULAR MEETING OF JUNE 2, 2015

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 June 2, 2015. The Mayor presiding, Aldermen Cox, Gill, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman McDonnell was absent.

The Mayor called the meeting to order.

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

PROCLAMATION

The Mayor read a proclamation declaring June 2, 2015 as **K-9 Officer Will Day** in the City of Ocean Springs (Exhibit 3-a).

OLD BUSINESS

The Mayor presented an analysis of additional vehicles to be driven home to determine if there is funding to reconsider allowing certain employees to take vehicles home. Due to the lower gas prices, there is excess funding in the fuel budget to cover the costs of these extra employees as recommended by the department heads for this fiscal year as well as next fiscal year. The Mayor stated if anyone has any questions; please direct them to Shelly or the department heads.

Alderman Dalgo stated he and Alderman Gill have been working on this for quite some time and want to discuss this matter tonight since it is a budget neutral item and the City continues to lose police officers.

Alderman Cox stated the Finance Committee has not reviewed this request and asked for more time to review the analysis.

Motion was made by Alderman Dalgo and seconded by Alderman Gill to authorize the additional vehicles to be utilized by on-call personnel and emergency responders.

Alderman Gill stated he feels it is important to the employees and did not think it needs to go before the Finance Committee.

Alderman Denyer stated he is 100% in favor of looking at the possibility of allowing more vehicles to be taken home after the Finance Committee has reviewed it and made a recommendation to the Board. He agrees it will improve morale at the Police Department and will help to bring their pay up. He will not support it tonight until it is reviewed by the Finance Committee.

The Mayor explained there is a surplus in the fuel budget line items totaling over \$126,000.00 and it will cost the City \$8,000.00 to allow additional take home vehicles and \$28,000 in the next fiscal year.

Alderman Cody said there are no indirect costs in the analysis such as oil changes, wear and tear of vehicles and insurance. He asked to be able to meet with department heads to create a policy concerning take home vehicles. Alderman Cody said he is not against allowing more take home vehicles if the City can afford it but we need more guidelines.

Alderman Impey stated there is potential to lose three (3) more police officers in the future. The City has not figured in cost to send new officers to the academy and how do you calculate the cost of losing experienced officers. He would like take home vehicles limited to within the city limits.

Motion was made by Alderman Gill and seconded by Alderman Dalgo to authorize additional vehicles be utilized by on call personnel and emergency responders as long as it does not exceed what was originally budgeted (Exhibit A-1a). Motion carried with Aldermen Gill, Dalgo and Impey voting aye and Aldermen Cox, Cody and Denyer voting nay, and the Mayor breaking the tie voting aye. Alderman McDonnell was absent. Alderman Denyer stated he was not against allowing more take home vehicles only that he wanted more time to review the matter.

PUBLIC HEARING

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to open the Public Hearing concerning an Ordinance Amending the Comprehensive Zoning Ordinance of Ocean Springs, Mississippi, being Ordinance No. 13-1976, as amended, by providing for a tattoo studio use in C-2 zoning after site review.

The Grants/Planning Administrator explained the current code has tattoo parlors listed in C-3 with no site review and the amendment will extend it to C-2 and C-3 with very specific site review qualifications that would have to be met. This ordinance amendment does not geographically change any districts; it is considered a text amendment. It adds site conditions and use and does not change anything else about the zoning district. She explained the comprehensive plan does allow for and support

ordinances that limit the cluster of businesses and negative impacts on adjacent business and strives to promote the services related to the art.

The ordinance states no tattoo studio could be 400 feet from a church, school, park or funeral home or 1,000 feet from another tattoo studio, check cashing business or pawn shop. The changes and conditions will apply to the parcels in those districts. After applying the conditions enumerated, including the studios already permitted, there are several parcels eligible for Tattoo Studio use in C-3 and C-2.

