

REGULAR MEETING OF OCTOBER 4, 2016

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 October 4, 2016. The Mayor presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

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

PROCLAMATIONS

The proclamation for **Mississippi Coastal Cleanup Day** was **rescheduled** to the October 18, 2016 meeting of the Ocean Springs Mayor and Board of Aldermen.

The Mayor read a proclamation declaring the week of October 9-15, 2016 as **Fire Prevention Week** in the City of Ocean Springs.

The Mayor read a proclamation declaring the month of October, 2016 as **Domestic Violence Awareness Month** in the City of Ocean Springs.

ADDENDUM

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to add the Addendum to the Agenda.

PUBLIC HEARING

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to open the Public Hearing for lot cleaning at the vacant lot at 5811 Chicopee Trace owned by Safeguard Properties. (Exhibit 4-a)

The Building Official presented the property issues for the vacant lot at 5811 Chicopee Trace. The property owners have been served notices multiple times and the property was posted in the middle of September 2016. The Building Official states the City has not received a response to date. The Building Official requests to move forward with the property cleaning. He will obtain quotes for the initial and sequential cost of the grass cutting.

Proponents for the Lot Cleaning

William Betterton - 5807 Chicopee Trace, stated this is an ongoing problem. He presented pictures of notices that were placed on the property starting in October of 2013 and packages that have been left on the porch since January, 2016. He is concerned about property values. He wants the problem fixed. Mr. Betterton also stated the owners gutted the house earlier this year and he is concerned about mold in the house because it did have water during Hurricane Katrina in 2005.

Opponents of the Lot Cleaning

There were no opponents present at the lot cleaning.

Motion made by Alderman Cox, seconded by Alderman McDonnell and unanimously carried to come out of the Public Hearing.

Alderman Denyer asked the Building Official why it has been stated that this is a problem that will not go away. The Building Official stated that the property owner either does not live here or does not want to maintain the property.

Alderman McDonnell asked if the Building Official has the ability as the City Building Inspector to go inside the home. The Building Official stated he can look through the windows to see if there are any visible signs of mold. If he can see any signs of mold he will request a warrant to enter the property. Alderman McDonnell asked the Building Official to check the property and report back to the Mayor and Board.

Motion made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to make a finding of fact that the property is a health and safety hazard and allow the Building Official to move forward with the lot cleaning.

DEPARTMENT REPORT - ADDENDUM

Motion made by Alderman Cox, seconded by Impey and unanimously carried to issue a check in the amount of \$1800.00 to PAPOS for the depreciation amount withheld in error from the initial reimbursement check the City received from the insurance company for the damage to the Circle of Life Sculpture. (Exhibit A-4a)

NEW BUSINESS and ADDENDUM

Mr. Chris Eaton – 521 East Beach – presented a request to change the Fire Sprinkler Ordinance that has been on the books since 2006 for Residential Homes requiring a

sprinkler system in homes that have a finished floor 20 feet above grade. Mr. Eaton states the issues are economical and aesthetics for the homeowners. The Mayor stated the City would look into what other Coastal Communities are doing.

The Building Official stated this ordinance has been looked into for the correct interpretation after the Fire Marshall suggested it was being interpreted the wrong way. The city attorney stated it is 20 feet above the existing grade adjacent to the house is where it was attended. The Building Official notified Mr. Eaton and the architect, Mr. Cowart, about the findings and interpretation approximately six months ago. The Building Official stated the homes at the end of Lover's Lane will be required to have a pump and tank in the yard.

The Fire Chief was asked to check with his colleagues at the Fire Chief meeting at the State Fire Academy to see what other communities are doing about Fire Sprinklers. (Exhibit 5-a)

Troy Kirkbride – 13616 Virginia Street - discussed the charge to non-profit organizations for the use of public funded softball fields. The Parks Advisory Board has voted to charge a \$20.00 fee for every 90 minutes of practice for the use of the ball parks that were built and are maintained using public tax dollars. Mr. Kirkbride was told there are three reasons these fees were going to be assessed, (1) due to the lack of manpower in the Parks and Leisure Department to keep up with the scheduling of the fields, (2) continuous scheduling issues and/or conflicts with the league teams, and (3) softball organizations compete with leagues for participants. The Parks and Leisure Director explained the use of the fields and that the reason for a \$20.00 fee is due to the fact that maintaining the fields comes at a high cost. The Parks Director also explained that the organization is currently paying a fee.

Alderman Cox suggested the organization form a league to get a reduced cost.

