

## **RECESS MEETING OF AUGUST 18, 2015**

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 18, 2015. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards.

The Mayor called the meeting to order.

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

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

## **NEW BUSINESS**

Dr. Coleman-Potter, Ocean Springs Schools Superintendent, presented the Ocean Springs School District 2015-2016 Budget.

Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to accept the Ocean Springs School District budget for FY15-16 (Exhibit 3-a).

## **PUBLIC HEARING**

### **Annual Uniform Assessment Schedule for Motor Vehicles**

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to open the Public Hearing.

At this time a public hearing to hear and act on any complaint filed in writing objecting to and petitioning for a specified reduction on any portion or portions of the uniform assessment schedule for motor vehicles ad valorem taxes affecting the complaint directly was held. No complaints were filed.

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to close the Public Hearing.

Motion was made by Alderman Dalgo, seconded by Alderman Cody and unanimously carried to adopt the Resolution and Order of the FY15-16 Uniform Assessment Schedule for motor vehicles (Exhibit 3-a).

### **Lot Cleaning – 101 Chaney Street (House Demolition)**

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to open the Public Hearing for 1010 Chaney Street (House Demolition).

#### Proponents for the Lot Cleaning

The Building Official stated this house was destroyed by a fire and condemned on March 5, 2015. He said a notice was sent on March 5, 2015 and another on June 24, 2015 to the property owner of record and both were returned undeliverable. Pictures were presented by the Building Official for the record. Prior to the public hearing, notices were posted on the property; notice was sent to the last known address; posted on the bulletin board at City Hall and published in the City publication of record. He said the structure is unfit for human occupancy; it is a dangerous structure and is neglected, damaged, dilapidated, unsecured and abandoned so as to become an unattractive nuisance to children who might play inside.

Ms. Regina Bates Sanders, 11263 Gorenflo Road, Apt. 1E, D'Iberville, MS, stated the home is owned by her mother and father. She indicated her father is deceased and her mother suffered a stroke in March and is completely incapacitated due to her illness. Ms. Sanders does not have power of attorney to handle her mother's affairs at this time. She stated she is in favor of clearing the lot and asked what the process will be if the City clears the lot. The Building Official explained he will obtain two (2) quotes and the cost for the demolition will be assessed on the ad valorem taxes through the Jackson County Tax Assessor and submitted to the Tax Collector.

#### Opponents of the Lot Cleaning

No one was present.

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to close the Public Hearing for 1010 Chaney Street.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to accept the recommendation of the Building Official and find the property at 1010 Chaney Street in such a state of uncleanliness so as to be a menace to public health and safety based on the matters presented and authorize to begin the demolition of 1010 Chaney Street.

## **OLD BUSINESS**

Ms. Lisa Chapman along with members of the Parks Advisory Board, Mr. David Beaugez, Mr. David Cook and Mr. Collin Bourgeois, reported they had met with Ocean Springs School District concerning the use of Taconi gym to host the City's basketball program in June and asked for a status update on the progress. The Mayor stated the City Attorney will discuss property acquisition during executive session but did not have anything to report at this time. She said they would have more information after executive session. Discussion continued concerning whether the City would take possession of the entire campus or just the gym and whether funding from the 2% tax levy could be used to pay for resurfacing the gym floor if a use agreement between the School and City. Dr. Coleman-Potter said she had proposed a land swap with the City by allowing the school district exclusive use of green space within the City.

## **PUBLIC COMMENTS**

Ms. Lorene Miles, Lawnwood Drive, stated the problem of parents blocking driveways when picking children up at Pecan Park Elementary is getting worse. It was explained a new traffic pattern has been put in to place and the school and Police Department will continue to monitor it. Dr. Coleman-Potter asked to have a traffic study done at Pecan Park and Magnolia Park elementary schools.

Ms. Terri Van Volkenberg, 2912 Pimlico Drive, stated she thinks the Police Department has made a good effort with helping to provide a traffic plan at Pecan Park Elementary. She suggested a sign saying "Do Not Enter" instead of "No Thru Traffic". She also stated the sign at Saratoga was not moved all weekend and the speed sign on Jamaica forced traffic to drive in the other lane to avoid the sign.

Alderman McDonnell commended the OS School District for creating a program for at-risk children to provide extra help for them. He said the criteria used was an excellent measuring tool to identify these children and is curious to see the results of this program as it moves forward.

The Mayor also commended the OS High School cheerleaders for initiating The Sparkle Program that allows the girls in the school with special needs to cheer at the first quarter of the home football games. She said her daughter, Magdeleine, is very excited to be participating in this program. The Mayor said it shows true testament to the character of these high school girls who are so equally enthusiastic to help their fellow classmates and making them feel special.