Mr. Matt Stebly, 6912 Southwind Drive, spoke in favor of the amended ordinance. He stated it needs to be done not only for him but the overall tattoo community in Ocean Springs. He hopes to be able to change the negative stigma concerning tattoo studios.

Dr. Jeff Sauls, 1212 Porter Avenue, spoke in favor of the amended ordinance. He said in his opinion Mr. Stebly's business is an art studio with one of the art forms being tattoos. He said this art form is well recognized all around the world and Mr. Stebly has recently travelled around the world showing his skills. Dr. Sauls was delighted when Mr. Stebly said he would like to relocate his tattoo studio to Government Street.

No one spoke against the amended ordinance.

Motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to close the Public Hearing.

Motion was made by Alderman Denyer, seconded by Alderman Cox to adopt **Ordinance No. 2015-10 Amending the Comprehensive Zoning Ordinance of Ocean Springs, Mississippi, being Ordinance No. 13-1976, as amended, by providing for a tattoo studio use in C-2 zone after site review** as presented (Exhibit 6-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>Absent</u>
Alderman Cody	<u>Voting Aye</u>
Alderman Denyer	<u>Voting Aye</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Impey	<u>Voting Aye</u>

PUBLIC COMMENTS

None.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda and Addendum. Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to remove item (8-c) from the agenda and amend item (8-h) stating the event will be held on Saturday, September 12th.

DEPARTMENT REPORTS

Building Department

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to request funds to rehire Theresa Dobbs on a temporary basis for one month to assist in training of staff in the Building Department to offset the absence of Jan Yarbrough (Exhibit 9-a).

The Building Official stated the City will be participating in the FEMA High Water Mark (HWM) Project to increase awareness of the risk of flooding in the community and encourage location action to reduce risk. He stated FEMA is providing the three (3) plaques to be placed at the height requirements, one for Katrina, one for Camille and one for base flood elevation. The City will install a temporary flag pole and will be permanently placed once the harbor improvement project is complete. This initiative will help earn additional Community Rating System (CRS) points to reduce the cost of flood insurance and put Federal and State mitigation assistance funds to work.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to request use of current budgeted funds to complete a community rating system requirement pursued by FEMA – FEMA High Water Mark Project 2015 – by the 10th Anniversary of Hurricane Katrina (Exhibit 9-b).

City Attorney:

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize to waive section (b) of the Ocean Springs Municipal Code Chapter 14 Article 1 Section 14-13, Special regulations for Front Beach Drive and East Beach Drive for a period of thirty (30) days to allow two-way traffic on Front Beach Drive without restriction (Exhibit 9-c).

ALDERMEN'S FORUM

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to accept the quote from McClain's in the amount of \$1,600.00 to trim trees from Bechtel to Hanley, funded from the ending cash balance.

Alderman Cody stated he is not opposed to anyone taking city vehicles home. He said the Finance Committee has worked diligently to save as much money as possible for the City. He said if the City wants to fix the problems, we need to put 2 mils back. He proposed raising the 2 mils tonight to increase the budget for the next fiscal year. Motion was made by Alderman Cody and seconded by Alderman Dalgo to raise millage by 2 mils. After a clarification of the vote, Motion failed with Aldermen Cody, Dalgo voting aye and Alderman Gill, Cox, Denyer and Impey voting nay. Alderman Denyer stated he is in favor of raising millage but only if the City has a plan as to how the money will be spent.

Alderman Cody rescinded his motion. He challenged the board to do a better and sincere job in trying to find ways to economize as well as cut the budget. He said the way to grow the budget is to increase property taxes and sales tax. Alderman Cox stated he is not in favor of raising taxes and stating that would be the easy thing to do.

Alderman Denyer asked the Mayor to send a letter to MDOT requesting them to replace the lights on Highway 90 that were previously knocked down. He also stated the homeless population is increasing under the bridge and asked to have it checked out.

Alderman Denyer asked if the vehicles with signs in his neighborhood could be doing a street light survey. The Interim Public Works Director advised they were putting electronic devices on gas meters.

