

## **RECESS MEETING OF JANUARY 15, 2019**

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 January 15, 2019. Mayor Dobson presiding, Aldermen Cox, Gill, Authement, Bellman, Papania, Blackman, and Impey were present. Also present were City Clerk Patty Gaston and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

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

### **PROCLAMATION**

The Mayor read a proclamation proclaiming January 2019 as Human Trafficking Awareness month and presented it to Susie Harvill, Advocates for Freedom (AFF) CEO and founder.

### **ANNOUNCEMENT**

Alderman Papania announced a Festival in February with the Budweiser Clydesdales. Mr. Chic Cody, the City's Special Events Coordinator, said the event will be February 10<sup>th</sup> beginning with a parade at 2:00 p.m. starting at Front Beach near OSYC, continue down Porter Avenue, Washington Avenue, Government Street and ending at the Mary C. O'Keefe Cultural Center with festivities planned for after the parade.

### **PUBLIC HEARING**

Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to go into public hearing. The Building Official updated the Board on the status of the property located at 1014 Robinson Street owned by Nora E. Kennedy, Clarence Bolling, and Charity Battle. The Building Official stated the property caught fire 1.5 years ago. The City has been in contact with the owners who are interested in repairing the house. There have been some temporary repairs made but the home has been in the same condition for some time. Code Enforcement has sent numerous notices, starting October 16, 2018. The owners are experiencing a financial hardship and cannot move forward with repairs. Based on the current code the house is condemned. All notices and condemned placards have been removed by unknown parties. The Building Official stated that there are two options for the Board; give the property owners a specific amount of time to bring into compliance, if not move forward with the property cleaning notice and to have the property demolished.

The Mayor said he has spoken with one of the home owners and that they plan to fix the roof by February and install motion lights to help secure property. Alderman Authement said it is an eyesore and would like to move forward to get bids to have the property demolished. The Building Inspector said it is more than 50% damaged and will have to be brought into compliance.

The Mayor asked if there was any proponents who wanted to speak in favor of or against the property claim.

Mr. Greg Gipson spoke in favor of giving homeowners consideration. The organization that he is a part of and Macedonia Church will help clean up and repair the property. The house has been in their family for years and he would not want to see it torn down. He will get with the Building Official to get the specifics of what needs to take place.

Motion made by Alderman Gill, seconded by Alderman Papania and unanimously carried to come out of Public Hearing.

Motion made by Alderman Authement, seconded by Alderman Gill and unanimously carried to go out for bids for property clearing, and to give the homeowners 90 days to improve the property to conform to the neighborhood as the structure in its current state is a menace to public health, safety, and welfare.

## **OLD BUSINESS**

The Building Official updated the Board on the status of the property located at 418 Martin Avenue (Exhibit 4-a). The property has been brought before the Board previously. On September 11, 2018 the homeowners were given a set list of tasks to be completed within a 6 month time frame, they are still within timeframe. No building permits have been filed for the property. Alderman Papania said he will speak with the homeowners and encourage them to get a building permit and move forward.

The Building Official updated the Board on the status of the property located at 301 Hunter Road (Exhibit 4-a). The homeowner has filed paperwork in Jackson County court system to have the current tenant evicted. The Building Official said we have secured quotes to have the property cleaned. Alderman Bellman said he is in favor of cleaning the property. Alderman Impey said the homeowner would be penalized by cleaning while trying to evict the tenant. The Building Official recommended letting the homeowner take the lead at the moment and to keep in contact with the owner and update the Board next month.

The Mayor discussed the garbage service contract and said that Alderman Cox, the Public Works Director and he formed a committee and had been negotiating with three bidders; Waste Pro, Pelican and Waste Management. The committee recommends the bid award be awarded to Waste Pro. This will be a 6 year contract, renewable each year. Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to accept Waste Pro and allow the Mayor to finalize the contract. There will be an increase of \$6.00 per customer in garbage collection as the cost of doing business has gone up. Waste Pro Division Manager John Geboy, spoke and said they will give the best service possible to Ocean Springs residents and can be contacted with any concerns or issues by phone.

