

REGULAR MEETING OF AUGUST 1, 2017

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 August 1, 2017. The Mayor presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman, and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

Alderman Gill gave the invocation and the Alderman Impey led the Pledge of Allegiance.

PROCLAMATIONS

The Mayor pulled the proclamation until the Recess Meeting on August 15, 2017.

ADDENDUM

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

PUBLIC HEARING

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to open the Public Hearing for lot cleaning at 1014 Robinson Street.

The Building Official reported this house burned last year. The tenant that was in the house cleaned up the property and moved stuff out but it has been in an unsecure condition for several months. The property owner did attempt to secure the property by cleaning the property and placing plywood on the windows. The structure does have some damage including roof damage that needs to be repaired. The Building Official is asking the Board for permission to proceed with the lot cleaning to properly secure the property. The Building Official would like to work with the owner but if she is unable to comply then as the City he would like to make it compliant. This structure has been condemned for 3 to 4 months.

There were no proponents for the lot cleaning

There were no opponents present at the lot cleaning.

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to close the Public Hearing for lot cleaning to secure the structure at 1014 Robinson Street.

Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to accept the recommendation of the Building Official to proceed with the lot cleaning at 1014 Robinson Street. (Exhibit 4-a)

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to open the Public Hearing for lot cleaning at 1928 Kensington Street.

The Building Official reported this property has been a blight to the community for some time. The apparent owners suddenly moved out and to the Building Officials knowledge the property has been returned to the bank. The Building Official received notice from the bank that someone will be coming to the property to secure the property and to have the grass cut on a regular schedule. The Building Official is asking the Board for permission to go ahead and vote to do the property cleaning in case the bank does not follow through the City will have approval in place to move forward with the lot cleaning to cut the grass and secure the property.

There were no proponents for the lot cleaning

There were no opponents present at the lot cleaning.

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to close the Public Hearing for lot cleaning at 1928 Kensington Street.

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to accept the recommendation of the Building Official to proceed with the lot cleaning at 1928 Kensington Street. (Exhibit 4-b)

NEW BUSINESS

The Mayor asked the Board to vote on the appointments for various Boards & Commissions. The current openings are for the Economic Development Council, Parks & Advisory Board, and Historic Preservation Board.

Ms. Susan Mueller, 1416 Bowen Avenue, came before the Board to request a 4-way stop to be placed at the corner of Bowen Avenue and General Pershing. Ms. Mueller also mentioned the possibility of putting a 4-way stop sign at Bowen Avenue and Russell Avenue as well. Ms. Mueller stated there are a lot of small children and bikers in this area. She said Bowen is a very narrow road and a lot of residents that park on the right

side of the road heading down toward Washington Avenue which essentially makes it a one lane road especially between Russell Avenue and General Pershing. Ms. Mueller said she has called 911 and assisted with several accidents in this area.

Alderman Papania asked the Deputy Chief to place the mobile unit in both of these areas to gather information and bring a recommendation back to the Board as to whether or not stop signs are needed. (Exhibit 5-a)

OLD BUSINESS

Mrs. Sharon Brune Weeks, 285 Holcomb Blvd., came before the Board to discuss two trees that were removed from her mother's, Myra Brune, property on Holcomb Blvd. Mrs. Weeks is asking the City to help her mother replace two large trees that were cut down and removed by the City. The family was told the trees were removed as part of a sewer and drainage project. The family is trying to plant one sizable tree and two smaller trees on their mother's property. The family is asking the City to contribute to this project that is estimated to cost \$1300.00 or more.

The Building Official stated he was contacted by Public Works about an applicant that needed a sewer line extension to be run to a new parcel. The trees were in the right-of-way and the tree roots were involved. The Interim Public Works Director said the sewer line on this project ran south but there were some drainage issues and a pipe had to be taken out in a man's driveway that was already causing some drainage issues because it was off grade. Public works took the driveway culvert out and replaced it with one that is to the correct grade. He stated that after that was done the drainage to the north would not drain so they had to deepen the ditch which is the reason for cutting the trees down. The Interim Public Works Director also stated public works needs to remove two sections of her fence to grind the stumps and remove the roots that have grown into her fence. They will put the fence back to its current condition or better.

Alderman Bellman asked if the City is allowed to assist in replacing the trees. The City Attorney stated we can repair damage done by the City to private property but the City cannot make any improvements.

PUBLIC COMMENTS

Paul Kirkland, 317 Magnolia Avenue, came before the Board to ask for support on being appointed to the Parks Advisory Board.

