

## **RECESS MEETING OF MAY 15, 2018**

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Recess Meeting at the Ocean Springs Municipal Police and Court Complex in the City of Ocean Springs at 6:00 p.m. on May 15, 2018. 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.

Rev. Mike Barnett gave the invocation and Boy Scout Troop 271 led the Pledge of Allegiance.

### **ADDENDUM**

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to add the addendum to the agenda.

### **PROCLAMATIONS**

The Mayor read a proclamation proclaiming May 19–25, 2018, as **National Safe Boating Week** in the City of Ocean Springs, MS and presented it to Pam Walters. (Exhibit 3-a)

The Mayor read a proclamation proclaiming May 15, 2018, as **Peace Officers Memorial Day** and the week of May 13-19, 2018, as **Police Week** in the City of Ocean Springs, MS and presented it to the Police Chief. (Exhibit A-1a)

The Mayor read a proclamation proclaiming May 20-26, 2018, as **National Public Works Week 2018** in the City of Ocean Springs, MS and presented it to the Public Works Director. (Exhibit 3-b)

The Mayor asked the City Attorney to explain the ordinance regarding the board meetings. The City Attorney explained that state law on meetings under code 21-3-19 requires the City to have a regular meeting on the first Tuesday of every month. It requires the City to have an ordinance that sets the time and location of the regular meeting. The City's ordinance for the regular meeting is set for 6:00 P.M. at City Hall. The City is not required to have a second meeting. The requirement for a recess meeting is to announce on the minutes that the meeting is recessed and convened at a later time. The City Attorney also stated that the City can hold any of its meetings, other than the Regular meeting, can be held at any location inside the city limits.

## **OLD BUSINESS**

The Planning and Grants Administrator stated this zoning change is for property located at the northeast corner of Hanshaw Road and Highway 90 to be rezoned from the classification of R-1 to C-2, PID #61066001.000, as recommended by the Planning Commission.

Motion was made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to adopt an Ordinance Amending Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described. (Exhibit 5-a)

Motion passes with the following votes.

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 Planning and Grants Administrator stated this zoning change is for property located on the east side of First Avenue, north of Porter Avenue which is currently zoned R-2 (Single-Family Residential) to be changed to R-4 (Multi-Family Residential), as recommended by the Planning Commission. One parcel, PID #60225022.020, is owned by Brian Brouckaert and the other two parcels, PID #60225050.060 and 60225022.010, are owned by Henry B. Zuber, III.

Motion made by Alderman Authement, seconded by Alderman Cox and unanimously carried to adopt an Ordinance Amending Ordinance Nos. 13-1976 and 6-1984 to Rezone Property Herein Described. (Exhibit 5-b)

Motion passes with the following votes.

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>

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda and Addendum with the exception of (6-m) pulled by Alderman Authement.

Alderman Authement tabled (6-m), at the request of the applicant, until the next board meeting to allow him to consider all his options. (Exhibit 6-m)

## **DEPARTMENT REPORTS**

### **City Clerk:**

Motion made by Alderman Cox, seconded by Alderman Impey and unanimously carried to approve payment of the Docket of Claims as presented. (Exhibit 7-a)

## **COMMUNITY DEVELOPMENT & PLANNING**

The Planning and Grants Administrator stated these resolutions are required as part of the application process for the State Transportation Improvement Plan (STIP) funding. The Planning and Grants Administrator stated there are (3) three projects that we are proposing to do. The first project is for improvements on Ocean Springs Road which was developed through a study the county facilitated and funded. This will be the first phase which is entirely in the city limits. She said the county is also offering to commit to the required 20% construction match and finalizing the preliminary engineering. The City will have maintenance requirements and if any right of way acquisition is necessary the City will be responsible for these costs. The City will be responsible for managing the project.

The other (2) two projects we are requesting would require a 20% match from the City. The second one is for the sidewalk on East Beach with the same configuration that was previously presented so she can put this in the pedestrian portion of the (STIP). The third resolution is for a study encouraged by the Gulf Regional Planning Commission as far as the use of funds in order to facilitate good projects. The Planning and Grants Administrator is proposing a wayfinding study so we can look at the City as a whole.

