

## **RECESS MEETING OF NOVEMBER 15, 2016**

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 November 15, 2016. Mayor Moran presiding, Aldermen Cox, Gill, McDonnell, Cody, Denyer, Dalgo and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

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

### **NEW BUSINESS**

Motion was made by Alderman Gill, seconded by Alderman McDonnell and unanimously carried to allow the Dogwood Garden Club the use of the Ocean Springs Community Center to host the 2017 Spring Pilgrimage on April 10, 2017. The rental fee is to be waived. The set up and clean up fee are to be paid. (Exhibit 3-a)

Mr. Adam Jackson with Burk-Kleinpeter located at 2113-B Government Street presented information on the Jackson County Ocean Springs Road study and request the use of the Ocean Springs Civic Center to host a public meeting. He formerly invited the Mayor and Board of Aldermen to attend an Open House Meeting on Thursday, November 17, 2016, from 5:00 to 7:00 p.m. at the Ocean Springs Civic Center. The meeting will be a public input meeting and not a formal presentation. The purpose of the meeting is to give the residents an opportunity to review the roadway concept along Ocean Springs Road and give their input. The main reason for the feasibility study is to determine how to make the road safer and have a walking path for pedestrians. Alderman Gill recommends turning bays into the neighborhoods and a turn lane in the median so traffic can get out of the way and not stop the flow of traffic. Alderman Impey addressed his concerns about the drainage on the road.

Brian Fulton, County Supervisor, stated this is a study to identify these issues.

Motion made by Alderman McDonnell, and seconded by Alderman Gill and unanimously carried to waive the fees for the use of the Ocean Springs Civic Center on November 17, 2016 for the Jackson County Ocean Springs Road study public input meeting. (Exhibit 3-b)

## **OLD BUSINESS and Amendment**

Motion was made by Alderman Cox, seconded by Alderman Dalgo and unanimously carried to amend the Agenda to add a discussion item regarding the trash receptacles for the Downtown Arts and Entertainment District.

The Mayor presented information on the trash receptacles. The Mayor stated the city is required by statute to post a notice when the people are leaving the Arts and Entertainment District to dispose of their "to go cup". The Mayor is suggesting to place a placard on the trash receptacle to notify the people. The Mayor is asking the board to consider purchasing (17) trash receptacles with placards and (3) additional signs from Keystone Ridge in the amount of \$14,072.00 as quoted.

Alderman McDonnell asked if the city requested quotes from the Mississippi Prison Industries. Ms. Hilton stated that the unit price was \$340.00.

Alderman Cody asked if they were powder coated. Ms. Hilton would need to verify.

There was discussion on the quality of the product from the two vendors.

Motion made by Alderman Cody, seconded by Alderman Gill to split the purchase of the trash receptacles from each vendor. Motion failed with the following votes:

Alderman Impey	Nay
Alderman Dalgo	Nay
Alderman Denyer	Nay
Alderman Cox	Nay
Alderman Cody	Aye
Alderman McDonnell	Nay
Alderman Gill	Aye

Motion made by Alderman McDonnell, seconded by Alderman Gill and unanimously carried to order (17) trash receptacles with or without the door, whichever is preferred by Public Works, from Mississippi Prison Industries.

## **PUBLIC COMMENT**

Ann White, 3629 Perryman Road expressed her concerns about the residential sprinkler issue. Mrs. White is requesting permit approval without the sprinkler requirement for the White Family Lot 9. Ms. White stated this is an issue because of the lack of reputable suppliers, cost, maintenance and the cost of accidental destruction.

There was discussion with Building Official Hilliard Fountain regarding the 2006 IBC Code regarding sprinkler systems in residential structures above a certain height.

Alderman Dalgo stated he was in favor of doing away with the ordinance.

Alderman Denyer stated his concerns of water flow and pressure on Lover's Lane. He also spoke to two insurance companies regarding sprinkler systems and how that affects the homeowners insurance.

The Mayor stated her objections to the interpretation of the ordinance.

The Building Official and Fire Chief spoke of their concerns and recommendations of leaving the sprinkler ordinance in place.

Fire Chief Ponson stated he wanted to be on record opposing any change to the ordinance. Chief Ponson gave an example of a fire with fatalities in a three story home that occurred in the past that he believes if they had a sprinkler system the occupants would not have perished.

Patty Thurber, 2116 Whitney Oaks, lost her home on Lover's Lane in Hurricane Katrina and are wanting to build back. The sprinkler system requirement is causing a hardship to build back. They would need a pump, source of fuel for generator, and inadequate water pressure. She asked the Board to reconsider the sprinkler requirement.

Ann Malone, 3230 Cumberland Rd. #82, has moved here recently and finds the old concrete appealing to the city. She would like the old style concrete to be used in replacing concrete.

Dennis Cowart, Architect, requested the sprinkler ordinance needs to be changed.

The Mayor requested the Planning Director, Building Official and City Planner to look at other ordinances and other cities.

