

RECESS MEETING OF FEBRUARY 18, 2020

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 February 18, 2020. The Mayor presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Police Chief Mark Dunston, Fire Chief Derek McCoy, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Assistant Director Allan Ladnier, Parks & Recreation Director Geri Straight, Human Resources & Risk Management Director Mindy McDowell, Deputy City Clerk Vicky Hupe and Executive Assistant to the Mayor & Board Meggan Brown.

The Mayor called the meeting to order.

Mr. James Lewis gave the invocation and the Mayor led the Pledge of Allegiance.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to accept the agenda.

PROCLAMATION

The Mayor declared February 23 -29, 2020 as "National Montessori Education Week" (Exhibit 3-a).

The Mayor recognized the Ocean Springs High School Greyhounds Soccer Team for their 2019-2020 State Championship victory (Exhibit 3-b).

PUBLIC HEARING

The Planning & Grants Administrator explained that the Ordinance is an amendment to sections of the Unified Development Code relating to flood damage prevention (Chapter 2: Section 2.16.6; Chapter 2: Section 2.36; Chapter 4: Section 4.14; and Chapter 7: Section 7.2) (Exhibit 4-a) which has been revised per MEMA. Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to go into Public Hearing.

No public comments. Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to come out of Public Hearing.

Motion was made by Alderman Impey and seconded by Alderman Blackman to adopt an Ordinance: an amendment to sections of the Unified Development Code relating to flood damage prevention (Chapter 2: Section 2.16.6; Chapter 2: Section 2.36; Chapter 4: Section 4.14; Chapter 7: Section 7.2, and to add Appendix 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>Aye</u>

PRESENTATION

Doug Walker gave an update on the new YMCA facility in Harrison County and asked for Board support with the state legislators to give BP funds for the project.

LaWanda Jones and Sara Harstvedt asked the Board and the Ocean Springs community to support Relay for Life Jackson County taking place Friday, May 1, 2020 from 6:00 p.m. until 10:00 p.m. at the St. Martin Football Stadium.

OLD BUSINESS

Alderman Cox recused himself from the discussion and vote concerning the reappointment of an Ocean Springs School Board member. Motion was made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to reappoint OS School Board Member Joe Cloyd, finding he is a "bona fide resident and qualified elector of the Ocean Springs School District"; term expiring February 28, 2025.

Alderman Authement tabled the discussion of a donation to the Light House Dyslexia School, because more information is needed.

NEW BUSINESS

The Planning & Grants Administrator explained that the Preliminary Engineering scope and requirements by MDOT have been reviewed and that the contract for the East Beach Sidewalk is acceptable. Alderman Papania requested a sketch when the design is completed by Compton Engineering to present to the public. Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to authorize the Mayor to execute the Preliminary Engineering Contract with Compton Engineering, Inc.; MDOT STP 9061-00(003) LPA 108085-701000 East Beach Sidewalk (Exhibit 7-a).

Laurence Leyens from Urban Development Toolbox prepared a draft Redevelopment Plan and said a Public Hearing will be held March 18, 2020. He supplied a copy of the draft to be kept in the Clerk's office at City Hall to be available to the public by request. Motion was

made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adopt a Resolution: Tax Increment Financing – Draft Redevelopment Plan and schedule the Public Hearing March 18, 2020 (Exhibit 7-b).

CONSENT AGENDA

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with the exception of items 8-c, 8-l, 8-o, 8-p and 8-v.

