

REGULAR MEETING OF MARCH 6, 2019

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 March 6, 2019. The Mayor 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.

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

ADDENDUM

Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to accept the Addendum to the Agenda.

PRESENTATION

Mississippi State Representative Jeff Guice spoke about the planned pedestrian crossing of the CSX Railway to be completed before summer. The crossing runs from Lovers Lane, near Cherokee Glenn, under the Highway 90 overpass to Ocean Springs Front Beach. He gave special thanks to Supervisor Troy Ross for paving and to CSX.

OLD BUSINESS

City Attorney explained that the lease agreement with Cingular Wireless PCS, LLC was already approved but as a formality, the company is requiring an ordinance. Motion was made by Alderman Cox and seconded by Alderman Gill to adopt an Ordinance for the City of Ocean Springs, Mississippi to enter lease agreement with Cingular Wireless PCS, LLC for land to operate a cell tower at 503 Dewey Avenue (Exhibit 3-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>

The Mayor stated the top three ranking of city engineering firms that submitted Request for Qualifications for engineering services. Alderman Papania said that all of the firms met the qualifications and the Board had previously approved not to vote according to ranking.

Motion was made by Alderman Gill and seconded by Alderman Papania to hire engineering firm Overstreet and Associates pending acceptable rate schedule negotiations. 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>Nay</u>
Alderman Papania	<u>Aye</u>
Alderman Blackman	<u>Nay</u>
Alderman Impey	<u>Nay</u>

The Mayor asked for a committee to negotiate the fee schedule with Overstreet and Associates. Motion was made by Alderman Gill and seconded by Alderman Bellman to form a committee consisting of Mayor Dobson, City Attorney Kevin Melchi, City Clerk Patty Gaston, and Public Works Director John Russell for negotiations of rate schedule with engineering firm Overstreet and Associates. Motion passes with Aldermen Gill, Authement, Bellman, Papania voting aye and Alderman Cox, Blackman and Impey voting nay.

Alderman Blackman stated that the City is throwing away thirty years of experience and knowledge of our city. He believes the City will see an increase in fees by going with a smaller firm. Alderman Gill responded that Ocean Springs is a city of 18,000 with a limited budget and we need an engineering firm that's the size of our budget, a smaller firm. Alderman Papania said they were motivated by cost, he feels like more than \$230,000 is too much for a yearly engineering cost for the city.

NEW BUSINESS

The Parks & Recreation Director asked what date would the Aldermen like to have the 4th of July fireworks show. There was discussion that previously it was held on the 3rd, was well attended and we got "more bang for your buck" holding event not on the actual holiday. The budget for the show is up to \$15,000.00. Last year's show was approximately 22 minutes. The Fire Chief request shooting the fireworks from a barge for safety reasons, stating this was done successfully last year. Motion was made by Alderman Papania, seconded by Alderman Authement and unanimously carried to hold the Annual 4th of July Fireworks Show on Wednesday July 3, 2019 and present the fireworks from a barge on the water.

CONSENT AGENDA

Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to approve the Consent Agenda except item (5-I), which was removed by Alderman Authement.

Alderman Authement discussed the tree protection meeting minutes from February 26, 2019 regarding 209 Front Beach Drive. Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to send consideration of the application for 209 Front Beach Drive back to the tree committee for the confirmation that proper procedures were followed and for all those concerned to have an opportunity to be heard (Exhibit 5-l).

DEPARTMENT REPORTS

Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to approve the docket of claims (Exhibit 6-a).

Motion was made by Alderman Cox, seconded by Alderman Papania and unanimously carried to accept the monthly budget report (Exhibit 6-b).

The City Clerk explained the need of a loan for repairs to the Mary C. O'Keefe Cultural Center and City Hall and the required purchase of updated computers before end of year. She also discussed that the proposed loan will replace a previous loan that is scheduled to be paid off and will be approximately \$15,000 less in yearly payments. Alderman Blackman would like to add the repair of the Building Department stairs to be included in the cost of the loan. Motion was made by Alderman Gill, seconded by Alderman Papania and unanimously carried to authorize to solicit quotes from banking institutions for a loan up to \$109,000.00 with a three year repayment period (Exhibit A-3a).

Motion was made by Alderman Papania and seconded by Alderman Gill to adopt an Ordinance accepting property PID # 60123170.000 through Quitclaim Deed from Jackson County, Mississippi (Exhibit 6-c). 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>

PUBLIC COMMENTS

Jacklyn Wrigley, 305 Beach Hill, spoke against the application to take down the two Live Oaks at 209 Front Beach. She recommends to reject the application and invite the applicant to re-submit application. She stated there are actually three protected trees,

one was not included on the site map. The standard is to balance the preservation of the tree against any economic hardship and the buildable area of the lot is sizable so that a suitable home could be built and maintain the integrity of the trees.