Heather Eason, 707 Russell Ave., The Barricade Program has donated 77 barricades to the City. She is requesting permission to add advertising signage to both sides of the barricade.

Daniel White, 3629 Perryman Rd., stated his concerns regarding the sprinkler system ordinance.

## **CONSENT AGENDA**

Motion made by Alderman Gill, seconded by Alderman Impey and unanimously carried to approve the Consent Agenda with the exception of (Items 6-k) pulled by Alderman McDonnell and (Item 6-s) pulled by Alderman Cox.

## **OLD BUSINESS**

Mr. Demery Grubbs, Financial Consultant, and Troy Johnston, attorney with Butler & Snow arrived at meeting. Mr. Grubbs gave two options of the bond issuance savings. Option 1 is a savings of \$539,110.98. Option 2 is a savings of \$504,236.73. He is recommending Option 1 and locking in a Term Sheet with a set interest rate of 2.75% pending placement of the bond.

Motion made by Alderman McDonnell, seconded by Alderman Denyer and unanimously carried to approve Option 1 as presented.

Motion made by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to accept the Term Sheet and authorize the Mayor to sign it.

## **CONSENT AGENDA**

Motion made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to change the name from Big Yella, LLC to Cloyd Properties on the application (Item 6-k) for a Post-Construction Tax Exemption located at 702 Porter Avenue.

Alderman Cox pulled (Item 6-s) advertisement for bids on the Shade Structures and Driving Lanes on Turf Parking at the Highway 57 Sports Complex. Alderman Cox stated he was not willing to vote on something that he has not seen the plans for. The item was tabled until plans have been presented to the Board.

## **DEPARTMENT REPORTS**

### **Mayor:**

Mayor Moran thanked everyone who helped with the Monarch Butterfly Event.

### **Public Works:**

James Foster, City Engineer, updated the Board on the water tank repairs. It will be completed before the February inspection. He has a change order for time only on a CIPP project.

Motion by Alderman Cody, seconded by Alderman Cox and unanimously carried to approve change order for time only on the CIPP 592 project.

Mr. Foster stated they had approximately \$48,000 in the budget for additional slip lining.

Motion by Alderman Cody, seconded by Alderman McDonnell and unanimously carried to approve up to \$48,000 in additional slip lining.

## **ALDERMEN'S FORUM**

Motion by Alderman McDonnell, seconded by Alderman Cody and unanimously carried to authorize Heather Eason to retrofit barricades that have already been donated to the city to add additional signage on the barricades subject to review by city attorney.

Alderman Cody asked Janice Hilton, Deputy City Clerk, if the city has received a special event permit from HOSA and request the Chamber of Commerce's assistance regarding the Christmas Tree Lighting. Ms. Hilton has not and Alderman Cody requested she and the Mayor follow up.

Alderman Cody stated that rumble strips were put down today at Government Street near the YMCA, MCOK, Halstead, and Robinson.

Alderman Cody stated the Mardi Gras Night Parade is Feb. 24, 2017. A special event permit will be submitted soon.

The Mayor asked if the City Electrician had put the sample lights on Washington Ave yet. The Building Official replied that is planned for later in the week.

Alderman Cox stated that there was a great turn out for the Police Recognition Event that was held at the Civic Center.

Alderman Cox stated that the first basketball practice will begin on Nov. 28, 2016 at the Ryan Youth Center. The ribbon cutting will be held that day at 5:00 p.m.

Alderman Denyer requested that Assistant Public Works Director Candice Hooks tell Michael Smith and his grass cutting crew are a great, hard-working crew and how much he appreciates them.

Alderman Denyer told Shelly Ferguson, City Clerk, that he had received two calls complimenting help they received in the Water Dept. and please let her staff know.

Motion by Alderman Denyer, seconded by Alderman McDonnell and unanimously carried to authorize up to 2 barricades to use for leaving the Arts and Entertainment District signage out of Ward 4 capital improvement funds.

Motion by Alderman Dalgo, seconded by Alderman Denyer to suspend ordinance regarding the sprinklers, and before the next meeting have the Building Official determine if anyone has complied with that ordinance, and anyone who has incorporated it in their plans that they would not have otherwise have installed sprinklers, and confer with the City Attorney. Alderman Dalgo rescinded his motion and Alderman Denyer rescinded his second.

The City Attorney requested time to review the sprinkler ordinance before any action is taken.

The Mayor left the meeting at 8:05 p.m. Mayor *Pro Tem* Impey assumes control of the meeting.

Motion by Alderman Dalgo, seconded by Alderman Denyer and unanimously carried to table sprinkler enforcement for constituents concerns until the City Attorney has an opportunity to review the Sprinkler ordinance, have the attorney check the rating, tax abatement opportunities, and adequate water.

### **Executive Session**

Motion by Alderman Cox, seconded by Alderman McDonnell and unanimously approved to go in to closed session to determine the necessity of remaining in executive session.

Motion by Alderman Cody, seconded by Alderman Cox and unanimously carried to remain in executive session regarding contractual issues regarding IT and update on JCUA litigation.

