

## **RECESS MEETING OF FEBRUARY 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 February 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.

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

The Mayor withdrew item (4-a) from the agenda at the request of Mr. Greg Bankston.

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

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to move item (8-a) Appointment of Ocean Springs School District Board Member to New Business as item (4-d).

### **OLD BUSINESS – Addendum**

The Mayor proposed to the Board, in order to establish some type of guidelines, to consider charging no fee to non-profit organizations or to groups of local businesses who organize events that are open to the public free of charge. She further proposed events organized by outside for-profit groups who charge admission should be charged at least 50% of the city's overhead cost. She also suggested a portion of the hotel tax be allocated to a fund to cover some of the costs for the events sponsored by non-profits or local businesses. Another suggestion was not allowing the public to bring coolers into the event and also to ask them to dispose of cups and/or cans before they leave the event. There was discussion concerning the cost of overtime paid by the City for the festivals and events. The board asked for a detailed accounting of all costs incurred by the Fire Department, Police Department and Public Works.

Motion was made by Alderman Gill and seconded by Alderman Denyer to not charge a fee to non-profit organizations and local businesses who organize events that are open to the public free of charge and generally benefit the majority of businesses, restaurants and lounges within the festival perimeter.

After further discussion, Alderman Gill withdrew his motion and Alderman Denyer withdrew his second to the motion.

The overtime cost associated with the festivals and events was reported to be \$53,000.00 for last year. There were concerns about the overtime cost incurred by all the non-profit events, 5K fundraisers and bridge walks held during the year.

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to task the City Attorney with formulating a policy for not charging non-profit organizations or local businesses who organize events with no admission fee.

Alderman McDonnell again asked for a detailed accounting of all fees incurred by the City for all special events and festivals.

Motion was made by Alderman Gill, seconded by Alderman Denyer and unanimously carried to ask the Finance Committee to determine how to fund the cost incurred by the City for these events; make a recommendation at the March 18<sup>th</sup> board meeting and to meet with representatives from the Chamber.

The Mayor reported she and Alderman Cody met with representatives from the Chamber of Commerce along with six (6) restaurant/bar owners to discuss the St. Patrick's Day celebration to be held on Saturday, March 15th. She explained the Chamber will have some type of celebration from 10:00 a.m. until 9:00 p.m. and are asking the retailers and restaurants to do something special during this time.

They will also be sponsoring a Dessert Crawl with two (2) CTA trolleys and eight (8) restaurants from 5:30 p.m. – 7:30 p.m. The restaurants and lounges, as the Ocean Springs Hospitality Association, would like to request the City to close Washington Avenue between Bowen and Desoto and Government Street between Washington and Russell from 6:00 p.m. until 10:00 p.m. and authorize the Police Department to open and close streets at their discretion. The Chamber has agreed to promote this event along with their St. Patrick's Day celebration. The representatives from the six (6) restaurants have agreed to contribute \$100.00 each toward certain expenses for the event, possibly for appropriate signage.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to approve the Special Event Permit Application for the St. Patrick's Day Celebration and allow consumption of on public property (Exhibit A-1b).

Alderman McDonnell asked the Police Department to have an officer on a Segway patrolling the side streets.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to approve the Mayfest event being held on May 3 and 4, 2014 and ask the event organizer to contribute some funding to offset some of the City's expenses.

## **NEW BUSINESS**

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to waive the rental fees with the exception of the set-up/clean-up fee of \$150.00 for use of the Ocean Springs Civic Center for the annual Spring Into Wellness Health Fair hosted by the Jackson County Civic Action Committee on May 7, 2014 from 9:00 a.m. – 1:00 p.m. (Exhibit 4-b).

Motion was made by Alderman Denyer, seconded by Alderman Gill and unanimously carried to trade a one-day rental fee for the Jackson County Senior Fair at the Ocean Springs Civic Center in exchange for extensive promotional visibility on WLOX ABC & CBS for April 2, 2014 from 9:00 a.m. – 2:00 p.m. with the exception of the set-up/clean-up fee and deposit (Exhibit 4-c).