He also asked for a plan for the erosion on Front Beach. Allen Engineering is working on the plan.

Alderman Cox asked for an update concerning the parking at the Sports Complex. He reported he and Alderman Cody have spoken to Joe Gill to research and mitigate for other land to purchase to use for more parking. The Parks Director reported she met with representatives from St. Paul's United Methodist Church concerning access through the west side of St. Paul's property. They are very interested in entertaining that idea once the City provides the property documentation such as a survey. Alderman Cody stated it would be performed at no additional cost from Joe Gill.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to authorize Joe Gill to mitigate for more parking at the Ocean Springs Sports Complex. Alderman Gill abstained from the vote.

Alderman Dalgo asked for an update on the Government Street Improvement Project. The Mayor advised the Board authorized to re-advertise and the Planning/Grants Administrator said the project is estimated to begin in the Fall of this year.

Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to approve demolition of a structure at 1820 S. Railroad Street (Exhibit 10-a).

Alderman Impey congratulated the Jackson County Regional Library on their 90th Anniversary. He was honored to be a part of their celebration. Alderman Impey also extended his and his family's thanks to the OS Police Department for police escort done with precision and passion at the funeral services for his grandmother.

Alderman Gill asked who to contact concerning a sunken skiff at the Fort Bayou boat ramp. The Mayor said to contact the derelict vessel department at the Department of Marine Resources.

EXECUTIVE SESSION

Motion was made by Alderman Denyer, seconded by Alderman Gill 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 Denyer and unanimously carried to remain in executive session to discuss potential litigation regarding a Contract; property acquisition; personnel in H.R. Department and Building Department.

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

Motion was made by Alderman Cody, seconded by Alderman Denyer and unanimously carried to send City representatives to seek recreational property for Parks and Recreation activities.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to authorize the transfer of Deanna McLallen to the H.R. Department as Administrative Clerk at her current rate of salary, six-month probationary period and authorize to advertise for the vacant Administrative Clerk in the City Clerk's office, pending H.R. Committee approval.

Motion was made by Alderman Dalgo, seconded by Alderman Gill and unanimously carried to recess until 6:00 p.m. on June 16, 2015.

Meeting ended at 8:18 p.m.

/s/ Shelly Ferguson
City Clerk

June 17, 2015
Date

/s/ Connie Moran
Mayor

June 17, 2015
Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
June 2, 2015 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) K-9 Officer Will Day – June 2, 2015 (Exhibit 3-a)

4. NEW BUSINESS

5. OLD BUSINESS

6. PUBLIC HEARINGS

- a) An Ordinance Amending the Comprehensive Zoning Ordinance of the City of Ocean Springs Ocean Springs, Mississippi, being Ordinance No. 13-1976, as amended, by providing for a tattoo studio use in C-2 zone after site review (Exhibit 6-a)

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 the Execution of the MOU between the City of Ocean Springs and MDOT for the Urban Youth Corps Program 2015 (Exhibit 8-a)
b) Adopt Resolution appointing Mississippi Municipal League 2015 voting delegates for the City of Ocean Springs Ocean Springs (Exhibit 8-b)
c) Authorize to confirm with the Mississippi Municipal League to host a reception at the Ocean Springs Community Center on Tuesday, June 23, 2015 (Exhibit 8-c)

City Clerk:

- d) Approve Minutes: Recess Meeting May 19, 2015 (Exhibit 8-d)
e) Approve Minutes: Special Call Meeting May 27, 2015 (Exhibit 8-e)
f) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-f)
g) Approve Run/Walk Permit Application for the Rotary Club of Ocean Springs 5K Run & Kids 1 mile on Saturday, October 17, 2015 from 6:15 p.m. – 8:00 p.m. – Rotary Route (Exhibit 8-g)
h) Approve Run/Walk Permit Application for the 5K Race – 9/11 Tunnel to Towers Run/Walk on Friday, September 12, 2015 from 8:30 a.m. – 10:30 a.m., no cost to the city – Front/Beach/Bridge Route (Exhibit 8-h)

