

Approved 10/1/19 Posted Web Notif

## REGULAR MEETING OF SEPTEMBER 3, 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 September 3, 2019. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, 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.

### ADDENDUM

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

### NEW BUSINESS

Josh Brashear from Mississippi Party Bike gave a presentation of his business and the benefits of allowing in the Party Bike in Downtown Ocean Springs. He said they started in Gulfport in January 2019 after seeing it in Nashville and feeling it would be a great fit for the MS Coast cities. The bike seats 15, runs 12-15 miles per hour and can be rented by the seat or by the bike. He would like to start in Ocean Springs as soon as possible. The Aldermen said he would need to obtain a privilege license and give parameters of the streets that would be allowed. Alderman Blackman said that traffic is his only concern but something should be able to be worked out. They also asked him to look into storage of the bike locally. The Mayor said he has spoken with the Chamber Director and she said that the restaurants and bars that she has spoken with are in favor and think it would enhance Downtown Ocean Springs.

Elizabeth Thomas from Butler Snow LLP and Jamie Holloway, the City's Government Consultant, explained the bond resolution (Exhibit 4-b). She said the resolution would be for either public or private sale to refund the City's 2009 General Obligation Bond and would not exceed \$3.2 Million. She said that the public sale would likely give the City a better interest rate. It would still have the same pay off date of 2029 and would save the City approximately \$240,000 over the 10 remaining years. With all the fees included, it will cost \$83,000 but would still net the \$240,000 savings. She explained that passing this resolution does not lock the City into anything but allows them to start the process. She gave an estimated close by date of October 31, 2019. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to accept the Bond Resolution from Butler Snow.

The City Attorney said Telepack/C-spire needs a new agreement on installation of fiber optic telecommunication lines. Certain terms needed to be matched to the Cable One contract. Motion was made by Alderman Cox, seconded by Alderman Gill and unanimously carried to approve the Telepak Telecommunications Contract (Exhibit A-1a).

The Mayor began a discussion of the City's vehicle policy. The City Attorney said that according to the Attorney General, employees should not be using City vehicles for personal business. City vehicles should only be used for City business. No changes were made to policy.

## **OLD BUSINESS**

The City Clerk gave highlights of the proposed FY 19-20 budget. She said the mill is valued at \$186,720.12, uncollectable is approximately 5% but for budget purposes she has used the entire amount. General fund income is expected to be \$14,012,905. The expected ending balance for 2020 will be approximately \$345,000. She said under the Mayor's budget there is \$1,500 in capital improvements to try to correct the video and sound in the boardroom. She said that she created some items that were never separated in previous budgets, like festivals and separating parks. She explained that payroll is 68% of general fund budget, but only 17% from the enterprise fund. The payroll budget has increased by \$454,498 from last year. That amount includes the increase in PERS of \$155,000 and \$288,000 for the pay scale and new employee positions. She explained that the Library is requesting a .09 mill increase which she feels should be given. She asked that the Board review, contact her with any concerns and be prepared for the public hearing to set the debt millage Thursday, September 5, 2019.

The Mayor said it was recommended that the fuel supply delivery bid for fuel/diesel services for a period of one year for the Public Works, Police and Fire Departments (Exhibit 3-b) be awarded to Eagle Energy. There were three bids but one was not compliant and Eagle Energy was the lowest and best of the compliant bids. Motion was made by Alderman Papania, seconded by Alderman Blackman and unanimously carried to award Eagle Energy the fuel supply delivery bid.

Motion was made by Alderman Authement, seconded by Alderman Bellman and unanimously carried to reject all bids for the shade structure at MLK due to improvements that are needed to MLK Park property.

