

RECESS MEETING OF AUGUST 19, 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 August 19, 2014. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Denyer was absent.

The Mayor called the meeting to order.

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

PROCLAMATIONS

The Mayor read a Proclamation declaring August 21, 2014, and every Friday night as Blue and Grey Day (Exhibit 3-a).

The Mayor read a Proclamation declaring August 19, 2014, as Asgard Motorcycle Club Day (Exhibit 3-b).

ADDENDUM

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to add an item under Old Business for discussion concerning the Disabilities Connection Resource Center as item (5-b).

NEW BUSINESS

There was no one present to speak on behalf of the Ocean Springs School District. Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to adopt the Ocean Springs School District FY14-15 budget as presented (Exhibit 4-a).

Dr. Hank Roberts informed the Board there is grant money available from the Mississippi Development Authority (MDA) for a solar lighting system. The grant could be used at Freedom Field as a test. The solar lighting system would help reduce the cost for electrical power. He further explained if the City was interested in applying for the grant, his company would complete the grant documents and process with no charge to the City. Motion was made by Alderman Gill, seconded by Alderman

McDonnell and unanimously carried to authorize the City to file for an MDA grant for solar lights at Freedom Field.

OLD BUSINESS

Motion was made by Alderman Gill and seconded by Alderman Cody to adopt the Mobile Ice Cream Vendor Ordinance. During discussion, Alderman McDonnell asked if this ordinance allows Police Department and Building Officials enforcement. The Deputy Police Chief stated his department will be able to enforce it but he has not reviewed the ordinance in its entirety. This ordinance has no provisions for the sale of snow balls, only pre-packed ice cream and cannot be prepared on site. The Mayor stated there has been discussion about advertising for Requests for Proposals (RFPs) for beach vendors to sell all types of food on Front Beach and possibly umbrella rentals to provide a service for the public as well as generate some revenue to go toward beach maintenance. Alderman McDonnell stated he would like to hold a Public Hearing for the residents that live on the beach to allow for their input before this is allowed. Alderman Dalgo asked if the mobile ice cream vendors will be allowed on East Beach. The City Attorney stated it will be mandatory that the vendors comply with the City's noise ordinance. The City Attorney also stated that during special events, the vendors will need to be included in the special event areas and have a specific permit for that event. He also explained the ordinance allows the Building Official to forbid trucks in some areas. Alderman Gill amended his motion withdrew his motion and Alderman Cody withdrew his second to the motion. Motion was made by Alderman Gill, seconded by Alderman Cody to adopt **Ordinance No. 2014-08 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF OCEAN SPRINGS, TO PROVIDE REGULATIONS FOR MOBILE ICE CREAM VENDING**, pending concurrence from the Police Department (Exhibit 5-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>Voting Aye</u>
Alderman Cody	<u>Voting Aye</u>
Alderman Denyer	<u>Absent</u>
Alderman Dalgo	<u>Voting Aye</u>
Alderman Impey	<u>Voting Aye</u>

OLD BUSINESS – Addendum

The Mayor stated the Board had previously approved that the City would host a position for a Disabilities Connection Resource Center assistance at City Hall. Disabilities Connections would be the host agency and provide a part-time person at no cost to the

City. The City would provide office space and wireless internet service. Ms. Janie O'Keefe, Executive Director for Disability Connection, explained they serve three (3) counties and found they have many clients in this area. Ms. O'Keefe further stated Ms. Deborah Snyder would fill the position at City Hall at 20 hours per week on Tuesday, Wednesday and Thursday. They primarily operate by telephone and email; therefore, there are few people stopping by the office. They provide help to the homeless, veterans, disabled people and senior citizens. Their mission is to create a connected community and identify the resources available to help the people with a challenge in life.

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to authorize the City Attorney to draft an agreement with Disabilities Connection with a 30-day termination clause.

PUBLIC COMMENTS

Ms. Christine Woodell, a Jackson County resident, said she has many years of disability experience and for the last 25 years she has studied it extensively. She can provide training, technical assistance and site survey work to understand and comply with all aspects of the Americans with Disabilities Act. She has been trained by the Department of Justice and the access board. She said she wanted to provide the City would her data and she lives locally and would happy to help the City in any way possible.

Mr. Vernon Mangum, 171 Orchard Drive, stated he has worked with Ms. Woodell in the past and commended her for offering to help the City in connection with the Americans with Disabilities Act.

CONSENT AGENDA

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve the Consent Agenda.

The Mayor corrected item (7-c) stating the replacement tree will be planted at the Marquee at Highway 90 and Washington Avenue.

