

## **REGULAR MEETING OF MAY 3, 2022**

Be it remembered that the Mayor and Board of Aldermen of the City of Ocean Springs met in a Regular Meeting at City Hall in the City of Ocean Springs at 6:00 p.m. on May 3, 2022. Mayor Holloway presided, and Aldermen Authement, Wade, Cox, Papania, Blackman, and Impey were present. Alderman Burgess was absent. Also present were City Attorney Robert Wilkinson, City Clerk Patty Gaston, Deputy City Clerk Vicky Hupe, Police Chief Mark Dunston, Fire Chief Derek McCoy, Building Official Darrell Stringfellow, Public Works Director Allan Lадnier, Human Resources & Risk Management Director Mindy McDowell, Parks & Recreation Director Stephen Glorioso, Project Manager Sarah Harris, Planning & Grants Administrator Carolyn Martin, City Planner Wade Morgan, and Executive Assistant to the Mayor & Board Ravin Nettles.

The Mayor called the meeting to order.

The Parks & Recreation Director 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 and the addendum.

## **PROCLAMATION**

The Public Works Director and Assistant Director accepted the Proclamation declaring May 15 – 21, 2022, National Public Works Week (Exhibit 3-a).

The Pet Partners Therapy Animal Team accepted the Proclamation declaring April 30, 2022, National Therapy Animal Day (Exhibit 3-b).

## **PUBLIC HEARING**

Item 4-a) A motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously carried to open the public hearing regarding 1115 and 1117 Vermont Avenue's request to rezone to CMX-1 Neighborhood Commercial/Mixed Use District from R-1 Single Family Residential District PID 61220009.000 and 612220012.000 (Exhibit 4-a).

The City Planner explained the Planning Commission did recommend approval of the rezoning of the property to CMX-1 Neighborhood Commercial/Mixed Use District which is the least intense commercial district with permitted uses and building height. He said the intent of this district as a transition zone is to border neighborhood areas with smaller scale commercial uses.

Betsy Devone spoke against the rezoning of the property, saying it will open the door to more commercial development. She said she is not against the property being a VRBO and would welcome the update to the properties.

Donavon Scruggs spoke on behalf of the owner, Josh Rhimes, and submitted a document in support of rezoning from the neighboring property owner at 1703 Carpenter Circle to be added to Exhibit 4-a. He presented a Power Point presentation in favor of the rezoning of the property. He said the concept is to revitalize the property to be similar to The Beatnik property and to move forward as quickly as possible to make the property an asset to Ocean Springs. He said they asked for a minimum CMX-1 rather than requesting the expansion of existing CH zoning to the east and he requested the approval of the application to rezone.

Alderman Authement asked about the buffer for the property. Mr. Scruggs replied the use will dictate the buffer, if a VRBO it will be a landscape strip but if more commercial in nature it will be increased.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to close the public hearing.

A motion was made by Alderman Authement and seconded by Alderman Impey to accept the recommendation of the Planning Commission to approve the rezoning of 1115 and 1117 Vermont Avenue PID 61220009.000 and 612220012.000 to CMX-1 Neighborhood Commercial/Mixed Use District by adopting the Ordinance 2022-03. The motion carried with a roll call vote as follows:

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

Item 4-b) A motion was made by Alderman Blackman, seconded by Alderman Cox, and unanimously carried to open the public hearing regarding PID 60137482.000 1015 Lafontaine Avenue's request to rezone to RM-2 Multiple Dwelling District from R-1 Single Family Residential District (Exhibit 4-b).

The City Planner explained the Planning Commission and the Planning Staff did recommend the denial of the rezoning of the property to RM-2 Multiple Dwelling District. He said the property is currently a 4-apartment building built in the 1960's but when the R-1: Single-Family zoning district was assigned in the 1970's the property became a legal non-conforming property. As a result, if the building were demolished, it

could not be rebuilt as apartments but would have to be rebuilt as a R-1 single family dwelling.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to close the public hearing.

A motion was made by Alderman Impey, seconded by Alderman Blackman, and unanimously carried to accept the recommendation of the Planning Commission to deny the rezoning of 1015 Lafontaine Avenue PID 60137482.000.

Item 4-c) A motion was made by Alderman Cox, seconded by Alderman Authement, and unanimously carried to open the public hearing regarding PID 60137482.000 1015 Lafontaine Avenue's request for a Conditional Use Permit (CUP) in the R-1 Single Family Residential District (Exhibit 4-c).

The City Planner explained the Planning Commission did recommend approval of the CUP 1015 Lafontaine Avenue. He said without the rezoning of the property the property is allowed continued use of the property the way it is currently. The CUP would allow the property to be rebuilt as apartments in the same footprint if destroyed.

