

REGULAR MEETING OF OCTOBER 3, 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 October 3, 2017. The Mayor presiding, Aldermen Cox, Authement, Bellman, Papania, Blackman and Impey were present. Also present was City Clerk Shelly Ferguson and City Attorney Kevin Melchi. Alderman Gill was absent.

The Mayor called the meeting to order.

Rev. Carl King gave the invocation and the Mayor led the Pledge of Allegiance.

ADDENDUM

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

PROCLAMATIONS

The Mayor read a proclamation declaring the month of October, 2017 as **Domestic Violence Awareness Month** in the City of Ocean Springs. The proclamation was presented to Amanda Conde and Melissa Galatas from Adrienne's House. (Exhibit 3-b)

The Mayor read a proclamation declaring the month of October, 2017 as **Down Syndrome Awareness Month** in the City of Ocean Springs. The proclamation was presented to Lorie and James Vogelmeier, and Dana and Laura Drake from the Gulf Coast Down Syndrome Society. (Exhibit 3-c)

The Mayor read a proclamation declaring the week of October 8-14, 2017 as **Fire Prevention Week** in the City of Ocean Springs. The proclamation was presented to Fire Chief Jeff Ponson. (Exhibit 3-a)

The Fire Chief notified everyone that the Fire Department has received a limited number of smoke alarms from the state to hand out to our citizens. If anyone is interested in receiving a smoke alarm call the Fire Department to be placed on a list.

NEW BUSINESS

Mr. Dale Boudreaux, 3712 Bergerac Lane, discussed a citation he received in regards to a permanently constructed basketball goal in the city right-of-way. Mr. Boudreaux said

according to his interpretation of the ordinance, section 21-3-1, the basketball goal does not impose obstruction or hazard for traffic or people walking on the sidewalk. Mr. Boudreaux said it is located on the easement but the public can still use the sidewalk and the street.

Mrs. Boudreaux is appealing the application of this code to the basketball goal located at Cambrai Circle in the Bienville Place Subdivision. Mrs. Boudreaux does not believe this is the intent of the city to remove this basketball goal or any other child's basketball goal throughout Ocean Springs. She is asking the Board to reconsider this action that has been imposed upon her family. Mrs. Boudreaux challenges the interpretation of this ordinance. She said the basketball goal is not on the travelled portion of the street, sidewalk, or public thoroughfare, they live in a cul-de-sac, nor is it adjacent to a thoroughfare in such that it creates an obstruction or hazard. Mrs. Boudreaux also stated that the residents of east Ocean Springs, south of Highway 90, do not have a park to play in or a recreational area. She stated removing basketball goals in neighborhoods without rendering any alternative solution is wrong.

The City Attorney clarified to Mr. and Mrs. Boudreaux that this Board does not enforce or not enforce codes. The Code Enforcement Officer is tasked with these duties just as a police officer enforces traffic. The citation goes to the Municipal Court before the Judge to determine if this is an obstruction or not. The City Attorney stated an option for the Boudreaux's to consider is to apply for a License to Encroach on the right-of-way.

Mrs. Boudreaux asked if code enforcement moves forward with the citation then what action would the Board take to provide a park or recreation area.

Alderman Cox stated the recommendation to apply for the license to encroach the right-of-way would be the best solution.

Alderman Blackman asked the Director of Parks and Leisure Services if there is room at Clay Boyd to add basketball goals. The Parks Director said it is a possibility and she will have the Parks Advisory Board add this to their list of short term needs. (Exhibit 4-a)

John Lee, member of the Civil Service Commission, was asked to come before the Board to explain the selection process of new hires for the City of Ocean Springs. Mr. Lee said the Civil Service Commission rules and procedures are set by the City's Civil Service Commission. Mr. Lee asked the Board to look at the rules Civil Service has established and if they have any questions he would set up a forum with the other Commission members so they Board can ask any questions they have at that time.

The Mayor discussed Public Works currently operating without a Public Works Director and with the Interim Public Works Director being out of the office he appointed Allan Ladnier as the Temporary Field Operations Supervisor, effective September 29th, to work

under the supervision of Candice Hooks. This position is temporary for up to ten weeks provided by Civil Service.

Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to ratify the appointment of Allen Ladnier as the Temporary Field Operations Supervisor effective September 29th, 2017 for up to ten weeks.

PUBLIC COMMENTS

Carl King, Chaplin for Post 42 American Legion, wanted to invite everyone to come out to the Veteran's Day Parade sponsored by the American Legion on October 28, 2017. Mr. King asked for an update regarding review of property behind the Vietnam Memorial at the Ocean Springs Civic Center by the water tower.