Motion made by Alderman Gill, seconded by Alderman Impey and unanimously carried to adopt a Resolution of the City of Ocean Springs Authorizing the Filing of an Application for Federal Funding for Ocean Springs Road Improvements and Committing the Necessary Non-Federal Match for the Project and Stating the Assurance of the City of Ocean Springs to Activate the Project in FY19 and Begin Construction by FY20. This is for option 1 that covers Ocean Springs Road from Highway 90 to Rod and Reel Street. (Exhibit 7-b)

Motion made by Alderman Gill, seconded by Alderman Impey and unanimously carried to adopt a Resolution of the City of Ocean Springs Authorizing the Filing of an Application for Federal Funding for Ocean Springs Road Improvements and Committing the Necessary Non-Federal Match for the Project and Stating the Assurance of the City of Ocean Springs to Activate the Project in FY19 and Begin Construction by FY20. This is for option 2 which is an alternate for GRPC to consider if the higher cost reduces the viability of the full scope of Phase 1. This proposal, Option 2, would cover the same activity with the physical scope ending at Culeoka. (Exhibit 7-b)

Motion made by Alderman Papania, seconded by Alderman Blackman and unanimously carried to adopt a Resolution of the City of Ocean Springs Authorizing the Filing of an Application for Federal Funding for East Beach Sidewalk and Committing the Necessary Non-Federal Match for the Project and Stating the Assurance of the City of Ocean Springs to Activate the Project in FY19 and Begin Construction by FY19. (Exhibit 7-b)

Motion made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to adopt a Resolution of the City of Ocean Springs Authorizing the Filing of an Application for Federal Funding for City-wide Wayfinding Study and Committing the Necessary Non-Federal Match for the Project and Stating the Assurance of the City of Ocean Springs to Activate the Project in FY19 and Begin Construction by FY19. (Exhibit 7-b)

## **PUBLIC COMMENT**

Ms. Nancy Murphy, 125 Bryant Street, read an article her son wrote regarding the history of the state flag and his disapproval of flying the state flag.

Ms. Linda Mabry, 23 Sweetgrass Lane, finished reading the article written by Ms. Murphy's son regarding the history of the state flag and his disapproval of flying the state flag.

Mr. James Lewis, 805 Canebreak Drive, talked about handicapped people riding in motorized wheelchairs or scooters in the streets at night without any flags. Mr. Lewis asked the board to look into this issue.

Mrs. Judy Thurman, 1700 Warren Drive, stated her questions were answered when item (6-m) was tabled.

Mr. Fred Thurman, 1700 Warren Drive, stated he was there for item (6-m) which was tabled. Mr. Thurman clarified the item was tabled until the applicants decide to appeal or placed on the next agenda.

Ms. Tina Sullivan, 1115 Porter Avenue, came to say she really appreciated the Mayor and Alderman Authement hearing her concerns about the drainage issues at her home on the corner of Porter and Kotzum Avenue by looking into ways of alleviating the water running

onto her property. Ms. Sullivan also thanked the Building Official and the Public Works Director for all of their hard work looking into this issue.

Mr. Greg Gipson, Ward 1, spoke against flying the state flag and asked that everyone come together to discuss this issue and agree to disagree in a respectful manner. Mr. Gipson mentioned the noise issue around Mr. Ronald Vincent's house and commented that nothing has been done to rectify this issue.

Mr. Jay Rustin, 6506 Shoshonee Drive, waived his right to speak.

Mr. Scott Mellgren, 3819 Bergerac Lane, came to discuss a way to reduce the train noise. Mr. Mellgren talked about directional wayside horns that go toward the road making it a no blow zone.

## **DEPARTMENT REPORTS cont.**

The Mayor asked the Public Works Director and the Building Official for an update on the dog park. The Public Works Director said his crews got the area cleared today. The Building Official gave an update on the fence for the dog park based on the current concept. The Director of Parks and Recreation stated she obtained some cost estimates for shade structures for the dog park. The Planning and Grants Administrator stated she has found a grant opportunity for the dog park and stated it would be helpful to have a cost estimate and conceptual design to submit with the application that is due next month.

The Director of Parks and Recreation asked for a date change to item (6-v) on the agenda. She is requesting the hire date for Demaurio Preyear from May 17, 2018 to May 16, 2018.