Mr. Wally Carter thanked the Board for including the OS School District in the litigation against BP and further stated they the reason why they received the settlement was the action the Board took to include the school. He personally thanked them for this action.

## **CONSENT AGENDA AND ADDENDUM**

Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to approve the Consent Agenda and Addendum with the exception of item (j) which was pulled by Alderman Impey; item (m) which was pulled by Alderman Denyer and item (v) which was pulled by Alderman Cox.

Alderman Impey pulled item (j) to change the date of the Public Hearing for the FY15-16 budget to September 7<sup>th</sup> at 6:00 p.m. due to a conflict with the Planning Commission meeting. Motion was made by Alderman Impey, seconded by Alderman Denyer and unanimously carried to schedule the Public Hearing for the FY15-16 budget for September 7<sup>th</sup> at 6:00 p.m.

Alderman Cody reminded the Board that City Hall will be closed on September 7<sup>th</sup> for the Labor Day holiday. Motion was made by Alderman Denyer, seconded by Alderman Dalgo and unanimously carried to change the date of the Public Hearing for the FY15-16 budget to Tuesday, September 8<sup>th</sup> at 6:00 p.m. at the Ocean Spring Public Safety building in the courtroom.

Alderman Denyer pulled item (m) to discuss the lease agreement with Acadian Ambulance Service. He stated he approved of the monthly lease amount as long as they are maintaining the building and grounds. He asked that the Mayor contact them regarding the ambulances, vehicles, trucks, and gators being parked in the ballfield parking lot. Motion was made by Alderman Denyer, seconded by Alderman Cody and unanimously carried to approve and authorize the Mayor to execute the renewal of the lease agreement with Acadian Ambulance Service in the amount of \$700.00 each month ending December 31, 2016; direct the Mayor to discuss the issue involving the excess vehicles on and around the property and direct the Fire Chief to inspect the building to ensure they are doing general maintenance and upkeep (Exhibit 7-m).

Alderman Cox asked to table item (v) to gather more information from the City Engineer concerning the construction of the shade structures. The City Engineer reported the shade structures must be designed to withstand 160 mph winds because of the location where they will be constructed. The building code requires this design condition be met; therefore the structural members and the foundations are much larger than your typical shade structures at inland locations. He priced the structures months before the City bid the project and stated it is their opinion that the value engineered price of \$120,100.00 for 10 shade structures including engineering from Gibson Maintenance was very reasonable and should be accepted.

Motion was made by Alderman Cox and seconded by Alderman McDonnell to table item (7-v) for obtain more information from the City Engineer. Motion failed with Aldermen Cox and McDonnell voting aye and Aldermen Gill, Cody, Denyer, Dalgo and Impey voting nay.

Motion was made by Alderman Impey and seconded by Alderman Gill to award the bid to Gibson Maintenance, LLC in the amount of \$120,100.00 to construct ten (10) shade structures at the Ocean Springs Sports Complex as recommended by the City Engineer and the Parks Advisory Board. Motion carried with Aldermen Gill, Cody, Denyer, Dalgo and Impey voting aye and Aldermen Cox and McDonnell voting nay (Exhibit 7-v).

## **DEPARTMENT REPORTS**

### **Human Resources/Risk Management:**

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to authorize the Mayor to executed contracts for renewal with Blue Cross/Blue Shield of MS, Delta Dental and Starmount Vision (Exhibit 8-a)

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

The contract with M&D Construction Co. was presented to the Board for the base bid and Alt. #2 for the OS Harbor Road Improvement Project in the amount of \$999,149.62 along with the Memorandum of Agreement with Jackson County for project support and funding contribution. Alderman McDonnell asked if there was any flexibility on the schedule of building the coffer dam and closing the boat ramps. The Planning/Grant Administrator stated the engineer said it was doable but there are consequences if it is delayed. She explained the coffer dam has to be done in order to begin work on the boat ramps and the County is scheduled and ready to begin work on October 5<sup>th</sup>. The road project would be done last. Supervisor Ross said he feels the County could shift their schedule back.

Alderman Denyer said by having the contractor begin work on the coffer dam on October 15<sup>th</sup>, the one business at the harbor could remain open during a portion of his peak fishing season. Alderman McDonnell asked if the City can provide loss compensation to business. The City Attorney explained when the City is doing a lawful project that effects ingress and egress to a business that business would rely on business interruption insurance. The City would not provide this to the business or pay any damages when doing a lawful project. The City will provide documentation to allow him to file an insurance claim.