The Mayor & Board's Executive Assistant said that she was approved to spend \$6,181.70 for comfort stations for festivals but was able to negotiate with Jazzy John's for all 5 days with attendants to \$5,980.73. Jazzy John's is requesting a \$1,295.00 deposit and a payment at the end of each festival after services rendered. The City Attorney requested that she obtain a contract to approve. Motion was made by Alderman Cox, seconded by

Alderman Blackman and unanimously carried to approve the quote and to move forward with Jazzy John's payment schedule (Exhibit 3-d).

The Mayor began a discussion of amending the UDC regarding signage in commercial areas (Exhibit 3-e), specifically feather flags. He said they would be permitted on any industrial or commercial property, two would be allowed on Highway 90 or Highway 57 and one would be allowed on other streets. Alderman Papania said he would like to see statements added to ensure good repair and presentable condition, not on city property and not in right of way. Motion was made by Alderman Cox and seconded by Alderman Gill to adopt an ordinance; an amendment to the Unified Development Code for the City of Ocean Springs, MS amending Chapter 8 regarding signs permitted in commercial and industrial districts (Exhibit 3-e) with the addition of subsection 3, "all flags shall remain in good repair or be subject to removal" and subsection 4, "flag sign shall not be placed on public right of way". 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>Nay</u>
Alderman Blackman	<u>Nay</u>
Alderman Impey	<u>Aye</u>

Alderman Papania asked the Deputy Building Official to remove signs in the right of ways and power poles. The Deputy Building Official said that he and the Code Enforcement Officer would begin to remove the signs tomorrow.

## **CONSENT AGENDA**

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda except items 5-k, 5-aa and 5-bb. Item 5-k was pulled by the Mayor who said that the agreement will not be used this year and needs to be removed. The City Attorney requested that item 5-aa be tabled because the contract for Unifirst uniform services needs to be edited and he is still working with them. Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to table item 5-aa.

Alderman Blackman pulled item 5-bb and asked for an explanation of why we would allow an encroachment to a right of away. The Planning & Grants Administrator said it is looked at on a case by case basis by all departments to ensure no infringement on public utilities or use of area. The City Planner said the owner has asked for a license to encroach 3 or 4 feet in the right of way for the construction of a fence to retain trees on the property within the fence which would still be approximately 10 feet from road. He said there is a

hold harmless part to the agreement if an issue ever arises. Alderman Cox asked to table this to give the Aldermen a chance to drive by and see for themselves and ask the property owner to flag the area. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to table item 5-bb.

## **DEPARTMENT REPORTS**

Motion was made by Alderman Cox and seconded by Alderman Bellman to authorize to execute a consulting agreement with Joe Gill Consulting, LLC for a fee of \$20,000.00 for Lobbying Services pertaining to Tidelands Funds, BP Funds, GOMESA Funds effective October 2019 until September 2020 (Exhibit 6-a). Motion carried with Aldermen Authement, Bellman, Cox, Papania, Blackman and Impey voting aye; Alderman Gill abstained from the vote.

Alderman Authement asked the Public Works Director about a \$1,500.00 charge to Harbor Freight on the docket of claims. He said it was for Water Department and was unsure. Alderman Authement said Harbor Freight tools are not professional grade, the Assistant Public Works Director said there is a lifetime warranty at Harbor Freight. Alderman Papania asked the City Clerk to clarify two refunds of \$777.25 and \$449.99 to the same person. She responded that the customer had plumbing work completed and had already been approved to get the write off but had already paid to avoid late payment penalties. She said the two different refunds were for water and for sewer separately. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to approve the docket of claims; the Board finds that all expenditures are appropriate and authorized by law (Exhibit 6-b).

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the monthly budget report (Exhibit 6-c).

## **PUBLIC COMMENTS**

Dr. Moore thanked the Board of Aldermen for the millage increase for the library. He then asked the Board to reconsider increasing funds for the Chamber of Commerce. He said that the Chamber and Chamber Director are great assets in investment and return for the City. They provide marketing directly for the City of Ocean Springs. The City Clerk responded that the Chamber currently receives \$60,000 total from the City from hotel and food & beverage taxes.

