

## **RECESS MEETING OF APRIL 19, 2022**

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 April 19, 2022. Mayor Holloway presided, Aldermen Burgess, Authement, Wade, Papania, Blackman, and Impey were present. Alderman Cox was absent. Also present were City Attorney Will Norman, City Attorney Robert Wilkinson, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Captain Shane Tiner, Fire Chief Derek McCoy, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Director Allan Ladhier, Human Resources & Risk Management Director Mindy McDowell, Parks & Recreation Director Stephen Glorioso, Project Manager Sarah Harris, and Executive Assistant to the Mayor & Board Ravin Nettles.

The Mayor called the meeting to order.

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

A motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to accept the agenda.

### **AGENDA PUBLIC COMMENT**

William Betterton spoke against item 4-a; he requested a total ordinance revision rather than several speed limits changed in different ordinance amendments.

### **OLD BUSINESS**

A motion was made by Alderman Authement, seconded by Alderman Impey, and unanimously carried to table item 4-a) Discuss adopting an Ordinance to revise the speed limit on Government Street from Bechtel Blvd. to Ocean Springs Road to 30 mph.

The Mayor said the Resolution to donate the use of the Ryan Youth Center (RYC) to the YMCA is set to expire on April 30<sup>th</sup>. He said the agreement was put in place during COVID and allowed the YMCA to have more social distancing capabilities. He said all the COVID restrictions have been lifted as well as the City's allowances for cancellations due to COVID. A motion was made by Alderman Blackman, seconded by Alderman Burgess, and unanimously carried to allow the RYC donation Resolution to expire and negotiate a lease if the use of the facility is still desired by the YMCA.

## NEW BUSINESS

The City Clerk said the Municipal League and Butler Snow advised smaller cities to adopt a Resolution declaring up to \$10,000,000.00 in lost revenue, allowing for less restrictive uses of the funds received and streamlined reporting. A motion was made by Alderman Impey and seconded by Alderman Blackman to adopt a Resolution designating funds received under the American Rescue Plan Act (Exhibit 5-a.) The motion carried with a roll call vote as follows:

Alderman Cox	Absent
Alderman Burgess	Aye
Alderman Authement	Aye
Alderman Wade	Aye
Alderman Papania	Aye
Alderman Blackman	Aye
Alderman Impey	Aye

The Mayor said Artisan Pyrotechnics sent a quote for a fireworks show on July 4, 2022, for \$14,000 (Exhibit 5-b). Aldermen Authement and Blackman suggested having an event at the Fort and Front Beach with entertainment and food trucks for the community to watch Biloxi's firework show. The Mayor said next year there is a possibility of coordinating and combining the Biloxi and Ocean Springs firework show. Aldermen Burgess and Papania said it is too late to organize an event for this year but were open to looking into a change for next year. The Mayor suggested requesting donations like was done in 2021. A motion was made by Alderman Burgess and seconded by Alderman Papania to approve the Fourth of July Fireworks proposal from Artisan Pyrotechnics. The motion carried with Aldermen Burgess, Wade, Papania, and Impey voting aye; and Aldermen Authement and Blackman voting nay.

The Deputy City Clerk said the City has been notified of an additional \$1.00 charge for City records and permits to be split with the MS Department of Archives and History to support recordkeeping services (Exhibit 5-c). The City Attorney said it is a poorly written statute with ambiguous statements. The City Clerk said from her understanding there is no choice to opt out, it is a law, but we have not been following it. A motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to authorize the City Attorney to draft an Ordinance to begin collecting the fee.

The Mayor said the state has allocated \$20 million of its ARPA funds to match local municipalities for infrastructure projects. Ocean Springs is receiving \$4.4 million in ARPA funds and will request matching funds from Jackson County. Once those funds are received, the City will then request the state match \$8.8 million in ARPA funds for a total of \$17.6 million for infrastructure projects in the City. A motion was made by Alderman Blackman, seconded by Alderman Wade, and unanimously carried to adopt a Resolution requesting \$4.4 million matching ARPA funds for water, sewer, and drainage projects from Jackson County (Exhibit 5-d).

