

REGULAR MEETING OF JANUARY 7, 2020

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 January 7, 2020. The Mayor presiding, Aldermen Gill, Authement, Bellman, Cox, Papania, Blackman and Impey were present. Also present were City Attorney Nicole Sullivan, City Clerk Patty Gaston, Police Chief Dunston, Fire Chief McCoy, Planning & Grants Administrator Carolyn Martin, Building Official Darrell Stringfellow, Public Works Assistant Directors Candice Hooks & Allen Ladnier, Parks & Recreation Director Geri Straight, Deputy City Clerk Vicky Hupe and Executive Assistant to the Mayor & Board Meggan Brown.

The Mayor called the meeting to order.

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

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

PUBLIC HEARING

The Planning & Grants Administrator explained an amendment is needed for the Unified Development Code Amending Table 3.1 (Base Zoning Districts) in Section 3.3 (Exhibit 3-a) because the verbiage does not match the table. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to go into Public Hearing.

No public comments. Motion was made by Alderman Authement, seconded by Alderman Impey and unanimously carried to come out of Public Hearing.

Motion was made by Alderman Gill and seconded by Alderman Authement to adopt an Ordinance: an Amendment to the Unified Development Code Amending Table 3.1 (Base Zoning Districts) in Section 3.3. 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 Planning & Grants Administrator explained an amendment is needed for the Unified Development Code Amending Section 2.34.3A of Chapter 2 Regarding Exemptions to Non-Residential and Multi-Family Design Review (Exhibit 3-b) because clarification is needed for the intent of the section. Motion was made by Alderman Blackman, seconded by Alderman Gill and unanimously carried to go into Public Hearing.

No public comments. Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to come out of Public Hearing.

Motion was made by Alderman Gill and seconded by Alderman Blackman to adopt an Ordinance: an Amendment to the Unified Development Code Amending Section 2.34.3A of Chapter 2 regarding exemptions to non-residential and multi-family design review. 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 Planning & Grants Administrator explained a zoning change has been requested for 2123-2151 Government Street from CH (Regional Commercial) to CMX-2 (Community Commercial District) (Exhibit 3-c), which will be more mixed use development. Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to go into Public Hearing.

No public comments. Motion was made by Alderman Impey, seconded by Alderman Blackman and unanimously carried to come out of Public Hearing.

Motion was made by Alderman Blackman and seconded by Alderman Authement to adopt an Ordinance: Zoning Change from CH (Regional Commercial) to CMX-2 (Community Commercial District) for 2123-2151 Government Street. 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>

PRESENTATIONS

Melvin Chipley account manager with AGJ, the City's IT department, gave the Board a cyber security update.

OLD BUSINESS

The professional services proposal for the Highway 57 Sports Complex additional parking construction from Compton Engineering, Inc. (Exhibit 5-a) was tabled by Alderman Cox for further discussion.

The agreement with Compton Engineering for transfer of data rates (Exhibit 5-b) was tabled until files could be located and compiled within the City.

CONSENT AGENDA

Motion was made by Alderman Impey, seconded by Alderman Cox and unanimously carried to approve the Consent Agenda except items 6-g, 6-i and 6-t.

- a) Authorize Executive Assistant to the Mayor & Board Meggan Brown to attend Leadership Jackson County 2020 program and authorize payment of tuition \$1,300.00 (Exhibit 6-a)
- b) Adopt a Resolution recognizing Municipal Government Week, January 20-26, 2020 (Exhibit 6-b)
- c) Approve Run/Walk permit application for 23rd Kelsey Williams 10k Winter Classic, GC Running Club; Saturday, January 18, 2020 from 9:00 a.m. to 10:30 a.m.; YMCA route begin and end at Pine Avenue; no cost to the City , applicant pays associated event cost (Exhibit 6-c)
- d) Approve Run/Walk permit application for Valentine's 8k Run, GC Running Club; Saturday, February 1, 2020 from 9:00 a.m. to 10:30 a.m.; beach route begin and end at Fort Maurepas; no cost to the City , applicant pays associated event cost (Exhibit 6-d)
- e) Approve Special Event permit application for Multiple Sclerosis Ocean Springs; Saturday, March 14, 2020 from 8:00 a.m. to 12:00 p.m. at Fort Maurepas; no cost to the City, applicant pays associated event cost (Exhibit 6-e)
- f) Approve Run/Walk permit application for Walk for Multiple Sclerosis, National Multiple Sclerosis Society; Saturday, March 14, 2020 from 10:00 a.m. to 12:00 p.m.; Beach Pathway; no cost to the City , applicant pays associated event cost (Exhibit 6-f)
- g) Approve Run/Walk permit application for 12th Annual 5k R.A.C.E., Rotary Club of Ocean Springs; Saturday, October 17, 2020 from 5:00 p.m. to 9:00 p.m.; Rotary Route start Porter Avenue to Mary C. O'Keefe; no cost to the City , applicant pays associated event cost (Exhibit 6-g)
- h) 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 6-h)
- i) Authorize Mayor to execute SpyGlass Snapshot Audit Agreement (Exhibit 6-i)
- j) Ratify check to Jackson County Tax Collector for \$9.00 for Title application for Sweeper Truck (Exhibit 6-j)
- k) Ratify check to MS Department of Revenue for \$32.00 for tag renewals units PD900 and PD1005 (Exhibit 6-k)

