

REGULAR MEETING OF OCTOBER 6, 2015

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Regular meeting at City Hall in the City of Ocean Springs at 6:00 p.m. on October 6, 2015. The Mayor presiding, Aldermen Cox, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney John Edwards. Alderman Gill was absent.

The Mayor called the meeting to order.

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

PROCLAMATIONS

The Mayor read a proclamation declaring October 6, 2015 as **Justin Lopez Day** in the City of Ocean Springs (Exhibit 3-a).

The Mayor read a proclamation declaring the week of October 4-10, 2015 as **Fire Prevention Week** in the City of Ocean Springs (Exhibit 3-b).

The Mayor read a proclamation declaring the month of October, 2015 as **Domestic Violence Awareness Month** in the City of Ocean Springs (Exhibit 3-c).

The Mayor read a proclamation declaring October 17, 2015 as **Mississippi Coastal Cleanup Day** in the City of Ocean Springs (Exhibit 3-d).

NEW BUSINESS

Mr. Don Davenport, President and CEO of Barinet, Inc., presented a proposal for a 6-week medically supervised weight loss and lifestyle modification program to be offered to City employees. The program is a non-surgical 6 week program to include a medical evaluation, dietary education, exercise and psychological component. Barinet is a nationwide obesity disease management company based in Jackson County. This program involves the YMCA, a psychologist, and dietician to teach how to eat better and live healthier. There was discussion concerning the cost which is \$600.00 per member and the City would determine the amount the employee would pay to participate in the program. The employees would have to meet the criteria and comply with certain requirements to participate. Mr. Davenport also explained they would have multiple classes to be convenient for all work schedules of the City employees. No action was taken (Exhibit 4-a).

The Jackson County Sheriff's Search and Rescue Flotilla is requesting support and assistance in dredging an area on Fort Bayou to be able to use a donated boat slip as a permanent launch for the Flotilla for the West side of Jackson County. This would allow the Flotilla to quickly assist in an emergency by cutting down on travel time. The City suggested obtaining some grant funding through the Mississippi Department of Marine Resources. Alderman Denyer stated it would be ideal if they could use one of the boat slips at the harbor which would also be a good law enforcement presence at the harbor. Supervisor Troy Ross stated a county wide drainage study is being done by the Pat Harrison Waterway District and this could be included in the study. He said the study should complete soon. The Board asked representatives from the Jackson County Sheriff's Search and Rescue Flotilla to make a presentation to the Jackson County Board of Supervisors at their next scheduled meeting. The City also supported this effort by the Flotilla. No action was taken. (Exhibit 4-b).

Mr. Paul Auge, Chairman of the Board of Directors for the Ocean Springs Elks Lodge, asked the Board to consider waiving the requirement to provide liability insurance naming the City as an additional insured at events the Elks sell beer. Mr. Auge stated their insurance carrier will not name a 3rd party as an additional insured when it involves the sale of alcohol. He said the Elks have a beer license, insurance and all the permits to sell alcohol at their establishment but a one-time policy to sell off-site would be cost prohibitive. The Mayor explained this is a requirement of all organizations selling beer or alcohol on public property. She recognized they are a non-profit organization and do great programs for the children such as the kids fishing rodeo. Alderman Dalgo asked to find a legal way for them to continue to participate in festivals. He also asked if they have asked other insurance companies to write this type of policy at a more reasonable cost. The City Attorney stated the City had previously determined it was better to be covered with insurance if someone is selling alcohol on the City streets, sidewalks, etc. because the Mississippi Municipal Service Company would not cover the City under the service company policy. He explained the City is trying to avoid being named in a lawsuit as the premises owner and having to defend themselves in a lawsuit. The Mayor suggested leasing the OS Elks a portion of the sidewalk. She also stated she would contact other insurance companies to inquire about obtain this type of coverage.

OLD BUSINESS

Motion was made by Alderman Denyer, seconded by Alderman Cox and unanimously carried to approve and authorize the Mayor to execute the Memorandum of Understanding with the Ocean Springs School District for the use of space at the N.E. Taconi School Building to use as a gymnasium for the City Fall Basketball League (Exhibit 5-a).

PUBLIC COMMENTS

Ms. Mary Debell, 100 Robert Circle, stated her concern with the conflicting green traffic lights at Highway 90 and South Ocean Springs Road. She stated she has not been able to speak to anyone at MDOT office in Ocean Springs; therefore, she is asking the City for assistance in solving the issue with the turn arrows at this intersection and a No U turn sign for traffic on Highway 90.

Ms. Claire Brou asked the City to consider the possibility of having a taxi cab service that is handicap accessible. The City will check coast-wide for these types of taxi cab services. It was stated that Coast Transit Authority (CTA) runs through the City and are handicapped accessible.

CONSENT AGENDA

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to approve the Consent Agenda with the exception of item (7-l) which was pulled by Alderman McDonnell.

