

## RECESS MEETING OF NOVEMBER 20, 2018

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 20, 2018. Mayor Dobson presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, and Blackman were present. Alderman Impey was absent. Also present were Deputy City Clerk Ryheen Brown and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

Alderman Papania gave the invocation and the Mayor led the Pledge of Allegiance.

### PROCLAMATION

The Mayor read a proclamation proclaiming **November 24, 2018 as Small Business Saturday** in the City of Ocean Springs (Exhibit 3-a).

### OLD BUSINESS

Motion was made by Alderman Gill and seconded by Alderman Papania to adopt **Ordinance No. 2018-27 An Amendment to the Code of Ordinances for the City of Ocean Springs, Mississippi, Amending Chapter 7.5, Article II, Regarding the Cemetery Board** as presented (Exhibit 4-a). The motion carried with a roll call vote as follows:

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>Absent</u>

Alderman Blackman requested that the proposed Ordinance to Amend Ordinances 2016-06 and 2017-04 which established Leisure and Recreation Districts regarding revisions to the Porter Avenue Arts & Entertainment District (Exhibit 4-b) be tabled to modify the boundaries of the proposed expansion.

The Building Official presented the 2018 Urban Forest Challenge Grant Ocean Springs City Arborist Position Agreement (Exhibit 4-c) and explained that it is a 50/50 grant

awarded by the Mississippi Forestry Commission in the amount of up to \$28,000.00, with a required city match of up to \$28,000.00 for a total of up to \$56,000.00 for the salary and benefits to fund an Arborist position for one year. Motion

was made by Alderman Blackman and seconded by Alderman Authement to authorize the grant contingent upon the City Clerk finding the funding in the budget to cover the cost. Motion carried with Aldermen Authement, Bellman, Cox, Papania, and Blackman voting aye and Aldermen Gill voting nay.

The Building Official explained the need to move forward with the award of the Stormwater Management Plan Request for Qualifications (RFQ) because the stormwater report is due to MDEQ in late January. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to negotiate with Neel-Schaffer for the stormwater management plan.

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to appoint Monte Tynes as the Municipal Prosecutor.

Motion was made by Alderman Blackman, seconded by Alderman Papania and unanimously carried to appoint Calvin Taylor as the Municipal Judge.

## **CONSENT AGENDA**

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with the exception of item (Exhibit 5-q) which was pulled by Alderman Bellman.

The Public Works Director requested that truck #45 be removed from the surplus list because it might be repairable. Motion was made by Alderman Papania, seconded by Alderman Bellman and unanimously carried to approve the surplus list with truck #45 removed (Exhibit 5-q).

## **DEPARTMENT REPORTS**

### **CITY CLERK:**

Motion was made by Alderman Papania, seconded by Alderman Authement and unanimously carried to approve payment of the Docket of Claims and spread the summary upon the minutes (Exhibit 6-a).

## **COMMUNITY DEVELOPMENT & PLANNING:**

The Planning/Grants Administrator gave an update of the Ocean Springs Front Beach Living Shoreline, DMR Tidelands – FY18-P501-05OS (Exhibit 6-b). She also requested authorization to execute agreement for the new grant award – FY19-P412-01-OS and to request amended application to modify the scope of DMR Tidelands as previously directed (Exhibit 6-c).

Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to authorize the Mayor to execute the DMR Tidelands – FY19-P412-01-OS agreement and to direct the Planning/Grants Administrator to work with Renee Collini of the Northern Gulf of Mexico Centennial Site Cooperative, a program associated with NOAA, operating out of the Mississippi State Extension Service in Biloxi, to determine what type of study should be requested in an amended application.

## **PUBLIC COMMENT**

Mr. YaYa Mohammad addressed the board about some problems with his property located at 904 Handy Avenue. He explained that he had a trailer parked on his property and the city had put a notice on the trailer indicating that it was abandoned but Mr. Mohammad claimed it was not. Subsequently the trailer was towed by the Police Department. Alderman Authement said that the trailer did not have a license plate and was located partially on city right-of-way. The Mayor explained that this issue will be discussed in executive session.