- a) Approve time change for Jim Franks Fun Run held on Saturday, February 29, 2020 time changed from 8-10:00 a.m. changed to 3:00 p.m. to 6:00 p.m. (Exhibit 8-a)
- b) Approve Run/Walk permit application for Zebra Run for MDS Foundation on Saturday, February 29, 2020 at 8:00 a.m. until 10:00 a.m.; on the Bridge; no cost to the City, applicant pays associated event cost (Exhibit 8-b)
- c) Ratify check to Community Bank of Mississippi in the amount of \$59,109.74 for Mary C. O'Keefe roof loan final payment (Exhibit 8-c)
- d) Approve Minutes: Regular Meeting February 4, 2020 (Exhibit 8-d)
- e) Accept Monthly Police Department Report for January 2020 (Exhibit 8-e)
- f) Authorize out of state travel for employee # 2287; February 15-16, 2020 in Lafayette, LA for Instructor Training for CPR/First Aid/AED; Expenses are budgeted (Exhibit 8-f)
- g) Authorize out of state travel for Reserve Officers #202 and #203; March 18-19, 2020 in Montgomery, AL for Survive & Thrive, Protecting you and fellow officers; Tuition is free, expenses are budgeted (Exhibit 8-g)
- h) Authorize out of state travel for employee # 1687; March 30 – June 5, 2020 in Nashville, TN for School of Police Staff & Command at Northwestern University; Expenses are budgeted (Exhibit 8-h)
- i) Authorize out of state travel for employee # 1686; April 29-30, 2020 in Murfreesboro, TN for Internet: Investigations & Intelligence; Expenses are budgeted (Exhibit 8-i)
- j) Accept monthly Fire Department Report for January 2020 (Exhibit 8-j)
Human Resources/Risk Management
- k) Human Resources action items (Exhibit 8-k):
 - a. Authorize removal of Captain Ryan Lemaire, Lieutenant Josh Fox, Lieutenant Steven Dye, Sergeant Nicole Shavers and Sergeant Chris Bryan from probationary status to full time status effective February 9, 2020
 - b. Authorize removal of Patrolman Alex Nandin and Patrolman Barbi Barnes from probationary status to full time status effective February 11, 2020
 - c. Authorize employment of Sheenon Rhome, Part-Time Patrolman, \$13.00 hourly rate, effective on or about February 19, 2020, pending successful completion of all pre-employment requirements
 - d. Authorize removal of Sewer Collection System Operator Tyler Taylor from probationary status to full time status effective February 11, 2020
 - e. Authorize employment of Cameron Watson, Sewer Collection System Operator, Step 1, \$12.50 hourly rate, effective February 19, 2020; one year

probationary status, pending successful completion of all pre-employment requirements

- l) Authorize to Request Reallocation of Remaining Funding to the FY18 Front Beach Living Shoreline Project (Fort Bayou Dredging) / Authorize to Execute Amendment #2 for the current Engineering Contract with Allen Engineering & Science (OS Front Beach Living Shoreline) (Exhibit 8-l)
- m) Approve transfer of Parcel ID #61469016.000 Stillwater Bluff Subdivision – Hanshaw Road (Exhibit 8-m)
- n) Authorize to Execute Supplemental Agreement #2 and Quantity Adjustment #1 with D. O'Brian Construction, LLC. (Government Street Improvement Project) Pending MDOT Concurrence (Exhibit 8-n)
- o) Adopt Resolution to accept donated property PID #60128780.025 3070 Bienville Blvd. for Steelman Lane Improvements (Exhibit 8-o)
- p) Approve request of a lot split at 414 Martin Avenue (Exhibit 8-p)
- q) Approve request for the use of gravel for a commercial parking lot; 1117-B Bienville Blvd. (Exhibit 8-q)
- r) Approve request of building setback variances for 510 Magnolia Avenue (Exhibit 8-r)
- s) Accept Building Department January 2020 Permit Report (Exhibit 8-s)
- t) Accept Tree Protection Committee meeting minutes from February 11, 2020 (Exhibit 8-t)
- u) Approve Code Enforcement Report through February 14, 2020 (Exhibit 8-u)
- v) Approve the Fireworks Display Agreement with J&M Displays for the annual 4th of July show to be held on Friday, July 3, 2020 (Exhibit 8-v)
- w) Approve Facility Agreement for Ocean Springs Girls Softball League for use of Sports Complex Softball fields #1 and #4 and Gay Lemon Softball Fields from February to May, 2020 (Exhibit 8-w)

Alderman Papania pulled item 8-c to ask about the warranty that was provided when the roof was replaced at the Mary C. O'Keefe Cultural Center. Motion was made by Alderman Papania, seconded by Alderman Cox and unanimously carried to ratify the check to Community Bank of Mississippi in the amount of \$59,109.74 for the Mary C. O'Keefe Cultural Center roof loan final payment (Exhibit 8-c).

