

## **REGULAR MEETING OF DECEMBER 5, 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 December 5, 2017. Mayor Dobson 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.

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

The Police Chief gave a list of ground rules for the Board of Aldermen meeting. The Police Chief stated the purpose of the meeting is to conduct city business. He also made it clear that if there are any disruptions while someone is speaking they will be arrested. He also stressed that there is a City Ordinance stating you cannot interfere or impede a city employee from performing their duties.

### **OLD BUSINESS**

Alderman Blackman, seconded by Alderman Authement and unanimously carried to adopt a Resolution of the City of Ocean Springs, Mississippi to enter into a contract with Buy A Barricade, LLC. (Exhibit 3-d)

The Mayor pulled items (4-a) from New Business and (6-c) from the Consent Agenda from the Agenda.

Motion made by Alderman Authement, seconded by Alderman Cox to adopt an Amendment to Ordinance No. 13-1976 Rezoning Property Herein Described from C-3 to R-4. Motion passes. (Exhibit 3-a)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Aye</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

Motion made by Alderman Gill, seconded by Alderman Papania to adopt an Amendment to the Code of the City of Ocean Springs, Mississippi Amending Chapter 1 to Collect Additional Fees for Crime Stoppers. Motion passes. (Exhibit 3-b)

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Cox	<u>Aye</u>
Alderman Papania	<u>Aye</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>

The Mayor made a couple of statements about the state flag. The Mayor said he has received several comments from residents over the past few weeks requesting the City focus on City business, roads, infrastructure, and economic development. These residents also stated the state flag issue is a distraction. The Mayor issued a formal challenge to the media to report the whole truth about the state flag issue. The Mayor said the Board has unanimously passed a Resolution requesting a new vote by the state. The Mayor also stated this Board has put their name on a Resolution requesting the state call for a vote requesting a new flag but yet the City just got protested.

Mr. Curley Clark, President of the NAACP in Jackson County, came before the Board to speak for himself as a descendant of slave ancestry and the membership and supporters many of whom are Ocean Springs residents. Mr. Clark stated the black community, in general, is outraged about the decision to require the state flag be flown at city properties across Ocean Springs. Mr. Clark thanked Alderman Rickey Authement for his courageous stand. (Exhibit 3-c)

## **NEW BUSINESS**

The Mayor pulled item (4-a) a discussion about a sprinkler system for a new home construction at 704 Rue Rivage at Mr. Wayne Borries request. Mr. Borries had to go out of town and requested to be moved to the agenda for the December 19, 2017 Recess Meeting. (Exhibit 4-a)

Alderman Authement said he has received some complaints from residents of the Villa Maria about getting out of the parking area on Porter Avenue. Alderman Authement said when cars are parked along the side of Porter Avenue with the big trees they cannot see the direction they need to get out. He discussed placing a convex mirror on Porter Avenue across from the entrance/exit of the Villa Maria.

Motion made by Alderman Authement, seconded by Alderman Gill to get a quote to place a convex mirror on Porter Avenue next to Guyton Place. (Exhibit 4-b)

## **PUBLIC COMMENT**

The Mayor asked if there was anyone present who wanted to speak about anything other than the flag for (3) three minutes. No one came forward.

The Mayor said he is limiting the public comments regarding the state flag issue to (30) thirty minutes. The Mayor said he is doing this in the interest of the City employees and residents who want the Board to get back to City business. The Mayor will call for an opponent and a proponent to speak and each person that comes forward will have (3) three minutes to speak up to the (30) thirty minute limit.

There were (10) ten citizens who spoke against the state flag.

There were (5) five who spoke in favor of the state flag.

## **CONSENT AGENDA**

Motion made by Alderman Impey, seconded by Alderman Authement and unanimously carried to accept the consent agenda except for item (6-c) which was pulled by the Mayor.