Fredrick Mannino, the property owner, asked why his request for Short Term Rental (STR) which was on the application has not been addressed. The Planning & Grants Administrator explained the rezoning and CUP decisions needed to be made before the STR can be addressed. She said it is a process and they are not to the STR step of the process yet.

Candace Mannino questioned why they have not been approved for the STR and if people had a problem with their property why they have not said so before now. Alderman Authement replied that there is a process, and they are not at the STR step of the process yet, but no Board member has spoken against the property or its current use.

A motion was made by Alderman Cox, seconded by Alderman Authement, and unanimously carried to close the public hearing.

A motion was made by Alderman Authement and seconded by Alderman Cox to accept the recommendation of the Planning Commission to approve the Conditional Use Permit for 1015 Lafontaine Avenue PID 60137482.000. The motion carried with a roll call vote as follows:

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

Alderman Blackman	Aye
Alderman Impey	Aye

Item 4-d) Tabled to be readvertised – Savannah Estates Phase II – Preliminary Plat approval PID 60123050.000.

## **AGENDA PUBLIC COMMENT**

Bill Moore, item 3-a, thanked the Public Works Department on behalf of the Chamber for their support and work around the city. Item 3-b, he spoke on the great work Pet Partners Therapy Animal Team does at the hospital.

## **OLD BUSINESS - ADDENDUM**

Representatives from HOSA gave an update on the Porter Avenue Community Conversations Project (Exhibit A-1a). HOSA President Susan Gullage said the final report can be used as a resource for future development of Porter Avenue and Melanie Allen presented the report via Power Point presentation.

## **NEW BUSINESS**

The Planning & Grants Administrator gave an update on the Medical Marijuana Bill MS SB 2095 (Exhibit 7-a). She requested the Boards input for the additions to the City's code to cover medical marijuana.

## **CONSENT AGENDA**

A motion was made by Alderman Cox, seconded by Alderman Wade, and unanimously carried to approve the consent agenda.

- a. Approve Leadership Jackson County Government Day at the Ocean Springs Community Center on Thursday, June 2, 2022, from 8:00 a.m. until 3:00 p.m. and authorize waiving the \$600.00 rental fee; the event will promote and advertise the City's resources (Exhibit 8-a)
- b. Approve the Ocean Springs Library Reading Program at the Ocean Springs Community Center on June 7, 14, 21, 28, and July 5 & 12, 2022 from 9:00 am until noon, and authorize waiving the \$600.00 rental fee to promote and advertise resources of the City of Ocean Springs (Exhibit 8-b)
- c. Approve the Special Event Permit Application for WAMA presents Magic Hour on Thursday, June 9, 2022, from 5:00 pm until 8:00 pm at 510

Washington Avenue; requesting road closure from the Senior Center to Joseph Street (Exhibit 8-c)

- d. Approve the Run/Walk Permit Application for MMSC 11<sup>th</sup> Annual 5K Fun Run on Tuesday, June 28, 2022, from 6:00 am until 8:00 am; OS Bridge/Front Beach 5 K route, no cost to the City, the applicant pays associated event cost (Exhibit 8-d)
- e. Approve the Run/Walk Permit Application for Sean Cooley Citizen Soldier Nursing Scholarship 5K Saturday, November 12, 2022, from 6:00 am until 8:00 am; Beach Pathway route beginning and ending at Fort Maurepas, no cost to the City, the applicant pays associated event cost (Exhibit 8-e)
- f. Adopt Resolution requesting assistance from Jackson County Supervisor Troy Ross for the Fourth of July fireworks display (Exhibit 8-f)
- g. Adopt Resolution requesting assistance from Jackson County Supervisor Randy Bosarge for the Fourth of July fireworks display (Exhibit 8-f)
- h. Authorize the Mayor to execute Engineering Services Agreement Amendment 1 for Front Beach Sidewalk Repair Project Phase I; Reallocating funds - no additional expense (Exhibit 8-h)
- i. Authorize the Mayor to execute Artisan Pyrotechnics, Inc. contract for Fireworks Show on July 4, 2022 (Exhibit 8-i)
- j. Accept the April 2022 Aged Receivable Report for utility billing (Exhibit 8-j)
- k. Approve Minutes: Recess Meeting April 19, 2022 (Exhibit 8-k)
- l. Authorize to declare the attached list of items surplus, of no use to the City, remove from City assets inventory, and send to the Online City Auction (Exhibit 8-l)
- m. Authorize to declare 11 Lane Recliners Model 1401 as surplus, no value to the City, remove from inventory and dispose of (Exhibit 8-m)
- n. Human Resources action items (Exhibit 8-n):
  - a) Authorize the rehire of Andrew England, Patrolman, Step 5, \$20.26 hourly rate; effective on or about May 6, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
  - b) Authorize the removal of Sergeant Chris Meadows from probationary status to full-time status effective immediately
  - c) Accept the resignation of Fireman Joshua Conway, effective April 27, 2022; authorize to begin the process of filling the vacant position
  - d) Accept the resignation of Fireman Takaaki Hachiya, effective May 6, 2022; authorize to begin the process of filling the vacant position
  - e) Authorize the promotion of Parks Laborer Duval Brown to Parks Grounds Supervisor, Step 1, \$20.14; effective May 14, 2022; six-month probationary status; authorize to begin the process of filling the vacant position