- l) Ratify check to Future Design Group for \$8,250.00 for website development (Exhibit 6-l)
- m) Approve Minutes: Regular Meeting December 3, 2019 (Exhibit 6-m)
- n) Approve Minutes: Recess Meeting December 17, 2019 (Exhibit 6-n)
- p) Human Resources: (Exhibit 6-p)
 - Supervision & Finance:
 - a) Authorize removal of Accountant Kelly Riff from probationary status to full time status effective immediately
 - Police Department:
 - b) Authorize removal of Patrolman Dimitrius Cruz from probationary status to full time status effective immediately
 - c) Authorize removal of Patrolman Heather Skinner from probationary status to full time status effective immediately
 - d) Authorize employment of Chadwick Cashin, Part-Time Patrolman, \$13.00 hourly rate, effective on or about January 8, 2020, pending successful completion of all pre-employment requirements
 - Fire Department:
 - e) Accept resignation of Firefighter Torrey Johnston, effective December 19, 2019; authorize to begin the process of filling the vacant position
 - Public Works:
 - f) Authorize transfer of Sewer Department Laborer Martin Hubbard to Street Department Laborer at current rate of pay; authorize to begin the process of filling the vacant position
- q) Adopt Resolution to accept 1989 Mack truck vehicle VIN# 2M2N277Y4KC008453 from Jackson County (Exhibit 6-q)
- r) Authorization to request project activation – FY20 Study/Tech Report Group – Downtown OS Traffic/Travel/Parking Study – MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) (Exhibit 6-r)
- s) Authorization to request project activation – FY20 Study/Tech Report Group – South Ocean Springs Road/Steelman Lane Study – MDOT Transportation Improvements Program (TIP) Federal Surface Transportation Program (STP) (Exhibit 6-s)
- t) Concurrence with Selection Committee Recommendation for Preliminary Engineering Consultant Services for Brown, Mitchell, & Alexander and authorize to negotiate a contract – STP 9065-00(004) LPA 108084-701000 Ocean Springs Road Reconstruction Phase I (Exhibit 6-t)
- u) Authorize Wade Morgan to attend out of state conference (Annual Planning Association) April 25-28, 2020 in Houston, TX (Exhibit 6-u)
- v) Approve application for Residential Short Term Rental permit – 115 Winchester Drive PID:60128290.020 (Exhibit 6-v)
- w) Accept Tree Protection Committee meeting minutes from December 30, 2019 (Exhibit 6-w)
- x) Accept Code Enforcement Report through January 3, 2020 (Exhibit 6-x)

y) Approve Facility Use Agreement for Halstead Tennis Courts for Ocean Springs School District; waive all court usage fees from February 2020 until May 2020 (Exhibit 6-y)

Alderman Blackman tabled item 6-i, Spyglass Audit Agreement, so that more information on fees could be provided from the City Clerk to the Aldermen.

Alderman Blackman pulled item 6-t, concurrence with Selection Committee Recommendation for Preliminary Engineering Consultant Services for Brown, Mitchell, & Alexander and authorize to negotiate a contract – STP 9065-00(004) LPA 108084-701000 Ocean Springs Road Reconstruction Phase I (Exhibit 6-t). He explained he did not agree with the placement of the item under the consent agenda. Motion was made by Alderman Authement and seconded by Alderman Gill to approve concurrence with Selection Committee Recommendation for Preliminary Engineering Consultant Services for Brown, Mitchell, & Alexander and authorize to negotiate a contract – STP 9065-00(004) LPA 108084-701000 Ocean Springs Road Reconstruction Phase I. Motion carried with Aldermen Gill, Authement, Bellman, Cox and Papania voting aye; Aldermen Blackman and Impey voting nay.