Alderman Papania pulled item 8-l; he asked the Planning & Grants Administrator why there is a \$10,000 increase when the Living Shoreline Project is still in phase one. She replied that Allen Engineering has had unanticipated expenditures related to extended review and coordination with the Corps of Engineers. She further explained that the Fort Bayou Dredging project was complete pending purchase of the permanent marker and has an unobligated balance. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to authorize the request to reallocate remaining funding to the FY18 Front Beach Living Shoreline Project (Fort Bayou Dredging) and to authorize to execute Amendment #2 for the current Engineering Contract with Allen Engineering & Science (OS Front Beach Living Shoreline) (Exhibit 8-l).

The Planning & Grants Administrator requested item 8-o be pulled and submitted an amended Resolution to change the business name to TC Ocean Springs Realty, LLC. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to adopt a resolution to accept donated property PID #60128780.025; 3070 Bienville Blvd. for Steelman Lane Improvements; amended version (Exhibit 8-o).

Alderman Authement pulled item 8-p, request for a lot split at 414 Martin Avenue. He asked the Planning & Grants Administrator if both lots are conforming. She replied that they are both conforming. Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to approve the request for a lot split at 414 Martin Avenue (Exhibit 8-p).

The City Attorney pulled item 8-v, the fireworks display agreement. She advised that section 11 of the agreement states that the contract is to be governed by the laws of the State of Iowa, but should be changed to Mississippi. Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve the Fireworks Display Agreement with J&M Displays for the annual 4th of July show to be held on Friday, July 3, 2020, contingent upon section 11 reflecting Mississippi law applies (Exhibit 8-v).

DEPARTMENT REPORTS

MAYOR:

The Mayor requested that the Human Resources Committee meet to move forward with the Public Works Director vacant position.

The Executive Assistant to the Mayor & Board said she has met with three experts about the condition of the Crepe Myrtle trees in the median of Highway 90 in Ocean Springs (Exhibit 9-a1). She reported that two of the three agreed it was Black Sooty Mold and aphids, not Bark Scale. All experts agreed the trees are suffering from poor drainage and over-crowding. The Board requested that she get an estimate to remove some of the most infected trees before a decision is made.

CITY CLERK:

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve the Docket of Claims; the Board finds that all expenses are lawful and appropriate (Exhibit 9-a).

POLICE DEPARTMENT:

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to authorize the purchase of a new Telex console and equipment for Ocean Springs Dispatch for \$56,476.29 funded from the forfeitures account (Exhibit 9-b).

PARKS & RECREATION:

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to authorize transferring the remaining balance of \$34,344.00 from the Dog Park Project to cover the attached unbudgeted cost for projects at other Parks facilities (Exhibit 9-c).

PUBLIC COMMENT

James Lewis, 805 Canebrake Drive, said the signs in Walmart parking lot are in need of repair and refreshing. The Mayor said that he would notify Walmart because the City is not permitted to complete the work on private property.

Mark Garriga, Ward Avenue, expressed concerns about the approved lot split at 414 Martin Avenue.

ALDERMAN'S FORUM

Alderman Gill said that during the last budget the Board approved for a landscaper to be hired by Public Works but they have not been hired yet. The City Clerk explained that there was a new hire listed as a Street Laborer, and he would be utilized in both streets and landscaping.

Alderman Authement asked the City Clerk for an update on the grass cutting bid; she replied the bids will be opened March 10th. He then asked the Building Official for an update on 1014 Robinson Street. The Building Official replied that four certified letters have been sent and the City of Ocean Springs will hold a meeting March 3, 2020, at 6:00 p.m. to determine the progress and possible demolition of the home.

Alderman Authement said he has been approached by the Inlet to get a modification of the grease trap size minimum for a deli-style restaurant. Roy McKinsey, Four Bulls Meat Seafood Deli, said there will be no fried foods and disposable place settings will be used. He said that he has had an architect review and reported that a 250 gallon grease trap would be more than adequate rather than the 500 gallon minimum in the Ordinance. Motion was made by Alderman Authement and seconded by Alderman Blackman to approve modification from 500 gallon grease trap requirement to 250 gallon grease trap for Four Bulls Meat Seafood Deli at the Inlet because the circumstances permit modification with the contingency that Public Works inspect the trap after the first six months of operation to determine the proper capacity. The motion carried with Aldermen Gill, Authement, Bellman, Cox, Blackman and Impey voting aye; Alderman Papania voting nay.