The Mayor opened discussion of the memorandum of understanding (MOU) with McNeil Rhoads for a Water Meter Change Project (Exhibit 4-c). Chris McNeil said that the water meter issues

have been reviewed and that he has a goal of 60 days to determine the exact problem, plan a solution, and implement a plan to correct the issue. To accomplish this goal, he will study 24 months of billing to find issues and have a random sample of meters tested by a third party to determine issues. He is working closely with Aclara and AMI. There will be no cost to the city, nor legal obligation during the first phase to determine the problem and develop a plan. Motion was made by Alderman Cox, seconded by Alderman Bellman and unanimously carried to approve the MOU to allow McNeil Rhoads to test meters.

## **NEW BUSINESS**

Alderman Authement discussed having trash containers at East Beach year around rather than removed during winter. Alderman Papania suggested 6-7 trash cans, one at the end of each street. Motion was made by Alderman Authement to add trash cans at East Beach year-round. Following discussion, motion was withdrawn by Alderman Authement so that the issue can be discussed with Waste Pro.

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to appoint Stacey Goff to the Historic Preservation Commission, term expiring June 30, 2021.

The Mayor said that the Regular Board Meeting on March 5, 2019 will fall on Mardi Gras Day which is a city holiday. The City Attorney said that he has contacted the Attorney General about choosing Fat Tuesday as a holiday and have the meeting moved to the following day, March 6<sup>th</sup>, pursuant to 21-3-19 of the Mississippi Code. He is waiting for a response from the Attorney General.

## **CONSENT AGENDA**

Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda with the exception of item (6-u) which was removed by Alderman Authement.

Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to authorize the Mayor to execute the contract with JLB Contractors, LLC for Freedom Field Improvements (Exhibit 6-u) and spread the contract on the minutes.

## **DEPARTMENT REPORTS**

### **CITY CLERK:**

Alderman Blackman said that he had spoken to the Mayor about the BMI music fees charged to the city for festivals and is now aware that the fees that have to be paid. Motion was made by Alderman Impey, seconded by Alderman Papania and unanimously carried to approve the Docket of Claims.

## **PUBLIC COMMENT**

Greg Gipson said Macedonia Church will have celebrations for MLK Jr. on Sunday January 20<sup>th</sup> at 6:30 p.m. with worship and a speaker from Jackson, MS plus on Monday January 21<sup>st</sup> at the park across the street at 11:00 a.m. there will be a Wild Game Day with rabbit, goat, alligator, and all kinds of wild game food available.

Lee Brumfield, 2230 Beach Drive, Gulfport, MS spoke regarding The Sands Project. He said that their consultant, Donovan Scruggs, questioned the process to appeal to make sure they were taken off the consent agenda, and they were removed completely from the agenda. He respectfully asked the Board to make a decision in three weeks and said if they had been allowed to present tonight, they could have demonstrated that the plat complied with both city requirements and any scrutiny in court proceedings. He is willing to meet with any land owners around the property, contrary to what has been said about him previously. He feels there have been too many delays and he has already invested almost \$5,000,000 in the project to date and is not going anywhere. They have demonstrated that they are flexible and the R1-A Zoning lends that ability. The current plan is 57 units of attached dwellings and the \$1,000,000 invested in infrastructure will be utilized with current plan.

Nathan Cook, manager at New Way Auto on Bienville Blvd., inquired about the regulations pertaining to signage in Ocean Springs because they have been told that the big green waving man signs cannot be displayed. The Mayor and the Building Official explained it is part of the city's sign ordinance. The Building Official said he will meet with him to explain the ordinance and what is allowed.

Dr. John Godsey, 502 Martin Avenue, said they were here last week to hear about The Sands Project. He expressed his concern that the corner is going to be a standout of high green roofs, the project is changing the Historic District, and about short term rentals. He is afraid home values will be diminished because of The Sands Project at the bottom of the hill. He feels the developer has pushed the limits of what can be put on the property in reference to setbacks, height, and density.

Donovan Scruggs, 317 Pine Drive, spoke to set the record straight and said The Sands property is R-1A multi-family zoning which allows for townhomes and apartments. The old structure that was previously on the property had 112 units. They have been allowed to put up to 71 units on the site but Mr. Brumfield did propose 41 units and now 57 units which is far less than the density allows. It is not in the Historic District and therefore does not need to comply with the historic guidelines. The height is set by the flood zone regulations not the developer. He respectfully asked that the Board keep an open mind and vote favorably for the project.