The Building Official stated he has not seen the site plan from Mr. King.

Dr. Dixon, 1705 Shelby Lane, spoke about her objection to the state flag.

Mr. Joshua Drummond, Canebrake Drive, came to show support and speak in favor of the basketball goal in the cul-de-sac in his neighborhood.

CONSENT AGENDA and ADDENDUM

Motion made by Alderman Authement, seconded by Alderman Impey and unanimously carried to accept the Consent Agenda and Addendum.

DEPARTMENT REPORTS

The Human Resources Director needs to set up interviews for Public Works Director and asked the Board when they would be able to interview potential candidates. The Board agreed on Monday, October 9, 2017 at 5:30 p.m. The Human Resources Director stated several candidates are out-of-state so they will conduct these interviews through Skype in the Mayor's office. The Board requested the resumes be forwarded to them in advance for review prior to the interviews.

ALDERMAN'S FORUM

Alderman Authement spoke about the passing of Dr. William Pontius who served on the Historical Planning Commission Committee since January of 1993.

Motion made by Alderman Authement, seconded by Alderman Cox and unanimously carried to advertise for vacant position on the Historical Planning Commission Committee.

Alderman Cox discussed a fundraiser the Mary C. O'Keefe Arts and Cultural Center is having on October 13, 2017. Alderman Cox is asking the Board to approve the Special Event Permit application. He said they have already scheduled security for the event and public works will furnish barricades and cut the grass prior to the event.

Motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried to approve the Special Event Permit Application submitted by the Mary C. O'Keefe Arts and Cultural Center for a fundraiser event on Friday, October 13, 2017.

Alderman Cox asked about the lights on Shearwater Bridge. He said they were fixed and all working but when he drove by there again on Monday night all of the lights were out again. The Building Official said he will have the city electrician go back out and check on it and see if it is a timer issue.

Alderman Cox spoke to the Assistant Director of Public Works about the lights on the corner of Reynolds Circle in Heron Bayou. He said he does not have a specific address but said it is very dark and asked her to send someone out to look at it.

Motion was made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to ratify payment up to \$250.00 to Shoemake's Construction for the lights at the Mary C. O'Keefe building.

Alderman Papania said he has spent a lot of time on East Beach with Mr. Duggan regarding the sand and drainage issues in that area.

Alderman Blackman spoke to the Planning and Grants Administrator about the damaged irrigation system by the sidewalk contractor. Alderman Blackman had it checked and the only issue is that pipe sprays water. He will repair this pipe himself by putting a cap on it. The Planning and Grants Administrator will let the contractor know.

Alderman Impey asked Mr. Chic Cody for any updates for Cruisin' the Coast. Mr. Cody said 7,800 cars have already registered for the event. Mr. Cody invited the Mayor and Board to come to Phonecia's to eat Friday night after the sock hop.

The Mayor told Mr. Cody he appreciates all of his hard work for putting this event together and how much he is looking forward to it.

Alderman Impey thanked the Assistant Director of Public Works for her hard work and updates on the Gettysburg-Chalmette ditch and Groveland Road.

The Mayor updated the Board on his recent trip to Washington DC. The Mayor said he went with several mayors from the coast. He said they established relationships with numerous Federal Agencies. The Mayor said if all of the counties work together we can make things happen.

EXECUTIVE SESSION

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to go into closed session to determine the necessity of remaining in executive session.

The City Clerk returned to the Boardroom and announced motion was made by Alderman Papania, seconded by Alderman Bellman and unanimously carried to remain in executive session to discuss litigation regarding JCUA, prospective litigation regarding annexation, pending litigation regarding the Walker property, and selling city owned property.

Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to seek a restraining order and injunction again Scott Walker.

Motion was made by Alderman Bellman, seconded by Alderman Blackman and unanimously carried to come out of closed session.

Motion was made by Alderman Authement, seconded by Alderman Impey and unanimously carried to recess until 6:00 p.m. on October 17, 2017.

The meeting ended at 8:03 p.m.