Alderman Bellman inquired about the second round of Jackson County paving and requested a paving list be provided.

Alderman Cox reminded all that the Ocean Springs Night Mardi Gras Parade will be this Friday, February 21, 2020. He asked Public Works to check the lights at the American Legion Post, he said they are out now.

Aldermen Blackman reiterated Alderman Bellman's request to contact Jackson County for a paving list and schedule.

Alderman Impey reminded all that in the next few weeks each CTX crossing will be closed 2-3 days. He said there has been a Public Hearing set for April 7, 2020 for 110 Yellowstone Circle to determine demolition of property (Exhibit 11-a).

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 going into executive session.

The City Clerk returned to the meeting and announced that a motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to remain in executive session to discuss pending litigation for Chaney v. Ocean Springs, Illanne, et al. v. Ocean Springs, The Sands v. Ocean Springs, Sumrall v. Ocean Springs, and Reynolds v. Ocean Springs.

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the City Prosecutor to pursue the full amount of \$9,800.00 in restitution from the Reynolds traffic accident.

Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to move forward to dismiss the 2020 Illanne appeal and request sanctions from the court.

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

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adjourn the meeting until 6:00 p.m. on March 3, 2020.

Meeting ended at 8:46 p.m.

Patty Easton
City Clerk

03/03/2020
Date

Shirley Olson
Mayor

03/03/2020
Date

RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
February 18, 2020 – 6:00 p.m. at City Hall

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. PROCLAMATION

- a) National Montessori Education Week – February 23-29, 2020 (Exhibit 3-a)
- b) Ocean Springs 201-2020 Greyhound Soccer Team State Championship (Exhibit 3-b)

4. PUBLIC HEARING

- a) Amendment to Sections of the Unified Development Code relating to Flood Damage Prevention (Chapter 2: Section 2.16.6; Chapter 2: Section 2.36; Chapter 4: Section 4.14; and Chapter 7: Section 7.2) (Exhibit 4-a)

5. PRESENTATIONS

- a) YMCA – Update – Rob Kirkland and Doug Walker
- b) Relay for Life Jackson County – American Cancer Society

6. OLD BUSINESS

- a) Discussion to reappoint OS School Board Member Joe Cloyd finding he is a “bona fide resident and qualified elector of the Ocean Springs School District”
- b) Discussion of a donation to the Light House Dyslexia School by means of allowing them to occupy space owned by the city to conduct testing and schooling for the Dyslexic

7. NEW BUSINESS

- a) Authorize the Mayor to execute Preliminary Engineering Contract with Compton Engineering, Inc.; MDOT STP 9061-00(003) LPA 108085-701000 East Beach Sidewalk (Exhibit 7-a)
- b) Adopt Resolution: Tax Increment Financing – Draft Redevelopment Plan and scheduling the Public Hearing March 18, 2020 (Exhibit 7-b)

8. CONSENT AGENDA * *Consent Agenda – All matters listed under 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 time change for Jim Franks Fun Run held on Saturday, February 29, 2020 time changed from 8-10:00 a.m. changed to 3:00 p.m. to 6:00 p.m. (Exhibit 8-a)
- b) Approve Run/Walk permit application for Zebra Run for MDS Foundation on Saturday, February 29, 2020 at 8:00 a.m. until 10:00 a.m.; on the Bridge; no cost to the City, applicant pays associated event cost (Exhibit 8-b)

City Clerk:

- c) Ratify check to Community Bank of Mississippi in the amount of \$59,109.74 for Mary C. O’Keefe roof loan final payment (Exhibit 8-c)
- d) Approve Minutes: Regular Meeting February 4, 2020 (Exhibit 8-d)

Police Department:

- e) Accept Monthly Police Department Report for January 2020 (Exhibit 8-e)
- f) Authorize out of state travel for employee # 2287; February 15-16, 2020 in Lafayette, LA for Instructor Training for CPR/First Aid/AED; Expenses are budgeted (Exhibit 8-f)
- g) Authorize out of state travel for Reserve Officers #202 and #203; March 18-19, 2020 in Montgomery, AL for Survive & Thrive, Protecting you and fellow officers; Tuition is free, expenses are budgeted (Exhibit 8-g)
- h) Authorize out of state travel for employee # 1687; March 30 – June 5, 2020 in Nashville, TN for School of Police Staff & Command at Northwestern University; Expenses are budgeted (Exhibit 8-h)
- i) Authorize out of state travel for employee # 1686; April 29-30, 2020 in Murfreesboro, TN for Internet: Investigations & Intelligence; Expenses are budgeted (Exhibit 8-i)