Debra Littlepage, 134 Siowan Drive, said everyone is losing with the current Sands situation other than the lawyers. There needs to be a compromise and believes so many people can benefit from the development.

## **ALDERMEN'S FORUM**

Alderman Gill asked the Parks & Recreation Director about a location for residents to play basketball after hours and on weekends indoors. He suggested Sunday afternoons at the Armory allowing residents to put down a \$50.00 cleaning deposit and getting a key, with the city keeping the check until Monday and if satisfactory giving the check back but if unsatisfactory, keeping the deposit. The Mayor said he has spoken with the Parks & Recreation Director and Assistant Director about a compromise using big shade structures for the courts outside. The Parks and Recreation Director said that she did meet with a contractor for a quote of the shade structures at MLK Park. She also stated that there are times throughout the year with open gyms. Currently, with basketball season in full swing it is booked and difficult to do open gym more than once a week.

Mike Whitley spoke and said that he was not aware that any courts were open and doesn't believe it is well known public knowledge that there are open gyms. He asked that the city give kids and adults an opportunity to play indoors out of the weather and suggested that maybe the YMCA could manage a facility on their behalf. He would like to meet with the Parks & Recreation Director and Alderman Gill to discuss.

Alderman Bellman asked the Public Works Director about a piece of equipment that was removed from the budget. The Public Works Director said that he would like to reinstate the purchase of a piece of equipment, which was removed from the budget before being finalized. The City Clerk said she would meet with the Public Works Assistant Director of Administration and Finance about the issue.

Alderman Bellman also asked why the purchasing process takes one to two weeks. The City Clerk said the purchase orders are checked every day. Alderman Authement said the Mayor needs to work with the City Clerk and Public Works about the issue.

Alderman Cox reported that the grading at the dog park has been completed and they are ready for the next step. Mr. Jason Overstreet said he has received quotes for everything except the restrooms and the current total is \$128,000.00 which includes the three pavilions. He should have more information for the Board by Monday.

Alderman Papania asked for an update on the trimming and maintenance of the crepe myrtle trees in the median on Highway 90. The City Clerk said the Building Official is working on a scope of work and he said he will try to get it completed in the next few days. Alderman Blackman said that the crepe myrtles haven't been touched in over two years, and the work needs to get done now, even if it has to be done by Public Works. The Mayor said he will meet with the Building Official and the Public Works Director Monday morning to discuss the issue.

Alderman Blackman discussed the sound system issues in the boardroom and expressed the need for one new microphone for the board room table which can also be moved to the courtroom for \$395.00. Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to purchase one new microphone for \$395.00.

Alderman Impey said he received an email from the City Clerk's office comparing sales on a tax year to year basis and reported that the food and beverage tax has increased compared to last

fiscal year by \$24,738.56 and the regular sales tax has increased by \$53,163.37 for a total of over \$77,000.00 in one quarter. He said that he is hopeful the city will continue the upward trend throughout the year.

## **EXECUTIVE SESSION**

Motion was made by Alderman Cox, seconded by Alderman Blackman 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 Authement, seconded by Alderman Bellman and unanimously carried to remain in executive session to discuss possible litigation regarding The Sands property.

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

Motion was made by Alderman Blackman, seconded by Alderman Bellman and unanimously carried to adjourn the meeting until 6:00 p.m. on February 5, 2019.

Meeting ended at 8:09 p.m.