The Planning/Grant Administrator stated the coffer dam has to be built before the County can begin work on the boat ramps. The County is scheduled and ready to begin on October 5<sup>th</sup>. The concern was if the coffer dam was delayed then the rest of the project would be delayed accordingly and work would continue through to the spring boating season including Memorial Day. Therefore, the coffer dam would need to be scheduled to work with the County's schedule since they will be doing the launch improvements; they are scheduled and ready for October 5<sup>th</sup>. The coffer dam would need to begin shortly after Labor Day.

The Planning/Grant Administrator will provide a report of the timetable to cause the least amount of interruption after a pre-construction meeting. The request by Alderman Denyer is that the project would begin no earlier than the 15<sup>th</sup> of October.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize the Mayor to execute the contract with M&D Construction Co. for the base bid and Alt. #2 for the OS Harbor Road Improvement Project for a total amount of \$999,149.62 and authorize to execute the Memorandum of Agreement with Jackson County for receipt of the supplemental funds and direct the Planning/Grant Administrator to provide a timetable for construction with the latest possible start date to help with accommodating the bait shop business to remain open during the peak fishing season with damaging the project (Exhibit 8-b).

## **ALDERMEN'S FORUM**

Alderman Denyer commended the Police Chief and his department for how they have handled the school traffic problems around Pecan Park Elementary, that it has been done in a professional manner.

Motion was made by Alderman Cox, seconded by Alderman Cody and unanimously carried to accept the revised renewal quote from Lemon Mohler Insurance Agency for insurance coverage on the armory in the amount of \$3,592.88.

Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to approve sponsorship of \$1,500.00 to advertise City resources at the Salvation Army Hurricane Katrina dinner fundraiser.

The Mayor announced there will be a meeting on Thursday, August 20<sup>th</sup> at 3:00 p.m. at City Hall with various agencies from the homeless coalition and church ministers to discuss the homeless issues.

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to reserve October 8, 9, and 10 for Cruisin' the Coast in the City of Ocean Springs.

Alderman Cody asked the City Attorney to draft the agreement with Gulf Hills for the use of the golf carts.

Alderman Cody presented a drainage issue on Woodland and the City Engineer stated they have looked at the issue and have a plan to pipe it. Alderman Dalgo stated he has a similar issue with a resident in Heron Bayou. They will check this issue as well and provide cost estimates to the Board.

Alderman Cody asked the Mayor's office to inform the press when the striping on Government Street begins.

Alderman McDonnell asked Public Works to re-stripe the parking lines on Ocean Avenue and Calhoun by the Catholic Church.

Alderman McDonnell asked the City Engineer to contact Mr. Bill Gryder concerning the landscaping on Ocean Avenue by the 1<sup>st</sup> Presbyterian Church. Mr. Gryder had previously agreed to provide some landscaping.

Alderman Gill asked the City Engineer about the newly paved road on Diller Avenue that has already begun sinking.

Alderman Dalgo asked that the department heads be able to leave after the board meeting if they are not needed for executive session.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cody, seconded by Alderman Cox 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 Gill and unanimously carried to remain in executive session to discuss personnel in the Police and Building Departments, land acquisition, potential litigation regarding city services, current litigation in Federal Court and potential litigation regarding a contract.

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

Motion was made by Alderman Cody, seconded by Alderman Gill and unanimously carried to engage attorney for recreation property acquisition at quoted fee and maximum dollar amount stated by the Mayor.

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to accept the resignation of Patrolman David Sheline, effective August 14, 2015.

Motion was made by Alderman Gill, seconded by Alderman Cody and unanimously carried to adjourn until 6:00 p.m. on September 1, 2015.

Meeting ended at 9:23 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**  
**August 18, 2015 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PUBLIC HEARINGS**

- a) Adopt Resolution and Order for the FY15-16 Uniform Assessment Schedule for Motor Vehicles (Exhibit 3-a)
- b) Lot Cleaning – 101 Chaney Street (House Demolition) (Exhibit 3-b)

**4. NEW BUSINESS**

- a) Ocean Springs School District FY15-16 Budget (Exhibit 4-a)

**5. OLD BUSINESS**

- a) Status of Taconi Gym – Parks Advisory Board

**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) Adopt Resolution in support of a unified national passenger rail system (Exhibit 7-a)
- b) Accept meeting minutes of Economic Development Council (EDC) from August 10, 2015 (Exhibit 7-b)

