

## **RECESS MEETING OF FEBRUARY 21, 2017**

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 February 21, 2017. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was Deputy City Clerk Janice Hilton and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

Alderman Chic Cody gave the invocation and Levi Krystosek led the Pledge of Allegiance.

The Mayor announced the Board voted Mr. James Smith as the new School Board member for the Ocean Springs School District.

Motion made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to approve the appointment of Mr. James Smith as the new School Board member for the Ocean Springs School District.

Motion made by Alderman Cody, seconded by Alderman Dalgo and unanimously carried to appoint Natalie Ortell to the Tree Committee for the remainder of the present term.

Alderman Dalgo thanked Dr. Lena Melton for her 30 years of service on the School Board for the Ocean Springs School District.

## **PROCLAMATION**

The Mayor read a Proclamation declaring February 28, 2017 as **Rare Disease Day & If A Mother's Love Could Heal Day** in the City of Ocean Springs and presented it to Amber Olsen and Dona Krystosek. (Exhibit 3-a).

The Proclamations for Star Spangled Banner Day and Arbor Day are to be placed in the minutes but not read aloud.

## **OLD BUSINESS and ADDENDUM**

Mr. Ben Wilder, President of the Coast Soccer Club, presented information about the Coast Soccer Club and how much it has grown over the last (2) two years. Mr. Wilder stated due to the growth of the Coast Soccer Club and other athletic organizations he wants to stress the need for additional parking at the Highway 57 Sports Complex. Mr. Wilder also asked the Board to consider some indoor spaces due to the heat and inclimate

weather. He also suggested putting a workout area, walking track, and playground at the Highway 57 Sports Complex for the parents who are at the Sports Complex while their children are practicing. The Mayor stated the Corp of Engineers currently has our parking plan for the facility out for public comments which will end March 8, 2017.

Cynthia Sutton, Director of the Ocean Springs Chamber of Commerce, gave a report on the upcoming Bicentennial celebration. Mrs. Sutton is asking the City to participate in this 2 day event at Centennial Plaza in Gulfport, Mississippi to celebrate the 200 year birthday of the State of Mississippi. There are (2) two ways the city can participate in this event. The city can set up an exhibitor booth and/or be a part of the parade of cities. Alderman Gill suggested using some of the 2% funds to promote the City of Ocean Springs at this event.

Alderman McDonnell asked Cynthia Sutton to contact the Chief of Police to discuss security and police presence downtown and give him some information about the grant the City of D'Iberville has received.

The Mayor discussed the changes to the existing ordinance regarding animal control and cats. The new ordinance would exempt cats from the current leash law but it does not exempt them from being a nuisance animal.

Motion made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 5 Regarding Animal Control.

Alderman Gill	<u>Aye</u>
Alderman McDonnell	<u>Aye</u>
Alderman Cody	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Denyer	<u>Aye</u>
Alderman Dalgo	<u>Aye</u>
Alderman Impey	<u>Aye</u>

Motion passed. (Exhibit 4-b)

Motion made by Alderman Impey, seconded by Alderman Gill and unanimously carried to add the Addendum to the Agenda.

Motion made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to adopt the Resolution to rent classroom space in the Taconi Building to Dynamic Dyslexia Design ("3-D"). (Exhibit A-1a)

Motion made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to approve the Lease Agreement with Dynamic Dyslexia Design ("3-D") for

Lease of Building Space at N. E. Taconi Building for a period of one (1) year commencing on July 1, 2017 and terminating June 30, 2018. (Exhibit A-1b)

The Building Official gave an updated the Board he received from an arborist regarding the tree lining issue along Washington Avenue. (Exhibit A-1d)

The Mayor stated the presentation from Trevor Davis, Mayor's Youth Council, on the GeoCash tourism program will be postponed until the next board meeting on March 7, 2017. (Exhibit A-1e)

## **PUBLIC COMMENT**

Mr. Jim Rigby, state representative from the Knights of Columbus, discussed providing a special needs swing for citizens in wheelchairs. The Knights of Columbus has the opportunity for help support the City by offering to donate \$2000.00 to purchase one of these special needs swings to be placed at a location of the City's choice.

Motion made by Alderman McDonnell, seconded by Alderman Coody and unanimously carried to accept the donation from the Knight of Columbus pending legal counsel and the parks department to determine the location for the swing and any concerns regarding potential hazards are addressed.

Motion made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried once the issue of location and the manner the special needs swing is installed will include a plaque stating the swing was donated by the Mississippi Knights of Columbus.

