

RECESS MEETING OF SEPTEMBER 17, 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 September 17, 2019. The Mayor presiding, Aldermen Cox, Gill, Authement, Bellman, Blackman and Impey were present. Alderman Papania was absent. Also present were City Clerk Patty Gaston and City Attorney Kevin Melchi.

The Mayor called the meeting to order.

Chic Cody gave the invocation and the Mayor led the Pledge of Allegiance.

ADDENDUM

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to accept the addendum to the agenda.

NEW BUSINESS

Ben Smith from BMA Engineering discussed the City Capital Improvement Plan. The Mayor said that he and the Planning & Grants Administrator have been working with Ben to get a full comprehensive plan for the City, to identify and prioritize capital improvement needs, primarily for use in grant applications and budgeting. The Planning & Grants Administrator explained that this will help when funding becomes available, sometimes with a 3 week application process, rather than wasting time trying to figure out what should be done, the priority list will already be completed with information to submit a good application. Ben explained the cost will vary depending on how involved BMA Engineering is involved in the City Capital Improvement Plan, their initial estimate is \$40,000 if they provide all of the support rather than having the information collected by staff. Alderman Cox requested a workshop to get started with department heads to provide information.

Charles Taylor from The Foundation Group gave a presentation of services they provide to bring new businesses to the City of Ocean Springs. Alderman Gill said if we did decide to work with The Foundation Group, he wants a quarterly review presented to the Board added to the contract. The Mayor said the only way he would feel comfortable would be with accountability added to the contract. Alderman Blackman said this is the same presentation the Board saw before with zero results and he would not be easy to convince to sign on to something like this again. Charles said that unlike the previous company, The Foundation Group is local, knows what is happening locally and has an interest in the City of Ocean Springs being successful. He said they would be accountable and would have constant communication with the City.

OLD BUSINESS

The Parks & Recreation Director gave a presentation of amenity, design and color options for the Dog Park. She recommended purchasing 3 amenity kits, which includes a trash receptacle, bench, pet waste station and a leash holder. She also recommended purchasing 2 water fountains, an additional pet waste station, 3 additional trash cans, 3 additional benches and 4 picnic tables. Alderman Gill asked what ground cover will be around the water fountains for the dogs. She responded that would be a question for Overstreet Engineering. She also said the Dog Park rules need to be reviewed and approved for signage. She said that the obstacle course and doggie playground equipment will be purchased by Friends of the Ocean Springs Dog Park through donation efforts. Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to approve the list of amenities recommendations from the Parks & Recreation Director in the blue color theme and with the bone/paw decor.

The Mayor said that Overstreet and Associates have incurred more cost for the dog park and would like to amend the contract. Alderman Gill said the reason behind the increase is because when the bid was given the plan was to work with one contractor but because it was too costly, multiple contractors were used to reduce the cost to the City. Alderman Blackman said that he should have known the cost upfront and that is the risk taken when you low bid a project. Alderman Cox said that he understands Alderman Gill's point but does not feel that Jason Overstreet has not spearheaded the project, he feels that he does do good work when he is called on to be at location. Alderman Cox does not like that he is asking for more money now, he wants the deal done and Jason's due diligence to organize setting the opening date. Motion was made by Alderman Gill and seconded by Alderman Authement to approve Amendment 1 Professional Services Agreement Ocean Springs Dog Park – Overstreet & Associates Consulting Engineers (Exhibit 4-b). Motion carried with Aldermen Gill, Authement, Bellman and Cox voting aye and Aldermen Blackman and Impey voting nay.

The City Planner discussed the request for a License to Encroach to construct a fence within City right-of-way at 1502 Kensington Avenue. He provided pictures and said it would not block the view of traffic. The fence would be ten feet from the edge of the payment, which is the requirement on most streets. The City would require a hold harmless and any expenses would be at the property owner expense. Alderman Blackman expressed concern that this would set a precedence and more requests will be received. Motion was made by Alderman Authement and seconded by Alderman Cox to allow License to Encroach to construct a fence within City right-of-way at 1502 Kensington Avenue. Motion was tied with Aldermen Gill, Authement and Cox voting aye and Aldermen Bellman, Blackman and Impey voting nay. Motion carried with the Mayor breaking the tie and voting aye.