Dave Gurich thanked Alderman Authement for noticing and questioning spending and would like to see funds spent wisely on quality products.

## **ALDERMAN'S FORUM**

Alderman Gill asked the Mayor to look into enlarging the small dog park fenced area. He feels like there is too much wasted space. The Mayor responded that the fence was put up today. He asked Public Works about sodding the area and if it could be enlarged.

Alderman Authement said that he would like to make sure the Planning & Grants Administrator received a copy of the MS Infrastructure Modernization worksheets to stay on top of dates. She said she has spoken with the City Clerk and they will stay on top if it after the budget process is complete. He then asked about 418 Martin Avenue, he said the owners are ready to demolish as a safety hazard. She said this has to be advertised and could be done with a special call so that it could be on the October agenda. He asked the City Clerk about the tree trimming budget as there are trees that need trimming for Cruisin' the Coast. She said there is some money left in the budget. The Special Events Coordinator said he would get the list to the Public Works Department.

Alderman Cox said that he also received a tree trimming request for Pine Hills Road from a resident with a camper that cannot get down the road. He thanked the Mayor & Board's Executive Assistant for her follow up and hard work on the upcoming Merchant Marine Plaque and Dedication Ceremony and invited all to attend Friday, September 6 at 11:00 a.m. on Front Beach at the monument.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the Parks Assistant Director Huffy Mayfield to attend the AFO Conference for chemical system certification in Stone Mountain, Georgia.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to give \$500.00 of Ward 5 funds to Magnolia Bayou HOA for the purpose of landscaping the right of way entrances to the subdivision and labor.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to accept proposal of Mr. James Foster to provide part time Resident Project Representative (RPR) services, related to construction, observation and administration for the KCDBG grant funds for an hourly rate of \$35.00 not to exceed \$36,000.

Alderman Impey thanked the City Clerk, Deputy City Clerk and City Accountant for their work on the budget and with the Finance Committee. He extended his condolences to the Hubbard family, on the loss of Mrs. Angelyn Hubbard, a long time music teacher in the school system.

The Mayor reminded everyone that he is part of the Real Men Wear Pink campaign for the American Cancer Society and next Thursday, September 12<sup>th</sup> they will have a silent auction at the Beau Rivage.

The City Clerk reminded all that the Public Hearing for the budget will be Thursday, September 5<sup>th</sup> at 6:00 p.m.

Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to recess the meeting until 6:00 p.m. on September 17, 2019.

Meeting ended at 8:02 p.m.

Betty Manton  
City Clerk

10/1/19  
Date

Sheila Bosa  
Mayor

10/1/19  
Date

**REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**September 3, 2019 – 6:00 p.m. at City Hall**

**1. CALL TO ORDER**

**2. INVOCATION AND PLEDGE OF ALLEGIANCE**

**3. OLD BUSINESS**

- a) Discussion of FY 2020 Budget – Patty Gaston
- b) Fuel Supply Delivery Bid for fuel/diesel services for a period of one year for Public Works, Police and Fire Departments (Exhibit 3-b)
- c) Shade Structure for MLK Jr. Park Bid Tabulation (Exhibit 3-c)
- d) Jazzy John's Comfort Stations – Approve quote and payment schedule (Exhibit 3-d)
- e) Discussion of Amending UDC regarding signage in commercial areas (Exhibit 3-e)

**4. NEW BUSINESS**

- a) Mississippi Party Bike – Josh Brashear
- b) Discussion of Bond Resolution – Elizabeth Thomas, Butler Snow LLP (Exhibit 4-b)
- c) Discussion of Vehicle Policy Update (Exhibit 4-c)