The Parks and Leisure Director stated the Parks Advisory Board meetings are held on the second Wednesday of each month and asked Mr. Kirkbride to come to the next meeting. (Exhibit 5-b)

PUBLIC COMMENTS

Carl King wanted to invite everyone to come out to the Veteran's Day Parade sponsored by the American Legion on October 29, 2016. If anyone is interested in participating in the parade contact the number listed on the poster. Mr. King also thanked the Planning Department for doing a great job of getting a house cleaned up in his community.

NEW BUSINESS - ADDENDUM

Motion made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to accept the Special Event Permit to allow overflow parking after 10:00 p.m. along the seawall on Front Beach on October 22, 2016, for one night only. (Exhibit a-1A)

OLD BUSINESS

Motion made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the clarification to the existing Special Event Vendor Permit Ordinance. (Exhibit 6-a)

Motion made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to adopt the resolution from the Mississippi Department of Finance and Administration for the consideration of the \$150,000.00 bond. (Exhibit A-2a)

CONSENT AGENDA

Motion made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to accept the Consent Agenda. **Alderman Gill abstained from voting on the Consent Agenda.**

DEPARTMENT REPORTS

The Building Official presented the proposal from Mississippi Power for discussion regarding the alternative methods of lighting for Front Beach. The proposal from Mississippi Power consisted of 3 options all of which are quite expensive compared to changing out the light fixtures along Front Beach to LED lighting in-house. (Exhibit 9-a)

Motion made by Alderman Dalgo, seconded by Alderman Cox and unanimously carried to go into Closed Session to determine the need for Executive Session.

The City Clerk returned to the meeting and announced a motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to remain in executive session to discuss personnel in the Fire Department, personnel in Police Department, and potential litigation.

Alderman Dalgo left the meeting at 8:30 p.m.

Motion made by Alderman Cox, seconded by Alderman Impey and unanimously carried to come out of Executive Session and into Regular Session.

ALDERMAN'S FORUM

Motion made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to request a quote from Mississippi Power to replace to older and outdated light fixtures in his Ward that has not been replaced yet which includes City Hall all the way to Forrest Hill and Pine Drive. The streets that are included are Calhoun, Russell, Vancleave, General Pershing, Ward and Magnolia.

Alderman Cody stated he talked to Jackson County Supervisor, Troy Ross, who stated the county is going to combine two years of their paving budget due to the paving company not being available. He has requested the Aldermen to add streets from their Wards to the paving list in order to do a mass paving project.

Motion made by Alderman Cody, seconded by Alderman Gill to close the streets as listed Washington Avenue and Government Street and all the intersections for Cruisin' the Coast.

Alderman Cody stated while setting up the comfort stations at Marshall Park for Cruisin' the Coast there was a man urinating in the bushes and he wants to sign charges on him and have him arrested.

Alderman Cox stated the City is still in negotiations with Med Analysis and requests another meeting with Todd Garlington to have additional questions answered.

Motion made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to allow the lights on Bergerac Lane in Bienville Place to be placed on our monthly power bill if they are not already. These lights need to be fixed and on prior to Halloween.

Alderman Cox is requesting Public Works to look into a drainage pipe that has caved in on Chicapee Trace up to the hill to the cul-de-sac above it.

Alderman Cox is requesting an update from the Judge in regards to the \$2.00 assessment fee to all traffic fines as requested by Crime Stoppers and what he is recommending.

Alderman Denyer has had two neighborhood complaints about the lot located at the corner of Halstead and East Beach where the grass is 3' tall. He wants the Building Official to look into getting that grass cut.

Alderman Impey stated he had the meeting about Parktown Drainage issues. The ditch referred to as the Vicksburg Ditch at the end of Yosemite and runs along the east side of Parktown has been approved for PHWD Funds. Public Works has rearranged the schedule and is hoping to get this started within the next month. The Public Works

Director and James Foster are working on getting the ditch on the east side of Walmart between Walmart and the What-A-Burger Shopping Center, as well as along with extending the concrete ditch, added to PHWD list.

Alderman Impey stated the issues with erosion on Glacier Avenue and Trentwood Drive in Parktown were not City issues. The Public Works Director personally went to each of the property owners and addressed the issues and gave them suggestions to correct the problems.

Motion made by Alderman Cody, seconded by McDonnell and unanimously carried to move \$1000.00 from the Ward 3 Alderman's fund to the Chamber of Commerce.

Alderman Cody stated he has secured the parking lot behind the Flying Irishmen for people who work downtown to allow them to park. An attendant will be there between 7:00 am to 10:00 am. They will be picked up in the golf cart and brought to work and brought back to their vehicle during the Cruisin' the Coast event.

Alderman Denyer requested the area where our well is at the end of Robinson Road remain open during the Cruisin' the Coast event.