The Mayor announced three (3) candidates submitted applications for an appointment to the Ocean Springs School Board; Wally Carter, Robert Briggs and Stephen Hebbler. Motion was made by Alderman Denyer, seconded by Alderman McDonnell and unanimously carried to appoint Wally Carter as the interim Ocean Springs School Board member. Alderman Dalgo was absent and not voting and Alderman Impey abstained from the vote.

## **PUBLIC COMMENTS**

None.

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda and the Addendum with exception of item (b) which was pulled by Alderman Cox and item (l) which was pulled by Alderman Denyer.

The Mayor recognized the Public Works Department for receiving a perfect rating from the Mississippi Department of Health for the 11<sup>th</sup> consecutive year. The Public Works Director said it was a tribute to the employees of Public Works and the City's water billing department.

Alderman Cox pulled item (6-b) approval of the Docket of Claims. He questioned an invoice from AT&T in the amount of \$4508.00; pole securing at 282 McCool Street. The Public Works Director explained while sewer work was being done in that area, AT&T's subcontractor had to secure the power pole so as not to cause a power outage. He

further stated he felt the bill was excessive. Alderman Cox also asked for clarification about an item on the Center Point Energy-Entex invoice in the amount of \$947.00 for the armory. The Public Works Director and City Clerk will look into the charge. Alderman Cox asked who oversees the hours worked at the Charnley House. The Mayor stated Betty Magee with the Museum Commission oversees their hours worked. He also questioned an item on the docket for latex gloves. The Public Works Director explained the sewer department employees use the latex gloves while working and it probably is a six (6) month to a year supply of gloves.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to approve payment of Docket of Claims and spread upon the minutes (Exhibit 6-b).

Alderman Denyer stated it was brought to his attention that two (2) employees in the Public Works Department rendered aid to an elderly woman and stayed with her until emergency help was there. He asked the Public Works Director to inquire who the two (2) employees were so that they may be recognized at the next board meeting.

Alderman Denyer pulled item (6-l) to ask why this Contract with Delta Construction, Inc. is a two (2) year Contract. The Public Works Director explained the reason is to lock in the pricing. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to authorize extension of the annual contract for concrete pour in place with Delta Construction, Inc. for an additional two (2) years, ending July, 2016 (Exhibit 6-l).

## **DEPARTMENT REPORTS**

### **Mayor:**

The Mayor announced a Public Hearing will be held on Thursday, February 20<sup>th</sup> at 5:30 p.m. in the Board room to discuss increasing or changing the boundary of some of the historic district hosted by the MS Department of Archives and History. The reason for the hearing is to obtain input from the citizens.

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

Ms. Tammy Wisco gave a brief summary of the comparison of the City's zoning code with other coastal communities. She addressed the issue regarding the consideration of wetlands in lot area calculations. She stated Ocean Springs is the only city that does not allow this inclusion in calculations. The cities that do allow it also have a minimum setback from the wetlands and many have regulations regarding building area. She presented a matrix of these comparisons (Exhibit 7-b).

Motion was made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to concur with the Selection Committee's recommendation to enter into negotiations with Seymour Engineering for Environmental Consulting Services for the CIAP-MS-307-6-Harbor Stormwater Improvement and Public Access at the Ocean Springs Harbor; Contract to be considered at the next available board meeting (Exhibit 7-c).

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to accept the recommendation of the Selection Committee to begin contract negotiations with Compton Engineering as the City Engineer.

### **City Attorney:**

Motion was made by Alderman Cox and seconded by Alderman Cody to adopt **Ordinance No. 2014-02 AN AMENDMENT TO ORDINANCE NO. 8-1988 TO RECONSTITUTE THE COMPOSITION OF THE MUSEUM COMMISSION TO SEVEN (7) MEMBERS** (Exhibit 7-d). 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>

### **ALDERMEN'S FORUM**

Alderman McDonnell recognized and commended Shelly Ferguson, City Clerk, for her hard work done to accomplish the loan forgiveness for the Special Community Disaster Loan the City received as a result of Hurricane Katrina.

