

## **RECESS MEETING OF DECEMBER 15, 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 December 15, 2020. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, Papania, Blackman, and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Fire Chief Derek McCoy, Police Chief Mark Dunston, Human Resources & Risk Management Director Mindy McDowell, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladnier, Parks & Recreation Director Stephen Glorioso, and Executive Assistant to the Mayor & Board Meggan Brown.

The Mayor called the meeting to order.

Stephen DeFazio gave the invocation and the Mayor led the Pledge of Allegiance.

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to accept the agenda and the addendum.

### **PRESENTATIONS**

The Mayor recognized and gave a Proclamation to the Human Resources & Risk Management Director for receiving the "Lifetime Achievement Award" from the Gulf Coast Human Resource Association.

The Planning & Grants Administrator said the Wayfinding Study has been completed and copies will be available to the Board and on the website. The study will give the City a blueprint of how to better improve signage for vehicles and pedestrians throughout the City. Christian Preus presented an overview of the completed Wayfinding Study of Ocean Springs.

### **PUBLIC HEARINGS**

Item 4-a) Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to open the Public Hearing for an amendment to the Unified Development Code (UDC) to revise the chapter pertaining to location, maintenance and removal of trees and related purposes to include a required permit application fee for the removal of tree(s) (Exhibit 4-a).

The Planning & Grants Administrator said the Planning Commission recommended approval. She said this will add an application fee for tree removal applications. She said the ordinance would not list the price but would reference a fee schedule so that if the cost were to change in the future an ordinance amendment would not be required. She said currently the fee would be set at \$25.00 per application.

**EXHIBIT # 8-c**

No public comment was received.

Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to close the Public Hearing.

Motion was made by Alderman Gill and seconded by Alderman Authement to adopt an amendment to the UDC to revise the chapter pertaining to location, maintenance and removal of trees and related purposes to include a required permit application fee for the removal of tree(s) (Exhibit 4-a).

The motion carried with a roll call vote as follows:

Alderman Gill	Aye
Alderman Authement	Aye
Alderman Bellman	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

The City Attorney said since it was a unanimous vote, the amendment would be effective immediately.

Item 4-b) Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to open the Public Hearing for an amendment to the Unified Development Code (UDC) to revise the chapter non-residential and multi-family design review and for related purposes to include a required permit application fee (Exhibit 4-b).

The Planning & Grants Administrator said the Planning Commission recommended approval. She said this will add an application fee for design review. She said the ordinance would not list the price but would reference a fee schedule so that if the cost were to change in the future an ordinance amendment would not be required. She said currently the fees would be set: \$100 for under 10,000 square feet of commercial development or 100 dwelling units in multifamily; and \$250 for over 10,000 square feet of commercial development or 100 dwelling units in multifamily.

No public comment was received.

Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to close the Public Hearing.

Motion was made by Alderman Gill and seconded by Alderman Authement to adopt an amendment to the UDC to revise the chapter non-residential and multi-family design review and for related purposes to include a required permit application fee (Exhibit 4-b).

The motion carried with a roll call vote as follows:

Alderman Gill	Aye
Alderman Authement	Aye
Alderman Bellman	Aye
Alderman Cox	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

The City Attorney said since it was a unanimous vote, the amendment would be effective immediately.

## **AGENDA PUBLIC COMMENT**

Nicole and Perry Walton, agenda item 6-a, requested continued support to the Lighthouse Academy.

Stephanie Anderson, agenda item 6-a, supports continued funding for the Lighthouse Academy.

## **OLD BUSINESS**

Traci Barrientos requested the City continue to support Lighthouse Academy, a 501c3 nonprofit, with rent and utilities for the remainder of the lease term (Exhibit 6-a). She said the school is at maximum capacity, bringing new consumers into Ocean Springs. She said they have been good stewards of the property by repairing broken windows, fixing a drainage issue, and pressure washing the building. Alderman Impey said that he is happy the school is doing well in Ocean Springs but doesn't agree with the continued financial support because it is essentially double taxation for the citizens of Ocean Springs, especially when two-thirds of the students do not live in Ocean Springs. Motion was made by Alderman Authement and seconded by Alderman Gill to approve a donation of \$6,000 in rent and \$3,000 in utilities that are being made to match monetary and in-kind donations from outside sources as required per Mississippi law. The motion carried with Aldermen Gill, Authement, Bellman, Cox, Papania and Blackman voting aye; and Alderman Impey voting nay.