Motion made by Alderman Gill, seconded by Alderman Cox and unanimously carried to recess until 6:00 p.m. on October 18, 2016.

The meeting ended at 9:37 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 4, 2016 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATIONS

- a) Fire Prevention Week – October 9-15, 2016 (Exhibit 3-a)
- b) Domestic Violence Awareness Month – October, 2016 (Exhibit 3-b)
- c) Mississippi Coastal Cleanup Day – October 22, 2016 (Exhibit 3-c)

4. PUBLIC HEARING

- a) Lot Cleaning Hearing – 5811 Chicopee Trace – Safeguard Properties (Exhibit 4-a)

5. NEW BUSINESS

- a) Discussion requesting to change the 2006 Fire Sprinkler Ordinance – Chris Eaton (Exhibit 5-a)
- b) Discussion concerning an hourly rate fee for the use of tax funded softball fields – Troy Kirkbride (Exhibit 5-b)

6. OLD BUSINESS

- a) Discussion on Special Event Vendor Permits (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 waiver of rental fees for the use of the Civic Center by the Jackson County Board of Supervisors to host one of their two public meetings to present the concept of a multiuse pathway that would connect Ocean Springs to Gautier on Thursday, November 3, 2016, from 5:00 p.m. – 7:00 p.m. (Exhibit 8-a)
- b) Ratify the Special Event Permit Application for “The Lot” Event at the Chamber of Commerce parking lot sponsored by the Ocean Springs Mayor’s Youth Council held on September 30, 2016 from 7:00 p.m. – 11:00 p.m. at no cost to the city (Exhibit 8-b)
- c) Adopt Resolution of the City of Ocean Springs, Mississippi, to Temporarily Allow Consumption of Beverages and Sale of Beer on Public Property for the Duration of Cruisin’ the Coast 2016 and authorize the Mayor to execute same (Exhibit 8-c)
- d) Adopt Resolution of the City of Ocean Springs, Mississippi, to Temporarily Allow Consumption of Beverages and Sale of Beer on Public Property for the Duration of Peter Anderson and authorize the Mayor to execute same (Exhibit 8-d)
- e) Authorize to enter into a Consulting Agreement with Joe Gill Consulting, LLC for a fee of \$10,000.00 for Lobbying Services pertaining to Tidelands Funds effective October 4, 2016 (Exhibit 8-e)
- f) Authorize to appoint Wade Morgan, Planner, to the Jackson County Bicycle and Pedestrian Plan Committee as a representative from the City of Ocean Springs (Exhibit 8-f)

City Clerk:

- g) Approve Minutes: Special Call Meeting August 30, 2016 (Exhibit 8-g)
- h) Approve payment: Docket of Claims and spread docket summary upon the Minutes
(Due to fiscal year end rollover the docket will not be available until Tuesday, October 4, 2016)

- i) Accept Action Report (Exhibit 8-h)
- j) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 8-i)
- k) Ratify payment to 3HG in the amount of \$400.00 for entertainment during the Mayor's Youth Council's "The Lot" Event on September 30, 2016 (Exhibit 8-j)
- l) Accept the termination of probationary employee Tachaka Lemon, Deputy Court Clerk, effective September 22, 2016, and authorize to begin the process to fill the vacant position (Exhibit 8-k)
- m) Approve Run/Walk Permit Application for a 5K and 10K Run/Walk sponsored by Harley Sports LLC on Saturday, January 28, 2017, from 8:30 a.m. – 10:30 a.m., with approved Front Beach/Bridge route; approved by all city departments with at a cost of \$300.00 for traffic control (Exhibit 8-l)
- n) Approve Special Event Permit Application for the Becky's Bash event hosted by Friends of the Mary C. O'Keefe Cultural Center on October 21, 2016 from 6:00 p.m. to 10:00 p.m. at the Mary C. O'Keefe Cultural Center, pending approval from all departments and proof of liability insurance naming the city as an additional insured (Exhibit 8-m)
- o) Approve Special Event Permit Application for the Veteran's Day Parade sponsored by the American Legion Post 42 to be held Saturday, October 29, 2016 from 1:00 p.m. to 2:00 p.m., regular parade route, will require road closure for the passing of the parade (Exhibit 8-n)
- p) Ratify payment to the Holiday Inn Express & Suites in the amount of \$121.00 for the hotel fee for Gerald Groue on October 5-6, 2016 to attend the Disaster Management for Water and Wastewater Utilities Course in Jackson, MS (Exhibit 8-o)
- q) Ratify payment to the Holiday Inn Express & Suites in the amount of \$121.00 for the hotel fee for Matt Burrell on October 5-6, 2016 to attend the Disaster Management for Water and Wastewater Utilities Course in Jackson, MS (Exhibit 8-p)
- r) Ratify payment to Matt Burrell for per diem in the amount of \$82.00 for attending the Disaster management Water and Wastewater Utilities Course in Jackson, MS on October 5-6, 2016 (Exhibit 8-q)
- s) Ratify payment to Gerald Groue for per diem in the amount of \$82.00 for attending the Disaster management Water and Wastewater Utilities Course in Jackson, MS on October 5-6, 2016 (Exhibit 8-r)
- t) Ratify payment to Alabama NENA in the amount of \$470.00 for Michael King & Donna Staszko to attend the Gulf Coast 911 Conference in Orange Beach, AL on October 11-14, 2016 (Exhibit 8-s)