The Mayor said the Fayard property on Front Beach is being appraised for the City to purchase (Exhibit 5-e). He said the \$2.8 million GOMESA funds the City will be receiving are not eligible to use toward a property purchase. Jackson County has agreed to match the City in the purchase of the property. A motion was made by Alderman Blackman, seconded by Alderman Burgess, and unanimously carried to adopt a Resolution requesting matching funds not to exceed \$600,000 from Jackson County to purchase property PID #61335034.000 and #61335031.000.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to adopt a Resolution requesting Jackson County's assistance for funding to demolish a building within the city limits of Ocean Springs; the demolition estimate is \$29,480.00 (Exhibit 5-f).

## **CONSENT AGENDA**

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to approve the consent agenda except for item 6-a.

- a) Authorize Lost Fest Music Festival's use of the City's barricades and trash cans at no cost for the event on Saturday, April 23, 2022, at Mosaic's, Neon Moon, and Lost Springs parking lot (Exhibit 6-a)
- b) Approve the Run/Walk permit application for the Gautier High School Key Club Walk for Water on Saturday, May 14, 2022, from 5:00 p.m. until 7:00 p.m. on the Beach Pathway beginning and ending at Fort Maurepas; no overtime cost to the City (Exhibit 6-b)
- c) Approve the Run/Walk permit application for the 1699 Race of Discovery 5K on Saturday, October 1, 2022, from 8:00 a.m. until 9:30 a.m. on the Beach Pathway beginning and ending at Fort Maurepas; no overtime cost to the City (Exhibit 6-c)
- d) Approve the Run/Walk permit application for the Singing River Cancer Center 5K on Saturday, October 1, 2022, from noon until 8:00 p.m. on the Beach Pathway beginning and ending at Fort Maurepas; no overtime cost to the City (Exhibit 6-d)
- e) Ratify a \$9.00 check to the MS Department of Revenue for a replacement title for a vehicle sold at auction (Exhibit 6-e)
- f) Approve Minutes: Regular Meeting April 5, 2022 (Exhibit 6-f)
- g) Accept OSPD monthly report for March 2022 (Exhibit 6-g)
- h) Authorize out-of-state travel for professional training – Advance Armorer Course for Employee #840 on September 7-8, 2022, in Smyrna, Georgia (Exhibit 6-h)
- i) Accept OSFD monthly report for March 2022 (Exhibit 6-i)
- j) Authorize the Mayor to execute the Intent to Participate in the 2022 Update of the District 9 Regional Hazard Mitigation Plan and designate Fire Chief/EOC Director Derek McCoy as the representative for the City (Exhibit 6-j)

- k) Authorize to declare the list of items included in the exhibit as surplus property, no value to the City, remove from City inventory, and send to AGJ to be destroyed (Exhibit 6-k)
- l) Human Resources action items (Exhibit 6-l):
  - a) Authorize employment of Kendall Goller, Administrative/Purchasing Assistant, Grade 6, Step 5, \$16.11 hourly rate; effective May 4, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
  - b) Authorize transfer of part-time Police Officer Evan Goudy to full-time Patrolman, \$18.00 hourly rate; effective May 28, 2022; one-year probationary status
  - c) Authorize removal of Patrolman Cody Gill from probationary status to full-time status effective immediately
- m) Authorize to execute the closeout documents with DNA Underground, LLC for Schedule #1 of the Parktown Area Improvements project R-109-282-07-KCR (Exhibit 6-m)
- n) Authorize to execute the Substantial Completion Certificate for Hemphill Construction Company for Schedule #1 of the Fort Bayou Area Wastewater Improvements R-109-282-08-KCR (Exhibit 6-n)
- o) Authorize to execute the Supplementary Agreement #1 for \$29,031.13 with BMA for additional approved preliminary engineering services for the Ocean Springs Road Reconstruction Phase I STP-9065-00(004) LPA 10804-701000 (Exhibit 6-o)
- p) Authorize to award Jay Bearden Construction, Inc. the Lift Station #68 Force Main Extension Project for \$153,950.000 (Exhibit 6-p)
- q) Accept Building Department Report for March 2022 (Exhibit 6-q)
- r) Accept Code Enforcement Report through April 12, 2022 (Exhibit 6-r)
- s) Accept Tree Department Recommendations – Tree Applications through April 12, 2022 (Exhibit 6-s)
- t) Authorize the demolition of a structure in excess of 50 years at 101 Linda Circle (Exhibit 6-t)
- u) Approve payment application #9 and closeout documents for Tank Pro, Inc. for the 1129 Water Tank Repairs and Painting for \$25,839.95 (Exhibit 6-u)
- v) Authorize the rental agreement and waive the rental fee of \$125.00 per field per day for Ocean Springs Upper Elementary to use the Hwy 57 Sports Complex softball field May 12 - 23, 2022, from 8:00 a.m. until 2:00 p.m. (Exhibit 6-v)