Alderman McDonnell pulled item (7-l) to clarify and confirm that a portion of Government Street will be kept open to allow emergency vehicles to cross Government Street from Russell Avenue to State Street as well as allowing ingress and egress for the residents living on the north side of Government Street. These six (6) booths between Russell Avenue and State Street will need to be set up on the south side of Government Street in order to allow this during the event. Alderman McDonnell said he was not advocating eliminating any booths but to set them up on the south side of the street in this strip of area for one lane to be left open. Alderman Cox asked that the food booths in front of Phoenicia be set up more towards the sidewalk. Alderman McDonnell asked to leave Desoto open at Washington Avenue for emergency vehicles, if needed in that area.

Motion was made by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to approve the Special Event Permit Application for the Peter Anderson Festival on Saturday, November 7th and Sunday, November 8th with set-up beginning on Friday, November 6th and approve road closures for this event, pending insurance naming the City as an additional insured (Exhibit 7-l).

Motion was made by Alderman McDonnell, seconded by Alderman Impey and unanimously carried to eliminate one parking space on the north side of Government Street at State Street and add a parking space on Government in front of Dr. Buntyn's office.

ALDERMEN'S FORUM

Motion was made by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to authorize the Mayor to execute the Lease Agreement between for use of property at 902 State Street during the Cruisin' the Coast event and Peter Anderson Festival.

Motion was made by Alderman Cody, seconded by Alderman Cox and unanimously carried to authorize the Mayor to execute the Lease Agreement between for use of property at 706 Church Street during the Cruisin' the Coast event and Peter Anderson Festival.

DEPARTMENT REPORTS

Community Development & Planning:

Motion was made by Alderman Impey, seconded by Alderman Cody to adopt **Ordinance No. 2015-16 An Amendment to Ordinance 13-1976 Rezoning Property Herein Described from R-1 to C-3 – Bienville Boulevard** (Exhibit 8-a).

The motion carried with a roll call vote as follows:

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

Building Department:

Motion was made by Alderman McDonnell, seconded by Alderman Dalgo and unanimously carried to eliminate the parking space north of 623 Washington Avenue and restripe the location due to inadequate clearance for vehicles.

ALDERMEN'S FORUM

Alderman Impey congratulated the Officer of the Quarter, Adam Carter, selected by the Chamber of Commerce. He also thanked the VFW for their hospitality during their program September 19th honoring the veterans.

Alderman Cox reported he received a letter from St. Alphonsus Catholic Church asking to make the south side of Calhoun Avenue all handicapped parking. Motion was made

by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to designate the remaining parking spaces on Calhoun Street in front of St. Alphonsus Catholic Church as handicapped spaces.

Alderman Cox stated he has received phone calls concerning speeding on Cleveland Avenue. He said one sign states 30 mph and another is marked as 25 mph. He asked the City to research the City ordinances to determine the speed limit.

Alderman Cox thanked Alderman Cody for all of his effort during the Cruisin' the Coast events every year.

Alderman McDonnell asked the City to send another press release concerning the OS harbor project publicizing a timeline with an estimated completion date for this project as well as indicating the businesses are still open and how to access them.

Alderman McDonnell stated it was brought to his attention that the Ruskin oak has become very unsightly. The Mayor advised the tree is located on private property but the City could ask the owner for an easement to allow the City to do trimming and cleaning around the tree. If an easement is obtained, he suggested this as a project for the Mayor's Youth Council to make a cleaning plan and small improvement of the ecstatic's of the area with assistance from the Public Works Department.

Alderman McDonnell suggested using calming devices or landscaping features that could be implemented to slow the traffic in front of YMCA from Pine Drive to Martin Luther King Boulevard. The Planning/Grants Administrator advised she will contact Gulf Regional Planning Commission for any suggestions.

EXECUTIVE SESSION

Motion was made by Alderman Denyer, 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 McDonnell, seconded by Alderman Cody and unanimously carried to remain in executive session to discuss personnel in Public Works Department, Building Department and potential litigation regarding a contract.

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

Motion was made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to join and appoint Aldermen Impey, Cody and Cox to the JCUA Municipal Task Force and Alderman Dalgo as alternate.

Motion was made by Alderman Cody, seconded by Alderman Impey and unanimously carried to recess until 6:00 p.m. on October 20, 2015.