Alderman Cody asked the Finance Committee to review the City's rental fees in order to make the facilities more competitive with the other cities.

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to consider renting the training room at the Fire Station; the Court room at the Police Department and training room/voting precinct at Public Works.

Alderman Cox asked for a report from the H.R. Director concerning the reorganization of departments to better serve and save. The H.R. Director advised they have look at

the organizational charts of all departments and met with most of the department heads. She reported the City is very lean on the number of employees. He asked her to continue looking at ways to reorganize each department.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to obtain a cost estimate for striping Government Street. He also asked for an estimate if some temporary work was done in-house by Public Works.

Alderman Impey asked that more barricades be placed along the parade routes for safety reasons and consider requiring pole bearers. The Board asked the Police Department to place signs to restrict parking beginning at a certain time, maybe as early as 3:00 p.m. to allow the Public Works Department to place barricades for the Ocean Springs Carnival Association Mardi Gras parade on February 28<sup>th</sup>.

Alderman Impey asked for a report from the Economic Development Commission concerning any projects or activities they are discussing. He also asked that they review the City's Tax Abatement Ordinance and make any recommendations to the Board. Alderman McDonnell asked for a list of businesses who utilized this benefit.

Alderman Cox presented a plan for a gymnasium with a basketball court. He stated it was designed by Mr. Duggan from Compton Engineering at no cost to the City. Alderman Cox further stated the funding to build it would be obtained through fundraisers. Cost estimates for the goals, flooring and bleachers are being obtained.

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to adjourn until 6:00 p.m. on March 5, 2014.

Meeting ended at 8:09 p.m.

---

City Clerk

---

Mayor

---

Date

---

Date

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

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. OLD BUSINESS**
- 4. NEW BUSINESS**
  - a) Discussion on concession contract at the Ocean Springs Sports Complex – Mr. Greg Bankston (Exhibit 4-a)
  - b) Discussion on request waiver of rental fees for use of the Ocean Springs Civic Center for the annual Spring Into Wellness Health Fair hosted by the Jackson County Civic Action Committee, Inc. on May 7, 2014 from 9:00 a.m.-1:00 p.m. (Exhibit 4-b)
  - c) Discussion on request to trade a one-day rental fee for the Jackson County Senior Fair at the Ocean Springs Civic Center in exchange for extension promotional visibility on WLOX ABC & CBS for April 2, 2014 from 9:00 a.m. – 2:00 p.m. – Mr. Joe Martin (Exhibit 4-c)
- 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:**

**City Clerk:**

- a) Approve Minutes: Regular Meeting February 4, 2014 (Exhibit 6-a)
- b) Approve payment: Docket of Claims and spread upon the Minutes (Exhibit 6-b)
- c) Accept Action Report (Exhibit 6-c)
- d) Accept FEMA letter approving cancellation of the Special Community Disaster Loan (SCDL) – Loan Forgiveness, MEMA concurs (Exhibit 6-d)

**Police Department:**

- e) Approve Special Event Permit for Helping Hands 5K Run Fundraiser sponsored by Lord is My Help on Saturday, March 29, 2014 from 6:30 p.m. to 7:30 p.m., with no street closure (Exhibit 6-e)
- f) Approve Special Event Permit for bridge walk as fundraiser for select Gulf Coast charities on Saturday, April 19, 2014 from 8:00 a.m. – 10:30 p.m. (Exhibit 6-f)
- g) Authorize removal of Officer Delaney Waltman from probationary status and placement on full time status, effective immediately (Exhibit 6-g)
- h) Accept resignation of Correction Officer Aaron Bernard, effective February 4, 2014 and authorize to begin the process to fill the vacant position (Exhibit 6-h)