- o. Approve the application for Residential Short-term Rental (STR) permit at 600 Seymour Avenue PID 61035026.050; Planning Commission recommends approval (Exhibit 8-o)
- p. Approve the application for Residential Short-term Rental (STR) permit at 2403 Davidson Road PID 61420016.000; Planning Commission recommends approval (Exhibit 8-p)
- q. Approve the application for Residential Short-term Rental (STR) permit at 323 Sheppard Drive PID 61595110.000; Planning Commission recommends approval (Exhibit 8-q)
- r. Accept Code Enforcement Report through April 27, 2022 (Exhibit 8-r)
- s. Accept Tree Department Recommendations – Tree Applications through April 26, 2022 (Exhibit 8-s)
- t. Accept the Quarterly Grease Trap Inspection Report for April 2022 (Exhibit 8-t)  
ADDENDUM CONSENT
- u. Authorize the Mayor to execute the Memorandum of Agreement – Government Street Improvements Phase 2 (Exhibit A-2a)

## **DEPARTMENT REPORTS**

### City Clerk:

A motion was made by Alderman Impey, seconded by Alderman Blackman, 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 9-a).

A motion was made by Alderman Impey, seconded by Alderman Cox, and unanimously carried to approve the monthly budget report (Exhibit 9-b).

The Project Manager explained the circumstances regarding the water leak at 1268 Ocean Springs Road. A motion was made by Alderman Cox, seconded by Alderman Papania, and unanimously carried to adjust the water/sewer account listed on Exhibit 9-c with the finding that the customer did not receive the benefit of the utility and the excess usage was due to unforeseen circumstances (Exhibit 9-c).

## **GENERAL PUBLIC COMMENT**

Bill Moore said there was a new electrical pole near his neighborhood and light pollution is becoming a problem. Alderman Papania said MS Power is only replacing old poles, they are not installing new poles.

## **MAYOR & ALDERMAN'S FORUM**

Scott Lemon from Lemon-Mohler Insurance gave an update on the market and expectations for the property policy renewal at the end of the month. He said the average increase in premiums is 20-30% with a change in deductible to 3-5%. He said the renewal will be at the end of May.

The Mayor announced Alderman Cox as the winner of the Burgers & Buds event and said the event was a success. He noted the County approved the \$600,000 match for the Fayard property and they are working on a beach vendor ordinance.

Alderman Authement said a special event permit had been submitted for a walking memorial for Carl Jr. the Rooster next Tuesday May 10th. The City Attorney said the City cannot close public street for private use according to Attorney General opinions.

Christina Jackson from Twisted Anchor Tattoo and Oren Zweig from Little Market spoke in favor of an event and said as primary care givers to Carl Jr. they have been approached by many to provide a celebration. They requested to have the second line and the walking memorial on the sidewalk rather than closing the street. The City Attorney responded the road cannot be closed but if the sidewalk event doesn't impede traffic, it should be fine.

Alderman Authement asked about Cash Alley being closed for the event. The Mayor said Cash Alley is officially closed but has not been barricaded off yet.

The Chief of Police expressed concern over the short notice and the department being short staffed. He added his department has been informed of a possible public safety issue. He publicly thanked Oren Zweig, Christina Jackson, and Matt Stebly for their assistance in identifying the suspect.

The Fire Chief also expressed the same concerns as police.

The Mayor said on record the City of Ocean Springs does not condone any acts of animal cruelty.

Alderman Impey suggested using Freedom Field as an alternative to hold the memorial.

Alderman Wade thanked Public Works Department for their work around the city.

Alderman Blackman thanked and congratulated Public Works for Public Works week. He thanked the Planning & Grants Administration for continued assistance in the Government Street Sidewalk Project item A-2a.





**REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN – CITY OF OCEAN SPRINGS**  
**Tuesday, May 3, 2022 – 6:00 p.m. CITY HALL**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. PROCLAMATIONS**

- a. National Public Works Week May 15 – 21, 2022 (Exhibit 3-a)
- b. National Therapy Animal Day April 30, 2022 (Exhibit 3-b)

**4. PUBLIC HEARING**

- a. 1115 and 1117 Vermont Avenue – Rezoning to CMX-1 Neighborhood Commercial/Mixed Use District from the R-1 Single Family Residential District PID 61220009.000 and 612220012.000; Planning Commission recommends approval (Exhibit 4-a)
- b. 1015 Lafontaine Avenue – Rezoning to RM-2 Multiple Dwelling District from R-1 Single Family Residential District PID 60137482.000; Planning Commission recommends denial (Exhibit 4-b)
- c. 1015 Lafontaine Avenue – Request Conditional Use Permit in the R-1 Single Family Residential District PID 60137482.000; Planning Commission recommends approval (Exhibit 4-c)

**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 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.*

**6. OLD BUSINESS**

- a. None

**7. NEW BUSINESS**

- a. Update on Medical Marijuana Bill MS SB 2095 (Exhibit 7-a) ~ *Planning & Grants Administrator*

- 8. 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. Approve Leadership Jackson County Government Day at the Ocean Springs Community Center on Thursday, June 2, 2022, from 8:00 a.m. until 3:00 p.m. and authorize waiving the \$600.00 rental fee; the event will promote and advertise the City's resources (Exhibit 8-a)
- b. Approve the Ocean Springs Library Reading Program at the Ocean Springs Community Center on June 7, 14, 21, 28, and July 5 & 12, 2022 from 9:00 am until noon, and authorize waiving the \$600.00 rental fee to promote and advertise resources of the City of Ocean Springs (Exhibit 8-b)
- c. Approve the Special Event Permit Application for WAMA presents Magic Hour on Thursday, June 9, 2022, from 5:00 pm until 8:00 pm at 510 Washington Avenue; requesting road closure from Senior Center to Joseph Street (Exhibit 8-c)
- d. Approve the Run/Walk Permit Application for MMSC 11<sup>th</sup> Annual 5K Fun Run on Tuesday, June 28, 2022, from 6:00 am until 8:00 am; OS Bridge/Front Beach 5 K route, no cost to the City, the applicant pays associated event cost (Exhibit 8-d)
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- f. Adopt Resolution requesting assistance from Jackson County Supervisor Troy Ross for the Fourth of July fireworks display (Exhibit 8-f)
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- h. Authorize the Mayor to execute Engineering Services Agreement Amendment 1 for Front Beach Sidewalk Repair Project Phase I; Reallocating funds - no additional expense (Exhibit 8-h)
- i. Authorize the Mayor to execute Artisan Pyrotechnics, Inc. contract for Fireworks Show on July 4, 2022 (Exhibit 8-i)

**City Clerk:**

- j. Accept the April 2022 Aged Receivable Report for utility billing (Exhibit 8-j)
- k. Approve Minutes: Recess Meeting April 19, 2022 (Exhibit 8-k)
- l. Authorize to declare the attached list of items surplus, of no use to the City, remove from City assets inventory, and send to the Online City Auction (Exhibit 8-l)

**Fire Department:**

- m. Authorize to declare 11 Lane Recliners Model 1401 as surplus, no value to the City, remove from inventory and dispose of (Exhibit 8-m)

**Human Resources/Risk Management:**

- n. Human Resources action items (Exhibit 8-n):
  - a) Authorize the rehire of Andrew England, Patrolman, Step 5, \$20.26 hourly rate; effective on or about May 6, 2022; one-year probationary status, pending successful completion of all pre-employment requirements
  - b) Authorize the removal of Sergeant Chris Meadows from probationary status to full-time status effective immediately
  - c) Accept the resignation of Fireman Joshua Conway, effective April 27, 2022; authorize to begin the process of filling the vacant position
  - d) Accept the resignation of Fireman Takaaki Hachiya, effective May 6, 2022; authorize to begin the process of filling the vacant position
  - e) Authorize the promotion of Parks Laborer Duval Brown to Parks Grounds Supervisor, Step 1, \$20.14; effective May 14, 2022; six-month probationary status; authorize to begin the process of filling the vacant position

**Planning Commission:**

- o. Approve the application for Residential Short-term Rental (STR) permit at 600 Seymour Avenue PID 61035026.050; Planning Commission recommends approval (Exhibit 8-o)
- p. Approve the application for Residential Short-term Rental (STR) permit at 2403 Davidson Road PID 61420016.000; Planning Commission recommends approval (Exhibit 8-p)
- q. Approve the application for Residential Short-term Rental (STR) permit at 323 Sheppard Drive PID 61595110.000; Planning Commission recommends approval (Exhibit 8-q)

**Building Department:**

- r. Accept Code Enforcement Report through April 27, 2022 (Exhibit 8-r)
- s. Accept Tree Department Recommendations – Tree Applications through April 26, 2022 (Exhibit 8-s)

**Public Works:**

- t. Accept the Quarterly Grease Trap Inspection Report for April 2022 (Exhibit 8-t)

**9. 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 9-a)
- b. Accept Monthly Budget Report (Exhibit 9-b)
- c. Authorize the sewer 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 9-c)

- 10. 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.*

**11. MAYOR & ALDERMEN'S FORUM**

**12. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on Tuesday, May 17, 2022**