A motion was made by Alderman Impey, seconded by Alderman Authement, and unanimously carried to authorize Lost Fest Music Festival's use of the City's barricades and trash cans for a cost of \$10 per barricade and \$5 per trash can on Saturday, April 23, 2022, at Mosaic's, Neon Moon, and Lost Springs parking lot (Exhibit 6-a)

## **DEPARTMENT REPORTS**

### City Clerk:

A motion was made by Alderman Blackman, seconded by Alderman Authement, and unanimously carried to approve the Docket of Claims finding that all expenditures are appropriate and authorized by law, and spread the summary on the minutes (Exhibit 7-a).

The City Clerk explained the request for adjustments to several water/sewer accounts and the Aldermen expressed concern about the excessive gallons being written off. A motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to table the adjustments of the water/sewer accounts listed on Exhibit 7-b; requesting the customers be present at the next board meeting to explain the excessive usage.

The City Clerk said she has met with MEMA regarding the Hurricane Nate lift station project. She said the Board needs to decide if the project will be stopped and addressed later or move forward to be completed by November 2022. The Aldermen agreed to stop the project since the stations will qualify for repairs for future storms.

The City Clerk said the auctioneer was very complimentary of the City and Public Works during the recent city auction. She said an online auction can be set up or we can wait until we have enough equipment to have another onsite auction to bring in more funds.

## **GENERAL PUBLIC COMMENT**

Stephen Burrow announced he is running for the position of Jackson County Circuit Judge. He said he has experience as a Pascagoula Councilman, MS Ethics Commission Commissioner, Municipal Court Judge Pro-Tempore, and an attorney.

Josh Drummond said he owns a concrete lift and leveling business that can benefit road drainage issues, by lifting streets, and sidewalks. He said they have developed a resin that can fix leaking pipes.

Linda Williams said she would like an update to her previous public comment regarding the Parktown Subdivision including paving, drainage, and the use of an 18-wheeler on the residential streets. Alderman Impey said the paving is on the county's list, the Building Official has not seen the 18-wheeler and the drainage project is out for bids now.

Katie Yow expressed continued concern about the flooding on Parktown Drive and the ditch behind her property in the upcoming hurricane season. Alderman Impey said Public Works worked to clean out the ditch about two weeks ago. The Public Works

Director said they were out there and spoke with Ms. Katie. The Mayor explained that this time is for public comment and the Board will take what is said under advisement.

## **MAYOR AND ALDERMEN'S FORUM**

Alderman Burgess requested the Department Heads to give her updates this week on the work orders she has submitted.

Alderman Blackman thanked all City employees that contributed to making the auction a success.

Alderman Impey asked about the traffic light at Deana Road and Hwy 90. The Planning & Grants Administrator responded that she has not received an update because it is being worked out between MDOT and Aldi, but she would reach out to get an update on the status of the project. A motion was made by Alderman Impey, seconded by Alderman Burgess, and unanimously carried to approve the Jackson County Chamber of Commerce to host the MS Economic Council on May 3, 2022, from 10:00 a.m. until 2:00 p.m. at the Community Center and authorize to waive the \$600.00 rental fee to promote and advertise the City's resources.