The Public Works Director said that he requested to deny the winning bid for the Street/Chassis Sweeper because the specs were not met by the bidder. He recommends going with the 2nd lowest bid that did meet all of the requested specs. Motion was made by Alderman Gill, seconded by Alderman Bellman and unanimously carried to award the bid for the Street/Chassis Sweeper to Covington Sales for \$142,250.00 which includes all of the requested specifications.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to approve the Consent Agenda with the exception of items 5-l and 5-m.

Alderman Authement requested item 5-l, HR item regarding resignation/termination of an employee, be discussed in executive session.

The City Attorney said that the contract for uniform service provider, Unifirst, needs the last paragraph changed from what was provided in the agenda. He said two sentences will be removed and he will provide the revised contract to the Deputy City Clerk for the minutes (Exhibit 5-m). Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the contract for Unifirst provided by the City Attorney.

DEPARTMENT REPORTS

MAYOR:

The Executive Assistant to the Mayor & Board of Aldermen explained that it has been requested that Public Works help with Oktoberfest 2019, with putting out barricades, banners and other things for a successful event. Last year 32 hours for \$902 was performed for in kind services but this year it should be approximately 25 hours for \$617. Motion was made by Alderman Authement, seconded by Alderman Cox and unanimously carried to adopt a resolution to match donated funds for in kind services by the Public Works Department for 25 hours or \$617, to the Friends of the Mary C. O'Keefe Cultural Center of Arts and Education – Oktoberfest 2019 (Exhibit 6-a).

CITY CLERK:

Alderman Blackman asked the interim Fire Chief about a no show charge for a class on the docket. The interim Fire Chief said it was due to the Fire Training Officer missing the opportunity to reach out to the Fire Academy, but the situation has been taken care of and should not happen again. Motion was made by Alderman Impey, seconded by Alderman Gill and unanimously carried to approve the Docket of Claims, the Board finds that all expenses are lawful and appropriate (Exhibit 6-b).

The City Clerk said the budget amendments are for cleanup funds and grant activity. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve the budget amendments (Exhibit A-2a).

COMMUNITY DEVELOPMENT & PLANNING:

The Planning & Grants Administrator said that the Historical Preservation Committee met for a special call on September 16, 2019 to discuss the demolition of the structure at 418 Martin Avenue (Exhibit A-2b). She said spoke with the MS Department of Archives & History that said even though the home is historical it is not listed as a landmark and could be demolished. Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to approve the demolition of the structure at 418 Martin Avenue.

The Planning & Grants Administrator said that per LPA guidelines a selection committee is needed to advertise for Professional Services for the three TIP projects. The first project is the Ocean Springs Road Phase I project. As Project Manager, she would serve as Chair, as well as the Mayor and four others such as the Alderman of the ward where the project is located, the Alderman at Large, a Public Works member and staff member. Motion was made by Alderman Gill, seconded by Alderman Authement and unanimously carried to advertise for engineering services and establish the selection committee for Engineering services related to the MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – Ocean Springs Road Phase 1 – Approved for FY2021; the selection committee will be the Planning & Grants Administrator, the Mayor, the Public Works Director, Alderman Gill, Alderman Authement and Alderman Cox (Exhibit 6-d).

The Planning & Grants Administrator said the second project is for the East Beach Sidewalk, which will be from Halstead Road to Holcomb Blvd. Motion was made by Alderman Cox, seconded by Alderman Authement and unanimously carried to advertise for related engineering services and establish the selection committee for related Engineering services for the MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – East Beach Sidewalk Approved for FY20; the selection committee will be the Planning & Grants Administrator, the Mayor, the Public Works Director, Alderman Papania, Alderman Authement and Alderman Cox (Exhibit 6-e).

The Planning & Grants Administrator said the last project is the Wayfinding study, although advertising is not required it requires a unique skill set that the City has not requested from the firms used on previous projects. The City Planner is managing this project. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to advertise related Planning/Engineering/Design services and establish the selection committee for related consulting services for the MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – Study/Technical report group – City-Wide Wayfinding study approved for FY19; the selection committee will be the Planning & Grants Administrator, the Mayor, the City Planner, Alderman Authement and Alderman Cox (Exhibit 6-f).