Fire Department:

- j) Accept monthly Fire Department Report for January 2020 (Exhibit 8-j)

Human Resources/Risk Management

- k) Human Resources action items (Exhibit 8-k):
 - a. Authorize removal of Captain Ryan Lemaire, Lieutenant Josh Fox, Lieutenant Steven Dye, Sergeant Nicole Shavers and Sergeant Chris Bryan from probationary status to full time status effective February 9, 2020
 - b. Authorize removal of Patrolman Alex Nandin and Patrolman Barbi Barnes from probationary status to full time status effective February 11, 2020
 - c. Authorize employment of Sheenon Rhome, Part-Time Patrolman, \$13.00 hourly rate, effective on or about February 19, 2020, pending successful completion of all pre-employment requirements
 - d. Authorize removal of Sewer Collection System Operator Tyler Taylor from probationary status to full time status effective February 11, 2020
 - e. Authorize employment of Cameron Watson, Sewer Collection System Operator, Step 1, \$12.50 hourly rate, effective February 19, 2020; one year probationary status, pending successful completion of all pre-employment requirements

Community Development & Planning:

- l) Authorize to Request Reallocation of Remaining Funding to the FY18 Front Beach Living Shoreline Project (Fort Bayou Dredging) / Authorize to Execute Amendment #2 for the current Engineering Contract with Allen Engineering & Science (OS Front Beach Living Shoreline) (Exhibit 8-l)
- m) Approve transfer of Parcel ID #61469016.000 Stillwater Bluff Subdivision – Hanshaw Road (Exhibit 8-m)
- n) Authorize to Execute Supplemental Agreement #2 and Quantity Adjustment #1 with D. O'Brian Construction, LLC. (Government Street Improvement Project) Pending MDOT Concurrence (Exhibit 8-n)
- o) Adopt Resolution to accept donated property PID #60128780.025 3070 Bienville Blvd. for Steelman Lane Improvements (Exhibit 8-o)

Planning Commission:

- p) Approve request of a lot split at 414 Martin Avenue (Exhibit 8-p)
- q) Approve request for the use of gravel for a commercial parking lot; 1117-B Bienville Blvd. (Exhibit 8-q)

Zoning & Adjustments Board:

- r) Approve request of building setback variances for 510 Magnolia Avenue (Exhibit 8-r)

Building Department:

- s) Accept Building Department January 2020 Permit Report (Exhibit 8-s)
- t) Accept Tree Protection Committee meeting minutes from February 11, 2020 (Exhibit 8-t)
- u) Approve Code Enforcement Report through February 14, 2020 (Exhibit 8-u)

Parks & Recreation:

- v) Approve the Fireworks Display Agreement with J&M Displays for the annual 4th of July Show to be held on Friday, July 3, 2020 (Exhibit 8-v)
- w) Approve Facility Agreement for Ocean Springs Girls Softball League for use of Sports Complex Softball fields #1 and #4 and Gay Lemon Softball Fields from February to May, 2020 (Exhibit 8-w)

9. DEPARTMENT REPORTS

Mayor:

City Clerk:

- a) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 9-a)

Police Department:

- b) Authorize the purchase of new Telex console and equipment for Ocean Springs Dispatch for \$56,476.29 funded from the forfeitures account (Exhibit 9-b)

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

Planning Commission:

Building Department:

Parks & Recreation:

- c) Authorize transferring the remaining balance of \$34,344.00 from the Dog Park Project to cover the attached unbudgeted cost for projects at other Park facilities (Exhibit 9-c)

City Attorney:

10. 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.*

- Please identify yourself before speaking into the microphone.

11. ALDERMEN'S FORUM

12. EXECUTIVE SESSION

- a) Chaney v. Ocean Springs
- b) Illanne, et al. v. Ocean Springs
- c) The Sands v. Ocean Springs
- d) Sumrall v. Ocean Springs
- e) Reynolds v. Ocean Springs

ADJOURN UNTIL 6:00 P.M. on March 3, 2020