Allie Robertson, 617 Clark Avenue, stated she does not agree with removing the live oak tree from the front yard at 616 Clark Avenue. Ms. Robertson is willing to bring in an arborist to look at the tree to see if the roots can be cut before removing the tree. She was not aware of the damage to the foundation until she spoke to Alderman Cody and the Building Official. She is asking the board to take all abatement measures before allowing the tree to be removed.

Glenn Miller, 417 Dewey Avenue, came before the board to talk about the impact of drainage on his property form the property located at 423 Dewey Avenue. The new house was built above him has a paved driveway, no gutters and no drainage system which is pouring a lot of water onto his property. Alderman McDonnell, Alderman Gill and the Interim Public Works Director went to 417 Dewey Avenue to assess the issue. Alderman McDonnell stated the drainage is backed up. He asked the Interim Public Works Director to take another look at the property. Alderman McDonnell stated the City looked into buying Mr. Miller's property in the past because it was in a flood zone. Alderman McDonnell also asked the Planning and Grants Administrator if there are any

opportunities available to purchase Mr. Miller's property. The Planning and Grants Administrator stated she will look into the repetitive loss buyout for hazard mitigation to see if any funds are available.

Bill Moore, M.D., 257 Holcomb Blvd., asked if there are any organizing group addressing the homeless that he can speak with. The Police Chief stated the best person to speak with would be Reverend Elijah Mitchell from St. Paul's Methodist Church in downtown Ocean Springs.

Sgt. James Lewis, Jr., 805 Canebreak Drive, thanked Public Works for their outstanding job on fixing the sign in his neighborhood. Mr. Lewis also mentioned there is a disconnect with the traffic light located on Old Spanish Trail west of the middle school. Mr. Lewis stated you have to wait at this light for three (3) minutes before the light changes for the eastbound traffic to move even if there are no vehicles in the turning lane. He stated it is a serious situation. The Interim Public Works Director stated it is on a set timer and the only thing that breaks the cycle is when someone presses the button to cross the street. The Interim Public Works Director wants to check with the City Electrician to see if he has the manuals to the light system to see if it can be reset or adjusted.

## **CONSENT AGENDA and ADDENDUM**

The Mayor pulled Item (7-d) regarding the Mardi Gras holiday from the Consent Agenda. The Mayor stated this action has been approved in the past and does not need an additional motion.

Motion made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to pull Item (7-d) from the Consent Agenda.

Motion made by Alderman Gill, seconded by Alderman Impey and unanimously carried to approve the Consent Agenda except for Item (7-d).

## **DEPARTMENT REPORTS**

Motion made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to continue with Mr. Ken Papania's service as the city representative to the Jackson County Utility Authority. (Exhibit 8-a)

## **ALDERMAN'S FORUM**

Alderman Gill notified the Police Chief that the speed limit sign located at Queen Park Circle in Fort Bayou Estates is missing.

Alderman McDonnell stated he has heard from numerous business owners over the last 6 months regarding the homeless and mischievous behavior in the downtown area. Alderman McDonnell feels a strong police presence will discourage the criminal activity the business owners, tourists and residents have been experiencing in this area. He is asking the finance committee to allocate funds to hire one (1) full time police officer dedicated to patrol the downtown Ocean Springs area by foot, bicycle, or Segway. He feels having a police officer present will provide a sense of safety and calmness with the business owners, tourists, and residents. Alderman McDonnell asked the Police Chief to talk to Cynthia Sutton from the Chamber of Commerce about the grant the City of D'Iberville received and the Finance Committee to come up with a plan to allocate the funds, whether a grant or not, and present to the Board at the next board meeting.

Motion made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to have the Finance Committee come back to the Board to identify the funding source to hire one (1) police officer for the downtown area and allow the Police Chief to advertise.

Alderman McDonnell asked the City Planner to have mapping and signage information for public parking in the downtown area back to the Board in the next 30 days.

Alderman McDonnell stated he does not support the Bike Share Program. He would prefer to allow a private business to provide these services. TriHard Sports already has the equipment, already runs a rental program, and is willing to expand this program.

Motion made by Alderman McDonnell, seconded by Alderman Cody to withdraw the 60 day hold on the proposed Bed & Breakfast Ordinance and have the City Attorney and the Planning and Grants Administrator make some recommendations to the Planning Commission schedule public hearings and get a new ordinance on the books. Aldermen Gill, Cox, Denyer, Dalgo and Impey voting Aye and Alderman Denyer voting Nay.