Police Department:

- u) Authorize out-of-state travel for Detective Sergeant Matthew Morvant and Detective Terry Hines to attend the Regional Organized Crime Information Center Conference on October 9-13, 2016, in Dallas, Texas (Exhibit 8-t)

Fire Department:

- v) Accept the resignation of Nicholas DeCoronado, Firefighter, effective October 5, 2016, and authorize to begin the process to fill the vacant position (Exhibit 8-u)

Human Resources/Risk Management:

City Engineer:

Public Works:

- w) Authorize to extend the Contract with Graham Construction Company for an additional year beginning October 21, 2016, at current rates and fees for manpower and equipment for Water, Sewer and Storm Sewer Rehab (Exhibit 8-v)
- x) Authorize to hire Steven Dossett, Street Department Laborer Class C, \$12.00 hourly rate, effective October 5, 2016, one year probationary status, pending successful completion of all pre-employment requirements (Exhibit 8-w)
- y) Authorize to accept documents granting the City a five foot wide easement, Sunhaven Drainage Easement, along the north boundry of the property located at 102 Sunhaven Drive, Parcel #61037011.000 – Ivan & Anita McAllister (Exhibit 8-x)

Community Development & Planning:

- z) Authorize to remove Wade Morgan, Planner, from probationary status to full time status effective October 1, 2016 (Exhibit 8-y)
- aa) Authorize the Mayor to execute the Certificate of Substantial Completion with J. E. Borries for the Kayak Launch construction at the Ocean Springs Harbor (Exhibit 8-z)
- bb) Authorize the Mayor to execute Change Order No. 1 with Gulf Breeze Landscaping, LLC, for \$5000.00 for a revised contract amount of \$33,514.90 for Annual Maintenance on the Magnolia Property, CIAP

– MS-30705 – CIAP Stormwater Outfalls, a transfer of funds from Public Works to the Grant Fund is required in the budget (Exhibit 8-aa)

Building Department:

cc) Accept Tree Protection Committee Meeting Minutes from September 20, 2016 (Exhibit 8-bb)

Parks & Leisure Services:

dd) Accept the resignation of Payton Brown, Parks Maintenance, effective September 30, 2016; authorize to transfer Kody Evans, Grounds Maintenance, to the vacant Parks Maintenance position, \$12.00 per hour, effective October 8, 2016, one year probationary period; authorize to transfer Archie Heidelberg, Part-Time Rec Aid, to full time Grounds Maintenance, \$12.00 per hour, effective October 8, 2016, one year probationary period (Exhibit 8-cc)

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

a) Discussion on the proposal from Mississippi Power regarding the lighting for Front Beach (Exhibit 9-a)

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

10. ALDERMEN'S FORUM

11. EXECUTIVE SESSION

a) Personnel in Fire Department

RECESS UNTIL 6:00 P.M. on October 18, 2016

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 4, 2016 - 6:00 p.m.**

1. **NEW BUSINESS**

- a) Discussion on overflow parking on Front Beach Drive after 10:00 p.m. on Saturday, October 22, 2016. (Exhibit A-1a)

2. **OLD BUSINESS**

- a) Adopt Resolution requesting the Mississippi Department of Finance and Administration the issuance of State General Obligation Bonds required to be eligible for Infrastructure and Infrastructure Related Projects. (Exhibit A-2a)

3. **CONSENT**

Fire Department:

- a) Authorize employment of Chance Seymour, Firefighter, effective October 10, 2016, \$10.42 hourly, one year probationary status and pending successful completion of all pre-employment requirements. (Exhibit A-3b)

4. **DEPARTMENT REPORTS**

Human Resources:

- a) Authorize to issue a check in the amount of \$1800.00 to PAPOS for an insurance reimbursement the City received for the depreciation amount withheld from the original Circle of Life Sculpture claim. (Exhibit A-4a)