

## **RECESS MEETING OF JANUARY 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 January 21, 2014. Mayor Moran 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 at roll call but arrived later in the meeting.

The Mayor called the meeting to order.

Rev. Barnett gave the invocation and the Mayor led the Pledge of Allegiance.

Motion was made by Alderman Gill, seconded by Alderman Dalgo and unanimously carried to add an item under New Business – Approve Special Event Permit Application for the Ocean Springs Carnival Association Night Parade.

### **NEW BUSINESS**

Mr. Clark Levi from the Ocean Springs Carnival Association asked the Board for authorization to have the Mardi Gras night parade on Friday, February 28<sup>th</sup>, at 7:00 p.m. He stated they will be using the same parade route the Elks use for their Mardi Gras day parade, beginning at the Yacht Club and ending at the old high school.

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to approve the Special Event Permit for the Ocean Springs Carnival Association night parade to be held on Friday, February 28<sup>th</sup> at 7:00 p.m. and appoint Alderman Cody to help with the coordination of the parade events and report back to the Board in 2 weeks to give further details.

The Mayor welcomed and introduced Ms. Susan McClamroch as the new Director of the Mary C. O'Keefe Cultural Center.

Mr. Walter Bolton of Bolton Investment Group asked the Board to consider tabling an item on the Consent Agenda – item (6-n), Accept Planning Commission's recommendation to deny the PUD Sketch Plat for Still Bluff – Bolton Investment Group, LLC. He requested the item be removed from the consent agenda and table it until the next Board meeting, February 4<sup>th</sup>. He further stated he is planning to appeal the Planning Commission's decision and would like to have time to file his appeal. He also suggested holding a meeting to discuss the advantages and disadvantages of PUDs (Planned Unit Developments).

Motion was made by Alderman Cody and seconded by Alderman Cox to table item (6-n) on the Consent Agenda until the February 4<sup>th</sup> Board of Aldermen meeting. Motion carried with Aldermen Cox, Gill, Cody and Denyer voting aye and Aldermen Impey and Dalgo voting nay. Alderman McDonnell was absent.

The Mayor recognized Supervisor Troy Ross. He addressed the Mayor and Board about paving money; stating that District 4 will have approximately \$150,000-\$167,000, based on the formula for this fiscal year and District 5 should have approximately \$220,000-250,000. He explained that most of the railroad crossing improvements was funded from the District 4 paving monies as well as paving Dewey Avenue parking lot. He said due to an overlap in fiscal years so the City will have two (2) years' worth of money to pave. He thinks the paving should begin in the next 2-3 months. The Board asked Supervisor Ross if he would come back with a list of the priority projects.

The City Clerk presented the Mayor and Board with a five-year analysis of water and sewer collections and reported the automatic 2 percent increase each year will not cover the expenses. She asked the Board to consider a one-time increase of 6 percent along with an annual 3 percent increase to keep the water and sewer fund solvent.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to accept the recommendation of the City Clerk to amend Ordinance No. 5-2008 to increase the water/sewer rates by 6 percent for the remainder of this fiscal year and an additional 3 percent increase each year thereafter.

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to authorize to increase the cut on/off fee to \$20.00; transfer fee to \$20.00; disconnect fee to \$30.00; padlock fee to \$10.00; wraparound fee to \$20.00; meter removal due to tampering to \$100.00; valve due to tampering to \$35.00; and late fees to 15%.

The City Clerk will provide the Board with more specific documentation concerning multiple returns for water service turn-ons and rechecks of meters if the water department has already deemed the meter to be accurate.

The City Clerk also recommended increasing the monthly garbage rate by \$2.00 making the total monthly garbage rate \$14.00. She reported the City pays over \$877,000.00 from the general fund for the debris pick-up service; a service not included in the normal trash pickup provided by Waste Pro. This fee supplements the weekly debris pickup that has been a good service provided to city residents.

Motion was made by Alderman Gill and seconded by Alderman Dalgo to increase the garbage rate by \$2.00 per month for a total monthly fee of \$14.00. Motion carried with

Aldermen Cox, Gill, Cody, Denyer and Dalgo voting aye and Alderman Impey voting nay. Alderman McDonnell was absent.