Margo Poston explained that she works with the Grand Bay National Estuarine Reserve, a program associated with NOAA in partnership with DMR. She offered help to consult with staff on stormwater issues.

## **ALDERMEN'S FORUM**

Alderman Gill explained that there is a drainage problem on Hanley Road due to the buildup of asphalt which the Public Works Director has estimated will cost \$2,600.00 to repair. Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to request the Jackson County Board of Supervisors to fund the repair of the drainage work on Hanley Road at the cost of \$2,600.00.

Alderman Authement asked when the appointment of the Municipal Judge would take effect considering that there will be court tomorrow night. The Mayor suggested that the appointment take place for the first court in December. Motion was made by Alderman Authement, seconded by Alderman Bellman and unanimously carried that the new Municipal Judge will take the seat on December 5, 2018.

Alderman Cox gave an update on the repair of Mr. Jerry Goff's property at 176 Linda Circle and said that Mr. Carl King and a crew of volunteers came today to see the property and will address the issues with Mr. Goff providing the supplies and material for the repairs.

Alderman Cox said that he is working to get an estimate for leveling the ground at the dog park and that Jackson County will hydro seed the area and clean out the pond. Alderman Gill explained that Overstreet Engineering will bid out the dog park in eight different categories.

Alderman Blackman reported that bids have been received for the solid waste services request for proposals. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried for the Mayor to contact the three bidders for solid waste services and enter into negotiations to begin the process.

Alderman Blackman announced that there will be a dinner hosted by the Wold family at the Civic Center from 11:00 a.m. to 3:00 p.m. on Thanksgiving Day for first responders that have to work on the holiday.

#### **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 Deputy City Clerk returned to the meeting and announced that a motion was made by Alderman Blackman, seconded by Alderman Papania and unanimously carried to remain in executive session to discuss 830 Handy Avenue potential legal action and East Beach litigation.

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to authorize the City Attorney to draft correspondence regarding 830 Handy Avenue.

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

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to adjourn until 6:00 p.m. on December 4, 2018

Meeting ended at 7:12 p.m.

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City Clerk

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Mayor

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**RECESS MEETING**  
**November 20, 2018 - 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. PROCLAMATION**

- a) Small Business Saturday – November 24, 2018 (Exhibit 3-a)

**4. OLD BUSINESS**

- a) Adopt an Ordinance Amending the Code of Ordinances Chapter 7.5, Article II regarding the Cemetery Board (Exhibit 4-a)
- b) Adopt an Ordinance to Amend Ordinances 2016-06 and 2017-04 which established Leisure and Recreation Districts regarding revisions to the Porter Avenue Arts & Entertainment District (Exhibit 4-b)
- c) Authorize 2018 Urban Forest Challenge Grant OS City Arborist Position Agreement (Exhibit 4-c)
- d) Discussion of Request for Qualifications (RFQ) for Stormwater Management Plan
- e) Discussion of Request for Qualifications (RFQ) for Municipal Judge and Municipal Prosecutor

**5. 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:**

- a) Approve Run/Walk Permit Application for SMATF Bridge-for-Life HIV Run/Walk Event scheduled for Saturday, December 1, 2018 from 7:00 a.m. – 12:00 p.m., Front Beach Pathway and OS Bridge; no costs incurred by the City (Exhibit 5-a)
- b) Approve Run/Walk Permit Application for Christmas 1 Mile Fun Run & K Event scheduled for Saturday, December 15, 2018 from 8:00 a.m. – 12:00 p.m., Front Beach Pathway and OS Bridge; no costs incurred by the City (Exhibit 5-b)
- c) Adopt resolution to provide services to assist individuals in the City of Ocean Springs and Jackson County in conjunction with Disability Connection (Exhibit 5-c)