**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 Special Event Permit Application for the Merchant Marine Recognition & Plaque Placing Ceremony; Scheduled for Friday, September 6, 2019 at 11:00 a.m.; Beach at Merchant Marine Memorial Wall; No cost incurred by the City (Exhibit 5-a)
- b) Approve Walk/Run Permit Application for Gulf Coast Running Club 5K; Scheduled for Saturday, September 14, 2019 from 8:00 a.m. until 10:00 a.m.; Fort Maurepas – Beach 5K Route; No cost incurred by the City (Exhibit 5-b)
- c) Approve Special Event Permit Application for Walter Anderson Weekend; Scheduled for September 20 – 22, 2019; Friday, September 20<sup>th</sup> from 7:00 p.m. to 11:00 p.m.; Saturday September 21<sup>st</sup> from 10:00 a.m. to 3:00 p.m. – requiring Road Closure in front of WAMA; Sunday September 22<sup>nd</sup> 6:00 p.m. to 10:00 p.m.; Walter Anderson Museum of Art; No cost incurred by the City (Exhibit 5-c)
- d) Approve Walk/Run Permit Application for 11<sup>th</sup> Annual Rotary Club of OS 5K R.A.C.E. (Night Run); Scheduled for Saturday, October 19, 2019; Starting at Porter Ave. ending at Magnolia Ave.; No cost incurred by the City (Exhibit 5-d)
- e) Approve Special Event Permit Application for the Ocean Springs Art Association Fall Show; Scheduled for Friday, October 25<sup>th</sup> through Saturday, November 9, 2019; at Ocean Springs Community Center; No cost incurred by the City (Exhibit 5-e)
- f) Approve Special Event Permit Application for Veteran's Day Parade; Scheduled for Saturday, October 26, 2019 from 1:00 p.m. to 3:00 p.m.; Downtown Ocean Springs Parade Route; No cost incurred by the City (Exhibit 5-f)

- g) Approve Walk/Run Permit Application for Race to Sparkle 5K & Fun Run; Scheduled for Saturday, November 16, 2019 from 8:00 a.m. until 9:00 a.m.; Fort Maurepas – Beach 5K Route; No cost incurred by the City (Exhibit 5-g)
- h) Approve Special Event Permit Application for Discover Christmas Parade; Scheduled for Sunday, December 8, 2019 from 2:00 p.m. to 3:30 p.m.; Downtown Ocean Springs Parade Route Ending at the Mary C. O'Keefe Cultural Center; Overtime cost may be incurred by the City (Exhibit 5-h)
- i) Adopt Resolution to Temporarily Allow the Consumption of Beer and Alcoholic Beverages on public property for the duration of 2019 Cruisin' the Coast (Exhibit 5-i)
- j) Adopt Resolution to Temporarily Allow the Consumption of Beer and Alcoholic Beverages on public property for the duration of 2019 Peter Anderson Festival (Exhibit 5-j)
- k) Authorize Execution of the City of Ocean Springs and Gulf Hills Golf Club, Inc. Bailment Agreement (Exhibit 5-k)

**City Clerk:**

- l) Approve Minutes: Special Call Meeting August 12, 2019 (Exhibit 5-l)
- m) Accept Minutes: Finance Committee Meeting August 20, 2019 (Exhibit 5-m)
- n) Approve Minutes: Finance Committee Meeting August 26, 2019 (Exhibit 5-n)
- o) Approve Minutes: Finance Committee Meeting August 29, 2019 (Exhibit 5-o)
- p) Adopt Resolution to Open Vehicle Assessment Schedule for Inspection (Exhibit 5-p)
- q) Authorize to extend the resolution proclaiming the existence of a local emergency enacted March 11, 2019 for Front Beach Drive due to the incapacitation of street lights along Front Beach Drive; extend for 30 days (Exhibit 5-q)
- r) Reappoint AVL – Alexander, Van Loon, Sloan, Levens, Favre, PLLC as the City Auditor for FY 18-19 Audit (Exhibit 5-r)
- s) Authorize to Swear-in and Accept Oath of Office of City Accountant Kelly Riff as Deputy City Clerk (Exhibit 5-s)
- t) Accept August 2019 Aged Receivable Report for Utility Billing (Exhibit 5-t)