Meeting ended at 8:58 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 6, 2015 - 6:00 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROCLAMATIONS**
 - a) Justin Lopez Day – October 6, 2015 (Exhibit 3-a)
 - b) Fire Prevention Week – October 4-10, 2015 (Exhibit 3-b)
 - c) Domestic Violence Awareness Month – October, 2015 (Exhibit 3-c)
 - d) Mississippi Coastal Cleanup Day – October 17, 2015 (Exhibit 3-d)
- 4. NEW BUSINESS**
 - a) Presentation of Six-Week Healthy Weight loss program by Barinet, Inc. – Mr. Don Davenport and Mr. Warren Collmer (Exhibit 4-a)
 - b) Discussion concerning the request for assistance in the dredging of a boat slip on Fort Bayou to be used by the Jackson County Sheriff's Search and Rescue Flotilla – Mr. Louis Seaman, Deputy Commander (Exhibit 4-b)
 - c) Discussion concerning the sale of alcoholic beverages by the OS Elks Lodge during the Peter Anderson Festival – Mr. Paul Auge (Exhibit 4-c)
- 5. OLD BUSINESS**
 - a) Discussion concerning Memorandum of Understanding for the use of space at the N.E. Taconi School Building and City of Ocean Springs Resolution Authorizing Memorandum of Understanding (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. 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) Authorize waiver of rental fees for the use of the Civic Center by the Mississippi Department of Education, Office of Healthy Schools to host one of their six regional professional development training sessions on Tuesday, November 10, 2015 (Exhibit 7-a)
 - b) Accept meeting minutes of Economic Development Council (EDC) from September 14, 2015 (Exhibit 7-b)

City Clerk:

 - c) Approve Minutes: Recess Meeting September 15, 2015 (Exhibit 7-c)
 - d) Approve payment: Docket of Claims and spread docket summary upon the Minutes (Exhibit 7-d)
 - e) Accept Action Report (Exhibit 7-e)
 - f) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 7-f)

- g) Ratify payment to Joel L. Moody in the amount of \$375.00 for power pole and equipment and Brandon Bloodworth in the amount of \$160.00 for per diem (Exhibit 7-g)
- h) Authorize to approve the Master Cellular Voice and Data Service and Equipment Agreement with Cellular South commencing on October 1, 2015-June 30, 2016, pursuant to MS State Contract (Exhibit 7-h)
- i) Approve Run/Walk Permit Application for a 5K Run/Walk sponsored by the South MS Aids Task Force on Saturday, December 5, 2015 from 7:00 a.m. – 11:15 a.m., Front Beach/Bridge route; approved by all city departments with no costs (Exhibit 7-i)
- j) Approve Special Event Permit Application for Cruisin' the Coast 2015, on October 8-10, 2015 at various times and approve road closures for this event (Exhibit 7-j)
- k) Approve Special Event Permit Application and street closures for the Trick or Treat Down the Street sponsored by HOSA on Saturday, October 31st from 6:00 p.m. – 8:00 p.m. (Exhibit 7-k)
- l) Approve Special Event Permit Application for the Peter Anderson Festival on Saturday, November 7th and Sunday, November 8th with set-up beginning on Friday, November 6th and approve road closures for this event, pending insurance naming City as an additional insured (Exhibit 7-l)

Police Department:

Fire Department:

Human Resources/Risk Management:

City Engineer:

Public Works:

- m) Authorize to extend the Contract with Graham Construction Company for an additional year beginning October 21, 2015, at current rates and fees for manpower and equipment for Water, Sewer and Storm Sewer Rehab (Exhibit 7-m)

Community Development & Planning:

- n) Authorize the Mayor to execute the Temporary Construction Easement with Bruce and Alice Duckett for the Harbor Storm Water Management and Wetlands Restoration project at no cost to the City for the duration of the project (Exhibit 7-n)
- o) Authorize the Mayor to execute the Certificate of Substantial Completion with Mandal's, Inc. for the Mary C. O'Keefe Cultural Center Roof Replacement (Exhibit 7-o)

Building Department:

Parks & Leisure Services:

- p) Approve Facility Use Agreement for the Ocean Springs Soccer Organization (OSSO) to utilize the Ocean Springs Sports Complex (Exhibit 7-p)

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

8. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

- a) Adopt An Amendment to Ordinance No. 13-1976 Rezoning Property Herein Described from R-1 to C-3 - Kenneth Richey – Bienville Boulevard (Exhibit 8-a)

Building Department:

- b) Discussion concerning removal of parking space North of 623 Washington Avenue (Exhibit 8-b)

Parks & Leisure Services:

City Attorney:

Facilities:

Peer Review Committee:

H.R. Committee:

Finance Committee:

9. ALDERMEN'S FORUM

- a) Authorize the Mayor to execute the Lease Agreement for an amount of \$400.00 between the City of Ocean Springs and Marx Properties for use of 902 State Street during the Cruisin' the Coast event (Exhibit 9-a)
- b) Authorize the Mayor to execute the Lease Agreement between the City of Ocean Springs and Steve Gallagher for use of 706 Church Street during the Cruisin' the Coast and Peter Anderson Festivals at no cost to the City (Exhibit 9-b)

10. EXECUTIVE SESSION

- a) Personnel in Building Department

RECESS UNTIL 6:00 P.M. on October 20, 2015