BUILDING DEPARTMENT:

Alderman Authement explained that he was contacted by the owner of 1112 Lafontaine Avenue to appeal the Tree Committee decision that denied him removal of an oak tree (Exhibit 6-g). He said there is actually damage done to one of the structures and the tree will only get bigger causing more damage, and the 20% trimming that the Tree Committee recommended will not be sufficient. The owner has already planted two oak trees elsewhere on the property. The City Attorney said that the appeal should come from the homeowner and not an alderman. A final decision was tabled until a future meeting that the homeowner can attend.

HUMAN RESOURCES & RISK MANAGEMENT:

The Human Resources Director explained that the HR Committee met to discuss the PERS retirement re-employment options for the Interim Fire Chief. She said that there are two re-employment options with PERS for retirees and he is nearing the salary cap for the current option selected when he was re-employed on July 1, 2019 which requires that the earnings not exceed 25% of his final compensation. He can change to the second option which allows working for one-half of the salary in effect for the position for one-half of the scheduled hours. He will have to change to a part time status for this option, working no more than eighty hours a month which he has agreed to do. Alderman Blackman said that the uncertainty has to end and a leader needs to be selected. Motion was made by Alderman Authement, seconded by Alderman Gill and unanimously carried to change the Interim Fire Chief to part time status for the PERS retirement re-employment option for one-half of the salary in effect for the position for one-half of the scheduled hours.

PUBLIC COMMENT

Dr. Gary Bachman, 5001 Heritage Lane, said that the Crepe Myrtles on Hwy. 90 are heavily infested with Crepe Myrtle bark scale infection. He thinks that the recent trimming caused the wide spread problem. He would like to offer his services as Mississippi State University Extension professional to help save the trees. His information was given to Mayor to follow up with him.

Angelo Malano, President of Water Board for Colonial Estates, he said that he had a meeting with the State Department of Health at Coast Chlorinators regarding the subdivisions water situation. He said the City applied for a block grant to finish the last of the piping to connect the subdivision to City water. The state referenced issues in 2012 and 2013 that he had no idea about. The state requested their board to sign a document that they will be no longer liable for the fine but they have to agree to be hard lined to the City within 30 – 60 days or they would be liable. The Planning & Grants Administrator said there was a grant received in 2012 and most of the work has been completed but has now changed in scope. She has contacted the point person at DMR for this project and will be moving forward soon. Angelo

said he is meeting next Monday with the state again. The Mayor said that he would reach out to him tomorrow to get it sorted out.

James Lewis, said that an additional \$1,500 to the engineer for the Dog Park is ridiculous. A bid should be held by and the due diligence should have been done before the bid. It's his opinion that the engineer owes the City \$900 that he has already gone over. He also said that the school zone sign northbound by the Middle School needs to be moved to match the southbound lane and the hours need to be posted. He added that Macedonia Baptist Church is sponsoring a luncheon for Veterans at the Parks & Recreation Building on the October 9th. He said that in his opinion the photos used in the retail presentation were offensive and degrading to women. He thanked the Police for addressing a courtesy check on a lady on Hanshaw Road that he called concerned.

Dr. Bill Moore thanked the Board for the consideration of increasing the Chamber budget last time. He mentioned the sidewalk project on East Beach especially on Holcomb and Halstead and said the sidewalks are patchy and drivers speed in the area.

Chic Cody said that 7,400 vehicles are registered for Cruisin' the Coast. He thanked the Board for getting the trees trimmed. He asked that there be a stand by electrician for Cruisin'. There will be TV shows filming on Saturday October 12th. He added that he enjoys what he does for the City and appreciates the Board and City employees for all their support.

ALDERMAN'S FORUM

Alderman Gill said the light is still out at Diller Road and Queen Elizabeth Drive. Alderman Blackman said if he receives the number off the pole for Singing River Power, he will reach out to them and get turned back on.

Alderman Authement said he received the estimate from Mississippi Power to put a light at the Harbor and said it would add \$38 per month to bill. Motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to add a light at the Harbor through Mississippi Power.

Alderman Cox asked Public Works if the cones could be moved and capped off where the lights are missing in front of Glory Bound. He said the decorative light poles were too expensive to replace and will be replaced with regular street light poles.