Alderman Cody reminded everyone the Mardi Gras Parade is this Friday night at 7:00 pm. He is asking to meet with the police department and public works at 9:00 am to go over placement of lights and port-o-lets.

Alderman Cody thanked Public Works for working hard to get water service restored to his ward.

Alderman Cody discussed the appeal on the live oak tree located at 616 Clark Avenue. He stated the foundation has been pushed up and is causing structural damage to the

house. The foundation has been pushed up enough that the homeowner is unable to get his wheelchair over the area where the foundation is pushed up.

Motion made by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve removing the tree contingent upon the Tree Committee's approval based on the Building Officials recommendation.

Alderman Denyer thanked Public Works and the Police Chief for their hard work during the Mardi Gras Parade. Alderman Denyer also thanked the Interim Public Works Director for working with the Board without resistance.

Alderman Impey commented on how well Public Works cleaned the streets after the Mardi Gras Parade. Alderman Impey also commented on the great job the Police Department did walking and patrolling the streets during the parade.

The Mayor asked for input on the trash receptacles and the placard that needs to be placed on the cans. The sign area sticks out and may be a liability issue. The Mayor suggests cutting the sign area off the cans and riveting the placards on the cans. Alderman Cody and the Mayor will get with the Deputy Clerk and the Purchasing Agent to determine if we received the correct trash receptacles that were ordered.

Motion made by Alderman Cody, seconded by Alderman Gill and unanimously carried to adjourn the meeting.

The meeting ended at 8:06 pm.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**February 21, 2017 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) Rare Disease Day and If a Mother's Love Could Heal Day in the City of Ocean Springs – February 28, 2017 - Amber Olsen and Dona Krystosek (Exhibit 3-a)
- b) Arbor Day in the City of Ocean Springs - February 10, 2017 (Exhibit 3-b)
- c) Star Spangled Banner Day in the City of Ocean Springs – March 3, 2017 (Exhibit 3-c)

**4. OLD BUSINESS**

- a) Discussion concerning parking at Highway 57 Sports Complex – Ben Wilder (Exhibit 4-a)
- b) Discussion concerning an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending Chapter 5 Regarding Animal Control – Mayor Moran (Exhibit 4-b)
- c) Discussion on leasing building space at the Taconi Building for the Dynamic Dyslexia Design School (“3-D”) – Mayor Moran

**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) Discussion concerning Contract Amendment No. 3 with Compton Engineering, Inc. agreeing to pay an additional monthly sum of \$5000.00 to be paid retroactive beginning January 4, 2017 (Exhibit 7-a)

**City Clerk:**

- b) Approve payment: Docket of Claims and spread upon the Minutes (Exhibit 7-b)
- c) Accept Action Report (Exhibit 7-c)
- d) Approve to use February 28, 2017, Mardi Gras Day, as a legal holiday in lieu of Confederate Memorial Day, on April 24, 2017 (Exhibit 7-d)
- e) Ratify check to Capitol Resources LLC in the amount of \$2500.00 for final payment on JCUA lobbying fees (Exhibit 7-e)
- f) Ratify check to Paul Baker in the amount of \$40.00 for per diem on February 15-16, 2017 for a Rescue Refresher Course in Jackson, MS (Exhibit 7-f)
- g) Ratify check to Bradley Chennault in the amount of \$40.00 for per diem on February 15-16, 2017 for a Rescue Refresher Course in Jackson, MS (Exhibit 7-g)
- h) Authorize the request from the Parent Association of Taconi Headstart to waive all fees associated with the use of the Ryan Youth Center on May 19, 2017 from 4:00 p.m. – 8:00 p.m. for an End of the Year Event (Exhibit 7-h)

**Police Department:**

- i) Authorize to declare multiple shotguns as surplus (of no value to the city), remove from inventory, and dispose of accordingly (Exhibit 7-i)
- j) Authorize to accept the following promotions upon the retirement of Captain Terry Harris; Lientenant Vince Spiriti to Captain, place on FLSA exempt status, \$54,000.00 annual salary, six-month probationary status; Sergeant Ryan Lemaire to Lieutenant, \$21.07 hourly rate, six-month probationary status; Office Terry Hines to Sergeant, \$19.49 hourly rate, six-month probationary status; all promotions will be effective May 19, 2017; authorize to begin the hiring process to replace the pending patrol officer opening (hiring to commence on or after May 19, 2017) (Exhibit 7-j)