Tom Cannan, owner of Thunder Current IT Services, thanked the Board for allowing him to speak in public. Mr. Cannan thanked Mr. Impey and Mr. Cox for stating they

wanted the City to go out for RFP's or RFQ's for IT Services to try and get the best services and price for the City. Mr. Cannan expressed his displeasure with the City Clerk getting a contract with an IT Service Company instead of going out for RFP's or RFQ's. He said he spoke to Mr. Authement about his motion to rescind the prior motion and commended him on the fact that he wanted to take action to quickly restore IT service. But he also voiced his concern stating that the IT Services for the City have been deplorable for the last (8) eight years. Mr. Cannan felt waiting a few more months to allow the City to go out and look for better services or at least compare services wouldn't have made that much of a difference. Mr. Cannan wanted to state publically that he feels there is no competition available not only for IT Services but with all businesses.

Alderman Authement defended the City Clerk by stating this was not a decision of the City Clerk. Alderman Authement stated this was his decision to move forward and he is the one who made the motion to rescind the previous motion go out for an RFP and the motion to enter into a contract with AGJ for IT services.

Douglas Myatt, 417 Martin Avenue, spoke about his displeasure of the decision to fly the state flag over City Hall. Mr. Myatt spoke about what his opinion of the state flag is and the message it sends to the world. He asked the Mayor to take the flag down.

Alderman Impey addressed this state flag issue by stating this City has always been an inclusive community and always will be. Alderman Impey said he feels that if someone has chosen the state flag to represent their cause then that is wrong. It is not a reflection of the symbol itself as much as it is the people that are using that symbol. Alderman Impey also stated people misuse thing every day to support their horrible cause. That doesn't necessarily mean something is wrong with the symbol but something might be wrong with the people or with their message. Alderman Impey said this is the flag of our state and if they choose to replace it then the City will fly the new flag over City Hall.

The Mayor said his decision to fly the state flag was out of respect for democracy because the flag was voted on by a majority of Mississippians. The Mayor also said he does believe the state flag needs to be changed but until it does this is the official state flag of Mississippi and as a city inside of Mississippi we should fly the flag.

CONSENT AGENDA and ADDENDUM

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve the Consent Agenda and Addendum with the exception of item (8-d) pulled by Alderman Papania.

Alderman Papania pulled item (8-d) asked to pull the payment of litigation fees for JCUA to Dogan and Wilkinson, PLLC, from the docket of claims (page 22).

Motion was made by Alderman Papania, seconded by Alderman Cox and unanimously carried to accept all other payments on the docket of claims except payment of litigation fees for JCUA to Dogan and Wilkinson, PLLC.

Motion was made by Alderman Impey, seconded by Alderman Blackman to pay the litigation fees for JCUA to Dogan and Wilkinson, PLLC for services rendered as stated on the docket of claims. Aldermen Gill, Authement, Bellman, Cox, Blackman, and Impey voting Aye and Alderman Papania voting Nay. Motion passes. (Item 8-d)

DEPARTMENT REPORTS

Fire Department:

The Fire Chief presented information to the Board at the request of Alderman Blackman as to the cost to change the fire rating from a 5 rating to a 4. One of the requirements would be to have a minimum of (12) twelve men per shift which would require hiring (12) twelve additional firemen. The Fire Chief was given a cost of \$3,679,572.00 to outfit new firemen, certify new firemen, upgrade fire stations, upgrade water system on Lovers Lane to a loop system, upgrade water mains and upgrade fire hydrants. Alderman Blackman thanked the Fire Chief for getting this information together and stated it is a goal to work toward.

Parks & Leisure Services:

The Parks & Leisure Services Director presented a priority list of short term and long term goals for the Ocean Springs Sports Complex and other recreational facilities in the city. (Exhibit 9-a)

Ms. Chapman talked about the use of the 2% funds and that it was intended to be used for improvement of the City's recreational facilities, and public safety when it was passed by the general public. Ms. Chapman would like for the Board to take that in consideration when funding projects.

The Parks & Leisure Services Director mentioned the City has applied for a grant for playground equipment for Little Children's Park. The City was awarded a \$30,000.00 grant. The Planning and Grants Administrator said the National Parks & Recreation Association will be putting out a press release. The Planning and Grants Administrator stated she has been working with Disability Connections toward a Walt Disney sponsored grant called *Meet Me at the Park* that allows the City to work with Disability Connections to purchase and install all accessible play structures. It is a 50/50 match. The match will consist of volunteer hours to install and will work with various departments. It will be a joint effort between the City and Disability Connection.