The Building Official said he has requested opinions regarding the tree at Fort Maurepas from four arborists (Exhibit 6-b). He said only two would give an opinion or risk assessment due to liability concerns and both have declared the tree as high risk. Alderman Authement asked if the tree could be trimmed to reduce weight to save the tree. Alderman Blackman said the root system of the tree had been cut many years ago to install a sidewalk and asked if the tree could be stabilized with cables to allow for recovery time. Alderman Papania asked for a report on what could be done to save the tree. The Building Official said the arborists have not been willing to give an opinion that would save the tree. John Howell, a previous Ocean Springs Tree Committee member, said the tree is a hazard and his opinion is there is no mitigation for the tree. Stephen DeFazio, Northwood Church, recommended if the tree is

removed to repurpose the wood. The City Attorney said from a liability stand point, the City should follow the recommendation and cut the tree. The Aldermen requested the Building Official get more information and to table the discussion until the next meeting.

The Mayor said that Northwood church would like to donate 500 chairs to the City to be used at the Civic Center. He said storage of the currently used chairs is an issue but recommended building a storage facility or possibly a travel trailer for storage. Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to adopt a Resolution accepting 500 chairs donation from Northwood Church (Exhibit 6-c).

## **NEW BUSINESS**

The Parks & Recreation Director said Northwood Church would like to install paddle handle panic bars on the side doors of the Civic Center that would allow for exit from inside the building but would prevent entering the building from the outside. Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to authorize Northwood Church to install panic bars on the side doors of the Civic Center at their expense (Exhibit A-1a).

Motion was made by Alderman Blackman and seconded by Alderman Cox to reject the MOU and the Resolution with the Friends of the Mary C and to not move forward with further negotiations (Exhibit 7-a). The motion carried with Aldermen Gill, Bellman, Cox, Papania, Blackman and Impey voting aye; and Alderman Authement voting nay.

The City Attorney said she and the Arts & Cultural Coordinator gave the Board two options for the purchase of lighting and sound equipment for the Trent Lott Theater (Exhibit 7-b). Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to adopt a Resolution to purchase sound equipment and lighting equipment in an amount not to exceed \$40,000 for the Trent Lott Theater with 2% funds. Motion was made by Alderman Gill, seconded by Alderman Cox and unanimously carried to add the price quotes for the sound and lighting equipment to the minutes.

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to adopt a Resolution and authorize an MOU between the City of Ocean Springs and the Mississippi Songwriter's Alliance (Exhibit A-1b).

## **CONSENT AGENDA**

Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to approve the Consent Agenda.

- a) Approve traffic control for a special event (2 patrol officers) for Blue Knights from Washington Ave. at Highway 90 to Upper Elementary; Thursday, December 17, 2020

- at 12:30 p.m.; no cost to the City, the applicant pays associated event cost (Exhibit 8-a)
- b) Authorize Mayor to Execute 2021 lease agreement with Acadian Ambulance Service for the property at 1491 Deana Road (Exhibit 8-b)
  - c) Authorize to extend the resolution proclaiming the existence of a local emergency enacted October 26, 2020 regarding Hurricane Zeta (Exhibit 8-c)
  - d) Approve Minutes: Recess Meeting November 17, 2020 (Exhibit 8-d)
  - e) Approve Minutes: Regular Meeting December 1, 2020 (Exhibit 8-e)
  - f) Approve Minutes: Special Call Meeting December 3, 2020 (Exhibit 8-f)
  - g) Accept monthly OSPD Report for November 2020 (Exhibit 8-g)
  - h) Authorize retiring Lieutenant Bruce Spearnock to purchase his duty weapon for \$1.00; GLOCK Model 43, Serial #BFHB543 (Exhibit 8-h)
  - i) Accept monthly Fire Department Report for November 2020 (Exhibit 8-i)
  - j) Accept Human Resources Committee Meeting Minutes December 7, 2020 (Exhibit 8-j)
  - k) Authorize and execute MOU to become a Learning Partner with Waldorf University (Exhibit 8-k)
  - l) Approve Crozat Minor Subdivision Final Plat; Planning Commission recommends approval – 335 Lovers Lane PID# 60224200.000 (Exhibit 8-l)
  - m) Approve Certificate of Appropriateness for an outdoor kitchen and dining structure; 310 Shearwater Drive PID# 60130620.000; Historic Preservation Commission recommends approval (Exhibit 8-m)
  - n) Accept Building Department November 2020 Permit Report (Exhibit 8-n)
  - o) Approve Tree Department recommendations – Tree Applications through December 8, 2020 (Exhibit 8-o)
  - p) Approve Code Enforcement Report through December 10, 2020 (Exhibit 8-p)
  - q) Approve Facility Use Agreement for Halstead Tennis Courts for Ocean Springs School district; waive all court usage fees from January 2, 2021 until May 31, 2021 (Exhibit 8-q)
- A-2a) Authorize approval of agreement with Relay for services outlined in agreement to be paid through seizure funds; and authorizing Police Chief to execute on behalf of the City (Exhibit A-2a)