DEPARTMENT REPORTS

Public Works:

The Public Works Director announced the Jackson County Utility Authority has approved the City's request to extend the existing wastewater collection service to an additional

fourteen (14) lots which will allow the Stillwater Bluff Subdivision to continue to move forward (Exhibit 8-a).

Community Development/Planning:

Alderman McDonnell stated he would like to earmark funds for annual maintenance costs for the Front Beach sidewalk. He asked if sidewalk maintenance is an eligible activity to allocate tideland funding every year for maintenance. The Planning/Grants Administrator explained currently there is \$75,000 available for the Front Beach Sidewalk. An application has been submitted for FY2016 for another \$200,000 to go towards sidewalk stabilization efforts. That has been requested but the City will not find out until spring how much of that they will be award and would not be available again until 2016. She explained per the tidelands funds, this type of activity is, in general, an eligible activity. Alderman McDonnell also stated City is inviting the public to use this amenity therefore it needs to be maintained. The Planning/Grants Administrator further explained there is a balance of \$30,000.00 from the FY14 funding that can be rolled into FY15. She also stated she will check with DMR to see if they will allow maintenance to amenities other than the sidewalk and beach. Alderman McDonnell asked to set up a reasonable dollar figure allocate annually and if not used or not needed, rolled in or extended to another project.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to request a minimum of \$30,000 annually from tidelands grant funding to be used for stabilization costs for the Front Beach sidewalk (Exhibit 8-b).

ALDERMEN'S FORUM

Alderman Impey asked the City Engineer if the study he had requested was complete yet. The City Engineer explained they are working on an estimate on what could be done in the budget and what will be outsourced.

Alderman Impey commended the new task force on their operation in the last couple of days.

Alderman Cox asked the Public Works Director if they have installed the railing at Trentwood. The Public Works Director answered they have not begun on that project but will make it a priority.

Alderman Cox asked the Building Official to follow up on the letter from the City Attorney requested by Mr. Hinton concerning the Mosaic Church.

Motion was made by Alderman Cox, seconded by Alderman McDonnell and unanimously carried to send a letter of request to the Sheriff of Jackson County asking for a donation of one of the vehicles they have declared as surplus.

The Mayor stated she recently went to Horn Island with the Nature Conservatory. They are considering a living shoreline project. She also stated the Department of Marine Resources (DMR) and the Corp of Engineers would be willing to look into the possibility of pumping in more sand and also extend the beach area. She stated Supervisor Ross he was in agreement with this project. DMR would set up a meeting with all of the agencies together for a meeting but they would require a study to determine where the sand would come from.

Motion was made by Alderman Cody, seconded be Alderman McDonnell and unanimously carried to approve the Contract with Anthony & the Imperials for a total of \$6500.00, pending legal approval, and after further review, it was determined that this Contract was with the Chamber of Commerce.

Alderman Cody thanked the Public Works Department for repairing drainage on Bechtel Boulevard.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to send letters to the businesses thanking them for their donation to be used for lighting at Freedom Field and to also return their donation and to send this matter to the Parks Advisory Board to make a recommendation on how citizens are able to have access and utilize our ball fields. Alderman McDonnell also suggested asking these businesses if they would consider donating these funds to the Disabilities Connection Resource Center.

The Parks Director explained the Parks Advisory Board has policies and procedures for all the leagues to follow. Each league submits a Facility Use Agreement that is approved by the Board of Aldermen. The citizens using Freedom Field never met with her to complete this agreement.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to submit the job description for a position in the Planning Department to the H.R. Committee for approval and begin the process of filling the position.

EXECUTIVE SESSION

Motion was made by Alderman Cox, seconded by Alderman Cody 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 Impey and unanimously carried to remain in executive session to discuss potential litigation regarding a construction contract and city services.

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

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried for all parties to toll for 30 days deadlines.

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to adjourn until 6:00 p.m. on September 2, 2014.