The Mayor said there have been several calls regarding the vendors on the beach. He has reached out to Jackson County and there is no ordinance prohibiting it, but they will address the issue.

The Mayor recognized Mike Slaughter with Slaughter and Associates and asked him to give an update on the Comprehensive Plan. Mr. Slaughter said they have gathered information at the local and state level and are now at the point to get information from the Board, City Department Heads, the School District, the Chamber, and City stakeholders. Then they will have public meetings for public comments. He said the objective is to protect and enhance the community's quality of life.

## **EXECUTIVE SESSION**

A motion was made by Alderman Authement, seconded by Alderman Impey, and unanimously carried to go into a closed session to determine the necessity of going into an executive session.


The City Clerk returned to the meeting and announced that a motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to remain in executive session to discuss potential and pending litigation.

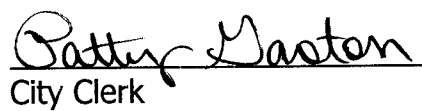
A motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to come out of the executive session where the following action was taken:

A motion was made by Alderman Authement, seconded by Alderman Blackman, and unanimously carried to authorize a traffic study on Front Beach Drive at The Sands.

A motion was made by Alderman Blackman, seconded by Alderman Impey, and unanimously carried to adjourn the meeting until 6:00 p.m. on May 3, 2022.

Meeting ended at 8:03 p.m.

 5/03/2022  
\_\_\_\_\_  
Mayor Date

 5/3/2022  
\_\_\_\_\_  
City Clerk Date



**RECESS MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN – CITY OF OCEAN SPRINGS**  
**Tuesday, April 19, 2022 – 6:00 p.m. CITY HALL**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. 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 the agenda item.** If no agenda item is stated, you will be asked to hold your comment until General Public Comment at the end of the meeting.*

**4. OLD BUSINESS**

- a) Discuss adopting an Ordinance to revise the speed limit on Government Street from Bechtel Blvd. to Ocean Springs Road to 30 mph (Exhibit 4-a) *Tabled*
- b) Discuss adopting a Resolution donating the use of the Ryan Youth Center to the YMCA to use for classes (Exhibit 4-b) *X*

**5. NEW BUSINESS**

- a) Adopt Resolution designating funds received under the American Rescue Plan Act (Exhibit 5-a) ~ *City Clerk*
- b) Discuss the Fourth of July Fireworks proposal from Artisan Pyrotechnics (Exhibit 5-b) ~ *Mayor*
- c) Discuss implementing the required \$1.00 record fee by the MS Department of Archives and History to support the Local Records Office – an Ordinance is required (Exhibit 5-c) ~ *Deputy City Clerk*
- d) Discuss adopting a resolution requesting \$4.4 million matching ARPA funds for water, sewer, and drainage projects from Jackson County ~ *Resolution to be provided by the City Attorney before the meeting*
- e) Discuss adopting a resolution requesting matching funds not to exceed \$600,000 from Jackson County to purchase property PID #61335034.000 and #61335031.000 ~ *Resolution to be provided by the City Attorney before the meeting*
- f) Discuss adopting a resolution requesting Jackson County's assistance for funding to demolish a building within the city limits of Ocean Springs; the demolition estimate is \$29,480.00 (Exhibit 5-f)

**6. 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 a 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) Authorize Lost Fest Music Festival's use of the City's barricades and trash cans <sup>with the cost</sup> ~~at no cost~~ for the event on Saturday, April 23, 2022, at Mosaic's, Neon Moon, and Lost Springs parking lot (Exhibit 6-a)
- b) Approve the Run/Walk permit application for the Gautier High School Key Club Walk for Water on Saturday, May 14, 2022, from 5:00 p.m. until 7:00 p.m. on the Beach Pathway beginning and ending at Fort Maurepas; no overtime cost to the City (Exhibit 6-b)
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- d) Approve the Run/Walk permit application for the Singing River Cancer Center 5K on Saturday, October 1, 2022, from noon until 8:00 p.m. on the Beach Pathway beginning and ending at Fort Maurepas; no overtime cost to the City (Exhibit 6-d)