James Lewis stated there is a big dip on Hanley Road near the railroad tracks and stadium that needs repair. He also brought up Alderman Gill's previous statement during the engineering firms discussion regarding the City's population of 18,000 and the budget. He compared that statement to the cost of the Dog Park. He believes spending \$80,000 on a Dog Park is not fiscally responsible use of tax payer's dollars. Alderman Gill responded that the City saved money by receiving free land and having the Board of Supervisors pave the parking lot. The cost of building is substantial to have something nice and that the citizens can be proud.

Robert Smith, 1123 Halstead Bayou, spoke against cutting the trees at 209 Front Beach. He does not want a precedent be set of people going before the tree committee with a house plans over trees and it be granted without researching.

Ken Altman, 318 Lovers Lane, spoke against removing the stately Oaks at 209 Front Beach and said Ocean Springs has embraced being known as "Tree City, USA". He encourages the Board to keep that in mind when presented with issues concerning protected trees and to read the request with a critical eye in favor of the trees. He thinks the committee may need some training to follow the tree ordinance properly.

Dee Mitchell, 611 Pine Hills Road, thanked Alderman Papania for his quick responses since he was elected. She spoke about the criteria of removing protected trees and does not see how 209 Front Beach meets any of the criteria that would allow removal of trees.

Jason Payne, 305 Beach Hill, spoke on behalf of the trees and will address the issue at the tree committee meeting. The Building Official said the next Tree Committee meeting will take place next Tuesday at 9:00 a.m. at City Hall and will be posted and advertised.

Roxanne Samies asked the Board to keep the Live Oaks at 209 Front Beach up and do not remove. The old Oaks that survive all the hurricanes are a sign of hope after the storms, especially the ones on Front Beach. She said she does not understand the reason being used is economic hardship. She believes Front Beach real estate and economic hardship is an oxymoron. She said this does not meet any needed criteria to kill the trees.

Leonard Blackwell will reserve his comments about the trees until a later date if necessary to be made.

David Grigsby, 402 McGinnis Avenue, commended the Board for sending the application back to the tree committee. He stated these trees were ones that the City invested in after Hurricane Katrina to preserve.

Kathy Randolph stated there is no economic hardship owning property on Front Beach. She also said in regards to the Dog Park that dogs are running around all over the beach without leashes and are not picked up after by their owners. She suggests before building something new to take care of what we already have in place. She said parks are not maintained properly.

Debra Littlepage, 134 Siowan Avenue, stated she is the buyer of the property at 209 Front Beach and wants to build a home similar to other homes on Front Beach. She wants to exercise her American rights to buy a piece of property and build a house she wants to build.

Chief Justice Mike Randolph, 213 Front Beach, asked that he be granted additional time and to add exhibits to the minutes. He said there are three protected trees on the property and the document does not state the truth. He welcomed Ms. Littlepage to the neighborhood but she never spoke of taking trees down. He was not given notice that the property was being sold and had requested notice as he has tried to buy the property twice previously. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to accept the exhibits from Chief Justice Randolph in to the minutes. (Exhibit 7-a)

Elizabeth Feder-Hosey is on the Planning Commission for the City of Ocean Springs and said that as part of our comprehensive plan, page 63 states that trees are key component of the city's green infrastructure. She asked to please consider how the trees affect storm water and waste water management, removal of multiple large trees will contribute to drainage issues especially on Front Beach.

Dr. Bill Moore stated how there should be a long line of people to join committees rather than the city struggling to fill the positions. Citizens seem to only show up when something is in their back yard. He loves the trees and wanted to be on the Tree Committee but the meeting time makes it impossible for him to join.

Heather Eason and Billy Nix on behalf of the Ocean Springs Carnival Association, gave thanks for the success of the night parade. She said it was a very well managed parade, great use of barricades, crowd control and great attitudes of all; the best she has seen in over six years. They both gave sincere thanks to all of the city departments including Police, Fire and Public Works and said they are looking forward to next year. The Mayor thanked the departments for another successful event.

ALDERMAN'S FORUM

Alderman Authement spoke about the tree decision and all of the people he had heard from regarding the trees. He said the City Attorney was not aware of his discussion to send the issue back to the tree committee. He realizes not everyone will be available for

Tuesday morning meeting, he is willing to meet prior and get the concerns together and will represent them the Tuesday morning at the Tree Committee meeting.