## **DEPARTMENT REPORTS**

### **Building Department:**

The Building Official updated the Mayor and Board regarding the trees on Lovers Lane. The Building Official said he received a letter on May 18<sup>th</sup>, 2015 regarding some concerns he had some concerns with access of public safety vehicles. The fire truck was taken to Lovers Lane and there were some choke points that were addressed at that time. On September 9, 2015 a public meeting was held at City Hall where the homeowners from Lovers Lane were invited to come and give their comments and voice their concerns. The Building Official said after this meeting the City and the homeowners had arborists come out and give their expert opinions about the tree. On December 16<sup>th</sup>, 2015 another public meeting was held and the homeowners didn't want anything done with the tree. The former Board asked the Building Official to monitor the tree for continued sagging. Since this time the marker on the tree has been hit and is no longer there for monitoring the tree. The Building Official is requesting the Board to make a decision on what to do with this tree whether to keep monitoring it or removing it.

Motion made by Alderman Authement, seconded by Alderman Impey and unanimously carried to move forward with removing the tree on Lovers Lane.

Alderman Papania supports the idea of moving forward with removing the tree but would like for Alderman Authement to speak to the residents in this area and let them know it's going to be cut down.

Alderman Authement said he has talked to several people and they are concerned about life safety issues with the tree being there.

Alderman Cox said he has talked to someone who lived next door to the tree and has since moved further back on Lovers Lane. Alderman Cox said he was told some of the opinions regarding the tree have changed. He agrees that the City needs to speak to the residents in that area to let them know before cutting it down.

The Building Official gave the Board an update on the Front Beach lighting. The Building Official said an electrical engineer is going to give us an evaluation of the system on Front Beach to include panels and lights. The electrical engineer will give us a report highlighting the pros and cons of what we currently have.

The City Clerk stated we have received our FEMA declaration and a kickoff meeting will be held on December 7<sup>th</sup>, 2017. The City Clerk said we have an estimate on what the Front Beach lighting repairs will be but it will need to be bid out.

Alderman Authement asked if there are any alternatives for the lighting in that section for a short period of time. The Building Official said you could bring some portable lights down there but someone will need to maintain them.

The Mayor said he will get some information of what some temporary lights will cost and get back to the Aldermen with that information.

## **ALDERMEN'S FORUM**

Alderman Authement stated in the event that it rains on December 7<sup>th</sup>, 2017 the Community Center will be used for the Christmas Tree Lighting Event from 6:00 – 8:00 p.m.

Alderman Authement asked the Director of Parks and Recreation if the chess set on Front Beach will be replaced. The Director of Parks and Recreation stated they will be replacing the chess set and storage box with a new one.

Alderman Cox said he felt that regardless of which side of the flag issue you are on the meeting was fair and the citizens conducted themselves very well.

Alderman Papania was contacted by a citizen on Watersedge Edge Drive who is having an issue with a street light at the intersection of Brumbaugh Rd. and Eastland Blvd. This

citizen said the light is shining in their backyard, pool area, and in the bedroom window. Alderman Papania contacted MS Power and asked them to look at it for a recommendation. MS Power's suggestion is to install a LED light at that intersection and direct the light to the street area and away from their yard and house. There will be an additional cost of \$3.03 per month to have the LED light installed.

Motion was made by Alderman Papania, seconded by Alderman Cox and unanimously carried to place a LED light at the corner of Brumbaugh Rd. and Eastland Blvd. at an additional cost of \$3.03 per month.

Alderman Papania said MS Power is interested in changing out the lights in Wards 3 and 4 to LED lights. Alderman Papania is interested in meeting with MS Power to get a proposal and cost estimate to change these lights and bring that information back to the Board.

Alderman Papania made a request to have Dogan & Wilkinson Law Firm to come before the Board at the December 19<sup>th</sup>, 2017 Recess Meeting to discuss their fees.

Alderman Papania asked the Mayor to send a letter to the State Auditor, Stacy Pickering, to request a courtesy audit of the City of Ocean Springs.

Motion made by Alderman Papania, seconded by Alderman Gill and unanimously carried to have the Mayor contact the state auditor's office and request a courtesy audit through the state.

Alderman Blackman asked the Planning and Grants Administrator for an update on the Government Street Sidewalk Project. The Planning and Grants Administrator said the final submittals should be approved this week and pilings should be sent to fabrication after that. She said they are making progress and they are continuing to push them forward.