## **DEPARTMENT REPORTS**

### MAYOR:

The Mayor brought up off the floor, Alpha Eagle Solar requested feedback on the presentation to the Board regarding adding solar power to the Police and Fire Departments' buildings. The Board replied they are not interested in proceeding at this time.

### CITY CLERK:

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

#### HUMAN RESOURCES:

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve the RFQ for a Technical Consultant at the Mary C with the change of required experience to five years of community or professional theater experience (Exhibit 9-b).

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to appoint Technical Consultant selection committee members: Alderman Cox, the Mayor, the Parks & Recreation Director and the Arts & Culture Coordinator.

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve a budget amendment to fund a Technical Consultant position at the Mary C for the remainder of the fiscal year.

The Human Resources & Risk Management Director gave a Hurricane Zeta property insurance claim update. She said the claim is still in process but the City will receive a \$50,000 claim advancement. She said the ball field lights alone had approximately \$250,000 in damages but they are still doing a claim assessment so the total amount of damages is not yet available. The City Clerk added that there is a \$40,000 wind deductible and FEMA may pay a percentage of the deductible as they have done in the past.

#### Zoning Adjustment Board:

The Planning & Grants Administrator said the property owners of an empty lot downtown that are currently doing a pop up dining experience outside but would like to have a more permanent experience and would like to add metal storage containers to house the kitchen and bathrooms but the dining would still be outdoors. She said the UDC does not allow all metal exterior, so the Planning Department denied design review. She said that is why it is an appeal. Motion was made by Alderman Blackman, seconded by Alderman Papania and unanimously carried to deny the appeal of ZAB for the use of metal as a sole exterior wall surface at 1401 Government Street PID# 60119426.000 (Exhibit 9-c).

#### Building Department:

The Building Official said Storm Water training is required each year for permitting and he completed the training during the first meeting in December.

Alderman Bellman said that he has spoken with the homeowner at 2369 Davidson Road regarding the tree to be removed. He said the homeowner is elderly and walks to the mailbox, where the tree is a tripping hazard. He said she planted the tree and would like to remove it now. Motion was made by Alderman Bellman, seconded by Alderman Gill and unanimously carried to the approve appeal for tree removal at 2369 Davidson Road (Exhibit 9-f)

#### Public Works:

The Public Works Director said the City's water wells at City Hall and Halstead Road need to be repaired. He said it has become an emergency now that two of the five City wells are

down, if any other issues occur it would be a dire situation. Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to adopt a Resolution approving and authorizing emergency repairs to the pump and column on potable water well at City Hall (Exhibit 9-d).

Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to adopt a Resolution approving and authorizing emergency repairs to the Halstead Road water well (Exhibit 9-e).

#### PARKS:

The City Clerk said she would prefer to keep all Mary C expenses in its own line item and the Mary C requires a Custodian. Motion was made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to approve a transfer of budgeted funds from the Parks Department to the Mary C. O'Keefe Cultural Center for part-time custodian/rental facility attendant and begin the process to fill the vacancy (Exhibit 9-g).