Motion made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to move the hire date for Demaurio Preyear from May 17, 2018 to May 16, 2018. (Exhibit 6-v)

## **ALDERMEN'S FORUM**

Alderman Gill discussed hiring an engineering company to move the dog park forward. Alderman Gill said the City needs specifications on what kind of fence, the weight of the fence, how deep to place the fence, how high the fence should be, what color should the fence be, etc. He also stated they would come back with the specifications for the foundations, pavilion, bathrooms, and the utility lines that need to be run. Alderman Gill said after we receive the specifications then each aspect of the job can be bid out.

Motion made by Alderman Gill, seconded by Alderman Papania to authorize the City Clerk to negotiate a contract with Garner Russell and Associates to design specifications for the dog park. Motion passes with Aldermen Gill, Authement, Bellman, Papania, and Blackman voting aye and Aldermen Cox and Impey voting nay.

Alderman Gill mentioned Public Works needing equipment and additional workers to get drainage projects that keep getting pushed back completed. The Mayor said he is still working on getting inmates from Harrison County.

Alderman Authement asked for an update on the Porter Avenue Infrastructure Project. The Planning and Grants Administrator said the gas company completed their work. She also said there are a lot of issues with water lines not being in the right place or in the condition they were supposed to be. She said Public Works will be working with the contractor to get our water lines fixed or in place. She will update the Board on the timeline as soon as she gets an update from the contractor.

Motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried for Aldermen Authement and Cox pay for half the cost and Public Works pay the other half of \$4600.00 to move the light pole on Wulfe Street.

Motion made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to move forward with removing the three lights currently on Steelman Road and replace them with LED lights and face them accordingly for a cost increase of \$9.90 per month added to our Mississippi Power bill.

Alderman Papania stated he supports Alderman Gill's statement about getting Public Works additional equipment and manpower because he too has some drainage projects and sinkholes that need to be repaired.

Alderman Blackman asked the Planning and Grants Administrator for an update on the Government Street Sidewalk Project. She said there is a supplemental agreement the City needs to approve before moving ahead with the driveway work. The Planning and Grants Administrator said she hopes to have the agreement from MDOT to propose at the next meeting.

The Mayor notified the Board that we just found out that the sales tax for the month of March were the third highest month for sales tax in the history of Ocean Springs.

## **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 motion made by Alderman Cox, seconded by Alderman Authement and unanimously carried to remain in Executive Session to discuss current litigation with JCUA.

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

Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to adjourn the meeting until 6:00 p.m. on June 5, 2018.

Meeting ended at 7:35 p.m.

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City Clerk

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Mayor

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Date

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Date

**AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
May 15, 2018 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) National Safe Boating Week May 19-25, 2018 – Pam Walters (Exhibit 3-a)
- b) National Public Works Week May 20-26, 2018 (Exhibit 3-b)

**4. NEW BUSINESS**

**5. OLD BUSINESS**

- a) Adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending 13-1976 and 6-1984 to facilitate zoning change, PID #61066001.000 (Exhibit 5-a)
- b) Adopt an Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi Amending 13-1976 and 6-1984 to facilitate zoning change, PID #60225050.060, PID #60225022.010, and #60225022.020 (Exhibit 5-b)

**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: April 30, 2018 Special Call Meeting (Exhibit 6-a)
- b) Adopt Resolution to Set Rules for Meetings of the Mayor and Board of Aldermen (Exhibit 6-b)
- c) Approve the Special Event Permit Application for the Ocean Springs Lions Club Front Beach Walk on Sunday, June 3, 2018 from 12:00 p.m. – 5:00 p.m. (Exhibit 6-c)

**Police Dept.:**

- d) Authorize employment of James Martin, Corrections Officer, hourly rate \$12.50, effective May 16, 2018, pending completion of all pre-employment requirements (Exhibit 6-d)

**Fire Dept.:**

- e) Accept Monthly Fire Report for April 13, 2018 through May 9, 2018 (Exhibit 6-e)
- f) Declare Fellowes Cosmic 95 Laminator, Asset 2283, as surplus, no value to the City and dispose of asset (Exhibit 6-f)

**Human Resources/Risk Management:**

- g) Authorization is requested to accept the Building Insurance Renewal in the amount of \$213,337.41, as presented by Lemon-Mohler Insurance Agency (Exhibit 6-g)