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City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**AGENDA**  
**MAYOR AND BOARD OF ALDERMEN**  
**CITY OF OCEAN SPRINGS**  
**REGULAR MEETING**  
**January 2, 2019 – 6:00 p.m.**

**1. CALL TO ORDER**

**2. ROLL CALL**

**3. OLD BUSINESS**

- a) Discussion of Request for Qualifications for Professional Engineering Services – Alderman Papania (Exhibit 3-a)

**4. NEW BUSINESS**

- a) Authorize Recess Meeting on Tuesday, January 15, 2019 to be held at the Municipal Court Room located at 3810 Bienville Blvd at 6:00 p.m.
- b) Introduction from Damon Torricelli, the City's storm water representative from Neel-Schaffer to the Mayor and Board of Aldermen (Exhibit 4-b)

**5. CONSENT AGENDA\***

*\* Consent Agenda – All matters listed under Item 5, Consent Agenda, are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.*

**Mayor:**

- a) Approve Run/Walk Permit Application for Salvation Army Annual Frosty Kroc Race scheduled for Saturday, January 12, 2019 from 8:30 a.m. – 11:00 a.m., OS Bridge and Front Beach; no cost incurred by the City (Exhibit 5-a )
- b) Approve Run/Walk Permit Application for Valentine's Day 8K Run/Walk Bridge Race by the Gulf Coast Running Club scheduled for Saturday February 2, 2019 from 9:00 a.m. – 10:30 a.m., Front Beach Pathway; no cost incurred by the City (Exhibit 5-b)
- c) Approve Run/Walk Permit Application for Zebra Run scheduled for Saturday, February 9, 2019 from 8:00 a.m. – 10:00 a.m.; Cost incurred is \$200 for 2 Police Officers (Exhibit 5-c)

**City Clerk:**

- d) Approve Minutes: Regular Meeting December 04, 2018 (Exhibit 5-d)
- e) Approve Minutes: Special Call Meeting December 10, 2018 (Exhibit 5-e)
- f) Ratify check to Vanessa Ellerman in the amount of \$208.00 due to court admin error – towing fee refund (Exhibit 5-f)

**Police Department:**

**Fire Department:**

**Human Resources/Risk Management:**

- g) Authorize removing Police Captain Shane Tiner and Police Lieutenant Matthew Morvant from probationary status to full time status effective December 30, 2018 (Exhibit 5-g)
- h) Authorize removing Dispatcher Latena Wallace and Records Clerk Danielle Hayes from probationary status to full time status effective December 25, 2018 (Exhibit 5-h)
- i) Accept the resignation of Executive Assistant to the Mayor and Board of Aldermen Anne Pitre effective January 4, 2019 and authorize to begin the process to fill the vacancy (Exhibit 5-i)

- j) Authorize Employee Transfer for Building Permit Clerk Marissa Jones to General Administration Clerk in the Supervision & Finance Department effective January 3, 2019 and authorize to begin the process to fill the Building Clerk vacancy (Exhibit 5-j)
- k) Authorize to change the Purchasing Agents title, duties and responsibilities; and to post the new position in-house for 5 days beginning January 3, 2019 (Exhibit 5-k)

**City Engineer:**

**Public Works:**

- l) Accept Indemnity, Waiver and Hold Harmless Agreement for the Public Works Equipment Operator to be completed before any skills test (Exhibit 5-l)

**Community Development & Planning:**

- m) Adopt Resolution of the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi to Request Assistant from Jackson County for Relocation of a Drainage Ditch on Steelman Lane (Exhibit 5-m)

**Building Department:**

- n) Approve the Tree Protection Committee Meeting minutes from December 26, 2018 (Exhibit 5-n)
- o) Approve the Residential Building Permit Application to construct a boathouse and enclosed storage at 1312 Fort Avenue – Gregg Descher (Exhibit 5-o)

**Parks & Recreation:**

**City Attorney:**

**6. DEPARTMENT REPORTS**

**Mayor:**

**City Clerk:**

- a) Approve payment: Docket of Claims and spread summary on the Minutes (Exhibit 6-a)
- b) Accept Monthly Budget Report (Exhibit 6-b)

**Police Department:**

**Fire Department:**

**Human Resources/Risk Manager:**

**City Engineer:**

**Public Works:**

**Community Development & Planning:**

**Building Department:**

**Parks & Recreation:**

**City Attorney:**

- 7. PUBLIC COMMENT:** *The public is invited to address the Board for up to 3 minutes each for a maximum period of 30 minutes. The Board will take all comments under advisement to take potential action at a later date if warranted. Priority will be given to Ocean Springs residents and Business Owners.*

**8. ALDERMEN'S FORUM**

**9. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on January 15, 2019**