EXECUTIVE SESSION

Motion was made by Alderman Gill, seconded by Alderman Papania 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 a motion was made by Alderman Impey, seconded by Alderman Papania and unanimously carried to remain in executive session to discuss pending litigation regarding Unified Development Code (UDC).

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to hold a public hearing March 26th regarding the Unified Development Code (UDC).

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

Motion was made by Alderman Gill, seconded by Alderman Impey and unanimously carried to recess the meeting until 6:00 p.m. on March 19, 2019.

Meeting ended at 7:28 p.m.

City Clerk

3/19/19

Date

Mayor

3/19/19

Date

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

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. OLD BUSINESS

- a) Adopt an Ordinance for the City of Ocean Springs, Mississippi to Enter Lease Agreement with Cingular Wireless PCS, LLC for land to Operate a Cell Tower at 503 Dewey Avenue (Exhibit 3-a)
- b) Vote to award City Engineering Firm

4. NEW BUSINESS

- a) Authorize the Parks & Recreation Director to move forward and receive quotes for the Annual 4th of July Fireworks Show (Exhibit 4-a)

5. CONSENT AGENDA*

** Consent Agenda – All matters listed under Item 7, 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 YMCA – Osprey – Open Water Swim scheduled for Saturday, May 4, 2019, from 6:00 a.m. to 12:00 p.m.; Location is the Beach at Fort Maurepas; No cost incurred by the City; YMCA providing volunteer safety water crafts during swim (Exhibit 5-a)

City Clerk:

- b) Approve Minutes: Recess Meeting February 19, 2019 (Exhibit 5-b)
- c) Approve Minutes: Special Call Meeting February 25, 2019 (Exhibit 5-c)
- d) Ratify check to Belk, Inc. in the amount of \$750.00 for Detectives Clothing Allowance (Exhibit 5-d)

Police Department:

Fire Department:

Human Resources/Risk Management: (Exhibit 5-e, f, g, h, i)

- e) Authorize to hire Firefighter Torrey Johnston effective on March 11, 2019; \$10.43 hourly wage; one year probationary status, pending successful completion of all pre-employment requirements
- f) Authorize removing Firefighter Tristan Garriga from probationary status to full time status effective March 23, 2019 having successfully completed probationary period
- g) Accept resignation of Public Works Laborer Drainage Department Patrick Irwin, effective February 28, 2019; authorize to begin the process of filling the vacant position
- h) Authorize transfer of Amanda Herren from Police Department to Building Department to the position of Permit Clerk at same rate of pay, effective March 6, 2019
- i) Accept termination of employee #2311, Park Custodian, still under probationary period, effective February 27, 2019; authorize to begin the process of filling the vacant position

City Engineer:

Public Works:

Community Development & Planning:

- j) Authorize to Advertise the project, Tidelands – FY15-P501-14OS – Fort Bayou Channel Dredging Project, as approved (Exhibit 5-j)
- k) Adopt Resolution Declaring Areas of the City as a Slum or Blight Renewal Area (Exhibit 5-k)

Building Department:

- l) Approve Tree Protection Committee meeting minutes from February 26, 2019 (Exhibit 5-l)
- m) Approve Code Enforcement Report through March 1, 2019 (Exhibit 5-m)

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:

- c) Adopt an Ordinance Accepting Property through Quitclaim Deed from Jackson County, Mississippi (Exhibit 6-c)

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.*

- Please identify yourself before speaking into the microphone.

8. ALDERMEN'S FORUM

9. EXECUTIVE SESSION

- a) Discussion of Personnel in Public Works Department

RECESS UNTIL 6:00 P.M. on March 19, 2019

**ADDENDUM TO AGENDA
MAYOR AND BOARD OF ALDERMEN
CITY OF OCEAN SPRINGS
RECESS MEETING
March 6, 2019 - 6:00 p.m.**

1) Update by Representative Jeff Guice on current Legislative Session

2) CONSENT AGENDA

Human Resources/Risk Management:

- a) Accept resignation of Firefighter Jeffery Napier effective March 31, 2019; authorize to begin the process of filling the vacant position immediately (Exhibit A-2a)

Community Development & Planning:

- b) Adopt Resolution Authorizing Submittal of Five Applications for Katrina Disaster Recovery Funds (Exhibit A-2b)

3) DEPARTMENT REPORT

City Clerk:

- a) Authorize to solicit quotes from Banking Institutions for a Loan up to \$109,000.00 with a three year repayment period (Exhibit A-3a)