City Clerk

Mayor

Date

Date

**AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 3, 2017 - 6:00 p.m.**

1. CALL TO ORDER

2. ROLL CALL

3. PROCLAMATIONS

- a) Fire Prevention Week – October 8-14, 2017 (Exhibit 3-a)
- b) Domestic Violence Awareness Month – October, 2017 (Exhibit 3-b)
- c) Down Syndrome Awareness Month – October, 2017 (Exhibit 3-c)

4. NEW BUSINESS

- a) Discussion pertaining to a permanently constructed basketball goal in the city right-of-way at 3712 Bergerac Lane – Dale Boudreaux (Exhibit 4-a)

5. OLD BUSINESS

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 to close the following streets for the Cruisin' the Coast Event on October 5-7, 2017; Washington Avenue, Government Street to Russell Avenue, Church Street from the railroad to Desoto Street, Robinson Avenue from Cash Alley to Church Street, Desoto Street from Cash Alley to Church Street, and Porter Avenue from Bellande Avenue to Jackson Avenue during these times Thursday, October 5th from 7:00 am – 7:00 pm, Friday, October 6th from 7:00 am – 9:00 pm, and Saturday, October 7th from 7:00 am – 7:00 pm (Exhibit 7-a)

City Clerk:

- b) Approve Minutes: Regular Meeting September 5, 2017 (Exhibit 7-b)
- c) Approve Minutes: Special Call Meeting September 7, 2017 (Exhibit 7-c)
- d) Approve Minutes: Special Call Meeting September 14, 2017 (Exhibit 7-d)
- e) Approve payment: Docket of Claims and spread docket summary upon the Minutes (Exhibit 7-e)
(Due to fiscal year end rollover the docket will not be available until Tuesday, October 3, 2017)
- f) Adopt Municipal Compliance Questionnaire and spread upon the minutes (Exhibit 7-f)
- g) Authorize to solicit quotes from banking institutions for a loan of \$425,000.00 to purchase a new Fire Truck for the City of Ocean Springs (Exhibit 7-g)
- h) Ratify check to Mayor Shea Dobson in the amount of \$224.00 for per diem during his trip to Washington D.C. from September 24-27, 2017 (Exhibit 7-h)
- i) Ratify check to Shoemake's Construction, LLC in the amount of \$206.38 to purchase materials for a knee wall at the Mary C. O'Keefe Arts & Cultural Center (Exhibit 7-i)
- j) Approve Run/Walk Permit Application for a 5K and 10K Run/Walk sponsored by Harley Sports LLC on Saturday, January 27, 2018, from 8:30 a.m. – 10:30 a.m., with approved Front Beach/Bridge route; pending approval from all departments (Exhibit 7-j)
- k) Approve Special Event Permit Application for Trick or Treat Down the Street hosted by HOSA on Tuesday, October 31, 2017 from 6:00 pm – 8:00 pm in the streets of downtown Ocean Springs; pending confirmation of street closures on Washington Avenue from Porter Avenue north to Robinson Street and Government Street from Washington Avenue east to Handy Avenue (Exhibit 7-k)

- l) Approve Special Event Permit Application for a WAMA JAMA – Halloween Block Party and Pig Roast to be held on Saturday, October 28, 2017 from 4:00 pm to 8:00 pm in the parking lot between the Community Center and the Senior Center; pending rental of the Senior Center, proof of General Liability Insurance and payment of \$300.00 for security (Exhibit 7-l)
- m) Approve the Special Event Permit Application for “The Lot” Event at the Chamber of Commerce parking lot sponsored by the Ocean Springs Mayor’s Youth Council to be held on October 20, 2017 from 7:00 p.m. – 12:00 a.m. at no cost to the city (Exhibit 7-m)

Police Department:

- n) Accept resignation of Dispatcher Ja’Lisa Wilson effective October 6, 2017; authorize to begin the process to fill the vacant position (Exhibit 7-n)
- o) Accept resignation of Dispatcher Ashleigh Gordon effective October 12, 2017; authorize to begin the process of filling the vacant position (Exhibit 7-o)

Fire Department:

- p) Authorize to remove Firefighter David Wright from probationary status to full time status effective October 3, 2017 (Exhibit 7-p)
- q) Authorize to remove Lieutenants Simon Wagner and Michael Williams from probationary status to full time status effective immediately (Exhibit 7-q)
- r) Authorize to remove Battalion Chief Tim Heath and Ray West from probationary status to full time status effective immediately (Exhibit 7-r)
- s) Authorize to extend the probationary status for Firefighter’s Tony Barnett, William Hatten, and Chance Seymour by (90) ninety days to allow time to complete requirement time of passing the National Registry for First Responder Certification exam (Exhibit 7-s)

Human Resources/Risk Management:

City Engineer:

Public Works:

- t) Authorize to hire Vernon Smith, Street Department Laborer Class C, \$12.50 hourly rate, effective October 16, 2017, one year probationary status, pending successful completion of all pre-employment requirements (Exhibit 7-t)
- u) Authorize to remove Steven Dossett from probationary status to full time status effective October 5, 2017 (Exhibit 7-u)
- v) Authorize to remove Chester Taylor from probationary status to full time status effective October 12, 2017 (Exhibit 7-v)
- w) Authorize to begin the process of filling the vacant Street Department Laborer Class C position (Exhibit 7-w)

Community Development & Planning:

- x) Authorize to ratify execution of Amendment #1 to DMR Sub-Grant Agreement #HCG-2016-001 – National Heritage Area Funding/Replace Historic Flag Plaques at Fort Maurepas – No Cost Time Extension (Exhibit 7-x)

PLANNING COMMISSION:

- y) Approve application for a Residential Short Term Rental Permit located at 200 Washington Avenue, PID #60137508.000, as recommended by the Planning Commission – Lisa Orange (Exhibit 7-y)

Building Department:

- z) Accept Tree Protection Committee Meeting Minutes from September 26, 2017 (Exhibit 7-z)
- aa) Accept Code Enforcement Report through September 29, 2017 (Exhibit 7-aa)
- bb) Approve to issue a Building Permit to Mr. Fred Moran to construct a pier and boathouse located at 310 Shearwater Drive as approved by the Department of Marine Resources (Exhibit 7-bb)
- cc) Authorize the Mayor to sign and execute the contract for the City of Ocean Springs Phase II Stormwater Program Implementation – 2018 with Allen Engineering in the amount of \$16,500.00 (Exhibit 7-cc)

Parks & Leisure Services:

- dd) Approve the Facility Use Agreement with the Ocean Springs Girls Lacrosse for fall practices beginning September 30, 2017 thru November 1, 2017 at Gay Lemon football field (Exhibit 7-dd)
- ee) Approve the Facility Use Agreement with Southern Elite Lacrosse for spring practices beginning January 3, 2018 thru May 3, 2018 at Gay Lemon (Exhibit 7-ee)
- ff) Approve the Facility Use Agreement with Southern Elite Lacrosse for fall academy beginning September 24, 2017 thru November 5, 2017 at Gay Lemon (Exhibit 7-ff)

- gg) Approve the Individual Service Contract for Pottery Instructor, Lisa Fazzio, for a period of (12) twelve months (Exhibit 7-gg)
- hh) Approve the Individual Service Contract for Tennis Instructor, John Sinkins, for a period of (12) twelve months (Exhibit 7-hh)
- ii) Authorize to remove Kody Evans from probationary status to full time status effective October 8, 2017 (Exhibit 7-ii)
- jj) Authorize to remove Archie Heidelberg from probationary status to full time status effective October 8, 2017 (Exhibit 7-jj)

City Attorney:

Facilities:

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:

Building Department:

Parks & Leisure Services:

City Attorney:

Facilities:

H.R. Committee:

Finance Committee:

9. ALDERMEN'S FORUM

10. EXECUTIVE SESSION

- a) Current litigation regarding JCUA

RECESS UNTIL 6:00 P.M. on October 17, 2017

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
REGULAR MEETING
October 3, 2017 - 6:00 p.m.**

1. CONSENT

Mayor:

- a) Approve road closure on Church Street from the railroad track south to Desoto Avenue starting Wednesday, October 4, 2017 at 7:00 a.m. until Sunday, October 8, 2017, time to be determined upon retrieval of the comfort stations (Exhibit A-1a)

City Clerk:

- b) Approve Minutes: Recess Meeting September 19, 2017 (Exhibit A-1b)
- c) Approve Minutes: Special Call Meeting September 28, 2017 (Exhibit A-1c)
- d) Approve Minutes: Special Call Meeting September, 29, 2017 (Exhibit A-1d)
- e) Authorize the transfer of Patrol Officer Windy Wheat to Deputy Court Clerk; \$14.00 hourly rate; effective October 7, 2017; six-month probationary period; authorize the police department to begin the process of filling the vacant patrol position (Exhibit A-1e)
- f) Authorize to adopt the Independent Contract Agreement with Josh Taylor, Attorney, as the court appointed Public Defender at a rate of \$1000.00 per month as budgeted (Exhibit A-1f)

Parks & Leisure Services:

- g) Authorize Compton Engineering, Inc. to proceed with the bid/quote process to elevate the Concession/Restroom building along with an additional restroom space at Highway 57 Sports Complex (Exhibit A-1g)