## **OLD BUSINESS**

The Mayor stated she is gathering information concerning festival fees. She said it seems the consensus is to not charge any fees for non-profit events such as the Chamber of Commerce or Humane Society but to charge private, for-profit organizers up to 25% of the City's out of pocket costs. She also stated there is consideration for the City to retain one-half of the bed tax which generates approximately \$24,000.00 annually. She and the Police Chief are asking other cities how they charge festival fees. Once she has more information, she will give a complete report to the Board.

## **PUBLIC COMMENTS**

Ms. Sue White presented checks from the American Legion Ladnier Post 42 and American Legion Auxiliary Emile Ladner Unit 42 to honor Mr. Richard Burns with a plaque to be placed at the Merchant Marines Memorial.

Mr. Robert Zelner read a letter from Donald Scharr asking the Board to consider planting a live oak and placing a small plaque at Shearwater Park in honor of Kristin Vergunst, a compassionate, understanding and generous individual. She is also recognized as an avid runner and triathlete in the City of Ocean Springs. Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to honor Ms. Kristin Vergunst by planting a live oak and placing a small plaque at Shearwater Park and coordinate with the Mississippi Land Trust to accomplish this memorial.

### **Alderman McDonnell arrives at the meeting.**

Mr. Ken Meyer, 3910 Cabildo Place, stated his concerns with enforcing covenants for the proposed PUD, Stillwater Bluff, and also asked if any additional information will be presented.

Ms. Laura Bolton, President of the Homeowners Association for Iberville Landing, stated with a smaller neighborhood it is easier to control the covenants and keep everything compliant. She further stated the covenants for Stillwater Bluff Subdivision are being recorded in the Land Records of Jackson County.

Ms. Page Riley, owner of short term rentals, stated she was disappointed the proposed ordinance concerning short term rentals addressed only the rentals in commercial zones.

Ms. Diane Wilhoite, owner of a short term rental, the Turtle House, asked the Board to pass an ordinance to validate her business as a short term rental in a residential area that would allow her to pay taxes. She also asked the Board to consider tabling the proposed Ordinance.

Ms. Britt Sandblom, owner of a short term rental, stated she has a petition with approximately 200 signatures in favor of short term rentals. She asked why the City wants to shut down VRBOs since there are not many hotels located here.

Mr. Fred Moran, owner of short term rentals, asked the Board to consider tabling the proposed Ordinance concerning short term rentals in a commercial zone. He further stated some concerns with vague wording in the ordinance.

## **CONSENT AGENDA**

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda with exception of item (a) which was pulled by the Mayor and item (n) which was tabled earlier in the meeting.

The Mayor pulled item (a) to recognize and thank Ms. Anne Pitre, the Public Relations Officer and Executive Assistant to the Mayor and Board of Aldermen, for her hard work and dedication during her time with the City. The Mayor also stated Ms. Kay Perdue will also be resigning her position in the Mayor's office to move back to Maryland. The Mayor also recognized Ms. Perdue for doing a great job while working with the City.

The Mayor asked the Board to consider replacing Ms. Pitre's original position with a Public Relations Officer and Executive Assistant to the Mayor and Board of Aldermen.

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to accept the resignation of Anne Pitre, P.R. Officer and Executive Assistant, effective January 28, 2014.

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to task the H.R. Committee with reviewing the job description and salary rage for the Public Relations Officer and Executive Assistant to the Mayor and Board.

## **DEPARTMENT REPORTS**

### **Community Development & Planning:**

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to accept the memo for clarification of PUDs (Planned Unit Developments) (Exhibit 7-a).

Motion was made by Alderman Dalgo to select Machado/Patano as landscape architects for the proposed green space at the harbor. After further discussion, Alderman Dalgo withdrew his motion. Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to appoint Linfield, Hunter & Junius, Inc. as the landscape architect for the Ocean Springs Harbor Improvements Project in the amount of \$4,900.00, funded with Tidelands Grant FY2011-P108 and authorize the Mayor to execute the agreement, pending legal review and approval (Exhibit 7-b).

### **Parks & Leisure Services Department:**

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to accept the recommendations of the Parks Advisory Board concerning Joint Service Contract for Sandra Gaines and Katy Gaines to review the payment cycle to show a monthly lump sum amount of \$400.00 due no later than the 10<sup>th</sup> of each month and to reduce tennis league fees to \$5.00 per team member (Exhibit 7-c).