Alderman Impey thanked the Police and Public Works Departments for addressing the sinkhole in Lakeview Subdivision quickly. He thanked Dr. Bachman for taking time to come out and offer his services. He said he wanted to recognize his friend and radio personality Kip Gregory's untimely passing at the age of 51 years and send condolences. He said Kip was part of many charity organizations along the Gulf Coast and will be missed by many. The Mayor echoed the condolences.

EXECUTIVE SESSION

Motion was made by Alderman Authement, 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 a motion was made by Alderman Authement, seconded by Alderman Blackman and unanimously carried to remain in executive session to discuss litigation regarding the Sands; item 5-l; and personnel in the Public Works and Fire Departments.

Motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to suspend employee #347 for five working days without pay beginning September 23, 2019 for poor job performance.

Motion was made by Alderman Impey, seconded by Alderman Authement and unanimously carried to table item 5-l, accept resignation for probationary sewer laborer employee #3272, from the consent agenda.

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

Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to adjourn the meeting until 6:00 p.m. on October 1, 2019.

Meeting ended at 9:48 p.m.

Patty Maston
City Clerk
10/15/19
Date

Glen Mason
Mayor
10/15/19
Date

**ADDENDUM TO RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
September 17, 2019 – 6:00 p.m. at City Hall**

1) CONSENT AGENDA

Mayor:

- a) Approve Special Event Permit Application for St. Alphonsus School 2nd Grade Fieldtrip; Scheduled for Monday, September 23, 2019 12:30 p.m. until 1:30 p.m.; at City Hall; No cost incurred by the City (Exhibit A – 1a)
- b) Approve Special Event Permit Application for Trick or Treat Down the Street 2019; Scheduled for Thursday, October 31, 2019 6:00 p.m. until 8:00 p.m.; Downtown Ocean Springs, Road Closures at Washington and Government; Overtime Cost may be incurred by the City for Police, Fire, and/or Public Works (Exhibit A – 1b)

Human Resources:

- c) Accept resignation of Battalion Chief Tim Heath, effective September 30, 2019; authorize to begin the process of filling the vacant position (Exhibit A – 1c)
- d) Accept Human Resources Committee Meeting September 9, 2019 (Exhibit A – 1d)

2) DEPARTMENT REPORTS

City Clerk:

- a) Approve Budget Amendments (Exhibit A – 2a)

Community Development & Planning:

- b) Item 6-c HPC Special Call on September 16, 2019 – 418 Martin Avenue – Results from Meeting – Approve the Demolition of the Building at 418 Martin (Exhibit A – 2b)

RECESS MEETING AGENDA
MAYOR AND BOARD OF ALDERMEN • CITY OF OCEAN SPRINGS
September 17, 2019 – 6:00 p.m. at City Hall

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE

3. NEW BUSINESS

- a) Discussion of Capital Improvement Plan – BMA Engineering
- b) The Foundation Group – Retail/Development – Alan Weaver and Charles Taylor

4. OLD BUSINESS

- a) Discussion of Dog Park Amenities
- b) Approve Amendment 1 Professional Services Agreement Ocean Springs Dog Park – Overstreet & Associates Consulting Engineers (Exhibit 4-b)
- c) Request for License to Encroach to construct a fence within City right-of-way – 1502 Kensington Avenue
- d) Discussion of Awarding of Bid for Street/Chassis Sweeper

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 Amendment to Special Event Permit post approval; The Veterans Day Parade may incur overtime cost for Police, Fire, Parks and/or Public Works (Exhibit 5-a)
- b) Approve Special Event Permit Application for Ocean Springs High School Homecoming Parade; Scheduled for Wednesday, September 25, 2019 Line up to begin at 4:15 p.m., parade to begin at 5:30 p.m., and end at 6:45 p.m.; along normal parade route; City may incur overtime cost the Police, Fire and/or Public Works (Exhibit 5-b)
- c) Approval of Special Event – Party on the Lawn, Fireworks Display; Saturday, September 21, 2019 at 7:30 p.m. for approximately 7 minutes; Pier on East Beach (Exhibit 5-c)

City Clerk:

- d) Approve Minutes: Recess Meeting August 20, 2019 (Exhibit 5-d)
- e) Ratify check to Tracey Cryer in the amount of \$120.00 for refund of overpayment of summer camp fees (Exhibit 5-e)
- f) Ratify check to Easy Permit Postage in the amount of \$2,020.99 for postage fees to Pitney Bowes (Exhibit 5-f)

Police Department:

- g) Accept Monthly Police Department Report for August 2019 (Exhibit 5-g)

Fire Department:

- h) Accept Monthly Fire Department Report for August 2019 (Exhibit 5-h)

Human Resources/Risk Management (Exhibit 5 – i, j, k, l):

- i) Authorize removal of Patrolman Haydn Havard from probationary status to full time status effective September 10, 2019
- j) Authorize removal of Sewer Laborer Martin Hubbard from probationary status to full time status effective September 4, 2019
- k) Authorize removal of Street Laborer David Charbonnet from probationary status to full time status effective September 10, 2019
- l) Accept termination of Probationary Sewer Laborer Employee #2372, effective September 13, 2019; authorize to begin the process of filling the vacant position

City Engineer:**Public Works:**

- m) Approval to change uniform service providers from Cintas Corporation to Unifirst Corporation for immediate savings; Authorize to execute the agreement with Unifirst Corporation for uniform services (City Attorney has reviewed) (Exhibit 5-m)

Community Development & Planning:

- n) Authorize out of state travel – Carolyn Martin September 18, 2019 NGOM Sentinel Site Cooperative partnership Workshop in Escambia County, Cantonment, FL (No charge) and Wade Morgan October 15-18, 2019 American Planning Association Conference in Huntsville, AL travel expenses covered in FY19 budget (Exhibit 5-n)
- o) Authorize to execute contract amendment with Compton Engineering, Inc. for services related to Katrina Disaster Recovery Funds (KCDBG) to include bid phase services (Exhibit 5-o)
- p) Authorize to Advertise for Construction – Bills Avenue Waterline Replacement and Bills Avenue Sewer Main Replacement (Exhibit 5-p)

Planning Commission:Zoning & Adjustment Board:Historic Preservation Commission:

- q) Approve Certificate of Appropriateness for the construction of a building addition, exterior painting and site landscaping - 1161 Robinson Avenue (Exhibit 5-q)
- r) Approve Certificate of Appropriateness for exterior painting, replacement of a front door and minor repair and renovation – 904 Iberville Drive (Exhibit 5-r)

Building Department:

- s) Accept Tree Protection Committee meeting minutes from September 10, 2019 (Exhibit 5-s)
- t) Approve Code Enforcement Report through September 13, 2019 (Exhibit 5-t)
- u) Approval of Tree Trimming for City property – Train Depot – 1000 Washington Avenue (Exhibit 5-u)
- v) Adoption of the 2017 FIS Study for the City of Ocean Springs (Exhibit 5-v)

Parks & Recreation:

- w) Approve and Authorize to Execute the Individual Service Contract – Karate – Bill Oster (Exhibit 5-w)

6. DEPARTMENT REPORTS**Mayor:**

- a) Discussion of Resolution to match donated funds to the Friends of the Mary C. O'Keefe Cultural Center Arts and Education – Oktoberfest 2019 (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)

Police Department:

Fire Department:

Human Resources/Risk Manager:

City Engineer:

Public Works:

Community Development & Planning:

- c) HPC Special Call on September 16, 2019 – 418 Martin Avenue
- d) Authorize to advertise for Engineering services and Authorize to establish the selection committee for related Engineering services related to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – Ocean Springs Road Phase 1 – Approved for FY2021 (Exhibit 6-d)
- e) Authorize to advertise related Engineering service and Authorize to establish the selection committee for related Engineering services related to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – East Beach Sidewalk Approved for FY20 (Exhibit 6-e)
- f) Authorize to advertise related Planning/Engineering/Design service and Authorize to establish the selection committee for related consulting services related to MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) – Study/Technical report group – City-Wide Wayfinding study approved for FY19 (Exhibit 6-f)

Planning Commission:

Building Department:

- g) Appeal of TPC decision to deny removal of oak tree at 1112 Lafontaine Avenue (Exhibit 6-g)

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 potential litigation regarding The Sands

ADJOURN UNTIL 6:00 P.M. on October 1, 2019