**City Engineer:**

**Public Works:**

- h) Authorize termination of probationary employee 2303, Water Department Laborer Class C, effective May 4, 2018, and begin the process to fill the vacant position (Exhibit 6-h)



- i) Authorization to hire Tyshaun Harris, Sewer Department Laborer Class B, hourly rate \$12.50, effective May 16, 2018, pending all pre-employment requirements (Exhibit 6-i)
- j) Authorization to hire six (6) temporary employees for up to 12 weeks, hourly rate \$10.00, for Street Department Grass Cutters, total cost \$32,000.00 which would be funded by general fund ending balance (Exhibit 6-j)
- k) Accept retirement of Larry Gossett, Electrician. The exact date of retirement will be determined upon adequate training period of replacement and authorize to begin the process of filling the vacant position, salary range \$32,000 - \$48,000 (Exhibit 6-k)

**Community Development & Planning:**

- l) Authorization to execute access easement on City-owned PID #60127820.000 to adjacent property located at 2513 Promenade Blvd. (Exhibit 6-l)
- m) Accept Zoning and Adjustment Board's recommendation for denial of a variance to allow a proposed lot to have less than the minimum lot area, 1802 Kensington Ave., PID #61125020.000 – Drummond Real Estate and JHS Enterprises Inc. (Exhibit 6-m)
- n) Accept Historic Preservation Commission's recommendation to approve the repair or replacement of roofing material, 219 Washington Ave., PID #61360001.000 – Greg and Joanna Worch (Exhibit 6-n)
- o) Authorization to execute DMR Tidelands Grant Agreement in the amount of \$95,000.00 (Exhibit 6-o)

Planning Commission:

- p) Accept Planning Commission's recommendation to approve lot split located at 802 Iberville Dr., PID #6103000.000, Laura Bolton (Exhibit 6-p)
- q) Accept Planning Commission's recommendation to approve lot split located at 500 Bienville Blvd., PID #60224020.000, Infinity Management Group (Exhibit 6-q)

**Building Department:**

- r) Accept Tree Protection Committee Minutes – May 8, 2018 (Exhibit 6-r)
- s) Accept Code Enforcement Report through May 11, 2018 (Exhibit 6-s)
- t) Authorize demolition of structure permit located at 1802 Kensington Ave. (Exhibit 6-t)

**Parks & Recreation:**

- u) Accept the resignation of Kody Evans, Maintenance, effective May 17, 2018; authorize to fill the vacant position (Exhibit 6-u)
- v) Authorization to hire Demaurio Preyear, hourly rate \$12.00, Maintenance, effective May 17, 2018, pending completion of all pre-employment requirements (Exhibit 6-v)

**City Attorney:**

**7. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

- a) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 7-a)

**Police Dept.:**

**Fire Dept.:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) Resolutions – Application for 2019-2022 Transportation Improvement Plan Funding (Exhibit 7-b)

**Building Dept.:**

**Parks & Recreation:**

**City Attorney:**

8. **PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. The Board will take all comments under advisement to take potential action at a later date if warranted. Priority will be given to Ocean Springs residents and Business Owners.*

9. **ALDERMEN'S FORUM**

10. **EXECUTIVE SESSION**

**ADJOURN until 6:00 p.m. on June 5, 2018**

**ADDENDUM TO AGENDA  
MAYOR AND BOARD OF ALDERMEN  
CITY OF OCEAN SPRINGS  
RECESS MEETING  
May 15, 2018 - 6:00 p.m.**

1. **PROCLAMATION:**

- a) Peace Officers Memorial Day - May 15, 2018; Police Week – May 13-19, 2018  
(Exhibit A-1a)

2. **CONSENT AGENDA**

**City Clerk:**

- a) Authorize to refund Kiara Davison \$200.00 for the deposit made for rental of the Civic Center on April 27-28, 2018 (Exhibit A-2a)
- b) Ratify check to Thurmon “Wade” Morgan, City Planner, in the amount of \$71.10 for mileage reimbursement to the Planning Conference in New Orleans, LA on April 22-24, 2018 (Exhibit A-2b)

**Public Works:**

- c) Adopt Resolution Naming Authorized Representative and Authorizing Submittal of the Loan Application (Exhibit A-2c)