**City Clerk:**

- e) Ratify a \$9.00 check to the MS Department of Revenue for a replacement title for a vehicle sold at auction (Exhibit 6-e)
- f) Approve Minutes: Regular Meeting April 5, 2022 (Exhibit 6-f)

**Police Department:**

- g) Accept OSPD monthly report for March 2022 (Exhibit 6-g)
- h) Authorize out-of-state travel for professional training – Advance Armorer Course for Employee #840 on September 7-8, 2022, in Smyrna, Georgia (Exhibit 6-h)

**Fire Department:**

- i) Accept OSFD monthly report for March 2022 (Exhibit 6-i)
- j) Authorize the Mayor to execute the Intent to Participate in the 2022 Update of the District 9 Regional Hazard Mitigation Plan and designate Fire Chief EOC Director Derek McCoy as the representative for the City (Exhibit 6-j)

**Human Resources/Risk Management:**

- k) Authorize to declare the list of items included in the exhibit as surplus property, no value to the City, remove from City inventory, and send to AGJ to be destroyed (Exhibit 6-k)
- l) Human Resources action items (Exhibit 6-l):
  - a) Authorize employment of Kendall Goller, Administrative/Purchasing Assistant, Grade 6, Step 5, \$16.11 hourly rate; effective May 4, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
  - b) Authorize transfer of part-time Police Officer Evan Goudy to full-time Patrolman, \$18.00 hourly rate; effective May 28, 2022; one-year probationary status
  - c) Authorize removal of Patrolman Cody Gill from probationary status to full-time status effective immediately

**Grants Administration:**

- m) Authorize to execute the closeout documents with DNA Underground, LLC for Schedule #1 of the Parktown Area Improvements project R-109-282-07-KCR (Exhibit 6-m)
- n) Authorize to execute the Substantial Completion Certificate for Hemphill Construction Company for Schedule #1 of the Fort Bayou Area Wastewater Improvements R-109-282-08-KCR (Exhibit 6-n)

- o) Authorize to execute the Supplementary Agreement #1 for \$29,031.13 with BMA for additional approved preliminary engineering services for the Ocean Springs Road Reconstruction Phase I STP-9065-00(004) LPA 10804-701000 (Exhibit 6-o)
- p) Authorize to award Jay Bearden Construction, Inc. the Lift Station #68 Force Main Extension Project for \$153,950.000 (Exhibit 6-p)

**Building Department:**

- q) Accept Building Department Report for March 2022 (Exhibit 6-q)
- r) Accept Code Enforcement Report through April 12, 2022 (Exhibit 6-r)
- s) Accept Tree Department Recommendations – Tree Applications through April 12, 2022 (Exhibit 6-s)
- t) Authorize the demolition of a structure in excess of 50 years at 101 Linda Circle (Exhibit 6-t)

**Public Works:**

- u) Approve payment application #9 and closeout documents for Tank Pro, Inc. for the 1129 Water Tank Repairs and Painting for \$25,839.95 (Exhibit 6-u)

**Parks & Recreation:**

- v) Authorize the rental agreement and waive the rental fee of \$125.00 per field per day for Ocean Springs Upper Elementary to use the Hwy 57 Sports Complex softball field May 12 - 23, 2022, from 8:00 a.m. until 2:00 p.m. (Exhibit 6-v)

**7. DEPARTMENT REPORTS**

**City Clerk:**

- a) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 7-a)
- b) Authorize the adjustment of water/sewer accounts due to a finding that the customers did not receive the benefit of the utility and the excess usages were due to unforeseen circumstances (Exhibit 7-b)

- 8. GENERAL PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. **Only two speakers will be allowed per side of each issue.** 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.*

**9. MAYOR AND ALDERMEN'S FORUM**

**10. EXECUTIVE SESSION**

**ADJOURN UNTIL 6:00 P.M. on Tuesday, May 3, 2022**