### **GENERAL PUBLIC COMMENT**

None

### **ALDERMAN'S FORUM**

Alderman Gill said he and the Special Events Coordinator added a manger scene to the area with Christmas lights at the intersection of Washington Avenue and Government Street with help from the Fire Department and Public Works which he thanked. He said he would like to see downtown Ocean Springs be able to have lighting festivities in the next few years but to do that phase one would need \$1,150 to get started. Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to approve \$165.00 from each ward fund for a lighting project downtown.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to approve \$1,000 of Ward 5 funds to the Bayou Sauvolle HOA to repair street lights damaged during Hurricane Zeta in the city right of way entrance to the subdivision to help protect public safety.

Alderman Impey thanked Public Works for the placement of the Christmas flags on Highway 90. He asked the Public Works Director about the debris cleanup completion. The Public Works Director said the City has completed debris clean up.

Alderman Papania wished everyone a Merry Christmas.

Alderman Blackman asked for a Finance Committee meeting, scheduled for Thursday, December 17<sup>th</sup> at 5:30 pm.

## EXECUTIVE SESSION

Motion was made by Alderman Gill, 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 Blackman, seconded by Alderman Gill and unanimously carried to remain in executive session to discuss potential litigation regarding the Friends of the Mary C as such discussions would hinder the City's litigation position.

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to come out of executive session where the following motion was taken:

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to authorize the City Attorney to issue a demand letter to the Friends of the Mary C to return within 15 days all inventory removed upon the Friends vacating the building to include kitchen and theater equipment.

Motion was made by Alderman Impey, seconded by Alderman Bellman and unanimously carried to adjourn the meeting until 6:00 p.m. on January 5, 2021

Meeting ended at 8:28 p.m.

Betty Maston 1/19/2021  
City Clerk Date

Steve Mason 1/19/2021  
Mayor Date





**RECESS MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**December 15, 2020 – 6:00 p.m. at City Hall**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PRESENTATIONS**

- a) Gulf Coast Human Resource Association recipient of 'Lifetime Achievement Award' – Human Resources & Risk Management Director Mindy McDowell (Exhibit 3-a)
- b) Wayfinding Study Report presented by Christian Preus

**4. PUBLIC HEARINGS**

- a) An amendment to the Unified Development Code (UDC) – to revise the chapter pertaining to location, maintenance and removal of trees and related purposes to include a required permit application fee for the removal of tree(s); Planning Commission recommends approval (Exhibit 4-a)
- b) An amendment to the Unified Development Code (UDC) – to revise the chapter non-residential and multi-family design review and for related purposes to include a required permit application fee; Planning Commission recommends (Exhibit 4-b)

**5. AGENDA PUBLIC COMMENT** *\*\* The Public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes, **ONLY regarding issues listed on this agenda.** The Board will take all comments under advisement for potential action if warranted. Please identify yourself and agenda item.*

**6. OLD BUSINESS**

- a) Discuss additional donation of rent and utilities for Lighthouse Academy for Dyslexia's Spring 2021 semester pursuant to lease Section III (Exhibit 6-a)
- b) Discussion of Tree Risk Assessment Report of damaged Live Oak at Fort Maurepas (Exhibit 6-b)
- c) Adopt Resolution accepting chair donation from Northwood church (Exhibit 6-c)

**7. NEW BUSINESS**

- a) Adopt Resolution and Authorize MOU between the City of Ocean Springs and the Friends of the Mary C and accepting theater and recording studio equipment donation (Exhibit 7-a)
- b) Adopt Resolution to purchase additional sound and lighting equipment for the Trent Lott Theater with 2% funds (Exhibit 7-b)
- c) Adopt Resolution and Authorize MOU between the City of Ocean Springs and the Mississippi Songwriter's Alliance (Exhibit 7-c)

- 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 traffic control for special event (2 patrol officers) for Blue Knights from Washington Ave. at Highway 90 to Upper Elementary; Thursday, December 17, 2020 at 12:30 p.m.; no cost to the City, applicant pays associated event cost (Exhibit 8-a)

**City Clerk:**

- b) Authorize Mayor to Execute 2021 lease agreement with Acadian Ambulance Service for property at 1491 Deana Road (Exhibit 8-b)
- c) Authorize to extend the resolution proclaiming the existence of a local emergency enacted October 26, 2020 regarding Hurricane Zeta (Exhibit 8-c)
- d) Approve Minutes: Recess Meeting November 17, 2020 (Exhibit 8-d)
- e) Approve Minutes: Regular Meeting December 1, 2020 (Exhibit 8-e)
- f) Approve Minutes: Special Call Meeting December 3, 2020 (Exhibit 8-f)