**City Clerk:**

- d) Approve Minutes: Regular Meeting November 6, 2018 (Exhibit 5-d)
- e) Approve Minutes: Special Call Meeting November 14, 2018 (Exhibit 5-e)
- f) Ratify per diem check in the amount of \$168.00 for Police Investigation Lt. Bruce Spearnock travel (Exhibit 5-f)
- g) Ratify per diem check in the amount of \$168.00 for Police Investigation St. Leonard Ordonedeze travel (Exhibit 5-g)
- h) Adopt resolution to match donated funds to the Historic Ocean Springs Association (HOSA) in the amount of \$3,000.00 (Exhibit 5-h)

**Police Department:**

- i) Authorize to declare 2010 Bad Boy XT LSV (Electric), VIN# 52PX94T30AN001115, as surplus, of no value to the City, not needed for public purpose; remove from City assets and send to auction (Exhibit 5-i)

**Fire Department:**

- j) Accept Monthly Fire Department Report (Exhibit 5-j)

**Human Resources/Risk:**

- k) Authorize promotion of Firefighter Randall Cuevas to the position of Lieutenant; \$16.15 hourly rate; effective December 1, 2018; six month probationary period (Exhibit 5-k)
- l) Authorize removing Patrolman Emily Dawson from probationary status to full time status effective November 9, 2018 (Exhibit 5-l)
- m) Authorize removing Dispatcher Kimberly Johnson from probationary status to full time status effective November 10, 2018 (Exhibit 5-m)
- n) Authorize hire of Charles Rhodes, Patrolman (certified), effective December 3, 2018; \$16.83 hourly rate; one year probationary period; pending successful completion of all pre-employment requirements (Exhibit 5-n)
- o) Accept resignation of Police Detective Gregory McClellon, effective November 30, 2018; authorize beginning the process to fill the vacancy (Exhibit 5-o)
- p) Accept resignation of General Admin Clerk Donna Jowers, effective December 7, 2018; authorize beginning the process to fill the vacancy (Exhibit 5-p)

**City Engineer:**

**Public Works:**

- q) Authorize to declare list of vehicles, tools and items as surplus, of no value to the City, not needed for public purpose; remove from City assets and send to auction (Exhibit 5-q)

**Community Development & Planning:**

- r) Adopt resolution to terminate contract with O'Brian Construction, LLC, for reasons other than default (Exhibit 5-r)

**Planning Commission:**

- s) Approve the Preliminary Plat of Spanish Cove Subdivision, PID #S 60135060.000, 60135060.020, 60135060.030, North side of Old Spanish Trail, approximately 375 feet West of Hanshaw Road, as recommended by the Planning Commission – Elliot Land Development, LLC - applicant; Kenneth Jones, representative (Exhibit 5-s)

**Historic Preservation Commission:**

- t) Approve a Certificate of Appropriateness for construction of a parallel parking bay at 1303 Bowen Avenue / Bowen Historic District, as recommended by the Historic Preservation Commission – Jeffrey Desommes, Applicant (Exhibit 5-t)
- u) Approve a Certificate of Appropriateness for exterior modifications of the dwelling at 1215 Sunset Drive / Marble Springs Historic District, as recommended by the Historic Preservation Commission – Jeff and Ellen Hall, Applicants (Exhibit 5-u)

**Building Department:**

- v) Accept Tree Protection Committee Meeting Minutes from November 13, 2018 (Exhibit 5-v)
- w) Accept Code Enforcement Report through November 23, 2018 (Exhibit 5-w)

**Parks & Leisure Services:**

**City Attorney:**

**6. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

- a) Approve payment: Docket of Claims and spread summary upon the Minutes (Exhibit 6-a)

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

- b) OS Front Beach Living Shoreline, DMR Tidelands – FY18-P501-05OS Status (Exhibit 6-b)
- c) Authorization to execute agreement and authorization to request amended application to modify scope, DMR Tidelands – FY19-P412-01-OS (Exhibit 6-c)

**Building Department:**

**Parks & Leisure Services:**

**City Attorney:**

7. **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.*

#### **8. ALDERMEN'S FORUM**

#### **9. EXECUTIVE SESSION**

- a) Non-Compliance at 830 Handy Avenue (Exhibit 9-a)

**ADJOURN UNTIL 6:00 P.M. on December 4, 2018**