Meeting ended at 8:59 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
August 19, 2014 - 6:00 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATION**
 - a) Asgard Motorcycle Club Day – August 19, 2014 (Exhibit 3-a)
 - b) Blue and Grey Day – August 21, 2014 and every Friday game (3-b)
- 4. NEW BUSINESS**
 - a) Ocean Springs School District FY14-15 Budget (Exhibit 4-a)
 - b) Discussion on Mississippi Development Authority (MDA) Grant for Solar Lights at Freedom Field – Mr. Hank Roberts
- 5. OLD BUSINESS**
 - a) Mobile Ice Cream Vendor Ordinance (Exhibit 5-a)
- 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. COSENT 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) Accept Directors Report for the Ocean Springs Museum dated July, 2014 (Exhibit 7-a)
 - b) Authorize co-sponsoring the Injury Prevention Fair hosted by the Mississippi Coastal Trauma Care Region on Saturday, November 15, 2014 at the Ocean Springs Civic Center; inviting the Ocean Springs Fire and Police Department to participate by facilitating safety booths and waive the rental fee for this event (Exhibit 7-b)
 - c) Accept a donation of \$200.00 from Jason Quave to be used to plant a replacement tree on Lover's Lane (Exhibit 7-c)**City Clerk:**
 - d) Approve Minutes: Regular Meeting August 5, 2014 (Exhibit 7-d)
 - e) Approve Minutes: Special Call Meeting August 13, 2014 (Exhibit 7-e)
 - f) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-f)
 - g) Accept Action Report (Exhibit 7-g)
 - h) Approve Run/Walk Permit Application for the 7th Annual Walking on Water Bridge Walk and Canned Food Drive sponsored by Coast Young Professionals on Saturday, August 30, 2014, from 6:30 a.m.- 11:00 a.m.; no costs incurred by any department (Exhibit 7-h)
 - i) Approve Special Event Permit Application for the Triathlon Fundraiser sponsored by the Walter Anderson Museum of Art, on Sunday, September 21, 2014, from 9:00 a.m. – 3:00 p.m.; no costs incurred by any department (Exhibit 7-i)

Police Department:

- j) Accept resignation of Sgt. Eileen McCool, effective August 28, 2014; authorize promotion of a patrolman to Sergeant from the ranks and proceed with testing to update the list of patrolman eligible for promotion to Sergeant, pending H.R. Committee approval and Civil Service requirements (Exhibit 7-j)
- k) Authorize items from Case #12-19773 be declared surplus; of no value to the city and dispose of these items (Exhibit 7-k)

Fire Department:

- l) Accept Monthly Fire Department Report (Exhibit 7-l)

Human Resources/Risk Management:

- m) Authorize to allow city employees to enroll and contribute to a Roth IRA investment through payroll deduction; no employer contribution or cost (Exhibit 7-m)

City Engineer:**Public Works:****Community Development & Planning:**

- n) Authorize the Mayor to execute the Supplemental Agreement No. 1 with Jet Construction to modify the completion date from August 7, 2014 to August 17, 2014 for the Safe Routes to School – OS Middle School project, pending MDOT concurrence (Exhibit 8-n)
- o) Authorize to issue an Offer to Purchase a Non-exclusive Drainage – Maintenance Easement on four (4) properties – CIAP – MS-30706 – Harbor Storm Water Management and Wetlands Restoration (Exhibit 7-o)

Planning Commission:

- p) Accept Planning Commission's recommendation to approve the use permit for redevelop as Mosaic Church to include services, church offices and event space – 2016 Bienville Boulevard (Exhibit 7-p)
- q) Accept Planning Commission's recommendation to approve Final Plat Review for South Breeze Subdivision – Phase II – Tice Engineering, Inc/Mason Trendsetters Dev. Co., LLC (Exhibit 7-q)

Historic Preservation Commission:

- r) Accept Historic Preservation Commissions recommendation approval of the COA to construct a new driveway between the two existing structures and provide parking in the rear of the homes at 1309 Bowen Avenue (Exhibit 7-r)

Building Department:

- s) Accept Tree Committee Report (Exhibit 7-s)
- t) Accept Building Department Permit Report (Exhibit 7-t)
- u) Authorize to proceed with public hearings on September 16, 2014, for various properties (Exhibit 7-u)

Parks & Leisure Services Department:**City Attorney:****Facilities:****Peer Review Committee:****H.R. Committee:****Finance Committee:****8. DEPARTMENT REPORTS****Mayor:****City Clerk:****Police Department:****Fire Department:****Human Resources/Risk Management:****City Engineer:****Public Works:****Information Item:**

- a) Approval of the extension of the existing waste water collection service for an additional fourteen lots to allow Stillwater Bluff Subdivision (Exhibit 8-a)

Community Development & Planning:

Building Department:

- b) Discussion and Allocation of all Tidelands Funding (Exhibit 8-b)

Parks & Leisure Services Department:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

- a) Personnel in Parks and Leisure Department
- b) Personnel in Fire Department

ADJOURN UNTIL 6:00 P.M. on September 2, 2014