### **City Attorney:**

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to table adopting the Ordinance Amending No. 13-1976 being the "Comprehensive Zoning Ordinance of Ocean Springs, Mississippi", so as to provide for short-term rentals of dwellings in commercial zones after application and approval (Exhibit 7-d).

## **ALDERMEN'S FORUM**

The Mayor announced the Arbor Day celebration will be held on Friday, February 14<sup>th</sup> at 9:30 a.m. The Garden Club will dedicate a tree honoring Ms. Ethlyn Conner in Marble Springs. There will be a brief ceremony on Saturday, February 15<sup>th</sup> at 10:00 a.m. at the Civic Center. Ms. Donna Yowell from the MS Urban Forestry Council will give a brief presentation on how to plant trees for storm resiliency. The Garden Club will also assist with giving away saplings. They will also honor the late Mrs. Ishee, Myra Levi and Kenny "Tree Daddy" McClain.

Alderman Impey asked for an update on the ditch that runs parallel to Parktown Drive. The Building Official stated they are giving notice to the property owner. He also asked the City Engineer to do a study. The Mayor suggested asking MDOT to study this area along with CSX Railroad.

Alderman Denyer asked Public Works Department to make temporary repairs to the railroad crossing at Hanley Road until CSX completes their work on the crossing.

Alderman Cox stated the Perkins family of Brandon, Mississippi has been working with Public Works to move a sewer line at the Perkins' expense on their property so they could build a home on the South end of Washington Avenue without encroaching on the sewer line. They hired Foley Ransom to prepare the easements; they have gotten signatures of those involved and now need the City to accept the easements so they can move the sewer lines. The City Attorney has reviewed them and they are in property order for granting the City a utility easement. Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to accept the three (3) drainage and utility easements for the Perkins lot on South Washington Avenue.

Motion was made by Alderman Cox, seconded by Alderman Denyer and unanimously carried to task the Building and Planning Departments along with the City Attorney to review our treatment of subdivision lot areas and buildable lot areas with a goal to define the terms found in those sections and to include polling surrounding communities to see if there is any consistency within the coastal communities in defining these terms and see if those would be a good fit for Ocean Springs, and if so, move to amend our regulations.

The Mayor announced she along with Ms. Angela Slovak kicked off the "Lighten Up, Ocean Springs" campaign on Friday night. Ms. Slovak is the coordinate and founder of OKC Health and Wellness Group, Ltd. The program will promote healthier lifestyles and educate the residents on health issues. A website will be created to raise awareness and provide resources.

Alderman Cody asked about striping Government Street near Bechtel towards the upper elementary. The Mayor suggested asking to include this cost in the Government Street Improvements Project.

## **EXECUTIVE SESSION**

Motion was made by Alderman Gill, seconded by Alderman Impey 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 McDonnell, seconded by Alderman Denyer and unanimously carried to remain in executive session to discuss personnel in the Public Works Department.

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

Motion was made by Alderman Gill and seconded by Alderman Impey to suspend employee no. 217 for one (1) day without pay, one (1) day with pay, write a letter of apology and counseling. Motion carried with Alderman Cox, Gill, Cody, Denyer, Dalgo and Impey voting aye and Alderman McDonnell voting nay.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to adjourn until 6:00 p.m. on February 4, 2014.

Meeting ended at 10:40 p.m.

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City Clerk

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Mayor

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Date

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Date

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

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. NEW BUSINESS**

- a) Introduction of Susan McClamroch - New Executive Director of the Mary C. O'Keefe Cultural Arts and Education Center (Exhibit 3-a)
- b) Discussion on Planning Commission's decision on Stillwater Bluff Subdivision – Mr. Walter T. Bolton (Exhibit 3-b)
- c) Discussion on Water/Sewer Rates – City Clerk (Exhibit 3-c)
- d) Discussion on Garbage Rates – City Clerk (Exhibit 3-d)