Alderman Impey tabled item 6-g, Run/Walk permit application for 12th Annual 5k R.A.C.E., Rotary Club of Ocean Springs, for possible date change per the applicant.

DEPARTMENT REPORTS

City Clerk:

Motion was made by Alderman Authement, 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 7-a).

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to approve the monthly budget report (Exhibit 7-b).

Motion was made by Alderman Papania, seconded by Alderman Blackman and unanimously carried to adjust the water/sewer accounts listed on Exhibit 7-c except 2225 School Street; with the finding that the customers did not receive the benefit of the utility and the excess usages were due to unforeseen circumstances (Exhibit 7-c). The Board requested that 2225 School Street provide the contractor name or if it was the landlord that fixed the issue to see if a receipt could be provided.

Mayor:

The Special Events Coordinator requested approval of the Budweiser Clydesdales Parade on Saturday, February 1, 2020 from 3:00 p.m. until 4:00 p.m., details were added to minutes as Exhibit 7-f. He said that set up would begin at 1:00 p.m. on Jackson Avenue and the

Mayor said he would find out if the parade could end at the Oak Park Elementary parking lot rather than the Taconi building. Motion was made by Alderman Cox, seconded by Alderman Blackman and unanimously carried to approve the Budweiser Clydesdales Parade on Saturday, February 1, 2020 from 3:00 p.m. until 4:00 p.m., overtime cost may be incurred by the City.

Police:

The Police Chief and Attorney Robert Wilkinson explained that there are verbiage issues with the proposed Motorola contract for the new radios because the City cannot limit their rights nor their warranties. The attorney said the contract wording is normal and wanted to present the issues to the Board before being executed.

The Police Chief explained the Relay App and said that it is a safety application to encourage citizen involvement developed by police that would cost the City \$10,000 for the first year of service and \$7,000 each year thereafter but would be no cost to the citizens. He said he will try to find a funding source for the Relay App.

PUBLIC COMMENTS

Leon Rogers, who owns a business at 2901 Bienville Blvd., said he has been harassed by his landlord and feels as if the City is assisting the landlord.

James Crowell, NAACP representative, said that Mr. Rogers is looking into suing the landlord of his business and the City for assisting the landlord.

ALDERMAN'S FORUM

Alderman Authement asked the Public Works Assistant Directors about the upcoming MLK Day celebration at MLK Park. The Public Works Assistant Director said tents and port-o-lets would be provided; he said there is currently no power. The Executive Assistant to the Mayor & Board requested a special events permit be provided. The Parks & Recreation Assistant Director said there may be a temporary power pole that could be utilized but is unsure.

Alderman Bellman asked the Mayor to follow up with Waste Pro because cardboard boxes are not being picked up in his ward and other places in the City.

Alderman Blackman asked the Planning & Grants Administrator for an update on the Government Street Sidewalk Project. She responded that the next step is getting concurrence on the supplemental agreement to purchase the bridge and pilings rather than to install them. He asked the Fire Chief if the ladder truck was repaired and back in service. The Fire Chief replied that it is back into service.

Alderman Impey asked the Planning & Grants Administrator for a CBDG Grants update. She said that a budget modification had to be sent due to Bills Avenue exceeding available budget. Once the budget is accepted and the final agreements are received, design on the Fort Bayou projects can move forward. The Parktown projects will require a wetland delineation.

EXECUTIVE SESSION

Motion was made by Alderman Impey, seconded by Alderman Cox 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 personnel in the Fire Department and pending litigation for Chaney, the Sands Development and Littlepage litigation.

Motion was made by Alderman Blackman, seconded by Alderman Cox and unanimously carried to authorize the Fire Chief to hire two lateral transfers contingent upon satisfying all City of Ocean Springs Civil Service and hiring requirements.

Motion was made by Alderman Blackman, seconded by Alderman Impey and unanimously carried to authorize the City Attorney to execute and accept an agreement of dismissal of Temporary Restraining Order litigation entitled Edward Trehern, et al. v. City of Ocean Springs, et al. (Cause No. 19-cv-00214-RK) currently pending against the City in the Circuit Court of Jackson County, Mississippi.

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

Motion was made by Alderman Blackman, seconded by Alderman Authement and unanimously carried to recess the meeting until 6:00 p.m. on January 21, 2020.

Meeting ended at 8:38 p.m.

/s/Patty Gaston
City Clerk

/s/Shea Dobson
Mayor

01/21/2020
Date

01/21/2020
Date