Motion by McDonnell, seconded by Alderman Cody and unanimously carried to hire AGJ Systems for 200 hours of professional services regarding IT issues.

Motion by McDonnell, seconded by Alderman Cody and unanimously carried to come out of closed session and return to regular session.

Motion was made by Alderman McDonnell, seconded by Alderman Cox and unanimously carried to adjourn the recess meeting.

Meeting ended at 9:00 p.m.

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
November 15, 2016 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. NEW BUSINESS**

- a) Dogwood Garden Club request to waive the rental fee for the Ocean Springs Community Center to host the 2017 Spring Pilgrimage on April 10, 2017 – Joyce Jurik (Exhibit 3-a)
- b) Presentation on the Jackson County OS Road Study and request the use of the Civic Center on Thursday, November 17, 2016 to hold a public input meeting – Burk-Kleinpeter (Exhibit 3-b)

**4. OLD BUSINESS**

- a) Update on Mississippi Development Bank Special Obligation Bond – Demery Grubbs
- b) Update on the Mayor's Youth Council – Mary Agnes Mestayer

**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 November 1, 2016 (Exhibit 6-a)
- b) Approve payment: Docket of Claims and spread Summary upon the Minutes (Exhibit 6-b)
- c) Accept Action Report (Exhibit 6-c)
- d) Authorize request to waive the deposit from the Mississippi Department of Education, Office of Child Nutrition, to be held on May 30 – 31, 2016 at the Ocean Springs Community Center. (Exhibit 6-d)
- e) Approve Special Event Permit Application for Off the Hook Gumbo Cookoff sponsored by Off the Hook Fish House on Saturday, December 10, 2016 from 10:00 a.m. – 4:00 p.m. in the west half of Desoto Parking lot pending certificate of liability insurance; no cost incurred by City departments (Exhibit 6-e)
- f) Approve Run/Walk Permit Application for the Annual Jim Franks Merry Fishmas Fun Run Fundraiser hosted by the University of Southern Mississippi American Fisheries Society on December 10, 2016 from 8:00 a.m. – 10:30 a.m.; no costs incurred by the city. (Exhibit 6-f)

**Police Department:**

- g) Accept the resignation of Patrolman Antonio Alvarez effective November 9, 2016 and authorize to begin the process to fill the vacant position. (Exhibit 6-g)

**Fire Department:**

- h) Accept Monthly Fire Department Report (Exhibit 6-h)

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- i) Authorize to declare multiple items as surplus (no value to the city) and remove from fixed assets (Exhibit 6-i)

**Community Development & Planning:**

- j) Authorize the Mayor to execute Sub-Grant Agreement with DMR for National Heritage Area Funding to assist in replacing the Historic Flag Plaques at Fort Maurepas Park. (Exhibit 6-j)
- k) Approve the application for a Post-Construction Tax Exemption for the property located at 702 Porter Avenue – Big Yella, LLC – Joe Cloyd. (Exhibit 6-k)

- l) Approve the Revised application for a Pre-Construction Tax Exemption for the property located at 604 Porter Avenue – Big Yella, LLC – Joe Cloyd. (Exhibit 6-l)
- m) Authorize to waive the \$250.00 application fee for Zoning Change for property located at 1515 Government Street – Jackson County (Exhibit 6-m)
- n) Authorize the Mayor to execute contract with Allen Engineering & Science in the amount of \$25,000.00 to Update Zoning District and Unified Development Code as budgeted pending city attorney's review. (Exhibit 6-n)

**Planning Commission:**

- o) Accept Planning Commission's recommendation to approve the proposed lot split of the property located at 138 Pittman Road, PID 60134130.000 – Timothy and Gwendolyn Noble. (Exhibit 6-o)

**Building Department:**

- p) Accept Tree Protection Committee Minutes from November 1, 2016 (Exhibit 6-p)
- q) Authorize to grant AD&R a permit for the demolition approve the Residential Building Permit Application from AD&R for the demolition of the entire structure located at 504 Dewey Avenue – Tony DiFatta (Exhibit 6-q)

**Parks & Leisure Services:**

- r) Approve Parks Advisory Board minutes from August 10, 2016 (Exhibit 6-r)
- s) Authorize to advertise for bids for Shade Structures (Softball) and Driving Lanes on Turf Parking at the Highway 57 Sports Complex. (Exhibit 6-s)

**Facilities:**

**City Attorney:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

**7. DEPARTMENT REPORTS**

**Mayor:**

- a) Discuss the Monarch Butterfly film project, "The Mystical Migration of the Monarch Butterfly along the Gulf Coast." (Exhibit 7-a)

**City Clerk:**

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

- b) Update discussion on residential sprinkler requirements (Exhibit 7-b)

**Parks & Leisure Services:**

**City Attorney:**

**Facilities:**

**Peer Review Committee:**

**H.R. Committee:**

**Finance Committee:**

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

- a) Update on JCUA litigation

**ADJOURN UNTIL 6:00 p.m. on December 6, 2016**