Alderman Blackman said he met with Bienville Place Subdivision, in Ward 5, and they are ready for some light upgrades. Alderman Blackman said the lights in that subdivision are dim and too far apart. He asked the Mayor to contact Singing River Power Association to request a meeting to discuss options for a lighting upgrade program.

Alderman Impey made a statement about some of the comments made regarding the state flag tonight. Alderman Impey said he does not have a racist bone in his body. In his opinion what makes the City of Ocean Springs special are the character of its people. Alderman Impey doesn't agree with people blanketly criticizing the citizens of Ocean Springs. He also said the flag it is not the problem it is the people who use the flag that are evil and are using it for evil.

## **EXECUTIVE SESSION**

Motion made by Alderman Gill, seconded by Alderman Impey and unanimously carried to go into closed session to determine the necessity of remaining in Executive Session.

The City Clerk returned to the board room and announced a motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to remain in Executive Session to discuss personnel in the Facilities Department and personnel in Public Works Department. Alderman Impey was absent during this vote.

Motion made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to come out of Executive Session and return to the regular meeting.

Motion made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to recess the meeting until 6:00 p.m. on December 19<sup>th</sup>, 2017.

The meeting ended at 8:25 p.m.

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**December 5, 2017 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. OLD BUSINESS**

- a) Adopt an Amendment to Ordinance No. 13-1976 Rezoning Property Herein Described From C-3 to R-4 (Exhibit 3-a)
- b) Adopt an Amendment to the Code of the City of Ocean Springs, Mississippi Amending Chapter 1 to Collect Additional Fees for Crime Stoppers (Exhibit 3-b)
- c) Discussion regarding the state flag – Curley Clark, NAACP (Exhibit 3-c)
- d) Adopt Resolution of the City of Ocean Springs, Mississippi to enter into a contract with Buy A Barricade, LLC (Exhibit 3-d)

**4. NEW BUSINESS**

- a) Discussion regarding sprinkler system for new home construction at 704 Rue Rivage – Wayne Borries (Exhibit 4-a)
- b) Discussion on adding a convex safety mirror on Porter Avenue across from the entrance to the Villa Maria – Alderman Rickey Authement

**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: Special Call Meeting November 17, 2017 (Exhibit 6-a)
- b) Approve payment: Docket of Claims and spread summary on the Minutes (Exhibit 6-b)
- c) Authorize to terminate the status of the Local Emergency enacted by Hurricane Nate (Exhibit 6-c)

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

- d) Authorize removal of Cody Franklin from probationary status to full-time status effective December 6, 2017 (Exhibit 6-d)

**Community Development & Planning:**

- e) Adopt Resolution of the City of Ocean Springs, Mississippi to Deem Portions of Dewey Avenue Abandoned (Exhibit 6-e)

**Planning Commission:**

**Building Department:**

- f) Approve the Tree Protection Committee Meeting minutes from November 28, 2017. (Exhibit 6-f)
- g) Approve Code Enforcement Report through December 1, 2017 (Exhibit 6-g)
- h) Accept the resignation of Diana L. Schmied from the Tree Protection Committee effective immediately (Exhibit 6-h)

**Parks & Recreation:**

**City Attorney:**

**Facilities:**  
**H.R. Committee:**  
**Finance Committee:**

**7. DEPARTMENT REPORTS**

**Mayor:**  
**City Clerk:**  
**Police Department:**  
**Fire Department:**  
**Human Resources/Risk Manager:**  
**City Engineer:**  
**Public Works:**  
**Community Development & Planning:**  
**Building Department:**  
    a) Discussion regarding trees on Lovers Lane (Exhibit 7-a)  
    b) Discussion on Front Beach lighting  
**Parks & Recreation:**  
**City Attorney:**  
**Facilities:**  
**H.R. Committee:**  
**Finance Committee:**

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

- a) Personnel in Facilities Department

**RECESS UNTIL 6:00 P.M. on December 19, 2017**