**4. OLD BUSINESS**

**5. 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.

**6. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 6, 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 resignation of Anne Pitre, Public Relations Officer/Executive Assistant to the Mayor and Board of Aldermen, effective January 28, 2014, and authorize to advertise for replacement of the position at a salary range of \$30,000-\$40,000 (Exhibit 6-a)
- b) Authorize the Mayor to execute professional services agreement with The Beta Group for soil boring and Machado/Patano for engineering services of the HAWK pedestrian crossing signal required by MDOT for the Government Street Improvements Project, pending legal review and approval (Exhibit 6-b)

**City Clerk:**

- c) Approve Minutes: Regular Meeting January 7, 2014 (Exhibit 6-c)
- d) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 6-d)
- e) Accept Action Report (Exhibit 6-e)

**Police Department:**

- f) Ratify Special Event Permit for fundraiser for YMCA- 10K Run Running Race on Saturday, January 18, 2014 from 9:00 a.m. -10:30 a.m. (Exhibit 6-f)
- g) Approve Special Event Permit for fundraiser for YMCA – 8K Running Race on Saturday, February 8, 2014, beginning at 9:00 a.m. – until from Fort Maurepas Park to the Biloxi/OS Bridge across and back (Exhibit 6-g)

**Fire Department:**

- h) Accept Monthly Fire Department Report (Exhibit 6-h)
- i) Accept resignation of Firefighter Jeremy Knapp, effective January 26, 2014, and authorize to begin the process to fill the vacancy, H.R. Committee concurs (Exhibit 6-i)
- j) Accept resignation of Lt. Adam Roe, effective February 14, 2014, and authorize to begin the process to fill the vacancy, H.R. Committee concurs (Exhibit 6-j)

**Risk Manager/HR:**

- k) Authorize employment of Kasey Richards, Civil Service Assistant, effective January 27, 2014, \$10.00 hourly, no more than 40 hours per month, pending successful completion of all pre-employment requirements (Exhibit 6-k)

**City Engineer:**

**Public Works Department:**

- l) Authorize to award CIAP-funded Drainage Improvements Project on Front Beach to Jay Bearden Construction, Inc. in the amount of \$212,269.10, and to execute contract pending legal review and approval (Exhibit 6-l)

**Community Development & Planning:****Planning Commission:**

- m) Accept Planning Commission's recommendation to approve the Final Plat for Clear Springs Subdivision – Randall Corporation of MS (Exhibit 6-m)
- n) Accept Planning Commission's recommendation deny the PUD Sketch Plat for Stillwater Bluff – Bolton Investment Group, LLC (Exhibit 6-n)

**Building Department:**

- o) Accept Tree Committee Report (Exhibit 6-o)

**Parks & Leisure Services:**

- p) Approve Facility Use Agreement with the Mississippi Gulf Coast YMCA beginning January 11, 2014-February 22, 2014 for use of the Freedom Field and Ocean Springs Baseball Organization beginning February 1, 2014 through May 31, 2014 for use of five (5) baseball fields at Highway 57 Sports Complex, the South fields at Alice Street and Pine Drive (Exhibit 6-p)

**City Attorney:****Facilities:****Peer Review Committee:****H.R. Committee:****Finance Committee:****7. DEPARTMENT REPORTS****Mayor:****City Clerk:****Police Department:****Fire Department:****Risk Manager/HR:****City Engineer:****Public Works Department:****Community Development & Planning:**

- a) Planning Commission concurrence of memo clarification related to Ordinances for Planned Unit Developments (PUD) and Private Infrastructure (Exhibit 7-a)
- b) Select Landscape Architect for Landscape Design, funded with Tidelands Grant FY2011-P108 for Improvements to the Ocean Springs Harbor and authorize the Mayor to execute the agreement with selected firm pending legal review and approval (Exhibit 7-b)

**Building Department:****Parks & Leisure Services:**

- c) Recommendations from the Parks Advisory Board concerning the Dance Instructor – Dance Contract and Halstead Tennis Courts – Tennis League Fees (Exhibit 7-c)

**City Attorney:**

- d) Adopt Ordinance Amending No. 13-1976 being the "Comprehensive Zoning Ordinance of Ocean Springs, Mississippi", so as to provide for short-term rentals of dwellings in commercial zones after application and approval (Exhibit 7-d)

**Facilities:****Peer Review Committee:****H.R. Committee:****Finance Committee:****8. ALDERMEN'S FORUM****10. EXECUTIVE SESSION**

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