**Police Department:**

- g) Accept monthly OSPD Report for November 2020 (Exhibit 8-g)
- h) Authorize retiring Lieutenant Bruce Spearnock to purchase his duty weapon for \$1.00; GLOCK Model 43, Serial #BFHB543 (Exhibit 8-h)

**Fire Department:**

- i) Accept monthly Fire Department Report for November 2020 (Exhibit 8-i)

**Human Resources/Risk Management**

- j) Accept Human Resources Committee Meeting Minutes December 7, 2020 (Exhibit 8-j)
- k) Authorize and execute MOU to become a Learning Partner with Waldorf University (Exhibit 8-k)

**Planning Commission:**

- l) Approve Crozat Minor Subdivision Final Plat; Planning Commission recommends approval – 335 Lovers Lane PID# 60224200.000 (Exhibit 8-l)

**Historic Preservation Commission**

- m) Approve Certificate of Appropriateness for an outdoor kitchen and dining structure; 310 Shearwater Drive PID# 60130620.000; Historic Preservation Commission recommends approval (Exhibit 8-m)

**Building Department:**

- n) Accept Building Department November 2020 Permit Report (Exhibit 8-n)
- o) Approve Tree Department recommendations – Tree Applications through December 8, 2020 (Exhibit 8-o)
- p) Approve Code Enforcement Report through December 10, 2020 (Exhibit 8-p)

**Parks & Recreation:**

- q) Approve Facility Use Agreement for Halstead Tennis Courts for Ocean Springs School district; waive all court usage fees from January 2, 2021 until May 31, 2021 (Exhibit 8-q)

## 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:

### Fire Department:

### Human Resources/Risk Manager:

- b) Approve RFQ for a Technical Consultant at the Mary C. O'Keefe, appoint members to serve on selection committee, and budget amendment in the amount of \$5,850 for the remainder of FY20-21 (Exhibit 9-b)

### City Engineer:

### Community Development & Planning:

### Zoning Adjustment Board

- c) Approve appeal of the Planning Department Denial of the use of metal as a sole exterior wall surface – 1401 Government Street PID# 60119426.000 (Exhibit 9-c)

### Public Works:

- d) Adopt Resolution approving and authorizing emergency repairs to the pump and column on potable water well at City Hall (Exhibit 9-d)
- e) Adopt Resolution approving and authorizing emergency repairs to Halstead water well (Exhibit 9-e)

### Building Department:

- f) Appeal for tree removal at 2369 Davidson Road (Exhibit 9-f)

### Parks & Recreation:

- g) Approve transfer of budgeted funds from the Parks Department to the Mary C. O'Keefe Cultural Center for part-time custodian/rental facility attendant and begin the process to fill vacancy (Exhibit 9-g)

### City Attorney:

- 10. GENERAL PUBLIC COMMENT** \*\* *The public is invited to address the Board regarding issues NOT listed on this agenda, 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.*

## 11. ALDERMEN'S FORUM

## 12. EXECUTIVE SESSION

**ADJOURN UNTIL 6:00 P.M. on Tuesday, January 5, 2020**

**ADDENDUM TO RECESS MEETING AGENDA  
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS  
December 15, 2020 – 6:00 p.m. at City Hall**

**1) NEW BUSINESS**

- a. Discuss Northwood Church request to install panic bars on side doors at the Civic Center at the churches expense
- b. Revised MOU between City of Ocean Springs and Mississippi Songwriter's Alliance replacing agenda item 7-c (Exhibit A-1b)

**2) CONSENT AGENDA**

**Police Department:**

- a. Authorize approval of agreement with Relay for services outlined in agreement to be paid through seizure funds; and authorizing Chief Mark Dunston to execute on behalf of the City (Exhibit A-2a)

**3) DEPARTMENT REPORTS**

**City Clerk:**

- a. Addition to the Docket of Claims – Payment to Lisa Fazzio for Pottery Instruction in the amount of \$2,016.00 (Exhibit A-3a)

**Human Resources & Risk Management:**

- b. Hurricane Zeta property insurance claim update

**Building Department:**

- c. Discussion of Storm water training for the Mayor and the Board of Aldermen (Exhibit A-3-c)