**City Clerk:**

- c) Approve Minutes: Regular Meeting August 4, 2015 (Exhibit 7-c)
- d) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-d)
- e) Accept Action Report (Exhibit 7-e)
- f) Approve Run/Walk Permit Application for the 8<sup>th</sup> Annual Waiting for a Cure 8K and ½ Mile Run/Walk sponsored by the Gulf Coast Running Club on Saturday, September 19, 2015, from 8:00 a.m.-10:00 a.m., Front Beach/OS Bridge route; no costs incurred by any department (Exhibit 7-f)
- g) Approve Run/Walk Permit Application for the Run for Hope 5K Charitable Race sponsored by The Good Fight Foundation on Saturday, November 7, 2015, from 9:00 a.m.-11:00 a.m., OS bridge only; no costs incurred by any department (Exhibit 7-g)
- h) Approve Special Event Permit Application for the Fear Fete Zombie Pub Crawl on Saturday, October 17, 2015, from 6:00 p.m.-11:30 p.m. in downtown Ocean Springs on Government Street; costs incurred by any Police Department of \$150.00 for security (Exhibit 7-h)
- i) Approve Run/Walk Permit Application for the Limbs for Life Fundraiser Walk on Saturday, September 19, 2015, from 5:00 p.m.-7:30 p.m., OS bridge only; no costs incurred by any department (Exhibit 7-i)
- j) Authorize to set Public Hearing for the FY15-16 Budget on Tuesday, September 8, 2015 at 6:00 p.m. at City Hall (Exhibit 7-j)
- k) Ratify check in the amount of \$67.00 to Diane Boyd for costs of broken sprinkler head (Exhibit 7-k)

**Police Department:**

**Fire Department:**

- l) Accept Monthly Fire Department Report (Exhibit 7-l)
- m) Approve and authorize the Mayor to execute the renewal of the lease agreement with Acadian Ambulance Service in the amount of \$700.00 each month ending December 31, 2016 (Exhibit 7-m)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- n) Authorize the Mayor to execute Consultant Contract #1 for Ligia M. Romer in the amount of \$8,711.25 to assume the docent duties previously covered under the Contract with Susan Ruddiman, funded by the Gulf Coast Tourism and Promotional Fund – City Museum grant (Exhibit 7-n)
- o) Authorize the Mayor to execute Consultant Contract #3 for Accreditation Support Services for Dennis Walker in the amount of \$10,000.00 to continue work through the end of the grant period, December 31, 2015, funded by the Gulf Coast Tourism and Promotional Fund – City Museum grant (Exhibit 7-o)

**Planning Commission:**

- p) Accept Planning Commission's recommendation to approve the Special Use Consideration to allow for residential on the ground floor in a mixed use development located for property located on the north side of Highway 90, just east of Bechtel Boulevard (formerly known as Bay Village – Walker Thrash/Township at OS, LLC (Exhibit 7-p)
- q) Accept Planning Commission's recommendation to approve a Lot Split for property located at 302 Porter Street – Francis and Marcella Janus (Exhibit 7-q)
- r) Accept Planning Commission's recommendation to approve the REVISED Preliminary Plat for Southbreeze Phase II – Lane Ventures, LLC (Exhibit 7-r)
- s) Accept Planning Commission's recommendation to approve the Final Plat of Stillwater Bluff Subdivision – PUD – Bolton Investment Group, LLC (Exhibit 7-s)

**Building Department:**

- t) Accept Tree Committee Report (Exhibit 7-t)
- u) Approve demolition permit for a structure at 115 Wisteria Street (Exhibit 7-u)

**Parks & Leisure Services Department:**

- v) Award bid to Gibson Maintenance, LLC in the amount of \$120,100.00 to construct ten (1) shade structures at the baseball fields at the Ocean Springs Sports Complex, pending City Engineer review (Exhibit 7-v)

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

- w) Accept meeting minutes of Finance Committee from August 4, 2015 (Exhibit 7-w)

## **8. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

- a) Authorize the Mayor to execute the associated contracts for renewal with Blue Cross/Blue Shield of MS, Delta Dental and Starmount Vision (Exhibit 8-a)

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) Authorize the Mayor to execute the contract with M&D Construction Co. for the base bid and Alt. #2 for the OS Harbor Road Improvement Project for a total amount of \$999,149.62, and the Memorandum of Agreement with Jackson County for receipt of the supplemental funds (Exhibit 8-b)

**Building Department:**

**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 Building Department

**ADJOURN UNTIL 6:00 P.M. on September 1, 2015**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
August 18, 2015 - 6:00 p.m.**

**1. CONSENT AGENDA**

**Community Development & Planning:**

- a) Adopt No Protest Resolution for Government Entities for the Energy Efficiency Revolving Loan for retrofitting the interior lighting (Exhibit A-1a)