**Fire Department:**

- i) Accept Monthly Fire Department Report (Exhibit 6-i)
- j) Authorize employment of Jesse Richard as Firefighter, effective February 20, 2014, \$10.03 hourly, one-year probationary period and pending successful completion of all pre-employment requirements, H.R. Committee concurs (Exhibit 6-j)
- k) Authorize employment of Ryan Doswell, certified Firefighter, effective March 6, 2014, \$11.19 hourly, one-year probationary period and pending successful completion of all pre-employment requirements, H.R. Committee concurs (Exhibit 6-k)

**Risk Manager/HR:**

**City Engineer:**

**Public Works:**

- l) Authorize extension of annual contract for concrete pour in place with Delta Construction, Inc. for an additional two (2) years, ending July, 2016 (Exhibit 6-l)

- m) Authorize to develop bid specifications and advertise annual contract for water, sanitary sewer and storm sewer for a bid opening by the beginning of April, 2014 (Exhibit 6-m)
- n) Authorize allocation for 2014 Spring Household Hazardous Waste Collection Day not to exceed \$3,125.00 and authorize four (4) representatives to work the event on April 26, 2014 (Exhibit 6-n)

**Community Development & Planning:**

- o) Authorize the Mayor to execute Amendment #3 with All South Engineers, LLC – Preliminary Services related to the Government Street Improvements Project/MDOT STP funded; to amend the budget accordingly, pending legal review and approval (Exhibit 6-o)

**Building Department:**

- p) Accept Tree Committee Minutes of February 6, 2014 (Exhibit 6-p)
- q) Accept Building Permit Report for January, 2014 (Exhibit 6-q)
- r) Authorize building permit to construct a pier, access pier and boathouses at 613 East Beach Drive (Exhibit 6-r)

**Parks & Leisure Services:**

- s) Accept Minutes: Parks Advisory Board Meeting January 8, 2014 (Exhibit 6-s)
- t) Approve Individual Service Contract for Lisa Dickinson, Pottery Instructor (Exhibit 6-t)
- u) Approve the Facility Use Agreement for the Ocean Springs Girls Softball League to have access to the Ocean Springs Sports Complex and Gay Lemon Softball fields (Exhibit 6-u)
- v) Approve the Concession Contract between the City of Ocean Springs and Monty Noblitt d/b/a Coastal Events to handle concessions at the Ocean Springs Sports Complex; with payments on a bi-weekly basis (Exhibit 6-v)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

**7. DEPARTMENT REPORTS**

**Mayor:**

**Information Item:**

- a) Old Ocean Springs Historic District Boundary Increase (Exhibit 7-a)

**City Clerk:**

**Police Department:**

**Fire Department:**

**Risk Manager/HR:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) Comparison of Zoning Regulations (Exhibit 7-b)
- c) Concurrence with Selection Committee's recommendation of Seymour Engineering as the Environmental Consultant for the CIAP – MS-30707 – Harbor Stormwater Improvement and Public Access to OS Harbor project and to negotiate a Contract to be consider at the next available Board meeting (Exhibit 7-c)

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

- d) Adopt an Amendment to Ordinance No. 8-1988 to Reconstitute the Composition of the Museum Commission to Seven (7) Members (Exhibit 7-d)

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

**8. ALDERMEN'S FORUM**

- a) Appointment of Ocean Springs School District Board Member

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

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

**1. OLD BUSINESS**

- a) Discussion on Special Events Policy (Exhibit A-1a)
- b) Discussion on St. Patrick's/Mayfest Events (Exhibit A-1b)

**2. CONSENT AGENDA**

**Mayor:**

- a) Authorize the Mayor to execute the Temporary Dedication and Use of Land for Public Purposes between the University of Southern Mississippi/Gulf Coast Research Lab and the City of Ocean Springs for the temporary use of the boat launch and the parking area associated with the boat launch area (Exhibit A-2a)