**Fire Department:**

- k) Accept Monthly Fire Department Report (Exhibit 7-k)
- l) Authorize out of state travel for Fire Chief Jeff Ponson to travel to Birmingham, AL to attend the Fire Chief assessment panel on March 20 – 24, 2017 as budgeted (Exhibit 7-l)

**Risk Manager/HR:**

**City Engineer:**

**Public Works:**

- m) Accept the resignation of Tony Smith, Sewer Department Laborer, effective immediately and authorize to pay out his remaining personal leave balance; authorize to begin the process to fill the vacant position in the Sewer Department (Exhibit 7-m)

**Community Development & Planning:**

- n) Authorize to request project activation in accordance with MDOT's Project Development Manual for Local Public Agencies in order to receive a project number and begin activity; pending receipt of the letter of award (Exhibit 7-n)
- o) Authorize out-of-state travel for Wade Morgan, Planner, Joshua Drummond and Ricky Authement, Planning Commission Members, to attend the City Building Exchange Conference in New Orleans, LA on March 8-10, 2017 (Exhibit 7-o)

**Planning Commission:**

- p) Approve the application for Lot Split at 413 Vancleave Avenue, PID# 60137262.000, as recommended by the Planning Commission – Richard and Carron Hall (Exhibit 7-p)
- q) Authorize the request to implement a temporary moratorium restricting new applications for Bed & Breakfast activity, effective February 22, 2017 (Exhibit 7-q)

**Zoning & Adjustment Board:**

**Historic Preservation Commission:**

- r) Approve the demolition of a dwelling located at 701 General Pershing Ave.; Bowen Avenue Historic District as recommended – Joseph and Debbie Galle (Exhibit 7-r)

**Building Department:**

- s) Accept Tree Protection Committee report from February 7, 2017 (Exhibit 7-s)

**Parks & Leisure Services:**

- t) Approve Parks Advisory Board Minutes from January 11, 2017 (Exhibit 7-t)
- u) Approve the Facility Use Agreement with the Ocean Springs Girls Softball League to use the Sports Complex Softball Fields and Gay Lemon Softball Fields from March 4, 2017 through May 31, 2017 (Exhibit 7-u)
- v) Approve the Facility Use Agreement with the Ocean Springs School District High School Tennis Team to use the Halstead Tennis Courts Sports from February through May 2017; approve request to waive all fees for the use of Halstead Tennis Courts (Exhibit 7-v)
- w) Approve the revised Rental Agreement for the Ocean Springs Sports Complex as recommended by the Parks Advisory Board (Exhibit 7-w)

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**8. DEPARTMENT REPORTS**



**Mayor:**

- a) Discussion on a new Appointee to the Jackson County Utility Authority Board before May 1, 2017 – (Exhibit 8-a)

**City Clerk:**

**Police Department:**

**Fire Department:**

**Risk Manager/HR:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**H.R. Committee:**

**Finance Committee:**

**9. ALDERMEN'S FORUM**

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M. on March 7, 2017**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
February 21, 2017 - 6:00 p.m.**

**1. OLD BUSINESS**

**Mayor:**

- a) Adopt Resolution to rent classroom space in the Taconi Building to Dynamic Dyslexia Design ("3-D") (Exhibit A-1a)
- b) Authorize the Mayor to execute the Lease Agreement with Dynamic Dyslexia Design ("3-D") for Lease of Building Space at N. E. Taconi Building for a period of (1) one year commencing on July 1, 2017 and terminating June 30, 2018 (Exhibit A-1b)
- c) Appoint a new member to fill the current opening on the Tree Protection Committee (Exhibit A-1c)
- d) Discussion on the trees lining Washington Avenue – Hilliard Fountain (Exhibit A-1d)
- e) Presentation by the Mayor's Youth Council on the GeoCash tourism program – Trevor Davis

**2. CONSENT AGENDA**

**City Clerk:**

- a) Approve Minutes: Regular Meeting February 7, 2017 (Exhibit A-2a)

**Police Department:**

- b) Authorize out-of-state travel for Sgt. Brian Kestner to attend the Basic Tactical Medical Instructor Training Program in Glynco, GA on March 06-10, 2017; Det. Ptn. Leonard Ordonez to attend the Advanced Forensics Techniques in Crime Scene Investigations I in Glynco, GA on March 06-18, 2017 (Exhibit A-2b)