**Police Department:**

- u) Authorize out of state training for Employee #2002; December 3 – 6, 2019 to attend Incident Response to Terroristic Bombing in Socorro, NM (New Mexico Tech); Expenses are funded, no cost to the City (Exhibit 5-u)

**Fire Department:**

**Human Resources/Risk Management:** (Exhibit 5 – v, w, x, y, z )

- v) Accept resignation of Patrolman Samuel Borden, effective August 22, 2019; authorize to begin the process of filling the vacant position
- w) Authorize three-month extension of the new hire probationary period for Patrolman Dimitrius Cruz to December 10, 2019 and Patrolman Heather Skinner to December 24, 2019
- x) Authorize promotion of Lieutenant Ryan Heath to the rank of Battalion Chief, \$18.90 hourly rate, effective September 7, 2019, six month probation
- y) Accept resignation of Camp Coordinator Kelsey McGrevey, effective August 28, 2019; authorize to begin the process of filling the vacant position
- z) Authorize termination of Parks Probationary Maintenance Worker Employee #2374, effective August 23, 2019; authorize to begin the process of filling the vacant position

**City Engineer:**

**Public Works:**

- aa) Authorize Execution of the Agreement with Unifirst Corporation for uniform services, pending City Attorney approval of contract (Exhibit 5-aa)

**Community Development & Planning:**

- bb) Approve Request for License to Encroach to construct a fence within City right-of-way – 1502 Kensington Avenue (Exhibit 5-bb)

**Planning Commission:**

- cc) Approve Application for Residential Short Term Rental (STR) Permit – 1911 Stuart Avenue – PID: 61455019.000 (Exhibit 5-cc)

**Building Department:**

- dd) Accept Tree Protection Committee meeting minutes from August 27, 2019 (Exhibit 5-dd)
- ee) Approve Code Enforcement Report through August 30, 2019 (Exhibit 5-ee)
- ff) Accept resignation of Sara Smyth Jacobs (Ward 5) from the Tree Committee effective August 26, 2019; authorize to begin the process of filling the vacant position

**Parks & Recreation:****City Attorney:****6. DEPARTMENT REPORTS****Mayor:**

- a) Authorize to enter into a Consulting Agreement with Joe Gill Consulting, LLC for a fee of \$20,000.00 for Lobbying Services pertaining to Tidelands Funds, BP Funds, GOMESA Funds effective October 2019 ending September 2020 (Exhibit 6-a)

**City Clerk:**

- b) Approve payment: Docket of Claims, all expenditures are appropriate and authorized by law, and spread summary on the Minutes (Exhibit 6-b)
- c) Accept Monthly Budget Report (Exhibit 6-c)

**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.*

- Please identify yourself before speaking into the microphone.

**8. ALDERMEN'S FORUM****9. EXECUTIVE SESSION**

**RECESS UNTIL 6:00 P.M. on September 17, 2019**

**ADDENDUM TO REGULAR MEETING AGENDA**  
**MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS**  
**September 3, 2019 – 6:00 p.m. at City Hall**

**1) NEW BUSINESS**

- a) Approve Telepak telecommunications contract (Exhibit A – 1a)

**2) CONSENT AGENDA**

**Mayor:**

- a) Approve Special Event Permit Application for Wedding Second Line; Scheduled for Saturday, September 14, 2019 at 4:15 p.m.; Beginning at Marshall Park to Washington Avenue to Government Street Ending at Mosaic Restaurant & Bar; No cost incurred by the City (Exhibit A – 2a)

**Human Resources:**

- b) Authorize employment of Darrell Stringfellow, Building Official, effective September 16, 2019, \$28.85 hourly rate, one year probation, pending successful completion of all pre-employment requirements (Exhibit A – 2b)