Police Dept.:

- i) Accept the resignation of Tyler Reid, probationary Corrections Officer, effective May 21, 2015, and authorize payout of his annual leave balance and authorize to begin the process to fill the position pending H.R. Committee approval (Exhibit 8-i)

Fire Dept.:

Human Resources/Risk Management:

City Engineer:

Public Works:

- j) Authorize to hire Mike Hale, a current temporary employee, to fill the open position in the Sewer Department at the rate of \$11.50 per hour pending successful completion of all pre-employment requirements, effective June 3, 2015 (Exhibit 8-j)
- k) Accept Summary Change Order No. 1 and the Final Pay Application to JET Construction in the amount of \$42,650.00 for the Mulberry Grove Drainage Improvement Project as recommended by Compton Engineering (Exhibit 8-k)
- l) Accept Summary Change Order No. 1 and the Final Pay Application to JET Construction in the amount of \$49,912.50 for the Sheppard – Whispering Pines Drainage Improvement Project as recommended by Compton Engineering (Exhibit 8-l)
- m) Accept the bid and award the project to Twin L. Construction in the amount of \$48,000.00 for the Ridgewood Road Drainage Improvements as recommended by Compton Engineering (Exhibit 8-m)
- n) Accept the bid and award the project to Twin L. Construction in the amount of \$48,000.00 for the Burton Court Drainage Improvements as recommended by Compton Engineering (Exhibit 8-n)
- o) Authorize to enter into an Interlocal Agreement between the City of Ocean Springs, Mississippi and Jackson County, Mississippi for Road Striping Government Street (Exhibit 8-o)

Community Development & Planning:

- p) Authorize Mayor to Execute Consultant Contract Amendment #1 in the amount of \$1,000.00 for Bryant Whelan – Gulf Seafood Tourism and Promotional Fund – City Museum (Exhibit 8-p)
- q) Authorize to Proceed with Installation of Sod in approved sections of Front Beach – Tideland Grant Agreement – FY14-M201-2C (Exhibit 8-q)
- r) Authorize to re-advertise the Government Street Improvements Project Construction Pending MDOT concurrence – MDOT STP funded (Exhibit 8-r)
- s) Authorize to re-advertise Tidelands funded improvements to the OS Harbor Road (Exhibit 8-s)

Building Department:

- t) Accept Tree Committee Report – May 19, 2015 (Exhibit 8-t)
- u) Accept Code Enforcement Report (Exhibit 8-u)

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Dept.:

Fire Dept.:

Human Resources/Risk Management:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

- a) Request the funds to rehire Theresa Dobbs on a temporary basis for one month to assist in training of staff in the Building Department to offset the absence of Jan Yarborough (Exhibit 9-a)
- b) Request the use of current budgeted funds to complete a community rating system requirement pursued by FEMA – FEMA High Water Mark Project 2015 – by the 10th anniversary of Hurricane Katrina (Exhibit 9-b)

Parks & Leisure Services:

City Attorney:

- c) Authorize to waive section (b) of Ocean Springs Municipal Code Chapter 14 Article 1 Section 14-13- Special regulations for Front Beach Drive and East Beach Drive for a period of thirty (30) days to allow two way traffic on Front Beach Drive without restriction (Exhibit 9-)

Facilities:

Peer Review Committee:

H.R. Committee:
Finance Committee:

10. ALDERMEN'S FORUM

11. EXECUTIVE SESSION

- a) Personnel in Public Works
- b) Personnel in Human Resources

RECESS UNTIL 6:00 P.M. on June 16, 2015

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
June 2, 2015 - 6:00 p.m.**

1. NEW BUSIENSS

Mayor:

- a) Authorize additional vehicles be utilized by on call personnel and emergency responders (Exhibit A-1a).