Alderman Cox asked either the Parks & Leisure Services Director or the Planning and Grants Administrator to reach out to the Knights of Columbus and share this information with them to see if they are still interested in partnering and helping out. Alderman Cox stated even though the funds were returned to the Knights of Columbus they were generous enough to donate the money.

Alderman Cox asked the City Clerk if she has had time to prepare the MOU with the Seabee's. Alderman Cox said this would help stretch the grant money. He said T. J. Moran with Mr. Palazzo's office asked that she or the Mayor contact him.

Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to appoint Paul Kirkland and Yebri Gonzales to the Parks Advisory Board.

Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to appoint Dr. William Pontius, Stephanie Lee, Carlos Barbosa, Matthew Pavlov, and Michael Burns to the Historic Preservation Commission.

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to appoint Seth Braden to the Economic Development Council.

Motion was made by Alderman Cox, seconded by Alderman Impey and unanimously carried to have the City Attorney review the Economic Development Council Ordinance to add positions for the Chamber of Commerce and the Board of Aldermen on the council.

ALDERMEN'S FORUM

Alderman Gill asked the Mayor to contact Singing River Power to add a light at the corner of King Henry and Princess Anne.

Motion was made by Alderman Gill, seconded by Alderman Blackman and unanimously carried to appoint Aldermen Gill, Impey, and Authement to the Human Resources Committee.

Alderman Cox talked about the exit interview committee and who should be on this committee. The Human Resources Director said she feels the Mayor should be included in the exit interview committee. Alderman Gill suggested the Mayor and at least one member of the Human Resources Committee be present during the exit interviews.

Alderman Authement stated he has been contacted about Catchot Place only being blacked over instead of milling. Alderman Authement said Supervisor Troy Ross has looked at this several times and is waiting on an opinion from the City.

Alderman Gill discussed a drainage issue at 1213 Wellington. Alderman Gill said there is an easement between the houses. There was a large tree in the easement and the roots went into the pipes. The tree was cut down to correct that problem now the ditch needs to be cleaned. The Interim Public Works Director will get with the owner of 1213 Wellington and look at the ditch to see what needs to be done.

Alderman Bellman asked when it comes to cutting down trees does the City goes out for bids. The Interim Public Works Director stated said they get one quote and if it is under \$5000.00 that is all that is required by law. Alderman Bellman said if it is an emergency he understands that process but if it is not an emergency why don't we bid it out to get a better price.

Alderman Papania asked the Interim Public Works Director if Public Works is given a list of areas where there are vines, sticks, and brush in the road way due to the rain can they go through with a pole saw and clean these areas up.

Alderman Blackman discussed the building department adopting the 2018 version of the International Building Codes. Alderman Blackman is requesting to have the Boards of Adjustments and Appeals help review the new codes and give their input. Alderman Blackman asked the City Attorney to review the Boards of Adjustments and Appeals Ordinance to add (3) three additional members in order to have each trade in construction represented as well as a banking and finance to help make decisions on that board. He would like add a Registered Design Professional, someone in the Banking and Finance Industry, and a representative from HVAC to the Ordinance.

Alderman Impey sent an email to the Department Heads about the success of the Southern Legislative Family Night Event. He spoke to Representative Zuber told him there was 1300 registered legislators from fifteen southeast states along with their staff and families. Alderman Impey said everyone he spoke to was impressed with the outcome and he wanted to thank everyone who was involved in putting this event together.

EXECUTIVE SESSION

Motion was made by Alderman Cox, seconded by Alderman Blackman 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 Blackman, seconded by Alderman Authement and unanimously carried to remain in executive session to discuss pending litigation at 435 East Beach Drive, potential litigation

Cherokee Cove Lot 17, laws and procedures governing annexation, and current litigation regarding JCUA.

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

Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to recess until 6:00 p.m. on August 15, 2017.

Meeting ended at 9.58 p.m.

City Clerk

Mayor

Date

Date

AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
August 1, 2017 - 6:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATION

- a) Asgard Motorcycle Club Day – August 4, 2017 (Exhibit 3-a)

4. PUBLIC HEARING

- a) Lot Cleaning Hearing – 1014 Robinson Street – Nora E. Kennedy and Clarence Bolling (Exhibit 4-a)
- b) Lot Cleaning Hearing – 1928 Kensington Street – August & Edward Brune (Exhibit 4-b)

5. NEW BUSINESS

- a) Discussion on placing a 4-way stop sign at the corner of Bowen & General Pershing – Susan Mueller (Exhibit 5-a)

6. OLD BUSINESS

- a) Discussion on trees removed from property in front of 285 Holcomb Blvd. – Sharon Brune Weeks (Exhibit 6-a)

7. 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.

8. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 8, 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 July 5, 2017 (Exhibit 8-a)
- b) Approve Minutes: Special Call Meeting July 13, 2017 (Exhibit 8-b)
- c) Approve Minutes: Special Call Meeting July 17, 2017 (Exhibit 8-c)
- d) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 8-d)
- e) Approve Special Event Permit for Ocean Springs Seafood & Music Festival to be held on October 14-15, 2017; Saturday from 4:00 pm to 10:00 pm and Sunday 12:00 pm to 10:00 pm in the Fallo-Pleasant Parking Lot; pending receipt of all permit requirements and proof of General Liability Insurance naming the City as an additional insured; event organizer to pay \$1300.00 for security and \$50.00 for Code Enforcement (Exhibit 8-e)
- f) Approve Special Event Permit for Halfway to Mardi Gras Pub Crawl Event to be held on Saturday, August 26, 2017 from 7:00 to 11:00 pm on Government Street; pending review of insurance requirement from City Attorney; event organizer to pay \$300.00 for security (Exhibit 8-f)

Police Dept.:

- g) Authorize out-of-state travel for Warrants Officer Kevin Egan to attend professional training in Glynco, GA on August 7-11, 2017 (Exhibit 8-g)
- h) Authorize to transfer Patrolman Paul Regan to a Firefighter position with the Ocean Springs Fire Department; effective August 12, 2017; \$10.42 hourly rate then increase to \$11.60 after he graduates from the Academy; one year probationary period; authorize to begin the process of filling the vacant position (Exhibit 8-h)

Fire Dept.:

- i) Authorize resignation of Firefighter Ryan Knobf effective August 6, 2017; authorize to begin the process to fill the vacant position (Exhibit 8-i)
- j) Authorize employment of Corey Carlson as a Firefighter, \$10.43 hourly; effective August 2, 2017; one-year probationary period; pending successful completion of all pre-employment requirements (Exhibit 8-j)
- k) Accept resignation of Firefighter James Steed effective August 7, 2017; authorize to begin the process to fill the vacant position (Exhibit 8-k)

Human Resources/Risk:

City Engineer:

Public Works:

- l) Authorize to hire Charles Claburn, Sewer Department Class C, effective August 12, 2017; \$12.00 hourly rate; one-year probationary status; pending successful completion of all pre-employment requirements (Exhibit 8-l)

Community Development & Planning:

Planning Commission:

- m) Accept Planning Commission's recommendation to approve application for Residential Short Term Rental (STR) Permit located at 710 Magnolia Avenue, PID# 61095002.050, Barbara and Reed Webb (Exhibit 8-m)
- n) Accept Planning Commission's recommendation to approve application for Lot Split to create two (2) parcels located at 7 Mimosa Cove, PID 60132320.000, pending receipt of the final, certified survey, Susan Tolar (Exhibit 8-n)

Building Department:

- o) Authorize out-of-state travel for Ashlee Miller to attend FEMA Flood Class L273 in Live Oak, FL on September 17-22, 2017 as budgeted (Exhibit 8-o)
- p) Accept Tree Protection Committee meeting minutes of July 25, 2017 (Exhibit 8-p)
- q) Accept Code Enforcement Report through July 28, 2017 (Exhibit 8-q)

Parks & Leisure Services:

City Attorney:

Facilities:

H.R. Committee:

Finance Committee:

9. DEPARTMENT REPORTS

Mayor:

City Clerk:

Police:

Fire:

Human Resources/Risk:

City Engineer:

Public Works:

Community Development & Planning:

Building Department:

Parks & Leisure Services:

- a) Update on the short term and long term priority list for the Ocean Springs Sports Complex and other recreational facilities in the City (Exhibit 9-a)

City Attorney:

Facilities:

H.R. Committee:

Finance Committee:

10. ALDERMEN'S FORUM

11. EXECUTIVE SESSION

- a) Pending litigation regarding 435 East Beach Drive
- b) Pending litigation regarding JCUA
- c) Potential litigation regarding Cherokee Cove Lot 17

RECESS UNTIL 6:00 p.m. August 15, 2017

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
August 1, 2017 - 6:00 p.m.**

1. NEW BUSINESS

- a) Appointments to various positions on Boards and Commissions

2. CONSENT

Police Department:

- a) Accept resignation of Patrolman Chris Strong effective August 11, 2017;
authorize to begin the process to fill the vacant position (Exhibit A-2a)